

Bundelkhand University Jhansi

Faculty of Law

SYLLABUS

Ten-semester (B.A.LL.B.)

Five Year Degree Course

2024-25

Ordinance

Ten Semester B.A. LL.B. Five Year Degree Course

(Session: 2014-15 & Onwards)

Whereas it is essential to adopt and implement the revised curriculum and rules formulated and approved by Bar Council of India. The Bundelkhand University, Jhansi (U. P.) hereby adopts Ten-semester B.A.LL.B. Five Year Degree Course of study and frames these Ordinances for the implementation from the academic year 2014-15.

1. The Degree of Bachelor of Laws (Integrated)

The Bundelkhand University may confer the Degree of Bachelor of Laws (Integrated) on such candidates who, being eligible for admission to the Five Year B.A.LL.B. Degree Course, have received regular instructions in the prescribed courses of study, undergone required practical training, passed relevant examinations and being otherwise suitable by virtue of their character, have fulfilled such other conditions as may be laid down from time to time.

2. Eligibility for Admission

The admission to Five-Year B.A.LL.B. Degree Course shall be made on the basis of merit list prepared according to the percentage of the marks obtained by candidates in the qualifying examination plus the weightage, if any, for which the candidate may be entitled as per university rules. The percentage will be calculated up to three figures after decimal point. The eligibility criteria is as follows:

- i. An applicant who has 10+2 in any discipline of knowledge from a School recognized by any board may apply for a Five Year degree programme in Law.
- ii. For general candidates 45% marks and for SC/ST candidates 40% marks in qualifying examination i.e. 10+2 in any discipline.
- iii. The B.A.LL.B. programme is a five year full-time course and no student shall be allowed to simultaneously register for a law degree programme with any other graduate course run by the same or any other university.
- iv. NO candidate shall be admitted to Second/ Third /Fourth/ Fifth/ Sixth / Seventh/ Eighth/ Ninth semester on transfer unless the same course of study is prescribed in transferring university and prior opinion of Dean is obtained.
- v. Reservations in admission will, be given as per Government/university rules/orders made from time to time.

3. The Curriculum and Duration of Studies

i. The curriculum of study for the B.A.LL.B. Degree shall comprise of the courses set out in Schedule-A.

ii. The contents of the courses of study shall be such as set out in Schedule-B.

Provided that the Board of Studies in Law may make such changes in the contents of the courses of study as and when it deems necessary, and report the matter to the Faculty of Law.

iii. The curriculum of study for the B.A. LL.B. Five Year Degree Course shall be spread over five academic years, and shall be divided into Ten semesters for the examination purposes, called as First, Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth and Tenth semesters. Each academic year shall be divided into two semesters.

iv. Each semester course shall be conducted in not less than 18 weeks with not less than 30 class-hours per week including tutorials, moot court, seminars provided there shall be at least 24 lecture hours per week as presented by Bar Council of India.

v. The medium of instruction and examination shall be English or Hindi.

4. Course of Study

A candidate for the five year B.A.LL.B. degree course shall be required:

(i) To study five papers in first to fourth semester and Four papers in fifth to tenth semester including clinical papers and one Legal and General English paper in tenth semester and must pass in all 45 papers with a minimum of 40% marks in each paper and 48% marks in aggregate in order to qualify for B.A.LL.B. degree.

(ii) A candidate shall be examined in 14 compulsory First degree papers (which shall include 01 major subject consisting of 06 papers. A Student may opt any one paper as major out of Political science, History, Sociology and two papers as minor. The choice may be limited to History, Political Science and Sociology. English consisting of 02 papers and other 02 minor subjects consisting not less than 03 papers each and 20 compulsory Law theory papers. 04 compulsory Law practical papers and 06 optional theory papers and one Legal and General English paper from first to Tenth semester carrying 70 marks for each paper through written examination conducted by the University and 30 internal marks for each paper awarded by the concerned college/department/institute of law affiliated to university.

(iii) To study four compulsory clinical papers prescribed in Seventh, Eighth, Ninth and Tenth semester carrying 50 marks for each paper through written examination conducted by the university and 50 marks for each paper awarded by the concerned college/department/institute of law affiliated to university through practical work/viva-voce as prescribed by the Bar Council of India.

(iv) Each student shall have completed 12 weeks internship for five year course during V to X semester provided that internship in any year cannot be for a continuous period of more than four weeks and it shall be evaluated in the final semester of the course in the 4th clinical course.

(v) Each institution 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

A. General.

(i) There shall be an examination at the end of each semester of five year 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 and calculated on the semester basis.

(ii) A candidate for the five year degree of Bachelor of Laws shall be required to pass in all the prescribed courses within the span of 10 years from the academic session of his/her admission.

(iii) A candidate shall be examined in All compulsory and optional theory papers and one legal and general English paper from first to tenth semester carrying 70 marks for each paper through written examination conducted by the university and 30 internal marks for each paper awarded by the concerned college/deptt./institute of law affiliated to university.

(iv) A candidate shall also be examined in 04 compulsory clinical papers of 50 marks each through written examination and 50 marks each through practical work/viva-voce.

(v) A student must pass in all the 45 papers with a minimum of 40% marks in each and 48% in aggregate in order to qualify for the B.A.LL.B. degree.

(vi) One question paper shall be set in each of the course prescribed for study and examination. Each paper shall be of three hours duration carrying 70 marks and 30 internal marks shall be awarded by the concerned law college/deptt./institute.

(vii) In 04 compulsory clinical papers, the student shall be awarded marks out of 50 on the basis of practical work/viva-voce and the written examination shall be held for the remaining 50 marks.

(viii) There shall be one examination at the end of each semester in each of the courses prescribed. A student must pass each paper with a minimum of 40% marks in each and 48% in aggregate in order to qualify for the B.A.LL.B. degree.

(ix) There shall be a viva voce examination for each compulsory clinical paper prescribed in VII, VIII, IX and X semester.

B. Scale of Marks, Division and Distinction.

(i) Each compulsory and optional paper in the B.A.LL.B. examination shall consist of 100 marks.

Provided that 70 marks in each paper shall be reserved for award on the basis of written theory paper and 30 internal marks awarded by the concerned college/deptt./institute on the basis of project work/seminar/sessional examination including discussion pertaining to the concerned paper, regularity and alertness in the class.

(ii) Each compulsory clinical paper in the B.A.LL.B. examination shall consist of 100 marks.

Provided that 50 marks in each paper shall be reserved for award on the basis of written examination and 50 marks on the basis of practical work/viva-voce as prescribed by the Bar Council of India.

(iii) Minimum pass marks in each paper 40% (taken Separately of the written theory paper, internal marks and practical/viva voce as the case may be) and 48% in aggregate (taken together of all the semesters).

Division.

First Class: 60% and above of the aggregate of marks in X semesters.

Second Class: 48% and above of the aggregate of marks in X semesters.

Distinction and Merit.

A candidate who without failing in any course, secures an average of 75% or more marks in the aggregate of all the X semesters may be declared to have obtained distinction and merit shall be determined accordingly.

6. Promotion Rules

(i) No student shall be promoted to the next semester if he/she has been detained in the examination for shortage of attendance.

(ii) Subject to sub-rule (1) above, a student of B.A.LL.B. I, III, V, VII or IX semester shall be eligible for promotion to II, IV, VI, VIII or X semester respectively irrespective of the number of courses (papers) in which he/she has failed to pass or failed to appear in the I, III, V, VII or IX semester examinations.

(iii) Subject to sub-rule (i) and (ii) above, a student of B.A.LL.B. second semester shall be eligible for promotion to third semester if he/she has passed in at least 50% papers of first and second semester examinations taken together and a student of fourth semester shall be eligible for promotion to fifth semester if he/she has passed in at least 50% papers of third and fourth semester examination taken together and student of sixth semester shall be eligible for promotion to seventh semester if he/she has passed in at least 50% papers of fifth and sixth semester examinations taken together and a student of eighth semester shall be eligible for promotion to ninth semester if he/she has passed in at least 50% papers of seventh and eighth semester examination taken together.

(iv) A student who is not eligible for promotion to third semester as specified under sub-rule (iii), has to appear in first and second semester examination as an ex-student along with the concerned semester examination of next session.

(v) A student who is not eligible for promotion to fifth semester as specified under sub- rule (iii), has to appear in third and fourth semester examination as an ex-student along with the concerned semester examination of next session.

(vi) A student who is not eligible for promotion to seventh semester as specified under sub rule (iii), has to appear in fifth and sixth semester examination as an ex-student along with the concerned semester examination of next session.

(vii) A student who is not eligible for promotion to ninth semester as specified under sub-rule(iii), has to appear in seventh and eighth semester examination as an ex-student along with the concerned semester examination of next session.

(viii) A student who has secured minimum pass marks in each paper but failed to secure aggregate of 48% will be allowed back paper examination in the next year.

(ix) A student who fails to secure minimum pass marks in any paper/papers of I, II, III, IV, V, VI, VII and VIII semesters shall be required to appear in the examination of the concerned back paper/papers of the concerned examination of the next year.

(x) A student who fails to secure minimum pass marks in any paper/papers of IX and X semester or 48% in aggregate taken together of all the semesters, shall be required to appear in the Special Back Paper/Papers examination to be held in August/September of subsequent year.

(xi) There shall be no Special Back Paper examination for I, II, III, IV, V, VI, VII and VIII semester students. However, students who fail to pass or appear in the papers of B.A.LL.B. I, II, III, IV, V, VI, VII and VIII semester shall be eligible to appear in the concerned paper or papers of the respective semesters along with the students of next academic session.

(xii) In order to improve their previous performance in any subject, the students will be permitted to take the examination at the next available opportunity only when they have passed that subject in the first attempt.

7. Re-admission Rules

(i) There shall be no re-admission in the B.A.LL.B. first semester under any circumstances including detention for shortage of attendance in that semester.

(ii) A student who has been detained for shortage of attendance or for applying late for admission II,III, IV, V, VI, VII, VIII, IX or X semester shall be eligible for readmission in the same semester in which he/she had been detained provided (a) he/she seeks re- admission before commencement of teaching in the relevant semester: (b) his/her conduct has been satisfactory and (c) he/she shows sufficient cause for

his/her discontinuance of studies or for not having put in the requisite percentage of attendance to the satisfaction of Dean, Faculty of Law.

(iii) An applicant who has failed in examination or failed to appear at the examination and who is otherwise eligible to appear at the examination as an ex-student, shall not be admitted as a regular student.

8. Span Period

A student must clear all the courses offered in all the semesters within a span of 10 years from the date of admission to first year of B.A.LL.B. course. No student shall be admitted as a candidate for any B.A.LL.B. examination after 10 years from the date of admission to the first year of the course.

9. Clinical Courses, Legal Aid Clinic and Moot Court Fee

Bar Council of India Rules of Legal Education, 2008 has introduced compulsory clinical courses, establishment of legal aid clinic, moot court exercises, internship and compulsory computer education for law students. In order to conduct the above programmes, the following fee may be charged from every student each year by the concerned college/deptt./ institute.

- (i) Moot Court Fee -----Rs.100/-
- (ii) Case material fee-----Rs.100/-
- (iii) Law Journal fee-----Rs. 50/-
- (iv) Legal Aid Clinic Fee-----Rs.100/-
- (v) Conference/seminar/workshop fee-----Rs.100/-
- (vi) Computer Education fee-----Rs.200/-
- (vii) Internship fee-----Rs.200/-
- (viii) Legal Literacy camps/legal tours-----Rs.100/-
- (ix) Law Library Development fee-----Rs. 50/
- (x) Sessional examination fee-----Rs.100/-

The above fee shall be credited to the "Clinical Training and Moot Court Fund" account and shall be utilized for the above purposes by the law college/deptt./institute. The account should be operated jointly by the Principal/Head and senior most teacher of law college/institution.

10. Miscellaneous Provisions

- (i) These Ordinances contained herein shall be deemed to have come into effect from the academic session 2014-2015 to the extent of its applicability.
- (ii) Any provision contained in earlier Ordinances in this regard repugnant to the present Ordinances shall stand deleted.
- (iii) The Dean of the Faculty of Law shall have power to remove all difficulties in interpretation and/or application of these Ordinances which shall be final.

SCHEDULE-A

B.A. LL.B. SEMESTER

Semester wise arrangement of papers is as follows:

I SEMESTER

BL-101- General English - I

BL-102 - Political Science – I (Major/Minor)

BL-103 - History - I (Major/Minor)

BL-104 – Sociology- I (Major/Minor)

BL-105 - Constitutional Law - I

II SEMESTER

BL-201- General English - II

BL-202 - Political Science – II (Major/Minor)

BL-203 - History - II (Major/Minor)

BL-204 – Sociology- II (Major/Minor)

BL-205- Constitutional Law - II

III SEMESTER

BL-301- Political Science - III (Major/Minor)

BL-302 - History - III (Major/Minor)

BL-303- Sociology - III (Major/Minor)

BL-304- Major- IV (Options-304X- Political Science IV/304Y-History IV/ 304Z-Sociology-IV)

BL-305-Environmental Law

IV SEMESTER

BL-401-Major- V (Options-401X- Political Science -V/401Y-History-V/ 401Z-Sociology-V)

BL-402 - Major VI (Options-402X-Political Science-VI/402Y-History-VI/ 402Z-Sociology-VI)

BL-403 - Law of Crime I : Bhartiya Nyaya Sanhita, 2023

BL-404- Law of Contract

BL-405- Special Contract

V SEMESTER

BL-501 - Law of Torts including M.V. accident and Consumer Protection Laws

BL-502-Labour Law- I

BL-503 - Family Law -I (Hindu Law)

BL-504 - Women and Criminal Law

VI SEMESTER

BL-601 - Company Law

BL-602- Labour Law- II

BL-603 - Family Law - II (Muslim Law)

BL-604 - Principles of Taxation Law

VII SEMESTER

BL-701 - Jurisprudence

BL-702 -Public International law

BL-703 - Interpretation of statutes

BL-704 - Alternate Dispute Resolution (clinical paper III)

VIII SEMESTER

BL-801- Law of Evidence : Bhartiya Sakshya Adhiniyam, 2023

BL-802 - Administrative Law

BL-803 - Human Rights Law and Practice including RTI

BL-804 - Professional Ethics and Professional Accounting system (clinical paper II)

IX SEMESTER

BL-901-Civil Procedure code and limitation Act

BL-902 - Criminology and Penology

BL-903- Land Laws

BL-904- Drafting, Pleading and Conveyance (clinical paper I)

X SEMESTER

BL-1001 - Intellectual Property Law

BL-1002 - Property Law

BL-1003-Law of Crime II: Bhartiya Nagrik Suraksha Sanhita, 2023

BL-1004 - Moot Court exercise and Internship (clinical paper IV)

BL-1005- Legal and General English and Computer Education

SCHEDULE-B
DETAILED SYLLABUS - SEMESTER WISE
SEMESTER-I

BL-101

GENERAL ENGLISH-I

- 1 Correction of Common Errors
- 2 Tense and Composition
- 3 Basic transformations Passive, Negative, Questions
- 4 Complex and Compound Sentences
- 5 Direct and Indirect Narration
- 6 Reading Comprehension
- 7 Listening Comprehensions
- 8 Paragraph writing
- 9 Letter writing - Official letter/Business letter
- 10 Legal terms - 10 only - Use of legal terms and idiomatic expression
- 11 One word substitution

REFERENCE

- 1 High School Grammar - Wren and Martin
- 2 Common Errors in English - Franch F.C. (Oxford University Press)
- 3 English Grammar and Exercise - Chapman L.R.H. (Book 1.2.3)
- 4 Common Mistakes and English - FL Tikixes T.J.Lougman Green London
- 5 Mastering English Grammar - MacMillan

BL-102

POLITICAL SCIENCE-I (PRINCIPLES OF POLITICAL SCIENCE)

Definition and scope of political science, relation with law, history, economics, sociology and other social sciences.

