

**DR. BHIMRAO
AMBEDKAR LAW UNIVERSITY, JAIPUR**
डॉ. भीमराव अम्बेडकर विधि विश्वविद्यालय, जयपुर

B.A.LL.B.

FIVE YEARS INTEGRATED COURSE

(SEMESTER SCHEME)

SYLLABUS AND COURSE COMPONENT

<u>FIRST YEAR</u>	SESSION 2020 – 21
<u>SECOND YEAR</u>	SESSION 2021–22
<u>THIRD YEAR</u>	SESSION 2022 – 23
<u>FOURTH YEAR</u>	SESSION 2023 – 24
<u>FIFTH YEAR</u>	SESSION 2024 – 25

[ALL SUBJECTS]

ARTS SUBJECTS		
S. No.	NAME OF SUBJECT	NUMBER OF PAPER / PAPERS
1)	ENGLISH	02
2)	POLITICAL SCIENCE	04
3)	ECONOMICS	03
4)	SOCIOLOGY	03
5)	HISTORY	02
6)	HINDI//FRENCH [ELECTIVE]	01
7)	COMPUTER EDUCATION	01
TOTAL – 16 PAPERS		

LAW SUBJECTS [B.A.LL.B.]		
S. No.	NAME OF SUBJECT	NUMBER OF PAPER / PAPERS
1)	LAW OF TORTS	02
2)	LAW OF CONTRACT [GENERAL PRINCIPLES OF CONTRACT AND SPECIFIC RELIEF ACT, 1963]	01
3)	SPECIAL CONTRACTS [SALE OF GOODS ACT, 1930, INDIAN PARTNERSHIP ACT, 1932, LIMITED LIABILITY PARTNERSHIP ACT, 2008]	01
4)	CONSTITUTIONAL LAW	02
5)	PUBLIC INTERNATIONAL LAW	02
6)	FAMILY LAW	02
7)	JURISPRUDENCE	01
8)	COMPANY LAW	01
9)	LABOUR LAW	01
10)	LAW OF CRIMES	02
11)	ADMINISTRATIVE LAW	01
12)	RAJASTHAN LAND LAWS	01
13)	PRINCIPLES OF TAXATION LAWS	01
14)	PROPERTY LAWS	01
15)	INTELLECTUAL PROPERTY LAWS	01
16)	ENVIRONMENTAL LAWS	01
17)	CYBER LAWS	01
18)	CRIMINAL PROCEDURE CODE	02
19)	INTERPRETATION OF STATUTES	01
20)	LAW OF EVIDENCE	01
21)	COMPETITION LAW	01
22)	BANKING LAWS	01
23)	CODE OF CIVIL PROCEDURE	02
PRACTICAL / CLINICAL PAPERS		
24)	MEDIATION, CONCILIATION AND ARBITRATION	01
25)	DRAFTING, PLEADING AND CONVEYANCING	01
26)	PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING	01
27)	MOOT-COURT EXERCISE AND INTERNSHIP	01
TOTAL – 34 PAPERS		

B.A.LL.B. FIVE YEARS (INTEGRATED COURSE)

SYLLABUS AND COURSE COMPONENT OF B.A.LL.B.

FIRST SEMESTER:

PAPER 1.1. :	GENERAL ENGLISH
PAPER 1.2. :	POLITICAL SCIENCE - I
PAPER 1.3. :	GENERAL PRINCIPLES OF SOCIOLOGY
PAPER 1.4. :	LAW OF TORTS - I
PAPER 1.5. :	LAW OF CONTRACT [GENERAL PRINCIPLES OF CONTRACT AND SPECIFIC RELIEF ACT, 1963]

SECOND SEMESTER:

PAPER 2.1. :	ENGLISH FOR LAW
PAPER 2.2. :	POLITICAL SCIENCE - II
PAPER 2.3. :	THEORITICAL PERSPECTIVES OF SOCIOLOGY
PAPER 2.4. :	LAW OF TORTS - II
PAPER 2.5. :	SPECIAL CONTRACTS [SALE OF GOODS ACT, 1930, INDIAN PARTNERSHIP ACT, 1932, LIMITED LIABILITY PARTNERSHIP ACT, 2008]

THIRD SEMESTER:

PAPER 3.1. :	ECONOMICS-I
PAPER 3.2. :	POLITICAL SCIENCE-III
PAPER 3.3. :	SOCIOLOGY - III
PAPER 3.4. :	COMPUTER EDUCATION
PAPER 3.5. :	CONSTITUTIONAL LAW- I

FOURTH SEMESTER:

PAPER 4.1. :	ECONOMICS-II
PAPER 4.2. :	POLITICAL SCIENCE-IV
PAPER 4.3. :	HISTORY - I
PAPER 4.4.(A) & (B) :	HINDI//FRENCH [ELECTIVE]
PAPER 4.5. :	CONSTITUTIONAL LAW-II

FIFTH SEMESTER:

PAPER 5.1. :	ECONOMICS-III
PAPER 5.2. :	HISTORY-II
PAPER 5.3. :	JURISPRUDENCE
PAPER 5.4. :	FAMILY LAW-I
PAPER 5.5. :	PUBLIC INTERNATIONAL LAW-I

SIXTH SEMESTER:

PAPER 6.1. :	COMPANY LAW
PAPER 6.2. :	PUBLIC INTERNATIONAL LAW-II
PAPER 6.3. :	FAMILY LAW-II
PAPER 6.4. :	LABOUR LAW

PAPER 6.5. : LAW OF CRIMES – I

SEVENTH SEMESTER:

PAPER 7.1. : ADMINISTRATIVE LAW
PAPER 7.2. : RAJASTHAN LAND LAWS
PAPER 7.3. : PRINCIPLES OF TAXATION LAWS
PAPER 7.4. : PROPERTY LAWS
PAPER 7.5. : LAW OF CRIMES – II

EIGHTH SEMESTER:

PAPER 8.1. : INTELLECTUAL PROPERTY LAWS
PAPER 8.2. : ENVIRONMENTAL LAWS
PAPER 8.3. : CYBER LAWS
PAPER 8.4. : CRIMINAL PROCEDURE CODE - I
PAPER 8.5. : INTERPRETATION OF STATUTES

NINETH SEMESTER:

PAPER 9.1. : LAW OF EVIDENCE
PAPER 9.2. : COMPETITION LAW
PAPER 9.3. : BANKING LAWS
PAPER 9.4. : CRIMINAL PROCEDURE CODE - II
PAPER 9.5. : CODE OF CIVIL PROCEDURE - I

TENTH SEMESTER:

PAPER 10.1.: CODE OF CIVIL PROCEDURE
AND LIMITATION ACT – II

PRACTICAL / CLINICAL PAPERS:

PAPER 10.2.: MEDIATION, CONCILIATION
AND ARBITRATION
PAPER 10.3. : DRAFTING, PLEADING AND
CONVEYANCING
PAPER 10.4. : PROFESSIONAL ETHICS AND
PROFESSIONAL ACCOUNTING
PAPER 10.5. : MOOT–COURT EXERCISE AND INTERNSHIP

PAPER 1.1.

ENGLISH - I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The course aims at enhancing verbal and non-verbal skills of law students with focus on Reading skills. The exposure to close reading of the reference books and journals would enable them to hone their empathetic skills, study skills and writing skills.

UNIT – I

The Joy of Reading (Orient Longman): The following stories-(a) “An Astrologer’s Day” R.K. Narayan (b) “The Child” Premchand “The Gift of the Magi” O. Henry

Language and Grammar: Defining Language, Nature of Language; Linguistic Competence (Introductory);

Grammar and Usage - Sentence Structure- Subject and Predicate; Concord; Tenses; Use of Articles; Accurate Use of Prepositions; Making Questions (Why- and yes-no questions and question tags); Use of Auxiliary Verbs (making requests, suggestions, seeking permission etc.); Some Common Errors

UNIT – II

The Joy of Reading (Orient Longman): The following prose pieces-“Education: Indian and American” Anurag Mathur (1)“Bangle Sellers” Sarojini Naidu(2)“Where the Mind is Without Fear” Rabindranath Tagore

Sentence Transformation:

Active and Passive Voice; Types of Sentences (Statements, interrogative, exclamatory and imperative); Simple, Complex and Compound Sentences; Reported Speech; Syntactic Ambiguity

UNIT – III

The Joy of Reading (Orient Longman): The following poems-

“My Financial Career” Stephen Leacock; The World is Too Much with US” William Wordsworth

Communication Skills:

Communication - Verbal, Non-verbal and Written; Significance of Communication Skills for Lawyers- Listening, Speaking, Reading and Writing (Introductory); Electronic Communication and its Types (Telephone, Facsimile, E-mail, Voicemail, Teleconferencing, Video-conferencing, Word processor, Internet, Social Media); Formal Correspondence; Resume Writing, Difference between Bio-data, Resume and Curriculum-Vitae.

UNIT – IV

The Joy of Reading (Orient Longman): The following Poems-

Speech on Indian Independence Jawaharlal Nehru

(1) Sonnet: “When in disgrace...” William Shakespeare

(2) Success is Counted Sweetest” Emily Dickinson

Transformation of sentences: (a)Active/passive(b)Interrogative

UNIT – V

Tenses; Comprehension; Paragraph Writing; Punctuation; Latin Maxims; Pair of words; One-word substitution, Synonym, Antonym; Comprehension of Legal Texts; Prescribed Leading Cases; Newspaper Reading, Idioms and Phrases.

SUGGESTED READINGS:

- i. Bhatnagar, R.P. and R. Bhargava, Law and language, New Delhi: Macmillan.
- ii. Cambridge Idioms Dictionary. Singapore : Cambridge University Press, 2006.
- iii. Collins Cobuild students Grammar
- iv. Cutts Martin, The Plain English Guide, Oxford University Press, 1995.
- v. Donald, Sydney G. and Pauline E Kneale. Study Skills for Language Students. New York: OUP, 2001.
- vi. Eastwood John, Oxford Practice Grammar Oxford Uni. Publication.
- vii. Gibbons John, (ed.) Language and Law, Longman, 1996 London.
- viii. Green, David. Contemporary English Grammar Structures and Composition. Chennai: Macmillan, 1999.
- ix. Hansen, Randall S and Katherine Hansen. The Complete Idiot’s Guide to Study Skills. New Delhi: Penguin Books, 2008.
- x. Hewings, Hartin, Advanced English Grammar, Cambridge University Press

PAPER 1.2.

GENERAL PRINCIPLES OF POLITICAL SCIENCE

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

To establish a relationship between Political Science and Law and in the process bring out the significance of Political Science in strengthening the understanding of Law. The subject will facilitate conceptual clarity and also will provide a theoretical understanding of key themes which are central to the subject of Law. In addition to this, Political Science as an academic discipline will familiarise with ideologies which will play a vital role in moulding the thought process of law students and which will have its effect while dealing with the practical aspect of Law.

UNIT - I

Introduction to the study of Political Science/Politics; Origin, different meanings, definitions; Scope of Politics- Ancient/Greek view, Traditional view and Modern View; Significance of study of Political Science for Law.

Meaning, Scope and Nature of Political Science; Traditional and Contemporary Perspective; Behaviouralism and Post-Behaviouralism; Inter-disciplinary approach in Political Science.

UNIT - II

State: Name, Characteristics; State and Government, Theories of the Origin of State; Social Contract and Evolutionary; Organs of Government and their Functions; Theory of Separation of Powers; State and Nation and State and Society. Theories of the State; Social Contract Theory: Views of Hobbes, Locke and Rousseau: Critical appraisal of the theory; Historical/Evolutionary Theory; Marxist Theory; Sovereignty- Definitions and meaning; Internal and External Sovereignty; Types of Sovereignty; Characteristics of Sovereignty; John Austin's theory of Sovereignty; Pluralist Theory of Sovereignty;

UNIT - III

Forms of Government: Unitary and Federal; Parliamentary and Presidential; Characteristics of Unitary and Federal; parliamentary and Presidential forms of Government; Merits and Demerits of Unitary and Federal; Parliamentary and Presidential forms of Government; Concept: Liberty, Equality, Power, Authority, Law, Justice, Citizenship, Rights and Duties; Constitution and Constitutionalism.

UNIT - IV

Election Commission in India: Role of Election Commission in regulating Political Parties; Pressure Groups – Meaning and significance and functions; Election process – Understanding basic concepts- Electorate - Constituency- Universal Adult Franchise- Representation and its types

UNIT - V

Political Parties and Pressure Groups: Origin and Evolution of Political Parties; Meaning and nature of Political Parties; Structure, Power and functions of Political Parties; Types of Political Party System– Single Party System-Bi-Party System- Multi-Party System; Types of Political Parties – Indian Scenario- Umbrella Party- National Parties-State Parties-Regional Parties.

SUGGESTED READINGS:

- i. S.W. Garner, Political Science and Government
- ii. L.S. Rathore, In Defence of Political Theory
- iii. S.P. Verma, Rajniti Shastra Ke Siddhantha (Hindi)
- iv. Barker, Ernest, Principles of Social and Political Theory, Oxford University Press, 1978.
- v. Bhargava, Rajeev and Ashok Acharya: Political Theory: An Introduction (New Delhi, Pearson Education, 2008)
- vi. Heywood, Andrew, Political Ideologies: An Introduction(London, Red Globe Press,6thed. 2017)
- vii. Hobbes, Thomas, Leviathan (England, Oxford University Press, edition 2008)
- viii. Johari, J.C. Principles of Modern Political Science (New Delhi, Sterling Publisher, 2005)
- ix. Hoffman John and Paul Graham, Introduction to Political Theory (London, Routledge,2015).

PAPER 1.3.

GENERAL PRINCIPLES OF SOCIOLOGY

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|---------------------------------------|---|----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination
(15+10+5) | — | 30 marks |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

To introduce students with the emergence of sociology and basic concepts used in the discipline. The course content will apprise students with the relationship of Sociology and Law. It will familiarize students with the Classical Sociologists, i.e. Karl Marx, Max Weber and Emile Durkheim and to apply the formulation of these thinkers to contemporary issues. The Purpose of study is to know the basic ideas on the emergence of Sociology; Exhibit the understanding on the relationship of Sociology and Law; Express the knowledge on the foundation of sociology like society, culture, group, norms.

UNIT- I

Sociology, its meaning, Emergence of Sociology, Law and Sociology (Social change and Social Control), **Basic Concepts:** Society, Community, Institution, Association, Status, Norms, values, Mores, Customs, Sanctions, Social Structure, Social Mobility, Rural, Urban and Tribal Society (Meaning and Characteristics)

UNIT-II

Inequality, Differentiation, Ranking, Hierarchy, Social Stratification, Dimensions of Social Stratification: Caste, Class, Race, Ethnicity and Gender. Theoretical Formulations: i) Functional Theory: Davis and Moore ii) Conflict Theory: Karl Marx

UNIT-III

Sociological Thought on Law: Emile Durkheim; Social Facts, Social Solidarity (Mechanical and Organic) Anomie; Karl Marx; law as a part of Super Structure; Max Weber: Verstehen, Ideal Type, Social action and its Types, Bureaucracy.

UNIT-IV

Law and Weaker Section: Constitutional Provisions for Scheduled Castes, Scheduled Tribes and Other Backward Classes; Atrocities against Dalits; Violence against Women.

UNIT-V

Law and Social Problems: Communalism and Communal Violence, Terrorism, Drug Abuse, Juvenile Delinquency, Child Marriage, Dowry, Widow-Remarriage, Divorce, Prostitution

SUGGESTED READINGS:

- i. Ahuja, Ram : Indian Social System, Rawat Publication, Jaipur, 1993
- ii. Baxi, Upendera, Towards the Sociology of Law. New Delhi: Satwahan Publications, 1986
- iii. Bottomore, T.B. (1972). Sociology, A Guide to Problems and Literature. Bombay: George
- iv. Craib, Ian. (1984). Modern Social Theory. Brighton: Harvester Press.
- v. Dillon Michele. (2014). Introduction to Sociological Theory. Wiley Blackwell
- vi. Giddens, Anthony. (2001). Sociology. Cambridge: Blackwell Publishers.
- vii. Inkeles, Alex. (1987). What is Sociology?. New Delhi: Prentice- Hall of India.
- viii. Maclver, R.M. and Page, C.H. : Society : An Introductory Analysis, Newyork, Rinehart, 1937
- ix. Morrison, Ken. (2006). Marx, Durkheim, Weber, Formation of Modern Social Thought.
- x. Rawat, H.K. : Sociology : Basic Concepts, Rawat Publications, Jaipur 2007.

PAPER 1.4.

LAW OF TORTS - I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

With rapid industrialization, law of tort has taken a dynamic shape and came to be used as an effective remedy against manufacturers and industrial units for their activities injurious to human beings. Product liability is now assuming a new dimension in developed economics. Hence, the basic purpose for introducing this law to the students is to make them understand the constituents of tort and its general principles.

UNIT - I

Meaning, Nature and Definition of Tort:

Development of actions in tort in England and India; Meaning, Nature and definition of tort; Tort distinguished from contract, Quasi-Contract, breach of trust and crime; Foundation of tortious liability; Kinds of Damages; Relevance of Motive in Torts and its Exceptions—wrongful act, damage and remedy; Malfeasance, Misfeasance and Non-Feasance; Joint and Several Tort Feasors; Judicial Responses; Felonious Torts.

UNIT - II

General Defences in Tort:

Volenti Non Fit Injuria, consent, voluntary assumption of risk, exclusion clauses; Vis Major (Act of God); Inevitable accident; Act of third parties; Novus Actus Interveniens; Plaintiff's wrong or default; Self-defence and Defence of Property; Necessity; Statutory Authority; Judicial and quasi-judicial acts; Parental and quasi-parental authorities; Illegality; Mistake of Fact.

UNIT - III

Damages and Remoteness of Damage; Contributory Negligence, Death as creating and extinguishing Liability

Damages: Types- General and special, nominal, contemptuous, aggravated, exemplary, Compensatory damages- Principles of causation, foreseeability, certainty, assessment and calculation of damages- principles, personal injuries, death, loss of property, economic and non-economic losses; Injunction- Permanent and Temporary, Quia-Timet Action; Replevin (Claim and Delivery); Ejectment

Extra - Judicial Remedies:

Self-Defence, Re-Entry on Land, Recapture of goods, Abatement, Distress Damage Feasant;

UNIT - IV

Vicarious Liability:

Principle of Vicarious Liability: Nature, Scope and Justification; Concept of Master (Employer) and Servant (Employee) relationship; State Liability; Concept of Sovereign and Non-Sovereign Functions;

UNIT - V

Miscellaneous:

Strict Liability and its Exceptions, Absolute Liability, No-Fault Liability and their Exceptions;

LEADING CASES:

- Donogue v. Stevenson (1932) AC 562
- Indian Medical Association v. V. P. Shantha, AIR (1996) SC 558.
- Municipal Corporation of Delhi v. Smt. Subhagwati, AIR (1966) SC 17.
- N. Nagendra Rao v. State of Andhra Pradesh, AIR (1994) SC 2663.
- Rylands v. Fletcher, (1868) LP. 3 HL 330.

SUGGESTED READINGS:

- i. Avtar Singh and Harpreet Kaur, Introduction to the Law of Torts and Consumer Protection, 3rd ed, 2013, LexisNexis.
- ii. Bangia, R.K.: Law of Torts, Allahabad Law Agency, Faridabad, 2015.
- iii. Basu, D.D.: The Law of Torts, Kamal Law House, Kolkata, 2008.
- iv. Clerk and Lindsell: Torts, Sweet and Maxwell, London, 2008.
- v. Gandhi, B.M.: Law of Torts, Lucknow. Eastern Book Company, 2019.
- vi. Howarth, D. R., Hepple Howarth, and Mathews. Tort: Cases & Materials. London: Oxford University Press, 2005.
- vii. Iyer, Ramaswamy: Law of Torts, New Delhi. Lexis Nexis Butterworth, 2007.
- viii. Kapoor, S.K.: Law of Torts, Allahabad. Central Law Agency, 2018.
- ix. Pandey, J.N. & Pandey, Vijay K.: Law of Torts, Allahabad. Central Law Publications, 2019.
- x. Salmond on the Law of Torts, Sir John William Salmond, R. F. V. Heuston, Sweet & Maxwell, 1977.
- xi. Sir Percy Henry Winfield, Tom Ellis Lewis; Winfield on Tort: A Textbook of the Law of Tort, Sweet & Maxwell, 1954.

PAPER 1.5.

LAW OF CONTRACT

[GENERAL PRINCIPLES OF CONTRACT AND SPECIFIC RELIEF ACT, 1963]

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|---------------------------------------|---|----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination
(15+10+5) | — | 30 marks |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

To apply the basic principles in contractual relations, there need to be a clear understanding of the basic sources of law of contract. As the major source of contract law being the principles of English common law, we need to discuss the evolution of law of contract and the similarities and dissimilarities with the English law of contract. Hence, this course is designed to acquaint the students with the conceptual and operational parameters of these various general principles of contractual relations. Specific enforcement of contract is an important aspect of the law of contract. Analysis of the kinds of contracts that can be specifically enforced and the methods of enforcement forms a significant segment of this study. A practical overview of Specific Relief Act which gives a judicial remedy to enforce performance of contract is also included in the study.

UNIT - I

Meaning, elements and characteristics of Contract; Formation and Classification of Contract, including the Standard form of Contract; Proposal: Meaning, Elements Characteristics and Kinds of Proposal; Distinction between Proposal and Invitation to Proposal; Acceptance: Meaning, Modes and Characteristics of Acceptance; Communication, Revocation and Termination of Proposal and Acceptance;

UNIT - II

Consideration:

Meaning, Definition and Elements of Consideration; Significance and adequacy of consideration; Privity to Contract; Unlawful Consideration and Object Exception to the consideration.

UNIT - III

Valid Contract Capacity to Contract: Free Consent: E-Contracts: Definition, Silent Features, Formation and types, Differences between E- Contract and Traditional Contract, Advantages and Disadvantages of E –Contracts;

Voidable and Void Agreements:

Doctrine of severability; Agreements in restraint of marriage; in restraint of trade; Uncertain agreements; in restraint of legal proceedings; Agreement by way of wager; Contingent Contract

UNIT - IV

Performance of Contract:

Parties to perform the contract, Joint rights and joint liability and performance of reciprocal promises; Time, Place and Manner of Performance; Discharge from liability to perform the contract, doctrine of Impossibility. Certain relations resembling to those created by Contract (Quasi Contract)

UNIT - V

Breach of Contract :

Meaning and Kinds; Remedies for Breach of Contract: (i) Damages—Measure of damages and remoteness of damage;

(ii) Specific Performance of contract and injunctions under Specific Relief Act,1963 and Amendments; Contracts which are specifically enforceable; Contracts which are not specifically enforceable; Injunction; Rescission and Cancellation of Contract; Discretion of Court.

LEADING CASES:

- Carlill v. Carbolic Smoke Ball Co. (1892) Civ. 1 QB 256
- Bhagwandas v. Girdhari Lal & Co. AIR 1966 SC 543
- Motilal Padampat Sugar Mills v. State of U.P. AIR 1979 SC 621
- Mohori Bibi v. Dharmodas Ghose, (1903) 30 I.A. 114
- Satyabrata Ghose v Mugneeram Bangur & Co. and Another AIR 1954 SC 310

SUGGESTED READINGS :

- i. Anson, Law of Contract, Oxford University Press, New York, 2016
- ii. Atiyah P.S.: An Introduction to the Law of Contract, Clarendon Law Series, OUP
- iii. Avtar Singh, Law of Contract, 12th ed., Eastern Book Company, Lucknow, 2019 (Reprint)
- iv. Jill Poole, Textbook on Contract Law, Oxford University Press, New York, 14th ed.2019

- v. Mulla, Indian Contract Act, Lexis Nexis, New Delhi, 15th Ed. 2015
- vi. Neil Andrews, Contract Law, Cambridge University Press, 2011
- vii. P.R. Desai: Principles of Law of Contract
- viii. Pollock & Mulla: Indian Contract and Specific Relief Act
- ix. V.G. Ramchandra: The Law of Contract in India

PAPER 2.1.

ENGLISH FOR LAW

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts ;

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The course aims at enhancing verbal and non-verbal skills of law students with focus on Reading skills. The exposure to close reading of different genres included in the textbook would enable them to hone their empathetic skills and study skills and writing skills.

UNIT – I

Concern logical fallacies; Comprehension of Legal Texts; Use of cohesive devices (Legal drafting); Precise-writing, summarizing and briefing; Brief-writing and drafting of reports; Essay writing on topics of legal interests; Varieties of sentence structures and verb pattern; Translation (from English to Hindi and from Hindi to English)

UNIT – II

Composition Skills:

Report Writing; Précis Writing; Notices of General Nature; Essay Writing on recent Socio - Legal Topic(s);

UNIT – III

Understanding the Law:

Defining Law; Meaning of Act, Bill, Custom, Laws, Morality, Ordinance, Precedent, Rule, Statute; Nature of Law; Classification of Laws- Municipal Law and International Law, Public and Private Laws, Civil and Criminal laws; Interpreting Law and Role of Language in Interpretation (Use of definitions, meanings of words, literal meaning and contextual meaning).

