

**Department of Law
Doctor Harisingh Gour Vishwavidyalaya
Sagar (M.P.)**

(A Central University)



Syllabus for LL.B. (Three Years) Programme under CBCS

Learning Outcomes - Based Curriculum Framework (LOCF)

(2023 – 24)

School of Law (SAL) : Code 90

Department of Law: Code 91

Department of Law
Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)
Name of the Program : LL.B. (Bachelor of Laws)

Introductory Note

This is an academic program of 3 yrs duration consisting of 06 Semesters. The purpose of this program is to impart knowledge to the students in regard to important areas of law which are useful for their career development and the society as well. The commitment level of the students is high and the learning intention is very positive. Therefore, the course also aims to develop the skill of advocacy and expose them to the new challenges and perspectives of different walks of life. The course also helps the students to have interaction between various subjects included in the curriculum. The course opens new areas of profession, occupation, trade and business. The education in law encourages specialization in the professional disposition. The course is designed to produce skilled advocates, academicians, legal advisors to the government and other private companies as well as Labour Officers, Judges, etc. It also aims to produce skilled and able lawyers in various fields of specialization i.e. Civil Law, Constitutional Law, Commercial Law, consumer law, family law, Insurance Law, Intellectual Property Law, Human Rights Law, Tax Law etc. This course is helpful in transforming the students into good academicians, researchers and disciplined citizens for the development of the society and the country.

1. Name of the program: **LL.B.**
2. Duration of the program:
 - (a) Minimum duration 03 yrs. (6 Semester)
 - (b) Maximum duration 05 yrs.
3. Structure of the program:
 - (a) Number of Core Courses - 36 (6 in each Semester)
 - (b) Minimum number of Elective Courses opted by the student - 00

Department of Law
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LL.B. (Three Years Course)
(List of Courses Prescribed for I Semester)

	I SEMESTER				
Course Code	Course Title	CREDIT			
LAW-CC-111	General English –I	L	T	P	C
		4	1	0	5
LAW-CC-112	Law of Contract (General Principles of Contract and Specific Relief)	L	T	P	C
		4	1	0	5
LAW-CC-113	Constitutional Law – I	L	T	P	C
		4	1	0	5
LAW-CC-114	Law of Torts (Including M.V. Accident and Consumer Protection Laws)	L	T	P	C
		4	1	0	5
LAW-CC-115	Law of Crimes – I (Indian Penal Code)	L	T	P	C
		4	1	0	5
LAW-CC-116	Public International Law	L	T	P	C
		4	1	0	5

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LL.B. (Three Years Course)
(List of Courses Prescribed for II Semester)

	II SEMESTER				
Course Code	Course Title	CREDIT			
LAW-CC-211	General English – II	L	T	P	C
		4	1	0	5
LAW-CC-212	Special Contract (Indian Contract Act, Indian Partnership Act, Sales of Goods Act & Other Specific Contracts)	L	T	P	C
		4	1	0	5
LAW-CC-213	Constitutional Law – II	L	T	P	C
		4	1	0	5
LAW-CC-214	Family Law – I (Muslim Law)	L	T	P	C
		4	1	0	5
LAW-CC-215	Environmental Law	L	T	P	C
		4	1	0	5
LAW-CC-216	Company Law	L	T	P	C
		4	1	0	5

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LL.B. (Three Years Course)
(List of Courses Prescribed for III Semester)

	III SEMESTER				
Course No.	Course Title	CREDIT			
LAW-CC-311	General English – III	L	T	P	C
		4	1	0	5
LAW-CC-312	Family Law-II (Hindu Law)	L	T	P	C
		4	1	0	5
LAW-CC-313	Administrative Law	L	T	P	C
		4	1	0	5
LAW-CC-314	Human Rights Law and Practice	L	T	P	C
		4	1	0	5
LAW-CC-315	Jurisprudence	L	T	P	C
		4	1	0	5
LAW-CC-316	Land Law (including tenure and tenancy system)	L	T	P	C
		4	1	0	5

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LL.B. (Three Years Course)
(List of Courses Prescribed for IV Semester)

	IV SEMESTER				
Course Code	Course Title	CREDIT			
LAW-CC-411	Labour and Industrial Law – I	L	T	P	C
		4	1	0	5
LAW-CC-412	Law of Crime – II (Criminal Procedure Code)	L	T	P	C
		4	1	0	5
LAW-CC-413	Intellectual Property – I (Patent Right Creation and Registration)	L	T	P	C
		4	1	0	5
LAW-CC-414	Property Law	L	T	P	C
		4	1	0	5
LAW-CC-415	Interpretation of Statutes and Principles of Legislation	L	T	P	C
		4	1	0	5
LAW-CC-416	Alternate Dispute Resolution System	L	T	P	C
		4	1	0	5

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LL.B. (Three Years Course)
(List of Papers Prescribed for V Semester)

	V SEMESTER				
COURSE NO.	COURSE TITLE	CREDITS			
Law – CC – 511	Labour and Industrial Law – II	L	T	P	C
		4	1	0	5
Law – CC – 512	Evidence	L	T	P	C
		4	1	0	5
Law – C C– 513	Civil Procedure Code and Limitation Act	L	T	P	C
		4	1	0	5
Law – CC – 514	Direct Taxation	L	T	P	C
		4	1	0	5
Law – CC – 515	Intellectual Property Right – II (Copy Right)	L	T	P	C
		4	1	0	5
Law – CC – 516	Computer Education – I	L	T	P	C
		4	1	0	5

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LL.B. (Three Years Course)
(List of Papers Prescribed for VI Semester)

VI SEMESTER					
COURSE NO.	COURSE TITLE	CREDITS			
LAW-CC-611	Indirect Taxation	L	T	P	C
		4	1	0	5
LAW- CC-612	Drafting, Pleading and Conveyancing	L	T	P	C
		4	1	0	5
LAW- CC-613	Moot Court Exercise and Internship	L	T	P	C
		4	1	0	5
LAW- CC-614	Intellectual Property – III (Trade Mark and Design)	L	T	P	C
		4	1	0	5
LAW-CC-615	Professional Ethics and Professional Accounting System	L	T	P	C
		4	1	0	5
LAW-CC-616	Computer Education- II	L	T	P	C
		4	1	0	5

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LL.B. (Three Years Course)
(List of Courses Prescribed for I Semester)

	I SEMESTER				
Course Code	Course Title	CREDIT			
LAW-CC-111	General English –I	L	T	P	C
		4	1	0	5
LAW-CC-112	Law of Contract (General Principles of Contract and Specific Relief)	L	T	P	C
		4	1	0	5
LAW-CC-113	Constitutional Law – I	L	T	P	C
		4	1	0	5
LAW-CC-114	Law of Torts (Including M.V. Accident and Consumer Protection Laws)	L	T	P	C
		4	1	0	5
LAW-CC-115	Law of Crimes – I (Indian Penal Code)	L	T	P	C
		4	1	0	5
LAW-CC-116	Public International Law	L	T	P	C
		4	1	0	5

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LL.B. (Three Years Course)

COURSE NO
LAW - CC – 111

I SEMESTER

L	T	P	C
4	1	0	5

GENERAL ENGLISH -I

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quiz
 - (ii) Scheme of Examination:
 - a) Mid Semester Examination : 20 Marks
 - b) Internal Assessment : 20 Marks
 - c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

COURSE OBJECTIVE:

The major objective of this paper is to build strong foundation of basic grammatical skills which will improve their communication skills and to make students to be able to participate in speech and group discussions with proper oratorical skills.

SYLLABUS:

Unit-I

Lectures-12

- Grammar & usage (communication skills) Parts of Speech: An Introduction to all.

Unit-II

Lectures-12

- Sentences: Kinds, Types, Basic Transformation, Use of Connectives.

Unit-III

Lectures-12

- Strong and weak verbs: The Infinitives, The Participle, Auxiliary Verbs, The Gerund.

Unit-IV

Lectures-12

- Use of Articles & Determiners, Use of punctuation.
- Translation : (i) English to Hindi
(ii) Hindi to English.

Unit-V

Lectures-12

- Classroom speech and Group discussion
- Essay Writing- Essay Writing on different important topics specially on Dr. Harisingh Gour's thoughts on the following:- (i) Education (ii) Rights of Women, (iii) Humanism, (iv) Good Governance, (v) Environment

COURSE LEARNING OUTCOMES:

Upon successful completion of the course, the student:

Unit 1: Will get in-depth knowledge about the parts of speech and learn basic grammar usage.

Unit 2: Will be able to differentiate between all kinds and types of sentences, learn their proper usage and transformation.

Unit 3: Will be able to use verbs in correct forms and would be able to differentiate between all kinds of verbs.

Unit 4: Will understand the correct usage of articles, determiners and punctuation marks. Also, student will be able to translate sentences from English to Hindi and vice-versa.

Unit 5: Will be able to successfully participate in classroom speech and group discussion displaying good oratorical skills and write essays in any given topic as well as about the thoughts of Dr. Harisingh Gour

Pedagogy for Course Delivery:

The course will be delivered through a combination of general English and legal English. All the latest vocabulary of English used in legal field and legal maxims shall be discussed to clear queries & doubts and to make concept clear. Lectures shall be delivered by experts in English to explain the practical aspects and application of proper English language in legal area. The students will be engaged in essay writing, discussions, debates, speech delivery, essay writing to be more acquainted with the subject.

Note : - In addition to the above questions may be asked on aspects related with this paper.

Recommended Source Material

Essential Readings-

1. Communication Skill in English, Oxford University Press.
2. Grammar in Application, Oxford University Press.
3. M.K.Gandhi : The Law and the Lawyer, Navjivan Publications, Ahmedabad, 1962.
4. Ishtiaque Abidi : Law and Language, University Publishers, Aligarh, 1978.
5. G. Kumara Pillai : A Handbook of English Grammar and Composition.
6. N. Krishnamurthy : Guide to Modern English Grammar & Composition, Macmillan India
7. Hindi – English Glossary, Vidhi Sahitya Prakashan, Ministry of Law.
8. Material drawn from legal notices, petitions, appeals, court orders, statutes, bills, rules, etc.
9. Any standard text book on Structural English and Grammar appropriate to the level of understanding of the students.
10. English-I - S.R. Myneni
11. English-II - S.R. Myneni
12. English-III - S.R. Myneni
13. Seven Lives – An Autobiography of Dr. Sir Harisingh Gour
14. Hindi Translation of Seven Lives by Rajesh Shrivastava, Vishwavidyalaya Prakashan, Sagar, 1st Edition (2006)
15. Dr. Harisingh Gour Commemoration Vol. (1957)
16. The Writings of Dr. Harisingh Gour Ed. by R. S. Pathak, Aditya Publishers, Bina (1998)
17. The Hindu Code (1919)

18. Dr. Harisingh Gour ki Jiwni – S.A.Radho, Ma Bhagwati Prakashan, Sagar, 2nd Edition, 2006
19. Viswa ki Dristi mein Sagar Vishwavidyalaya aur uskey sansthapak Dr. Sir Harisingh Gour – Dr. Laxmi Narayan Dubey
20. Madhya Bharti (Journal of Humanities and Social Science) Issue 69 July-Dec, 2015 (pp 250 – 258)
21. Dr. Harisingh Gour : India and the New Constitution (1947)

Additional Readings-

1. Michael Swan : Basic English Usage, Oxford University Press.
2. Wren & Martin : English Grammar.
3. Ganguli and Wood : General English for Three Years Degree Course, Macmillan India.

COURSE NO
LAW - CC – 112

LL.B. (Three Years Course)

L	T	P	C
4	1	0	5

I SEMESTER**LAW OF CONTRACT**(General Principles of Contract and Specific Relief)

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quiz
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

Contract law give the basic knowledge about Law of Contract, General Principles of Law of contract, basic concept, nature and essential of contract.

SYLLABUS:

UNIT - I

Lectures-12

1. General Principles of Law of contract

- History and nature of contractual obligations.
- Agreement and contract: definitions, elements and kinds.
- Proposal and acceptance-their various forms, essential elements, communication and revocation- proposal and invitations for proposal.

2. Standard Form of Contracts

- Nature, advantages

UNIT – II

Lectures-12

1. Consideration

- Its need, meaning, kinds, essential elements- nudum pactum, privity of contract and of consideration-its exceptions, adequacy of consideration present, past and future consideration, unlawful consideration and its effects.

2. Capacity to Contract

- 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 – fraud by a minor - agreements made on behalf of a minor-minor's agreements and estoppel- evaluation of the law relating to minor's agreements- other illustrations of incapacity to contract.

UNIT –III

Lectures-12

1. Consent

- Its need and definition-factors vitiating free consent.
- Coercion-definition-essential elements- duress and coercion-various illustrations of coercion- doctrine of economic duress-effect of coercion.
- Undue influence- definition-essential elements- between which parties can it exist? Who is to prove it? Illustrations of undue influence- independent advice-pardahanshin women-unconscionable bargains-effect of undue influence.

- Misrepresentation- definition- misrepresentation of law and of fact- their effects and illustration.
- Fraud- definition- essential elements- suggestion falsi-suppresio veri-when does silence amounts to fraud? Active- concealment of truth- importance of intention.
- Mistake- definition- kinds- fundamental error- mistake of law and of fact- their effects- when does a mistake vitiate free consent and when does it not vitiate free consent?

2. Legality of object

- Void agreements- lawful and unlawful consideration, and objects- void, voidable, illegal and unlawful agreements and their effects.
- Unlawful considerations and objects:
 - Forbidden by law
 - Defeating the provisions of any law
 - Fraudulent
 - Injurious to person or property
 - Immoral
 - Against public policy
- Void Agreements:
 - Agreements without consideration
 - Agreements in restraint of marriage
 - Agreements in restraint of trade- its exception- sale of goodwill, section 11 restrictions under the Partnership Act, trade combinations, exclusive dealing agreements, restraints on employees under agreements of service.
 - Agreements in restraint of legal proceedings- its exceptions.
 - Uncertain agreements
 - Wagering agreement- its exception.

UNIT – IV

Lectures-12

1. Discharge of Contract. Certain relations resembling those created by contract. Damages

- By performance- conditions of valid tender of performance- How? By whom? Where? When? In what manner? Performance of reciprocal promises- time as essence of contract.
- By breach- anticipatory breach and present breach.
- Impossibility of performance- specific grounds of frustration- application to leases, theories of frustration- effect of frustration- frustration and restitution.
- By period of limitation
- By agreement- rescission and alteration- their effect- remission and waiver of performance- extension of time- accord and satisfaction.
- Quasi-contracts or certain relations resembling those created by contract

- Remedies in contractual relations:
- Refund and restitution
- Damages-kinds-remoteness of damages-ascertainment of damages

2. Certain Relations resembling those created by Contract

- Theory of Unjust Enrichment
- Theory of 'implied – in – fact' contract
- Provisions of the Indian Contract Act

UNIT – V

Lectures-12

1. Specific relief

- Specific performance of contract
- Specific performance- When? Why?
- Contract that can be specifically enforced
- Persons against whom specific enforcement can be ordered
- Rescission and cancellation
- Injunction
- Temporary
- Perpetual
- Injunction-when granted and when refused- Why?
- Declaratory orders
- Discretion and powers of court.

Note : - In addition to the above questions may be asked on aspects related with this paper.

COURSE LEARNING OUTCOMES:

Unit 1: After the completion of this unit student get to know the General Principles of Law of contract, history, nature, agreement and contract, proposal and acceptance, etc.

Unit 2: After the completion of this unit student get to know the concept Consideration Its need, meaning, kinds, essential elements- nudum pactum, privity of contract and of consideration, etc.

Unit 3: After the completion of this unit student get to know the concept of Consent, Coercion, Undue influence, Misrepresentation, Fraud, etc.

Unit 4: After the completion of this unit student get to know the concept of Discharge of Contract by performance, by breach, by agreement, Quasi-contracts, etc.

Unit 5: After the completion of this unit student get to know the concept of Specific performance of contract, Contract that can be specifically enforced, Persons against whom specific enforcement can be ordered, Rescission and cancellation, etc.

Pedagogy for Course Delivery:

Providing students, a broad knowledge about the concept of Law of Contract. The course will be delivered through a combination of theoretical aspect and practical aspect of contract with case study. All the latest case laws, landmark judgements and legal maxims relating to law of contract shall be discussed to clear queries & doubts and to make concept clear. The Course shall be taught by a Law faculty, to explain the practical aspects and application. The students will be engaged in case study, real-time examples and explanation of provisions of contract.

Recommended Study Material:

Essential Readings

1. Pollock and Mulla – Indian Contract Act
2. T.R. Desai – Contract, Sale of Goods and Partnership
3. Avtar Singh – Merchantile Law
4. Kailash Rai – Law of Contract – I
5. Shri Ram Singh – Law of Contract – I
6. Aslam M.J. - Law of Contracts (2 Vol.)
7. Rega Surya Rao (Dr.) - Contract-I
8. Rega Surya Rao (Dr.) - Contract-II
9. Prabhat K. Gupta - Contract-I with Specific Relief
10. DR. S.K. KAPOOR - CONTRACT-I
11. R.K. Bangia - Contract-I (Hindi)
12. Narender Kumar - Indian Contract Act
13. Samvida Vidhi evam Vinirdist Anutosh Adhinyam-Ek Parichay (Law of Contract and Specific Relief Act) (An Introduction)in Hindi, 2th Edi. 2013 (P/B) - Singh, Avtar
14. The Indian Contract Act,– Mulla
15. Law of Contract-includes the Specific Relief Act, 1963 - Ritu Gupta
16. Law Relating to Electronic Contracts - R.K. Singh
17. Insights into E-Contracts in India - Sachin Rastogi

COURSE NO
LAW - CC - 113

LL.B. (Three Years Course)
I SEMESTER

L	T	P	C
4	1	0	5

CONSTITUTIONAL LAW - I

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

Constitutional Law provides a detailed knowledge about the historical aspect of the Constitution of India, basis concept of judicial review, secularism, justice and liberty. Also to clear the concepts of Fundamental Rights, Directive Principles of State Policy and Fundamental Duties.

SYLLABUS:

UNIT – I

Lectures-12

1. Historical Perspective:

- Constitutional developments since 1858-1947
- Gandhi Era- 1919 to 1947 : Social, political, economic and spiritual influence.
- Making of Indian constitution.
- Nature and special features of the constitution.

UNIT – II

Lectures-12

1. State and Judicial Review

- Definition
- Other authorities
- Organs of State
- Judicial Review
- Doctrine of severability
- Doctrine of Eclipse
- Doctrine of waiver

UNIT – III

Lectures-12

1. Secularism:

- Concept of secularism: historical perspective
- Indian constitutional provisions.
- Freedom of religion- scope
- Religion and the State: the limits
- Minority rights.

2. Equality and Social Justice:

- Equality before the law and equal protection of laws.
- Classification for differential treatment: Constitutional validity.
- Gender Justice.
- Justice to weaker sections of society: Scheduled castes, scheduled tribes and other backward classes.
- Strategies for ameliorative justice.

UNIT – IV

Lectures-12

1. Freedoms and social control

- Speech and Expression
- Media, press and Information
- Freedom of speech and contempt of court
- Freedom of assembly
- Freedom of Association
- Freedom of movement.
- Freedom to reside and settle.
- Freedom of profession/ business.
- Property: from fundamental right to constitutional right.

2. Personal Liberty:

- Rights of an accused-double jeopardy- self incrimination retroactive punishment.
- Right to life and personal liberty: meaning, scope and limitations.
- Preventive detention- constitutional policy.

UNIT – V

Lectures-12

1. Fundamental Rights and Directive Principles:

- Directive Principles- directions for social change- A new social order.
- Fundamental Rights and Directive Principles interrelationship- judicial balancing.
- Constitutional amendments to strengthen Directive Principles.
- Reading Directive Principles into Fundamental Rights.

2. Fundamental Duties:

- The need and status in constitutional set up.
- Interrelationship with fundamental rights and directive principles.

Note : - In addition to the above questions may be asked on aspects related with this paper.

Course Learning out comes:

Unit 1:. The students will be able to know the concept and framework of constitution.

Unit 2: Students will get to know about the concepts of the state and how the judiciary monitors on enacting and application of the law through judicial review.

Unit 3: Students will come to know the meaning of secularism and its types, apart from them they will know the concept of religion.

Unit 4: Students will come to know about the basic concept of freedom, its limitations and scope.

Unit 5: Students will be able to understand about the fundamental rights, DPSP, fundamental duties and relationship between F.Rs and DPSP.

Pedagogy for Course Delivery:

Providing students, a broad knowledge about the concept of Constitutional Law. The course will be delivered through a combination of historical perspective and present scenario of Constitution. All the latest case laws, landmark judgements and legal maxims relating to Constitutional Law shall be discussed to clear queries & doubts and to make concept clear. The Course shall be taught by a Law Faculty, to explain the real meaning and importance of Constitutional Law. The students will be engaged in case law study, study of judicial review of various provisions and real-time examples for the fulfillment of Directive Principles of State Policy and explanation of provisions of Constitution along with their basis of existence.

Recommended Source Material:

Essential Readings :

1. H. M. Seervai : Constitution of India
2. M.P.Jain : Constitution of India
3. V.N. Shukla : Constitution of India
4. Mahavir Singh : Bharat Ka Samvidhan
5. M. C. J. Kagzi : Constituion of India
6. D.J. Dee : Constituion of India
7. Kilash Rai : Constituion of India
8. Chaturvedi : Constituion of India
9. J.N. Pandey : Constitution of India
10. Constitutional Law-I - Myneni SR
11. Constitutional Law-II - Myneni SR
12. Indian Constitutional Law-New Challenges - Dr. G.P. Tripathi
13. CONSTITUTIONAL LAW OF INDIA - DR. N.V. PARANJAPE
14. Constitutional Law of India - Narender Kumar
15. Constitutional Justice & Judicial Process - Polo Koteswar Rao
16. Textbook on the Constitution of India - Bhansali, S.R.
17. भारत का संविधान— डॉ. जय नारायण पाण्डेय
18. भारत का संविधान— डॉ. जे.जे.आर. उपाध्याय
19. Introduction to the Constitution of India English Edition - D.D. Basu
20. Introduction to the Constitution of India Hindi Edition - D.D. Basu
21. Constitutional Law - Rega Surya Rao (Dr.)
22. Judicial Review - Narayana Justice PS
23. संविधान : एक समीक्षा सतीश कुमार

COURSE NO
LAW -CC- 114

LL.B. (Three Years Course)

L	T	P	C
4	1	0	5

I SEMESTER**LAW OF TORT****(INCLUDING M.V. ACCIDENT AND CONSUMER PROTECTION LAWS)**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The main objective of this Course is to give a comprehensive overview law of tort along with the recent amendments in Consumer Protection Laws and Motor Vehicles legislations.

SYLLABUS:

Unit-I

Lectures-12

1. Evolution of Law of Torts

- England- forms of action- specific remedies from case to case.
- India- principles of justice, equity and good conscience- uncodified character- advantages and disadvantages

2. Definition, Nature, Scope and Objects

- 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.
- Tort distinguished from crime and breach of contract
- The concept of unliquidated damages.
- Changing scope of law of torts: expanding character of duties owed to people generally due to complexities of modern society.
- Objects- prescribing standards of human conduct, redressal of wrongs by payment of compensation, prescribing unlawful conduct by injunction.

3. Principles of Liability in Torts:

- Fault liability
- Wrongful intent
- Negligence
- Liability without fault
- Statutory liability
- Place of motive in torts
- No Fault liability
- No Fault liability under the Motor Vehicle Act, 1988

4. Defences

- Volenti non fit injuria
- Necessity, private and public
- Plaintiff's default
- Act of God
- Inevitable accident
- Private defense
- Statutory authority
- Judicial and quasi-judicial acts.
- Parental and quasi-parental authority.

Unit-II

Lectures-12

1. Standing

- Who may sue- aggrieved individual- class action- social action group
- Statutes granting standing to certain persons or groups
- Who may not be sued?

2. Vicarious Liability

- Basis, scope and justification
- Express authorization
- Ratification
- Master and servant- arising out of and in the course of employment- who is master? the control test.
- who is servant?- borrowed servant- independent contractor and servant, distinguished.
- Principal and agent

3. Extinguishment of liability in certain situations:

- Actio personalis moritur cum persona- exceptions
- Waiver and acquiescence
- Release
- Accord and satisfaction
- Limitation

4. Tortious Liability of the State, Doctrine of sovereign immunity and its relevance in India

5. Absolute/Strict liability

Unit-III

Lectures-12

1. Torts against persons and personal relations

- Assault, battery, mayhem
- False imprisonment
- Malicious prosecution
- Nervous shock

2. Wrongs affecting property

- Trespass to land, trespass ab initio, dispossession .
- Movable property- trespass to goods, detinue, conversion.
- Torts against business interests- injurious falsehood, misstatements, passing off .

Unit-IV

Lectures-12

Specific Torts

1. **Defamation**
2. **Negligence**
3. **Nuisance**

Unit-V

Lectures-12

Consumer Protection Acts and Motor Vehicle Act.

