

VIKRAM UNIVERSITY,

UJJAIN



SYLLABUS

B.A.LL.B. (HONS)

EXAMINATION 2009-10 AND ONWARDS

ISSUED BY :
REGISTRAR
VIKRAM UNIVERSITY
UJJAIN (M.P.)

VIKRAM UNIVERSITY, UJJAIN (M.P.)
ORDINANCE NO. 66

BACHELOR OF ARTS & BACHELOR OF LAW (HON'S)

FOR B.A.LL.B. (HONS.) DEGREE

(Five Years Course)

(Faculty of Law)

1. The Degree of Bachelor of laws (B.A.LL.B.(Hons.)), shall comprise a course of study spread over a period of Five Academic years and the candidates will be full time regular students.
2. THE ELIGIBILITY FOR ADMISSION SHALL BE AS FOLLOWS :
 - (a) At the time joining the course of instruction in law, the person concerned has passed an examination in 10+2 or 11+1 course of schooling recognized by the educational authority of central of State Governments of possesses academic qualifications are considered or prevalent to 10+2 or 11+1 courses by the Bar Council of India.
 - (b) Lateral entry would be permitted in Third Year of the Course to graduates and post-graduates in any discipline as prescribed by Bar Council of India after the entrance test depending on availability of seats and the member of such candidates should ordinarily not exceed 1/3 of the regular candidates.
 - (c) The candidate must have completed the age of 17 years at the time to admission.
3. The admission to the course shall be through an entrance examination. Details shall be decided by the Executive Council from time to time.
4. The Total number of seats shall be 60 for each year of the course. Out of these, unto 5 seats may be filled up for foreign students or N.R.I.s. students sponsored by N.R.I.s.
5. The schedule of fee for the above course shall be as under :

Fee : For Indian Students	General
(Including Tuition fee)	Rs.20,000/- per year

For Foreign students and N.R.I.s. or students U.S.\$ 1,000/-

Sponsored by N.I.R.s.

As the course is self-financed, the above fee is tentative and is subject to revision by the executive Council for subsequent years from time to time.

Note: In addition to this, examination fee, enrolment fee and University miscellaneous fee payable by an U.T.D. student shall be payable as per rules in force from to time.

*Approved by Co-ordination Committee meeting dated 19.03.1998.

6. Details of subjects to be taught during the five years course, curriculum pattern and examination scheme for each year course shall be subject to approval of the concerned Board of Studies/Faculty as per the guidelines of the Bar Council of India in this regard.

7. ELIGIBILITY FOR THE DEGREE :

A Candidate shall be eligible for the Degree of Bachelor of Laws, B.A.LL.B. (Hons.) when he has undergone the prescribed course of study for a period of not less than five years in the institution and has passed the requisite examination in all the subjects.

8. REQUIREMENT FOR EXAMINATIONS AND ATTENDANCE :

(1) Examinations will be conducted by the Vikram University, Ujjain in the months notified for other schools of study as follows :

(a)	1 st Year	-	Two Semesters,
(b)	2 nd Year	-	Two Semesters,
(c)	3 rd Year	-	Two Semesters,
(d)	4 th Year	-	Two Semesters,
(e)	5 th Year	-	Two Semesters,

(1) Examinations shall be in theory and practical training as stipulated.

(2) A candidate will be permitted to appear for the examination only if :

(a) The candidate has put in a minimum attendance of 66% of the lectures on each of the subjects as also at the moot courts and practical training course.

Provided that in exceptional cases for reasons to be recorded and communicated to the Bar Council of India, the Dean of the Faculty of Law or the Head of the Institute may Condone shortfall as required by this rule, if the students has attended 66% of the lectures in the aggregate for the semester or the annual examination as the case may be.

(b) He obtains a certificate from the Head of the Institute of having satisfactorily the completed the course of study prescribed in the subject and his conduct has been satisfactory.

(9) The provisions of this ordinance in respect requirement for examination, attendance, results and grades are subject to alteration from time to time and shall conform to guidelines and instructions of Bar Council of India.

(10) Ordinance No. 31 relating to Academic Programmes of School of Studies University Teaching Departments shall not apply to this course.

(11) "This ordinance shall be applicable in University Teaching Department as well as in affiliated colleges."

SEMESTER-VII

Paper-XXXI	Public International Law	100	40	
Paper-XXXII	Jurisprudence & Legal Theory	100	40	Minimum Aggregate Passing Marks 50%
Paper-XXXIII	Taxation Law (Income Tax.) Wealth Tax, Central sales Tax & MP Commercial Tax	100	40	
Paper-XXXIV	Banking Law & Insurance Law	100	40	
Paper-XXXV	Contract II (Special contracts & sale of goods act)	100	40	
		Total 500	200	

SEMESTER-VIII

Paper-XXXVI	Labour Law	100	40	
Paper-XXXVII	Intellectual Property Law	100	40	
Paper-XXXVIII	Conflict of Law (Private international Law)	100	40	Minimum Aggregate Passing Marks 50%
Paper-XXXVIII (a)	Criminology, Penology & forensic science	100	40	
Paper-XXXIX	Arbitration conciliation & Alternate dispute resolution system and limitation act (panchayat)	100	40	
Paper-XXXX	Clinical Legal Training (pre-trial preparations)	50	40	
	moot court participation in trial proceedings	50		
		Total 500	200	

SEMESTER-IX

XXXXI	Interpretation of Statutes	100	40	
XXXXII	Drafting of Pleadings Conveyancings	100	40	Minimum AggregatePassi ng Marks 50%
XXXXIII	Land Law-Land reform & Rural Development	100	40	
XXXXIV	Research Methodology	100	40	
XXXXV	Dissertation/Viva-voce	100	40	
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		Total 500	200	

SEMESTER-IX

XXXXVI	Administrative Law	100	40	
XXXXVII	Equity, trust & Specific Relief Act	100	40	Minimum AggregatePassi ng Marks 50%
XXXXVIII	Professional Ethics, Bar bench relations & Accountability for Lawyers	100	40	
XXXXIX	Environmental Law	100	40	
XXXXX	Seminar Course	100	40	
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		Total 500	200	

Vikram University Ujjain (M.P.)

Syllabus of the Five Year B.A.LL.B. (Hon's)

Examination 2009-10 and onwards

Schemes of Examination

Part-I

SEMESTER-I

S.No. of Paper	Subject	Max. Marks in each paper	Min. Marks for passing	
Paper-I	Sociology	100	40	
Paper-II	History	100	40	Minimum Aggregates Passing Marks 50%
Paper-III	English-I	100	40	
Paper-IV	International Relation and Organisation	100	40	
Paper-V	Law of Torts	100	40	
		Total 500	200	

SEMESTER-II

Paper-VI	Political Science-I	100	40	
Paper-VII	Legal Economics	100	40	Minimum Aggregates Passing Marks 50%
Paper-VIII	English-II	100	40	
Paper-IX	Human Rights and Consumer Protection Law	40	40	
Paper-X	Project work	50	40	
	Viva-voce	50		
		Total 500	200	

SEMESTER-III

Paper-XI	Indian Legal & Constitutional History	100	40	
Paper-XII	Law of Contract-I	100	40	Minimum Aggregates Passing Marks 50%
Paper-XIII	Law of Crimes-I (IPC)	100	40	
Paper-XIV	Constitutional Law-1	100	40	
	Project work	50	40	
	Viva-voce	50	100	
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		Total 500	200	
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SEMESTER-IV

Paper-XVI	Political Science-II	100	40	
Paper-XVII	Law of Crimes II (IPC)	100	40	Minimum Aggregates Passing Marks 50%
Paper-XVIII	Property Law & Easement	100	40	
Paper-XIX	Law & Social Change	100	40	
Paper-XX	Legal Language & Legal Writing	100	40	
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		Total 500	200	
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SEMESTER-V

Paper-XXI	Corporate Law-I (Partnership History)	100	40	Minimum Aggregates Passing Marks 50%
Paper-XXII	Family Law-I (Hindu Law)	100	40	
Paper-XXIII	Code of Criminal Procedure	100	40	
Paper-XXIV	Constitutional Law-II	100	40	
Paper-XXV	Computer Application in Legal Work	100	40	
		Total 500	200	

SEMESTER-VI

Paper-XXVI	Corporate Law-II (Company Law)	100	40	Minimum AggregatePassi ng Marks 50%
Paper-XXVII	Family Law-II (Muslim Law)	100	40	
Paper-XXVIII	Code of Civil Procedure 1908	100	40	
Paper-XXIX	Law of Evidence	100	40	
Paper-XXX	Clinical Legal Education (Clinical Legal Lawyering Legal aid & para legal services)	100	40	
		Total 500	200	

Vikram University Ujjain (M.P.)

Syllabus of the Five Year B.A.LL.B. (Hon's)

Examination 2009-10 and onwards

Schemes of Examination

Part-I

SEMESTER-I

S.No. of Paper	Subject	Max. Marks in each paper	Min. Marks for passing
Paper-I	Sociology	100	40
Paper-II	History	100	40
Paper-III	English-I	100	40
Paper-IV	International Relation and Organisation	100	40
Paper-V	Law of Torts	100	40
		Total 500	200

SEMESTER-II

Paper-VI	Political Science-I	100	40
Paper-VII	Legal Economics	100	40
Paper-VIII	English-II	100	40
Paper-IX	Human Rights and Consumer Protection Law	40	40
Paper-X	Project work	50	40
	Viva-voce	50 100	
		Total 500	200

SEMESTER-III

Paper-XI	Indian Legal & Constitutional History	100	40
Paper-XII	Law of Contract-I	100	40
Paper-XIII	Law of Crimes-I (IPC)	100	40
Paper-XIV	Constitutional Law-1	100	40
	Project work	50	40
	Viva-voce	50 100	
		Total 500	200

SEMESTER-IV

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Paper-XVIII	Property Law & Easement	100	40
Paper-XIX	Law & Social Change	100	40
Paper-XX	Legal Language & Legal Writing	100	40
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Paper-XXXIV	Banking Law & Insurance Law	100	40	
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Paper-XXXX	Clinical Legal Training (pre- trial preparations	50	40	
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SEMESTER-IX

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XXXXIII	Land Law-Land reform & Rural Development	100	40	
XXXXIV	Research Methodology	100	40	
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SEMESTER-IX

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XXXXVII	Equity, trust & Specific Relief Act	100	40	
XXXXVIII	Professional Ethics, Bar bench relations & Accountability for Lawyers	100	40	
XXXXIX	Environmental Law	100	40	
XXXXX	Seminar Course	100	40	
		Total 500	200	

SEMESTER-I
PAPER-I
SOCIOLOGY

- Unit-I**
1. Meaning, Definition, Origin and Development of Sociology
Nature and Importance of Sociology
 2. Major concepts-I : Society, Community, Group.
- Unit-II**
1. Major Concepts-II : Association, Institution, Values & Norms
 2. Major Concepts -III : Social Structure, Social System, Social Organization
- Unit-III**
1. The Human personality, Society and heredity : inter-relation
 2. Socialization : Concepts stages, agencies, Development of self and personality.
- Unit-IV**
1. Atomic, Deviance and Social structure.
 2. Social Control-concepts, forms, ceans and agencies-formal & informal social control and socialization
- Unit-V**
1. Social Interaction and social process-concepts. Associative and dissociative social process concept and socialization
 2. Social Change-concept and characteristics, cultural change-concept and characteristics, factors of social change : cultural, technological and economics.

RECOMMENDED BOOKS :

1. Peter Worsley : Introducing Sociology
(Har Mandowrth, penguin Books-1971)
2. N.K. Bose : The Structure of Hindu Society
(Orient long man)
3. Romesh Thapper : (ed) Tribe, caste and religion in India
(Macmillan, New Delhi – 1977)
4. David G. Mandel Maum : Society in India
(Bombay, popular prakashan)

SEMESTER-I
PAPER-II
HISTORY

- Unit-I The Meaning, Nature and scope of history, sources of Indian history a brief survey. Administrative institutions during the ancient period – a brief outline. Main features of judicial administration and law during the ancient period.
- Unit-II Administrative institutions during the medieval period – a brief outline, main features of judicial administration and law during the medieval period.
- Unit-III Chief characteristics of cultural profile during the ancient and medieval period with special reference to religion and society, status of woman during the ancient and medieval period. A brief account of growth.
- Unit-IV Contact with the west and its impact on India. Growth of British administrative system till the great revolt of 1857. Administrative structure under the crown.
- Unit-V Judicial administration under the British Government development of legal legislation under the British Renaissance : A brief description. A brief review of the national movement.

RECOMMENDED BOOKS :

1. Puri, chopra etc. : Social cultural and Economic History of India : Vol. I, II & III.
2. Tripathi R.P. : Some aspects of Muslim administration in India.
3. Dr. Tara Chand : History of freedom in India (in four volumes.)

SEMESTER-I
PAPER-III
ENGLISH -I

- Unit-I Grammar & Usage
 Tense Sequence :
 a. Present continuous
 b. Present perfect
 c. Active and passive voice
- Unit-II a. Past continuous
 b. Simple past
 c. Negative
 Use of 'since' & 'for'
- Unit-III Interrogative sentences
 Reported speech
 Conditional sentences.
- Unit-IV Translation from Hindi to English & Vice versa, Common errors in
 English
- Unit-V Precis & Legal Essay Writing.

RECOMMENDED BOOKS :

1. New light in General English.
2. Selected Material drawn from renewed judgments.
3. M.K. Gandhi : The Law & the lawyers (Navjeevan publications, Ahmedabad).
4. Ishtiaque Abidi Law & Language, (university publishers, Aligarh)
5. Any standard text book on structural English & Grammer
6. M.C. Chagla : Roses in December, (Bharatiya Vidya Bhavan Bombay)

SEMESTER – I

PAPER – IV

INTERNATIONAL RELATIONS & ORGANIZATIONS

- Unit-I Nature and Scope of International relations and foreign policy; Approaches to the study of international relations (a) historical approach, (b) Philosophical approach (c) System approach - Balance of power system approach, equilibrium system approach, Bipolar approach (d) Policy science approach - Behavioural approach (e) Hon. J. Morgenthau's Theory of Realism
- Unit-II Emergence of nation state system feudalism, colonialism, imperialism and nationalism in Asia; Characteristics of modern state system, cold war, new world order.
- Unit-III International organization. Development of international organization. League of Nations. Origin, membership, aims, organization of the league of nations, functions of the league of nations, causes of its failure and evaluation.
- Unit-IV The united nations organization – genesis and development basic principles membership principal organs of the united nations organizations general assembly, security council, economic and social council, trusteeship council International court justice and secretariat, subsidiary organs of UN-social development commission, human rights commission International commodity trade commission specialized and Functional agencies – ILO, IMF, UNESCO, WHO, UNICEF, UN and the settlement of international disputes. Evaluation of the UN.
- Unit-V Regionalism in International Relation, Emergence of Regional organizations and the development of regional groups. ASIAN, SAARC, NAFTA Regionalism and the UN.

MATERIAL :

1. M.G. Gupta : International Politics since 1919.
2. K.K. Mishra : International Politics
3. D.N. Verma : International Relations
4. K.P. Mishra : The Concept of non alignment its implications and recent trends
5. B.S. Murthy : International Relations and Organizations

SEMESTER – I

PAPER – V

LAW OF TORTS

Unit-I Legal concept of tort, elements of liability (intention, motive, malice, carelessness. Kinds of liabilities, absolute, vicarious, fault, statutory general defences and remedies discharge of actions .

