

LLB(Three Year Course)
(Semester I to VI)

Prospectus No. 2012134

संत गाडगे बाबा अमरावती विद्यापीठ

SANT GADGE BABA AMRAVATI UNIVERSITY

विधि विद्याशाखा
(FACULTY OF LAW)

PROSPECTUS

Prescribed for
Bachelor of Law (Semester pattern)
Semester I, III & V Examination Winter- 2011
Semester II, IV & VI Examination Summer- 2012



2011

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Price Rs. /-

PUBLISHED BY
Dineshkumar Joshi
Registrar
Sant Gadge Baba
Amravati University
Amravati-444602

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Syllabus Prescribed for LL.B. (3Years)
First Semester
Paper-I
Contract-I
(General Principles of Contract and Specific Relief)
(Implemented from 2009-10 Session)

Marks-100

General Principles of Law of Contract :

- A. Agreement and contract : definition, elements and kinds -
1. Proposal and acceptance
 2. Consideration
 3. Capacity to contract – meaning – incapacity arising out of status and mental defect minor’s agreements – definition of minor – accessories supplied to a minor – agreements beneficial and detrimental to a minor – affirmation – restitution in cases of minor’s agreements and estoppels – evolution of the law relating to minor agreements other illustration of incapacity to contract.
 4. Free Consent – its need and definition – factors vitiating free consent.
 - i) Coercion – definition – essential elements – duress and coercion various illustrations of coercion – doctrine of economic duress – effect of coercion.
 - ii) Undue Influence – definition – essential elements – between which parties can it exist ? who is to prove it ? Illustrations of undue influence – independent advice – pardhanasin women – unconscionable bargain’s – effect of undue influence.
 - iii) Misrepresentation – definition – misrepresentation of law and of fact their effects and illustration.
 - iv) Fraud – definition – essential element – suggestion falsi suppressio veri when does silence amount to fraud ? Active – concealment of truth importance of intention.
 - v) Mistake definition kinds fundamental error mistake of law and fact – their effect – when does a mistake vitiate free consent, when does it does not vitiate free consent ?
 5. **Legality of objects :**
 - a) Void agreement – lawful and unlawful considerations, and objects void voidable, illegal and unlawful agreements and their effects.
 - b) Unlawful consideration and objects :
 - i) Forbidden by Law
 - ii) Defeating the provision of any law
 - iii) Fraudulent

- iv) Injurious to person or property
- v) Immoral
- vi) Against public policy.
- c) **Void Agreement :**
 - i) Agreement without consideration
 - ii) Agreement in restraint of trade – its marriage
 - iii) Agreement in restraint of its exceptions
 - iv) Agreement in restraint of legal proceeding – its exceptions
 - v) Uncertain agreements
 - vi) Wagering agreements - its exception.
6. **Discharge of Contract and its various modes —**
 - a. By performance
 - b. By breach
 - c. Impossibility of performance
 - d. By periods of limitation
 - e. By agreement
7. Quasi Contracts of certain relations resembling those created by contract.
8. **Remedies in contractual relations –**
 - a. Damages – kinds – remoteness of damages : ascertainment of damages.
 - b. Injunction – when granted and when refused and Why ?
 - c. Refund restitution
 - d. Specific performance - When ? Why ?
- B. **Government as a Contracting Party :**

Constitutional provisions – government power to contract – procedural requirements - kinds of government contract – their usual clauses performance of such contracts – settlements of disputes and remedies.
- C. **Standard Form of Contract :**

Nature, advantages – unilateral character, principles of protection against the possibility of exploitation – judicial approach to such contracts – exemption clauses clash between two standard form of contracts.
- D. **Strategic and constraint to enforce contractual obligation**
 - a. Judicial methods - redressal forum remedies
 - b. Other methods like arbitration. Lok Adalat, Nyaya Panchayat and other such non formal methods.
 - c. Court fees, Service of summons, injunctions, delay.
- E. **Specific Relief**
 - a. Specific performance of contract.

- i. Contracts that can be specifically enforced
- ii. Persons against whom specific enforcement can be ordered.
- b. Rescission and cancellation.
- c. Injunction
 - i) Temporary
 - ii) Perpetual
- d. Declaratory orders.
- e. Discretion and power of the court.

Reference Books :

- 1) Beatesen (ed.) Anson's law of contract (27th ed. 1998)
- 2) P.S. Atiya Introduction to the Law of Contract 1992 reprinting
- 3) Avtar Singh - Law of Contract 2000
- 4) M. Crishnan Nair – Law of Contract (1998)
- 5) Banerjee S.C. - Law of Specific Relief (1998) universal
- 6) anand and Aiyer – Law of Specific Relief (1999) universal
- 7) Mulla on contract : Commentory by J.H. Dalal.

Paper-II
Law of Torts

Marks : 100

1. Definition, Nature Scope and objects
 - a. A wrongful act – violation of duty imposed by law, duty which is owed to people generally (in rem) – damnum sine injuria and injuria sine damnum.
 - b. Tort distinguished from crime and breach of contract.
 - c. Concept of unliquidated damages.
 - d. object - prescribed standards of human conduct, redresses of wrong by payment of compensation, prescribed unlawful conduct by injunction.
2. Principles Liability in Torts.
 - a. Fault :- i) Wrongful intent ii) Negligence
 - b. Liability without fault
 - c. Violation of ethical codes
 - d. Statutory liability
 - e. Place of motive in torts.
3. Justification in Tort
4. Extinguishments of liability in certain situations.
5. Standing
 - a. Who may sue - aggrieved individual – class action – social action group.

- b. Statutes granting standing to certain persons or groups.
- c. Who may not be sued.
6. Doctrine of sovereign immunity and its relevance in India
7. Vicarious Liability
8. Torts against persons and personal relations
9. Wrongs affecting property
10. Negligence
11. Nuisance
12. Absolute / Strict liability
13. Legal remedies.

Reference Books :

- 1) Paras Diwan : Law of Torts
- 2) D.D. Basu – Law of Torts (1982)
- 3) Ratanlal and Dhurejlal – Law of Torts (1997)

Paper-III
Constitutional Law-I

- 1) Nature, Salient features of Indian Constitution :
- 2) Parliamentary Government :
 - a) Westminster model – choice of parliamentary government at the Centre and States.
 - b) President of India
 - c) Election, qualification salary and impeachment
 - d) Power legislative executive and discretionary powers
 - e) Council of ministers
 - f) Governor and State Government – Constitutional relationship
 - g) Legislative process
 - h) Practice of law making
 - i) Legislative privileges and fundamental rights
 - j) Prime Minister – Cabinet system - collective, responsibility individual responsibility
 - k) Coalition Government Anti defection law.
- 3) Federalism :
 - a) Indian federalism : identification of federal features
 - i) Legislative relations
 - ii) Administrative relation
 - iii) Financial relation.
 - b) Governor's role
 - c) Center's power over the states emergency
 - d) J. & K. special status.

- 4) Constitutional Processes of Adaptation and Alteration
 - a. Methods of constitutional amendment
 - b. Limitations upon constituent power
 - c. Development of the basic Structure : Doctrine of Judicial activism restraint.
- 5) Judiciary under the Constitution
- 6) Services under the Constitution :
 - a. Doctrine of Pleasure
 - b. Protection against arbitrary dismissal, removal or reduction in rank (Art 311)
 - c. Exception to Art 311
- 7) Trade, Commerce & Intercourse Art. 301 to 307.

Reference Books :-

1. D.D. Basu, Shorter Constitution of India.
2. H.M. Seervai, Constitution of India
3. M.P. Jain – Constitutional Law of India
4. G. Austin – Indian Constitution
5. Dr. J.N. Pandey - Constitution of India
6. M.Galanter, Competing Equality – Law and Backward Classes in India (1984) oxford.
7. B. Sivaramayya, Inequality and the Law (1984) Eastern.

Paper-IV

(Family Law-I) Hindu Law

- 1) Ancient and modern Sources of Hindu Law, Schools of Hindu Law.
- 2) Joint Family - Mitaksham and Dayabhaga Coparcenary, separate and coparcenary property, Karta – his position, Power, Doctrine of pious obligation partition and reunion.
- 3) Joint Hindu Family as a social security institution and impact of Hindu Gains of learning Act and various Tax law on it.
4. Matrilineal Joint Family
- 5) Hindu Succession Act, 1956.
- 6) Hindu Maintenance Act. 1956
- 7) Study equal property rights for women - State Amendments of coparcenary rights for daughters.
- 8) Comparative study of property law under Christian, Parsi & Jews for men women.
- 9) Evolution of the institution of marriage and family
- 10) Hindu Marriage Act. 1955
- 11) Family and its Changing pattern now emerging trends. Composition

- of family Status, role of women, Legislative, religious environmental factors affecting the family.
- 12) Need for development of Law relating to settlement of spousal property child and the family - Legitimacy Adoption (Hindu Adoption and Maintenance Act 1956) Custody, Education, Maintenance of Child, Hindu Minorities and guardianship Act 1956 and Parental rights – Welfare of Child Principle, Family Courts – Constitution, Power and Function Family Courts Act 1984)
 - 13) Uniform Civil Code, Implication of religious Pluralism, Article 44 of Indian Constitution Impediments of the formulation of Uniform Civil Code the Idea of optional Uniform Civil Code.

Reference Books :-

1. Paras Diwan – Law of Intestate and testamentary succession (1998)
2. Alladi Kuppaswami Mayen’s Hindu law and Usage (1986)
3. Paras Diwan Family Law of Marriage and divorce in India (1984)
4. S. Subbarao – Family Law of India
5. S.T. Desai – Mulla’s Principles of Hindu Law 1998.

Paper-V

Legal Languages and Legal Writing

1. Characteristics of Legal Languages.
2. Legal terminology.
3. Terms used in Civil and Criminal laws.
4. Latin words and expressions Law Register.
5. Rules of Interpretations.
6. Legal Maxims.
7. Precise Writing.
8. Fundamental Principles of Legal Writing.
9. Brief writing and Drafting of law reports.
10. Writing of Case comments.
11. Essay writing on topics of Legal Interests.
12. Paraphrasing.
13. Figures of Speech.

Reference Books :-

1. S.N. Mishra – Legal Language and Legal Rights.
2. Tandon – Legal Language and Legal Rights.
3. Bhatnagar R.P. and R. Bhargava – Law and Language.
4. Gamer, Bryan – A Dictionary of Modern Legal Usage.

Paper-VI
Law of Crimes

1. Concept of Crimes
2. Pre-colonial notions of Crimes as reflected in Hindu, Muslim and Tribal Law.
3. State's power to determine act or omissions as crimes.
4. State's responsibility to detect, control and punish crime
5. Distinction between crime and other wrongs.
6. IPC a reflection of different social and moral values.
7. Applicability of IPC – a) Territorial b) Personal
8. Salient Features of the IPC
9. Elements of Criminal Liability.
10. Group Liability
11. Stages of Crime
12. Factors Negativating Guilty Intentions.
13. Types of Punishments
14. Specific Offences against Human body
15. Offences against women
16. Offences against Property
17. New Kinds of Crimes such as terrorism, pollution and adulteration
18. Law reforms.

Reference Books :-

1. Ratanlal and Dhirajlal - Indian Penal Code (1994) reprint.
2. K.D. Gaur - Criminal Law : Causes and Materials (1999)
3. Hidayatulla - Indian Penal Code (1994 reprint)
4. P.S. Achuthan Pillai - Criminal Law (1995)

Paper-VII
Computer (Theory)

Marks : 50

Unit-I: Computer and its Basics.

- Blocks Diagram of Computer, Functions of Computer, Generations of Computer (1st to Vth Generation), Classification of computer, Characteristics. Advantages and limitations of computer.
- Central Processing Unit (CPU) : Computer Memory : Primary and Secondary, Types of memory, Storage devices : floppy Disk, Hard disk , Magnetic Tapes, Optical Disk, Pen Drive.
- Input Devices : Keyboard, Mouse, Scanner, Touch Screen, Bar Code Reader.

- Output Devices : Monitor, Printers and its functions & its functions & its classifications.
- Meaning of Hardware and software (Application & System Software)
- Types of Languages : Machine, Assembly and High Level.
- Meaning of compiler and Interpreter.

Unit-2 : Introduction to windows Operating System

- Introduction, Benefits of operating system, Various applications of Windows. Operating System, Graphical User Interface (GUI)
- Starting applications, creating short cuts, Creating folders, Copying Files and folders.
- Control Panel-Add hardware, add or remove program, date and time properties, mouse properties, sounds, system, User Accounts
- Accessories – Notepad, Paintbrush, Calculator
- Recycle Bin
- My Documents
- My Compute
- Windows Explorer
- System Tools-Disk clean up, Disk defragmenter, Scandisk

Unit-3 : Networking and Internet :

- Computer Network and its need : Types of Networks. LAN (Local Area Network), WAN (Wide Area Network), MAN (Metropolitan Area Network), , VAN(Value Added Network).
- Concept of Network Topology, Type of Topologies (Ring, Bus, Star, Hybrid)
- Introduction of Internet, History of Internet. www (World Wide Web), Web Browsers (Internet Explorer, Mozilla Firefox, Netscap Navigator, Macweb, Win web , Google Chrome and Cello). Internet Servers and its types.
- URL, Internet Architecture, Cyber Space, TCP/IP Internet Service Provider, Domain names, Introduction of email, Communication using Email.

Unit-4 : E-Commerce :

- Introduction, Scope, Definition, Traditional vs. E-Commerce , Advantages and Disadvantages of E-Commerce.
- E-Commerce and the Trade Cycle.
- Function of E-Commerce.
- Types of E-Commerce – B2B (Business to Business), B2C (Business to Consumer, C2B (Consumer to Business), C2C (Consumer to Consumer).

- E-Commerce applications : Internet Payment System, Consumer Oriented, E- Commerce, Business Oriented E-Commerce.
- E-Services, E-Banking, E-Stock Trading, E-Investing, E-Auction, E-Employments, E-Governance and E-Jobs.

Books Recommended :-

1. IT Today (Encyclopedia) – S. Jaiswal, Galgotia Publications.
2. Computer Fundamentals – P.K. Sinha, Priti Sinha, BPB Publications.
3. E-Commerce – CSV Murty, Himalaya Publishing House
4. A First Course in Computer 2000 – Sanjay Saxena.

**Paper-VII
Computer (Practical)**

Marks : 50

Unit-1 : Windows :

- What is Windows ?
- Start button and task bar, hiding and showing task bars, windows appearance, basic mouse and keyboard techniques, keyboard shortcuts, customizing mouse, opening and closing windows and desktop settings.

Unit-I : Introduction MS – Word :

- Starting Word, Creating documents, Designing a Documents, Saving & Closing Documents, Different Views of Documents.
- Formatting, Selection, Cut, Copy, Paste, Delete, Alignments, Bold, Italic, Underline, Border & Shedding, Paragraph Settings, Printing, Print Preview, Page setup, Spelling & Grammer check, Drop caps, Bullets & Numbering, Columns Setting, Header & Footer, Footnote & Endnote, Inserting Pictures, Word art, Text box operations, Find & Replace, Clipboard, Change Case.

Unit-3 Advance features of MS-Word :

- Creating tables, Add and remove columns and rows, Inserting formula in the table, Sort (Ascending & Descending), Change text direction, table properties, table auto format.
- Creating Templates.
- Mail Merge.

Unit-4 Internet :

- Creating of Email ID
- Exchange of Emails and Sending Attachments.
- Searching Materials on net using different search engines
- Downloading and Uploading Data.

SECOND SEMESTER

Paper-I

CONTRACT – II

(Indian Contract Act, Indian Partnership Act, Sale of Goods Act and other Specific Contracts)

1. Indemnity

- 1.1 The Concept.
- 1.2 Need for indemnity to facilitate the commercial transactions.
- 1.3 Methods of creating indemnity obligations.
- 1.4 Definition of Indemnity.
- 1.5 Nature and extent of liability of the indemnifier.
- 1.6 Commencement of liability of indemnifier.
- 1.7 Situations of various types of indemnity creations
- 1.8 Documents/Agreements of indemnity.
- 1.9 Nature of indemnity clauses.
- 1.10 Indemnity in cases of international transactions.
- 1.11 Indemnity by Government during interstate transactions.

2. Guarantee

- 2.1 The concept.
- 2.2 Definition of Guarantee :- As distinguished from Indemnity.
- 2.3 Basic essentials for a valid guarantee contract.
- 2.4 The place of consideration and the criteria for ascertaining the existence of consideration in Guarantee Contracts.
- 2.5 Position of Minor and validity of guarantee when the minor is Principle Debtor, Creditor or Surety.
- 2.6 Continuing Guarantee.
 - 2.6.1 Nature of surety's liabilities.
 - 2.6.2 Duration and termination of such liability.
- 2.7 Illustrative situations of existence of Continuing Guarantee.
 - 2.7.1 Creation and Identification of Continuing Guarantees.
- 2.8 Letters of Credits and Bank Guarantees as instances of guarantee transaction.
- 2.9 Rights of Surety.
 - 2.9.1 Position of Surety in the eye of Law.
 - 2.9.2 Various judicial interpretations to protect the surety.
- 2.10 Co-surety and manner of sharing liability and rights.
- 2.11 Extent of surety's liabilities.
- 2.12 Discharge of surety's liability.

3 Bailment

- 3.1 Identification of Bailment Contract in day to day life.
 - 3.1.1 Manner of creation of such contract.

- 3.2 Commercial utility of bailment contracts.
- 3.3 Definition of Bailment.
- 3.4 Kinds of bailees.
- 3.5 Duties of bailor and bailee.
- 3.6 Rights of bailor and bailee.
- 3.7 Finder of goods as a bailee.
 - 3.7.1 Liability towards the true owner.
 - 3.7.2 Obligation to keep the goods safe.
 - 3.7.3 Right to dispose off the goods.
- 4 Pledge**
 - 4.1 Pledge :- Comparison with Bailment.
 - 4.2 Commercial utility of pledge transactions.
 - 4.3 Definition of Pledge under the Indian Contract Act.
 - 4.4 Other statutory regulations (State & Centre) regarding pledge, reasons for the same.
 - 4.5 Rights of the Pawner and pawnee.
 - 4.5.1 Pawnee's right of sale as compared to that of an ordinary bailee.
 - 4.6 Pledge by certain specified person mentioned in the Indian Contract Act.
- 5 Agency**
 - 5.1 Identification of different kinds of agency transactions in day to day life in the commercial world.
 - 5.2 Kinds of agents and agencies.
 - 5.3 Distinction between Agent and Servant.
 - 5.4 Various methods of creation of agency.
 - 5.5 Delegation
 - 5.6 Duties and rights of agent.
 - 5.7 Scope and extent of agent's authority.
 - 5.8 Liability of principal for acts of the agents including misconduct and tort of the agent.
 - 5.9 Liability of the agent towards the principal.
 - 5.10 Personal liability towards the party.
 - 5.11 Methods of termination of agency contract.
 - 5.11.1 Liability of Principal and agent before and after such termination.
- 6 Sale of Goods**
 - 6.1 Concept of sale as a contract.
 - 6.2 Illustrative instances of sale of goods and nature of such contract.
 - 6.3 Essentials of Contract of Sale.

- 6.4 Essential conditions in every Contract of Sale.
- 6.5 Implied terms in Contract of Sale.
- 6.6 The rule Caveat Emptor and the exceptions there to under Sale of Goods Act.
- 6.7 Changing concept of Caveat Emptor.
- 6.8 Effectuated meaning of implied warranties in a sale.
- 6.9 Transfer of title and passing of risk.
- 6.10 Delivery of goods – various rules regarding delivery of goods.
- 6.11 Unpaid seller and his rights.
- 6.12 Remedies for breach of contract.
- 7 Partnership**
 - 7.1 Nature of partnership :- Definition.
 - 7.2 Distinct advantages and disadvantages vis-a-vis Partnership and Private Limited Co.
 - 7.3 Mutual relations between partners.
 - 7.4 Authority of partners.
 - 7.5 Admission of partners.
 - 7.6 Outgoing partners.
 - 7.7 Registration of partnership.
 - 7.8 Dissolution of partnership.
- 8 Negotiable Instrument Act**
 - 8.1 The Concept
 - 8.2 Various kinds.
 - 8.3 Essentials requirements to make an instrument negotiable.
 - 8.4 Competent parties for making and negotiation.
 - 8.5 Acceptance of the instrument.
 - 8.6 Dishonour by non-acceptance and remedies available to the holder.
 - 8.7 Holder and Holder-in-due-course :- meaning, essential conditions, rights and privileges in course and endorsee's from the holder in due course.
 - 8.8 Negotiation of the instrument.
 - 8.9 Presentation of the instrument.
 - 8.10 Cheques :- Rules regarding payment of cheques.
 - 8.10.1 Liability of the collecting and paying banker
 - 8.10.2 Dishonour of cheque and its effects.
 - 8.10.3 Discharge from the liability.
 - 8.11 Kinds of Bills.
 - 8.12 Evidence.
 - 8.12.1 Special rules of evidence regarding negotiable instrument.

Books

- (1) R.K. Abhichandani; (Ed), Pollock & Mulla on Contract and specific Relief Act; Tripathy; Bombay.
- (2) Avtar Singh; Contract Act; Eastern, Lucknow.
- (3) Avtar Singh; Principles of the Law of Sale of Goods and Hire Purchase; Eastern, Lucknow.
- (4) J.P. Verma; (Ed) Singh and Gupta; The Law of Partnership in India; Orient Law House New Delhi.
- (5) M.S. Parthasarathy; (Ed) J.S. Khergamvala; The Negotiable instrument Act.
- (6) Beatson; (Ed) Anson's Law of Contract; Oxford; London.
- (7) Saharay H.K.; Indian Partnership and Sale of Goods Act; Universal.