UNIT – IV

Meaning of Legal Terms : FIR, Complaint, Written Statement, Plaintiff, Defendant, Appeal, Tribunal, Divorce, Legitimate, Illegitimate, Adoption, Maintenance, Alimony, Valid, Void, Litigation, Monogamy, Bigamy, Polygamy, Crime, Agreement, Contract, Fraud, Minor, Indemnity, Guarantee, Bailment, Pledge, Libel, Slander, Defamation, Homicide, Genocide, Suicide, Executive, Legislature, Judiciary, Constitution, Negligence, Nuisance, Precedent, Prospective, Mortgage, Retrospective, Summons, Ultra-Vires, Will, Warrant, Public, Private

UNIT – V

M.C. Chagla: *Roses in December*

Legal Eagles: *The Story of the Top Seven Indian Lawyers* by Indu Bhan

PRESCRIBED LIST OF LEGAL TERMS:

Abet	Cognizable	Floating charge	Liquidation
Abate	Confession	Franchise	Maintenance
Abstain	Compromise	Fraud	Malafide
Accomplice	Consent	Frustration	Malfeasance
Act of God	Conspiracy	Good Faith	Minor
Actionable	Contempt	Guardian	Misfeasance
Accuse	Contingent	<i>Habeas Corpus</i>	Mortgage
Adjournment	Contraband	Hearsay	Murder
Adjudication	Conviction	Homicide	Negligence
Admission	Convention	Inheritance	Negotiable
Affidavit	Corporate	Illegal	Instruments
Amendment	Custody	Indemnity	Neutrality
Appeal	Damages	Inheritance	Non-feasance
Acquittal	Decree	<i>In limine</i>	Notification
Articles	Defamation	Insanity	Novation
Assent	Defense	Institute	Nuisance
Attested	Deposit	Insurance	Oath
Attornment	Detention	Intestate	Obscene
Averment	Discretion	Issue	Offender
Bail	Distress	Judicial	Order
Bailment	Earnest Money	Jurisdiction	Ordinance
Blockade	Enact	Justice	Overrule
Bonafide	Enforceable	Judgment	Partition
By-laws	Equality	Justiciable	Perjury
Charge	Escheat	Legislation	Petition
Chattels	Estoppel	Legitimacy	Plaintiff
Citation	Eviction	Liable	Pledge
Clause	Executive	Liberty	Preamble
Coercion	Ex-parte	License	Pre-emption
Code	Finding	Lieu	Prescription

Presumption	Trust
Privilege	Ultra vires
Privity	Undue influence
Process	Usage
Promissory Note	Verdict
Proof	Vested
Proposal	Violate
Prosecution	Vis-major
Procedural	Void
Proviso	Voidable
Ratify	Waiver
Receiver	Warrant
Redemption	Warranty
Reference	Will
Regulation	Writ
Remand	
Remedy	
Repeal	
Res Judicata	
Respondent	
Restitution	
Rule	
Ruling	
Schedule	
Section	
Settlement	
Sovereignty	
Stamp Duty	
Status quo	
Statute	
Succession	
Summons	
Surety	
Tenant	
Testator	
Testatrix	
Title	
Tort	
Trade Mark	
Treason	
Treaty	
Trespass	
Trial	
Tribunal	

PRESCRIBED LIST OF LATIN MAXIMS:

1. A mensa et thoro (from table and bed)
2. Ab initio (from the beginning)
3. Actio personalis moritur cum persona (Personal right of action dies with the person)
4. Actus curiae neminem gravabit (an act of the Court shall prejudice no one)
5. Actus non facit reum, nisi mens sit rea (the act itself does not constitute guilt unless done with a guilty intent).
6. Actus reus (wrongful act)
7. Ad interim (in the meantime)
8. Ad liteam (for the suit)
9. Ad valorem (according to the value)
10. Adjournment sine die (adjournment without a day for a further meeting or hearing)
11. Alibi (plea of being elsewhere)
12. Allegans Contraria Non Est Audiendus (One making contradictory statements is not to be heard)
13. Amicus curiae (friend of the Court)
14. Animus (intention)
15. Audi alteram partem (hear the other side)
16. Bonus iudex secundum aequum et bonum iudicat et aequitatem stricto juri praefert (A good judge decides according to justice and right and prefers equity to strict law.)
17. Caveat emptor (buyer beware)
18. Consensus ad idem (agreement by the persons upon the same thing in the same sense)
19. Corpus delicti (Body of the crime)
20. Corpus juris civilis (Body of civil law)
21. Dammum sine injuria (damage without injury)
22. De facto (in fact)
23. De jure (in law)
24. Decree nisi (a decree which takes effect after a specified period)
25. Delegates non potest delegare (a delegated power cannot be further delegated)
26. De minimis non curat lex (the law does not account of the trifles)
27. Denatio martis cause (gift by a person on the death-bed)
28. Doli incapax (incapable in malice)
29. Ei incumbit probatio qui dicit, non qui negat (The burden of proof is on the one who declares, not on one who denies)
30. Ejusdem generis (of the same category)
31. Eminent domain (the supreme rights)
32. Ex officio (from the office)
33. Ex specialis derogat legi generali- (Specific law takes away from the general law)
34. Ex turpi causa non oritur actio (No action arises on an immoral contract.)
35. Ex parte (not in the presence of the opposite party)
36. Ex post facto (by subsequent act)
37. Factum valet (the fact which cannot be altered)
38. Fait accompli (an accomplished fact)

39. Fortior est custodia legis quam hominis (The custody of the law is stronger than that of man)
40. Fraus et jus nunquam cohabitant (Fraud and justice never dwell together.)
41. Ignorantia legis neminem excusat (ignorance of law is no excuse)
42. In pari materia (in an analogous case, cause or position)
43. Injuria sine damno (injury without damage)
44. Interest re publicate ut sit finis litium (it in the interest of the republic that there should be an end of law suit)
45. Interpretare et concordare leges legibus est optimus interpretandi modus (To interpret and harmonize laws is the best method of interpretation.)
46. Intra vires (within the powers)
47. Judex non potest esse testis in propira causa - A judge cannot be witness in his own cause.
48. Jus terti (the right of a third party)
49. Justitia nemini neganda est (Justice is to be denied to no one)
50. Lex citius tolerare vult privatum damnum quam publicum malum (The law would rather tolerate a private injury than a public evil.)
51. Lis pendens (pending suit)
52. Mens rea (guilty mind)
53. Mesne profits (the profits received by a person on wrongful possession)
54. Mors dicitur ultimum supplicium (Death is called the extreme penalty.)
55. Nemo dat quod non habet (no man can transfer better title than he himself has)
56. Nemo Debet Bis Vexari Pro Una Et Eadem Causa (no man can be twice vexed for the same cause)
57. Nemo judex in causa sua (no one shall be a judge in his own case)
58. Nemo punitur pro alieno delicto - No one is punished for the crime of another.
59. Obiter dicta (an opinion of law not necessary to the decision)
60. Onus probandi (the burden of proof)
61. Pacta sunt servanda (pacts must be respected)
62. Pendant elite (during litigation)
63. Per capita (counting heads)
64. Per incuriam (though inadvertence or carelessness)
65. Post mortem - After death
66. Prima facie - On the face of it
67. Pro bono publico (for the public good)
68. Pro rata - In proportion.

SUGGESTED READINGS:

- i. Garner, Bryan A. ed. Black's Law Dictionary, 10th Edition
- ii. Gibbons John, (ed.) Language and Law, Longman, 1996 London.
- iii. Law Commission of India. Non-feasibility of Introduction of Hindi as Compulsory Language in the Supreme Court of India. Report No 216, December 2008.
- iv. Leech, Geoffrey. Semantics- The Study of Meaning. Great Britain: Penguin Books, 1981.

- v. Legal Eagles: The Story of the Top Seven Indian Lawyers, Indu Bhan, Random House Publishers India Private Limited, 2015.
- vi. M.C. Chagla: Roses in December
- vii. Madabhushi Sridhar, Legal Language, Asia Law House, Hyderabad.
- viii. Melinkoff, David, The Language of Law, Boston: Little Brown and Co., 1963.
- ix. Mohan, Krishna and Meenakshi Raman. Advanced Communicative English. New Delhi: Tata McGraw Hill, 2010.
- x. Narayanswami, V. R. Strengthen Your Writing. Hyderabad: Orient Longman, 2000.
- xi. P. Ramanatha Aiyer's Law Lexicon. LexisNexis, 2012.
- xii. Riley, Alison, English for Law, London: Macmillan, 1991.
- xiii. Wallace, Michael J: Study Skills in English, Cambridge University Press.

PAPER 2.2.

POLITICAL THEORIES

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts ;

(a) Written paper	—	70 marks
(b) Internal examination	—	30marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment:10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

To establish a relationship between Political Science and Law and in the process bring out the significance of Political Science in strengthening the understanding of Law. The subject will facilitate conceptual clarity and also will provide a theoretical understanding of key themes which are central to the subject of Law. In addition to this, Political Science as an academic discipline will familiarise with ideologies which will play a vital role in moulding the thought process of law students and which will have its effect while dealing with the practical aspect of Law.

UNIT - I

Meaning and definition of Political Theory; Significance of Political Theory; Impact of Political Theory on Society and Law; Approaches to the study of Political Theory: Traditional Approaches – Philosophical- Historical- Legal- Institutional, Contemporary Approaches – Positivism, Constructive and Communitarian Political Ideology; Major Ideologies; Liberalism, Marxism, Idealism, Socialism, Nationalism, Internationalism, Fascism

UNIT - II

Ancient Indian Political Thought: Manu: Manu Smriti; State: Origin, Organs, Functions, King: Character, Powers; Law and Justice Kautilya; Arthashastra: Law and justice, Danda, Foreign Policy.

UNIT - III

Greek Political Thought: Plato; Theory of Justice; Ideal State: Aristotle; Theory of State, Classification of Government; Roman Political Thought: Features; Cicero.

UNIT - IV

Medieval Political Thought: St. Thomas Augustine: State and Church; St. Thomas Aquinas: Law; Modern Political Thought: Machiavelli; Human Nature, King, Law; J.S. Mill: Liberty, Karl Marx: Dialectical Materialism, Class Struggle, State.

UNIT - V

Modern Indian Political Thought: Features.

Mohandas Karamchand Gandhi: Truth, Non-Violence, Satyagraha, Philosophical Anarchism; Trusteeship; Jawahar Lal Nehru: Democracy, Socialism, Tilak: Swaraj Veer Sarvarkar- Political Ideas, J.P. Narayan: Sarvodaya Total Revolution.

SUGGESTED READINGS:

- i. Arneil, Barbara, Politics and Feminism, Oxford, Blackwell, 1999.
- ii. De Crespigny, Anthony, et.al. (Eds.) Contemporary Political Theory, London, Nelson, 1970.
- iii. Dodson, Andrew, Green Political Thought, London, Routledge, 2000, Reprint.
- iv. Dunn, John, The History of Political Theory and Other Essays, Cambridge University Press, 1996.
- v. Jain, P.V. Political Science I (Political Theory), Allahabad: Central Law Publication, 2016.
- vi. Rajeev Bhargava and Ashok Acharaya, Political theory : An Introduction, Pearson Longman, Delhi, 2008.
- vii. V.D. Mahajan, Political Theory, S. Chand & Company, 2000
- viii. A. Appodorai Political Thought of India, 400 BC 1980
- ix. C.L. Wayper, Political Thought, AITBS Publishers
- x. W.T. Jons, Masters of Political Thoughts, Oxford University Press

PAPER 2.3.

THEORETICAL PERSPECTIVES OF SOCIOLOGY

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination (15+10+5)	—	30marks

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The course is aimed at introducing the students with the basic concepts and approaches used for explaining and understanding family, Marriage, Culture and Religion. The course also aims at introducing students about the process of socialization and the importance of Social Interaction. Students will also be acquainted to specific Contemporary Social problems in the Indian context.

To make the students understand, analyse and evaluate the processes and importance of social interaction and socialisation in day to day life; understand and analyse social institutions like family, religion, marriage in the context of changes in these institutions; identify social problems and offer analysis on the core reasons the issue has developed and to identify how social problems and processes interact.

UNIT- I

Introduction: Significance and Importance of Theory; Enlightenment - The social, economic and political forces; The French and Industrial Revolutions in the development of sociological thought; Indian Movements and their contribution for the development of sociology in India

UNIT-II

Schools of Sociological Theory and Content of Theories–Basic Concepts: Significance of Theories and their relationship to Law; Schools of sociological theories - Functionalism, Conflict School, Social Action Perspective;

Social Stratification: Meaning and Characteristics of Social Stratification, Caste and Class; Religion, family and state.

UNIT-III

Sociology of Law; Relationship between Law and Society; Significant Indian Sociological Thinkers: Andre Beteille: Religion and Secularism - Caste - Class - Links between Poverty and inequality - Role of Institutions; M.N. Srinivas - Caste and Caste Systems - Social Stratification; Gail Omvedt; anti-caste movements; environmental movements; farmer's and women's movements;

UNIT-IV

Social Welfare: Meaning, Scope and evolution of social welfare; Social Legislation; Contemporary Social Problems: Child Abuse, Elderly abuse, Problems of Youth (drug addiction, unemployment, suicide), Disabled, Working women and Transgender

UNIT-V

Social Dominance Theory: Psychology of Dominance- Circulation of Oppression- Oppression and co-operation; Theoretical and practical issues of Psychological Dominance in Indian Context

Social Problems: Meaning, Causes and Solution; Theoretical Perspectives: Functionalist, Conflict, Symbolic Inter-actionism;

SUGGESTED READINGS:

- i. Anna L., Guerrero. (2016) Social Problems: Community, Policy and Social Action, Sage Publications: London.
- ii. Applerouth, Scott & Edles Laura (2011). Sociological Theory in the Contemporary Era; Sage Publications.
- iii. Bellantine, Jeanne H., Roberts Keith A & Korgen Kathleen Odell . (2016) Our Social World, Introduction to Sociology, Sage Publications.
- iv. Bhat, Ishwara,P. (2009). law and Social Transformation, Eastern Book Company, Lucknow.
- v. Encyclopedia of Social Problems, vol.1 and vol2. Sage Publications.
- vi. Kansal, Jairam (2004). Sociology of Social Change. Dominant Publishers and Distributors.
- vii. Krishna, Chakraborty (2002). Family in India, Rawat Publications, Jaipur.
- viii. LePoire A., Beth. (2006). Family Communication Nurturing and Control in a Changing World, Sage Publications: London.
- ix. Maclver & Page (2005). Society: An Introductory Analysis, Rawat Publications: Jaipur
- x. Macmillian & Co. N.D. P.Gisbert. (2010). Fundamental of Sociology Orient Blackswan.

PAPER 2.4.

LAW OF TORTS - II

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

With rapid industrialization, law of tort has taken a dynamic shape and came to be used as an effective remedy against manufacturers and industrial units for their activities injurious to human beings. Product liability is now assuming a new dimension in developed economics. Hence, the basic purpose for introducing this law to the students is to make them understand the constituents of tort and general principles.

UNIT - I

Trespass to Persons :

Assault, Battery, Mayhem; Causing Emotional Distress; Malicious Prosecution and abuse of legal proceedings; False Imprisonment; Deceit and Conspiracy; Particular defences available in each of these types.

Trespass to Property:

Liability for Land and Structure including Occupier's Liability; Private Nuisance: Conversion; Trespass to land, Trespass to personal property, Detention and conversion, Passing off; Injury to trademark, patent and copyrights; Public and Private Nuisance; Particular defences available in each of these types.

UNIT - II

Trespass to Reputation:

Defamation : Libel and slander; Freedom of speech and expression; Defences to defamation; Invasion of privacy and defences.

UNIT - III

Negligence and Miscellaneous:

Duty to take care and its breach; Foreseeability, causation; Contributory negligence and other defences to negligence; Occupier's Liability; Res Ipsa Loquitur; Liability for Statements (Deceit); Malicious Prosecution and Civil Proceedings;

UNIT - IV

Consumer Protection Act, 2019:

Consumer Protection; Need, Importance, Objectives; Definition, Concept and Third Party Beneficiary; Consumer Protection Councils; Central Consumer Protection Authority; Consumer Disputes Redressal Commission; Mediation; Product Liability; Offences and Penalties;

UNIT - V

Motor Vehicles Act 1988 and The Motor Vehicles (Amendment) Act 2019:

Need, Importance, Objectives; Definition, Concept, Key Features of the Amendment, Fault and No-Fault Liability of Driver and Owner; Concepts regarding Third Party; Driving Licenses; National and State Register of Driving Licenses; National Transportation Policy; Offences and Penalties, Powers and Jurisdiction of a Motor Accidents Claims Tribunal and Judicial Responses.

LEADING CASES:

- Donogue v. Stevenson (1932) AC 562
- Indian Medical Association v. V. P. Shantha, AIR (1996) SC 558.
- Municipal Corporation of Delhi v. Smt. Subhagwati, AIR (1966) SC 17.
- N. Nagendra Rao v. State of Andhra Pradesh, AIR (1994) SC 2663.
- Rylands v. Fletcher, (1868) LP. 3 HL 330.

SUGGESTED READINGS:

- i. Avtar Singh and Harpreet Kaur, Introduction to the Law of Torts and Consumer Protection, 3rd ed, 2013, LexisNexis.
- ii. Howarth, D. R., Hepple Howarth, and Mathews. Tort: Cases & Materials. London: Oxford University Press, 2005.
- iii. Motor Vehicles Act, 1988 And The Motor Vehicles (Amendment) Act, 2019 Bare Acts
- iv. Ramaswamy Iyers's The Law of Torts, Lakshminath ed, 10th ed, 2007, LexisNexis.
- v. Ratanlal and Dhirajlal, The Law of Torts, Akshay Sapre ed., 27th ed., 2016, LexisNexis.
- vi. Salmond and Heuston on the Law of Torts, R F V Heuston and R A Buckley Ed., 21st ed., Sweet and Maxwell.
- vii. Salmond and Heuston: Law of Torts, Universal Law Publishing, New Delhi, 2004.
- viii. The Consumer Protection Act, 2019 Bare Act
- ix. Tony Weir, An Introduction to Tort Law, 2nd ed, 2006, Oxford University Press.
- x. Wienfield and Jolowicz on Tort, W V H Rogers ed., 18th ed., 2010, Sweet and Maxwell.

PAPER 2.5.

SPECIAL CONTRACTS
[SALE OF GOODS ACT, 1930, INDIAN PARTNERSHIP
ACT, 1932, LIMITED LIABILITY PARTNERSHIP ACT, 2008]

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The essence of all commercial transactions is but regulated by the law of contract. The expansion of commercial activities at a global market environment makes the understanding of the law of contract even more critical.

This course follows the pattern about the general principles that apply to all contracts. They deal with general principles that apply to each specific contractual relationship. The study of this course will enable a good understanding of the purposes with which each of these transactions is made, the features of each of these transactions, and the rights and liabilities of the parties to them.

UNIT - I

Contracts of Indemnity and Guarantee:

Meaning, Distinction between Indemnity and Guarantee and Kind of Guarantee; Rights of Indemnity Holder; Rights of the Surety, Extent of the Liability of the Surety; Discharge of liability of the Surety.

Contracts of Bailment and Pledge:

Meaning and Kinds of Contracts of Bailment – Bailment without Consideration; Rights and Duties of Bailee and Bailer; Termination of Contract of Bailment; Contract of Pledge- Meaning and Definition, Pledge by Unauthorized Persons

UNIT - II

Contract of Agency:

Definition, Kinds and Modes of Creation of Agency; Relation between: i) The Principal and Agent ii) The Principal and Third Party, and iii) The Agent and the Third Party

Determination of Agent's authority – i) By Act of Parties; and ii) By Operation of Law – Irrevocable Authority

UNIT - III

Contract of Sale of Goods:

Sale-Meaning, Definition and Distinguish between Agreement to Sell, Hire-Purchase Agreement; Goods-Existing, Future and Contingent; Conditions and Warranties; Passing of Property from Seller to Buyer; Sale by Unauthorized Person; Law relating to Performance of Sale; Rights of Unpaid Seller

UNIT - IV

Contract of Partnership:

Meaning, Definition, Creation and the Characteristics of Contract of Partnership; Kinds of Partner and Partnership; Distinction between: i) Co-ownership and Partnership ii) Joint Hindu Family Firm and Partnership; iii) Company and Partnership iv) Position of Minor; Relations inter-se of partners and relation of Partners with third parties; Registration of Partnership firm; Effect of Non - Registration of Partnership Firm; Dissolution of Firm

UNIT – V

Limited Liability Partnership Act, 2008:

Need, Importance, Objectives; Definition, Concept, Key Features of the Act and Judicial Responses

LEADING CASES:

- National Bank of India Ltd. v. Sohan Lal AIR 1965 SCR (3) 293
- Amritlal Goverdhan Lallan v. State Bank of Travancore, AIR 1960 SC 1432
- Patnaik & Co. v. State of Orissa AIR 1965 SC 1655
- State of Gujarat v. Mamon Mohd. AIR 1967 SC 1885
- Serious Fraud Investigation Office v. Rahul Modi, 2019 SC 423
- Hindustan Construction Company Limited v. Union of India 2019 SC

SUGGESTED READINGS:

- i. A Ramaiya's Commentary on the Sale of Goods, K. Shanmukham and H.K. Saharay Ed., 5th ed, 2014, Universal Law Publishing.
- ii. Akhilesh Gupta, Law Relating to Special Contracts–Contracts of Bailment, Pledge
- iii. Akhileshwar Pathak, Law of Sale of Goods, 2013, Oxford University Press.
- iv. Avtar Singh, Principal of the Law of Sale of Goods (English and Hindi)
- v. Avtar Singh, Introduction to Law of Partnership (including Limited Liability Partnership) 10th ed., 2011, Eastern Book Company.

- vi. Benjamin's Sale of Goods, Michael Bridge ed, 9th ed, 2016, Sweet and Maxwell.
- vii. D. S. Chopra, A Commentary on Sale of Goods, Partnership and Negotiable Instruments, 2016, Thomson Reuters.
- viii. Mulla's The Sale of Goods Act and the Indian Partnership Act, K Kannan ed., 10th ed, 2012, LexisNexis.
- ix. P S Ramanatha Aiyar, Law of Sale of Goods, Shrinivas Gupta ed., 10th ed, 2016, Universal Law Publishing.
- x. Pollock and Mulla's The Indian Partnership Act, G. C. Bharuka ed., 7th ed, 2007.
- xi. Pollock and Mulla's The Sale of Goods Act, Akshay Sapre ed., 9th ed, 2014, Lexis Nexis.

PAPER 3.1.

ECONOMICS - I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The present paper opens up the foundation of economics to the law students. The first two units seek to acquaint the law students with the fundamentals of microeconomics whereby they are familiarized with how the consumers and producers take decisions regarding buying and selling respectively. The third, fourth and fifth sections seek to explore the theoretical aspects as well as the practical aspects which provide a general framework of the working of the economy at the macro level.

UNIT - I

Introduction to Economics: Definition, Methodology and Scope of Economics, Forms of Economic Analysis – Micro v. Macro, Partial v. General, Static v. Dynamic, Positive v. Normative, Short Run v. Long Run;

Basic Concepts and Precepts: Economic Problems, Economic Rationality, Relation between Economics and Law: Economic Offences and Economic Legislation;

UNIT – II

Basic Concepts of Economics: Equilibrium, Utility, Opportunity Cost, Marginal and Indifference Curve Approach Optimality Economic Organization: Market, Command and Mixed Economy Theory of Demand: Demand for a Product, Individual Demand, Market Demand, Determinants of Demand, Elasticity of Demand– Price, Income and Cross Elasticity of Demand and its Determinants, Importance of Elasticity of Demand;

UNIT - III

Theory of Supply: Supply of a Product, Law of Supply, Supply Function Applications of Demand and Supply –Tax Floor and Ceilings; Applications of Indifference Curves– Tax, Labour and Work Theory of Production and Costs: Law of Variable Proportions, Iso–Quants, Economic Region and Optimum Factor Combination, Expansion Path, Producers Equilibrium, Returns to Scale, Internal and External Economies, Ridge Lines, Theory of Cost in Short Run and Long Run, Revenue Function;

UNIT - IV

Theory of Firm and Market Organization: Pricing under Perfect Competition, Pricing under Monopoly, Price Discrimination, Pricing under Monopolistic Competition, Selling Cost, Pricing under oligopoly, Kinked Demand Curve and Price Leadership;

UNIT -V

Rent: Concept, Meaning, Types, Theories of Rent – Classical and Modern; Quasi Rent; Wages: Meaning, Kinds and Theories; Interest: Concept, Gross and Net Interest, Theories of Interest: Classical, Neo – Classical, Liquidity Preference and Modern; Profit: Meaning, Characteristics, Gross and Net Profit, Theories of Profit.

SUGGESTED READINGS*:

- Dwivedi D. N., Principles of Economics, Vikash Publishing House Pvt. Ltd., New Delhi, 2016.
- Jhingan M.L., Principles of Economics, Vrinda Publications (P) Ltd., Delhi. 2014
- Myneni S.R.: Principles of Economics, Faridabad, Ala. 2014.
- Ahuja H. L., Advanced Economic Theory, S. Chand & Company Ltd., New Delhi, 2019
- Koutsoyiannis, A., Modern Microeconomics, Macmillan Press Ltd., London. 2015
- Stonier A.W. And D.C. Hague, A Textbook of Economic Theory, Elbs & Longman Group, London. 1980
- Samuelson P.A. And W.D. Nordhaus, Economics, Tata Macgraw–Hill Publishing Company Limited, New Delhi. 2005
- Seth, M.L., Principles of Economics, Lakshmi Narain Agarwal Educational Publishers, Agra 2017.

* Suggested readings are not exhaustive. It may be supplemented with additional readings.

PAPER 3.2.

POLITICAL SCIENCE–III

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

To provide an insight of comparative politics and constitution, the knowledge of which, facilitates a better understanding of the Indian constitution. Besides academic dimension of this paper, this will also be beneficial for preparation of various competitive examinations.

UNIT - I

Comparative Politics: Meaning, Nature and Scope, Importance of Comparative Politics, Constitutionalism, Political Culture, Political Development, Political Socialization, Political Modernization;

UNIT – II

Separation of Powers, Rights and Duties, Unitary Form of Government – Features, Merits and Demerits, Federal Form of Government –Features, Merits and Demerits;

UNIT - III

Parliamentary Form – Features, Merits and Demerits, Presidential Form– Features, Merits and Demerits, One Party Democracy and Military Rule, Political Parties and Pressure Groups: Meaning, Features and Difference;

UNIT - IV

Laissez Faire State and Welfare State, Salient Features of the Political System in U.S.A. and Japan;

UNIT - V

Salient Features of the Political System in England and Switzerland, Salient Features of the Political System in France and China;

SUGGESTED READINGS:

- Eddy Asirvatham & K.K. Misra, Political Theory, S. Chand & Company Ltd., Delhi 2. A.C. 2010
- Kapur, Principles of Political Science, S. Chand & Company Ltd., Delhi 2014
- Myneni, Political Science for Law Students, Allahabad Law Agency 2018
- R.L. Gupta, Political Theory, Publisher: Sultan Chand and Sons Edition: 3rd, 2007
- Amal Ray & Bhattacharya, Political Theory: Ideas And Institution The World Press Private Limited (Publisher) 2013
- Bhagwan, V. & Bhushan, Vidya, World Constitutions: A Comparative Study, 2009, New Delhi, Vikas Publishing House Pvt. Ltd. Reprint, Delhi, 2009

* Suggested readings are not exhaustive. It may be supplemented with additional readings.