Unit-II Negligence as tort wrongs to physical interest, assault, battery may be loss of expectation of life, other kind of bodily harm including harm due to shock.

Unit-III Malicious prosecution. Wrongful confinement, wrongs to proprietary interest, conversion, detinue, nuisance.

Unit-IV Trespass, occupiers liability of persons in control of movables and animal wrongs to personal interest contractual, domestic quasi parental.

Defamation including defences of truth privilege and fair comment. Wrongs to other interest (Conspiracy, injuries, falsehood, abuse of legal process)

Unit-V **LEADING CASES :**

1. Donoghue Vs Stevenson, 1932 AC 562
2. Ryland's Vs Fletcher, IRI Ex 456
3. State of Rajasthan Vs Mst. Vidyawati, AIR 1962 SC 953
4. Overseas Tankship (U.K.) Ltd. Vs Morts Deot & Engineering Co. Ltd. (The Wagon mund) (1961) 385.
5. Municipal Corporation, Delhi Vs Subhagwati, AIR 1966 SC 1874.

RECOMMENDED BOOKS :

1. Ratan Law : Law of Torts
2. G.K. Kapoor : Law of Torts
3. Bangia : Law of Torts
4. M.N. Shukla : Law of Torts

SEMESTER – II
PAPER – VI

POLITICAL SCIENCE – I

- Unit-I The Nature, Origin and development of the State ; Distinction between the state, society, Government, Nation and nationality, Essential elements of the state, origin of the state, the organic theory of the state and evolutionary, theory of the state. The social contract theory of Hobbes, lockes and Rousseau.
- Unit-II Sovereignty and law definition of sovereignty characteristics of sovereignty; meaning of sovereignty, John Austin’s theory of sovereignty. Types of law and morality ; law and state, pluralistic criticism of he theory of sovereignty.
- Unit-III Classification of state and constitutions. Classification of modern states ; The definition of constitutions kinds of constitution; unitary and federal states; organization of Government. The executive. Parliamentary and Presidential, executive single and plural executive; relations between legislative and executive; the judiciary- theory of separation of power.
- Unit-IV Utilitarianism, statement and criticism of utilitarianism, estimate of utilitarianism, utilitarian thinker Jeremy Bentham idealism. Statement of the idealistic theory of state Hegel; T.H. Green
- Unit-V The evolution of communistic thought; the teaching of marx and the ideology of communism; the political thought of Mahatma Gandhi; the philosophy of non-violence; Gandhi’s views on economics and religion.

BOOKS PRESCRIBED :

1. Iqbal Narayan : Principles of political science
2. R.C. Agrawal : Political theories
3. Ashirwadam : Political theories

SEMESTER – II
PAPER – VII
LEGAL ECONOMICS

- Unit-I
1. Micro and Macro economics – definition scope, nature.
 2. Basic concepts – difference in macro and micro economics (basic concept)
 3. Economic system – capitalism, socialism, communism.
 4. Indian economic system – mixed economy and constitutional provisions.
- Unit-II
- > Theory of consumer behaviour
 1. Marshallian utility analysis
 2. Indifference curve analysis law of demand & supply theory of producer behaviour.
 - > Theory of Producer behaviour
 1. Law of variable proportion
 2. Returns to scale
 - > Theory of commodity pricing
 1. Perfect competition
 2. Monopoly
 3. Imperfect competition
- Unit-III
- > Theory of distribution – rent, wage, interest, profit (General introduction)
 - > Cannons of taxation – basic
 - > Balance of payment – basic concept
 - > National income – basic concept
- Unit-IV
- > Economic growth and development (General concept)
 - > World bank, IMF and other international financial institutions
 - > International trade
 - > India's economic planning five years plan and achievements.
- Unit-V
- > New economic polity (introduction)
 - > Agrarian reforms
 - > Rent changes in industrial policy, bank policy and trade policy
 - > Economics and law –
 1. IDA, IPA, constitution
 2. Money Bill (Budget)
 3. Other effences and legislation

RECOMMENDED BOOKS :

1. Legal Economics : K.C. Gopalakrishnan
2. Principles of economics : Dr. M.L. Sethi

SEMESTER – II
PAPER – VIII
ENGLISH – II

- Unit-I 1. Legal Terms.
2. Use of Legal terms and idiomatic expression
- Unit-II 1. Foreign words and phrases.
2. Certain expressions and phrases
- Unit-III 1. Passage and answer to its questions
2. Writing of a precise of the passage
3. Comprehension
- Unit-IV 1. Translation from English into Hindi
2. Translation from Hindi to English
3. Fill in the blanks by using appropriate words, phrases, etc.
- Unit-V I Cases on the following topics. The student will be required to write any case.
- i) L. Chandra Kumar V. Union of India, AIR 1977-SC 1125. (judicial review).
 - ii) Ramprasad V. State of Maharashtra, AIR 1999 SC 1969 (Dying Declaration)
 - iii) Smt. Ramkubai Vs. Hajarimal Dhekalhand Chandak, AIR 1999 SC 3089 (Eviction)
 - iv) Municipal corporation of Delhi V. Smt. Sushila Devi, AIR 1999 SC 1999 SC 1129 (Tortuous Liability)
 - v) Bhagat Ram V. Tej Singh, AIR 1999 SC 1944 (Hindu Succession)
 - vi) St. George Shipping Co. Ltd. Vs. “Irene P” a foreign flag vessel, AIR 1999 Bom. 280 (Contract)
 - vii) Bhandari V. Universal Heavy electrical, Heavy Mechanical Lifiting enterprises, AIR 1999 SC 246 (Arbitration and constitution)
 - viii) In Re presidential reference, AIR 1999 SC 1-22 (Appointment of Supreme Court Judges)
 - ix) R. Janardhana Rao V. Lingappa, AIR 1999 SC 780 (Professional Misconduct)
2. Legal Essay on any topic of law. The student will be required to answer one essay on the topics given to him/her.

RECOMMENDED BOOKS :

1. Agrawal : Legal Dictionary
2. R. Smity : Amol’s Dictionary
3. Legal essay index, (pioneer publication, Agra)
4. Black Legal Dictionary
5. Legal Glossary – Government of India, Publications
6. Law journals (all India Reporter (AIR) Supreme Court cases (SCC) and Madhya Pradesh Law Journal; (MP)]

SEMESTER – II
PAPER – IX

HUMAN RIGHTS AND CONSUMER PROTECTION LAW

- Unit-I Meaning. Nature, and definition of Human Rights, classification of rights, Theories of rights-natural, positive, Marxist and sociological theory of rights.
- Unit-II Human Rights origin, development and emerging trends in the international sphere. International Bill of rights, Universal Declaration of Human Rights International covenant on economic, social & cultural rights 1966.
- Unit-III Human Rights framework in India – constitutional fundamental rights 12-32 Art. And directive principles of state policy, protection of human rights act 1993, National human rights commission.
- Unit-IV Consumer protection act 1986 object, scope, definition consumer protection council, consumer disputes redressal agencies miscellaneous.
- Unit-V (i) Gaurav Jain V. Union of India. AIR 1997 SC 3021.
(ii) Mithu V State of Punjab, AIR 1983 SC 473.
(iii) M.H. Hoskot V. State of Maharashtra, AIR 1978 SC 1548
(iv) Indian Medical association V. V.P. Shantha, AIR 1996 SC 530.
(v) Lucknow Development authority Vs. M.K. Gupta AIR 1994 SC 787

SEMESTER – II
PAPER – X
VIVA – VOCE

There shall be viva-voce examination of 100 marks. The marks shall be divided into following :

1. Project work - 50 Marks
2. Viva voce - 50 Marks

The viva-voce examination shall be conducted by two examiners i.e. one internal and another external.

Every student will be required to complete a project work.

The details of the project work will be given by the teacher concerned. The student will be required to submit a project report on the topic prescribed in the syllabus.

**B.A.LL.B. (HON'S) (FIVE YEARS) SEMESTER – III
PAPER – XI**

INDIAN LEGAL AND CONSTITUTIONAL HISTORY

Unit-I History of Courts :

Law during Muslim period charter of 1600 administration of justice in there presidency. Mayors courts admiralty courts development through charters of 1753 1813, 1833 and 1853 formation of high court (1861) regulating act of 1773 supreme court of Calcutta. Act of settlement 1781 grant of diwani and adalat system plan of warren hastings, judicial reforms by various governor generals history of appeals from India to privy council (all charters from 1600).

Unit-II History of Legislation & Legal Profession :

Legislation and compilation of laws history of civil & criminal laws before Indian penal code, role played by principle of justice equity and good conscience, codification of laws history of legal profession comparison of vakils mukhts & advocates in India history of laws reporting & history of legal education in India.

Unit-III Early constitutional developments, Indian council act 1861 Govt. of India Act 1909, 1919, 1935 cripps mission, cabinet mission small plan of 1945 formation of constituent assembly and provisional governments mount batton plan & Indian independence act 1947.

Unit-IV Drafting of constitution development in Indian states adoption of constitution salient features of Indian constitution need for review.

Unit-V Leading Cases :

1. Nand Kumar Trial, 1775
2. Patna Case, (1777-1779)
3. Cassijurah case, 1779

RECOMMENDED BOOKS :

1. M.P. Jain : Outlines of Indian legal history
2. V.D. Mahajan : Indian Constitutional history
3. V.D. Kulshreshta : Land marks in Indian constitutional history
4. ,e-ih tŭ : Hkkjrh; fof/k dk bfrgkl
5. ckoy : Hkkjrh; dh l oŝkkfud fof/k
6. f=i kBh : Hkkjr dk oŝkkfud ,oa l oŝkkfud bfrgkl

SEMESTER – III
PAPER – XII
LAW OF CONTRACT – I

This paper shall consist of the following statutes :

1. Indian contract act, 1872
2. Specific relief act, 1963

Unit-I

INDIAN CONTRACT ACT :

Introduction, scope of subject agreement, offers and quotations, proposal, acceptance, communication and revocation of proposal and acceptance, contracts, beneficial contracts, consideration, adequacy of consideration, privity of contract and consideration exceptions.

Unit-II

Capacity to contract incapacity minority, unsoundness of mind, free consent, coercion, undue influence, misrepresentation, fraud, mistake, legality or object, unlawful agreements, wagering agreements, illegal agreements.

Unit-III

Discharge of contract, modes of discharge, discharge by performance, discharge by consent and impossibility discharge by breach damages, liquidated and unliquidated damages general, special, exemplary and nominal damages, remoteness of damages, measures of damages, penalty, mental pain and suffering, quantum merit.

Unit-IV

SPECIFIC RELIEF ACT 1963 :

Specific and prevention of relief, recovering/possession of property, specific performance of contract, rectification of instrument, rescission of contract, cancellation of instrument, declaratory decrees, injunctions generally, perpetual injunctions.

Unit-V

LEADING CASES :

1. Carcill v. Carbolic Somke Ball Co. (1893) 1 QB 256.
2. Mohori Bibee V. Dharamads Ghose, (1903) 30 I.A. 114 : Call 539.
3. Satyabrat Ghose V. Mungiram, AIR 1954 SC 44
4. Bhagwan Das Kedia V. Girdhariall, AIR 1966 SC 543
5. M. Kallappa Setti V.N.V. Kakshmi Narayan Rao, AIR 1972 SC 2299

RECOMMENDED BOOKS :

1. Mulla : Indian contract act (students ed.)
2. P.R. Desai : Principles of contract
3. R.G. Chaturvedi : I fionk fof/k
4. Avatar Singh : I fionk fof/k
5. Kapoor : I fionk fof/k
6. Aqil Ahmed : Equity, Trust and specific act 1963
7. R.K. Agrawal : I fionk vf/kfu; e
8. G.P. Singh : Principles of equity with special reference to trust and specific relief act

LAW OF CRIMES – I

- Unit-I Operation of the Code (ss 1-5), General explanations (ss 6-52A) Right of private defence (ss 96-106)
- Unit-II Abetment (ss 107-120) criminal conspiracy (ss 120 A & 120 B) offences against the state (ss 121-130)
- Unit-III Offences relating to army, navy and airforce (ss 131-140) offences against public tranquility (ss 141-160)
- Unit-IV Offences relating to public servants (ss 161-171), offences relating to elections (171A-171 I) contempt of lawful authority of public servants (ss 172-190). False evidences and offences against public justice (ss 191-229) offences relating coins Govt. stamps (ss 230-263 A).
- Unit-IV **Leading Cases :**
1. Amjod Khan Vs State of M.P. AIR 1952 SC 165
 2. Kehar Singh Vs Union of India AIR 1989 SC 653
 3. Ram Ratan & Brothers Vs. State of U.P. AIR 1977 SC 619
 4. K.M. Nanavati Vs.State of Maharashtra AIR 1962 SC 605
 5. Mahboob Shah Vs. King Emperor AIR 1945 P.C. 118

RECOMMENDED BOOKS :

1. Ratan lal Dhiraj Lal : Indian penal code 1860
2. R.N. Saxena : Indian penal code 1860
3. N.V. Paranjape : Hkkj rh; n.M l fgrk
4. f=fnos" k HkVvkpk; l : Hkkj rh; n.M l fgrk
5. Dr. H.S. Gour - : Indian penal code

SEMESTER – III
PAPER – XIV
CONSTITUTIONAL LAW OF INDIA – I

- Unit-I Definition of constitution, constitutional law, constitutionalism, salient features of Indian constitution, welfare state. Preamble union and its territory formation of new states citizenship.
- Unit-II State, fundamental rights, and their position under the constitution, right to equality right to freedom, right against exploitation, right to freedom of religion cultural and educational rights, rights to constitutional remedies.
- Unit-III Directive principles of state policy, their relevance, comparison with fundamental rights, fundamental duties, correlation between fundamental rights, fundamental duties and directive principles of state policy.
- Unit-IV Parliament, union, executive, president and vice president, council of ministers; attorney general, legislative procedure. Money bill & other financial matters; Union Judiciary.
- Unit-V
1. Keshanand Bharati V. State of Kerala, AIR 1973 SC 1461.
 2. Maneka Gandhi V. Union of India, AIR 1978 SC 597.
 3. Minerva Mills V. Union of India AIR 1980 SC 1789
 4. ADM, Jabalpur V. Shiva Kant Shukla, (1976) 2 SCC 521.

RECOMMENDED BOOKS :

1. V.N. Shukla : Constitution of India
2. J.N. Pandey : Constitution of India
3. M.P. Jain : Constitution of India
4. cksy : Hkkjr dk I fo/kku
5. MKW i h-ds f=i kBh : Hkkjr dk I fo/kku

SEMESTER – III
PAPER – XV

PROJECT REPORT AND VIVA-VOCE

There shall be viva-voce examination of 100 marks. The marks shall be divided into following :

1. Project work - 50 Marks
2. Viva voce - 50 Marks

The viva-voce examination shall be conducted by two examiners i.e. one internal and another external. The preparation of project report and the appearance in the Viva-voce examination is compulsory. The candidates who does not appear in Viva-voce examination or who does not prepare project report, will be declared fail in this paper. The project work shall consist of the following topics :

1. Two legal essay - 20 Marks
2. Two decided case law - 20 Marks
3. Two problem on the topic of law - 10 Marks

The Concerning department/college will provide the details of the project work. Viva-voce examination will be held on the basis of papers in course.

