

Atal Bihari Vajpayee Vishwavidyalaya, Bilaspur (C.G.)



Scheme and Syllabus

of

Bachelor of Law

Three Year Degree Course (New)

**Semester System for affiliated college
(As per LOCF and credit system)**

w.e.f. 2024-25/2025-26

W.E.F. Session :- 2023-24**LL.B. SEMESTER SYSTEM EXAMINATION**

(SESSION 2024-25)

LLB I**FIRST SEMESTER**

(July to December)

S.No	Papers
1	Jurisprudence (Legal Method, Indian Legal System and Basic Theory of Law)
2	Law of Contract – I Including Specific Relief Act 1963 &
3	Constitution- I
4	Law of Tort Including Motor Vehicle Act & Consumer Protection Laws
5	English Legal Language and writing
Total Marks	

LLB I**SECOND SEMESTER**

(Jan to June)

S.No	Papers
1	Specific Contract – II including Indian Partnership Act, 1932 & Sales of Goods Act 1930
2	Constitution-II
3	Criminology, Penology & Victimology
4	Family Law-I (Hindu Law)
5	Family Law-II (Muslim Law)
Total Marks	

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LL.B. SEMESTER SYSTEM EXAMINATION

LL.B II

~~THIRD SEMESTER~~

(July to December)

FIRST SEMESTER

S.NO.	Papers	Max.Marks
1	Law of Crime-I (Bhartiya Nyaya Sanhita 2023)	100
2	Bhartiya Sakshya Adhiniyam 2023	100
3	Labour and Industrial Laws-I	100
4	Labour and Industrial Laws-II	100
5	Professional Ethics & Professional Accounting System (Clinical/Practical)	100
Total Marks		500

LL.B II

Second

~~FOURTH SEMESTER~~

(Jan to June)

S.NO.	Papers	Max.Marks
1	CG Land Revenue Code with new amendments, other Local Laws & Rent Control Act 2011	100
2	Administrative Law & Right to Information Act 2005	100
3	Law of Crime-II Bhartiya Nagrik Suraksha Sanhita 2023	100
4	Environmental Laws including wildlife protection and Animal Welfare	100
5	Alternative Dispute Resolution (Clinical/Practical)	100
Total Marks		500

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LL.B. SEMESTER SYSTEM EXAMINATION

LL.B. III ~~FIFTH SEMESTER~~ *first semester*
(July to December)

S.NO.	Papers	Max.Marks
1	Transfer of Property Act 1882 & Easement Act 1882	100
2	Civil Procedure Code 1908, Limitation Act 1963 & Court Fees Act 1870	100
3	Company Law	100
4	Interpretation of Statutes & Theory of Legislation	100
5	Drafting Pleading and Conveyancing (Clinical/Practical)	100
Total Marks		500

LL.B. III *second*
~~SIXTH SEMESTER~~
(Jan to June)

S.NO.	Papers	Max.Marks
1	Intellectual Property Law	100
2	Human Rights and Public International Law	100
3	Cyber Law & Information Technology Act 2000	100
4	Law of Taxation & Good & Service Act 2017	100
5	Moot Court exercise and Internship (Clinical/Practical)	100
Total Marks		500

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

^{-I} LL.B. First Semester

Paper-I

Jurisprudence (Legal Method, Indian Legal System and Basic Theory of Law)

1. **Introduction**-Meaning, Nature, Definition & Scope of Jurisprudence, its Utility and relation of Jurisprudence with other Sciences.
2. **School of Jurisprudence and their exponent and views:-**
Natural Law Theory-its meaning and definition Natural Law in British American and Indian Legal System
Historical School- Ancient Period, Medieval Period, the Period of renaissance, Modern Period, Savigny, Sir Henry Maine,
Analytical School-Bentham, Austin, H.L.A. Hart and Kelson,
Philosophical School-Hegel, Herbert Spencer
Sociological School- Rudolph von Ihering, Eugen Ehrlich, Leon Duigvit, Dean Roscoe Pound
Realistic School- Oliver Wendell Holmes Alf Ross.
Pure Theory of Law-Kelson
3. **Jurisprudence & Law** - Definition, Nature, Kinds and Classification of Law, Law and Morality, State and Sovereignty. Development of Civil and Criminal Law in India, Codification of Indian Law and Law Commission. **Sources of Law** - Custom, Precedent and Legislation
4. **Administration of Justices** - Concept, Origin and Importance of Administration of Justice, Early Charters and Early Administration of Justice in Calcutta, Madras and Bombay Civil and Criminal Justices. Concept of Social Justice.
5. **Legal concepts** - Person, Rights and Duties, Possession and Ownership, Title, Liability, Obligation, Property

RECOMMENDED BOOKS-

- | | |
|---------------------------|--|
| 1. H.L.A. Hart | -The Concepts of Law (Oxford) ELBS |
| 2. Salmond | -Jurisprudence (Tripathi) Bombay |
| 3. G.W. Paton | -Jurisprudence (Oxford) ELBS |
| 4. R.W. Dias | -Jurisprudence (Indian Rep) (Aditya) New Delhi |
| 5. V.D. Mahajan | -Jurisprudence and Legal Theory |
| 6. W. Friedmann | -Legal Theory (1999) (Universal) Delhi |
| 7. S.N. Dhyani | -Jurisprudence |
| 8. Dr. B.N. Mani Tripathi | -Jurisprudence |
| 9. Anirudh Prasad | -Vidhishastra Ke Moolbhoot Shindhant (In Hindi) |
| 10. Pro. N.V. Parajape | -Vidhishastra Awam Vidhi ke Shindhant (In Hindi) |
| 11. Dr. N.V. Paranjape | -Legal and Constitutional History. |
| 12. Dr. N.V. Paranjape | -Vidhik Evam Sanvaidhanik Itihas (in Hindi) |

LL.B. Three Year Law Degree Course (Semester System)
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LL.B. First Semester

PAPER—II

LAW OF CONTRACT-I (GENERAL PRINCIPLES)
INCLUDING SPECIFIC RELIEF ACT, 1963

1. LAW OF CONTRACT (GENERAL PRINCIPLES, SECTIONS 1—36)

Formation of Contract—Proposal and Acceptance (Ss 1-10), Capacity to Contract (Ss 11, 12, & 68) Free Consent—Undue Influence, misrepresentation, Fraud, and Mistake (Ss 13-22) Lawful Consideration and Object (Ss 2(d), 23, 24, 25) Void Agreements (Ss 26-30) Contingent Contract (Ss 31-36)

2. LAW OF CONTRACT (GENERAL PRINCIPLES SECTION 37-75)

Performance of Contract, (Ss 37-39 & 56), By Whom Contracts must be performed, (Ss 40-45), Time and place for performance, (Ss 46-50), Performance of reciprocal promises, (Ss 51-58), Appropriation of payments, (Ss 59-61), Contracts which need not be performed, (Ss 62-67), Quasi Contracts, (Ss 68-72), Breach of Contracts and damages, (Ss 73-75).

3. SPECIFIC RELIEF ACT 1963 (SECTIONS 1-24)–

Specific Relief Act and its Applicability, (Ss 1-8), Specific Performance of Contract, (Ss 9-14), Persons for or against whom contracts may be specifically enforced, (Ss 15-19), Discretion and powers of the Courts in decreeing specific performance, (Ss 20-24)

4. SPECIFIC RELIEF ACT 1963 (SECTIONS 1-25-40)–

Enforcement of Awards, Rescission of Contracts, Rectification of Instrument, Cancellation of Instrument, Declaratory Decree and Injunctions (Temporary, Perpetual and Mandatory) (Ss 25—42).

5. LEADING CASES:

1. Carlill Vs. Carbolic Smoke Ball Co. (1893) (i) Q.B. 256
2. Mohri Bibi Vs. Dharmodas Ghose, ILR 30 Cal. 539 P.C.
3. Satya Brat Ghose Vs. Mangeeram, AIR 1954 SC 44
4. Lala Kapoorchand and Others Vs. Mir Nawab Himayat Ali Khan AIR 1963 SC 250.

BOOKS RECOMMENDED:

1. Ansons Law of Contract (1998) Universal, Delhi.
2. Pollock and Mulla- Indian Contract and specific Relief Acts. 1999, Universal 650/-

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3. Sarkar on Specific Relief Act. - Wadhwa, Nagpur.
4. Avtar Singh - Law of Contract, EBC, Lucknow.
5. Avtar Singh - Law of Contract and Specific Relief EBC, Lucknow.
6. Avtar Singh - Contract & Specific Relief Act (in Hindi)
7. Benerjee - Law of Specific Relief, Universal
8. Anand & Ayer Law of Specific Relief, Universal
9. Bangia R.K. - Law of Contract and Specific Relief 595/-
10. G.H. Treital - Law of Contract, Sweet & Maxwell 1997.
11. Bare Act (Diglot) Specific Relief Act, 1963
12. Bare Act (Diglot) Negotiable Instrument Act, 1881

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. First Semester

I Paper-III

Constitution-I

1. **CONSTITUTIONAL HISTORY OF INDIA** – The Regulating Act 1773. The Pitt's India Act, 1784. The Charter Act of 1833 and 1853. The Government of India Act, 1858, Indian Council Act, 1861. Indian Council Act, 1892, Indian Council Act, 1909, Government of India Act, 1919, Government of India Act, 1935 (Federal Legislative, Federal Executive and Federal Judiciary (Federal Court) Under the Act of 1935)
2. **CONSTITUTIONAL DEVELOPMENT**- Constitutional Developments leading to Indian Independence (1937-1947) The Indian Independence Act, 1947, Shaping of the Indian Constitution, The Constituent Assembly of India. Evolution and the source of the Indian Constitution.
3. **PHILOSOPHY OF CONSTITUTION (Art 01 to 11)**-Salient features of the Indian Constitution. Nature and Main features of Federal and Unitary Constitutions. Welfare State, preamble of the Indian Constitution. Union and its Territory (Art 1-4) Formation of new states, Citizenship (Art 5-11)
4. **STATE AND FUNDAMENTAL RIGHTS (Art 12 to 51A)**--State, Fundamental Rights and Their position under the Constitution. Right to Equality, right to freedom, Rights against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights. Right to Constitutional Remedies including Public Interest Litigations (Art- 12-35) Directive Principles of State policy- their relevance, Comparison with Fundamental rights, Classification of Directive Principles of State Policy Correlation between Fundamental Rights (Art 36-51) Fundamental Duties (Art 51-A)
5. **UNION EXECUTIVE (Art 52 to 151)**-- President Vice President, Council of Ministers. Attorney General and Conduct of Government Business (Art 52-78), Union Legislature (The Parliament)-Constitution, Composition Duration of Houses, Qualification of Members and other General Provision. Officers of the Parliament (Art 79-104), Power Privileges and immunities of the members (Art 105-106). Legislative Procedure including procedure of financial matters (Art 107-122). Legislative power of the Presidents (Art 123). Union Judiciary – Supreme Court of India (Art 124-144) Controller General of India (Art 148-151)

LEADING CASES:-

1. Meneka Gandhi Vs. Union of India, AIR 1978 SC 597
2. J.R. Kohli Vs. State of Tamil Nadu AIR SC 861
3. K.S. Puttaswamy Vs. Union of India (2017) 10 SCC 1
4. Navtej Singh Johar Vs. Union of India AIR 2018 SC 4321
5. Hussainara Khatoon Vs. Home Secretary State of Bihar AIR 1979 SC 1396

RECOMMENDED BOOKS:-

1. V.N. Shukla - Constitution of India
2. J.N. Pandey - Constitutional Law of India
3. M.P. Jain - Constitution of India
4. D.D. Basu - Shorter Constitution of India
5. Kagzi's - The Constitution of India
6. M.D. Chaturvedi - Bharat Ka Savidhan (Hindi)

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7. Bare Act (Diglot) Constitution of India
8. Dr. NV Paranjape - Legal and Constitutional History (Hindi/English)

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LL.B. Three Year Law Degree Course (Semester System)

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LL.B. First Semester

I Paper-IV

Law of Tort Including Motor Vehicle Act & Consumer Protection Laws

1. Definition, Nature, Scope, Object & General Principles of Law of Torts :

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Historical Background of Law of torts – Evolution in England and India, Form of Action and its Uncodified Character. Its Indian Origin from the principles of equity justice and good conscience.

Definition Torts : Its comparison with crime and breach of contract. Its nature, purpose and functions. General principles of liability. Its kinds. Damnum sine injuria and injuria sine damnum. General Elements in torts – Acts and Omission Voluntary and non-Voluntary act.

Mental Element in torts – Malice, Intention, Negligence, Motive. Recklessness, Carelessness, Malafide, Malafide, Malfeasance, Misfeasance, Non-feasance and fault.

2. Immunities Justification, Remedies, Discharge and Effect of Death :-

Immunities from tortious liability, Justification and defenses in action of torts – Act of God Act of State, Judicial Act. Inevitable accident, Private defence, necessity. Consent, leave and license.

Remedies – Damages and its kind, quantum of damages, injunction and its types, specific restitution of property. Joint-torts feasons. Contribution between wrongdoer. Remedies under constitutions and compensation as prescribed by statutes. Self help. Distress damage feasant. Discharge of torts-by accord and satisfaction, waiver by election. Release acquiescence judgment recovered and statute of limitation and effect of death on tort claim.

3. Wrong relating to person & property relations: rights:

Wrong relating to person, assault, battery, false imprisonment and malicious prosecution. Wrong relating to domestic and other rights. Intimidations and conspiracy, fraud and deceit, interference with trade business and occupation by unlawful means.

Wrongs relating to immovable- trespass to land, trespass by animals trespass ab initio injury to reversion & waste and easement. Wrong relating to movable property. Trespass to goods. Conversion and detentions.

Torts affecting immovable and movable property-slander of title. Slander of goods, maintenance and Champerty.

In-corporeal personal property right-patent, copyright & trademarks act etc.

4. Negligence, nuisance, Defamation and Liability for Wrongs committed by Others :

Negligence – Its nature conditions and exception, negligence of various persons it occupied, carrier counsel, doctors animals, keepers dangerous goods holder, street and statutory duty and contributing negligence.

Nuisance – Nature Classification and kind injury to property and remedies.

Defamation – Its Kind libel and slander, its Definition and essentials repetition.

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Defenses in defamations and remedies for defamation.

Liability for wrong committed by others—Liability by ratification by relations

i.e. master and servants. Principles and agent. Owner and independent contractor. Liability of the state. Doctrine of common employment, liability for abatement, absolute and strict liability.

5. **The Motor Vehicles (Amendments) Act 2019** -Introduction- aims and objects of M.V.A, title, extent and commencement of the act with modification, definitions, licensing of drivers of motor vehicles, licensing of conductors of stage carriages, registration of motor vehicles, control of transport vehicles, control of traffic, liability without fault in certain cases, insurance of motor vehicles against third party risk, claims tribunals, offences, penalties and procedure, power of police officer to impound documents and detain vehicles used without certificate of registration, permit etc., summary disposal of cases, appeal and revision on orders passed by original authority, The first schedule and the second schedule.

The Consumer Protection Act 2019- Introduction-Aims, object and scope of Consumer Protection Act, Definitions, Central Consumer Council, State Consumer Council.

Consumer Dispute Redressal Agencies-Composition, Jurisdiction and function of district forum, State Commission and National Commission, Procedure adopted in dealing with complaint and appeal cases, Enforcement and execution of orders by Consumer Forum.

LEADING CASES-

1. Indian Medical Association Vs. V.P. Shanth (AIR 1986 SC 530)
2. Lucknow Development Authority Vs. M.K. Gupta (AIR 1994 SC 787)
3. Kasturi Lal Rawat Vs. State of UP (AIR 1955 SC 1939)
4. Saheli & Women Resource Centre Vs. Commissioner of Police (AIR 1990 SC 51)
5. M.C. Mehta Vs. Union of India (AIR 1997 SC 1086)

BOOKS RECOMMENDED:

1. Ratan Lal Dhirajlal - The Law of Torts (1997) Wadwa Nagpur
2. Winfield and Jolowitz - On Torts (1999) Sweet & Maxwell London
3. Salmond and Houston - Torts (1999) Butterworth London
4. P.S. Achutan Pillai - The Law of Torts (2004) EBS Lucknow
5. D.N. Saraf - Law of Consumer Protection in India (1995) Tripathi
6. P.R. Majumdar - Law of Consumer Protection in India (1998) Orient New Delhi
7. Ramaswami Aiyer - Law of Torts (1999) Tripathi Bombay
8. M.D. Chaturvedi - Apkrtyokividi (1998) EBCL (In Hindi)
9. Bare Act (Diglot) Motor Vehicle Act, 2019
10. Bare Act (Diglot) Consumer Protection Act, 2019

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. First Semester

I Paper-V

English Legal Language and Writing

Marks - 100.