IInd Semester
Family Law – II
Muslim Law Paper - II

1. Sources of Mohammedan Laws.
2. Schools of Mohammedan Laws.
3. Law of Marriage.
4. Law of Divorce
5. Law of Dowry
6. Law of Maintenance under Mohammedan Law.
7. Muslim Women (Protection of rights on Divorce Act, 1986).
8. Acknowledgement of paternity, guardianship of person.
9. Law of Wakf.
10. Law of Gifts.
11. Law of pre-emptions.
12. Law of Wills.
13. General rules of succession and exclusion from succession.
13.1 Classification of Heirs under Hanafi and Ithna Ashria School and their shares and distribution of properties.

Books

- (1) A.A.A Fyzee – Outline of Mohammedan Law.
- (2) (2) A.M. Bhattacharjee – Muslim Law and Constitution, Easter Law House; Calcutta.

IInd Semester
Paper – III
Constitutional Law – II

1. Secularism

- 1.1 Concept of secularism : Historical perspective.
- 1.2 Indian Constitutional Provisions.
- 1.3 Freedom of Religion – Scope
- 1.4 Religion and the State – Limits.
- 1.5 Minority Rights.
- 1.6 Rights of Minority educational institutions.

2. Equality and Social Justice

- 2.1 Equality before law and equal protections of of law.
- 2.2 Classification for differential treatment – constitutional validity.
- 2.3 Gender Justice.
- 2.4 Justice to the weaker sections of society :- Schedule Caste, Schedule Tribe and other backward classes.
- 2.5 Strategies for ameliorative justice.
- 2.6 Freedom and Social Controls.
 - 2.6.1 Freedom of speech and expression.
 - 2.6.2 Media, Press and Information.
 - 2.6.3 Freedom of Speech and Contempt of Court.
 - 2.6.4 Freedom of Assembly.
 - 2.6.5 Freedom of Association.
 - 2.6.6 Freedom of Movement.
 - 2.6.7 Freedom of Reside and Settle.
 - 2.6.8 Freedom of Profession/Business.
 - 2.6.9 Property – From Fundamental Right to Constitutional Rights.

3. Personal Liberty

- 3.1 Rights of an accuse.
 - a) Double Jeopardy.
 - b) Self-Incrimination.
 - c) Retrospective punishment.
 - d) Right to Life and Personal Liberty – Meaning, Scope and Limitations.
 - e) Preventive Detention – Constitutional Policy.

4. Fundamental Rights and Directive Principles

- 4.1 Directive principles – Directions for social change – A new social order.
- 4.2 Fundamental Rights and Directive principles. Inter-relationship – Judicial Balancing.

- 4.3 Constitutional Amendments to strengthen directive principles.
- 4.4 Reading directive principles into fundamental rights.

5. Fundamental Duties

- 5.1 Need and status in Constitutional set-up.
- 5.2 Inter-relationship with Fundamental Rights and Directive principles.

6. Emergency

- 6.1 Emergency – Meaning and Scope.
- 6.2 Proclamation of Emergency – Conditions – Effects of emergency on Central State Relations.
- 6.3 Emergency and suspension of fundamental rights.

7. Judiciary under Constitution

- 7.1 Judicial Process.
- 7.2 Court System :- The Supreme court, High Court, Sub-ordinate Judiciary and their jurisdiction.
- 7.3 Judges :- Appointment, Removal, Transfer and conditions of service.
- 7.4 Judicial independence.
- 7.5 Judicial Review : Nature and Scope.

8. Article – 12. The State

- 8.1 Is judiciary the State ?
- 8.2 The other and Local Authorities within the territory of India.

9. Article – 13

- 9.1 Doctrine of Eclipse.
- 9.2 Doctrine of severability.

10. Judicial Remedies

- 10.1 Constitutional remedies.
- 10.2 Statutory remedies.
- 10.3 Equitable remedies.
- 10.4 Common law remedies.

11. Liability of the State

- 11.1 Contractual liability.
- 11.2 Tortious liability.

Books

- (1) D.D. Basu – Shorter Constitution of India; Prentice Hall India; Delhi.
- (2) M.P. Jain – Constitution of India.
- (3) M.P. Jain – Constitution of India; Vol. I & Vol. II.
- (4) H.M. Seerval – Constitution of India; Vol. I and Vol. II and Vol. III; Tripathi; Bombay.

Second Semester

Paper – IV

CONSUMER PROTECTION LAW

1. Consumer movements : Historical Perspectives.

- 1.1 Common law protection : contract and torts.
- 1.2 Consumerism in India : Food adulteration, drugs and cosmetics, essential commodities.
 - 1.2.1 Criminal sanction : State of noxious and adulterated substances, false weights and measures, use of unsafe carriers.

2. Consumer – The Concept

- 2.1 General perspectives.
- 2.2 Statutory and Government services : to be included or not ?
- 2.3 Definition and Scope : The consumer Protection Act, 1986 (CPA).
- 2.4 Who is not a consumer /

3. Unfair Trade Practices

- 3.1 Misleading and false advertising.
- 3.2 Unsafe and hazardous products.
- 3.3 Disparaging competitions.
- 3.4 Business ethics and business self-regulation.
- 3.5 Falsification of Trade Marks.

4. Consumer of Goods

- 4.1 Meaning of defects in good.
- 4.2 Standard of purity, quality, quantity and potency.
- 4.3 Statutes : food and drugs, engineering and electrical goods.
- 4.4 Common law decision of courts.
- 4.5 Price Control.
- 4.6 Administrative fixation.
- 4.7 Competitive market.
- 4.8 Supply and distribution of goods.

5. Supply of essential commodities

- 5.1 Quality control
- 5.2 Sale of goods and hire purchase law.
- 5.3 Prescribing standards of quality – BIS and Agmark, Essential Commodities law.

6. Consumer Safety

- 6.1 Starting, distribution and handling of unsafe and hazardous products.
- 6.2 Insecticides and pesticides and other poisonous substances.

7. Services

- 7.1 Deficiency – meaning.
- 7.2 Professional services.
 - a) Medical Services.
 - b) How to determine negligence ?
 - c) Violation of Statute.
 - d) Denial of medial services : Violation of human rights.
 - e) Lawyering services : duty towards courts and duty to client dilemma, break of confidentiality, negligence and misconduct.
- 7.3 Public utility
 - 7.3.1 Supply of electricity.
 - 7.3.2 Telecommunication and postal service.
 - 7.3.3 Housing.
 - 7.3.4 Banking.

8. Commercial Services

- 8.1 Hiring.
- 8.2 Financing.
- 8.3 Agency Services.

9. Enforcement of Consumer Right

- 9.1 Consumer for a under CPA : Jurisdiction, power and functions.
- 9.2 Execution of orders.
- 9.3 Judicial Review
- 9.4 Public Interest Litigation.
- 9.5 Class action.
- 9.6 Remedies.
- 9.7 Administrative remedies.

Books

- (1) Saraf D.N. – Law of Consumer Protection in India, Tripathi, Bombay.
- (2) Avtar Singh – Law of Consumer Protection – Principles and Practice.
- (3) J.N. Barowalia – Commentary on Consumer Protection Act 1986; Universal, Delhi.
- (4) P.K. Mujumdar – Law of Consumer Protection in India; Orient Publication; New Delhi.

**Second Semester
Paper – V
Human Rights**

1. Conceptual background of Human Rights and Duties

- 1.1 Rights – Inherent, Inalienable, Universal, Indivisible.
- 1.2 Values – Dignity, Liberty, Equality, Justice, unity in diversity.

1.3 Need for balance between Rights and Duties, Freedom and Responsibility.

2. Philosophical and Historical Perspectives

- 2.1 Theories of Human Rights.
- 2.2 History of Human Right Civilization.
- 2.3 Human Rights Movements.

3. International Human Rights Standards

- 3.1 Universal Declaration of Human rights 1948.
- 3.2 International Covenant on civil and Political Rights 1966.
- 3.3 International Covenant on Economic, Social and Cultural Rights 1966.

4. Human Rights and Duties in India

- 4.1 Evolution – Independence movement, making of the Constitution.
- 4.2 Indian Constitution.
 - 4.2.1 Fundamental Rights.
 - 4.2.2 Directive Principles.
 - 4.2.3 Fundamental Duties.
 - 4.2.4 Their Inter-relationship.
- 4.3 Enforcement and Protection mechanism of Human Rights in India.
 - 4.3.1 Judiciary.
 - 4.3.2 National Human Rights Commission and other commissions and committees.
 - 4.3.3 Non-Governmental Organizations.
 - 4.3.4 Information Media
 - 4.3.5 Education.

5. Societal Problems – Core Problems :-

- 5.1 Poverty, under-development and illiteracy.
- 5.2 Women, children and the disadvantaged groups.

6. Importance of Internalizing Human Rights and Duties

Importance of internalizing Human Rights Values – urgent need for not only sensitizing others of Human rights and Duties but of practicing oneself those values. Self-inculcation endeavour to live up to those ideals – Duty to respect other’s rights, respect each other’s human dignity.

7. Enforcement of Human Rights in India

Role of Courts :- Supreme Court, High Courts and other Courts.
Statutory Commissions :- Human Rights, Women’s, Minority and Backward Classes.

8. Role of Regional Organizations

- 8.1 European Convention on Human Rights.

- 8.2 American Convention on Human Rights.
- 8.3 African Convention on Human Rights
- 8.4 SAARC
- 9. United Nations and Human Rights**
- 9.1 ILO and other conventions and protocols dealing with Human Rights.
- 9.2 Solidarity Rights.
- 9.3 Disarmament Threat to Human Rights.
- 9.4 International Human Rights Commission.
- 9.5 Mandates to State and Right to Development.

**Second Semester
Paper – VI
Company Law**

- 1. Meaning of Corporation**
- 1.1 Theories of corporate personality.
- 1.2 Creation and extinction of corporation.
- 2. Forms of Corporate and Non-Corporate Organizations**
- 2.1 Corporations, Partnerships and other associations of persons, State Corporations, Government Companies, Small Scale, Co-operative, Corporate and Joint Sectors.
- 3. Law relating to companies – Public and Private – Companies Act, 1956**
- 3.1 Need of company for development, formation of a company, registration and incorporation.
- 3.2 Memorandum of Association – various clauses – alteration therein – doctrine of ultra virus.
- 3.3 Articles of Association – binding force – alteration – its relation with memorandum of association – doctrine of constructive notice and indoor management – exceptions.
- 3.3.1 Prospectus – issue – contents – liability for misstatements – statement in lieu of prospectus, shelf prospectus, information memorandum, Remedies for misstatements in prospectus.
- 3.4 Promoters – Position – duties and liabilities.
- 3.4.1 Shares – General Principles of allotment, Statutory restrictions – Share Certificate – its objects and effects – transfer of shares – restrictions on transfer – procedure for transfer – refusal of transfer – Role of Public Finance Institutions – relationship between transferer and transferee – issue of shares at premium and discount –

- depository receipts – dematerialized shares (DEMAT) buyback of shares by company.
- 3.4.2 Shareholder – who can be and who can not be a shareholder – modes of becoming a shareholder – calls on shares – forfeiture and surrender of shares, share warrants – lien on shares.
- 3.4.3 Share Capital – Kinds – alteration and reduction of share capital – future issue of capital – conversion of loans and debentures into capital – duties of courts to protect the interest of creditors and shareholders.
- 3.5 Directors – position – appointment – qualifications – vacation of office – removal – resignation – powers and duties of directors – meetings, registers, loans, remuneration of directors – role of nominee directors – compensation for loss of office – managing directors and other managerial personnel – maximum number of Directorship a person can hold.
- 3.5.1 Meeting – Kinds – Procedure – Voting.
- 3.5.2 Profit – Dividends – payments – capitalization.
- 3.6 Audit and Accounts.
- 3.7 Borrowing powers – effect of unauthorized borrowings – charges and mortgages – loans to other companies – investments – contracts by companies.
- 3.8 Debentures – meaning fixed and floating charge – kinds of debentures – shareholder and debenture holder – remedies of debenture holder.
- 3.9 Protection of Minority rights.
- 3.10 Protection of oppression and mismanagement – who can apply – powers of the company courts and of the Central Government.
- 3.11 Investigation – powers.
- 3.12 Private Companies – nature and advantages – Government Companies – holding and subsidiary companies.
- 3.13 Regulation and amalgamation.
- 3.14 Winding up – Types – by court – reasons – grounds – who can apply – procedure – powers of liquidator – powers of courts – consequences of winding up order – voluntary winding up by members and creditors – winding up by the Tribunal – liability of past members – payment of liabilities – preferential payment – unclaimed dividends – winding up of unregistered company.
- 4. Law and Multinational Companies**
- 4.1 International norms for control.
- 4.2 National Law FEMA (Foreign Exchange Management Act 1999) – controls – joint Ventures – investment in India – repatriation of project.

4.3 Collaboration agreements for technology transfer.

5 Corporate Liability

5.1 Legal liability of company – civil & criminal.

5.2 Remedies against them – civil, criminal and tortious – specific relief act, writs, liability under special statutes.

Books

- (1) Avtar Singh – Indian company Law; Eastern; Lucknow.
- (2) S.M. Shah – Lectures on company Law; Tripathi; Bombay.
- (3) L.C.B. Grower – Principles of Modern Company Law; Sweet & Maxwell; London.
- (4) A. Ramaiya – Guide to Companies Act; Wadhwa.

**Second Semester
Paper – VII
Computer (Theory)**

Practical – 50 Marks

Unit 1 Introduction to MS-Word

- Starting word, Creating documents, Designing a documents, Saving & Closing Documents, Different Views of Documents.
- Formatting : Selection, Cut, Copy, Paste, Delete, Alignments, Bold, Italic, Underline, Border & Shedding, Paragraph Settings, Printing, Print Preview, Page setup, Spelling & Grammar check, Drop caps, Bullets & Numbering, Columns Settings, Header & Footer, Footnote & Endnote, Inserting Pictures, Word art, Text box operations, Find & Replace, Clipboard, Change Case.
- Creating tables, Add and remove columns and rows, Inserting formula in the table, Sort (Ascending & Descending), Change text direction, table properties, table auto format.
- Creating templates.
- Mail Merge.

Unit 2 Introduction to MS-Excel

- Introduction to Excel, Difference between Worksheet & Workbook, Starting Excel, Creating Worksheet, Designing, Saving & Closing Workbook, Toolbars and their operations, Different Views of Worksheet.
- Formatting : Selection, Cut, Copy, Paste, Paste Special, Delete, Alignments, Bold, Italic, Underline, Merge cell, split Cell, Find, Border & Shedding, Printing, Print Preview, page setup, Conditional Formatting. Header & Footer. Inserting Pictures, Word Art, Symbols and Clipboard.

- Inserting Functions : Mathematical, Logical, Statistical and Financial.
- Insert Chart, Formatting of Chart.
- Data Sort (Ascending & Descending), Auto Filter, Advance Filter
- Goal Seek Function
- Data Consolidation.
- Data Form
- Workbook Linking and Worksheet Linking
- Design Template.

Unit 3 Introduction to MS-Power Point

- Introduction to Power Point, Toolbars and their operations, Different Views of Power Point, Designing, Saving & Closing Presentation.
- Inserting Slide, Pictures, Clip art, Organization chart. Table, Chart, Text Styling. Send to Back. Hide Slide, Header & Footer.
- Design Template, Master Slide, Animation Setting, Slide Transition and Auto content Wizard.

Unit 4 Introduction to DBMS & RDBMS

- Introduction to database management system, DBMS Vs RDBMS.
- Introduction to Microsoft Access, Creating a Database in Access.
- Using Database wizard & Blank Database.
- Creating table. Database view and Design View.
- Creating queries, forms and Reports in MS Access.

Unit 5 Internet

- Creation of Email ID
- Exchange of Emails and Sending Attachments.
- Searching Materials on net using different search engines.
- Downloading and Uploading Data.

**Second Semester
Paper – VII
Computer (Practical)**

Practical – 50 Marks

Unit 1 Introduction to MS-Word

- Starting word, Creating documents, Designing a documents, Saving & Closing Documents, Different Views of Documents.
- Formatting : Selection, Cut, Copy, Paste, Delete, Alignments, Bold, Italic, Underline, Border & Shedding, Paragraph Settings,

Printing, Print Preview, Page setup, Spelling & Grammer check, Drop caps, Bullets & Numbering, Columns Settings, Header & Footer, Footnote & Endnote, Inserting Pictures, Word art, Text box operations, Find & Replace, Clipboard, Change Case.

- Creating tables, Add and remove columns and rows, Inserting formula in the table, Sort Ascending & Descending), Change text direction table properties, table auto format.
- Creating templates.
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- Formatting : Selection, Cut, Copy, Paste, Paste Special, Delete, Alignments, Bold, Italic, Underline, Merge cell, split Cell, Find, Border & Shedding, Printing, Print Preview, page setup, Conditional Formatting. Header & Footer. Inserting Pictures, Word Art, Symbols and Clipboard.
- Inserting Functions : Mathematical, Logical, Statistical and Financial.
- Insert Chart, Formatting of Chart.
- Data Sort (Ascending & Descending), Auto Filter, Advance Filter
- Goal Seek Function
- Data Consolidation.
- Data Form
- Workbook Linking and Worksheet Linking
- Design Template.

Unit 3 Introduction to MS-Power Point

- Introduction to Power Point, Toolbars and their operations, Different Views of Power Point, Designing, Saving & Closing Presentation.
- Inserting Slide, Pictures, Clip art, Organization chart. Table, Chart, Text Styling. Send to Back. Hide Slide, Header & Footer.
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- Using Database wizard & Blank Database.
- Creating table. Database view and Design View.
- Creating queries, forms and Reports in MS Access.

Unit 5 Internet

- Creation of Email ID
- Exchange of Emails and Spending Attachments.
- Searching Materials on net using different search engines.
- Downloading and Uploading Data.

DISTRIBUTION OF MARKS FOR THEORY (50 Marks)

Unit-I	..	10 Marks
Unit-II	..	10 Marks
Unit-III	..	10 Marks
Unit-IV	..	10 Marks
Unit-V	..	10 Marks

PRACTICAL (50 Marks)

1. Prepare two practical questions on 5 units. (Give only one practical on each unit) Both the questions answers solve in the answer book. Execute any one and take a printout and attached printout to the answer book. 30 Marks
2. External viva-voce 20 Marks

Second Semester

Practical List for (Practical Course)

1. Create a format of "Money-Order" from in template. (Collect the format from Post Office)
2. Create a format of your college I-Card in template.
3. Create a "Birth-day Party" invitation using mail merge.
4. Write a Paragraph in "characteristics of computer" in M.S. Word and do Paragraph Based Formatting.
5. Differentiate between input & output devices in word document using format like Drop Cap, Page Border.
6. Create a format of Medical bill in M.S. Word (input any 10 items & calculate total amount.)

Sr.No.	Medicine	Price / Unit	Quantity	Amount
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7. Create a format of Mark-sheet in M.S. Word.

Sr.No.	Student	PI	PII	PIII	PIV	PV	OutMarks	Total.Marks	%	Dive
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LL.B. (3 Year Degree Course)**Third Semester****Paper-I****Civil Procedure Code**

(Implemented from session 2010-2011)

- 1. Introduction**
 - 1.1 Concepts.
 - 1.2 Affidavit, Order, Judgement, Decree, plaint, Restitution, Execution, Decree-holders, Judgement-debtor, mesne profits, written statement.
 - 1.3 Distinction between decree and judgement and between decree and order.
- 2. Jurisdiction**
 - 2.1 Kinds.
 - 2.2 Hierarchy of Courts.
 - 2.3 Suit of Civil nature – Scope and limits.
 - 2.4 Res-subjudice and Resjudicata.
 - 2.5 Foreign judgement – enforcement.
 - 2.6 Place of suing.
 - 2.7 Institution of Suit.
 - 2.8 Parties to suit :- joinder, Mis-joinder or non-joinder. Of parties :- Representative Suit.
 - 1.8.1 Frame of Suit :- cause of action.
 - 1.8.2 Alternative disputes resolution. (ADR)
 - 1.8.3 Summons.
- 3. Pleadings**
 - 3.1 Rules of pleading, signing and verification.
 - 3.1.1 Alternative pleadings.
 - 3.1.2 Construction of pleadings.
 - 3.2 Plaint :- Particulars.
 - 3.2.1 Admission, Return and Rejection.
 - 3.3 Written Statement :- Particulars, rules of evidence.
 - 3.3.1 Set-off and counter claim, Distinction.
 - 3.4 Discovery, inspection and production of documents.
 - 3.4.1 Interrogatories.
 - 3.4.2 Privileged documents.
 - 3.4.3 Affidavits.
4. Appearance, examination and trial
 - 4.1 Appearance
 - 4.2 Ex-party procedure.
 - 4.3 Summary and attendance of witnesses.

- 4.4 Trial.
- 4.5 Adjournments.
- 4.6 Interim Orders :- Commission, arrest or attachment before judgement, injunction and appointment of receiver.
- 5. Execution.**
 - 5.1 The concept.
 - 5.2 General principles.
 - 5.3 Powers for execution of decrees.
 - 5.4 Procedure for execution. (S. 52-54)
 - 5.5 Enforcement, arrest and detention. (S. 55-59)
 - 5.6 Attachment. (S. 60-64)
 - 5.7 Sale. (S. 65-97)
 - 5.8 Delivery of property.
 - 5.9 Stay of execution.
- 6. Suits in Particular Cases.**
 - 6.1 By or against Government. 9S. 72-82)
 - 6.2 By aliens and by or against Foreign rulers or ambassadors. (S. 83-87A)
 - 6.3 Public Nuisance. (S. 91-93)
 - 6.4 Suits by or against Firm.
 - 6.5 Suits in Forma pauperis.
 - 6.6 Mortgages.
 - 6.7 Interpleader Suits.
 - 6.8 Suits relating to public charities.
- 7. Appeals.**
 - 7.1 Appeals from original decree.
 - 7.2 Appeals from appellate decree.
 - 7.3 Appeals from orders.
 - 7.4 General provisions relating to appeal
 - 7.5 Appeal to the Supreme Court.
- 8. Review, reference and Revision.**
- 9. Miscellaneous.**
 - 9.1 Transfer of cases.
 - 9.2 Restitution.
 - 9.3 Caveat.
 - 9.4 Inherent powers of court.
- 10. Law Reform :-** Law Commission on Civil Procedure – amendments.
 11. Law of Limitation.
 - 11.1 The concept :- the law assists the vigilant and not those who sleep over the rights.
 - 11.2 Objects.

