

FACULTY OF LAW  
MAHATMA GANDHI KASHI VIDYAPITH, VARANASI

**Ordinance and General Rules of LL.B. Three Year(Six-Semester) Degree Course**

Whereas, it is essential to adopt and implement the revised curriculum and rules formulated and approved by the Bar Council of India; Mahatma Gandhi Kashi Vidyapith, Varanasi, has now therefore, decided to introduce LL.B. Three Year (Six-semester) Degree Course of study and frame these ordinances for the implementation from the academic year 2009-2010. As amended on 30<sup>th</sup> April, 2015.

**1. The Degree of Bachelor of Laws**

The Mahatma Gandhi Kashi Vidyapith may confer the Degree of Bachelor of laws on such candidates who, being eligible for the admission in the LL.B. Degree Course, have received regular instruction in the prescribed courses of study, undergone required practical training, passed relevant examination and being otherwise suitable by virtue of their character, have fulfilled such other conditions as may be laid down from time to time.

**2. General Rules Regarding Admission**

- i) The admission to LL.B. Three Year (Six-Semester) Degree shall be regulated either on merit basis or through an Entrance test conducted by the University.
- ii) The admission to LL.B. First Semester shall be taken as per the rules prescribed by Bar Council of India. Accordingly, only those candidates shall be admitted who have obtained not less than 45% marks in the qualifying examination. 5% relaxation will be granted to SC/ST candidates.
- iii) An applicant who has graduated in any discipline of knowledge from the University established by an Act of Parliament or by a State Legislature or an equivalent national institution recognized as a deemed to be university or foreign university recognized as equivalent to the status of an Indian University by an authority competent to declare equivalent, may apply for a three year degree programme in law leading to conferment of LL.B. degree on successful completion of the regular programme conducted by a university whose degree in law is recognized by the Bar Council of India for the purpose of enrolment.
- iv) The LL.B. programme is a three year full time course and no student shall be allowed to simultaneously register for a law degree programme with any other graduate or post graduate course run by the same or any other university.
- v) The applicants who have obtained graduation/post-graduation through open universities system directly without having any basic qualification for prosecuting such studies are not eligible for admission in the course.

**3. The Curriculum and Duration of Studies**

- i) The curriculum of study of the LL.B. Degree shall comprise of the courses set out in Schedule A.
- ii) The course content of each paper of study shall be such as set out in Schedule B.
- iii) Provided that the Board of Studies in law may make such changes in the contents of the course of study as and when it deems necessary, and report the matter to the Faculty Board of Law.
- iv) The curriculum of study for the LL.B. three year Degree course shall be spread over in three Academic years, and shall be divided into six semesters for the examination purposes called as First, Second, Third, Fourth, Fifth and Sixth semester. Each Academic year shall be divided into two semesters.

- v) Each semester course shall be conducted in not less than 15 weeks with not less than 30 class-hours per week including tutorials, moot court, seminar, workshops and special lectures provided there shall be at least 24 lecture hours per week as prescribed by the Bar Council of India.
- vi) The medium of instruction and examination shall be either English or Hindi. The student has to mention it in the examination form.

#### 4. Course of Study

A candidate for the three year LL.B. Degree course shall be required –

- i) To study five papers in each semester including clinical papers and must pass in all papers with minimum of 36% marks in each paper and 45% marks in aggregate in each semester in order to qualify for LL.B. Degree.
- ii) To study Twenty compulsory theory papers, Six optional theory papers and one paper of General English and Legal Language carrying 100 marks for each paper through written examination conducted by the University.
- iii) To study four compulsory clinical papers as prescribed in IV to VI semesters carrying 100 marks for each paper through written examination conducted by the University and practical work/viva-voce as prescribed by the Bar Council of India.
- iv) Each Institution of Law shall establish and run a legal Aid Clinic with the help of final year students and in co-operation with the Legal Aid Authorities.

#### 5. Examination

- i) Any regular student who fails to secure 75% attendance in each paper will not be allowed to appear in examination. The aforesaid attendance requirement may be reduced upto 66% on recommendation of the Dean and approved by the Vice-chancellor on health ground or for any other reasonable cause.
- ii) There shall be an examination at the end of each semester of three years study programme. Every student registered in any semester shall be eligible to appear in the concerned examination of the respective semester, subject to the attendance requirement as prescribed by the Bar Council of India and the University. It shall be calculated on the semester basis.
- iii) Candidate for the three year degree course (Bachelor of laws) shall be required to pass in all the prescribed courses within the span of six years from the academic session of his/her admission in I<sup>st</sup> Semester.
- iv) A candidate shall be examined in 20 compulsory and 06 optional theory papers and one General English and Legal Language paper from first to six semester carrying 100 marks for each paper through written examination conducted by the University.
- v) The four compulsory clinical paper shall be examined as prescribed in contents of papers.
- vi) A Student must pass in all 30 Papers and in Legal and General English with a minimum of 36% marks in each and 45 in aggregate in each semester in order to qualify for the LL.B. Degree.
- vii) A student who appeared in the I<sup>st</sup> Semester Examination shall be automatically promoted to II<sup>nd</sup> Semester, Similarly II<sup>nd</sup> to III<sup>rd</sup>, III<sup>rd</sup> to IV<sup>th</sup>, IV<sup>th</sup> to V<sup>th</sup>, and V<sup>th</sup> to VI<sup>th</sup> Semester. He will be allowed to appear as a back student according to para V<sup>th</sup> to VIII<sup>th</sup> of Point 6, Rules of Promotion, Back Papers and Improvement
- viii) There shall be an examination at the end of each semester.
- ix) There shall be a viva-voce examination in practical/clinical papers.
- x) A student has to qualify both theory and practical examination.
- xii) A student who obtains 45% marks but less than 60% marks will be placed in 2<sup>nd</sup> (Second) division and those who obtains 60% and above will be placed in 1<sup>st</sup> (First) division.

## **6. Rules of Promotion, Back Papers and Improvement**

- i) No student shall be promoted to next semester if he/she has been detained in the examination for shortage of attendance.
- ii) A student of first and second semester shall be promoted in third semester if he/she has secured 36% marks in each paper and 45% marks in aggregate in each semester.
- iii) Similarly a student of third and Fourth semester shall be promoted in fifth semester if he/she has secured 36% marks in each paper and 45% marks in aggregate in each semester.
- iv) A student enrolled in first semester shall be promoted in second semester and student enrolled in third semester shall be promoted in fourth semester, similarly a student enrolled in V<sup>th</sup> Semester shall be promoted I VI<sup>th</sup> semester.
- v) A student who has secured pass mark 36% in each paper, but failed to secure aggregate of 45% will be allowed to appear in back paper examination held in the next year as according to para -vi, vii & viii.
- vi) A student will be allowed to appear in back paper examination only one papers in each semester.
- vii) A student who has secured more than 36% marks in each paper but not secured 45% aggregate, he shall be eligible to appear in one back paper if he / she obtained 42% marks in aggregate in each semester.
- viii) A student who has not appeared or failed either in one paper in each semester and has got 42% marks as an aggregate shall be eligible to appear in back paper examination.
- ix) Improvement examination of LL.B. (I to VI semester will be held as per University rules)

## **7. Re- admission Rules**

- i) There shall be no re- admission in the LL.B. First ,Third and Fifth semester.
- ii) A student who has failed in examination or failed to appear in the examination and who is otherwise eligible to appear in the examination as an ex-student shall not be admitted as a regular student.