1. Legal Language:

Legal terminology. Legal terms - meaning.

10 Marks.

Explanation of the following Latin Glossary/Maxims either in English or Hindi-Ab-initio, Ad hoc, Ad-interim, Ad-litem guardian, Actus non-faciet reum nisi mens sit rea, Abuse of process, Injuria sine Damnum, Damnum sine injuria, Novus actus interveniens, Respondent superior, Res Ipsa loquifur, Restitution in integrum, Caveat emptor, Resjudicata, Prima facie, Malafides, Bonafides, Expost facto, Ex-parte, Ex-gratia, Tresspassab-initio, Sine-die, Non-compos mentis, Nemo-dat-quod-non habeat.

2. Abbreviation of Law Magazines & Journals : The following Abbreviations are prescribed for study.

10 Marks

AIR, S.C.C., M.P.L.J., J.L.J., M.P.W.N., Cal. LR, S.C.R, S.C.W.R., AL.I.L.J., Cal. L.J., O.L & Cr. L.J., All L.J., I.B. Rev., I.L.R., AI. Cr. C., S.C.J., I.T.R., I.T.J., Bom. L.R., An. L.T.

3. Translation of the Hindi passage into English :

10 Marks

4. Proficiency in regional language : Translation of the English passage into Hindi.

5. Precise writing. — 10 Marks

10 Marks

6. Essay writing on the following topics of legal interest :

30 Marks

Marriage under Hindu Law, Marriage and Divorce under Mohmmedan Law, Essentials of a valid contract, Master's liability under the law of Tort, Right of private defence under Criminal Law, Fundamental Rights under the Indian Constitution, Emergency provisions, Theories of punishment, Independence of Judiciary.

7. General English:

20 Marks

Gender, Number (Singular, Plural), Article, Tenses, Active and Passive voice, Preposition, Narration, One word Substitution, Antonyms and synonyms, Correction of Common Errors.

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LL.B. Three Year Law Degree Course (Semester System)
Detail Syllabus

LL.B. Second Semester

I Paper-I

Specific Contract-III Including Indian Partnership Act 1932 & Sale of Goods Act 1930

1. SPECIFIC CONTRACT (Sec. 124-147)

Contract of Indemnity (sec. 124- 125): Definition, its commencement and extent of indemnifiers liability, His right and when he can sue? (See 124-125).

Contract of guarantee and indemnity, surety consideration in continuing guarantee and its revocation (see 126- 132). Discharge of surety and principle debtor, co-surety and remedy for omission (see 133 to 139). Guarantee and Mental aspects; Uberrima fides, liability of surety and co-surety in contribution (see 140-147).

2. SPECIFIC CONTRACT (Sec. 148-181)

Contract of Bailment (sec. 148- 171): Definition of Bailor and Bailee and its kinds; mode of delivery of goods mixing good bailed and its consequences (sec. 148 to 157).

Repayment of expenses increased by bailor; restoration and return of goods; consignor as a bailor, his right to sue if consignments not returned; Gratuitous bailment and effect of death on it. Bailor's rights and liabilities finders of goods, His liability towards owners; and his obligation to keep goods safe and right... to dispose of good (if perishable). Bailee's lien and general line of Bankers etc. (sec. 168 to 171)

Contract of Pledge (172-181): Pawnor and Pawnee; their rights, right to redeem in case of default. Pledge by mercantile agent, Pledge under voidable contract and pledgor with limited interest (172 to 179) and suit by bailor or bailee against wrongdoer and apportionment of relief and compensation (see 180-181)..

SPECIFIC CONTRACT (SECTION 182-238)

Contract of Agency- (sec. 182 to 238): Appointment and authority of agent who is agent and principle? Who and by whom an agent may be appointed? Mode of appointment of agents. Duties and rights of agent and his authority, sub-agent and his position under the act, delegation of power. His responsibility towards agent and principle. (sec. 182 to 195).

Ratification its mode and its effect. Ratification of unauthorized act. Revocation of authority and its various mode termination of agency, compensation for revocation. Revocation and renunciation position of parties after termination of authorities. (sec. 196 to 210).

Agents various duties towards principles, position when agents remuneration is due? and Agents lien in principal's property. (sec. 211- 221).

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Principles duty to agent: His right to be indemnified against consequences of lawful act and acts done in good faith and for negligent act of principal. Principal's liability for ultra vires act of agent, agent is not personally liable on behalf of principal, liability of the principal for act of agent including misconduct of the agent. Effect of Fraud and his representation of the agent. (sec. 222-238).

3. INDIAN PARTNERSHIP ACT 1932

Provisions of Indian Partnership Act 1932, including- definition and nature of partnership. Advantage 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 & Dissolution of partnership.

4. SALES OF GOODS ACT 1930

Sales of goods act 1930 (Whole Act) which includes concept of sale on contract, instances of sale of goods and the nature of such contract, essentials of contract of sale, essential condition in every contract of sale, implied terms in contract of sale, the sale of caveat emptor and the exceptions there to under the sales of goods act. Changing concept of caveat emptor. Effect and meaning of implied warranties in a sale, transfer of title and passing of risk. Delivery of goods: various rules regarding delivery of goods. Unpaid seller and his rights. Remedies for breach of contract.

5. **NEGOTIABLE INSTRUMENT ACT 1881 (SECTIONS ^{1 to 148} ~~1-99~~)** – Preliminary (sec 1-3), Notes bills and cheques (Sec 4-25), Parties to notes, bills and cheques (Sec 26-45A), of Negotiation (sec 46-60), Of Presentment (Sec 61-77), Of Payment & Interest (Sec 78-81), Of Discharge from Liability on Notes, Bills and Cheques (Sec 82-90), Of notice of dishonor (Sec 91-98) Of Noting and Protest (Sec 99-104A), Of reasonable Time (Sec 105-107), Of acceptance and Payment for Honour and Reference in case of Need (Sec 108-116), Of Compensation- Sec 117, Special rule of evidence (Sec 118-122), Of Crossed Cheques (Sec 123-131), Of bill in sets (Sec 132-133), Of International Law (Sec 134-137), Of Penalties (Sec 138-148).

LEADING CASES

- (1) Bina Murlidhar Hundev. Kanahyalallakram Hundev (AIR 1999 SC 2171)
- (2) M/s. Lalliwai Biharilal v. Rambaboo Vaishya (AIR 1990 M.P. 64)
- (3) Premlatav. M/s. Ishwar Das Chamanlal (AIR 1995 S.C. 714)
- (4) Gherulal Parekh v. Mahadeo Das (AIR 1959 S.C. 78)

BOOKS RECOMMENDED:

1. Avtar Singh-Contract Act (2000) E.B.C. Lucknow.
2. Saharay H.K.-Indian Partnership & Sales of goods Act (2000)
3. Beatson (Ed.)-Anson's law of contract (1998) Oxford, Universal London.
4. A.G. Guest (Ed.)-Banjamin's Sale of Goods (1992) Sweet & Maxwell.
5. Pollock Mulla on contract (1999) Tripathi, Bombay.
6. T.R. Desai-Contracts sales of goods & Partnership
7. B.L. Babel-Contract-IIC.L.A. Allahabad (in Hindi).
8. S.K. Kapoor-Contract-IIC.L.A. Allahabad (in Hindi).
9. Krishann Nair-Law of Contract (1999) Orient.
10. Avtar Singh-Principles of the law of sales & goods and hire purchase (1990)

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11. Rawlings-TheSalesofgoodsAct(1998)Universal.
12. Dr.J.N.Pandey-IndianPartnershipAct(inHindi).
13. AvtarSingh-IntroductiontolawofPartnership
14. BareAct(Diglot)IndianPartnershipAct1932
15. BareAct(Diglot)SalesOfGoodsAct1930

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. Second Semester

I Paper-II

Constitution-II

1. **State Executive (Art. 152 to 238)** -Governor, Council of Ministers, Advocate General for the State, Conduct of Government Business (Art. 152-167) State Legislature- Constitution, Composition, Powers, Privileges and immunities of State Legislatures and their Members, Legislative Procedure (Art. 168-212) Legislative Powers of Governor (Art. 213) State Judiciary- High Courts in the States and Subordinate Judiciary (Art. 214-237):
2. **Administration of Union Territories (Art. 239-244-A)**, The Panchayats-Definitions, Gram Sabha, Constitution and Composition of Panchayats, Reservation of Seats, Duration, Disqualifications for Membership, Powers, Authority and responsibilities of Panchayats (Art. 243-243-O) The Municipalities-Definition, Constitution and Composition of Municipalities and Wards Committees, Reservation of Seats, Duration, Disqualifications for Membership, Powers, Authority and responsibilities of Municipalities, Power to impose Taxes, Finance Commission etc. (Art. 243-P-243-ZG) The Scheduled and Tribal Areas (Art. 244-244-A)
3. **Relations between Union and the States-Legislative Relations (Art. 245-300-A)** Administrative Relations, Disputes Relating to Waters and Co-ordination Between States (Art. 256-263), Provisions Regarding Finance (Art. 264-279) Finance Commission (Art. 280- 281) Miscellaneous Financial Provisions (Art. 282-290) Borrowing by the Government of India and the States (Art. 292-293), Constitutional Provisions Regarding Property, Contracts, Rights, Liabilities Obligations and Suits (Art. 292-300) Right to Property (Art. 300-A)
4. **Trade Commerce and Intercourse (Art. 301-342-A)** Service under the Union and the States (Art. 308-313) Public Service Commissions (Art. 315-323) Administrative Tribunals and Tribunals for other Matters (Art. 323-A-323-B), Provisions regarding Election and Election Commission (Art. 324-329), Special Provisions regarding to certain Classes (Art. 330-342)
5. **Official Language, Emergency and Amendment (Art 343 to 395)**--Language of the Union, Regional Languages, Language of the Supreme Court and the High Courts etc, Special Directives as to Languages (Art. 343-351), Emergency Provisions (Art. 352-360) Miscellaneous Provisions (Art. 361-367), Amendment of the Constitution (Art. 368), Temporary, Transitional and Special Provisions (Art. 369-392), Short Title, Commencement, Authoritative Text in Hindi and Repeals, All Schedules and Amendments.

Leading Cases:

- (1)-P.L. Dhingra Vs. Union of India, AIR 1958 S.C. 36 (2)-
T.N. Seshan Vs. Union of India (1995) 4 SCC 611

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(3)-Minerva Mills Vs.Union of IndiaAIR1980 S.C. 1789.

(4) -SRBommaVs.Unionof India(1994)2SCR644

(5) KeishamMeghaChandraSinghVs.TheHonbleSpeakerManipurLegislativeAssemblyand Other (2020)SCR132

RECOMMENDED BOOKS:

- | | | |
|----|-------------------|-------------------------------|
| 1 | V.N.Shukla | Constitution of India |
| 2 | J.N.Pandey | Constitutional Law of India |
| 3 | M.P.Jain | Constitution of India |
| 4 | D.D.Basu | Shorter Constitution of India |
| 5 | Kagzi's | The Constitution of India |
| 6 | M.D. Chaturvedi | Bharat Ka Savindhan (Hindi) |
| 7. | Bare Act (Diglot) | Constitution of India |

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LL.B. Three Year Law Degree Course (Semester System)
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LL.B. Second Semester

I Paper-III

Criminology, Penology & Victimology

1. **Introduction** – Definition of Criminology, Crime and Criminal Law, their theory and Significant, development of Criminal Law and Criminology in India, School of Criminology, - Pre-Classical, Classical and Neo- Classical and their theory Baccaria and Bentham. The positive, Sociology and Clinical school and their contributors.
2. **Causes and type of Crimes and Criminal** – Habitual, Sexual, Professional organized and white –collar, Terrorism, Modern and International Crimes such as cyber crime, Human Organ crime, crime against women and children.
3. **Penology** – Concept of Punishment, types and forms of punishment in ancient, medieval and modern India, theories of punishment, necessity Law and order, History of penal system in India.
4. **Prisoners Administration** – Types of Prisons and Prisoners, Basic principles for the treatment of prisoners, National and International Rights of Prisoners, Structure of Jail and Police in India, Nature, origin and advantages of Parole and probations.
5. **Victimology** – Nature, Historical, Origin and Development of Victimology, Typology of Victim, Status of Victim in the criminal justice system, Victim Compensation scheme.

Some Codified Laws–

Protection of Children from Sexual Offences Act, 2012 Domestic Violence Act, 2005

Sexual Harassment of women at work place (Prevention, Prohibition and Redressal) Act, 2013

The Narcotic Drugs and Psychotropic Substance Act, 1985 The Prisoners Act, 1900

BOOKS RECOMMENDED–

Sutherland & Crassey	- Criminology
Taft & England	- Criminology
Reckless W	-
Criminology the Crime Problem Vole G.B.	- Theoretical
Criminology Mannheim	- Compensation
Criminology Lolika Asrkar	- Crime &
Women Upendra Baxi	- Law and Poverty
Pillai S.	- Theory of Criminology

CycilBurt	-YoungDelinquents
GilliamJ.L.	-Criminologyand Penology
P.K.Sen	-PenologyoldandNew
Bhattacharya	-Prisons
Flexvor&Baldwani	-JuvenileCourtandProbations
M.Ponnanian	-Criminologyand Penology
J.C. Chaturvedi	-PenologyandCriminalProcedureCode
BareAct (Diglot)	- Protection of Children from Sexual OffencesAct,2012
BareAct (Diglot)	DomesticViolenceAct,2005
BareAct (Diglot)	SexualHarassmentofwomenatwork place (Prevention, Prohibition andRedressal) Act, 2013
BareAct (Diglot)	The Narcotic Drugs and Psychotropic SubstanceAct,1985
BareAct (Diglot)	ThePrisonersAct,1900

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. Second Semester

Paper-IV Family Law-I (Hindu Law)

- 1 - **Nature, Origin, Sources, Applicability and General Principles of Inheritance** Nature and origin of Hindu law, applicability of Hindu Law sources of Hindu law – Smritis and their commentaries, custom, legislation, judicial decision, equity, justice and good conscience as a source, general principle of inheritance (prior to Hindu succession act 1956) in mitakshara law and Dayabhaga, School and difference between Mitakshara and Dayabhaga succession and the Hindu Marriage Act 1955. (doctrine of representation & spec successionis)
- 2 - **Schools, Joint Hindu Family, Coparcenary adoption and provisions of Hindu Adoption and Maintenance Act 1956.**
Schools of Hindu Law-Mitakshara and Dayabhaga and their subschools, difference between the Mitakshara and Dayabhaga school, comparison between them, Migration and the schools of law.
Joint Hindu Family-Origin, Growth, Nature and Constitution, members of J.H.F. and property of J.H.F.
Coparcenary- its nature, distinction between J.H.F. and coparcenary, rights of coparcener, Karta, his powers and duties, alienation of property comparison between Mitakshara and Dayabhaga law, Debts-its liability to pay, nature and duration of liability, doctrine of pious obligation and antecedent debt, Bengal rule of Dayabhaga law, rule of Damdupat.
- 3 - **Adoption**-Object, form and requirement of valid adoption. Persons who may lawfully take in adoption, adoption by widow under authority from his husband, nature and form of authority, general rules as to adoption by widows, and termination of widow's power to adopt, persons lawfully capable of giving in adoption & persons who may be lawfully taken in adoption only son, orphan, stranger, adoption by two persons, simultaneous result and effect of adoption, right of adopted son in property, maintenance under Hindu Law and provisions of Hindu Adoption and Maintenance Act 1956, and changes made by this Act.
- 4 - **Partitions, Stridhan, Women's Estate, Gift & Hindu Succession Act 1956**
Partition-Meaning of partition, partition and family arrangement, person entitled to partition, property liable to partition. Allotment of share, final shares, reopening of partition and reunion, point of similarity and distinction Mitakshara and Dayabhaga, partial partition, its effect. **Stridhan**: its meaning, kinds, special feature and characteristics, enumeration of stridhan, rights of a woman over her stridhan, general rule of succession common to all schools, succession to stridhan under Mitakshara and Dayabhaga school, maiden's property. **Women's Estate**- its meaning, nature and sources. Incidents of widow's estate power of alienation, reversion, compromise, surrender and setting aside. Unauthorized alienation and effect of Hindu Succession Act 1956.