PAPER 3.3.

SOCIOLOGY - III

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The purpose of this course is to teach students the concepts, theories, and methods of the behavioral and social services. It will deal with the basic social processes of society, social institutions and patterns of social behaviour. This paper is proposed to understand and to interpret objectively the role of social processes, social institutions and social interactions.

UNIT- I

Sociology as a Science; Data, Concepts and Theory; The Comparative Method, Sociology and other Sciences, Sociology and History & Sociology and Psychology;

UNIT- II

The Study of Indian Society: The Development of Indian Society; Unity and Diversity; Community and Change, Ancient, Medieval and Modern;

UNIT- III

Social Institutions; Marriage, Family and Kinship; Economic Institutions; Political Institutions; Religious Institutions; Educational Institutions;

UNIT- IV

Indian Society as Plural Society: Varieties of Cultural Diversities, Linguistic, Religious, Political, Economic and Cultural Communities; Major Institutions of Indian Society;

UNIT- V

Indian Cultural Values and Developments; Impact of Muslims and British Cultures; Trend of Change in Indian Society: Rural and Urban;

SUGGESTED READING*:

- Ahuja, Ram : Indian Social System, Rawat Publication, Jaipur, 1993
- Ahuja, Ram : Social Problems in Indian, Rawat Publications, Jaipur, 2002
- Aron, Raymond : Main Currents in Sociological Thought, Vol. I & II, Penguin 2001
- Davis, Kingsley : Human Society Surjeet Publications, New Delhi, 1981
- Maclver, R.M. and Page, C.H. : Society : An Introductory Analysis, Newyork, Rinehart, 1937
- Rawat, H.K. : Sociology : Basic Concepts, Rawat Publications, Jaipur 2007
- Singh, J.P. : Sociology : Concepts and Theories, Prentice Hall of India, Pvt. Ltd. New Delhi, 2003
- T.B. Bottamore – Sociology: A Guide to Problems and Literature, Allen and Unwin, 1962 (London)
- Peter Worsley et al. – Introducing Sociology Harmondsworth: Penguin Books, 1970

* Suggested readings are not exhaustive. It may be supplemented with additional readings.

PAPER 3.4.

COMPUTER EDUCATION

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

Today, almost every person in every part of the world uses some form of a computer every day and having a general understanding of computers can not only help you function in today's world it can prevent you from getting left behind. This course is of vital importance for those participants who are looking forward for their career in the area of Law. The course will enlighten them how to write cases, compare difference case and search different laws.

UNIT - I

Computer Fundamentals: Characteristics of Computers, Anatomy of Computer Classification of Computers: Micro, Mini, Mainframe, Super Computer). Computer Software, Operating System, Programming Languages: Types of Programming Languages–Networking Systems: Need, Types, Internet Working, Networking Standards;

UNIT – II

Operating System–MS–Windows- Windows: Definition, Evolution of Windows, Working with Dialog Boxes, Using Menus, Navigating Windows, A Shortcuts File & Folders, Customizing Desktop, Installing A Printer, Making A Default Printer, Printing A Document;

UNIT - III

MS–Word- Word Processing, Working with MS–Word, Editing A Document, Templates and Wizards, Page Formatting, Text Formatting, Tables, Mail Merging: Meaning, Setting Up

Main Document, Creating Data Source, Merging A Document, Using Labels and Envelop Wizards;

UNIT - IV

Ms-Excel - Electronic Spread Sheet, Editing, Formatting, Functions, Function Wizard Formula, Charts, Printing, Power Point;

UNIT – V

Internet & Networking System - Getting Connected, World Wide Web, E-Mailing, Html, Concept of Networking, Information System, Data Communication, Computer Network, Network Applications, Internetworks: Definition, Advantages, Popular Internetwork In India;

SUGGESTED READINGS*:

- Introduction to Computers, Peter Norton, TATA McGraw Hill Education; 7th edition (1 July 2017)
- Computer Fundamentals (Pradeep K. Sinha) BPB Publications Paperback – 31 December 2010
- Ms-Word 2003 Complete Reference 2003
- Ms-Excel 2003 Complete Reference
- Ms-Access 2003 Complete Reference
- BPB Publications Computer Fundamentals Sixth Edition Complete Book by Pradeep K Sinha Unknown Binding – 1 January 2019
- Comdex Computer Course Kit, Vikas Gupta, Dreamtech, Delhi, 2014

* Suggested readings are not exhaustive. It may be supplemented with additional readings.

PAPER 3.5.

CONSTITUTIONAL LAW– I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The constitution of India is the supreme law of the country. This course provides the description of the necessary fundamental concepts and doctrines of constitutional law. It describes and analyses the division of powers, functions and responsibilities of the three organs of the country i.e. the executive, the legislature and the judiciary. The students will be provided an outline of the existing political system of governance in the country as per the constitution.

UNIT - I

Indian Constitution In The Making, Nature and Special Features of The Constitution. Citizenship Of India, Equality Before The Law and Equal Protection of Laws, Classification for Differential Treatment: Constitutional Validity, Justice to The Weaker Sections of Society: Scheduled Castes, Scheduled Tribes and Other Backwards Class, Women and Children;

UNIT -II

Speech and Expression, Media, Press and Information, Freedom of Speech and Contempt of Court, Freedom of Assembly, Right to Life and Personal Liberty: Meaning, Scope and Limitations, Rights of an Accused–Double Jeopardy, Self–Incrimination and Retroactive Punishment, Preventive Detention–Constitutional Policy;

UNIT - III

Concept of Secularism: Historical Perspective, Indian Constitutional Provisions Relating Secularism, Freedom of Religion and Its Scope, Religion And The State: Its Limitations And Minority Rights;

UNIT - IV

Directive Principles–Directions for Social Change–A New Social Order, Fundamental Rights and Directive Principles, Inter–Relationship–Judicial Balancing, Constitutional Amendments–To Strengthen Directive Principles. Directive Principles and Fundamental Rights;

UNIT - V

Methods of Constitutional Amendments, Limitations Upon Constitutional Power of Amendments the Power of Judicial Review; Development of the Basic Structure: Doctrine, Judicial Activism and its Restraint;

LEADING CASES*:

1. S.R. Bommai v. UOI, AIR 1994 SC 1918
2. S.P. Gupta v. UOI, AIR 1982 SC 1991
3. Keshvanand Bharti v. State of Kerala, AIR 1995 SC 2299
4. Minerva Mills Ltd. v. UOI, Air 1980 SC 1789
5. A.K. Gopalan v. State of Madras, AIR 1950 SC 27
6. M.C. Mehta v. UOI (1987) ISCC 395 AIR 1987, 1086
7. Rudul Shah v. State of Bihar, AIR 1983 SC 1086
8. Indra Gandhi v. Raj Narain, AIR 1995 SC 2299
9. People Union Civil Liberties v. UOI, AIR (1997) ISCC
10. Air India v. Nergesh Meerza, AIR 1981 SC 1829
11. Indira Sawheny v. UOI, AIR 1993 SC 2178
12. Maneka Gandhi v. UOI, AIR 1978 SC 1789

SUGGESTED READINGS*:

- Arvind Datar, Commentary on Constitution of India (3 Vols.), Lexis Nexis (2010).
- Austin, Granville: Working A Democratic Constitution: Indian Experience 2nd Edition, Oxford University Press, 2000
- Bakshi, P.M.: Constitution of India- 8th Edition, Universal Law Pub., 2017.
- Basu, D.D. : Introduction To The Constitution Of India (English & Hindi) 2017
- Basu, Durgadas : Shorter Constitution of India, 13th Edition, Wadhwa, 2012.
- Constitution of India As Amended Up To-Date
- Constitution (Application to Jammu and Kashmir) Order 2019
- D.D. Basu, Constitutional Law of India, Lexisnexis (2013).
- Jain, M.P. : Indian Constitutional Law- 5th Edition, Wadhwa, 2015.
- Kashyap Subhash C., Constitutional Law of India, Universal Law Publishing Co. Pvt. Ltd., 2015

- M.P. Jain, Indian Constitutional Law, Lexis Nexis (2015).

* Suggested readings and leading cases are not exhaustive. It may be supplemented with additional readings.

PAPER 4.1.

ECONOMICS–II

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

This course on Economics aims at providing broad based understanding of basic concepts of Economics and delineating relationship between Economics and Law.

UNIT - I

Introduction: Meaning, Nature and Scope, Importance of Macro-Economics, Limitations of Macro-Economics, Difference between Micro and Macro-Economics; Circular Flow of Income: Stock and Flow, Comparative Static and Comparative Dynamic Model, Circular flow of Income in Two–Sector and Three–Sector Model;

UNIT - II

National Income Accounting: Meaning of National Income and National Product, Measurement of National Income, Difficulties in the Measurement of National Income, National Income as a Measure of Welfare and Economic Progress;

UNIT - III

Theory of Income and Employment: Classical Theory of Output and Employment, Say's Law of Markets, Keynesian Theory of Income Determination, Determinants of Macro Equilibrium with Aggregate Demand and Aggregate Supply Functions under Employment, Keynes' Criticism of Say's Law and Classical Theory of Income and Employment, Theory of Multiplier;

UNIT - IV

Business Cycles: Phases of Business Cycles, Features of Business Cycles, Theories of Business Cycles– Hawtrey’s Monetary Theory, Hayek’s over Investment Theory, Keynes’ View on Trade Cycle;

UNIT - V

Theory of Money: Functions for Money, Classification, Supply and Demand for Money, Effects of Money on Output and Prices Inflation and Deflation, Monetary Policy, Money Markets and Capital Markets Commercial Banking–Functions Organization and Operations Central Banking– Functions and Credit Control, Non–Banking Financial Institutions– Meaning, Role; Distinction between Banks and NBFIs;

SUGGESTED READINGS*:

- Ahuja H. L., Macroeconomic Theory and Policy, S. Chand & Company Ltd., New Delhi, 2019
- Shapiro Edward, Macroeconomic Analysis, Galgotia Publications Pvt. Ltd, New Delhi. 2013
- Hejdra B.J. and F.V. Ploeg, Foundations of Modern Macroeconomics, Oxford University Press, London. 2002
- Vaish M.C., Macroeconomic Theory, Vikash Publishing House Pvt. Ltd., New Delhi. 2007
- Seth, M.L., Principles of Economics, Lakshmi Narain Agarwal Educational Publishers, Agra, 2017
- Dwivedi D. N., Principles of Economics, Vikash Publishing House Pvt. Ltd., New Delhi, 2017
- Jhingan M.L., Principles of Economics, Vrinda Publications (P) Ltd., Delhi, 2010

* Suggested readings are not exhaustive. It may be supplemented with additional readings.

PAPER 4.2.

POLITICAL SCIENCE – IV

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

To provide an insight of comparative politics and constitution, the knowledge of which, facilitates a better understanding of the Indian constitution. Besides academic dimension of this paper, this will also be beneficial for preparation of various competitive examinations.

UNIT - I

The Constitution of United Kingdom of Great Britain and Northern Ireland: Sources of the British Constitution, Salient Features of the British Constitution, The British Executive: The Crown and the Cabinet, The British Parliament, British Judiciary, Political Parties;

UNIT - II

The Constitution of United States of America; Salient Features of the American Constitution, The American Federalism, The American Presidency; The Congress, The Senate, The Federal Judiciary, Political Parties;

UNIT - III

The Constitution of Switzerland, Salient Features of the Swiss Constitution, The Federal Legislature, The Federal Executive, Federal Judiciary, Direct Democracy in Switzerland, Political Parties in Switzerland; The Constitution of Japan, Growth and Evolution of Japanese Constitution, Salient Features of the Current Japanese Constitution, Japanese Executive: The Emperor and the Cabinet, The Diet, The Judiciary, Political Parties;

UNIT - IV

The Constitution of China: Salient Features of the Chinese Constitution, National People Congress of China; President of China and Standing Committee of N.P.C., Judicial System of China, Party System;

UNIT - V

The Constitution of France: Salient Features of the French Constitution, French Legislature, Executive, Judiciary, Political Parties, Droit Administratif and Dual Courts System, Indian Political System compared with U.S.A., U.K. and France, Indian Political system compared with Switzerland, China and Japan;

SUGGESTED READINGS*

- Bhagwan, V. & Bhushan, Vidya: World Constitutions– A Comparative study, 2009, New Delhi, Sterling Publishers Pvt. Ltd
- Almond, G.A. & Powell, G.B.: Comparative Politics: a Developmental Approach, 1966, Boston, Little Brown
- Johri, J.C., Comparative Politics, 1993, New Delhi, Sterling Publishers Pvt. Ltd.
- Kapur, A.C. & Mishra, K.K.: Select Constitutions, 2002, New Delhi, S.Chand & Co
- Mahajan, V.D.: Select Modern Governments, 2000, New Delhi, S.Chand & Co

* Suggested readings are not exhaustive. It may be supplemented with additional readings.

PAPER 4.3.

HISTORY - I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

This paper continues the search of Indian History during modern times. This is a continuation of History paper in the previous semester and aims at studying development of India through time.

UNIT-I

Harrapan Civilization: Extent, Chronology, Town – Planning, Administration, Economy Society Religious Beliefs and its Decline

Vedic Age: Early Vedic Age and Late Vedic Age : Political Pattern, Religious Ideas and Rituals and Vedic Literature;

UNIT-II

Buddhism and Jainism; Evolution and its Main Teachings, Maurya and Gupta Empire: Political, Social Economic, Judicial and Administrative Aspects;

UNIT-III

Legal System in Ancient India: Legal Literature, Role of Smritikaras: Manu, Brihaspati, Yagyavalkya, Narada and Katyayana; The Source of Law, The Concept of Dharma, Law-Making and Law-interpreting Process, Law and Custom, Human Law and Divine Law Administration of Justice in Ancient India: Judicial Institutions, Types of Courts, Courts of the Guilds, Role of Village Panchayats; Initiation of the Procedures; The Trial Witnesses, Pleaders, Concluding State of the Judicial Procedure, Punishment, The Role of the Judges;

UNIT-IV

Ghorian Invasions, Causes and Consequences of their Victory; Delhi Sultanate : Administrative Agrarian and Economic Measures of Alauddin Khaliji, General Administration of Sultanate rulers, Cultural, Legal and Judicial Aspects;

UNIT-V

Administrative of Shershah Suri, Legal Judicial and Administrative aspects of Vijaynagar Empire, Maratha Administration; Mughal Empire: Political, Economic, Cultural, Legal and Judicial Aspects, Administration of Mughals, Manasabdari System, Religious of Mughal Rulers Till Aurangzeb;

SUGGESTED READINGS*:

- R.C. Majumdar: The Vedic Age, Bhartiya Vidya Bhavan, Bombay (2010)
- R.C. Majumdar: Tan Advanced History of India, Bhartiya Vidya Bhavan, Bombay (2010)
- B Luniya: Life & Culture in Ancient India, Publisher : Laxmi Narain Agarwal (1 January 2016);
- L.N. Agrawal: Educational Publisher, Agra Sutanate of Delhi Lakshmi Narain Agarwal(Educational Publishers) 2004

* Suggested readings are not exhaustive. It may be supplemented with additional readings.

PAPER 4.4. (A)

HINDI [ELECTIVE]

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

हिंदी हमारी राष्ट्रीय भाषा है। हमारे हिंदी भाषा कौशल को सीखना और सुधारना भारत के अधिकांश स्थानों में सेवा करने के लिए बहुत महत्वपूर्ण है। इसलिए यह विषय इस पाठ्यक्रम में रखा गया है।

UNIT - I

शब्दरचना: संधि एवं संधिविच्छेद, समास, उपसर्ग, प्रत्यय

शब्दप्रकार: (क) तत्सम, अर्धतत्सम, तद्भव, देशज, विदेशी (ख) संज्ञा, सर्वनाम, विशेषण, क्रिया, अव्यय (क्रियाविशेषण, संबंधसूचक, विस्मयबोधकनिपात)

UNIT - II

शब्दज्ञान: पर्यायवाची, विलोम, शब्दयुगमोका अर्थभेद, वाक्यांशके लिए सार्थक शब्द, समश्रुतभिन्नार्थक शब्द, समानार्थी शब्दों का विवेक, उपयुक्त शब्दचयन, संबंधवाची शब्दावली शब्दशुद्धि

UNIT - III

व्याकरणिककोटियाँ: परसर्ग, लिंग, वचन, पुरुष, काल, वृत्ति (mood), पक्ष (aspect), वाच्य (voice) वाक्यरचना वाक्यशुद्धि

UNIT - IV

विरामचिह्नों का प्रयोग मुहावरे/ लोकोक्तियाँ; पत्र, प्रार्थना पत्र, अनुच्छेद लेखन

UNIT - V

पारिभाषिकशब्दावली: प्रशासनिक, विधिक (विशेषतः)हिन्दीनिबंध;

SUGGESTED READING*:

- Arvind Kumar, Lucent's Sampurna Hindi Vyakaran Aur Rachna, 2019
- Agrawal Examcart, Samanya Hindi Book for 2021 (For Civil Services, TET/TGT/PGT/NET, State-level PCS & Other Government Exams) (Hindi) 2020
- Basudeo Nandan Prasad, Adhunik Hindi Vyakaran Aur Rachna (Hindi) Paperback, Bharati Bhawan Publishers & Distributors, 2017
- Dr Paramamitra Shastri, Vyakarana Parijata: Hindi Grammar and Strucure (First Edition) Paperback, Paramamitra Prakashan, 1998
- Suman Taneja and Shailendra Pachouri, Saral Hindi Nibandh, Patra, Prarthna Patra Avam Anuchched Lekhan (Hindi) Paperback, Goodwill Publishing House, 2019

* Suggested readings are not exhaustive. It may be supplemented with additional readings.

PAPER 4.4.(B)

FRENCH [ELECTIVE]

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The Course offers Basic Knowledge of French. It covers the Reading, Writing, Listening and Speaking Skills in French Language. There is no specific prerequisite on the part of students as the course begins with the Elementary Level of French.

UNIT - I

The Alphabet, The Accents, Elision, Liaison, To Spell One's Name, Numbers 1–10, Subject Pronouns, Verbs: être and s'appeler, To Present Oneself, Greet Someone, To Take Leave, Understand a Short Dialogue [salutation];

UNIT – II

Definite Articles, Nationalities and Professions, Numbers 11 – 69, Verbs : Avoir, Habiter, Apprendre, Understand Short Dialogues in which one talks about oneself, Filling up an Official Form, Indefinite Articles, Interrogation Using “est–ceque..?” [oui / non], Negation, Interrogation Using “quel, où? , Numbers after 70, Understand Short Dialogues in which one present oneself, To ask someone to present himself;

UNIT - III

Possessive Adjectives, Verbs: Aimer, Adorer, Préférer, Detester [verbs ending –er], Hobbies [faire du / de la], Understand a Short Dialogues in which One Talks About Ones' Likes and Aislikes, To speak about ones likes and dislikes Interrogation using “Qui, Qu'est–ceque?

[C'est..]On = Nous, Writing a short letter : starting and ending a letter, Understanding a short letter giving information about oneself, To Write A Short Letter Informing about Oneself;

UNIT - IV

Months of the Year, Seasons, Expressions with “avoir”, Interrogation using “Quand” Verbs :aller, pouvoir, vouloirMMaking polite requests, Activities during Vacation, Recent Past, Near Future, Nouns [plurals], Understand / Write a Short Letter Talking about One’s Vacation

UNIT - V

PronomTonique, Telling / asking the time, Making an Appointment, Verbs : venire, sortir, connaître, savoir, Inviting a friend, Accepting / refusing an invitation;

SUGGESTED READINGS*

- Régine Mérieux, Yves Loiseau, LATITUDES 1 (A1/A2) Méthode de Français, Didier,2008
- K Madanagobalane Synchronie 1. Chennai: Samhita Publication, 2011.
- T Beryl and A Duval. The Collins Robert French Dictionary. Paris: Collins, 2010.
- Le Nouveau Sans Frontier Part 1 Indian Ed. Paris: CLE International, 1997.

* Suggested readings are not exhaustive. It may be supplemented with additional readings.

PAPER 4.5.

CONSTITUTIONAL LAW-II

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

A good understanding of the Constitution and the law, which has developed through constitutional amendments, judicial pronouncement constitutional practice precedents and conventions is therefore, absolutely necessary for a student of law of study. The purpose of teaching constitutional law is to highlight its never-ending growth. Constitutional interpretation is bound to be influenced by social, economic or political predilections. A student must, therefore, learn how various interpretations of the constitution are possible and why a significant interpretation was adopted in a particular situation. Such a critical approach is necessary requirement in the study of constitutional law.

UNIT - I

Constitution, History and Development Freedom of Trade/business, Emergency, Meaning and Scope, Proclamation of Emergency–Conditions and Effect of Emergency on Centre–State Relations; Emergency and Suspension of Fundamental Rights;

UNIT – II

President of India Election, Qualification, Salary and Impeachment Power: Legislative, Executive and Discretionary Powers; Council of Ministers in Union and States;

UNIT - III

Prime Minister Cabinet System–Collective Responsibility, Individual Responsibility; Federalism–Principles: Comparative Study Indian Federalism: Identification of Federal

Features; Legislative relation between Union and States; Administrative Relations; Financial Relations;

UNIT - IV

Governor; Role in States; Centers powers over the State; Emergency; Challenges to Indian Federalism;

UNIT - V

The Supreme Court, High Courts: Judges: Appointment, Removal, Transfer and Condition of Service: Judicial Independence, Judicial Review: Nature and Scope, Freedom of Property: from Fundamental Right to Constitutional Right; Doctrine of Pleasure (Art.310) of the Constitution; Protection Against Arbitrary Dismissal, Removal, or Reduction in Rank (Art. 311) of the Constitution, Exceptions to Art.311 of the Constitution;

LEADING CASES*:

1. S.R. Bommai v. UOI, AIR 1994 SC 1918
2. S.P. Gupta v. UOI, AIR 1982 SC 1991
3. Keshvanand Bharti v. State of Kerala, AIR 1995 SC 2299
4. Minerva Mills Ltd v. UOI, AIR 1980 SC 1789
5. Hasinara Khatoon v. Home Secretary State of Bihar, 1979 SC 136
6. A.K. Gopalan State of Madras, AIR 1950 SC 27
7. M.C. Mehta v. UOI AIR 1987 SC 1086
8. Rudul Shah v. State of Bihar, AIR 1983 SC 1086
9. Indra Gandhi v. Raj Narain, AIR 1995 SC 2299
10. People Union Civil Liberties v. UOI, AIR (1997) ISCC
11. Air India v. Nargesh Meerza, AIR 1981 SC 1829

SUGGESTED READINGS*:

- Arvind Datar, Commentary on Constitution of India (3 Vols.), Lexis Nexis (2010).
- Austin, Granville: Working A Democratic Constitution: Indian Experience 2nd Edition, Oxford University Press, 2000
- Bakshi, P.M.: Constitution of India- 8th Edition, Universal Law Pub., 2017.
- Basu, D.D. : Introduction To The Constitution Of India (English & Hindi) 2017
- Basu, Durgadas : Shorter Constitution of India, 13th Edition, Wadhwa, 2012.
- Constitution of India As Amended Up To-Date
- Constitution (Application to Jammu and Kashmir) Order 2019
- D.D. Basu, Constitutional Law of India, Lexis Nexis (2013).
- Jain, M.P. : Indian Constitutional Law- 5th Edition, Wadhwa, 2015.
- Kashyap Subhash C., Constitutional Law of India, Universal Law Publishing Co. Pvt. Ltd., 2015
- M.P. Jain, Indian Constitutional Law, Lexis Nexis (2015).

* Suggested readings and leading cases are not exhaustive. It may be supplemented with additional readings.

PAPER 5.1.

ECONOMICS - III **ECONOMIC ENVIRONMENT IN INDIA**

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The present paper opens up the foundation of economics to the law students regarding economic environment in India for a better understanding of the subject.

UNIT - I

Economic Environment-Meaning, Factors Affecting Economic Environment; Economic Planning – Meaning, Importance, Objective and New Economic Policy approach, Major Economic Reforms (Brief) and their Impacts;

UNIT – II

Population Growth and Problems in India, Population Policy, Unemployment in India; Family Welfare Measures and their valuation, Agriculture-significance, New Agricultural Strategy, Types and Remedial Measure; Sources of Agricultural Finance and Land Reforms;

UNIT - III

Need of industrialization in India, Large and Small Scale Industries –Importance and Development Problem, New Industrial Policy and Changes; Investment of Foreign Capital in India, Multi-National Corporations;

UNIT - IV

Foreign Trade: Characteristics Composition and Direction of Foreign Trade in India Balance of Trade and Balance of Payment; Causes and Remedies of Unfavourable Balance of Payment: Export promotion, measures, New EXIM Policy;

UNIT -V

Problems and Prospects of Rail, Road, Water and Air Transport in India. Rajasthan: A Brief Introduction, Agriculture Development, Industrial Development and Transportation Development in Rajasthan

SUGGESTED READINGS*:

- Francis Charillian, Business Environment Himalaya Publishing House Pvt. Ltd.,2018
- Biswanath Ghosh, Economic Environment of Business, Vikas Publishing, 1996
- Datt Ruddar, KPM Sundharam, Indian Economy (Old Edition) Paperback, S. Chand & Company, 2004

* Suggested readings are not exhaustive. It may be supplemented with additional readings.

PAPER 5.2.

HISTORY – II

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

This course attempts to provide a basic introduction to evolution of Law in India. Study of law relating to a particular country is not complete without understanding the history and development of the Laws and legal institutions. A student of law should be exposed to the ancient social order and religious philosophy as well as to the systems of dispute settlement mechanisms existing in those days. The medieval period had influence in the development of legal system. The advent of the British was an event, which also had its influence. The traditions of the past have made our modern legal system what it is, and still live on in it. Without a proper historical background, it may be difficult to appreciate as to why a particular feature of the system is as it is.