## **8. Miscellaneous Provisions**

- i) These ordinances contained herein shall be deemed to have come into effect from the academic session 2011-2012 to the extent of its applicability.
- ii) Any provision contained in earlier ordinances in this regard repugnant to the present ordinances shall stand deleted.

**SCHEDULE – A  
(CURRICULUM)**

**LL.B. THREE YEAR (SIX- SEMESTER) DEGREE COURSE OF STUDY**

**LL.B. First Semester**

|             |   |  |
|-------------|---|--|
| Paper – I   | : | Constitutional Law – I   |
| Paper - II  | : | Law of Contract – I  |
| Paper - III | : | Law of Tort including MV Accident and Consumer Protection Laws |
| Paper - IV  | : | Family Law – I   |
| Paper - V   | : | Public International Law                                       |

**LL.B. Second Semester**

|             |   |                                      |
|-------------|---|--------------------------------------|
| Paper – I   | : | Constitutional Law – II              |
| Paper - II  | : | Law of Contract – II                 |
| Paper - III | : | Family Law – II                      |
| Paper - IV  | : | Law of Crime – I (Indian Penal Code) |
| Paper - V   | : | Administrative Law                   |

**LL.B. Third Semester**

|             |   |  |
|-------------|---|--|
| Paper – I   | : | Jurisprudence  |
| Paper - II  | : | Interpretation of Statutes and Principles of Legislation |
| Paper - III | : | Company Law  |
| Paper - IV  | : | Labour Law - I   |
| Paper - V   | : | Property Law   |
| Paper – VI  | : | General English and Legal Language                       |

**LL.B. Fourth Semester**

|             |   |   |
|-------------|---|---|
| Paper – I   | : | Labour Law -II  |
| Paper - II  | : | Civil Procedure Code and Limitation Act.                          |
| Paper - III | : | Law of Evidence   |
| Paper - IV  | : | Law of Crime – II (Criminal Procedure Code)                       |
| Paper - V   | : | Professional Ethics and Professional Accounting System (Clinical) |

**LL.B. Fifth Semester**

|             |   |   |
|-------------|---|---|
| Paper – I   | : | Human Rights Law and Practice                 |
| Paper - II  | : | Environmental Law                             |
| Paper - III | : | Land Law and Land Revenue Code, 2006          |
| Paper - IV  | : | Banking Law                                   |
| Paper - V   | : | Pleading Drafting and Conveyancing (Clinical) |

**LL.B. Sixth Semester**

|             |   |   |
|-------------|---|---|
| Paper – I   | : | Principles of Taxation Law                    |
| Paper - II  | : | Penology & Victimology                        |
| Paper - III | : | Copyright                                     |
| Paper - IV  | : | Alternative Dispute Resolution (Clinical)     |
| Paper - V   | : | Moot Court Exercise and Internship (Clinical) |

**SCHEDULE – B**  
**(DETAIL COURSE CONTENT)**  
**LL.B. First Semester**  
**PAPER – I**  
**CONSTITUTIONAL LAW**

**Marks : 100**

**Unit I : Constitution**

- Definition and Classification
- Sources of Constitution
- Constitutional Conventions
- Salient features of Indian Constitution
- Rule of Law
- Separation of Powers

**Unit – II : Distribution of Powers between Union and States**

- Legislative Powers, Administrative Powers, Financial Powers
- Doctrine of Territorial Nexus, Doctrine of Harmonious Construction, Doctrine of Pith and Substance
- Doctrine of Repugnancy

**Unit – III : Constitutional Organs**

(i) Parliament (ii) Parliamentary Sovereignty (iii) Parliamentary Privileges (iv) Anti-Defection Law (v) Executive Power (vi) Collective Responsibility of Cabinet (vii) Judiciary : Jurisdiction of Supreme court and High Courts (viii) Independence of Judiciary (ix) Public Interest Litigation (x) Power of Judicial Review (xi) Doctrine of Political Question

**Unit – IV :**

Emergency Provisions, Amendment of Constitution, Doctrine of Basic Structure, Contractual and Tortious Liability of State, Right to Property and freedom of Trade & Commerce.

**Books**

1. D.D. Basu, Shorter Constitution of India, Wadhwa, Nagpur
2. H.M. Seervai, Constitution of India, Tripathi Bombay
3. V.N. Shukla, Constitution of India, Eastern Book Co. Lucknow
4. M.P. Jain, Constitution of India, Wadhwa Nagpur

**LL.B. First Semester  
PAPER – II  
CONTRACT – I**

**Marks : 100**

**Unit I : Formation of Contract**

Meaning and Nature of contract

Proposal and Acceptance, Communication and Revocation, Consideration, Capacity to enter into a Contract, Minor's Position, Unsoundness of Mind, Privity of Contract.

**Unit II : Validity and Discharge of Contract**

Consent and Free Consent

Coercion, Undue Influence, Misrepresentation, Fraud

Unlawful Consideration and Object

Contingent contract, Void, Voidable, Valid, Illegal, Unlawful and Uncertain Agreement/contract

Discharge of Contract

**Unit III : Performance of contract**

Performance : Time and Place

Agreement, Impossibility of Performance and Frustration

Breach : Anticipatory and Present

**Unit IV : Remedies and Quasi Contract**

Remedies, Damages, Kinds, Remoteness etc.

Quantum Meruit

Quasi-Contract (Section 68 - 72)

Specific Relief Act : Injunction, Specific Performance

**Books**

- 1 . Anson - Law of Contract (1998), Universal, Delhi
2. Pollock and Mulla – India Contract
3. Avtar Singh – Law of Contract, Eastern Book Co. (Lucknow)

**LL.B. First Semester  
PAPER – III**

**LAW OF TORT INCLUDING MV ACCIDENT AND CONSUMER PROTECTION  
LAWS**

**Marks : 100**

**Unit I :**

**Introduction and Principles in Tort**

- Nature, Definition and Development of Tort
- Tort Distinguished from Contract, Crime and Breach of Trust. Wrongful Act – Damnum Sine Injuria and Injuria Sine Damnum
- Joint and Separate Tortfeasors
- Doctrine of Remoteness of Damages
- Vicarious Liability.

**Unit II :**

- State Liability for Torts : Doctrine of Sovereign Immunity
- Liability under the M.V. Act, 1988
- Torts against Person : Assault, Battery and False Imprisonment
- Torts against property – Trespass, Conversion, Trespass to Land and Malicious Prosecution.

**Unit III :**

- Negligence, Res Ipsa Loquitur, Contributory Negligence
- Strict and Absolute Liability,
- Nervous Shock
- Nuisance
- Defamation

**Unit IV :**

- Consumer Protection Act : Consumerism in India (Historical Background), Consumers : the concept, definition, scope and object of C.P. Act, Rights of Consumers.