- Meaning of Consumer and Deficiency in Service.
- Consumer Protection Redressal Agencies.
- Insurer's Liability for Third Party Risk.
- Extent of Liability of Insurer under MV Act, 1988
- Claims Tribunal.(Motor Vehicle Act, 1988)

Note : - In addition to the above questions may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: (Topic 1 to 6) Will be familiar with the basic understanding of the importance of tort law for general understanding of legal principles

Unit 2: (Topic 7 to 12) Will analyse various doctrines, principles under tort law

Unit 3: (Topic 12 to 14) Will analyse and interpret various judicial decisions

Unit 4: (Topic 15 to 21) Will analyse and interpret consumer protection laws and judicial decisions

Unit 5: (Topic 22) Will gain the knowledge and analyse and interpret motor vehicle legislations and decisions. Also gain knowledge about the Consumer Protection Act.

Pedagogy for Course Delivery:

Providing students, a broad knowledge about the concept of law of Torts and Consumer Protection Act, 2019. The course will be delivered through the development of law of torts through case laws, landmark judgments and legal maxims. The Course shall be taught by a

Law Faculty, to explain the real meaning and importance of law of Torts. The students will be engaged in the real time application of the law of torts, case study, landmark judgement of Supreme Court and discussion on the case study.

Recommended Source Material

Additional Reading

1. Salmond : Law of Torts
2. Winfield : Law of Tort

Essential Reading

1. R. K. Bangia : Law of Torts and Consumer Protection
2. B.M. Gandhi : Law of Torts and Consumer Protection
3. S.K. Singh : Law of Torts
4. Ratanlal Dheerajlal : Law of Torts
5. Avtar Singh : Law of Consumer Protection
6. Gurubax Singh : Consumer Protection Act 1986
7. Avtar Singh : Law of Torts
8. G.S. Pandey : Law of Torts
9. Torts, including Motor Vehicles Accidents & Consumer Protection Laws - Rega Surya Rao (Dr.)
10. अपकृत्य विधि एवं उपभोक्ता संरक्षण अधिनियम – एम.एन.शुक्ला
11. अपकृत्य विधि एवं उपभोक्ता संरक्षण अधिनियम – डॉ. एस.के.कपूर
12. अपकृत्य विधि एवं उपभोक्ता संरक्षण अधिनियम – डॉ. ना.वि. परांजपे
13. उपभोक्ता संरक्षण विधि – डॉ. एस.एस. श्रीवास्तव
14. LAW OF TORTS ALONGWITH CONSUMER PROTECTION ACT - DR. S.K. KAPOOR
15. CONSUMER PROTECTION ACT - DR. S.S. SRIVASTAVA
16. Consumer Protection Act - R.K. Bangia

COURSE CODE
LAW - CC- 115

LL.B. (Three Years Course)

L	T	P	C
4	1	0	5

I SEMESTER**LAW OF CRIMES - I****(Indian Penal Code)**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The course is designed to introduce students to the concepts and basic principles of Criminal Law in India. The course will address the general principles of criminal liability, exceptions to the criminal liability and various specific offences under the Indian Penal Code.

SYLLABUS:

Unit-I:

Lectures-12

1. General

- Conception of crime
 - Macaulay's draft based essentially on British notions.
 - State's responsibility to detect, control and punish crime.
- Distinction between crime and other wrongs.
- Applicability of I.P.C.
 - Territorial
 - Personal
 - Salient features of the I.P.C.

2. Elements of criminal liability

- Author of crime- natural and legal person
- Mens rea-evil intention
- Importance of mens rea
- Recent trends to fix liability without mens rea in certain socio-economic offences.
- Act in furtherance of guilty intent
- Injury to another

3. Stages of a crime

- Guilty intention- mere intention not punishable
- Preparation
 - Preparation not punishable
 - Exception in respect of certain offences of grave nature or of peculiar kind such as possession of counterfeit coins, false weights and measures.
- Attempt:
 - Attempt when punishable- specific provisions of IPC
 - Tests for determining what constitutes attempt- proximity, equivocally and social danger
 - Impossible attempt.

Unit-II:

Lectures-12

1. Group liability

- Stringent provision in case of combination of persons attempting to disturb peace.
- Common intention
- Abetment:
- Instigation, aiding and conspiracy
 - Mere act of abetment punishable
- Criminal conspiracy
- Unlawful assembly:
 - Basis of liability
- Rioting as a specific offence
- Affray

Unit-III

Lectures-12

1. Types of punishment

- Death.
 - Alternatives to capital punishment
- Imprisonment-for life, with hard labour, simple imprisonment
- Forfeiture of property
- Fine
- Discretion in awarding punishment.

Minimum punishment in respect of certain offences

2. Factors negating guilty intention

- Mistake of fact
 - Minority
 - Necessity.
 - Mental incapacity
 - Insanity – impairment of cognitive faculties, emotional imbalance
 - Medical and legal insanity
 - Intoxication – involuntary
 - Private Defence – justification and limits
 - When private defence extends to causing of death to protect body and property

Unit-IV

Lectures-12

1. Specific offences against human body

- Sedition
- Causing death of human beings
- Culpable homicide.
- Murder
- Distinction between culpable homicide and murder
- Specific mental element: requirement in respect of murder
- Situation justifying treating murder as culpable homicide not amounting to murder
- Grave and sudden provocation.
- Exceeding right to private defense
- Public servant exceeding legitimate use of force
- Death in sudden fight
- Death caused by consent of the deceased- euthanasia and surgical operation
- Death caused of person other than the person intended
- Miscarriage with or without consent
- Rash and negligent act causing death

Hurt- grievous and simple

- Assault and criminal force
- Wrongful restraint and wrongful confinement
- kidnapping from lawful guardianship and from outside India.
- Abduction

2. Offences against women (Special Provisions relating to women)

- Insulting the modesty of women
- Assault or criminal force with intent to outrage the modesty of woman
- Kidnapping or abducting woman to compel her to marry or force her to illicit intercourse
- Rape
- Custodial rape
- Marital rape
- Cruelty by husband or his relatives

Unit-V:

Lectures-12

1. Offences against Property

- Theft
- Extortion
- Robbery and dacoity
- Cheating
- Mischief
- Criminal misappropriation and criminal breach of trust
-

2.DEFAMATION:

Meaning, imputation, distinguishes between character and reputation and its exception.

Note: - In addition to the above questions may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic understanding of criminal law, essentials of crime and stages of offence.

Unit 2: Will acquire knowledge about group liability under criminal law.

Unit 3: Will gain detailed information about factors negating guilty intention.

Unit 4: Will get an understanding of specific offences against human body such as murder, hurt etc. and offences against women.

Unit 5: Will gain the knowledge of the offences against property such as theft, extortion, etc and the offence of defamation

Pedagogy for Course Delivery:

Providing students, a broad knowledge about the concept of Law of Crimes. The course will be delivered through a combination of historical perspective, theoretical aspect and practical aspect of Law of Crimes. All the latest case laws, landmark judgements and legal maxims relating to Law of Crimes particularly Indian Penal Code shall be discussed to clear queries & doubts and to make concept clear. The Course shall be taught by a Law Faculty. The students will be engaged in case law study, application of various provisions of Indian Penal Code to a case.

Recommended Source Material:

Essential Readings-

1. Ratanlal Dheerajlal : Indian Penal Code
2. S. N. Mishra : Indian Penal Code
3. K.D. Gaur : Criminal Law

4. Indian Penal Code, , (P/B) : Gandhi B.M.
5. INDIAN PENAL CODE - DR. S.S. SRIVASTAVA
6. INDIAN PENAL CODE - PROF. T. BHATTACHARYYA
7. भारतीय दण्ड संहिता – सूर्य नारायण मिश्र
8. भारतीय दण्ड संहिता – डॉ. त्रिदिवेश भट्टाचार्य
9. भारतीय दण्ड संहिता – राजा राम यादव
10. भारतीय दण्ड संहिता – एन.वी. परांजपे
11. Indian Penal Code (Crimes) - Myneni SR

Additional Readings-

1. Dr. H.S. Gaur : Law of Crimes (4 Volumes)
2. B. N. Mani Tripathi : Criminal Law
3. Indian Penal Code, 2014 : Takwani C.K.
4. General Principles of Criminal Law 2th Edition, 2011 (P/B) : Pillai K.N.C.
5. Criminal Law (Indian Penal Code) - Rega Surya Rao (Dr.)

COURSE NO
LAW - CC - 116

L	T	P	C
4	1	0	5

LL.B. (Three Years Course)
I SEMESTER

PUBLIC INTERNATIONAL LAW

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The major objective of this paper is to give the student a wholesome idea of the origin, nature, development, scope and various principles of International Law and provide the basic knowledge of various concepts which are the foundation of International Law. The

course aims to strengthen the vision, rational and objectivity of the student by discussing the important concepts and issues of the subject with an analytical approach and also to specially examine the Indian scenario in this regard. The course focuses to covers and provide knowledge of basic topics of international law i.e. Sources, State Recognition, Asylum, Settlement of Disputes etc. as well as the topics of contemporary importance which are comparatively new in the area of International Law i.e. Air Law, Space Law etc. The syllabus covers issues and topics which are relevant for the law students to better understand the syllabus of related subjects (International Arbitration, Humanitarian Law and Human Rights etc.) in the coming semesters and also very important to build the foundation for the competitive exams of PG Entrance, UGC- NET, Administrative and Judicial Services.

SYLLABUS:

Unit I

Lectures-12

1. Definition and nature of International Law, difference between Public and Private International Law.
2. Origin and Development of International Law including its codification.
3. Sources of International Law.
4. Subjects of International Law

Unit II

Lectures-12

1. Relationship between International Law and Municipal Law.
2. State Recognition and State Succession.

Unit III

Lectures-12

1. Nationality, Statelessness.
2. State jurisdiction. Basis of jurisdiction, jurisdictional immunity.
3. Extradition and Asylum.

Unit IV

Lectures-12

1. Diplomatic and consular relations.
2. Law of treaties: Formation, Application, termination of treaties.

3. State responsibility.

Unit V

Lectures-12

1. Settlement of International Disputes: Peaceful procedures for settlement of international disputes, Diplomatic, Adjudicative and Institutional, Compulsive, procedures for settlement of international disputes, Restoration, Reprisals, Armed Intervention with the role of United Nations.
2. War and use of force in International Law.
3. Law of Contraband & Blockade. Concept of War and legality of war and Use of force, Legal effects of the outbreak of war and Enemy character.

Note: - In addition to the above questions may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic Concept, Nature, Origin, Codification, Subjects and Sources of International Law. Will be able to understand and analyse the ever growing, changing and developing nature of modern International Law. With the help of understanding of the basic concepts the student will be exposed to and provided with the knowledge of the present-day challenges and issues of the subject.

Unit 2: Will acquire knowledge about the relationship between International Law and Municipal Law, important concepts of State Recognition and State Succession. The student will also be acquainted and gain knowledge about recent challenges and issues of Modern International Law i.e., Maritime Law, Air Law, Space Laws etc.

Unit 3: Will gain knowledge of the important relative concepts of Nationality and Statelessness, State Jurisdiction and Jurisdictional Immunity, Extradition and Asylum. The student will be able to understand these concepts and to analyse its applicability in present scenario with special reference to India.

Unit 4: Will get an understanding of the age-old concept of Diplomatic and Consular relations and its applicability in present time. The student will also be able to examine the various doctrines, principles and provisions relating to treaties (formation, application and termination) and State responsibility.

Unit 5: Will gain the knowledge of the various modes of Settlement of International Disputes, the concept of War and use of force, legality of War, legal effects of outbreak of War and Enemy Character.

Pedagogy for Course Delivery:

Providing students, a broad knowledge about the concept of Public International Law. The course will be delivered through a combination of historical perspective, theoretical aspect and practical aspect of Public International Law. The Course shall be taught by a

Law Faculty. The students will be engaged in case law study, application of international law in recent or current Geo-politics.

Recommended Study Material:

Essential Reading:

- J.G. Starke : Introduction to International Law.
- S. K. Kapoor : International Law
- Oppenheim : International Law
- H. O. Agarwal : International Law & Human Rights

Additional Reading:

- Antarrashtriya Vidhi Aur Manvadhikar (International Law and Human Rights in Hindi) 2th Edi. 2010 (P/B)- Joshi K.C.
- अन्तर्राष्ट्रीय विधि एवं मानव अधिकार – डॉ. एस.के.कपूर

Department of Law
Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)

LL.B.
(List of Courses Prescribed for II Semester)

II SEMESTER					
Course Code	Course Title	CREDIT			
LAW-CC-211	General English – II	L	T	P	C
		4	1	0	5
LAW-CC-212	Special Contract (Indian Contract Act, Indian Partnership Act, Sales of Goods Act & Other Specific Contracts)	L	T	P	C
		4	1	0	5
LAW-CC-213	Constitutional Law – II	L	T	P	C
		4	1	0	5
LAW-CC-214	Family Law – I (Muslim Law)	L	T	P	C
		4	1	0	5
LAW-CC-215	Environmental Law	L	T	P	C
		4	1	0	5
LAW-CC-216	Company Law	L	T	P	C
		4	1	0	5

COURSE NO
LAW-CC-211

LL.B. Part - I (Three Years Course)

II SEMESTER

L	T	P	C
4	1	0	5

GENERAL ENGLISH- II

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course objective: To teach the students the advanced vocabulary which will improve their communication and writing skills, special emphasis will be given to teach foreign phrases related to legal terms and usage and enhance the student's vocabulary for drafting and speaking which will be beneficial in upbringing their capabilities.

SYLLABUS:**Unit-I****Lectures-12**

- Vocabulary
 - (i) Certain set expressions & phrases
 - (ii) Foreign words & phrases

Unit-II**Lectures-12**

- One word substitution, Synonyms, Antonyms, Homophones.

Unit-III

Lectures-12

Idioms & Latin phrases, words often confused and misused.

Unit-IV

Lectures-12

Direct & Indirect Speech: Their rules & transformation.

- Subject- Verb Agreement & Transformation concord.

Unit-V

Lectures-12

- Correspondence - Letter writing, Notice Writing, Application writing, Report writing & Notes taking.
- Classroom speech and Group discussion.

Note : - In addition to the above questions may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Improve all areas of communication- listening, speaking, reading and writing which are the frontiers of legal framework. Foreign words ensure true meaning of what is being said.

Unit 2: Substitute one word for multiple saying. Law needs to be precise and crisp for making it permissive and have bona-fide meaning. Learn antonyms, synonyms and homophones which play vital while drafting.

Unit 3: While drafting petitions, Latin phrases are used, their interpretation and construction is then demonstrated to give them their contemporary meaning.

After completion of this unit, a law student would be able to find him/herself in a state of making a true sense out of Latin phrase and their use in the legal sense.

Unit 4: True is said that a lawyer needs vocals, speech of various forms helps such to have an immersive and impactful conversation be it courtroom, parliament, or any debate.

Transformation concord is the element where such distinction lies.

Unit 5: Session ending with correspondence i.e Letter writing, notice writing, Application writing and Report writing are the technical arms for drafting. Group discussions help in upbringing of student to perform well in subsequent mock trials or debates.

Pedagogy for Course Delivery:

The course will be delivered through a combination of general English and legal English. All the latest vocabulary of English used in legal field and legal maxims shall be discussed to clear queries & doubts and to make concept clear. Lectures shall be delivered by experts in English to explain the practical aspects and application of proper English language in legal area. The students will be engaged in drafting skills, lawyer needs of vocals, speech in various forms, discussions, debates, speech delivery, essay writing to be more acquainted with the subject.

Recommended Source Material

Essential Readings-

1. Communication Skill in English, Oxford University Press.
2. Grammar in Application, Oxford University Press.
3. M.K.Gandhi : The Law and the Lawyer, Navjivan Publications, Ahmedabad, 1962.
4. Ishtiaque Abidi : Law and Language, University Publishers, Aligarh, 1978.
5. G. Kumara Pillai : A Handbook of English Grammar and Composition.
6. Ganguli and Wood : General English for Three Years Degree Course, Macmillan India.
7. Wren & Martin : English Grammar.
8. Material drawn from legal notices, petitions, appeals, court orders, statutes, bills, rules, etc.
9. English-I - S.R. Myneni
10. English-II - S.R. Myneni
11. English-III - S.R. Myneni
12. Seven Lives – An Autobiography of Dr. Sir Harisingh Gour
13. Hindi Translation of Seven Lives by Rajesh Shrivastava, Vishwavidyalaya Prakashan, Sagar, 1st Edition (2006)
14. Dr. Harisingh Gour Commemoration Vol. (1957)
15. The Writings of Dr. Harisingh Gour Ed. by R. S. Pathak, Aditya Publishers, Bina (1998)
16. The Hindu Code (1919)
17. Dr. Harisingh Gour ki Jiwani – S.A.Radho, Ma Bhagwati Prakashan, Sagar, 2nd Edition, 2006
18. Viswa ki Dristi mein Sagar Vishwavidyalaya aur uskey sansthapak Dr. Sir Harisingh Gour – Dr. Laxmi Narayan Dubey
19. Madhya Bharti (Journal of Humanities and Social Science) Issue 69 July-Dec, 2015 (pp 250 – 258)
20. India and the New Constitution (1947)

Additional Readings-

1. Michael Swan : Basic English Usage, Oxford University Press.
2. Hindi – English Glossary, Vidhi Sahitya Prakashan, Ministry of Law.
3. Any sta N. Krishnamurthy : Guide to Modern English Grammer & Composition, Macmillan India

COURSE NO
LAW-CC-212

L	T	P	C
4	1	0	5

II SEMESTER

SPECIAL CONTRACT

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

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - a) Mid Semester Examination : 20 Marks
 - b) Internal Assessment : 20 Marks
 - c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

Special Contract Law aims to give us a range of useful information. The elements needed to make a valid Special Contract. The range of obligations and responsibilities found with a valid special contract. And, clear the concept of Special Contracts, Sale of Goods, Partnership and Negotiable Instruments.

SYLLABUS:

Unit-I:

Lectures-12

1. Indemnity_

- The concept
- Need for indemnity to facilitate commercial transactions.
- Methods of creating indemnity obligations.
- Definition of Indemnity
- Nature and extent of liability of the indemnifier
- Commencement of liability of the indemnifier
- Situations of various types of indemnity creations.

2. Guarantee

- The concept.
- Definition of guarantee: as distinguished from indemnity.
- Basic essentials for a valid guarantee contract.
- The place of consideration and the criteria for ascertaining the existence of consideration in guarantee contracts.
- Position of minor and validity of guarantee when minor is the principal debtor, creditor or surety.
- Continuing guarantee.
- Nature of surety's liability
- Duration and termination of such liability
- Illustrative situations of existence of continuing guarantee.
- Creation and identification of continuing guarantees.
- Rights of surety:
- Position of surety in the eye of law
- Various Judicial interpretations to protect the surety
- Co-surety and manner of sharing liabilities and rights.
- Extent of surety's liability.
- Discharge of surety's liability.

Unit-II:

Lectures-12

1. Bailment

- Identification of bailment contracts in day today life.
- Manner of creation of such contracts
- Definition of bailment
- Kinds of bailors and bailees
- Duties of Bailor and Bailee towards each other
- Rights of bailor and bailee
- Finder of goods as a bailee.
- Liability towards the true owner.
- Obligation to keep the goods safe
- Right to dispose off the goods.

2. Pledge

- Pledge: comparison with bailment
- Definition of pledge under the Indian contract Act
- Rights of the pawner and pawnee.
- Pawnee's right of sale as compared to that of an ordinary bailee
- Pledge by certain specified persons mentioned in the Indian Contract Act.

Unit-III:

Lectures-12

Agency

- Identification of different kind of agency transactions in day to day life in the commercial world
- Kinds of agents and agencies.
- Distinction between agent and servant.
- Essentials of a agency transaction
- Various methods of creation of agency
- Delegation
- Duties and rights of agent
- Scope and extent of agents' authority.
- Liability of the principal for acts of the agent including misconduct and tort of the agent.
- Liability of the agent towards the principal.

- Personal liability towards the parties
- Methods of termination of agency contract
- Liability of the principal and agent before and after such termination.

Unit-IV:

Lectures-12

Partnership

- Nature of partnership: definition
- Distinct advantages and disadvantages vis-a-vis partnership and private limited company
- Mutual relationship between partners
- Authority of partners
- Admission of partners.
- Outgoing of partners.
- Registration of Partnership
- Dissolution of Partnership

Unit-V:

Lectures-12

1. Sale of Goods

- Concept of sale as a contract
- Essentials of contract of sale
- Effect and meaning of conditions and warranties in a sale
- Implied terms in contract of sale
- The rule of caveat emptor and the exceptions thereto under the Sale of Goods Act.
- Unpaid seller and his rights

2. Negotiable Instruments

- The concept
- Various kinds
- Essential requirements to make an instrument negotiable.
- Competent parties for making and negotiation
- Acceptance of the instrument.
- Dishonor by non acceptance and non-payment and remedies available to the holder
- Holder and holder in due course: meaning, essential conditions rights and privileges of holder in due course and endorsee from the holder in due course.

- Presentment of the instrument.
- Cheques: rules regarding payment of cheque
- Dishonor of cheque and its effect.
- Discharge from liability

Note :- In addition to the above questions may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: After the completion of this unit student get to know the concept of Indemnity & Guarantee and also able to differentiate between them.

Unit 2: After the completion of this unit student get to know the concept of Bailment & Pledge and what are the rights of Bailee-Bailor & Pawner-Pawnee also able to differentiate between them.

Unit 3: After the completion of this unit student get to know the concept of Agency and how it created and work.

Unit 4: After the completion of this unit student get to know the concept of Partnership, Nature of Partnership, Advantages & Disadvantages, etc.

Unit 5: After the completion of this unit student get to know the concept of Sale of Goods & Negotiable Instruments, abouts Checks, Bill of Exchange & Promissory Notes, Essentials of Sale & Agreement of Sale, etc.

Pedagogy for Course Delivery:

Providing students, a broad knowledge about the concept of Law of Contract particularly the concept of indemnity, guarantee, pledge and bailment along with the Partnership law, Negotiable Instruments Act and Sales of Goods. The course will be delivered through a combination of theoretical aspect and practical aspect of contract with case study. All the latest case laws, landmark judgements and legal maxims relating to law of contract shall be discussed to clear queries & doubts and to make concept clear. The Course shall be taught by a Law Faculty, to explain the practical aspects and application. The students will be engaged in case study, real-time examples and explanation of provisions of contract.

Recommended Study Material:

Essential Readings

1. Pollock and Mulla – Indian Contract Act
2. T.R. Desai – Contract, Sale of Goods and Partnership
3. Avtar Singh – Mercantile Law
4. Avtar Singh – Law of Contract –II

5. Kailash Rai – Law of Contract – II
6. Contract-II (Hindi) - R.K. Bangia
7. Shri Ram Singh – Law of Contract – II
8. Avtar Singh – Negotiable Instruments
9. R.K.Bangia – Negotiable Instruments
10. Contract-II Hindi Edition - Rega Surya Rao (Dr.)
11. संविदा-2 . आर.एन. चौधरी
12. संविदा विधि-2 माल विक्रय अधिनियम एवं भागीदारी अधिनियम . डॉ. बसन्ती लाल बाबेल
13. INDIAN PARTNERSHIP ACT - SUKUMAR RAY
14. CONTRACT-II - DR. S.K. KAPOOR
15. NEGOTIABLE INSTRUMENTS ACT - S.M. CHATURVEDI

ADDITIONAL READINGS:

- I. Bhadidari Vidhi Evam Seemit Dayitva Adhiniyam (Law of Partnership & Limited Liability Partnership in Hindi) (P/B) - Singh, Avtar
- II. Introduction to Law of Partnership, (P/B) - Singh Avtar
- III. Indian Partnership Act (with LLP Act) - S.C. Tripathi
- IV. भागीदारीविधि के सिद्धांत . सिद्धनाथ
- V. संविदा विधि-2 मालविक्रय अधिनियम एवं भागीदारी अधिनियम . डॉ. एस.के. कपूर

COURSE NO
LAW-CC-213

L	T	P	C
4	1	0	5

LL.B. Part - I (Three Years Course)

II SEMESTER

CONSTITUTIONAL LAW - II

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The objectives of the course are to equip the students with knowledge of the Legislative, Judicial and Executive Body of State and also the constitution and powers of these body.

SYLLABUS:

UNIT – I

Lectures-12

Federalism:

- Federalism- principles: comparative study
- Indian federation: identification of federal features
- Legislative relations
- Administrative relations
- Financial relations
- Governor's role
- Centre's powers over the states- emergency
- Jammu and Kashmir- special status
- Challenges to Indian federation

UNIT – II

Lectures-12

Parliamentary Government:

- West Minister model- choice of parliamentary government at the centre and States.
- President of India.
- Election, qualifications, salary and impeachment
- Powers: Legislative, executive and discretionary powers.
- Council of Ministers
- Prime Minister- Cabinet system- collective responsibility- individual responsibility.
- Coalition government: Anti-defection Law.
- Governor and State Government- constitutional relationship.

UNIT – III

Lectures-12

Parliament:

- Meaning and Composition of Parliament
- Legislative process.
- Practice of law- making
- Legislative privileges and Fundamental Rights

UNIT – IV

Lectures-12

Judiciary under the Constitution:

- Judicial process
- Court System
- The Supreme Court
- High Courts.
- Subordinate judiciary
- Judges: appointment, removal, transfer and conditions of service: Judicial independence
- Judicial services : nature and people.