UNIT - I

Emergence of East India Company: Development of Authority under Charters, Administration of Justice in Madras 1639–1726, Administration of Justice in Bombay 1668–1726, Administration of Justice in Calcutta before 1726, The Mayor's Courts and the Genesis of the Charter of 1726, Provisions of the Charter, Charter of 1753, Defects of Judicial System; Adalat System: Grant of Diwani, Execution of Diwani Functions, Judicial Plan of 1772, Defects of the Plan, New Plan of 1774, Re-organization of Adalats in 1780, Reforms of 1781;

UNIT – II

The Regulating Act of 1773, The Charter of 1774 and Establishment of Supreme Court at Calcutta, Defects of the Supreme Court; Act of Settlement, 1781, Major Defects, Supreme Court of Calcutta, Bombay and Madras, Judicial Reforms of Lord Cornwallis, Reforms in Administration of Criminal Justice, The Indian High Court Act of 1861, The Indian High Court Act, 1911, The Indian High Court Act, 1915, High Court under the Act of 1935, The Federal Court of India, Privy Council (A Unique Institution), Appeals from India;

UNIT - III

The Charter Act of 1833; The Charter Act of 1853; Main Provisions and Defects; Main Provisions of the Indian Council Act, 1861; The Indian Council Act of 1892;

UNIT - IV

The Government of India Act, 1909; Minto Morley Reforms; Defects of the Act; Montague Chelmsford Reforms 1919; Dual System;

UNIT - V

The Government of India Act, 1935 (Background); Federalism Provisional; Astronomy; Indian Independence Act, 1947

LEADING CASES*:

- (a) Issue of Raja Nand Kumar (1775): Whether a Judicial Murder?
- (b) The Patna case (1777–79)
- (c) The Cossijurah case
- (d) The case of Kamaludin

SUGGESTED READINGS*:

- Gandhi, B. M.: V. D. Kulshreshta's Landmarks in Indian Legal and Constitutional History, 2009
- Granville Austin, The Indian Constitution - Cornerstone of a Nation, 5 Edition, Oxford University Press, New Delhi, (2002).
- Ilbert, Courtney Sr. The Government of India, 2nd ed. London: Oxford University Press, 1970.
- Jain, M.P., Outlines of Indian Legal History, Lexis Nexis (2014).
- Jois, Rama M., Legal And Constitutional History of India, Universal Law Publications Ltd. 2018
- Keith A. B. A Constitutional History of India, 1600-1935, 2nd ed. Allahabad: Central Depot, 1961.
- Pylee, M. V. Constitutional History of India (1600-1950). Bombay: Asia 1967.
- Rama Jois, Legal and Constitutional History of India, Universal Law Publishing, (2016)
- S.B. Shiva Rao, The Framing of the Indian Constitution, Vols. I and V, the Indian Institute 2010

- Speeches and Documents on the Indian Constitution 1945 -1947 (2 Vols.) London OUP, 1957.

*Suggested readings and leading cases are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 5.3.

JURISPRUDENCE

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

Concept of law is central to the legal enterprise. In the absence of a comprehensive understanding of this concept neither legal education nor legal practice can be set towards attaining justice in the society. Pedagogy is merely teaching of rules without the knowledge of cognitive and teleological foundations of the discipline and it would not be possible to present a synchronization of various statutes, cases, procedures, practices and customs in the form of a 'systematic body of knowledge' nor it would be possible to show the interconnectivity among various branches of law.

UNIT - I

Introduction: Meaning of Jurisprudence/Legal Theory, Nature, Need and Scope; Linkages between Jurisprudence and other sciences-Law and Justice; Law and Morality; Nature and definition of Law; Definition of State; Elements of State; Sources of Law; Ancient: Customs etc. Modern: Precedents and Legislation;

UNIT-II

Schools of Jurisprudence: Analytical Positivism, Command Theory of Law: Utilitarianism; Hans Kelsen: Normative Theory of Law; H.L.A Hart: The Concept of Law: Law as System of Rules: Combination of Primary and Secondary Rules.

UNIT - III

Natural Law: Divine and Prophetic Theories of Law e.g. Hebrew Law, Law of Manu and the Islamic Law; Natural Law Theories: An Overview, Natural Law as Virtue (Dharma)Hindu, Natural Law as Justice by Nature; Aristotle; Natural Law as Right Reason; Cicero, Natural Law as Law of God; St. Thomas Aquinas; Natural Law as Inner Morality of Law; Fuller;

UNIT-IV

Historical Jurisprudence: Historical Theories Arose out of Revolt against Rationalism and the Power of Human Will and Tradition: Sociological Jurisprudence: Sociological Theory: Functions of Law: Law as a means of Social Control; Jurisprudence of Interests: Roscoe Pound; Realist Movement.

UNIT-V

Concepts of Law: Liability and Negligence; Rights and Duties: Theories and Classification Legal Personality; Possession, Ownership and Property;

LEADING CASES*:

- 1) Bengal Immunity Co. v. State of Bihar, AIR 1955 SC 561
- 2) Kesavananda Bharti v. State of Kerala, AIR 1973 SC 1476
- 3) Maharaja Shree Umaid Mills Ltd. v. Union of India, AIR 1963 SC 953
- 4) Maneka Gandhi v. Union of India, AIR 1978 SC 597
- 5) Minerva Mills v. Union of India, AIR 1978 SC 1789
- 6) Smt. Indira Nehru Gandhi v. Raj Narain, AIR 1975 SC 2299
- 7) Navtej Singh Johar & Ors. v. Union of India AIR 2018 SC 1933
- 8) Naz Foundation v. Government of N.C.T. of Delhi 111 DRJ 1 / 160 Delhi Law Times 277 (2009) Delhi High Court

SUGGESTED READINGS*:

- Anirudha Prasad Vidhi Shastra Ke Mool Siddhant: Principles of Jurisprudence (Hindi) Eastern Book Company, 2019
- B.N. Mani Tripathi, Jurisprudence (Hindi) 15th Ed., Central Law Publication, 2015
- Bodenheimer Jurisprudence; The Philosophy and Method of Law, Harward University Press, 2020
- Dias, Jurisprudence, 5th ed., Lexis Nexis Publication,2013
- H.L.A. Hart, The Concepts of Law, Oxford, Clarendon Press, 1970.
- Inderjeet Singh Jurisprudence An Introduction(Hindi) 3rd Ed., Central Law Publication,2017
- Michael Freeman (Ed). Lloyd's Introduction to Jurisprudence (1994), Sweet &Maxwell
- Paton G.W., Jurisprudence (1972) Oxford, Clarendon Press.
- P.S. Atchuthen Pillai, Jurisprudence & Legal Theory 2016 Reprint (3rd Edition), Eastern Book Company, Lucknow.
- Roscoe Pound, Introduction to the Philosophy of Law, Re-Print, Universal,

Delhi, 1998

- N. V. Paranjape, Jurisprudence & Legal Theory (Hindi), Central Law Agency, 2017
- Salmond on Jurisprudence, Tripathi, Bombay, 1999
- V.D. Mahajan, Jurisprudence and Legal Theory, Eastern Book Company, 2018
- W. Friedman, Legal Theory, Universal Law Publishing Co., Delhi, 1999

* Suggested readings and leading cases are not exhaustive. It may be supplemented with additional readings.

PAPER 5.4.

FAMILY LAW – I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The Course structure is designed mainly with three objectives in view. One is to provide adequate sociological perspectives so that the basic concepts relating to family are expounded in their social setting. The next objective is to give an overview of some of the current problems arising out of the foundational inequalities writ large in the various family concepts. The third objective is to view family law not merely as a separate system of personal laws based upon religious but as the one cutting across the religious lines and eventually enabling us to fulfill the constitutional directive of uniform civil code. Such a restructuring would make the study of familial relations more meaningful.

UNIT - I

Hindu Law: Sources, Who are Hindu and to whom Hindu Law apply, Schools and Application, Coparcenary, Joint Family Property and Self Acquired Property; Karta and his Powers and Obligation, Religious and Charitable Endowments: Essentials of an Endowments Kinds, Shebait and Mahant;

UNIT - II

The Hindu Marriage Act, 1953: Conditions of a Hindu Marriage, Its Ceremonies and registration. Void & Voidable Marriage: Restitution of Conjugal rights Judicial Separation, Legitimacy of Children of Void and Voidable Marriage; Divorce: Alternative Relief in divorce, Proceedings, Divorce by Mutual Consent; One Year Bar to Divorce, Divorced

Person when may marry again; Jurisdiction and Procedure; Maintenance Pendent Lite & Expenses of Proceedings, Permanent Alimony and Maintenance;

UNIT - II

The Hindu Succession Act, 1956: Succession to the Property of a Hindu Male; Succession to Interest in Coparcenary Property, Property of a Hindu Female; Succession to the Property of a Hindu Female, General Rules and Disqualifications of Succession, Escheat;

UNIT-IV

The Hindu Adoption and Maintenance Act, 1956 : Requisites of a Void Adoption; Capacity to take in Adoption; Capacity to given in Adoption, Persons Who May Be Adopted; Other Conditions For a Valid Adoption; Effect of Adoption; Miscellaneous; Provisions of Adoptions; Maintenance of Widowed Daughter-In-Law; Dependents and their Maintenance, Amount of Maintenance;

UNIT-V

The Hindu Minority and Guardianship Act, 1956: Natural Guardians and their powers; Testamentary Guardianship and their Powers; De-Facto Guardian, General Provisions for Guardianship; Guardian declared or appointed by the Court; Partition Under Hindu Law: Meaning, Property for Partition, Persons entitled to sue for partition and allotment of shares, Partition How Effected, Determination of Shares, Re-opening of Partition; Reunion; Debts-Doctrine of Pious Obligation, Antecedent Debts;

LEADING CASES*:

1. Bhaurao v. State of Maharashtra, AIR 1965 SC 1564
2. Mahendra v. Sushila, AIR 1965 SC 364
3. ShamimAra v. State of U.P., 2002(4) RCR Civil 340
4. Kailashwati v. Ayodhya Prakash, 1977 PLR 216
5. M.M. Malhotra v. UOI & others, AIR 2006 SC 80
6. Seema v. Ashwani Kumar, AIR 2006 SC 1159
7. Vinita Saxena v. Pankaj Pandit, AIR 2006 SC 1662
8. Naveen Kohli v. Neelu Kohli, AIR 2006 SC 1676
9. Mohd. Ahmed Khan v. Shah Bano Begum, AIR 1985 SC 945
10. Daniel Latifi v. U.O.I., 2001 (7) SCC 40

SUGGESTED READINGS*:

- Paras Diwan, Law of Marriage and Divorce (5th Ed. 2008)
- Professor Kusum, Family Law Lectures- Family Law-I, Lexis Nexis Publications, (3rd Ed. 2011)
- Raghavachariar : Hindu Law – Principles and Precedents 2014
- Ranganath Misra (Rev.), Mayne’s Treatise on Hindu Law & Usage (16th Edn.2008)
- Satyajeet A Desai, Mulla’s, Hindu Law, LexisNexis, New Delhi 2018.
- Tahir Mahmood, Principles of Hindu Law, Universal Law Publishing, New Delhi, 2018

* Suggested readings and leading cases are not exhaustive. It may be supplemented with additional readings.

PAPER 5.5.

PUBLIC INTERNATIONAL LAW-I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The objective of teaching this subject is to equip the students of Trans National Law that applies to States in their inter relations and evolved world order, aim to make a better, cooperative, peaceful and developing world. Outcome will be better understanding of intra-states' relations, working and importance of world Institutions.

UNIT-I

Nature and Scope of International Law; Definition, Significance and Difference Between Private and Public International Law; Sources of International Law; Subjects of International Law; Means of Acquisition of Territory;

UNIT-II

Concept of Nationality and Treatment of Aliens; Recognition of States; International Law and Municipal Law; Concept of State; Essential Ingredients and Kinds of States; Territory of State; War, its Legal Character and Effects; The Law of Neutrality: Basis, Role, Rights and Duties of Neutral States;

UNIT-III

Asylum, Extradition, Diplomatic agents, Counsels, Classification and Function of Diplomatic Agents; Privileges and Immunities with reference to Vienna Convention on Diplomatic Relation, 1961; Treaties: Definition, Basis, Classification and Formation of Treaties, Interpretation and Revision of Treaties, Principles of *Jus Cogens* and *Pacta Sunt Servenda*,

Termination of Treaties, Vienna Convention on the Law of Treaties, Pacific and Compulsive means of Settlement of International Disputes;

UNIT-IV

Law of the Sea: Concepts of *Mare Liberum* and *Mare Clausum*; The Anglo Norwegian Fisheries Case and Its After Math; The Technological Revolution and the Utilization of the New Resources of the Sea; Population Explosion and Its Impact; Changing Concepts of Maritime Frontiers: Territorial Sea, Contiguous Zone, Continental Shelf & Exclusive Economic Zone, High Seas; Territorial Waters and Contiguous Zone; Principles for Determination of Maritime Frontiers And Maritime Boundaries under the Customary and Conventional Law; Exploitation of Deep Sea: Bed Resources: International Sea Bed Authority;

UNIT-V

War, its Legal Character and Effects, Enemy Character, Armed Conflicts and other hostile relations; Belligerent Occupation, War crimes, Termination of War and Doctrine of *Post Liminium* and Prize Courts; War Pacific and Compulsive Means of Settlement of Disputes Rules of Warfare; Neutrality; War Crimes;

LEADING CASES*:

- 1) Civil Air Transport Inc. v. Central Air Transport Corporation, Judicial Committee of the Privy Council, (1953) AC 70.
- 2) Corfu Channel case (French: *Affaire du Détroit de Corfou*) International Court of Justice (ICJ) between 1947 and 1949
- 3) Colombia v Peru 1950 ICJ 6 (Asylum Case) International Court of Justice.
- 4) North Sea Continental Shelf Case, ICJ Report 1969, P. 39
- 5) Nuremberg Trial - The International Military Tribunal – Nuremberg, 1946 41 AJL 1947, P. 12.
- 6) Re Castioni Case (1891) Q.B. 149
- 7) S.S. Lotus Case (1927) PCIJ Series A No. 10\
- 8) South West Africa Cases, 1949 - 1971
- 9) United Kingdom v. Norway (Anglo-Norwegian Fisheries Case (ICJ Report) (1951) 116
- 10) Zamora Case (1916) 2 AC 77

SUGGESTED READINGS*:

- A. Boyle & C. Chinkin, The Making of International Law, Foundations of Public International Law, Oxford University Press, 2007
- H.O. Agarwal, International Law & Human Rights, 1st Ed. (Rep) Central Law Agency 2014
- James Crawford Brownlie, Principles of International Law, Oxford University Press, 2013.
- Landmark Cases in Public International Law, Editor(s): Eirik Bjorge, Cameron Miles, 1st ed., Bloomsbury Publishers, 2017

- L. F. L. Oppenheim's International Law (9th Edition): Volume 1 Peace; Edited by Robert Jennings, Arthur Watts KCMG QC, Oxford University Press, 2008.
- Mark Villiger, “The Factual Framework: Codification in Past and Present”, in Customary International Law and Treaties, Mark Villiger, pp.63-113, The Netherlands: Martinus Nijhoff, 1985
- R. P. Dhokalia, The Codification of Public International Law, United Kingdom: Manchester University Press, 1970
- Shaw, International Law, Cambridge University Press, 2008 (6th ed.)
- Sharma Satyendra Kumar, Law of Sea and Exclusive Economic Zone, Taxmann Publications, 2017
- S.K Kapoor, International Law & Human Right 18th Ed., Central Law Agency, 2018
- Starke, Introduction to International Law, Oxford University Press, 2013

* Suggested readings and leading cases are not exhaustive. It may be supplemented with additional readings.

PAPER 6.1.

COMPANY LAW

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The purpose of this course is to study the fundamental Concepts central to Company Law while giving an overview of the History and Evolution. The purpose of this course is also to study the internal functioning of a company while exploring the basic power structure in a company, the law regulating appointment of directors, the directors' duties, matters governing board meetings, matters governing company meetings, the concept of majority rule and its exceptions, modes of winding up of company and distribution of assets in the event of winding up inter-alia.

UNIT - I

Concept, Nature and Meaning of Company: Historical Origin of Company Law in India and Important Definitions under the Company Act, 2013; Characteristics of Company – Company as a Legal Person, Limited Liability; Doctrine of Corporate Veil; Difference between Company and other forms of Business Organizations; Registration and Incorporation of Company: Types of Company; Formation of Company; Certificate of Incorporation; Pre-incorporation Contracts; Commencement of Business;

UNIT - II

Memorandum of Association (MOA), Alteration of MOA and Doctrine of Ultra-Vires; Articles of Association (AOA), Doctrine of Constructive Notice and Indoor Management Promoters, Securities (Shares), Debentures: Promoters: Fiduciary Relationship, Duties and Liabilities; Prospectus and Kinds of Prospectus; Shares: Meaning, Nature, Kinds; Securities

(Shares)- Allotment of Securities and Share Holdings; Issue of Shares; Certificate of Shares; Shareholders and Voting Rights; Transfer of Shares; Shareholders and Members; Share Capital and Kinds of Share Capital; Publication of Authorized, Subscribed and Paid Up Capital; Buy back of shares; Dividends;

UNIT - III

Debentures - Meaning, Kinds and Characteristics; Appointment, Role and Qualification of Directors and Meetings of Boards: Role, Appointment and Types of Directors; Board of Directors; Independent Directors; Legal Position of Directors; Appointment of Directors and Managerial Staff; Powers and Duties of Directors; Civil and Criminal Liability of Directors; Inspection, Inquiry and Disqualification of a Director; Removal of a Director; Types of Meetings; Compromise, Reconstruction, Amalgamation and Mergers:

Compromise, Arrangements and Amalgamations; Sanction, Duties and Powers of National Company Law Tribunal; Power to Compromise or make arrangements with creditors and members; Reconstruction and Amalgamation of Companies; Modes of Reconstruction; Declaration and Payments of Dividends in above cases; Fast Track Mergers; Amalgamation of companies by Central Government in public interest;

UNIT - IV

Accounts of Company: Books of Accounts, etc., to be kept by the Company; System of Maintenance of Accounts in Company; Audit and Auditors; Protection of Minority Share Holders; Prevention of Oppression and Mismanagement; Removal of Names of Companies from Register of Companies; Revival and Rehabilitation

Winding up Process: Meaning and Kinds of Winding Up; Procedures for Winding Up; Winding Up process by the Tribunal; Consequences of Winding up Order; Company Liquidators and their Appointments; Report of the Liquidator; Custody of Company's Property; Company Dissolution; Voluntary Winding Up; Declaration of Insolvency; Procedure for Voluntary Winding Up;

UNIT - V

Constitution of National Company Law Tribunal (NCLT), National Company Law Appellate Tribunal (NCLAT) and Special Court: Constitution of National Company Law Tribunal; Appellate Tribunal; Selection of Members, Terms of Office, Salary; Removal of Members; Orders of Tribunal; Powers of Tribunal; Appeal from orders of Tribunal; Establishment of Special Courts; Offences-Trial by Special Courts; Mediation and Conciliation Panel; Corporate Social Responsibility;

LEADING CASES*:

1. Foss v. Harbottle (1845) Ch 319.
2. Salomon v. Salomon & Co., Ltd. (1897) A.C. 22 (H.L.) (1895-95) All ER Rep. 33
3. Daimler Co., Ltd. v. Continental Tyre and Rubber Co. (Great Britain), Ltd., 1916 AC 307 (1916-17) All ER Rep. 191
4. Gilford Motor Co., Ltd. v. Horne (1933) 1 Ch. 935

5. Ashbury Railway Carriage and Iron Co. Ltd. v. Riche (1875) L.R.7 H.L. : (1874-80) All ER Rep. 2219 (HL)
6. Royal British Bank v. Turquand (1856) 119 ER 886 (1843-60) All ER Rep. 435
7. Shanti Prasad Jain v. Kalinga Tubes Ltd., AIR 1965 SC 1535
8. Seth Mohan Lal v. Grain Chambers Ltd., AIR 1968 SC 772
9. Hindustan Lever Employees' Union v. Hindustan Lever Ltd. AIR 1995 SC 470
10. Miheer H. Mafatlal v. Mafatlal Industrial Ltd. AIR 1997 SC 506

SUGGESTED READINGS*:

- A. Ramaiya, Guide to the Companies Act, LexisNexis, Butterworths, Wadhawa, Nagpur.
- Avtar Singh, Introduction to Company Law, 12th Ed Eastern Book Company, 2019.
- Avtar Singh, Company Law, (Hindi) Eastern Book Company, 2019.
- C.R. Datta, Datta on the Company Law, LexisNexis, Wadhawa, Nagpur.
- Company Law Ready Reckoner: A Comprehensive Guide to Companies Act, 2013, 8th Ed., by Taxmann Publications, 2020
- Kapoor G.K. and Dhamija Sanjay, Taxmann's Company Law & Practice, Taxmann, 2017.
- Prachi Manekar Wazalwar, National Company Law Tribunal and National Company Law Appellate Tribunal, 6th ed., , Bloomsbury India, 2019.
- S.C. Tripathi Competition Law, 2nd Ed. Central law Publication, 2019
- J.N. Pandey, Company Vidhi, (Hindi) 9thEd.Central law Publication, 2019

* Suggested readings and leading cases are not exhaustive. It may be supplemented with additional readings.

PAPER 6.2.

PUBLIC INTERNATIONAL LAW – II

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

In present International scenario develop as well as developing Nations are interacting with each other for the fulfillment of their national interests but some IGO's as well as NGO's are controlling and guiding the behaviour of these Nation in International environment, so the objective of this course is to provide the knowledge to students about the origin, nature and functioning of various International Institutions.

UNIT - I

International Institutions: Meaning and Features; League of Nations: Origin, Organs, Role and Causes for Failure; United Nations: U.N. Charter, Features and Provisions;

UNIT - II

U.N. General Assembly: Composition, Functions and Powers, Uniting for Peace Resolution; U.N. Security Council: Composition, Voting Procedure, Functions and Powers; Limitations and Demands of U.N. Security Council;

UNIT - III

Contribution of U.N. Security Council in the Maintenance of Peace and Security; (By Peaceful Means) Contribution of U.N. Security Council in the Maintenance of Peace and Security; (By Forceful Methods) Economic and Social Council: Composition, Functions and Role

UNIT-IV

U.N. and Protection of Human Rights; International Courts of Justice: Composition, Jurisdiction, Powers and Functions; Contribution of International Court of Justice in Settlement of International Disputes

UNIT-V

Specialized Agency of U.N.: IMF, IBRD (World Bank): Origin, Objectives, Functions and Role; WHO, ILO: Objectives, Origin, Functions and Role;

LEADING CASES*:

- 1) Civil Air Transport Inc. v. Central Air Transport Corporation, Judicial Committee of the Privy Council, (1953) AC 70.
- 2) Corfu Channel case (French: Affaire du Déroit de Corfou) International Court of Justice (ICJ) between 1947 and 1949
- 3) Colombia v Peru 1950 ICJ 6 (Asylum Case) International Court of Justice.
- 4) North Sea Continental Shelf Case, ICJ Report 1969, P. 39
- 5) Nuremberg Trial - The International Military Tribunal – Nuremberg, 1946 41 AJL 1947, P. 12.
- 6) Re Castioni Case (1891) Q.B. 149
- 7) S.S. Lotus Case (1927) PCIJ Series A No. 10\
- 8) South West Africa Cases, 1949 - 1971
- 9) United Kingdom v. Norway (Anglo-Norwegian Fisheries Case (ICJ Report) (1951) 116
- 10) Zamora Case (1916) 2 AC 77

SUGGESTED READINGS*:

- A. Boyle & C. Chinkin, The Making of International Law, Foundations of Public International Law, Oxford University Press, 2007
- H.O. Agarwal, International Law & Human Rights, 1st Ed. (Rep) Central Law Agency 2014
- James Crawford Brownlie, Principles of International Law, Oxford University Press, 2013.
- Landmark Cases in Public International Law, Editor(s): Eirik Bjorge, Cameron Miles, 1st ed., Bloomsbury Publishers, 2017
- L. F. L. Oppenheim's International Law (9th Edition): Volume 1 Peace; Edited by Robert Jennings, Arthur Watts KCMG QC, Oxford University Press, 2008.
- Mark Villiger, "The Factual Framework: Codification in Past and Present", in Customary International Law and Treaties, Mark Villiger, pp.63-113, The Netherlands: Martinus Nijhoff, 1985
- R. P. Dhokalia, The Codification of Public International Law, United Kingdom: Manchester University Press, 1970
- Shaw, International Law, Cambridge University Press, 2008 (6th ed.)
- Sharma Satyendra Kumar, Law of Sea and Exclusive Economic Zone, Taxmann Publications, 2017

- S.K. Kapoor, International Law & Human Right 18th Ed., Central Law Agency, 2018
- Starke, Introduction to International Law, Oxford University Press, 2013

* Suggested readings and leading cases are not exhaustive. It may be supplemented with additional readings.

PAPER 6.3.

FAMILY LAW-II

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The subject of family law is important to understand those rights and obligations, to regulate the family matters through the law and thus to minimize conflicts within the family this subject is also important to understand the various reliefs in family disputes. This course involves the student with the introduction of Muslim law as it affects property relations. It primarily covers the concept of Marriage, Divorce Pre-emption, will etc., the provisions relating to intestate and testamentary succession applicable to persons of all denominations and other provisions relating to Wakf etc. in the law.