**Acts**

- Consumer Protection Act, 1986

**Books**

- 1 . R.K. Bangia – Law of Torts
2. Ratan Lal & Dhiraj Lal – The Law of Torts (1997), Universal Delhi

**LL.B. First Semester  
PAPER – IV  
FAMILY LAW - I**

**Marks : 100**

**HINDU LAW**

**Unit I :**

- Nature, Who is Hindu & Sources of Hindu Law
- Hindu Marriage Act, 1955 : (Sec.5 - 23)

**Unit II**

- Maintenance Under Hindu Marriage Act (Sec.24 & 25)
- Maintenance Under Hindu Adoption and Maintenance Act, 1956 (Sec.18, 19 & 20)  
Adoption : Essentials & Effect (Sec.6 to 12 of HA&MA, 1956)
- Kinds and Powers of guardian under Hindu Minority & Guardianship Act, 1956

**MUSLIM LAW**

**Unit III**

- Nature & Sources of Muslim Law, Who is Muslim ?
- Muslim Marriage : Essentials, Option of puberty, Kinds of Marriage under Sunni Law & Shia Law

**Unit III : Divorce**

- Classification of Divorce
- Maintenance of Wife Under Muslim personal law, Cr.P.C. and Muslim Women (Protection of Right of Divorce) Act, 1986
- Parentage and Legitimacy
- Kinds and Powers of guardian

**Acts**

1. Hindu Marriage Act, 1955
2. Hindu Adoption and Maintenance Act, 1956
3. Hindu Minority and Guardianship Act, 1956
4. Muslim Women (Protection of Right on Divorce) Act, 1986

**Books**

1. J.D.M. Derrett – Hindu Law
2. Mulla – Hindu Law, (18<sup>th</sup> Ed. 2002) Butterworth Publication
3. Paras Diwan, Hindu Law, Allahabad Law Agency



## **LL.B. First Semester**

### **PAPER – V PUBLIC INTERNATIONAL LAW**

**Marks : 100**

#### **Unit I :**

- Nature, Definition, Origin and Basis of International Law
- Sources of International Law
- Subjects of International Law
- Relationship between International Law and Municipal Law

#### **Unit II :**

- Recognition : Definition, Theories of Recognition, Kinds of Recognition, Legal effect of Recognition, Withdrawal of Recognition.
- Extradition : Definition, Purpose of Extradition, Legal Duty, Extradition of Political Offenders, Doctrine of Double Criminality, Rule of Specialty.
- Asylum : Meaning, Right of Asylum, Types of Asylum
- Intervention : Definition and Its Prohibition, Ground of Intervention.

#### **Unit III :**

- State Territory : Concept, Modes of Acquisition, International Rivers.
- State Jurisdiction - Territorial Jurisdiction and Its Limitation
- State Succession : Definition and Kinds of Succession Consequences of State Succession.
- State Responsibility : Kinds of State Responsibility, Consequence of State Responsibility.

#### **Unit IV :**

- U.N. : Origin, Object, Principles and Membership
- Main organs of U.N. : General Assembly, Security Council Economic and Social Council, Trusteeship Council and Secretariat, International Court of Justice.
- Settlement of International Dispute

#### **Book**

1. Starke : Introduction to International Law
2. S.K. Kapoor : Public International Law
3. H.O. Agrawal : International Law and Human Rights

**LL.B. Second Semester**  
**PAPER – I**  
**CONSTITUTIONAL LAW - II**

**Marks : 100**

**Unit I : Fundamental Rights**

- Definition of State for enforcement of fundamental rights, Justifiability of fundamental rights, Doctrine of eclipse, severability, waiver, distinction between pre-constitutional law and post constitutional law
- Right to Equality : Doctrine of Reasonable classification and the principle of absence of arbitrariness.
- Fundamental Freedom : Freedom of Speech and Expression, Freedom of Association, Freedom of Movement, Freedom of Reside and Settle, Freedom of Trade, Business and Profession-expansion by judicial interpretation-reasonable restrictions.

**Unit II : Fundamental Rights**

- Right to life and personal liberty-scope and content (expensive interpretation)
- Preventive detention under the Constitution-Policy and safeguards-Judicial review
- Right against exploitation-forced labour and child employment
- Freedom of religion
- Education and cultural rights

**Unit III : Rights to Constitutional Remedies**

- Right to Constitutional Remedies-Judicial Review
- Writs : Habeas Corpus, Mandamus, Certiorari, Prohibition and Quo-warranto-Art.32 and 226

**Unit IV : Directive Principles, Fundamental Duties, Social Justice and Right to Information**

- Directive Principles of State Policy –Nature and Justifiability of the Directive Principles-Interrelationship between Fundamental Rights and Directive Principles, Fundamental Duties
- Social Justice under the Indian Constitution, Compensatory discrimination for backward classes Mandal Commission's case and other cases-Protective discrimination doctrine
- Right to Information Act, Central and State Commission, Public Authorities, Right to Information and Power of Judicial Review

**Books : Same as Semester I**

## **LL.B. Second Semester**

### **PAPER – II CONTRACT - II**

**Marks : 100**

#### **Unit I :**

Indemnity and Guarantee (Sec 124 - 147)

Indemnity & Guarantee – The Concept, Definition, Methods, Commencement of Liability of the Indemnifier, Right/Duties of Indemnifier, Indemnified and Surety, Discharge of Sureties Liability  
Kinds of Guarantee

#### **Unit II : Bailment and Pledge (Sec. 148–171 and Sec 172-182)**

- Meaning and Distinction
- Rights and Duties of Bailer/Bailee, Pawnor /Pawnee
- Lien
- Termination of Bailment
- Commercial utility of pledge transaction

#### **Agency (Sec.182 to 238)**

- Definition of Agent & Principal
- Essentials of relationship of Agency
- Creation of Agency
- Relation of Principal and Agent, Sub-agent and Substituted agent
- Termination of Agency

#### **Unit III :Partnership**

Nature & Definition of Partnership, Distinction from Company and Joint Family Business, Relationship between partners, Incoming and outgoing partners (Sec. 30 to 38), Dissolution of Firm (Sec. 39 to 55), Registration of Firm (Sec. 56 to 71) Implied Authority, Relationship with third party. Liability of partners holding out, Admission of New Partner, Modes Retirement of Partners

#### **Unit IV : Sales of Goods**

Definition, Condition and Preference, Formation of Contract (Sec. 4 to 17), Effect of contract (Sec 18 to 31), Right of Parties and Remedies, Performance of Contract (Sec 31 to 44), Rights of Unpaid Seller (Sec. 45 to 54), Suits for Breach of Contract (Sec 55 to 61).

#### **Acts :**

1. Indian Contract Act, 1872
2. Indian Partnership Act, 1932
3. The Sale of Goods Act, 1930

#### **Books**

1. Avtar Singh : Partnership & Sales of Goods Act, Eastern Book Co.
2. Mulla, Partnership & Sales of Goods Act, Tripathi
3. Dr. R.K.Bangia, Partnership Act.

