MAHARSHI DAYANAND UNIVERSITY
ROHTAK

SCHEME OF EXAMINATION AND SYLLABUS OF
LL.B.(Hons) 3 YEAR COURSE

SESSION 2017-2018
SCHEME OF EXAMINATION LL.B.(HONS) 3 YEAR COURSE 1ST SEMESTER 2017-18

<table>
<thead>
<tr>
<th>Name of Paper</th>
<th>Code No.</th>
<th>Written</th>
<th>Internal</th>
<th>Total Marks</th>
<th>Time</th>
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<tbody>
<tr>
<td>Law of Contract</td>
<td>501</td>
<td>80</td>
<td>20</td>
<td>100</td>
<td>3 Hrs.</td>
</tr>
<tr>
<td>Family Law-I</td>
<td>502</td>
<td>80</td>
<td>20</td>
<td>100</td>
<td>3 Hrs.</td>
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<tr>
<td>Law of Crimes-I</td>
<td>503</td>
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<tr>
<td>Constitutional Law-I</td>
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<tr>
<td>Law of Torts</td>
<td>505</td>
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<td>Professional Ethics</td>
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<tr>
<td>Company Law</td>
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700 marks

SCHEME OF EXAMINATION LL.B.(HONS) 3 YEAR COURSE 2ND SEMESTER 2017-18

<table>
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<tr>
<th>Name of Paper</th>
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<tr>
<td>Special Contracts</td>
<td>601</td>
<td>80</td>
<td>20</td>
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<tr>
<td>Family Law-II</td>
<td>602</td>
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<td>3 Hrs.</td>
</tr>
<tr>
<td>Constitutional Law-II</td>
<td>603</td>
<td>80</td>
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<tr>
<td>Public International Law</td>
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<tr>
<td>Right to Information Law</td>
<td>605</td>
<td>80</td>
<td>20</td>
<td>100</td>
<td>3 Hrs.</td>
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<tr>
<td>(including Media &amp; the Law)</td>
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<tr>
<td>Information Technology Law</td>
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<td>80</td>
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<td>(Cyber Law)</td>
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600 marks
### SCHEME OF EXAMINATION LL.B.(HONS) 3 YEAR COURSE 3RD SEMESTER 2018-19

<table>
<thead>
<tr>
<th>Name of Paper</th>
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<tr>
<td>Jurisprudence</td>
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<td>Law of Crimes-II</td>
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<tr>
<td>Administrative Law</td>
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<tr>
<td>Competition Law</td>
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<td>80</td>
<td>20</td>
<td>100</td>
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<tr>
<td>Principles of Taxation</td>
<td>705</td>
<td>80</td>
<td>20</td>
<td>100</td>
<td>3 Hrs.</td>
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<tr>
<td>Labour and Industrial Law-I</td>
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<td>20</td>
<td>100</td>
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<tr>
<td>Banking Law</td>
<td>707</td>
<td>80</td>
<td>20</td>
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<td>3 Hrs.</td>
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700 marks

### SCHEME OF EXAMINATION LL.B.(HONS) 3 YEAR COURSE 4TH SEMESTER 2018-19

<table>
<thead>
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<tr>
<td>Law of Evidence</td>
<td>801</td>
<td>80</td>
<td>20</td>
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<td>Environmental Law</td>
<td>802</td>
<td>80</td>
<td>20</td>
<td>100</td>
<td>3 Hrs.</td>
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<tr>
<td>Labour and Industrial Law-II</td>
<td>803</td>
<td>80</td>
<td>20</td>
<td>100</td>
<td>3 Hrs.</td>
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<tr>
<td>Property Law</td>
<td>804</td>
<td>80</td>
<td>20</td>
<td>100</td>
<td>3 Hrs.</td>
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<tr>
<td>Equity &amp; Trust</td>
<td>805</td>
<td>80</td>
<td>20</td>
<td>100</td>
<td>3 Hrs.</td>
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<tr>
<td>Penology &amp; Victimology</td>
<td>806</td>
<td>80</td>
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600 marks
### SCHEME OF EXAMINATION LL.B.(HONS) 3 YEAR COURSE 5TH SEMESTER 2019-20

<table>
<thead>
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<td>CPC Limitation</td>
<td>901</td>
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<td>20</td>
<td>100</td>
<td>3 Hrs.</td>
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<tr>
<td>Drafting, Pleading</td>
<td>902</td>
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<td>20</td>
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<td>Conveyance</td>
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<td>ADR</td>
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<td>Pvt. International Law</td>
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<td>Foreign Trade Law</td>
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<tr>
<td>Insurance Law</td>
<td>907</td>
<td>80</td>
<td>20</td>
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700 marks

### SCHEME OF EXAMINATION LL.B.(HONS) 3 YEAR COURSE 6TH SEMESTER 2019-20

<table>
<thead>
<tr>
<th>Name of Paper</th>
<th>Code</th>
<th>Written</th>
<th>Internal</th>
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<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Law, Tenancy &amp; Panchayats</td>
<td>1001</td>
<td>80</td>
<td>20</td>
<td>100</td>
<td>3 Hrs.</td>
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<tr>
<td>Intellectual Property Law</td>
<td>1002</td>
<td>80</td>
<td>20</td>
<td>100</td>
<td>3 Hrs.</td>
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<tr>
<td>Interpretation of Statutes</td>
<td>1003</td>
<td>80</td>
<td>20</td>
<td>100</td>
<td>3 Hrs.</td>
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<tr>
<td>Moots &amp; Internship</td>
<td>1004</td>
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<tr>
<td>Financial Market Regulations</td>
<td>1005</td>
<td>80</td>
<td>20</td>
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<tr>
<td>Animal Protection Law</td>
<td>1006</td>
<td>80</td>
<td>20</td>
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<td>3 Hrs.</td>
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600 marks

NOTE:
1. The internal assessment of 20 marks in each paper shall be as under:
   i) Assignment and Presentation 05 Marks
   ii) One Class Test 10 Marks
   iii) Discipline/conduct/Attendance/etc. 05 Marks
The schedule of class tests and presentation of the assignments etc. will be finalized by the Head of the Deptt./College/Institute in consultation with the teacher concerned and shall be notified to the students accordingly. However, internal assessment shall be made by the teacher teaching the subject. A student who fails to appear in the Class Test or present the assignment on the scheduled date due to some emergency, one more chance may be given to such student for appearing in the test or present the assignment as the case may be by the concerned Head of the Department/College/Institute.

2. The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each (without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law. However, the scheme of examination in respect of Paper Code 1004, LL.B.(Hons) Sixth Semester, ‘Moots and Internship’ will be different, as there is no theory examination and the paper is totally practical based. Concerned Class Teacher shall conduct this examination and maintain a comprehension record of the evaluation of students. The students shall also prepare in writing a complete record of the various activities carried out by them in connection with this paper in the Class Room/Examination/Court/Lawyer’s office/Legal Aid office etc. and the same shall be produced by them at the time of viva-voce examination. The viva-voce examination of this paper in case of affiliated colleges as well as UILMS, Gurgaon shall be conducted by an examiner from the Department of Law duly appointed by the Head of the Department of Law in this behalf. He will also finalize the award list in consultation with the internal examiner.

3. Every student will be declared successful on the basis of aggregate of theory and internal assessment.
LL.B.(Hons)-3 Year Course First Semester

Paper First

MM: 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective
The course aims at acquainting the students with the law and statutory rules relating to enforceable agreements and also puts those rules in their practical perspective. It also provides a basic understanding of the concept of contract as well as understanding of everyday commercial agreements. The course aims at providing extensive knowledge regarding the basis of contractual law to the students so that students do not face any difficulty while handling practical cases in future as an advocate.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Definition of Contract, Agreement, Offer, Acceptance and Consideration (Section-2), Communication and Revocation of Offer and Acceptance (Section 3-9), Essentials of Contract (Section 10), Competency to Contract (Section 11-12)
Leading Case: Lalman Shukla V. Gauri Dutt (1913) 11 ALL L.J. 489

UNIT-II
Free Consent, Consent by Coercion, Undue Influence, Fraud, misrepresentation and mistake (Section 14-22), Legality of object and consideration (section 23-24), Void Agreements (Section 25-30), Contingent Contracts (Section 31-36)
Leading Case: Mohori Bibee Vs. Dharmodar Ghose (1903) 30 I.A. 114 (PC)

UNIT-III
Contract which must be performed (Section 37-39), By whom contract must be performed(Section 40-45), Time and Place for performance of Contract (Section 46-50), Performance of Reciprocal Promises (Section 51-55), Discharge of Contract (Section 56-57), Certain Relations resembling to those created by Contract (Section 68-72)
Leading Case: Caltex (India) Ltd. V Bhagwani Devi, AIR 1969 SC 405
UNIT-IV
Breach of Contract (Section 73-75), Specific Performance of Contract under Specific Relief Act-1963 (Section 9-14), Persons for/against whom contracts may be specifically enforced (Section 15-19), Powers of the Court (Section 20-24), Rectification and cancellation of instruments (Section 26-33), Injunctions (Section 36-42)

Leading Case: Syed Dastagir Vs J.R. Gopalakrishna Setty, AIR 1999 SC 3029

BOOKS RECOMMENDED
- Ritu Gupta, *Law of Contract includes The Specific Relief Act, 1963*, (LexisNexis, New Delhi, 1st Ed. 2015)

Articles:
- McClain, *Contractual Limitation of Liability for Negligence*, 28 Harv. L. Rev. 550 (1915)

*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
- Hindu law refers to the code of laws applied to Hindus, Buddhists, Jains and Sikhs. It also refers to the legal theory, jurisprudence and philosophical reflections on the nature of law discovered in ancient and medieval era. It is one of the oldest known jurisprudences theories in the world.
- It gives us the base of the society i.e. family. It deals with different families' positions, traditions, rights and duties, family problems and legal solutions to them which directly relate to the society. It also deals with the legal pluralism- the notion that religion is the basic need of the society and different religions must have different legal rights and obligations.
- The main objective of the subject is to resolve the socio-legal disputes arising in the society regarding marriage, divorce, property rights, partition, succession, maintenance, guardianship, adoption etc. It also sensitizes the students about Hindu society for their legal rights and duties.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I

Leading Case: Harihar Prasad V Balmika Prasad AIR 1975 SC 733
K.S. Subhiah Pillai V Commissioner of IT AIR 1999 SC 1220
UNIT-II
Leading Case: Kailishwati V Ayudhia Parkash AIR 1977 PLR 216

UNIT-III
The Hindu Succession Act, 1956, Effects of the Hindu (Succession) Amendment, 2005, Rules of Succession to the Property of Hindu Male, Succession to the Property of Hindu Female, Succession to the Mitakshara Coparcener’s Interest, General Rules of Succession, Partition, Subject Matter of Partition, Persons who have a Right to Partition & Right to Share, Persons who are entitled to Share, if, Partition takes place, Modes of Partition, How Partition is effected, Partial Partition, Reopening of Partition, Re-Union.