B.A.LL.B. (HON'S) (FIVE YEARS) IV SEMESTER

PAPER – XVI

POLITICAL SCIENCE – II

- Unit-I Doctrine of natural law, Greek view, Cicero's doctrine natural law and Christianity; drawbacks and doctrine of natural law; liberty, definition, types of liberty, law and liberty.
- Unit-II Concept of power, authority, legitimation, examination of classical thinkers like Hobbes, Locke, Rousseau, Modern Max Weber, Durkheim theories to the notion of political obligations; concept of western liberalism, justice, meaning, nature, kinds, philosophical, natural, legal Marxist conception of justice.
- Unit-III Modern government : Britain, U.S.A., Switzerland and comparative study of above constitutions with reference of kind of system, houses, distribution of power and amendment.
- Unit-IV Structure of Indian Government, political system, major national and regional political parties, pressure groups, defection, elections, election procedure, reforms, advantages and problem of coalition government.
- Unit-V India's foreign policy, India's approach towards major powers, (U.S.A., Britain, China, Russia) neighboring countries (Sri Lanka, Pakistan, Bangladesh) and problems of nuclear disarmament.

RECOMMENDED BOOKS :

1. Dr. Ashirwadan : Political Theory
2. Jain : Political Theory
3. Kapoor : Foreign Policy
4. M.J. Gupta : Foreign Policy
5. Kapoor : Modern Govt
6. Parmatma Saran : vk/kfud I fo/kku
7. O.P. Nagpal : vk/kfud I fo/kku

LAW OF CRIMES – II

- Unit-I Public health, Safety and convenience, offence relating to weights and measures, offences relating decency and morals (ss 268-294 A) offences relating to religions (ss 295-298)
- Unit-II Offences relating to human body (ss 299-377)
- Unit-III Offences relating property (ss 378-462)
- Unit-IV Offences relating to breach of contract of services (ss 490-492) offences relating to manage (ss 493-498) defamation (ss 499-502) criminal intimidation, insult (ss 503-510) attempt to commit offences (ss 511).
- Unit-V **LEADING CASES :**
1. Reg V. Govinda (1876) I Bom 342.
 2. K.M. Nanavati Vs. State, AIR 1962 SC 605
 - 3.
 - 4.
 - 5.
 - 6.

RECOMMENDED BOOKS :

1. Ratan Lal Dhiraj Lal – India Penal code 1860
2. R.N. Saxena – Indian Penal Code 1860
3. N.V. Paranjape – Hkkjrh; n.M I fgrk
4. f=fnos' k HkVVkpk; L – Hkkjrh; n.M I fgrk
5. Dr. H.S. Gour – Indian penal code

SEMESTER – IV
PAPER – XVIII
PROPERTY LAW AND EASEMENT

This Paper consist of the following acts :-

- i) Transfer of property Act 1882
- ii) Indian easement Act 1882

- Unit-I **TRANSFER OF PROPERTY ACT 1882 WITH EASEMENT ACT :**
Historical evolution of law property : Introduction (ss 1-4) Transfer of properties by act of parties (ss 5-53 A)
- Unit-II Sale of immovable property (ss 54-57) mortgages and charges of immovable property (ss 58-104)
- Unit-III Leases of immovable property (ss 105-117) of exchanges (ss 118-121) gift, (ss 122-129) of transfers of actionable claims (ss 130-137) all amendments.
- Unit-IV **INDIAN EASEMENT ACT 1882 :**
Introduction (ss 1-3) of Easements, generally (ss 4-7) imposition acquisition and transfer of easements (ss 8-19) incidents of easements (ss 20-21) disturbance of easement (ss 32-36) extension suspension and revival of easements, Licenses (ss 52-64)
- Unit-V **LEADING CASES :**
1. Anand Mohan Vs. Gour Mohan, ILR 50 Cal. 929 (Pc)
2. Mushahar Sahu Vs. Hakim Lal, ILR 43 Cal. 52 (Pc)
3. Kedar Nath Vs. Sheonarayan, AIR 1970 SC 1717
4. K.B. Sarabjee Vs. Dwarka Das AIR 1932 PC 199
5. Kanji Manji Vs. Trustees of post of Bombay AIR 1963 SC 268

RECOMMENDED BOOKS :

1. S.N. Shukla : Sampatti Antaran Adhiniam
2. G.P. Tripathi : Sampatti Antaran Adhiniam
3. S.N. Shukla : Transfer of property act 1882
4. S.T. Desai : Law of Easement
5. G.P. Tripathi : Transfer of property act 1882

SEMESTER – IV
PAPER – XIX
LAW AND SOCIAL CHANGE

- Unit-I Theories of social change, social functions of law, correlation between law and social change, Indian legal system and social change, Law and morality, instruments of legal change (The interactions of legal and social change-savigny-bentham Ehrlich interplay of state action and public opinion).
- Unit-II Social change and social institutions – changing concepts of society changing functions of contract; criminal law in changing world organized crimes; family law in changing world.
- Unit-III Economic power – The state and the law, economic competition, regulation and public interest (MRTP); corporate power; the individual and the state corruption black money.
- Unit-IV The growing role of public law; the growth of administration and evolution of public law; the growth of administrative functions; separation of power in administrative law; government liability; administrative discretion and individual.
- Unit-V Functions of law in contemporary society, rule of law; the individual and the welfare state the changing role of law in interdependent society; definition, law, administration of justice, procedure of passing Acts, etc.

RECOMMENDED BOOKS :

1. W. Friedmann : Law in changing society
2. Salmond : Jurisprudence
3. M.P. Tandon : Jurisprudence
4. K.G. Gangrade : Social legislation in India
5. V.N. Shukla : Constitutional law
6. M.P. Jain : Administrative law
7. Aniruddha Prasad : fof/k "kkL=
8. K.C. Gupala Krishnan : Legal Economics

SEMESTER – IV
PAPER – XX

LEGAL LANGUAGE AND LEGAL WRITING

- Unit-I Legal Essay
- Unit-II Precis Writing
- Unit-III 1. Translation of a legal passage from Hindi to English
 2. Fill in the blanks with legal words.
- Unit-IV Introduction to legal writing, acknowledgement, affidavits, agreements, exchange, general power of attorney, gift deed, lease deed, mortgage deed notice and partnership, dissolution, promissory note, sale deed, wills & codicils.
- Unit-V 1. One word substitution
 2. Brief writing and drafting of reports, representations etc.

RECOMMENDED BOOKS :

1. Ishtiaque Abidi : Law & language, (university publisher Aligarh 1978)
2. Justice S.D. Singh : Judgments and how to write them
3. S.K. Mishra : Legal language & legal writing
4. Squires and Rombaur : Legal writing in Nut shell
5. Paul Rylance : Legal writing and drafting

B.A.LL.B. (HON'S) (FIVE YEARS)

SEMESTER – V

PAPER – XVI

CORPORATE LAW – I

This paper shall consist of the following acts :-

1. Monopolies & restrictive trade practices acts 1969
2. Indian partnership act, 1932
3. The competition act 2002

- Unit-I **INDIAN PARTNERSHIP ACT.**
The Indian partnership act preliminary nature of partnership relations of partners to one another relation of partners to trained partners (ss-1-30)
- Unit-II **INDIAN PARTNERSHIP ACT. CONTINUE**
Incoming & Outgoing partners, dissolution of a firm, registration of firm (ss-31-74)
- Unit-III **MONOPOLIES & RESTRICTIVE TRADE PRACTICES ACT 1969 (MRTP)**
Preliminary, application, definitions monopolies and restrictive trade commission concentration of economic power (1 to 19, 27, 27a, 27b) monopolistic trade practices, restrictive trade practices, unfair trade practices, (ss 31-36E) offences & penalties, miscellaneous (ss 37 – 67)
- Unit-IV **THE COMPETITION ACT 2002**
Preliminary, application, definitions and scope of competition act (ss 1-2) competition commission of India (ss 7-41) offences & penalties (ss 42-48) miscellaneous (ss 54-66).
Leading Cases
- Unit-V **1. Nirma Industries Ltd Vs. Director General of Investigation & Registration, II (1997) CPJ 10 (SC)**
MRTP
1. Hindustan Lever Ltd. Vs. Colgate Palmolive (I) Ltd. AIR 1998, SC, 526 of P530.
2. Con exchange (India) Ltd. Vs. Union of India AIR 1999 SC 161 of P 162.
Partnership
3. Bina Murlidhar Hemde Vs. Kanhaiyal lal Lakram Hemdev AIR 1999, SC 2171.
4. Asandas Mlharm Narasinghani Vs. Tekchand Mitharam Sevkrmani 1999 (9) Supreme 193.

RECOMMENDED BOOKS :

1. M.K. Das, U. K. Misra : H.K. Jaiswal; H.K. Jaiswal v/f/kfu; e
2. F. G. D. Oakes : H.K. Jaiswal; I. K. Jaiswal fof/k
3. Dr. H.P. Gupta : Partnership act
4. Avatar Singh : Introduction to law of partnership
5. M.P. Jain : Law and practice of restrictive trade practices in India
6. Sen Gupta : M.R. T.P. Act (Eastern law house)
Taxman : Corporate laws
Avatar Singh : Law of monopolies, restrictive and unfair trade practices (both in Hindi & English)
7. Bare act : The competition act 2002

SEMESTER – V
PAPER – XXII
FAMILY LAW – (HINDU LAW)

A part from uncodified Hindu Law, this paper shall consist of the following acts :-

1. Hindu Marriage act, 1955 (As amended upto date)
2. Hindu Minority and guardianship Act, 1956. (As amended upto date)
3. Hindu Adoption and Maintenance act 1956 (As amended upto date)
4. Hindu succession act 1956 (As amended upto date)

Unit-I Nature and application of Hindu Law, Definition of a Hindu, Origin, Development, Sources, and schools of Hindu Law.

Unit-II Marriage under Hindu Law, (under uncodified and codified laws) marriage, essentials, restitution of conjugal rights, judicial separation, divorce, void and voidable marriages maintenance etc under Hindu marriage act 1955.

Unit-III Adoption, requisites of valid adoption; consequences of valid adoption, maintenance, under Hindu adoption and maintenance act right of separate residence & maintenance, nature and liability.

Definition of guardian; type of guardian, rights of guardians, limitation on rights, under Hindu minority and guardianship act, 1965, gift, will, debts etc.

Unit-IV Hindu joint family, coparcenary, partition, property and succession, (old law) Hindu succession act 1956, changes brought by the Hindu succession act 1956, religious endowments.

Leading Cases

- Unit-V
1. Shri Narayan lal Vs. Shridhar, AIR 1996 SC 2371
 2. Digamber Adhar Patil Vs. Devram Girdhari Patil AIR 1995 SC 1728
 3. Joginder Singh Vs. Smt. Joginder AIR 1996 SC 1654
 4. Vinya Pandey Vs. Roshan, 2000 (2) D.M.C. 571. SC
 5. Balwant Kaur Vs. Chanan Singh AIR 2000 SC 1908 (1912)
 6. Gurram Chakravarthi Vs. State of A.P. 2001 (I) East Cri C 81 SC 575, 578
 7. Kishan lal Vs. State (2000) 1 SCC 310
 8. Rameshwari Devi Vs. State of Bihar, AIR 2000 SC 735 (739)

RECOMMENDED BOOKS :

1. Mulla : Hindu Law (Hindi)
2. Babel : Hindu Law (Hindi)
3. Paras Diwan : Hindu Law (Hindi)
4. K.P. Sharma : Hindu Law (Hindi)
5. eŷyk : fglnqfof/k

SEMESTER – V
PAPER – XXII

CODE OF CRIMINAL PROCEDURE – 1973

This paper shall consist of the following acts :-

- Unit-I
1. Preliminary (SS 1-5)
 2. Constitution of criminal courts and officers, (SS 6-25)
 3. Power of courts, (SS 25-35)
 4. Powers of superior officers of police, (SS 35-40)
 5. Arrest of persons, (SS 41-60)
 1. Process to compel appearance, (SS 61-90)
 2. Process to compel the production of things, (SS 91-105)
 3. Security for keeping peace and good behaviour (SS 106-124)
 4. Order for maintenance of wives, children & parents, (SS 125-128)
 5. Maintenance of public order & tranquility, (SS 129-148)
 6. Preventive action of the police (SS 149-153)
 7. Information to the police & power to investigate, (SS 154-176)
 8. Jurisdiction of the criminal courts in inquiries and trials (SS 177-189)
 9. Conditions requisites for initiation of proceedings, and trials (SS 190-191)
- Unit-II
1. Complaints to magistrate, (SS 200-203)
 2. Commencement of proceedings before magistrates (SS 204-210)
 3. The Charge, (SS 211-244)
 4. Trial before a court of session (SS 225-237)
 5. Trial of warrant cases by magistrates, (SS 251-259)
 6. Summary trials, (SS 260-265)
 7. Attendance of persons confined or detained in prison, (SS 266-271)
 8. Evidence in inquiries and trials, (SS 272-299)
- Unit-III
1. General provisions as to inquiries and trials, (SS 300-327)
 2. Provisions as to accused persons of unsound mind, (SS 328-365)
 3. Provisions as to offences affecting the administration of justice (SS 340-365)
 4. Submission of death sentences for confirmation (SS 366-371)
 5. Appeals (SS 373-394)
 6. Reference and revision (SS 395-405)
 7. Transfer of criminal cases, (SS 406-412)

- Unit-IV
1. Execution, suspension, remission and computation of sentences, (SS 413-435)
 2. Provisions as to bail and bonds, (SS 436-450)
 3. Disposal of property, (SS 451-459)
 4. Irregular proceedings, (SS 460-466)
 5. Limitation for taking cognizance of certain offenders, (SS 467-473)
 6. Miscellaneous, (SS 474-484)
 7. All schedules are in course
 8. All amendments made from to time

Leading Cases

- Unit-V
1. Bashir Vs. State of Haryana, AIR 978 SC 55
 2. D. Laxminarayan Vs. Narayan, AIR 1976 SC 1672
 3. Vijay Albart Vs. Kashi Ram, AIR 1987 SC 1100
 4. Anil Rai Vs. State of Bihar (2001) 7 SCC 318 (3325)
 5. John Thomas V.K. Jagadees on 2001 Cr. 3322 (3325)

RECOMMENDED BOOKS :

1. R.V. Kelkar : Outlines of criminal procedure code
2. R.D. Agrawal : Code of criminal procedure
3. P.C. Sarkar : Criminal Procedure code
4. M.P. Tandon : Code of Criminal procedure
5. Vijay Malik : Dandniya Manual (Three major arts, Cr.PC., IPC & evidence (in Hindi)
6. Murli Manohar : Dand Prakriya Vyakhyan (Code of criminal procedure)
7. egkohjfl g : n.M ifØ; k l fgrk %dkM vkND fØfeuy ikd htj½