State: Definition, Elements and Distinction between State, Nation and Society. Theories of Origin of State

Government Forms of government Unitary, Federal and Quasi-federal. Parliamentary and Presidential, Organs of Government, Legislature, Executive and Judiciary - Political Concepts: Law, Liberty, Equality. Right and Justice Political Ideologies": Individualism Anarchy, Fascism, Democratic Socialism Sovereignty. Parliamentary, Sovereignty. Theories of Separation of Power

BOOKS RECOMMENDED

- 1 Aashirvadan - Principles of Political Science
- 2 Kapoor A.C.- Rajniti Shastra (Hindi)
- 3 Jam Pukhraj - Rajniti Shastra ke. Siddhanta
- 4 Jam Pukhraj - Rajniti Vigyan

BL-103

HISTORY-I

(HISTORY OF INDIA FROM ANCIENT PERIOD TO 7TH CENTURY A.D.)

UNIT-I

Sources of ancient Indian history, Relation of history with other social sciences sociology, political science, economics and law

UNIT-II

Polity in ancient Indian - Regvegic tribal assemblies, Vidath sabha and Samity. Later Vedic development. Kingship - Royal function, Councilors and officials

UNIT-III

State and Government in ancient India - The Mauryan polity. The Satvahana polity. The Gupta empire. The Vakatakas Pallavas, Chalukyas-administration. Society. Law, Economy art and Literature

UNIT-IV

Social Organisation in Ancient India - The Varna Ashram system. The family. The system of Slavery. Structure of Society in Ancient India. Status and Position of Women, Marriage, Education, Right of Property

UNIT-V

1 Religious conditions - Growth of Jainism, Buddhism, Bhagwatismi and hinduism
2 Economic Structure in Ancient India - Pastoralism, The Village Agriculture and Stock Breeding, Urban Centers, Guilds. Trade and Finance

REFERENCE

- 1 R.C. Majumdar - Ancient India
- 2 Datta and Majumdar - Comprehensive History of India
- 3 SR. Sharma - Crescent in Indian History
- 4 R. S. Tripathi Prachin Bharat (Hindi)
- 5 V.D. Mahajan - Prachin Bharat ka itihās. (Hindi)

BL-104

SOCIOLOGY I (BASIC CONCEPTS OF SOCIOLOGY)

UNIT I

Sociology: Definition, Nature, Scope and Methods of sociology

UNIT II

Basic concepts Society, Community, Groups (Primary and Secondary Groups)

UNIT III

Folk ways, Customs, Traditions, Mores, Association and Institution

UNIT IV

Social Stratifications. Differentiation, Status and Role

UNIT V

Social Structure and Social Function - Sociology as a critic of Sociology, Sociology of Law and Sociology of Legal profession

REFERENCE

- 1 Bierstedt Robert - Sociology
- 2 Maci Ver and Page - Sociology
- 3 Sharma S.S. - Social System
- 4 Botomore T.B. - Sociology
- 5 Maci Ver and Page - Samaj (Hindi)
- 6 Botomore T.B. - Samaj Shastra (Hindi)

BL-105

CONSTITUTIONAL LAW-I

1. Historical Perspective
 - 1.1 Constitutional developments since 1858 to 1947
 - 1.2 Gandhi Era- 1919 to 1947: social, political, economic and influence.
 - 1.3 Making of Indian Constitution
 - 1.4 Nature and special features of the constitution.
2. Parliamentary Government
 - 2.1 Westminster model - Choice of parliamentary government at the Centre and States.
 - 2.2 President of India
 - 2.1.1 Election, qualifications, salary and impeachment
 - 2.1.2 Powers: legislative, executive and discretionary power
 - 2.3 Council of Ministers
 - 2.4 Governor and state government constitutional relationship

- 2.5 Legislative process
 - 2.5.1 Practice of law-making
 - 2.5.2 Legislative privileges and fundamental rights
- 2.6 Prime Minister-Cabinet system-collective responsibility-individual responsibility
- 2.7 Coalition Government: Anti-defection Law
- 3. Federalism
 - 3.1 Federalism principles: comparative study
 - 3.2 Indian federalism: identification of federal features
 - 3.2.1 Legislative relations
 - 3.2.2 Administrative relations
 - 3.2.3 Financial relations
 - 3.3. Governor's Role
 - 3.4 Center's powers over the state- emergency
 - 3.5 J&K-special status
 - 3.6 Challenges to Indian federalism
- 4. Constitutional Processes of Adaptation and Alteration
 - 4.1 Methods of constitutional amendment
 - 4.2 Limitation upon constituent power
 - 4.3 Development of the basic Structure: Doctrine of judicial activism and restraint
- 5. Secularism
 - 5.1 Concept of secularism: Historical perspective
 - 5.2 Indian constitutional provision
 - 5.3 Freedom of religion scope
 - 5.4 Religion and the state: the limits
 - 5.5 Minority rights

REFERENCE

- D.D. Basu Shorter Constitution of India, (1996) Prentice Hall of India Delhi
- Constitution Assembly Debates Vol. I to 12 (1989)
- H.M. Seervai, Constitution of India, Vol. 1-3 (1992) Tripathi Bombay
- M.P. Singh (ed), V.N. Shukla Constitutional Law of India (2000) Oxford
- G Austin, Indian Constitution: Cornerstone of a Nation (1972)
- M. Calanter. Competing Equalities Law and the Backward Classes in India (1984) Oxford

SEMESTER-II

BL-201

GENERAL ENGLISH -II

Precis Writing and Paragraph Writing

Translation from English to Hindi

Foreign Legal Words and Phrases. Legal Maxims related to Fundamental Legal Principles.

Synonyms and Antonyms

One word Substitution. Words often Confused

Comprehension of legal texts

Writing of letters and applications

Essay writing of topics of legal interest

REFERENCE

1 david b. paie, how to write critical, essays

2 otto jespersen. growth and structure of the english language

3 bryant, english in the law courts

4 linter, the practice of criticism

BL-202

POLITICAL SCIENCE II

(MAIN CURRENTS OF WESTERN POLITICAL THOUGHTS)

Plato: Views on State. Ideal State. Education and Communism

Aristotle: Views on State, Slavery: Property and Revolution

Machiavelli: Views on Morality, Human Nature. Religion and Ideal Ruler

Hobbes : Locke, Rousseau – Views on State on Nature, Social Contract and Sovereignty

Bentham J Views on Utilitarianism and Hedonistic Calculus, Bentham as a Law Reformer

J.S. Mill Views on Liberty. Representative Government and Bentham's Utilitarianism

Hegel Views on State, Freedom and Law

Green: Views on Liberty and Rights

Karl Marx - Dialectical Materialism, Class Struggle, State

Laski- Liberty, Sovereignty, State

REFERENCES

1 Sood J.P. - Western Political Thought Vol-1 & Vol - II

2 Savine - Political Theory

3 Maxi - Western Political Thought

BL-203

HISTORY -II

(INDIA FROM 7th CENTURY TO 15th CENTURY A.D.)

UNIT-I –

Political and Social Condition of Rajput Age Social and Land Structure Its Impact on Society, Trade and Commerce

UNIT-II

Rastrakutas - Their role and History

The Chola Empire- Local Self Government. Administrative setup

Indian Society on the eve of Muslim Invasion

UNIT-III

Al-Beruni 's India

Foundation of Delhi Sultanate in Northern India, Causes and Circumstances, its Impact on the Indian Society

UNIT-IV

Nature and Character of State, Political ideas and Institutions, Agrarian structure and relations. Growth of urban centers, Trade and commerce influence of Islam on Indian culture Bhakti and Sufi movements

UNIT-V

Establishment and Expansion of Mughal Empire, Suri administration Political, revenue and Military administration, Political ideas and institution Mansabdari and Jagirdari system. The land structure and role of Jamindars rise of Maratha power, Chauth and Sardesmukhi disintegration of the Mughal Empire

REFERENCE

- 1 E.H. Carr- What is History?
- 2 Romila Thapar - History of India - Vol. i
- 3 HA. Sreenivasa Murthy - History for Law Students - Vol. i.
- 4 R.S. Sharma - Sudras in Ancient India
- 5 D.D. Kosambi - Introduction to the Study of Indian History
- 6 Rothermund and Kulke - The History of India
- 7 Robert Lingat - Classical Law in Ancient India
- 8 P.M Kane Dharmasastras

BL-204

SOCIOLOGY -II(INDIAN SOCIETY)

Indian Society: Historical background, Structure and Composition of Indian Society

Main Features: Demographic profile, Religious composition and Linguistic composition

Ideological concepts of Classical Period

Vam, Ashram, Sanskara and Karma

Caste System Meaning and Characteristic

Origin, Changes and Future of Caste

Social Institutions

Marriage, Family, Caste and Class: Religion Relation with Law

Social process and Social change

Sanskritization: Modernization, Urbanization and Westernization

Social change: Concept, Characteristic and Process

REFERENCE

- 1 Smelser, Sociology: An Introduction
- 2 Felicity A. Nuesbarin, The Limits of Human
- 3 B M Shukia, Law & Social Justice
- 4 K.N. Saikir, Law & Society
- 5 R.N. Mukherjee - Sociology
- 6 Dr. D.S. Bhghel - Sociology

BL-205

CONSTITUTIONAL LAW -II

1. Right to Equality
2. Right to freedom
3. Personal Liberty
 - 3.1 Rights of an accused: double jeopardy, self-incrimination, retrospective punishment
 - 3.2 Right to life and personal liberty - meaning, scope and limitations
 - 3.3 Preventive detention-constitutional policy
4. Fundamental Rights and Directive Principles
 - 4.1 Directive Principles- directions for social change-A new social order
 - 4.2 Fundamental Rights and Directive Principles-Inter-relationship-Judicial balancing
 - 4.3 Constitutional amendments to strengthen Directive Principles
 - 4.4 Reading Directive Principles into Fundamental Rights
5. Fundamental Duties

- 5.1 The need and status in constitutional set up
- 5.2 Interrelationship with fundamental rights and directive principles
- 6. Emergency
 - 6.1 Emergency-meaning and scope
 - 6.2 Proclamation of emergency-conditions-effects of emergency on Centre- State relations
 - 6.3 Emergency and suspension of fundamental rights
- 7. Judiciary under the Constitution
 - 7.1 Judicial process
 - 7.1.1 Court system
 - 7.1.2 The Supreme Court
 - 7.1.3 High Courts
 - 7.1.4 Subordinate Judiciary
 - 7.1.5 Judges: appointment, removal, transfer and condition of service : judicial independence
 - 7.1.6 Judicial review: nature and scope
- 8. Services under the Constitution
 - 8.1 Doctrine of pleasure (Article 310)
 - 8.2 Protection against arbitrary dismissal, removal or reduction in rank (Article 311)
 - 8.3 Exceptions to Article 311

Selected Bibliography

- G. Austin History of Democratic Constitution: The Indian Expenditure (2000) oxford
- D.D. Basu Shorter Constitution of India, (1996) Prentice Hall of India Delhi
- Constitution Assembly Debates Vol. 1 to 12 (1989)
- H.M. Seervai. Constitution of India, Vol. 1-3 (1992) Tripathi Bombay
- M.P. Singh (ed). V.N. Shukia Constitutional Law of India (2000) Oxford
- G Austin, Indian Constitution: Cornestone of a Nation (1972)
- M. Calanter. Competing Equalities- Law and the Backward Classes in India (1984) Oxford
- B. Sivaramayya. Inequalities and the Law (1984) Eastern. Lucknow
- S.C. Kashyap, Human Rights and Parliament (1978) Metropolitan, New Delhi

Leading Cases

- A.P. Chettior V/s. State of Tamilnadu (AIR 1971 SC 2085)
- Jagdish Prasad V/s. State of U.P. (AIR 1971 SC 1225).
- Jhaveri Bhai Amandos V/s. State of Bombay (AIR 1954 SC 752)

SEMESTER-III

BL-301

POLITICAL SCIENCE-III (INDIAN POLITICAL THOUGHTS)

Manu and Kautilya

Raja Ram Mohan Roy, Dayanand Saraswati and Swami Vivekanand

Gopal Krishan Gokhale and Bal Gangadhar Tilak

Aurobindo, Gandhi and Nehru

Vinoba Bhave, Jay Prakash Narayan, Dr. Ambedkar

REFERENCE

1 Grover Indian Politics and Constitution Making

2 Verma V.P. – Modern Indian Politics Thinker

BL-302

HISTORY III (Modern History)

Conquest of Bengal and Awadh, Lord Clive Administrative reform and dual system in Bengal

Warren Hastings- Administrative Reform and his Relations with Marathas regulating Act Pitts India Act

Haider Ali and Tipu Sultan- Lord Wellesely reforms and subsidiary alliance Lord Hastings- reforms.