UNIT - I

Mohammedan Law: Origin, Development, Sources, Schools, Application, Interpretation and Conversion;

UNIT-II

Marriage: Nature of Marriage, Essential of Marriage, Khyar-ul-bulugh, Iddat, Khilwat-ul-sahiha, Matrimonial Stipulations, Kinds of Marriage and Effects of Marriage; Mahr: Meaning, Nature, Kinds, Objects and Subject matter, Wife's rights on Non- Payment of Dower; Dissolution of Marriage: Talaq, Ila, Zihar, Talaq-e-Tafweez, Mubarat, Khula, Lien, Faskh, Section 2 of the Dissolution of Muslim Marriage Act, 1939; Legal Effects of Divorce; Guardianship: Appointment of Guardian, Kinds of Guardianship;

UNIT-III

Pre-emption: Meaning, Nature and Classification of Haq Shufa (Pre-emption), Rights of Pre-emption, Conflict of Laws, Subject Matter and Formalities of Pre-emption, Legal Effects of Pre-emption, Devices for Evading Pre-emption; Gift: Meaning and Requisites of Gift (Hiba); Gift of Musha, Conditional and Future Gifts, Life Estate, Life Interest, Hiba-Bil-Ewaz, Hiba-Ba-Shartul-Ewaz;

UNIT-IV

Will (Vasiyat): Competence of Testator and Legatee Valid Subjects of Will: Testamentary Limitations, Formalities of a Will and Abatement of Legatee; Legitimacy and acknowledgment: Legitimacy and legitimation Presumption of legitimacy under Muslim Law and Section 112 of the Indian Evidence Act, conditions of a valid acknowledgement; Maintenance: Person Entitled to Maintenance, Principles of Maintenance, The Muslim Women (Protection of Rights on Divorce) Act, 1986; Death Bed Transactions: Meaning and Effect of Marj-Ul-Maut;

UNIT-V

Waqf: Meaning, Essentials and Kinds, Beneficiaries of Waqf; The Waqf Validating Act, 1913 and 1939; Formalities for Creation of Waqf; Waqf of Musha, Muslim Religious Institutions and Officers; Administration of Waqfs, Mutawally; Inheritance: General Principles of Law of Inheritance, Doctrine of Aul and Rudd under Hanafi and Shia Law;

LEADING CASES*:

1. Danial Latifi v. Union of India (2001) 1 SC 740
2. Habibur Rahman v. Altaf Ali (1921) 42 IA 114
3. M/s Shabnam Hashmi v. Union of India AIR 2014 SC 1281
4. Maina Bibi v. Choudhary Vakil Ahmed, (1923) 52 IA 145
5. Mohd. Ahmed Khan v. Shah Bano Begum, AIR (1985) SC 945
6. Moonshree Buzul-uI-Rahim v. Lateefunnisa, (1861) 8, MIA 379.
7. Shabana Bano v. Imran Khan, AIR (2010) SC 305
8. Shayara Bano v. Union of India and Ors., (2017) 9 SCC 1

SUGGESTED READINGS*:

- Amer Ali, Mohammedan Law, Vol. I and II, Eastern Book Company, 2015
- Aqil Ahmed: Mohammedan Law 2010
- Flavia Agnis, Family Law Vol I and II, Oxford University Press, New Delhi.2011
- Fyzee : Mohammedan Law Oxford University Press 2008
- Mulla, Principles of Mohammedan Law, LexisNexis, Nagpur 2018
- Muslim Women (Protection of Rights on Marriage) Act, 2019
- Poonam Pradhan Saxena, Family Law Lectures: Family Law II, LexisNexis, New Delhi.2010
- Tahir Mahmood, Principles of Hindu Law, Universal Law Publishing, New Delhi.2016
- Verma, Babu Ram Verma. Islamic law; Law Publishers, 2000.

- The Wakf (Amendment) Act, 2013.

* Suggested readings and leading cases are not exhaustive. It may be supplemented with additional readings.

PAPER 6.4.

LABOUR LAW

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The twenty-first century witnessed the development of Industrial jurisprudence in the country. This course is an attempt to study the laws relating to labour jurisprudence, industrial relations, social security, wages, health and working conditions of workers in various shops and commercial establishment in the country and to impart the students with an overview of judicial perspective on the recent labour legislations and finally it deals with the latest trend and developments in the Labour Laws with the various Codes on Labour Legislations being implemented in September 2020 has been included in this syllabus to make to more dynamic and worthy.

UNIT - I

Concept and Growth of Labour Jurisprudence; Natural Justice, concept of Social Justice and Labour; Constitution of India, 1950 [Articles related to Labour Welfare: 14,19,21,23-24, 38, and 41-43A]; Meaning, Scope, Importance and Theories of Labour Welfare: The Policing Theory, The Religious Theory, The Philanthropic Theory, The Paternalistic or Trusteeship Theory, The Placating Theory, The Public Relations Theory and The Functional Theory; Basic Concepts; Labour and Judicial Process and Public Interest Legislation; Judicial Responses;

UNIT - II

The Industrial Relations Code, 2020: Need, Importance, Objectives; Definition, Concept, Key Features for Enactment of the Code and Repeal of Laws and Judicial Responses.

Bi-partite Forums; Trade Unions; Standing Orders; Notice of Change; Voluntary Reference of Disputes to Arbitration; Mechanism for Resolution of Industrial Disputes; Strikes and Lock-Outs; Lay-off, Retrenchment and Closure; Special Provisions Relating to Lay-Off, Retrenchment and Closure in certain establishments; Worker Re-Skilling Fund; Offences and Penalties; Miscellaneous;

UNIT - III

The Code on Social Security, 2020: Need, Importance, Objectives; Definition, Concept, Key Features of the Code; Social Security Organizations; Employees' Provident Fund; Employees State Insurance Corporation; Gratuity; Maternity Benefit; Employee's Compensation; Social Security and Cess in respect of Building and other Construction Workers; Social Security for Unorganized Workers, Gig Workers and Platform Workers; Finance and Accounts; Authorities, Assessment, Compliance and Recovery; Offences and Penalties; Employment Information and Monitoring; Miscellaneous; Judicial Responses; Employment of Children Act, 1938:Need, Importance, Objectives; Definition, Concept, Key Features of the Act and Judicial Responses;

Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013: Need, Importance, Objectives; Definition, Concept, Key Features of the Act and Judicial Responses;

UNIT - IV

Concept of Wage Policy: National Wage Policy; Genesis of West Regulations; Concepts of Minimum Fair, Living and Need based Minimum Wages and Judicial Responses;

The Code on Wages, 2019:Need, Importance, Objectives; Definition, Concept, Key Features of the Code and Repeal of Laws; Minimum wages; Payment of Wages; Payment of Bonus; Advisory Board; Payment of Dues, Claims and Audit; Inspector-cum-facilitator; Offences and Penalties; Miscellaneous; Judicial Responses;

Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013:Need, Importance, Objectives; Definition, Concept, Key Features of the Act and Judicial Responses;

UNIT - V

Occupational Safety, Health and Working Conditions Code 2020:

Need, Importance, Objectives; Definition, Concept, Key Features of the Code and Repeal of Laws; Registration; Duties of Employer and Employees, etc.; Occupational Safety and Health; Health, Safety and Working Conditions; Welfare Provisions; Hours of Work and Annual Leave with Wages; Maintenance of Registers, Records and Returns; Inspector-cum-facilitators and other authority; Special provision relating to Employment of Women;Special Provisions for Contract Labour and Inter-State Migrant Worker, etc.:

Contract Labour; Inter-State Migrant Workers; Audio-Visual Workers; Mines; Beedi and Cigar Workers; Building or other construction workers; Factories; Plantation; Offences and Penalties; Social Security Fund; Miscellaneous; Judicial Responses

SUGGESTED READINGS*:

- Ganga Sahay Sharma, “Labour Laws” (Hindi), 7th Ed., Central Law Agency, 2019.
- Government of India: Report of the Committee on Labour Welfare, 1970.
- Public Interest Litigation (with Model PIL Formats), Dr. B.L. Wadhera, Universal Law Publishing 2014
- S.N. Mishra: An Introduction of Labour and Industrial Law.29th Edition Central Law Publication 2019
- D.D. Seth, Commentaries on Industrial Dispute Act, 1947, (Jain Book Agency,6thed., 2016)
- J. K. Soonavala, Supreme Court on Industrial Law, (lexis nexis, 4th edi, 2017)
- Meenu Paul, Labour and Industrial Law, (Allahabad law agency, New Delhi, 9th ed.,2014
- O.P. Malhotra, Law of Industrial Disputes, (Lexis Nexis,7th edi,2015)
- S.C. Srivastava, Social Security and Labour Laws, 1985
- Indrajeet Singh, Shramik Vidhiyan, (Hindi) 23rd Ed. Central Law Publication, 2019
- The Industrial Relations Code, 2020
- The Code on Social Security, 2020
- Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013
- The Code on Wages, 2019
- Occupational Safety,Healthand Working Conditions Code 2020

* Suggested readings and leading cases are not exhaustive. It may be supplemented with additional readings.

PAPER 6.5.

LAW OF CRIMES-I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

Crimes take place in almost all societies. Therefore, almost every country has criminal laws. Criminal law of a country must contain the substantive criminal law, the procedural criminal law and law relating to evidence. The basic core substantive criminal law in India is contained in the Indian Penal Code, 1860. The procedural criminal law is in the form of Code of Criminal Procedure, 1973 and the evidence law has been codified in the Indian Evidence Act, 1872. It is necessary for the students of law to know these laws. The Indian Penal Code, 1860 has been divided under two parts – Criminal Law–I and Criminal Law–II which deal with general principles and specific offences respectively and are part of the syllabus of Seventh and Eight semesters in that order.

UNIT - I

Nature and Definition of Crime; Crime and Offence; Crime and Tort; Criminal Law and Criminal Science; Principle of Criminal Liability: Et Actus Non Facit Reum Nisi Mens Sit Rea; Applicability of this Principle in India; Burden of Proof on the Prosecution: Presumption of Innocence of Accused; Interpretation of Penal Statutes; Theories of Punishment: Retributive, Expiatory, Deterrent, Preventive and Reformative; Protection in Respect of Conviction for Offences (Article 20, Constitution of India); Protection Against Arrest and Detention in Certain Cases (Article 22, Constitution of India);

UNIT - II

Stages of Crime: (1) Mental, (2) Preparation, (3) Attempt and (4) Completion; Mental Stage Generally not Punishable; Preparation Generally Not Punishable; But when is a preparation punishable?; Inchoate Crime: Meaning and Contents; Attempt: (1) Impossible, (2) Possible; Impossible Attempt: Impossible Attempt to Body Offence Generally Not Punishable but Impossible Attempt to Property Offences Generally Punishable; Possible Attempt: Mainly Sections 307 and 309; Possible Attempt Generally Punishable; Constitutionality of Attempt of Commit Suicide (Section 309);

UNIT-III

Title and Extent of Operation of the Indian Penal Code (Section-1); Territorial Jurisdiction (Sections 2, 3, 4); Certain Laws not to be affected by the Indian Penal Code (Section 5) General Explanations (Sections 6 to 52–A, Except Section 34 to 38); Punishments (Sections 53, 54, 55, 55–A, 57, 60, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75);

UNIT - IV

General Exceptions (Sections 76, 79, 84, 85, 86, 96, to 106); General Exceptions (Sections 77, 78, 80, 81, 82, 83, 87, 88, 89, 90, 91, 92, 93, 94, 95); Abetment and Abettor (Mainly Sections 107, 108, 108–A, 111, 113, 305 306, 109 and 114);

UNIT - V

Joint Liability, Constructive Liability, Vicarious Liability (Sections 34, 35, 36, 37, 38, 141, 142, 143, 145, 146, 147, 148, 149, 153–A, 153–B, 159, 160); Criminal Conspiracy (Sections 120–A, 120–B); Difference between Criminal Conspiracy and Abetment By Conspiracy;

LEADING CASES:

1. R.S. Nayak v. A.R. Antulay AIR 1984 SC 684
2. Ranjan Rai v. State of Bihar 2006 CrLJ 163 (SC)
3. Dalip Singh v. State AIR 1993 SC 2119
4. Shrikant Anandrao Bhosale v. State of Maharashtra 2002 CrLJ 4356 (SC)
5. Guljara Singh v. State 1971 CrLJ 498 (SC)
6. Munshi Ram v. Delhi Administration AIR 1968 SC 702
7. State (NCT of Delhi) v. Navjot Sandhu 2005 CrLJ 3950 (SC)
8. Bhimrao v. State of Maharashtra 2003 CrLJ 1204 (SC)
9. Kallu v. State of Madhya Pradesh 2006 CrLJ 799 (SC)
10. Gyan Kaur v. State of Punjab JT (1996) 3 SC 339

SUGGESTED READINGS*:

- Hari Singh Gaur, Penal Law of India (4 volumes), EBC.
- J.W. Cecil Turner, Kenny's on Outlines of Criminal Law, 19th Ed, Cambridge University Press, 1966
- K.D. Gaur, Commentary on Indian Penal Code 3rd Ed 2019, Central Law Publication

- K.D. Gaur, A Text Book on Indian Penal Code (Hindi) 1st Ed 2020 Central Law Publication
- K.N. Chndranshekhar Pillai, Essay's on Indian Penal Code, Indian Law Institute. 2015
- Principles of Criminal Law by R.C. Nigam, Law of Crimes in India, Vol. I, Asia Publishing House, New York, 1965.
- P.S.A. Pillai's Criminal Law, 13th Ed. Revised by K.I. Vibhute, LexisNexis, New Delhi. 2018
- Ratanlal and Dhirajlal, The Indian Penal Code, Wadhwa and Company, Nagpur. 2018
- S.K. Savaria, R. A. Nelson's Indian Penal Code (4 Volumes), LexisNexis Delhi. 2019
- Smith and Hogan, Criminal Law, Oxford University Press. 2018
- Stephen, A History of Criminal Law of England, Vol. III (Last Chapter on Indian Penal Code), London, Macmillan, 1883
- T. Bhattacharyya Indian Penal Code, (Hindi) 9th Ed. Central Law Agency, 2020
- T. Bhattacharyya Indian Penal Code, 10th Ed Central Law Agency, 2020

* Suggested readings and leading cases are not exhaustive. It may be supplemented with additional readings.

PAPER 7.1.

ADMINISTRATIVE LAW

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

Control of government for ensuring the exercise of public power according to the constitution and the rule of law is the function of administrative law. The scope of this law is as broad and involved as the extent of government itself. This course will examine the history of this branch of law, its nature, scope and functions, the nature and control of delegated power including the rule making, the regulation of administrative direction and principles of administrative adjudication. The subject will be handled in a comparative perspective wherever desired.

UNIT - I

Evolution, Nature and Scope of Administrative Law; From a Laissez- Faire to a Social Welfare State; Administrative Law, Scope of Administration and Administrative Law; Classification of Administrative Action; Rule of Law *vis-a-vis* Administrative Law; Constitutional Background of Administrative Law; Some representative definitions of Administrative Law; Relationship between Administrative Law and Constitutional Law; Evolution of Administration as the Fourth Branch of Government; Necessity for Separation of Powers and Delegation of Power on Administration; Separation of Powers;

UNIT - II

Delegation of Legislative Power; Constitutionality of Delegated Legislation; Powers of Exclusion and Inclusion and the power to modify the statute; Subordinate, Conditional and Delegated Legislation; What delegation is Permissible? What Functions Cannot Be Delegated

By The Legislature? The Power 'To Remove Difficulties; Requirements for the Validity of Delegated Legislation and Legislative Control of Delegated Legislation; Publication of Delegated Legislation; Laying Procedures and Their Efficacy;

UNIT-III

Judicial Control of Delegated Legislation; Sub-Delegation of Legislative Powers Administrative Tribunals and Other Adjudicating Authorities: Their Ad-Hoc Character. Tribunals: Need, Nature, Constitution, Jurisdiction and Procedures; Jurisdiction of Administrative and other Authorities; Administrative Functions and Control: Distinction between Quasi-Judicial and Administrative Functions; Rules of Natural Justice; Reasoned Decisions; Institutional Decisions; Administrative Appeals;

UNIT-IV

Judicial Control: Judicial Control of Administrative Action; Exhaustion of Administrative Remedies; Standing: Standing for Public Interest Litigation (Social Action Litigation) Collusion, Bias; *Laches*, *Res-Judicata*, Jurisdictional Error/Ultra Vires- Abuse and Non Exercise of Jurisdiction; Error Apparent on the face of the record; Violation of Principles of Natural Justice; Unreasonableness; Remedies in Judicial Review: Statutory Appeals; Writs, Declaratory Judgments and Injunctions; Specific Performance and Civil Suits for Compensation;

UNIT-V

Administrative Discretion and its Need; Administrative Discretion *vis-à-vis* Rule of Law; Limitations on the Exercise of Discretion; Constitutional Imperatives and Use of Discretionary Authority; Irrelevant Considerations; Non-exercise of Discretionary power; Informal Methods of Settlement of Disputes and Grievance Redressal Procedures; Conciliation and Mediation through Social Action Groups; Use of Media, Lobbying and Public Participation; Public Inquires and Commissions of Inquiry; Ombudsman: Lok Pal and Lokayukta; Appointment of First Lokpal (Anti-Corruption) in India and Future Effects; Central Vigilance Commission;

LEADING CASES*:

1. In re Delhi Laws Act, AIR 1951 SC 332
2. A.K. Kraipak v. Union of India, AIR 1970 SC 150
3. Maneka Gandhi v. Union of India (1978) 1 SCC 248
4. H.L. Trehan v. Union of India (1989) 1 SCC 764
5. Indian Rly. Construction Co. Ltd. v. Ajay Kumar (2003) 4SCC 579
6. G. Sadananadan v. State of Kerala, AIR 2001 SC 343
7. Express Newspapers (Pvt.) Ltd. v. Union of India, AIR 1986 SC 872
8. State of Bombay v. K.P. Krishnan (1961) 1SCR 227: AIR 1960 SC 1233
9. Shri Ram Sugar Industries Ltd. v. State of A.P. AIR 1974 SC 1745
10. T.K. Rangarajan v. Govt. of Tamilnadu, AIR 2003 SC 3032
11. Surya Dev Rai v. Ram Chander Rai, AIR 2003 SC 3044
12. S.P. Gupta v. President of India, AIR 1982 SC 149 (Locus Standi)

13. Anadi Mukta Sadguru S.M.V.S.S. J.M.S. Trust v. V.R. Rudani (1989) 2 SCC 691: AIR 1989 SC 1607.
14. Common Cause v. Union of India, AIR 2003 SC 4493 (No mandamus for the exercise of discretionary power)
15. L. Chandra Kumar v. Union of India, AIR 1997 SC 1125

SUGGESTED READINGS*:

- C. K. Takwani, Administrative Law, Eastern Book Company, 2016
- C. K. Takwani, Prashasanik Vidhi (Hindi) , Eastern Book Company, 2019
- I. P. Massey, Administrative Law, Eastern Book Company, 2017
- J.J. Ram Upadhyaya, Administrative Law, 12th Ed., Central Law Publication, 2020
- J.J. Ram Upadhyaya, Administrative Law (Hindi) 12th,Ed. Central Law Publication, 2020
- M. P. Jain, Administrative Law, Lexis Nexis 2017
- S.P. Sathe, Administrative Law, Lexis Nexis 2010
- V. D. Sebastian, An Introduction to Administrative Law, Asia Law House, 2016
- U.P.D. Kesari, Administrative Law (Hindi) 25th Ed. Central Law Publication, 2018

*Suggested readings are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 7.2.

RAJASTHAN LAND LAWS

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The state of Rajasthan has the provision of certain laws with respect to the land under its jurisdiction. The course introduces the students to the local land laws, land acquisition, power of revenue courts, land reform acts etc.

UNIT-I

Rajasthan Tenancy Act, 1955 (As Amended):

Objectives; Concept, Key Features of the Act; Definitions: Khudkasht, Ijredars, Grove Holder etc.: Classes of Tenants: Conferment of Rights on Sub-Tenants of Khudkasht; Primary Rights of Tenants: Lands on which Khatedari Rights do not Accrue; Surrender, Abandonment and Extinction of Tenancies; Improvements; Declaratory Suits;

UNIT-II

Determination and Modification of Rent; Payment and Recovery of Rent; Grounds for Ejectment of Tenants, Remedies for Wrongful Ejectment; Procedure and Jurisdiction of Court, Provisions for Injunction and Appointment of Receiver; Appeal, Review, Revision; Reference; Proprietary Rights in Revenue Courts; Rights in Civil Court, Conflict of Jurisdiction and Judicial Responses;

UNIT-III

The Rajasthan Land Revenue Act, 1956 (As Amended):

Objectives; Definition, Concept, Key Features of the Act and Amendment The Board of Revenue, Revenue Courts and Officers; Appeal, Reference, Revision and Review; Land; Survey; Record of Rights, Maintenance of Maps and Record, Annual Registers; Settlement Operations; Rent Ratio, Determination of Rent, Term of Settlement; Collection or Revenue and Judicial Responses;

UNIT - IV

Rajasthan Rent Control Act, 2001 (Amended by The Act of 2017):

Objectives; Definition, Concept, Key Features of the Act; Revision of Rent, Limited Period Tenancy, Eviction of Tenants, Right of Landlord to Recover Immediate Possession in Certain Cases, Restoration of Possession and procedure thereof; Tribunals, Appeal and Execution Amenities; Appointment of Rent Authority, Tenancy Agreement and Period of Tenancy; Revision of Rent In Certain Circumstances, Security Deposit and Deposit of Rent and Judicial Responses;

UNIT - V

The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013(As amended):

Objectives; Definition, Concept, Key Features; Definitions: Affected Family, Agriculture Land, Cost of Acquisition, Displaced Family, Infrastructure Project, Marginal Farmer, Market Value, Person Interested, Public Purpose and Resettlement Area, Procedure of Land Acquisition; Determination of Social Impact; Consent of Land Owners; Award Inquiry and Public Purpose, Safeguard Provisions; Food Security, Rehabilitation and Resettlement Award and Procedure thereof; Rehabilitation and Resettlement Authority, Apportionment and Payment of Compensation, Reference to Civil Courts etchant Judicial Responses;

LEADING CASES:

1. Prabhu v. Ramdeo, AIR 1966 SC 172
2. Kanaimal v. KanhaiyaLal, 1966 RLW 179
3. Bohra v. Ganesh, 1966 RRD 71 (FB) 1966 RLW
4. Yasin Shah v. Munir Shah, 1967 RRD 37
5. MangiLal v. Chottu, 1967 RRD 433
6. Smt. Mulashi v. Rama Lal, 1976 RRD 88.
7. Narmada BachaoAndolan v. Union of India II (2005) CLT 57 (SC).
8. Chimanlal Hargovind das v. Spl. Land Acquisition Officer, Poona AIR 1988 SC 1652.
9. Karnataka Urban Water Supply and Drainage board, etc. v. K.S. Gangadharappa & Another, II (2009) CLT 309 (SC). : (2009) 11 SCC 164,
10. Maj. Gen. Kapil Mehra v. Union of India 2014(145) DRJ497

SUGGESTED READING*:

- Anil Kaushik Rajasthan Land Laws (Hindi) 3rd Ed., Central Law Publications, 2017

- Anupam Srivastava, Guide to The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, CCH, Wolters Kluwer Business
- Ajar Rab, foreword by G.S. Singhvi, Real Estate (Regulation and Development) Act, 2016, Ed. 1st Edition, 2019 EBC Reader Book
- Dr. Sanjeev Kumar, Real Estate (Regulation and Development) Act, 2016 Bharat Law House Pvt. Ltd. 2017
- Dr. K.K. Khandelwal, Real Estate (Regulation and Development) Act, 2016 (A Commentary & Digest) RERA, 2019 CCH, Wolters Kluwer Business
- Om Prakash Aggarwala, The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, 9thed. 2017 Universal Publication

*Suggested readings are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 7.3.

PRINCIPLES OF TAXATION LAWS

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

This course primarily focuses on providing an overview on matters relating to Indian tax laws in a systematic manner. The course being divided into two parts i.e., direct and indirect taxes, help the students understand the significant aspects of tax laws. The main aim of this course is to impart knowledge to the students about basic principles as enunciated through legislative provisions and case laws. Through this course, students are equipped to apply the principles and provisions of tax laws and are guided to interpret and understand the taxation statutes and judgments including but not limited to The Income Tax Act, 1961, The Central Goods and Services Tax Act, 2017 and The Integrated Goods and Service Tax Act, 2017 as amended from time to time.

UNIT - I

Income Tax Act, 1961 - I:

Objectives; Definition, Concept, Key Features of the Act; Importance and Significance of Taxation; Constitutional Provisions Relating to Taxation (265-289); Types of Tax Laws – Direct and Indirect Taxes; Residential Status of Persons Heads of Income and Computation of Income: Income from Salaries; House Property: Self Occupied, Deductions and Computation of Income; Income from Let Out Exemption of property income from tax; Capital Gains; Profits and gains of Business or Profession; Income from other Sources Clubbing of Income; Set off and carry forward of losses; Rebates and Reliefs; Taxation of Natural and Legal persons - An Overview: Individuals, Hindu Undivided Family, Companies

and Firms, Association of Persons, Trust and Cooperative Societies, Charitable and Religious Institutions

UNIT - II

Income Tax Act, 1961 - II:

Assessment and Appeal Procedures: Return of Income; Types of assessment; Appellate procedures; Authorities under the Income Tax Act: Director General of Income Tax, Director of Income Tax-Additional Directors, Joint Director, Deputy Directors, Assistant Directors, Income Tax Officers, Tax Recovery Officers, Inspectors of Income Tax; Powers and Functions of Various Authorities: Tax Avoidance, Tax Evasion and Tax Planning - Meaning and Distinction Inspections, Search, Seizure, Penalties for Tax Evasion and Tax Avoidance

UNIT - III

The Central Goods and Services Tax Act, 2017 - I:

Need, Importance, Objectives; Definition, Concept, Key Features for Enactment of the Act; Administration; Levy and Collection of Tax; Time and Value of Supply; Input Tax Credit; Registration; Tax Invoice, Credit and Debit Notes; Judicial Responses;

UNIT - IV

The Central Goods and Services Tax Act, 2017 - II:

Accounts and Records; Returns; Payment of Tax; Refunds; Assessment; Audit; Inspection, Search, Seizure and Arrest; Demands and Recovery; Liability to pay in certain Cases; Advance Ruling; Appeals and Revision; Offences and Penalties; Transitional Provisions; Miscellaneous; Judicial Responses;

UNIT - V

The Integrated Goods And Service Tax Act, 2017:

Need, Importance, Objectives; Definition, Concept, Key Features for Enactment of the Act; Judicial Responses; Administration; Levy and Collection of Tax; Determination of Nature of Supply; Place of Supply of Goods or Services or Both; Refund of Integrated Tax to International Tourist; Zero Rated Supply; Apportionment of Tax and Settlement of Funds; Miscellaneous;

SUGGESTED READINGS*:

- Income Tax Act, 1961
- The Integrated Goods And Service Tax Act, 2017
- The Central Goods And Services Tax Act, 2017 (12 of 2017) as amended by the - The Central Goods And Services Tax (Extension To Jammu And Kashmir) Act, 2017 (NO. 26 of 2017); The Finance Act, 2018 (NO. 13 OF 2018); The Central Goods And Services Tax (Amendment) Act, 2018 (NO. 31 OF 2018); The Finance (NO. 2) Act, 2019 (NO. 23 OF 2019); The Finance Act, 2020 (NO. 12 OF 2020); The Taxation And Other Laws (Relaxation Of Certain Provisions) Ordinance, 2020 available at - <https://cbic-gst.gov.in/pdf/CGST-Act-Updated-30092020.pdf>
(Updated as on 30.09.2020)

- Vinod K.Singhania/Monica Singhania Taxmann's Corporate Tax Planning & Business Tax Procedures with Case Studies-Legal Position(s) Amended up to 20th August 2020 (24th Edition September 2020)
- Atal Kumar Taxation Laws 3rd Ed. (Rep),Central Law Publication, 2020.

