

**FACULTY OF LAW  
MAHATMA GANDHI KASHI VIDYAPITH, VARANASI**

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

Whereas, it is essential to adopt and implement the revised curriculum and rules formulated and approved by the Bar Council of India; Mahatma Gandhi Kashi Vidyapith, Varanasi has, now therefore, decided to introduce LL.B Three Year (Six-Semester) Degree Course of study and frames these ordinances for the implementation from the academic year 2009-2010.

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

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

**2. General Rules Regarding Admission**

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

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

- i) The curriculum of study of the LL.B. Degree shall comprise of the courses set out in Schedule A.
- ii) The course content of each paper of study shall be such as set out in Schedule B
- iii) Provided that the Board of Studies in law may make such changes in the contents of the course of study as and when it deems necessary, and report of the matter to the Faculty Board of Law.

- iv) The curriculum of study for the LL.B three year Degree course shall be spread over three Academic years, and shall be divided into six semesters for the examination purposes called as First, Second, Third, Fourth, Fifth and Sixth semester. Each Academic year shall be divided into two semesters.
- v) Each semester course shall be conducted in not less than 15 weeks with not less than 30 class-hours per week, including tutorials, moot court, seminars, workshops and special lectures provided there shall be at least 24 lecture hours per week as prescribed by the Bar Council of India.
- vi) The medium of instruction and examination shall be either English or Hindi. The student has to mention it in the examination form.

#### **4. Course of Study**

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

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

#### **5. Examination**

- i) Any regular student who fails to secure 75% attendance in each paper will not be allowed to appear in the examination. The aforesaid attendance requirement may be reduced upto 66% on the recommendation of the Dean and approved by the Vice-chancellor on health ground or for any other reasonable cause.
- ii) There shall be an examination at the end of each semester of three years study programme. Every student registered in any semester shall be eligible to appear in the concerned examination of the respective semester, subject to the attendance requirement as prescribed by the Bar Council of India, the University and calculated on the semester basis.
- iii) Candidate for the three year degree of Bachelor of laws shall be required to pass in all the prescribed courses within the span of six years from the academic session of his/her Admission.
- iv) A candidate shall be examined in 20 compulsory and 06 optional theory papers and one General English and Legal Language paper from first to six semester carrying 100 marks for each paper through written examination conducted by the University.
- v) The four compulsory clinical paper shall be examined as prescribed in contents of papers.
- vi) A student must pass in all the 30 papers and in Legal and General English with a minimum of 36% marks in each and 45% in aggregate in each semester in order to qualify for the LL.B. Degree.

- vii) A student shall be promoted in third semester only after clearing eight papers of first and second semester. But he shall not be promoted to fifth semester without clearing all the papers of first and second semester.
- viii) Similarly a student shall be admitted in fifth semester only after clearing nine papers of third and fourth semester.
- ix) There shall be an examination at the end of each semester.
- x) There shall be a viva voce examination for each compulsory clinical paper.
- xi) A student who obtained 45% marks but less than 60% marks will be placed in 2<sup>nd</sup> division and those who obtain 60% and above will be placed in 1<sup>st</sup> division.

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

- i) No student shall be promoted to the next semester if he/she has been detained in the examination for shortage of attendance.
- ii) A student of first and second semester shall be promoted in third semester if he/she has secured 36% marks in each paper and 45% marks in aggregate in each semester.
- iii) Similarly a student of third and Fourth semester shall be promoted in fifth semester if he/she has secured 36% marks in each paper and 45% marks in aggregate in each semester.
- iv) A student enrolled in first semester shall be promoted in second semester and student enrolled in third semester shall be promoted in Fourth semester. Similarly student of fifth semester shall be promoted in sixth semester.
- v) A student who has secured pass mark of 36% in each paper, but failed to secure aggregate of 45% will be allowed to appear in back paper examination held in the next year.
- vi) A student will be allowed to appear in only two papers in each year (1<sup>st</sup> & II<sup>nd</sup> semester), (III<sup>rd</sup> & IV<sup>th</sup> semester), (V<sup>th</sup> & VI<sup>th</sup> semester) as back paper.
- vii) A student who has secured more than 36% marks in each paper but not secured 45% aggregate, he shall be eligible to appear in one back paper if he/she has obtained 42% marks in aggregate.
- viii) A student who has not appeared or failed either in two papers in each year including both the semesters or one paper in each semester and has got 42% marks as an aggregate shall be eligible to appear in back paper.
- ix) Improvement examination of LL.B. (I<sup>st</sup> to VI<sup>th</sup> Semester) will be held as per University rules.

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

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

#### **8. Miscellaneous Provisions**

- i) These ordinances contained herein shall be deemed to have come into effect from the academic session 2009-2010 to the extent of its applicability.
- ii) Any provision contained in earlier ordinances in this regard repugnant to the present ordinances shall stand deleted.