- 11.3 Distinction with latches, acquiescence, prescription.
- 11.4 Extension and suspension of Limitation.
- 11.5 Sufficient cause for not filling the procedure.
 - 11.5.1 Illness.
 - 11.5.2 Mistaken legal advise.
 - 11.5.3 Mistaken view of law.
 - 11.5.4 Poverty, Minority and Purdha.
 - 11.5.5 Imprisonment.
- 11.6 Defective Vakalatnama.
- 11.7 Legal Disabilities.
- 11.8 Acknowledgement – Essential requisites.
- 11.9 Foreign rule of Limitation :- Contract entered into under a Foreign Law.
- 11.10 Continuing tort and continuing breach of contract.
- 11.11 Contineous running of time.
- 11.12 Computation of period of Limitation.

BOOKS

- (1) Mulla Code of Civil Procedure (1999), Universal, Delhi.
- (2) C.K. Thacker Code of Civil Procedure (2000), Universal, Delhi.
- (3) M.R. Mallick (Ed.), B.B. Mitra on Limitation Act (1998), Eastern, Lucknow.

Paper-II

Criminal Procedure Code, Juvenile Justice Act And Probation of Offenders Act

- 1. **Introductory**
 - 1.1 The Rationale of Criminal Procedure : the importance of fair trial.
 - 1.2 Constitutional perspectives : Article 14, 20 & 21.
 - 1.3 The variety of Criminal procedures (the class should examine, in particular, the procedure for trial of special offences, specially offences under the Prevention of corruption act and Narcotic Drugs and Psychotropic Substances Act)
 - 1.4 The organization of Police, prosecutor, defence counsel and prison authorities and their duties, functions and powers.
- 2. **Pre-trial process : Arrest.**
 - 2.1 The distinction between cognizable and non-cognizable offences : relevance and adequacy problems.
 - 2.2. Steps to ensure accused's presence at trial : warrant and summons.

- 2.3 Arrest with and without warrant. (S 70-73 & 41)
- 2.4 The absconder status. (S. 82, 83, 84 & 85)
- 2.5 Right of the arrested person.
- 2.6 Right to know grounds of arrest. (S 50(i), 55 & 75)
- 2.7 Right to be taken to Magistrate without delay. (S. 56 & 57)
- 2.8 Right of not being detained for more than twenty four hour (S. 57)
- 2.9 Article 22(2) of the Constitution of India. Right to consult legal practitioner, legal aid and the right to told of rights to bail.
- 2.10 Right to be examined by a medical practioner. (S 54)
- 3. **Pre-trial Process : Search & Seizure.**
 - 3.1 Search warrant (S. 83, 94, 97 & 98) and search without warrant (S. 103)
 - 3.2 Police search during investigation. (S. 165, 166 & 153)
 - 3.3 General principles of search. (S 100)
 - 3.4 Seizure. (S 102)
 - 3.5 Constitutional aspects of validity of search and seizure proceedings.
- 4. **Pre-Trial Process : FIR**
 - 4.1 F.I.R. (S. 154)
 - 4.2 Evidentiary value of F.I.R. (S. 145 & 157 of Evidence Act.)
- 5. **Pre-trial Process : Magisterial Powers to take Cognisance**
- 6. **Trail Process**
 - 6.1 Commencement of Proceedings. (S. 200, 201 & 202)
 - 6.2 Dismissal of Complaints. (S. 203 & 204)
 - 6.3 Bail : Concept, purpose, constitutional overtones.
 - 6.3.1 Bailable & Non-bailable offences. (S. 436, 437 & 439)
 - 6.3.2 Cancellation of Bail. (S. 437(5))
 - 6.3.3 Anticipatory Bail. (S. 438)
 - 6.3.4 Appellate Bail Power. (S. 389(1), 395(1) & 437(5))
 - 6.3.5 General Principles Concerning Bond. (S. 441 to 450)
- 7. **Fair Trial**
 - 7.1 Conception of Fair Trial.
 - 7.2 Presumption of innocence.
 - 7.3 Venue of Trial.
 - 7.4 Right of the accused to know to accusation. (S. 221 to 224)
 - 7.5 The trial must generally be held in acused's presence. (S. 221 to 224)
 - 7.6 Right of Cross-examination and offering evidence and defence the accused's statement.
 - 7.7 Right to Speedy Trial.

- 8. Charge**
 8.1 Framing of charge.
 8.2 A Form and Contents of charge. (S. 211, 212 & 216)
 8.3 Separate charges for distinct offences. (S. 218, 219, 220, 221 & 223)
 8.4 Dis-charge – pre- charge evidence.
- 9. Preliminary Pleas to Bar the Trial**
 9.1 Jurisdiction. (S. 26, 177 to 188, 461, 462 & 479)
 9.2 Time Limitations : Rationale & Scope. (S. 468 to 473)
 9.3 Pleas of autrefois acquit and autrefois convict. (S 300 & 22(d))
 9.4 Issue – Estoppel.
 9.5 Compounding of offences.
- 10. Trial before a court of Sessions :-** Procedural steps and substantive Rights.
- 11. Judgement**
 11.1 Form and Content. (S. 354)
 11.2 Summary trial.
 11.3 Post-conviction order in Lieu of punishment :- Emerging penal policy. (S 360, 361 & 31)
 11.4 Compensation & cost. (S. 357 & 358)
 11.5 Modes of providing judgement. (S. 353, 362 & 363)
- 12. Appeal, Review, Revision**
 12.1 Non appeal in certain cases. (S. 372, 375 & 376)
 12.2 The Rationale appeals, review, revision.
 12.3 The multiple range of appellate remedies.
 12.3.1 Supreme Court of India. (S. 374, 379, Art.31, Art.132, 134, 136)
 12.3.2 High Court. (S. 374)
 12.3.3 Session' Court (S. 374)
 12.3.4 Special Right to appeal. (S. 380)
 12.3.5 Governmental appeal against sentencing. (S. 377 & 378)
 12.3.6 Judicial power in disposal of appeals. (S. 368)
 12.3.7 Legal aid in appeals.
 12.4 Revisional jurisdiction. (S. 397 – 405)
 12.5 Transfer of cases. (S. 406 & 407)
- 13. Juvenile Delinquency**
 13.1 Nature and magnitude of problem.
 13.2 Causes.
 13.3 Juvenile Court System.
 13.4 Treatment & rehabilitation of juveniles.
 13.5 Juvenile and adults crimes.

- 13.6 Legislative and judicial protection of juvenile offender.
 13.7 Juvenile Justice Act. 1988.
- 14. Probation**
 14.1 Probation of Offender's Law.
 14.2 The judicial attitude.
 14.3 Mechanism of probation : Standards of probation Services.
 14.4 Problems and prospects of probation.
 14.5 The suspended sentence.
- 15. Reform of Criminal Procedure.**

BOOKS

- (1) Ratanlal Dhirajlal – Criminal Procedure Code, Universal, Delhi.
 (2) Chandrasekharan Pillai (Ed), Kelkar Lectures on Criminal Procedure, Eastern, Lucknow.
 (3) Criminal Procedure Code as amended upto date.
 (4) Chandrasekharan Pillai (Ed), Kelkar's Outline of Criminal Procedure Code, Eastern, Lucknow.

Paper-III Law of Evidence

- 1. Introductory**
 1.1 The main features of the Indian Evidence Act, 1861.
 1.2 Other acts which deal with evidence. (Special reference to C.P.C., Cr.P.C.)
 1.3 Problems of applicability of evidence act.
 1.4 Administration.
 1.5 Administrative Tribunals.
 1.6 Industrial Tribunals.
 1.7 Commissions of Enquiry
 1.8 Court martial.
 1.9 Disciplinary authorities in educational institutions.
- 2. Central conceptions in Law of Evidence.**
 2.1 Facts : Section 3 definition :- distinction – relevant facts/facts in issue.
 2.2. Evidence : Oral and documentary.
 2.3 Circumstantial evidence and direct evidence.
 2.4 Presumption. (S. 4)
 2.5 Proving, not proving and disproving.
 2.6 Witness.
 2.7 Appreciation of evidence.
- 3. Facts – Relevancy**

- 3.1 The Doctrine of res-gestae. (S. 6,7, 8 & 10)
- 3.2 Evidence of common intension. (S. 10)
- 3.3 The problems of relevancy of 'otherwise' irrelevant facts. (S. 11)
- 3.4 Relevant facts for proof custom. (S. 13)
- 3.5 Facts concerning bodies and mental state. (S. 14 & 15)
- 4. Admissions and Confessions**
- 4.1 General principle concerning admission. (S. 17 & 23)
- 4.2 Difference between admission and confession.
- 4.3 The problems of non-admissibility of Confession cause by any inducement, treat or promise.
- 4.4 Inadmissibility of confession made before police officer. (S. 25)
- 4.5 Admissibility of custodial confession. (S. 26)
- 4.6 Admissibility of 'Information' received from accused person 'in custody', with special reference to problem of discovery based on 'joint statement'. (S.27)
- 4.7 Confession by co-accuse. (S. 30)
- 4.8 The problems with the judicial action based on 'retracted confession'.
- 5. Dying Declarations**
- 5.1 The justification for relevance of dying declaration. (S. 32)
- 5.2 The judicial standards for appreciation of evidentiary value of dying declaration.
- 6. Other statements by persons who can't be called as witness.**
- 6.1 General principles.
- 6.2 Special problems concerning violation of human rights in marriage in the Law of Evidence.
- 7. Relevance of Judgement**
- 7.1 General principles.
- 7.2 Admissibility of judgement in Civil and Criminal matter. (s.43)
- 7.3 'Fraud' Collision. (S.44)
- 8. Expert Testimony**
- 8.1 General principles
- 8.2 Who is an Expert ? :- Types of expert evidence.
- 8.3 Option on relationship specially proof of marriage. (S. 50)
- 8.4 The problems of judicial defence to expert testimony.
- 9. Oral and Documentary Evidence**
- 9.1 General principles concerning oral evidence. (S. 59 & 60)
- 9.2 General principles concerning documentary evidence. (S. 67 & 96)
- 9.3 General principles regarding exclusion of oral by documentary evidence.

- 9.4. Special problem : Re-hearing evidence.
- 9.5 Issue estoppel.
- 9.6 Tenancy estoppel. (S. 116)
- 10. Witnesses, Examination & Cross-examination**
- 10.1 Competency to testify. (S. 118)
- 10.2. State privilege. (S. 123)
- 10.3 Professional privilege. (S. 126, 127 & 128)
- 10.4 Approval testimony. (S. 133)
- 10.5 General principles of examination and cross-examination. (S. 135-166)
- 10.6 Leading questions. (S. 141-143)
- 10.7 Lawful questions in cross-examination. (S. 146)
- 10.8 Compulsion to answer question put to witness.
- 10.9 Hostile witness. (S. 154)
- 10.10 Impeaching of the standing or credit of witness. (S. 155)
- 11. Burden of Proof.**
- 11.1 The general conception of onus probandi. (s. 101)
- 11.2 General and special exception to onus probandi.
- 11.3 The justification of presumption and of the doctrine of judicial notice.
- 11.4 Justification as to presumption as to certain offences. (S. 111A)
- 11.5 Presumption as to dowry death (S. 113A)
- 11.6 The scope of doctrine of judicial notice. (S. 114)
- 12. Estoppel**
- 12.1 Why estoppel ? The rationale. (S. 115)
- 12.2 Estoppel, Res-judicata, weavier and presumption.
- 12.3 Estoppel by deed.
- 12.4 Estoppel by conduct.
- 12.5 Equitable and promissory estoppel.
- 12.6 Question of corroboration. (S. 156, 157)
- 12.7 Improper admission of witness in civil and criminal cases.
- Books.**
- (1) Indian Evidence Act. (Amendment upto date)
- (2) Ratanlal Dhirajlal : Law of Evidence, Wadhwa, Nagpur.
- (3) Avtar Singh, 'Principles of Law of Evidence', Central law Agency, New Delhi.
- (4) Albert S. Osborn, 'The Problem of Proof'. (The first Indian Reprint 1998), Universal, Delhi.

Paper-IV
Banking Laws

1. Introduction

- 1.1 Evolution of Banking Com. Globally & in India.
- 1.2 Banking Definitions :- Common Law & Statutory.
- 1.3 Functions of commercial Banks.
 - 1.3.1 Essential functions.
 - 1.3.2 Agency Services.
 - 1.3.3 General Utility Services.
 - 1.3.4 International Trading Services.
 - 1.3.5 Information Services.
 - 1.3.6 Emergence of multifunctional dimension.
 - 1.3.7 Nationalization of Banks.
- 1.4 System of Banking
 - 1.4.1 Unit Banking
 - 1.4.2 Branch Banking
 - 1.4.3 Group Banking
 - 1.4.4 Chain Banking.
- 1.5 Banking companies in India.

2. Banks & Customers

- 2.1 Meaning of Customer.
- 2.2 Banker-Customer relationship and it's legal character.
- 2.3 General relationship
- 2.4 Special relationship
- 2.5 Garnishee Orders.
- 2.6 Rights and obligations of Banks
- 2.7 Right of set-off
- 2.8 Banker's lien.
- 2.9. Right to charge interest and commission.
- 2.10 Obligation to honour customer's cheque.
- 2.11 Duty of confidentiality.
- 2.12 Nature and justification of duty.
- 2.13 Exceptions to the duty.
- 2.14 Accounts of customers.
 - 2.14.1 Current account.
 - 2.14.2 Deposit account.
 - 2.14.3 Joint account.
 - 2.14.4. Trust account.
 - 2.14.5 Recurring account.
- 2.15 Special types of customers.
 - 2.15.1 Lunatic

- 2.15.2 Minor
- 2.15.3 Agents.
- 2.15.4 Administrator or Executors.
- 2.15.5. Partnership Firms & Companies.

3. Control over Banks

- 3.1 Control by Government and it's agencies.
- 3.2 Need for – Elimination of Systematic Risk avoiding money laundering, customer protection, Promotion of fair competition on Management.
- 3.3 On account and audit.
- 3.4 On money lending.
- 3.5 Re-organization and reconstruction.
- 3.6 On suspension and winding up.
- 3.7 Control by ombudsman.

4. Control Banking Theory and R.B.I. Act. 1938.

- 4.1 Evolution of Central Bank.
- 4.2 Characteristics and Functions of Central Bank.
- 4.3 Central Bank as Banker and Advisor of the State.
- 4.4 Central Bank as Banker's Bank.
- 4.5 The R.B.I. as Central Bank in India.
- 4.6 Objectives and organizational structure.
- 4.7 Functions and Powers of R.B.I.
- 4.8 Regulations of Monetary System.
- 4.9 Monopoly of Note issue.
- 4.10 Credit Control.
- 4.11 Determination of Bank Rate Policy.
- 4.12 Open market operations.
- 4.13 Banker to Government.
- 4.14 Control over Non-Banking Financial Institutions.
- 4.15 Economic and Statistical Research.
- 4.16 Staff Training.
- 4.17 The control and supervision of other Banks.
- 4.18 R.B.I. and it's promotional role.
- 4.19 R.B.I. and Commercial Banks.

5. Lending by Banks

- 5.1 Principles of good lending
- 5.2 Securities for Bank advances.
- 5.3 Pledge.
- 5.4 Mortgage.
- 5.5 Charge.
- 5.6 Goods or Documents of Title to goods.

- 5.7 Life insurance Policy as security.
 - 5.8 Debentures as security.
 - 5.9 Guarantees as security.
 - 5.10 Contract of Guarantee and Contract of Indemnity.
 - 5.11 Kinds of Guarantee : Specific and Continuing.
 - 5.12 Surety's Rights and Liabilities.
 - 5.13 Repayments Interest : Rules against penalties.
 - 5.14 Default and Recovery.
 - 5.15 Recovery of debts due to Bank and Financial Institutions Act 1993.
 - 5.16 Establishment of Debts Recovery Tribunal – Constitution and functioning.
- 6. Letter of Credit and Demand Guarantee.**
- 6.1 Letter of Credit.
 - 6.2 Basic features.
 - 6.3 Parties to a Letter of Credit
 - 6.4 Fundamental principles.
 - 6.5 Demand Guarantee.
 - 6.6 Legal character.
 - 6.7 Distinction between Irrevocable Letter of Credit and Demand Guarantee.
- 7. Banking Regulation Act 1949**
- 7.1 History, Social control
 - 7.2 Licensing of Banking Companies.
 - 7.3 Suspension of business under the order of High Court and Central Government.
 - 7.4 Applicability of the Banking Regulation Act.
- 8. Banking Organization**
- 8.1 Private, Individual, Partnership Firm.
 - 8.2 Hindu Joint Family System.
 - 8.3 Director's – Civil Liability.
- 9. Banker's as Borrower**
- 9.1 Bank Deposits.
 - 9.2 Deposit rules in India.
 - 9.3 Types of deposits.
 - 9.4 Special types of customers.
 - 9.5 Limitation on Powers to borrow.
- 10. Foreign Exchange Control Regime in India.**
- 10.1 Concept of Foreign Exchange Regulation.
 - 10.2 Administration of exchange.
- 11. Historical background of Securities.**

- 11.1. Securities : the concept.
 - 11.2 Kinds of securities.
 - 11.2.1 Government Securities
 - 11.2.2 Securities issued by Banks.
 - 11.2.3 Securities issued by Corporations.
 - 11.2.4 Securities in Mutual Fund and Collective Investment Scheme.
 - 11.2.5 Depository Receipts.
- 12. Investment in non-banking financial institutions.**
- 12.1 Concept of Non-Banking Financial Institutions.
 - 12.2 Control by R.B.I.
 - 12.3 Regulation on non-banking financial and non-financial companies.
 - 12.4 Chit Funds.
- 13. E-Banking.**
- 13.1 Revolution in Banking Co. (Payment in due course)
 - 13.2 Credit Card, Debit Card, A.T.M.
 - 13.3 Internet Banking
 - 13.4 Core Banking
 - 13.5 Scope of electronic fund transfer.
 - 13.6 Electronic fund transfer – system proposed by R.B.I.

Books :

- (1) M.L. Tannan : Tannan's Banking Law and Practice in India.
- (2) S.N. Gupta : The banking Law in theory & Practice, Universal, Delhi.
- (3) Mukerjee T.K.: Banking Law & Practice, Universal, Delhi..
- (4) Banking Regulation Act, 1949.
- (5) Reserve Bank of India Act, 1938.

**Paper-V
Arbitration Law**

- 1. Arbitration :- Meaning, Scope and types.**
- 1.1 Meaning, Scope and Types.
 - 1.2 Distinction between 1940 Law and 1996 Law – UNCITRAL Model Law.
 - 1.3 Arbitration and Conciliation
 - 1.4 Arbitration and Expert determination.
 - 1.5 Extent of judicial intervention.
 - 1.6 International commercial Arbitration.

- 2. Arbitration and Conciliation Act 1996**
 - 2.1 Scope of Arbitration Law in India.
 - 2.2 Preamble, Objects and Reasons.
 - 2.3 Salient features of Arbitration and Conciliation Act 1996.
 - 2.4 Arbitration Agreement :-
 - 2.4.1 Essentials of Arbitration Agreement.
 - 2.4.2 Kinds of Arbitration Agreements.
 - 2.4.3 Who can enter into Arbitration Agreement.
 - 2.4.4 Validity.
 - 2.4.5 Reference to Arbitration.
 - 2.4.6 Interim measures by Court.
- 3. Arbitration Tribunal**
 - 3.1 Composition of Tribunal.
 - 3.2 Appointment of Arbitrators.
 - 3.3 Grounds for challenge.
 - 3.4 Termination of Mandate and substitution of arbitrator.
 - 3.5 Jurisdiction of Arbitral Tribunal.
 - 3.6 Powers of Arbitral Tribunal.
 - 3.7 Procedural of Arbitral Tribunal.
 - 3.8 Court assistance.
 - 3.9 Interim measures etc. by Court.
- 4. Conduct of Arbitral Proceedings.**
 - 4.1 Equal treatment of parties.
 - 4.2 Time and place of hearing.
 - 4.3 Commencement and language.
 - 4.4 Statement of claim and defence.
 - 4.5 Default of a party.
 - 4.6 Appointment of experts.
 - 4.7 Court's assistance in taking evidence.
- 5. Awards.**
 - 5.1 Rules of guidance.
 - 5.2 Form and Content.
 - 5.3 Correction and Interpretation.
 - 5.4 Grounds of setting aside an award.
 - 5.5 Can misconduct be a ground ?
 - 5.6 Incapacity of a party, invalidity of arbitration agreement.
 - 5.7 Want of proper notice and hearing.
 - 5.8 Beyond the scope of reference.
 - 5.9 Contravention of composition and procedure.
 - 5.10 Breach of confidentiality.
 - 5.11 Impartiality of arbitrator.

- 5.12 Bar of limitation, res-judicate.
- 5.13 Consent of parties.
- 5.14 Enforcement.
- 6. Appeals and Revision.**
- 7. Enforcement of Foreign Award.**
 - 7.1 New York Convention Award.
 - 7.2 Geneva Convention Award.
- 8. Conciliation**
 - 8.1 Distinction between Conciliation, Negotiation, Mediation and Arbitration.
 - 8.2 Appointment of Conciliators.
 - 8.3 Statement of Conciliators.
 - 8.4 Interaction between Conciliator and Parties.
 - 8.5 Communication
 - 8.6 Duties of the parties to co-operate.
 - 8.7 Suggestions by parties.
 - 8.8 Confidentiality
 - 8.9 Resort to judicial proceedings.
 - 8.10 Costs
 - 8.11 Termination of Conciliation Proceedings.
- 9. Rule Making Power**
 - 9.1 High Court
 - 9.2 Central Government
 - 9.3 Removal of difficulties.
- 10. Instruments of Arbitration and Conciliation**
 - 10.1 ICC Rules of Conciliation and Arbitration.
 - 10.2 The Rules of Arbitration of Indian Council of Arbitration 1993.