SEMESTER – V
PAPER – XXIV
CONSTITUTIONAL LAW – II

- Unit-I State, executive, Governor, Council of ministers, advocate general for the state, conduct of government business state legislature, powers, privileges & immunities of state legislature, legislation procedure, legislation power of governor, High courts in states. Subordinate courts (Acts 152-237)
- Unit-II Union territories, panchayats municipalities, The scheduled and tribal areas, relations between union and states (Arts 239-263)
- Finance, Property, Contracts and suits.
- Unit-III Trade commerce and intercourse, services under the union and states, (Arts 264-323) Tribunals, Elections, Special provisions relating to certain classes. (Article.....)
- Unit-IV Official language, emergency provisions, miscellaneous, amendment, temporary transitional and special provisions, short title, commencement, authorization text in Hindi and repeals, All schedules and amendments (Arts 343-395)

Leading Cases

- Unit-V
1. Keshvananda Bharti Vs. Union of India, AIR 1973 SC 146
 2. In Re presidential reference, AIR 1999 SC 1
 3. The H.C. of judicature at Bombay Vs. Shoshikant S. Patil AIR 2000 SC 22 : 2000.
 4. J.N. Shashan Vs. Union of India (1995) 4 SCC 611

RECOMMENDED BOOKS :

1. V.N. Shukla : Constitutional Law
2. Kagzi's : The constitution of India
3. D.D. Basu : Shorter constitution of India
4. J.N. Pandey : Constitutional Law of India

SEMESTER – V
PAPER – XXV
COMPUTER APPLICATION IN LEGAL WORK

- Unit-I Introduction to computers, classification of digital computer system anatomy of a digital computer, computer architecture, number system, memory units, auxiliary storage devices input and output devices.
- Unit-II Introduction to computer software, operating system, programming languages, packages general software features and trends.
- Unit-III Word – basic, making a document, cut and past, document enhancement, printing, spell check & grammar, mail merge, power point, basic creating a presentation, working with graphics and text in PowerPoint. Show time transaction build effect, showing slides and deleting slides, printing presentation elements.
- Unit-IV Internet & world wide web, electronic mail, internets, multimedia, multimedia tools, introduction to virtual reality.
- Unit-V Information technology act introduction, need, coverage, definition, digital signature and electronic governance, electronic records, certifying authorities, their regulation, penalties, cyber regulations appellate tribunal, I.T. & IPR, I.T. act & internet,

Practicals

Practical session will cover exercises relating to windows, Power point, MS-word and internet explorer.

RECOMMENDED BOOKS :

1. Sanders : Computer Today (Published by the MC-Graw Hill)
2. Office – 97
3. I.T. Act.

CORPORATE LAW – I

LEADING CASES :-

Unit-V Nirma industries Ltd. Vs. director general of investigation & registration, II (1997) CPJ 10 (SC)

MRTTP :-

1. Hindustan Lever Ltd. Vs. Colgate Palmolive (I) Ltd. AIR 1998, SC, 526 of P 530.
2. Con Exchange (India) Ltd. Is Union of India AIR 1999 SC 161 of P 162.

PARTNERSHIP :-

3. Bina Murlidhar Hemde is Kanhaiya lal Lakram Hemdev AIR 1999, SC 2171.
4. Asandas Mlharm Narasinghani Vs. Tekchand Mitrharam Sevakramani 1999 (9) Supreme 193.

FAMILY LAW – I (HINDU LAW)

LEADING CASES :-

- Unit-V
1. Shri Narayan Lal Vs. Shridhar, AIR 1996 SC 2371.
 2. Digamber Adhar Patil Vs. Dveram Girdhari Patil AIR 1995 SC 1728.
 3. Joginder Singh Vs. Smt, Joginder AIR 1996 SC 1654.
 4. Vinya Pandey Vs. Roshan, 2000 (2) DMC 571 SC.
 5. Balwant Kaur Vs. Chanan Singh AIR 2000 SC 1908 (1912).
 6. Gurram Chakravarthi Vs. State of A.P. State of A.P. 2001 (I) East Cri C 81 SC 575, 578.
 7. Kishan Lal Vs. State (2000) 1 SCC 310.
 8. Rameshwari Devi Vs. State of Bihar, AIR 2000 SC 735 (739).

CODE OF CRIMINAL PROCEDURE - 1973

LEADING CASES :-

- Unit-V
1. Bashir Vs State of Haryana, AIR 1978 SC 55.
 2. D. Laxminarayan Vs Narayan, AIR 1976 SC 1672.
 3. Vijay Albart Vs Kashi Ram, AIR 1987 SC 1100.
 4. Anil Rai Vs. State of Bihar (2001) 7 SCC 318 (330).
 5. John Thomas V.K. Jagadees on 2001 Cr. LJ 3322 (3325).

CONSTITUTIONAL LAW – II

LEADING CASES :-

- Unit-V
1. Keshvananda Bharti Vs Union of India, AIR 1973 SC 146.
 2. In Re Presidential Reference, AIR 1999 SC 1.
 3. The H.C. of Judicature at Bombay Vs. Shoshikant S. Patil AIR 2000 SC 22 : 2000.
 4. J.N. Shashan Vs. Union of India (1995) 4 SCC 611.

B.A.LL.B. (Hon's) (Five Years)
SEMESTER – V I
PAPER – XXVI
CORPORATE LAW – II
(COMPANY - LAW)

Unit-I

1. **Introduction, History and definition of Company** – Registration theory of corporate entity, corporate veil, company and Hindu joint family, company and partnership. Clubs association of persons, advantages and disadvantages of incorporation, formalities, publicity and expense, kinds of companies, application of act.

2. **Definition of terms** – Articles; associate; associate of secretaries and treasurers secretary, managing director, memorandum office prospectus private company; public company; deemed public companies holding and subsidiary; control over board of directors when voting power not counted, officer who is in default, relative.

Unit-II

1. **Formation of Companies**, Promotion, promoter, promoter's position incorporation, memorandum and articles of association, doctrine of ultra virus
2. **Members of Company**, Member shareholders, statutory member, etc.
3. **Capital**, Definition, liabilities, share certificate transfer of shares position of transfer and transference, blank transfer, right to refuse registration, restrictions on the acquisition and transfer of shares, certificate of transfer share warrant, kinds of shares power of company to accept payment in advance of calls, reserve liability alternation of capital, reorganization of share capital procedure reduction of capital allotment of shares, opening of the subscription list, rule as to allotment. Company which does not issue prospectus, irregular allotment.

Unit-III

1. Prospectus.
2. Calls for feature, surrender, lien, dividend, interest, annual return and pledge of shares.
3. Directors.
4. Business of company.
5. Meeting, general, statutory meeting, importance and business.
6. Auditors.
7. Arbitration, compromise, arrangement re-construction and amalgamation.

Unit-IV

1. Prevention of oppression and management.
2. Private companies.
3. Government companies.
4. Foreign companies.
5. Administration of company.
6. Government control over companies.
7. Managing agent, sole selling agents, secretaries and treasurers, manager and managing agent.
8. Provisions regarding minority share holders under the companies act.
9. Winding up.

Unit-V

LEADING CASES :

1. Saloman V Saloman and Company Ltd., 1897 AC 22.
2. Chunnilal V Vadhyaru, AIR 1956 SC 655.
3. Gaya Sugar Mills V Nand Kishore Bajoria, AIR 1955 SC 44.
4. R. Methlone V Bombay life insurance Co.Ltd. AIR 1953 SC 195.

BOOKS RECOMMENDED :-

- Avtar Singh : Company Law
R.R. Maurya : Company Law
I jklnz ukFk : dEi uh fof/k
, u-0gh- i jklnz ukFk : dEi uh fof/k

SEMESTER – IV
PAPER – XXVII
FAMILY LAW - II
(MUSLIM LAW)

Unit-I Application of Muslim Law, Historical antecedents, concept and schools of Muslim Law sources of Muslim Law.

Unit-II Nikah, kinds of nikah, essential of valid nikah, guardianship in marriage, talaq, valid talaq, kinds, restitution of conjugal rights, maintenance, judicial separation.

Unit-III Mahar, (dower), guardianship, powers of guardian, (Hizana), Hiba.

Unit-IV Administration of estates, succession, general principles of Hanafi and Shia Law of inheritance, Wasayat, pre-emption, Wakfs, Marzulmaut, transactions.

Unit-V

LEADING CASES :-

1. Mahaboob Saheb Vs. Sayed, Air 1995 SC 1205 (Guardianship)
2. Noor Saba Khatoon Vs. Mohd. Kasim, AIR 1997 SC 3280 (Maintenance)

RECOMMENDED BOOKS :-

Mulla	: Muslim Law
Paras Diwan	: Muslim Law
Fyzee	: Muslim Law
M.A. Quqreshi	: Muslim Law

SEMESTER – VI
PAPER – XXVIII
CODE OF CIVIL PROCEDURE, 1908

Unit-I

1. SS 1-8 of C.P.C.
2. Suits in General
Jurisdiction of the Courts and Resjudicata, SS 9-14
Place of suing, SS 15-25
Institution of suits SS 27-32
Summon and discovery, SS 27-32
Judgment and decree SS 33
Interests costs, SS 34-35, 35A
Execution of decrees, SS 35-37
Courts by which decrees may be executed, SS 38-46
Questions to be determined by court executing decree, S 47
Limit of time for execution, S 48
Transferees and legal representatives, SS 49-50
Procedure in execution, SS 51-54
Attachment, SS 60-67
Delegation of power to execute decrees of immovable property, SS 68-73
Distribution of assets, S 73
Resistance to execution S 74
Incidental proceedings commissions SS 75-78
Suit in particular cases
Suits by or against the government of public officers in their official capacity, SS 79-82
Suits by aliens and by or against foreign rulers, SS 83-87A of C.P.C. (Ambassadors and Envoys)
Suits against rulers of former Indian states : S. 87B
Interpleader : S.88
Special proceedings : S. 90
Suits relating to public matters SS 91-93
Supplemental proceedings : 94-95

Unit-II

- APPEAL :**
- Appeal from original decrees : SS 96-99
 - Appeals from appellate decrees : SS 100-103
 - Appeals from orders : S. 104-106
 - General provision relating to appeals : SS. 107-108
 - Appeals to the Supreme Court : SS. 109-112
 - Reference, review and revisions : SS 113-115
 - Special provisions relating to the High Courts not being the court of a judicial commissioner : SS 116-120
 - Rules : SS. 121-131
 - Miscellaneous : SS. 132-158
 - The first schedule

Order – I

Parties of suits : Rules 1-13

Order – II

Frame of suits : Rule 1-7

Order – III

Recognized agents and pleaders : Rules 1-6

Order – IV

Institution of suits : Rule 1-2

Order – V

Issue and service of summons – issue of summons : rule 1-8

Service of summons : 9-30

Order – VI

Pleading generally : rule 1-18

Order – VII

Plaint : Rule 1-13

Documents relied on in plaint : Rules 14-18

Order – VIII

Written statement and set of : Rule 1-10

Appearance of parties, consequence of non payment : Rule 1-12

Setting aside decrees ex parte : Rule 13-14

Order – X

Examination of parties by the court Rule 1-4

Order – XI

Discovery and inspection : Rule 1-23

Order – XII

Admissions : Rule 1-9

Order – XIII

Production, impounding and return of documents : Rules I-II

Order – XIV

Settlement of issues and determination of suit on issues of law or on issues agreed upon : Rules 1-7

Disposal of suit of the first hearing : Rules 1-4

Order – XVI

Summoning and attendance of witnesses : Rules 1-21

Order – XVII

Adjournments : Rules 1-3

Order – XVIII

Hearing of the suit and examination of witnesses : Rules – 18

Order – XIX

Affidavits : Rules 1-3

Unit-III

Order-XX

Judgment and decree : Rules 1-20

Order – XXI

Execution of decrees and orders.

Payment under decree : Rules 1-2

Courts executing decrees : Rules 3-9

Application for execution : Rules 10-23

Process for execution : Rules 24-25

Stay of execution : Rules of 26-29

Mode of execution : Rule 30-36

Arrest and detention in the civil prison : Rule 37-40

Attachment of property : Rules 41-51

Investigation of claims and objections : Rules 58-63

Sale generally : Rules 64-73

Sale of movable property : Rules 74-81

Sale of immovable property : Rules 82-103

Order – XXII

Death, marriage and insolvency of parties : Rules 1-8

Order – XXIII

Withdrawal and adjustment of suits : Rules 1-4

Order – XXIV

Payment into court : Rules 1-4 of C.P.C.

Order – XXV

Security of Costs Rules 1-2

Order – XXVI

Commissions

Commissions to examine witnesses : Rules 1-8

Commissions for local investigations : Rules 9-10

Commissions to examine accounts : Rules 11-12

Commissions to make partitions : Rules 13-14

General Provisions : 14-15

Order – XXVII

Suits by or against the (Government) or public officers in their official capacity; rules 1-88

Unit-IV

Order XXVII

Suits involving a substantial question of law as to the interrelation of the constitution : Rules 1-4

Order – XXVIII

Suits by or against military, naval or air men : Rules 1-3

XXIX

Suits by or against corporation : Rules 1-3 of C.P.C.

Order – XXX

Suits by or against firms and persons carrying on business in names other than their own rules 1-10

Order – XXXI

Suits by or against trustees, executors and administrators. Rules 1-3

Order – XXXII

Suits by or against minors and persons of unsound mind rules 1-16

Order – XXXIII

Suits by paupers : Rules 1-16

Order – XXXIV

Suits relating to mortgages of immovable property : Rules 1-15

Order – XXXV

Interpleader : Rules 1-6

Order – XXXVI

Special case : Rules 1-5

Order – XXXVII

Summary procedure on negotiable instruments : Rules 1-7

Order – XXXVIII

Arrest before judgment : Rules 1-4

Attachment before judgment : Rules 5-13

Order – XXXIX

TEMPORARY INJUNCTIONS AND INTERLOCUTORY ORDERS

Temporary injunctions : Rules 1-10

Order – XL

Appointment of receivers : Rules 1-5

Order – XLI

Appeals from original decrees : Rules 1-4

Stay of proceedings and execution : Rules 5-8

Procedure on admission of appeal : Rules 9-15

Judgment in appeal : Rules 30-34

Decree in appeal : Rules, 35-37

Order – XLII

Appeals from appellate decrees : Rule 1

Order – XLIII

Appeals from orders : Rules 1-2

Order – XLIV

Pauper appeals : Rules 1-2

Order – XLV

Appeals to the supreme court : Rules 1-16

Order – XLVI

Reference : Rules 1-7

Order – XLVII

Review : Rules 1-9

Order – XLVIII

Miscellaneous : Rules 1-3

Order – XLIX

Chartered High Courts : Rules 1-3

Order – L

Provisional small causes courts : Rule 1

Presidency small causes courts : Rule 1 of C.P.C. all the interlocutory applications under the provisions of C.P.C. are in course.