William Bentinck reforms, Lord Dalhousie's reforms, Doctrine of Lapse

Causes of revolts/outbreak of 1857 and its results Government of India Act 1858 Indian Council Act 1861

Religious reform Movements

Brahmo samaj, Arya samaj and Prarthana samaj, theosophical society

REFERENCE

1 V.D. Mahajan- Advance history of India

2 K.C. Srivastava- History of India

3 B. L. Grover & S. Grover- Modern Indian History

BL-303

SOCIOLOGY-III (Social Problem and Community Development)

Indian Social problems: definition and measurements characteristics

Social Problems - I; Untouchability & Legislations Casteism, Poverty, pollution

Social problems - II- Juvenile Delinquency & Legislations Crime and legislations Unemployment, Population and law related

Community Development - I- Meaning and concepts. Urban community Development: Urban community: Town, City, Metropolice slums and Housing Problems

Rural Comunity-Meaning, Concept and History, Rural Indebtness

Community Development -II

Community Development Programmes

Five year plans: Objectives Community Participation: Socialization, Community Development & ngo

REFERENCE

1 Smelser. Sociology: An Introduction

2 FelicetyA. Nuesbarin, The Limits of Human

3 B.M. Shukla, Law & Social Justice

4 K.N. Saiklr. Law & Society

5. A.R. Dasai-Community Development

6 D.S. Bhaghel - Criminology

BL-304-X Major

Political Science IV (International Relations)

International relations: Its meaning, nature and scope.

National Power and its elements, problems of its evaluation.

Limitations on national power: International Law, collective security and balance of power.

Foreign policy: ITs definition and determinants the roles of national insert and ideology in formulation of foreign policy.

The cold war : Its origin and impact on international relations Emerging trends in International Power politics.

The Present International economic orders, the struggle for the new international economic order, The North South dialogue in the United Nations and outside, WTO and its impact on India.

Diplomacy: Its meaning, importance, nature and objectives types - old/new and sacral/open. Avoidance of war and facilitations of peaceful changes. Arms control and disarmament - with special reference to N.P.T. and C.T.B.T. World community and World Government. Concept of regionalism and regional organizations-PLO, OAS, the Arab League SAARC and ASEAN the EEC and their role in international relations.

Non-alignments: meaning non alignments movement and its role in international relations Relevance of NAM in the Contemporary World order.

International Organisation: League of Nations and UNO.

United Nations and its principal organs

ILO and international financial institutions.

Relationship between United Nations and regional organizations.

Suggested Reading

- 1- Agarwal, P.N. : The NeW International Economic order: An overview.
- 2- Baylic, John & Smith : The globalizations of world politics
- 3- Bowel, D.W. : International Institutions
- 4- Garg, J.P. : Regionalism in International Politics
- 5- Jha. L.K. : North-South Debate
- 6 Kurnar, Mahendra : The Theoioretical Aspects of International Politic
7. Morgenthau, Hanbs, J : Politic Among Nations
- 8- Palmer & Perkins : International Relations
- 9- Maihotra. Vinay : International Relations

BL-304-Y

HISTORY-IV- Major

(INDIAN NATIONAL MOVEMENT)

Factors for the rise of National movement
Establishment of Indian national Congress
Swadeshi movement, Swaraj or Home rule movement
Struggle for freedom under Mahatma Gandhi
The Rowlatt Act, jallianwala Bagh Massacre
Non Cooperation movement, The Simon Commission
Declaration of Complete Independence and Civil Disobedience movement
The Quit India Movement- Achievement of Independence and Partition of India
The Integration of Indian States and their reorganization.

Suggested Readings-

Grover and Grover- Modern India
Bipin Chandra- Indian National Movement
K.Mohan- Indian national Congress
Hassan Imam- Indian National Movement.

BL-304-Z

SOCIOLOGY-IV

(SOCIAL RESEARCH)

Nature of Social Research: Meaning, Objective and Importance of Sociology and Research
Research Design Meaning and Types Exploratory Design, Descriptive Design, Experimental Design
Data Collection Meaning, Concepts, sources - Primary and Secondary, Techniques of Data collection:
Observation method, Schedule and Questionnaire. Case study method Sampling - Definition and concept
Methods - probability and non-probability Universe and population
Hypothesis - Meaning, Objectives and Types
Social phenomenon, nature and characteristics

REFERENCE

- 1 Prof. D.S. Baghel Social Research
- 2 Dr. Kapil - Social Research & Statistics
- 3 Prof RN. Mukhee Social Research & Statistics
- 4 Dr. RN. Rai - Method of Research
- 5 Dr. S.P. Gupta - Social Research & Statistics
- 6 Dr. Kohli - Social Research (English

BL-305

ENVIRONMENTAL LAW

1. Concept of environment and Pollution
 - 1.1 Environment
 - 1.1.1 Meaning and contents
 - 1.2. Pollution
 - 1.2.1 Meaning
 - 1.2.2 Kinds of Pollution
 - 1.2.3 Effects of pollution
2. Legal control: Historical perspectives
 - 2.1 Indian tradition Dharma of environment
 - 2.2 British Raj industrial development and exploitation of nature
 - 2.2.1 Nuisance: penal code and procedural codes
 - 2.3 Free India - Continuance of British influence
 - 2.3.1 Old laws and new interpretations
3. Constitutional Perspectives
 - 3.1 Constitution making-development and property oriented approach
 - 3.2 Directive principles
 - 3.2.1 Status. Role and interrelationship with fundamental rights and fundamental duties
 - 3.3 Fundamental Duty
 - 3.3.1 Contents

3.3.2 Judicial approach

3.4 Fundamental Rights

3.4.1 Rights to clean and healthy environment

3.4.2 Right to Education

3.4.3 Right to information

3.4.4 Environment V. Development

3.5 Environment agencies and remedies

3.5.1 Courts

3.5.2 Tribunal

3.5.3 Constitutional, statutory and judicial remedies

3.6 Emerging principles

3.6.1 Polluter pays public liability insurance

3.6.2 Precautionary principle

3.6.3 Public trust doctrine

3.6.4 Sustainable development

4. Water and Air Pollution

4.1 Meaning and standards

4.2 Culprits and victims

4.3 Offences and penalties

4.4 Judicial approach

5. Noise Pollution

5.1 Legal control

5.2 Courts of balancing: Permissible and impermissible noise

6. Environment Protection

6.1 Protection agencies: power and functions

6.2 Protection: means and sanctions

6.3. Emerging protection through delegated legislation

6.3.1 Hazardous waste.

6.3.2 Bio-Medical Waste

6.3.3 Genetic engineering

6.3.4 Disaster emergency preparedness

6.3.5 Environment impact assessment

6.3.6 Coastal zone management

6.3.7 Environmental audit and eco mark

6.4 Judiciary: complex problems in administration of environmental justice

7. Town and country planning

7.1 Law Enforcement and constrain

7.2 Planning management policies

8. Forest and greenery

8.1 Greenery conservation laws

8.2 forest conservation

8.1.2 Conservation agencies

8.1.3 Prior approval and non-forest purpose

8.1.4 Symbiotic relationship and tribal people

8.1.5 Denudation of forest judicial approach

.8.2 Wild life

8.2.1 Sanctuaries and national parks

8.2.2 Licensing of zoos and parks

8.2.3 State monopoly in the sale of wild life and wild life articles

8.2.4 Offences against wild life

9. Bio-diversity

9.1 Legal control

9.2 Control of eco-unfriendly experimentation on animals, plants, seeds and micro organism

10. International regime

10.1 Stockholm conference

10.2 Green house effect and ozone depletion

10.3 Rio conference

10.4 Bio-diversity

10.5 U.N. declaration on right to development

10.6 Wetlands

Leading Cases

1. Pyarelal V/s. State of Delhi Administrative AIR 1995 SC 1159

2. A.P. Pollution Control Board V/s. Prof M.V. Naidu (Retd) and Others AIR 1999 SC 8712

3. Centre for Environmental law wwf-1 V/s. Union of india and Others AIR 1999 SC 354

Select Bibliography

Aarmin resencranz, et al (eds) Environmental Law and policy in India, (2000) Oxford

R.B. Singh & Suresh Mishra Environmental law in India (1996) Concept Publishing Co. New Delhi

Kailash Thakur. Environmental Protection law and policy in India (1997) Deep and Deep publications.
New Delhi

Richard L. Riversz, et al (eds) Environmental law, the Economy and Sustainable Development (2000).
Cambridge

Christopher D Stone. Should Trees Have Standing and other Essays on Law, Morals and Environment
(1996) Oceana

Leelakrishanari P. et al (eds) Law and Environment (1990) Eastern, Lucknow

Leelakrishanan P. The Environmental Law in India (1999) Butterworths-India

Department of Science and Technology, Government of India, Report of the Committee for
Recommending Legislative measures and administrative
Machinery for Ensuring Environmental Protection, (1980), (Tiwari Committee Report)

Indian Journal of Public Administration, Special Number on Environment and Administration, July-
September 1988, Vol. XXXV No.3, PP. 353-801

Centre for Science and Environment. The State of India's Environment 1982. The State of India's
Environment 1984-85 and The State of Indian Environment 1999-2000

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

SEMESTER-IV

BL-401-X Major

Political Science - V -Major

(Indian Government & politics)

The Making of Indian Constitution and Its Sources

Basic Features of Indian Constitution

Preamble, Fundamental Rights. Duties & Directive Principles of State Policy Union Government:

President, Parliament. Cabinet & Prime Minister

The State Government: Governor.Council of Minister & The Chief Minister Centre-State Relations

Supreme Court and The Constitutional Process

Political Parties: National& Regional Parties

The Election Commission and Electoral Reforms

Major Issues in Indian Politics: Caste, secularism, Communalism, Naxalism, Terrorism

Selected Bibliography

D.D. Basu	Constitution of India
Sunder Raman ed.	Indian Government & Politics
M.P. Singh & Himanshu Rai	Indian Political System
Pukhraj Jain & Fadia	Bhartiya Shasan aur Rajniti
J.C. Johari	Indian Government & Politics
Rajani Kothari	Politics in India

BL-401-Y

HISTORY-V

(Legal and Constitutional History of India)

Indian Legislature under British Crown- Government of India Act -1858

Indian Council Act- 1861, 1892

Government of India Act 1909, 1919

Constitutional Developments- Government of India Act 1935, Cripps and Cabinet mission India gets Freedom- The Interim Government, Mountbatten Plan. Indian Independence Act 1947

Growth of Legal Profession- The legal Practitioner Act 1879, Indian Bar Council Act 1926 The Advocate Act 1961

SUGGESTED READINGS

- V.D. Kulshreshtha- Landmarks in Indian Legal and Constitutional History
- N.V.Paranjape- Indian Legal and Constitutional History
- M.P.Jain- Outline of Legal History

BL-401-Z

SOCIOLOGY (RURAL & URBAN COMMUNITY DEVELOPMENT)

RURAL COMMUNITY

Concept & Definition

Characteristics

Structure- Concept types Characteristics change and development

(COMMUNITY DEVELOPMENT)

Concept & Definition

Objective and Function

Rural development programme

(URBAN COMMUNITY & URBANIZATION)

Urban sociology- concept origin of cities

Urban community- concept & characteristics

Urbanization- concept factors, process of social consequences of urbanization

**- HOUSING PROGRAMME/SCHEMES
(PROBLEM OF RURAL URBAN COMMUNITY)**

Indebtedness

Untouchability

Slums

Youth unrest

Urban environmental problems

BL-402-X

Political Science - VI

**Comparative Government & Politics (Government & Politics Of U.K., U.S.A., RUSSIA,
CHINA, SWITZERLAND & FRANCE)**

Approaches to The Study of Comparative Politics

Constitution & Constitutionalism

Historical Legacy and Political Traditions

Constitutional Structures: Executive, Legislative & Judiciary

Political Parties & Party Systems

Interest Groups & Social Movements

State and Local Government

Book Recommended

Dr. S.C. Singh	Vibhinna samvidhan
Dr. Pukhraj Jain	Vibhinna samvidhan
A. C. Kapoor & K.K. Mishra	Select Constitutions

BL-402-Y

HISTORY-VI

(World History)

The Peace Settlements- Treaty of Versailles. Treaty of Sevres

The league of Nations- The Assembly, Permanent Court of International Justice, Functions of league of Nations.

Foreign Policies of France, Italy, Germany and Russia

Britain Between the Wars- Economic Depression. Political Changes in England. Policy of Appeasement

Europe since 1945- The United Nations. Cold War. NATO (North atlantic Treaty Organization)

SUGGESTED Readings

Charles Downer Hazen- Modern Europe since 1789

R.S. Boker- What Wilson did at Paris? 1919

Nicholson H- The Peace making 1919

Fraser .L- Germany between two wars

BL-402-Z

Sociology VI

FOUNDATION OF SOCIAL THOUGHTS - INDIAN THINKER

Raja Ram Mohan Roy- Brahma samaj

Swami Dayanand Saraswati- Arya samaj

Mahatma Gandhi- Concept of Ahinsa Theory of Trusteeship

Acharya Vinova Bhave- Bhudan Andolan

Shri Aurobindo- Nationalism and unity of mankind

Swami Vivekanand- Vedant

Auguste Comte- Comte's law of three stages positivism

Harbert spencer - Social evolution or social darwanism

Emile Durkhiem- Division of Labour. Suicide

Vilfredo- Pareto-Circulation of Elites social action theory.

BL-403

Law of Crimes-I : BHARTIYA NYAYA SANHITA, 2023

Objective of the course

The Indian society has changed very rapidly since Independence. A proper understanding of crimes methods of controlling them and the socio-economic reasons for their existence is now extremely important in the larger context of India's development, if students are to use their knowledge and skills to build a just and humane society. The curriculum outlined here attempts to bring in these new perspectives.