**LL.B. Second Semester**

**PAPER – III  
FAMILY LAW - II**

**Marks : 100**

**HINDU LAW**

**Unit I : Joint Hindu Family**

Origin, Nature of Joint Family and Coparcenary, Characteristic features of Coparcenary, Distinction between Coparcenary and Joint Family, Classification of Property : Joint Family Property and Separate Property, Karta : Position, Powers and Liabilities, Debts

**Unit II**

- Partition : Definition, Persons entitled to demand Partition, reopening and Reunion
- Hindu Succession Act, 1956 : Features, Devolution of Interest in Coparcenarries Property (Sec.6), List of heirs in class-I & II of the Schedule, Hindu Women's Right to Property

**MUSLIM LAW**

**Unit III**

- Hiba : Definition, Essentials, Kinds and Formalities for a Valid Hiba Revocation of Hiba.
- Will : Definition, Essentials and Kinds of a Valid Will, Abatement of Legacies, Revocation of Will

**Unit IV**

- Pre-emption : Definition, Classification & Formalities
- Inheritance under Sunni Law, Doctrine of Aul and Radd

**Act**

1. Hindu Succession Act, 1956

**Books**

- Same as Semester I

## **LL.B. Second Semester**

### **PAPER – IV LAW OF CRIME – I (INDIAN PENAL CODE)**

**Marks : 100**

#### **Unit I : Introduction**

Definition and elements of Crime, Stages of Crime

Principle of Joint Liability : Common Intention and Common object, General exception (Sec. 76-106) –Mistake, Judicial and Executive acts, Accident, Necessity and Compulsion, act of minor, Insanity, Intoxication, Consent, Private Defense.

#### **Unit II :**

Abetment and Criminal Conspiracy (Sec 107 to 114) and Sec120, Offences affecting the Human body – Culpable Homicide, Murder, Death caused by Negligent act, Dowry Death, Hurt and Grievous Hurt

**Unit III :** Wrongful Restraint and Wrongful Confinement, Offences of kidnapping and Abduction. Offences against property; Theft, Extortion, Robbery and Dacoity.

#### **Unit IV :**

- Cheating, Criminal Trespass, Forgery, Criminal misappropriation, Criminal breach of trust.
- Offences against women – offences relating to Marriage, Cruelty by husband or relatives of husband
- Defamation
- Criminal Intimidation, Seditious
- Preparation and Attempt

#### **Acts :**

- The Indian Penal Code, 1860

#### **Books**

1. Penal Law of India – H.S. Gaur (In IV Volumes)
2. Nigam R.C. – General Principles of criminal Law
3. Jerome Hall, Principles of Criminal Law
4. S.N. Mishra : Indian Penal Code.

## **LL.B. Second Semester**

### **PAPER – V ADMINISTRATIVE LAW**

**Marks : 100**

#### **Unit I : Introduction**

Evolution and Scope of Administrative Law :

Nature, Scope and Development of Administrative Law

Rule of Law and Administrative Law, Separation of Powers and its Relevance, Relationship between Constitutional Law and Administrative Law.

#### **Unit II :**

- Delegated Legislation – Necessity and Constitutionality, Control : Legislative, Judicial and Procedural
- Principles of Natural Justice
- Administrative Tribunal and Administrative Discretion

#### **Unit III :**

- Liability of Wrong – Tortious and Contractual
- Statutory immunity, Governmental Privilege in Legal proceedings, Estoppel and Waiver.
- Public Interest Litigation

#### **Unit IV :**

- Judicial Control of Administrative Law  
Writs, Injunction, Declaratory Suit, Accountability, Lokpal and Lokyauckta, Right to Information Act

#### **Books**

1. M.P.Jain : Principles of Administrative Law, Universal Delhi.
2. S.P Sathe, Administrative Law, Butterwarth, Delhi
3. C.K.Thakkar, Administrative Law, Estern Book Co.

## **LL.B. Third Semester**

### **PAPER – I JURISPRUDENCE**

**Marks : 100**

#### **Unit I : Introduction**

- Meaning, Scope and Importance of Jurisprudence.
- Relation between Jurisprudence and other Sciences, Nature and Kinds of Law and Theories of Justice.
- Sources of Law : Custom, Legislation, Precedent

#### **Unit II : Schools of Jurisprudence**

- a) Natural Law with Indian Perspective
- b) Analytical Positivism, Pure Theory, Legal Realism
- c) Historical Jurisprudence
- d) Sociological Jurisprudence with Indian Perspective

#### **Unit III : Law and Legislation**

- Law and Morality
- Law and Religion
- Law and Social Change
- Principles of Liability : Liability and Negligence, Absolute, Liability, Immunity.

#### **Unit IV : Concept of Law**

- Rights and Duties
- Personality
- Possession, Ownership and Property

#### **Books :**

1. Bondenheimer : Jurisprudence – The Philosophy and Method of Law (1996) Universal, Delhi
2. R.W.M. Dias : Jurisprudence (1994) Indian Reprint – Aditya Books, Delhi
3. Fitzgerald P.J. Salmond on Jurisprudence (1994), Tripathi, Bombay
4. Dhyani S.N. : Jurisprudence – A Study of Indian Legal Theory (1985)

## LL.B. Third Semester

### PAPER – II

## INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

Marks : 100

### Unit I : Interpretation

Meaning, Object, General Principles and their Importance, Difference between Interpretation and Construction

**Statutes** : Meaning and its Classification

Literal Rule, Golden Rule

### Unit II :

Mischief Rule Beneficial Construction

Strict Construction – In reference with Penal and Taxing Laws

Maxims of Interpretation and their Importance

### Unit III :

Interpretation of Constitutional Law

Internal and External Aids to Interpretation

Commencement, repeal and Revival of Legislation

### Unit IV : Principles of Legislation

Doctrine of Utility

Doctrine of Pleasure and Pain

Doctrine of Sympathy and Antipathy

Public Opinion and Legislation

### Books

1. Maxwell on Interpretation
2. Vepa P. Sarathi : Interpretation of Statutes
3. Bawa & Roy, Interpretation of Statutes
4. G.P. Singh, Principles of Statutory Interpretation, 1999 Wadhwa
5. Bentham : Theory of Legislation, N.M.Tripathi Pvt. Ltd.



## **LL.B. Third Semester**

### **PAPER – III COMPANY LAW**

**Marks : 100**

#### **Unit I : Formation, Registration and Incorporation of Company**

Definition and Kinds of Company

Nature of Company : Theory of Corporate Personality

Incorporation of Company : Memorandum of Association and Articles of Association, Doctrine of Ultra-vires.

#### **Unit II : Capital Formation and Regulation**

Prospectus : Issue, contents, Kinds, liabilities for misstatement, statement in lieu of Prospectus

Promoters : Position, duties and liabilities.

Share and General Principles of allotment

Transfer of Shares, Restriction on transfer, Relationship between transfer and transferee.

Share Capital, Reduction of Share Capital, Conversion of Loan as, debentures into capital

Duties of Court to protect interest of creditors and share holders.