All schedules are in course

Unit-V

Leading Cases

1. State Vs. Administrator, AIR 1972, SC 749.
2. Hindustan Aeronautics Vs. Ajit Prasad, AIR 1973, SC 76
3. Kiran Singh & Others Vs. Chaman Pesharan and Others, AIR 1954 SC 340.
4. P.G.H. Patil Vs. R.S. Patil & others AIR 1957 SC 363
5. M.P. Shrivastava Vs. Mrs. Veena AIR 1967 SC 1193
6. Mathura Prasad Vs. Lassi Bai, AIR 1971 SC 2355

Statues

1. Code of Civil Procedure, 1908.

Recommended Books (Latest- editions of all books)

1. Mulla : Code of Civil Procedure, 1908 (Student edition)
2. S.C. Sarkar : The Law of Civil Procedure
3. C.K. Takwani : Civil Procedure Code

SEMESTER – VI

PAPER – XXIX

LAW OF EVIDENCE

This paper shall consist of the following acts :-

- 1) Indian Evidence Act, 1872

Unit-I **Introduction** :-

Preliminary (SS 1 to 4) of the relevancy of facts (SS 5-55)

Unit-II Facts which need not be proved (SS 55-58)

Or oral evidence (SS 59-60)

Documentary Evidence (SS 61-90)

Unit-III **The exclusion of oral by documentary evidence (SS 91-100)**

Of the burden of proof (SS 101-114)

Estoppel (SS 115 to 117)

Unit-IV **Of witnesses (SS 118 to 134)**

Of the examination of witnesses (SS 135 to SS 166)

Improper admission and rejection of evidence (SS 167)

Unit-V **Leading Cases**

1. Agnoo Nagesia Vs State of Bihar, AIR 19566 SC 119.

2. Sarat Chander Dey Vs Gopal Chunder Laha, ILR 20 Cal 296 (PC)

3. Chandra Kunwar Vs Choudhary Narpat Singh, ILR 29 All 194 (PC)

4. Kashmira Singh Vs State of M.P., (1952) SCR 586.

5. Queen Empress Vs Abdullah, ILR All 385.

6. Pulkuri Kottya & Other Vs King, AIR 1947 PC 67.

Books Recommended

1. Ratan lal Dhirajlal : Law of Evidence (Student edition)

2. Woodroffe & Amir Ali : Law of Evidence

3. V.P. Sarthi : Elements of Law of Evidence

SEMESTER – VI
PAPER – XXX
CLINICAL LEGAL EDUCATION
(PUBLIC INTEREST LAWYERING, LEGAL AID AND PARA LEGAL SERVICES)

This paper shall consist of the following topics :-

Unit-I

1. All disputes relating to of Human Rights.
2. Constitutional protection given to weaker section of society (Art-15, 23-30, 38 to 49, 244, 255A, 330 to 342)
3. Changing dimentions of social justice, social philosophy of the welfare of the weaker section of the society
4. Role of judiciary in providing help to weaker section of society.

Unit-II 1. **Lok Adalats, Public Interest Litigation and Legal Aid :**

Students shall be told the areas where generally the Lok Adalats are held. They shall also be informed about the public interest litigation and legal aid in detail. They shall particularly be informed about the role of lok adalats, public interest litigation and legal aid in the cases of weaker section of society, women, child labours, scheduled case, scheduled tribes, minorities, backward classes. They should also be old about the condition of criminals in jails and violation of human rights etc.

Amongst other things the following shall be the course of legal aid.
Historical development of legal aid in India. History of legal aid before XIVth report of law commission.
History of legal aid after XIVth report of law commission.
Legal aid and the constitution.
Legal aid under code of civil procedure. (0.33 R.1)
Legal aid under code of criminal procedure.
International recognition of legal aid.
Legal aid under the league of nations and united nation organization.

Unit-II Role of public interest petitions in providing justices to the commonmen. Benefit of public interest petitions to poor and economically advantaged people.

Doctrine of locus standby; functioning of public interest petitions.

Legal Literacy Programme :- The concerning college/ department will take appropriate steps for providing legal literacy programmes. Pamphlets/booklets in respect of important acts Pomlets can bd prepared and distributed to the public. Legal aid campus can also be organized. This shall be with special reference to weaker section of society, minorities, women, children etc.

Negotiations and Counselling :- To avoid litigation the students shall be told the various provisions of the different acts where negotiations and counseling is permissible specially in matrimonial cases.

Use of Computer in Legal profession, Legal Education and Research :- The colleges/deptt. Will take necessary steps for the introduction of computer in legal education profession. The law students shall be able to acquire the necessary knowledge and skills in the applications of computers in the legal profession and law courts. They shall be able to start using computers for their practical day to day requirements including acquiring skills for using the internet and E-mail for their practice/research requirements.

Besides other points, the concentration shall be made on the following points specially :-

1. Use of computer in clients appointments and court cases etc.
2. Use of computer in typing of standard documents like power of attorney, vakalat namas, pleadings etc.
3. Use of computer in computerized ledger system for briefs (inwards/out-wards of dockets, payment against returned dockets etc.)
4. Use of computer in maintaining case law by advocates.
5. Use of computer in briefing search para-maters, students shall be able to look-up almost anything one wants, incredibly fast (say) finding all supreme court authorities after 1975 on a particular section of the companies act 1956 and so on.
6. Students shall be informed about the storing of all pleadings on desk.

Unit-IV **Writing of case comments** : In this part students shall be encourages to write comments on the various judgements delivered by our honourable courts preferable by Supreme Court and High Courts. The students shall be given the name of the case decided by Indian courts on any topic which he/she has studied in LL.B.I, II or III. The students shall be required to write comment on that case.

Editing of Journals : In this part the students shall be told the technique editing of law journals. Every College/Department is expected to publish a law journal at least once in a year. In this work the students shall be involved.

Law office management : in this part the student shall be told the basic principles of office management.

Role of Lok Adalats in providing justice to the common men. Modalities of the working of Lok Adalats organization of legal aid campus. Help to weaker section of society by way of legal aid, Lok Adalats and public interest petition.

Prescribed Statutes :

1. Equal Remuneration Act 1976
2. M.P. State Legal Services Authority Act
3. M.P. State Services Authority Rules, 1996
4. M.P. State Legal Services Authority Regulations, 1998

Unit-V Prescribed Cases

1. M.H. Hoskot Vs State of Maharashtra, AIR 1978 SC 1548.
2. Sunil Batra Vs Delhi Administration, AIR 1980 SC 1579
3. Centre for Legal Research Vs State of Kerala, AIR 1906 SC 1322.
4. Bholanath Tripathi Vs State of U.P. (1990) (Supp) SCC 151.
5. T.P. Roshana Vs State of Kerala AIR 1979 SC 765.
6. R.K. Mishra Vs State of Bihar, AIR 1984 SC 537
7. Joint women Programme Vs State of Bihar, AIR 1987 SC 2062.
8. Neeraj Choudhary Vs State of M.P., (1904) SCC 243.
9. Peoples Union for Democratic Rights Vs Union of India (1902) 3 SCC 235.
10. Kesavananad Bharti Vs State of Kerala, (1973) 4 SCC 225.
11. Moti Bai Vs State of Rajasthan, Air 1954 Raj 241.

Prescribed Statutes :

1. 14th Report of law commission regarding legal aid.
2. Bonded Labour system (Abolition) Act, 1976
3. Mines Act.
4. Inter state migrant workmen (regulation of employment and condition of service) act 1979.
5. Contract Labour (regulation) & abolition act 1970.
6. Minimum wages Act, 1948.
7. Legal aid services authorities, 1970
8. Madhya Pradesh Samaj Ke Kamzore Varg Ke Liye Vidhik Sahita Adhiniyam, 1976, M.P.

Recommended Books :

1. JC. Jha : Tribal Unleash on the south west frontier of Bengal presidency.
2. M.P. Jain : Indian constitutional law.
3. Dr. Chounaanar : Slavery in ancient India
(Peoples publicity house, New Delhi)
4. S.K. Singh : Bonded labour and the law
5. Nomita Agrawal : Hand books on lok adalat in India
(Interest publications, New Delhi)
6. S.K. Agrawal : Public (Interest litigation in India. A critique (1985) Indian law institute, New Delhi)
7. Anirudh Prasad : Constitutional protection of weaker sections in India
8. S. Bhatnagar : Social justice and equality in India
9. S.B. Choudhary : Public interest litigation and status of lous standi in different legal systems
10. Sunil Deshta : Lok adalats in India (Deep & Deep)
11. V.R. Krishna Iyer : Law and urban poor in India
12. P.C. Juneja : Equal access to justices
13. N.R. Madhava Menon : Legal aid and legal education
14. N.R. Madhava Menon : Legal aid and justice for the poor
15. S.S. Sharma : Legal aid to the poor
16. Prakash S.S. : Bonded labour and social justices (Deep & Deep)
17. P.K. Gupta : Commentaries on the S.C. & S.T. prevention of atrocities act 1990.

B.A.LL.B. (HON'S) (FIVE YEARS)

SEMESTER – VII

PAPER – XXXI

PUBLIC INTERNATIONAL LAW

Unit-I

1. Nature, origin and basis of public international law
2. Source of international law
3. the subjects of international law
4. The relation between international law and state law
5. States in general as subjects of international law
6. Intervention

Unit-II

1. Recognition state territorial sovereignty and other lesser rights.
2. State successions
3. State responsibility
4. State territory
5. State jurisdiction

Unit-III

1. The state and individual nationality
2. The state and the economic interest – international economic and monetary law
3. Development and the environment
4. The agents of international business and diplomatic envoys
5. Treaties

Unit-IV

1. Settlement of disputes between states.
2. War and other hostile relations
3. International organizations and united nations
4. Neutrality and Quasi Neutrality
5. Development of Human Rights in India and abroad
6. Other contemporary topic arising on account of day today development in international law.

Unit-V

LEADING CASES :

1. West Rand Central Gold Mining Co. Ltd. V. The King (1905) 2 K.B. 391.
2. S.S. Louts Case, P.C.I.J. (1927 Serial A.No. P-5)
3. Curfew Channel Case (I.C.J. Reports 1949)
4. The Anglo Norwegian Fisheries case (1951), I.C.J. Reports.

RECOMMENDED BOOKS :

1. J.G. Starke : An introduction to international law
2. Kapoor : International law
3. J.L. Brierly : The law of nations
4. di j : vUrjkZ Vh; fof/k
5. i z kx fl g : vUrjkZ Vh; fof/k
6. ch, l -"kekZ : vUrjkZ Vh; fof/k

SEMESTER – VII
PAPER – XXXII
JURISPRUDENCE AND LEGAL THEORY

- Unit-I **Jurisprudence :**
Meaning, Definitions, (Gray, Ulpian, Salmond, Hobbs, Blackstone, Holland, Roscoe Pound), Approach, Scope, Utility, Contents, Relationship between jurisprudence and psychology, History economic, Sociology and politics.
- Unit-II **Schools :**
Nature law school, Analytical school, Historical school, Ethical school, Sociological school, Realistic school, Indian legal theory,
- Unit-III **State and Sovereignty, law and Administration of Justice:**
Definition of state, Various kinds of state essential elements, Theory of Sovereignty : Concept, Hobbes, Bentham, Dicey, Jethro Brown, Duguit, Marxist vies, Austin and Salmond. Criticism against absolute sovereignty.
- Unit-IV **Source of Law :**
Classification of law, custom, legislation precedent, rights & duties, possession, ownership, title, legal personality, torts and crimes, agreement, obligation, property, English law
- Unit-V **Legal Actions :**
Theory of justice law and Justice, Civil and Criminal Justice. Recent development in India : Law and society, judicial activism, P.L.L., Role so Supreme Court in implementing legal aid scheme, Lok Adalats, Social justice through Legal aid and Lok Adalats, Indian Position.

RECOMMENDED BOOKS :

1. Salmond : Jurisprudence
2. S.P.Dwivedi : Jurisprudence and legal theory
3. Gutteridge : Comprative law
4. Jain : Comprative law
5. G.E.V. Subba Rao : Jurisprudence & legal theory
6. Dhyani S.N. : Jurisprudence
7. , u-oh- i jkat i s : fof/k "kkL= , oa fof/k ds fl) kr
8. MKW fot ; ukjk ; .k ef.k f=i kBh : fof/k "kkL=
9. blnzt hrfl @ : fof/k "kkL=
- 10." kpyk , oa JhokLro : rgyukRed fof/k
11. , e-ih- V.Mu : rgyukRed fof/k

LEGISLATIVE ENACTMENTS :

1. Constitution (First Amendment) Act, 1951.
2. Constitution (Fourth Amendment) Act, 1985.
3. Constitution (Twenty Fifth Amendment) Act, 1971.
4. Constitution (Forty Two Amendment) Act, 1976.
5. Constitution (Forty Forth Amendment) Act, 1980.

SEMESTER – VII
PAPER – XXXIII
LAW OF TAXATION

The following enactments are in course :

1. Income tax act 1961
(As amended upto date) (Whole act)
2. Central sales tax act, 1956
(As amended upto date) (Whole act)

Income Tax Act, 1961

Unit-I

History of tax law in India

Fundamental principles relating to tax law government financial policy, tax structure and their role in the natural economy.

Concept of tax.

Nature and characteristics of taxes

Distinction between

Tax and fee

Tax and cess

Direct and indirect taxes

Tax evasion and tax avoidance

Scope of taxing powers of parliament, state legislature and local bodies.

Unit-II

Income and total income

Income not included in total income

Deemed income

Clubbing of income

Assessee

Person

Tax planning

Chargeable income

Unit-III

Heads of income

Salaries

Income from house property

Capital from business of profession

Capital gains

Income from other sources

Deductions, relief and exemptions

Rate of Income Tax

Income tax authorities

Power and functions

Offences and penal sections

Settlement of grievances

Authorities, powers and functions

Unit-IV

Central Sales Tax Act, 1956

Sale of purchase of goods

Meaning of sale

Sale in the course of inter state trade and commerce

Sale to take place outside as state

Sale in the course of export of import

Charge of tax

Exemption and rebate

Sales tax authorities

Offences and penalties

Constitutional perspectives.

Constitutional perspectives

Unit-V

1. Commr of Income Tax Vs. Sutlej Cotton Mills Supply Agencies Ltd. (1975) 100 ITR 706, 711 (SC).
2. Manglore Electric Supply Co. Ltd. Commr of I.T. (1978) 113 ITR 635 (SC).