The course shall comprise of the following:

1. Preliminary (Sec. 1-3)
2. Punishments (Sec. 4-13)
3. General Exception (Sec. 14-44)
4. Abetment, Criminal Conspiracy and Attempt (Sec. 45-62)
5. Sexual Offences (Sec. 63-73)
6. Criminal Force and Assault against Woman (Sec. 74-87)
7. Causing Miscarriage, etc. (Sec. 88-92)
8. Offences against Child (Sec. 93-99)
9. Offences affecting the Human Body/Of Offences affecting Life (Sec. 100-113)
10. Hurt (Sec. 114-125)
11. Wrongful Restraint and Wrongful Confinement (Sec. 126-127)
12. Criminal Force and Assault (Sec. 128-136)
13. Kidnapping, Abduction, Slavery and Forced Labour (Sec. 137-146)
14. Offences against the State (Sec. 147-158)
15. Offences relating to the Army, Navy and Air Force (Sec. 159-168)
16. Offences relating to Elections (Sec. 169-177)

17. Offences relating to Coin, Currency-Notes, Bank-Notes, and Government Stamps (Sec.178-188)
18. Offences against the Public Tranquility (Sec. 189-197)
19. Offences by or relating to Public Servants (Sec. 198-205)
20. Contempts of the Lawful Authority of Public Servants (Sec. 206-226)
21. False Evidence and Offences against Public Justice (Sec. 227-269)

22. Offences affecting the Public Health, Safety, Convenience, Decency and Morals (Sec. 270-297)
23. Offences relating to Religion (Sec. 298-302)
24. Offences against Property / OF Theft (Sec. 303-307)
25. Extortion (Sec. 308)
26. Robbery and Dacoity (Sec. 309-313)
27. Criminal Misappropriation of Property (Sec. 314-315)
28. Criminal Breach of Trust (Sec. 316)
29. Receiving Stolen Property (Sec. 317)
30. Cheating (Sec. 318-319)
31. Fraudulent Deeds and Dispositions of Property (Sec. 320-323)
32. Mischief (Sec. 324-328)
33. Criminal Trespass (Sec. 329-334)
34. Offences relating to Documents and to Property Marks (Sec. 335-344)
35. Property Marks (Sec. 345-350)
36. Criminal Intimidation, Insult, Annoyance, Defamation, etc. (Sec. 351-355)
37. Defamation (Sec. 356)
38. Breach of Contract to attend on and supply wants of Helpless Person (Sec. 357)

Books Recommended:

1. Bare Act of Bhartiya Nyaya Sanhita, 2023

Vageshwari Deswal, Saurabh Kansal, Bhartiya Nyaya Sanhita 2023| Lawand Practice, Taxmann's

BL-404

Law of Contract

1. General Principles of Law of Contract

1.1 History and Nature of contractual obligations

1.2 Agreement and contract Definitions, elements and kinds.

1.3 Proposal and acceptance- their various forms, essential elements, communication and revocation- proposal and invitations for proposal- floating offers - tenders dumping of goods.

1.4 Consideration- its need, meaning, kinds, essential elements - nudum pactum- privity of contract and of consideration-its exceptions-adequacy of consideration- present, past and adequate consideration-

unlawful consideration and its effects- views of Law Commission of India on consideration-evaluation of the doctrine of consideration.

1.5 Capacity of contract-meaning-incapacity arising out of status and mental defect minor's agreements-definition of minor accessories supplied to a minor agreements beneficial and detrimental to a minor --- affirmation- restitution in cases of minor's agreements-fraud by a minor-agreements made on behalf of a minor minor's agreements and estoppel-evaluation of the law relating to minor's agreements-other illustrations of incapacity to contract.

1.6. Free consent- Its need and definitions- factors vitiating free consent.

1.6.1 Coercion-definition-essential elements- duress and coercion-various illustrations of coercion-doctrine of economic duress-effect of coercion.

1.6.2 Undue Influence-definition-essential elements- between which parties can it exist? Who is to prove it? Illustrations of undue influence- independent advice pardanashin women- unconscionable bargains effect of undue influence.

1.6.3 Misrepresentation definition misrepresentation of law and of fact- their effects and illustration.

1.6.4 Fraud - definition-essential elements -suggestion falsi- suppressio veri when does silence amounts to fraud? Active-concealment of truth- importance of intention.

1.6.5 Mistake-definition-kinds-fundamental error-mistake of law and of fact their effects- when does a mistake vitiate free consent and when does it not vitiate free consent?

1.7 Legality of objects:

1.7.1 Void agreements- lawful and unlawful considerations, and objects - void, voidable, illegal and unlawful agreements and their effects.

1.7.2 Unlawful considerations and objects.

1.7.2.1 Forbidden by law

1.7.2.2 Defeating the provision of any law

1.7.2.3 Fraudulent

1.7.2.4 Injurious to person or property

1.7.2.5 Immoral

1.7.2.6 Against public policy

1.7.3 Void Agreements

1.7.3.1 Agreements without consideration

1.7.3.2 Agreements in restraint of marriage

1.7.3.3 Agreements in restraint of trade- Its exceptions- Sale of goodwill, section 11 restrictions, under the partnership Act, trade combinations, exclusive dealing agreements, restraints on employees under agreements of service

1.7.3:4 Agreements in restraint of legal proceedings- Its exceptions

1.7.3.5 Uncertain agreements

1.7.3.6 Wagering agreement - Its exception.

1.8 Discharge of a contract and its various modes

1.8.1 By performance- Conditions of valid tender of performance- How? By whom? Where? when? in what manner? Performance of reciprocal promises- Time as essence of contract

1.8.2 By breach -Anticipatory breach and present breach

1.8.3 Impossibility of performance- Specific grounds of frustration Application to leases theories of frustration- Effect of frustration and restitution.

1.8.4 By period of limitation

1.8.5 By agreement- rescission and alteration their effect remission and waiver of performance -extension of time- Accord and satisfaction.

1.9 Quasi- Contracts or certain relations resembling those created by contract

1.10 Remedies in contractual relations

1.10.1 Damages- Kinds- Remoteness of damages- ascertainment of damages

1.10.2 Injunction-when granted and when refused- Why?

1.10.3 Refund and restitution

1.10.4 Specific Performance- When? Why?

2. Government as a Contracting Party

Constitutional provisions Government power to contract- procedural requirements-kinds of government contracts-their usual clauses-performance of such contracts- settlements of disputes and remedies

3. Standard Form Contracts

Nature. advantages -unilateral character. principles of protection against the possible of exploitation- judicial approach to such contracts- Exemption clauses - Clash between two standard form contracts-Law Commission of India's views

4. Multi-national Agreement

5. Strategies and constraints to enforce contractual obligations

5.1 Judicial methods- redressal forum, remedies

5.2 Other methods like arbitration, Lok Adalat, Nyaya Panchayat and other such non formal methods

5.3 Systemic constraints in setting contractual disputes

5.3.1 Court fees. service of summons, injunctions, delay.

6. Specific relief

6.1 Specific performance of contract

6.1.2 Contract that can be specifically enforced

6.1.3 Persons against whom specific enforcement can be ordered

6.2 Rescission and cancellation

6.3 Injunction

6.3.1 Temporary

6.3.2 Perpetual

6.4 Declaratory orders

6.5 Discretion and powers of courts

Leading Cases

1. Carlil V/s. Carbolic smoke Ball Company 1863 I.Q.B. 256)
2. Mahanbibi V/s. Dharmodas Ghash (1903 ILR 30 Cal)
3. Sactyabvata Ghosh V/s. Mugniram Bangur of Co. (AIR 1954 5C 44. S.C.R. 310 (1954)
4. M/s. Murlidhar Chimjit Lal V/s. Harish Chandra Dwaraka Das and others (AIR 1962 SC)

Select Bibliography

Beatsen (ed.) Anson's Law of Contract (27ed 1998)

P.S. Atiya. Introduction to the law of Contract 1992 reprint (Cleredon Law Series)

Avtar Singh. Law of Contract (2000) Eastern, Lucknow

G.C. Cheshire, and H.S. Fifoot and M.P. Firmston, Law of Contract (1992) ELLLS with Butterworths

M. Krishnan Nair, Law of Contract (1998)

G.H. Traitel, Law of Contract, Sweet and Maxwell (1997 Reprint)

R.K. Abihandani (ed) Pollock and Mulla on the Indian Contract and the Specific Relief Act (1999).Tripathi

Banarjee, S.C., Law of Specific Relief (1998) Universal

Anson, Law of Contract (1998). Universal

Anand and Aiyer. Law of Specific Relief (1999), Universal

BL-405

Special Contract

1. Indemnity

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

2. Guarantee

- 2.1 The Concept
- 2.2 Definition of guarantee as distinguished from indemnity
- 2.3 Basic essentials for a valid guarantee contract.
- 2.4. The Place of consideration and the criteria for ascertaining the existence of consideration in guarantee contracts
- 2.5 Position of minor and validity of guarantee when minor is the principal debtor, creditor or surety.
- 2.6 Continuing guarantee
 - 2.6.1 Nature of surety's liability
 - 2.6.2 Duration and termination of such liability
- 2.7 Illustrative situations of existence of continuing guarantee
 - 2.7.1 Creation and identification of continuing guarantees.
- 2.8 Letters of credit and bank guarantees as instances of guarantee transactions
- 2.9 Rights of surety.
 - 2.9.1 Position of surety in the eye of law
 - 2.9.2 Various judicial interpretations to protect the surety
- 2.10 Co-surety and manner of sharing liabilities and rights.
- 2.11 Extent of surety's liability
- 2.12 Discharge of surety's liability

3. Bailment

3.1 Identification of bailment contracts in day to day life.

3.1.1 Manner of creation of such contracts

3.2 Commercial utility of bailment contracts

3.3 Definition of bailment

3.4 Kinds of bailees

3.5 Duties of bailor and Bailee towards each other

3.6 Rights of bailor and Bailee

3.7 Finder of goods as a bailee

3.7.1 Liability towards the true owner.

3.7.2 Obligation to keep the goods safe

3.7.3 Right to dispose off the goods

4. Pledge

4.1 Pledge: Comparison with bailment

4.2 Commercial utility of pledge transactions

4.3 Definition of pledge under the Indian contract Act.

4.4 Other statutory regulations (State & Centre) regarding pledge, reasons for the same.

4.5 Rights of the pawner and pawnee

4.5.1 Pawnee's right of sale as compared to that of an ordinary bailee

4.6 Pledge by certain specified persons mentioned in the Indian Contract Act.

5. Agency

5.1 Identification of different kinds of agency transactions in day to day life in the commercial world

5.2 Kinds of agents and agencies

5.2.1 Distinction between agent and servant

5.3 Essentials of a agency transaction

5.4 Various methods of creation of agency

5.5 Delegation

5.6 Duties and rights of agent

5.7 Scope and extent of agent's authority

5.8 Liability of the principal for acts of the agent including misconduct and tort of the agent.

5.9 Liability of the agent towards the principal

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

6. Sale of Goods

- 6.1 Concept of sale as a contract
- 6.2 Illustrative instances of sale of goods and the nature of such contracts
- 6.3 Essentials of contract of sale
- 6.4 Essentials conditions in every contract of sale
- 6.5 Implied terms in contract of sale
- 6.6 The rule of caveat emptor and the exceptions thereto under the Sale of Goods Acts.
- 6.7 Changing concept of caveat emptor
- 6.8 Effect and meaning of implied warranties in a sale
- 6.9 Transfer of title and passing of risk
- 6.10 Delivery of goods: Various rules regarding delivery of goods
- 6.11 Unpaid seller and his rights
- 6.12 Remedies for breach of contract

7. Partnership

- 7.1 Nature of partnership: definition
- 7.2 Distinct advantages and disadvantages vis-à-vis partnership and private limited company.
- 7.3 Mutual relationship between partners
- 7.4 Authority of Partners
- 7.5 Admission of Partners
- 7.6 Outgoing of partners
- 7.7 Registration of Partnership
- 7.8 Dissolution of Partnership

8. Negotiable Instruments

- 8.1 The Concept
- 8.2 Various kinds.
- 8.3 Essential requirements to making and negotiation
- 8.4 Competent parties for making and negotiations
- 8.5 Acceptance of the instrument

- 8.6 Dishonour by non acceptance and remedies remedies available to the holder
- 8.7 Holder and holder in due course: meaning essential conditions rights and privileges of holder in course and endorsee from the holder in due course
- 8.8 Negotiation of the instrument
- 8.9 Presentment of the instrument
- 8.10 Cheques : rules regarding payment of cheque
 - 8.10.1 Liability of the collecting banker and paying banker
 - 8.10.2 Dishonour of cheque and its effects.
 - 8.10.3 Discharge from liability
- 8.11 Kinds of bills
- 8.12 Evidence
 - 8.12.1 Special rules of evidence regarding negotiable instruments

Selected Bibliography

- R.K. Abhichandarn (ed.) Pollock and Mulla on Contracts and Specific Relief Acts (1999) Tripathi Bombay.
- Avtar Singh, Contract Act (2000), Eastern, Lucknow.
- Krishnan Nair. Law of Contract (1999) Orient
- Avtar Singh, Principals of the Law of Sale of Goods and Hire Purchase (1998), Eastern, Lucknow
- J.P. Verma (ed.) Singh and Gupta, The Law of Partnership in India (1999). Orient Law House. New Delhi
- AG. Guest (ed.). Banarjee's Sale of Goods (1992), Sweet and Maxwell.
- Bhashyam and Adiga, The Negotiable Instruments Act (1995), Bharath, Allahabad
- Ramnainga, The Sales of Goods Act (1998), Universal

SEMESTER-V

BL-501

Law of Torts including M.V. accident and Consumer Protection Laws

1. Evolution of Law of Torts

1.1 England- forms of action- specific remedies from case to case

1.2 India-principles of justice, equity and good conscience- uncodified character advantages and disadvantages.

2. Definition, Nature, Scope and Objects.

2.1 A wrongful Act imposed by law, duty which is owed to people generally (in term) *damnum sine injuria* and *injuria sine damnum*.

2.2 Tort distinguished from crime and breach of contract

2.3 The Concept of unliquidated damages

2.4 Changing scope of law of torts: Expanding character of duties owed to people generally due to complexities of modern society

2.5 Objects Prescribing standards of human conduct redressal of wrongs by payment of compensation, prescribing unlawful conduct by injunction.