Books

- (1) B.P. Saraf and M. Jhunjhunwala – Law of Arbitration and Conciliation, Snow White, Mumbai.
- (2) Gerald R. Willime (Ed). The New Arbitration and Conciliation Law of India, Indian Council of Arbitration, New Delhi.
- (3) G.K. Kwatra. – The Arbitration and Conciliation Law of India, Universal, Delhi.
- (4) Markanda P.C. – Law Relaltion to Arbitration and Conciliation,, Universal, Delhi.
- (5) Johari, Commentary on Arbitration and Conciliation Act 1996, Universal, Delhi.

MOOT COURT**(Moot Court Exercise And Internship)**

This paper shall 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 semester 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. They will maintain a record and enter the various steps observed during their attendance on different days on 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 client at 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 filing of 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 the above 3 aspects.
This will carry 10 marks.

COURT VISITS

The students from 1st to 2nd Semester (3 Years Law Course) will have to visit the court on every 1st & 3rd Saturday of the month. If it is not possible to visit on 1st and 3rd Saturday then on any other day the court visit can be arranged.

There shall be 30 visits in a Semester. For these visits, a lawyer shall be approved by the college as the Guide, who must have 10 years standing in the Bar, a core faculty (Full Time Teacher) shall be the Supervisor and shall also be responsible to make these visits fruitful. He shall be responsible as a Supervisor for maintaining the attendance of students and signing the diaries of students on day to day basis for maintaining the records along with the dates.

There shall be a viva by the internal and external examiner. The viva shall carry 100 marks and the marks are to be allotted on the basis of the written diary and viva.

IVth Semester - 3 years Course

ENVIRONMENTAL LAW

Paper - I

- 1 **Concept of Environment and Pollution**
- 1.1 Environment.
- 1.1.1 Meaning and contents.
- 1.2 Pollution.
- 1.2.1 Meaning.
- 1.2.2 Kinds of pollution.
- 1.2.3 Effects of pollution.
- 2 **Legal Control: Historical Perspectives**
- 2.1 **Indian Tradition** : Dharma of environment.
- 2.2 **British Raj** : Industrial development and exploitation of nature.
- 2.2.1 **Nuisance** : Penal code and procedural codes.
- 2.3 **Free India** : Continuance of British influence.
- 2.3.1 Old laws and new interpretations.
- 3 **Constitutional Perspective**
- 3.1 **Constitution Making** : Development and property oriented approach.
- 3.2 **Directive principles.**
- 3.2.1 Status, role and interrelationship with fundamental rights and fundamental duties.
- 3.3 **Fundamental Duty.**
- 3.3.1 Contents.
- 3.3.2 Judicial approach.
- 3.4 **Fundamental Rights.**
- 3.4.1 Right to clean and healthy environment.
- 3.4.2 Right to education.
- 3.4.3 Right to information.
- 3.4.4 Environment vs. Development.
- 3.5 **Enforcing agencies and remedies.**
- 3.5.1 Courts.
- 3.5.2 Tribunals.
- 3.5.3 Constitutional, statutory and judicial remedies.
- 3.6 **Emerging principles.**
- 3.6.1 **Polluter Pays** : Public liability insurance.
- 3.6.2 Precautionary principle.
- 3.6.3 Public trust doctrine.
- 3.6.4 Sustainable development.
- 4 **Water and Air Pollution: Acts with rules**
- 4.1 Meaning and standards.

- 4.2 Culprits and victims.
- 4.3 Offences and penalties.
- 4.4 Judicial approach.
- 5 **Noise Pollution**
- 5.1 Legal control.
- 5.2 Court's of balancing : permissible and impermissible noise.
- 6 **Environment Protection**
- 6.1 Protection agencies : power and functions.
- 6.2 Protection : means and sanctions.
- 6.3 Emerging protection through delegated legislation.
- 6.3.1 Hazardous waste.
- 6.3.2 Bio-medical waste.
- 6.3.3 Genetic engineering.
- 6.3.4 Environment impact assessment.
- 6.3.5 Coastal zone management.
- 6.3.6 Environmental audit and eco mark.
- 6.3.7 Judiciary : complex problems in administration of environmental justice.
- 7 **Town and Country Planning**
- 7.1 Law : enforcement and constrain.
- 7.2 Planning : management policies.
- 8 **Forest and Greenery**
- 8.1 **Greenery conservation laws.**
- 8.1.1 Forest conservation.
- 8.1.2 Conservation agencies.
- 8.1.3 Prior approval and non-forest purpose.
- 8.1.4 Symbiotic relationship and tribal people.
- 8.1.5 Denudation of forest : judicial approach.
- 8.2 **Wild life.**
- 8.2.1 Sanctuaries and national parks.
- 8.2.2 Licensing of zoos and parks.
- 8.2.3 State monopoly in the sale of wild life and wild life articles.
- 8.2.4 Offences against wild life.
- 9 **Bio-diversity**
- 9.1 Legal control.
- 9.2 Control of eco-unfriendly experimentation on animals, plants, seeds and micro-organism.
- 10 **International Regime**
- 10.1 Stockholm conference.
- 10.2 Greenhouse effect and ozone depletion.
- 10.3 Rio conference.
- 10.4 Bio diversity.

- 10.5 UN declaration on right to development.
10.6 Wetlands.

Select Bibliography

- 1) Aarmin Resencranz, et al, (eds), Environmental and policy in India, (2000), Oxford.
- 2) R.B.Sing and Suresh Mishra, Environmental law in India, (1996), Concept Publishing Co., New Delhi.
- 3) Kailash Thakur, Environmental Protection Law and Policy in India, (1997), Deep & Deep Publications, New Delhi.
- 4) Richard L. Riversz, et al (eds), Environmental Law, The Economy and Sustainable Development, (2000), Cambridge.
- 5) Christopher D. Stone, Should Tree Have Standing and Other Essays on Law, Morals and Environment, (1996), Oceana.
- 6) Leelakrishnan. P. et al(eds), Law and Environment, (1990), eastern, Lucknow.
- 7) Leelakrishnan. P., The Environmental Law in India, (1999), Buttersworth-India.
- 8) Department of Science and Technology, Government of India, Report of the Committee for Recommending Legislative Measures and Administrative Machinery for Ensuring Environmental Protection, (1980), (Tiwari Committee Report).
- 9) Indian Journal of Public Administration, Special Number on Environment and Administration, July- September 1998, Vol. XXXV, No.3, pp. 353-801.
- 10) Centre for Science and Environment, The State of India's Environment 1982, The State of India's Environment 1984-85 and The State of Indian Environment 1999-2000.
- 11) World Commission on Environment and Development, Our Common Feature (1987), Oxford.

Law of Taxation Paper - II

(A) Income Tax

- 1 Historical background of Income Tax Budget, Finance Bill and Finance Act.
- 2 Fundamental Principles and basic concepts of Income Tax Laws.
- 3 Important Definitions.
- 4 Income Tax Authorities and their jurisdictions.
- 5 Income Tax Rates Structures.
- 6 Residential status and its assessability of Tax.

- 7 Sources or Heads of Income.
- 8 Permanent Account Number (PAN) and Tax Accounting Number (TAN).
- 9 Collection of Taxes - Advance Tax and Tax Deducted at Source (TDS).
- 10 Income Exempt from Tax (Section 10).
- 11 Heads of Income.
 - a) Salary.
 - b) Income from House Property.
 - c) Income from business/profession or vocation AND Estimated Income Schemes.
 - d) Income from Capital Gains.
 - e) Income from Other Sources.
- 12 Income of the persons included in Assessee's Income i.e. clubbing of Income.
- 13 Losses set off and carried forward of Losses.
- 14 Computation of total income and permissible deductions.
- 15 Assessment procedure.
 - a) Filing of Returns and due dates.
 - b) Kinds of assessments.
 - c) Reopening of assessments.
 - d) Scrutiny of assessments.
- 16 Kinds of surveys.
- 17 Search Seizure proceedings.
- 18 Aggregation of income.
- 19 Appeals & Revision provisions.
- 20 Charging of penal interest, penalties and prosecutions,
- 21 Recovery of Taxes.
- 22 Settlement of cases & Refunds.
- 23 Miscellaneous provisions.
 - a) Double Taxation Relief.
 - b) Evasion of Tax and Avoidance of Tax.
 - c) Corporate Taxes. (Minimum Alternative Tax)
 - d) Service of Notices.
 - e) Fringe Benefit Tax. (FBT)
 - f) Banking Cash Transaction Tax.
 - g) Tax on Gift in certain cases.

(B) Wealth Tax

- 1 Basic concepts and definitions in Wealth Tax.
- 2 Charging of Wealth Tax.
- 3 Deemed Assets i.e. clubbing provisions.
- 4 Exemptions U/S 5 of the Wealth Tax Act.

- 5 Valuation of assets.
- 6 Assessment procedure.
- 7 Appeals and Revision.
- 8 Penalty and Prosecutions.
- 9 Miscellaneous provisions.

(C) **Value Added Tax (VAT) 2005**

- 1 Historical background of Value Added Tax (VAT).
- 2 Concept of Value Added Tax.
- 3 Important definitions under M.V.A.T.
- 4 Registration procedure under MVAT and its impact in Taxation.
- 5 Assessment procedure.
 - a) Filing of Returns and Due Dates.
 - b) Kinds of assessments.
 - c) Re-opening of assessments.
 - d) Scrutiny of assessments.
- 6 Composition Scheme under MVAT.
- 7 Set off procedure and refunds.
- 8 Appeals and Revision provisions.
- 9 Penalties and Prosecutions.
- 10 Miscellaneous provisions.

(D) **Central Sales Tax Act (CST) 1956**

- 1 Historical background of Central Sales Tax Act 1956.
- 2 Concept of C.S.T. and its implications.
- 3 Important definitions under CST.
- 4 Registration procedures and its impact in Taxation.
- 5 Different kinds of interstate transactions.
- 6 Appeals and Revision.
- 7 Penalties and Prosecutions.
- 8 Miscellaneous provisions.

(E) **Service Tax Act 1994**

- 1 Historical background and fundamental principles in imposing service tax.
- 2 Important definitions under Service Tax Act 1994.
- 3 Registration procedure under Service Tax Act and its impact in Taxation.
- 4 Salient features of Service Tax Laws.
- 5 Assessment procedure.
 - a) Due dates of filing of return.
 - b) Kinds of assessment.
 - c) Re-opening of assessment.
 - d) Scrutiny of assessment.
- 6 Service Tax Credit Scheme.
- 7 Appeals and Revisions.

- 8 Penalties and Prosecutions.
- 9 Miscellaneous provisions.

Select Bibliography

- 1) Ramesh Sharma, Supreme Court on Direct Taxes, (1998), Bharath Law House, New Delhi.
- 2) Sampath Iyengar, Law of Income Tax, (1998),
- 3) B.K.Diwan and Sanja MEcttani, Formation, Assessment Charitable and Religious Trusts, (1999), Bharath Law House, New Delhi.
- 4) Kanga & Palkhiwala, The Law and Practice of Income Tax, (1999), Wadhwa, Nagpur.
- 5) K.Parameswaran, Power of Taxation under the Constitution, (1987), Eastern, Lucknow.
- 6) V.Ramachandran & T.A.Ramakrishnan, (eds), A.N.Aiyer's Income Tax Laws, (2000), Company Law Institute of India Pvt.Ltd., Chennai.
- 7) S.Bhattacharya & H.R.Garg, Handbook of Direct Taxes, (1990), Eastern Law House, Calcutta.
- 8) C.A.Gularickar, Law and Practice of Wealth and Valuation, (1998), Gularickar, Mumbai.
- 9) Walter R. Mahler, Sales and Exercise Taxation in India, (1970), Orient Longman, Delhi.
- 10) R.V.Patel, Central sales Tax Act, (1966), Tripathi, Bombay.
- 11) S.D.Singh, Principles of Law of Sales Tax, (1973), Eastern, Lucknow.

Law of Trust

(Law relating to Trusts, Equity and Fiduciary Relationships)

Paper - III

1 **Introduction**

- 1.1 The concept of trust : distinction with agency and contract.
- 1.2 Development of law : common law and equity.
- 1.3 Trusts : classification.

2 **Definition and nature of trusts under Indian Law**

- 2.1 Creation of trusts : rules.

3 **Duties of Trustees**

- 3.1 Execution.
- 3.2 Acquaintance with nature of property.
- 3.3 Duties in respect to title.
- 3.4 Duty of care.
- 3.5 Conversion.
- 3.6 Impartiality.
- 3.7 Prevention of waste.

- 3.8 Keeping of accounts and giving of information.
 3.9 Investment.
 3.10 Sale.
 3.11 Liability for breach of trust.
- 4 **Rights of Trustees**
 4.1 Title Deed.
 4.2 Reimbursement.
 4.3 Indemnity.
 4.4 Seeking direction from court.
 4.5 Settlement of accounts.
 4.6 General authority.
- 5 **Powers of Trustees**
 5.1 Sale.
 5.2 Varying of investment.
 5.3 Property of minors.
 5.4 Giving receipts.
 5.5 Power to compound, compromise and settle.
 5.6 Exercising authority on death or disclaimer of one of the trustees.
 5.7 Suspension of trustee's power.
- 6 **Liabilities of Trustees**
- 7 **Rights of Beneficiaries**
 7.1 Rents and profits.
 7.2 Specific execution.
 7.3 Inspection and Information.
 7.4 Transfer.
 7.5 Suit for execution.
 7.6 To have proper trustees.
 7.7 Right to compel trustees to do the duties.
 7.8 Right on wrongful purchase or acquisition by trustees.
 7.9 Follow up of trust properties in the hands of third parties.
 7.10 Blending of property by trustees.
 7.11 Wrongful application of trust partner trustee for partnership purposes.
- 8 **Liabilities of the Beneficiaries**
- 9 **Discharge of Trustees**
- 10 **Appointment of New Trustees**
- 11 **Extinction of Trust**
- 12 **Constructive trust : equitable and fiduciary relationship.**
 12.1 Transfer without intent to dispose beneficial interest.
 12.2 Trust incapable of execution and trust executed fully without exhausting property - the Cypress Doctrine.

- 12.3 Transfer and request for illegal purposes.
 12.4 Transfer pursuant to rescindable contract.
 12.5 Debtor becoming creditor's representative.
 12.6 Advantage from undue influence.
 12.7 Advantage by qualified owner.
 12.8 Property acquired with notice of existing contract.
 12.9 Purchase by person contracting to buy property to be held by trust.
 12.10 Possession of property without whole beneficial interest.
 12.11 Duties of constructive trustees.
 12.12 Rights of bona-fide purchases.
- 13 **Special Legislation**
- 14 **Common property resources and public trust doctrine.**
- 15 **Nature and Scope of equity.**
 15.1 General conception of Equity.
 15.2 Nature, Origin and Growth of Equity.
 15.3 Equity and the Common Law.
 15.4 The Maxims of Equity.

Select Bibliography

- 1) S.Krishnamurthy Aiyer and Harbans Lal Swin, Principles and Digest of Trust Laws, (1998), University Book Agency, Allahabad.
- 2) R.H.Mandsley and E.H.Burn, Trust and Trustees : Cases and Materials, (1978), Butterworths, London.
- 3) R.E.Megarry and P.V.Baker, Snell's Principles of Equity, (1964), ELBS, Sweet and Maxwell.
- 4) Philip H. Pettit, Equity and Law of Trust, (1970).
- 5) Iyer N., Indian Trust Act, (1997), New Delhi Law House, New Delhi.
- 6) Ahmadullah Khan, The Law of Wakf in India, (1997), Delhi Law House, Delhi.
- 7) Rajarathnam, Natrajan and Thankaraj, Commentary of Charitable Trust and Religious Institutions, (2000), Universal, Delhi.
- 8) Mukherjee, Commentary on Indian Press Act, (1999), Universal, Delhi.
- 9) Rao C.R., The Indian Trust Act and Allied Laws, (1999).

**Professional Ethics
Paper - IV**

- 1 **Development of Legal Profession in India**
 - 1.1 Importance of Legal Profession.
 - 1.2 Legal Profession in Pre-British Era and after Independence.
- 2 **Professional Ethics**
 - 2.1 Meaning, Nature and Need.
 - 2.2 Duties:
 - 2.2.1 Towards Country.
 - 2.2.2 Towards Community.
 - 2.2.3 To the Court.
 - 2.2.4 To the Client.
 - 2.2.5 To the Opponent.
 - 2.2.6 To the Colleagues.
 - 2.3 Advocacy.
 - 2.3.1 Requisites for successful advocacy.
- 3 **The Advocates Act, 1961**
 - 3.1 Admission and Enrolment.
 - 3.1.1 Senior Advocates and Other Advocates.
 - 3.1.2 Persons who may be admitted as advocate on a state roll.
 - 3.1.3 Disqualification for enrolment.
 - 3.1.4 Authority to whom application for enrolment may be made.
 - 3.1.5 Disposal of application for admission.
 - 3.1.6 Removal of names from roll.
 - 3.1.7 Special provisions for enrolling certain advocates of the Supreme Court.
 - 3.1.8 Dispute regarding seniority.
 - 3.1.9 Certificate of enrolment.
 - 3.1.10 Right of pre-audience.
 - 3.2 Rights of advocates.
- 4 **Bar Councils**
 - 4.1 State Bar Council.
 - 4.1.1 Constitution, Powers and Functions.
 - 4.2 Bar Council of India.
 - 4.2.1 Constitution, Powers and Functions.
- 5 **Professional or other Misconduct**
 - 5.1 Meaning & Scope.
 - 5.2 A body or authority empowered to punish for misconduct.

- 5.2.1 Disciplinary Committee of the State Bar Council : Its composition, powers and functions - initiative and procedure.
- 5.2.2 Disciplinary Committee of the Bar Council of India : Its composition, powers and functions - initiation and procedure.
- 5.3 Remedies:
 - 5.3.1 Review over order of punishment.
 - 5.3.2 Appeal against order of punishment.
- 6 **Contempt of Court**
 - 6.1 Meaning and Scope.
 - 6.2 Categories : Civil and Criminal.
 - 6.3 Punishment for contempt of court.
 - 6.4 Remedies against punishment - apology, appeal, review.
 - 6.5 Constitutional validity of Contempt of Courts Act.
 - 6.6 Contempt jurisdiction of the subordinate court, High Court and Supreme Court.
 - 6.7 Contempt by lawyers, judges, State and Corporate bodies and their offices.
- 7 **Bench-Bar relations**
- 8 **Professional Ethics and Professional Accounting System**
Outline of the course : Professional ethics, Accountancy for Lawyers, and Bar-Bench relations.
This course will be taught in association with practising lawyers on the basis of the following materials.
 - (1) Mr. Krishnamurthy Iyer's book on "Advocacy".
 - (2) The Contempt Law and Practice.
 - (3) The Bar Council Code of Ethics.
 - (4) 50 selected opinions of the Disciplinary Committee of Bar Councils and 10 major judgements of the Supreme Court on the subject.
 - (5) It shall include assessment through case-study, viva and periodical problem solution besides the written tests.

**DRAFTING, PLEADING AND CONVEYANCING-I
Paper - V**

- 1 **Drafting**
 - 1.1 Meaning, Definition, Purpose, Objects and Scope.
 - 1.2 General principles of drafting.
 - 1.3 The relevant substantive rules of drafting.
- 2 **Pleadings**
 - 2.1 Civil.
 - 2.1.1 Pleint.

- 2.1.2 Written Statement.
- 2.1.3 Interlocutory application.
- 2.1.4 Original petition.
- 2.1.5 Affidavit.
- 2.1.6 Execution petition.
- 2.1.7 Memorandum of appeal and revision.
- 2.1.8 Petition u/ A 226 and A-32 of the Constitution of India.
- 2.2 Criminal.
 - 2.2.1 Complaint.
 - 2.2.2 Criminal miscellaneous petition.
 - 2.2.3 Bail application.
 - 2.2.4 Memorandum of appeal and revision.
- 3 **Conveyance**
 - 3.1 Definition, Meaning, Objects, Fundamentals of Conveyancing.
 - 3.2 General requirements and parts of deed.
 - 3.3 Sale Deed.
 - 3.4 Mortgage Deed.
 - 3.5 Lease Deed.
 - 3.6 Gift Deed.
 - 3.7 Promissory Note.
 - 3.8 Power of Attorney.
 - 3.9 Will.
 - 3.10 Trust Deed.
- 4 **Drafting of Writ Petition**
- 5 **Drafting of Public Interest Litigation**

Recommended Books :

The 'Advocacy' - Dr. J.L. Aparajit & J.C. Shukla, Udayan Law Publishers, Nagpur.

**Public Interest Lawyering and Accountancy
Paper - VI**

- 1 Public Interest Litigation.
- 2 Negotiation., Counselling, Pleading and Cross Examination.
- 3 Legal-aid.
- 4 Lok-Adalat.
- 5 Ombudsman, Lokpal and Lokayukta.
- 6 Consumer Disputes Redressal Agencies.
- 7 Legal literacy/Legal Education in India.
- 8 Law Journals and Reports.
- 9 Case Comments.
- 10 Law Office Management.

- 11 Jail Visits.
- 12 Police Station Visits.
- 13 The students are expected to cover all the aforesaid topics in their practical note book after they have actually participated in the aforesaid exercises.