*Suggested readings are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 7.4.

PROPERTY LAWS

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

Possession of property is considered a highly prestigious asset of a family. The law relating to transfer of immovable property must be understood in minute details as the complexities of law with regard to transfer of property must be necessarily be understood by the students of law. The prevalent system of various types of mortgages and various other encumbrances on the property should necessarily be understood by the student of law. With the regulation of rent laws of the urban property it is considered that the transfer of immovable property by way of lease has been modified in different states but the theme of regulation of transfer is still controlled by Transfer of Property Act, 1882. The study of Transfer of Property Act 1882 would make the student to understand the significance of property law in different jurisdiction.

UNIT-I

Concept and Meaning of Property, Kinds of Property Movable Property, Immovable Property, Tangible Intangible Property, Intellectual Property: Copyright, Patents and Designs and Trademarks, Law relating to registration of documents affecting property relations. Documents of which registration is compulsory; Transfer of Property Act 1882: Object, Scope and Scheme, Immovable Property, Concept of Property, Kinds, Attestation, Notice, Actionable Claim;

UNIT-II

Transfer of Property, What may be Transferred, Persons Competent to Transfer, Operation of transfer, Oral Transfer, Conditions Restraining Alienation, Transfer for the Benefit of Unborn person, Direction for Accumulation, Vested and Contingent Interest, Conditional Transfers. Condition Precedent, Condition Subsequent and Collateral Conditions;

UNIT-III

Doctrine of Election, Doctrine of *Lis-Pendens*, Fraudulent Transfer, Doctrine of *Part Performance*; Sale: Definition, Right and Duties of Seller and Buyer;

UNIT-IV

Lease: Definition, Duration, Lease Making; Right and Liabilities of Lessor and Lessee, Determination of Lease, Waiver of Forfeiture, Waiver of Notice to Quit, Relief Against Forfeiture for Non-Payment of Rent and in Certain Other Cases, Effect of Holding Over, Exemption of Leases for Agriculture Purposes;

Mortgage: Its kinds, Mortgage when to by assurance; Right and Liabilities of Mortgagor and Mortgagee, Marshalling, Contribution and Charge, Person who may sue for Redemption, Subrogation;

UNIT-V

Gift; Definition, Suspension or Revocation, Onerous Gift, Easement; Definition, Types, Creation, Suspension, Revival, Licenses Creation, Suspension, Transfer and Revocation;

LEADING CASES:

1. R.K. Kempraj v. Burton Sons & Co., AIR SC 1872
2. Om Prakash v. Prakash Chand, AIR 1992 SC 885
3. NathuLal v. Phool Chand, AIR 1970 SC 546
4. Bhrmham Prakash v. Manbir Singh, AIR 1963 SC 1607
5. Cheriyan Sosamma and Others v. Sundaressan Pillai, AIR 1999 SC 947
6. Ramamurthy Subudhi v. Gopinath, AIR 1968 SC 919
7. VishwaNath v. Ramraj and Others, AIR 1991 All. 193
8. Rajbir Kaur v. S. Chokosiri and Co., AIR 1988 SC 1845

SUGGESTED READINGS*:

- Avtar Singh, Textbook on the Transfer of Property Act, Universal Law Publishing, 2016.
- DarashawVakil Revised by Dr. H. R. Jhingta, Commentaries on The Transfer of Property Act (Set of 2 Volumes), 5th Ed., Lexis Nexis, 2017.
- PoonamPradhanSaxena, Property Law, LexisNexis, 2017.
- Radha Raman Gupta, Transfer of Property Act & Easement (Hindi) 7th Ed, Central Law Publications, 2019.
- Shrinivas Gupta, A Text Book on Transfer of Property Law, Thomson Reuters, 2016.
- Mulla, The Transfer of Property Act, 13th Ed., Lexis Nexis, 2018.

- Rajni Malhotra Dhingra, Transfer of Property Act, 1882 & Indian Easement Act, 1882, First Ed., Central Law Publications, 2017.
- V. P. Sarathi's Law of Transfer of Property, Including Easements, Trusts and Wills, Malika Taly (ed.), Eastern Book Company, 2017.

*Suggested readings are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 7.5.

LAW OF CRIMES-II

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

Crimes take place in almost all societies. Therefore, almost every country has criminal laws. Criminal law of a country must contain the substantive criminal law, the procedural criminal law and law relating to evidence. The basic core substantive criminal law in India is contained in the Indian Penal Code, 1860. The procedural criminal law is in the form of Code of Criminal Procedure, 1973 and the evidence law has been codified in the Indian Evidence Act, 1872. It is necessary for the students of law to know these laws. The Indian Penal Code, 1860 has been divided under two parts – Criminal Law-I and Criminal Law-II which deal with general principles and specific offences respectively and are part of the syllabus of Seventh and Eight semesters in that order.

UNIT-I

Waging, or attempting to wage war or abetting waging of war, against the Govt. of India (Section 121) Conspiracy to commit offences punishable by Section 121 (Section 121-A) Sedition (Section 124-A) Giving False Evidence (Section 191) Fabricating false evidence (Section 192) Threatening any person to give false evidence (Section 195-A) Causing disappearance of evidence of offence, or giving false information to screen offender (Section 201) Disclosure of identity of the victim of certain offences, etc. (Section 228-A) Failure by person released on bail or bond to appear in court (Section 229-A) Definitions of Coin & Indian Coin (Section 230) Counterfeiting Coin and Indian Coin (Sections 231,232) Public Nuisance (Section 268) Keeping lottery office (Section 294-A) Deliberate and malicious acts

intended to outrage religious feelings of any class by insulting its religion or religious beliefs (Section 295-A);

UNIT-II

Homicide (Section 299), Murder (Section 300), Difference between Culpable Homicide Not Amounting to Murder and Murder; Culpable Homicide by causing death of person other than person whose death was intended (Section 301), Punishment for Murder (Section 302), Punishment for Murder by Life Convict (Section 303), Constitutionality of Section 303, Punishment for Culpable Homicide Not Amounting to Murder (Section 304), Causing Death By Negligence (Section 304-A);

UNIT-III

Dowry Death (Section 304-B) Husband or Relatives of Husband of a Woman Subjecting Her to Cruelty (Section 498-A) Assault or Criminal Force to Woman with intent to outrage her Modesty (Section 354); Word, Gesture or Act Intended to Insult the Modesty of a Woman (Section 509); Rape (Section 375) Punishment for Rape (Section 376) Intercourse by a Man With His Wife During Separation (Section 376-A) Intercourse By Public Servant With Woman In His Custody (Section 376-B) Intercourse by Superintendent of Jail, Remand Home etc. (Section 376-C) Intercourse by any member of the management or staff of a hospital with woman in that hospital (Section 376-D) Bigamy (Section 494) Adultery (Section 497);

UNIT-IV

Thug (Section 310); Causing Miscarriage (Section 312); Hurt (Section 319); Grievous Hurt (Section 320); Wrongful Restraint (Section 339); Wrongful Confinement (Section 340); Force (Section 349); Criminal Force (Section 350); Assault (Section 351); Kidnapping from India (Section 360); Kidnapping from Lawful Guardianship (Section 361); Difference between Kidnapping From Lawful Guardianship and Abduction; Theft (Section 378); Extortion (Section 383); Difference between Theft and Extortion; Robbery (Section 383) Dacoity (Section 391); Difference between Robbery and Dacoity;

UNIT-V

Dishonest Misappropriations of Property (Section 403) Difference between theft and dishonest misappropriation of property; Dishonest misappropriation of property possessed by deceased person at the time of his death (Section 404); Criminal Breach of Trust (Section 405); Difference between Criminal Misappropriation and Criminal Breach of Trust; Stolen Property (Section 410); Cheating (Section 415) Cheating by Personation (Section 416) Mischief (Section 425); Criminal Trespass (Section 441); House Trespass (Section 442); Lurking House Trespass (Section 443); Lurking House Trespass by Night (Section 444) House Breaking (Section 445) House Breaking by night (Section 446) Forgery (Section 463) Making a False Document (Section 464); Defamation (Section 499) Criminal Intimidation (Section 503); Difference between Criminal Intimidation and Extortion;

LEADING CASES*:

1. Reg. v. Govinda (1876) 1 Bom. 342
2. Laxman Kalu v. State of Maharastra, AIR 1968 SC 1390
3. Dalip Singh v. State AIR 1993 SC 2119
4. Virsa Singh v. State of Punjab AIR 1958 SC 465
5. Prabhudayal v. State AIR 1993 SC 2164
6. Bachan Singh v. State of Punjab AIR 1980 SC 898
7. Mithu Singh v. State AIR 1983 SC 473
8. Reema Agarwal v. Annpam 2004 CrLJ 892 (SC)
9. ICICI Bank Ltd. v. Prakash Kaur AIR 2007 SC 1349
10. GV Rao v. LHV Prasad 2002 CrLJ 3487 (SC)

SUGGESTED READINGS*:

- Hari Singh Gaur, Penal Law of India (4 volumes), 11th Edition, Law Publishers India Pvt. Ltd., 2018
- J.W. Cecil Turner, Kenny's on Outlines of Criminal Law, 19th Ed, Cambridge University Press, 1966
- K.D. Gaur, Commentary on Indian Penal Code 3rd Ed 2019, Central Law Publication
- K.D. Gaur, A Text Book on Indian Penal Code (Hindi)1st Ed 2020 Central Law Publication
- K.N. Chndranshekhar Pillai, Essay's on Indian Penal Code, Indian Law Institute. 2015
- Principles of Criminal Law by R C Nigam, Law of Crimes in India, Vol. I, Asia Publishing House, New York.1965.
- P.S.A. Pillai's Criminal Law, 13th Ed. Revised by K.I. Vibhute, LexisNexis, New Delhi, 2018
- Ratanlal and Dhirajlal, The Indian Penal Code, Wadhwa and Company, Nagpur, 2018.
- S.K. Savaria, R. A. Nelson's Indian Penal Code (4 Volumes), LexisNexis Delhi, 2019.
- Smith and Hogan, Criminal Law, Oxford University Press, 2018
- Stephen, A History of Criminal Law of England, Vol. III (Last Chapter on Indian Penal Code), London, Macmillan, 1883
- T. Bhattacharyya Indian Penal Code, (Hindi)9th Ed. Central Law Agency, 2020
- T. Bhattacharyya Indian Penal Code, 10th Ed Central Law Agency, 2020.

*Suggested readings are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 8.1.

INTELLECTUAL PROPERTY LAWS

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

With the view to create awareness on the significance of IPR's to the students who are being imparted law education and in order to cater to the needs of the stakeholders of knowledge economy this course on General Principles of Intellectual Property Rights is hereby drafted for those interested in pursuing a career in IPR's, which opens opportunities in the fields of IP Analysts, IP Attorneys, IP Consultants, IP Managers and the like together with appraising the students with other relevant amendments in the law forming the significant part of this course.

UNIT - I

Introduction to Intellectual Property:

Theories of Intellectual Property (Basic Concepts), Justifications for the Protection of Intellectual Property; Kinds of Intellectual Property Rights: (Basic Overview)

Copyright and Related Rights, Patents, Trademarks, Design, Plant Varieties, Farmer's Rights, Traditional Knowledge, Traditional Knowledge Digital Library, Convention on Biological Diversity, Trade Secrets, The Semiconductor Integrated Circuits Layout-Design;

UNIT - II

International Institutions and Basic International Conventions related to Intellectual Property:

(Basic Overview) International Copyright Protection: Berne Convention for the Protection of Literacy and Artistic Works 1886; Rome Convention for the Protection Procedures of

Phonograms and Broadcasting Organizations 1961 International Protection of Industrial Property Rights: Paris Convention for the Protection of Industrial Property, 1883; International Agencies and Intellectual Property: (Basic Overview) World Intellectual Property Organization (WIPO); WIPO Copyright Treaty (WCT), WIPO Performances and Phonograms Treaty (WPPT);

UNIT - III

The World Trade Organization (WTO):

Historical Background; Membership; Institutional Structure; WTO Dispute Settlement; TRIPS Agreement: IPR's covered by TRIP's;

The Patents Act, 1970: History, Enactment and Implementation etc.; Interpretation Clause; Inventions Not Patentable; Applications for Patents; Publication and Examination of Applications; Opposition and Anticipation; Grant of Patents and Rights Conferred Thereby; Restoration, Surrender and Revocation of Patents; Register of Patents; Patent Office and Its Establishment; Working of Patents, Compulsory Licenses and Revocation; Landmark Cases; Recent Developments in the Law (with Amendments, if any);

UNIT - IV

The Trademarks Act, 1999:

History, Enactment and Implementation etc.; Interpretation Clause; Kinds of Trademarks; The Register and Conditions for Registration; Procedure for and Duration of Registration; Effect of Registration; Use of Trademarks and Registered Users; Collective Marks and Certification Trademarks; Landmark Cases; Recent Developments in the Law (with Amendments, if any);

The Geographical Indication of Goods (Registration and Protection) Act, 1999: History, Enactment and Implementation etc.; Interpretation Clause; The Register and Conditions for Registration; Procedure for and Duration of Registration; Effect of Registration; Special Provisions relating to Trademarks; Landmark Cases; Recent Developments in the Law (with Amendments, if any);

UNIT - V

The Copyright Act, 1957:

History, Enactment and Implementation etc. ; Interpretation Clause ; Copyright Office and Copyright Board; Copyright; Ownership of Copyright and the Rights of the Owner; Term of Copyright, Licences; Rights of Broadcasting Organization and of Performers; Registration of Copyright; Infringement of Copyright; Landmark Cases; Recent Developments in the Law (with Amendments, if any) The Designs Act, 2000: History, Enactment and Implementation etc.; Interpretation Clause; Registration of Designs; Copyright in Registered Designs; Legal Proceedings; Landmark Cases; Recent Developments in the Law (with Amendments, if any);

LEADING CASES*

- 1) Bayer Corporation v. Union of India Delhi HC
- 2) Eastern Book Company & Ors v. D.B. Modak & Anr.
- 3) Monsanto Technology LLC & Ors. v. Nuziveedu Seeds Ltd. & Ors.

- 4) Natco Pharma Ltd. v. Bayer Corp.
- 5) Novartis A.G. v. Union of India 2013 SC
- 6) R.G Anand v. M/S. Delux Films & Ors.
- 7) Tea Board India v. ITC Limited Kolkata HC
- 8) The Coca-Cola Company v. Bisleri International Pvt. Ltd. Manu/DE/2698/2009
- 9) The Chancellor, Masters & Scholars of the University of Oxford & Ors. v. Rameshwari Photocopy Services & Ors.
- 10) Yahoo Inc. v. Akash Arora & Anr. 1999 (19) PTC 201 (Delhi HC)

SUGGESTED READINGS*:

- Ahuja, V. K. , Law of Copyright and Neighbouring Rights, (2007), New Delhi, Lexis Nexis
- Dev Gangjee, Relocating the Law of GI, Cambridge University Press, 2012
- Elizabeth Verkey, Law of Patents, Eastern Book Company, 2nd Edition, 2012
- Elizabeth Verkey, Law of Plant Varieties Protection, Eastern Book Company, 200
- Feroz Ali Khader, The Law of Patents-With a Special Focus on Pharmaceuticals in India, Lexis Nexis, 2nd Edition, 2011
- Jayashree Watal, Intellectual Property Rights in the WTO and Developing Countries, Oxford University Press, 2001
- K. C. Kailasam and Ramu Vedaraman, Law of Trademarks including International Registration under Madrid Protocol and Geographical Indications, Lexis Nexis, 2013
- Kankanala, Kalyan C., Indian Patent Law and Practice, (2010), India, Oxford University Press
- Latha R Nair & Rajendra Kumar, Geographical Indications: A Search For Identity, Lexis Nexis, 2005
- Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd Edition, 2008
- V. K. Ahuja, Law relating to Intellectual Property rights, 2nd Edition, (2013) Lexis Nexis.
- Vandana Shiva, Biopiracy: The Plunder of Nature and Knowledge, South Press, 1997
- W. R. Cornish, Intellectual Property: Patents Copyright Trademarks and allied rights, Sweet & Maxwell, London, 2010.

PAPER 8.2.

ENVIRONMENTAL LAWS

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The study of this subject will enlighten the students with the efforts taken for protection of environment at global and national level and will impart knowledge as to the legislations passed, international conventions and role of judiciary.

UNIT - I

Introduction: Historical development of Environment Law, International and Indian Jurisprudence; Components of Environment, Ecology, Ecosphere and Biosphere; Meaning and Definition of Environment, Environmental Pollution, Its kinds: (Natural and Artificial – Air, Water, Noise, Soil), Causes and Effects; Nature of Environmental Law - Public Law or Private Law; Common Law Aspects of Environmental Law: Nuisance, Trespass, Negligence, Absolute and Strict Liability; Criminal Liability and Environment Protection - Offences Affecting Public Health and Safety under Indian Penal Code, 1860 and Section 133 of Cr.P.C.

UNIT - II

Environment Protection under the Constitution of India: Fundamental Rights, Directive Principles of State Policies, Fundamental Duties, Implementation of International obligations; Distribution of Legislative Powers; Remedies - Writ Jurisdiction of High Court and Supreme Court; Public Interest Litigation and Environment Protection - Role of Indian Judiciary

UNIT - III

The Environment (Protection) Act, 1986; National Green Tribunal Act, 2010; The Wild Life (Protection) Act, 1972; Importance and Objectives of these Acts, Meaning and Definitions; Salient Features of the Acts and Judicial Responses;

UNIT - IV

The Water (Prevention and Control of Pollution) Act, 1974; The Air (Prevention & Control of Pollution) Act, 1981; The Forest Act, 1927; The Forest (Conservation) Act, 1980; The Biological Diversity Act, 2002; Rajasthan Biological Diversity Rules, 2010; The Rajasthan Noise Control Act, 1963; Importance and Objectives of these Acts, Meaning and Definitions; Salient Features of the Acts and Judicial Responses;

UNIT - V

Principles of International Environmental Law and Their Relevance in India; Stockholm Conference, 1972, Rio Summit or Earth Summit-I, 1992; United Nations Environment Programme (UNEP), Convention on Biological Diversity, Earth Summit - II, 1997; World Summit on Sustainable Development, 2002, United Nations Framework Convention on Climate Change (UNFCCC), 2015; Responsibility of States in Protection of Environment; Trans-boundary Pollution and State's Responsibility; Contemporary Developments; Principles of Environmental Jurisprudence by Judiciary in India;

LEADING CASES*:

1. A.P. Pollution Control Board v. Prof. M.V. Nayudu AIR 1999 SC 812
2. Enviro - Legal Action v. Union of India AIR 1996 SC 1446
3. M.C. Mehta and Anr. v. Union of India &Ors. AIR 1997 SC 734
4. M.C. Mehta v. Kamal Nath 1997(1) SCC 388.
5. M.C. Mehta v. Union of India &Ors. 1991 SCC (2) 353
6. M.C. Mehta v. Union of India &Ors. AIR 1988 4 SCC 471
7. M.C. Mehta v. Union of India AIR 1987 SC 965
8. Municipal Council, Ratlam v. Shri Vardhichand & Ors. AIR 1980 SC 1622
9. People's Union for Democratic Rights v. Union of India 1982 (2) SCC 253
10. Rural Litigation and Entitlement Kendra Dehradun & ORS. v. State of U.P. &Ors. AIR 1985 SC 652
11. Union Carbide Corporation & Ors. v. Union of India &Ors., 1991 4 SCC 584
12. Vellore Citizens' Welfare Forum v. Union of India AIR 1996 SC 2715

SUGGESTED READINGS*:

- P. B. Sahasranaman, Handbook of Environmental Law, Oxford University Press, 2012
- P. Leelakrishnan, Environmental Law in India, LexisNexis, 2018.
- P.S. Jaswal, Environmental Law, Allahabad Law Agency, 2017.
- Ritwick Dutta and Sanjeet Purohit, Commentary on the National Green Tribunal Act, Universal Law Publications, 2010
- S. C. Tripathi, Environmental Law, 7th Ed., Central Law Publication, 2019.
- S. C. Shastri, Environmental Law, Eastern Book Company, 2018.

- S. Shantakumar, Introduction to Environmental Law, Wadhwa& Company, 2008.
- Anirudh Prasad , Environmental Law (Hindi), 9th Ed., Central Law Publication, 2018.
- Arvind Kumar Dubey, Environmental Law (Hindi), 5th Ed., Central Law Publication, 2015.

*Suggested readings are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 8.3.

CYBER LAWS

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

Advent of computers, followed by Internet has revolutionized the human existence and their conduct in the society. The information can be accessed, stored, retrieved and distributed speedily and easily. The traditional paper documents are now being replaced by their electronic equivalents. The commercial transactions and individual functioning are more and more driven by the digital technology. This transition has put forth need for a law to facilitate and govern activities in the information society and has thus led to the passing of the Information Technology Act, 2000 (IT Act).

The primary focus of this course will be on studying the information technology law. In addition there will be an insight into the applicability of other laws in the digital environment. The learning outcome of the course will be understanding the provisions of Information Technology laws provided to facilitate electronic commerce - electronic signatures, data protection, cyber security; penalties & offences under the IT Act, dispute resolution, and other contemporary issues.

UNIT - I

Introduction:

Cyber Law- Genesis & Scope; Cyberspace and its components; Evolution of Internet and WWW; Defining computer, computer network, computer system, computer resource; Cyber Jurisprudence at International and National Level: UNCITRAL Model Law on Electronic Commerce 1996; Council of Europe - Budapest Convention on Cybercrime; Role of ICANN; National Cyber Security Policy 2013.

UNIT - II

Information Technology Act and Amendments:

Salient Features of the I.T. Act, 2000 (as amended in 2008); Impact on other related Acts (Amendments): Amendments to Indian Penal Code, Indian Evidence Act, Bankers Book Evidence Act, Reserve Bank of India Act, Finance Act etc.

Various Authorities under IT Act and their Powers: Controller of Certifying Authorities, Appellate Tribunal, Appropriate Authority – Central & State Government.

National Nodal Agency: In-CERT; Examiner of Electronic Evidence; Regulation of Certifying Authorities; Electronic Signature Certificates; Duties of Subscribers;

UNIT - III

Cyber Space Jurisdiction:

Jurisdiction issues under IT Act, 2000; Traditional Principles of Jurisdiction; Extra-terrestrial Jurisdiction; Judicial Responses; Penalties, Adjudication and Compensation; The Appellate Tribunal (As amended by Section 169 of The Finance Act, 2017); Offences; Liability of Intermediaries;

UNIT - IV

Electronic Commerce and Electronic Governance:

E-Commerce; Issues and provisions in Indian Law, Salient Features, Advantages and Challenges Posed, Models of E-commerce like B2B, B2C & C2C, E-Contracts; E-taxation, E-banking, E-Governance; Basic Concept and Practical Aspects in India; Digital Signature; Electronic Signature; Electronic Governance; Attribution, Acknowledgement and Dispatch of Electronic Records; Secure Electronic Records and Secure Electronic Signatures;

UNIT - V

Cyber Crimes & Indian Legal Framework:

Understanding Cyber Crimes: Difference between Traditional Crime and Cyber Crimes; Classification of Cyber Crimes: Against Person, Against Property, Against Government; Reasons for growth of Cyber Crimes and Cyber Criminals; Kinds of Cyber Crimes: Hacking; Digital Forgery; Cyber Stalking/Harassment; Cyber Pornography; Identity Theft & Fraud; Cyber Terrorism; Cyber Defamation Viruses (File Infectors, Boot record infectors, Boot and file viruses); Salami attacks- Web Jacking; Denial of service attack; Penalties, Compensation and Adjudication; Offences under IT Act, 2000; Cyber Crimes under Indian Penal Code, 1860;

Intellectual Property Issues in Cyber Space: (Basic Concepts)

Interface with Copyright Law; Interface with Patent Law; Trademarks & Domain Names Related issues and Other Contemporary Issues.

LEADING CASES:

1. Anuradha Bhasin v. Union of India and Ors. (Civil Original Jurisdiction) Writ Petition (Civil) No. 1031 of 2019 and Ghulam Nabi Azad v. Union of India and Anr. Writ Petition (Civil) No. 1164 of 2019, SC 2020 (Decided on 10th January, 2020)
2. Avnish Bajaj v. State (NCT of Delhi) (Bazee.com) 2008 Delhi HC

3. Harpal Singh v. State of Punjab 2016 SC
4. Manik Taneja Versus State of Karnataka, Criminal Appeal No. 141/2015 SC 2015(7) SCC 423
5. Peoples Union For Civil Liberties v. Union of India M.A. No. 3220/2018 in W.P. (Crl.) No. 199/2013, 2019 SC
6. Sharat Babu Digumarti v. Govt. of N.C.T. of Delhi AIR 2017 SC
7. Shreya Singhal v. Union of India AIR 2015 SC 1523

SUGGESTED READINGS:

- Anirudh Rastogi, Law of Information Technology and Internet, Lexis Nexis
- Commentary on Information Technology Act Along with Rules, Regulations, Orders, Guidelines, Reports and Policy Documents by Apar Gupta Revised by Akshay Sapre , 3rd Edition 2016, Lexis Nexis
- Council of Europe - Budapest Convention On Cybercrime, 2001
- Debarati Haldar & K. Jaishankar, Cybercrime against women in India, Sage Publishing
- Garima Tiwari, Understanding Cyber Laws & Cyber Crimes, Lexis Nexis
- Information Technology Act, 2000 and its amendments available at - <https://www.meity.gov.in/content/information-technology-act-2000>
- J. P. Mishra, An Introduction to Cyber Laws , Central Law Publications
- Karnika Seth, Computers, Internet and New Technology Laws, Lexis Nexis Butterworths Wadhwa
- National Cyber Security Policy, 2013
- Pavan Duggal, Textbook On Cyber Law Paperback, Universal Law Publishing
- Prashant Mali, Cyber Law & Cyber Crimes Simplified, Cyber Infomedia
- S. K. Verma & Raman Mittal, Legal Dimensions of Cyber Space, Indian Law Institute
- Supreme Court on Information Technology Act, Internet & Cyber Laws and Aadhaar (1950 to 2019) by Surendra Malik and Sudeep Malik Edition: 2019, EBC
- Talat Fatima, Cyber Crimes, Eastern Book Company
- UNCITRAL Model Law on Electronic Commerce, 1996

* Suggested readings and leading cases are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 8.4.