3. Principles of Liability in Torts

3.1 Fault

3.1.1 Wrongful intent

3.1.2 Negligence

3.2 Liability without fault

3.3 Violation of ethical codes

3.4 Statutory liability

3.5 Place of motive in torts

4. Justification in Tort

4.1 *Volenti non fit injuria*

4.2 Necessity, private and public

4.3 Plaintiffs default

4.4 Act of God

4.5 Inevitable accident

4.6 Private defense

4.7 Statutory authority

4.8 Judicial and quasi-judicial acts

4.9 Parental and quasi-parental authority

5. Extinguishment of liability in certain situation

5.1 Actio personalis moritur cum persona -exceptions

5.2 Waiver and acquiescence

5.3 Release

5.4 Accord and satisfaction

5.5 Limitation

6. Standing

6.1 Who may sue -aggrieved individual -class action social action group

6.2 Statutes granting standing to certain persons or groups

6.3 Who may not be sued?

7. Doctrine of sovereign Immunity and its relevance in India

8. Vicarious Liability

8.1 Basis. Scope and justification

8.1.1 Express authorization

8.1.2 Ratification

8.1.3 Abetment

8.2 Special Relationships

8.2.1 Master and servant arising out of and in the course of employment -who is master?

The control test who is servant? borrowed servant - independent contractor and servant. distinguished

8.2.2 Principal and agent

8.2.3 Corporation and principal officer

9. Torts against persons and personal relations

9.1 Assault, battery, mayhem

9.2 False imprisonment

9.3 Defamation - libel, slander including law relation to privileges

9.4 Marital relations, domestic relations, parental relations, master and servant relations

9.5 Malicious prosecution

9.6 Shortened expectation of life

9.7 Nervous shock

10. Wrong affecting property

10.1 Trespass to land, trespass ab initio, dispossession

10.2 Movable property- trespass to goods, detinue, conversion

10.3 Torts against business interests - injurious falsehood, misstatements, passing off

11. Negligence

11.1. Basic concepts

11.1.1 Theories of negligence

11.1.2 Standards of Care, duty to take care, carelessness, inadvertence

11.1.3 Doctrine of contributory negligence

11.1.4 Res ipsa loquitor and its importance in contemporary Law

11.2 Liability due to negligence: different professionals

11.3 Liability of common carriers for negligence

11.4 Product liability due to negligence: Liability of manufacturers and business houses for their products

12. Nuisance

12.1 Definition, essentials and types

12.2 Act which constitute nuisance -noise and interference with light and air, obstructions of highways

pollution of air, water,

13. Absolute/Strict liability

13.1 The rule in Ryland V. Fletcher

13.2 Liability for harm caused by

14. Legal remedies

14.1 Legal remedies

14.1.1 Award of damages-simple, special, punitive

14.1.2 Remoteness of damage-foreseeability and directness

14.1.3 Injunction

14.1.4 Specific restitution of property

14.2 Extra-legal remedies- self-help, re-entry on land. re-capture of goods, distress damage feasant and abatement of nuisance

15. Consumer movements: historical perspectives

15.1 Common law protection Control and torts

15.2 Consumerism in India: food adulteration, drugs and cosmetics -essential commodities

15.2.1 Criminal sanction: Sale of noxious and adulterated substances. Tares weights and measures Use of unsafe carriers.

16. Consumer the concept

16.1 General perspectives

16.2 Statutory and government services to be included or not?

16.3 Consumer Protection Act, 2019

(a) Definition

(b) Consumer protection council

- (c) Central consumer protection authority
- (d) Consumer dispute redressal commission
- (e) Mediation
- (f) Product Liability
- (g) Offences & Penalties
- (h) Miscellaneous Provisions
- 17. Motor Vehicle Act, 1988
 - 17.1 Definitions
 - 17.2 Licensing of drivers of Motor Vehicle
 - 17.3 Licensing of conductors of stage carriages
 - 17.4 Registrations of Motor vehicles
 - 17.5 Control of transport vehicles
 - 17.6 Provisions relating to state transport undertakings
 - 17.7 Controls of traffic
 - 17.8 Insurance of Motor vehicle against third party risks
 - 17.9 Claims Tribunal
 - 17.10 Offences penalties & procedures

Remaining portions shall remain unchanged.

Leading Cases

- 1 Mrs. M.N. Chibwala v/s Fidattussain AIR 1965 SC 610
- 2 Sitaram v/s Santanu Prasad AIR 1966 SC 1697
3. Reyland v/s Fletchert. L.R.H.L. 330

Selected Bibliography

- Nalmond and Heuston On the Law of Torts (2000) Universal. Delhi
- D.D. Ravu. The Law of Torts (1982). Kamal Calcutta
- M. Gandhi, Law of Torts (1987), Eastern Lucknow
- P.S. Achuthan Pillai. The Law of Torts (1994) Eastern Lucknow
- Ratanlal & Dhirajlal The Law of Torts (1997). Universal Delhi

BL-502

Labour Law- I

The Course shall comprise of the following- Evaluation of industrial legislation in India Industrial Dispute Act 1947

Scope and object, main features, important definitions.

Industry

Industrial Dispute and individual dispute

Workman and Employer

Reference of disputes

Voluntary arbitration (Section 1 OA) Award

Authorities under the Act

Procedures, powers and duties of authorities

Strike

Lock-out

Retrenchment and lay-off

Transfer and Closure

Trade Unions Act, 1926

1. Growth of Unions
2. Important Definitions
3. Registration of Trade Unions
4. Rights and Liabilities of registered Trade Unions
5. Collective Bargaining

Workmen's Compensation Act, 1923

1. Important Definitions
2. Workmen's Compensation
3. Commissioners.
4. Powers of Central and state Governments to make rules

BL-503

Family Law - I (Hindu Law)

1. Nature and Origin of Hindu Law.
2. Sources of Hindu Law
 - (a) Ancient
 - (b) Modern
3. Schools of Hindu Law
4. Joint Family and Coparcenary
5. Concept of Marriage under Hindu Law
6. Law relating to Marriage, Essential conditions: Hindu Marriage Act, 1955
7. Matrimonial remedies under Hindu Marriage Act, 1955
 - (a) Nullity of Marriage
 - (b) Restitution of Conjugal Rights
 - (c) Judicial Separation
 - (d) Divorce
8. Hindu Adoption and Maintenance Act, 1956
9. Hindu Minority and Guardianship Act, 1956
10. Hindu Succession Act, 1956

Leading Case

1. Saroj Rani V/s. Sudarshan Kumar Chaddha (AIR 1984 SC 1562)
2. J.L.Nands V/s. Veena (AIR 1988 SC 437)
3. Chandramohini Srivastava V/s. Avinash Prasad Srivastava (AIR SC 581)
4. Dhanraj V/s. Surajbai (AIR sc 1103)

Book Recommended

1. Mulla Principals of Hindu Law
2. Paris Diwan-Hindu Law
3. R.K. Agarwal - Hindu Law
4. N.H.Thaswala-HinduLaw

BL-504

Women and Criminal Law

The course shall comprise of the following –

1. Criminal Law (Bhartiya Nyaya Sanhita, 2023) :

- (i) Sexual Offences (Sec. 63-73)
- (ii) Criminal Force and Assault against Woman (Sec. 74-79)
- (iii) Offences relating to Marriage (Sec. 80-87)
- (iv) Causing Miscarriage, etc. (Sec. 88-92)

2. The Dowry Prohibition Act, 1961

- (i) Definitions
- (ii) Penalty for giving, taking and demanding dowry
- (iii) Cognizance of Offences
- (iv) Offence to be bailable and non-compoundable
- (v) Offence to be Cognizable
- (vi) Dowry Prohibition Officers

3. The Protection of Women from Domestic Violence Act, 2005

- (i) Introduction
- (ii) Duties and function of protection officers
- (iii) Service providers and its powers
- (iv) Duties of Government
- (v) Procedures for obtaining orders of reliefs
- (vi) Kinds of orders
- (vii) Powers of Magistrate
- (viii) Appeal
- (ix) Penalty for breach of protection orders by respondent.

Selected Bibliography :

- (i) Penal Law Of India by H.S. Gaur.
- (ii) Indian Penal Code by S.N. Mishra.
- (iii) The Dowry Prohibition Act, 1961.
- (iv) The Protection of Women from Domestic Violence Act, 2005

SEMESTER-VI

BL-601

Company Law

SYLLABUS :

For the following refers to Companies Act, 2013.

1. Meaning and Introduction of corporation

(i) Meaning of Company and essential characteristics

(ii) Theories of corporate personality

(iii) Kinds of Company-

- Limited Companies, Guarantee Companies, Private Companies.
- Advantages of a Private Company.
- Conversion of Private Company into Public Company.
- Conversion of Public Company into Private Company.
- One Person Company
- Foreign Company.
- Government Companies.
- Holding Company and Subsidiary Company.
- Associate Company.
- Dormant Company.

➤ Difference Between Corporate and Non-Corporate Organisations

(Partnership and other associations of person.)

2. Law relating to companies- Public and Private

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

3. Share Capital and Debentures

- (i) Share-General principles of Allotment, statutory restrictions-share certificate its objects and effects Transfer of Shares-Restrictions on transfers, procedure for transfer-refusal of transfer, role of public finance institution- relationship between transfer and transferee-issue of shares at premium and discount-depository receipts-dematerialized shares (DEMAT)
- (ii) Shareholder-who can be and who cannot be a shareholder-modes of becoming a shareholders-calls on shares-forfeiture and surrender of shares lieu on shares.
- (iii) Share capital -kinds-alteration and reduction of share capital-further issue of capital-conversion of loans and debentures into capital-duties of courts to protect the interests of creditors and shareholders.
- (iv) Debentures- meaning Kinds- fixed and floating charge, shareholders and debenture holders, remedies of debenture holders.

4. Management and Controls of Management

- (i) Directors-position-appointment-qualifications-vacation of office-removal, resignation-powers and duties of directors-meeting, registers, loans- remuneration of directors-role of nominee directors-compensation for loss of office- managing directors- compensation for loss of office-managing directors and other managerial personal.
- (ii) Meeting kinds-procedure-voting
- (iii) Dividends -payment-capitalization-profit
- (iv) Audit and accounts
- (v) Protection of Minorities shareholders right.
- (vi) Borrowing powers-powers-effect of unauthorized borrowing-changes and mortgages-loans to other companies-investments-contracts by companies.
- (vii) Protections of Oppressions and mismanagement
- (viii) Investigation -powers

5. Special Regulation and winding up

- (i) Corporate Social Responsibility (Section-135)

- (ii) Serious fraud Investigation Office
- (iii) NCLT/ Special Court
- (iv) Regulation and Amalgamation
- (v) Winding up: - Procedure- Powers, Liability of past members- payment of liabilities- preferential payment unclaimed dividends- windings up of unregistered company.

6. Companies Incorporated outside India

7. Corporate Liability

- (i) Legal liability of companies: civil and criminal
- (ii) Remedies against them civil, criminal and tortuous-Specific Relief Act, writs liability under special statutes

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

Recommended Source Material :

Essential Readings-

1. Companies Act, 2013
2. Avtar Singh : Mercantile Law
3. Avtar Singh : Company Law
4. N.V. Paranjpe : Company Law
5. Kailash Rai : Company Law
6. Companies Act, 1956
7. Companies Act, 2013
8. Introduction to Company Law 11th Edition, 2014 (P/B) – Singh, Avtar
9. Company Law – Krati Rajoria
10. New Company Law (The Companies Act, 2013) (18 of 2013) (1th Edn.) – S.C. Tripathi
11. THE NEW COMPANY LAW – DR. N.V. PARANJAPE

Additional Readings-

1. R.P. Maura : Company Law
2. Palmer's : Company
3. Business Law (Principle of Mercantile Law) 10th Edition, 2014 (P/B) – Singh, Avtar

BL-602

Labour Law- II

1 Employees state Insurance Act. 1948

1.1 Historical Development

1.2 Important definitions and object of the Act

1.3 Employment injury

1.4 Liability of the employers for accidents during and in the course of employment

1.5 Various benefits available under the Act

1.6 Constitution: Jurisdiction and powers of employees state insurance court

2. The Minimum Wages Act, 1948.

2.1 Object. Constitutional validity and salient features of the Act.

2.2 Important Definitions

2.3 Fixation of minimum rates of wages

3. The Payment of wages Act, 1936.

3.1 Scope and applicability of the Act

3.2 Important Definitions

3.3 Payment of wages and deductions from wages

3.4 Authorities under the Act

4. The Factories Act, 1948

4.1 Important Definitions

4.2 Inspecting Staff

4.3 Health, safety and welfare measures

4.4 Working hours of adults

4.5 Employment of young persons

4.6 Annual leave with wages

BL.-603

Family Law - II (Muslim Law)

- 1 Introduction of Muslim Law
2. Nature and Sources of Muslim Law
3. Schools of Mohammadan Law
4. Law of Marriage
5. Law of Dower
6. Divorce under Muslim Law
7. Will
8. Hiba or Gift
9. Waqf
10. Pre-Emption
11. Guardianship
12. Parentage, legitimacy and acknowledgement
13. Maintenance
14. Law of Inheritance
15. Dissolution of Muslim Marriage act, 1939
16. The Muslim Women (Protection of Rights on Marriage) Act, 2019

Leading Cases -

1. Mainabibi and others V/s. Chaudhary Vakil Ahmad and others (1952 J.A.-145)
2. Sattar Shaikh V/s. Mst. Sahdunnissa (AIR 1969 A.L.J. 415)
3. Avub Hasan V/s. Mst. Akhtari (AIR All 525)
4. Ram Saran Lai V/s. Smt. Damini Kaur (AIR 1961 1747)

Books Recommended

1. Faizi Mohammadan Law
2. Mulià - Principals of Mohammadan Law
3. Paras Diwan- Muslim Law
4. Akil Ahmad - Muslim Law

BL-604

Principles of Taxation Law

I. General Perspective.

History of tax law in India

Fundamental principles relating to tax laws

Governmental financial policy, tax structure and their role in the national 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.

II. Direct Tax

Income Tax

Basic concept

Income

Total Income

Income not included in total income

Deemed income

Clubbing of income

Assessed

Person

Tax Planning

Chargeable income

Heads of income

Salaries

Income from House Property

Income from Business Profession

Capital Gains

Income from other sources.