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Gift-its definition under T.P. and Hindu law, its subject matter, essential of valid gift, restriction and revocation, 'donatio mortis causa' and gift to trust and Provision of Hindu Succession Act 1956.

5 - Wills impartible estate, religious and charitable endowments and Hindu Marriage Act 1955 & Hindu Minority and Guardianship Act 1956:

Wills-Its definition, person capable of wills, property as a subject matter of wills under mitakshara and Dayabhaga law, revocation and alteration of wills, Bequest to unborn person when it is void? Rules against perpetuity, letter of administration and probate.

Impartible estate- its definition, origin and nature, rules of succession and separation of impartible estate.

Religious and charitable endowment- Essential of endowment, kinds- idol, math, devasthanam, and Dharmashala, Mahant, Hindu Marriage Act 1955 & Hindu and Minority & Guardianship Act 1956.

Some codified laws relating to Hindu

Special Marriage Act 1954 (Whole Act)

Dowry Prohibition Act 1981 (Whole Act)

Family Courts Act 1984 (Whole Act)

Leading cases.

1. Kisan Lal V. State (2000) ISCC 310.
2. Rameshwari Devi V. State of Bihar AIR 2000 SC 735 (739).
3. Vineeta Sharma Vs Rakesh Sharma (2020) AIR 3717 (SC)
4. Sondur Gopal Vs. Sondur Rajni (2013) 7 SCC 426
- Balwant Kaur V. Chaman Singh AIR 2000 SC 1908-12.
- Digamber Adhar Patel V. Dev Rani Girdhari Patel AIR (1995) SC, 1728.

Books Recommended:

1. R.K. Agrawal- Hindu Law, C.L.A., Allahabad.
2. Paras Diwan- Modern Hindu Law (Universal).
3. S.T. Desai (Ed.)- Mulla Hindu Law (1996), Butterworth, India.
4. Paras Diwan- Law of adoption, minority, guardianship and custody (2000) Universal.
5. Basu N.D.- Law of succession (Universal).
6. Paras Diwan- Law of intestate and testamentary succession (1998), Universal.
7. Paras Diwan- Adhunik Hindu Vidhi (in Hindi)
8. Bare Act (Diglot) Hindu Adoption and Maintenance Act 1956
9. Bare Act (Diglot) Hindu Succession Act 1956

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6. BareAct(Diglot) HinduMarriageAct1955
7. BareAct(Diglot)HinduMinorityandGuardianshipAct1956
8. BareAct(Diglot)SpecialMarriageAct1954
9. BareAct(Diglot)DowryProhibitionAct1981
10. BareAct(Diglot)FamilyCourtsAct1984(WholeAct)

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. Second Semester

I Paper-V

Family Law-II (Muslim Law)

1 -History, Origin, Development, Sources & Schools of Muslim Law,:

Historical background of Islamic law-its origin and comparison with other personal laws. Who is Muslim? Prophet and his companion, his tradition, development of Muslim law.

Sources of Muslim law- Primary sources-Quran, Hadis, Ijma, Kyas, secondary sources- custom, judicial decision, legislation, comparison with sources of Hindu law.

Schools (section and sub-section) of Muslim law- Sunni School- Hanifi, Maliki, Shifai and Humbali, Shia School and their sub-sections, difference between both Shia and Sunni on important matter. Effect of conversion to Islam and Apostasy.

2 -Marriage & Dower (Mehr) & Divorce:

Marriage (Nikah)-Its object and nature, requisite and condition for valid marriage. Effect of incapacity absolute, relative and declaratory, kind of marriage, option of puberty. Restitution of conjugal rights muta marriage, difference between Shia & Sunni law and marriage.

Dower (Mehr) -Definition, nature & classification of dower law of shia sect on dower, confirmation of dower, remission of dower, non-payment of dower effect of apostasy on mehr liabilities of heir for dower, dower as a debt. Widows rights in case of non-payment of dower, Kharch-i-pandan, & Mehr-i-misl.

Divorce (Talaq)-Quranic provisions regarding talaq kind, nature, classification and effect of divorce on the parties, apostasy and conversion as ground of divorce, Iddat utility its rationale and utility divorce through agreement or by mutual consent Khula, Mubarat, Ila & Zihar, Lien; Effect of false charges of adultery. Talaq-i-Tafwid, Fask (Annulment of marriage by court) provision of dissolution of Muslim marriage Act, 1939. Legal Effect of Divorce, Difference between Shia & Sunni Law on Divorce.

3 - Parentage, Legitimacy & Acknowledgement, Guardianship and Maintenance

Parentage- Maternity and paternity. How it is established? Legitimacy and acknowledgement, acknowledgement as a proof of legitimacy, prescription of legitimacy condition of valid acknowledgement and its effects. Position of adoption in Muslim Law? A comparison between acknowledgement and adoption.

Guardianship (Vilaya)- Concept of guardianship in Islam. Appointment of guardian. Their kinds age of majority, disqualification of

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guardian, guardianship of property. Power of guardian to dispose of to purchase and to alienate the immovable property of the minor.

Maintenance (Nafaqa)-Introduction, definition and quran decree regarding maintenance, Person entitled to maintenance. Relevant provision of Muslim women (Protection of right on divorce) Act 1986.

4 -Succession, Administration & Inheritance & Wills

Succession-General rule of succession and exclusion from succession.

Administration-Administration of the estate of a deceased. Provision of Indian succession act 1925.

Inheritance-General rule of Inheritance (sunni & shia) Position of birth right and heritable property. Principle of renunciation and transfer of chance of succession (specific succession) vested inheritance classification of heirs-sharer, residuary and distant kindred. Their share and distribution of property. Doctrine of increase (Aul) Return (Radd) and position of rules relating to (shia & sunni) illegitimate child, missing person, acknowledge kinsman, universal legatee & successor by contact eldest son and childless widow.

Wills-Person capable of making wills, its forms, position of heir on wills, limit of testamentary power, abatement and lapse of legacy, subject of legacy, position of unborn person in wills, various kinds of bequest i.e. bequest in future, contingent and conditional alienation, revocation of bequest, its types, position of probate and letter of administration in case of muslim wills.

5 -Marzul Maut, Hiba, Waqf and Pre-emption:

Marzul maut- Death bed gift, its condition for validity acknowledgement of debt at death-bed. **Hiba (gift)**-Definition, capacity of making gift extents of donors powers. Gift to unborn person, gift with intent to defraud creditor, position of gifts i.e.- gift of actionable claim and incorporeal property, gift of equity of redemption, gift of property held adversely to donor, requisite for gift and essential of gift (declaration acceptance & delivery of possession), Gift of movable and immovable and corporeal and incorporeal property and actionable claim, gift in family and out of family, gift to bailee to two or more donees: Mushaa, conditional & contingent gift, gift in future, revocation of gift, Gift with exchange (Hiba-bil-iwaz) Hibh-ba shartuliwaz, sadaqahareeat.

Waqf-Definition, object and subject of waqf, condition for valid waqf, doctrine of cy-pres. Form and kind of waqf, waqf how completed? Revocation of waqf, contingent waqf, waqf aalaulad, alienation of waqf property, muttawalli-his appointment power and function & renewal and provision of waqf act 1995, Khanqah, imambara, sajjadanashirkazi, takiya.

Pre-emption-its nature and kind, who may claim it, its requisite and condition.

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Leading Cases:

1. Kapoor Chand v. Kedarunnisa (AIR 1953 S.C. 413)
 2. Janjira Khatoon v. Mohd. Fakrulla (AIR 1922 Cal 429)
 3. Shayara Bano Vs. Union of India (2017) 9 SCC 1 (SC)
 4. Maina Bibi v. Chawdhari Vakil Ahme... 673 (PC) (AIR 1925 PC 63)
 5. Ms. Jorden Diegdeh v. S.S. Chopra (AIR 1985 SC 935)
- Habibur Rahman v. Atafali (AIR 1922 PC 159)

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LL.B. Three Year Law Degree Course (Semester System)**Detail Syllabus**

LL.B. II

~~Semester III~~ first semester**BHARATIYA NYAYA SANHITA 2023**

Marks:100

CHAPTER I: PRELIMINARY

Short title, commencement and application, Definitions, General explanations

CHAPTER II: OF PUNISHMENTS

Punishments, Commutation of sentence, Fractions of terms of punishment, Sentence may be (in certain cases of imprisonment) wholly or partly rigorous or simple, Amount of fine, liability in default of payment of fine, etc, Limit of punishment of offence made up of several offences, Punishment of person guilty of one of several offences, judgment stating that it is doubtful of which, Solitary confinement, Limit of solitary confinement, Enhanced punishment for certain offences after previous conviction

CHAPTER III: GENERAL EXCEPTIONS

Act done by a person bound, or by mistake of fact believing himself bound, by law, Act of Judge when acting judicially, Act done pursuant to judgment or order of Court, Act done by a person justified, or by mistake of fact believing himself justified, by law, Accident in doing a lawful act, Act likely to cause harm, but done without criminal intent, and to prevent other harm, Act of a child under seven years of age, Act of a child above seven and under twelve years of age of immature understanding, Act of a person of unsound mind, Act of a person incapable of judgment by reason of intoxication caused against his will, Offence requiring a particular intent or knowledge committed by one who is intoxicated, Act not intended and not known to be likely to cause death or grievous hurt, done by consent, Act not intended to cause death, done by consent in good faith for person's benefit, Act done in good faith for benefit of child or person of unsound mind, by, or by consent of guardian, Consent known to be given under fear or misconception, Exclusion of acts which are offences independently of harm caused, Act done in good faith for benefit of a person without consent, Communication made in good faith, Act to which a person is compelled by threats, Act causing slight harm

Of right of private defence

Things done in private defence, Right of private defence of body and of property, Right of private defence against act of a person of unsound mind, etc., Acts against which there is no right of private defence, When right of private defence of body extends to causing death, When such right extends to causing any harm other than death, Commencement and continuance of right of private defence of body, When right of private defence of property extends to causing death, When such right extends to causing any harm other than death, Commencement and continuance of right of private defence of property, Right of private defence against deadly assault

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when there is risk of harm to innocent person.

CHAPTER IV: OF ABETMENT, CRIMINAL CONSPIRACY AND ATTEMPT

Of abetment
Abetment of a thing, Abettor, Abetment in India of offences outside India, Abetment outside India for offence in India, Punishment of abetment if act abetted is committed in consequence and where no express provision is made for its punishment, Punishment of abetment if person abetted does act with different intention from that of abettor, Liability of abettor when one act abetted and different act done, Abettor when liable to cumulative punishment for act abetted and for act done, Liability of abettor for an effect caused by act abetted different from that intended by abettor, Abettor present when offence is committed, Abetment of offence punishable with death or imprisonment for life, Abetment of offence punishable with imprisonment, Abetting commission of offence by public or by more than ten persons, Concealing design to commit offence punishable with death or imprisonment for life, Public servant concealing design to commit offence which it is his duty to prevent, Concealing design to commit offence punishable with imprisonment

Of criminal conspiracy

Criminal conspiracy

Of attempt

Punishment for attempting to commit offences punishable with imprisonment for life or other imprisonment.

CHAPTER XI: OF OFFENCES AGAINST THE PUBLIC TRANQUILLITY

Unlawful assembly, Every member of unlawful assembly guilty of offence committed in prosecution of common object, Rioting, Wantonly giving provocation with intent to cause riot-if rioting be committed; if not committed, Liability of owner, occupier, etc., of land on which an unlawful assembly or riot takes place, Affray, Assaulting or obstructing public servant when suppressing riot, etc, Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony, Imputations, assertions prejudicial to national integration.

CHAPTER XIV: OF FALSE EVIDENCE AND OFFENCES AGAINST PUBLIC JUSTICE

Giving false evidence, Fabricating false evidence, Punishment for false evidence, Giving or fabricating false evidence with intent to procure conviction of capital offence, Giving or fabricating false evidence with intent to procure conviction of offence punishable with imprisonment for life or imprisonment, Threatening any person to give false evidence, Using evidence known to be false 234. Issuing or signing false certificate, Using as true a certificate known to be false, False statement made in declaration which is by law receivable as evidence, Using as true such declaration knowing it to be false, Causing disappearance of evidence of

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offence, or giving false information to screen offender, Intentional omission to give information of offence by person bound to inform, Giving false information respecting an offence committed, Destruction of document or electronic record to prevent its production as evidence, False personation for purpose of act or proceeding in suit or prosecution, Fraudulent removal or concealment of property to prevent its seizure as forfeited or in execution, Fraudulent claim to property to prevent its seizure as forfeited or in execution, Fraudulently suffering decree for sum not due, Dishonestly making false claim in Court, Fraudulently obtaining decree for sum not due, False charge of offence made with intent to injure, Harbours offender, Taking gift, etc., to screen an offender from punishment, Offering gift or restoration of property in consideration of screening offender, Taking gift to help to recover stolen property, etc., Harbours offender who has escaped from custody or whose apprehension has been ordered, Penalty for harbouring robbers or dacoits, Public servant disobeying direction of law with intent to save person from punishment or property from forfeiture, Public servant framing incorrect record or writing with intent to save person from punishment or property from forfeiture, Public servant in judicial proceeding corruptly making report, etc., contrary to law, Commitment for trial or confinement by person having authority who knows that he is acting contrary to law, Intentional omission to apprehend on part of public servant bound to apprehend, Intentional omission to apprehend on part of public servant bound to apprehend person under sentence or lawfully committed, Escape from confinement or custody negligently suffered by public servant, Resistance or obstruction by a person to his lawful apprehension, Resistance or obstruction to lawful apprehension of another person, Omission to apprehend, or sufferance of escape, on part of public servant, in cases not otherwise provided for, Resistance or obstruction to lawful apprehension or escape or rescue in cases not otherwise provided for, Violation of condition of remission of punishment, Intentional insult or interruption to public servant sitting in judicial proceeding, Personation of assessor, Failure by person released on bail bond or bond to appear in Court.

CHAPTER V: OF OFFENCES AGAINST WOMAN AND CHILD

Of sexual offences

Rape, Punishment for rape, Punishment for rape in certain cases, Punishment for causing death or resulting in persistent vegetative state of victim, Sexual intercourse by husband upon his wife during separation, Sexual intercourse by a person in authority, Sexual intercourse by employing deceitful means, etc., Gang rape, Punishment for repeat offenders, Disclosure of identity of victim of certain offences, etc., Printing or publishing of any matter relating to Court proceedings without permission.

Of criminal force and assault against woman

Assault or use of criminal force to woman with intent to outrage her modesty, Sexual harassment, Assault or use of criminal force to woman with intent to disrobe, Voyeurism, Stalking, Word, gesture or act intended to insult modesty of a woman.

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Of offences relating to marriage

Dowry death, Cohabitation caused by man deceitfully inducing belief of lawful marriage, Marrying again during lifetime of husband or wife, Marriage ceremony fraudulently gone through without lawful marriage, Enticing or taking away or detaining with criminal intent a married woman, Husband or relative of husband of a woman subjecting her to cruelty, Cruelty defined, Kidnapping, abducting or inducing woman to compel her marriage, etc.

Of causing miscarriage, etc.

Causing miscarriage, Causing miscarriage without woman's consent, Death caused by act done with intent to cause miscarriage, Act done with intent to prevent child being born alive or to cause to die after birth, Causing death of quick unborn child by act amounting to culpable homicide.

Of offences against child

Exposure and abandonment of child under twelve years of age, by parent or person having care of it, Concealment of birth by secret disposal of dead body, Hiring, employing or engaging a child to commit an offence, Procuration of child, Kidnapping or abducting child under ten years of age with intent to steal from its person, Selling child for purposes of prostitution, etc, Buying child for purposes of prostitution, etc.