UNIT – V

Lectures-12

1. Emergency :

- Emergency- meaning and scope
- Proclamation of emergency- conditions- effect of emergency on centre- state relations.
- Emergency and suspension of Fundamental Rights.

2. Constitutional processes of adaptation and alteration

- Methods of constitutional amendment.
- Limitations upon constituent power
- Development of basic structure: Doctrine of judicial activism and restraint.

Note : -In addition to the above questions may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic understanding of Federalism and federal structure of India. Also detailed knowledge provided to the State legislative system.

Unit 2: Will acquire knowledge about the Precedence and Governor of the State. The power and duties of concern authorities.

Unit 3: Will gain detailed information on Indian Parliamentary and legislative Structure.

Unit 4: Will get an understanding of Judicial System in India as Guardian of the protection of fundamental of India.

Unit 5: Will gain the knowledge of emergency condition and Amendment power of parliament.

Pedagogy for Course Delivery:

Providing students, a broad knowledge about the concept of Constitutional Law particularly the concept of federalism, parliamentary government, parliament, judiciary and emergency. The course will be delivered through a combination of historical perspective and present scenario of these concepts of the Constitution. All the latest case laws, landmark judgements and legal maxims relating to Constitutional Law shall be discussed to clear queries & doubts and to make concept clear. The Course shall be taught by a Law Faculty, to explain the real meaning and importance of Constitutional Law. The students will be engaged in case law study, study of judicial review of various provisions and real-time examples.

Recommended Source Material:

Essential Readings

1. H. M. Seervai : Constitution of India
2. M.P.Jain : Constitution of India
3. V.N. Shukla : Constitution of India
4. Mahavir Singh : Bharat Ka Samvidhan
5. M. C. J. Kagzi : Constituion of India
6. D.J. Dee : Constituion of India
7. Kilash Rai : Constituion of India
8. Chaturvedi : Constituion of India
9. J.N. Pandey : Constitution of India
10. Constitutional Law-I - Myneni SR
11. Constitutional Law-II - Myneni SR
12. Indian Constitutional Law-New Challenges - Dr. G.P. Tripathi
13. CONSTITUTIONAL LAW OF INDIA - DR. N.V. PARANJAPE
14. Constitutional Law of India - Narender Kumar
15. Constitution of India, (P/B) - Shukla V.N.
16. Constitutional Justice & Judicial Process - Polo Koteswar Rao
17. Textbook on the Constitution of India - Bhansali, S.R.
18. The Indian Constitution and Social Resolution - V. Krishna Anauth
19. भारत का संविधान—डॉ. जय नारायण पाण्डेय
20. भारत का संविधान—डॉ. जे.जे.आर. उपाध्याय
21. Introduction to the Constitution of India English Edition - D.D. Basu
22. Introduction to the Constitution of India Hindi Edition - D.D. Basu
23. Constitutional Law - Rega Surya Rao (Dr.)
24. Judicial Review - Narayana Justice PS
25. संविधान: एक समीक्षा . सतीश कुमार

COURSE NO
LAW-CC-214

LL.B. Part - I (Three Years Course)

L	T	P	C
4	1	0	5

II SEMESTER

FAMILY LAW – I (Muslim Law)

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

Family Law - I (Muslim Law) is the special branch of law which deals with the personal conduct of muslim. The Course is designed to introduce students to the conception origin and development of muslim, source and schools to muslim Law. The course also covers

the institutions of marriage, matrimonial remedies, Dower talaq, parentage, Legitimacy, Guardianship, Gift (Hiba) Will, waqf, Law of pre Emption

SYLLABUS:

Unit-I:

Lectures-12

1. CONCEPTION, ORIGIN AND DEVELOPMENT OF MUSLIM LAW

- History and Development of Muslim Law
- Who is a Muslim ?
- Origin of Muslim Law
- Traditions - Sunnah' and 'Ahadis'
- 'Shariat' - Meaning of
- Religious injunctions
- Fiqh
- Difference between Shariat and Fiqh

2. SOURCES OF MUSLIM LAW

- Primary sources
- The Quran
- Quran as a source of law
- Legislative Functions of the Quran
- The Sunnat and Ahadis (Traditions)
- Kinds of Traditions
- The Ijma (consensus of opinion)
- Importance of Ijma
- Essential Ingredients of a valid Ijma
- Repeal of Ijma
- Kinds of Ijma
 - Ijma of the Companions of the Prophet
 - Ijma of Jurists
 - Ijma of the People
- The Qiyas (Analogical deductions)
 - Legal Authority of Qiyas as a Source of Islamic Law
 - Qiyas in the Light of Holy Quran
 - Qiyas in the Light of Hadith
 - Conditions for the validity of Qiyas
- Secondary Sources
- Urf or Custom
- Judicial decisions
- Legislation
- Justice, equity and good conscience

- Istihsan - Its Meaning
- Sources of law according to Shias

3. SCHOOLS OF MUSLIM LAW

- The Sunni Sub-Schools
- Hanafi school
- Maliki school
- Shafii school
- Hanbali school
- The Shia Sub-Schools
- Motazilas
- Points of difference between the Sunni and Shia Schools

Unit-II:

Lectures-12

1. MARRIAGE (NIKAH)

- Definition of marriage (Nikah)
- Objects of marriage
- Nature of Muslim Marriage
- Essentials or formal requirements of marriage
- Proposal and acceptance
- Competent parties
- No legal disability
- Duration of Iddat
- Valid Retirement
- Prohibitive incapacity
- Kinds of marriages according to validity
- Consequences of a void, irregular and valid marriage
- Distinction between void, irregular and valid marriages
- Enforcement of lawful conditions of marriage
- Presumption of marriage
- Remedies available to husband and wife
- Restitution of conjugal rights
- Payment of dower money
- Muta Marriage - Meaning and nature
- Polygamy in Islam
- Registration
- Difference between Shia and Sunni Law of marriage

2. DOWER (MAHR)

- Origin
- Definition
- Nature of Dower
- Importance of dower

- Legislature's right to make a legislation in respect of reasonable dower
- The object of Dower
- Increase or decrease of Dower
- Classification of dower
- Specified Dower (Mahr-i-Musamma)
- Prompt Dower
- Deferred Dower
- Customary (Proper) Dower (Mahri-i-Misl)
- Wife's rights and remedies on non-payment of Dower
- Difference between Sunni and Shia Laws relating to Dower
- Effect of Apostacy on Dower
- Suits for dower and Limitation
- Kharcha-i-pandan

3. DIVORCE (TALAO)

- Introduction
- Difference between Talaq and Divorce
- Classification of Divorce
- Talaq (Repudiation) - Meaning
- Different modes of Talaq
- Talaq-ul-Sunnat
- Talaq-ul-Biddat
- Triple Divorce : An overview
- Ila
- Talaq-ul-tafweez
- Khula (Redemption)
- Mubarat (Mutual Release)
- Lian (False charge of adultery)
- Judicial Divorce (Dissolution of Muslim Marriage Act, 1939)
- Effect of apostasy on Marriage
- Legal consequence of Divorce
- Distinction between Sunni and Shia Law of Talaq

Unit-III:

Lectures-12

1. PARENTAGE, LEGITIMACY AND ACKNOWLEDGEMENT

- Parentage - Maternity and paternity
- Maternity, how established
- Paternity, how established
- Legitimacy
- Special rules regarding presumption of legitimacy
- Legitimacy when conclusively presumed
- Legitimacy presumed from presumptive marriage
- Legitimacy and legitimation

- Acknowledgment
- Necessity of acknowledgment of legitimacy
- Basic principles of the doctrine
- Conditions of a valid acknowledgment
- Rule of legitimation by acknowledgment
- Effects of acknowledgment.

2. GUARDIANSHIP (HIZANAT)

- Definition of guardian
- Meaning of Guardianship
- Appointment of Guardian
- Kinds of guardianship
- Guardianship in marriage (Jabar)
- Guardian of the person of the minor for custody (Hizanat)
- Guardianship of Minor's Property
- Legal Guardian
- Guardian appointed by the court
- De facto Guardian
- Removal of guardian
- Cessation of the authority of guardianship
- Comparison of Sunni and Shia Laws relating to Guardianship

3. MAINTENANCE (NAFAQA)

- Introduction
- Kharcha-i-pandan
- Definition of maintenance
- Liability of maintenance
- Principle of maintenance
- Persons entitled to maintenance
- Duration of maintenance
- Scale of maintenance
- Arrears of maintenance
- Effect of Apostasy on maintenance
- Distribution of the liability
- Difference between Sunni and Shia Laws regarding maintenance

Unit-IV:

Lectures-12

1. Gift (Hiba)

- Definition of Gift
- Requisites of gift
- Parties to a gift
- Subject of a gift
- Formalities and modes of Gift

- Acceptance of gift
- Delivery of possession
- Different subjects delivery how effected, movable property
- Void Gifts
- Oral gifts, writing and Registration
- Doctrine of Mushaa
- Kinds of Mushaa
- Revocation of gift
- Kinds of gift
- Distinction between 'Hiba-bil-Iwaz' and 'Hiba-bil Shartul-Iwaz'
- Sadaqah
- Ariyul

2. **WILL (WASIYAT)**

- Nature, object and meaning of will
- Origin of the law of will
- No formality required
- Requisites of a valid will
- Testator and his competence
- Legatee and his competence
- Subject of will and its validity
- Testamentary power and its limits
 - Limitation as regards the person
 - Limitation as regards the property
- Doctrine of Consent
- Revocation of will
- Difference between Shia and Sunni Law

3. **WAOF (TRUST)**

- Introduction
- Definition
- Essential of Waqf
- Doctrine of Cypres
- Legal incidents of waqf
- Doctrine of Mushaa
- Waqf how created
- Kinds of Waqf
- Private Waqf or family endowments (Waqf-alal-aulad)
- Salient features of the Waqf Act of 1913
- Alteration in beneficiaries
- Contingent Waqf
- Public and quasi-public Waqfs
- Revocation of Waqf

- Mutawalli
- Who can be appointed as Mutawalli ?
- Who can appoint a Mutawalli ?
- Powers and duties of Mutawalli
- Removal of Mutawali
- Management of Waqf property

Unit-V:

Lectures-12

1. DEATH-BED TRANSACTIONS (MARZ-UL-MAUT)

- What is death-illness-Literal meaning
- Test of death-illness
- Essentials of death-bed gift
- Death-bed acknowledgment of debt
- Death-bed waqf
- Dower contracted during death-illness
- Marriage contracted on death-bed
- Comparison of Shia and Sunni Law
- Repudiation of marriage by the sick

2. SUCCESSION AND ADMINISTRATION

- Introductory
- Application of the property of a deceased Mohammedan
- Representatives of a deceased Muslim
- Legal position of heirs as representatives
- Devolution of inheritance
- Distribution of estate
- Alienation
- Dealing with creditors and debtors of the deceased
- Executors and Administrators under the general Law
- Executor
- Administrator
- Difference between 'Executor' and 'Administrator'
- Power and duties of Executors and Administrators

Note : In addition to the above questions may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course the student

Unit 1: Will be familiar with the basic understanding of concept, origin development, Sources and Schools of Muslim law.

Unit 2: Will gain detailed information about marriage (Nikah) Muta Marriage, Iddat, Dower (Mahr) Divorce (Talaq), Triple Talaq, Judicial Divorce, Maintenance, Kharcha-i-pandan, Difference between sunni and shia law regarding marriage, talaq, and maintenance. etc.

Unit 3: Will acquires knowledge about parentage, Legitimacy, Acknowledgement, Guardianship and comparison of sunni and shia laws relating to guardianship

Unit 4: Will gain the knowledge of will (wasiyat) marz-ul-maut waqf, kinds of waqf Hiba (Gift), Kinds of Gift, Doctrine of Mushaa, sodaqah etc

Pedagogy for Course Delivery:

Providing students, the basis knowledge about the Family Law particularly, Muslim Law. The course will be delivered through a combination of historical perspective and recent changes in Muslim law with the help of recent landmark judgements. The students will be engaged in case law study, discussion about the landmark judgements in the Family law.

Recommended Source Material:

Essential Books-

1. Paras Diwan : Muslim Law
2. Paras Diwan : Family Law
3. D.F.Mulla : Muslim Law
4. Aquil Ahmed : Muslim Law
5. Muslim Law - M.A. Qureshi
6. Mohammedan Law - Mohd. Nazmi
7. मुस्लिम विधि .अकील अहमद
8. मुस्लिम विधि . आर.आर. मौर्य
9. MOHAMMEDAN LAW - DR. IQBAL ALI KHAN
10. Family Law (in 2 volumes) (PB) - Gandhi, B.M.
11. Muslim Law, (P/B) - Rashid, Khalid
12. Textbook on Muslim Law, - Rakesh Kumar Singh
13. Muslim Law in Modern India - Paras Diwan

Additional Books-

- 1.R.K.Sinha : Muslim Law
- 2.A.A.Fayzee : Muslim Law
- 3.T.Mahmood : Muslim Law
- 4.Khalid Rasheed : Muslim Law
- 5.P.C.Jain&P.K.Gupta : Mohammedan Law
- 6.मुस्लिम विधि .डॉ. आर.के. सिन्हा

COURSE NO
LAW-CC-215

LL.B. Part - I (Three Years Course)

L	T	P	C
4	1	0	5

II SEMESTER

ENVIRONMENTAL LAW

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The course is designed to introduce students to the concepts and principles which underpin environmental law from the international to the local level. The course will address Constitutional responsibilities and roles relating to the environment; sustainable development and the law; environmental planning through environmental impact

assessment and land-use law; environmental protection principles, climate change water resources law; National green Tribunal and the protection of biological diversity.

SYLLABUS:

Unit- I

Lectures-12

1. Concept of Environment and Pollution

- Environment
- Meaning and contents
- Pollution
- Meaning
- Kinds of pollution
- Effects of pollution

2. Legal control: historical perspectives

- Indian tradition: dharma of environment
- British Raj- industrial development and exploitation of nature
- Nuisance: penal code and procedural codes
- Free India- continuance of British influence
- Old laws and new interpretations

UNIT- II

Lectures-12

1. Constitutional Perspectives

- Directive Principles
 - Status, role and interrelationship with Fundamental Rights and Fundamental Duties.
- Fundamental Duty
 - Contents
 - Judicial approach
- Fundamental Rights
 - Right to clean and healthy environment
 - Right to education
 - Right to information
 - Environment V. Development
- Enforcing agencies and remedies
 - Courts

- Tribunals
- Constitutional, Statutory and judicial remedies
- Emerging principles
 - Polluter pays: public liability insurance
 - Precautionary principle
 - Public trust doctrine
 - Sustainable development

2. Water and Air Pollution

- Meaning and standards
- Culprits and victims
- Offences and penalties
- Judicial approach

UNIT III

Lectures-12

1.Noise Pollution

- Legal control
- Kinds of balancing: permissible and impermissible noise.

2.Environment Protection Act, 1986

- Protection agencies: power and functions under Environment Protection Act, 1986
- Protection: means and sanctions
- Emerging protection through delegated legislation

UNIT- IV

Lectures-12

1.Forest and greenery

- Greenery conservation laws
 - Forest Conservation Act, 1980
 - Conservation agencies
 - Prior approval and non-forest purpose
 - FDST ACT, 2006
 - Denudation of forest: judicial approach

- Wild life
 - Sanctuaries and national parks.
 - Licensing of zoos and parks
 - State monopoly in the sale of wild life and wild life articles
 - Offences against wild life.
 - Wildlife Amendment Act, 2002
 - Wildlife Amendment Act, 2006
 - Wildlife Amendment Act, 2013

2. Bio-diversity

- Legal control
- Control of eco-unfriendly experimentation on animals, plants, seeds and micro organism.

UNIT- V

Lectures-12

1. International regime

- Stockholm conference
- Rio conference
- Bio-diversity
- U.N. declaration on Right to Development.
- Rio de janerio Earth Summit-2012

2. National Green Tribunal

- National Green Tribunal Act, 2010
 - Objectives
 - Constitution
 - Power, Functions & Jurisdictions

Note : - In addition to the above questions may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic understanding of environment and pollution

Unit 2: Will acquires knowledge about pre and post independent legal control on environment protection

Unit 3: Will gain detailed information on constitution and environment protection, remedies and principles for environment protection

Unit 4: Will get an understanding of Water and Air Act

Unit 5: Will gain the knowledge on the Environment Protection Act 1986 and noise pollution.

Unit 6: Will understand forest principles, Bio-diversity act and wild life act

Unit 7: Will gain knowledge relating to National green tribunal

Unit 8: will be familiar with International Environmental law principles and Conventions

Pedagogy for Course Delivery:

Providing students, a broad knowledge about the concept of Environmental Law particularly meaning of pollution, Constitutional Perspective, Bio-diversity and authority. All the latest case laws, landmark judgements relating to Environmental Law shall be discussed to clear queries & doubts and to make concept clear. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged in case study as per the data published by reliable sources, landmark judgements of Supreme Courts .

Recommended Source Material :

Essential Reading

1. Aarmin Rosencranz : Environmental Law and Policy in India (2000) Oxford.
2. R. B. Singh & Suresh Mishra : Environmental Law in India (1966), Concept Publishing Company Ltd. New Delhi.
3. Kailash Thakur : Environmental Protection Law and Policy in India (1997), Deep & Deep Publications, New Delhi.
4. Richard L. Riversz : Environmental Law The Economy and Sustainable Development (2000), Cambridge.
5. Christopher D. Stone : Should Trees Have Standing and Other Essays on Law, Morals and the Environment (1996), Oceana
6. Leela Krishnan : Law and Environment (1990), Eastern, Lucknow.
7. Leela Krishnan : The Environmental law in India (1999) Butterworths –India.

Additional Reading

1. 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.

2. Indian Journal for Public administration, Special number on Environment and administration, July – Sept. 1988, Vol.XXXV, No. 3, PP.353-801

3. Centre for Science and Environment, The State of India's Environment 1999-2000

4. World Commission on Environment and Development, Our Common Future (1987) Oxford

5. Lectures on Environmental Law - Sanjeev K. Chadha
6. पर्यावरण विधि . अनिरुद्ध प्रसाद
7. पर्यावरण विधि . डॉ. जे.जे.आर. उपाध्याय
8. ENVIRONMENTAL LAWS - DR. J.J.R. UPADHYAYA
9. ENVIRONMENTAL LAWS - DR. V.N. PARANJAPE
10. Environmental Law - Dr. P.S. Jaswal
11. Environmental Law - H.N. Tiwari
12. Environmental Law (P/B) - Shastri Prof. S.C.
13. Environmental Law (P/B) - Malik, Sumeet

COURSE CODE
LAW-CC-216

LL.B Part - I (Three Years Course)
II SEMESTER
Company law

L	T	P	C
4	1	0	5

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

A minimum standard of good behaviour and business honesty in company promotion and management. Due recognition of the legitimate interest of shareholders and creditors.

SYLLABUS:

For the following refer to Companies Act, 2013.

Unit-I:

Lectures-12

1. Meaning and Introduction of Corporation

- Meaning of Company and essential characteristics
- Creation and Extinction
- Kinds of Company-
 - Limited Companies, Guarantee Companies, Private Companies.
 - Advantages of a Private Company.
 - Conversion of Private Company into Public Company.
 - Conversion of Public Company into Private Company.
 - One Person Company
 - Foreign Company
 - Government Companies.
 - Holding Company and Subsidiary Company
 - Associate Company
 - Dormant Company
- Difference between Corporate and Non-Corporate Organisations (Partnership and other associations of person).

Unit-II

Lectures-12

Law relating to companies- Public and Private

- Formation of a company: Registration and Incorporation, Doctrine of Lifting of Corporate veil.
- Memorandum of Association- meaning, various clauses, alteration therein- Doctrine of Ultra virus.
- Article of Association- meaning, binding force- alteration, its relation with Memorandum of Association- Doctrine of Constructive notice and doctrine of indoor management- exceptions.
- Prospectus- issue- contents- liability for misstatements- statements in lieu of prospectus.
- Promoters- position- duties and liabilities.

Unit-III

Lectures-12

Share Capital and Debentures

- Share- 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 transferor and transferee- issue of shares at premium and discount- depository receipts- dematerialized shares (DEMAT).

- Shareholder- who can be and who can not be shareholder- modes of becoming a shareholder- calls on shares- forfeiture and surrender of shares- lien on shares.
- Share capital- kinds- alteration and reduction of share capital- further issue of capital- conversion of loans and debentures into capital- duties of courts to protect the interest of creditors and share holders.
- Debentures- meaning Kinds- fixed and floating charge, shareholder and debenture holder- remedies of debenture holders.

Unit-IV

Lectures-12

1. Management and Control of Management

- Directors- positions- appointment- qualifications- vacation of office removal, resignation- powers and duties of directors- meeting, registers, loans- remuneration of directors, role of nominee directors- compensation for loss of office- managing directors and other managerial personnel.
- Meetings- kinds- procedure- voting
- Dividends- payment- capitalization- profit
- Audit and Accounts
- Protection of Minority shareholder rights.
- Borrowing powers- powers- effect of unauthorized borrowing- charges and mortgages- loans to other companies- investments- contracts by companies.
- Protection of Oppression and Mismanagement
- Investigation- powers

2. Special Regulation and Winding up.

- Corporate Social Responsibility (Section- 135)
- Serious Fraud Investigation Office
- NCLT/ Special Court
- Regulation and Amalgamation
- Winding up: Procedure- Powers, liability of past members- Payments of liabilities- preferential payment, unclaimed dividends- winding up of unregistered company.

Unit-V

Lectures-12

1. Companies Incorporated outside India

2. Corporate Liability

- (a) Legal Liability of companies- civil and criminal
- (b) Remedies against them civil, criminal and tortious- Specific Relief Act, writs, liability under special statutes.

Note :In addition to the above questions may be asked on New aspects related with this paper.

Course/Learning Out Comes:

After completion of the Unit student will be able to -

Unit 1:. We will be able to describe introduction, meaning and kinds of different types of company.

Unit 2: We will get knowledge about the formation of a company, MOM/AOA of company, and prospectus of company and some important doctrine (as like-lifting the corporate veil, ultra -virus and indoor management)

Unit 3: We will get an in-depth knowledge about the share, share capital, shareholder and Debentures.

Unit 4: We will get an understanding about the Directors of company, meeting-kinds-procedure-voting in company, dividends, audit &Accounts, protection of oppression and mismanagement in company, corporate social Responsibility, NCLT and Winding up of company.

Unit 5: We will understand concept of various legal liability of companies-civil &criminal and remedies against them civil,criminal and tortious.

Pedagogy for Course Delivery:

Providing students, the basic knowledge about the Company law and its rules and regulations. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged in case study of various companies existed as per the light of Company law, landmark judgements on Company law, so that the students can able to understand the formation and function of company and importance of company in nation building and economy.

Recommended Source Material :

Essential Readings-

1. Companies Act, 2013
2. Avtar Singh : Mercantile Law
3. Avtar Singh : Company Law
4. N.V.Paranjpe : Company Law
5. Kailash Rai : Company Law
6. Companies Act, 1956
7. Companies Act, 2013
8. Introduction to Company Law (P/B) - Singh, Avtar
9. Company Law - Krati Rajoria
10. New Company Law (The Companies Act, 2013) (18 of 2013) (1th Edn.) - S.C. Tripathi
11. THE NEW COMPANY LAW - DR. N.V. PARANJPE

Additional Readings-

- 1.R.R.Maurya : Company Law
- 2.Palmer's : Company Law
- 3.Business Law (Principles of Mercantile Law) (P/B) - Singh, Avtar

Department of Law
Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)

LL.B.
(List of Courses Prescribed for III Semester)

	III SEMESTER				
Course No.	Course Title	CREDIT			
LAW-CC-311	General English – III	L	T	P	C
		4	1	0	5
LAW-CC-312	Family Law-II (Hindu Law)	L	T	P	C
		4	1	0	5
LAW-CC-313	Administrative Law	L	T	P	C
		4	1	0	5
LAW-CC-314	Human Rights Law and Practice	L	T	P	C
		4	1	0	5
LAW-CC-315	Jurisprudence	L	T	P	C
		4	1	0	5
LAW-CC-316	Land Law (including tenure and tenancy system)	L	T	P	C
		4	1	0	5

COURSE NO
LAW-CC-311

LL.B. (Three Years Course)
III SEMESTER
General English –III

L	T	P	C
4	1	0	5

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
 (B) Remaining internal assessment of 20 Marks will be based
- (i) on any one or more of the following methods, consisting of 20 marks:
- Organised Classroom activities. (Group Discussion, etc.)
 - Presentation
 - Assignment
 - Quizzes
- (ii) Scheme of Examination:
- Mid Semester Examination : 20 Marks
 - Internal Assessment : 20 Marks
 - End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course objective: To teach the students the advanced grammatical skills which will improve their communication skills, enhance their critical thinking ability by writing and speaking skills by participating in classroom speech and group discussions.

SYLLABUS:

Unit-I

Lectures-12

- **Tenses:** Structure and rules.

Unit-II

Lectures-12

Voice:

Rules for transformation.

Unit-III

Lectures-12

- **Analysis of Sentences:** Main clause, Co-coordinating Clause, Sub-ordinate Clause.

Unit-IV

Lectures-12

- **Essay Writing, Story Writing.**

Unit-V

Lectures-12

- **Re-ordering of Sentences.**
- **Classroom speech and Group discussion.**

Note : - In addition to the above questions may be asked on aspects related with this paper.