**SCHEDULE – B**  
**(DETAIL COURSE CONTENT)**  
**LL.B. First Semester**  
**PAPER - I**  
**CONSTITUTIONAL LAW OF INDIA -1**

**Marks : 100**

**Unit I : Constitution**

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

**Unit-II : Distribution of Powers between Centre and States**

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

**Unit-III: Constitutional Organs**

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

**Unit-IV:**

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

**Books**

1. D.D. Basu, Shorter Constitution of India, 2001 Wadhwa, Nagpur
2. H.M. Seervai, Constitution of India, Tripathi Bombay
3. V.N. Shukla, Constitution of India, Eastern Book Co. Lucknow
4. M.P. Jain, Constitution of India, Wadhwa Nagpur

**SCHEDULE – A**  
**(CURRICULUM)**  
**LL.B. THREE YEAR (SIX-SEMESTER) DEGREE COURSE OF STUDY**

**LL.B. First Semester**

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

**LL.B. Second Semester**

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

**LL.B. Third Semester**

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

**LL.B. Fourth Semester**

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

**LL.B. Fifth Semester**

- Paper – I : Human Rights Law and Practice
- Paper – II : Environmental Law
- Paper – III : Land Law including Tenure & Tenancy System
- Paper – IV : Banking Law
- Paper – V : Pleading Drafting and Conveyancing (Clinical)

**LL.B. Sixth Semester**

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

**LL.B. First Semester  
PAPER – II**

**CONTRACT - I**

**Marks : 100**

**Unit I : Formation of Contract**

Meaning and Nature of Contract

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

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

Consent and Free Consent

Coercion, Undue Influence, Misrepresentation, Fraud

Unlawful Consideration and Object

Contingent Contract, void, voidable, Valid, Illegal, Unlawful and Uncertain agreement/contract

Discharge of Contract

**Unit III : Performance of contract**

Performance : Time and Place

Agreement, Impossibility of Performance and Frustration

Breach : Anticipatory and Present.

**Unit IV : Remedies and Quasi Contract**

Remedies, Damages, Kinds, Remoteness etc.

Quantum Meruit

Quasi Contract (Section 68-72)

Specific Relief Act : Injunction, Specific Performance

**Books**

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

**LL.B. First Semester**

**PAPER - III**

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

**Marks : 100**

**Unit I**

### **Introduction and Principle in Tort**

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

### **Unit II**

- State Liability for Torts : Doctrine of Sovereign Immunity
- Torts against Person : Assault, Battery and False Imprisonment
- Torts against property – Trespass, Conversion, Trespass to level and Malicious Prosecution.

### **Unit III**

- Negligence, Res Ipsa Loquitor, Contributory Negligence
- Strict and Absolute Liability or Liability with fault and its applicability under MVA, 1988.
- Nervous Shock
- Nuisance
- Defamation

### **Unit IV**

- Consumer Protection Act : Consumerism in India (Historical Background), Consumers : the concept, definition and scope, object of C.P. Act, Rights of Consumers.
- Unfair Trade Practice, Defect in goods, Deficiency in Service
- Consumer Forum under the C.P. Act : Constitution, Jurisdiction and Procedure.

### **Acts**

- Consumer Protection Act 1986

### **Book :**

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

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

### **PAPER - IV FAMILY LAW - I**

**Marks : 100**

### **HINDU LAW**

#### **Unit I**

- Nature, Who is Hindu & Sources of Hindu Law

- Hindu Marriage Act, 1955: (Sec.5-23)

## **Unit II**

- Maintenance Under Hindu Marriage Act (Sec.24 & 25)
- Maintenance Under Hindu Adoption And Maintenance Act, 1956 (Sec.18, 19 & 20)  
Adoption: Essentials & Effect (Sec.6 to 12 of HA&MA, 1956)
- Kinds and Powers of guardian under Hindu Minority & Guardianship Act, 1956  
(Sec.6-13)

## **MUSLIM LAW**

### **Unit III**

- Nature & Sources of Muslim Law, Who is Muslim?
- Muslim Marriage: Essentials, Option of puberty, Kinds of Marriage under Sunni Law & Shia Law
- Mehr: Definition, Concept, Kinds of Dower, Rights of Wife in case of Unpaid Mehr

### **Unit IV: Divorce**

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

### **Acts**

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

### **Books**

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

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

### **PAPER - V PUBLIC INTERNATIONAL LAW**

**Marks : 100**

### **Unit I**

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

## **Unit II**

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

## **Unit III**

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

## **Unit IV**

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

## **Book**

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

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

### **PAPER - I CONSTITUTIONAL LAW OF INDIA - II**

**Marks : 100**

#### **Unit I : Fundamental Rights**

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

#### **Unit II : Fundamental rights**

- Right to life and personal liberty-scope and content (expansive interpretation)