**Labour and Industrial Law - I
Paper - VII**

- 1 **Historical perspective on Labour**
 - 1.1 Labour through the ages - Slave labour - Guild system - Division on Caste Basis - labour during feudal days.
 - 1.2 Colonial Labour Law and Policy.
 - 1.3 Labour capital conflicts : exploitation of labour, profit motive, poor bargaining power, poor working conditions, unorganised labour, Bonded labour, surplus labour, division of labour and super-specialisation, lack of alternative employment.
 - 1.4 From Laissez, fair to welfarism and and to globalization : Transition from exploitation to protection and from contract to status : changing perspectives on labour.
- 2 **Industrial Disputes Act, 1947**
 - 2.1 Objects of Industrial Disputes Act.
 - 2.2 Definitions. (S-2)
 - 2.3 Judicial exposition of important definitions.
 - 2.4 Notice of change. (S : 9-A 9-B)
 - 2.5 Authorities under the Act. (S: 3, 9-C, 4, 5, 12, 6, 7, 7-A, 7-B, 7-C, 8, 9)
 - 2.6 Reference of Disputes to Boards, Courts, Tribunals. (S: 10, 10-A)
 - 2.7 Procedures, powers and duties of authorities. (S: 11, 11-A, 15, 16, 17, 17-A, 18, 19, 20, 21)
 - 2.8 Strikes and lock-outs. (S: 22, 23, 24, 25)
 - 2.9 Lay-off, Retrenchment, transfer and closer. (S: 25-C to 25-E, 25-B, 25-F, 25-H, 25-FF, 25-FFF, 25-FFA, 25-J)
- 3 **Unfair Labour Practices**
- 4 **Penalties (S: 26, 27, 28, 29, 30, 30-A, 31)**
- 5 **Miscellaneous Matters**
 - (S: 32, 33, 33-A, 33-B, 33-C, 34, 35, 36, 36-A, 36-B, 37, 38, 39, 40)
 - Schedule [Vth (I) (10)]
 - Schedule [Vth (5)]
- 6 **Factories Act, 1948**
 - 6.1 Salient features of Factories Act 1948.
 - 6.2 The Factories Amendment Act 1976 [Act 940F(1976)]
 - 6.3 Regulations of work-shops and small factories.

- 6.4 Law regulating conditions in particular industry.
 6.5 Preamble and object of Act.
 6.6 Definitions.
 6.7 The Inspecting Staff. (S: 8, 9, 10)
 6.8 Health. (S: 11 to 20)
 6.9 Safety. (S: 21 to 41, 91-A)
 6.10 Provisions relating to hazardous Processes. (S: 41-A, 41-B, 41-C, 41-D, 41-E, 41-F, 41-G, 41-H)
 6.11 Welfare. (S: 42 to 50)
 6.12 Working hours of adults. (S: 51 to 66)
 6.13 Employment of young persons. (S: 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77)
 6.14 Annual leave with wages. (S: 79 to 84)
 6.15 Special provisions. (S: 85 to 91-A)
 6.16 Penalties and provisions. (S: 92 to 106)
 6.17 Supplemental. (S: 107 to 119)
- 7 **Trade Unions Act**
 7.1 Development of Trade Union Law in India.
 7.2 Trade Union Act 1926 : Definition. (S:2)
 7.3 Registration of Trade Union. (S: 3 to 14, 21, 21-A, 28)
 7.4 Rights and Liabilities of Registered Trade Union. (S: 15 to 27)
 7.5 Penalties and Procedure. (S: 31 to 33)

BOOKS :

- 1 Seth D. D. - Commentaries on Industrial Disputes Act 1947 (1998) - Law Publishing House, Allahabad.
 2 Shrivastava K. D. - Commentaries on Factory Act 1948 (2000) - Eastern, Lucknow.
 3 O. P. Malhotra - The Law of Industrial Disputes - Universal, Delhi.
 4 S. C. Shrivastava - Commentaries on Factories Act 1948 - Universal, Delhi.
 5 Dr. Avtar Singh - Introduction to Labour and Industrial Law, Ed 2002 - Wadhwa, Nagpur.
 6 K. Madhavan Pillai - Labour and Industrial Laws, 7th Ed. - Allahabad Law Agency, Allahabad.

Vth Semester - 3 Year Course
JURISPRUDENCE
Paper - I

- 1 **Introduction**
 1.1 Meaning of the term jurisprudence.
 1.2 Nature and value of jurisprudence.
 1.3 Definition of Law, Nature of Law.
- 2 **Schools of Jurisprudence**
 2.1 Analytical positivism.
 2.1.1 John Austin's theory of Imperative Law.
 2.2 Natural Law.
 2.3 Historical School.
 2.4 Sociological School.
 2A Administration of justice.
- 3 **Sources of Law**
 3.1 Legislation as a source of law.
 3.2 Doctrine of Precedents Stare Decisis.
 3.3 Custom as a source of law.
 3.4 Justice writings and Professional opinion.
- 4 **Legal Rights : The Concept**
 4.1 Kinds.
 4.2 Characteristics.
 4.3 Right Duty correlation.
 4.4 Claim, Liberty, Power, Immunity. (Holfeld's analysis)
- 5 **Persons**
 5.1 Nature of personality.
 5.2 Legal status of unborn, minor, lunatic, drunkard and dead persons.
 5.3 Corporate personality.
 5.4 Types of incorporation.
 5.4.1 Uses and purpose.
 5.5 Dimensions of the modern legal personality, legal personality of non-human beings.
- 6 **Profession : The Concept**
 6.1 Idea of possession.
 6.2 Kinds of possession.
- 7 **Ownership : The Concept**
 7.1 Idea of ownership.
 7.2 Kinds of ownership.
 7.3 Difference between possession and ownership.
- 8 **Title**
- 9 **Property : The Concept**
 9.1 Kinds of property.
- 10 **Liability**
 10.1 Conditions for imposing liability.

- 10.1.1 Wrongful act.
- 10.1.2 Damnum sine injuria.
- 10.1.3 Causation.
- 10.1.4 Mens reu.
- 10.1.5 Intention.
- 10.1.6 Malice.
- 10.1.7 Negligence and recklessness.
- 10.1.8 Strict liability.
- 10.1.9 Vicarious liability.

11 **The Law of Obligations**

- 11.1 Sources of obligation.
- 11.2 Nature and kinds of obligations.

12 **Procedure**

- 12.1 Substantive and procedural law : Difference.
- 12.2 Evidence : Nature and kinds.

Select Bibliography

- (1) Bodenheimer Jurisprudence, The Philosophy and Method of Law, (1996), Universal, Delhi.
- (2) Fitzgerald, (ed), Salmond on Jurisprudence, (1999), Tripathi, Bombay.
- (3) W. Friedmann, Legal Theory, (1999), Universal, Delhi.
- (4) V.D.Mahajan, Jurisprudence and Legal Theory, (1996 re-print), Eastern, Lucknow.
- (5) M.D.A.Freeman, (ed), Lloyd's Introduction to Jurisprudence, (1994), Sweet & Maxwell.
- (6) Paton G.W., Jurisprudence, (1972), Oxford, ELBS.
- (7) H.L.Ahart, The Concepts of Law, (1970), Oxford, ELBS.
- (8) Roscoe Pound, Introduction to the Philosophy of Law, (1998 re-print), Universal, Delhi.
- (9) Dias, Jurisprudence, (1994 first Indian re-print), Adithya Books, New Delhi.
- (10) Dhyani S. N., Jurisprudence : A Study of Indian Legal Theory, (1985), Metropolitan, New Delhi.
- (11) Salmond, Jurisprudence.

Vth Semester - 3 Year Course
PUBLIC INTERNATIONAL LAW
Paper - II

1 **Foundation of International Law**

- 1.1 Definition. nature and origin on International Law.
- 1.2 Theories as to basis of International Law.
- 1.3 Distinction between Public International Law and Private International Law.

2 **Sources of International Law**

- 2.1 Customs.
- 2.2 Treaties.
- 2.3 Decisions of Tribunals.
- 2.4 Writing of jurists.
- 2.5 General principles of law.
- 2.6 Decisions or Determinations of the organs of international institutions, or of international conferences.

3 **Relationship between International Law and Municipal Law**

- 3.1 Theories as to relationship.
 - 3.1.1 Dualist view.
 - 3.1.2 The Monistic Doctrine.
- 3.2 International Law as a part of Municipal Law.
- 3.3 Rules of Municipal Law prescribed by International Law.

4 **Subjects of International Law**

- 4.1 States as subjects of International Law.
- 4.2 Individuals as subjects of International Law - Place of individuals in International Law.
- 4.3 Non-state entities as subjects.

5 **States as subjects of International Law**

- 5.1 Nature of a state at International Law.
 - 5.1.1 Essentials of a state.
 - 5.1.2 Concept of sovereignty.
 - 5.1.3 Equality of states.
- 5.2 Kinds of state and Non-state entities.
 - 5.2.1 Confederation.
 - 5.2.2 Federal State.
 - 5.2.3 Condominium.
 - 5.2.4 Vassal states.
 - 5.2.5 Protectorate state.
 - 5.2.6 Difference between Protectorate and Vassal state.

6 **Recognition of states**

- 6.1 General concept of recognition i.e. Meaning and Definition.
- 6.2 Kinds of recognition.
 - 6.2.1 Implied recognition. Express recognition.
 - 6.2.2 Conditional recognition.
 - 6.2.3 Collective recognition.
 - 6.2.4 Recognition De-jure and De-facto.
- 6.3 Recognition of a head of state or a new Government.
- 6.4 Recognition of Insurgency and Belligerency.
- 6.5 Is there a duty to recognize ?

- 6.6 Legal effects of recognition.
- 6.7 Consequence of non-recognition.
- 7 **State Jurisdiction**
 - 7.1 Territorial jurisdiction.
 - 7.2 Personal jurisdiction.
 - 7.3 Jurisdiction according to the Universal Principle.
 - 7.4 Jurisdiction according to Protective Jurisdiction.
 - 7.5 Problem of jurisdiction with regards to aircraft.
- 8 **State responsibility**
 - 8.1 Meaning and nature of state responsibility.
 - 8.2 Currents of state responsibility.
 - 8.3 Calvo Clause.
- 9 **State succession**
 - 9.1 Meaning and definition of state succession.
 - 9.2 Kinds of succession.
 - 9.2.1 Universal.
 - 9.2.2 Partial.
 - 9.3 Theories of state succession.
 - 9.4 Passing of rights and obligations upon external changes of sovereignty over territory.
 - 9.5 Passing of rights and obligations upon internal changes of sovereignty.
- 10 **State and the Individual**
 - 10.1 Nationality.
 - 10.2 Rights and Duties of States with regards to Aliens.
 - 10.3 Extradition, Rendition and Asylum.
 - 10.4 Human Rights and Fundamental Freedoms.
- 11 **Development and the environment.**
 - 11.1 Development.
 - 11.2 Protection and improvement of human environment.
 - 11.3 Stockholm Conference of 1972.
 - 11.4 Nuclear safety and the environment.
- 12 **The agents of international business**
 - 12.1 Diplomatic Envoys.
 - 12.1.1 Classification of diplomatic agent.
 - 12.1.2 Functions.
 - 12.1.3 Immunities and privileges available to diplomatic agents.
 - 12.2 Consuls.
 - 12.2.1 Classification of Consuls.
 - 12.2.2 Functions.
 - 12.2.3 Rights and immunities of consuls.
 - 12.3 Special missions of a non-permanent nature.
 - 12.4 Other categories of representatives and agents.

- 13 **Treaties**
 - 13.1 Nature and functions of treaties.
 - 13.2 Parties to treaties.
 - 13.3 Formation and Ratification.
 - 13.4 Reservation.
 - 13.5 Interpretation of treaties.
 - 13.6 Termination of treaties.
 - 13.7 Unequal treaties Jus Cogens.
- 14 **International Disputes**
 - 14.1 Peaceful/Amicable means of settling international disputes
 - 14.1.1 Arbitration.
 - 14.1.2 Judicial settlement.
 - 14.1.3 Negotiations.
 - 14.1.4 Good offices.
 - 14.1.5 Mediation.
 - 14.1.6 Conciliation.
 - 14.1.7 Enquiry.
 - 14.1.8 Settlement under the U.N.
 - 14.2 Forcible means of settling international disputes
 - 14.2.1 Retorsions.
 - 14.2.2 Reprisals.
 - 14.2.3 Embargo.
 - 14.2.4 Pacific Blockade.
 - 14.2.5 Intervention.
- 15 **War, armed conflicts and other hostile relations**
 - 15.1 Meaning.
 - 15.2 Non-war armed conflicts.
 - 15.3 Commencement of war or other hostilities.
 - 15.4 Legal regulation of right to resort to war or other armed conflicts.
 - 15.5 Effects of out break of war.
 - 15.6 Modes of terminating of war and other hostilities.
 - 15.7 War crimes and trials pertaining to it.
- 16 **Neutrality, Quasi Neutrality and Non-belligerency.**
 - 16.1 Definition of Neutrality
 - 16.1.1 Development of law of neutrality.
 - 16.1.2 Duties of neutral states.
 - 16.1.3 Kinds of neutrality.
 - 16.1.4 Distinction between neutrality and neutralisation.
 - 16.1.5 Privilege of angary.
 - 16.2 Meaning of quasi-neutral.
 - 16.3 Meaning of non-belligerent.

16.4 Rights and duties in general of neutrals, quasi-neutral and non-belligerents.

17 **International institutions.**

18 **Intervention : Monroe Doctrine, Drago Doctrine.**

19 **Contra Band and Doctrine of Continuous Voyage.**

20 **Blockade.**

BOOKS:

1) N.D.Kapoor - International Law.

2) Starke - International Law.

Vth Semester - 3 Year Course

TRANSFER OF PROPERTY ACT AND EASEMENT

Paper - III

1 **Jurisprudential Controls of Property**

1.1 Concept and meaning of property - new property - Government largesse.

1.2 Kinds of Property - movable and immovable property - tangible and intangible property - intellectual property - copyright - patent and designs - trademarks.

1.3 The concept of possession and ownership - finder of lost goods.

2 **Law relating to Transfer of Property**

2.1 General Principles of Transfer of Property.

2.1.1 Definition of Transfer of Property - what may be transferred - competence to transfer property.

2.2 Rules regarding transfer : Movable and Immovable Property.

2.2.1 Kinds of transfer - Oral transfer, conditional transfer.

2.2.2 Conditions/Restrictions affecting interests (Section 10,11,12).

2.2.3 Transfer for benefit of unborn persons.

2.2.4 Rules against perpetuity.

2.2.5 Vested Interest - Contingent Interest.

2.2.6 Elections.

2.3 Transfer of Immovable Property.

2.3.1 Transfer by some persons : Ostensible owner - persons having authority to revoke former transfers - unauthorised person subsequently acquiring interest in property transferred - co-owner.

2.3.2 Joint transfer for consideration - by persons having distinct interest.

2.3.3 Priority of rights created by transfer.

2.3.4 Fraudulent transfer, part performance.

3 **Specific Transfers : Immovable Property**

3.1 Sale and Law relating thereto.

3.2 Mortgage and Law relating thereto.

4 **Redemption**

5 **Charges**

6 **Leases**

7 **Exchange**

8 **Gifts**

9 **Actionable claims**

10 **Easements**

10.1 Nature and characteristics of Easement.

10.2 Imposition, Acquisition and Transfer.

10.3 Incidents of Easement.

10.4 Disturbance of Easement.

10.5 Extinction, Suspension and Revival of Easement.

10.5.1 Extinction of Easement. (Section 37-48)

10.5.2 Suspension of Easement. (Section 49-50)

10.5.3 Revival of Easement. (Section 51)

10.6 Licenses. (Section 52-64)

Select Bibliography

(1) Mulla, Transfer of Property Act, (1999), Universal, Delhi.

(2) Subbarao, Transfer of Property Act, (1994), C.Subbiah Chetty, Madras (Chennai).

(3) B. Sivaramayya, The Equalities and the Law, (1997), Eastern Book Company, Lucknow.

LL.B. Three Years (Semester Vth)

Paper-IV

Labour and Industrial Law-II

1. **Meaning Wages Act 1948**

1.1

1.1.1 Preamble of the Act

1.1.2 Statements of objects and reasons.

1.1.3 Constitutionality of minimum wages act.

1.1.4 Minimum Wages (Amendment) Act, 1957.

1.2 Definitions. (S:2)

1.3 Fixing of minimum rates of wages. (S: 3 to 31)

2. **Workman's Compensation Act 1923**

2.1

- 2.1.1 Historical study of Compensation Laws in India.
- 2.1.2 Aims and Objects of the Act
- 2.1.3 Preamble of the Act.
- 2.2 Definitions. (S:2)
- 2.3 Employer's Liability for compensation. (S:3)
- 2.4 Determination of amount of compensation. (S:4)
- 2.5 Section : 4-A
- 2.6 Section : 6,7,8,9.
- 2.7 Section : 10, 10-A, 10-B, 11.
- 2.8 Section : 12, 13, 14, 14-A, 15, 15-A, 15-B, 16, 17, 18-A.
- 2.9 Commissioner's (Section: 19,20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30,31)
- 2.10 Rules. (Section : 32 to 36)
- 3. **Payment of Wages Act, 1936.**
 - 3.1
 - 3.1.1 Recommendation of Royal Commission.
 - 3.1.2 Preamble of the Act.
 - 3.1.3 Object of the Act..
 - 3.2 Definitions. (Section : 2)
 - 3.3 Section : 3,4,5,6,7,8,9,10, 11, 12, 13, 13-A.
 - 3.4 Section : 14, 14(4), 14-A.
 - 3.5 Section : 15, 16, 17, 17-A, 18, 20,21, 22, 22-A, 23, 24, 25, 25-A, 26.
- 4. **Employees Provident Fund and Miscellaneous Provisions Act 1952.**
 - 4.1 Aims and objects of the Act.
 - 4.2 Definitions. (Section : 2)
 - 4.3 Establishments to include all departments and branches. (Section: 2-A)
 - 4.4 Section : 3, 4, 5.
 - 4.5 Section : 6 to 22.
- 5. **Payment of Gratuity Act 1972**
 - 5.1 Statement of object.
 - 5.2 Salient features of the Act.
 - 5.3 Definitions. (Section : 2)
 - 5.4 Section : 3,4,4-A, 5, 6, 7,8,7-A, 7-B, 9,10,11,12,13,14, 15.
- 6. **Maternity Benefits Act, 1961**
- 7. **Child Labour (Prohibition & Regulation) Act, 1986.**

BOOKS :

- 1. K. Madhavan Pillai – Labour And Industrial Laws, 7th Ed. – Allahabad Law Agency, Allahabad.
- 2. Dr. Avtar Singh – Introduction to Labour and Industrial Law, Ed. 2002 – Wadhwa, Nagpur.

- 3. S.C. Shrivastava – Industrial Relations and labour law (1999) – Vikas.
- 4. Shrivastava K.D. – Commentaries on Payment of Wages Act 1936 (1998) – Eastern, Lucknow.
- 5. Shrivastava K.D.- Commentaries on Minimum Wages Act 1948 (1995) – Eastern, Lucknow.
- 6. Rao S.B. – Law and Practice on Minimum Wages (1999) – Law Publishing House, Allahabad.

Vth Semester - 3 Year Course
LAND LAWS AND LOCAL LAWS
The Maharashtra Land Revenue Code, 1966
Paper - V

- 1 **Definitions**
- 2 **Revenue Areas**
 - 2.1 Division of State into Revenue areas.
 - 2.2 Constitution of Revenue areas.
- 3 **Revenue Officers : Their powers and Duties**
 - 3.1 Chief Controlling Authority in revenue matters.
 - 3.2 Revenue Officers in division.
 - 3.3 Revenue Officers in district.
 - 3.4 Survey Officers.
 - 3.5 Combination of officers.
 - 3.5.1 Delegation of powers.
 - 3.6 Temporary vacancies.
 - 3.7 Subordination of officers.
 - 3.8 Appointments to be notified.
 - 3.9 Powers and duties of Revenue Officers.
 - 3.10 Powers and duties of Survey Officers, Circle Officers etc.
 - 3.11 Conferral by State Government of owners of revenue officers on other persons.
 - 3.12 Seals.
- 4 **Provision for recovery of money, papers or other Government property**
 - 4.1 Demands for money, papers etc. to be made known in writing to person concerned etc.
 - 4.2 Public moneys may also be recovered as arrears of revenue, search warrants may be issued for recovery of papers or property.
 - 4.3 Officer or person in jail may secure his release by furnishing security.
- 5 **Of Lands**
 - 5.1 Title of State in all lands, public roads, etc. which are not property of others.

- 5.2 Extinction of rights of public in or over any public road, lane or path not required for use of public.
- 5.3 Lands may be assigned for special purposes and when assigned shall not be otherwise used without sanction of Collector.
- 5.4 Regulation of use of pasturage.
- 5.5 Recovering value of natural products unauthorisedly removed from certain lands.
- 5.6 Right to trees in holdings.
- 5.7 Trees and forests vesting in Government.
- 5.8 Recovery of value of trees etc. unauthorisedly appropriated.
- 5.9 Regulation of cutting and supply of wood etc.
- 6 **Of the Grant of Land**
 - 6.1 Classes of persons holding land.
 - 6.2 Occupation of unalienated granted under provisions of the Code.
 - 6.3 Unoccupied land may be granted on conditions.
 - 6.4 Grant of alluvial land vesting in Government.
 - 6.5 Temporary right to alluvial lands of small extent.
 - 6.6 Disposal of inter-state occupancies.
 - 6.7 Disposal of relinquished or forfeited sub-division.
 - 6.8 Occupancy to be transferable and heritable subject to certain restrictions.
 - 6.8.1 Restrictions on transfers of occupancies by Tribals.
 - 6.8.2 Damages for use and occupation of occupancies in certain cases.
 - 6.8.2.1 Pleaders, etc. excluded from appearance.
 - 6.8.3 Bar of jurisdiction of Civil Court or authority.
 - 6.9 Occupant's rights are conditional.
 - 6.10 Power to grant leases.
 - 6.11 Occupant to pay land revenue and Government lease to pay rent fixed.
 - 6.12 Savings powers of Government.
- 7 **Of use of Land**
 - 7.1 Uses to which holder of land for purpose of agriculture may put his land.
 - 7.2 Permission for non-agricultural use.
 - 7.3 Restriction on use.
 - 7.4 Procedure for conversion of use of land from one purpose to another.
 - 7.5 Penalty for so using land without conversion.