#### **Unit III : Administration and Management**

Dividend – Payments – Capitalization – Profit, Audit to Account

Directors Appointment – Kinds, Powers and Duties

Role of Managing Director and other Managerial Personal

Oppression and Mismanagement

#### **Unit IV : Winding up of Companies**

- Kinds, Consequences and reason of winding up
- Role of the Court
- Liabilities of Past members
- Payment of Liabilities
- Reconstruction and Amalgamation
- Legal Liabilities of Company – Civil & Criminal, Remedies against them

#### **Books**

1. Avtar Singh, Company Law
2. Dr. N.V. Paranjpe

## **LL.B. Third Semester**

### **PAPER – IV LABOUR LAW - I**

**(LAW RELATING TO LABOUR MANAGEMENT RELATIONS IN INDIA)**

**Marks : 100**

#### **Unit I :**

Industrial Relation, Labour Problem and Labour Policy in India  
Trade Union Act, 1926 (Labour Management Relation); History and Development of Trade Union Movement, Registration of Trade Union, Rights and Liabilities of Registered Trade Union, Penalties and procedure, Collective Bargaining – Process, Merit and Demerit

#### **Unit II : Industrial Dispute Act, 1947**

Scope of Industry, Employees, Employers, Industrial Disputes, Authorities under the Industrial Dispute Act, 1947; Procedure, Power and Duties of Authorities, Reference of Disputes to Boards. Courts or Tribunals

#### **Unit III :**

Strike, Lock Out, Lay Off, Retrenchment and Closure  
Unfair Labour Practices, Penalties, Offences (Standing Order) Act, 1946  
by Industrial Employment

#### **Unit IV :**

Philosophy of Labour Welfare, Historical Development of Labour Welfare, The Factories Act, 1948: Interpretation-competent person, Hazardous process, manufacturing process, Worker, Factory, Occupier, Health, Safety and Welfare, Working House of Adults, Employment of young persons, Inspectors - Appointment and Powers.

#### **Acts**

1. Trade Union Act, 1926
2. Industrial Dispute Act, 1947
3. Factories Act, 1948

#### **Books**

1. John Bowers & Simon Honey Ball, Text Book on Labour Law
2. K.M. Pillai, Labour and Industrial Laws, 1999
3. V.G. Goswami, Labour and Industrial Laws, 1999
4. D.D. Seth, Commentaries on Industrial Disputes Act, 1998

## **LL.B. Third Semester**

### **PAPER – V PROPERTY LAW**

**Marks : 100**

#### **Unit I : Concept of Property and General Principles Relating to Transfer of Property**

Concept of Property : Distinction between movable and immovable property  
Definition clause : Immovable property, Attestation, Notice, Actionable claim  
Definition of transfer of property (Sec.5)  
Transfer and non-transfer of property (Sec. 10- 12)  
Vested and Contingent interest (Sec. 19 & 21)  
Rule of Election (Sec.35)

#### **Unit II : General Principles Governing Transfer of Immovable Property**

Transfer by ostensible owner  
Rule of feeding the grant by estoppels  
Rule of Lis-pendence  
Fraudulent transfer  
Rule of part - performance  
Conditional transfer

#### **Unit III : Specific Transfers**

Sale and gift  
Mortgage and charge  
Lease and License

#### **Unit IV : Easement Act**

Object and main provisions of the Easement Act

#### **Acts**

1. The Transfer of Property Act, 1882
2. The Indian Easement Act, 1882

#### **Books**

1. Mulla, Transfer of Property Act, Universal Delhi
2. Subba Rao, Transfer of Property Act, Subbiah Chetty, Madras
3. T.P.Tripathi, Transfer of Property Act

**LL.B. Third Semester**  
**PAPER – VI**  
**LEGAL LANGUAGE**  
**(INCLUDING LEGAL AND GENERAL ENGLISH)**

**Marks : 100**

**Grammar and Usage**

1. Simple Sentences
  - i) Tense and Composition
  - ii) Basic Transformations
    - (a) Active to Passive
    - (b) Simple to Negative
    - (c) Affirmative to Interrogative
2. Complex and Compound Sentence
3. Part of Speech
4. Vocabulary – Terms of Common Use
5. Composition Skills - Paragraph Writing
6. Translation – Hindi to English
7. Letter and Application writing
8. Essay (a) Essay in Hindi on Legal Topics  
(b) Essay in English on Legal Topics (for example) : Fundamental Rights under the Indian Constitution, Secularism, Social Justice, Consumer Protection, Women's Right, Public Interest Litigation, Lok Adalat etc.
9. Legal words – Terms and Phrases
10. One word substitution
11. Abbreviation
12. Précis Writing

**Books :**

1. Prof. Anniruddha Prasad, Legal Language
2. Dr. S.K. Gupta, Legal Language and General English

**LL.B. Fourth Semester**  
**PAPER – I**  
**LABOUR LAW – II**  
**(SOCIAL SECURITY AND WAGE LEGISLATION)**

**Marks : 100**

**Unit I : Employees Compensation Act, 1923 (Sec. 1-10, 12, 14, 14A, 17 & 20)**

- Conceptual frame work of Social Security- Evolution and concept of Social Security, Scheme of Social Security, Employees Compensation Act, 1923 : Definitions, Aims & Object, Liability of Employer.
- Notional Extension & Defences, Determination of Amount of Compensation, Compensation when due, Penalty for default, Contracting Out (Sec.17), Appointment & Powers of Commissioner (Sec. 19-31)

**Unit II : Maternity Benefit Act, 1961 (Sec. 3-18)**

- Aims & Object, Definitions, Restriction on employment, Right to Maternity Benefit, Medical Benefit.
- Bonus, Leave Dismissal during Pregnancy (Sec. 10-16), forfeiture of Maternity benefit, Leave for Miscarriage, Penalty for contravention of Act by Employer, Cognizance of offences.
- The Payment of Gratuity Act, 1972 : Aims and Objects of Act, Definition, Controlling Authority, Payment of Gratuity, Recovery of Gratuity, Determination of the amount of Gratuity

**Unit III : Minimum Wages Act, 1948**

- Theories and Concept of Wages, Aims & Objects of Act, Definition , Fixation & Revision of rates of Wages, Working Hours and Determination of Wages and claim etc. Authority – Appointment & Powers of the Authority.
- The Equal Remuneration Act, 1976, Payment of Remuneration at equal rates to Men and Women Employees and other matters.

**Unit IV : Payment of Wages Act, 1936**

- Aims & Object, Responsibility of Payment of Wages, Time of Payment of Wages & Fixation of Wage Period, Authorized Deductions (Sec.7 to 13), Appointment & Powers of Inspectors and Authority for Adjudication of Claims (Sec.15-18), Penalty for offences under the Act.
- The Payment of Bonus Act : Scope and Application, Definition, Computation of Gross profit and available surplus, Eligibility for Bonus, Disqualification for Bonus, Minimum and Maximum Bonus.

**Acts**

1. Employees Compensation Act, 1923
2. Maternity Benefit Act, 1961
3. Payment of Wages Act, 1936
4. Minimum Wages Act, 1948

**Books**

1. K.D.Srivastava, Commentaries on Minimum Wages Act, 1995, Eastern Book Co.
2. K.D. Srivastava, Commentaries on Payment of Wages Act, 1998, Eastern Book Co.

## **LL.B. Fourth Semester**

### **PAPER – II CODE OF CIVIL PROCEDURE & LIMITATION ACT**

**Marks : 100**

#### **Unit I : Introduction**

Definition : Decree, Judgment, Order, Foreign Court, Foreign Judgment , Mesne Profit, Affidavit, Plaint, Written statement , Legal Representative, Distinction between Decree & Judgment and between Decree and Order.

Jurisdiction : Kinds, Hierarchy of Courts, Suit of a Civil nature, Concepts of Res-Subjudice and Resjudicata, Place of Suing, Institution of Suit, Parties to the suit, Joinder, Misjoinder or non-joinder of parties, Representative suit, Framing of suit, Cause of Action.

#### **Unit II : Appearance, Examination & Trial**

Appearance, Ex-parte Procedure, Summary & Attendance of witness, Trial, Adjournments, Interim orders, Commission Arrest and Attachment before judgment, Injunction and Appointment of Receiver, Interest and Costs.