Leading Case: Raghuvamma V Chenchamma AIR 1964 SC 136
Commissioner of Income Tax V Chandersen, AIR 1986 SC 1753

UNIT-IV
The Hindu Minority and Guardianship Act, 1956, Concept of Minority and Guardianship, Natural Guardians and their Powers, Testamentary Guardian: Appointment and Powers, Certified Guardian, Defecto Guardian, Guardian By Affinity, The Hindu Adoption & Maintenance Act, 1956, Nature of Adoption, Essential Conditions for Valid Adoption, Effects of Adoption, Registration of Adoption, Maintenance As Personal Obligation, Maintenance of Dependents, Quantum of Maintenance, Maintenance As a Charge on Property
Leading Cases: G. Appaswami Chettiar V R.Sarangapani AIR 1978 SC 1051
Githa Hariharan V Reserve Bank of India(1999)2 SCC 228

BOOKS RECOMMENDED
- Ranganath Misra, Mayne’s Treatise on Hindu Law & Usage (16th ed., 2008)
- Tahir Mohammad. Introduction to Hindu Law. (1st Ed. 2014)

*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objectives:
The course is designed to understand the meaning of crime, methods to controlling them and a study of range of offences under Indian Penal Code.

NOTE FOR STUDENTS (ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Nature and Definition of Crime, State’s Power to determine acts or omissions as crime, Distinction between crime and other wrongs, Salient features of Indian Penal Code, Constituent elements of Crime: Human Being, actus reus, mens rea, injury and Punishment, General Explanations (Section 6-52 A), Punishments (Section 53-75), Exceptions (Section 76-106), Abetment (Section 107-120), Criminal conspiracy (Section 120 A & B)
Leading Case: Nalini V State 1999 Cr. L.J. 3124

UNIT-II
Offences against the State (Section 121-130), Offences against the Public Tranquility (Section 141-160), Offences by or Relating to Public Servants (Section 166-171), Contempts of the Lawful authority of Public Servants (Section 172-190), False Evidence and offences against Public Justice (Section 191-229), Offences affecting the Public Health and Safety (Section 268-282)
Leading Case: State of Karnataka V Gangadharaiyah, 1997, Cr. L.J. 4068 (SC)

UNIT-III
Offences affecting the Human Body (Section 299-377), Offences against Property (Section 378-462)
UNIT-IV
Offences relating to documents (Section 463-471), Offences relating to marriage (Section 493-498), Cruelty by Husband or Relatives of Husband Section-498 –A, Defamation (Section 499-502), Criminal intimidation, insult and annoyance (Section 503-510), Attempt to commit offences (section 511)
Leading cases: State of UP V Ranjit Singh AIR 1999 SC 1201

BOOKS RECOMMENDED


*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
The paper provides an opportunity to the students to understand the concept of federalism. Detailed instruction in respect of Preamble, Citizenship, Fundamental Rights, Directive Principles of State Policy, Fundamental Duties as well as relationship between Fundamental Rights and Directive Principles, are imparted to the students so as to enable them to have a comprehensive knowledge about the above mentioned contents of the Constitutional Law of India which is the basic Law of land.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Preamble, Citizenship, Definition of State Under Art. 12. Rules of Interpretation under Art. 13
Leading Case: Mohmmad Raza V State of Bombay AIR 1966 , SC 1436

UNIT-II
Leading Case: Indira Sawhney v Union of India, AIR 1993, SC 477

UNIT-III
Leading Cases:Maneka Gandhi v Union of India, AIR 1978, SC 597
UNIT-IV
Leading Case: T.M.A. Pai Foundation V State Karanataka AIR 2003 SC 355

BOOKS RECOMMENDED

- Pylee, M.V. *Constitutional Amendments in India* (Delhi, Universal Law, 2003)

*Students are advised to study latest edition of the books and case laws.*
B.A. LL.B.(HONS.) 5 YEAR COURSE FIFTH SEMESTER  
(Common with LL.B.(Hons) 3 Year Course First Semester)  
Law of Torts CODE NO.505 (2017-18)  

Paper Fifth  

MM: 80  
Time: 3 hours  

NOTE FOR EXAMINER/PAPER SETTER  
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.  

Learning Objective:  
The most obvious object of Law of Tort is to provide a channel for compensating victims of injury and loss. Tort is the means whereby issue of liability can be decided and compensation assessed and awarded. The students are apprised about the various kinds of torts and liabilities as well as the civil wrongs relating to Trespass to Land and Goods, Nuisance, Defamation, Assault & Battery. Moreover, the students are also taught the important feature of the Consumer Protection Act, 1986.  

NOTE FOR STUDENTS( ON QUESTION PAPER)  
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.  

UNIT-I  
Nature & Definition of Tort, Motive, Capacity, Joint Tortfeasors, General defences, Remedies (including remedies under MV Act 1989).  
Leading Case: Ashby V White (1703) 2 Lord Raym 936  

UNIT-II  
Vicarious liability, Remoteness of Damage, Extinction of liability, Strict liability and Absolute liability, Negligence, Nervous shock  
Leading Cases: Kasturi Lal V State of UP, AIR 1965, SC 1039  

UNIT-III  
Trespass to land and goods, Detinue and Conversion, Nuisance, Defamation, Conspiracy, Assault & Battery, False imprisonment, Malicious prosecution  

UNIT-IV

**Leading Cases:-**

i) IMA V V.P. Shantha AIR 1996, SC 550  
ii) Spring Meadows Hospital V Harjot Ahluwalia 1998(2) SCALE 456(SC)

**BOOKS RECOMMENDED**

- Ramaswamy Iyer’s. *The Law of Torts* (Lexis-Nexis, 10th Ed. 2007)  

*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
To explain the students about the importance of ethics in Legal profession, various qualities of advocates, various skills to maintain Bench Bar relation, role of BCI and State Bar Council and various types of contempt of Court as well as leading cases on professional misconduct.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Background to Legal Profession in India
Meaning and Necessity of Professional Ethics
Standards of Professional Conduct and Etiquette
Cases: (1) Re Vinay Chandra Mishra, AIR 1995 SC 2348.
(2) Supreme Court Bar Association v. Union of India, AIR 1998 SC 1895.

UNIT-II
Status and Virtues of an Advocate
Qualifications and Disqualification for Enrolment
Qualities of an Advocate
Right and Various Duties of Advocate
Bench-Bar Relation

UNIT-III
Establishment of Bar Council of India
Functions and Powers of Bar Council
Establishment of State Bar Councils
Functions and Powers of State Bar Councils
UNIT-IV
Meaning and Scope of Professional and other Misconducts
Background to Law of Contempt
Categories of Contempt of Courts
Contempt by Lawyers and Judges
Powers of State Bar Council to Punish for Professional and other Misconduct
Powers of High Court to Punish Contempt of Subordinate Courts

Cases: (1) DC Saxena v. Chief Justice of India, AIR 1996 SC 2481.
(2) MB Sanghi v. Punjab and Haryana High Court, AIR 1991 SC 1834.

Books Recommended:
3. Dr. Sirohi, Professional Ethics, Accountancy for Lawyers & Bench Bar Relations (Latest Ed. 2010)

*Students are advised to study latest edition of the books and case laws.
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
To introduce students to the economic function of the company as a legal structure for business, its advantages and disadvantages compared to other structures available such as the partnership and the Limited Liability Partnership, and in particular to the company's limited liability. To explain the legal nature and significance of limited liability and the price which those using a company as a business structure are required to pay for it. To provide students with knowledge and appreciation of the major core topics in Company Law including the legal nature of the company as a business structure, the legal implications of separate corporate personality including limited liability, the validity of contracts made with companies, the role of the board of directors and their legal duties as directors and the legal protection of shareholders. Moreover, the legal basis of the control exercised by a company's board of directors over a company's management and affairs, the legal limitations and constraints on this control and the effectiveness of these limitations and constraints in practice are also critical analysed in the class room instructions to train the student.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Leading Case: Bennett Colemn & Com. Vs Union of India, AIR 1973 SC 106

UNIT-II
Memorandum of association, various clauses, alteration therein, Doctrine of Ultravires, Articles of Association, binding force, alteration, its relation with memorandum of association, Doctrine of Constructive notice, Doctrine of Indoor management and its exceptions, Meeting-meaning, kinds, resolutions, quorum and voting
Leading Case: Ashbury Railway Carriage and Iron Co. Ltd.Vs Riche, (1875) 44 LJ-185
UNIT-III
Directors: position, appointment, qualification, vacation of office, Removal, Resignation, Powers and duties of Directors remuneration of directors, Role of nominee directors, Compensation for loss of office, Managing Director and other managerial personnel, Secretary: definition, qualification, position, appointment duties and qualities, Auditor, qualification, disqualification, appointment, tenure, Re-appointment and removal of an auditor

UNIT-IV
Majority rules and minority protection, Prevention of Oppression and mis-management, Winding up: types, grounds, who can apply, procedure, Powers of Liquidator, consequences of winding up order, Members and Creditors winding up, Liability of past members-payment of Preferential payment, Winding up of unregistered company, Receiver: power, appointment, duties and liabilities

Leading cases: i) Foss Vs Harbottle(1843) 2 Hare 461
ii) Kedia Industries Ltd. Vs Star Chemical Ltd. (1999) 98 Co. Cases 233

BOOKS RECOMMENDED
- A.K. Majumdar, *Company Law and Practice*, (Taxman’s 18th Ed. 2013)
- Dr. N.D. Kapoor. *Company Law* (Latest Ed.)
- Pennington. *Principles of Company Law* (Latest Ed.)
- Dr. L.C. Dhingra. *Principles of Company Law* (Latest Ed.)

*Students are advised to study latest edition of the books and case laws.*
LL.B.(Hons.) 3 Year Course Second Semester
Special Contract CODE NO.601 (2017-18)

Paper First

MM: 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
Law of contract is the most important branch of mercantile law. It determines the circumstances under which promises made by the contracting parties shall be legally binding on them. The study of Contract Act is very essential for the advocates especially who deals or want to deal the cases relating to trade and commerce. The paper also covers the law relating to special contracts covered by the Sale of Goods Act, Agency, Indemnity, Guarantee, Partnership etc.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I

UNIT-II

UNIT-III
Partnership Act: Definition of partnership, Partner and firm, Essential elements for constituting a partnership, Kinds of Partnership, Partnership and joint Hindu family business, Partnership and company, General duties of partners, Duty of a partner as an agent, Minor’s status in a partnership Firm, Doctrine of holding out, Meaning and modes of Dissolution of firm, Rights and liabilities of a partner after dissolution, Settlement of accounts, Procedure of Registration of firms.
UNIT-IV
Sale of Goods Act: Procedure of Registration of Firms, Effects of non-registration, Contract of Sale, Sale and agreement to sell, Concept of Goods, Definition of conditions and warranties, Implied condition of warranty, When conditions are treated as warranty, Caveat emptor and caveat vanditor, Ascertainment of goods-unascertained goods, Risk attached to property, Nemo dat quad non habet, Sale by person not the owner, Duties of Seller and Buyer, Definition of unpaid seller and his rights, Lien, Stoppages in transit, Resale
Leading cases:
  i) Bank of Bihar V Damodar Prasad AIR 1969 SC
  ii) Sales Jing Sugar Mills Ltd. V State of Mysore, (1972) 1 SCC 23
  iii) TCS V State of A.P., AIR 2005 SC371
  iv) R.D. Saxena V Balram Prasad Sharma, AIR 2000 SC 2912
  v) State of Maharshtra V Britanica Biscuits Co. Ltd., 1995 Supp.(2)SCC72

BOOKS RECOMMENDED

Articles:
- Barry, *The Children Ev Ventre Sa Mere*, 14 Aus L J 351 (1941)