- 7.6 Responsibility of tenant or other person for wrongful use.
- 7.7 Power of State Government to exempt lands from provisions of Section 41,42,44,45 or 46.
 - 7.7.1 Liability for payment of conversion tax by holder for change of user of land.
- 7.8 Government title to mines and minerals.
- 7.9 Construction of water course through land belonging to other person.
- 8 **Of Encroachments on Lands**
 - 8.1 Removal of encroachments on land vesting in Government : provisions for penalty and other incidental matters.
 - 8.2 Regularization of encroachments.
 - 8.3 Value and land revenue : how calculated.
 - 8.4 Summary eviction of person unauthorisedly occupying land vesting in Government.
 - 8.5 Forfeiture and removal of property left over after summary eviction.
 - 8.5.1 Additional temporary powers for termination of licenses and removal of any building or other structure on any land or foreshore which is forfeited and of persons re-entering or remaining on the land or foreshore after eviction.
- 9 **Of Relinquishment of Land**
 - 9.1 Relinquishment.
 - 9.2 Relinquishment of alienated land.
 - 9.3 Right of way to relinquished land.
 - 9.4 Saving of operation of Section 55 in certain cases.
 - 9.5 Summary eviction of person unauthorisedly occupying land.
 - 9.6 Power of State Government to suspend operation of Section 55.
- 10 **Protection of certain occupancies from process of courts**
 - 10.1 Occupancy when not liable to process of Civil Court, court to give effect to Collector's Certificate.
 - 10.2 Bar of attachment or sale.
 - 10.3 Bar of foreclosure or attachment or sale of Bhumidhari's right.
- 11 **Of Land Revenue**
 - 11.1 All land liable to pay revenue unless specifically exempted.
 - 11.2 Liability of alluvial lands to land revenue.

- 11.3 Assessment of land revenue in cases if diluvian.
 - 11.4 Manner of assessment and alteration of assessment.
 - 11.5 Assessment by whom to be fixed.
 - 11.6 Settlement of assessment to be made with holder directly from State Government.
 - 11.7 Rates for use of water.
 - 11.8 The fixing of assessment under this code limited to ordinary land revenue.
 - 11.9 Land Revenue to be paramount charge on land.
 - 11.10 Forfeited holdings may be taken possession of and otherwise disposed.
 - 11.11 To prevent forfeiture of occupancy of certain persons other than occupant may pay land revenue.
 - 11.12 Register of alienated lands.
 - 11.13 Receipts.
 - 11.14 Penalty for failure to grant receipts.
 - 11.15 Reduction, suspension or remission of land revenue.
- 12 **Of Lands within the Sites of Villages, Towns and Cities.**
- 12.1 Application of chapter.
 - 12.2 Limits of sites of villages, towns and cities how to be fixed.
 - 12.3 No land revenue to be levied in certain cases on lands within sites of villages, towns or cities.
 - 12.4 Right to exempt to be determined by Collector.
 - 12.5 Pardi and wada lands exempted from payment of land revenue.
 - 12.6 Survey of lands in village sites : how to be conducted.
 - 12.7 In certain cases survey fees to be charged.
 - 12.8 Maps of village sites.
 - 12.9 Sanad to be granted without extra charge.
 - 12.10 Grant of sanad on alteration of holding.
 - 12.11 Duplicate sanads may be granted.
- 13 **Boundary and Boundary Marks**
- 13.1 Fixation and demarcation : boundaries.
 - 13.2 Determination of village boundaries.
 - 13.3 Determination of field boundaries.
 - 13.4 Disputes regarding boundaries between villages, survey numbers and sub-divisions.
 - 13.5 Demarcation of boundaries : of survey number or sub-division.
 - 13.6 Straightening out crooked boundaries.
 - 13.7 Effect of settlement of boundaries.
 - 13.8 Construction and repair of boundary marks of survey numbers and villages, etc.

- 13.9 Responsibility for maintenance of boundary marks and survey marks.
 - 13.10 Collector to have charge of boundary marks and survey marks after introduction of survey.
 - 13.11 Demarcation and maintenance of boundary marks between holding and village road.
 - 13.12 Right of way over boundaries.
 - 13.13 Demarcation of boundaries in area under town planning scheme or improvement scheme or consolidation scheme.
 - 13.14 Penalty for injuring boundary marks.
 - 13.15 Power to exempt operation from this chapter.
- 14 **Land Records**
- 14.1 Record of Rights.
 - 14.1.1 Exemption from provisions of this chapter.
 - 14.1.2 Record of rights.
 - 14.1.3 Acquisition of rights to be reported.
 - 14.1.4 Register of mutations and register of disputed cases.
 - 14.1.5 Obligation to furnish information, obligation to furnish entries from record of rights etc. to holder or tenant in booklet form and to maintain booklet etc.
 - 14.1.6 Fine for neglect to afford information.
 - 14.1.7 Requisition of assistance in preparation of maps.
 - 14.1.8 Intimation of transfers by registering officers.
 - 14.1.9 Correction of clerical errors.
 - 14.1.10 Land Records.
 - 14.1.11 Presumption of correctness of entries in record of rights and register of mutations.
 - 14.1.12 Bar of Suits.
 - 14.1.13 Record of rights at commencement of Code.
 - 14.2 Rights in unoccupied lands.
 - 14.2.1 Application of provisions of Section 161 to 167.
 - 14.2.2 Nistar Patrak.
 - 14.2.3 Matters to be provided for in Nistar Patrak.
 - 14.2.4 Provisions in Nistar Patrak for certain matters.
 - 14.2.5 Right in waste land of another village.
 - 14.2.6 Wajib-ul-arz.
 - 14.2.7 Regulation of fishing etc.
 - 14.2.8 Punishment of contravention of provisions.

- 15 **Realisation of Land Revenue and Other Revenue Demands**
- 15.1 Liability for land revenue.
- 15.2 Claims of State Government to have precedence over all others.
- 15.3 Dates on which land revenue falls due and is payable.
- 15.4 Temporary attachment and management of village or share of village.
- 15.5 Temporary attachment and management of village or share of village to be vacated (withdrawn) on security being furnished.
- 16 **'Arrears', 'Defaulter'**
- 16.1 Penalty for default of payment of land revenue.
- 16.2 Certified account to be evidence as to arrears.
- 16.3 Process of recovery of arrears.
- 16.4 Revenue demands of former years : how recoverable.
- 16.5 When notice of demand may issue.
- 16.6 Occupancy or alienated holding for which arrears is due may be forfeited.
- 16.7 Distraint and sale of defaulter's movable property.
- 16.8 Sale of defaulter's immovable property.
- 16.9 Power to attach defaulter's immovable property and take it under management.
- 17 **Arrest and detention of defaulter**
- 17.1 Power to arrest by whom to be exercised.
- 17.2 Power to attach defaulter's village and take it under management.
- 17.3 Lands of such village to revert free of encumbrances.
- 17.4 Revenue management of villages or estates not belonging to Government that may be temporarily under management of State Government.
- 17.5 Application of surplus profits.
- 17.6 Restoration of village so attached.
- 17.7 Village, etc. to vest in State Government if not redeemed within twelve years.
- 17.8 But all processes to be stayed on security being given.
- 18 **Procedure in effecting sales**
- 18.1 Notification of sale.
- 18.2 Sale by whom to be made, time of sale etc.
- 18.3 Postponement of sale.
- 18.4 Sale of perishable articles.
- 18.5 When sale may be stayed.
- 18.6 Sale of movable property when liable to confirmation.
- 18.7 Mode of payment for movable property when sale is concluded at once.

- 18.8 Mode of payment when sale is subject to confirmation.
- 18.9 Deposit by purchaser on case of sale to confirmation.
- 18.10 Purchase money when paid.
- 18.11 Effect of default.
- 18.12 Liability of purchaser for loss by re-sale.
- 18.13 Notification before re-sale.
- 18.14 Setting aside sales of movables.
- 18.15 Application to set aside sale of immovables.
- 18.16 Order confirming or setting aside sale.
- 18.17 Purchaser may apply to set aside sale under certain circumstances.
- 18.18 Application to set aside sale by person owing or holding interest in property.
- 18.19 Refund of deposit or purchase money when sale set aside.
- 18.20 On confirmation of sale, purchaser to be put in possession. Certificate of purchase.
- 19 **Bar of suit against certified purchaser**
- 19.1 Application of proceeds of sale.
- 19.2 Surplus not to be paid to creditors, except under order of court.
- 19.3 Certified purchaser liable only for land revenue subsequently die.
- 19.4 Purchaser's title.
- 19.5 Claims to attached property, how to be disposed.
- 19.6 Bar of revenue officer to bid, etc. at sale.
- 19.7 Purchase on nominal bid.
- 19.8 Sum recovered under provisions of this Chapter.
- 19.9 Recovery of free grants as arrears of revenue in case of misuse.
- 19.10 Recovery of monies from surety.
- 20 **Procedure of Revenue Officers**
- 20.1 Subordination of revenue officers.
- 20.2 Power to transfer cases.
- 20.3 Power to transfer cases to and from subordinate.
- 20.4 Power to summon persons to give evidence and produce documents.
- 20.5 Summons to be in writing, signed and sealed: service of summons.
- 20.6 Compelling attendance of witness.
- 20.7 Mode of serving notice.
- 20.8 Procedure for producing attendance of witnesses.
- 20.9 Hearing in absence of party.
- 20.10 Adjournment if hearing.

- 20.11 Mode of taking evidence in formal enquiries.
 20.12 Writing and expansion of decisions.
 20.13 Summary enquiries how to be conducted.
 20.14 Formal and summary enquiries to be deemed judicial proceedings.
 20.15 Ordinary enquiries - how to be conducted.
 20.16 Copies and translations, etc. how to be obtained.
 20.17 Arrest of defaulter to be made upon warrant.
 20.18 Power to enter upon and survey land.
 20.19 Collector how to proceed in order to evict any person wrongfully under possession of land.
 20.20 Power to give and apportion cost.
 20.21 Persons by whom appearances and applications may be made before and to revenue or survey officer.
 20.22 Saving.
- 21 **Appeals, Revision and Review**
 21.1 Application of this Chapter.
 21.2 Appeal and appellate authorities.
 21.3 Appeal when to lie to State Government.
 21.4 Appeal against review or revision.
 21.5 Periods within which appeals must be brought.
 21.6 Admission of appeal after period of limitation.
 21.7 Appeal shall not be against certain orders.
 21.8 Provision where last day for appeal falls on Sunday or Holiday.
 21.9 Copy of order to accompany petition of appeal.
 21.10 Power of appellate authority.
 21.11 Stay of execution of orders.
 21.12 Power of State Governments and of certain revenue and survey officers to call for and examine records and proceedings of subordinate officers.
 21.13 Review of orders.
 21.14 Rules as to decisions or orders expressly made final.
- 22 **Maharashtra Revenue Tribunal**
 22.1 Definitions.
 22.2 Maharashtra Revenue Tribunal.
 22.3 President and members.
 22.4 Vacancy and temporary absence.
 22.5 Registrar and Deputy Registrar.
 22.6 Headquarters.
 22.7 Place of sitting.
 22.8 Jurisdiction of tribunal.
 22.9 Jurisdiction barred in certain cases.
 22.10 Powers of Tribunal under other laws not affected.

- 22.11 Tribunal to have power of civil court.
 22.12 Practice and procedure.
 22.13 State Government to be heard in certain cases.
 22.14 No appeal to State Government and jurisdiction of court barred.
 22.15 Reviews of orders of tribunal.
 22.16 Manner of executing orders passed by tribunal.
 22.17 Provision for court fees.
 22.18 Rules.
 22.19 Saving.
- 23 **Miscellaneous**
 23.1 Maps and land records open to inspection, etc.
 23.2 Rules.
 23.3 Provision for previous publication of and penalty for breach of rules.
 23.4 Laying of rules before Legislature.
 23.5 Delegation of powers and duties.
 23.6 Certain provisions to apply to alienated villages.
 23.7 Holders of land in alienated villages.
 23.8 Construction of this code.
 23.9 Amendments of enactments.
 23.10 Power to remove difficulty.
 23.11 Repeal and savings.
 23.12 Construction of reference.

The Maharashtra Regional and Town Planning Act, 1966

1 **Definitions**

2 **Provisions relating to regional plans**

- 2.1 **Regions.**
 2.1.1 Establishment of Region and alteration of its limits.
 2.2 **Constitution of Regional Planning Boards.**
 2.2.1 Constitution of Regional Planning Boards.
 2.2.2 Terms of office and conditions of service of members.
 2.2.3 Resignation of members.
 2.2.4 Vacancies.
 2.2.5 Powers and duties of Board.
 2.2.6 Meetings of Regional Board, etc.
 2.2.7 Consultation or association with experts : Regional Planning Committee.
 2.2.8 Power of Regional Board to appoint staff.
 2.2.9 Expenses of Regional Board.
- 2.3 **Regional Plans.**

- 2.3.1 Survey of region and preparation of Regional Plan.
- 2.3.2 Contents of Regional Plan.
- 2.3.3 Submission of Regional Plan to State Government for approval.
- 2.3.4 Procedure to be followed in preparing and approving Regional Plans.
- 2.3.5 Publication of Regional Plan and date of its operation.
- 2.3.6 Restriction on change of user of land or development thereof.
- 2.3.7 Exclusion of claims for compensation for injurious affection.
- 2.3.8 Revision or modification of Regional Plan.

3 **Development Plan**

- 3.1 Preparation, submission and sanction in Development Plan.
 - 3.1.1 Development Plan.
 - 3.1.2 Contents of Development Plan.
 - 2.1.2.1 Modification of substantial nature.
- 3.2 Procedure to be followed in preparing and sanctioning development plan.
 - 3.2.1 Declaration of intention to prepare development plan.
 - 3.2.2 Town Planning Officer.
 - 3.2.3 Provisions for survey and preparation of existing land use maps.
 - 3.2.4 Preparation and publication of notice of draft Development Plan.
 - 3.2.5 Provision of Regional Plan to be considered.
 - 3.2.6 Objections to draft Development Plan.
 - 3.2.7 Modifications made after preparing and publishing notice of draft Development Plan.
 - 3.2.8 Submission of draft Development Plan.
 - 3.2.9 Sanction to draft Development Plan.
- 3.3 Provisions for preparation of interim Development plans, plans for areas of Comprehensive development, etc.
 - 3.3.1 Interim Development Plan.
 - 3.3.2 Plans for areas of Comprehensive development.
 - 3.3.3 Preparation of development plan for additional area.

- 3.3.4 Development plan sanctioned by State Government before commencement of this act.
- 3.3.5 Development plan prepared prior to this act.
- 3.3.6 Minor modification of final Development Plan.
- 3.3.7 Revision of Development Plan.
- 3.3.8 Variation of town planning scheme by the development plan.
- 3.3.9 Special Planning Authority for developing certain notified areas.
- 3.3.10 Expenses Special Planning Authority to be met by contribution by local authorities.
- 3.3.11 Implementation of plans.

4 **Control of Development and Use of Land Included in Development Plans**

- 4.1 Restriction on development of land.
- 4.2 Application for permission for development.
- 4.3 Grant or refusal of permission.
- 4.4 Provisions of Development Plan to be considered before granting permission.
- 4.5 Appeal.
- 4.6 Lapse of permission.
- 4.7 Obligation to acquire land on refusal of permission or on grant of permission in certain cases.
- 4.8 Deletion of reservation of designated land for interim, draft or final Development plans.
- 4.9 Power of revocation and notification of permission to development.

5 **Unauthorised Development**

- 5.1 Penalty for unauthorised development or for use otherwise than in conformity with Development Plan.
- 5.2 Power to require removal of unauthorised development.
- 5.3 Power to stop unauthorised development.
- 5.4 Removal or discontinuance of unauthorised temporary development summarily.
- 5.5 Power to require removal of unauthorised development or use.
- 5.6 Recovery of expenses incurred.
- 5.7 Development undertaken on behalf of Government.

6 **Town Planning Schemes**

- 6.1 Making of Town Planning Schemes.
 - 6.1.1 Preparation and contents of town planning schemes.

- 6.1.2 Power of Planning Authority to resolve on declaration of intention to make scheme.
- 6.1.3 Making and publication of draft scheme by means of notice.
- 6.1.4 Inclusion of additional area in draft scheme.
- 6.1.5 Power of State Government to require Planning Authority to make scheme.
- 6.1.6 Contents of draft scheme.
- 6.1.7 Reconstituted plot.
- 6.1.8 Compensation for discontinuance of use.
- 6.1.9 Objections to draft schemes to be considered.
- 6.1.10 Power of State Government to sanction draft scheme.
- 6.1.11 Restriction on use and development of land after declaration for town planning scheme.
- 6.1.12 Power of State Government to suspend rule, bye-law, etc.
- 6.1.13 Disputed ownership.
- 6.2 The Arbitrator and the Tribunal of Appeal.
 - 6.2.1 Arbitrator, his powers and duties.
 - 6.2.2 Certain decisions of arbitrator to be final.
 - 6.2.3 Appeal.
 - 6.2.4 Constitution of Tribunal of Appeal.
 - 6.2.5 Arbitrator to assist Tribunal in advisory capacity and his remuneration.
 - 6.2.6 Place where tribunal may sit.
 - 6.2.7 Decision of questions of law and other questions.
 - 6.2.8 Power of tribunal to decide matter finally.
 - 6.2.9 Tribunal not to be court.
 - 6.2.10 Remuneration of Arbitrator and Assessors and payment of incidental expenses of Tribunal.
 - 6.2.11 Decisions of Arbitrator to be final in certain matters.
 - 6.2.12 Possession of land in advance of town planning scheme.
 - 6.2.13 Commissioner of Police or Magistrate to enforce delivery of possession of land.
 - 6.2.14 Owner of land of which possession is taken entitled to interest.
 - 6.2.15 Sanction by State Government to final scheme.
 - 6.2.16 Withdrawal for scheme.
 - 6.2.17 Effect of final scheme.

- 6.3 Enforcement of Schemes.
 - 6.3.1 Power of Planning Authority to evict summarily.
 - 6.3.2 Power to enforce scheme.
 - 6.4 Variation of scheme.
 - 6.4.1 Power to vary scheme on ground of error, irregularity or informality.
 - 6.4.2 Power to vary Town Planning Scheme.
 - 6.4.3 Apportionment of cost of scheme withdrawn or not sanctioned.
 - 6.5 Proceedings before Arbitrator and Tribunal.
 - 6.5.1 Right to appear by recognised agent.
 - 6.5.2 Power to compel attendance of witness.
 - 6.6 Joint Development Plans and Joint Town Planning Schemes.
 - 6.7 Compensation.
 - 6.7.1 Compensation in respect of property or right injuriously affected by scheme.
 - 6.7.2 Exclusion or limitation of compensation in certain cases.
 - 6.7.3 Provision for cases in which amount payable to owner exceeds amount due from him.
 - 6.7.4 Provision for cases in which value of developed plot is less than amount payable by owner.
 - 6.7.5 Payment by adjustment of account.
 - 6.7.6 Payment of net amount due to Planning Authority.
 - 6.8 Miscellaneous.
 - 6.8.1 Power of Planning Authority to make agreement.
 - 6.8.2 Recovery of arrears.
 - 6.8.3 Disposal of surplus amount.
 - 6.8.4 Execution of works in final schemes by Planning Authority.
 - 6.8.5 Penalty for removal of boundary stones.
- 7 **New Towns**
- 7.1 Designation of site for new town.
 - 7.1.1 Power of State Government to acquire land for Corporation or Company declared to be New Town Development Authority.
 - 7.2 Objects of Development Authority.
 - 7.3 Planning and control of development in new towns.
 - 7.4 Acquisition of land by Developmental Authority constituted under Section 113(2).

- 7.5 Obligation to purchase designated land.
- 7.6 Disposal of land by Developmental Authority.
- 7.7 Directions by State Government for disposal of land.
- 7.8 Power to make agreement for provision of services.
- 7.9 Contributions by Development Authority towards expenditure of local authorities and statutory authority.
- 7.10 Advances and payments by State Government to Development Authorities.
 - 7.10.1 Power of Development Authority to borrow and to accept deposits.
- 7.11 Transfer of Undertaking of Development Authority.
- 7.12 Combination and transfer of Development Authorities.

The Land Acquisition Act, 1894

1 **Definitions**

2 **Acquisition**

- 2.1 Preliminary Investigation.
 - 2.1.1 Publication of preliminary notification, and powers of officers thereupon.
 - 2.1.2 Payment for damages.
 - 2.1.2.1 Objections.
 - 2.1.2.1.1 Hearing of objections.
- 2.2 Declaration of intended Acquisition.
 - 2.2.1 Declaration that land is required for public purposes.
 - 2.2.2 After declaration, Collector to take order for acquisition.
 - 2.2.3 Land to be marked out, measured and planned.
 - 2.2.4 Notice to persons interested.
 - 2.2.5 Power to require and enforce the making of statements as to names and interests.
- 2.3 Enquiry into measurements, value and claims and Award by the Collector.
 - 2.3.1 Enquiry and Award by Collector.
 - 2.3.1.1 Period within which an award shall be made.
 - 2.3.2 Award of Collector - when to be final.
 - 2.3.3 Adjournment of enquiry.
 - 2.3.3.1 Corrections of clerical errors, etc.
 - 2.3.4 Power to summon and enforce attendance of witnesses and production of documents.
 - 2.3.5 Matters to be considered and neglected.
 - 2.3.5.1 Power to call for records, etc.
- 2.4 Taking possession.
 - 2.4.1 Power to take possession.

- 2.4.2 Special powers in case of urgency.