RECOMMENDED BOOKS :

- | | | |
|-------------------|---|---|
| 1. A.K. Saxena | : | Income tax act |
| 2. Kailash Rai | : | Income tax act |
| 3. V.K. Singhania | : | Students guide to income tax |
| 4. P.C. Gang | : | Central Sales tax law in India |
| 5. Ramesh | : | Supreme Court on direct taxes (Bharat law house, New Delhi) |

SEMESTER – VII
PAPER – XXXIV
BANKING & INSURANCE LAW

- Banking Law :**
- Unit-I Banking definition – common law & statutory
Commercial banks : functions
Essential functions
General utility services
International trading service
Information services
Emergence of multifunctional dimensions
System of banking : unit banking, branch banking, group banking and chain banking
Banking companies in India
- Banks and Customers :**
- Customer : meaning
Legal character of baker : customer relationship
Right and obligations of banks
Right of set – off
Banker’s lien
Right to charge interest and commission
Obligation to cheques honour customer’s
Duty of confidentiality
Nature and justification of the duty
Exceptions to the duty
Garnishee orders
Accounts of customers
Current accounts
Deposit accounts
Joint accounts
Trust accounts
Special types of customer : Lunatics, minors, agents, administrators and executors, partnership firms and companies.
- Control Over Banks:**
- Unit-II Control by government and it’s a gencies
Need for elimination of systematic risk, avoidance money laundering, customer protection, promotion of fair competition, on management.
On account and audit
On money lending
Reorganization and reconstruction
On suspension and winding up
Control by ombuds man
Reserve bank of India

Central Banking Theory and the RBI :

Evolution of central banks
Characteristics and functions central banks
Central bank as banker and adviser of the state
Central bank as bankers bank
The reserve bank of India as central bank in India
Objectives and organizational structure
Functions
Regulations of the monetary system
Monopoly of note issue
Credit control
Determination of bank rate policy
Open market operations
Banker to government
Control over non-banking financial institutions
Economic and statistical research
Staff training
Control and supervisions of other banks

Lending by Banks :

Unit-III

Principles of good lending
Securities for banks advances
Pledge
Mortgage
Charge
Goods or documents of title to goods
Life insurance policies as security
Debentures as security
Guarantees as security
Contract of guarantee and indemnity contract
Kinds of guarantees : Specific continuing
Surety's rights and liabilities
Repayment
Interest : rules against penalties
Default and recovery
Recovery of debts due to banks and financial institutions act 1993.
Establishment of debt recovery tribunals
Constitution and functioning

Letter of Credit and Demand Guarantee:

Letter of credit
Basic features
Parties to a letter of credit
Fundamental principles
Demand guarantee
Legal Character
Distinction irrevocable letter of
Credit and demand guarantees.

Unit-IV

Insurance Laws :

INTRODUCTION :

Definition, nature and history of insurance

Concept of insurance and law of contract and law of torts, future of insurance in globalize economy.

History and development of insurance in India.

Insurance Regulating Authority, Role and functions

General Principles of Law of Insurance :

CONTRACT OF INSURANCE : Classification of contract of insurance, nature of various insurance contracts, parties there to principle of good faith non-diclosure mis representation in insurance contract.

Insurable interest

The risk

The policy, classification of policies its form and contents, its commencement, renewal, assignment, construction

Conditions of the policy

Alteration of the risk

Assignment of the subject matter

Unit-V

Life Insurance:

Nature and scope of life insurance, definition

Kinds of life insurance, the beliey and formation of a life insurance contract.

Event insured against life insurance contract

Circumstances affecting the risk

Amount recoverable under the policy

Persons entitled to payment

Settlement of claim and payment of money.

Insurance Against Third Party Risks :

The Motor Vehicles Act, 1988

Nature and scope, persons governed,

Definitions of 'use', 'drives', 'motor vehicle' , requirements of policy, contract between isurer and drive rights of third parties, limitations on third party's rights duly to inform third party.

Effect of insolvency or death on claims, insolvency and death of parties, certificate of insurance

Conditions to be satisfied.

Claims tribunal, constitution, functions, application for compensation – who can apply? Procedure and powers of claims tribunal – its award.

Co-operative insurance (motor vehicle rules)

- M.L. Tannen : Tannr's banking law and practice in India (2000) (India law house, New Delhi)
- S.N. Gupta : The banking law in theory and practice, (1999) (Universal publishing house New Delhi)
- G.S.N. Tripathi (ed) : Sethi's commentaries on banking regulation act 1949 and allied banking laws (2000), (Law publishers, Allahabad)
- S.N. Gupta : Banks and the consumer protection law (2000) (Universal publishing house, New Delhi)
- Mukherjee T.K. : Banking law and practice (1999) (Universal publishing house, New Delhi)
- B.N. Singh : New insurance law (2000) (Union book publishers, Allahabad)
- M.N. Sreenivasan : Principles of insurance law (Ramaniya Pub. House, Bangalore)

SEMESTER – VII
PAPER – XXXV
LAW OF CONTRACT – II

This paper shall be consist of the following :

1. Specific contract (SS 124 to 238)
(Indian contract, Act, 1872)
2. Negotiable instrument Act, 1881

Unit-I 1. **Specific Contracts (124 to 238)**
Indian Contract Act, 1872

Contract of indemnity and guarantee (SS 124-147)
Bailment (SS 148-181)
Agency (SS 182-238)

Unit-II **Negotiable Instrument Act 1881**

Introduction and definition
Definitions :
Definition of promissory note
Definition of bill of exchange
Definition of cheque
Difference between a cheque and a bill of exchange
Difference between a cheque and promissory note

Parties to the Negotiable Instrument :

Holder
Holder in due course
Drawee in case of need
Holder for value

Unit-III **Payment in due course :**

Endorsement :
Definition of endorsement
Features of endorsement
Kinds of endorsement
Once a bearer cheque is always a bearer cheque
Crossing of cheques :
General crossing
Special crossing
Double crossing
Note negotiable crossing
Account payee crossing
Opening of crossing

Unit-IV

Kinds of Cheques :

State cheque
Ante-dated cheques
Mutilated cheque
Post-dated cheque
Marking of cheques or good for payment
Material alteration
Forgery of customer's signature
Notice of dishonour
Paying baker and statutory protection
Collecting banker and statutory protection
Criminal liability of the drawer of a cheque

Unit-V

Leading Cases :

1. M.S. Anirudhan Vs. Thomeos Bank, AIR 1963 SC 746.
2. State of M.P. Vs. Kaluram, AIR 1967 SC 1105.
3. Badri Prasad Vs. State of M.P. AIR 1966 SC 58.
4. Morvi Mercantile Bank Vs. Union of India AIR 1965 SC 1954.

Books Recommended :

1. Pollock and Mulla : Indian Contract Act, etc.
(Latest edition)
2. T.R. Desai : Contract and partnership acts
(Hindi edition)
3. Avtar Singh :
4. Mulla : Contract Act (Student ed)
5. Bhashvam : Negotiable Instrument Act, 1881
6. S.M. Chaturvedi : Negotiable Instrument Act, 1881
7. Agrawal C.L. : Law of Hundies and Negotiable
Instruments
8. Avtar Singh : Parkcamya Likhat Vidhi (In Hindi)

B.A.LL.B. (HON'S) (FIVE YEARS)
SEMESTER – VIII
PAPER – XXXVI
LABOUR LAWS

This paper shall be consist of the following :

1. Industrial dispute Act, 1947
2. Workman compensation Act, 1923
3. Trade union Act, 1926
4. Factories Act, 1948
5. Minimum wages Act, 1948
6. M.P. Industrial Act, 1960

Unit-I **Industrial Dispute Act, 1947:**

Definition (Sec. 2)

Authorities under the Act, (Sec. 3-9)

Reference of disputes to board, courts & tribunals.

Procedure, powers and authorities, (Sec. 11-21)

Strike and lockout (Sec. 22-23)

Lay of retrenchment (Sec. 25-A-25J)

Penalties (Sec. 26-31)

Miscellaneous (Sec. 32-40)

All scheduled and all amendments made from time to time.

Unit-II **Workman Compensation Act, 1923:**

Definitions (Sec.-2)

Workmans compensation (Sec. 3-18)

Commissioners, (Sec. 19-31)

Rules, 32-36 all schedules

All schedules and amendments made from time to time

Trade Union Act, 1926

Definition, (SS. 2)

Registration of trade union (SS 3 to 14)

Rights and liabilities of registered trade unions, (SS 15 to 28)

Regulations, (SS 29 to 20)

Penalties and procedures (SS 31 to 33)

Unit-III **Factories Act, 1948 :**

Definitions (Sec.1 to 7)

Inspecting staff, (Sec. 8 to 10)

Health, (Sec. 11 to 20)

Safety, (Sec. 21 to 41) (Sec. 42 to 50)

Working hours of adults, (51 to 66)

Employment of young persons, (Sec. 67 to 77)

Leave with wages, 9Sec. 85 to 91)

Penalties and procedures. (Sec. 92 to 100)

Supplement (Sec. 10 to 120)

All schedules and all amendments made from time to time

Unit-IV **Minimum Wages Act, 1948**

Definitions (Sec. 2)

Fixing of minimum rates of wages, (Sec. 3 to 6)

Advisory board, (Sec. 7 to 9)

Wages in kind, (Sec. 10 to 17)

Maintenance of registers & records etc. (Sec. 18 to 21)

Penalties etc. (Sec. 22 to 26)

Power of Govt. to make rules (Sec. 27 to 31)

All schedules and all amendments made from time to time

Unit-V **Leading Cases**

1. Western India Automobile Association Vs Industrial Tribunal, Bombay AIR 1949 PC 111.

2. Bharat Bank of India Ltd. Vs. Employers of the Bharat Bank, AIR 1950 SC 188.

3. Saurashtra Salt Manufacturing Co. Vs. Bai Valu Raja & Others AIR 1958 SC 188.

4. Associated cement companies Vs Their Workmen, AIR 1960 SC 56.

5. Hitagarh papers mills Co. Ltd. Vs. Their Workmen, AIR 1959 SC 1095.

Books Recommended :

- | | |
|---------------------|---|
| 1. Malik, P.L. | : Industrial Law |
| 2. Pande V.N. | : Text-Book of Labour & Industrial law |
| 3. Shrivastava K.D. | : Commentaries on Factories Act, 1948 |
| 4. Shrivastava K.D. | : Commentaries on Workman
Compensation Act 1923. |
| 5. Shrivastava K.D. | : Law Relating to Trade Union in India |

SEMESTER – VIII
PAPER – XXXVII
INTELLECTUAL PROPERTY

Unit-I Meaning and nature of intellectual property rights, kinds of intellectual property.

The Copy right Act 1957 :

Meaning and nature of copyright, subject matter of copyright, term of copyright, rights conferred by copyright, assignment of copyright, license, infringement of copy right, societies, office, board, registration of copyright, appeals.

Unit-II

The Patents Act 1978 :

Meaning of patent, object of patent law, patentable inventions, procedure for obtaining patent, rights and obligations of patents, transfer of patent right, abuse of patent right, revocation and surrender of patents, infringement of patents, offences and penalties.

Unit-III

The Trade Marks Act, 1999 :

Definition and conceptions of trademark, trade marks registry and register of trade marks, registration of trade marks, assignment and transmission infringement of trade marks, offences and penalties.

Unit-IV

The Designs Act 2000 :

Meaning & scope of design, registration of designs copy rights in registered, industrial and international exhibitions.

Unit-V

Leading Cases :

1. Birendra Bahadur Pandey V. Gramophone Co. 1984 SC 767
2. Sumat Prasad Jain V. Sheojanam Prasad AIR 1972 SC 2488
3. Cadila Health Care Ltd. V. Cadila Pharmaceuticals Ltd. AIR 2001 SC 1952.

SEMESTER – VIII
PAPER – XXXVIII
CONFLICT OF LAW
(Private International Law)

This paper shall consist of the following :

Unit-I Scope, nature, definition and subject matter of private international law, difference between public and private international law development and history England and India – a comparative sketch with reference to USA and other countries.
Classification, doctrine of Renvoi, application of exclusion of foreign law. Unification effects : In Europe and America.
Domicile; modern theories : Statutory, territorial, international local law and justice.

Unit-II Marriage : Marriage as contract are also status how different from other contracts (Social, personal contracts)
Kind of Marriage
How in India marriage as a contract moved from partially polygamous towards monogamous type and total sacrament to secularization to some extent, questions of form and essential validity.
Formal validity by lex loci celebrations
Essential/material/intrinsic validity
Capacity to marriage
Consent
Not within prohibited degrees
Not previously married
Physical incapacity
Of proper age
Essential validity usually governed by lex domicil
Indian and English cases on the subject.

Matrimonial Causes :

Concept of matrimonial causes (relief) Indian & English positions.
Available reliefs
Divorce, Nullity, judicial separation
Restitution of conjugal rights (in English law)
Choice of jurisdiction and choice of law

Legitimacy and Legitimation :

What is legitimacy
What law governs legitimacy
Validity of marriage
Legitimizing
What it is
How affected
Legitimation and succession

Unit-III Torts,
Traditional theories
Ideas of tort of react importance in private international law such as drugs, environment, transport and satellite communication.

Succession :

Testate and in testate (involuntary assignment), relevant provisions of Indian succession act
Intestate succession
Wills – formal and essential validity
Capacity lexdomilii to make till (movables generally)
In case of immovables, lex situs governs.

Recognition and Enforcement of foreign Judgments :

Need recognizing foreign judgments
Limitations in recognizing and enforcement
SS 13, 14 and 444 of CPC and S 41 of Evidence act.

Unit-IV **Adoption :**
Purpose of adoption
Common law
Indian law
Hindu law
Recognition of foreign adoption

Custody and Guardianship :

Purpose
Adoption and succession
Property
Distinction between movable and immovable property (English idea personal and real property)
Immovables governed by tex situs-exceptions in English law – S. 16 of C.P.E. situs rule
Succession to immovable property
Movables : tangibles and intangibles – choses in action in English law – chose in action as action able claims in India law with some exception.
(SS 3 and 130 T.P. Act, 1882)
Transfer of tangible movables (Particular Assignment)
Different theories
Assignment of intangible movables
Kinds of assignment – voluntary and involuntary
Forums and essential validity.

Contract :

Contract – a leading relationship in private international law system

Validity of contracts

Capacity to contract – Main four theories, lex loci, lex domicilli, lex situs, and proper law.

Formal validity – lex loci contracts governs

Essential validity – proper law is usually accepted as governing

Discharge of contract – lex loci solutions governing

Doctrine of proper law of contract subjective and objective theories.

Recognition and Enforcement of foreign judgments :

Need recognizing foreign judgments

Limitation in recognizing and enforcement

SS 13, 14 and 444 of C.P.C. and S 41 of the India Evidence act

Unit-V

Leading Cases :

1. Adams V. National Bank of Greece, (1960) 3 WLR 8
2. Boys V. Chaplin (1968) 2 W.L.R. 328.

Books Recommended

- | | |
|------------------|---|
| 1. Patas Diwan | :Indian and English Private International Law |
| 2. blnzt hr fl g | :0; fDrxr vlrjkz Vh; fof/k |
| 3. Graveson | :Conflict if Laws |
| 4. Cheshire | :Private International Law |

SEMESTER – IV
PAPER – XXXVIII A
Criminology, Penology and Forensic Science

Unit-I Origin and concept of crime, definition, scope, classification of crimes, theories of criminology, emerging patterns of crimes. Crime and criminals, white collar crimes, offences against person and property – legal and social aspects; Punishment theories, objectives and types, institutional & non – institutional treatment of offenders; criminology causation.

Unit-II Schools of thought in criminology; history of institutional correction; correctional institutions of juvenile and adults special facilities and amenities for inmates; special correctional institutional methods of correction; latest development.

Unit-III Crime presentation and recidivism; prisons, probation and parole, police organization, case diary; arrest and seizure.

Unit-IV History and development of forensic science, areas and scope; scene of crime and preservation, collection, packing and transportation of various types of physical evidence; impressions finger prints, food and footwear prints, type prints, track marks, call patterns; questioned documents; nature, types and examination of forged documents, charged documents, attestation in documents, characteristics seal and examination of handwritten typed printed & indented materials; seal & rubber stamps; DNA profiling and forensic aspect.