*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
- The subject gives us an overview of Muslim law in its historical and evolutional perspective. It includes a critical analysis of the legal history, jurisprudential development, and the schools of Muslim law, classical and modern theories, evolution of the law up to the present and its contemporary applications.
- It comprehensively covers the law of marriage, dissolution of marriages, guardianship, talaq, maintenance, paternity and the concept of legitimacy among Muslim. It also deals with debts and bequest (wasiyat), hiba (gift) and Muslim law of inheritance. It also covers the family courts, the civil Marriage Law, the Special Marriage Act etc.
- The main objective of the subject is to sensitize the students about the Islamic society, their legal rights and duties.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Status and Scope of Muslim Law in India, Statutory Application of Muslim Law including the Muslim Personal Law (Shariat) Application Act, 1937; Sources of Muslim Law and their position in India: Classical and Modern; Sects and Schools of Muslims in India, Muslim Marriage(Nikah), its legal requirements including all forms of Marriage and Legal impediments thereon, Effects of marriage

UNIT-II
Marital Rights, including dower and its Characteristics and Enforcement; Special terms and conditions in marriage and their enforcement; Post Marriage Conversion to Islam; and Post
Marriage renunciation of Islam, Divorce and its Policy in Islam and Forms of divorce in Muslim Law of India, including divorce by wife outside and through courts under the Dissolution of Muslim Marriages Act, 1939, Post-Divorce Rights of parties including iddat period, remarriage, maintenance including the Muslim Women(Protection of Rights on Divorce) Act, 1986 and Maintenance of Wife and Widow under Ss 125-128 Cr.P.C., 1973

UNIT-III

Surviving Spouse, his or her right to inherit; deceased wife’s dower, widow’s lien/wise’s right to retain, rights of deceased husband’s heirs, transferability and inheritability of dower, Parent Child relations including acknowledgement of paternity and concept of Legitimacy; Concept of Minority and puberty including guardianship and custody of minor’s person and/or property; Parents maintenance under Muslim Law and Cr.P.C. (Ss 125-128), Disposition of property including gifts(hiba), debts and bequests(wasiyat); revocation and lapse of legacies, bequest to heirs, and bequeathable third and death-bed transactions, Muslim Law of inheritance including Women’s right to inherit and disqualification of heirs; Muslim Law on Increase and return, Muslim Law relating to wakfs and their administration including the Wakf Act, 1995.

Leading Case:

i) Begum Subhanu V Abdul Ghafoor AIR 1987 SC 1103
ii) Kapore Chand V Kidar Nissa AIR 1953 SC 413
iii) Syed Sabir Husain V Farzand Hasan AIR 1938 PC 80
iv) Maina Bibi V Ch.Vakil Ahmad (1924) 52 1A 145

UNIT-IV

Salient Features of the Family Courts Act 1984 including their composition, jurisdiction and procedure of adjudication, Civil Marriage Law, especially the Special Marriage Act, 1954 including essential requirements for solemnization and/or registration of marriage and consequences of Marriage under the Act as mended upto date, Relevant provisions of the Indian Succession Act, 1925 pertaining to wills and legacies including probate and letters of administration

Leading Case

i) Lily Thomas V Union of India (2000) 6 SCC 224
ii) Sarla Mudgal V Union of India AIR 1995 SC 1531
iii) Gurdial Kaur V Mangal Singh AIR 1968 P& H 396

BOOKS RECOMMENDED

- Tahir Mohmmad. Introduction to Muslim Law (Universal Law Publisher, 2nd Ed. 2014)
- Paras Diwan. Muslim Law in India. (Allahabad Agency, Reprint 2017)
- Tahir Mohmmad. Muslim Law in India and Abroad (Universal Law Publisher, 2nd Ed. 2016)

*Students are advised to study latest edition of the books and case laws.
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
The paper is mainly based on the structural aspects of various organs of the ‘State’ like Union and State Executive, Union and State Judiciary, Union Parliament and State Legislatures etc. The students are also given the detailed and comprehensive information regarding Centre State Relation, Freedom of Trade and Commerce, Right to Property Constitutional Protection to Civil Services, Emergency Provisions, and Amendment etc. The paper is very helpful in understanding the functioning of the government as well as inter-relationship among various organs of the Government and separation of Power thereof.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
An Introduction to Parliament and State Legislature, An introduction to Union and State Executive, Position and Powers of President and Governor, Power to pardon and ordinance making power of President and Governor.
Leading Case: Kehar Singh & Others V Union of India, AIR 1989 SC 653

UNIT-II

Parliamentary privileges, Judiciary Jurisdiction of Supreme Court and High Court, Independence of Judiciary
Leading Case: In Re Keshav Singh (Art.143) AIR 1965, SC 745

UNIT-III

Relations between Union and the States, Freedom of Trade, Commerce and Intercourse within the territory of India, Right of Property
Leading Case: Automobiles Transport Ltd. v State of Rajasthan AIR 1962
UNIT-IV

Amendment of the Constitution, Theory of basic structure of Constitution, Emergency provisions, Protection to civil servants.

Leading Case: Keshwananad Bharti v State of Kerala, AIR 18975, SC 1461

BOOKS RECOMMENDED

- Pylee, M.V. *Constitutional Amendments in India* (Delhi, Universal Law, 2003)

*Students are advised to study latest edition of the books and case laws.*
LL.B.(Hons.) 3 Year Course Second Semester
Public International Law CODE NO.604 (2017-18)

Paper Fourth

MM: 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each (without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

OBJECT OF THE PAPER:
To apprise the students about the similarities and difference between Municipal law and International Law, various sources, explanation of the term State including types of states, recognition of state, extradition, asylum, diplomatic agents, Amicable and Coercive modes of settlement of disputes, War, Blockade, evolution of Human Rights and its National and International perspective.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Definition, Nature and Sanctions of International Law, Relationship between International Law and Municipal Law, Sources and subjects of International Law including position of individual

UNIT-II
State Territory, State Jurisdiction, Recognition of States and Governments, Acquisition and loss of State Territory, State Succession, Extradition, Asylum, Settlement of Disputes
Leading Case: Zamora Case (1916) 2 AC 77

UNIT-III
Nature, Definition and Effects of War, Belligerent Occupation, War Crimes, Contraband, Blockade, Prize Counts, Enemy Character, Rules of Warfare
Leading Case: i) Daimler Co. Ltd. V Continental Tyre and Rubber Co. Ltd (1916) 2 AC 307
ii) Columbian Peruvian Asylum Case ICJ Report (1951) 71
iii) Haile Selassi Vs Cable and Wireless Co. Ltd. (1939) CH 12
UNIT-IV

BOOKS RECOMMENDED

- *Starke’s International Law* (Oxford University Press Butterworth & Co. publisher Ltd. 11th Ed. 2013)
- Aggarwal, H.O. *Public International Law and Human Rights* (Central Law Publications Ed. 2012)
- Kappor, S.K. *International Law* (Central Law Publications 2013)
- Harris, D.J. *Cases and Material on International Law* (Sweet & Maxwell Ed. 2013)
- Greig, DW. *International Law* (Butterworths and Co. (Publishers) Ed. 2007)

*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objectives:
- To give knowledge about provisions of the Act – How Right to Information Law is bringing transparency and accountability in the working of the government.
- To study the role of judiciary on RTI and also about Media & Law.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I INTRODUCTION
1. Meaning and Scope of Right to Information
2. Historical Background
   - Indian Perspective
   - Global Perspective
3. Media Access to Official Information
4. Right to Information and Human Rights Violations
5. Right to Information different from Right to Obtain Information
6. Basic Elements of Right to Information Law
7. Factors Restricting Free Flow of Information

UNIT-II: THE RIGHT TO INFORMATION ACT, 2005
1. Preliminary(Section 1 to 2)
2. The Central Information Commission (Section 12 to 14)
3. Right to Information and Obligations of Public Authorities(Section 3 to 11)
4. The State Information Commission(Section 15 to 17)
5. Powers & Function of the Information Commission, appeals & penalties (Section 18 to 20)
6. Miscellaneous (Section 21 to 31)

Leading Cases:
i) M.P. Varghese V Mahatma Gandhi University, AIR 2007 Ker. 230
ii) L.K. Koolwal V State of Rajasthan, AIR 1998 Raj 2
UNIT-III JUDICIA ON RIGHT TO INFORMATION
1. Free flow of Information for Public Record
2. Right to information: Fundamental Right
3. Disclosure of Information
4. Right to Know
5. Right to Acquire & Disseminate Information
6. Direction on Voter’s Right to Information
7. Right to Information and Community Participation
8. Third Party Information
9. Public Authority under Art. 12 of the Indian Constitution

Leading Cases:
   i) Indira Jaising V Registrar General Supreme Court of India (2003) 5 SCC 494
   ii) People;s Union for Civil Liberties V Union of India AIR 2004 SC 1442
   iii) S.P. Gupta V Union of India, AIR 1982 SC 149

UNIT-IV MEDIA & LAW
1. Legal Dimension of Media
   . Media & Criminal Law (Defamation/obscenity/Sedition)
   . Media & Tort Law (Defamation and Negligence)
   . Media and Legislature-Privileges of the Legislature
   . Media and Executive-Official Secrets Act,
   . Media & Judiciary-contempt of Court
   . Media and Human Rights
2. Media in Constitutional Framework:
   . Freedom of Expression in Indian Constitution
   . Interpretation of Media Freedom
   . Issues of Privacy
   . Pre-Trial by Media and Free Expression

RECOMMENDED BOOKS
• J.N. Barowalia, Commentary on the Right to Information Act (University Law Publication, Delhi, Ed. 2016)
• P.K. Das, Hand Book on the Right to Information Act (Universal Law Publication, Delhi, Ed. 2016)
• N.V. Paranjape, Right to Information Law in India (Lexis Nexis, Ed. 2014).

*Students are advised to study latest edition of the books and case laws.*
Learning Objective:

Both the personal and professional worlds are extremely dependent today on the Cyber World. The world is increasingly dependent on networked information and communication technologies (ICT). However, with growing dependency, new threats to network and information security have emerged and there is ever-growing vulnerability to Cyber Crime. This is also true for India where the number of internet users is growing rapidly and where ICT are of crucial importance for its economy. Thus, an effort to spread awareness of Cyber Security is the need of the hour and particularly among the law fraternity as these are the persons who have to handle the cases of cyber crime. Lawyers, Police, Govt. Officers, Law students and the NGO’s must know about the details of the Information Technology and also the regulatory framework for the control of Cyber crimes as they are in contact with the public at large and provide remedial measures for the public problems.