CRIMINAL PROCEDURE CODE - I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

Procedural Law providing for a fair procedure is significant for a just society. The course is aimed at driving home the students how the pre-trial, trial and the subsequent process are geared up to make the administration of criminal justice effective. The course will acquaint the student with organization of the functionaries under the Code, their power and functions at various stages and the procedure according to which these powers and functions are to be exercised.

UNIT - I

Concept and types of Criminal Justice Systems.; Meaning of Procedure- The functionaries under the Code: Their duties, functions and powers; First Information Report;

Complaint; Arrest; Types of Trial; Constitution and Powers of Trial Courts and Offices; An Overview of Criminal Justice System;

UNIT - II

Provision for Investigation Arrest, Search and Seizure.; Processes to compel appearance; Information to Police; Power to Investigate; Preventive Action by the Police;

UNIT-III

Processes to Compel Appearance and Production of Things; Summons for Appearance; Warrant of Arrest; Proclamation and Attachment; Other Rules Regarding Processes; Summons Procedure; Search Warrants; General provisions as to search; Miscellaneous;

UNIT-IV

Proceedings before Magistrate; Conditions requisite for Initiation of Proceedings; Complaints to Magistrates; Commencement of Proceedings before Magistrates; Provisions as to Enquiry and Trial; Security Proceedings;

UNIT-V

Introduction to Trial Procedures; The Charge; Form of Charges; Joinder of Charges; Evidence in Inquiries and Trials; General Provisions as to Inquiries and Trials.; Provisions as to Accused Persons of Unsound Mind;

LEADING CASES*:

1. D. K. Basu v. State of West Bengal (1997) 1 SCC 416.
2. Danial Latifi & Anr. v. Union of India AIR 2001 SC 3958
3. Kashmira Singh v. State of Punjab, (1977) 4 SCC 291.
4. Lalita Kumari v. Govt. of U.P., (2014) 2 SCC 1
5. Pritam Singh v. State of Punjab, AIR 1956 SC 415
6. Purshottam Das Dalmia v. State of West Bengal, AIR 1968 SC 1589
7. Sakiri Vasu v. State of U.P. and Others (2008) 2 SCC 409
8. Satwant Singh v. State of Punjab, AIR 1956 SC 286
9. State of U.P. v. Singhara Singh, AIR 1964 SC 359
10. Tahsildar Singh v. State of U.P., 1959 AIR SC 1012

SUGGESTED READINGS*:

- Ratnalal & Dhiraj Lal, Code of Criminal Procedure, 21st Edition, Lexis Nexis, 2015.
- Kelkar, Criminal Procedure, 6th Edition, Eastern Law Company, 2014.
- Chandrasekharan Pillai, Kelkar; Lecturer on Criminal Procedure, Eastern Book Co. 1998
- Woodroffe--- Commentaries on Criminal .Procedure Code, Universal, 2000
- Sarkar, The Law of Criminal Procedure. 8th Edition, Wadhwa & Company, 2007.
- Sohoni, Code of Criminal Procedure, 21st Edition, 5 Vols., Lexis Nexis, 2014.
- Takwani, Criminal Procedure, 4th Edition, Lexis Nexis, 2015.
- Dhamija, Ashok. Law of Bail, Bonds, Arrest & Custody, Lexis Nexis, 2008.
- Mitra, B.B. Code of Criminal Procedure. 20th Edition. Vol. 1&2, Kamal Law House, 2008

*Suggested readings are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 8.5.

INTERPRETATION OF STATUTES

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

This course is largely confined to Common Law system of statutory interpretation. This course aims to acquaint the students with basic principles of interpretation of statutes. It focuses on general and specific rules of interpretation of statutes. It also prescribes the guidelines on interpretation of remedial, penal and taxing statutes. It provides for internal and external aids for interpretation of statutes. It also contains the rules regulating commencement, operation and repeal of statutes. It prescribes the principles for interpretation of Constitutional document also.

UNIT - I

Different Parts of Statutes; Classification of Statutes; Interpretation and Construction; Literal Interpretation; Mischief Rule; The Golden Rule; Harmonious Construction; Statute Should be Read as a Whole; Construction Ut Res Magis Valeat Quam Pereat; Identical Expressions To Have Same Meaning; Construction Noscitur-A-Sociis; Construction Ejusdem Generis;

UNIT - II

Construction Expressio Unius Est Exclusio Alterius; Contemporanea Expositio Est Optima Et Fortissima in Lege; Casus Omissus; Reddendo Singula Singulis; Delegatus Non Potest Delegare; Beneficial Construction; Strict Construction of Penal Statutes; Strict Construction of Fiscal (Taxing) Statutes; Interpretation of Statutes in Pari Materia; Interpretation of Amending Statutes; Interpretation of Amending Statutes; Interpretation of Consolidating

Statutes; Interpretation of Codifying Statutes; Mandatory and Directory Enactments; Conjunctive and Disjunctive Enactments;

UNIT - III

Internal Aids to Interpretation; External Aids to Interpretation; Presumptions Regarding Jurisdiction; Commencement of Legislation; Repeal of Legislation; Revival of Legislation; Retrospective Operation of Statutes;

UNIT - IV

Principle of Implied Powers; Principle of Incidental and Ancillary Powers; Principle of Implied Prohibition; Principle of Occupied Field; Principle of Pith and Substance; Principle of Colourable Legislation; Principle of Territorial Nexus; Principle of Severability; Principle of Prospective Over-Ruling; Principle of Eclipse;

UNIT - V

Bentham's Theory of Legislation: Principles of Legislation; Principle of Utility; The Ascetic Principle; The Arbitrary Principle (or the Principle of Sympathy and Antipathy); Different Kinds of Pleasures and Pains Principles of Civil Code: Objects of the Civil Law; Rights and Obligations; Ends of Civil Law; Principle of the Penal Code; Punishments;

LEADING CASES:

- 1) Alamgir v. State of Bihar AIR1959 SC436
- 2) Bengal Immunity Company v. State of Bihar AIR1955 SC 661
- 3) Heydon's Case(1584) 76 ER 637
- 4) K. M. Nanavati v. State of Bombay AIR1961 SC 112
- 5) Lily Thomas v. Union of India AIR 2000 SC 1650
- 6) Mangoo Singh v. Election Tribunal AIR1957 SC 871
- 7) Motipur Zamindari Co. Pvt. Ltd. v. State of Bihar AIR1962 SC
- 8) Ramavatar v. Assistant Sales Tax Officer AIR 1961 SC1325
- 9) Ranjit Udeshi v. State of Maharashtra AIR 1965 SC 881
- 10) Smith v. Hughes (1871) LR 6 QB 597

SUGGESTED READINGS:

- Avtar Singh, Introduction to Interpretation of Statutes, LexisNexis, Butterworths Wadhwa, 2014
- Bhattacharya T., Interpretation of Statutes (Central Law Agency), 2017
- Bindra N.S., Interpretation of Statutes (LexisNexis, Butterworth Wadhwa), 2016
- Brandon J. Murrill, Modes of Constitutional Interpretation, Congressional Research Service, March 2018, at <https://fas.org/sgp/crs/misc/R45129.pdf>
- Chopra, D.S., Interpretation of Statutes, 1st ed. New Delhi: Thomson Reuters, 2014.

- Dhanda, Amita (Ed)., N. S. Bindra's Interpretation of Statutes, 12thEd., New Delhi: Lexis Nexis,2017.
- Jeremy Bentham, Theory of Legislation, Lexis Nexis, 2010
- Jone, Oliver (Ed), Bennion on Statutory Interpretation 5th ed. London: Lexis Nexis, 2013
- Katju, Markandey, (Ed).,K.L. Sarkar's Mimansa Rules of Interpretation. 4thed. New Delhi, Thomson Reuters, 2013.
- Langan, P. St. J.(Ed.),Maxwell on the Interpretation of Statutes. 12thed. New Delhi: Lexis Nexis,1969
- Maxwell, Interpretation of Statutes (Sweet and Maxwell), 1969
- Rupert Cross, Statutory Interpretation (Butterworth), 1976
- Sarathi, Vepa P., Interpretation of Statutes. 5thed. New Delhi: Eastern Book Company,2010.

*Suggested readings are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 9.1.

LAW OF EVIDENCE

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The law of evidence doesn't come under the purview of substantive or procedural law but under 'adjective law' which defines the pleading and procedure via which substantive laws are brought into practice. It is the machinery by which substantive laws are set and kept in motion. So it can be said that the Law of Evidence deals with rights as well as, procedures. It imparts credulity to the adjudicatory process by indicating the degree of veracity to be attributed to the facts before the form. This paper enables the students to appreciate the concept and principles underlying the law of evidence and to identify the recognized forms of evidence and its sources.

UNIT - I

Introduction:

History, Enactment and Implementation of the Act; Objects, Application and Definitions (Sections 01 and 03); May Presume, Shall Presume and Conclusive Proof (Section 04); Facts In Issue and Relevant Facts (Section 05)

Of the Relevancy of Facts: Relevancy and Admissibility (Inter-linkages and Major Differences); Sections 06 - 39; Difference between Admission, Confession and Plea of Guilt; Dying declaration; Expert evidence; Judgments of Courts when Relevant under Sections 40-44; Opinions of Third Persons when Relevant (Sections 45 - 51); Character When Relevant (Sections 52 - 55);

UNIT - II

Oral and Documentary Evidence:

Oral Evidence: Proof of facts by Oral Evidence(Section 59); Oral evidence must be direct (Section 60); Documentary Evidence: Sections 61 - 78; Presumptions as to Documents (Sections 79 - 90A); Exclusion of Oral By Documentary Evidence: Sections 91 - 100.

UNIT - III

Burden of Proof:

Section 101 - 114A; Estoppel (Section 115), Estoppel of Tenant and of Licensee of Person in Possession (Section 116), Estoppel of Acceptor of Bill of Exchange, Baillie or Licensee;

UNIT - IV

Witnesses:

Sections 118 - 128; The Oaths Act, 1969 and its relation with the Law of Evidence, 1872; Sections 132, 133 & 134; Harmony between Section 133 and Section 114 Illustration (b); Difference between the terms Accomplice, Approver, Co-Accused and Hostile Witness with regard to Section 133 (together with relevant Sections of Cr.P.C., 1973);

UNIT - V

Examination of Witnesses:

Sections 135 - 165; Facts which Need Not Be Proved (Sections 56 - 58); No New Trial for Improper Admission or Rejection of Evidence(Section 167); Contemporary Developments in the Law of Evidence: Case-Law Analysis; Impact of Forensic Science: Evidentiary Value in D.N.A. Test, Narco-Analysis etc.; Impact of Social Media in the Law of Evidence; Witness Protection Schemes;

LEADING CASES:

- 1) Aghnoo Nagesia v. State of Bihar 1966 SC
- 2) Dudh Nath Pandey v. The State of U.P. AIR1981 SC 911
- 3) Goutam Kundu v. State of West Bengal And Anr. AIR 1993 SC 2295
- 4) Mahender Chawla & Others v. Union of India & Others 2018 SCC Online SC 2678
- 5) M.C. Verghese v. T.J. Ponnann & Another 1969 SC
- 6) Nishi Kant Jha v. State of Bihar 1969 SC
- 7) Pakala Narayana Swami v. Emperor 1939 BOMLR
- 8) Palvinder Kaur v. The State of Punjab 1952 SC
- 9) Selvi & Others v. State of Karnataka & Another 2010 SC
- 10) The State of Bombay v. Kathi Kalu Oghad & Others 1961 SC

SUGGESTED READINGS:

- Anirudh Rastogi, Law of Information Technology and Internet, Lexis Nexis, 2014
- Avtar Singh, Principles of the Law of Evidence, (Hindi) Central Law Publishers, 24thed. 2020

- Avtar Singh, Law of Evidence,(Hindi) Central Law Publishers, 24th ed. 2020
- Batuk Lal, The Law of Evidence, Central Law Agency, 2018
- Dr. V. Nageswara Rao: Indian Evidence Act, LexisNexis, 2nd Ed. 2015
- Ram Jethmalani and D. S. Chopra, Law of Evidence: Concise Commentary, Thomson Reuters, 2015.
- Justice U.L. Bhat Relevancy, Proof and Evaluation of Evidence in Criminal Cases:, Universal Law Publishing, 1st Ed. 2016
- Ratanlal & Dhirajlal (Revised by Shakil Ahmad Khan), Lexis Nexis, 25th Ed. 2018
- StephenMason,ElectronicEvidence,4thEd.,2017
<http://humanitiesdigitallibrary.org/index.php/hdl/catalog/book/electronicvidence>
- Stephen Mason, Electronic Signatures in Law, 4th Ed, 2016,
<http://humanities-digital-library.org/index.php/hdl/catalog/book/electronic signatures>
- Chief Justice M Monir, Textbook on The Law of Evidence, Universal Law Publishing, 11thEd, 2018
- N. V. Paranjpe Indian Evidence Act (Hindi) Central Law Publishers, 1stEd. 2018
- Rajaram Yadav Indian Evidence Act (Hindi) Central Law Publishers, 2019
- V. P. Sarathi (By Abhinandan Malik)Law of Evidence, Eastern Book Company,7thEd.2017, Reprinted 2018.
- Woodroffe & Amir Ali (Revised by B. M. Prasad & Manish Mohan) Law of Evidence (Set of 04 Volumes): Lexis Nexis, 20th Ed. 2017.

PAPER 9.2.

COMPETITION LAW

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in Part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The process of globalization and liberalization have brought a considerable awareness towards improving the competitive process in developing economies such as India. Until recently most of the developing countries operated without a structured competition policy, and have justified the intervention by the state over economic activities. India owing to its WTO obligations enacted Competition Act, 2002. The course seeks provide fundamentals of market economy and extensive knowledge of application of competition policy in India. The course will also examine and compare the application of competition law to business agreements, the exercise of dominant position, the combinations between the firms and sellers and the enforcement mechanisms.

UNIT - I

Introduction:

Need, Importance, Objectives; Definition, Concept, Key Features of the Act; Rationale behind Competition Law; Constitutional aspect of Competition Law with respect to Human Rights and Social Justice (Article 39 (b) and (c) of the Constitution of India); Relation between Competition Policy and Competition Law; Economic analysis of Competition Law

Historical Development of Competition Law:

History and Development of Competition Law / Antitrust Law; Development of Competition Laws in U.S.A., U.K. and E.U.; Sachar Committee Report, Raghavan Committee Report; Salient Features of the Monopolies And Restrictive Trade Practices Act, (MRTP) 1969; The Competition Act, 2002 differentiated with the MRTP Act, 1969; Judicial Responses;

UNIT - II

Prohibition of Certain Agreements, Abuse of Dominant Position and Regulation of Combinations; Competition Commission of India; Judicial Responses;

UNIT - III

Duties, Powers and Functions of Commission; Duties of Director General; Judicial Responses;

UNIT - IV

Penalties; Competition Advocacy; Finance, Accounts And Audit; Judicial Responses;

UNIT - V

Appellate Tribunal; Miscellaneous; Judicial Responses;

Interface of Competition Law with other Laws: (Basic Concepts and Emerging Issues)

Intellectual Property Rights and Competition Law; International Trade and Competition Law; Consumer Law and Competition Law; Judicial Responses;

LEADING CASES:

- 1) Bharti Airtel Ltd. v. Reliance Industries Ltd. 2017 SCC OnLine CCI 25.
- 2) Competition Commission of India v. Bharti Airtel Limited And Others, Civil Appellate Jurisdiction, Civil Appeal No(s). 11843 of 2018, 2019 SC
- 3) C.C.I. v. Steel Authority of India Ltd. (2010) 10 SCC 744
- 4) Excel Crop Care Limited v. Competition Commission of India and Another AIR 2017 SC 2734.
- 5) Fast Track Call Cab (P) Ltd. v. ANI Technologies (P) Ltd. 2017 SCC OnLine CCI 36.
- 6) Fx Enterprise Solutions India Pvt. Ltd. v. Hyundai Motor India Ltd., 2017 SCC OnLine CCI 26
- 7) Harshita Chawla v. WhatsApp, 2020 SCC OnLine CCI 32, decided on 18-08-2020
- 8) MCX Stock Exchange Ltd. v. National Stock Exchange of India Ltd. 2011 SCC OnLine C.C.I. 52.
- 9) Rajasthan Cylinders and Containers Ltd v. Union of India & Anr., SC, Civil Appellate Jurisdiction, Civil Appeal No. 3546 of 2014, Decided on 01st Oct., 2018
- 10) Ramakant Kini v. Dr. L.H. Hiranandani Hospital, 2014 SCC OnLine CCI 17
- 11) Samir Agrawal v. ANI Technologies Pvt. Ltd., 2018 SCC OnLine CCI 86
- 12) Transparent Energy Systems (P) Ltd. v. TECPRO Systems Ltd. 2013 SCC OnLine CCI 42.
- 13) Uber (India) Systems (P) Ltd. v. C.C.I. (2019) 8 SCC 697.

SUGGESTED READINGS:

- Abir Roy, Competition Law in India: A Practical Guide, Kluwer Law International B.V., 2016.
- Alison Jones, Brenda Sufrin, EU Competition Law: Text, Cases, and Materials, Oxford University Press, 6th ed., 2016.

- Avtar Singh, Competition Law, Eastern Book Company, 1st ed, 2012.
- Barry Rodger, Angus MacCulloch, Competition Law and Policy in the EU and UK, Routledge, 5th ed, 2104.
- Competition Act, 2002 (Principles And Practices) by Professor (Dr.) V. K. Agarwal, 2nd Edition 2019, Bharat Law House Pvt. Ltd.
- Kirsty Middleton, Barry Rodger, Angus MacCulloch, Cases and Materials on UK and EC Competition Law, Oxford University Press, 2nd ed, 2009.
- Maher M. Dabbah, International and Comparative Competition Law, Cambridge University Press, 2010.
- Monopolies And Restrictive Trade Practices Act, 1969
- Richard Whish and David Bailey, Competition Law, Oxford University Press, 9th ed, 2018.
- Srinivasan Parthasarathy, Competition Law in India, Kluwer Law International B.V., 2017.
- T. Ramappa, Competition Law in India: Policy, Issues, and Developments, Oxford University Press, 2014.
- Textbook on Indian Competition Law by Versha Vahini, 1st edition August 2020, LexisNexis
- The Competition Act, 2002
- Vinod Dhall, Competition Law Today, Oxford University Press. 2nd ed, 2019

PAPER 9.3.

BANKING LAWS

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

A vitally important economic institution the banking system is deeply influenced by socio-political and economic changes. The emerging changes in India, particularly after the initiation of the planning process as an instrument of rapid economic development had moulded and affected the banking structure, policies, patterns and practices. A significant development in the banking system is diversification in banks financing. The commercial banks entered into the field of wide ranging financial assistance to industry, both large and small scale, requiring the need for social control of the banking system eventually leading to the nationalization of banks. This course is designed to acquaint the students with the conceptual and operational parameters of banking law, the judicial interpretation and the new and emerging dimensions of the banking system. Also The Negotiable Instruments Act, 1881 is being included with the objective to acquaint the students undergoing law course in Rajasthan who desire to serve the Country by being a part of the Judicial Services of the State of Rajasthan.

UNIT - I

The Banking Regulation Act, 1949 As amended by The Banking Regulation (Amendment) Act, 2017:

Need, Importance, Objectives; Definition, Concept, Key Features; Preliminary; Business of Banking Companies; Control Over Management; Supersession of Board of Directors of Banking Company; Prohibition of Certain Activities In Relation To Banking Companies; Acquisition of The Undertakings of Banking Companies In Certain Cases; Suspension of

Business And Winding-Up of Banking Companies ; Special Provisions For Speedy Disposal of Winding Up Proceedings; Provisions Relating To Certain Operations of Banking Companies; Miscellaneous and Judicial Responses;

UNIT - II

Reserve Bank of India Act, 1934, (As amended by the Finance Act, 2019):

Need, Importance, Objectives; Definition, Concept, Key Features; Preliminary Incorporation, Capital, Management And Business; Central Banking Functions, Collection And Furnishing of Credit Information; Provisions Relating To Non-Banking Institutions Receiving; Deposits and Financial Institutions; Prohibition of Acceptance of Deposits by Unincorporated Bodies; Regulation Of Transactions In Derivatives, Money Market Instruments, Securities, etc.; Joint Mechanism; Monetary Policy; General Provisions; Penalties and Judicial Responses;

UNIT - III

The Deposit Insurance And Credit Guarantee Corporation Act, 1961:

Need, Importance, Objectives; Definition, Concept, Key Features; Preliminary; Establishment and Management of the Deposit Insurance and Credit Guarantee Corporation; Registration of Banking Companies and Co-Operative Banks as Insured Banks and Liability of Corporation to Depositors; Credit Guarantee Functions; Funds, Accounts and Audit; Miscellaneous and Judicial Responses;

UNIT - IV

The State Bank of India Act, 1955:

Need, Importance, Objectives; Definition, Concept, Key Features; Preliminary; Incorporation and Share Capital of State Bank; Transfer of Undertaking of The Imperial Bank To State Bank; Shares; Management; Business of The State Bank Funds, Accounts And Audit; Miscellaneous and Judicial Responses;

UNIT - V

Negotiable Instruments Act, 1881 Including The Negotiable Instruments (Amendment) Act, 2015 and The Negotiable Instruments (Amendment) Act, 2018:

Need, Importance, Objectives; Definition, Concept, Key Features and Judicial Responses

LEADING CASES*:

1. Bhawanipore Banking Corpn. Ltd. v. Gauri Shanker Sharma, AIR (1950) SC 6.
2. The Bharat Bank Ltd. Delhi v. The Employees of Bharat Bank Ltd. and the Bharat Bank Employee's Union, AIR 1950 SC 188.
3. V. Ramaswami Aiyanger & others v. N.V. Kailasa Thever, AIR 1951 SC 185.
4. Mahaveer Prasad Bubna v. Union Bank of India, AIR (1992) Cal. 270.
5. Narayandas Bhagwandas Patni v. Union of India, 1993 M 311.LJ 1229.

SUGGESTED READINGS*:

- M.L. Tannan, Tannan's Banking Law and Practice in India (1997) India Law House, New Delhi, 2 Volumes.

- ICSI, Banking and Insurance Law and Practice, Institute of Company Secretaries of India, Taxmann Publishers, 2010.
- K.C. Shekhar, & Lekshmi Shekhar, Banking Theory and Practice, Vikas Publishing House, 19th edition, 2005.
- Jyotsana Sethi & Nishwar Bhatia, Elements of Banking and Insurance, PHI Publishers, 2nd edition, 2013.
- Shrinivas Gupta Bhashyam & Adiga, The Negotiable Instruments Act (with Case-law on Dishonour of Cheques, Specimen Notices & Complaints), Bharat Law House, Delhi, 2018.

* Suggested readings are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 9.4.

CRIMINAL PROCEDURE CODE - II

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The criminal procedure code is very important subject for law students. Criminal procedure has to be just, fair and reasonable to the accused as well as to the victims. This imposes duty upon those connected with the criminal process to abide by law and to exercise discretion conferred on them in the best manner. Code of Criminal Procedure, originally enacted years ago, had undergone many trials and experiments, too enormous to be placed with in a class room discussion. Juvenile Justice and Probation of Offenders Act are combined with the study of Criminal Procedure and are introduced with the objective to acquaint the students undergoing law course in Rajasthan who desire to serve the Country by being a part of the Judicial Services of the State of Rajasthan.

UNIT - I

Trials and Execution Proceedings: Trial before a Court of Session; Trial of Warrant Cases by Magistrates; Trial of Summons Cases by Magistrates; Summary Trials; Judgment/ Provision as to Bail; Submission of Death Sentences for Confirmation; Execution, Suspension, Remission and Commutation of Sentences;

UNIT-II

Review Procedure; Appeals; Reference and Revisions;

UNIT - III

Miscellaneous; Maintenance of Wives, Children and Parents; Transfer of Criminal Cases; Irregular Proceedings; Limitations for Taking Cognizance; Compounding of Offences and Plea-bargaining; Security for Peace and Good Behavior; Transfer of Cases; Maintenance of Public Order and Tranquility;

UNIT-IV

Probation of Offenders Act, 1958:

Need, Importance, Objectives; Definition, Concept, Key Features of the Act and Judicial Responses;

UNIT-V

Juvenile Justice (Care and Protection of Children) Act, 2015:

Need, Importance, Objectives; Definition, Concept, Key Features of the Act and Judicial Responses;

LEADING CASES*:

1. Khatri v. State of Bihar (1981) SCC 193
2. Sanjay Suri v. Delhi Admn., AIR 1988 SC 444
3. Ram Chander v. State of Haryana AIR 1981 SC 1036
4. Dagdu v. State of Maharashtra, AIR 1977 SC 1579
5. Dr. Vijaya Manohar Arbat v. Kashirao (1987) 1 SCJ 524
6. Madhu Limaya v. SDM Monghar, AIR 1971 SC 2486
7. Moti Ram & Ors v. State of M.P., AIR 1978 SC 1594
8. Madhu Limaya v. State of Maharashtra, AIR 1982 SC 47
9. Arnit Das v. State of Bihar AIR 2000 SC 2264
10. State of Maharashtra v. Jagmohan Singh & Ors (2004) 7 SCC 659

SUGGESTED READINGS*:

- Ratnalal & Dhiraj Lal, Code of Criminal Procedure, 21st Edition, Lexis Nexis, 2015.
- Kelkar, Criminal Procedure, 6th Edition, Eastern Law Company, 2014.
- Chandrasekharan Pillai, Kelkar; Lecturer on Criminal Procedure, 1998 Eastern Book Co.
- Woodroffe; Commentaries on Criminal .Procedure Code, 2000 Universal
- Sarkar, The Law of Criminal Procedure. 8th Edition, Wadhwa & Company, 2007.
- Sohoni, Code of Criminal Procedure, 21st Edition, 5 Vols., Lexis Nexis, 2014.
- Takwani, Criminal Procedure, 4th Edition, Lexis Nexis, 2015.
- Dhamija, Ashok. Law of Bail, Bonds, Arrest & Custody, Lexis Nexis, 2008.
- Sengupta, S.P., Mitra, B.B. Commentary on Code of Criminal Procedure. 20th Edition Vol. 1&2, Kamal Law House, Kolkata.