**Execution** : Concept, General Principles, Power of execution of decrees, Procedure for execution, enforcement, Arrest and detention, Attachment, Sale, Delivery of Property, Stay of execution.

#### **Unit III : Suits in particular Case**

By or against government, By or against firm, Suit in forma pauperis, Interpleader suit Appeals, Review, Reference & Revision

#### **Unit IV : Miscellaneous**

Transfer of cases, Restitution, Caveat, Inherent powers of Courts.

Law of Limitation : Meaning, Nature & Scope of Law of Limitation, Bar of Limitation and its efficacy, sufficient cause its meaning and applicability, Legal Disability : Meaning, Scope & Effect, Continuous running of time, General Principles, Meaning, Scope & its exception, Law Relating to Registration of documents.

#### **Act**

- The Civil Procedure Code, 1908
- The Limitation Act, 1963

#### **Books**

1. C.K.Thakkar, Code of Civil Procedure 2000, Universal Delhi
2. C.K. Takwani, Code of Civil Procedure

## **LL.B. Fourth Semester**

### **PAPER – III LAW OF EVIDENCE**

**Marks : 100**

#### **Unit I : Introduction and Relevancy**

Definition : Facts in issue, relevant fact, evidence, oral and documentary evidence, proved, disproved, not proved (Sec. 3)

Relevancy and admissibility

Doctrine of res gestate (Sec. 6,7,8,9)

Conspiracy (Sec. 10)

Facts concerning mental or bodily state

Facts otherwise relevant

Admission (Sec17-23+31), Confession (Sec. 24-30) Dying declaration, Expert opinion, Judicial Notice

#### **Unit II : Method of Proving facts**

Presumptions (Sec. 4,41,79,90,105,107,108,112,113-a,114 and 114-A)

Rules relating to burden of proof, Estoppel (Sec.101-117) , Privileged Communication (Sec 122-129)

#### **Unit III : Presumption regarding discharge of Burden of Proof**

Evidence by accomplice [(Sec. 133 and 114 illustration(b)]

Dowry death, legitimacy of child

#### **Unit IV :**

Competent witnesses

Hostile witnesses

Examination of witnesses : Chief examination, Cross examination and Re-examination.

Number of witnesses, order of examination, leading question

#### **Act :**

- Indian Evidence Act,1872

#### **Books :**

1. Ratan Lal & Dheeraj Lal, Law of Evidence
2. Avatar Singh, Law of Evidence

**LL.B. Fourth Semester**  
**PAPER – IV**  
**LAW OF CRIME – II (CRIMINAL PROCEDURE CODE)**

**Marks : 100**

**Unit I : Introduction**

Definition, Constitution of Criminal Courts and their powers (Sec. 6-35)  
Provision for Investigation : Arrest, Search and seizure  
Processes to Compel Appearance  
Information to Police  
Power to Investigate

**Unit II : Proceedings before Magistrate**

Jurisdiction of Criminal Court, inquiry and arrest  
Cognizance and initiation of Proceeding before Magistrate, Complaint to Magistrate and commencement of Proceedings Public order and Alimony , Security for Peace and good behavior  
Maintenance of wife, children and parents.

**Unit III : Introduction to Trial & Trial procedure**

Charge (Sec 211 - 224)  
Trial : (a) Sessions Trial  
(b) Warrant Trial  
(c) Summon Trial  
(d) Summary Trial  
Judgement

**Unit IV : Appeal, Revision and Reference**

Appeal, Reference and Revision  
Bail and Sentencing : Execution of Sentence, Suspension, Remission and Commutation of Sentence,  
Provision as to Bail, Limitation for taking cognizance

**Acts :**

- The Code of Criminal Procedure, 1973

**Books :**

1. Ratan Lal & Dheeraj Lal, Cr.P.C. Universal, Delhi
2. Woodroffe, Commentaries on Cr.P.C. 2000 Universe, Delhi
3. Kelkar, Criminal Procedure Code



## LL.B. Fourth Semester

### PAPER – V PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM (CLINICAL)

Marks : 100 (80+20)

#### Unit I :

Development of Legal Profession in India  
Constitution, Function, Powers and Jurisdiction of State  
State Bar Council and Bar Council of India  
Admission and Enrolment of Advocates

#### Unit II :

Professional ethics and Advocacy, Standards of Professional Conduct and Etiquette, Conflict between interest and duty, Duty to court, Duty to Client, Duty to opponent, Duty to Colleagues, Duty towards Society and obligation to render legal aid

#### Unit III : Bench-Bar Relationship

Reciprocity as partners in administration of Justice, Professional Misconduct  
Rights and Privileges of Advocates

#### Unit IV : Contempt of Court Act, 1971

Historical Development of contempt of Court Act in India, Object and Constitutional Validity of Contempt of Court Act.

Definition, Kinds of Contempt

Contempt by Judges, Magistrates, Lawyers and other persons

Cognizance, Procedure, Appellate provisions regarding Contempt Defences, Punishment and Remedies against punishment for Contempt of Court and Punishment for Contempt, Defences under contempt of court.

#### Cases

1. Rajendra V Pai v Alex Fernandes AIR 2002 SC 1808
2. In re; A an advocate AIR 1962 SC 1337
3. In re; Mr. G. a Senior Advocate of SC AIR 1954 SC 557
4. In re; Lalit Mohan Das AIR 1957 SC 250
5. Sheo Narayan Jafa v Judge Allahabad H.C. AIR 1953 SC 368
6. P.J. Ratnam v Kanikaran AIR 1964 SC 224
7. In re; “ M” an Adovate AIR 1957 SC 149
8. L.D. Jaisingham v Narain das N Punjabi (1976) I SCC 354
9. John D’Souza v Edward Ani (1994) 2 SCC 64
10. In re; V.C. Mishra AIR 1995 SC 2348

#### Acts

1. The Advocate Act, 1961
2. Contempt of Court Act. 1971
3. The Advocates Welfare Fund Act, 2001

#### Rule

The Bar council of India Rules, 1961

In this Paper there shall be written examination of 80 marks by the university and 20 marks will be awarded on the basis of case study and viva-voce.

#### Books

1. Holland Avrom Shree, Advocacy, 1994 Universal, Delhi
2. Keith Evam. The Golden Rules of Adovacy. 1994, Universal, Delhi
3. JPS Sirohi, Professional Ethics, Lawyer’s Accountability, Bench- Bar Relationship, ALA
4. The Bar Concl Code of Ethics

**LL.B. Fifth Semester**  
**PAPER – I**  
**HUMAN RIGHTS LAW AND PRACTICE**

**Marks : 100**

**Unit I :**

Human Rights : Meaning, Evolution of Human Rights : Ancient and Natural Law perspective, Natural Rights and Human Rights, Legal right and Human Rights, Human Rights Classification, Human Rights-Importance.

**Unit II :**

U.N.Charter and Human Rights, Universal Declaration of Human Rights and its legal Significance. Covenants and Conventions : International Covenant on Economic, Social and Cultural Rights, 1966; International Conventions on Civil & Political Rights, 1966 The European Convention on Human Rights, 1950, The American Convention on Human Rights, 1969, African Charter on Human and People's Rights, The Vienna Conference on Human Rights, Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, Rights of the Aged.