NOTE FOR STUDENTS( ON QUESTION PAPER)

Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I INTRODUCTION

1. Basic concept of Technology and Law
   - Understanding the Technology
   - Scope of Cyber Laws
   - Cyber Jurisprudence
2. Understanding Electronic Contracts
   - The Indian Law of Contract
   - Types of Electronic Contracts
   - Construction of Electronic Contracts

UNIT-II: IPR IN CYBER SPACE

1. Copyright in Information Technology:
   - Copyright in internet
   - Software Piracy
   - Multimedia and copyright issues
2. Patents
   . Indian position on computer related patents
   . International context of patents
3. Trademarks
   . Trade mark Law in India
   . Infringement and passing off

UNIT-III: INFORMATION TECHNOLOGY ACT 2000
   . Digital Signature
   . E-Governance
   . Regulation of Certifying Authorities
   . Duties of Subscribers
   . Penalties and Adjudication
   . Offences under the Act
   . Making of Rules and Regulation

UNIT-IV: CYBER CRIMES
1. Understanding Cyber Crimes
   . Crime in context of Internet
   . Types of Crime in Internet
2. Indian Penal Law & Cyber Crimes
   . Fraud
   . Hacking
   . Mischief
   . Tresspass
   . Defamation
   . Stalking
   . Spam
3. Issues of Internet Governance
   . Freedom of Expression in Internet
   . Issues of Censorship
   . Hate Speech
   . Sedition
   . Libel
   . Subversion
   . Privacy Issues
   . International position on Free Speech in Internet

BOOKS RECOMMENDED
- Gerold R. Ferres, *Cyber Law(Text & Cases)*, (Sage Publication Lexis Nexis, Gurgaon 3rd Ed. 2007,)

*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective
It include sources of Law, Administration of Justice, Law and Morality, Schools of Jurisprudence, Legal Rights and Duties, Ownership and Possessions, Legal Personality, Obligation and Liability etc. Further, the students are also apprised about the nature and concept of Comparative law and Utility of Comparative Law in Global and Indian context. The subject is very important for Law Students as it helps in understanding the evolution and nature of Law and the fundamental functions of Law from different perspectives. Moreover, the students are also exposed to the information relating to functioning of various legal system and their comparative studies. This helps in making laws and tackling socio-legal problems prevalent in our country by studying the remedial measures applied in other countries to deal with the socio-legal problem in India.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Concept, nature and province/scope of Jurisprudence, distinction between jurisprudence and legal theory, concept and sources of Law and its role in society, Custom as a Source of Law, Judicial precedent or Stare decisis and Legislation as a modern source of Law; Administration of Justice; Relation of Law and Morality

UNIT-II
Various Schools of Jurisprudence: Historical School of Law and Jurisprudence, Hindu concept of Law and Jurisprudence, Islamic concept of law and jurisprudence, Philosophical school of Law and jurisprudence, Theory of Natural Law and jurisprudence, Theory of Analytical Positivism and Analytical school of law and Jurisprudence: Imperative theory of Law, Pure theory of Law, Sociological School of Law and Jurisprudence, Realist School or Functional School of Jurisprudence, Synthetic School of Jurisprudence and Indian Law
UNIT-III

Elements of Law and Jurisprudence: Legal Rights and Duties, Ownership and Possession; Title, Concept of Person and Nature of Legal Personality, Corporate Personality, Corporation Sole, Concept of Property, Obligation and Liability

UNIT-IV

Definition/concept, Nature and Scope of Comparative Law, Historical Development of Comparative Law and Utility of Comparative Law in Global and Indian context

BOOKS RECOMMENDED

- Granville Austin, *Indian Constitution*, (The Cornerstone of a Nation, New Delhi, Oxford University Press, Ed. 2007)

*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each (without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objectives:
Of all the branches of law, criminal law is the most important branch of law, because it closely touches and concerns man in his day-to-day affairs. The Criminal Procedure is an inseparable part of the penal law. Without the Criminal procedure code, the substantive criminal law will become worthless and meaningless. Our law of criminal procedure is mainly contained in the Code of Criminal Procedure 1973. It provides the machinery for the detection of crime, apprehension of suspected criminals, collection of evidence, determination of the guilt or innocence of the suspected person and the imposition of suitable punishment on the guilty person. With this perspective this subject is designed to make the student understand how the Criminal Procedure Code controls and regulates the working of the machinery set up for the investigation and trial of offence.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Constitution of Criminal Courts and Offices (Section 6-25), Power of Courts (Section 26-35), Power of Superior Officers of Police (Section-36), Arrest of Persons (Section 41-60), Difference between Summons and Warrant, Difference between cognizable and non-cognizable offences, Rules regarding Proclamation and attachment(Section 82-86), Difference between Bailable and non-bailable offence, Difference between compoundable and non-compoundable offences
Leading Case: Sunil Batra V Delhi Administration, AIR 1978 SC 1675

UNIT-II
Provisions as to Bail and Bonds (Section 436-450), Order for maintenance of wives, children and parents (Section 125-128), Information to the Police and their powers to Investigate (Section 154-176), Jurisdiction of Criminal Courts in Inquiries and Trials (Section 177-189), Complaints to Magistrates and commencement of Proceedings Before Magistrates (Section 200-210)
UNIT-III
The Charge (Section 211-224), Trial Before a Court of Session (Section 225-237), Trial of Warrant cases by Magistrates(Section 238-250), Trial of Summons Cases by Magistrate (Section 251-259), Summary Trials (Section 260-265), Plea Bargaining (Section 265-A, 265-L), Pleas of Autrefois Acquit and Autrefois Convict (Section 300), The Juvenile Justice (Care and Protection of Children) Act 2015 Section (1-55)

UNIT-IV
The Judgement (Section 353-365), Submission of Death Sentence for confirmation Section (366-371), Appeals (Section 372-394), Reference and Revision (Section 395-405), Transfer of criminal Cases (Section 406-412), Limitation for taking cognizance of Certain Offences (Section 467-473), The Probation of Offender Act 1958, Section (1-5 and 12-14)
Leading Cases: Bachan Singh V State of Punjab, AIR 1980 SC 898

BOOKS RECOMMENDED
- C. K. Thakker ‘Takwani’ & M.C. Thakker, Criminal Procedure (Lexis Nexis, New Delhi, 4th Ed. 2014)
- K. N. Chandrasekhar Pillai, Criminal Procedure (Eastern Book Company, Lucknow, 16th Ed. 2016)

Law Commission Reports
- Fourteenth Report of the Law commission of India on the Reform of Judicial Administration

*Students are advised to study latest edition of the books and case laws.*
Administrative Law is very important in democratic form of government. The emphasis of Administrative Law is on procedures for formal adjudication based on the principles of Natural Justice and for rule making. The primary objective of Administrative Law is to ensure legal control of the administrative power and to provide protection to the citizens against the abuse of such power.

Learning Objective:

NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

UNIT-1
Meaning, Nature and Scope of Administrative Law: its reasons for growth and relation with constitution; Doctrine of Rule of Law and Separation of Power; Administrative functions: its distinction from Judicial, Quasi Judicial and Legislative Functions; Delegated Legislation: its meaning, necessity, scope and its control i.e Judicial and Legislative control: Excessive delegation, Permissible and impermissible Delegation, conditional and Sub-delegation
Leading Case: Indira Nehru Gandhi vs Raj Narain AIR 1975 SC2299

UNIT-II
Leading Cases: L.Chandra Kumar vs Union of India and others, AIR 1997 SC 1125
UNIT-III


Leading Case: Transport Corporation Vs DTC Mazdoor Congress AIR 1991 SC 101

UNIT-IV


LEADING CASES: Ramakrishna Hegde Vs State AIR 1993 KNT-54

BOOKS RECOMMENDED


*Students are advised to study latest edition of the books and case laws.
Learning Objective:

The key objectives of competition law are welfare, efficiency, and free and fair competition. There are distributive dimensions in competition law that are related to different notions of welfare. An important function of competition law is to prevent private restrictive business practices and public policies that may unnecessarily impede the redeployment of scarce resources from lower- to higher valued uses.

NOTE FOR STUDENTS (ON QUESTION PAPER)

Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I: COMPETITION ACT 2002

Background, Prohibitions, Competition Commission of India, Competition Advocacy

UNIT-II: CORPORATE FINANCE & REGULATORY FRAMEWORK


UNIT-III: REGULATORY FRAMEWORK FOR FOREIGN TRADE, MULTINATIONAL COMPANIES

Foreign Trade (Development Regulation) Act, 1992

UNIT-IV: FOREIGN EXCHANGE MANAGEMENT ACT, 1999

Background, Policies, Authorities
BOOKS RECOMMENDED
- Pardeep S. Mehta, *Competition and Regulation in India*, (CUTS International, 2011)
- V.A. Avadhani. *SEBI guidelines and listing of Companies* (Himalaya Publishing House, Latest Ed.)
- Bal Krishan Marta. *Security Market in India* (Latest Ed.)
- Dr. Chandrate, Dr. S.D. Irrani. *Capital Issues SEBI & Listing* (Latest Ed.)
- R.P. Hooda. *Indian Securities Market* (Latest Ed.)
- B.L. Mathur. *Indian Capital Market Challenges and Responses* (Latest Ed.)
- Ravi Puliani and Mahesh Puliani. *SEBI Manual* (Latest Ed.)
- Competition Act 2002
- Security Contracts(Regulation) Act 1956
- SEBI Act 1992
- Depositaries Act 1996
- Foreign Trade (Development & Regulation) Act, 1992
- FEMA 1999

*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
Taxation is a general law made by governments to collect revenue from people and organizations. A tax formula contains at least three elements: the definition of the base, the rate structure, and the identification of the legal taxpayer. The base multiplied by the appropriate rate gives a product, called the tax liability, which is the legal obligation that the taxpayer must meet at specified dates. A tax is identified by the characteristics of its base, such as income in the case of an income tax. The paper is helpful to the students in understanding the theoretical as well as practical aspects of Taxation Policy of the Government.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I INCOME TAX ACT; 1961

(i) Definition: Income-Meaning, Concept, Application and Diversion of Income, Agricultural Income, Assesssee, Assessment year and Previous Year, Residential Status and Tax Liability of Assesssee
(ii) Distinction between Capital Receipt and Revenue Receipt; Capital Expenditure and revenue
(iii) Heads of Income
   (a) Salary
   (b) Income from house property
   (c) Capital gains

Leading Case: i) CIT V Raja Benoy Kumar Sahars Roy (1957) 32 ITR 466 (SC)
   ii) Pradeep J. Mehta V CIT; (2002) 256 ITR 647 (Guj.)

UNIT-II

(i) Income of other persons included in Assesssee’s Total Income
(ii) Set out and Carry Forward of Losses
(iii) Assessment Procedure
(iv) Rectification of Mistakes

UNIT-III

(i) Deductions under Section 80 C, 80 D, 80 CCE, 80 G, 80 U
(ii) Appeal, Reference and Revision
(iii) Penalties (Section 271 to 275)
(iv) Income Tax Authorities

UNIT-IV

(i) Liability in Special Cases (Sec 159-181)
(ii) Rebate of Income Tax (Sec 87-88)
(iii) Relief from Income Tax (Sec 89)
(iv) Double Taxation Relief (Sec 90-91)
(v) Collection, Recovery and Refund (Sec 190 to 234 and Sec 237-245)

BOOKS RECOMMENDED


*Students are advised to study latest edition of the books and case laws.*
LL.B.(Hons.) 3 Year Course Third Semester
Labour and Industrial Law-I CODE NO.706 (2017-18)

PAPER SIXTH

NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
To apprise the students with application of various laws for the raising of living standards of labourers and peaceful of resolution of Industrial Disputes. In this regard the functions of Labour Court, Strike, Lockout, Role of Trade Unions and the Factories Act etc are explained in detail.