Course/Learning Out Comes:

After completion of the Unit student will be able to -

Unit 1: Learn the correct use of tenses which will enhance their writing as well as speaking skills

Unit 2: Gain knowledge about active and passive voice and learn their transformation to develop better writing skills

Unit 3: Analyse sentences and learn about different kinds of clauses used in sentences which will help them recognize the kinds of sentences and transform the same.

Unit 4: Enhance their writing style by practicing essay writing and also learn about the important elements of story writing and use it in their subsequent works.

Unit 5: Improvise their grammatical skills by practicing re-ordering of sentences and enhance their speaking skills by participating in classroom speech and group discussion.

Pedagogy for Course Delivery:

Providing students, a broad knowledge about the basic concept of English grammar which will help the student to understand the law in English language and be able to understand the judgements of Supreme Court and High Courts. The students will be engaged in translation and spoken English which will help the students to enhance their communication skills and speech delivery.

Recommended Source Material:

Essential Readings-

1. Communication Skill in English, Oxford University Press.

2. Grammar in Application, Oxford University Press.
3. M.K.Gandhi : The Law and the Lawyer, Navjivan Publications, Ahmedabad, 1962.
4. Ishtiaque Abidi : Law and Language, University Publishers, Aligarh, 1978.
5. G. Kumara Pillai : A Handbook of English Grammar and Composition.
6. M.C.Chagla : Roses in December, Bhartiya Vidya Bhawan, Bombay.
7. Ganguli and Wood : General English for Three Years Degree Course, Macmillan India.
8. Wren & Martin : English Grammar.
9. India
10. Hindi – English Glossary, Vidhi Sahitya Prakashan, Ministry of Law.
11. English-I - S.R. Myneni
12. English-II - S.R. Myneni
13. English-III - S.R. Myneni
14. Seven Lives – An Autobiography of Dr. Sir Harisingh Gour
15. Hindi Translation of Seven Lives by Rajesh Shrivastava, Vishwavidyalaya Prakashan, Sagar, 1st Edition (2006)
16. Dr. Harisingh Gour Commemoration Vol. (1957)
17. The Writings of Dr. Harisingh Gour Ed. by R. S. Pathak, Aditya Publishers, Bina (1998)
18. The Hindu Code (1919)
19. Dr. Harisingh Gour ki Jiwani – S.A.Radho, Ma Bhagwati Prakashan, Sagar, 2nd Edition, 2006
20. Viswa ki Dristi mein Sagar Vishwavidyalaya aur uskey sansthapak Dr. Sir Harisingh Gour – Dr. Laxmi Narayan Dubey
21. Madhya Bharti (Journal of Humanities and Social Science) Issue 69 July-Dec, 2015 (pp 250 – 258)
22. India and the New Constitution (1947)

Additonal Readings-

1. Michael Swan : Basic English Usage, Oxford University Press.
2. N. Krishnamurthy : Guide to Modern English Grammer & Composition, Macmillan
3. Material drawn from legal notices, petitions, appeals, court orders, statutes, bills, rules, etc.

Any standard text book on Structural English and Grammar appropriate to the level of understanding of the students.

COURSE NO
LAW-CC-312

SESSION: 2023-24

L	T	P	C
4	1	0	5

LL.B. (Three Years Course)

III SEMESTER

Family Law-II (Hindu Law)

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The course is designed to introduce students to the concepts and principle of Hindu Law and is based on the study of Sources of Hindu and Muslim Law, along with Marriage,

Divorce, guardianship and adoption Laws. To find out the legal incidence of the personal laws of Hindus shall be discussed in depth, to create insights amongst the students who develop visions and perceptions that may promote loud thinking on a Uniform Civil Code recent family trends and judicial activism in that regard.

SYLLABUS :

Unit-I

Lectures-12

1. Origin, Nature and Development of Hindu Law

2. Application Of Hindu Law

- Who is Hindu?
- Persons to Whom Hindu Law is applies
- Persons to Whom Hindu Law does not apply
- Extent of the application of Hindu Law

3. Sources & Schools of Hindu Law

Lectures-12

- Sources
 - Ancient Sources
 - Modern Sources
- Schools
 - Mitakshra
 - Banaras School
 - Mithila School
 - Dravida or Madras School
 - Bombay or Maharashtra School
 - Punjab School
 - Dayabag
 - Difference between Mitakshara & Dayabag
 - Doctrine or Factum Valet

Unit-II:

Lectures-12

1. Marriage Under the Hindu Marriage Act, 1955

- Nature
- Conditions for a valid Hindu Marriage
- Sapinda
- Guardianship
- Ceremonies

- Proof of Marriage
- Restitution of Conjugal Rights
- Judicial Separation
- Divorce
- Nullity of Marriage
 - Void & Voidable Marriages
 - Family Courts Act, 1984 – All Sections

Unit-III:

Lectures-12

1. Maintenance Under the Hindu Adoption & Maintenance Act, 1956

- Persons entitled to be maintained Nature & extent of the right to maintenance – Personal Liability, Limited Liability.
- Amount of Maintenance

2. Adoption under the Hindu Adoptions & Maintenance Act, 1956

- Essentials of a valid adoption
- Who can adopt? – Capacity of a male & female Hindu to adopt.
- Who can give the child in adoption?
- Who could be adopted?
- The ceremonies for adoption?
- Effect of adoption

Unit-IV:

Lectures-12

1. Guardianship under the Hindu Minority & Guardianship Act, 1956

- Meaning of Minor & guardian
- Kinds of guardians
- Who is a Natural guardian?
- Disabilities to act as a Natural guardian
- Powers of a Natural guardian
- Limitation of powers of Natural guardian
- Testamentary Guardian
 - Who is a Testamentary Guardian?
 - Powers of a Testamentary Guardian

Unit-V:

Lectures-12

1. Succession Under the Hindu Succession Act, 1956

- Object & Main features of the Act
- Order of Succession
- Succession to property of a male
- Succession to property of a female

- Hindu Woman's Right to property (Sec.14)
- Disqualifications for Heirs
- Testamentary Succession

2. **Joint Family**

- Mitakshara Joint Family
- Mitakshara Coparcenary – formation & incidents
- Property under Mitakshara Law – Separate Property and Coparcenary Property
- Dayabhaga Coparcenary – formation & incidents
- Property under Dayabhaga Law
- Karta of Joint Family – his position, powers, privileges, & obligations
- Alienation of Property – Separate and Coparcenary
- Debts
 - Doctrines of pious obligations
 - Antecedent debt
 - Partition
 - Re-union

Note : - In addition to the above questions may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the application of hindu law.

Unit 2: Will acquires knowledge about sources and schools of hindu law

Unit 3: Will gain detailed information on law of marriage under the Hindu Marriage Act 1955

Unit 4: Will get an understanding of maintenance under the Hindu Adoption and Maintenance act 1956

Unit 5: Will gain the knowledge on the Adoption under the Hindu Adoption and Maintenance act 1956

Unit 6: Will understand testamentary and natural guardianship under the Hindu Minority and Guardianship act 1956

Unit 7: Will gain knowledge relating to Succession under the Hindu Succession act 1956

Unit 8: will be familiar with Hindu Joint Family

Pedagogy for Course Delivery:

Providing students, a broad knowledge about the concept of Hindu Law particularly marriage, maintenance, adoption, succession, guardianship under Hindu Law. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged in case study analysis with the help of landmark judgements and latest judgements and also discuss about the contemporary issues.

Recommended Source Material :

Essential Readings:

1. Mayne : Hindu Law and Usage
2. P.Diwan : Hindu Law
3. U.P.Kesari : Hindu Law
4. Nagpal : Hindu Law
5. Paras Diwan : Family Law
6. Hindu Law - A.N. Sen
7. Family Law - Dr. Paras Diwan
8. HINDU LAW – B.N. MANI TRIPATHI
9. HINDU LAW - R.K. AGARWALA
10. हिन्दूविधि . डॉ. बी.एन.मणि त्रिपाठी
11. Hindu Law - Narayana Justice PS

Additional Readings:

1. D.F.Mulla : Hindu Law.
2. P.N.Sen : Hindu Jurisprudence

COURSE NO
LAW-CC-313

L	T	P	C
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LL.B. (Three Years Course)

III SEMESTER

Administrative Law

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The main object of administrative law is to protect the interest of the public as it interacts with the government. Thus, its main aim is to provide a formula for preventing abuse non-

use, of power by administrative authorities and thus provide a mechanizing for government, that is transparent and Accountable.

SYLLABUS :

UNIT – I

Lectures-12

Evolution, Nature and Scope of Administrative Law

- From a *laissez – faire* to a social welfare state
- State as regulator of private interest
- State as provider of services
- Other functions of modern – state : relief, welfare
- Evolution of administration as the fourth branch of government – necessity for delegation of powers on administration.
- Evolution of agencies and procedures for settlement of disputes between individual and administration.
- Regulatory agencies on the United States
- Council d’Etat
- Tribunalization in England and India
- Definition and scope of administrative law
- Relationship between constitutional law and administrative law
- Separation of powers
- Rule of law

UNIT – II

Lectures-12

1. Civil Service in India

- a. Nature and Organization of Civil Service : from colonial relics to democratic aspiration
- b. Powers and functions
- c. Accountability and responsiveness : problems and perspectives
- d. Administrative deviance – corruption, nepotism, mal- administration

UNIT – III

Lectures-12

1. Legislative Powers of Administration

- Necessity for delegation of legislative power
- Constitutionality of delegated legislation – powers of exclusion and inclusion and power to modify statute
- Requirements for the validity of delegated legislation

- Consultation of affected interests and public participation in rule – making
- Publication of delegated legislation
- Administrative directions, circulars and policy statements
- Legislative control of delegated legislation
- Laying procedures and their efficacy
- Committees on delegated legislation – their constitution, function and effectiveness
- Hearings before legislative committees
- Judicial control of delegated legislation
- Sub-delegation of legislative powers

2. Judicial Powers of Administration

- Need for devolution of adjudicatory authority on administration
- Administrative tribunals and other adjudicating authorities : their ad-hoc character
- Tribunals – need, nature, constitution, jurisdiction and procedure
- Jurisdiction of administrative tribunals and other authorities
- Distinction between quasi – judicial and administrative functions
- The right to hearing – essentials of hearing process
- No man shall be judge in his own cause
- No man shall be condemned unheard
- Rules of evidence – no – evidence, some evidence and substantial evidence rules.
- Reasoned decisions
- The right to counsel
- Institutional decisions
- Administrative appeals

UNIT – IV

Lectures-12

1. Judicial Control of Administrative Action

- Exhaustion of administrative remedies
- Standing : standing for Public interest litigation (social action litigation) collusion, bias
- Laches
- Res judicata
- Grounds
- Jurisdictional error/ ultra vires
- Abuse and non exercise of jurisdiction
- Error apparent on the face of the record
- Violation of principles of natural justice
- Violation of public policy

- Unreasonableness
- Legitimate expectation
- Remedies in judicial review
- Statutory appeals
- Mandamus
- Certiorari
- Prohibition
- Quo-Warranto
- Habeas Corpus
- Declaratory judgments and injunctions
- Specific performance and civil suits for compensation

2. Administrative Discretion

- Need for administrative discretion
- Administrative discretion and rule of law
- Limitations on exercise of discretion
- Malafide exercise of discretion
- Constitutional imperatives and use of discretionary authority
- Irrelevant considerations
- Non-exercise of discretionary power

UNIT – V

Lectures-12

1. Liability for Wrongs (Tortious and Contractual)

- Tortious liability: sovereign and non - sovereign functions
- Statutory immunity
- Act of state
- Contractual liability of government
- Government privileges in legal proceedings – state secrets, public interest
- Transparency and Right to Information
- Estoppel and waiver

2. Corporations and Public Undertakings

- State monopoly – remedies against arbitrary action or for acting against public policy
- Liability of public and private corporations – departmental undertakings
- Legislative and governmental control
- Legal remedies

- Accountability – Committee on public undertakings, estimates committee etc.

Note :- In addition to the above questions may be asked on aspects related with this paper.

Course Learning out comes:

After completion of the unit student will be able to:

Unit 1: From this we understood the administrative law and understood separation of powers and also we understood difference between constitutional law and administrative law.

Unit 2: How Civil services started in India and what are their powers.

Unit 3: How does the legislature delegate its power and how is that controlled by judiciary and can not be heard by any person in his case.

Unit 4: Writ can be issued by the judiciary against administrative officers.

Unit 5: What are sovereign and non sovereign function and what are the responsibilities of the state.

Pedagogy for Course Delivery:

Providing students, in-depth knowledge about the administrative law. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be able to understand the real difference between Constitutional Law and Administrative Law and engage them in studying the concepts of Administrative Law with the help of case laws and understand the administrative law with the help of real scenario.

Recommended Study Material :

Essential Readings

1. Jain and Jain : Administrative Law
2. D.D.Basu : Administrative Law
3. Kagzi : Administrative Law
4. Sathe : Administrative Law
5. Kesari : Administrative Law
6. Kailash Rai : Administrative Law
7. J.J.Upadhyaya : Administrative Law
8. Jai Kumar : Administrative Law
9. Joshi : Administrative Law
10. Massey : Administrative Law
11. प्रशासनिक विधि –डॉ. जे.जे.आर. उपाध्याय
12. Administrative Law - Narender Kumar
13. Administrative Law - Malik, Sumeet
14. Lectures on Administrative Law - Takwani, C.K.
15. Administrative Law - H.W.R. Wade & C.F. Forsyth
16. लोकहितवाद, विधिक सहायता एवं संवाएँ, लोक अदालतें तथा पैरा-लीगल सेवाएँ . डॉ. ना.वि. परांजपे
17. विधिक सेवा, जनहित वाद एवं सहयोगी विधिक सेवायें . डॉ. एस.एस. शर्मा
18. PUBLIC INTEREST LITIGATION, LEGAL AID & SERVICES, LOK ADALATS & PARA-LEGAL SERVICES - DR. N .V. PARANJPE
19. Public Interest Litigations - O.P. Tewari

COURSE NO
LAW-CC- 314

L	T	P	C
4	1	0	5

LL.B. (Three Years Course)

III SEMESTER

Human Rights & Practice

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The course is designed to introduce the student to a lucid and comprehensive understanding of Human Rights Law. The syllabus covers and give the student a fair idea of the basics of Human Rights (traditional and modern) Philosophy and Concept, National and International Development and some Vulnerable groups. The objective of the syllabus is

to discuss all the basic topics of Human Rights Law which are important to understand the nature, definition, classification, international and national provisions, enforcement mechanisms, legislative, executive, judicial and non- governmental efforts made for protection, promotion and enforcement of Human Rights.

SYLLABUS:

Unit - I Human Rights: Concept, Origin and Development

Lectures-12

1. Evolution of the Concept of Human Rights

- Historical Perspective
- Natural Law and Human Rights
- Natural Law in Recent Times
- Opposition to the Idea of Natural Rights
- Theory of Social Contract
- Liberal thinkers and Human Rights

2. Landmarks in the path of Liberty

- The Magna Carta (1215)
- The Petition of Rights (1628)
- Habeas Corpus Act (1679)
- The Bill of Rights (1689)
- The Act of Settlement
- American Revolution
- French Revolution

3. International concern for Human Rights

- International concern over Human Rights Prior to the League of Nations
- Human Rights and League of Nations
- United Nations and Internationalisation of Human Rights

Unit –II Nature, Importance and Classification of Human Right

Lectures-12

1. Nature and Importance of Human Rights

- Nature of Human Rights
- Right to Economic, Self Determination
- Economic, Social and Cultural Rights
- Right to Political Self Determination
- Right to Life

2. Classification of Human Rights

- Civil and Political Rights
- Economic, Social and Cultural Rights
- Negative Rights
- Positive Rights
- Generations of Human Rights:
 - First Generation of Human Rights
 - Second Generation of Human Rights
 - Third Generation of Human Rights

Unit- III Traditional Law and Modern Law Concerning Human Rights

Lectures-12

1. Traditional Law: Problems of International Personality under Traditional International Law

- The Individual : The subject of International Law
- Juristic Writings
- State Practice
- Other Entities as Subject of International Law
- Individual as the Bearer of International Rights and Duties
- Individuals before International Tribunal

2. Modern Law: International Protection of Human Rights

- Provisions in the U.N.Charter
 - Legal Nature of the obligations of the Charter in the Matters of Human Rights
- International Bill of Human Rights
- Universal Declaration of Human Rights
 - Content of the Universal Declaration of Human Rights
 - Importance and Legal Character of the Declaration
 - Declaration as a part of Customary International Law
- Covenants on Human Rights
 - The International Covenant on Economic, Social and Cultural Rights
 - The International Covenant on Civil and Political Rights
 - Optional Protocol to the International Covenant on Civil and Political Rights No-1
 - Optional Protocol to the International Covenant on Civil and Political Rights No-2

Unit - IV Human Rights of Women

Lectures-12

1. Rights of Women: Legal Development at International Level

- Charter Provisions
- International Instruments Specifically devoted to matters concerning the status of women
- Convention on the Political Rights of Women
- Convention on the Nationality to Married Women
- Convention on the Consent to Marriage Minimum Age for Marriage and Registration of Marriages
- Equal Remuneration Convention
- Convention Against Discrimination in Education
- International Women's Year : 1975
- World Conferences
- Fourth World Conference on Women, 1995

2. Indian Position

- Major Enactments Relating to the Rights of Women
 - Dowry Prohibition Act, 1961
 - Immoral Traffic (Prevention) Act, 1956
 - Indecent Representation of Women (Prohibition) Act, 1986
 - The Commission of Sati (Prevention) Act, 1987
 - Child Marriage Restraint Acts
 - The Medical Termination of Pregnancy Act, 1971
 - The National Commission for Women Act, 1971
 - The National Commission for Women Act, 1990
 - The Protection of Women from Domestic Violence Act, 2005
- Machinery at National level
- Judicial System and Human Rights

Unit - V Human Rights of the Child, Scheduled Castes and Scheduled Tribes **Lectures-12**

1. Rights of the Child

- Legal Development of the Rights of the Child at International Level
 - Declaration on the Rights of Child
 - The International Convention on the Rights of the Child.
 - Optional protocol to the Convention on the Rights of the Child.
 - Impact of Armed conflict on children.
- Child Labour
 - In brief
 - Position in India
 - Policy
 - Measures
 - Priority in programme formulation
 - Constitution of National Children Board
- Law relating to Working Child

- The Children (Pledging of Labour) Act, 1933
- The Employment of Children Act, 1938
- Factories Act, 1948
- Mines Act, 1952
- Merchant Shipping Act, 1968
- Motor Transport Workers Act, 1961
- Bonded Labour System (Abolition) Act, 1976

2. Rights of the Scheduled Castes and Scheduled Tribes

- The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989
- National Commission for Scheduled Castes and Scheduled Tribes
 - Composition
 - Functions of the Commission
 - Procedure and Power

Note : In addition to the above questions may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic understanding of Nature, Concept, Origin and Development (Jurisprudential, International and National) of Human Rights. The student will be able to trace out the Evolution and growth of Natural Law and its contribution in the recognition and development of modern concept of Human Rights. They will have a clear understanding of the various rights and their relationship with Human Rights along with the information of major landmark instruments connected with the growth of Human Rights Law.

Unit 2: Will better understand that how an interwoven concept of Human Rights is classified on various grounds like origin, nature, generation etc. The student will be able to examine the various conceptual, International and national classifications of Human Rights. The student will be able to find out the similarity and difference between various Human rights and be able to have a clear picture of the relationship of these rights with one another.

Unit 3: Will gain detailed information on the Traditional and Modern law concerning Human Rights. The students will be able to analyse the relationship of Human rights with the previously studied concepts of International Law. They will also be informed about various efforts and laws made prior to the formation of United Nations and the international development till date.

Unit 4: Will get to study and gain knowledge about the Human Rights of Women including International and Indian legislations (Till date), enforcement machinery, role of Judiciary and other governmental and non- governmental bodies.

Unit 5: Will get to study and gain knowledge about the Human Rights of Children, Scheduled Caste and Scheduled Tribes including International and Indian legislations

(Till date), enforcement machinery, role of Judiciary and other governmental and non-governmental bodies.

Pedagogy for Course Delivery:

Providing students, the basic knowledge about the origin and concept of human rights and also discuss about the disadvantage groups. All the latest case laws, landmark judgements relating to Human Rights Law shall be discussed to clear queries & doubts and to make concept clear. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged by analyzing the concept of human rights along with the international current events so as to gain practical application of the concepts.

Recommended Source Material :

Essential Readings

1. S.K.Kapoor : Human Rights
2. T.P. Tripathi : Human Rights
3. H.O.Agarwal : Human Rights
4. HUMAN RIGHTS UNDER INTERNATIONAL LAW AND INDIAN LAW - DR. S.K. KAPOOR

Additional Readings

1. R.C.Hingorani : Human Rights
2. U.C. Srivastava : Human Rights
1. Human Rights - V.K. Anand
2. Human Rights - Myneni SR
3. Human Rights & Criminal Justice - Pandit Kamalakar

COURSE NO
LAW-CC-315

LL.B. (Three Years Course)

L	T	P	C
4	1	0	5

III SEMESTER

Jurisprudence

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The course is designed to introduce the students with the concepts and principles of law. This course enhances the Concept of law and finding the “what is law?”

SYLLABUS :

Unit-I:

Lectures-12

1. Introduction

- Meaning, Nature and Definition of Law and Jurisprudence
- Kinds of Law
- Classification of Law
- Law and morals
- State and Sovereignty

2. Sources of Law

- Legislation
- Precedents : concept of stare decisis
- Customs
- Juristic Writing.
- Other sources of Law

Unit-II:

Lectures-12

1. Schools of Jurisprudence

- Natural law school
- Analytical School
- Historical School
- Sociological School
- Realistic School

Unit-III:

Lectures-12

1. Rights and Duties

- Rights : kinds, theories of rights
- Classification of rights and duties
- Power and Liability
- Immunity and Disability
- Right duty correlation

2. Persons

- Nature of Legal Personality
- Status of the unborn, minor, lunatic, drunken and dead persons

- Corporate personality
- Dimensions of the modern legal personality : Legal personality of non- human beings

3.Liability

- Nature of liability
- Kinds of Liability
- Conditions for imposing liability
- Wrongful act
- Causation
- Mens rea
- Intention
- Malice
- Motive

4.Obligation: Nature and Kinds

5.Procedure

- Substantive and procedural laws : difference
- Evidence : Nature and kinds

Unit-IV:

Lectures-12

1.The Concept of Property

- Property: Kinds, Theories, Acquisition
- Intellectual Property
- Possession: Kinds, Theories, Acquisition
- Ownership : Kinds, Theories, Acquisition, Difference between possession and ownership
- Title

Unit-V:

Lectures-12

1.Law and Social Change

- Socio – economic Changes – Legislation
- Supreme Court and Socio Economic Changes
- The Constitution and Socio – Economic Philosophy

2. Social Action Litigation

Note :- In addition to the above questions may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic concept of law and jurisprudence. The second part of the unit one is based upon the source of law and enhance the knowledge of

Unit 2: Will acquire knowledge about the jurisprudential approaches of various jurist. In the part third of this unit, it will deal with the person, liability and rights and duties. Through this part student enhance their knowledge about to legal position of the concerned areas.

Unit 3: Will gain detailed Knowledge about of procedural law and its legal framework which is in practice in the state.

Unit 4: Will get the knowledge about the rights regarding the ownership and property, how to get a right upon it and legal effects.

Unit 5: Will gain the knowledge regarding the society and legal effect upon the society.

Pedagogy for Course Delivery:

To provide students about the basic concept of jurisprudence and origin of law. Various jurists and their concepts shall be discussed to clear queries & doubts and to make concept clear. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged to take active participation to link every law with jurisprudence and juristic approaches.