3 **Reference to Court and Procedure thereon**

- 3.1 Reference to Court.
- 3.2 Collector's statement to the Court.
- 3.3 Service of notice.
- 3.4 Restriction on scope of proceedings.
- 3.5 Proceedings to be in open court.
- 3.6 Matters to be considered in determining compensation.
- 3.7 Matters to be neglected in determining compensation.
- 3.8 Amount of compensation awarded by Court not to be lower than amount awarded by Collector.
- 3.9 Forms of Awards.
- 3.10 Costs.
- 3.11 Collector may be directed to pay interest on excess compensation.
 - 3.11.1 Re-determination of the amount of compensation on the basis of the Award of the Court.

4 **Apportionment of compensation**

- 4.1 Particulars of appointment to be specified.
- 4.2 Dispute as to apportionment.

5 **Payment**

- 5.1 Payment of compensation or deposit of same in court.
- 5.2 Investment of money deposited in respect of land belonging to persons incompetent to alienate.
- 5.3 Investment of money deposited in other cases.
- 5.4 Payment of interest.

6 **Temporary Occupation of Land**

- 6.1 Temporary occupation of waste or arable land - procedure when difference as to compensation exists.
- 6.2 Power to enter and take possession and compensation on restoration.
- 6.3 Difference as to condition of land.

7 **Acquisition of Land for Companies**

- 7.1 Industrial concern to be deemed Company for certain purposes.
- 7.2 Previous consent of appropriate Government and execution of agreement necessary.
- 7.3 Previous enquiry.
- 7.4 Agreement with appropriate Government.
- 7.5 Publication of agreement.
- 7.6 Section 39 to 42 not to apply where Government bound by agreement to provide land for Companies.
- 7.7 How agreement with Railway Company may be proved.
 - 7.7.1 Restriction on transfer, etc.

- 7.7.2 Land not to be acquired under this part except for certain purpose for private companies other than Government Companies.

8 Miscellaneous

- 8.1 Service of notices.
 8.2 Penalty for obstructing acquisition of land.
 8.3 Magistrate to enforce surrender.
 8.4 Completion of acquisition not compulsory, but compensation to be awarded when not completed.
 8.5 Acquisition of part of house or building.
 8.6 Acquisition of land at cost of a local authority or Company.
 8.7 Exemption from stamp duty and fees.
 8.7.1 Acceptance of certified copy as evidence.
 8.8 Notice in case of suits for anything done in pursuance of Act.
 8.9 Code of Civil Procedure to apply to proceedings before Court.
 8.10 Appeal in proceedings before Court.
 8.11 Power to make rules.
 8.12 The Land Acquisition Amendment Act, 1984.

Select Bibliography

- (1) Bare Act, The Maharashtra Land Revenue Code, 1966.
- (2) Bare Act, The Maharashtra Regional and Town Planning Act, 1966.
- (3) Bare Act, The Land Acquisition Act, 1894.

Vth Semester - 3 Year Course Alternative Disputes Resolution Paper - VI

- Alternative Disputes Resolution - Necessity/why required/why needed?
- Merits of Alternative Disputes Resolution
- Demerits of Alternative Disputes Resolution
- Difference between Adjudication and Alternative Disputes Resolution process.
- Alternative Disputes Resolution - knowing the problems in hand
- Models - client's interview

1 Additional advantage of Alternative Disputes Resolution 2 Importance of Alternative means of Disputes Redressal 3 Commencement of Alternative Disputes Resolution proceedings

- 3.1 Where there is an agreement to refer to the rules.
 3.2 Where there is no agreement to refer to the rules.
 3.3 Selection of the Neutral.
 3.4 Fees and Costs.
 3.5 Conduct of the Alternative Disputes Resolution procedure.
 3.6 Termination of Alternative Disputes Resolution proceedings.
 3.7 General provisions.
 3.8 Obligation to consider Alternative Disputes Resolution
 3.9 Obligation to submit disputes to ADR with an automatic expiration mechanism.
 3.10 Obligation to submit disputes to ADR followed ICC arbitration as required

4 Mediation and Arbitration - Distinction of

- 4.1 Who is mediator?
 4.2 Why mediator?
 4.3 Rules for mediation.
 4.4 Limitation of mediator.
 4.5 How to enforce mediator settlement.
 4.6 When mediator's settlement may not be enforced.

5 Settlement of disputes through Lok-Adalat

- 5.1 What is Lok-Adalat?
 5.2 Benefits under Lok-Adalats
 5.2.1 Establishment of Lok-Adalat
 5.2.2 Jurisdiction of Lok-Adalat
 5.2.3 Cognizance of case by Lok-Adalat
 5.2.4 Award of Lok-Adalat
 5.2.5 Award of Lok-Adalat shall be final
 5.2.6 Powers of the Lok-Adalat
 5.2.7 Lok-Adalat Awards as good as court's decision

- 5.2.8 Lok-Adalat can pass order only when there is compromise between the parties
- 5.2.9 Lok-Adalat can make an award touching rights of minor
- 5.3 Legal Aid as Human Right
- 5.4 Present adjudicatory system
- 5.5 Constitution of committee for implementing Legal Aid Scheme CILAS (Lok-Adalat)
- 5.6 History of Lok-Adalat movement
- 5.7 Types of cases taken up at Lok-Adalat
- 5.8 Guidelines for organising Lok-Adalat
- 5.9 Finance
- 5.10 Himachal Pradesh Experience
- 5.11 Rajasthan Models
- 5.12 Achievements
- 5.13 Positions of Lok-Adalat under Legal Services Authorities Act 1987
- 5.14 Refund of court fees if case is settled through Lok-Adalat
- 6 **Disputes resolution within an outside the court - U.S. Experience**
- 6.1 ADR Mechanism - Primary disputes Resolution process.
- 7 **Multi-door Court House Approach**
- 7.1 Nature of case
- 7.2 Relationship of the parties
- 7.3 History of negotiation between disputants
- 7.4 Nature of relief sought by plaintiff
- 7.5 Size and complexities of claims
- 7.6 Institutionalization of dispute resolution
- 7.7 Lawyer and Law Firms
- 8 **National Legal Aid Services Authorities**
- 8.1 Appointment of Chairman of State Legal authorities
- 8.2 Organisation, Powers and Functions
- 8.3 Function of the Central Authority
- 9 **Alternative means of disputes Resolution in India**
- 9.1 Arbitration is an important alternative dispute resolution (ADR process)

- 10 **Alternatives to Litigation in India**
- 10.1 Negotiation
- 10.2 Conciliation/Mediation
- 10.3 Mediation - Arbitration
- 10.4 MEDOLA [Mediator an arbitrator]
- 10.5 Mini Trial [An opportunity to negotiate settlement with the assistance of neutral advisor]
- 10.6 Arbitration
- 10.7 Fast-track arbitration
- 10.8 Settlement of domestic and international disputes by different modes of ADR
- 11 **The problems under the Alternative Disputes Resolution**
- 11.1 The Historical past
- 11.2 The Substantive Law and the attitudes it engendered

BOOKS

- 1 By P. C. Rao and William Sheffield, 'Alternative Dispute Resolution what it is and how it works'. Universal Law Publishing Private Limited
- 2 By Dr. S. C. Tripathi, 'Arbitration and Conciliation with alternative means of settlement of disputes', Central Law Publication, Allahabad

Vth Semester - 3 Year Course
Research Methodology
Paper - VII

- 1 **Basic Concepts**
- 1.1 Meaning and characteristics of research.
- 1.2 Meaning and characteristics of legal research.
- 1.3 Concepts and meaning of social science research.
- 1.4 Law and Social Science.
- 2 **Legal Research**
- 2.1 Indian background of legal research.
- 2.2 Methods/tools of legal research for practicing lawyer.
- 2.3 Doctrinal and Non-doctrinal Research.
- 3 **Developing Research Design**
- 3.1 The Nature and Type of legal research.
- 3.1.1 Exploratory/Formulative.
- 3.1.2 Explanatory.
- 3.1.3 Descriptive.
- 3.1.4 Historical.
- 3.1.5 Experimental.
- 3.1.6 Diagnostic.

- 3.1.7 Analytical.
 - 3.2 Deriving objectives of legal research.
 - 3.3 Major concepts and variables of the study.
 - 3.4 Developing hypotheses and research questions.
 - 4 **The Nature of Data in Legal Research**
 - 4.1 The Universe of the study.
 - 4.2 The sampling design.
 - 4.2.1 The adequacy of the sample size.
 - 4.2.2 Representatives of the sample.
 - 4.3 Source of data, primary and secondary.
 - 5 **Data Collection and Data Processing in Legal Research**
 - 5.1 The research, methods and tools.
 - 5.1.1 Interview Schedule.
 - 5.1.2 Questionnaire.
 - 5.1.3 Observational Schedule.
 - 6 **Report writing in Legal Research**
 - 6.1 Analysis of the report.
 - 6.2 Interpretation of data.
 - 6.3 Correct usage of citation, references and bibliography.
- Books Suggested for Reading**
- (1) Anderson J. Durstan, B.H.Pooli M. (1977), Thesis and Assignment Writing, Eastern Books Limited, New Delhi.
 - (2) Goode W.J. and Hatt P. K., (1962), Methods of Social Research, McGraw Hill, New York.
 - (3) Young P. V., (1975), Scientific Social Surveys and Research, Prentice Hall, New Delhi.
 - (4) Jain S. N., Legal Research & Methodology, I.L.I. (1983), Publication, Ed; Tripathi Pvt. Ltd., Bombay.
 - (5) Adem Stott, Legal Research Series, Editor: Julie MacFarlane, 1996.
 - (6) Legal Research Methodology by Dr. S.K.Verma, Indian Law Institute, New Delhi.

VIth Semester - 3 years course**Administrative Law****Paper - I**

- 1 **Evolution, Nature and Scope of Administrative Law**
 - 1.1 From a laissez faire to a social welfare state
 - 1.1.1 State as regulator of private interest.
 - 1.1.2 State as a provider of services.
 - 1.1.3 Other functions of modern state : relief, welfare.

- 1.2 Evolution of administration as the fourth branch of the government - necessity of delegation of powers on administration.
- 1.3 Evolution of agencies and procedures of settlement of disputes between individual and administration
 - 1.3.1 Regulatory agencies on the United States.
 - 1.3.2 Conseil d'Etat
 - 1.3.3 Tribunalisation in India.
- 1.4 Definition and scope of administrative law.
- 1.5 Relationship between constitutional law and administrative law.
- 1.6 Separation of powers.
- 1.7 Rule of law.
- 2 **Civil Service in India**
 - 2.1 Nature and organisation of civil service. From colonial relics to democratic aspirations.
 - 2.2 Powers and functions.
 - 2.3 Accountability and responsiveness : problems and perspectives.
 - 2.4 Administrative deviance - Corruption, Nepotism, Mal-administration.
- 3 **Legislative powers of administration**
 - 3.1 Necessity for delegation of legislative power.
 - 3.2 Constitutionality of delegated legislation - Powers of exclusion and power to modify statute.
 - 3.3 Requirements for validity of delegated legislation
 - 3.3.1 Consultation of affected interest and public participation in rule making.
 - 3.3.2 Publication of delegated legislation.
 - 3.4 Administrative directions, circulars and policy statement.
 - 3.5 Legislative control of delegated legislation
 - 3.5.1 Laying procedures and their efficacy.
 - 3.5.2 Committees on delegated legislation - their constitution, function and effectiveness.
 - 3.5.3 Hearings before legislative committees.
 - 3.6 Judicial control of delegated legislation.
 - 3.7 Sub-delegation of legislative powers.
- 4 **Judicial powers of administration**
 - 4.1 Need for devolution of adjudicatory authority on administration.
 - 4.2 Administrative tribunals and their adjudicating authorities : their ad-hoc character.
 - 4.3 Tribunals - need, nature, constitution, jurisdiction and procedure.

- 4.4 Jurisdiction of administrative tribunals and other authorities.
- 4.5 Distinction between quasi-judicial and administrative functions.
- 4.6 The right to hearing - essentials of hearing process
 - 4.6.1 No man shall be judge in his own cause.
 - 4.6.2 No man shall be condemned unheard.
- 4.7 Rules of evidence - No evidence, some evidence and substantial evidence rules.
- 4.8 Reasoned decisions.
- 4.9 Right to counsel.
- 4.10 Institutional decisions.
- 4.11 Administrative appeals.
- 5 **Judicial control of administrative action**
 - 5.1 Exhaustion of administrative remedies.
 - 5.2 Standing : Standing for Public Interest Litigation (social action litigation) collusion, bias.
 - 5.3 Laches.
 - 5.4 Res judicata.
 - 5.5 Grounds
 - 5.5.1 Jurisdictional error/ultra vires.
 - 5.5.2 Abuse and non-exercise of jurisdiction.
 - 5.5.3 Error apparent on face of record.
 - 5.5.4 Violation of principles of natural justice.
 - 5.5.5 Violation of public policy.
 - 5.5.6 Unreasonableness.
 - 5.5.7 Legitimate expectation.
 - 5.6 Remedies in judicial review
 - 5.6.1 Statutory appeals.
 - 5.6.2 Mandamus.
 - 5.6.3 Certiorari.
 - 5.6.4 Prohibition.
 - 5.6.5 Quo-warranto.
 - 5.6.6 Habeas Corpus.
 - 5.6.7 Declaratory judgement and injunctions.
 - 5.6.8 Specific performance and civil suits for compensation.
- 6 **Administrative Discretion**
 - 6.1 Need for administrative discretion.
 - 6.2 Administrative discretion and rule of law.
 - 6.3 Limitation on exercise of discretion
 - 6.3.1 Mala-fide exercise of discretion.
 - 6.3.2 Constitutional imperatives and use of discretionary authority.

- 6.3.3 Irrelevant consideration.
- 6.3.4 Non-exercise of Discretionary Power.
- 7 **Liability of Wrongs (Tortious and contractual)**
 - 7.1 Tortious Liability : sovereign and non-sovereign functions.
 - 7.2 Statutory Immunity.
 - 7.3 Act of State.
 - 7.4 Contractual liability of government.
 - 7.5 Government privilege in legal proceedings - state secrets, public interest.
 - 7.6 Transparency and right to information.
 - 7.7 Estoppels and waiver.
- 8 **Corporation and Public Undertaking**
 - 8.1 State monopoly - Remedies against arbitrary action or for acting against public policy.
 - 8.2 Liability of public and private corporations - Departmental undertaking.
 - 8.3 Legislative and Governmental control.
 - 8.4 Legal remedies.
 - 8.5 Accountability - committee on public undertakings, Estimates committee, etc.
- 9 **Informal Methods of Settlements of Disputes and Grievance redressal procedure**
 - 9.1 Conciliation and Mediation through Social Action Groups.
 - 9.2 Use of Media, Lobbying and Public participation.
 - 9.3 Public enquiries and commissions of enquiries.
 - 9.4 Ombudsman - Lokpal, Lokayukta.
 - 9.5 Vigilance Commission.
 - 9.6 Congressional and Parliamentary Committees.

Books :

- 1) D. D. Basu - Comparative Administrative Law, (1998).
- 2) C. K. Allen - Law and Orders.
- 3) Wade - Administrative Law, Universal, Delhi.
- 4) J. C. Garner - Administrative Law, Butterworths.
- 5) Jain and Jain - Principles of Administrative Law, Universal, Delhi.
- 6) S. P. Sathe - Administrative Law, Butterworths-India, Delhi.
- 7) De. Smith - Judicial Review of Administrative Action, Sweet and Maxwell, with supplement.

VIth Semester - 3 years course**Cyber Law****Paper - II**

- 1 **Cyber Crimes and Cyber Terrorism**
- Cyber crimes and the categories of crime
i) Cyber frauds ii) Cyber thefts iii) Cyber stalking
 - Cyber Terrorism
 - Cyber Defamation
 - Hacking, Types of hackers, Hacking v/s Cracking
 - Virus : Definition, Types of viruses (Data diddling, Salami attack, Denial of Service attack, Virus/Worm attacks, Logic Bombs, Trojan attacks, Internet time theft (Web jacking), Anti-Virus - functions of anti-virus, advantages and disadvantages of anti-nirus.
 - Prevention to Computer Crime.
- 2 **Internet Security Concept**
- Concept of security.
 - Secure Transaction.
 - Privacy issues.
 - Security Procedure : Firewall and Types, Encryption, Password, Access Control List, Digital Certificate.
 - Biometrics.
 - Security Products.
- 3 **Cryptography, Digital Signatures, PKI**
- Introduction of Cryptography, Types, Goals, Key and Key-pair.
 - Concept of Digital and Electronic Signature, Recognition and authentication of Digital and Electronic Signature, Benefits and Drawback.
 - PKI Concept, Application, Certification.
- 4 **Silent Features of IT Act, 2000**
- Definitions. Digital and Electronic Signature, Authentication, Electronic Governance.
 - Various authorities under IT Act and their powers.
 - Penalties, Offences, Miscellaneous.
- 5 **Impact on other related Acts**
- Amendments to Indian Penal Code, Evidence Act, Bankers Book Evidence Act, Reserve Bank of India Act.

- Concept of Cyber Space Jurisdiction, Territorial Jurisdiction, Extra Territorial Jurisdiction.
- Investigation of Cyber Crime (Technical issue).

6 **Electronic Data Interchange**

- EDI : Concept and legal issues.
- UNCITRAL Model Law, Cryptography Laws.
- Laws of major countries (Electronic Signature, Cyber Laws).

7 **Law of Intellectual Property**

- Copyright Act, Trade and Merchandise Act, Patent Act.
- Domain Name Disputes.
- Cyber-squatting.
- Important case laws.

PRACTICAL : 30 Marks

- Project Report 20
- Seminar 10

VIth Semester - 3 years course**International Trade Law****Paper - III**1 **International Sale of Goods**

- 1.1 Special trade terms in export sales - Definitions, kinds, Differences between Rights and duties of buyers and sellers.
- 1.2 Standardisation of terms in International Sales : Uniform Conditions of Export Sales - Role of UNCITRAL, International Chamber of Commerce Publications, Standard contract forms applied to specified international transactions.
- 1.3 Offer and acceptance.
- 1.4 Performance of contract.
- 1.5 Rights of unpaid seller.
- 1.6 Countertrade.
- 1.7 Frustration of contract.
- 1.8 Conflict of laws.
- 1.9 Unification of the Law of International Sales.

2 **Financing and Payment in International Trade.**

- 2.1 Meaning, types and control of foreign investment.

- 2.2 Bill of Exchange - Meaning.
- 2.3 Letters of Credit - Characteristics and kinds.
- 2.4 Bank Guarantees and other contract guarantees.
- 3 **Transportation of Exports.**
 - 3.1 Carriage of Goods by Sea.
 - 3.2 Carriage of Goods by Air.
 - 3.3 Carriage of Goods by Land.
- 4 **Dispute Settlement Non-judicial dispute settlement : Arbitration and Conciliation.**

BOOKS

- 1 Carr nad Kidner - Statutes and Conventions on International Trade Law, 1993.
- 2 Jason Chuah - International Trade Law, Cavendish Publishing Ltd., London, 1995.
- 3 Motiwal and Awasthi, 'International Trade', 1st Edition, 1995, Bhowmik and Co., New Delhi.
- 4 Law of International Trade Transactions - Ed. Rahmatullah Khan, Tripathi Pvt. Ltd., Bombay, 1973.
- 5 UNCITRAL Year Book, 1970-1995, United Nations, New York.
- 6 M.C.Vaish, Sudama Singh : International Economic Law, 4th Edn., Oxford and IBH Publishing Co.
- 7 B.C.Mitra - Law Relating to Bills of Lading and Charter party (Air, Land & Sea) 1998.
- 8 Avtar Singh Law of Carriage (Road, Rail, Air & Sea), 3rd Edn., Eastern Book Co.

VIth Semester - 3 years course

Interpretation of Statutes

Paper - IV

- 1 **Principles of legislation**
 - 1.1 Law making - the legislature, executive and the judiciary.
 - 1.2 Principle of utility.
 - 1.3 Relevance of John Rawls and Robert Nozick - individual interest to community interest.
 - 1.4 Operation of these principles upon legislation.
 - 1.5 Distinction between moral and legislation.
- 2 **Interpretation of Statutes**
 - 2.1 Meaning of the term 'statutes'.
 - 2.2 Commencement, operation and repeal of statutes.

- 2.3 Purpose of interpretation of statutes.
- 3 A. **Aids to interpretation**
 - 3.A.1 Internal aids
 - 3.A.1.1 Title.
 - 3.A.1.2 Preamble.
 - 3.A.1.3 Heading and Marginal notes.
 - 3.A.1.4 Sections and sub-sections.
 - 3.A.1.5 Punctuations marks.
 - 3.A.1.6 Illustrations, exceptions, provisos and saving clauses.
 - 3.A.1.7 Schedules.
 - 3.A.1.8 Non-obstante clause.
 - 3.A.1.9 Explanation.
 - 3.A.1.10 Definition clause.
 - 3.A.2 External aids
 - 3.A.2.1 Dictionaries.
 - 3.A.2.2 Translation.
 - 3.A.2.3 Travaux preparations.
 - 3.A.2.4 Statutes in pari materia.
 - 3.A.2.5 Contemporanea exposito.
 - 3.A.2.6 Debates, Inquiry Commission, Law Commission Reports.
 - 3.A.2.7 Parliamentary History.
 - 3.A.2.8 Historical Facts and Surroundings.
- 4 **Rules of Statutory Interpretation**
 - 4.1 Primary Rules
 - 4.1.1 Literal rule.
 - 4.1.2 Golden rule.
 - 4.1.3 Mischief rule (rule in Heydon's case).
 - 4.1.4 Rule of harmonious construction.
 - 4.1.5 Intention of legislature.
 - 4.2 Secondary Rules
 - 4.2.1 Noscitur a sociis.
 - 4.2.2 Ejusdem generie.
 - 4.2.3 Reddendo singula singulis.
- 5 **Presumption in Statutory interpretation**
 - 5.1 Statutes are valid.
 - 5.2 Statutes are territorial in operation.