NOTE FOR STUDENTS (ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I: THE INDUSTRIAL DISPUTE ACT 1947
Object and main features of the Act. Definitions: Appropriate Government, Employer, Industry, Industrial Dispute, Workmen, Public Utility Service, Industrial Establishment or Undertaking, Authorities under the Act (Section 3-9 and 11-15), Notice of Change (Section 9-A), Reference of Disputes to Boards, Court and Tribunal (section 10), Voluntary Reference of Disputes to Arbitration (section 10-A), Power of Labour Court and Tribunal to give relief in case of Discharge or Dismissal of Workmen (section 11-A), Awards and Settlements (section, 16-21)
Leading Case: Bangalore Water Supply v A. Rajappa (AIR 1978 SC 548)

UNIT-II: THE INDUSTRIAL DISPUTES ACT 1947
Leading Case: Delhi Cloth and General Mills v Shambhu Nath (AIR 1978 SC 88)
UNIT-III: THE TRADE UNIONS ACT, 1926

Development of Trade Unions Law in India, Definition: Executive, Registrar, Trade Union, Registration of Trade Union, Registration of Trade Union (section 3-9), Cancellation of Registration (section-10), Appeals (section-II), Incorporation of Registered Trade Union (Section 13), Right and Liabilities of Registered Trade Union (section 15-18), Right to Inspect Books of Trade Union (section 20), Right of Minor to be Membership of Trade Union (section 21), Disqualification of Office Bearers of Trade Unions (section-21a), Proportion of Office Bearers to be connected with an Industry (section 22), Change of Name and Amalgamation of Trade Union (section 23 to 26) Dissolution and Returns (section 27 & 28)
Leading Case: Jai Engineering Works V Staff, AIR 1968 Cal.407

UNIT-IV: THE FACTORIES ACT, 1948

Definitions: Adult, Adolescent, Child Hazardous Process, Manufacturing Process, Worker, Factory, Approval of Licensing and Registration of Factories (section 6), Notice by Occupier and Duties of Occupier (section 7), Inspector and Certifying Surgeons (section 8 to 10), Statutory Provisions relating to Health and Safety (section 11 to 41), Welfare (section 42 to 50), Working Hours of Adult (51 to 66), Employment of Young Persons (section 67 to 77), Annual Leave with Wages (section 78 to 84)

Leading Cases: Hathras Municipality v Union of India (AIR 1975 All 264)

BOOKS RECOMMENDED

8. HL Kumar. Labour problems and remedies, (Universal Book Traders, Delhi, Ed. 2006)

*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
The main aim of the course is to apprise the students about the functioning of banks as the same is covered as general utility service. The students are imparted instructions so as to enable them to understand the multi-dimensional functional issues relating to banking system in India. The subject covered customer-banker relationship, as well as issue relating to Money Laundering etc. Further, the importance and relevance of Ombudsman in Banking is specially highlighted in the instruction imparted to the students. The objectives and structural aspects of RBI, Monopoly of Note Issues, Credit Control, and Determination of Bank Rate Policy are also discussed with the students. Moreover, a comprehensive knowledge regarding the Law of Negotiable Instruments is also given to the students.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Banking Definition, Meaning, Bank, Banker Banking Company, Commercial Banks and Functions, Essential Functions, Agency Services, General Utility Services, Information Service, Emergence of Multi-Functional Dimensions, System of Banking-Unit Banking, Branch Banking, Group Banking and Chain Banking, Banking Companies in India
Leading Case: Sajjan Bank (P) Ltd V R.B.I. 30 Comp. Cases 146

UNIT-II
Customer: Meaning, Legal Character of Banker-Customer Relationship, Rights and Obligation of Banks, Right of Set Off, Bankers Lien, Duty of Confidentiality, Exceptions to the Duty, Current Accounts, Deposits Accounts, Joint Accounts and Trust Accounts, Special Type of Customers:Lunatics, Minors, Agents, Administrators and Executors, Partnership Firms and Companies
Leading Case: Great Western Railway V London and Country Banking Company 1901 AC-414
UNIT-III

Control by Government and its Agencies, Need for Elimination of Systematic Risk, Avoidance Money Laundering, Control by Ombudsman, R.B.I., R.B.I. AS Central Bank of India, Evolution of Central Bank, Characteristics and Functions of Central Banks, Central Bank as Banker and Advisor of the State, Central Bank as Bankers Bank, Objectives and Organizational Structure of R.B.I., Regulations of the Monetary system, Monopoly of Note Issue, Credit Control, Determination of Bank Rate Policy, Control over Non-Banking Financial Institutions, Control and Supervision of other Banks, Life Insurance Policies as Security, Debenture as Security, Guarantee as Security
Leading Case: Lloyod V Grace Smith & Company 1912 AC 716

UNIT-IV

Negotiable Instrument and its Kinds, Holder and Holder in Due Course, Parties, Payment in Due Course, Negotiation, Presentment and Discharge from Liability, Dishonour, Civil Liability, Procedure for Prosecution, Extent of Penalty, The Paying Bankers, Duty to Honour Customers Cheques, Exceptions to the Duty to Honour Cheques, Money Paid by Mistake, Good Faith and Statutory Protection to the Collecting Banker
Leading Cases:
   i) Bank of Bihar V Damodar Parsad AIR 1969 SC 297
   ii) Canara Bank V Canara Sales Corporation AIR 1987 SC 1603
   iii) Bangal Bank V Satinder Nath AIR 1952, Calcutta 385

BOOKS RECOMMENDED
- M.L. Tannen. Banking Law and Practice in India (Eastern Book. 2nd Ed. 2014)
- O.P.Faizi. The Negotiable Instrument Act (Butterworth) (Latest Ed. )
- M.S. Parthasarathy. Negotiable Instrument Act (Latest Ed. )

*Students are advised to study latest edition of the books and case laws.
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Objective of the Subject:

The law of evidence is one of the most important branches of adjective law. Evidence is the pivot on which the whole edifice of administration of justice rests. It involves several questions, such as what is evidence, typology of evidence, how it is produced before a judicial authority and what is the role of the evidence in the administration of justice. The study of the law of evidence is most important in the field of legal education

- To acquaint the students with basic principles of the law of evidence;
- To enable them to understand the importance of evidence in the system of administration of justice.
- To enable them to analyze critically the rules of evidence and its application to a given fact situation.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
History of Law of Evidence, Meaning Nature, Scope and Object of Evidence, Types of Evidence, Fundamental Rules of Law of Evidence, Fact in issue and relevant facts, Fact Proved, not proved, disproved (S. 3), Presumption(S-4), Relevancy of Facts (S-5-16), Res Gestae(Section6), Occasion, cause & effect of fact in Issue (Section-7), Motive, Preparation & Conduct (S-8), Identification (S-9), Conspiracy (S-10), Facts not otherwise Relevant (S-11), Relevancy of State of Mind & State of Body & Bodily feeling (Section-14), Evidence of similar occurrences(Section-15)
Leading Case: State of MP V Paltan Mallah(2005) 2 SCALE 446

UNIT-II
Meaning of Admission & Confession (17-31), Difference between Admission & Confession, Circumstances under which confession is admissible and not admissible, Evidentary value of
admission & confession, Dying Declaration, Expert Opinion, Evidence of Character in Civil & Criminal Cases

Leading Case: Pakala Narayana Swami V Emperor, AIR 1939 PC 47

UNIT-III
Principles relating to direct evidence (S-60), Law relating to admissibility of documentary evidence (S. 61-66), Proof as to genuineness of document i.e. execution & attestation(S 63-67), Public Document and Private documents(S 74-78), Exclusion of oral by documentary evidence (S-91-99), Meaning of Proof & Presumption, On whom burden of proof lies, Standard of Proof in Civil & Criminal Cases


UNIT-IV
Estoppel: Meaning & Scope (115-117), Principles Governing Doctrine of Estoppel, Witness: Meaning, Types (126-127), Who may be a Witness, Privileges of certain witnesses & Communication (135-136), Examination of Witness (137-166)

Leading Cases: Salem Advocate Bar Association V UOI, AIR 2003 SC 189
Ratan Singh V State of Gujarat, AIR 2004 SC 23

BOOKS RECOMMENDED:

ARTICLES:
- Austin Abbott, Two Burdens of Proof, 6 Harv. L. Rev. 125 (1892)
- Fleming James, Jr., Burdens of Proof, 47 Va. L. Rev. 51 (1961)
- Note, Enforcing Discovery of Documents under Federal Rule 34: The effect of Foreign Law on the Concept of Control, 62 Yale LJ 1248 (1953)

*Students are advised to study latest edition of the books and case laws.
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
The problem of Environmental pollution is both local as well as global in nature. The subject covers the meaning and definition of environment, environment pollution, factors responsible for environment pollution etc. Various kinds of environmental pollution like Air Pollution, Water Pollution, Noise Pollution etc. are integral part of the syllabus. The main objective of the subject is to sensitize the students by teaching various general and specific laws to protection and improvement of environment as well as to seek the remedies in case of environmental hazards and loses caused to the common man due to environmental pollution. To achieve the above mentioned objective, the students are taught the Water Act, 1974, the Air Act, 1981, the Environment Protection Act, 1986, the Public Liability Act, 1991 and the National Green Tribunal Act, 2010 in detail. The students are also made aware about the role of Judiciary in protection and improvement of environment through important judicial pronouncements which has come up in most of the cases filed by M.C. Mehta and other environmental activists by way of PIL.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I

A) Meaning and Definition of environment, environmental pollution, factors responsible for environmental pollution. Provisions of following general laws for protecting environment in general;
   i) Constitution of India
   ii) Indian Penal Code
   iii) Criminal Procedure Code
   iv) The Factories Act, 1948
B) Noise- Definition, Sources, Harmful effects, Remedies against noise pollution.
C) The Water(Prevention & Control of Pollution) Act, 1974

Leading Cases:
i) Ratlam Municipality v Varohi Chand & others AIR 1980 SC 1622
ii) M.C. Mehta v Union of India(The Ganga Pollution Case), AIR 1988 SC 115

UNIT-II

Leading Case: K.M. Gowda V State of Karnataka, AIR 1998 281

UNIT-III

Leading Case: Rural Litigation Kendra Dehradun V State of UP-AIR 1987, SC 305

UNIT-IV

Leading Case: M.C. Mehta V Union of India (SFFI case) AIR 1987 SC 965

BOOKS RECOMMENDED

- Naresh Kumar, *Environmental Pollution & Development* (Mittal Publication, Ed. 1999)

Articles, Acts and Reports

- Dubash N, Ghosh S, Kohli K and Menon M, in consultation with Mehta PB and Wahi N,
A Framework of Principles for Environmental Regulatory Reform: Submissions to the High Level Committee’s Review of Environmental Laws (Centre for Policy Research, 2014)

- Evaluation of Central Pollution Control Board (Indian Institute of Management, Lucknow, 2010)
- Reforms in Environmental Governance with Special Reference to Establishment of National Environment Assessment and Monitoring Authority (Ministry of Environment and Forests, Government of India, 2010)
- The Environment (Protection) Act, 1986
- The Public Liability Insurance Act, 1991
- The National Environment Tribunals Act, 1995

*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
To apprise the students with application of various laws for the raising of living standards of labourers. In this regard we teach students about applications of The Workmen’s Compensation Act, 1923, the Minimum Wages Act, Law of Gratuity and the Equal Remuneration Act, 1976 in detail.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
The Workmen’s Compensation Act, 1923 Main Features of the Act, Definitions Compensation, Dependent, Employer, Workman, Partial Disablement, Total Disablement, Employer’s Liability for Compensation(section-8), Notice and claims of the Accident (section-10), Commissioner (Section 19 to 29), Appeals (section 30), Medical Examination (Section 11)
Leading Case: Partap Narain Singh V Srinivas Sabhata AIR 1976 SC 222

UNIT-II
The Minimum Wages Act, 1948: Objects and Constitutional Validity of the Act, Salient Features, Definitions: Employer, Cost of Living Index, Scheduled Employment, Wages, Minimum Wages, Fair Wage and Living Wage, Fixation and Revision of Minimum Rates of Wages, Working Hours, Determination of Wages and Claims (section 3, 20 and 21), Payment of Wages Act, 1936: Definitions: Employer, Industrial and other Establishment, Wages, Payment and Deduction from Wages (section 3-13), Inspector (section 14), Authority to Hear claims (section 15), Appeal (section-17)
UNIT-III
UNIT-IV

BOOKS RECOMMENDED
8. HL Kumar. Labour problems and remedies, (Universal Book Traders, Delhi, Ed. 2006)

*Students are advised to study latest edition of the books and case laws.*
LL.B.(Hons.) 3 Year Course Fourth Semester
Property Law CODE NO.804 (2017-18)

Paper Fourth

MM: 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each (without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:

Property Law is one of the basic fundamental law. It mainly deals with transfer of Immovable Property among the Living persons, The students are made aware regarding the basic principles of Transfer of Property as well as specific transfer like Election, Part Performance, Sale, Mortgage, Lease, Charge and Gift. This paper is very useful in practice for advocates since most of the common disputes are directly and indirectly associate with the Right to Property.