CHAPTER VI

OF OFFENCES AFFECTING THE HUMAN BODY

Of offences affecting life
Culpable homicide, Murder, Culpable homicide by causing death of person other than person whose death was intended, Punishment for murder, Punishment for murder by life-convict, Punishment for culpable homicide not amounting to murder, Causing death by negligence, Abetment of suicide of child or person of unsound mind, Abetment of suicide, Attempt to murder, Attempt to commit culpable homicide, Organised crime, Petty organised crime, Terrorist act.

Of hurt

Hurt, Voluntarily causing hurt, Grievous hurt, Voluntarily causing grievous hurt, Voluntarily causing hurt or grievous hurt by dangerous weapons or means, Voluntarily causing hurt or grievous hurt to extort property, or to constrain to an illegal act, Voluntarily causing hurt or grievous hurt to extort confession, or to compel restoration of property, Voluntarily causing hurt or grievous hurt to deter public servant from his duty, Voluntarily causing hurt or grievous hurt on provocation, Causing hurt by means of poison, etc., with intent to commit an offence, Voluntarily causing grievous hurt by use of acid, etc, Act endangering life or personal safety of others.

Of wrongful restraint and wrongful confinement

Wrongful restraint, Wrongful confinement

Of criminal force and assault

Force, Criminal force, Assault, Punishment for assault or criminal force otherwise than on grave provocation, Assault or criminal force to deter public servant from discharge of his duty, Assault or criminal force with intent to dishonour person,

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otherwise than on grave provocation, Assault or criminal force in attempt to commit theft of property carried by a person, Assault or criminal force in attempt to wrongfully confine a person, Assault or criminal force on grave provocation.

Of kidnapping, abduction, slavery and forced labour

Kidnapping, Abduction, Kidnapping or maiming a child for purposes of begging, Kidnapping or abducting in order to murder or for ransom, etc, Importation of girl or boy from foreign country, Wrongfully concealing or keeping in confinement, kidnapped or abducted person, Trafficking of person, Exploitation of a trafficked person, Habitual dealing in slaves, Unlawful compulsory labour.

CHAPTER XVII: OF OFFENCES AGAINST PROPERTY Of theft

Theft, Snatching, Theft in a dwelling house, or means of transportation or place of worship, etc, Theft by clerk or servant of property in possession of master, Theft after preparation made for causing death, hurt or restraint in order to committing of theft.

Of extortion

Extortion

Of robbery and dacoity

Robbery, Dacoity, Robbery, or dacoity, with attempt to cause death or grievous hurt, Attempt to commit robbery or dacoity when armed with deadly weapon, Punishment for belonging to gang of robbers, etc.

Of criminal misappropriation of property

Dishonest misappropriation of property, Dishonest misappropriation of property possessed by deceased person at the time of his death.

Of criminal breach of trust

Criminal breach of trust

Of receiving stolen property

Stolen property

Of cheating

Cheating, Cheating by personation

Of fraudulent deeds and dispositions of property

Dishonest or fraudulent removal or concealment of property to prevent distribution among creditors, Dishonestly or fraudulently preventing debt being available for creditors, Dishonest or fraudulent execution of deed of transfer containing false statement of consideration, Dishonest or fraudulent removal or concealment of property.

Of mischief

Mischief, Mischief by killing or maiming animal, Mischief by injury, inundation, fire or explosive substance, etc, Mischief with intent to destroy or make unsafe a rail, aircraft, decked vessel or one of twenty tons burden, Punishment for intentionally running vessel aground or ashore with intent to commit theft, etc.

Of criminal trespass

Criminal trespass and house-trespass, House-trespass and house-breaking, Punishment for house-trespass or house-breaking, House-trespass in order to

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commit offence, House-trespass after preparation for hurt, assault or wrongful restraint, Dishonestly breaking open receptacle containing property.

CHAPTER XVIII: OF OFFENCES RELATING TO DOCUMENTS AND TO PROPERTY MARKS

Making a false document, Forgery, Forgery of record of Court or of public register, etc, Forgery of valuable security, will, etc, Having possession of document described in section 337 or section 338, knowing it to be forged and intending to use it as genuine, Forged document or electronic record and using it as genuine, Making or possessing counterfeit seal. etc., with intent to commit

forgery punishable under section 338, Counterfeiting device or mark used for authenticating documents described in section 338, or possessing counterfeit marked material, Fraudulent cancellation, destruction, etc., of will, authority to adopt, or valuable security, Falsification of accounts.

CHAPTER XIX: OF CRIMINAL INTIMIDATION, INSULT, ANNOYANCE, DEFAMATION, ETC.

Criminal intimidation, Intentional insult with intent to provoke breach of peace, Statements conducing to public mischief, Act caused by inducing person to believe that he will be rendered an object of Divine displeasure, Misconduct in public by a drunken person.

Of defamation

Defamation

Of breach of contract to attend on and supply wants of helpless person

Breach of contract to attend on and supply wants of helpless person.

Public nuisance, Disobedience to quarantine rule.

Leading Cases. Leading cases:

- 1- Reg. Vs. GovindalLRBom.942
- 2- InzargulKhanVs.Emperor,AIR1936Nag.194
- 3- MehboobShahVsEmperor, AIR1945PC 118
- 4- AnjadKhan Vs,State,AIR 1952SC 165

Books Recommended:

- 1- BareActDiglotBhartiyaNyaySanhita 2023

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LL.B. Three Year Law Degree Course (Semester System)

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first
LL.B. Third Semester

II PAPER-II

Bhartiya Sakshya Adhiniyam, 2023

1. INTRODUCTION, INTERPRETATION & CONCEPTIONS & PRELIMINARY

Introduction-Main feature of The Bhartiya Sakshya Adhiniyam 2023.

Types of Evidence- Oral, Written and Circumstantial evidence, Medical evidence and evidence of relatives, Eye witness, Chance witness and child witness and direct witnesses.

Standard of proof and presumption- May presume, shall presume, conclusive proof, proved, disproved and not proved.

Preliminary and Definitions (Sec 01 & 02),

2. RELEVANCY OF FACTS (03 to 50):

Relevancy of Facts (Sec 03 to 14), admission & Confessions (Sec 15-

25) Statements by persons who cannot be called as witnesses (Sec 26-

27) Statements made under special circumstances (Sec 28-32)

How much of a statement is to be proved

(33) Judgments of courts when relevant (34-38)

Opinions of Third persons when Relevant (39-

45) Character when Relevant (46-50)

3. ON PROOF-(SECTION 51-103)

Facts which need not to be proved (Section 51-53), Of Oral Evidence (Sec 54-55), Of Documentary Evidence (Sec 56-93), Of the Exclusion of Oral Evidence by Documentary Evidence (Sec 94-103),

4. PRODUCTION & EFFECT OF EVIDENCE (SECTION 104-123)

Of the burden of Proof (Sec 104-120), Estoppels (Sec 121-123)

5. OF WITNESSES (SECTION 124-170)

Witnesses (Sec 124-139), Examination of witnesses (Sec 140-168), Improper Admission & Rejection of Evidence (Sec 169), Repeal & Saving (Sec 170)

Leading Cases:

1. Kashmira Singh vs. State of M.P., AIR 1952 SC 159.

2. State of Punjab vs. Sodhi Sukhdeo Singh, AIR 1961 SC 493 (Majority Judgment Only)

3. Kulvinder Kaur vs. State of Punjab, AIR 1952 SC 354

4. State of U.P. vs. Deoman Upadhyay, 1960 SC 1125 Books Recommended-

1. Ratanlal Dhirajlal - Law of Evidence, 21st Ed. 2004, PB, Wadhwa, Nagpur.
2. Sarkar - On Evidence (2 Vol.) 15th ed. 2002, Wadhwa, Nagpur, 2390=00
3. Avatar Singh - Principles of Law of Evidence, Universal, Delhi.
4. Vepa P. Sarathi - Law of Evidence EBC, Lucknow.
5. Ratan Lal Dheeraj Lal - Indian Evidence Act, 19th ed., (in Hindi)
6. Avtar Singh - Evidence Act (in Hindi)
7. M.D. Chaturvedi - Evidence Act (in Hindi)
8. Bare Act (Diglot) Bhartiya Sakshya Adhiniyam 2023

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LL.B. Three Year Law Degree Course (Semester System)

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LL.B. ~~Third~~ Semester

II Paper-III

LABOUR AND INDUSTRIAL LAWS-I

This Paper includes Following Statutes

- (1) The Industrial Disputes Act, 1947
- (2) The Trade Unions Act, 1926
- (3) The Workmen's Compensation Act, 1923
- (4) The Payment of Wages Act, 1936
- (5) The Minimum Wages Act, 1948

Detail Course Contents

1. **General Introduction & The Industrial Disputes Act, 1947**—Industrial Jurisprudence, Labour Policy in India, Industrial Revolution of India, Evil of Industrialization, Labour Problems, Principles of Labour Legislation, Growth of Labour Legislation in India, Classification of Labour and Industrial Legislations
The Industrial Disputes Act, 1947—Preliminary, (Sec. 1-2), Authorities under this Act (Sec. 3-9), Notice of change (Sec. 9A -9 B), Reference Of Certain Individual Disputes To Grievance Settlement Authorities (Sec. 9C), Reference of Disputes to Boards, Courts or Tribunals (Sec. 10- 10A), Procedure, Power and Duties of Authorities (Sec. 11-21), Strikes and Lockouts (Sec. 22-25), Lay-Off and Retrenchment (Sec. 25A-25J), Unfair Labour Practice (Sec. 25T-25U), Penalties (Sec. 26-31).
2. **The Trade Unions Act, 1926**-- Preliminary, (Sec. 1-2), Registration of Trade Unions (Sec. 3-14), Rights and Liabilities of Registered Trade Unions (Sec. 15-28), Regulations (Sec. 29-30), Penalties and Procedure (Sec. 31-33)
3. **The Workmen's Compensation Act, 1923**-- Preliminary, (Sec. 1-2), Workmen's Compensation (Sec. 3-18), Commissioners— Reference to Commissioners, Appointment and Powers of Commissioners, Powers and Procedure of Commissioners, Appeals (Sec. 19-21), Rules 32-36, All Schedules, All Schedules and amendments made from time to time.
4. **The Payment of Wages Act, 1936**-- Preliminary, (Sec. 1-2), Responsibility for Payment of Wages (Sec. 3-6), Deductions which may be made from wages (Sec. 7-13), Authorities under the Act, Inspectors, Facilities to be afforded to Inspectors, Authorities to hear claims, Single application in respect of claims from unpaid group, Appeal (Sec. 14-17), Power of authorities appointed under section 15 (Sec. 18-19), Miscellaneous Provisions (Sec. 20-26).
5. **The Minimum Wages Act, 1948**-- Preliminary, (Sec. 1-2), Fixing of minimum rates of wages (Sec. 3-6), Advisory Board (Sec. 7-9), Wages in kind (Sec. 10-17), Maintenance of Registers and Records, etc. (Sec. 18-21), Penalties, etc. (Sec. 22-26), Power of Govt. to make rules (Sec. 27- 31), All Schedules and all amendments made from time to time

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LEADING CASES:

1. A Maikeni Vs. J.S. Ishaq AIR 1970 SC 1906
2. Bangalore Water Supply and Sewerage Board Vs. A. Rajappa and Others AIR 1978 SC 553
3. Pottery Majdoor Panchayat Vs. The Perfect Pottery Co. Ltd. A.I.R. 1979, S.C. 1356.

Books Recommended:

1. H.K. Sharey-Industrial & labour laws in India (Prentice-Hall) New Delhi.
2. I.A. Sayeed-Labour laws, Himalayan Publishing Co. Nagpur
3. Reshma Arora-Labour law, Himalayan Publishing Co. Nagpur
4. S.K. Mishra-Labour and Industrial law-Allahabad law agency H.N. 387, Sector 16-A Faridabad.
5. Taxmann-Labour laws-Bare Act (Taxmann allied series, Allahabad)
6. S.C. Shrivastava-Treatise on social security and labour laws EBC Lucknow.
7. S.N. Mishra-Labour & Industrial laws CLA Allahabad.
8. P.L. Malik-Hand Book of Labour and Industrial laws, EBC Lucknow.
9. Seth D.D. -Commentaries on Industrial Act (Law publishing house Allahabad)
10. K.D. Shrivastava- Commentary of payment of wages act (1998) EBC Lucknow.
11. O.P. Malhotra-The law of Industrial Disputes (1998) Universal Delhi.
12. V.G. Goswami-Labour and Industrial laws, CLA Allahabad.
13. P.K. Padhi-Labour and Industrial Laws, Prentice Hall of India Pvt. Ltd. New Delhi.

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. ~~Third Semester~~ *first semester*

II Paper-IV

LABOUR AND INDUSTRIAL LAWS-II

This Paper includes following Statutes:

- (1) The Employees' State Insurance Act, 1948
- (2) The Factories Act, 1948
- (3) The Child Labour (Prohibition and Regulation) Act, 1986
- (4) The Maternity Benefits Act, 1961
- (5) The Gratuity Act, 1972

Detail Course contents:

1. **The Employees' State Insurance Act, 1948**—Preliminary (Definitions) (Sec. 1-2), Corporation, Standing Committee and Medical Benefit Council (Sec. 3-25), Finance and Audit (Sec. 26-37), Contributions (Sec. 38-45), Benefits (Sec. 46-59), Adjudication of Disputes and Claims (Sec. 74-83), Penalties (Sec. 84-86).
2. **The Factories Act, 1948**-- Preliminary (Definitions) (Sec. 1-7), Inspecting Staff (Sec. 8-10), Health (Sec. 11-20), Safety (Sec. 21-41), Welfare (Sec. 42-50), Working hours of Adults (Sec. 51-66), Employment of Young persons (Sec. 67-77), Annual leave with wages (Sec. 78-84).
3. **The Child Labour (Prohibition and Regulation) Act, 1986**-- Preliminary (Definitions) (Sec. 1-2), Prohibition of Employment of Children in certain occupations and processes (Sec. 3-5), Regulation of conditions of work of children (Sec. 3-5), Miscellaneous (Sec. 14-26). Causes of child labour and Present prospect of child labour in India.
4. **The Maternity Benefits Act, 1961**-- Preliminary (Definitions) (Sec. 1-3), Employment of, or work by woman prohibited during certain period, Right to payment of maternity benefit, Notice of claim for maternity benefit and payment thereof, Payment of maternity benefit in case of death of a woman, Payment of medical bonus, Leave for miscarriage, Other leaves, Nursing breaks, Dismissal during absence of pregnancy, Deduction of wages, Appointment of Inspectors, Powers and duties of Inspectors (Sec. 4-22), Cognizance of Offence (Sec. 23).
5. **The Gratuity Act, 1972**-- Preliminary (Definitions) (Sec. 1-2), Controlling Authority, Payment of Gratuity, Nomination (Sec. 3-6), Determination of the amount of gratuity (Sec. 7), Inspector, Recovery of gratuity, Penalties (Sec. 8-9), Cognizance of Offences (Sec. 11-14), Power to make rule (Sec. 15)

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LEADING CASES:

- (1) B. Shah Vs. Labour Court AIR 1978 SC 12
- (2) Ahmedabad Private Primary Education Association Vs. Administrative Officers (2004) 1 SCC 755
- (3) Peoples Union for Democratic Rights Vs. Union of India AIR 1982 SC 1480

Books Recommended:

1. H.K. Sharey-Industrial & labour laws in India (Prentice-Hall) New Delhi.
2. I.A. Sayeed-Labour laws, Himalyan Publishing Co. Nagpur
3. Reshma Arora-Labour law, Himalyan Publishing Co. Nagpur
4. S.K. Mishra-Labour and Industrial law-Allahabad law agency H.N. 387, Sector 16-A Faridabad.
5. Taxmann-Labour laws-Bare Act (Taxmann allied series, Allahabad)
6. S.C. Shrivastava-Treatise on social security and labour laws EBC Lucknow.
7. S.N. Mishra-Labour & Industrial laws CLA Allahabad.
8. P.L. Malik-Hand Book of Labour and Industrial laws, EBC Lucknow.
9. Seth D.D. -Commentaries on Industrial Act (Law publishing house Allahabad)
10. K.D. Shrivastava- Commentary of payment of wages act (1998) EBC Lucknow.
11. O.P. Malhotra-The law of Industrial Disputes (1998) Universal Delhi.
12. V.G. Goswami-Labour and Industrial laws, CLA Allahabad.
13. P.K. Padhi-Labour and Industrial Laws, Prentice Hall of India Pvt. Ltd. New Delhi.