Unit-V **Leading Cases :**

1. Jugal Kishore Prasad Vs. State of Bihar, AIR 1972 SC 5222.
2. Bachan Singh Vs. Punjab, (1980) 2 SCC 684.
3. Mohd. Ghayasuddin Vs. State of A.P., (1977) 4 SCC 44.
4. Maru Ram Vs. India (1981) 1 SCC 107.
5. Iqbal Ahmed Vs. Ketaki Devi 1976 C.L.J. 244 (Act)

Books Recommended

- | | |
|-----------------------|---|
| 1. Sutherland | : Principles of Criminology |
| 2. Ahmad Siddique | : Criminology – problems and perspectives |
| 3. N.V. Paranjape | : Criminology and Penology |
| 4. Bansanti Lal Babel | : Apradh Shastra |
| 5. J.D. Sharma | : Vidhi Vigyan and Vish Vigyan |
| 6. H.J. Walls | : Forensic Science |
| 7. Basanti Lal Babel | : Nayayik Vigyan |

SEMESTER – VIII

PAPER – XXXIX

Arbitration And Conciliation Law of India

(Arbitration, Conciliation & Alternate Dispute Resolution System and Limitation Act (Panchayat))

This paper shall consist of following acts :

1. Arbitration and Conciliation Act, 1966.
2. Alternative dispute resolution system – brief study of general conciliation procedure, and Indian and international arbitration institutions, e.g. the Indian council of arbitration UNCITRAL and its activities in the field of arbitration and conciliation international council for commercial arbitration (ICCA) international chamber of commerce (ICC) London court of internation.

Unit-I 1. **Introduction**

GENERAL

Some basic expressions relating to arbitration

Domestic arbitration

International arbitration

Foreign arbitration

Ad hoc arbitration

Specialized arbitration

Statutory arbitration

Submission to arbitration

Arbitration clause

Practice of arbitration in India

SOURCES

International conventions

Multilateral conventions

Bilateral conventions

Judicial decisions

II **INDIAN LAW APPLICABLE TO ARBITRATION AGREEMENT CONSEQUENCES**

VALIDITY OF ARBITRATION AGREEMENT

Matters that may be referred to arbitration restrictions under specific laws

Capacity of the parties

Form of arbitration agreement

Mandatory contents of arbitration agreement

Validity of the agreement containing arbitration clause existence of arbitration clause

III **VENUE OF ARBITRATION**
VEUE OF ARBITRAION

UNIT-II	INTERNATIONAL ARBITRATION – LAW APPLICABLE TO PROCEEDINGS
	INTERNATIONAL ARBITRATION – LAW APPLICABLE TO THE CONTRACT OR MERITS OF THE DISPUTES.
I)	INDIAN LAW APPLICABLE TO PROCEEDINGS - CONSEQUENCES
	ARBITRATOR – QUALIFICATIONS AND CAPACITIES
	APPOINTMENT OF ARBITRATORS AND COMPOSITION OF ARBITRAL TRIBUNAL
	DUTIES AND RESPONSIBILITIES OF ARBITRATORS
	POWER OF ARBITRATOR
	Jurisdiction of arbitrator
	Interim measures
	Expert advice
	Power of the arbitrator to act as amiable compositor
	Stating a special case
	RESIGNATION
	CHALLENGE TO THE APPOINTMENT OF ARBITRATOR
	REMOVAL OF ARBITRATOR
	ARBITRATION PROCEEDINGS
	Domestic arbitration
	International arbitration
	Non-institutional arbitration – commencement
	Written pleadings
	Hearing of the parties to the arbitration
	Evidence of witnesses
	Inspection by arbitrator of the subject matter of dispute
	THE ARBITRAL AWARD
	The time limit for making the award
	Award by consent
	Interim award
	Notification of making of the award
	Making of the award
	Award by majority
	Filing of the award
	Power of award interest
	Correction of the award by the arbitrator
	Stamp duty on award
II)	COSTS
	AMOUNT AND PARTY LIABLE TO PAY
	REMUNERATION OF ARBITRATOR
III)	DEPOSITS TO BE MADE BEFORE START OF ARBITRATION PROCEEDINGS
	POWER OF THE COURT
UNIT-III	POWER OF ISSUE SUMMONS TO WITNESS
	INTERIM OF ISSUE SUMMONS TO WITNESS
	MODIFICATION OF CORRECTION OF THE AWARD
	SETTING ASIDE OF AN AWARD
	REMISSION OF AWARD BY THE COURT TO ARBITRATION TRIBUNAL
	HIGH COURT RULES

- I) **ENFORCEMENT OF AWARDS**
 ENFORCEMENT OF DOMESTIC AWARDS
 ENFORCEMENT OF FOREIGN AWARDS UNDER THE CONVENTIONS
 PROCEDURE FOR ENFORCEMENT UNDER THE CONVENTIONS
- II) ENFORCEMENT OF AWARDS TO WHICH THE CONVENTIONS DO NOT APPLY
- III) **AWARDS MADE IN INDIA UNDER INDIAN PROCEDURAL LAW**
 AWARD MADE OUTSIDE INDIA UNDER INDIAN PROCEDURAL LAW
 AWARD MADE IN INDIA UNDER FOREIGN PROCEDURAL LAW
 AWARD MADE OUTSIDE INDIAN UNDER FOREIGN PROCEDURAL LAW
- IV) **STAY OF SUIT IN DOMESTIC ARBITRATION**
- V) **STAY OF SUIT IN FOREIGN ARBITRATION**
- VI) **JURISDICTION OF COURT**
- VII) **APPEALS**
- VIII) **CONCILIATION**

CONCILIATION UNDER THE 1996 ACT
 CONCILIATION AND ARBITRAION
 THE EMOTIONAL ASPECT
 SCOPE
 COMMENCEMENT
 CONCILIATORS
 INSTITUTIONAL ASSISTANCE
 STAGES
 LEGAL EFFECT
 ROLE OF THE PARTIES
 CONCILIATORS PROCEDURE
 DISCLOSURE AND CONFIDENTIALITY
 ADMISSIONS ETC
 PARALLEL PROCEDINGS
 CONCILIATOR NOT TO ACT AS ARBITROR ETC
 COSTS AND DEPOSIT
 REPEAL

UNIT-IV

CODE OF ETHICS FOR ARBITRATORS
 RULES OF ETHICS FOR INTERNATIONAL ARBITRATORS
 INTRODUCTORY NOTE
 FUNDAMENTAL RULE
 ACCEPTANCE OF APPOINTMNT
 ELEMENTS OF BIAS
 DUTY OF DISCOLOSURE
 COMMUNICATIONS WITH PARITES
 FEES
 DUTY OF DILIGENCE
 INVOLVEMENT IN SETTLEMENT PROPOSALS
 CONFIDENTIALITY OF THE DELIBERATOINS
 CODE OF ETHICS OF THE VANCOUVER MARITME ARBITRATORS ASSOATION (VMAA)

INSTITUTIONAL ARBITRATION SERVICES AND THE INDIAN COUNCIL OF ARBITRATION

Conciliation of disputes

Expansion – of network of ICA arbitration service agreement with foreign arbitral institutions ICANET – online service of ICA

UNCITRAL AND INTERNATIONAL ARBITRATION INSTITUTIONS

- I. ORIGIN
- II. INITIAL WORKING GROUPS
- III. SESSIONS OF UNCITRAL AND ITS WORKING GROUPS
- IV. WORK CARRIED OUT BY UNCITRAL
 - a. International sale of goods and related transactions
 - b. International transport of goods
 - c. International commercial arbitration and conciliation
 - d. Public procurement
 - e. Construction contract
 - f. International payments
 - g. Electronic commerce

UNCITRAL NOTES OF ORGANISIG ARBITRAION PROCEEDINGS

International council for commercial arbitration (ICCA)

International chamber of commerce (ICC)

The London court of international arbitration (the LCIA)

The American arbitration association (AAA)

The international centre for settlement of investment disputes (ICSID)

AALCC regional centers

National arbitration bodies

UNIT-V

Leading Cases:

T.N. Electricity Board Vs Bridge Tunnel Construction and others (1997) 4 SCC 121.

Grid Corporation of Orissa Ltd. Vs. Indian Charge Chrons Ltd. (1998) 5 SCC 124

Dolphin international Ltd. Vs. Ronak Enterprises Inc. (1998) 5 SCC 124. M/s. Construction India Vs. Secretary Department, Govt. of Orissa and others (1998) 2 SCC 89.

Books Recommended :

- 1. G.K. Kwatr : The Arbitration and Conciliation law of India
- 2. Avtar Singh : Arbitration and Conciliation
- 3. Goyal : Arbitration and Conciliation act
- 4. vorkjfl g : e/; LFke ,oa l yg vuøe fyfi d fookn , oa fui Vku fof/k
- 5. blnzt hr eYgks=k : e/; LFk ,oa l yg vf/kfu; e 1986

SEMESTER – VIII
PAPER – XXXX
CLINICAL LEGAL TRAINING

(Moot Court Trial Proceeding and Practical Training)

This paper shall consist of following acts :

- | | |
|---|------------|
| (A) Preparation of diary and attendance in courts | - 30 Marks |
| (B) Moot Courts | - 20 Marks |
| (C) Viva-voce | - 50 Marks |

(A) PREPARATION OF DIARY AND ATTENDANCE IN COURT

This diary shall consist of the following - 30 Marks

- (i) Preparation of five legal cases
- (ii) Record of moot court activities
- (iii) Record of group discussion, debate, etc.
- (iv) Record of visits
- (v) Record of attendance in courts

Every student shall be required to prepare a diary of five legal cases or proceedings or interim petitions in courts as far as possible from start to finish of the following nature :-

- (i) Civil suit
- (ii) Criminal case
- (iii) Session case
- (iv) Small cause proceeding : or
- (v) A proceedings before a labour court, central administrative tribunal or state administrative tribunal or any other court as may be decided by the concerned teacher.

The cases shall be prepared on the basis of personal visits of every student, to the court along with his/her teacher no mark will be awarded to students whose diaries appear to be the copy of other diaries whether in content or in handwriting. The diary shall be prepared by the students in their own handwriting signed by him/her and counter signed by the concerned teacher. The work of the preparation of diary shall be assessed by the internal and external examiners appointed by the University.

A student for this course shall be required to participate atleast twice in the year in a group discussion or debate or talk preferably on a topic of current legal importance as may be decided by the concerning teacher. The student shall record his views in his own hand writing from time to time signed by him and counter signed by the concerned teacher. The same will be duly assessed for the purpose of allotting the marks.

VISITS : The student in convenient groups under the supervision of a teacher shall visit the following office on such days and during such timings as may be decided by the concerned department/college.

1. Office of the registrar, clerks of the courts of Nazir record keepers etc. in courts.
2. Police station
3. Office of the sub-registrar under the Indian registration act.

(B) Moot Court

-

20 Marks

Separate groups shall be formed and cases involving several issues in any branch of law shall be assigned to each group. The aim of the moot court shall be imparting of practical training in court procedure i.e. preparation of a brief and actual argument of the points involved. The department/college shall prescribe the number of moot courts. The college/department shall maintain full record of each student to moot courts.

The department/college shall maintain a record of attendance to the court for the practical training to enforce regular attendance strictly.

The student shall submit their diaries etc. to the concerning college/department for evaluation. The college/department shall send them to the university. The assessment of moot court shall be done by the University. The total marks of moot court examination shall be 20.

Moot court shall consist of the following :

- (i) Preparation of brief, and
- (ii) Oral arguments, group discussion, debate etc. on the points involved on behalf of one or other party.

(C) Moot Court

-

50 Marks

Besides the marks being allotted to the preparation of diary and moot court, a viva-voce examination shall be held by the University. The University shall constitute a committee of two examiners one external and one internal. The committee may ask questions on the basis of the subjects passed/appeared (of LL.B. Part-I, II & III) by the students and as well as on the diary prepared by her. The maximum marks of the viva-voce, etc. shall be 50. It is compulsory for the candidate to appear in the viva-voce examination.

Professor-in-charge : The students is 'practical training' shall be assisted by a professor-in-charge to be appointed by the law department/college etc. The concerned professor may form groups and the work may be assigned to each group.

SEMESTER – IX
PAPER –XXXXII
DRAFTING OF PLEADINGS, CONVEYANCINGS

This paper shall consist of the following :-

- Unit-I** Conveyancing : General principles of conveyancing with special reference to the following.
- (a) Sale deed
 - (b) Lease deed
 - (c) General power of attorney
 - (d) Will deed
 - (e) Gift deed
 - (f) Mortgage deed
 - (g) Promissory note
- Unit-II** **Pleadings :**
- (i) **Civil** : General principles of pleadings with special reference to the following
- (1) **Plaint** and written statement with reference to the suits mentioned below :
- (a) Money suit
 - (b) Ejectment suit
 - (c) Injunction
 - (d) Interlocutory application under the provisions of C.P.C.
 - (e) Suits under Hindu Marriage act 1955
 - (f) Suits for specific performance of contract
 - (g) Original petition
 - (h) Affidavit
 - (i) Execution petition
 - (j) Memorandum of appeal and revision
 - (k) Petition under act, 226 & 32 of the constitution of India.
- Unit-III** (ii) **Criminal** : Criminal pleadings with respect to the following.
- Drafting of first information report (FIR u/s 154, Cr.P.C.)
- Drafting of Challan/Change sheet (u/s 173 Cr.P.C.)
- Drafting of charge by the court
- (a) Complaints for commission of offences u/s 294, 323/324 and 325 of the Indian Penal Code 341, 352, 506.
 - (b) Criminal miscellaneous petition. Interlocutory application.

- Unit-IV**
- (a) Drafting of bail application u/s 436 & 437 of Cr.P.C.
 - (b) Drafting of anticipatory bail application u/s 438 Cr.P.C.
 - (c) Drafting of cancellation of bail application u/s 439 (i) & (ii)
 - (d) Maintenance application u/s 125-128 Cr.P.C.
 - (e) Memorandum of appeal and revision

- Unit-V**
- (a) M.P. High Court rules and orders (Civil)
 - (b) M.P. High Court rules at orders (Criminal)
 - (c) Professional ethics (Atleast six lectures will be delivered on this subject)

Books Recommended :

- 1. Murli : Art of conveyancing & Pleading
- 2. Shiv Gopal : Conveyancing, Precedents & Forms
- 3. Mogha's : Pleading
- 4. Mogha's : Conveyancing
- 5. N.S. Bindra : Pleading and practice
- 6.
- 7. M.P. High Court : Rules and Orders (Civil)
- 8. M.P. High Court : Rules and Orders (Criminal)

SEMESTER – IX
PAPER –XXXXIII
LAND LAWS IN M.P.

Statutes in Course :

1. M.P. land revenue code 1959
2. The ceilings on agricultural act 1960

Unit-I M.P. LAND REVENUE CODE 1959

DEFINITIONS

Abadi, agriculture, agricultural year, board, bonafide agriculturist, cooperative society; government forest, Govt. Lessee, holding, improvement, land, landless, person, land records, legal practitioner; mango grove orchard, plot no. recognized agent, region, rent, revenue officer, revenue year; sub – division of survey. Number, survey number; tenant; tenure holder, timber tress, to cultivate personally, unoccupied land, urban area, village.