- 5.3 Presumption as to jurisdiction.
 5.4 Presumption against what is inconvenient or absurd.
 5.5 Presumption against intending injustice.
 5.6 Presumption against impairing obligation or permitting advantage from one's own wrong.
 5.7 Prospective operation of statutes.
 5.8 Presumption against retrospectivity.
- 6 **Maxims of statutory interpretation**
- 6.1 Delegatus non potest delegare.
 6.2 Expressio unius exclusio alterius.
 6.3 Genrelia specialibus non derogant.
 6.4 In pari delicto potior est conditio possidentis.
 6.5 Ut Res magis valet quam Peveat.
 6.6 Expressum facit cessare tacitum.
 6.7 In bonam partem.
 6.8 Ex-visceribus Actus.
 6.9 Casus Omissus.
- 7 **Interpretation with reference to the subject matter and purpose**
- 7.1 Restrictive and beneficial construction
 7.1.1 Taxing statutes.
 7.1.2 Penal statutes.
 7.1.3 Welfare legislation.
- 7.2 Interpretation of substantive and adjunctival statutes.
 7.3 Interpretation of directory and mandatory provisions.
 7.4 Interpretation of enabling statutes.
 7.5 Interpretation of codifying and consolidating statutes.
 7.6 Interpretation of statutes conferring rights.
 7.7 Interpretation of statutes conferring powers.
- 8 **Principles of Constitutional Interpretation**
- 8.1 Harmonious construction.
 8.2 Doctrine of Pith and Substance.
 8.3 Colourable Legislation.
 8.4 Ancillary powers.
 8.5 "Occupied field"
 8.6 Residuary Powers.

- 8.7 Doctrine of Repugnancy.
 8.8 Legal Fiction.
- 9 **Expiry and Repeal of Statutes**
- 9.1 Perpetual & Temporary Statutes.
 9.2 Effect of expiry of temporary Statutes.
 9.3 Effect of Repeal.
 9.4 Supplied and Express Repeal.
- 10 **Delegated legislation.**

Books :

- 1) G. P. Singh - Principles of Statutory Interpretation (7th Edn.) 1999, Wadhwa, Nagpur.
- 2) P. S. Langan - (Ed.). Maxwell on Interpretation of Statutes, (1976), N.M.Tripathi.
- 3) K. Shanmukham, N.S.Bindra's Interpretation of Statutes, (1997), The Law Book Company, Allahabad.
- 4) V. Sarathi - Interpretation of Statutes, (1984), Eastern, Lucknow.
- 5) M.P.Jain (ed.) V.N.Shukla's Constitution of India, (1994), Eastern, Lucknow.
- 6) M.P.Jain - Constitutional Law of India, (1994), Wadhwa & Co.
- 7) U.Baxi - Introduction to Justice K.K.Mathew's Democracy Equality and Freedom, (1978), Eastern, Lucknow.

VIth Semester - 3 years course**Intellectual Property Law****Paper – V**

- 1 **Introductory**
- 1.1 The meaning of intellectual property.
 1.2 Competing rationales of legal regimes for the protection of intellectual property.
 1.3 The main forms of intellectual property : Copyright, Trademarks, Patents, Designs.
 1.4 Competing rationales for protection of rights in
 1.4.1 Copyright.
 1.4.2 Trademarks.
 1.4.3 Patents.
 1.4.4 Designs.
 1.4.5 Trade Secrets.
 1.4.6 Other new forms such as plant varieties and geographical Indians.

- 1.5 Introduction to the leading international instruments concerning intellectual property rights : The Beme Convention, Universal Copyright Convention, The Paris Union TRIPS, The World Intellectual Property Rights Organization (WIPO) and The UNESCO.
- 2 **Select aspects of Law of Copyright in India**
- 2.1 Historical evolution of the law.
- 2.2 Meaning of copyright.
- 2.3 Copyright in literary, dramatic and musical works.
- 2.4 Copyright in sound, records and cinematograph film.
- 2.5 Copyright in Computer Programmes
- 2.6 Ownership of Copyright.
- 2.7 Assignment of Copyright.
- 2.8 Author's special rights.
- 2.9 Notion of infringement.
- 2.10 Criteria of infringement.
- 2.11 Infringement of copyright by films of literary and dramatic works.
- 2.12 Importation and infringement.
- 2.13 Fair use provisions.
- 2.14 Piracy in internet.
- 2.15 Aspects of copyright justice.
- 2.16 Remedies, especially, the possibility of Anton pillar injunctive relief in India.
- 3 **Intellectual Property in Trademarks**
- 3.1 The rationale of protection of trademarks as (a) an aspect of commercial and (b) consumer rights.
- 3.2 Definition and concept of trademarks.
- 3.3 Registration.
- 3.4 Distinction between trademark and property mark.
- 3.5 Doctrine of honest current user.
- 3.6 Doctrine of deceptive similarity.
- 3.7 Protection of well known mark.
- 3.8 Passing off and infringement.
- 3.9 Criteria of infringement.
- 3.10 Standards of proof in passing off action.
- 3.11 Remedies.
- 4 **The Law of Intellectual Property : Patents**
- 4.1 Concept of patent.
- 4.2 Historical view of the patents law in India.

- 4.3 Patentable inventions with special reference to biotechnology products entailing creation of new forms of life.
- 4.4 Patent protection for computer programmes.
- 4.5 Process of obtaining a patent : Application, Examination, Opposition and sealing of patents : General introduction.
- 4.6 Procedure of filing patents : Patent co-operation treaty.
- 4.7 Some grounds for opposition
- 4.7.1 The problem of limited locus standi to oppose, specially in relation to inventions having potential of ecological and mass disaster.
- 4.7.2 Wrongfully obtaining the invention.
- 4.7.3 Prior publication or anticipation.
- 4.7.4 Obviousness and the lack of inventive steps.
- 4.7.5 Insufficient description.
- 4.8 Rights and obligations of patentee
- 4.8.1 Patents as chose in action.
- 4.8.2 Duration of patents : Law and Policy consideration.
- 4.8.3 Use and exercise rights.
- 4.8.4 Right to secrecy.
- 4.8.5 The notion of 'abuse' of patent rights.
- 4.8.6 Compulsory licenses.
- 4.9 Special categories
- 4.9.1 Employee invention : Law and Policy Consideration.
- 4.9.2 International patents, transfer of technology, know-how and problems to self-reliant development.
- 5 **Infringement**
- 5.1 Criteria of infringement.
- 5.2 Onus of proof.
- 5.3 Modes of infringement : doctrine of colourable variation.
- 5.4 Defences in suits of infringement.
- 5.5 Injunctions and related remedies.
- Books :**
- 1) Comish W. R. - Intellectual Property, Patents, Trademarks, Copyrights and Allied Rights, (1999), Asia Law House, Hyderabad.

- 2) Vilas Vashisht - Law and Practice of Intellectual Property, (1999), Bharat Law House, Delhi.
- 3) P. Narayanan - Intellectual Property Law, (1999), (ed.), Eastern Law House, Calcutta.
- 4) Bibeck Debroy - (ed.), Intellectual Property Rights, (1998), Rajiv Gandhi Foundation, Delhi.
- 5) U.I.F. Anderfelt - International Patent Legislation and Developing Countries, (1971).
- 6) Comish W. R. - Intellectual Property, (3rd Edn.), (1996), Sweet & Maxwell.
- 7) W. R. Mann - Transfer of Technology, (1982).
- 8) Mata Din - Law of Passing Off and Infringement Action of Trademarks, (1986).
- 9) P. S. Sangal & Kishore Singh - Indian Patent System and Paris Convention-Legal Perspectives, (1987).

**Semester VIth
Paper-VI
Drafting, Pleading, Conveyancing-II**

Prescribed Topics :

CRIMINAL

1. First Information Report.
2. Private Criminal Complaint in Court relating to :
 - 2.1 Criminal trespass, hurt, abuses and threatening.
 - 2.2 Cheating
 - 2.3 Defamation
 - 2.4 Bigamous Marriage.
3. Memo of appeal against the judgement and order conviction
4. Memo of revision application against an order of maintenance.
5. Application for :
 - 5.1 Maintenance or written statement to the same.
 - 5.2 Execution of maintenance order already passed in favour of a wife.
6. Application for :
 - 6.1 Bail before a Magistrate.
 - 6.2 Anticipatory Bail.
 - 6.3 Application for cancellation of a bail.
7. Application for :
 - 7.1 Taking adjournment.

- 7.2 Taking the case on board.
- 7.3 Issue of summons to witnesses.
- 7.4 Admission of documents.

CIVIL

1. Principles of Pleadings.
2. Complaint in suit for :
 - 2.1 Specific performance of contract or damages in the alternative
 - 2.2 Dissolution of partnership and rendition of accounts.
 - 2.3 Permanent injunction.
 - 2.4 Damages for :
 - 2.4.1 Defamation.
 - 2.4.2 Against a doctor for negligent act.
 - 2.5 Recovery of money for price of goods sold or work done.
 - 2.6 Recovery of money on the basis of a Promissory Note.
 - 2.7 Mesne Profits.
 - 2.8 Partition in Hindu Joint Family.
 - 2.9 Setting aside a decree obtained by fraud.
 - 2.10 Wrongful dismissal against the Government.
3. **Written Statement in :**
 - 3.1 A suit for specific performance of a contract.
 - 3.2 A suit for dissolution of partnership and rendition of accounts.
 - 3.3 A suit for damages for defamation.
 - 3.4 A suit for possession by the landlord against his tenant on the ground of detail and bonafide personal requirement.
 - 3.5 A petition for restitution of conjugal rights.
4. **Suit :**
 - 4.1 For possession by landlord against the tenant under the Rent Control Act.
 - 4.2 Application by a tenant for fixation of standard rent.
5. **Matrimonial :** Petitions under the Hindu marriage Act, 1955 for :
 - 5.1 Restitution of conjugal rights.
 - 5.2 Judicial separation.
 - 5.3 Divorce.
 - 5.4 Divorce by mutual consent.
6. **Petition for :**
 - 6.1 Succession certificate.
 - 6.2 Probate on the basis of Will.
7. **Application for damages before the Motor Accidents Claims Tribunal.**
8. Writs of :
 - 8.1 Habeas Corpus.

- 8.2 Mandamus
 - 8.3 Quo-warranto
 - 8.4 Certiorari.
 - 9. **Execution Petition** : i.e. Darkhast on the basis of a decree of a civil Court.
 - 10. **Application under Civil Procedure Code for :**
 - 10.1 Amendment of the plaint or written statement. (c6/R17)
 - 10.2 Better particulars.
 - 10.3 Granting leave to deliver interrogatories. (11/2)
 - 10.4 An order for inspection. (11/8)
 - 10.5 Framing additional issues. (14/50)
 - 10.6 Bringing legal heirs and representatives on record [22/9/ (4)]
 - 10.7 Withdrawal of the suit with liberty to institute a fresh suit. [12/(3)]
 - 10.8 Appointment of commissioner (26), for examination of a witness. (26/1 & 4)
- OR**
- for local examination. ((29/9)
 - 10.9 Temporary injunction (39/1 & 2)
 - 10.10 For stay of the execution of the decree pending appeal.
 - 10.11 Caveat.

CONVEYANCING

- 1. General principles of conveyancing.
- 2. General requirements and parts of a Deed.
- 3. Deeds for :
 - 3.1 Agreement of Sale and other legal relationships of commercial nature.
 - 3.2 Sale Deed.
 - 3.3 Gift Deed.
 - 3.4 Lease Deed.
 - 3.5 Partnership Deed.
 - 3.6 Power of Attorney
 - 3.6.1 General.
 - 3.6.2 Special.
 - 3.7 Will.
 - 3.8 Partition between members of Joint Hindu Family
 - 3.9 Promissory Note payable on demand.

AFFIDAVITS

- 1.1 Form and contents of an affidavit.

- 1.2 Meaning of terms, such as Oath, Swear, Affirm, Declare etc.
- 1.3 Authorities before whom affidavit may be made.
- 1.4 Affidavits when necessary and in which applications under Civil Procedure Code.

NOTICES

- 1. 1.1 Object and importance of a Notice
 - 1.2 Classification of notices.
 - 1.3 Requirements in a notice.
 - 1.4 Various modes of service and resumptions.
 - 1.5 Persons competent to issue a notice.
 - 1.6 persons competent to accept notice.
- (See Chapters 1 to 6 of the Mujumdar's Law relating to Notices)
- 2. **Drafting Notice**
 - 2.1 By a landlord to his tenant, terminating his tenancy under the Rent Act.
 - 2.2 To quit under Section 106 of the Transfer of Property Act.
 - 2.3 To a husband on behalf of a wife claiming maintenance.
 - 2.4 For dissolution of partnership of Will.
 - 2.5 Under Section 80, Civil Procedure Code against.
 - 2.6 A Public Notice in a Newspaper.

BOOKS :

- 1. Mogha, P.C. – Indian Conveyancer.
- 2. Gopal Shiv – Conveyancing, kPrecedents & Forms, Revised by C.G Mathur, reprinted 1990.
- 3. Murli Manohar – Art of Conveyancing and Pleading, (1990)
- 4. C.K.V. Krishnaswamy Iyer – Professional Conduct & Advocacy, (Relevant Portion)
- 5. N.D.Mujumdar – Advocates Act & Professional Ethics.
- 6. Advocate's Act, 1961 (Chapter V).
- 7. Bar Council of India Rules and Maharashtra State Bar Council Rules(Relevant Portion)
- 8. The Indian Bar Council Act, 1926.
- 9. C.Rama Rao, Y.Nageshwara Rao & Y.V.Tayaru – Professional Ethics & Advocacy, 1987)
- 10. Mujumdar – Law relating to Notices.

GUIDELINES FOR SOCIO-LEGAL RESEARCH

(Paper-VII)

- A. Research Scholars are required to follow the steps given below for preparation of Socio-Legal Research Project
 - A Research Methodology

SANT GADGE BABAAMRAVATI UNIVERSITY AMRAVATI**SPECIAL NOTE FOR INFORMATION OF THE STUDENTS**

- (1) Notwithstanding anything to the contrary, it is notified for general information and guidance of all concerned that a person, who has passed the qualifying examination and is eligible for admission only to the corresponding next higher examination as an ex-student or an external candidate, shall be examined in accordance with the syllabus of such next higher examination in force at the time of such examination in such subjects papers or combination of papers in which students from University Departments or Colleges are to be examined by the University.
- (2) Be it known to all the students desirous to take examination/s for which this prospectus has been prescribed should, if found necessary for any other information regarding examinations etc., refer the University Ordinances Booklet the various conditions/provisions pertaining to examination as prescribed in the following Ordinances.

Ordinance No. 1	:	Enrolment of Students.
Ordinance No. 2	:	Admission of Students
Ordinance No. 4	:	National cadet corps
Ordinance No. 6	:	Examinations in General (relevent extracts)
Ordinance No. 18/2001	:	An Ordinance to provide grace marks for passing in a Head of passing and Improvement of Division (Higher Class) and getting Distinction in the subject and condonation of defficiency of marks in a subject in all the faculties prescribed by the Statute NO.18, Ordinance 2001.
Ordinance No. 9	:	Conduct of Examinations (relevent extracts)
Ordinance No. 10	:	Providing for Exemptions and Compartments
Ordinance No. 19	:	Admission of Candidates to Degrees.
Ordinance No. 109	:	Recording of a change of name of a University student in the records of the University.

Ordinance No. 6 of 2008	:	Improvement of Division/Grade Ordinance, 2008.
Ordinance No.19/2001	:	An Ordinance for Central Assessment Programme, Scheme of Evaluation and Moderation of answerbooks and preparation of results of the examinations, conducted by the University, Ordinance 2001.

Dineshkumar Joshi

Registrar

Sant Gadge Baba Amravati University

- 1 Title of the study
 - 2 Problem of the study
 - 3 Rationale of the study
 - 4 Review of literature
 - 5 Research design
 - i Nature/Type of the study
 - ii Universe
 - .. Population
 - .. Sample and sample size
 - .. Sampling method
 - iii Method of data collection
 - iv Sources of data collection
 - v Tools of data collection
 - 6 Chapterisation
 - 7 Objectives of the study
 - 8 Hypothesis
 - 9 Operational concepts and variables of the study
 - 10 Limitations of study
 - 11 Time schedule
 - 12 Possible contribution of the study
- B** Socio-Legal Research shall have the following structure
- v Cover Page
 - v Certificate
 - v Acknowledgement
 - v List of Case Laws
 - v List of Tables
 - v List of Maps
 - v Abbreviations
 - v Contents
 - v CHAPTER I : Theoretical Background
 - v CHAPTER II : Research Methodology
(As given in 'A')
 - v CHAPTER III : Analysis and Interpretation of data
 - v CHAPTER IV : Major findings, Conclusions and suggestion.
 - v Bibliography
 - v Annexures : Interview Schedules/
Questionnaires Master charts Acts, Bills, Maps, etc.
- The students will undertake Socio-Legal Research Project on any topic of social relevance for the study. It will be an imperial work (through field study) of 40 to 50 pages. The students are required to follow the guidelines given in Section 'A'. The

written work (report) will carry 75 marks and viva will carry 25 marks. The structure of the project will be as given in Section 'B'. The candidate will carry out the work under the supervision of supervisor/guide.

COURT VISITS

NOTE

- 1 The 'concept of court visit' need to be made crystal clear.
- 2 The 'concept internship' need to be clarified further and also to be stated to whom it is applicable

NOTE ON INTERNSHIP

Minimum period of Internship

For 3 years course Minimum 12 weeks

For 5 years course Minimum 20 weeks

During the entire period of legal studies under NGO, Trial & Appellate advocates, Judiciary, Legal Regulatory Authorities, Legislature and Parliament, other legal functionaries, market Institutions, Law Firms, Companies, Local Self-Government and other such bodies where law is practice either in action or in dispute resolution or in management. In an academic session the internship is limited only to 4 weeks continuously and not more than that. All students shall at least go through once in the entire academic period with trial and appellate advocates i.e. one full session the student must attend the office of trial and appellate advocates. After completion of Internship the student shall acquire a certificate from the concerned lawyer that he has completed internship of 12 weeks for 3 years course and of 20 weeks for 5 years course.

During the internship period the student shall maintain the diary of his day-to-day attendance and shall be signed by the concerned lawyer. A full time teacher shall act as supervisor for the said internship. The Student has to brief the supervisor about his day-to-day attendance and all that he has learnt in the internship. The supervisor shall sign his diary and shall give a certificate to the effect that the student has completed internship under his supervision. There shall be 100 marks allotted on this internship along with viva-voce. There shall be internal and external examiners who shall conduct the viva-voce and allot the marks on the basis of the maintenance of the diary, the certificates issued by the lawyer and supervisor and the viva-voce.

Court visits for Ist Semester - 3 years course

The students of 1st Semester - 3 years course shall cover the following course in their court visits:-

- (A) It is expected that the student be made familiar with the entire Civil Litigation.

- (B) They should be made aware about the process of registration on the civil side e.g. Registration of Sale Deed, Will and likewise.
- (C) They must visit the Labour and Industrial Court and Tribunals and learn the process of its procedures and functioning.
The Civil Appeal in the District Court, High Court and the Supreme Court.
- (E) Criminal Trial, Criminal Procedures, Criminal Appellate side in the District Court, High Court and the Supreme Court.

Court visits for IInd Semester - 3 years course

The students of 1st Semester - 3 years course shall cover the following course in their court visits:-

- (A) Procedure of filing the writs in the High Court and Supreme Court and the appeals in District Court, High Court and the Supreme Court.
- (B) The working and the process of different and various tribunals.
- (C) The working and functioning of Charity Commissioner's Office, Co-operative Court.
- (D) Registration of the Societies and other similar bodies.
- (E) The procedure for filing Social Interest Litigation and other litigation for the Public Welfare and for the Public Interest.

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Bachelor of Laws

(Prospectus No.2012134)

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1.	Paper-I : Civil Procedure Code	25 to 27
2.	Paper - II : Criminal Procedure Code, Juvenile Justice Act And Probation of Offenders Act	27 to 30
3.	Paper - III : Law of Evidence	30 to 32
4.	Paper - IV : Banking Laws	33 to 36
5.	Paper - V : Arbitration Law	36 to 38
6.	Paper - VI : Moot Court	39 to 39
7.	Paper-VII : Court Visit	39 to 39
Fourth Semester		
1.	Paper-I : Environmental Law	40 to 42
2.	Paper- II : Law of Taxation	42 to 45
3.	Paper-III Law of Trust	45 to 47

4.	Paper - IV : Professional Ethics	48 to 49
5.	Paper - V : Drafting, Pleading and Conveyancing-I	49 to 50
6.	Paper - VI : Public Interest Lawyering and Accountancy	50 to 51
7.	Paper - VII : Labour and Industrial Law - I	51 to 52
Fifth Semester		
1.	Paper - I : Jurisprudence	53 to 54
2.	Paper II : Public International law	54 to 58
3.	Paper III : Transfer of Property Act and Easement	58 to 59
4.	Paper – IV : Labour and Industrial Law-II	59 to 61
5.	Paper - V : Land Laws and Local Laws	61 to 76
6.	Paper - VI : Alternative Disputes Resolution	76 to 79
7.	Paper - VII : Research Methodology	79 to 80
Sixth Semester		
1.	Paper - I : Administrative Law	80 to 83
2.	Paper - II : Cyber Law	84 to 85
3.	Paper - III : International Trade Law	85 to 86
4.	Paper - IV : Interpretation of Statutes	86 to 89
5.	Paper - V : Intellectual Property Law	89 to 92
6.	Paper - VI : Drafting, Pleading, Conveyancing-II	92 to 95
7.	Paper - VII : Guidelines for Socio-Legal Research	95 to 97
8.	Paper - VIII : Court Visits	97 to 98