NOTE FOR STUDENTS (ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Sections 1 to 35

Object and Scope of the Transfer of Property, 1882, Interpretation Clause(Section-3), Definition of Transfer of Property, Subject Matter of Transfer, Persons competent to Transfer, Oral Transfer, Transfer for the benefit of Unborn Person, Rule Against Perpetuity, Vested and Contingent Interests, Conditional Transfer, Doctrine of Election.

Leading Case: Kokilambal & Others V. N.Raman, AIR 2000 SC 2468
Indu Kakkar V Haryana Industrial Development Corporation Ltd. & another AIR 1999 SC 296

UNIT-II
Sections 36 to 53-A

Apportionment, Transfer of Property by Ostensible Owner(Section-41), Transfer by unauthorized Person who subsequently acquires Interest in Property Transferred, Transfer by One Co-owner, Joint Transfer for consideration, Priority of Rights created by Transfer, Fraudulent Transfer, Doctrine of LIS- Pendens, Doctrine of Part-Performance
UNIT-III

Definition of Sale, Rights and Liabilities of Buyer and Seller, Marshalling by Subsequent Purchaser, Definition of Mortgage and kinds of Mortgage (Section 58-59), Rights and Liabilities of Mortgagor (Section 60 to 66), Rights and Liabilities of Mortgagee (Section 67 to 77), Priority (Section 78 to 80).

Leading Case: Seth Ganga Dhar V Shanker Lal & others AIR 1958 SC 773
Commissioner of IT V M/s Motors & General Store Pvt. Ltd. AIR 1968 SC 200

UNIT-IV

Charge (Section 100) Definition of Lease, Rights and Liabilities of Lessor and Lessee (Section 105 to 108), Different Modes of Determination of Lease (Section 111), Gift (Section 122 to 129)

Leading Case: Technician Studio Pvt. Ltd. V Lila Ghosh AIR 1977 SC 2425
Sonia Bhatia V State of UP and Others AIR 1981 SC 1274

BOOKS RECOMMENDED:


*Students are advised to study latest edition of the books and case laws.*
LL.B.(Hons.) 3 Year Course Fourth Semester
Equity and Trusts CODE NO.805 (2017-18)

Paper Fifth

MM: 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
The objective of the course is to provide students with an overall understanding of the law of equity with special emphasis on fiduciary obligations, trusts, equitable assignment of property and equitable remedies. The paper is useful for students to understand and compare the Role of Equity in ancient and modern legal systems with special reference to India as well as relevance of equity in the contemporary times.

NOTE FOR STUDENTS (ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I

Concept of Equity: its nature, history and development in Roman Law and English Common Law; Equity Court and Common Law Courts in England; Equitable Rights, Remedies and Procedure; Classification of Jurisdictions of Equity Courts; Unification of Equity and Common Law Courts and the Provisions of the Judicature Acts of 1873-75

UNIT-II

Major maxims or principles of equity and their application: Equity will not suffer a wrong to be without a remedy, Equity follows the Law; He who seeks equity must do equity; He who comes into equity must come with clean hands; Delay defeats equity, Equality is equity; Equity looks to the intent rather than the form; Equity looks on that as done which ought to be done; Equity imputes and intention to fulfill an obligation; Where there is equal equity; the law shall prevail; Where equities are equal, the first in time shall prevail; Equity acts in personam
UNIT-III

Historical background of the Indian Trusts Act, 1882, Classification or kinds of Trusts, Creation of Trusts, Trustees-their duties and liabilities; Trustees-their rights and powers, Trustees and their disabilities under the Indian Trusts Act

UNIT-IV

Beneficiaries-their rights and liabilities, Appointment and Discharge of Trustees, Extinction of Erust, Obligations in the nature of Trusts and Fiduciary relations, Concept of Equity and its relevance and Application in Indian Legal System

Leading Cases:
   ii) Allahabad Bank Ltd. V The Commissioner of Income Tax, W.B. AIR 1953 SC 476

BOOKS RECOMMENDED:
   • Aqil Ahmad, Equity Trust Mortgage & Specific Relief Act, (Central Law Agency, Ed. 2016)
   • Gandhi, B.M. Equity, Trusts and Specific Relief, (Reprinted 2011 (P/B), Eastern Book Company, 4th Ed., 2007)
   • लाल बबेल, साम्य, न्यास, बंधक, वैश्वासिक सम्बंध एवं विनियम, अनुनोष, (Central Law Publication Ed. 2016)

*Students are advised to study latest edition of the books and case laws.
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
To equip the students about the knowledge of the concept of crime and various theories of crime, white collar crimes and organized crimes, prevention and control of crime, compensation and rehabilitation of victims of crimes etc.

NOTE FOR STUDENTS (ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Concept of Crime, Concept of Criminology: its nature, extent and scope in global and Indian context; various theories of Crime Causation: pre-classical, classical and neo-classical; Sociological, economic, tentative and multiple factorz’ theories of crime causation

UNIT-II
Major crimes: Organised crimes, white collar crimes, Socio-economic offences, sexual offences, traffic in human beings, alcoholism and drug addition, cyber crimes, terrorism, juvenile delinquency, Recidivism and Cannibalism

UNIT-III
Concept of Penology: Prevention and Control of Crimes, Various Theories of Punishment, Police System in Indian and Global Context, Administrative Reforms and concerned Commission Reports; Modes and Forms of Punishments, Sentencing of offenders, Capital Punishment and its Relevance, Prison System and Reforms, Open Prisons
UNIT-IV

Concept and provisions for Bail, Probation and Parole; Concept and Scope of Victimology, Concept of Compensation and Rehabilitation of Victims of crimes; Statutory Provisions and Judicial Decisions on Compensation and Rehabilitation of Victims in India.

Leading Cases:
  i) Sheela Barse V Union of India, AIR 1986 SC 1773
  ii) Sunil Batra V Delhi Administration, AIR 1978 SC 1675
  iii) Bachan Singh V State of Punjab, AIR 1980 SC 898

BOOKS RECOMMENDED


*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each (without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
The Civil Procedure Code consolidates and amends the law relating to the procedure of the Courts of Civil jurisdiction. The Code does not affect any special or local laws nor does it supersede any special jurisdiction or power conferred or any special form of procedure prescribed by or under any other law for the time being in force. The Code is the general law so that in case of conflict between the Code and the special law the latter prevails over the former. Where the special law is silent on a particular matter the Code applies, but consistent with the special enactment.

CPC provides the procedure of filing of Civil Suit by presentation of Plaint. CPC tells about the procedure followed by Civil Courts in Civil matters. Limitation Act prescribes the time limit for filing a suit under tort, contract, accounts miscellaneous matters. Moveable property, Immovable property etc. The students are apprised with help of this paper about the civil procedure followed by the courts in civil matters.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Definition of Key Words (Section-2), Courts to try all civil suits unless barred (Section-9), Principle of Res-Subjudice (Section-10), Principle of Res-Judicate (Section-11), Place of Suing (SS-15 to 20), Parties to the Suit (O-1), Framing of Suits (O-2), Institution of Suits (O-4), Summon (O-5) & (SS-27 to 32), Pleading (O-6).

Leading Cases:-
i) State of UP V Nawab Hussain AIR 1977 SC 1680
ii) NDMC V Satish Chandra AIR 2003 SC 3137
iii) Reena Mehta V R.R.Mehra AIR 2003 SC 1002

UNIT-II
Plaint (O-7), Written Statement and Counter Claim (O-8), Appearance of Parties (O-9), Examination (O-10), Settlement of Issues (O-14), Commission (O-26) & (Ss 75 to 78), Suit by or
against Govt. & Public Officer (SS-79 to 82), Examination of Witnesses (O-16), Judgment and Decree (O-20 & S-33), Abatement of Suits (O-22), Withdrawal of Suits (O-23), Suits by or against Minor (O-33), Cost (Ss-35 A-35 B)

**Leading Cases:**


ii) Bar Association Tamil Nadu V Union of India AIR 2003 SC 179

**UNIT-III**

Execution of Decree (O-21 & Ss 36 to 42), Execution against Legal Representatives and Transfer (Ss-49 to 50), Stay of Executions, Modes of Execution (Ss 51 to 54), Arrest and Detention (Ss 55 to 59 & O-21 Rules 37 to 40), Attachment of Property (Ss-58 to 64), Sales of Attached Property (O-21 Rules 64 to 69), Appeal from Original Decree (O-41) & (SS-96-99), Appeal from Appellate Decree (O-42) & (Ss-100 to 103), Appeal to the Supreme Court (O-45)

**UNIT-IV**

Injunction (Os-38 to 39), Appointment of Receiver (O-40), Reference (O-46) & (S-113). Review (O-47 & S-114), Limitation Act: Limitation of Suits, Appeal and Application (SS 3-9), Computation of period of limitation (Ss-12 to 20).

**Leading Cases:**

i) Union of India V Adani Exports Ltd. AIR 2002 SC 126

ii) National Institute of Mental Health V C Permeshwara AIR 2005 SC 212

**BOOKS RECOMMENDED:**


*Students are advised to study latest edition of the books and case laws.*
LL.B.(Hons.) 3 Year Course Fifth Semester
Drafting, Pleadings and Conveyancing CODE NO.902 (2017-18)

Paper Second

MM: 80
Time: 3 hours

NOTE FOR EXAMINER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem form based on case law.

Learning Objective:
The object is to present the substantive Law in the context of Pleading, Drafting and Conveyancing and show how those transactions are influenced by Legal considerations. A well drafted document instantly attracts the attention of the Court. It develops the skill of drafting of legal documents among students. It helps the students in making a good lawyer and Judge.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks each.