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. ~~Third Semester~~ *first semester*
 II Paper-V

(BAR BENCH RELATION, PROFESSIONAL ETHICS & ACCOUNTANCY FOR LAWYERS)

Outline of the Course

1. Professional Ethics.
2. Accountancy for Lawyer's.
3. Bar Bench Relation

The above Course will be taught in association with the practicing lawyers on the basis of the following materials.

(A) Mr. Krishnamurthy Ayer's Book on Advocacy.

(B) The Contempt law & practice.

(C) The Bar Council Code of Ethics.

(D) 50 Selected opinions of the disciplinary committee of Bar Council of India and 10 major Judgments of the Supreme Court on the subject. Out of the 100 marks, 20 marks will be reserved for Viva-Voce test, 40 marks for seminars during the course. On The Bar bench relation & Professional Ethics and remaining 40 marks for two written test on professional ethics. Accountancy for lawyers and Bar bench-relation. The duration of written test shall be one and half hrs. each.

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. ~~Fourth~~ ^{II} ~~Semester~~ ^{is Second Semester} Paper-I

CG Land Revenue Code with New Amendments, other Local Law & Rent Control Act 2011

1. The Chhattisgarh Land Revenue Code 1959 (Amended 2006)
2. The C.G. Ceiling on Agricultural Holding Act, 1960 (as Amended 2006)
3. Rent Control Act, 2011
- (1) **C.G. LAND REVENUE CODE-** Historical Development, Definitions, Abadi, Agriculture, Agriculture Year, Bonafide Agriculturist, Board, Co-operative Society, Government, Forest, Government Lessee, Holding, Improvement, Land, Landless Person, Land Records, Legal Practitioner, Mango Grove, Orchard, Recognized Agent, Rent, Revision, Revenue Officer, Revenue Year, Sub-Division of Survey Number, Tenant, Tenure Holder, Timber Tree, Urban Area, Unoccupied Land, Village, To Cultivate Personally, Survey Number.
- (2) **Board of Revenue,** Revenue Officers and their Classes and Powers, Procedure of Revenue Courts, Appeal, Revision and Review, Land and Land Revenue, Revenue Survey and Settlement in Non-Urban Areas, Assessment and Re-assessment of Land Revenue in Urban Areas.
- (3) **Land Records,** Boundaries and Boundary Marks and Survey Marks, Tenure Holders, Government Lessee and Service Land, Occupancy Tenants, Alluvial and Diluvial, Consolidation of Holding, Village- Officers, Rights in Abadi and Unoccupied Land and its Produce.
- (4) **C.G. on Agricultural Holding Act, 1960:** Definitions, Exemptions and Restrictions on Transfer of Land, Fixing of Ceiling Area, Determination of Surplus Land and Acquisition Thereof, Payment of Compensation in Cumbrances on Surplus Land, Offences and Penalties and Miscellaneous.
- (5) **Rent Control Act, 2011-**

Leading Cases

1. State of M.P. Vs. Poonam Chand, 1968, J.L.J. 116.
2. M.P. State Vs. Babulal and others, 1980, J.L.J. 856 (SC).
3. Harprasad. B. Horelal Vs. Board of Revenue, 1964, M.P.L.J. 370.
4. Nandu Vs. Babu and others. 965, M.P.L.J. 178.
5. Manmohan Lal Shukla Vs. Board of Revenue, 1964, M.P.L.J. 32.

Books Recommended:

1. M.P. Land Revenue Code - H.N. Dwivedi.

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2. M.P.LandRevenueCode-R.D.Jain.
3. ChhattisgarhBhu_RajaswaSahinta_-Dr.BhoopendraKarwande
4. Bare Act(Diglot)The Chhattisgarh Land Revenue Code 1959
(Amended2006)
5. Bare Act(Diglot)The C.G. Ceilingson Agricultural Holding
Act,1960(asAmended 2006)

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. ~~Fourth Semester~~ *Second Semester*

Paper-II

Administrative Law & Right to Information Act 2005

1. Introduction of administrative law, administrative process, discretion and direction:

Meaning, nature, history and function of administrative law, sources of administrative law, its origin and scope, reasons for its growth, its historical development in England, America and India, administrative law and constitutional law, droit administrative... and council, DEtate, constitutional foundation of administrative law, the rule of law, its meaning, supremacy of regular laws and equality before the laws, doctrine of separation of powers, its meaning and its position in U.K., U.S.A. & India.

Administrative Process- Nature of administrative process, and its classification, legislative, judicial, quasi-judicial and pure executive action, their characteristics and difference among them.

Administrative Discretion- Meaning, nature and criteria, its use or principle applicable for its use, need for administrative discretion, limit on exercise of discretion, malafide exercise of discretion acting under dictation, constitutional imperative... and use of discretionary authority, non-application of mind, unreasonableness and standard of reasonableness, taking irrelevant consideration or not taking into consideration among relevant matter, non exercise of discretionary powers, administrative arbitrariness and bias. Procedural safeguard for use of discretion.

Administrative Direction- its use and classification, its unenforceability.

2. Delegated legislation, Administrative adjudication & Tribunal

Delegated legislation, its historical background and function, reasons for its growth, need for delegation of administrative power, kinds of delegated legislation, sub-delegated legislation and conditional legislation, constitutionality of delegated legislation in Britain and India, Re Delhi Laws Act, Power of exclusion and inclusion and power to modify statutes, essential legislative functions, requirement for the validity of delegated legislation.

Judicial control of delegated legislation- Doctrine of ultra vires, its kinds, substantive and procedural grounds for its applicability, consultation, subdelegation, publication, administrative directions, circular legislative or parliamentary control on delegated legislation, laying procedure, policy statement, committees on delegated legislation and hearing before it, subdelegation & powers, guide-lines for it, and control of subdelegation, administrative adjudication and tribunals, reasons for proliferation of administrative tribunals, functional approach characteristics and feature of administrative tribunals, Basic difference between a court and a tribunals, position of tribunals in India, CAT its purpose, establishment and composition, jurisdiction power and authorities, aspect of tribunal practice and administrative procedure, procedure before the enquiry or hearing, procedure at the tribunal hearing and procedure after tribunal hearing, frank committee report, administrative tribunal act 1985, administrative tribunals and appeal judicial review and finality of the

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tribunal decision, reopening of tribunal proceeding rule of res judicata, Administrative tribunals in India.

3. **Judicial Control of Administrative Action and Natural Justice**

Power of the High Court, writ jurisdiction of High Court under Article 226, limitation of jurisdiction, territorial limit, general limitations, Locus standi, non-existence of alternative remedies laches, acquiescence, doctrine of legitimate expectation, doctrine of public accountability, doctrine of proportionality, grounds and condition for writs and orders, mandamus, certiorari, prohibition, Quo warrants, Habeas corpus, nature of relief practice and procedure, power of supreme court under Art 32, role of natural justice on administrative law- principals of natural justice, (1) No man shall be a judge in his own cause or if he has any bias (Pecuniary personal & official) against a party or any interest in subject matter of the enquiry (2) Audi Alteram Partem - "Hear the other side and limit of audi alteram partem (3) The party must be known the reasons for the decisions, the use of principle of natural justice in disciplinary process and exclusion & violation of principles of natural justice and its effect.

4. **State Liability for Wrongs Act & Commission of Inquiry & Corporate:**

Liabilities for torts, distinction between sovereign and commercial functions, constitutional provisions in this regard, act of state and statutory immunities contractual liability of Govt., Government privilege in legal proceeding state secrets, public interest, transparency and right to information estoppels and waiver.

Remedies against administrative acts, constitutional remedies writ injunctions, its nature and types, distinction between injunction and mandamus, suit for declaration, its condition and nature, suits for damages.

Public enquiry and commission of enquiry, general enquiry under service rules, procedure in disciplinary action and Provisions of commission of enquiry act 1952, and

Corporation: Corporations, its kinds and characteristics, its classification, legal and constitutional provisions & their responsibilities in contract and in tort, position of their employee whether they are civil servants? Control on corporation, legislative control, judicial control, governmental control and public controls.

Ombudsman vigilance commission - Ombudsman, its development in New Zealand, Britain and Australia, Position of Ombudsman in India, Lokpal and Lokayukt and their position, Public Interest litigations its nature and importance in Democracy. Central vigilance commissions its powers and functions

5. **Right to Information Act, 2005 -** Introduction, Right to Information and Voluntary Organization, Right to Information in the Foreign Countries, Request for Right to Information, Constitution, Rights and Obligations of the Information Agencies, Procedure of Disposal of Applications and Complaints by State Commissions with special reference to Section 18, 19 and 20 of Right to Information Act 2005.

Leading cases:

1. A.K. Kraipak v. Union of India (AIR 1970 SC 150)
2. Bharat Bank Ltd. v. Employees of Bharat Bank (AIR 1970, SC 188)

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3. Bhagat Raja, Union of India (AIR 1967 SC 1606)

Books Recommended:

1. Jain and Jain - Principles of Administrative Law, Tripathi (1986).
2. Wade - Administrative Law (Indian Rep.) Universal Delhi.
3. J.C. Garner - Administrative Law, Butterworth (1990)
4. D.D. Basu - Comparative Administrative Law (Prentice Hall).
5. I.P. Massey - Administrative Law EBC, Lucknow. (1996).
6. M.P. Jain - Cases and material on Indian Administrative Law (Vol. I & II) 1998 Universal Book Traders Delhi.
7. S.P. Sathe - Administrative Law (1998), Butterworth (India), Delhi.
8. De Smith - Judicial Review of Administrative Action (1995) with supplement, Sweet & Maxwell.
9. M.A. Fazal - Judicial Control of Administrative Action in India Pakistan & Bangladesh (2000), Butterworth India.
10. Indian Law Institute - Cases and material on Administrative Law in India vol. I (1996), Delhi.
13. D.R. Saxena - Ombudsman, Deep & Deep Delhi.
14. Tusharkanti Saha - Administrative Law - Kanishk Publication, New Delhi.
15. V.G. Ramchandran - Administrative Law, Eastern Book Co., Lucknow.
16. Foulkes - Introduction to Administrative Law, Butterworth.
17. Bhagwati Prasad Banerjee - Writ Remedies (1999) Wadhwa, Nagpur.
18. M.P. Jain - The evolving Indian Administrative law (1983) Tripathi, Bombay.
19. Bare Act (Diglot) **Right to Information Act, 2005**

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. ~~Fourth~~ ^{II} [Second Semester]
Semester Paper-III

LAW OF CRIMES-II

BharatiyaNagarik Suraksha Sanhita, 2023
Juvenile Justice Act, 2015 & Probation of Offenders Act, 1958

PRELIMINARY

Short title, extent and commencement, Definitions, Construction of references, Trial of offences under Bharatiya Nyaya Sanhita, 2023 and other laws, Saving.

CONSTITUTION OF CRIMINAL COURTS AND OFFICES

Classes of Criminal Courts, Territorial divisions, Court of Session, Courts of Judicial Magistrates, Chief Judicial Magistrate and Additional Chief Judicial Magistrate etc, Special Judicial Magistrates, Local Jurisdiction of Judicial Magistrates, Subordination of Judicial Magistrates, Executive Magistrates, Special Executive Magistrates, Local Jurisdiction of Executive Magistrates, Subordination of Executive Magistrates, Public Prosecutors, Assistant Public Prosecutors, Directorate of Prosecution

POWER OF COURTS

Courts by which offences are triable, Sentences which High Courts and Sessions Judges may pass, Sentences which Magistrates may pass, Sentence of imprisonment in default of fine, Sentence in cases of conviction of several offences at one trial, Mode of conferring powers, Powers of officers appointed, Withdrawal of powers, Powers of Judges and Magistrates exercisable by their successorsIn-office

POWERS OF SUPERIOR OFFICERS OF POLICE AND AID TO THE MAGISTRATES AND THE POLICE

Powers of superior officers of police, Public when to assist Magistrates and police, Aid to person, other than police officer, executing warrant, Public to give information of certain offences, Duty of officers employed in connection with affairs of a village to make certain report

ARREST OF PERSONS

When police may arrest without warrant, Procedure of arrest and duties of officer making arrest, Designated police officer, Right of arrested person to meet an advocate of his choice during interrogation, Arrest on refusal to give name and residence, Arrest by private person and procedure on such arrest, Arrest by Magistrate, Protection of members of Armed Forces from arrest, Arrest how made, Search of place entered by person sought to be arrested, Pursuit of

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offenders into other jurisdictions, No unnecessary restraint, Person arrested to be informed of grounds of arrest and of right to bail, Obligation of person making arrest to inform about arrest, etc., to relative or friend, Search of arrested person, Power to seize offensive weapons, Examination of accused by medical practitioner at request of police officer, Examination of person accused of rape by medical practitioner, Examination of arrested person by medical officer, Identification of person arrested, Procedure when police officer deposes subordinate to arrest without warrant, Health and safety of arrested person, Person arrested to be taken before Magistrate or officer in charge of police station, Person arrested not to be detained more than twenty-four hours, Police to report apprehensions, Discharge of person apprehended, Power, on escape, to pursue and retake, Arrest to be made strictly according to Sanhita.

PROCESSES TO COMPEL APPEARANCE

A.-Summons

Form of summons, Summons how served, Service of summons on corporate bodies, firms and societies, Service when persons summoned cannot be found, Procedure when service cannot be effected as before provided, Service on Government servant, Service of summons outside local limits, Proof of service in such cases and when serving officer not present, Service of summons on witness.

B.-Warrant of arrest

Form of warrant of arrest and duration, Power to direct security to be taken, Warrants to whom directed, Warrant may be directed to any person, Warrant directed to police officer, Notification of substance of warrant, Person arrested to be brought before Court without delay, Where warrant may be executed, Warrant forwarded for execution outside jurisdiction, Warrant directed to police officer for execution outside jurisdiction, Procedure on arrest of person against whom warrant issue, Procedure by Magistrate before whom such person arrested is brought.

C-Proclamation and attachment

Proclamation for person absconding, Attachment of property of person absconding, Identification and attachment of property of proclaimed person, Claims and objections to attachment, Release, sale and restoration of attached property, Appeal from order rejecting application for restoration of attached property.

D.-Other rules regarding processes

Issue of warrant in lieu of, or in addition to, summons, Power to take bond or bail bond for appearance, Arrest on breach of bond or bail bond for appearance, Provisions of this Chapter generally applicable to summons and warrants of arrest.

PROCESSES TO COMPEL THE PRODUCTION OF THINGS

A.-Summons to produce

Summons to produce document or other thing, Procedure as to letters.

B.-Search-warrants

When search-warrant may be issued, Search of place suspected to contain stolen

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property, forged documents, etc, Power to declare certain publications forfeited and to issue search-warrants for same, Application to High Court to set aside declaration of forfeiture, Search for persons wrongfully confined, Power to compel restoration of abducted females.

C.-General provisions relating to searches

Direction, etc, of search-warrants, Persons in charge of closed place to allow search, Disposal of things found in search beyond jurisdiction.

SECURITY FOR KEEPING THE PEACE AND FOR GOOD BEHAVIOUR

Security for keeping peace on conviction, Security for keeping peace in other cases, Security for good behaviour from persons disseminating certain matters, Security for good behaviour from suspected persons, Security for good behaviour from habitual offenders, Order to be made, Procedure in respect of person present in Court, Summons or warrant in case of person not so present, Copy of order to accompany summons or warrant, Power to dispense with personal attendance, Inquiry as to truth of information, Order to give security, Discharge of person informed against, Commencement of period for which security is required, Contents of bond, Power to reject sureties, Imprisonment in default of security, Power to release persons imprisoned for failing to give security, Security for unexpired period of bond.

ORDER FOR MAINTENANCE OF WIVES, CHILDREN AND PARENTS

Order for maintenance of wives, children and parents, Procedure, Alteration in allowance, Enforcement of order of maintenance.