Recommended Source Material :

Essential Readings-

1. B.N.Mani Tripathi : Jurisprudence.
2. Indrajit Singh : Jurisprudence.
3. N.V.Paranjpe : Vidhishastra aur Vidhi ke Siddhanta
4. A.P.Singh : Vidhishastra.
5. S.N.Dyani : Fundamentals of Jurisprudence.
6. विधि शास्त्र एवं विधिक सिद्धांत दृ. बी.एन.मणि त्रिपाठी
7. JURISPRUDENCE AND LEGAL THEORY - DR. V.N. PARANJPE
8. JURISPRUDENCE AND INDIAN LEGAL THEORY - PROF. S.N. DHYANI
9. JURISPRUDENCE (FUNDAMENTALS) - PROF. S.N. DHYANI
10. Jurisprudence and Legal Theory, (P/B) - Mahajan V.D.
11. Vidhishastrake Mool Siddhant (Principles of Jurisprudence in Hindi) - Prasad, Aniruddha
12. विधिशास्त्र एवं विधि के सिद्धांत . डॉ. ना.वि. परांजपे
13. Introduction to Jurisprudence, - Avtar Singh & Harpreet Kaur

Additional Readings-

1. Salmond on Jurisprudence.
2. Austin : Province of Jurisprudence Determined.
3. Dias : Jurisprudence
4. Jurisprudence & Legal Theory – Vishwanadham

COURSE NO
LAW-CC-316

LL.B. (Three Years Course)

III SEMESTER

L	T	P	C
4	1	0	5

LAND LAW

(INCLUDING TENURE AND TENANCY SYSTEM)

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The course is designed to introduce students to the concepts and principles of eminent domain. The course will address the various aspects of the Madhya Pradesh Land Revenue Code, 1959 and M.P. Accommodation Control Act, 1961

Syllabus :

Unit-I:

Lectures-12

Constitutional Provisions

- Fundamental Rights
- Property as legal right

Madhya Pradesh Land Revenue Code, 1959

- Preliminary
- Definitions
- Board of Revenue
- Constitution of Board of Revenue
- Jurisdiction of Board
- Revenue Officers, their Classes and Powers
- Revenue Officers
- Their appointment and powers
- Procedure of Revenue Officers and Revenue Courts

Unit-II:

Lectures-12

- Place for holding enquires
- Power to enter upon and survey land
- Power to transfer cases
- Power to transfer cases to and from subordinates,
- Conferral of status of courts on board and revenue officers,
- Inherent power of revenue courts,
- Powers of revenue officers to require attendance to persons
- Production of documents and to receive evidence,
- Manner of executing order to deliver possession of immovable property.
- Appeal, Revision and Review
- Appeal and appellate authorities
- No appeal against certain orders
- Limitation of appeals
- Power of appellate authority
- Revision
- Review of order
- Stay of execution of orders

Unit-III:

Lectures-12

- Land and Land Revenue
- State ownership in all lands
- Liability of land to payment of land revenue
- Variation of land revenue according to purpose for which land is used
- Revenue Survey and Settlement in Non- urban Areas
- Appointment of authorities their powers
- Revenue Survey
- Definition of Revenue Survey
- Formation of survey numbers and villages
- Settlement of rent
- Definition of Settlement, All lands liable to assessment
- Principles of assessment
- Term of Settlement
- Assessment and Re- Assessment of land in Urban areas
- Term of settlement

Unit-IV:

Lectures-12

- Land Records
- Formation of patwaris circles and appointment of patwaris thereto
- Formation of revenue inspectors circles
- Appointment of revenue inspectors etc
- Field map
- Record of rights
- Acquisition of rights to be reported
- Mutation of acquisition of right in the field book and other land records
- Bhoo Adhikar Avam Rin Pustika
- Presumption as to entries in land records
- Boundaries and Boundary Marks, Survey Marks
- Construction of boundary marks of village and survey
- Ejectment of persons wrongfully in possession
- Removal of obstruction
- Acquisition of land for road, paths etc
- Realisation of Land Revenue
- Land Revenue first charge on land
- Responsibility for payment of land revenue
- Remission or suspension of land revenue on failure of crops
- Notice of demand
- Process for recovery of arrear
- Moneys recoverable as an arrear of land revenue
- Tenure – Holders
- Bhumiswami

- Land revenue payable by Bhumiswamis
- Diversion of land
- Relinquishments
- Abandonment of holding
- Government Lessees and Service Land
- Government lessees
- Rights and liabilities of a government lessees
- Service land
- Occupancy Tenants
- Resumption by Bhumiswami in certain cases
- Conferral of Bhumiswami rights on occupancy tenants
- Restoration of occupancy tenant
- Termination of tenancy
- Surrender
- Reinstatement of wrongfully ejected occupancy tenant
- Consolidation of Holdings
- Initiation of consolidation proceedings
- Rejection of application
- Admission of application
- Preparation of scheme for consolidation of holdings
- Confirmation of scheme
- Village Officers
- Patels
- Kotwars
- Gram Sabha
- Rights in abadi and unoccupied land and its produce
- Preparation of Nistar Patrak
- Matters to be provided for in Nistar Patrak
- Provision in Nistar Patrak for certain matters
- Collectors to set apart land for exercise of Nistar Rights
- Wajib-ul –arz
- Penalty for unauthorisedly taking possession of land
- Reinstatement of Bhoomi-Swami improperly dispossessed

Unit-V:

Lectures-12

M.P. Accommodation Control Act, 1961

- Definitions
- Provisions Regarding Rent
- Rent in excess of standard rent not recoverable
- Unlawful charges not to be claimed or received
- Standard rent
- Lawful increase of standard rent in certain cases and recovery of other charges
- Notice of increase of rent
- Rent controlling authority to fix standard rent etc.

- Control of eviction of Tenants
- Restriction on eviction of tenants
- When tenant can get benefit of protection against eviction
- Restriction on sub-letting
- Recovery of possession for occupation and re-entry
- Recovery of possession for repairs and re-building and re-entry
- Eviction of tenants on grounds of “ Bonafide “ requirement
- Special provision for eviction of tenant on ground of bonafide requirement
- Rent controlling authority to issue summons in relation to every application under section 23-A
- Tenant not entitled to contest except under certain circumstances
- Procedure to be followed by rent controlling authority or grant of leave to tenant to contest.
- Revision by High Court
- Definition of landlord for the purpose of chapter III-A
- Deposit of Rent
- Receipt to be given for rent paid
- Deposit of rent by tenant
- Time limit for making deposit and consequences of incorrect particulars in application for deposit
- Appointment of Rent Controlling Authorities, Their Powers, Functions and Appeals
- Appointment of rent controlling authority
- Power of rent controlling authority
- Procedure to be followed by rent controlling authority
- Appeal to District Judge or additional District Judge
- Second appeal
- Provisions Regarding Special Obligations of Landlords and Penalties
- Landlord’s duty to keep accommodation in good repair
- Cutting off or withholding essential supply service
- Control of letting
- Allotment of accommodation

Note : In addition to the above questions may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic understanding of Constitutional provisions relating to land, land revenue and Board of Revenue.

Unit 2: Will acquires knowledge about the powers of Revenue Court.

Unit 3: Will gain detailed information on the land revenue, State ownership on all land, and Land Survey.

Unit 4: Will get an understanding of land records, bhoomiswami, occupancy tenant and village officers.

Unit 5: Will gain the knowledge on M.P. Accommodation Control Act, 1961.

Pedagogy for Course Delivery:

The students are able to gain basis knowledge about the local laws of Madhya Pradesh especially M.P. Land Revenue Code, 1959 and M.P. Accommodation Control Act, 1961. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged in understanding the local laws of M.P. with the help of provisions and recent decided case laws so as to attain proper knowledge about the same.

Recommended Source Material :

Essential Readings-

1. K.K.Nigam : M.P. Land Law.
2. G.P.Tripathi : M.P. Land Law.
3. Khare :M.P.Accommodation Control Act.
4. मध्यप्रदेश भू-राजस्व संहिता-मोहम्मद नजमी
5. मध्यप्रदेश भू-राजस्व संहिता-डॉ. कनिष्क कुमार निगम

Additional Readings-

1. H.N.Diwedi : M.P. Land Law.

Department of Law
Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)

LL.B. Three Years Course
(List of Courses Prescribed for IV Semester)

	IV SEMESTER				
Course Code	Course Title	CREDIT			
LAW-CC-411	Labour and Industrial Law – I	L	T	P	C
		4	1	0	5
LAW-CC-412	Law of Crime – II (Criminal Procedure Code)	L	T	P	C
		4	1	0	5
LAW-CC-413	Intellectual Property – I (Patent Right Creation and Registration)	L	T	P	C
		4	1	0	5
LAW-CC-414	Property Law	L	T	P	C
		4	1	0	5
LAW-CC-415	Interpretation of Statutes and Principles of Legislation	L	T	P	C
		4	1	0	5
LAW-CC-416	Alternate Dispute Resolution System	L	T	P	C
		4	1	0	5

COURSE NO
LAW-CC-411

LL.B. (Three Years Course)

IV SEMESTER

L	T	P	C
4	1	0	5

Labour and Industrial Law – I

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

To Safeguard worker's rights, Promote trade union activities and make employment more secure. They aim at improving the status of working-class people. Furthermore, they ensure fair and reasonable conditions of work for all the employees

SYLLABUS:

Unit I

Lectures-12

- **Law Relating to Industrial Relations:-**
 - **Trade Unions Act, 1926 Main features and the following :-**
 - History of Trade Unionism in India
 - Development of Trade Union Law in India
 - Right to Trade Union as part of fundamental right to freedom of association under the Indian Constitution.
 - Definition of Trade Union and Trade Dispute
 - Distinction between Trade Dispute and Individual Dispute.
 - Registration of Trade Unions
 - Legal status of registered trade union
 - Mode of registration
 - Powers and duties of Registrar
 - Cancellation and dissolution of trade union
 - Procedure for change of name
 - Amalgamation and dissolution of trade union
 - Disqualifications of office-bearers, Right and duties of office-bearers and members
 - General and Political funds of trade union f. Civil and Criminal Immunities of Registered trade unions
 - Recognition of Trade Unions
 - Collective Bargaining and Trade Disputes

Unit II

Lectures-12

- **The Industrial Disputes Act, 1947 – Main features and the following :-**
- Definitions of Employer, Industry, Lay off, Lock out, Retrenchment, Strike, Unfair Labour Practice and workman.
- Industrial Dispute and Individual Dispute
- Settlement of industrial dispute
 - Works Committee
 - Conciliation Machinery
 - Court of Enquiry
 - Voluntary Arbitration
 - Adjudication – Labour Court, Tribunal and National Tribunal
- Strike and Lock outs
- Lay off and Retrenchment
- Unfair Labour Practices
- Penalties

Unit III

Lectures-12

Law of Wages and Principles of Wage Fixation:-

- **The Minimum Wages Act, 1948 – Main features and the following :-**
- Concept of wages – Minimum wages, fair wages, living wages.
- Constitutional validity of the Minimum wages Act, 1948
- Definitions – Employer, Wages, Employee, Wage Structure
- Procedure for fixation and revision of minimum wages and working hours
- Fixation of minimum rates of wage by time rate or by piece rate
- Procedure for hearing and deciding claims etc.
- **Payment of Wages Act, 1936**
- Object, scope and application of the Act
- Definition of wage
- Responsibility for payment of wages
- Fixation of wage period
- Time of payment of wage
- Deductions which may be made from wages
- Maximum amount of deduction

Unit IV

Lectures-12

- **The Payment of Bonus Act, 1965**
- Historical development of concept of bonus.
- Meaning of Bonus.
- Constitutional Validity of the Act.
- Computation of bonus
- Eligibility and Disqualification for bonus
- Recovery of bonus due from an employer
- Penalties and all Sections of the Act.

Unit V

Lectures-12

- **Legislations affecting conditions of work**
- **The Factories Act, 1948 - Main features and the following :-**
- Definitions – Factory, Manufacturing Process, Hazardous Process, Worker and Occupation
- Provisions relating to Health.
- Provisions relating to Safety.
- Provisions relating to Hazardous Process.
- Provisions relating to welfare
- Working hours of adults
- Employment of young person and children
- Provisions relating to employment of women in factory
- Penalties.

Note: - In addition to the above question may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: We will be able to describe history and development of the trade union, meaning, definition of trade union, power and duties of registrar, registration of trade union and cancellation & dissolutions of trade union. etc.

Unit 2: We will get knowledge about some important definition as like-Employer, industry, Layoff, Lock out Retrenchment, strike and Unfair Labour Practice and Workman and settlement of industrial dispute and adjudication by Labour court, tribunal and national tribunal.

Unit 3: We will get an in-depth knowledge about main features of wages and concept of wages and procedure of fixation of minimum rate of wages and hearing & deciding claims. Fixation of wage period and maximum amount of deduction of wages.

Unit 4: We will get an understanding about historical background of bonus, meaning of bonus, computation of bonus and recovery of bonus due from an employer etc.

Unit 5: We will understand concept of various kinds of provisions relating to health, safety, hazardous process, welfare and employment of women in factory and some most important definition such as-Factory, Manufacturing process, hazardous process and occupation etc.

Pedagogy for Course Delivery:

Providing students, basic knowledge about the labour law with the help of latest case laws, landmark judgements relating to clear queries & doubts and to make concept clear. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged in to find out the status of labour laws of India comparable as per the international standards.

Recommended Source Material:**Essential Reading:**

- S.N.Mishra : Labour and Industrial Law, Central Law Publication, Allahabad,
- S.C. Srivastava: Industrial Relations and Labour Law, Vikas Publishing House, New Delhi
- Khan and Khan's: Commentary on Labour and Industrial Law, Asia Law House, Hyderabad
- V.G.Goswami : Labour and Industrial Laws, Central Law Agency, Allahabad

Additional Reading:

- P.L. Malik : Labour and Industrial Laws, Eastern Book Company, Lucknow
- Labour Law Journal: Lexisnexis Publisher, Gurgaon, Haryana
- Labour Law-I - Myneni SR
- श्रम एवं औद्योगिक विधि . सूर्यनारायण मिश्र
- Labour and Industrial Law - K.M. Pillai
- Labour and Industrial Law (New Edition) - S.K. Puri
- Introduction to Labour and Industrial Law, - Avtar Singh & Harpreet Kaur
- Commentary on Labour & Industrial Law - Ahmedullah Khan & Khans
- LABOUR AND INDUSTRIAL LAWS - S.M. CHATURVEDI
- LABOUR AND INDUSTRIAL LAWS - DR. V.G. GOSWAMI

COURSE NO
LAW-CC-412

LL.B. Three Years Course

IV SEMESTER
Law of Crimes – II
 (Criminal Procedure Code)

L	T	P	C
4	1	0	5

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The course is designed to introduce students to the concepts and principles relating to the procedural aspects of criminal law such as filing of FIR, initiation of investigation, arrest process, rights of the arrestee, trial system, provisions relating to appeal etc.

Syllabus :

Unit-I

Lectures-12

1. Introductory

- The rationale of criminal procedure: the importance of fair trial
- Constitutional perspectives: Articles 14, 20 and 21.
- Constitution of Criminal Courts and Offices.
- Power of Courts.
- Power of Superior Officers of Police.

Unit-II

Lectures-12

1.Pre – Trial Process : Arrest

- The distinction between cognizable and non- cognizable offences.
- Steps to ensure accused's presence at trial: warrant and summons.
- Arrest with and without warrant (Section 70-73 and 41)
- The absconder status (Section 82, 83, 84 and 85)
- Rights of the arrested person.
- Right to know grounds of arrest. (Section 50 (1), 55 and 75)
- Right to be taken to magistrate without delay. (Section 56, 57)
- Right of not being detained for more than twenty four hours (Section 57) :
- Article 22 (2) of the Constitution of India.
- Right to consult legal practitioner, legal aid and the right to be told of rights to bail.
- Right to be examined by a medical practitioner. (Section 54)

2.Pre – trial Process : Search and Seizure

- Search Warrant (Section 93, 94, 97 and 98) Police search during investigation (Section 165, 166)
- General Principles of search. (Section 100)
- Seizure (Section 102)

3.Pre – trial Process : FIR

- FIR (Section 154)
- Evidentiary value of FIR (See Sections 145 and 157 of Evidence Act)

4.Pre – trial Process: Magisterial Powers to take Cognizance.

Unit-III

Lectures-12

1. Trial Process

- Commencement of Proceedings : (Section 200, 201, 202)
- Dismissal of Complaints (Section 203, 204)
- Bail: concept purpose: constitutional overtones.
- Bailable and Non- bailable offences (Section 436, 437, 439)
- Cancellation of Bail.(Section 437(5))
- Anticipatory bail (Section 438)
- Power of Appellate Court to Grant Bail (Section 389 (1), 395 (1), 437 (5))
- General Principles concerning bond (Section 441 – 450)

2. Fair Trial

- Conceptions of fair trial.
- Presumption of innocence.
- Venue of trial.
- Right of the accused to know the accusation (Section 221 – 224)
- The right must generally be held in the accused presence (Section 221 – 224)
- Right of cross – examination and offering evidence in defence: the accused's statement.
- Right to speedy trial.

3. Charge

- Framing of charge.
- Form and content of charge. (Section 211, 212, 216)
- Separate charges for distinct offence. (Section 218, 219, 220, 221, 223)
- Dis - charge - pre – charge evidence.

Unit-IV

Lectures-12

1. Preliminary pleas to bar the trial

- Jurisdiction (Section 26, 177 – 188, 461, 462, 479)
- Time Limitations : rationale and scope (Section 468 – 473)
- Pleas of autrefois acquit and autrefois convict (Section 300, 22D)
- Compounding of offences.

2. Trial before a Court of Sessions : Procedural steps and substantive rights

3. Judgement

- Form and content (Section 354)
- Summary trial
- Plea Bargaining.
- Post – conviction orders in lieu of punishment : emerging penal policy (Section 360, 61, 31)
- Compensation and cost.(Section 357, 358)
- Modes of providing judgement (Section 353, 362, 363)

4.Appeal. Review. Revision

- No appeal in certain cases (Section 372, 375, 376)
- Supreme court of India (Sections 374,379)(Articles 31,132,134,136)
- High Court (Section 374)
- Sessions Court (Section374)
- Special right to appeal (Section 380)
- Governmental appeal against sentencing (Section 377, 378)
- Judicial power in disposal of appeals (Section 368)
- Revisional Jurisdiction (Sections 397 – 405)
- Transfer of cases(Section 406, 407)

5.Provisions related to maintenance to Wife, Children and Parents (Section- 125 to Section 128)

Unit-V

Lectures-12

1.Juvenile delinquency

- Nature and magnitude of the problem.
- Causes
- Juvenile cxourt system.
- Treatment and rehabilitation of juveniles.
- Juveniles and adult crime.
- Legislative and judicial protection of juvenile offender.
- Juvenile Justice (Care and Protection of Children) Act, 2015

2.Probation

- Probation of offender's law.
- The judicial attitude.
- Mechanism of probation: Standards of probation services.
- Problems and prospects of probation.
- The suspended sentence.
- The probation of offenders Act, 1958.

Note: - In addition to the above question may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the Constitutional perspectives of criminal procedure and constitution of criminal courts.

Unit 2: Will acquire knowledge about the arrest with and without warrant, FIR and its evidentiary value.

Unit 3: Will gain detailed information on trial process and the concept of fair trial.

Unit 4: Will get an understanding of appeal, revision and the provisions relating to maintenance.

Unit 5: Will gain the knowledge on the juvenile delinquency and probation of offenders

Pedagogy for Course Delivery:

Providing students, basic knowledge of criminal procedure in India. All the latest case laws, landmark judgements relating to Environmental Law shall be discussed to clear queries & doubts and to make concept clear. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged to understand the practical provision of criminal procedure and find the difference between the written provisions and practical aspects.

Recommended Source Material :

Essential Reading-

1. S.N.Mishra : Criminal Procedure Code, 1973
2. Ratanlal Dhirajlal : Criminal Procedure Code, 1973
3. Shoorveer Tyagi : Criminal Procedure Code, 1973
4. N.V.Paranjpe : Danda Prakriya Sanhita
5. Bhattacharya : Danda Prakriya Sanhita
6. M.D.Chaturvedi : Criminal Procedure Code, 1973
7. CODE OF CRIMINAL PROCEDURE - BATUK LAL
8. Cr.P.C. Hindi Edition - Rega Surya Rao (Dr.)
9. Apradh Shastra evam Dand Shastra (Criminology & Penology in Hindi) - Babel, B.L.
10. Plea Bargaining - Narayana P.S

Additional Readings-

1. Sarkar : Criminal Procedure Code, 1973
2. Durga Das Basu : Criminal Procedure Code, 1973
3. Criminal Law, - P.S. Pillai
4. Criminal Procedure, - Takwani
5. Criminal Law, Criminology and Administration of Criminal Justice, - Gaur, K.D.
6. Leading Cases on Criminal Law - Gaur, K.D.
7. Crime & Criminology - S.R. Myneni
8. CRIMINOLOGY, PENOLOGY & VICTIMOLOGY - DR. S.S. SRIVASTAVA
9. Criminology & Penology with Victimology - N.V. Paranjape

COURSE NO
LAW-CC-413

L	T	P	C
4	1	0	5

LL.B. Three Years Course

IV SEMESTER

Intellectual Property Law – I

(Patent Right Creation and Registration)

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The course is designed to introduce students to the concepts and principles which underpin patent right creation mechanisms from the international to the local level. The course will address patent grant procedure, monopoly rights, limitations infringement and remedies provided.

SYLLABUS:

Unit – I - Intellectual Property Rights and its Origin

- The Concept of Property vis-à-vis Intellectual Property
- Concept of Property and theories of Property-An Overview.
- Theories of Intellectual Property Rights
- Social and Economic Development and Role of Intellectual Property System.
- Need for Protecting Intellectual Property-Policy Consideration-National
- Perspectives and International Demands
 - Kinds of Intellectual Property-organised Development-An Overview.
 - Intellectual Property Rights as Human Rights
 - Role of International Institutions - WIPO
- Functions of WIPO
- Membership of WIPO
- Agreement between WIPO and WTO
- Dispute Settlement- New Treaties
 - International Legal Instruments Relating to IPR- Paris Convention, Berne
- Convention, PCT etc.
 - IPR Litigation vis-à-vis general litigation
 - Nature and Complexities of IPR Litigation
 - I.P.R. Litigation and National Internet.

Unit - II - Patent : Concept and Subject Matter

Lectures-12

- Introduction to Patent Law
- Theoretical Justification for Protection of Patent Law System
- International Patent System: Paris Convention, Patent Cooperation Treaty, WTO-TRIPs
- Indian Patent Law

- Overview and History of the Indian Patents Law
- Patentable Subject Matter and exclusions from Patentability
- Patentability Requirements
- Specification and Disclosure

Procedure for Obtaining Patent

Lectures-12

- Procedure for Filing Patent Applications and Patent Granting Procedure
- Revocation of Patents

Unit – III Rights of Patentee

Lectures-12

- Ownership of Patent Rights
- Transfer of Patent
- Forms of transfer of Patent Rights.
- Assignment.
- Mortgage.
- Licence.
- Rights conferred on a licence
- Transmission of Patent by operation of Law.
- Registration of assignment /licence is essential.
- Certain restrictive conditions to be avoided.
- When a restrictive condition can be imposed.
- Revocation and Surrender of Patents
- Protection of security of India.
- Revocation of the patent.
- Lapsing of patent for non- payment of renewal fee.
- Surrender of Patents.
- Limitation on restored patents.

Unit – IV:

Lectures-12

Infringement of Patents

- Patent Infringement and Defenses to Patent Infringement
- Remedies – Civil and Criminal Remedies

Patent Agents

- Qualifications of a patent agent.
- Rights of patent agents.
- Disqualification for Registration as a patent agent.

Patent in Computer Programmes

Patent Licencing

- Compulsory Licensing
- Use and Acquisition of Inventions by Central Government

Unit – V:

Lectures-12

- Interface between Patent Act, 1970 and Bio-diversity Act, 2002
- Protection of plant varieties and Farmers' Rights Act, 2001: An overview Concepts of Patents

Note: - In addition to the above question may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic understanding of intellectual property rights (specially patent rights), its kinds and scope, subject matter.

Unit 2: Will acquire detailed knowledge about procedure to obtain patent and also the subject matter of patent.

Unit 3: Will gain detailed information about rights of patentees and about transfer of patent rights.

Unit 4: Will get an understanding of infringement of patent rights and action taken against such infringement. Will gain knowledge about patent agents, their rights, and registration of patent agents.

Unit 5: Will gain knowledge about the Interface between Patent Act, 1970 and Bio-diversity Act, 2002 and also plant varieties and farmers right.

Pedagogy for Course Delivery:

The very new concept of property is Intellectual Property Rights and this course will provide the students to understand the concept from the basics along with the latest case laws, landmark judgements. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged to understand the registration and procedure of patent registration with the help of authentic data available and to be acquainted with the provisions of Patent Act.

Recommended Source Material :

Essential Readings:

1. Jayshree Watal : Intellectual Property Rights.
2. B.L.Wadera : Law relating to Patents, Trademarks, Cpyrights, Design & Goegraphical Indications.
3. Basanti Lal Babel : Bodhik Sampada Kanoon.
4. M.K.Bhandari : Intellectual Property Rights
5. J.P.Mishra : Intellectual Property Rights.
6. An Introduction to Intellectual Property Rights - J.P. Mishra
7. Law Relating to Intellectual Property Rights - M.K. Bhandari
8. बौद्धिक संपदा . जे.पी. मिश्रा
9. बौद्धिक संपदा अधिकारविधि . एस.के. सिंह
10. Intellectual Property Rights Laws - S.K. Singh
11. Intellectual Property Rights – A Global Vision - S.K. Verma & Raman Mittal
12. Intellectual Property Law, (PB) - Singh Avtar
13. Intellectual Property - Meenu Paul
14. Commentary on Intellectual Property Laws - Rama Shama

Additional Readings-

1. William Cornish : Intellectual Property .
2. S.K.Singh : Bodhik Sampada Adhikar Vidhi.
3. Fundamentals of Intellectual Property (FUN IP) - Kalyan (Dr.)
4. Verkey Elizabeth : Law of Patents.
5. Intellectual Property Law in India - Ramappa T

COURSE NO
LAW-CC-414

LL.B. Three Years Course

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IV SEMESTER

Property Law

(Including Transfer of Property Act, Registration Act, Indian Stamp Act and Easement Act)

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - a. Mid Semester Examination : 20 Marks
 - b. Internal Assessment : 20 Marks
 - c. End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The objective of the course is to equip the students with the complete knowledge of laws relating to the immovable property. This course will help the students in the application of the property related laws and to deal with the issues relating to transfer, registration and stamping of the property.