**Unit III :**

Human Rights in India, Human Rights and Indian Constitution, The Protection of Human Rights Act, 1992

Judicial activism & Protection of Human Rights in India, Role of Non-Governmental Organization in the Promotion and Protection of Human Rights; Refugee: Rights and Duties

**Unit IV :**

National Human Rights Commission, National Commission for Minorities, National Commission for Safai Karamacharis, National Commission for Women, National Commission for Backward Classes and National Commission for Schedule Castes and Schedule Tribes.

**Acts**

1. The Charter of UN
2. The Protection of Human Rights Act, 1993
3. The Universal Declaration of Human Rights, 1948
4. The Protection of Human Rights Act, 1993

**Books :**

1. Theodor Meron (ed.), Human Right in International Law
2. V.R. Krishna Iyer, The Dialectics and Dynamics of Human Right in India
3. S.K. Kapoor, Human Right under International Law & Indian Law

**LL.B. Fifth Semester**  
**PAPER – II**  
**ENVIRONMENTAL LAW**

**Marks : 100**

**Unit I :**

Dimensions of Environmental Problems, Pollution & Its Kinds, Sustainable development, Constitutional Provisions & Judicial Activism( Principles- Precautionary Principle, Polluter pays principle, Public trust doctrine)

**Unit II :**

The Water(Prevention & Control of Pollution) Act, 1974; Definition, Central and State Pollution Control Boards : Constitution, Power and function; Sample of effluents, Citizen Suit Provision

**Unit III :**

The Environmental (Protection) Act, 1986, The National Green Tribunal Act, 2010  
( Appellate Authorities under the Act )

**Unit IV :**

Indian Forest Act, 1927; Kinds of forest-Private, Reserved, Protected and Village Forest, The Forest (Conservation) Act, 1980

The Wild Life (Protection) Act, 1972; Authorities to be appointed and constituted under the Act, Hunting of wild animals, Protection of Specified Plants, Trade or Commerce in Wild animals, animal articles and trophies; Its prohibition.

**Acts**

1. The Water (Prevention and Control of Pollution) Act, 1974
2. The Air (Prevention and Control of Pollution) Act, 1981
3. The Environment (Protection) Act, 1986
4. The National Environment Tribunal Act, 1955
5. The National Environment Appellate Authority Act,1997
6. Indian Forest (Conservation) Act, 1980
7. The Forest (Conservation) Act, 1980
8. The Wild Life (Protection) Act, 1972

**Books**

1. Shyam Diwan, Armin Rosencranz Environmental Law & Policy in India
2. P. Leelakrishnan, The Environmental Law in India
3. S.K. Nanda, Environmental Law, 2007

**LL.B. Fifth Semester**  
**PAPER – III**  
**Land Laws and Land Revenue Code- 2006**

**Marks : 100**

**Unit – I**  
**UP Land Revenue Code, 2006**

- (i) Definitions, revenue Divisions, Board and Revenue Officers
- (ii) Revenue court : Jurisdiction and Procedures
- (iii) Maintenance and revision of Revenue Records
- (iv) Management of Land and other properties by gram sabha

**Unit- II**

- (i) Tenures : Transfer, devolution, Division, surrender and Abandonment
- (ii) Lease of Land by gram Panchayat, ejectment, declaratory suit
- (iii) Assessment and collection of land revenue
- (iv) Penalties

**Unit – III**

**UP Consolidation of Holdings Act, 1953**

- (i) UP Consolidation : Definitions, Declaration and Notification, Its's effect, Reconsolidation, Cancellation of consolidation.
- (ii) Consolidation Courts
- (iii) Consolidation scheme : Objection and disposal
- (iv) Statement of Principles

**Unit – IV**

**UP Panchayati Raj Act, 1947**

- (i) Establishment, constitution Meetings and Functions of Gram sabha
- (ii) Gram Panchayat : Powers and duties, Eligibility of Gram Panchayat Members
- (iii) Nayay Panchayat : Establishment, Appointment and tenure of Panchs, election and Powers of Sarpanch
- (iv) Powers of Nyay Panchyat

**Acts :**

- 1- UP Land revenue code, 2006
- 2- UP Consolidation of Holdings Act 1953
- 3- UP Panchayati Raj Act, 1947

**Books**

- 1. Dr. R.R. Maurya, U.P. Land Laws, 28<sup>th</sup> Ed. 2007
- 2. Dr. C.P. Singh, U.P. Land Laws, ALA

## **LL.B. Fifth Semester**

### **PAPER – IV BANKING LAW**

**Marks : 100**

#### **Unit I :**

Concept of Bank and Banker, Functions of Bank, Classification of Banks, Relationship between Bank and Customer, Control by Government and its agencies, Management of Banking companies on account and audit, Reconstruction and reorganization of banking companies, Suspension and winding up of business of banking companies, Social control over banking, Banking Ombudsman, Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart Credit Cards, Banking Frauds

#### **Unit II : Reserve Bank of India Act, 1934**

Incorporation, Capital, Management and Business of Banking Company, Central Banking function of Reserve Bank of India, collection and furnishing of Credit Information, Control of Reserve Bank of India over Non-banking Institutions and Financial Institutions, Credit Control by Reserve Bank of India, General provisions and penalties.

#### **Unit III : Negotiable Instrument Act, 1881**

Definition and characteristic of Negotiable Instruments, Types of Negotiable Instruments, Definition and Essentials Promissory Note, Bill of exchange and cheque, Liabilities and capacity of Parties of Negotiable Instrument, Holder and Holder in due Course, Transfer and Negotiation of Negotiable Instrument.

#### **Unit IV :**

Crossing of Cheque and payment, Dishonor of Cheques, Presentment and Payment, Dishonor, Noting and Protest of Negotiable Instrument, Endorsement : Definition, Essential of a valid endorsement and its kinds, Rules of evidence and compensation.

#### **Books**

1. Bashyam and Adiga, The Negotiable Instrument Act, 1997
2. M.L. Tannen, Jannen's Banking Law & Practice in India, 2000
3. Dr. Avtar Singh, Negotiable Instrument Act.
4. S.N. Gupta, The Banking Law in Theory & Practice, 1999

## **LL.B. Fifth Semester**

### **PAPER – V PLEADING, DRAFTING AND CONVEYANCING (CLINICAL)**

**Marks : 100 (60+40)**

#### **Unit I : Fundamental Rule of Pleading**

Meaning and Definition of Pleading History; Object and Interpretation

Rules of Pleading : General and fundamental, Amendment of Pleading

Civil: Plaint, Written Statement, Interlocutory Application, Originally Petition Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.

#### **Unit II : General Principles Governing Transfer of Immovable Property**

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

#### **Unit III : Model Draft of Application**

Application for Restoration of Suit; Amendment in the Pleading, Substitution of Parties, Setting aside ex parte decree, Alimony, Bail, Matrimonial petition, Legal notice, Appointment of receiver/local commission; Compromise of Suit, condonation of delay and application for execution etc., Drafting Writ petition and PIL petition

#### **Unit IV : Conveyancing : Theory and Model Draft**

Definition and essential part of a deed, Model deed : Sale-deed, Mortgage deed, Gift-deed, Will-deed, Trust deed, Lease-deed, Promissory Note, General Power of Attorney, Partnership deed; Tenancy deed; Relinquishment deed etc.