MAINTENANCE OF PUBLIC ORDER AND TRANQUILLITY

A.-Unlawful assemblies

Dispersal of assembly by use of civil force, Use of armed forces to disperse assembly, Power of certain armed force officers to disperse assembly, Protection against prosecution for acts done under sections 148, 149 and 150.

B.-Public nuisances

Conditional order for removal of nuisance, Service or notification of order, Person to whom order is addressed to obey or show cause, Penalty for failure to comply with section 154, Procedure where existence of public right is denied, Procedure where person against whom order is made under section 152 appears to show cause, Power of Magistrate to direct local investigation and examination of an expert, Power of Magistrate to furnish written instructions, etc., Procedure on order being made absolute and consequences of disobedience, Injunction pending inquiry, Magistrate may prohibit repetition or continuance of public nuisance

PREVENTIVE ACTION OF THE POLICE

Police to prevent cognizable offences, Information of design to commit cognizable offences, Arrest to prevent commission of cognizable offences, Prevention of injury to public property, Persons bound to conform to lawful directions of police.

INFORMATION TO THE POLICE AND THEIR POWERS TO INVESTIGATE

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Information in cognizable cases, Information as to non-cognizable cases and investigation of such cases, Police officer's power to investigate cognizable case, Procedure for investigation, Report how submitted, Power to hold investigation or preliminary inquiry, Police officer's power to require attendance of witnesses, Examination of witnesses by police, Statements to police and use thereof, No inducement to be offered, Recording of confessions and statements, Medical examination of victim of rape, Search by police officer, When officer in charge of police station may require another to issue search-warrant, Procedure when investigation cannot be completed in twenty- four hours, Report of investigation by subordinate police officer, Release of accused when evidence deficient, Cases to be sent to Magistrate, when evidence is sufficient, Complainant and witnesses not to be required to accompany police officer and not to be subject to restraint, Diary of proceedings in investigation, Report of police officer on completion of investigation, Police to enquire and report on suicide, etc, Power to summon persons, Inquiry by Magistrate into cause of death.

CONDITIONS REQUISITE FOR INITIATION OF PROCEEDINGS

Cognizance of offences by Magistrate, Transfer on application of accused, Making over of cases to Magistrates, Cognizance of offences by Court of Session, Additional Sessions Judges to try cases made over to them, Prosecution for contempt of lawful authority of public servants, for offences against public justice and for offences relating to documents given in evidence, Procedure for witnesses in case of threatening, etc., Prosecution for offences against State and for criminal conspiracy to commit such offence, Prosecution for offences against marriage, Prosecution of Judges and public servants, Prosecution of offences under section 85 of BharatiyaNyavaSanhita, 2023, Cognizance of offence, Prosecution for defamation.

COMPLAINTS TO MAGISTRATES

Examination of complainant, Procedure by Magistrate not competent to take cognizance of case, Postponement of issue of process, Dismissal of complaint.

COMMENCEMENT OF PROCEEDINGS BEFORE MAGISTRATES

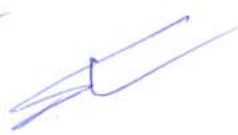
Issue of process, Magistrate may dispense with personal attendance of accused, Special summons in cases of petty offence, Supply to accused of copy of police report and other documents, Supply of copies of statements and documents to accused in other cases triable by Court of Session, Commitment of case to Court of Session when offence is triable exclusively by it, Procedure to be followed when there is a complaint case and police investigation in respect of same offence.

THE CHARGE

A.-Form of charges

Contents of charge, Particulars as to time, place and person, When manner of committing offence must be stated. Words in charge taken in sense of law under which offence is punishable, Effect of errors, Court may alter charge, Recall of witnesses when charge altered.

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B.-Joinder of charges

Separate charges for distinct offences, Offences of same kind within year may be charged together, Trial for more than one offence, Where it is doubtful what offence has been committed, When offence proved included in offence charged, What persons may be charged jointly, Withdrawal of remaining charges on conviction on one of several charges.

TRIAL BEFORE A COURT OF SESSION

Trial to be conducted by Public Prosecutor, Opening case for prosecution, Discharge, Framing of charge, Conviction on plea of guilty, Date for prosecution evidence, Evidence for prosecution, Acquittal, Entering upon defence, Arguments, Judgment of acquittal or conviction, Previous conviction, Procedure in cases instituted under sub-section (2) of section 222.

SUMMARY TRIALS

Power to try summarily, Summary trial by Magistrate of second class, Procedure for summary trials, Record in summary trials, Judgment in cases tried summarily, Language of record and judgment.

Trial of warrant cases by Magistrate**Section 261-273****Trial of Summon Cases by Magistrate****Sections 270-282****APPEALS**

No appeal to lie unless otherwise provided, Appeal from orders requiring security or refusal to accept or rejecting surety for keeping peace or good behaviour, Appeals from convictions, No appeal in certain cases when accused pleads guilty, No appeal in petty cases, Appeal by State Government against sentence, Appeal in case of acquittal, Appeal against conviction by High Court in certain cases, Special right of appeal in certain cases, Appeal to Court of Session how heard, Petition of appeal, Procedure when appellant in jail, Summary dismissal of appeal, Procedure for hearing appeals not dismissed summarily, Powers of Appellate Court, Judgments of subordinate Appellate Court, Order of High Court on appeal to be certified to lower Court, Suspension of sentence pending appeal; release of appellant on bail, Arrest of accused in appeal from acquittal, Appellate Court may take further evidence or direct it to be taken, Procedure where Judges of Court of appeal are equally divided, Finality of judgments and orders on appeal, Abatement of appeals.

REFERENCE AND REVISION

Reference to High Court, Disposal of case according to decision of High Court, Calling for records to exercise powers of revision, Power to order inquiry, Sessions Judge's powers of revision, Power of Additional Sessions Judge, High Court's powers of revision, Power of High Court to withdraw or transfer revision cases, Option of Court to hear parties, High Court's order to be certified to lower Court.

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TRANSFER OF CRIMINAL CASES

Power of Supreme Court to transfer cases and appeals, Power of High Court to transfer cases and appeals, Power of Sessions Judge to transfer cases and appeals, Withdrawal of cases and appeals by Sessions Judges, Withdrawal of cases by Judicial Magistrates, Making over or withdrawal of cases by Executive Magistrates, Reasons to be recorded.

EXECUTION, SUSPENSION, REMISSION AND COMMUTATION OF SENTENCES

A.-Death sentences

Execution of order passed under section, Execution of sentence of death passed by High Court, Postponement of execution of sentence of death in case of appeal to Supreme Court, Commutation of sentence of death on pregnant woman.

B.-Imprisonment

Power to appoint place of imprisonment, Execution of sentence of imprisonment, Direction of warrant for execution, Warrant with whom to be lodged.

C.-Levy of fine

Warrant for levy of fine, Effect of such warrant, Warrant for levy of fine issued by a Court in any territory to which this Sanhita does not extend, Suspension of execution of sentence of imprisonment.

D.-General provisions regarding execution

Who may issue warrant, Sentence on escaped convict when to take effect, Sentence on offender already sentenced for another offence, Period of detention undergone by accused to be set off against sentence of imprisonment, Saving, Return of warrant on execution of sentence, Money ordered to be paid recoverable as a fine.

E.-Suspension, remission and commutation of sentences

Mercy petition in death sentence cases, Power to suspend or remit sentences, Power to commute sentence, Restriction on powers of remission or commutation in certain cases, Concurrent power of Central Government in case of death sentences, State Government to act after concurrence with Central Government in certain cases.

Submission of Death Sentences for confirmation

Section 407-412

PROVISIONS AS TO BAIL AND BONDS

In what cases bail to be taken, Maximum period for which undertrial prisoner can be detained, When bail may be taken in case of non-bailable offence, Bail to require accused to appear before next Appellate Court, Direction for grant of bail to person apprehending arrest, Special powers of High Court or Court of Session regarding bail, Amount of bond and reduction thereof, Bond of accused and sureties, Declaration by sureties, Discharge from custody, Power to order sufficient bail when that first taken is insufficient, Discharge of sureties, Deposit instead of recognizance, Procedure when bond has been forfeited, Cancellation of bond and bail bond, Procedure in case of insolvency of death of surety or when a

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bond is forfeited, Bond required from child, Appeal from orders under section, Power to direct levy of amount due on certain recognizances.

JUVENILE JUSTICE (CARE & PROTECTION OF CHILDREN) ACT, 2015

Preliminary and Definition of Juvenile etc under JJ (C & P of C) ACT, 2015, (Ss 1-2) Juvenile justice board and its procedure, (Ss 4-9), Procedure In Relation to Children in Conflict with Law, (Ss 10-26), Child Welfare Committee, Procedure in relation to children in need of care and protection (Ss 27-38), Rehabilitation and Social Re-integration, (Ss 39-55), Adoption (Ss 56-73), Other Offences Against Children (Ss 74-88), Appeal and Revision (Ss 101-112).

PROBATION OFFENDERS ACT, 1958

Probation of offenders Act, 1958 – Meaning and definition of Probation, its nature and history. Admonition and Exemption from punishment below 21 years of age, Power of probation officer and its duty under the Act (Ss 1-19)

Leading Cases:

- (1) Gurubaksh Singh Sibba Vs. State of Punjab AIR 1980 SC 1632
- (2) Rajpati Vs. Bechar AIR 1981 SC 19
- (3) Suptd & Remembrance of legal Affairs Vs. Anil Kumar AIR 1980 SC 52
- (4) Anil Rai Vs. State of Bihar (2001) SCC 318 (330)

RECOMMENDED BOOKS:

1. N.V. Paranjape : Code of Criminal Procedure, Juvenile Justice Act and Probation of offenders Act, (in Hindi)
2. Bare Act Diglot Bhartiya Nagrik Suraksha Sanhita 2023
3. Bare Act Diglot Juvenile Justice Act, 2015
4. Bare Act Diglot Probation of Offenders Act, 1958

LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. ~~Fourth~~ **II** [second semester]
Semester Paper-IV

Environmental Laws including wildlife protection and Animal welfare This paper includes following Statutes-

1. The Water (Prevention and control of pollution) Act, 1974.
2. The Air (Prevention and control of pollution) Act, 1981.
3. Environment Protection Act, 1986.
4. The Wild Life (Protection) Act, 1972
5. Prevention of Cruelty to Animals Act, 1960.

Detail course contents-

1. **Concept of Environment and Pollution-** Environment, meaning and concept, pollution meaning and effect, environmental pollution, Provisions of Indian

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Constitution as to Environment.

2. **The Water (Prevention and control of pollution) Act, 1974-** Application and Commencement(S.1),definition(S.2),thecontrolandstateBoardsforpreventionand controlofwaterpollution(S.3-12),ConstitutionofjointBoards(S.13-15),Powersand functions of Boards(S. 16-18), Prevention and control of Water pollution(S. 19-33), Funds, Accounts and Audit (S. 34-40), penalties and procedure (S. 41-50), Miscellaneous(S. 51-64).
3. **The Air (Prevention and control of pollution) Act, 1981-** Preliminary (Ss. 1-2), Central and State Boards for the Prevention and Control of Air Pollution (Ss. 3-15), Powers and Functions of Boards (Ss. 16-18), Prevention Control of Air pollution (Ss. 19-31), Fund, Accounts and Audit (Ss. 32-36), Penalties and Procedure (Ss. 37-46), Miscellaneous (47-54) Schedules.
4. **The Wild Life (Protection) Act, 1972 (No. 53 of 1972) -** Preliminary (Ss. 1-2), Authorities to be appointed or constituted under the act (Ss. 3-8), Hunting of wild animals(Ss.9-17),Sanctuaries,nationalparks game reserves and closed areas(Ss.18-38), Trade and commerce in wild animal articles and trophies (Ss. 39-49), prevention and detection of offences (Ss. 50-58), Miscellaneous (Ss. 59-66).
5. **Prevention of Cruelty to Animals Act, 1960-**Preliminary(Ss.1-3),AnimalWelfare Board (Ss. 4-10), Cruelty to animals generally (Ss. 11-13) Experimentation on Animals (Ss. 14-20).

Leading Cases-

- (i) M.C.Mehtavs.Unionof India,1994S.C.C. 750,
- (ii) MorenaMandalSahkariShakkarKarkhanaSocietyvs.M.P.BoardofPreventionof Water Pollution 1993 MPLJ 270.
- (iii) Santosh Kumar Gupta vs. Secretary Ministry of Environment New Delhi 1997 (2) MPLJ. 602.
- (iv) M.P.RiceMill Associationvs.StateofM.P.1999 (1)MPLJ315

Books Recommended-

1. TrivediR.K.&P.K.Goel-IntroductiontoAirPollution(TechnoScience Publication).
2. Jadhav&BhosleV.M. -Environmental Protection and Laws (Himalaya PublishingHouse,Delhi)
3. ClarkR.S. - MarinePollution(CleradonPressOxford)
4. CenninghamW.P.Cooper,T.H.Gorhani&HepworthM.T.- EnvironmentalEncyclopedia(JaicoPublishingHouse,Mumbai-1196P.)
5. RaoR.N.&DuttaA.K.-WastewaterTreatment(Oxford&IBH)1987.
6. R.B. Singh & Suresh Mishra- Environmental Law in India (Concept PublishingCo.(NewDelhi1996).
7. LeelaKrishnanP.(Ed.)-Law&Environment(EBCLucknow1990)

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8. LeelaKrishnanP.P. - TheEnvironmentalLawinIndiaButterworthIndia (1999)
9. NagendraSingh - EnvironmentalLawinIndia(1986)
10. SureshJain - EnvironmentalLawinIndia(1986)
11. B.L.Babel - EnvironmentalProtectionLaw1997.
12. KailashThakur - EnvironmentalProtectionLaw&PolicyinIndia (Deep&DeepPublishingCo.,NewDelhi(1977).
13. R.K.Trivedi - Hand Book of Environmental laws, Rules GuidelinesComplianceandstandardVol.I&II.
14. Dr.AnirudhhaPrasad- Paryavaranaayamparyavarniyasanrakshanvidhiya
15. BareAct(Diglot) TheWater(Preventionandcontrolofpollution)Act, 1974.
16. BareAct (Diglot) TheAir(Preventionandcontrolofpollution)Act, 1981.
17. BareAct (Diglot) EnvironmentProtectionAct,1986.
18. BareAct (Diglot) TheWildLife(Protection)Act,1972
19. BareAct (Diglot) Preventionof CrueltytoAnimals Act, 1960.

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LL.B. Three Year Law Degree Course (Semester System)
Detail Syllabus

PAPER V

LL.B. II [Second Semester]

PRACTICAL TRAINING (SESSTONAL)
(ALTERNATE DISPUTE RESOLUTION)

Outline of the course

- I. Negotiation skills to be learned with simulated program .
- II. Conciliation skills.
- III. Arbitration law and practice including International arbitration and arbitration rules .

The course is required to be conducted by senior legal practitioners through simulation and case studies. Evaluation may also be conducted in practical exercise at least for a significant part of evaluation.