SYLLABUS:

Unit-I

Lectures-12

1. Jurisprudential Concept of Property

- Concept and Meaning of Property.
- Kinds of Property.
- Possession and ownership as man – property relationship

2. Transfer of Property Act, 1882

- Scope and objectives of the Act
- General principles of transfer of property.
- Interpretation Clause
 - Moveable and Immoveable Property
 - Attestation
 - Notice
 - Registration as Constructive Notice
 - Actual Possession as Constructive Notice
 - Notice to Agent
- Meaning of Transfer of property.
- What may be Transferred
- Persons Competent to Transfer
- Operation of Transfer
- Methods of Transfer
- Conditions Restraining Alienation
- Restrictions Repugnant to the Interest Created
- Condition Making Interest Determinable on Insolvency or Attempted Alienation
- Transfer for the Benefit of Unborn Persons
- Rule Against Perpetuity
- Transfer to a Class
- Transfer to Take Effect on Failure of Prior Interest
- Direction for Accumulation of Income
- Accumulations for the Benefit to Public

Unit-II Transfer of Property Act, 1882

Lecture-12

- Vested and Contingent interest
- When Unborn Person Acquires Vested Interest on Transfer for his Benefit
- Transfer to Members of a Class who Attain a Particular Age
- Transfer Contingent on Happening of Specified Uncertain Event
- Transfer to Such of Certain Persons as Survive at Some Period not Specified
- Conditional Transfer
- Transfers with Fulfilment of Condition Precedent
- Conditional Transfer to One Person Coupled with Transfer to Another on Failure of Prior Disposition
- Ulterior Transfer Conditional on Happening or not Happening of Specified Event
- Fulfilment of Condition Subsequent
- Prior Disposition not Affected by Invalidity of Ulterior Disposition
- Condition that Transfer Shall Cease to Have Effect in Case Specified Uncertain Even Happens or Does not Happen
- Such Condition Must not be Invalid
- Transfer Conditional on Performance of Act, no Time Being Specified
- Election
- Apportionment
- Apportionment of Benefit of Obligation On Severance

Unit-III Transfer of Property Act, 1882 - Transfer of Immovable Property

Lecture-12

- Transfer Authorised only under Certain Circumstances to Transfer
- Transfer where the Third Party is Entitled to Maintenance
- Burden of Obligation Imposing Restriction on Use of Land Obligations Annexed to Ownership but not Amounting to Interest or Easements
- Transfer by Ostensible Owner
- Transfer by Person having Authority to Revoke Former Transfer
- Unauthorised person Subsequently Acquiring Interest in the Transferred Property
- Transfer by One Co-owner
- Joint Transfer for Consideration
- Transfer for Consideration by Persons having Distinct Interests
- Transfer by Co-owners of Share in Common Property
- Priority of Rights Created by Transfer
- Transferee's Rights under Policy
- Rent Bona Fide Paid to; the Holder under Defective Title
- Improvement made by Bona Fide Holders under Defective Title
- Transfer of Property Pending Suit Relating thereto
- Transfer to Defeat or Delay Creditors
- Doctrine of Part Performance

Unit-IV

Lectures-12

1. Transfer of Property Act, 1882

- Of Specific transfers.
- Sale
- Mortgage
- Charges
- Lease
- Exchange
- Gift
- Actionable claims

Unit-V

Lectures-12

1. Easements

- Nature, Characteristics and extinction
- Creation of easements.
- Licences

2. Registration Act, 1908

- Registrable Documents related to immoveable property.
- Documents of which registration is optional.
- Documents of which registration is compulsory.
- Exemption of leases and mortgages in favour of land development bank from registration.
- Place for registering documents relating to land.

3. Indian Stamp Act, 1899

- Of the liability of instruments to duty.
- Duties by whom payable.
- Effect of not duly stamping instruments.

Note: - In addition to the above question may be asked on aspects related with this paper.

Course Learning outcomes:

After the completion of the course, the students will be able to :

Unit 1: understand the jurisprudential concepts of property, ownership and possession.

Unit 2: analyse the different types of transfers relating to the immoveable property. It will also help in understanding the transfers for the benefit of unborn persons and the perpetuity.

Unit 3: critically examine the difference between vested and contingent interests and the concepts of ostensible owner, part performance, etc.

Unit 4: will help in understanding the concepts of sale, gift, mortgage, lease etc.

Unit 5: to understand the easements, their acquisition, creation and termination. They will also be familiar with the law relating to the stamps and registration.

Pedagogy for Course Delivery:

Providing students, a broad knowledge about the Property Laws with the help of jurisprudential aspect and case studies. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged in case study as per the data published by reliable sources, landmark judgements of Supreme Courts .

Recommended Source Material :

Essential Readings-

1. S. N Shukla : Transfer of Property
2. G.P. Tripathi : Transfer of Property
3. Dr. G.P. Tripathi : Sukhadhikar Adhiniyam
4. S.K. Kapoor : Easement Act
5. S. M. Shah : Lectures on T.P.A.
6. Dr. H. S. Gaur : Property Law (in two volumes)
7. Law of Property - Myneni SR
8. संपत्ति अन्तरण अधिनियम . डॉ. आर.के. सिन्हा
9. Transfer of Property Act - H.N. Tiwari
10. Textbook on the Transfer of Property Act,- Avtar Singh
11. Easement Act - J.D. Jain

Additional Readings-

- 1.S. M. Shah : Lectures on T.P.A.
- 2.Dr. H. S. Gaur : Property Law (in two volumes)
- 3.S. M. Shah : Lectures on T.P.A.
- 4.Dr. H. S. Gaur : Property Law (in two volumes)
- 5.संपत्ति अन्तरण अधिनियम . डॉ. जे.एन. कुलश्रेष्ठ
- 6.Transfer of Property Act - Rega Surya Rao (Dr.)
- 7.Sampatti AntaranAdhiniyam, 1882 aur BharatiyaSukhacharAdhiniyam, 1882 (Transfer of Property Act, 1882 along with Indian Easement Act, 1882 in Hindi) - Chaturvedi, M.D.

COURSE NO
LAW-CC-415

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LL.B. Three Years Course

IV SEMESTER

Interpretation of Statutes and Principles of legislation

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The main objective of this Course is to enhance the principle of Legislation. They will learn the role of judiciary and power and liability of Legislature.

SYLLABUS:

UNIT-I

Lectures-12

1. Interpretation of Statutes

- Meaning of the term 'Statutes', classification of statutes
- The duties of a Judge and legislature.
- Purpose of Interpretation of statutes.
- Utility of rules of interpretation.
- Commencement, Repeal of statutes.

2. Aids to Interpretation

a) Internal aids

- Title
- Preamble
- Heading and marginal notes
- Punctuation marks
- Illustrations, exceptions, provisions and saving clauses.
- Schedules
- Non-obstinate clause

b). External aids

- Dictionaries
- Translations
- Travaux Preparatoires
- Stare decisis
- Statutes in para material
- Parlimentary History
- Foreign Judgments

UNIT-II

Lectures-12

1. Rules of Statutory Interpretation

a) Primary Rules

- Literal rule
- Golden rule
- Mischief rule (Rule in the Heydon's case)
- Rule of harmonious construction

b) Secondary Rules

- Noscitur a sociis
- Ejusdem generic
- Reddendo singula singulis

2. Presumptions in Statutory Interpretation

- Statutes are valid
- Statutes are territorial in operation
- Presumption as to jurisdiction
- Presumption against of violation of International Law
- Prospective operation of statutes

UNIT- III

Lectures-12

1. Maxims of Statutory Interpretation

- Contemporance expositio est fortissime in lege
 - Expressio unius est exclusio alterius
- Generalia specialibus non derogant
- Ut res magis valet quam pereat

2. Interpretation with reference to the subject matter and purpose

- Restrictive and beneficial construction
 - Taxing Statutes
 - Penal Statutes
 - Interpretation of directory and mandatory provisions

UNIT-IV

Lectures-12

1. Principles of Constitutional Interpretation

- Harmonious construction
- Doctrine of pith and substance
- Colourable legislation
- Doctrine of eclipse
- Doctrine of Severability
- Doctrine of repugnancy

UNIT- V

Lectures-12

1. Principles of Legislation

- Law- making–the legislature, executive and the judiciary
- Principle of utility
- Distinction between morals and legislation

Note: - In addition to the above question may be asked on aspects related with this paper

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic rules of interpretation and construction of Statute.

Unit 2: Will learn the Internal and External Aid for the purpose of interpretation of statute.

Unit 3: Will learn General and secondary principle of interpretation. Maxims Statutory of Interpretation. This unit deal with the various Legal Maxims.

Unit 4: Will learn the principle of constitutional principle of interpretation.

Unit 5: Will gain the knowledge about various principle of legislation which is based upon the morality and law.

Pedagogy for Course Delivery:

To understand any Act or law it is important to clearly understood the principles of interpretation of statutes. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged to understand each and every law with the view of interpretation of statute and also be acquainted with the principles of interpretation of statute.

Recommended Source Material :

Additional Reading

1. Maxwell : Interpretation of Statutes
2. Craie : Construction of Deeds
3. H.S. Bindra : Interpretation of Statutes

Essential Reading

1. G.P. Singh : Interpretation of Statutes
2. J. Swaroop : Interpretation of Statutes
3. Bhattacharya : Interpretation of Statutes
4. A. Prasad : Samvidhiyon Ka Nirvachan

5. Interpretation of Statutes, Kafaltiya, A.B.
6. Kanoonon ke Nirvachan (Interpretation of Statutes in Hindi) (P/B) - Sharma, Y.S.
7. Kanoonon Ke Nirvachan Ke Siddhant (Principles of Interpretation of Statutes in Hindi) (P/B) - Chaudhary, R.N.
8. Interpretation of Statutes, (P/B) - Gandhi, B.M.
9. INTERPRETATION OF STATUTES - K.P. CHAKRAVARTY
10. कानूनों का निर्वचन .डॉ. त्रिदिवेश भट्टाचार्य
11. Interpretation of Statutes - D.N. Mathur
12. Interpretation of Statutes – Madhavi

COURSE NO
LAW-CC-416

LL.B. Three Years Course

IV SEMESTER

L	T	P	C
4	1	0	5

Alternate Dispute Resolution System

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - (a) Mid Semester Examination : 20 Marks
 - (b) Internal Assessment : 20 Marks
 - (c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The course is designed to introduce students to the concepts and principles which underpin alternate dispute resolution mechanisms from the international to the local level. The course will address arbitration and conciliation procedure and practice, concepts and case laws in practice.

SYLLABUS :

Unit –I

Lectures-12

1. Arbitration : meaning, scope and types

- a) Distinctions
- b) Arbitration and conciliation
- c) Extent of Judicial Interpretation
- d) International Commercial Arbitration
- e) Comparison between Arbitration Acts of 1940 & 1996
- f) Arbitration & Conciliation Amendment Act, 2015
- g) Arbitration & Conciliation Amendment Act, 2019

2. Arbitration agreement

- a) Essentials
- b) Kinds
- c) Who can enter into arbitration agreement
- d) Validity
- e) Reference to arbitration
- f) Interim measures by court

Unit – II

Lectures-12

1. Arbitration Tribunal

- a. Appointment
- b. Challenge
- c. Jurisdiction of arbitral tribunal
 - i. Powers
 - ii. Grounds of challenge
- d. Procedure
- e. Jurisdiction of High Court

2. Awards

- a. Rules of guidance
- b. Form and content
- c. Correction and interpretation
- d. Grounds of setting aside an award
 - i. Can misconduct be a ground?

- ii. Incapacity of a party, invalidity of arbitration agreement
- iii. Want of proper notice and hearing
- iv. Beyond the scope of reference
- v. Contravention of composition and procedure
- vi. Breach of confidentiality
- vii. Impartiality of the arbitrator
- viii. Bar of limitation, res judicata
- ix. Consent of parties
- e. Enforcement

Unit – III

Lectures-12

1. Appeal and Revision

2. Enforcement of foreign awards

- a. New York Convention awards
- b. Geneva Convention awards

Unit – IV

Lectures-12

1. Conciliation

- a. Distinction between “Conciliation”, “negotiation”, “mediation”, and “arbitration”
- b. Appointment of conciliator
- c. Statements to conciliator
- d. Interaction between conciliator and parties
 - i. Communication
 - ii. Duty of the parties to co-operate
 - iii. Suggestions by parties.
 - iv. Confidentiality
- e. Resort to judicial proceedings
- f. Costs

2. Rule – Making Power

- a. 8.1 High Court
- b. 8.2 Central Government

Unit – V

Lectures-12

1. Legal Services Authorities Act, 1987

2. Salient Features of Various ADR’s

- a) Mediator
- b) Arbitrator
- c) Conciliator
- d) Judicial Settlement Section 89, Settlement of disputes outside the court
- e) Lok Adalat

Note: - In addition to the above question may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic understanding of arbitration, its kinds and scope, arbitration agreement and its essential elements

Unit 2: Will acquire knowledge about arbitration tribunal and arbitration award

Unit 3: Will gain detailed information on Appeal and Revision from arbitration Award as well as enforcement of foreign awards

Unit 4: Will get an understanding of conciliation, definition, procedure, concept etc. as well as Rule making power of the central government and high court

Unit 5: Will gain the knowledge on the Legal services authorities' act 1987, various authorities under the act and various mechanisms of ADR.

Pedagogy for Course Delivery:

Providing students, the basis concept about the alternate dispute resolution and their types. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged in practical approaches for ADRs and uses of ADRs in legal field.

Recommended Source Material :

Essential Reading

- G.K. Kwatr : The Arbitration and Conciliation Law of India
- Avtar Singh : Arbitration and Conciliation
- Goyal : Arbitration and Conciliation Act
- Avtar Singh : Madhyastham avam Sulah Adhiniyam
- Indrajeet Malhotra : Madhyastham avam Sulah Adhiniyam

Additional Reading

1. Arbitration & ADR (Conciliation, Negotiation & Meditation) – Pattabhi Ramaiah
2. Arbitration & Conciliation Act, 196 (with AMSD) - S.C. Tripathi
3. माध्यस्थम् तथा वैकल्पिक विवाद निवारण . डॉ. विनय एन. परांजपे
4. ARBITRATION & ALTERNATIVE DISPUTE RESOLUTION - DR. N.V. PARANJAPPE
5. Arbitration & Conciliation - A.P. Gupta

6. Madhyastham Sulah Evam Anukalpi Vivad Niptan Vidhi (Law relating to Arbitration, Conciliation & Alternative Disputes Resolution in Hindi) - Singh, Avtar

Department of Law
Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)

LL.B.
(Three Years Course)
(List of Papers Prescribed for V Semester)

	V SEMESTER				
COURSE NO.	COURSE TITLE	CREDITS			
Law – CC – 511	Labour and Industrial Law – II	L	T	P	C
		4	1	0	5
Law – CC – 512	Evidence	L	T	P	C
		4	1	0	5
Law – C C– 513	Civil Procedure Code and Limitation Act	L	T	P	C
		4	1	0	5
Law – CC – 514	Direct Taxation	L	T	P	C
		4	1	0	5
Law – CC – 515	Intellectual Property Right – II (Copy Right)	L	T	P	C
		4	1	0	5
Law – CC – 516	Computer Education – I	L	T	P	C
		4	1	0	5

Course No
Law- CC –511

LL.B. (Three Years Course)
V Semester
Labour and Industrial Law – II

L	T	P	C
4	1	0	5

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quiz
 - (ii) Scheme of Examination:
 - a) Mid Semester Examination : 20 Marks
 - b) Internal Assessment : 20 Marks
 - c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

Labour law aims of correct the Imbalance of power between the worker and the employer, to prevent the employer from dismissing the worker without good cause and eliminating bonded labour and providing compensation to the employee.

SYLLABUS:

Unit I

(Lectures 12)

- **Legislations affecting conditions of work:-**
- **The Contract Labour (Regulation and Abolition) Act, 1970**
- Historical background of the Act
- Definition: Contractor, Workmen, Principal employer,
- Registration of establishment employing contract labour
- Provisions relating to welfare and health of contract labour
- Penalties

- **The Bonded Labour System (Abolition) Act, 1976**
- Historical background of the Act
- Definitions: Bonded Labour, Bonded Labour System and nominal wages
- Abolition of bonded labour system
- Implementing Authorities
- Offences and Procedure for trial

Unit II

(Lectures 12)

- **Social Security and welfare Legislations:-**
- **The Payment of the Gratuity Act ,1972**
- Historical Background of the Act
- Necessity of Payment of Gratuity Act
- Salient features of the Act.
- Continuous Service
- Provision relating to payment of gratuity
- Determination of the amount of gratuity
- Nomination and recovery of gratuity
- Penalties and all Sections of the Act.

Unit III

(Lectures 12)

- **The Employee's Compensation Act, 1923.**
- Historical background of the Act.
- Definitions: dependant, workman, partial disablement and total disablement
- Employer's liability for compensation

- Scope of arising out of and in the course of employment
- Doctrine of notional extension
- When employer is not liable
- Amount of compensation

- Distribution of Compensation
- Procedure in proceedings before Commissioner
- Appeals and all other Sections of the Act.

Unit IV

(Lectures 12)

- **The Employee's State Insurance Act, 1948.**

- Object of the Act
- Definitions: Dependant, Family, Factory, Insured Person.
- Corporation, Standing Committee and Medical Benefit Council
- Provision relating to benefits
- Adjudication of disputes and claims

4.3 Penalties and all Sections of the Act.

Unit V

(Lectures 12)

- **Employee's Provident funds and Miscellaneous Provisions Act, 1952.**

- Object of the Act.
- Authorities under the Act.
- Schemes under the Act.
- Adjudication of disputes under the Act.
- Penalties and all Sections of the Act.

- **The Maternity Benefit Act, 1961**

- Object and Scope of the Act
- Definitions: maternity benefit, employer, wages and women
- Right to Payment of maternity benefit
- All Sections of the Act.

Note :- In addition to the above question may be asked on aspects related with this paper.

Course/learning outcome:

After completion of the unit student will be able

Unit 1: How can contract labour and bounded labour be abolished and what is the system of punishment in relation to it.

Unit 2: What is gratuity and when is gratuity given to the employee. what is the penalty for not paying gratuity.

Unit 3: How much compensation will be given to the Employee in case of disability and when will the employee be entitled to compensation and when will not be entitled to compensation.

Unit 4: Employees Covered under the ESI Scheme get many benefits. First and foremost, the insured and his family members get free treatment.

Unit 5: The object of the maternity benefit Act 1961. the object of the Act, to provide for maternity benefit to women workers in certain establishment. To regulate the employment of women workers in such establishment for certain period before and after child birth.

Pedagogy for Course Delivery:

Providing students, basic knowledge about the labour and industrial laws which includes contract labour, bonded labour, employees' compensation, maternity benefits, gratuity. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be well acquainted with the labour laws.

Recommended Study Material:

Essential Reading:

- S.N.Mishra : Labour and Industrial Law, Central Law Publication, Allahabad,
- S.C. Srivastava: Industrial Relations and Labour Law, Vikas Publishing House, New Delhi
- Khan and Khan's: Commentary on Labour and Industrial Law, Asia Law House, Hyderabad
- V.G.Goswami : Labour and Industrial Laws, Central Law Agency, Allahabad

Additional Reading:

- P.L. Malik : Labour and Industrial Laws, Eastern Book Company, Lucknow
- Labour Law Journal: Lexisnexis Publisher, Gurgaon, Haryana
- Labour Law-I - Myneni SR
- श्रम एवं औद्योगिक विधि . सूर्यनारायण मिश्र
- Labour and Industrial Law - K.M. Pillai
- Labour and Industrial Law - S.K. Puri
- Introduction to Labour and Industrial Law, - Avtar Singh & Harpreet Kaur
- Commentary on Labour & Industrial Law - Ahmedullah Khan & Khans
- LABOUR AND INDUSTRIAL LAWS - S.M. CHATURVEDI
- LABOUR AND INDUSTRIAL LAWS - DR. V.G. GOSWAMI

Course No
Law- CC – 512

LL.B. (Three Years Course)

L	T	P	C
4	1	0	5

V Semester**Evidence**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quiz
 - (ii) Scheme of Examination:
 - a) Mid Semester Examination : 20 Marks
 - b) Internal Assessment : 20 Marks
 - c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The objectives of the course are to equip the students with knowledge of: the fundamental principles of evidence law, the strict application of it in judicial proceedings, the role of evidence law in civil and criminal proceedings, the connection of the course with substantive and other procedural laws, and the relevance of the course in non-litigation

practice. The student will also be exposed to the concerned provisions of the Information Technology Act 2000.

SYLLABUS:

Unit-I

Lectures-12

1. Introductory

- The main features of the Indian Evidence Act 1861.
- Applicability of the Act.

2. Conceptions in Law of Evidence

- Facts: Section 3 definition: distinction – relevant facts/facts in issue.
- Evidence: Oral and documentary.
- Circumstantial evidence and direct evidence.
- Presumption (Section-4)
- “Proving”, “not proving”, and “disproving”.
- Witness.
- Appreciation of evidence.

Unit- II

Lectures-12

1. Facts : relevancy

- The doctrine of res gestae (Section 6,7,8,10)
- Evidence of common intention (Section 10)
- The problems of relevancy of “ otherwise “ irrelevant facts (Section 11)
- Relevant facts for proof of custom (Section 13)
- Facts concerning bodies and mental state. (Section 14,15)

2. Admissions and confessions

- General principles concerning admission (Section 17,23)
- Differences between “ admission “ and “ confession”
- The problems of non- admissibility of confessions caused by “any inducement, threat or promise” (Section 24)
- Inadmissibility of confessions made before a police officer. (Section-25)
- Admissibility of custodial confessions (Section 26)
- Admissibility of “ information “ received from accused person in custody ; with special reference to the problem of discovery based on “ joint statement “ (Section 27)
- Confession by co-accused (Section 30)
- The problems with the judicial action based on a “ retracted confession”

Unit III

Lectures-12

1. Dying Declaration

- The justification for relevance on dying declaration (Section 32)
- The judicial standards for appreciation of evidentiary value of dying declaration.

2. Other statements by persons who cannot be called as witnesses

- General principles
- Special problems concerning violation of women's rights in marriage in the law of evidence.

3. Relevance of Judgments

- General principles
- Admissibility of judgments in civil and criminal matters (Section 43)
- “ Fraud “ and “ Collusion “ (Section 44)

Unit IV

Lectures-12

1. Expert Testimony

- General principles
- Who is an expert? types of expert evidence
- Opinion on relationship especially proof of marriage (Section 43)
- The problems of judicial defense to expert testimony.

2. Oral and Documentary Evidence

- General principle concerning oral evidence (Sections 59-60)
- General principles concerning Documentary Evidence (Sections 67-90)
- General principles regarding Exclusion of Oral by Documentary Evidence.
- Special problems: re – hearing evidence.
- Issue estoppels
- Tenancy estoppels (Section 116)

3. Witnesses, Examination and Cross Examination

- Competency to testify (Section 118)
- State privilege (Section 123)
- Professional privilege (Section 126, 127, 128)
- Approval testimony (Section 133)
- General principles of examination and cross examination (Section 135 – 166)
- Leading questions. (Section 141 – 143)
- Lawful questions in cross – examination (Section 146)
- Compulsion to answer questions put to witness.

- Hostile witness (Section 154)
- Impeaching of the standing or credit of witness (Section 155)

Unit-V

Lectures-12

1. Burden of Proof

- The general conception of onus probandi (Section 101)
- General and special exceptions to onus probandi.
- The justification of presumption and of the doctrine of judicial notice.
- Justification as to presumptions as to certain offences (Section 111A)
- Presumption as to dowry death (Section 113-B)
- The scope of the doctrine of judicial notice (Section 114)

1. Estoppel

- Why estoppel ? The rationale (Section 115)
- Estoppel, res judicata and waiver and presumption.
- Estoppel by deed.
- Estoppel by conduct.
- Equitable and promissory estoppel.
- Questions of corroboration (Section 156 - 157)
- Improper admission and of witness in civil and criminal cases.

Note :- In addition to the above question may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic understanding of evidence, its salient features and applicability

Unit 2: Will acquire knowledge about definitional clause

Unit 3: Will gain detailed information on relevancy of facts

Unit 4: Will get an understanding of admission and confession as evidence

Unit 5: Will gain the knowledge on the dying declaration

Unit 6: Will understand relevancy of judgments

Unit 7: Will gain knowledge relating to expert testimony

Unit 8: will be familiar with oral and documentary evidence

Unit 9: Will acquire knowledge about witness examination and cross examination

Unit 10: Will gain detailed information on burden of proof

Unit 11: Will get an understanding of estoppel

Unit 12: Will gain the knowledge on the statement of persons who cannot be called as witnesses

Pedagogy for Course Delivery:

The students will be engaged in the application of evidence law in civil and criminal matters. This will help the students to apply the evidence law in correct manner and also in the practical field and real-time incidents.