Unit-I
i) General Principles of Drafting
ii) Fundamental Rules of Pleadings(Civil)
iii) Plaint
iv) Written Statement
v) Interlocutory Application
vi) Amendment of Pleadings
vii) Affidavit
viii) Execution Petition
ix) Memorandum of Appeal(Civil)
x) Revision(Civil)
xi) Writ Petition

Unit-II
i) Petition under Hindu Marriage Act, 1955
ii) Complaint (Criminal)
iii) Claim petition under Motor Vehicle Act, 1988
iv) Bail Application
v) Anticipatory Bail Application
vi) Revision (Criminal)
Unit-III
i) Sale Deed
ii) Mortgage Deed
iii) Lease Deed
iv) Gift Deed
v) Promissory Note
vi) Power of Attorney (GPA & SPA)
vii) Will

Unit-IV
i) Notice
ii) Adoption Deed
iii) Partnership Deed
iv) Exchange Deed
v) Agreement of Sale
vi) Leave and Licence

BOOKS RECOMMENDED

• Dr. A.B. Kafaltiya, *Pleading Drafting & Conveyancing*, (Universal Lexis Nexis, New Delhi 11th Ed. 2014)

*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objectives:
- To find out the various Dispute Resolution Techniques used at International and National level.
- To trace out the differences between most prominent dispute resolution methods including traditional litigation, arbitration (in many forms including International Commercial Arbitration), mediation and conciliation etc. The system of ADR is less time consuming as well as informal. Therefore, cost of litigation is also subsequently reduce. With the help of this paper, the students learn new techniques of resolution of disputes in certain cases.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Evolution of ADR, ADR in India, Advantages & disadvantages of ADR, ADR Processes Pretial Mediation, Mediation, Negotiation, Conciliation, ADR in family disputes, Conciliation under CPC

UNIT-II
Concept, Meaning & Growth of Lok Adalats, Lok Adalats under Legal Services Authorities Act, 1987, Nyaya Panchayats-Historical Perspectives, Advantages of Nyaya Panchayats, Composition & Jurisdiction of Nyaya Panchayats

UNIT-III
Arbitration & Conciliation Act (Section 1-43); Definition of Arbitration, International Commercial Arbitration; Objectives of the Act, Arbitration Agreement, Composition and jurisdiction of Arbitral Tribunal, Conduct of Arbitral Proceedings, Making of Arbitral Awards and Termination of Proceedings, Recourse Against Arbitral Award, Finality and Endorsement of Arbitral Award, Appealable orders, Lien on Arbitral Awards and Deposits as to costs, Effect on Arbitration Agreement of Death and of parties humiliation.
UNIT-IV
Arbitration & Conciliation Act (Section 44-60), Foreign Awards-Definition, Enforcement of Certain Foreign Awards, New York Convention Awards, Geneva Convention Awards, Convention on recognition and Enforcement of Foreign Arbitral Awards (Schedule I), Protocol on Arbitration Clauses (Schedule II), Convention on execution of Foreign Arbitral Awards (Schedule III), Conciliation under Arbitration and Conciliation Act, 1996(Sections 61-81), Role of Conciliator, Confidentiality in conciliation.

Leading Cases:-
   i) Food Corporation of India V Joginder Pal Mohinder Pal AIR 1989 SC 1263
   ii) Renusagar & Co. V V.E.C. AIR 1994 SC 860

BOOKS RECOMMENDED

*Students are advised to study latest edition of the books and case laws.*
LL.B.(Hons.) 3 Year Course Fifth Semester
Law of Corporate Finance CODE NO.904 (2017-18)

Paper Fourth

MM: 80  
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:

Corporate Finance is the area of finance dealing with the sources of funding and the capital structure of corporations, the actions that managers take to increase the value of the company to the shareholders, and the tools and analysis used to allocate financial resources. The primary goal of corporate finance is to maximize or increase shareholder value. Although, it is in principle, different from managerial finance which studies the financial management of all corporate bodies, rather than corporations alone. The main concept in the study of corporate finance is applicable to the financial problems of all kinds of corporate bodies and functioning of Institutional Investors like World Bank, U.T.I., L.I.C.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Meaning, Importance and scope of Corporate Finance, Capital needs, capitalisation, working capital, securities borrowings, deposits, debentures, Share capital, issue and allotment, shares without monetary consideration, Non-opting equity shares, Payment of Commission and brokerage, Buy back of shares, New Financial Instruments

UNIT-II
Debentures, Nature, Issue and class, Creation of Charges, Fixed and floating charges, Mortgages, Convertible debentures, Inter Corporate loans and investments
Leading Case: State Bank of India V Viswaniriyat(P)Ltd. 1987, 3 Comp L.J.171 Panama New Zealand & Australia Royal Mail Co., Re –(1870) 5 Ch App 318: 22 LT 424

UNIT-III
Individual share holders rights, Corporate Membership Rights, Conversion, Consolidation and re-organisation of shares, Transfer and Transmission of Securities, Dematerialisation & Rematerialisation of Securities.
Leading Case: LIC Vs Escorts, 1986 SCC 264
UNIT-IV
Need for creditor Protection, Creditor self protection, Rights in making company decisions affecting creditors interests, Preference in payment, Incorporation of favourable terms in lending contracts, Right to nominate directors, Indian depository receipts(IDR) American depository receipts(ADR) Global Depository receipts(GDR), Mutual Fund and other collective investment schemes, Institutional investments (LIC, UTI, Banks, IMF, World Bank)

Leading Cases: Allahabad Bank V Bengal paper Mills Co. Ltd. 1999(6) SRJ 396 SC
Anand Rathi V SEBI (2002) Comp. Cases (SAT) 1000

BOOKS RECOMMENDED
- Dr. Jaswant Saini, Corporate Finance, (University Publication, Jaipur, 1st Ed. 2017.)
- Dr. Jaswant Saini, Invester Protection in India, (Eclat Imprints, USA, 1st Ed. 2015.)
- Dr. Jaswant Saini, Financial Mechanism of Corporate Bodies in India, (Eclat Imprints, USA, 1st Ed. 2016.)
- Ravi M. Kishor, Financial Management, (7th Ed. Taxman’s, 2009)
- Altman and Subrahmanyan. Recent Advances in Corporate Finance (LBC 2nd Ed. 1985)
- Taxman’s Company Law Manual (by Finance Act 2017)
- G.K. Kapoor and Sanjay Dhamija. Taxman Corporate Law (Taxman Ed. 2015)

*Students are advised to study latest edition of the books and case laws.*
LL.B.(Hons.) 3 Year Course Fifth Semester  
Private International Law CODE NO.905 (2017-18)  

Paper Fifth  

MM: 80  
Time: 3 hours  

NOTE FOR EXAMINER/PAPER SETTER  
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.  

Learning Objectives:  
Private international law (or conflict of laws) is the part of municipal law in every developed legal system which is concerned with legal issues which have a connection with a foreign legal system. Therefore, the basic objective of teaching this subject is to give a comprehensive knowledge regarding the relationship between Municipal Law and International Law in respect of issues like marriage, divorce, property, succession, wills, domicile, status etc.  

NOTE FOR STUDENTS( ON QUESTION PAPER)  
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.  

UNIT-I  

UNIT-II  
Concept of Domicile, Elements-intention and residence, kinds of Domicile-Domicile of origin, Domicile of. Choice, Domicile of Dependence (Married Women’s position in Indian and English Laws), Domicile of Corporation. Concept of Status, incidents of status, what law govern status and universality of status, Concept of Nationality.
UNIT-III

Marriage; Formal validity by Lex Loci celebrations and Essential validity usually governed by Lex domicili Matrimonial Causes, Law of Property-Characterization, Transfer to tangible movables, Assignment of intangible movables. Succession Testate and intestate (Involuntary Assignment) relevant provision of Indian Succession Act, Wills-formal and essential validity, Lex Domicilii to make will (movables generally) Lex Situs in case of immovables.

UNIT-IV

Commercial contracts: Validity of contract, capacity to contract, formal validity-Lex Loci contractus governs, essential validity-proper law is usually accepted as governing, discharge of contract, Doctrine of “Proper Law” of contract. Torts: Importance of private International Law in the Field of Torts such as Drugs, Environments, Transport and Satellite communication. Recognition and enforcement of foreign Judgement: need for recognizing foreign Judgement, Limitations in recognizing and enforcement (Ss 13, 14, 44 of CPC and S 41 of Indian Evidence Act).

BOOKS RECOMMENDED:

- Cheshire & North, Private International Law, (Butterworths, London, 10th Ed. 1979)
- R. S. Chavan, Indian Private International Law (Sterling Publishers Private Limited, New Delhi, 1st Ed. 1982)

*Students are advised to study latest edition of the books and case laws.
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
To apprise the students about the objectives of GATT, WTO, Free Flow of Trade, Various provisions relating to Agreement on Agriculture, Technical Barriers to Trade, TRIMS, TRIPS, Foreign Direct Investment and various modes of settlement of International Trade disputes.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I: TRADE IN GOODS-I
General Agreement on Tariffs & Trade (GATT), Agreement on Agriculture, Agreement on Sanitary & Phytosanitary Measures, Agreement on Technical Barriers to Trade

UNIT-II: TRADE IN GOODS-II
Agreement on Trade Related Investment Measures, Agreement on Subsidies & Countervailing Measures, Anti-dumping Agreement, Agreement on Safeguards

UNIT-III: TRADE IN SERVICES
General Agreement on Trade in Services, Ongoing Multilateral Negotiations

UNIT-IV: INTERNATIONAL TRADE DISPUTE RESOLUTION’
a) Nullification or Impairment,
b) Dispute Settlement,
c) Enforcement & Remedies
BOOKS RECOMMENDED


*Students are advised to study latest edition of the books and case laws.*
LL.B.(Hons.) 3 Year Course Fifth Semester
Insurance Law CODE NO.907 (2017-18)

Paper Seventh

MM: 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
The objective of the course is to provide students with an overall understanding of the Law of Insurance with special emphasis on pooling risk, paying out claims, ensuring the solvency of insurers and safe behavior. Insurance offers individual and organizations protection from potential losses as well as peace of mind in exchange for periodic payments known as premiums. To achieve the above objective, the students are also taught various aspects of Life Insurance, Marine Insurance, Public Liability Insurance and Social Insurance. The students are also apprised about the important features of the Marine Insurance Act, Life Insurance Corporation Act and Public Liability Insurance Act etc.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I

UNIT-II
Nature and Scope of Life Insurance, Definition and Formation of Life Insurance Contract, Event Insured against Life Insurance Contract, Circumstances affecting the Risk, Amounts Recoverable under Life Policy, Persons entitled to Payment
Leading Case: Mithulal V LIC of India AIR 1962 SC 814

UNIT-III

Leading Cases: General Assurance Society Ltd v Chandamull Jain AIR 1966 SC 1644
New India Assurance Co. Ltd v G.N. Sainani AIR 1997 SC 2938

UNIT-IV


Leading Case: National Insurance Co Ltd v Winner Chorates(P) Ltd 2003 5 CLD 6 NC

BOOKS RECOMMENDED


*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objectives:
In every Country, Land Laws have always been looked upon a subject of fundamental importance deeply rooted in our customs and traditions. The majority of litigation involved in the civil, criminal or Revenue Court is relating to the determination of the rights and duties so endowed by the legislature to the individual. Land Laws were enacted many years ago. These laws have undergone many changes. It is too enormous for classroom discussion. With this perspective this subject is required to make the student acquaint the legal rights and duties pertaining to the Land Laws. Therefore, the students get an opportunity to understand the legal rights and duties in respect of land and landed properties.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I: PUNJAB LAND REVENUE ACT 1887
Definition of Key Words, Revenue Officers: Their Power and Functions, Preparation of Revenue Record: Like Documents of Jamabandi, Girdawari, Mutation, Intkaal, Sijra Nasab (Pedigree Table) Sirjra Axe(Map of the Village), Arbitration (Sections 127-135), Concepts & Procedure of Partitions

UNIT-II THE PUNJAB TENANCY ACT -1887
Definition of Key Words under the Act, Class of Tenants, Law relating to Rent, Law relating to Occupancy of Tenant, Law of Ejectment of Tenants

HARYANA CEILING OF LAND HOLDING ACT 1972
Definition of Key Words(Section-3), Concept of Permissible Area and Surplus Area (Ss-4 to 6), Ceiling on Land, Acquisition and Disposal of Surplus Area(SS 7 to 15), Appeal by the Aggrieved Party (Section-18)

HARYANA RENT CONTROL ACT, 1973
Definitions (SS 1-4), Rights & Duties of Tenants, Rights and Duties of Landlords, Grounds of Ejectment of Tenants.
UNIT-III: HARYANA PANCYAYATI RAJ ACT 1994 (Ss 1 to 54) (Chapter 1 to 6)

Definition of Key Words, Constitution of Gram Sabha and Gram Panchayat, Gram Panchayat’s Duties, Functions and Powers, Finance and Taxation, Control of Gram Panchayat, Sources of Income and Expenditure of Gram Panchayat.