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. Fifth Semester *first semester*

III Paper-I

Transfer of Property Act 1882 & Easement Act 1882

- (1) **Preliminary and transfer of immovable property (Sec 01-37)** Historical evolution of Law of property, Introduction, Short title, Commencement, Repeal of Acts, Interpretation Clause (Ss 1-3), Transfer of Property by act of Parties – Definition of Property, Rule of Transferability, Persons Competent to Transfer, Operation of Transfer and Oral Transfer (Ss 5-9), Condition Restraining Alienation, Restriction Repugnant to Interest, Condition Making Interest Determinable on Insolvency or Attempted Alienation (Ss 10-12), Transfer for the Benefit of Unborn Person, Rule against Perpetuity etc. (Ss 13-18), Vested interest and Contingent Interest (Ss 19-24), Conditional Transfer, Doctrine of Acceleration, Doctrine of Conditional Limitation (Ss 25-34), Doctrine of Election (Ss 35-37),
- (2) **Transfer of Immovable Property (Ss 38-53-A).**
- (3) **Sale and mortgage of immovable property (Sec 54-104):** Definition of Sale, Competency of Parties, Difference between Sale and Agreement to Sale, Rights and Liabilities of buyer and Seller (Ss 54-57), Mortgages charges of immovable (Ss 58), Property, Definition, Kind of Mortgages, Obligation to transfer to third party instead of Mortgagor, Rights and Liabilities of Mortgagor (Ss 58-66), Rights and Liabilities of Mortgagee (Ss 67-77), Other Provisions Related to Mortgage including charges (Ss 78-104).
- (4) **Leases, Exchange and Gift and Actionable claim (105-137):** Definition, Essential Elements of Leases, Modes of Leases, Rights and Liabilities of Lessor and Lessee, Doctrine of Waiver, Determination of Lease and Other Related Provisions (Ss 105-117), Exchanges (Ss 118-121), Gift (Ss 122-129), Transfer of Actionable Claims (Ss 130-137).
- (5) **Indian Easement Act, 1882:** Introduction (Ss 1-3), Easement in General (Ss 4-7), Imposition, Acquisition and Transfer of Easements (Ss 8-19), Incidents of Easement (Ss 20-21), Disturbance of Easement (Ss 32-36), Extinguishment, Suspension and revival of easements (Ss 37-51), Licenses, Definition, Ingredients and Revocation of Licenses (Ss 52-64)

Leading Cases:

1. Nainsukhdas Shivnarayan Vs. Goverdhandas AIR 1948, Nagpur 110.
2. Associated Hotel of India Vs. R.N. Kapoor AIR 1962, SC 1262.
3. Jama Masjid Vs. Koci Manindra Deviah and other, AIR 1962, SC 807.
4. Kedarnath Vs. Shivnarayan AIR 1970, SC 1717.
5. Kanji Manji Vs. Trustees of Port of Bombay AIR 1963, SC 268.
6. Murari Lal Vs. Devkaran AIR 1965, SC 225.

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Books Recommended

1. Transfer of Property Act-Mulla
2. Sampatti Antaran Adhinyam-G.P.Tripathi
3. Sampati Antaran Adhinyam-S.N.Shukla
4. Transfer of Property Act 1882-S.N.Shukla
5. Law of Easement-S.T.Desai
6. Transfer of Property Act, 1882-G.P.Tripathi
7. Bare Act (Diglot) Transfer of Property Act 1882
8. Bare Act (Diglot)-Easement Act 1882

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. Fifth Semester

First Semester

III Papar-II

Civil Procedure Code 1908 & Limitation Act 1963 & Court Fees Act 1870

1. **Civil Procedure Code 1908**
2. **Limitation Act, 1963**
3. **Court Fees Act 1870**
- (1) **Civil Procedure Code-Historical** Background, Introduction, Short Title, Definition, Kinds of Courts and their Jurisdiction, Stay of Suit, Resjudicata, Bar to Further Suit etc. (Ss 1-14), Place of Suing, Institution of Suit, Summons and discovery, Judgment and decree, Interest and Costs (Ss 15-35-B), Execution Proceedings, Courts by which decree may be executed, Procedure in Execution, Arrest, Detention, Attachment and Sale, Resistance to Execution (Ss 36-74), Incidental Proceedings, Suit in Particular case, Suit by or against the Government, Suit by Aliens and by or against foreign rulers/ambassadors suits against rulers of former Indian States and Interpleader Suit (Ss 75-88), Appeals, Reference, Review and Revision (Ss 96-115), Miscellaneous Proceedings, Application for Restitution, Right to Lodge a Caveat, Power to make-up deficiency of Court fees, Inherent Powers of Courts, Amendment of Judgement, decrees and order and General power to Amend (Ss 144-153).
- (2) **Parties to Suits**, Plaintiff and Defendants, Representative Suit, Joinder, Misjoinder and non-joinder, (Order I Rules 1-13), Frame of Suit, Recognised Agents and Pleadings, Institution of Suits, Issue and Service of Summons (Order II- V), Pleading Generally, Complaint, Written Statement, Set-off and Counter-Claim (Order VI-VIII), Appearance of Parties and Consequences of non-appearance, dismissal of suits and ex-parte Decree and Order, Examination of Parties by the Court, Discovery and Inspection, Admission, (Order IX-XII), Settlement of Issues and Determination thereof, Summary Disposal, Summoning Attendance and Examination of Witnesses, Adjournment of Hearing and Affidavit (Order XIV-XIX).
- (3) **Judgement and Decree**, Execution of Decrees and Orders, Death, Marriage and Insolvency of Parties, Withdrawal and Adjustment of Suits (Order XX-XXIII), Commission, Suits by or against the Government and Public Officers, Suits Involving a Substantial Question of Law, Suits by or against Military, Naval or Airmen, Suits by or against Corporation, Suits by or against Firms, Trustees, Executors and Administrators, Suits by or against Minors and Persons of Unsound Mind, Suits Relating to Matters, Concerning the Family, Suit by Indigent Persons, Suits Relating to Mortgagor, Interpleader Suit (Order XXIV-XXXV), Arrest and Attachment before Judgment, Temporary Injunctions and Interlocutory Order, Appointment of Receiver, Appeal from Original Decrees, Appeal from Appellate Decrees, Appeal from Orders, Appeal by Indigent Persons, Appeal to the Supreme Court, Reference and Review (Order XXXVIII-XLVII).

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- (4) **Limitation Act, 1963-** Historical Background, Short Title, Extent, Commencement and Definition (Ss 1-2), Limitation of Suits, Appeals and Applications (Ss 3-11), Computation of Period of Limitation, Exclusion of Time in Legal Proceedings, Effect of Death on or before the accrual of right to Sue, Effect of Fraud or Mistake, Effect of Acknowledgement in Writing, Effect of Substituting or Adding New Plaintiff or Defendant etc. (Ss 12-24), Acquisition of Ownership by Possession, Acquisition of Easement by Prescription, Reversioner and Extinguishment of Right to Property (Ss 25-27).

5. **Court Fees Act**

1870 Leading Cases-

1. P.G.H. Patil Vs. R.S. Patil and others AIR 1957, SC 363.
2. M.P. Shrivastava Vs. Mrs. Veena AIR 1967, SC 1193.
3. Kiran Singh & Others Vs. Chaman Paswan and others AIR 1954, SC 340.
4. State Vs. Administrator AIR 1972, SC 749.
5. Hindustan Aeronautics Vs. Ajit Prasad AIR 1973, SC 76.

Books Recommended

1. Civil Procedure Code - Mulla
2. Civil Procedure Code - Viswanathlyer
3. Code of Civil Procedure - P.K. Majumdar
4. A Guide to Civil Procedure Code - Rama Rao
5. Civil Procedure Code - Sarkar
6. Civil Procedure Code - M.P. Jain
7. Law of Limitation & Prescription - U.N. Mitra
8. Law of Limitation - Dr. N.M. Swami
9. Limitation Act - Sarkar.
10. Bare Act (Diglot) Civil Procedure Code 1908
11. Bare Act (Diglot) Limitation Act, 1963
12. Bare Act (Diglot) Court Fees Act 1870

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LL.B. Three Year Law Degree Course (Semester System)
Detail Syllabus

LL.B. Fifth Semester *first semester*

III **Papar-III**

Company Law

(INDIAN COMPANY ACT, 2013 WITH AMENDMENTS)

- (1) Introduction, History and Definition of Company, Registration of Corporate Entity, Corporate Veil, Company and Hindu undivided Family, company and Partnership, Club, Association of Persons, Advantages and Disadvantages of Incorporation, Kinds of Companies and Application of the Act.
Interpretation and Definitions of Various Terms.
- (2) Formation of Companies, Promotion, Promotor and his Rights and Liabilities, Incorporation, Memorandum of Association and Articles of Association, Doctrine of Ultra-Vires, Prospectus, Definition, Contents of Prospectus, Punishment for Misrepresentation in the Prospectus, Members of the Company, Members and Shareholders and Public Trustees.
- (3) Share and Share Capital, Allotment of Share, Statutory Restriction on Allotment, General Principles as to Allotment, Company which cannot issue prospectus, Irregular Allotment, Return as to Allotment, Issue of Share at Discount, Underwriting Commission, Brokerage, Issue of Share at Premium, Share Capital: Definition, Nature of Share Certificate, Position of Transferor and Transferee, Procedure, Blank Transfer, Right to Refuse Registration, Restriction on the Acquisition and Transfer of Share, Certificate of Transfer, Kinds of Share, Power of Company to Accept Payment in Advance of Calls, Reserve Liability, Alteration of Capital, Reorganisation of Share Capital, Reduction of Capital, Share Warrant.
Directors, Position of Directors, Appointment, Powers and Duties of Directors, Other Office Bearers of the Company.
- (4) Dividend, Debenture, Accounts and Audit, Borrowing Powers of the Company, Investment and Contract, Majority Powers and Minority Rights and Rule of Foss and Harbottle, Mismanagement and Remedies, compromise. Arrangement, Reconstruction and Amalgamation, Investigation and Liquidation and Consequences of Winding up of the Companies.
- (5) **Leading Cases**
 1. Saloman Vs. Soloman and Company Ltd., 1897, PC 22.
 2. Income Tax Commissioner Vs. Shri Meenakshi Mills, A.I.R., 1967, SC 819.
 3. Nareshchand Vs. Calcutta Stock Exchange Association AIR 1971, SC 422.

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4. N.Goverdhandas & Company Vs. N. W. Industries Pvt. Ltd. AIR 1971, SC 2600.
5. Official Liquidator Vs. P. A. Tandolkar AIR 1973, SC 1104.
6. R. Methlone Vs. Bombay Life Insurance Corporation Ltd. AIR 1953, SC 195.

Books Recommended:

1. Company Law - Philip K. Thyil.
2. Lectures on Company Law - S. M. Shah.
3. Indian Company Law - Awtar Singh.
4. Company Law - R. R. Maurya.
5. Company Law - Dr. Ramchandran.
6. Students Guide to Company Law - Taxmann
7. Company Law - N. V. Paranjape.
8. Bare Act (Diglot) **Indian Company Act, 2013 With Amendments**

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LL.B. Three Year Law Degree Course (Semester System)
Detail Syllabus

LL.B. Fifth Semester *First Semester*

III **Papar-IV**

Interpretation of Statutes

- (1) Principles and Legislation-Law Making- Legislature, Executive and Judiciary, Principle of Utility, Operation of these Principles upon Legislation, Distinction between Morals and Legislation.
INTERPRETATION OF STATUTES- Introduction, Meaning, Commencement, Operation and Repeal of Statutes, Purpose of Interpretation of Statutes Classification of Statutes.
- (2) GENERAL PRINCIPLES OF INTERPRETATION-Primary Rules, Literal Rule, Golden Rule, Mischief Rule (Rule in the Hydon's Case) Rule of Harmonious Construction. Secondary Rules, Noscitur a Sociis, Ejusdem Generis, Reddendo Singula Singulis, Ut res Magis Valeat Quam Pereat, Contemporanea Expositio est Fortissima in Lege.
PRESUMPTIONS IN STATUTORY INTERPRETATION-Presumption as to Jurisdiction, Presumption Against inconvenient or Absurd, Presumption Against Intending Injustice, Presumption Against Impairing Obligations or Permitting from One's Own Wrong, Prospective Operation of Statutes.
- (3) AID TO INTERPRETATION AND MAXIMS OF STATUTORY INTERPRETATION- Internal Aids and External Aids, MAXIMS- Delegates Non Potest Delegare, Expressio Unius Exclusio Alterius, Generalia Specialibus non Derogant, In Pari Delicto Potior Est Condition Possidentis, Ut res valet Potior Quam Pareat, Expressum Facit Cessare Tacitum, Jure Nature Sunt Immutabilia.
- (4) Interpretation with Reference to the Subject Matter and Purpose- Beneficial Construction, Strict Construction of Penal Statutes and Taxing Statutes, Construction and Interpretation of Welfare Legislation, Harmonious Construction of the Statutes, Interpretation of Statutes in Pari Materia, Amending, Consolidating and Codifying Statutes, Mandatory and Directory Enactments and Conjunctive and Disjunctive Enactments.
- (5) Principles of Constitutional Interpretation-Principles of Implied Powers, Incidental or Ancillary Power, Doctrine of Pith and Substance and Colourable Legislation, Principles of Implied Prohibition, Occupied Field and Territorial Nexus, Doctrine of Severability and Repugnancy and Doctrine of Eclipse and Ancillary Powers.

Retrospective and Prospective Operation of Statutes.

Books Recommended:

1. Principles of Statutory Interpretation-G.P. Singh.
2. Interpretation of Statutes and Legislation-M.P. Tandon and Rajesh Tandon.
3. Statute Law-Craies.

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4. Interpretation of Statutes-V.P.Sarathi.
5. Maxwell's Interpretation of Statute-N.M.Tripathi.

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LL.B. Three Year Law Degree Course (Semester System)
Detail Syllabus

PAPER V

LL.B. Fifth Semester Paper-V

First Semester
 III Semester

**PRACTICAL TRAINING (SESSIONAL) DRAFTING, PLEADING AND
 CONVEYANCING**

This course will be taught through class instructions and simulation Exercises, preferably with assistance of practicing lawyer, retired judges. Apart from teaching the relevant provisions of law, the course will include 15 exercise in drafting carrying a total 45 marks and 15 exercises in convincing carrying another 45 marks (3 marks for each exercise)

Note :

1. Drafting :

General principles of drafting and relevant substantive rules shall be taught.

2. Pleading :

Civil, Plaint, Written Statement, Interlocutory Application, Execution Petition and Memorandum of Appeal and Revision. Petitions under Articles 226 and 32 of the Constitution of India.

Criminal:

Complaints, Criminal Miscellaneous Petition, Bail application, Memorandum of Appeal and Revision.

3. Conveyancing:

Sale Deed, Mortgage Deed. Lease Deed. Gift Deed. Promissory Note. Power of Attorney. Will.

The remaining 10 marks will be given in a viva-voice examination which will test the understanding of legal practice in relation to drafting, pleading and conveyancing.

Book Recommended :

1. Moghas Pleading

2. Moghas Conveyancing.

1. अभिवचन एवं एवं प्रलेखन शास्त्र-बसंती लाल बावेल।

2. दस्तावेज लेखन विधि-राजाराम यादव

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. Six Semester *Second Semester*

III Paper-I

Intellectual Property Law

(1) Introduction Nature Basic Concepts and International Conventions

Nature and meaning of Intellectual property, need for protection of right of intellectual property. The types of intellectual property. The types of intellectual property and enhancement of area of I.P. History and introduction to the leading international instrument concerning intellectual property rights i.e. WIPO (World Intellectual Property Organisation) and its Paris Convention on Protection of Industrial Property (PIP) and patents co-operation treaty (PCT) The Berne (1971) and Rome Convention (1961) on Copyright. Universal Copyright Convention (UCC) of 1952, and Neighbouring Rights and Madrid Agreement on Trademark Registration. The General Agreement on Tariffs and Trade (GATT) and its creations, World Trade Organisation (WTO), Uruguay Round (April 1997) and its highly significant instrument "Trade Related Intellectual Property Agreement" (TRIPS).

(2) Copyrights its contents and forms & related acts:

Copyrights its history and definition, provisions of Copy-right act 1957 and copyrights (amendment) act 1994 which includes copyright its nature and meaning. Subject matter of copyright, forms of copyrights, ownership of copyrights assignment of copyrights. Copyrights as an authors special rights. Notion and criteria of infringement, their definition and exception, proposition relating to infringement, authorisation of infringement, acts not constituting infringement, infringement of literary, dramatic, musical and artistic works, cinematographic films and sound recording.

Remedies against infringement of copyright-nature and kind of remedies civil and criminal under Copyright Act sec. 55-57, 62, 63-70, slender of title Anton Piller order, international copyrights, copyrights societies and copyright office, copyrights board, legislation of copyright and appeal.

(3) Trade Marks & designs-their nature & related acts:

Introduction definition evolution and concept of trademarks, Distinction between trade marks and property works, the doctrine of honest current user and doctrine of deceptive similarity, provisions of The trade mark act 1999, it includes definition and interpretation, condition for registration, trademark registry. Property in a trade-mark, registration of trade mark, its refusal, Berne principles of registration of trademarks, its procedure and evidence. Marks, not registrable, effect and limit on effect. Registered trademark, assignment and transmission of registered trade marks, use of trademark and registered user, rectification and correction of the registration, collective marks, provisions relating to textile goods, offences, penalties and procedure, appellate board, its constitution, powers and duties and procedures and

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Other miscellaneous provisions of the act, provisions of Design act 2000, it includes following chapter- definition, registration of design, copyright in registered design legal proceedings, general powers and duties of controller Evidence agency & powers of central government.