Recommended Study Material :

1. Nigam : Law of Evidence
 2. Avtar Singh : Principles of the Law of Evidence
 3. Batuklal : Law of Evidence
 4. Ratanlal Dheerajlal : Law of Evidence
 5. R.R. Yadav : Law of Evidence
 6. V.P. Sarathi : Law of Evidence
 7. Lectures on the Indian Evidence Act - Bhatt Justice, U.L.
 8. Sakshya Vidhi (Law of Evidence in Hindi) - Chaturvedi, M.D.
 9. Indian Evidence Act – Basu
 10. भारतीय साक्ष्य अधिनियम: राजाराम यादव, एडवोकेट
 11. भारतीय साक्ष्य अधिनियम : डॉ. आर.सी. निगम
 12. साक्ष्य विधि : अवतार सिंह
 13. Evidence - Rega Surya Rao (Dr.)
 14. Law of Evidence - Sarathi, V.P.
- law of Lie Detectors-Narcoanalysis, Polygraphy, Brainmapping, Brain Fingerprinting
- Qazalbash Yawer

Course No
Law- CC - 513

LL.B. (Three Years Course)

V Semester

L	T	P	C
4	1	0	5

Civil Procedure Code and Limitation Act

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quiz
 - (ii) Scheme of Examination:
 - a) Mid Semester Examination : 20 Marks
 - b) Internal Assessment : 20 Marks
 - c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The objectives of the course are to equip the students with knowledge of the fundamental principles of civil procedure from the filing of plaint to the passing and execution of decree. The students will also be exposed to the concerned provisions of the Indian Limitation Act.

SYLLABUS:

Unit-I :

Lectures-12

Introduction

- Concepts
- Affidavit, order, judgment, decree, plaint, restitution, execution, decree – holder, judgment – debtor, mesne profits, written statement.
- Distinction between decree and judgment and between decree and order.

Jurisdiction

- Kinds
- Hierarchy of courts
- Suit of civil nature – scope and limits.
- Res – subjudice and Resjudicata.
- Foreign judgment.
- Place of suing.
- Institution of suit.
 - Parties to suit : joinder, mis – joinder or non-joinder of parties : representative suit.
 - Frame of suit : Cause of action.
 - Summons.

Unit-II:

Lectures-12

Pleadings

- Rules of pleading, signing and verification.
- Alternative pleadings.
- Construction of pleadings
- Plaint : particulars
- Admission, return and rejection.
- Written statement: particulars, rules of evidence.
- Set off and counter claim: distinction.
- Discovery, inspection and production of documents.
- Interrogatories
- Privileged documents.
- Affidavits.

Appearance, examination and trial

- Appearance
- Ex-parte procedure

- Summary and attendance of witnesses.
- Trial
- Framing of Issues
- Adjournments
- Interim orders : commission, arrest or attachment before judgment , injunction and appointment of receiver
- Interests and cost.

Unit-III:
Execution

Lectures-12

- The concept
- General principles
- Power for execution of decrees .
- Procedure for execution (ss 52-54)
- Enforcement, arrest and detection (ss. 55-59)
- Attachment (ss. 60-64)
- Sale (ss. 65-97)
- Delivery of property.
- Stay of execution.

Suits in particular cases

- By or against government (ss.79 – 82)
- Public nuisance (ss. 91 – 93)
- Suits by or against firm.
- Suits in forma pauperis.
- Interpleader suits

Unit-IV:
Appeals

Lectures-12

- Appeals from original decree
- Appeals from appellate decree
- Appeals from orders
- General provisions relating to appeal
- Appeal to the Supreme Court

Review, reference and revision.

Miscellaneous

- Transfer of cases
- Restitution

- Caveat
- Inherent powers of courts

Unit-V:
Law of Limitation

Lectures-12

- The concept – the law assists the vigilant and not those who sleep over the rights.
- Object
- Extension and suspension of limitation.
- Sufficient cause for not filing the proceedings.
- Illness
- Mistaken legal advise.
- Mistaken view of law.
- Poverty, minority and purdha
- Imprisonment
- Defective vakalatnama
- Legal liabilities
- Acknowledgement - essential requisites
- Continuing tort and continuing breach of contract.

Note :- In addition to the above question may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic understanding of decree, the difference between decree and order, hierarchy of courts, and the principle of res-judicata.

Unit 2: Will acquire knowledge about pleading, rules of pleading, plaint and written statement.

Unit 3: Will gain detailed information on the execution of decree and special suits.

Unit 4: Will get an understanding of appeal, review, reference and revision.

Unit 5: Will gain the knowledge on the law of limitation.

Pedagogy for Course Delivery:

Providing students, a broad knowledge about the concept Code of Civil Procedure and Limitation Act. All the latest case laws, landmark judgements shall be discussed to clear queries & doubts and to make concept clear. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged in solving and practice the real-time disputes relating to civil matters and limitation period.

Recommended Study Material :

1. Mulla : Civil Procedure Code
2. Mehta : Civil Procedure Code
3. T.P. Tripathi : Civil Procedure Code

4. S.N. Singh : Civil Procedure Code
5. Thakkar : Civil Procedure Code
6. Pandey : Law of Limitation
7. Myneni SR : Code of Civil Procedure & Limitation Act
8. Avtar Singh - Code of Civil Procedure
9. वी.एन. पाण्डेय . सिविलप्रक्रियासंहिता
10. S.N. SINGH - CODE OF CIVIL PROCEDURE
11. Takwani, C.K. - Civil Procedure with Limitation Act, 1963
12. DR. D.N.R. PANDEY - LIMITATION ACT, 1963
13. डॉ. डी.एन. आर. पाण्डेय :मर्यादा अधिनियम
14. ए.एन. पाण्डेय :सिविल प्रक्रिया संहिता

Course No
Law- CC – 514

LL.B. (Three Years Course)

L	T	P	C
4	1	0	5

V Semester

Direct Taxation

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quiz
 - (ii) Scheme of Examination:
 - a) Mid Semester Examination : 20 Marks
 - b) Internal Assessment : 20 Marks
 - c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

The objectives of the course are to prepare the students with knowledge of the basic concepts and fundamental principles of taxation law, its constitutionality, and its importance as a source of revenue for the government.

SYLLABUS:

Unit-I:

Lectures-12

General Perspective of Taxation law

- Historical development of tax law in India
- Concept of tax : direct tax, its status and necessity
- Scope of taxing powers of Parliament, state legislature and local bodies.
- Fundamental principles relating to tax laws.

- Distinction between
 - ✓ Tax and fee
 - ✓ Tax and cess
 - ✓ Direct and Indirect taxes
 - ✓ Tax evasion and tax avoidance
 - ✓ Exemption And Deduction
 - ✓ Allowances and perquisites

Unit-II:

Lectures-12

Direct Tax (Income Tax Act, 1961)

- Important definition in Income Tax Law:
 - ✓ Person
 - ✓ Tax Payer
 - ✓ Assessee
 - ✓ Financial years
 - ✓ Assessment year
 - ✓ Previous year
 - ✓ Income
 - ✓ Tax Planning
 - ✓ Tax Management
 - ✓ Tax Recovery and tax refund
- Basic concepts of Income:
 - ✓ AGRICULTURAL INCOME
 - ✓ Total Income
 - ✓ Gross total Income
 - ✓ Deemed income
 - ✓ Clubbing of income
 - ✓ Chargeable Income
 - ✓ Exempted Income From Tax: FULLY EXEMPTED
 - ✓ INCOME, (SECTION 10 OF THE INCOME TAX ACT, 1961)
 - Deduction from Income (Section 80C to 80U of income tax Act, 1961)

 - INCOME, (SECTION 10 OF THE INCOME TAX ACT, 1961)
 - ✓ Deduction from Income (Section 80C to 80U of income tax Act, 1961)

Unit-III:

Lectures-12

HEADS OF INCOME:

- **SALARIES: meaning and nature**
 - Expression of salary, its allowances, perquisite, deductions (under section 80c), concept of NPS(NEW PENSION SCHEME)
- **INCOME FROM BUSINESS AND PROFESSION: meaning and nature**
 - Annual Value, determination of Annual Rent value, exempted income, deduction, profit and loss,
- **CAPITAL GAINS: meaning and nature**
 - Kind of gain and capital assets, its transfer, Acquisition, exempted capital gain, and deduction.
- **INCOME FROM OTHER SOURCES: its meaning and nature**
 - Sources includes (dividend , winning from lotteries, interest and securities, employees' contribution towards staff welfare scheme, sum received under key man insurance policy, gift, interest and compensation, advance money received in the courses of negotiations for transfer of a capital gain, Rental income of letting out plant etc.,) Deductions (section 57), relief and exemptions

Unit-IV:

Lectures-12

BOARD AND AUTHORITIES

- Central Board of Direct Taxes
- Power and functions
- Income tax authorities : Appointment, Control Of Authorities, Jurisdiction
- Power to make rules.

Unit-V: PUNISHMENT AND REMEDIES

Lectures-12

- Offences and penalties and prosecution
- Appeal
- Revision

Note :- In addition to the above question may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic understanding of taxation law in India and its sources.

Unit 2: Will acquire knowledge about the definitional clause under THE INCOME TAX ACT 1961 and the basic concept of income direct taxation.

Unit 3: Will gain detailed information on various heads of income and allowable deductions under a particular head.

Unit 4: Will get knowledge about the central board of direct taxes and other authorities of income tax, their powers, and duties.

Unit 5: Will gain knowledge on the offences, punishments and penalties under The Income Tax act 1961

Pedagogy for Course Delivery:

The students will be engaged to understand the concept of Direct Tax and would be able to calculate the same by acquainted with all the provisions of calculating direct tax. This will be helpful for the students to know about the taxation and its calculations.

Recommended Source Material :

1. A.K. Saxena : Income Tax
2. A.K. Saxena : Wealth Tax
3. Kailash Rai : Income Tax and Wealth Tax
4. Taxmann : Three Taxes
5. Kailash Rai : Taxation Law.
6. Vinod K. Singhania : Taxman Student's Guide to Income Tax

Course No
Law- CC - 515

LL.B. (Three Years Course)

L	T	P	C
4	1	0	5

V Semester

INTELLECTUAL PROPERTY – II (COPY RIGHT)

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quiz
 - (ii) Scheme of Examination:
 - a) Mid Semester Examination : 20 Marks
 - b) Internal Assessment : 20 Marks
 - c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective: To create public awareness about the benefits of Intellectual property among all serious of Society. To stimulate the creation and growth of intellectual property by undertaking relevant measures. To have strong and effective Laws with regard to IP Rights, consistent generational objections. To mode rise and strengthen IP administration. To strengthen the enforcement and adjudicatory

mechanisms for combating IP violations and to promote awareness and respect for IP rights.

SYLLABUS:

Unit I

Lectures-12

- Introduction to Copyright
- International Conventions/Treaties on Copyright

Unit II

Lectures-12

- The Law of Copy Right in India (The Copy Right Act,1957)
- Characteristics of Copy Right
- Neighbouring Rights

Unit III

Lectures-12

1. Subject matter of copyright works6. Ownership of Copy Right
 - Term of Copyright
 - Assignment of Copy Right

Unit IV

Lectures-12

- Author's special rights
- Infringement of Copyright

Unit V

Lectures-12

1. Fair use provisions
2. Piracy in Internet

Note :- In addition to the above question may be asked on aspects related with this paper.

Course Learning out comes:

After completion of the course student will be able.

Unit 1: Meaning nature and definition of copyright. International treaties related to copy right. Buenos after convention and the be oneconvention.

Unit 2: Copy Right Act, 1957. Characteristics of copy Right. Historical Background of the copy right laws India. Creation of Copy Right office and copy rightboard.

Unit 3: Protected works under copy right Act. Provision of first owner of copy right. term of copy right. Assignment of copy right

Unit 4: Authors Special Rights Acts amounting to infringement of Copy Right .Remedies against Infringement of Copy Right

Unit 5: Fair use provision related to Copy Right Cyber Infringement of Copy Right Acts amounting to cyber piracy of Copy Right

Pedagogy for Course Delivery:

Providing students, basic knowledge about the copyright, its registration, validity, infringement, punishment and tenure. The students will be engaged in case study as per the data published by reliable sources, landmark judgements of Supreme Courts.

Recommended Study Material:

- 1 N.S. Gopalakrishnan & T.G. Agitha, Principles of Intellectual Property (2009), Eastern Book Company, Lucknow
- 2 B.L.Wadehra; Law Relating to Patents, Trade Marks, Copyright, Designs & Geographical Indications; Universal law Publishing Pvt. Ltd., India 2015.
- 3 S.K. Verma and Raman Mittal (Ed.) - Intellectual Property Right: A Global Vision (2006) Indian Law Destitution publication, New Delhi.
- 4 P. Narayanan; Law of Copyright and Industrial Designs; Eastern law House, Delhi , 2010
- 5 Jayshree Watal : Intellectual Property Rights.
- 6 S.K.Singh : Bodhik Sampada Adhikar Vidhi.
- 7 Basanti Lal Babel : Bodhik Sampada Kanoon.
- 8 M.K.Bhandari : Intellectual Property Rights
- 9 J.P.Mishra : Intellectual Property Rights
- 10 Copyright Law : Ishita Chatterjee
- 11 Fundamentals of Intellectual Property - Dr. Kalyan
- 12 Intellectual Property Law in India - Ramappa T
- 13 An Introduction to Intellectual Property Rights - J.P. Mishra
- 14 Law Relating to Intellectual Property Rights - M.K. Bhandari
- 15 बौद्धिक संपदा . जे.पी. मिश्रा
- 16 Intellectual Property Rights Laws - S.K. Singh
- 17 Intellectual Property Rights – A Global Vision - S.K. Verma & Raman Mittal
- 18 Intellectual Property Law, - Singh Avtar
- 19 Intellectual Property - Meenu Paul
- 20 Commentary on Intellectual Property Laws - Rama Shama
- 21 बौद्धिक संपदा अधिकार विधि . एस.के. सिंह

Course No
Law- CC –516

LL.B. (Three Years Course)

V Semester

L	T	P	C
4	1	0	5

Computer Education - I

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quiz
 - (ii) Scheme of Examination:
 - a) Mid Semester Examination : 20 Marks
 - b) Internal Assessment : 20 Marks
 - c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objectives: The major objective of this paper is to build a strong foundation in Computer Education which is useful in Law profession. After completing this course, students will be aware of the structure, functioning and working procedure of a computer system with the help of various available software's.

SYLLABUS:

Unit-I :

Lectures-12

Fundamentals of IT : Types of Computer, Computer application in various areas, Data, Information and knowledge, Computer hardware, Software's, Application software, System software, Computer memory, Basic block diagram of computer, Input/Output devices, Programming basic concepts: data type, variable, procedures, functions, loop, control structure, programming style such as structural, procedural, object orient programming systems; Operating system, Network basic concept.

Unit-II:

Lectures-12

Windows : Windows operating system basic commands, advantages, and drawback of windows operating system; MS Word : features, commands and menus, properties options, mail merge, creating, editing, find, replacement of file, creating files and table, printing documents; MS-PowerPoint: creating and presenting slides, working with graphs and text, Transaction and build effect, showing slides, printing presentation elements, application of MS – word in legal profession such as drafting of agreement, legal documentations etc.

Unit-III:

Lectures-12

MS - Excel : Spreadsheet and electronic worksheet basic concept, formatting data, insert and delete row and column, toolbars, menus, options, functions, creating, editing and printing electronic worksheet, and graphs : application of electronic worksheet in legal profession such as taxation, accounting, registry, court management, law firm management etc.

Unit-IV:

Lectures-12

MS - Access : Field, record, table, database, DBMS basic concept ; types of DBMS software available in market, advantages of DBMS, forms, reports, query building through wizard; application of DBMS in legal profession; various legal database such as JUDIS, JURIX, electronic legal literature etc.

Unit-V:

Lectures-12

Internet, E- Commerce and E – Business: domain, email, portal, URL, Types of Network, Intranet, extranet, internet, basic hardware, component in network; E – commerce: basic concept and model, electronic payment systems: virtual pin, e cash, EDI, secure electronic transaction (SET), Pay pal, designing an e-commerce web site using 7Cs framework, mobile commerce; various business information systems; E – Business basic concept; Strategic use of IT in Legal profession i.e. Advocate office management, practice management software for lawyers and law firms available in market. E- access for legal literature.

Note :- In addition to the above question may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be able to describe fundamentals of IT such as computer types, software types, memory, peripheral devices, programming concepts, operating system and networking concepts.

Unit 2: Will get knowledge about the windows operating system. Student will learn MS-word and MS-PowerPoint with its features to apply in drafting of a document

Unit 3: Will get an in depth knowledge about MS-Excel. Student will learn creation of a spreadsheet, various tools, application of the spreadsheet in legal profession for the management of court.

Unit 4: Will get an understanding about the MS-Access. How the database is useful in legal profession such as JUDIS and JURIX. Student will learn about Data base management system.

Unit 5: Will understand concept of Internet, E-Commerce and E-Business. Student will learn about domain, email, different networks and the use of IT in legal profession.

Pedagogy for Course Delivery:

Providing students, a basic knowledge about the computer and use of internet in legal field. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged in the use of computer and internet for the legal search and be acquainted with the legal online resources.

Recommended Study Material :

1. The Compact Guide to Microsoft Office : Ron Manifold
2. M.S. Office 2000 : Sanjay Saxena
3. Foxpro 2.5 made simple for DOS & Windows : R.K. Taxati
4. Essential Oracle : Tom Luers
5. Object Oriented Programming in C ++ : Robert Lafore
6. Nandan Kamath : Law relating to Computers Internet and E-commerce.
7. Chris Reed : Computer Law.

Department of Law
Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)

LL.B.
(Three Years Course)
(List of Papers Prescribed for VI Semester)

VI SEMESTER					
COURSE NO.	COURSE TITLE	CREDITS			
LAW-CC-611	Indirect Taxation	L	T	P	C
		4	1	0	5
LAW- CC-612	Drafting, Pleading and Conveyancing	L	T	P	C
		4	1	0	5
LAW- CC-613	Moot Court Exercise and Internship	L	T	P	C
		4	1	0	5
LAW- CC-614	Intellectual Property – III (Trade Mark and Design)	L	T	P	C
		4	1	0	5
LAW-CC-615	Professional Ethics and Professional Accounting System	L	T	P	C
		4	1	0	5
LAW-CC-616	Computer Education- II	L	T	P	C
		4	1	0	5

Department of Law
Dr. Harisingh Gour Vishwavidyalaya, Sagar (M.P.)

Course No
Law- CC –611

LL.B. (Three Years Course)

L	T	P	C
4	1	0	5

VI Semester

Indirect Taxation

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quiz
 - (ii) Scheme of Examination:
 - a) Mid Semester Examination : 20 Marks
 - b) Internal Assessment : 20 Marks
 - c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective: To inanities the inequalities in the standard of consultation in the community by taxing items of constrictors consumption and luxury meant for the rich classes, at a highly progressive rate the subsidizing the essential goods meant for the poor section ofthe community.

SYLLABUS:

Unit - I

Lectures- 8

Basic Aspects Of Indirect Taxes

Salient Features Of Indirect Taxes
Basic Concept And Historical Background Of Taxation Laws In India
The Constitution Mandate

Unit – II

Lectures- 14

Goods And Service Tax

Basic Concept Of GST
Paradigm Shift In Fiscal Laws Of India
Rationale For GST
Structure Of GST
Interpretation And Definition Clauses

Aggregate Turnover, Business Central Tax, Cess, Composite Supply, Exempt Supply, Goods, Integrated Tax, Input Tax, Input Tax Credit, Mixed Supply, Non- Taxable Territory, Output Tax, Reverse Charge, Taxable Person
The Taxable Event Under GST

GST Council And GST Network
Constitution Of GST Council
Role And Functions Of GST Council
Working Of GST Network
Rates under GST ACT
Exemption From GST
Input Tax Credit

UNIT – III

Lectures- 14

Overview Of GST Act

The Central Goods And Service Tax Act,2017
The State Goods And Service Tax Act, 2017 (Madhya Pradesh)

Unit – IV

Lectures- 12

Registration, authorities and assesment

4.1. Registration Under GST,

Levy And Collection

Authorites

Assesment

Returns

Payments And Refunds

Assessment, Audit, Search Seizer And Arrest

Demands And Recovery

Offences And Penalties

UNIT V

Lectures- 12

Custom Act

5.1 Introduction

Background Of Custom Law

Meaning Of Custom Duty

5.4.Types Of Custom Duty

Additional Custum Duty

Classification Of Goods

5.7.Powers, Control And Procedure

5.8. Adjudication Enforcement, Confiscation And Penalty

Note : In addition to the above questions may be asked on aspects related with this paper.

Course Learning out comes:

After completion of the unit student will be able.

Unit 1:. What are the provisions in the constitution regarding indirect tax and what are its features.

Unit 2: What are the basic concept and structure of GST and How does the GST council work.

Unit 3: What are the provision regarding GST in central good service tax and state good service tax.

Unit 4: How to register under GST and which Authorities are Appointed and what are the provision of benefits with respect of GST.

Unit 5: What is the meaning of custom law and what is it's type and provision of penalties in custom law.

Pedagogy for Course Delivery:

The students will be engaged to understand the concept of Indirect Tax and would be able to calculate the same by acquainted with all the provisions of calculating indirect tax. This will be helpful for the students to know about the taxation and its calculations.

Recommended Study Material :

1. Kailash Rai : Taxation Law
2. Vinod K. Singhania : Taxman Student's Guide to Income Tax
3. H.C.Mehrotra & B.P.Agrawal : Apratyaksh Kar
4. V.S.Datey : Taxman's Indirect Tax.
5. Taxmann : Three Taxes

Course No
Law- CC – 612

LL.B. (Three Years Course)

L	T	P	C
4	1	0	5

VI Semester

Drafting, Pleading and Conveyancing

The paper shall consist of 15 practical exercises in drafting carrying a total of 45 marks (3 marks for each exercise) and 15 exercises in Conveyancing carrying another 45 marks (3 marks for each exercise). The Grand total of both the above exercises shall be 90 marks and 10 marks are given for viva-voce to be conducted by a teacher nominated by the Head of the department.

Appearance in the all the exercises and viva voce is mandatory otherwise the result of the student shall be incomplete and the student shall have to get-re-register in the programme.

Note :- A student shall be eligible to appear in viva-voce, if he/she fulfils the requirement of attendance.

Course Objective:

The main objective of this Course is to enhance the drafting skill of the students. This course will give practical knowledge to the students. They will learn the civil drafting and criminal drafting and drafting of various deeds of conveyancing.

SYLLABUS:**Unit-I:****Lectures -12****1. Drafting**

- General Principles of drafting and relevant substantive rules.
- Fundamental/ Basic Rules of Pleading
- Facts and not law;
- Material Facts;
- Facts and not evidence;
- Concise form;
- Alternative and inconsistent Pleadings;
- Construction of Pleadings;
- Striking out of Pleadings;
- Signing and Verification of Pleadings;
- Variance between Pleadings and Proof;
- Amendment of Pleadings.

Unit-II:

2.

Pleadings

Lectures -12

- Civil
- Plaint;
- Written Statement;
- Interlocutory Application;
- Original Petition;
- Affidavit;
- Execution Petition;
- Memorandum of Appeal and Revision;

Unit-III:

Pleadings- Criminal

- Complaint;
- Criminal Miscellaneous Petition;
- Bail Application;
- Memorandum of Appeal and Revision.

Unit-IV:

Conveyancing

Lectures -12

- Deeds
- Sale deed
- Mortgage deed
- Lease deed
- Gift deed
- Partition deed
- Agreement deed
- Settlement deed
- Exchange deed
- Relinquishment deed
- Promissory note
- Power of Attorney
- Will
- Trust deed

Unit-V:

Lectures -12

- Drafting of writ petition and PIL petition
- Petition under Article 226 and 32 of the Constitution of India.

Note :- In addition to the above question may be asked on aspects related with this paper

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic rules of drafting and pleading.

Unit 2: Will learn the civil drafting, such as plaint, written statement and interlocutory application, etc.

Unit 3: Will learn criminal drafting, such as complaint, bail application etc.

Unit 4: Will learn the drafting of various deeds of conveyancing, such as sale deed, gift deed, mortgage deed, etc. They will also learn the drafting of legal notices.

Unit 5: Will gain the knowledge about the drafting of writ petitions.

Pedagogy for Course Delivery:

Providing students, basic knowledge about the pleading and drafting principles. The students will be engaged in learning drafting and pleading skills which is the most important part of the legal studies as it contains the practical application of law.

Recommended Study Material :

1. Murli Manohar : Art of Conveyancing & Pleading
2. Mogha's : Pleading
3. अभिवचन तथा प्रलेखशास्त्र . डॉ. के.के. श्रीवास्तव
4. LAW OF PLEADINGS, DRAFTING & CONVEYANCING - R.D. SRIVASTAVA
5. Law of Pleadings, Conveyancing & Drafting – Majumdar

Additional Readings-

1. Shiv Gopal : Conveyancing, Precedents & Forms
2. Mogha's : Pleading and Practice
3. M.P. High Court : Rules and Orders (Civil)
4. M.P. High Court : Rules and Orders (Criminal)
5. Pleadings & Practice (Civil & Criminal) - Narayana Justice PS

Course No
Law- CC – 613

LL.B. (Three Years Course)
VI Semester
Moot Court Exercise and Internship

L	T	P	C
4	1	0	5

The paper shall have three components of 30 marks each (Total 90 marks) and a viva-voce for 10 marks, to be conducted by a teacher nominated by the Head of Department.