**In this paper students have to do 15 practical exercises in drafting and 15 exercises in conveyancing apart from teaching. There shall be written examination of 60 marks conducted by the university and remaining 40 marks will be given on record file and viva-voce. (30 + 10 respectively)**

#### **Books**

1. Banerjee and Awasthi, Guide to Drafting
2. William M. Ross, Pleading
3. G.C.Mogha & K.N. Goyal, Indian Conveyancer

**LL.B. Sixth Semester**  
**PAPER – I**  
**PRINCIPLES OF TAXATION LAW**

**Marks : 100**

**Unit I :**

1. Introduction : History of Income Tax Law in India
2. Fundamental Principles relating to Tax Laws
3. Concept of Tax
  - a) Nature and Characteristics of Taxes
  - b) Distinction between (i) Tax and Fee (ii) Tax and Cess (iii) Direct and Indirect Taxes (iv) Tax Evasion and Tax avoidance.
  - c) Definition : Tax Planning, Income, Agricultural Income, Person, Assessment Year, Previous Year, Total Income, Assessee.

**Unit II :**

4. Income Tax : (i) Residential Status of Assessee-Individual, Company, Firm  
(ii) Income not included in total Income (limit)
5. Chargeable Income : Heads of Income –salaries, Income from House Property, Profit and Gains from Business or Profession, Capital Gains, Income from other Sources, Clubbing of Income
6. Income Tax Authorities : Powers including Search and Seizure.
7. Appeal and Revision
8. Settlement of Grievances : Authorities – Powers and Functions

**Unit III :**

Other Tax Laws :

9. Taxable Wealth, Determination of Nature of Assets, Exemption and Rate of Wealth Tax
10. Wealth Tax Authorities
11. Offences and Penalties
12. Central Sales Tax :  
Introduction : Sale or Purchase of Goods, Meaning of Sale, Sale in the Course of Inter-State Trade and Commerce, Sale to take Place outside a State, Sale in the Course of Export or Import. Central Sales Tax authorities, Offences and Penalties.

**Unit IV :**

13. Service Tax
  - (a) Meaning and Importance of Services Tax;
  - (b) Constitutional Perspective
  - (c) Salient Features of the Service Tax Law
  - (d) Offences and Penalties

**Acts :**

- The Central Sales Tax Act, 1956
- U.P Trade Tax Act
- The Wealth Tax Act 1957

**Books**

M.C. Mehrotra, Other Taxes in India  
Sampat Iyenger, Law of Income Tax (1998)

**LL.B. Sixth Semester**  
**PAPER – II**  
**PENOLOGY AND VICTIMOLOGY**

**Marks : 100**

**Unit I : Criminology**

Definition, Nature, scope and importance, White Collar Crime : Concept, Causes and prevention

**Schools of Criminology** : Classical & Neo classical, Lombroso and others, Hereditary and mental retardation as causes of crime, sociological theories, socialistic, cartographic

**Unit II : General causes of crime**

Lombrosian theory, Psychiatric theory, Differential association theory, Anomies theory, Multiple causation theories, Juvenile in conflict with the Law.

**Unit III : Punishment**

Concept and Justification of Punishment : Deterrent theory, Retributive theory, Preventive theory, Reformatory theory, Capital punishment.

**Treatment of correction of offenders** : Prison and open Air System, Probation, Parole, Indeterminate sentence, correctional, institutions.

**Unit IV : Police System**

Structural organization of police, power and duties of police under the Police Act and Cr.P.C.

Power and duties of police under the police Act and Cr.P.C.

Liabilities of Police for custodial violence

Victims to the crime

**Books**

1. Loveland; Frontiers of Criminality, 1995
2. Walker, N. Crime and Criminology, 1987
3. A. Siddique, Criminology – Problem and Perspective, 1997
4. N.V. Paranjape – Criminology and Penology



## **LL.B. Sixth Semester**

### **PAPER – III COPYRIGHT**

**Marks : 100**

#### **Unit I :**

- Meaning of Intellectual Property
- International Instruments : Paris, TRIPS, WIPO, UNESCO.

#### **Unit II : The Copyright Act**

- Definition and Historical Background of Copyright Law, Copyright Act, 1957
- Leading International Instruments : Berne Convention, Universal Copyright convention, International Copyright under copyright Act.

#### **Unit III :**

- Copyright in Literary, Dramatic and Musical work, Sound Recording, Cinematograph Film.
- Copyright in Computer Programme, Ownership of copyright, Author Special Rights
- Rights of Broadcasting and Performers
- Terms of copyright

#### **Unit IV :**

- **Copyright Registrar and Copyright Board** – Power and Procedure
- Copyright Societies, Assignment, License, Infringement – Criteria of Infringement, Infringement of Copyright of Film, Literary and Dramatic Works, Importation and Infringement, Fair use provision.

#### **Acts**

- The Copyright Act 1957

#### **Books**

1. B.L. Wadera : Intellectual Property Law
2. Nagarajun : Intellectual Property

**LL.B. Sixth Semester**  
**PAPER – IV**  
**ALTERNATIVE DISPUTE RESOLUTION (CLINICAL)**

**Marks : 100 (80+20)**

**Unit I : Concept, Need and Development, Advantages**

Arbitration and Conciliation Act, 1996 : Object, Development and Salient features  
Arbitration : Definition, Sources, Kinds, Scope and Differences to Court  
Arbitration Agreement, Composition of Arbitral Tribunal

**Unit II :**

Jurisdiction of Arbitral tribunal, Conduct of Arbitral Proceeding, Making of Arbitral Award and Termination of Proceedings

**Unit III :**

Recourse against Arbitral Award, Finality and Enforcement of Arbitral Award, Appeal, Enforcement of Certain Foreign Awards

**Unit IV :**

Conciliation, Mediation, Lok- Adalat & Permanent Lok- Adalat, Negotiation, Summary Trial, etc.

**Acts:**

Arbitration and Conciliation Act, 1996  
Legal Service Authority Act, 1987

**Evaluation will be in two parts, There shall be written examination of 80 marks conducted by university and 20 marks will be awarded through exercises and viva-voce**

**Books**

B.P. Saraf & M.Jhunjunwala, Law of Arbitration & Conciliation, (2000) Snow White, Mumbai  
Gerald R. William (ed.), The New Arbitration & Conciliation Law of India  
P.C. Rao & William Sheffied, Alternative Disputes Resolutions, (1997) Universal, Delhi  
Johari, Commentary on Arbitration and Conciliation Act. 1999 Universal, Delhi.

**LL.B. Sixth Semester**  
**PAPER – V**  
**MOOT COURT EXERCISE AND INTERNSHIP (CLINICAL)**

**Marks : 100**

**The Paper will have following components :**

- a) Moot Court : Every student will be required to do at least three moot courts with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.
- b) Observance of Trial in two cases, one Civil and one Criminal  
Student will be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.
- c) Interviewing techniques and Pre-Trial preparations and Internship diary.  
Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filling of the suit /petition. This scheme will carry 30 marks.
- d) The fourth component of this paper will be viva-voce examination on all the above three aspects. This will carry 10 marks.
- e) Student will be required to undertake legal awareness programme in association with N.S.S. and other authorities as directed by the Department .