Deductions, relief and exemptions

Rate of income tax

Income tax Authorities

Power and Function

Offences and penal Sanctions

Settlement of Grievances

Authorities, powers and functions

III. Indirect Taxation

The Course Shall comprise of the following:

Concept of value Added Tax and its Merits and Demerits

Application of Value Added Tax in india in the fields of indirect taxation and reasons for introducing Goods and Service Tax (GST)

Goods and Service Tax

(1) Important Definitions

(a) Business

(b) Capital goods

(c) Export and import of goods and services

(d) Goods

(e) Services

(2) Classes of officers under the Central Goods and Services Tax Act (CGST Act) and under the state's Good and Services Tax Act, their appointments and powers

(3) Levy and collection of CGST and SGST

(4) Power to grant exemption from tax and Remission of Tax on supplies found deficient in quantity

(5) Time of supply of Goods and Services

(6) Value of Taxable Supply

(7) Manner of taking input Tax Credit

(8) Registration of Suppliers of Good and Services, Amendment and cancellation of registration and revocation of cancellation of registration

(9) Special provision related to casual taxable persons and non-resident person

(10) Tax invoice, Credit and Debit Notes

(11) Furnishing details of outward and inward Supplies

(12) Furnishing of Returns

(13) Payments and Refunds of tax

(14) Taxation of Electronics Commerce

(15) Assessments: Self Assessment; Provisional Assessment ; Scrutiny of Returns; Assessment of non-filers of returns; Assessment of Unregistered Persons; Summary Assessment in certain special cases.

(16) Demand and Recovery of Tax

(17) Inspection, Search, Seizure and Arrest

(18) Appeals and Revision

Integrated Goods and Service Tax (IGST)

(1) Meaning, Levy and collection of IGST

(2) Place of supply of Goods and services

(3) Apportionment of IGST between Central and State Governments\

Customs Duty

(1) Introduction & types of Customs Duties.

(2) Powers of Customs Officers (Section 100-135A)

(a) Power to Inspect

(b) Power to X-ray bodies

(c) Power of search

(d) Power of Seizure

(e) Power to call for documents and examine a person

SEMESTER-VII

BL-701

Jurisprudence

1. Introduction.

1.1 Meaning of the term jurisprudence

1.2 Norms and the normative system

1.2.1 Different types of normative systems, such as of games, languages religious orders, unions, clubs and customary practice.

1.2.2 Legal system as a normative order: similarities and differences of the legal system with other normative systems

1.2.3 Nature and definition of law

2. Schools of Jurisprudence

2.1 Analytical Positivism

2.2 Natural Law

2.3 Historical School

2.4 Sociological School

2.5 Economic interpretation of law

2.6 The Bharat Jurisprudence

2.6.1 The Ancient : The Concept of Dharma

2.6.2. The Modern: PIL, Social Justice, Compensatory jurisprudence

3. Purpose of Law

3.1 Justice

3.1.1 Meaning and kinds

3.1.2 Justice and law: Approaches of different schools

3.1.3 Power of the Supreme Court of India to do complete justice in a case: Article 142.

3.1.4 Critical Studies

3.1.5 Feminist Jurisprudence

4. Sources of Law

4.1 Legislation

4.2 Precedents: Concept of Stare decisis

4.3 Customs

4.4 Juristic writings

5. Legal Right: The Concept

5.1 Rights: Kinds

5.2 Right duty correlation

6. Persons

6.1 Nature of Personality

6.2 Status of the unborn, minor, lunatic drunken and dead persons

6.3 Corporate Personality

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

7. Possession The Concept

7.1 Kinds of Possession

8. Ownership The Concept

8.1 Kinds of Ownership

8.2 Difference between possession and ownership

9.1 Title

10. Property: The Concept Unit 3

10.1 Kinds of Property

11. Liability

11.1 Conditions for imposing liability

11.1.1 Wrongful Act

11.1.2 Damnum Sine injuria

11.1.3 Causation

11.1.4 Mensrea

11.1.5 Intention

11.1.6 Malice

11.1.7 Negligence and recklessness

11.1.8 Strict Liability

11.1.9 Vicarious liability

12. Obligation Nature and Kinds

12.1 Sources of obligation

13. Procedure

13.1 Substantive and procedural laws Difference

13.2 Evidence: Nature and Kinds

Selected Bibliography

Bodenheimer Jurisprudence - The Philosophy and Method of Law (1996). Universal, Delhi. Fetzgerald.
(ed) Salmond on Jurisprudence (1999) Tripathi. Bombay

W. Friedmann. Legal Theory (1999) Universal. Delhi
V.D. Mahajan. Jurisprudence and Legal Theory (1996 Re-print), Eastern, Lucknow
M.D.A. Freeman (ed). Lloyd's Introduction Jurisprudence (1994), Sweet & Maxwell Paton G.W..
Jurisprudence (1972) Oxford, ELBS
H.L.A. Hart. The Concepts of Law (1970) Oxford ELBS
Roscoe Pound. Introduction to the Philosophy of Law (1998 Re-Print) Universal. Delhi
Dias. Jurisprudence (1994 First Indian re-Print). Adithya Books, New Delhi
Dhyani SN.. Jurisprudence: A study of Indian Legal Theory (1985) Metropolitan, New Delhi.

BL-702

Public International law

1. Nature, origin and basis of international law various theories and schools
2. Sources of international law
3. History and development of International law
4. Codification of International Law
5. Relationship between International Law and Municipal Law
6. Law of Peace Nature of state and different kinds of states and non-state entities - subjects of International Law and Place of individual in international Law Human rights -state responsibility – Recognition- State Succession – Intervention- State Jurisdiction- State Territory including modes of acquisition and loss of state territory- The law of the sea piracy --air Law including Air craft Hijacking outer space- Nationality Extradition- Asylum Treatments of aliens
7. International Transactions- Diplomatic Agents Treaties
8. International organizations-definition, functions and evolution of international organizations-league of nations-origin, purpose, principles, membership etc. of the united nations-The general assembly of the united nations security council secretariat-the Economic and social council-The Trusteeship council- International court of justice- collective security- Regionalism regional arrangements- maintenance of

international peace and security - the specialized agencies- Disarmament comparison of the U.N. and the league of the nations and evaluation of the work of the U.N.

9. Law of War

9.1 Settlement of International Disputes

9.2 War, Its legal character and effects

9.3 Enemy character- Law of land warfare - belligerent occupation- Law of maritime warfare-

Law of Aerial Warfare

War crimes-Neuremberg, Tokyo, Peleus. Eichmann and other war crime trials Genocide Termination of war and postliminium

10. The law of Neutrality-Neutrality, Privilege of angway, contraband and doctrine of continuous voyage -blockade- unneutral service and right of visit and search-price courts

11. Human Rights

Leading Cases

1. Nuremberg Trial (1946 C.M.D. 6964)
2. Daimlar Co. Ltd, V/s. Continental Tyre and Rubber Co. Ltd. (1916. 3 AC. 13)
3. Jamora (C 1996) 20 A Cn)

Books Recommended -

1. M.P. Tondon - International Law
2. J.D. Jam - International Law
3. S.K. Kapoor - International Law
4. Jai Jai Ram Upadhyay - Human Rights

BL-703

Interpretation of statutes

1 Principles of Legislation

1.1 Law making the legislation, executive and the judiciary

1.2 Principle of utility

1.3 Relevance of John Rawls and Robert Nazilk - Individual interest to community interest

1.4 Operation of these principles upon legislation

1.5 Distribution between morals and legislation

2. Interpretation of statutes:

2.1 Meaning of the Term Statutes

2.2 Commencement operation and repeal of statutes

2.3 Purpose of interpretation of statutes

3. Aids to interpretation

3.1 Internal aids

3.1.1 Title

3.1.2 Preamble

3.1.3 Headings and marginal notes

3.1.4 Sections and sub-sections

3.1.5 Punctuation marks

3.1.6 Illustrations, exceptions, provisos and saving clauses

3.1.7 Schedules

3.1.8 Non-obstante clause

3.2 External aids

3.2.1 Dictionaries

3.2.2 Translations

3.2.3 Travaux Preparatoires

3.2.4 Statutes in pari materia

3.2.5 Contemporanea Exposito

3.2.6 Debates inquiry commission reports and law commission reports

4. Rules of Statutory Interpretation

4.1 Primary Rules

4.1.1 Literal Rule

4.1.2 Golden rule

4.1.3 Mischief Rule (rule in the Heydon's case)

- 4.1.4 Rule of Harmonious construction
- 4.2. Secondary Rules
 - 4.2.1 Nosoitur a sociis
 - 4.2.2 Ejusdem Generis
 - 4.2.3 Reddendo singula singulis
- 5. Presumptions in statutory interpretation
 - 5.1 Statutes are valid
 - 5.2 Statutes are territorial in operation
 - 5.3 Presumption as to jurisdiction
 - 5.4 Presumption against what is inconvenient or absurd
 - 5.5 Presumption against intending injustice
 - 5.6 Presumption against impairing obligations or permitting advantage from one's own wrong.
 - 5.7 Prospective operation of statutes
- 6. Maxims of Statutory Interpretation
 - 6.1 Delegatus non potest delegare
 - 6.2 Expressio unius exclusion alterius
 - 6.3 Generalia specialibus non derogant
 - 6.4 In pan delicto potio est condition possidentis
 - 6.5 Utres valet potior quam pareat
 - 6.6 Expresum facit cassare facitum
 - 6.7 In bonam partem
- 7. Interpretation with reference to the subject matter and purpose
 - 7.1 Restrictive and beneficial construction
 - 7.1.1 Taxing statutes
 - 7.1.2 Penal Statutes
 - 7.1.3 Welfare Legislation
 - 7.2 Interpretation of substantive and adjunctival statutes
 - 7.3 Interpretation of directory and mandatory provisions
 - 7.4 Interpretation of enabling statutes
 - 7.5 Interpretation of codifying and consolidating statutes
 - 7.6 Interpretation of statutes conferring rights
 - 7.7 Interpretation of statutes conferring powers
- 8. Principles of constitutional interpretation
 - 8.1 Harmonious construction

- 8.2 Doctrine of pith and substance
- 8.3 Colourable legislation
- 8.4 Ancillary powers
- 8.5 Occupied field
- 8.6 Residuary power
- 8.7 Doctrine of repugnancy

Selected bibliography

- G.P. Singh. Principles of Statutory interpretation. (7t Edition) 1999. Wadhwa, Nagpur
- P.St. Langan (Ed) Maxwell on the Interpretation of Statutes (1976) N.M. Tripathi Bombay
- K. Shanmukham, N.S. Bindras's interpretation of statutes (1997) The law book Co. Allahabad
- V. Sarathi, Interpretation of Statutes. (1984). Eastern. Lucknow
- M.P. Jam, Constitutional Law of India. (1994). Wadhwa and Co.
- M.P.Singh (Ed) V.N. Sukia's Constitution of India. (1994) Eastern. Lucknow U. Baxi, Introduction to justice, K.K. Mathew's democracy equality and freedom (1978) Eastern.

Leading Cases

1. M. Venugopal V/s. Divisional Manger L.I.C. of India (1994, S SCJ 62)
2. H.S. Atwal and others v/s. Union of India & Others 1994. 3SCJ 321

BL-704

Alternate Dispute Resolution (clinical paper III)

Outline of the course

1. Negotiation skills to be learned with simulated program
2. Conciliation skills
3. Arbitration Law Practice including International arbitration and Arbitration rules

The course is required to be conducted by senior legal practitioners through simulation and case studies.

Evaluation may also be conducted in practical exercise at least for a significant part of evaluations.

SEMESTER-VIII

BL-801

Law of Evidence : BHARTIYA SAKSHYA ADHINIYAM, 2023

Objective of the course

The law of evidence is an indispensable part of both substantive and procedural laws. It imparts credibility to the adjudicatory process by indicating the degree of veracity to be attributed to facts before the forum. This paper enables the student to appreciate the concepts and principles underlying the law of evidence and identify the recognized forms of evidence and its sources. The subject seeks to impart to the student the skills of examination and appreciation of oral and documentary evidence in order to find out the truth. The art of examination and cross-examination, and the shifting nature of burden of proof are crucial topics. The concepts in by amendment to the law of evidence are significant parts of study in this course.

The course comprises the following topics:

1. Preliminary (Sec. 1-2)
2. Relevancy of Facts (Sec. 3)
3. Closely connected Facts (Sec. 4-14)
4. Admissions (Sec. 15-25)
5. Statements by persons who cannot be called as Witnesses (Sec. 26-27)
6. Statements made under Special Circumstances (Sec. 28-32)
7. How much of a Statements is to be Proved (Sec. 33)
8. Judgments of Courts when Relevant (Sec. 34-38)
9. Opinions of Third Persons when Relevant (Sec. 39-45)
10. Character when Relevant (Sec. 46-50)
11. Facts which need not be proved (Sec. 51-53)
12. Oral Evidence (Sec. 54-55)
13. Documentary Evidence (Sec. 56-73)
14. Public Documents (Sec. 74-77)
15. Presumptions as to Documents (Sec. 78-93)
16. The exclusion of oral Evidence by Documentary Evidence (Sec. 94-103)
17. The Burden of Proof (Sec. 104-120)
18. Estoppel (Sec. 121-123)

19. Witnesses (Sec. 124-139)
20. Examination of Witnesses (Sec. 140-168)
21. Improper Admission and Rejection of Evidence (Sec. 169)
22. Repeal and Savings (Sec. 170)

Books Recommended:

1. Bare Act of The Bhartiya Sakshya Adhiniyam, 2023

BL-802

Administrative Law

1. Evolution, Nature and Scope of Administrative Law
 - 1.1 From a laissez-faire to a social welfare state
 - 1.1.1 State as regulator of private interest
 - 1.1.2 State as provider of services
 - 1.1.3 Other functions of modern state relief welfare
 - 1.2 Evolution of administration as the fourth branch of government - necessity for delegation of powers on administration.
 - 1.3 Evolution of agencies and procedures for settlement of disputes between individual and administration
 - 1.3.1 Regulatory agencies on the United States
 - 1.3.2 Conseil d Estate
 - 1.3.3 Tribunalization in England and India
 - 1.4 Definition and scope of administrative law
 - 1.5 Relationship between constitutional law and administrative law
 - 1.6 Separation of powers
 - 1.7 Rule of law