Unit-II Board of Revenue :
Revenue officers and their classes & powers
Procedure of revenue officer, revenue courts
Appeal, revision & review
Land & land revenue
Revenue survey & settlement in non urban areas
Assessment & Re-assessment of land in urban areas

Unit-III Land records
Boundaries & boundary marks, survey marks
Realization of land revenue
Tenure holders
Govt. lessee & service land
Occupancy tenant
Alluvion & service land
Consolidation of holding
Village officers
Rights in abadi & unoccupied & its procedure

Unit-IV The M.P. ceiling on agricultural holding act 1960.
Definitions – section 2.
Exemptions & restriction on transfer of land (Sec. 3 to 5).
Fixing of ceiling area; determination of surplus land and acquisition there of (section 6-16).
Payment of compensation (Sec. 16-21)
In-cumbrances on surplus land (Sec. 22-34)
Disposal of surplus land (Sec. 35-37)
Offences & penalties (Sec. 37-Ac-37.8).
Miscellaneous (Sec. 38-50)

Unit-V **Leading Cases :**

1. State of M.P. Vs. Poonam chand 1968, JLJ, 116.
2. Bhopal Sugar Industries Vs. State of M.P. & Others, 1967 M.P. Rev. Nirnaya, 210.
3. M.P. State Vs. Babulal & Other (1980) JLJ, 856-(SC).

(C) **Books Recommended :**

1. H.N. Dwivedi : M.P. Land Revenue Code.
2. R.D. Jain : M.P. Land Revenue Code.
3. H.N. Dwivedi : M.P. Bhu Rajaswa Sanhita (Hindi Edn.)
4. R.D. Jain : e-i z Hk&jktLo l fgrk ¼gUnh½
5. Shivdayal Shrivastava : e-i z Hk&fof/k

SEMESTER – IX
PAPER –XXXXIV
RESEARCH METHODOLOGY

Maximum Marks : 100

Research Methodology paper will be of 100 marks. The theory paper will be of 80 marks and remaining 20 marks will be reserved for the internal assessment. The main objective of this paper is to acquaint the students of law with the scientific methods of legal research as well as socio-legal research.

This paper is expected to provide the basic knowledge of techniques of selection, collection and interpretation of primary and secondary dates and also to promote legal research and law reforms. It will facilitate the students to develop a scientific approach towards socio-legal problems. The following shall be the course of the paper.

Unit-I

Definition of research, methodology and scope, selecting a topic, taking notes and plagiarism, identification and formulation of the research problem.

Unit-II

Legal research : meaning, scope and current trends, using a law library, legal research : techniques, major lacunae in India legal research.

Unit-III

Socio-legal research : An introduction hurdles and pitfalls, scaling techniques in socio-legal research. Sampling design : meaning, importance, merits, demerits and types of sampling.

Unit-IV

Methods of data collection : questionnaires and schedules, interview method, case studies. Interpretation of data and research report.

Unit-V

Compiling : A working bibliography, primary and secondary legal materials and citation, use of computers in legal research.

SEMESTER – IX

PAPER –XXXXV

DISSERTATION / VIVA-VOCE

This paper will comprise of dissertation which will be of 50 marks and Viva-voce of 50 marks based on dissertation and papers offered by the candidate.

B.A.LL.B. (HON'S) (FIVE YEARS)

SEMESTER – X

PAPER – XXXXVI

ADMINISTRATIVE LAW

This paper shall consist of the following topics :

Unit-I i) Meaning & basic principles of administrative law.

ii) Development of administrative law.

iii) Relationship of administrative law & constitutional law.

iv) Separation of power.

Unit-II v) Rule of law

vi) Tribunals

vii) Natural justice

viii) Public corporation

Unit-III ix) Delegated legislation.

x) Remedies against administrative action i.e. writ of habeas corpus :
Mandamus, certiorari and prohibition.

xi) Liabilities of public authorities in tort & contract.

xii) Immunities of crown in legal proceedings.

xiii) Administrative process.

xiv) Administrative justice.

Unit-IV xv) Administrative procedure.

xvi) Estoppel and waiver.

xvii) Right to know-official secrecy-discretion to disobey.

xviii) Public interest-litigation. Legal aid, lock adlats.

xix) All recent development.

Unit-V **Leading Cases :**

1. Narayan Govind Gavate etc. V. State of Maharashtra and Others,
AIR 1977 SC 188.

2. R.J. Kapoor Vs. State of Punjab, AIR 1955 SC 549.

3. Kasture Lal Vs. State of U.P. AIR 1965 SC 1039.

4. State of U.P. Vs. Mohammed Nooh, 1950 SCJ 242.

5. Bhagat Raja Vs. Union of India, AIR, 1967 SC 1606.

6. The board of High School & Intermediate education, U.P.,
Allahabad Vs. Ghanshyam Das, AIR 1962 SC 1110.

Books Recommended :

1. Thaker C.K. : Administrative law

2. Massey I.P. : Administrative law

3. Takwani C.K. : Lectures on administrative law

4. S.P. Sathe : Administrative law

5. Kesari, U.P.D. : Administrative law

6. Jain & Jain : Principles of administrative law

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SEMESTER – X
PAPER –XXXXVII

EQUITY, TRUST & SPECIFIC RELIEF

- Unit-I** 1) Equity.
Principles of equity.
General conception of equity.
Equity and common law.
Maxims of equity.
Equitable rights.
Penalties and forfeitures.
- Unit-II** Mortgages and forfeitures.
Mortgages liens and charges.
Married women.
Guardians infants and lunatics.
Performances, satisfaction and adaption.
Conversion and reconversion.
- Unit-III** Election,
Family arrangements,
Mistake, misrepresentation, fraud and undue influence,
Accident,
Set off,
Administration of assets,
Equitable assignments,
Equitable estoppel,
- Unit-IV** Indian trust act, 1882;
Preliminary – definition of trust, comparison with other relationship,
Kind of trust,
Public of charitable trust,
Rights and powers of trustees,
Disabilities of trustees.
Rights and liabilities of the beneficiary.
Vacating the office of trustee.
Extinction of trustee.
Certain obligation in the nature of trusts.
- Unit-V** **Leading Cases :**
1. Mussories bank Vs. Rajkot, ILA 4All, 500 P.C.
2. Jessa Ram Fatechand Vs. Om Narain Tankha, AIR 1967 SC 1162.
3. Vins Temple Vs. I.P. Reddi, AIR SC 781.
- Books Recommended :**
1. Clacy : I KE;] U; kl , oafof" k'V vuqksk vf/kfu; e
2. Snell : Principles of Equity
3. Suryanarayan Iyer : Indian Trust act
4. G.P. Singh : Equity, trust Specific Relief act
5. Aquil Ahmed : Equity, Trusts with Fiduciary Relations and Specific Relief act.

SEMESTER – X
PAPER –XXXXVII
PROFESSIONAL ETHICS, ACCOUNTABILITY FOR
LAWYERS AND BAR BENCH RELATIONS

Unit-I

This paper shall consist of the following :

1. History and development of legal education in India.
2. History and development of legal profession in India.
3. The Contempt of Courts Act 1971.

Unit-II

The Bar Council of India rules (published in the Gazette of India on 6th Sept. 1975 in part-III, section 4) (As amended upto date) The details of these rules shall be as follows :

Matters Relating to the Bar Council of India :

- (i) Election of the members, etc.
- (ii) Meeting of the council, etc.
- (iii) Constitution, functions and procedure of committees of the Bar Council of India.
- (iv) Qualification and conditions of service of the secretary etc.
- (v) Rules relating to finance.
- (vi) Removal of name from roll procedure.
- (vii) Additional qualifications for enrolments.
- (viii) Revision and review.
- (ix) Orders of the Bar Council of India.

Unit-II

Matters Relating to State Council :

- (i) Electrol roll etc.
- (ii) Rules to secure atleast minimum number of advocates of 10 years standing,
- (iii) Transfer of name.
- (iv) Seniority in the state rolls.
- (v) Special provision for enrolment of certain Supreme Court Advocates.
- (vi) Restrictions on senior advocates.
- (vii) Standard of professional conduct and etiquette.
- (viii) Condition for right to practice.
- (ix) Form of Dresses or Robes to be norm by advocates.
- (x) Complaint against advocates and procedure to be followed by disciplinary committees.
- (xi) Levy of fee rules
- (xii) Right principles to be followed by the Bar.
- (xiii) Right of practicing act taking up teaching assignment – rules regarding.

Any other rules when may be framed by the Bar Council of India / Bar Council of state from time to time.

**Unit-III Professional Ethics : This topic shall consist of the following :
The Advocates Act, 1961 Official Secret Act, 1923.**

- (i) Sources and sanctions of legal ethics.
- (ii) Honesty towards client.
- (iii) Fairness to the opponent.
- (iv) Respect to courts.
- (v) Respect to opponent.
- (vi) Industry and hard work.
- (vii) Professional fraternity including avoiding competition and unfair practices in obtaining work like touting and advertising.

Unit-IV

1. The power of attorney act 1882.
2. The court fee act, 1870.
3. Suits valuation act – 1887.

Unit-V Leading Cases :

1. M.R. Parashar Vs. Farooq Abdulla, AIR 1984 SC 615.
2. Mulraj Vs. State of Punjab, AIR 1972 SC 1197.
3. V.P. Kumaravelu Vs. The Bar Council of India, New Delhi AIR 1997 SC – 104.

Books Recommended :

1. C.L. Anand : Principles of Legal Ethics
2. N.R. Madhva Menon : Clinical Legal Education
3. M.P. Jain : Indian Legal History (Relevant Portion of Legal Profession)
4. International Bar Association : Challenges to the Legal Profession, Law and Investment in Developing Countries.
5. Malik P.L. : Indian Stamp Act, 1899
6. S.M. Hasan : Law of Court Fees and Valuation
7. Keith Evans : Golden Rules of Advocacy (Universal Law Publication)
8. G.C. Venkata Subba Rao : Contempt of Courts Act, 1971

SEMESTER – X
PAPER –XXXIX
ENVIRONMENTAL LAW

STATUTES :-

1. The Water (Prevention and control of pollution) Act, 1974.
2. The air (Prevention and control of pollution) Act, 1981.
3. The Madhya Pradesh Kolahal Niyantran Adhiniyam, 1986.
4. The Water (Prevention & Control of Pollution) Cass Act, 1977.
5. Environment Protection Act, 1986.
6. The Wild Life (Protection) Act 1972.
7. Constitution of India and Environment (Relevant Provisions)
8. Indian Forest Act, 1927 (Relevant Portion)

Unit-I The Water (Prevention and Control of Pollution) Act, 1974.

1. Application and commencement (S. 1)
2. Definitions (S. 2)
3. The control and state boards for prevention and control of water pollution (SS 3-12).
4. Constitution of joint boards (S 13-15)
5. Powers and functions of boards (16-18)
6. Prevention and control of water pollution (S 19-33)
7. Funds, accounts and audit (S. 34-40)
8. Penalties and procedure (S.41-50)
9. Miscellaneous (S. 51-64)

The AIR (Prevention and Control of Pollution Act 1981)

1. Preliminary (SS 1-2)
2. Central and state boards for the prevention and control of AIR pollution (SS 3-15)
3. Powers and functions of boards (SS 16-18)
4. Prevention and control of AIR pollution (SS 19-31)
5. Fund, accounts and audit (SS 32-36)
6. Penalties and Procedure (SS 37-46)
7. Miscellaneous (47-54) schedules.

Unit-I The Madhya Pradesh Kolahal Niyantran Adhiniyanm 1986 :

1. Short title, extent and commencement (S. 1)
2. Definitions (S. 2)
3. Prohibition of soft music in certain cases (S. 3)
4. Prohibition of loud music (S. 4)
5. General restrictions against the use of loudspeaker (S. 5)
6. Restrictions of the use of horn – types loudspeaker.
7. Operation of loudspeaker (S. 7)
8. Use of loud speaker for public purpose of making announcements (S.8)
9. Permission for operation of a code type loud speaker.
10. Prohibition of any kind of noise in public interest.
11. Special provisions relating to noise emanating from motor vehicles (S. 11)
12. Relaxations of provisions (S. 12)
13. Prescribed authority empowered relax provisions in certain cases (S.13).
14. Offences to be non-cognizable and bailable (S. 14)
15. Penalty (S. 15)
16. Power to seize the loudspeaker (S. 16)
17. Power to order of the loudspeaker in certain cases (S. 17)
18. Power to declare silence zones (S. 18)
19. Power to make rules (S. 19)
20. Repeal (S. 20)

The Water (Prevention and Control of Pollution) Cess Act 1977:

1. Short title, extent, application and commencement (S. 1)
2. Definitions (S. 2)
3. Levy and collection of cess (S. 3)
4. Affixing of meters (S. 4)
5. Furnishing of returns (S. 5)
6. Assessment of cess (S. 6)
7. Rebate (S. 7)
8. Crediting proceeds of cess to consolidated fund of India (S. 8)
9. Power of entry (S. 9)
10. Interest payable for delay in payment of cess (S. 10)
11. Penalty for non-payment of cess within the specified time.
12. Recovery of amount due under the act (S. 12.)
13. Appeals (S. 13)
14. Penalty (S. 14)
15. Offences by companies (S. 15)
16. Power to amend schedule (S. 16)
17. Power to make rules (S. 17)

Unit-III The Wild Life (Protection) Act, 1972 (No. 53 of 1972) :

1. Preliminary (SS. 1-2)
2. Authorities to be appointed or constituted under the act (SS 3-8)
3. Hunting of wild animals (SS 9-17)
4. Sanctuaries, national parks game reserves and closed areas (SS 18-38)
5. Trade and commerce in wild animal articles and trophies (SS39-49)
6. Prevention and detection of offences (SS 50-58)
7. Miscellaneous (SS 59-66) Schedule

Constitution of India and Environment :

1. Relevant Articles of Indian Constitution and Environment, (Articles 47, 48-A, 51-A (9) 42nd Amendment act 1976, Art 246)

Unit-IV Environment Protection Act, 1986

Full Act. (As amended upto date)

Indian Forest Act 1927

(Relevant Portion relating to Environment)

Unit-V Leading Cases :

1. M.C. Mehta Vs. Union of India, AIR 1988 SC 1125.
2. Ratlam Vs. Vardichand, AIR 1980 SC 1980.
3. Rural litigation and entitlement Kendra, Dehradun Vs. State of U.P. AIR 1985 SC 652.

Books Recommended :

1. Suresh Jain etc. : Environmental Laws in India
(Lawyear's Home, Indore)
2. Agarwal (Ed) : Legal Control of Environment
3. cl Urhyky ckcsy : i ; kbj.k l j{k.k ckum ¼ fo/kk ykW gkm l]
Hkks ky½
4. Leela Krishnan (P) : The Environmental Law in India (1999)
Butterworth, India
5. Indian Law Institute : Environment Protection Act – an Agenda
for Implementation

SEMESTER – X
PAPER –XXXXX
SEMINAR

The department of law / college shall organize seminars in which all students of Semester – X shall take active part. The topic of the seminars shall be decided by the concerning department / college.

These shall be an evaluation of the candidates :-

1. One member of the department/college.
2. Three member of the department/college/university.

This board shall observe the performance of each student and award marks accordingly. The maximum marks of this paper shall be 100. The minimum passing marks shall be 40%. The remuneration of the members of the board shall be determined by the university.