(4) Patents its introduction grant, registration and patents act 1970:

Provisions of Patents act 1970 which includes patents, its introduction concept and history, process of obtaining patents, specification, application for patents, examination of application, position to grant a patent, invention not patentable, register of patents and patent office, register and obligation of a patent. Transfer of patent right, Right of the Govt. in case of use of invention provisions for secrecy of certain invention. Patents in addition, procedure for restoration of lapsed patents. Revocation and surrender of patents. Registration of patents, patents office, its constitution, controller and its power, infringement of patents and treat of infringement proceedings officers penalties for the Violation of act. licences.. of right, compulsory licences patent agent etc. and miscellaneous provision of the act.

(5) leading cases.

1. Gramophone co. of India v. B.B. Pandey (AIR 1984 SC 667)
2. Indian Performing Right Society Ltd. v. Eastern India Motion pictures association (AIR 1977 SC 1443).
3. Monsanto Co. v. Carbamylidag product (AIR 1986, SC 712).
4. American House Product Corpn. v. Mac Laboratories (Pvt) Ltd. (AIR 1986 SC 137) (Dristan Case)

Books Recommended:

1. Parvin Anand - The law of Intellectual Property (Batter Worth)
2. Bibek Deb Roy - The Intellectual Property Rights (B.R. Publishing, New Delhi)
3. Terrel - Law of Patents (Rajiv Gandhi Institute of Concept Studies)
4. P.S. Sanyal & Kishore Singh - Indian Patent System
5. Stewart - International copyright and neighbouring right.
6. P. Narayanan - Intellectual Property Law (Eastern Law House, Kolkata/ Delhi, 315/-)
7. Vikas Vashisth - Intellectual Property Law (Bharat Law House)
8. Cornish W.R. - Intellectual Property Patents, Trade Names, Copyrights and allied rights (1999) (Universal law publishing Co. Pvt. Ltd.) Ansal's Dilkhush Industrial Estate, G.T. Karnal Rd., Delhi.
9. W.R. Cornish - Intellectual Property (Sweet & Maxwell)
10. Mata Din - Law of passing off and infringement of trademarks.
11. UIE Anderfelt - International patent legislation and developing countries.
12. The Patent Act 1970
13. The Design Act 2000
14. The Trade Mark Act 1999
15. The Copyright Act 1957.

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For

LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. Six Semester

III Paper-II

Second Semester

Human Rights & Public International Law

(1) GENERAL BACKGROUND & HISTORICAL PERSPECTIVE

1. Historical Development and concept of Human Right
2. Meaning and definition of Human Rights
3. Theories of Human Rights
4. Kinds and Classification of Human Rights
5. Human Right in India ancient, medieval and modern concept rights
6. Human Right in Western tradition
7. Concept of natural law and natural rights

(2) INTERNATIONAL, NATIONAL AND REGIONAL PROTECTION OF HUMAN RIGHTS

- 1 Evolution of the concept of Human Rights
- 2 Sources of International Human Rights Law
- 3 Protection and implementation of Human Rights under the U.N.O. Charter
- 4 Universal Declaration of Human Rights, 1948—Importance of declaration, Legal Effect and influence of the Universal Declaration
- 5 International Covenant on Economic, Social and Cultural Rights, 1966
- 6 International Covenant on Civil and Political Rights, 1966
- 7 Convention on the elimination of all forms of discrimination against women
- 8 Convention on the rights of the child
- 9 European Convention for the protection of Human Rights and Fundamental Freedoms (1950) and European Social Charter, 1961
- 10 American Convention on Human Rights, 1969
- 11 African Charter on Human and People's Rights, 1981
- 12 Arab Commission on Human Rights
- 13 Impact and Implementation of International Human Rights Norms in India
- 14 Human rights norms reflected in fundamental rights in the constitution
- 15 Directive principles: legislative and administrative implementation of international human rights norms through judicial process
- 16 Enforcement of Human Right in India
- 17 Role of courts: the Supreme Court, High Courts and other Courts (3) PR

PROTECTION OF HUMAN RIGHTS ACT, 1993:

- 1 The National Human Rights Commission—Constitution, Functions and powers of the Commission, Power of Investigation and inquiry into Complaints
- 2 The State Human Rights Commission—Constitution, Functions and powers of the Commission

Power of Investigation and inquiry into Complaints

- 3 Human Rights Courts

4 Other Statutory Commissions—Women's, Minority, ST, SC and Backward classes

(4) PUBLIC INTERNATIONAL LAW—INTRODUCTION:

a) Definition and Concept of International Law, Object of International Law, Nature and Origin and development of International Law,

b) Sources of International Law, Codification of International Law Relationship between international and Municipal law and

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difference between Public International Law and Law of conflicts subject of PIL.

- c) Relationship between international and Municipal law and difference between Public International Law and Law of conflicts, subject of Public International Law
- d) State-its nature, evolution, and criteria of statehood, Recognition of States and Governments, Meaning and theory of Recognition, Mode of Recognition and legal effects of Recognition, Acquisition and Loss of State Territory
- e) State Succession-Its kinds and Principles of State Succession, Effect of Succession, State Jurisdiction and State Responsibility, Nationality, Extradition, Asylum, Diplomatic Agents and Treaties
- f) Law of the Sea- Territorial water, continental shelf, seabed, ocean-floor, Economic zone, Contiguous Zone

(5) LAW OF WAR AND PEACE AND SETTLEMENT OF DISPUTES

- a) Settlement of International Disputes-Peaceful amicable methods and forcible or coercive methods for settlement of disputes, Intervention, Neutrality, Blockade, Contraband and Prize Courts
- b) International Organization-League of Nations and reasons of its failure, Role of United Nations Organization (UNO) and their specialized agencies. Composition, Powers and Functions of The General Assembly and The Security Council, Composition, Powers and Jurisdiction of the International Court of Justice
- c) Some recent trends-International Criminal Court of Justice, Doctrine of Self-determination, International Terrorism, Disarmament and Genocide

LEADING CASES:

- 1-Daimler Co. Ltd Vs. Continental Tyre and Rubber Co. Ltd. (1961) 2 A.C. 307
- 2-Anglo Indian Oil Co. Case (1952) I.C.J.R. 93
- 3-Harbhajan Singh Vs. Union of India, AIR 1987 S.C. 9
- 4.Gaurav Jain Vs. Union of India, AIR 1997 SC 3021
- 5.Vikram Dev Singh Tomar Vs. State of Bihar, AIR 1988 SC 178

Recommended Reading Material:

- 1. J.K. Starke - An Introduction to the International Law.
- 2. J.L. Brierley - The Law of Nations (Oxford)
- 3. K.C. Joshi - International Law and Human Rights
- 4. S.K. Verma - An Introduction to Public International Law (Prentice-Hall India).
- 5. All the Covenants and Conventions.
- 6. Shaw M.N. - International Law (CUP).

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7. M.C.Nair - The Law of Treaties (Oxford)
8. S.K.Kapoor - Human Rights under International Law and Indian Law
Central Law Agency Allahabad
9. S.K.Kapoor - Human Rights under International Law and Indian Law
Central Law Agency Allahabad (In Hindi)
10. H.O.Agrawal - International Law and Human Right (In Hindi)
11. S.K.Avesti and Kataria Law relating to Human Rights, Orient New Delhi
12. Human Rights watch women's Rights watch global report on women's Human Rights
(2000), Oxford
13. Ermacora Nowak and Tretter, International Human Rights (1993), Sweet and Maxwell
14. Wallace, International Human Rights: Text & Materials (1996), Sweet & Maxwell
15. Human Rights & Global Diversity (2001), Frank Cass, London
16. Nirmal B.C. The Right of self Determination in International Law (1995), Deep and Deep
17. P.R.Gandhi, International Human Rights Documents (1999) Universal Delhi
18. H.O.Agrawal, International Law and Human Rights, Central Law Publication
19. S.K.Kapoor, Human Rights Under International Law and Indian Law
20. Bare Act (Diglot) Human Right Protection Act, 1993

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LL.B. Three Year Law Degree Course (Semester System)
Detail Syllabus

LL.B. Six Semester *Second Semester*
III **Papar-III**

CyberLaw&InformationTechnologyAct,2000

1. **CyberCrime_Meaning**

,Definition,Nature,Scope&CharacteristicsofcyberCrimes,Historical Genesis and evolution of Cyber Crimes.

AComparativeStudy- acomparativestudycybercrimeslawsofUSA,UKand Canada,TheProblemofcyberTerrorism, CyberDefamation,CyberSquatting, Spamming,Phishing,InvestigationandJurisdictionoverCyberCrimes.**Crimes**–The JuridicalresponseinIndia,InternationalJuridicalresponses.CyberCrimesemerging internationalControlRegimes.CyberCrimes emergingNationalControlRegimes.

2. Cyber crime and Cyber law- Classification of cyber crimes, Common cyber crimes- cybercrimetargetingcomputers and mobiles, cybercrimeagainst women and children, financial frauds, social engineering attacks, malware and ransomware attacks, zero day and zero click attacks, Cyber criminals modus-operandi , Reporting of cyber crimes, Remedial and mitigation measures, Legal perspective of cyber crime,Cyber crime and offences, Organisations dealing with Cyber crime and Cyber security in India, Case studies.**SpecificCyberCrimes**-Hacking, Viruses, Worms, LogicBombs, Trojan Horse,CyberPornography/Child Pornography, CyberStlking/CyberHarassment, email relatedcrimes,digitalsignaturesandForgery,CyberGambling,CyberMoney Laundering,CyberFraud andCyber Chating,

3. **Social Media Overview and Security-** Introduction to Social networks. Types of Social media,Socialmediaplatforms,Socialmediamonitoring,Hashtag,Viral content,Social media marketing, Social media privacy, Challenges, opportunities and pitfalls in online social network, Security issues related to social media, Flagging and reporting of inappropriate content, Laws regarding posting of inappropriate content, Best practices for the use of Social media, Case studies.
4. **Data Privacy and Data Security-**Defining data, meta-data, big data, non personal data. Data protection, Data privacy and data security, Personal Data Protection Bill and its compliance, Data protection principles, Big data security issues and challenges, Data protection regulations of other countries- General Data Protection Regulations (GDPR),2016 Personal Information Protection and Electronic Documents Act (PIPEDA).. Social media- data privacy and security issues.
5. **Cyber Law** -Cyber crime and legal landscape around the world, IT Act,2000 and its amendments. Limitations of IT Act, 2000. Cyber crime and punishments, Cyber Laws and Legal and ethical aspects related to new technologies- AI/ML, IoT, Blockchain,

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Darknet and Social media, Cyber Laws of other countries, Case Studies.

6. Basics on Blockchains, Electronic Discovery, Robotics, Artificial Intelligence and Bio-Ethics

Book Recommended

Bare Act (Diglot)-
Bare Act (Diglot)

Information Technology Act, 2000
Data Protection Act,

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LL.B. Three Year Law Degree Course (Semester System)

Detail Syllabus

LL.B. ~~Sixth~~ ^{III}

[Second Semester]

Semester Paper-IV

Law of Taxation & Good & Service Act 2017

1. GENERAL INTRODUCTION:

Historical Perspective

Historical Development of Tax Laws in India Concepts of tax

Nature & characteristics of taxes

Distinction between tax & fee, tax, & cost

Distinction between Direct & Indirect tax

2. INCOME TAX ACT, 1961: Preliminary – Short Title, Extent and Commencement, Definitions, Previous Year Defined (Sec. 1-3) - Basis of charges of Income Tax: Residential status of assesses – its impact on tax liability (Sec. 4-9) Incomes which do not form part of total income (Sec. 10-13)

3. Computation of Total Income (Heads of income) Salaries, Income from House Property, Profits and Gains of Business or Profession, Capital Gains and Income from Other Sources – general concepts – chargeability to tax – admissible & inadmissible deductions, exclusions and deductions from income (Sec. 14-59) Income of other persons included in assessee's Total Income (Sec. 60-65), Aggregation of Income and set-off and carry forward of losses (Sec. 66-80) Deductions to be made in computing total income, Deductions in respect of certain Payments and certain incomes and other deductions, Rebate of Income Tax and Relief for Income Tax (Sec. 80A-89) Double Taxation Relief (Sec. 90-91), Special Provision Relating to avoidance of Tax (Section 90-94B)

4.-Income tax authorities- Appointment and Control, Jurisdiction, powers & functions, Disclosure of Information (Sec. 116-138), Procedure for Assessment (Sec. 139-158), Liability in special Cases (Section 159-180A), Special Provision applicable to firms (Section 184-189A), Collection and Recovery of Tax-Deduction at source and Collection at source, Advance payment of tax, Collection and Recovery. Interest Chargeable in some cases and Refunds, (Sec. 190-245) Allotment of permanent account number, Appeals and Revision, Appeals to the Appellate Tribunal, Reference to High Court, Appeals to High Court, Appeals to the Supreme Court, Revision and reference (Sec. 245A-269) Penalties Imposable (Sec. 270- 275) Offences and Prosecutions-

Penalties and prosecutions under income tax act, 1961 for non-compliance, contravention, avoidance and evasion of tax (Sec. 275A-280)

5. THE CENTRAL GOODS AND SERVICES ACT, 2017

Basic Concept of GST, Historical Perspective, Preliminary-Short Title, Extent and Commencement, Definitions, Administration, Levy and Collection of Tax, Time & Value of Supply, Input Tax Credit, Registration, Tax Invoice, Credit and Debit Notes, Accounts And Record, Returns, Payment of Tax, Refund of Tax, Refunds, Assessment, Audit, Inspection, Research, Seizure and Arrest, Demands and Recovery, Liability to Pay in certain

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Cases,

Advance Ruling, Appeals and Revision, Offences and Penalties, Transitional Provision, Miscellaneous, Schedule, Removal of Difficulty Orders

LEADING CASES:

- 1- Commissioner of Income Tax Vs. Anwar Ali AIR 1970 SC 1982
 - 2- Jute Corporation of India Vs. CIT, AIR 1991 SC 341
 - 3- McDowell & Company Ltd. Vs. The Commercial Tax Officer (1985) 154 ITR 148 (SC)
 - 4- Sumati Dayal Vs. CIT (1995) 214 ITR 801 (SC)
 - 5- Royala Corporation Private Limited Vs. Assistant Commissioner of Income Tax (2016) 15 SCC 201
- Calcutta Discount Co. Ltd. Vs. Income Tax Officer, (1961) 41 ITR 191 (SC)
 Reopening of Assessment Section-147(9)
 Dwarka Das Keshardeo Morarka Vs. Commissioner of Income Tax (1962) 42 ITR 529 On law of Estoppel in Taxation

BOOKS RECOMMENDED:

- | | |
|----------------------|--|
| 1- A.K. Saxena | Income Tax Act |
| 2- Kailash Rai | Income Tax Act |
| 3 V.K. Shusha Kumari | Law of Income Tax |
| 4- B.L. Babel | Pratyaksh Kar Vidhayan, Aparadh,
Abhiyojan Evam Shastiyam |
| 5- Bare Act (Diglot) | The Central Goods And Services Act, 2017 |

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LL.B. Three Year Law Degree Course (Semester System)
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LL.B. Six Semester *Second Semester*
 III *Papar-V*

MOOT COURT AND INTERNSHIP (CLINICAL)

This Paper will have three components of 30 marks each and a viva voce for 10 marks.

(a) Moot Court (30 marks)

Every student will do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problems. It will be evaluated for 5 marks for written submission and shall be in the form of the written test organized by the college. The duration of the test will be one and half hours

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

Students will attend two trials. They will maintain a record and enter the various steps observed during their attendance of different days in the court assignment. This scheme will carry 30 marks. (20 mark for diary and 10 Marks for written test.)

(c) Interviewing techniques and Pre- Trial Preparation (30 Marks):

Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate on the procedure for the filing of the suit/petition. This will be in the form of written test.

(d) The fourth component of this paper will be Viva Voce examination of all the above three aspects. This will carry 10 marks.

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