2. Civil Service in India

2.1 Nature and organization of civil services; from colonial relics to democratic aspiration

2.2 Powers and functions

2.3 Accountability and responsiveness: Problems and perspectives

2.4 Administrative deviance-corruption, nepotism, mal-administration.

3. Legislative Powers of Administration

3.1 Constitutionality for delegation of legislative power

3.2 Constitutionality of delegated legislation- powers of exclusion and inclusion and power to modify statute

3.3 Requirements for the validity of delegated legislation

3.3.1 Consultation of affected interests and public participation in rule-making

3.3.2 Publication of delegated legislation

3.4 Administrative directions, circulars and policy statements

3.5 Legislative control of delegated legislation

3.5.1 Laying procedures and their efficacy

3.5.2 Committees on delegated legislation-their constitution. function and effectiveness

3.5.3 Hearings before legislative committee

3.6 Judicial control of delegated legislation

3.7 Sub-delegation of legislative powers

4. Judicial Powers of Administration

4.1 Need for devolution of adjudicatory authority on administration

4.2 Administrative tribunals and other adjudicating authorities: their ad-hoc character

4.3 Tribunals-need, nature, constitution, jurisdiction and procedure

4.4 Jurisdiction of administrative tribunals and other authorities

4.5 Distinction between quasi-judicial and administrative functions

4.6 The right to hearing - essentials of hearing process

4.6.1 No man shall be judge in his own cause

4.6.2 No man shall be condemned unheard

4.7 Rules of evidence -- no evidence, some evidence and substantial evidence rules

4.8 Reasoned decisions

4.9 The right to counsel

4. 10 Institutional decisions

4.11 Administrative appeals

5. Judicial Control of Administrative Action

- 5.1 Exhaustion of administrative remedies
- 5.2 Standing: standing for Public interest litigation (social action litigation) collusion, bias
- 5.3 Laches
- 5.4 Res Judicata
- 5.5 Grounds
 - 5.5.1 Jurisdictional error/ultra vires
 - 5.5.2 Abuse and non exercise of jurisdiction
 - 5.5.3 Error apparent on the face of the record
 - 5.5.4 Violation of principles of natural justice
 - 5.5.5 Violation of public policy
 - 5.5.6 Unreasonableness
 - 5.5.7 Legitimate expectation
- 5.6 Remedies in judicial Review
 - 5.6.1 Statutory Appeals
 - 5.6.2 Mandamus
 - 5.6.3 Certiorari
 - 5.6.4 Prohibition
 - 5.6.5 Quo-Warranto
 - 5.6.6 Habeas Corpus
 - 5.6.7 Declaratory judgments and injunction
 - 5.6.8 Specific performance and civil suits for compensation
- 6. Administrative Discretion
 - 6.1 Need for administrative discretion
 - 6.2 Administrative discretion and rule of law
 - 6.3 Limitations on exercise of discretion
 - 6.3.1 Malafide exercise of discretion
 - 6.3.2 Constitutional imperatives and use of discretionary authority
 - 6.3.3 Irrelevant Considerations
 - 6.3.4 Non-exercise of discretionary power
- 7. Liability for wrongs (Tortious and Contractual)
 - 7.1 Tortious liability: sovereign and non-sovereign functions
 - 7.2 Statutory immunity
 - 7.3 Act of state
 - 7.4 Contractual liability of government

- 7.5 Government privilege in legal proceedings-state secrets, public interest
- 7.6 Transparency and right to information
- 7.7 Estoppel and waiver
- 8. Corporations and Public Undertakings
 - 8.1 State monopoly-remedies against arbitrary action or for acting against public policy
 - 8.2 Liability of public and private corporations-departmental undertaking
 - 8.3 Legislative and governmental control
 - 8.4 Legal remedies
 - 8.5 Accountability-Committee on Public Undertaking, Estimates Committee, etc.
- 9. Informal methods of settlement of disputes and grievance redressal procedures
 - 9.1 Conciliation and mediation through social action groups
 - 9.2 Use of media, lobbying and public participation
 - 9.3 Public inquiries and commissions of inquiry
 - 9.4 Ombudsman: Lok Pal, Lok Ayukta
 - 9.5 Vigilance Commission
 - 9.6 Congressional and Parliamentary Committee

Selected Bibliography

- C.K. Allen, Law & orders (1985)
- D.D. Basu. Comparative Administrative Law (1998)
- MA. Fazal, Judicial Control of Administrative Action in India, Pakistan and Bangladesh (2000)
Butterworths - India
- Franks. Report of the Committee on Administrative Tribunals and Inquiries,
HMSO, 1959

Leading Cases

1. Han Shankar Bagla and Other V/s. State of M.P. AIR 1954SC 465
2. Hamdard Dawakhana and others V/s. Union of India (AIR 1960 SC 554)
3. Bhagat Raja V/s. Union of India AIR 1967 SC 1607

Books Recommended-

1. C.K. Allen, Law and Order (1985)
2. D.D. Basu. Comparative Administrative Law (1998)
3. MA. Fazal, Judicial Control of Administrative Aition in India. Pakistan and Bangladesh (2000)
4. Wade, Administrative Law

5. I.C. Gamer. Administrative Law
6. M.P. Jam. Cases and Materials on Administrative Law
7. Jam and Jam. Principles of Administrative Law
8. S.P. Sathe, Administrative Law
9. Dc. Smith, Judicial Review of Administrative Action
10. B. Schwartz. An Introduction to American Administrative Law.

BL-803

Human Rights Law and Practice including RTI

The course shall comprise of the following

1. Meaning and concept of Human Rights
2. Evolution and development of Human Rights Law
 - a. Impact of Natural Law and Natural Rights
 - b. Broadening of contents
3. Human Rights and the United Nations:
 - a. Charter Provision
 - b. International Protection of Human Rights
4. Universal declaration of Human Rights
5. Covenant on Political and Civil Rights (1966)
6. Covenant on Social, economic and cultural Rights (1966)
7. Protection of Human Rights Act, 1993
8. Right to Information Act, 2005
9. Enforcement of Human Rights in India:
 - a. Role of Courts: The Supreme Court, High Court and Other courts
 - b. Statutory Commissions: Human Rights. Women's Minority and Backward Class

BL-804

Professional Ethics and Professional Accounting system

(clinical paper II)

Outline of the course- Professional Ethics, Accountancy for lawyers and Bar-Bench Relations

This course will be taught in association with practicing lawyers and Bar-Bench Relations

1. Mr. Krishnamurthy Iyer's book on Advocacy
2. The Contempt law and practice
3. The Bar Council Code of Ethics
4. 50 Selected opinions of the Disciplinary committees of bar Councils and 10 major judgement of the supreme court on the subject
5. Other reading materials as may be prescribed by the University Examination rules of the University shall include assessment through case-study, viva and periodical problem solution besides the written tests.

SEMESTER-IX

BL-901

Civil Procedure code and limitation Act

1. Introduction

1.1 Concepts

1.1.1 Affidavit, order, judgment, decree, plaint, restitution, execution, decree- holder, Judgement –debtor, mesne profits, written statement

1.1.2 Distinction between decree and judgment and between decree and order.

2. Jurisdiction

2.1 Kinds

2.1. Hierarchy of Courts

2.2 Suit of civil nature

2.3 Res-subjudice and Res-judicata

2.4 Foreign judgement- enforcement

2.5 Place of suing

2.6 Institution of suit

2.6.1 Parties to suit: joinder, mis-joinder or non-joinder of parties: Representative suit.

2.6.1.1 Frame of suit: Cause of action

2.6.2 Alternative disputes resolution (ADR)

2.6.3 Summons

3. Pleadings

3.1 Rules of pleading Signing and verification

3.1.1 Alternative pleadings

3.1.2 Construction of pleadings

3.2 Plaint: Particulars

3.2.1 Admission, return and rejection

3.3 Written statement: particulars, rules of evidence

3.3.1 Set off and counter Claim: distinction

3.4 Discovery, inspection and production of documents

3.4.1 Interrogatories

3.4.2 Privileged documents.

3.4.3 Affidavits

4. Appearance, examination and trial.

4.1 Appearance

4.2 Ex-Parte procedure

4.3 Summary and attendance of witnesses

4.4 Trial

4.5 Adjournments

4.6 Interim orders: Commission, arrest, of attachment before judgement, injunction and appointment of receiver

Interests and costs

Execution

The Concept

General Principles

Power for execution of decrees

Procedure for execution (ss. 46-54)

Enforcement, arrest and detention (ss.55-59)

Attachment (ss. 60-64)

Sale (ss. 65-67)

Delivery of property

Stay of execution

Suits in particular cases

By or against government (ss.79-82)

By alien and by or against foreign rules or ambassadors (ss.83-87A)

Public nuisance (ss. 91-93)

Suits by or against firm

Suits in forma pauperis

Mortgages

Interpleader Suits

Suits relating to public charities

7. Appeals

7.1 Appeals from original decree

7.2 Appeals from appellate decree

7.3 Appeals from orders

7.4 General provisions relating to appeal

7.5 Appeal to the Supreme Court

8. Review, Reference and revision

9. Miscellaneous

- 9.1 Transfer of cases
- 9.2 Restitution
- 9.3 Caveat
- 9.4 Inherent powers of courts
- 10. Law reform: Law commission on Civil Procedure-Amendments
- 11. Law of Limitation
 - 11.1 The concept- The law assists the vigilant and not those who sleep over the rights
 - 11.2 Object
 - 11.3 Distinction with laches, acquiescence, presumption
 - 11.4 Extension and suspension of limitation
 - 11.5 Sufficient cause for not fitting the proceedings
 - 11.5.1 Illness
 - 11.5.2 Mistaken legal advice
 - 11.5.3 Mistaken view of law
 - 11.5.4 Poverty, minority and Purdha
 - 11.5.5 Imprisonment
 - 11.5.6 Defective vakalatnama
 - 11.6 Legal liabilities
 - 11.7 Foreign rule of limitation: Contract entered into under a foreign law
- 1.8 Acknowledgement -- essential requisites
- 11.9 Continuing tort and continuing breach of contract

Leading Cases

1. Deaki Nandan V/s. Murlidhar (AIR 1957 SC 550)
2. The Virathi Nager Steel Mills Ltd V/s. State of madras (AIR 1968 SC 1196)
3. Chhajju Ram V/s. Neki Ram and Others (AIR 1922 PC 112)

Selected Bibliography

1. Mulla, code of civil Procedure (1999) Universal Delhi
2. C.K. Thacker, Code of Civil Procedure
3. MR. Mallick (ed.) B.B. Mitra on Limitation Act.
4. Majumdar P.K. and Kataria PP. C.P.C.
5. Saha A.N.(C.P.C.)
6. Sarkar Law of Civil Procedure
7. Universal Code of Civil Procedure

BL-902

Criminology and Penology

1. Dimensions of Crime in India

1.1 Nature and extent of crime in India

1.2 General approaches to crime control

1.3 Crimes of the powerful

1.3.1 Organised crime-smuggling traffic in narcotics

1.3.2 White collar crime-Corruption in public life

1.3.3 Socio-Economic crime: Adulteration of foods and drugs fraudulent trade practices.

1.3.4 Crimes in the professions - Medical, legal engineering

1.3.5 Criminality by agencies of the state

1.4 Perpetrators of ordinary crime

1.4.1 The Situational Offender

1.4.2 The Chronic offender

1.4.3 Criminality of women

1.4.4 Young offenders

1.4.5 Criminal gang

2. Causes of criminal behaviour

2.1 Nature of the problem: Some unscientific theories

2.2 The constitutional school of criminology- Lombroso and others (heredity and mental retardation as causes of crime)

2.3 Sociological theories anomies

2.4 Modern sociological theories: Sutherland's differential association theory Reckless's social vulnerable theory

2.5 Economic theories and their relevance

2.6 Environment --home and community influences, urban and rural crimes

2.7 The ghetto, broken homes, the effect of motion pictures, TV. and Video, Press, narcotics and alcohol

2.8 Caste and community tensions: Caste wars and communal riots - their causes and demoralizing effects: atrocities against scheduled castes.

2.9 Emotional disturbance and other psychological factors

2.10 Multiple causation approach to crime

3. Police and the criminal justice

3.1 The police system

3.2 Structural organization of police at the centre and the states

- 3.3 Mode of recruitment and training
- 3.4 Powers and duties of police under the police acts, criminal procedure code and other laws
- 3.5 Arrest search and seizure and constitutional imperatives
- 3.6 Methods of police investigation
- 3.7 Third degree methods
- 3.8 Corruption in police
- 3.9 Relationship between police and prosecution
- 3.10 Liability of police for custodial violence
- 3.11 Police public relations
- 3.12 Select aspects of National Police Commission report
- 4. Punishment of Offenders
 - 4.1 Some discarded modes of punishment
 - 4.1.1 Corporal punishment: whipping and flogging, mutilation and branding
 - 4.1.2 Transportation
 - 4.1.3 Public execution
 - 4.2 Punishments under the Indian criminal law
 - 4.2. 1 Capital punishment
 - 4.2.2 Imprisonment
 - 4.2.3 Fine
 - 4.2.4 Cancellation or withdrawal of licences
 - 4.3 The prison system
 - 4.3.1 Administrative organization of prisons
 - 4.3.2 Mode of recruitment and training
 - 4.3.3 The jail manual
 - 4.3.4 Powers of prison officials
 - 4.3.5 Prisoners classification-male, female: juvenile and adult, undertrial and convicted prisoners
 - 4.3.6 Constitutional imperatives and prison reforms
 - 4.3.7 Prison management : prisoners right and security compulsions
 - 4.3.8 Open prisons
 - 4.3.9 Prison Labour
 - 4.3.10 Violation of Prison code and its consequences
 - 4.4 Appraisal of imprisonment as a mode of punishment
- 5. Treatment of Correction of Offenders
 - 5.1 The need for reformation and rehabilitation of offenders undergoing punishment imprisonment

- 5.2 Classification of offenders through modern diagnostic techniques.
- 5.3 The role of psychiatrists, psychoanalysts and social workers in the prison
- 5.4 Vocational and religious education and apprenticeship programs for the offenders
- 5.5 Group counselling and re-socialisation programmes
- 5.6 Prisoners organizations for self-government.
- 5.7 Participation of inmates in community Services
- 5.8 An appraisal of reformative techniques...
- 5.9 Efficacy of imprisonment as a measure to combat criminally and the search for substitutes
- 6. RE-Socialisation Processes
 - 6.1 Parole
 - 6.1.1 Nature of Parole
 - & 1.2 Authority for granting parole
 - 6.1.3 Supervision of parolees
 - 6.1.4 Parole and conditional release
 - 6.2 Release of the offender
 - 6.2.1 Problems of the released offender
 - 6.2.2 Attitudes of the community towards released offenders
 - 6.2.3 Prisoner and societies and other voluntary organisatio
 - 6.2.4 Governmental action
 - 6.2.5 An appraisal