UNIT-IV: HARYANA PANCHAYATI RAJ ACT 1994, PANCHAYATI SAMITI (CHAPTER 7 TO 11) AND SECTION 55 TO 116)

Definition of Key Words, Conduct of Business of Panchayat Samities, Servant of Panchayat Samities, Duties and Powers of Panachayat Samiti, Finance and Taxation, Sources of Income of Panchayat Samiti, Control of Panchayat Samiti

Leading Cases:
   i) Chhote Khan & Others V Malkhan & Others AIR 1954 SC 575
   ii) Jaipal Singh V Kapoor Kaur PLR 1967 Page 52
   iii) Gurmail Singh V P.Kumar PLR 1970 Page 365

BOOKS RECOMMENDED
   • Harshali Chowdhary, Punjab & Haryana Land Laws, (Central Law Publications, Allahabad, 1st Ed. 2016)
   • Badruddin, Commentary on Revenue Laws, Panchayat Laws and Rent Laws, (The Law House, Rohtak, 4th Ed. 2015)
   • Neety Kaul, Land Laws in Punjab and Haryana, (Chawla Publications (P) Ltd., Chandigarh, 6th Ed. 2014)

*Students are advised to study latest edition of the books and case laws.
LL.B.(Hons.) 3 Year Course Sixth Semester
Intellectual Property Law CODE NO.1002 (2017-18)

Paper Second

MM: 80
Time: 3 hours

NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each (without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
To create awareness about the concept of Intellectual Properties, various conventions, provisions of Copy Right Act, 1957, The Trade Mark Act 1999 and The Patents Act 1970. The students can understand the process of Registration of Copyright work, trade mark and patents with the help of this paper.

NOTE FOR STUDENTS (ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks each.

UNIT-I

UNIT-II
The Copy Right Act, 1970
Meaning and Basis of Copy Right, Copy Right Office and Copy Right Board, Subject Matter of Copy Right, Ownership, Assignment and Infringement of Copy Right, Remedies for Infringement, Abridgement of the Work and Term of Copy Right, Rights of Broadcasting Authorities

Najma Heptulla V M/s Orient Longman Ltd. AIR 1989 Del 63
UNIT-III

The Patents Act 1970, & the Patents (Amendment) Act, 2002


UNIT-IV

The Trade Marks Act, 1999
What is a Trade Mark, Functions of a Trade Mark, Trade Mark Registry and Register of Trade Mark, Registration of Trade Marks, Effects of Registration, Assignment and Transmission of Trade Marks, Rectification and Correction of Register, Passing Off and Infringement Action


BOOKS RECOMMENDED

- Aline C. Flower. *Intellectual Property Technology Transfer* (Supplement 2nd Ed. 2016)

*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

Learning Objective:
In the construction (interpretation) of statutes, the principle aim of the court must be to carry out the Intention of Legislature. The English courts developed three main rules (plus some minor ones) to assist them in the task. ... A statute is presumed to make no changes in the common law. For the Law student it is very necessary to know the fundamentals of interpretation, therefore, they are taught different principles of interpretation used by courts to find out the real intention and object of legislation. It is very helpful in legal profession as the advocates place before the court different interpretations of words and phrases keeping in know the context and background of a case.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
Statute: Meaning and Classification, Interpretation-Meaning, Object, Purpose and Scope, Basic Principles of Interpretation, Difference between Interpretation and Construction, Rule of Construction-Literal, Golden and Mischief Rules, Limitations of the Court

UNIT-II
Internal Aid, External Aid, Interpretation of Mandatory and Directory Provisions, Interpretation of Penal and Taxing Statutes

UNIT-III
Interpretation of Indian Constitution, Rule of Ejusdem Generis, Rule of Noscitur-a-sociis, Rule of Pari Materia, Rule of Stare Decisis, Contemporanea Expositio eat optima Et Fortissima in Lege
UNIT-IV


BOOKS RECOMMENDED

- Kafaltiya A.B. *Interpretation of Statutes*, (E.B.C 2016 Latest Ed.)
- D.N.Mathur. *Interpretation of Statutes*, (Central Law Publication 2013 Latest Ed.)

*Students are advised to study latest edition of the books and case laws.*
OBJECT OF THE PAPER:
To explain the students about the importance of mooting in Legal profession, various qualities of advocates, various skills to maintain Bench Bar relation, Lamps of advocacy, role of BCI and State Bar Council and functioning of various courts in India. The paper is practical based in total.

Moot Court Exercise and Internship:
This paper may have three components of 30 marks each and a viva for 10 marks.
(a) Moot Court (30 marks). Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.
(b) Observance of Trial in two cases, one Civil and one Criminal (30 marks); Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.
(c) Interviewing techniques and Pre-trial preparations and Internship diary (30 marks). Each student will observe two interviewing sessions of clients at the Lawyer’s Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.
(d) The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

BOOKS RECOMMENDED
- Dr. Kailash Rai, Moot Court, Pre-Trial Preparations & Participation in Trial Proceedings (Central Law Publications, Latest Ed.)
- Prof. S.K. Awasthi, Practical Training of Law, Moot Court & Viva-Voce (Agra Law Agency, Latest Ed.)
- R.N. Chaturvedi, Pleadings, Drafting & Conveyancing (Central Law Publications, Latest Ed.)
- The Advocates Act 1971
- The Legal Services Authorities Act, 1987
- Indian Penal Code, 1860
- Code of Criminal Procedure, 1973
- The Indian Evidence Act, 1872
- Code of Civil Procedure, 1908
Learning Objective:
An efficient financial system will allocate savings to productive users of funds at least cost. It offer a large range of financial instruments and institutions to assist investors balance risk, liquidity and return. It should also cater to a wide range of borrowers, from the well established to those with high risk new ventures. The community should be able to trust the integrity and soundness of the system, without believing that everything is guaranteed by the Government. It should allow institutions to innovate-employing new technology and offering new products. It should be open to competition. Although the features of financial systems vary from country, depending on their stage of economic development and the structure and policies of government, yet a sound financial system deals with the role of various regulators of capital and money market and the student gets an opportunity to understand such market regulators by reading this paper.

UNIT-I
Leading Cases: The Chairman SEBI Vs Shriram Mutual Fund & another (2006) (6) Co-
cases

UNIT-II
Indian Capital Market, Primary and Secondary Capital Market, History of Stock Exchange in India, Bombay Stock Exchange, Over the Counter Exchange of India, Different Settlement in Indian Scenario, Listing agreement with special reference to Clause-49
UNIT-III
Internal reconstruction of Companies, external reconstruction of Companies, Acquisition, Merger and Amalgamation

UNIT-IV
Role of SEBI as a Regulator, Role and functions of RBI in regulating financial market transactions, Role of Ministry of Company Affairs as a Regulator, Role of Central Govt. as a Regulator

BOOKS RECOMMENDED
- V. A. Avadhani. Investment & Securities Market in India (Himalaya Publishing House, Latest Ed.)

*Students are advised to study latest edition of the books and case laws.*
NOTE FOR EXAMINER/PAPER SETTER
The question paper of each course will be divided into Five sections, each of the First Four Sections of the Question Paper will contain 2 questions respectively from Unit-1 to Unit-4 of the syllabus. The students will be required to attempt one question from each section. Section 5 of the question paper shall contain 8 short answer type questions of 3 marks each(without any choice) covering the entire syllabus. As such Section 5 will be compulsory.

Learning Objective:
To create awareness about the concepts of Prevention of cruelty to animals, various provisions of Wildlife Act, 1974 and the role played by the social workers, NGO’s and Indian Judiciary as a guardian of Animals.

NOTE FOR STUDENTS( ON QUESTION PAPER)
Attempt four questions from sections 1 to 4, selecting at least one question from each section. These questions shall carry 14 marks each. Section 5 is compulsory and each question in this section shall carry 3 marks.

UNIT-I
(1) General Background : Concept of Right with Reference to Animals;
(2) General Legal Framework - Early Legislations.
(5) Hunting of Wild Animals.
(6) Sanctuaries, National Parks and Closed Areas.
(7) Central Zoo Authorities and Recognition of Zoos.
(8) Trade or Commerce in Wild Animals Articles and Trophies. Prohibition on Trade or Commerce in Trophies and Animal Articles; Prevention and Detection of Offences

UNIT-II
(1) Provisions Under the Indian Penal Code, 1860

UNIT-III
Street Dogs and Companion Animals: Humane street dog population management – law and policy, Breeders and Pet shops, Online trade in animals, Responsible pet ownership, Law relating to feeding of street dogs, Right of the companion animal to live with its guardians and use common facilities restrictive regulations by RWA, builders, landlords etc. Domestic disputes: how to establish intentional harm and evaluate it.

Cases to be studied:
1. AWBI v. A. Nagaraja and Ors. (AIR 2014 SCW 3327)
4. X vs. Y (2014 CJ (HP) 224)/(2014 (4) RCR(CIVIL) 265)
5. Mrs. Gauri Maulekhi vs. Govt. Of Uttarkahand & Others [WP(PIL) No. 41/2013]
7. Laxmi Narain Modi vs. Union of India (2014(3) SCC 143)
8. Geeta Seshamani Vs. Union of India (AIR 2004 SCW 7487)
12. Animals Rights Funds, Bangalore vs. State of Karnataka [WP No. 14432/2008]
17. Ozair Hussain vs. Union of India & Others [Civil WP No. 837/2001]
18. People for Ethical Treatent of Animals vs. Animal Welfare Board of India (WP No. 1686/1995)
19. People for Ethical Treatment of Animals vs. Union of India (WP No. 2490/2004)

Journal:
The Animal Studies Repository (ASR)
Books:

- Raj Panjwani, Ozair Husain, Maneka Gandhi. *Animal Laws of India* (Latest Ed.)
- Andrew Linzey Dominion. *Why Animal Suffering Matters, Philosophy, Theology and Practical Ethics* (Latest Ed.)
- Matthew Scully. *The Power of Man, the Suffering of Animals, and the Call to Mercy*, (Latest Ed.)
- *Current Debates and New Directions* (edited by Cass Sunstein and Martha Nussbaum)
- Paul Waldau. *Animal Rights, What Everyone Needs to Know*, (Latest Ed.)
- Drawing the Line, *Science and the Case for Animal Rights Steven Wise* (Latest Ed.)

*Students are advised to study latest edition of the books and case laws.*