* Suggested readings are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 9.5.

CODE OF CIVIL PROCEDURE - I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The Civil Procedure Code, 1906 is subject of daily use by the Civil Courts and lawyers. Students cannot afford to have scant knowledge of civil procedure when he goes out to practice as a lawyer. It is necessary to have good grounding in the subject before one enters the profession. The substantive law determines the rights of persons affected by action. The main objective of this course is to give to the student a thorough knowledge of civil procedural law especially related to working of civil courts and other adjudicating authorities.

UNIT-I

Code of Civil Procedure, 1908: Sections 1-25 and Orders I-XX Application of the Code, Definitions: Decree, Decree-holder, Government Pleader, Judgment, Judgment-Debtor, Legal Representative, Mesne Profits, Order, Pleader, Public Officer, Foreign Court, Foreign Judgment; Affidavits, Suit; Distinction between Civil and Criminal Procedure, Substantive and Procedural Law, Significance of Procedural Law for a Just Society; History of Civil Procedure in India, Scheme of the Code of Civil Procedure; Subordination of Courts; Application of the Code to Revenue Courts; Pecuniary Jurisdiction; Courts to try all civil suits unless barred; Stay of Suit; Jurisdiction of the Civil Courts;

UNIT - II

Res Sub-Judice, Res-Judicata, Presumptions as to Foreign Judgment, Place of Suits, Parties to a suit; Frame of Suit Transfer of Suits and Appeal, Institution of Suit, Joinder, Non-

Joinder and Mis-joinder of Parties and Causes of Action, Service of Summons, Pleading-Plaint and Written Statement; Appearance of the Parties and Consequences of Non Appearance;

UNIT-III

Pleading: Meaning, Object, General Rules, and Amendment of Pleading; Plaint; Issue and Service of Summons; Written Statement; Examination of Parties by the Court; Discovery and Inspection; Admissions; Production, Impounding and return of Documents; First Hearing; Summoning and Attendance of Witnesses; Settlements of Issues, Adjournments; Hearing of the Suit and Examination of Witnesses; Affidavits; Judgment and Decree;

UNIT-IV

Execution of Decrees and Orders, Courts by which Decrees may be Executed, Powers of the Court Executing the Decrees, Questions to be Determined by the Court Executing the Decree; Transfer of decrees for Execution, Stay of Execution. Modes of Execution: Arrest and Detention in Civil Prison, Attachment of Properties, Sale and Other Modes;

UNIT - V

Death, Marriage and Insolvency of the Parties, Withdrawal and Adjustment of the Suits, Security of Costs, Commission, Suits of Special Nature and Supplemental Proceedings; Appeals from Original Decrees, Appeals from Appellate Decrees, Appeals from Orders, Appeals before the Supreme Court, Reference, Review and Revision; Judgment and Decree: Judgment: Definition, Essentials, Pronouncement, Contents and Alteration: Decree: Definition, Essentials, Types, Drawing up of a Decree, Contents and Decree in particular cases Interest and Costs;

LEADING CASES*:

- 1) A.V. Papayya Sastry & Ors. v. Government of A.P. & Ors. (2007) 4 SCC 221
- 2) Daryao and others v. The State of U.P. and others AIR 1961 SC 1457
- 3) Forward Construction Co. & Ors. Etc. Etc. v. Prabhat Mandal (Regd.) Andheri & Ors. Etc. Etc. AIR 1986 SC 391
- 4) Indian Young Lawyers Association & Ors. v. The State of Kerala & Ors. 2018 SCC OnLine SC 1690
- 5) M. Siddiq (D) Through LR's v. Mahant Suresh Das & Ors. Online SCC 1440 SC 2019
- 6) Shri Uttam Chand (D) through LR's. v. Nathu Ram (D) through LR's. & Ors. Civil Appeal No. 190 of 2020 (decided on 15th Jan., 2020) SC 2020
- 7) S.P. Chengalvaraya Naidu v. Jagannath AIR 1994 SC 853
- 8) Sri V.N. Krishna Murthy & Anr. Etc. Etc. v. Sri Ravikumar & Ors. Etc. Etc. Civil Appeal Nos. 2701-2704 of 2020 (decided on 21 August, 2020), SC 2020
- 9) Sudam Kisan Gavane (D) Thr. LR's. & Ors. v. Manik Ananta Shikketod (D) By LR's. & Ors. ICL 2019 SC 1015
- 10) Varadarajan v. Kanakavalli and Ors. (decided on 22nd January, 2020), SC 2020

SUGGESTED READINGS*:

- Avtar Singh, Code of Civil Procedure, Central Law Publication, Allahabad, 2019.
- C.K. Takwani: Civil Procedure, 4th Edition, Eastern Book Co., Lucknow, 2007.
- Medha Kolhatkar, Commentary on Limitation Act by T.R. Desai, Lexis Nexis, 12th Edition.
- Medha Kolhatkar, M.P. Jain's Civil Procedure Code, LexisNexis, 5th Edition.
- Mulla, Code of Civil Procedure: Tripathi (Abridged Edition), and (Student Edition), 2010.
- Sanjiva Row : Code of Civil Procedure, 3rd Ed., (in 4 Vols.), Law Book Co., Allahabad, 2016.
- Sarkar's Law of Civil Procedure, Universal Law Publishing, Delhi, 2016.
- Shailendra Malik, Code Of Civil Procedure, 27 th Edition, Allahabad Law Agency, 2011.
- Shrinivas Gupta, The Limitation Act, 3rd ed, Universal Law House, 2016.
- Sukumar Ray, Textbook on the Code of Civil Procedure, Universal Law Book Company
- T. R. Desai, Commentary on the Limitation Act, 11th ed, Universal Law House, 2016.
- Dr. D.N.R. Pandey Limitation Act (Hindi) Central Law Publications
- Radha Raman Gupta Civil Prakriya Sanhita (Code of Civil Procedure)(Hindi) Central Law Publications, 2020

* Suggested readings are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 10.1.

CODE OF CIVIL PROCEDURE AND LIMITATION ACT - II

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

Civil Procedure Code relates to day to day activities of the courts and lawyers. This course equips students with basic knowledge of court activities before they enter into the profession and also The Limitation Act is introduced with the objective to acquaint the students undergoing law course in Rajasthan to be well versed with this indispensable law which is always read with the Code of Civil Procedure.

UNIT - I

Execution General: Sections 37-45, Order XXI, Modes of Execution Sections 51, 54, 145, Order XXI, Question Determination Section 47, Arrest & Detention Sections 51-59, Order XXI, Attachment Sections 60-64, Order XXI, Adjudication of Claims Order XXI, Sale & Delivery of Property Sections 65-74 Order XXI, Distribution of Assets Section 73;

UNIT - II

First Appeal Sections 96-99, Section 107, Order XLI, Second & Other Appeals Sections 100-112, Order XLII-XLV, Reference, Review, Revision;

UNIT - III

Interim Orders; Order XXIV-XVI, Order XXXVII-XXXIX, Sections 75-78, Withdrawals & Compromise Order XXIII, Incidental Proceedings Order XXII, Sections 75-78, Special Suits

Sections 79-93, Order XXVII-XXXVII, Restitution Section 144, Caveat Sections 148-A, Inherent Powers Sections 148-153A;

UNIT - IV

The Limitation Act, 1963:

Need, Importance, Objectives; Definition, Concept, Key Features of the Act; Limitation of Suits, Appeals and Applications; Computation of Period of Limitation; Acquisition of Ownership by Possession; Miscellaneous;

UNIT-V

Relationship between Limitation, Laches, Acquiescence, Estoppels and Res Judicata; Limitation of Suits, Appeals and Applications, Disability, Computation of Period of Limitation, Acknowledgement and Part Payment, Acquisition of Ownership by Prescription; Judicial Responses and Contemporary Developments;

LEADING CASES*:

1. Bhanu Kumar Jain v. Archana Kumar, AIR 2005 SC 626
2. C.T. Nikam v. Municipal Corporation of Ahmedabad, AIR 2002 SC 997
3. Md. Sirajuddin v. Md. Abdul Khaliq, AIR 2005 Gauhati 40
4. Shri Sinha Ramanju v. Ramanuja, AIR 1961 SC 1720
5. Narain Bhagwantrao v. Gopal Vinayak, AIR 1960 SC 104
6. Garilapati Veerava v. N. Subhia Choudhary, AIR 1957 SC 540
7. Deoki Nadan v. Murlidhar, AIR 1957 SC 133
8. Dety Pattabhirama Swamy v. Hanmayya, AIR 1959 SC 57
9. S.M. Jakati v. B.M. Borker, AIR 1959 SC 282

SUGGESTED READINGS*:

- Ray, Sukumar, Textbook on the Code of Civil Procedure, 3rd Ed., Universal Publication, 2015
- Jain, M P., The Code of Civil Procedure, 4th Ed., Lexis Nexis, 2016
- Mulla, The Code of Civil Procedure in 3 vols., 18th Ed., Lexis Nexis, 2016
- Mulla, The Key to Indian Practice (A Summary of the Code of Civil Procedure) 11th Ed., Lexis Nexis, 2016
- Takwani, CK., Code of Civil Procedure and Limitation Act, Universal Publication, 2016.

* Suggested readings and leading cases are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 10.2.

MEDIATION, CONCILIATION AND ARBITRATION

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

For the overall development of the students in this emerging field this paper is being introduced to train the students of law in the emerging field of Arbitration, Mediation, Conciliation and Negotiation with Theoretical and Practical Aspects of this subject which is indispensable at the level of National and International both for its importance.

UNIT - I

Understanding Conflict and Disputes: Modes of Dispute Resolution, Need and importance of Mediation; Mediation and Restorative Justice: Theory of Restorative Justice and its Application, Gandhian Principles of Non-Violent Conflict Resolution, Traditional Mediation Practices in India and Abroad;

UNIT – II

Evolution of Mediation/Conciliation as a Mode of Settlement of Disputes, Distinction Between Arbitration, Mediation, Conciliation, Negotiation; Nature, Scope, Limitations and Necessity of Alternative Models of Disputes Resolution; Theory of Negotiation, Approaches to Negotiation Positional Bargaining, Interest-based Bargaining or Principled Negotiation Preparation for Negotiation Collaborative Communication Skills, Negotiating Skills, Negotiation Exercises;

UNIT – III

Mediation and Conciliation: Theory of Mediation, Role of the Mediator (Court Annexed and Private), Preparation for Mediation / Conciliation Process; Confidentiality and Neutrality; How to Write An Award; Ethical Issues in Mediation /Conciliation Mediation in India, Institutions, Their Role; Theory of Mediation Laws in India: Role of the Mediator,(Court Annexed and Private), Preparation for Mediation / Conciliation Process; Judicial Interpretation and Relevant Case Law, Dispute Resolution Institutions in India; Key Concepts in Mediation: Essential Elements, Process and Stages, Approaches to Mediation, Role of the Mediator

UNIT – IV

Importance of Communication: Elements of Verbal and Non-Verbal Communication, Effective and Ineffective Communication Techniques; Conducting Effective Mediation: Decision-making Techniques, Problem-Solving Tactics, Ensuring Positive Outcomes; Qualities and Skills of Mediators: Developing Mediation Skills, Code of Ethics, Confidentiality Requirements; Status of Mediated Agreements: Drafting of Agreements, Sanctity of Mediated Agreements, Enforcement Laws and Procedures Important Developments in Mediation: Growth of Virtual Dispute Resolution, Pre-Institution Mediation, UNCITRAL Model Law, Singapore Convention; Contemporary Developments

UNIT – V

Arbitration: The Arbitration and Conciliation Act, 1996 as amended by Acts of 2015, 2019 and Arbitration and Conciliation (Amendment) Ordinance, 2020: Need, Importance, Objectives; Definition, Concept, Key Features of the Acts /Amendments / Ordinance; Judicial Responses; Conducting Mock Arbitration on a Decided Case.

LEADING CASES:

- 1) Afcons Infrastructure and Anr. v. Cherian Varkey Construction Co. Pvt. Ltd & Ors., (2010) 8 SCC 24.
- 2) Booz Allen Hamilton Inc. v. SBI, Home Finance Ltd., (2011) 5 SCC 532.
- 3) State of Bihar v. Kamleshwar Singh, AIR 1952 SC 252
- 4) Firm Madanlal Roshanlal Mahajan v. Humum Chand Mills Ltd., AIR 1967 SC 1030
- 5) State Electricity Board, Tamil Nadu v. Sree Meenakshi Mills Ltd., AIR 1975 Mad. 139
- 6) Food Corporation of India v. M/s Thakur Shipping Co., AIR 1975 SC 465
- 7) The Bay of Bengal Maritime Boundary Arbitration between the People's Republic of Bangladesh and The Republic of India (Bangladesh v India), Award of the Arbitral Tribunal, Permanent Court of Arbitration, dated 07 July 2014.
- 8) White Industries Australia Ltd. v Republic of India, UNCITRAL Final Award, 30 November 2011. Saipem S.P.A. v The People's Republic of Bangladesh, ICSID Case no. ARB/05/07, Decision on jurisdiction and recommendation on provisional measures dated 21 March 2007.
- 9) Asian Agricultural Products Ltd. v. Republic of Sri Lanka, ICSID Case No. ARB/87/3, Final Award, dated 21 June 1990

- 10) Shri Lal Mahal Ltd. v. Progetto Grano Spa, 3 Civil Appeal No. 5085 of 2013 arising from SLP (C) No. 13721 of 2012, Judgment of the Supreme Court of India, dated 03 July 2013.

SUGGESTED READINGS*:

- Sriram Panchu Mediation Practice & Law: The Path to Successful Dispute Resolution Lexis Nexis, 2015
- Mediation and Conciliation Project Committee, Supreme Court of India, Mediation Training Manual of India
- Stephanie P. Stobbe, et. al. Conflict Resolution in Asia, Mediation and Other Cultural Models, Lexington Books, 2020
- A. Omkar and Kritika Krishnamurthy, The Art of Negotiation and Mediation: A Wishbone, Funny bone and Backbone, Lexis Nexis, 2015
- Christopher Moore The Mediation Process: Practical Strategies for Resolving Conflict: 3rd Revised ed. Jossey Bass; (2003)
- Ramin Jahan begloo Introduction to Non-Violence Red Globe Press 2014
- Joel Leet. al., An Asian Perspective on Mediation EBC 2008
- Avtar Singh, Law of Arbitration and Conciliation (Hindi) 11th Ed., EBC, 2021

*Suggested readings are not exhaustive. It may be supplemented with additional readings and case-laws.

PAPER 10.3.

DRAFTING, PLEADING AND CONVEYANCING

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

[The candidate shall maintain a diary in Part (b) consisting of 01 exercise of pleadings and 01 exercise of conveyance. It shall be evaluated by One Internal and One External Examiner and the decision of External Examiner shall be final and binding].

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

Leading cases prescribed under this paper may be read wherever they are relevant.

OBJECTIVES OF THE COURSE:

Being one of the clinical papers, this paper aims at giving the students an opportunity to peep into the working of law by referring to various practical aspects of civil and criminal laws. It also emphasizes on the Conveyance aspects and imparts the students the requisites of various deeds that go to make the theoretical law complete.

UNIT - I

Pleadings: Civil: Complaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India;

UNIT - II

Pleadings: Criminal: Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal, Reference and Revision;

UNIT - III

Drafting: General Principles of Drafting and Relevant Substantive Rules Shall Be Taught; Suit for Temporary Injunction; Interpleaded Suit; Application for Maintenance under Section 125 Cr. P.C.; Notice for Eviction of Premises; Suit for Damages for Malicious Prosecution; Notice for Damages for Defamation

UNIT - IV

Drafting of Writ Petition and PIL Petition

UNIT - V

Conveyance: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed; Adoption Deed; Partnership Deed; Lease/Rent Deed

SUGGESTED READINGS:

- Bindra, M. S. Bindra's Pleading & Practice Vol. 1 & 2. New Delhi: Universal Law Publishing, 2010.
- Mogha G. C. Mogha's Law of Pleadings in India with Precedents. 17th ed. Lucknow: Eastern Book Company, 2009.
- Parimeswaran, S. Law of Affidavit. New Delhi: Universal Law Publishing, 2003.
- Sengupta, Ajit K. Maumdar's Law Relating to Notices. Kolkata: Eastern Law House Pvt. Ltd., 2005.
- Shrivastava J. M. Mogha's Indian Conveyancer. 14th ed. Lucknow: Eastern Book Company, 2009.
- Rathwade, Rajaram S. Legal Drafting, Pune: Hind Law House, 2010.
- Dr. Y.S. Sharma, Pleading, Drafting and Conveyancing (Hindi) University Book House, 2017
- H. L. Kumar Legal Drafting: Do it Yourself : 5th ed. Universal Law Publishing, An Imprint of LexisNexis; 2017
- Avasthi, Drafting and Conveyancing (Hindi) 2nd Ed. Central Law Publications, 2015

PAPER 10.4.

PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

Professional ethics form the foundation in the lives of the lawyers. It means that lawyers have the constitutional obligation to take up the case of every person who approaches them for legal representation. These and many other similar other questions trouble the mind of new entrants to law practice. The lawyers have to adopt ethical practices in all spheres of their profession from meeting clients, giving them legal counselling, presenting their cases before appropriate bodies, managing client's accounts, etc. This paper covers this wide spectrum of lawyers' conduct.

UNIT - I

Professional Ethics and Professional Accounting:

The Necessity of the Professional Ethics; The Art of Advocacy; Professional Ethics; Nature of Professional Ethics and the Problems of the Code of Ethics; Advantages of having codified Professional Ethics; Professional Ethics - Rules of Conduct. Standards of Professional Conduct and Etiquette: Duties to the Clients;

UNIT -II

The Advocates Act, 1961:

Need, Importance, Objectives; Definition, Concept, Key Features of the Act; Bar Councils; Admission and Enrolment of Advocates; Right to Practise; Conduct of Advocates; Miscellaneous; Judicial Responses;

Image / Position of Legal Profession in Society; Advocacy is a Profession not a Business; Legal Profession is a Noble Profession; Deterioration in Image of Legal Profession in Independent India; Role of Lawyers in Society;

UNIT - III

The Contempt of Courts Act, 1971:

Objectives; Definition, Concept, Key Features of the Act; Contempt and its Heads; Exemptions Heads for Contempt created by Legislations and Courts; Complaint Against Presiding officers of Subordinate Courts when not contempt; Publication of Information Relating to Proceedings in Chambers or in Camera Not Contempt Except in Certain Cases; Other Defences Not Affected; Power of High Court to Punish Contempt's of Subordinate Courts;

UNIT - IV

Power of High Court to Try Offences Committed or Offenders Found Outside Jurisdiction; Punishment for Contempt of Court; Contempt's Not Punishable in Certain Cases; Procedure Where Contempt is in the face of the Supreme Court or a High Court; Criminal Contempt and Cognizance in Other Cases; Procedure After Cognizance; Hearing of Cases of Criminal Contempt; Appeals; Limitations; Non-applicability of the Act; Related Judicial Responses;

UNIT - V

Bar-Bench Relationship:

General Conception; Advocates Duty to the Court; Duty to the Client; Duty to the opponent; Duty to Colleagues; Duty in Imparting Training; Duty to render Legal Aid; Duty of Judge towards the Advocate; Duty of the Bar towards the Bench; Grounds of disputes in Bar-Bench Relations; Suggestions to Improve Bar-Bench Relations; Restrictions on Senior Advocates; Standards of Professional Conduct and Etiquette; Rules Relating to Advocates' Right to Take up Law Teaching.

LEADING CASES AND OPINION OF B.C.I.:

- 1) An Advocate v. Bar Council of India, 1989 Supp (2) SCC 25
- 2) Bal Thackery v. Harish Pimpa and Others (2005) 1 SCC 254E
- 3) Bhupinder Kumar Sharma v. Bar Assn., Pathankot, (2002) 1 SCC 470
- 4) D.P. Chadha v. Triyugi Narain Mishra, (2001) 2 SCC 221
- 5) D.S. Dalal v. State Bank of India and others. AIR 1993 S.C.1608
- 6) Ex-Capt. Harish Uppal v. Union of India, (2003) 2 SCC 45
- 7) In Re Arundhati Roy, AIR 2002 SC 1375
- 8) In Re Vinay Chandra Mishra, (1995) 2 SCC 584
- 9) Noratanmal Chaurasia v. M.R. Murli (2004) 5 SCC 689
- 10) SC Bar Association v. UOI, AIR 1998 SC 1895

SUGGESTED READINGS:

- Anirudh Prasad, Legal Education & the Ethics of Legal Profession of India, 1st Ed., University Book House Pvt Ltd, 2018.

- Ben W. Heineman, Jr., William F. Lee, David B. Wilkins, Lawyers as Professionals and as Citizens: Key Roles and Responsibilities in the 21st Century (2014) available at- https://clp.law.harvard.edu/assets/Professionalism-Project-Essay_11.20.14.pdf
- Conference Skills, Inns of Court School of Law, Oxford University Press, 2005
- Don Peters, The Joy of Lawyering, pp. 5-20, available at - <https://dullbonline.wordpress.com/2017/09/15/don-peters-the-joy-of-lawyering-clientinterviewing/>
- Francis L. Wellman, The Art of Cross Examination, available at- [http://www.delhihighcourt.nic.in/library/articles/the%20art%20of%20cross%20examination\[1\].pdf](http://www.delhihighcourt.nic.in/library/articles/the%20art%20of%20cross%20examination[1].pdf)
- G.C.V. Subba Rao, Commentary on Contempt of Courts Act, 1971 (2014)
- Geoffrey C. Hazard Jr., Responsibilities of Judges and Advocates in Civil and Common Law: Some Lingering Misconceptions Concerning Civil Lawsuits (2006), available at http://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=2091&context=faculty_scholarship
- Justice Mirza Hameedullah Beg, Role of the Bench and the Bar, available at <http://www.allahabadhighcourt.in/event/RoleoftheBenchandtheBarMHBeg.pdf>
- Krishnaswami Iyer's Professional Conduct and Advocacy (1945), available at- <https://archive.org/details/professionalcond029273mbp>
- Ranadhir Kumar De, Contempt of Court Law & Practice (2012) Wadhwa Book Company

MID SEMESTER TEST AND VIVA—VOCE EXAMINATION

Total - 30 marks

(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

Candidates shall prepare a project of 20 - 30 pages (Case Comment) on any Leading/Landmark Case Law allotted by the subject teacher following the Bluebook 19th or 20th Edition.

Viva-voce examination shall be conducted and evaluated on the basis of the project submitted by the candidate and his/her performance at the viva-voce examination by a Committee of three persons in which, there shall be Two Internal Examiners and One External Examiner. In case of discrepancy in the awards, the awards given by External Examiner shall be final and binding.

PAPER 10.5.

MOOT-COURT EXERCISE AND INTERNSHIP

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

OBJECTIVES OF THE COURSE:

This paper will have four Components:

- | | |
|---|----------|
| a) Moot Court | 30 Marks |
| b) Observance of Trial in Two Cases – One Civil and One Criminal | 20 Marks |
| c) Interviewing techniques and
Pre-Trial Preparations and Internship Diary | 30 Marks |
| d) Viva – Voce | 20 Marks |

OBJECTIVES OF THE COURSE :

This course consists of the activities / exercises of (a) Moot court exercises, (b) Observance of trials, and (c) Pre-trial preparations. The objectives of the course is to acquaint the students about – (a) court working and its procedure, (b) application substantive and procedural law to given facts, (c) court manners and discipline, (d) conversance with interview techniques and pre-trial preparations, (e) developing skills of arguments and presentation, and (f) learning skills of analysis and arrangement of facts.

- | | |
|---|----------|
| a) Moot Court: | 30 Marks |
| Every student will do at least Three Moot Courts in a Semester with Ten (10) Marks for each. The Moot Court work will be on Assigned Problems and it will be evaluated for Five (05) Marks for Written Submission and Five (05) Marks for Oral Advocacy. | |
| b) Observance of Trial in Two Cases – One Civil and One Criminal: | 20 Marks |
| Students will attend Two Trials in the course of the last semester of B.A.LL.B./BB.A.LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the Courts assignments. | |
| c) Interviewing Techniques and Pre-Trial Preparations and Internship Diary: | 30 Marks |
| Each student will observe two interviewing sessions of clients at the lawyers office – Legal Aid Office and Record the Proceedings in a Diary which will carry 10 Marks. Each Student will further observe the preparation of documents and court papers by the advocate and the procedure for the filing of the suit / petition. This will be recorded in the diary which will carry 10 marks. | |
| d) Viva – Voce: | 20 Marks |
| The fourth component of this paper will be viva voce examination on all the above three aspects. This will carry 20 Marks. | |

The viva voce examinations shall be conducted by a committee of three persons. In the committee there shall be two internal examiners and one external examiner the committee shall award marks on the basis of preparations of above three components and performance at the viva voce examinations. In case of discrepancy, the decision of the External Examiner shall be final and binding.

SUGGESTED READINGS:

- Abhinandan Malik, Moot Courts and Mooting, Eastern Book Company, 2017
- J. Hill, Practical Guide to Mooting, 1st Indian Reprint, Palgrave Macmillan, 2009
- Kailash Rai Moot Court (Pre-Trial Preparation and Participation in Trial Proceedings) 5th Ed. (Rep) Central Law Publications, 2019
- K. L. Bhatia, Moot Court and Mock Trial - Art to and Art of Advocacy: Essentials of Court Craft 2nd Ed. Universal Law Publishing, 2013
- K. Evans, Language of Advocacy, 1st Indian Reprint, Universal Law Publishing, 2000
- Nomita Aggarwal, A Beginner's Path to Moot Court, Universal Law Publishing, 2014