Selected bibliography

- Katherine S Williams, Text Book on Criminology (1997) Blackstone. London
- Loveland. The frontiers of Criminality (1995) Sweet and Maxwell
- Martin Wasik. Emmins on Sentencing (1998). Blackstone, London
- Hall, J. Law Social Science and Criminal Theory (1982)
- Manheim, H. Comparative Criminology A Text Book (1965)
- Ross, H. (Lawrence Ed.) Law and Devaince (1981)
- Sutherland. E and Cressy. Principles of Criminology (1978)
- Walker, N. Crime and Criminology: A Critical Introduction (1987)
- S. Rao, Crime in Our Society, (1983)
- J.M. Sethna, Society and the Criminal (1980)
- A. Siddiqui, Criminology Problems and Perspectives (1997)
- E. Sutherland, White Coller Crime (1949)

S. Kaldate. Society. Delinquent and Juvenile Courts(1982)
W.C. Reckless. The Prevention of Juvenile Delinquency (1972)
D.C. Pandey, Habitual Offenders and the Law (1983)
D Abrahansen, David: Crime and the Human Mind (1979)
Conrad. John P: Crime and its correction: An international survey of attitudes and Krishna Iyer Report on Female Prisoners (1983)
Mulla Committee Report (1983)
P. Rajgopal. Violence and Response: A Critique of Indian Criminal Justice System

BL-903

Land Laws

U.P. Revenue Code, 2006

- (i) Definitions
- (ii) Revenue Divisions
- (iii) Board and Revenue Officers
- (iv) Boundaries and Boundary marks
- (v) Maintenance of village Records
- (vi) Revisions of village Records
- (vii) Ownership of Land and other properties
- (viii) Management of Land and other properties by Green Panchayat and other local authorities.
- (ix) Tenures
- (x) Transfer, Devolution, Division, Ejectment and rent etc.
- (xi) Declaratory Suits
- (xii) Government Lessee
- (xiii) Assessment of land Revenue
- (xiv) Collection of land Revenue
- (xv) Jurisdiction and Procedures of Revenue of Courts

(xvi) Miscellaneous Provisions

(xvii) Penalties

Selected Bibliography

U.P. Land Revenue Code, 2006 and other Books on the subject by eminent writers.

BL-904

Drafting, Pleading and Conveyance (clinical paper I)

Outline of the course

1. Drafting

2. Pleading

General principles of drafting and relevant substantive rules shall be taught.

Civil – Plaintiff, Written Statement, Interlocutory Application, Original Petition under Article 226 and 32 of the Constitution of India

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

Conveyance: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed

Drafting of writ petition and PIL petition

The course will be taught class instructions and simulation exercise preferably with assistance of practicing lawyers/retired judges

Apart from teaching the relevant provisions of law, the subject carrying 50 marks through written examination conducted by the university and 50 marks awarded by the concerned college/dept./institute of law affiliated to university through practical work/viva-voce as prescribed by the Bar Council of India.

SEMESTER-X

BL-1001

Intellectual Property Law

1. Introductory

1.1 The meaning of Intellectual property

1.2 Competing rationales of the legal regimes for the protection of intellectual property

1.3 The main forms of intellectual property: Copyright, trademarks, patents, designs.

1.4 The competing rationales for protection of right in

1.4.1 Copyright

1.4.2 Trademarks

1.4.3 Patents

1.4.4 Designs

1.4.5 Trade secrets

1.4.6 Other new forms such as plant varieties and geographical Indications

1.5 Introduction to the international instruments concerning intellectual property rights the Berne Convention, Universal Copyright Convention, the Paris Union Trips the World Intellectual Property Rights Organization (WIPO) and the UNESCO.

2. Select aspects of the law of copyright in India

2.1 Historical evolution of the law

2.2 Meaning of copyrights

2.3 Copyright in literary, dramatic and musical works

2.4 Copyright in sound records and cinematograph films

2.5 Copyright in computer programme

2.6 Ownership of copyright

2.7 Assignment of copyright

2.8 Author's special rights

2.9 Notion of infringement

2.10 Criteria of infringement

2.11 Infringement of copyright by films of literary and dramatic works

2.12 Importation and infringement

2.13 Fair use provisions

2.14 Piracy in internet

2.15 Aspects of copyright justice

2.16 Remedies, especially, the possibility of Anton pillar injunctive relief in India.

3. Intellectual Property in Trademarks

3.1 The rationale of protection of trademarks (a) an aspect of commercial and (b) of consumer rights.

3.2 Definition and concept of trademarks

3.3 Registration

3.4 Distinction between trademark and property mark

3.5 The doctrine of honest Current User

3.6 The doctrine of deceptive similarity

3.7 Protection of well-known marks

3.8 Passing off and infringement

3.9 Criteria of infringement

3.10 Standards of proof in passing off action

3.11 Remedies

4. The law of Intellectual property: Patents

4.1 Concept of patent

4.2 Historical view of the patents law in India

4.3 Patentable invention with special reference to biotechnology products entailing creation of new forms of life.

4.4 Patent protection for computer programme

4.5 Process of obtaining a patent application, examination, opposition and sealing of patents: general introduction

4.6 Procedure for filing patents. Patent co-operation treaty

4.7 Some grounds for opposition

4.7.1 The problem of limited locus standi to oppose, specially in relation to inventions having potential of ecological and mass disasters

4.7.2 Wrongfully obtaining the invention

4.7.3 Prior publication or anticipation

4.7.4 Obviousness and the lack of inventive step

4.7.5 Insufficient description

4.8 Rights and obligations of a patentee

4.8.1 Patents as chose in action

4.8.2 Duration of patents: law and policy considerations

4.8.3 Use and exercise rights

4.8.4 Right to secrecy

4.8.5 The notion of Abuse of patent rights

4.8.6 Compulsory licenses

4.9 Special Categories

4.9.1 Employee Invention: Law and Policy Consideration

4.9.2 International Patents: Transfer of Technology, Know-How and Problems of self reliant development

4.10 Infringement

4.10.1 Criteria of infringement

4.10.2 Onus of Proof

4.10.3 Modes of infringement The Doctrine of Colourable Variation

4.10.4 Defences in suits of infringement

4.10.5 Injunction and related remedies

Selected Bibliography

Cormish W.R., Intellectual Property. Patents, Trade Marks. Copy Rights and Allied Rights (1999), Asia Law House, Hyderabad.

Vikas Vashishth. Law and Practice of Intellectual Property (1999), Bharat Law House. Delhi

P. Narayanan, Intellectual Property Law (1999), (ed) Eastern Law House, Calcutta

Bibeck Debroy (ed) Intellectual Property Rights (1998) Rajiv Gandhi Foundation, Delhi. U.I.F. Anderfelt.

International Patent Legislation and Developing Countries (1971).

W.R. Cormish, Intellectual Property (3rd ed.) (1996). Sweet and Maxwell

W.R. Mann., Transfer of Technology (1982)

Mata Din. Law of Passing off and infringement Action of Trade Marks (1986)

P.S. Sangal and Kishore Singh, Indian Patent System and Paris Convention Legal Perspectives (1987).

K.. Thairani. Copyright The Indian Experience (1987)

W.R. Cornish, Para and Materials on Intellectual Property (1999). Sweet and Maxwell.

BL-1002

Property Law

Transfer of Property Act

1. Interpretation clause
2. Transfer of property defined
3. Movable and immovable property
4. Oral transfers
5. Transfer for the benefit of unborn persons
6. Rule against perpetuity
- 7 Vested and contingent interest
8. Conditional transfer
 - Condition precedent
 - Condition subsequent
9. Doctrine of election
10. Restrictive covenants
11. Fraudulent transfers
12. Lis-pendens
13. Part-performance
14. Doctrine of priority
15. Sale Rights and liabilities of buyer and seller
16. Sale and contract for sale
17. Mortgage and its different types
18. Rights and liabilities of mortgage and mortgagee
 - Equity of redemption
 - Once a mortgagor, always a mortgage
 - Clog on redemption
19. Doctrine of marshalling
20. Doctrine of contribution
21. Doctrine of Subrogation
22. Doctrine of taking
23. Charge
24. Lease, rights and liabilities of lessor and lessee
25. Exchange
26. Gift, owner gift

27. Transfer of Actionable claims
28. Development and scope of easements
29. Definitions of easements
30. Kinds of easements
31. Essential elements for easements
32. Licences

Leading Cases

1. Narayan Das Kasson Das V/s. S.A. Kamtam and other (AIR SC 774)
2. V.N. Sarin V/s. Ajit Kumar (AIR 1966 SC 432)
- 3 Subhash Chandra V/s. Ganga Prasad (AIR 1967 SC 878)
4. Smt. Shantabai V/s. State of Bombay (AIR 1958 SC 525)

Books Recommended

1. G.P. Tripathi Transfer of property Act
2. Shukia - Transfer of property Act
3. Babel Indian easement Act
4. R.K. Sinha - Transfer of property Act
5. Mulla - Transfer of property Act

BL-1003

Law of Crimes- II: BHARTIYA NAGRIK SURAKSHA SANHITA, 2023

Objective of the course

The criminal process involves increasing expenditure of government resources. At the same time it confronts a crisis of intrusion into individual rights in order to protect the common weal. Obviously, criminal procedure has to be just, fair and reasonable to the accused as well as to the victims. Undoubtedly the process is to be carried out in an objective manner. Criminal procedure, thus, makes a balance of conflicting interests. This imposes a duty upon those connected with the working of the criminal process to abide by the law and to exercise discretion conferred on them in the best manner. Bhartiya Nagrik Suraksha Sanhita, originally enacted years ago, had undergone many trials and experiments, too enormous to be placed within a class room discussion. However, the students should obtain a fair idea how the Sanhita works as the main spring of the criminal justice delivery system and should be exposed to the significant riddles of the procedure. Juvenile justice and probation of offenders are combined with the study of criminal procedure. These topics also do have their roots in criminal procedure. The rubrics under their head are intended to render an essential grasp of the areas.

The course comprises the following topics:

1. Preliminary (Sec. 1-5)
2. Constitution of Criminal Courts and Offices (Sec. 6-20)
3. Power of Courts (Sec. 21-29)
4. Power of Superior Officers of Police and Aid to the Magistrates and the Police (Sec. 30-34)
5. Arrest of Person (Sec. 35-62)
6. Processes to Compel Appearance (Sec. 63-93)
7. Processes to compel the Production of Things (Sec. 94-110)
8. Reciprocal Arrangements for assistance in certain Matters and Procedure for Attachment and Forfeiture of Property (Sec. 111-124)
9. Security for Keeping the Peace and for Good Behaviour (Sec. 125-143)
10. Order for Maintenance of Wives, Children and Parents (Sec. 144-147)
11. Maintenance of Public Order and Tranquility (Sec. 148-167)
12. Preventive Action of the Police (Sec. 168-172)
13. Information to the Police and their Powers to Investigate (Sec. 173-196)
14. Jurisdiction of the Criminal Courts in Inquiries and Trials (Sec. 197-209)
15. Conditions requisite for Initiation of Proceedings (Sec. 210-222)
16. Complaints to Magistrates (Sec. 223-226)

17. Commencement of Proceedings before Magistrate (Sec. 227-233)
18. The Charge (Sec. 234-247)
19. Trial before a Court of Session (Sec. 248-260)
20. Trial of Warrant-Cases by Magistrates (Sec. 261-273)
21. Trial of Summons-Cases by Magistrates (Sec. 274-282)
22. Summary Trials (Sec. 283-288)
23. Plea Bargaining (Sec. 289-300)
24. Attendance of Persons confined or detained in Prisons (Sec. 301-306)
25. Evidence in Inquiries and Trials (Sec. 307-336)
26. General Provisions as to Inquiries and Trials (Sec. 337-366)
27. Provisions as to Accused Persons of Unsound Mind (Sec. 367-378)
28. Provisions as to Offences affecting the Administration of Justice (Sec. 379-391)
29. The Judgment (Sec. 392-406)
30. Submission of Death Sentences for Confirmation (Sec. 407-412)
31. Appeals (Sec. 413-435)
32. Reference and Revision (Sec. 436-445)
33. Transfer of Criminal Cases (Sec. 446-452)
34. Execution, Suspension, Remission and Commutation of Sentences (Sec. 453-477)
35. Provisions as to Bail and Bonds (Sec. 478-496)
36. Disposal of Property (Sec. 497-505)
37. Irregular Proceedings (Sec. 506-512)
38. Limitation for taking Cognizance of Certain Offences (Sec. 513-519)
39. Miscellaneous (Sec. 520-531)

Books Recommended:

Bare Act of The Bhartiya Nagrik Suraksha Sanhita, 2023

BL-1004

Moot Court exercise and Internship (clinical paper IV)

This paper may have three components of 30 marks each and a viva for 10 marks

1. Moot Court (30 marks) Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submission and 5 marks for oral advocacy
2. Observance of Trial in two cases, one Civil and one Criminal (30 marks) Students may be required to attend two trials in the course of the last two or three years LL.B. studies. This 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
3. Interviewing techniques and Pre-trial preparations and internship diary (30 marks) Each student will observe two interviewing sessions of client at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary which will carry 15 marks
4. The fourth component of this paper will be Viva Voce Examination on all the above three aspect. This will carry 10 marks

BL-1005

Legal and General English and Computer Education

The course shall comprise of the following –

SECTION - A

General English

(30 marks)

- Essay writing on topics of legal interests in 500 words
- Translation from Hindi to English
- Letter writing/Application Writing
- Proficiency in general English
 - a. Parts of Speech, a brief introduction
 - b. Tense Forms and use
 - c. Active and Passive Voice
 - d. Direct and Indirect Speech
 - e. Synonyms/Antonyms
 - f. One word substitution
- Precise/Paragraph writing

Legal English

(20 marks)

- Legal Terminology:
 - a. Terms used in Civil and Criminal Law
 - b. Latin words and expression

Note : All the questions of General and Legal English must be replied in English only.

SECTION - B

Computer Education

(50 marks)

- Fundamentals of Computer
- Types of Computer
- Components of Computer
- Hardware and Software
- Input and Output Devices
- Storage Devices
- Computer Networks
- Websites
- Web Browsers
- Computer Virus
- Virtual Court System
- Internet and its practical application in Legal Education

Note : All the questions of Computer Education may be replied either in English or in Hindi.