(a) Moot Court (30marks). Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

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

Students may be required to attend two trials. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

(c) Interviewing techniques and Pre-trial preparations and Internship diary (30 marks)

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

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

Appearance in the all the components and viva voce is mandatory otherwise the result of the student shall be incompetent and the student shall have to get re-register in the programme.

Note :- A student shall be eligible to appear viva-voce, if he/she fulfils the requirement of attendance.

Course Objective: The Course is designed to prepare and aware students for court proceedings. It helps students to improve their research abilities. In this subject they argue hypothetical case for practice and provides a practical throwing confidence to speak frankly

and freely before the evidence when they attend the court. Course provide opportunities to follow the court procedure and to conduct and observe professional – ethics in advocacy.

SYLLABUS:

MOOT COURT

1. Meaning and Importance
2. Difference between Moot court and Court.
3. Manner of organising or conducting the Moot Court.
 - (a) Imaginary legal case.
 - (b) Decided case.
 - (c) Moot Court on specific Legal subject.
4. Factors for Success.
 - (i) Preparation of case.
 - (ii) Judicial system in India.
 - (iii) Pleading
 - (iv) Art of Examination and cross-examination
 - (v) Preparation of Arguments.

INTERVIEWING TECHNIQUE

Pre-Trial Preparations and Participation in Trial Proceedings – Civil Matters
I - Procedure before Hearing

1. Pre-trial preparation.
2. Essentials of a suit.
3. Stages of suit.
4. Place of suing.
5. Suit in particular cases.
6. Parties to suits (Order- I)
7. Institution of suit.
8. Pleading- Generally
 - (A) Complaint
 - (B) Written statement, set off and counter claim (Order-VIII)
9. Issue and Service of Summons
10. Procedure in suits during Hearing
11. Procedure in suits after Hearing Judgment and Decree.
12. Application and Affidavits

Pre-Trial Preparation and Participation in Trial Proceedings – Criminal Matters

- I. Introduction
- II. Pre-trial Preparation
- III. Important Concepts
 - 1. Complaint
 - Name of the Court, Case No. and year.
 - Name of the parties.
 - Nature of complaint.
 - Facts.
 - Relief.
 - Signature.
 - Annexure.
 - 2. Police – Report

Art of Cross-Examination and Argument

- I. Introduction
- II. Important concepts.
- III Examination of witnesses.
- IV Order or stages of Examination of Witnesses.
 - A. Examination–in-Chief
 - B. Cross-examination
 - C. Re-examination.F
- V. Arguments.

Note :- In addition to the above question may be asked on aspects related with this paper

Course Learning outcomes:

Upon successful completion of the course, the student.

Unit 1:. Will be aware to importance and meaning of the moot court and they will know the difference between moot court and real court.

Unit 2: Will be able to understand preparation of a Case, Pleading and art of examination.

Unit 3: Will be familiar about preparation and participation in trial proceedings of civil matters.

Unit 4: Will be familiar to pre-trial preparation and participation in trial proceedings of criminal matters.

Unit 5: Will gain detailed information about the art of cross examination and arguments, Examination of witness, Order or stages of examination of witnesses.

Pedagogy for Course Delivery:

Providing students, basic knowledge about court etiquettes and practice skills. The students will be engaged in the moot court practice where students learn how the real court of law runs.

Recommended Source Material :

1. Kailash Rai : Moot Court (Hindi & English)
2. S.P.Gupta : Moot Court
3. Basanti Lal Babel : Moot Court.
4. Moot Court, Pre-trial Preparation – Tewari
5. MOOT COURT PRE-TRIAL PREPARATION AND PARTICIPATION IN TRIAL PROCEEDINGS - DR. SANT PRASAD GUPTA
6. MOOT COURT PRE-TRIAL PREPARATION AND PARTICIPATION IN TRIAL PROCEEDINGS - OM PRAKASH MISHRA
7. मूटकोर्ट (विचारण के पूर्वतैयारियां एवंविचारण की कार्यवाहियोंमेंभाग लेना) . डॉ. एस.पी. गुप्ता

Course No
Law- CC - 614

LL.B. (Three Years Course)

VI Semester

L	T	P	C
4	1	0	5

INTELLECTUAL PROPERTY – III**(TRADE MARK & DESIGN)**

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - a) Mid Semester Examination : 20 Marks
 - b) Internal Assessment : 20 Marks
 - c) End Semester Examination : 60 Marks
- (D) Viva-Voce-05 Marks to be conducted by a teacher nominated by the Head of the Department.

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance.

Course Objective:

The main objective of this Course is to give a comprehensive overview of the Trade Marks act, 1999, The Design act, 2000 and The geographical indications of Goods (Registration and Protection) Act along with the recent amendments to these legislations.

SYLLABUS:

**PART-I
TRADE MARKS**

Unit I

Lectures-12

- Trade Marks
- Introduction to Trade Marks
- Need for Protection of Trade Marks
- Kind of Trademarks
- International Legal Instruments on Trade Marks
- Indian Trademarks Law
 - The Trade and Merchandise Marks Act, 1958
 - Trade Marks Act, 1999
 -

Unit II

Lectures-12

- Procedural Requirements of Protection of Trade Marks
- Contents of Rights, Exhaustion of Rights
- Assignment and Transmission (Including Licensing)

Unit III

Lectures-12

- Infringement,
- Appellate Board
- Passing off
- Domain Names with special reference to Trade Mark.
- Indian Trademarks Law
 - The Trade and Merchandise Marks Act, 1958

- Trade Marks Act, 1999

Unit IV

Lectures-12

- Law of Designs in India
- Controller of Designs
- Registration of Designs
- Rights of Design Holder, Infringement And Legal Remedies

Unit V

Lectures-12

THE GEOGRAPHICAL INDICATIONS

- Concept of Appellations of origin, Indication of Source and Geographical Indications
- International Conventions/Agreement
- The Geographical Indications of Goods (Registration and Protection) Act, 2000
- Procedure for Registration, Duration of Protection and Renewal
- Infringement

Note :- In addition to the above question may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be familiar with the basic understanding of the concept of the trade mark, principles applicable for its registration, rights conferred and action against infringement.

Unit 2: Will get detailed knowledge on the procedure of registration of trade mark and licencing in trademark.

Unit 3: Will learn about the intellectual property appellate board, concept of assignment and transmission and various other miscellaneous provisions of the act.

Unit 4: Will learn about the concept of law relating to designs in India and rights conferred on and action against infringement.

Unit 5: will get conceptual knowledge about the law relating to The geographical indication act and the rights conferred under this act

Pedagogy for Course Delivery:

Providing students, basic knowledge about the concept of Intellectual Property Rights (IPRs) particularly Trademark, Designs and Geographical Indications. All the latest case laws, landmark judgements relating to the same shall be discussed to clear queries & doubts and to make concept clear. The Course shall be taught by a Law Faculty, to explain the real meaning and importance. The students will be engaged to understand the uses of these IPRs in commercial area and also understand the difference among them all.

Recommended Study Material :

1. N.S. Gopalakrishnan & T.G. Agitha, Principles of Intellectual Property, Eastern Book Company, Lucknow
2. B.L.Wadehra; Law Relating to Patents, Trade Marks, Copyright, Designs & Geographical Indications; Universal law Publishing Pvt. Ltd., India.
3. S.K. Verma and Raman Mittal (Ed.) - Intellectual Property Right : A Global Vision (2006) Indian Law Destitution publication, New Delhi.
4. P. Narayanan; Law of Copyright and Industrial Designs; Eastern law House, Delhi ,
5. Jayshree Watal : Intellectual Property Rights.
6. S.K.Singh : Bodhik Sampada Adhikar Vidhi.
7. Basanti Lal Babel : Bodhik Sampada Kanoon.
8. M.K.Bhandari : Intellectual Property Rights
9. J.P.Mishra : Intellectual Property Rights
10. Ishita Chatterjee : Copyright Law
11. Fundamentals of Intellectual Property (FUN IP) - Kalyan (Dr.)
12. Intellectual Property Law in India - Ramappa T
13. An Introduction to Intellectual Property Rights - J.P. Mishra
14. Law Relating to Intellectual Property Rights - M.K. Bhandari
15. बौद्धिक संपदा . जे.पी. मिश्रा
16. Intellectual Property Rights Laws - S.K. Singh
17. Intellectual Property Rights – A Global Vision - S.K. Verma & Raman Mittal
18. Intellectual Property Law,(PB) - Singh Avtar
19. Intellectual Property - Meenu Paul
20. Commentary on Intellectual Property Laws - Rama Shama
21. बौद्धिक संपदा अधिकार विधि . एस.के. सिंह

Course No
Law- CC - 615

L	T	P	C
4	1	0	5

LL.B. (Three Years Course)
VI Semester

Professional Ethics and Professional Accounting System

The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
(B) Remaining internal assessment of 20 Marks will be based
- (i) on any one or more of the following methods, consisting of 15 marks:
- Organised Classroom activities. (Group Discussion, etc.)
 - Presentation
 - Assignment
 - Quizzes

(ii) Viva Voce- 05 Marks.

Scheme of Examination:

- | | |
|------------------------------|------------|
| (a) Mid Semester Examination | : 20 Marks |
| (b) Internal Assessment | : 15 Marks |
| (c) Viva-voce | : 05 Marks |
| (d) End Semester Examination | : 60 Marks |

Appearance in viva voce is mandatory otherwise the result of the student shall be incomplete and the student shall have to get re- register in the programme.

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the requirement of attendance, failing which he/she will not be permitted to appear in the End Semester Examination.

Course Objective:

This Professional Ethics as a code of conduct for regulating the behavior of a practicing lawyer towards his client his advisory in law and towards the court.

SYLLABUS:-

Unit-I

Lectures-12

1. ETHICS OF LEGAL PROFESSION

- History, scope and impotents of legal profession
- Meaning and Nature of professional ethics

- Professional Ethics and Standards of professional conduct by Advocate: under Section 49 (1) (c) of the Advocate Act, 1961 and Bar council of India Rules.
 - Duty to the court
 - Duty to the client
 - Duty to opponent
 - Duty to the colleagues
 - Duty to the public

Some related Case law

- 1) Vijaya Singh vs. Murarilal & other, Civil Appeal No.1922/ 1979
- 2) In Re: An Advocate, civil Appeal No.316/1987
- 3) Chandrashekar Soni v. Bar Council of Rajasthan & Others, AIR1983 SC 1012

Unit-II

Lectures-12

ADVOCATE ACT, 1961

1. AUTHORITIES FOR THE PROFESSIONAL OR OTHER MISCONDUCT AND RELATED CASE LAWS

a) **PUNISHMENT FOR PROFESSIONAL OR OTHER MISCONDUCT :** Its Meaning and Ambit

b) The body or authority empowered to punish for it:

I) Bar Council of India and its disciplinary committee

- Organisation
- Initiation and procedure
- Powers

II) State Bar Council and its disciplinary committee

- Organisation
- Initiation and procedure
- Powers

c) Complaint against advocates and procedure to be followed by the Disciplinary Committee

d) Remedies against the order of punishment.

- Review
- Appeal

C)

CASES RELATING TO PROFESSIONAL OR OTHER MISCONDUCT:

By the: -

C.1.) Decisions of Disciplinary Committee of the Bar Council of India

Financial Misappropriation

1. Smt. Siya Bai vs. Sita Ram, *BCI TrCaseNo.8/1987*

2. Smt. Urmila Devi vs. Sita Ram Singh, BCI Tr Case No.21/1987
3. Secretary, Karnataka Khadi Gramudyog Samyukta Sangh, BCI Tr Case No.12/1990
4. Benguri, Hubli vs. J.S.Kulkarni
5. Upendra D.Bhatt vs. Vijay Singh M.Kapadia, D.C.Appeal No.23/1993
6. Allahabad Bank vs. Girish Prasad Verma, BCI Tr Case No. 49/1993
7. Regional Officer, Allahabad Bank vs. J.P.Srivastava BCI Tr Case No.20/1995
8. Prof. Krishnaraj Goswami vs. Vishwanath D. Mukashikar D.C.Appeal No.40/1995

Suppression of Material Fact/ Misuse of Signed Documents of Forgery

9. Smt.Sudesh Rani v. Munish Chandra Goel, BCI Tr Case No.43/1996
10. Surendra Nath Mittal v. Daya Nand Swaroop, BCI Tr Case No. 63/1987
11. Smt. Farida Chaudhary v. Dr. Achyut Kumar Thakuria, , BCI Tr Case No. 1/1993
12. Pratap Narayan v. Y.P. Raheja, BCI Tr Case No 40/1993
13. Vikramaditya v. Smt. Jamila Khatoon, D.C.Appeal No.21/1996
14. S.K.Nagar v. V.P.Jain D.C.Appeal No.14/1997
15. Smt.P. Pankajam v. B.H. Chandrashekhar

Contingent Fees

16. Rajendra V. Pai v. Alex Farnandes, Baptish Farnandes, Francisco Farnandes D.C.Appeal No.11/12/13/2000
17. H.G.Kulkarni & Others v. B.B. Subedar, D.C.Appeal No.40/1996
18. B.B.Subedar v. H.G.Kulkarni & Others, D.C.Appeal No.36/1996
19. R.D.Saxena v. Balram Prasad Sharma, IVIL Appeal No.1938/2000

Physical Assault

20. Hikmat Ali Khan vs. Ishwar Prasad Arya & others, Civil Appeal No.4240/1986
21. Saiyed Anwar Abbas v. Shri Krishna Singh, B.C Tr Case No.62/1991
22. Suo Moto Enquiry v. Nand Lal Balwani
23. J.N.Gupta v. D.C.Singhania & J.K.Gupta
24. J.N.Karia v. M.S.Udeshi
25. Babulal Jain v. Subhash Jain
26. Kamal Prasad Mishra v. Mehilal

Purchase of property of the Client in dispute

27. P.D. Gupta vs. Ram Murti & Anr., Civil Appeal No.15496/1986
28. Ram Sewak Patal vs. Vir Singh, D.C. Appeal No.32/1992
29. Ajmer Singh vs. Jagir Singh, D.C. Appeal No. 11/1994

C.2.) CASES RELATED TO OTHER MISCONDUCT DECIDED BY THE SUPREME COURT OF INDIA

1. Chandra Tiwari vs. Baiju, 2002 (1) SCR 83
2. V.C. Rangadurai vs. D.P.Gopalan & Others
3. Harish Vijay Singh vs. Murarilal & Others, AIR 1979 SC 1719,

4. Sardul Singh vs. Pritam Singh & Others, Civil Appeal No. 1763/1993
5. Satish Kumar Sharma vs. Bar Council of Himachal Pradesh, Civil Appeal No. 5395/1997
6. In the matter of Mr. 'P' an advocate Supreme Court of India, 1963 CriLJ 341
7. Chandrashekar Soni v. Bar Council of Rajasthan & Others, AIR 1983 SC 1012
8. K.V.Umre vs. Smt. Venubai , O, Dase and Another, AIR 1983 SC 1154,

(D). NAME AS AN ADVOCATE IN ROLL

- In State Bar council
- Bar council in India
- Qualification and disqualification as an Advocate in roll
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Unit-III CONTEMPT OF COURT ACT, 1971

Lectures--12

- Contempt of Court – Its meaning, Nature and main features
- Constitutional Provisions relative to court of records
- Contempt :
 - ✓ By Lawyers,
 - ✓ By the Judges, and other person acting judicially.
 - ✓ By State and its liability.
 - ✓ Corporate Bodies and their office
- Kinds of contempt of courts
- Civil Contempt: Meaning and Nature
 - Disobedience of the order, decree, etc. of the court or breach of undertaking given to the court.
 - Willful disobedience or breach
- Criminal Contempt: Meaning and Nature
 - Publication or other act.
 - Scandalizing or lowering the authority of the court or interfering with judicial proceeding or administration of justice.
 - Scandalising the court or lowering the authority of the court.
 - Prejudice to or interference with the due course of any judicial proceeding.
 - Interference or obstruction with the administration of justice in any other manner.
 - Interference with the court's officer's, interference with the parties, interference with witnesses.
 - Abuse of process of Court.
- Difference between civil contempt and criminal contempt

Unit-IV

Lectures-12

Jurisdiction of the court for contempt of court and defences or remedies available for the contemnor

- Contempt jurisdiction of the High Court and Supreme Court,
- Contempt jurisdiction of the Subordinate Court.
- Contempt Proceedings – Nature and Main Features
 - Cognizance and Procedure in case of contempt in face of the court.
 - Contempt in the face of the Supreme Court or High Court.
 - Contempt in the face of the Subordinate Courts.
 - Contempt outside the court (Constructive Contempts)
 - Period of Limitation for initiation of contempt proceedings
 - Parties to contempt proceedings.
- Defences Open to Contemnor
- Defences in Criminal contempt.
 - Innocent publication and distribution of matter.
 - Fair and accurate report of Judicial Proceedings.
 - Fair criticism of judicial act.
 - Bona-fide complaint against the presiding officers of the subordinate court.
 - No substantial interference with due course of justice
 - Defamation of the Judge Personally.
 - The Statement complained of open to different interpretations.
 - The Statement complained of has no nexus with the judicial function of a judge.
 - No imminent danger of interference with administration of justice.
- Defences in Civil contempt
 - Disobedience or Breach was not willful.
 - The order has been passed without jurisdiction.
 - Order disobeyed is vague or ambiguous.
 - Order involves more than one reasonable interpretation.
 - Compliance with the order is impossible
 - No knowledge of order.
- Nature and Extent of Punishment And Remedies Against the Order of Punishment
 - Apology
 - Appeal
 - Review
- Important Cases On Contempt Of Court
 1. E.M.S. Namboodari Pad v. T.N.Nambiar, **1970 AIR 2015**
 2. In re Vinay Chandra Mishra, AIR 1995 SC 2348

3. Supreme Court Bar Association vs. Union of India, AIR 1998 SC 1895
4. In re- Ajay Kumar Pandey, (1998) 7 SCC 248
5. Delhi Judicial Services Association, Tis Hazari Court v. State of Gujarat, **1991 AIR 2176**
6. Income Tax Appellate Tribunal through President v. V.K. Agarwal, AIR 1999 SC 452
7. Sukumar Mukhopadhyay vs. T.D. Karamchandani, **1995 CriLJ 1610**
8. T.R. Dhananjaya vs. J. Vasudevan, (1995) 5 SCC 619
9. State of Rajasthan v. Prakash Chand, AIR 1998 SC 1344,
10. T. Deen Dayal v. High Court of Andhra Pradesh, 1997 Cri LJ 4080 SC
11. J. Vasudevan v. T.R. Dhananjaya, **1996 AIR 137**
12. **Prakash Jaiswal v. D.K. Mittal** (2000) 3 SCC 171
13. Mrityunjay Das v. Sayed Hasibur Rahman, (AIR 2001 SC 1293)
14. Rajender Shal vs. Bar Association and M.P. High Court, AIR 2005 SC 2473
15. Re Aundhati Ray, **AIR 2002 SC 1375,**

UNIT- V:

Lectures--08

- BENCH BAR RELATIONS
- OBLIGATION OF BAR TO THE COMMUNITY
- THE LAWYER'S FUNCTION IN MODERN SOCIETY

Note :- In addition to the above question may be asked on aspects related with this paper

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Course/Learning outcomes:

After Completion of the Unit student will be able to:

Unit 1: After the completion of this unit student get to know the concept of Ethics of Legal Profession, History, Scope, Importance and Nature.

Unit 2: After the completion of this unit student get to know the concept of Advocate Act, 1961. Powers, Functions of the Bar Council of India & State Bar Council and Its Disciplinary Committee.

Unit 3: After the completion of this unit student get to know the concept of Contempt of Court Act, 1971. Constitutional Provisions relative to Courts of Record and Meaning and Nature of the Contempt of Court.

Unit 4: After the completion of this unit student get to know the concept of Jurisdiction of the court for contempt of court and defences or remedies available for contemnor.

Unit 5: After the completion of this unit student get to know the concept of Bench Bar Relations, Obligation Of Bar To The Community & The Lawyer's Function in Modern Society.

Pedagogy for Course Delivery:

Providing students, the basic understanding about the professional ethics as this LL.B. course is a professional course, this module is very much helpful for the students about how to maintain intellectual honesty in the field of law. The students will be engaged to learn the practical approaches for the proper management of professional ethics and personal relations.

Recommended Study Material:

1. Kailash Rai : Legal Ethics
2. Basanti lal Babel : Professional Ethics.
3. S.P.Gupta : Professional Ethics, Accountancy for Lawyers & Bar-Bench Relations
4. J.P.S.Sirohi : Professional Ethics, Accountancy for Lawyers & Bar-Bench Relations
5. Professional Ethics - Myneni SR
6. वृत्तिकआचार, अधिवक्ता की जवाबदेही एवंन्यायपीठअधिवक्तावर्गसंबंध . डॉ. एस.पी. गुप्ता
7. Professional Ethics, Lawyers Accountability Bench-bar Relationship - J.P.S. Sirohi

Course No
Law-CC - 616

LL.B. (Three Years Course)
VI Semester
Computer Education - II

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The END SEMESTER Paper shall be of 60 marks and of 3 hours duration. The pattern of Questions asked shall be as mentioned in the Ordinance No 22(A). Forty Marks have been assigned for internal assessment. The internal assessment shall comprise of:-

- (A) One written examination of MID Term of 20 Marks.
- (B) Remaining internal assessment of 20 Marks will be based
 - (i) on any one or more of the following methods, consisting of 20 marks:
 - a. Organised Classroom activities. (Group Discussion, etc.)
 - b. Presentation
 - c. Assignment
 - d. Quizzes
 - (ii) Scheme of Examination:
 - a) Mid Semester Examination : 20 Marks
 - b) Internal Assessment : 20 Marks
 - c) End Semester Examination : 60 Marks

Note:- A student shall be eligible to appear in End Semester Examination if he/she appeared in Mid Semester Examination and Internal Assessment and fulfils the

Course Objectives:

The major objective of this paper is to build a strong foundation in Computer Education which is useful in Law profession. After completing this course, students will be aware of the structure, functioning and working procedure of a computer system with the help of various available software's.

SYLLABUS:

Unit-I:

Lectures-12

Application of IT in Legal profession : legal database, court management, case information systems, automated legal standard forms, reports and agreement, application of IT for litigants, judges, advocates, registry, case status (www.casestatus.nic.in), Judis (www.judis.nic.in), case list (www.caselists.nic.in), daily orders on internet (www.dailyorders.nic.in)

Unit-II:

Lectures-12

Digital Signature: Signature in paper based society, authentication of computer based documents, digital signature-basic concepts, digital signature generation and verification, need for trusted intermediary, certification authority. Domain Name: registering, dispute, law related to domain name, dispute resolution policies.

Unit-III:

Lectures-12

Emergence of Computer Crime : Classification of computer crime, computer virus, characteristics of computer virus, characteristics of criminals, common targets of computer criminals. Internet crimes: modus operandi used for committing Internet crimes, different types of Internet crime, cyber laundering, cyber terrorism, cyber warfare prevention of internet crimes. Investigation of computer crime: characteristics issue, challenges, process of investigation and detection of crime, handling preserving examination of digital evidence, Mobile crime.

Unit-IV:

Lectures-12

Cyber Law: need to regulate the internet, country specific cyber law, salient features of Indian IT Act 2000 and additional provision, legal reorganization of electronic records and signature, inadequacies in Indian IT Act 2000.

Unit-V:

Lectures-12

Cyber Security

Cyber Security: basic security concepts, safeguards against the computer security breaches, monitoring the security measures, security management tools, good security practices.

National and international co-ordination to handle cyber crime, important computer cases in India, on line resources relating to incident response and computer crime, computer forensic product and their features, Cyber Appellate Tribunal: appeal, procedure and power of the tribunal, limitation of tribunal.

Note :- In addition to the above question may be asked on aspects related with this paper.

Course Learning Outcomes:

Upon successful completion of the course, the student:

Unit 1: Will be able to describe fundamentals of IT such as computer types,

software types, memory, peripheral devices, programming concepts, operating system and networking concepts.

Unit 2: Will get knowledge about the windows operating system. Student will learn MS-word and MS-PowerPoint with its features to apply in drafting of a document.

Unit 3: Will get an in depth knowledge about MS-Excel. Student will learn creation of a spreadsheet, various tools, application of the spreadsheet in legal profession for the management of court.

Unit 4: Will get an understanding about the MS-Access. How the database is useful in legal profession such as JUDIS and JURIX. Student will learn about Data base management system.

Unit 5: Will understand concept of Internet, E-Commerce and E-Business. Student will learn about domain, email, different networks and the use of IT in legal profession.

Pedagogy for Course Delivery:

Providing students, a basic knowledge about the computer and use of internet in legal field and Information Technology Act, 2000. The students will be engaged in the use of computer and internet for the legal search and be acquainted with the legal online resources. The student will learn about the laws which govern the legal use of computer and internet and also provide criminal punishment for the unauthorized or illegal use.

Recommended Study Material:

1. Tiwari, R.K. Sastry P.K. and Ravi : Computer Crime and Computer Forensics (2002) Pub. Select Publishers, New Delhi.
2. Menon, Madhava : Law Relating to : Computer Internet & E-Commerce (2009) Pub. Universal Law Publishing Co. Delhi.
3. Nandan Kamath : Law relating to Computers Internet and E-commerce.
4. Chris Reed : Computer Law.