- Preventive detention under the Constitution-Policy and safeguards-Judicial review
- Right against exploitation-forced labour and child employment
- Freedom of religion
- Educational and cultural rights

### **Unit III : Right to Constitutional Remedies**

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

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

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

### **Books : Same as Semester I**

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

### **PAPER - II CONTRACT - II**

**Marks : 100**

#### **Unit I : Indemnity and Gurantee (Sec 124-147)**

Indemnity & Gurantee — The Concept, Definition, Methods Commencement of Liability of the Indeminifier, Right/Duties of Indeminifier, Indeminified and Surety, Discharge of Sureties Liability

Kinds of Guarantee

#### **Unit II : Bailment and Pledge (Sec. 148-171 and Sec 172-181)**

- Meaning and Distinction
- Rights and Duties of Bailer/Bailee, Powner/Pownee.
- Lien
- Termination of Bailment
- Commercial utility of pledge transaction

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

- Definition of Agent & Principal

- Essentials of relationship of Agency
- Creation of Agency by Agreement, ratification and Law
- Relation of Principal/Agent, Sub-agent and substituted agent
- Termination of Agency

### **Unit III : Partnership**

Nature, Definition and Kinds of Partnership, distinction from Company and Joint Family Business, Relationship between partners, Incoming and outgoing partners (Sec. 31 to 38), Dissolution of Firm (Sec. 39 to 55), Registration of Firm (Sec. 56 to 71)

### **Unit IV : Sale of Goods**

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

#### **Acts :**

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

#### **Books**

4. Avtar Singh : Partnership & Sales of Goods Act, Eastern Book Co.
5. Mulla, Partnership & Sales of Goods Act, Tripathi
6. Dr. R. K. Bangia, Partnership Act.

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

### **PAPER - III FAMILY LAW - II**

**Marks : 100**

#### **HINDU LAW**

#### **Unit I : Joint Hindu Family**

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

#### **Unit II**

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

#### **MUSLIM LAW**

#### **Unit III**

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

#### **Unit IV**

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

#### **Act**

1. Hindu Succession Act, 1956

#### **Books**

- Same as Semester I

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

#### **PAPER - IV**

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

**Marks : 100**

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

Definition and elements of Crime, Stages of Crime

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

#### **Unit II**

Abetment and Criminal Conspiracy, Offence affecting the Human body – Culpable Homicide, Murder, Death caused by Rash and Negligent Act, Dowry Death, Hurt and Grievous Hurt.

#### **Unit III**

Wrongful Restraint and Wrongful Confinement, Offences of kidnapping and Abduction. Offence against property Theft, Extortion, Robbery and Dacoity

#### **Unit IV**

- Criminal Trespass, Forgery, Criminal misappropriation, criminal breach of trust.

- Offences against women – offences relating to Marriage, Cruelty by husband or relatives of husband
- Defamation
- Criminal Intimidation, Sedition

**Acts :**

- The Indian Penal Code, 1860

**Books**

7. Pillai, PSA Criminal Law
8. Jeroma Hall, Principles of Criminal Law
9. S.N. Mishra : Indian Penal Code

**LL.B. Second Semester**

**PAPER - V  
ADMINISTRATIVE LAW**

**Marks : 100**

**Unit I : Introduction**

Evolution and Scope of Administrative Law :

Nature, Scope and Development of Administrative Law

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

**Unit II**

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

**Unit III**

- Liability for Wrong — Tortious and Contractual
- Statutory immunity, Govt. Privilege in Legal proceedings, Estoppel and Waiver.
- Public Interest Litigation

**Unit IV**

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

**Books**

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

**LL.B. Third Semester**

**PAPER - I  
JURISPRUDENCE**

**Marks : 100**

**Unit I : Introduction**

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

**Unit II : Schools of Jurisprudence**

- Natural Law with Indian Perspective
- Analytical Positivism, Pure Theory, Legal Realism
- Historical Jurisprudence
- Sociological Jurisprudence with Indian Perspective

**Unit III : Law and Legislation**

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

**Unit IV : Concept of Law**

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

**Books :**

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

**LL.B. Third Semester**

**PAPER - II**

**INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION**

**Marks : 100**

**Unit I : Interpretation**

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

**Statutes** : Meaning and its Classification

Literal Rule, Golden Rule

**Unit II**

Mischief Rule, Beneficial Construction

Strict Construction – In reference with Penal and Taxing Laws

Maxims of Interpretation and their Importance

**Unit III**

Interpretation of Constitutional Law

Internal and External Aids to Interpretation

Commencement, Repeal and Revival of Legislation

**Unit IV : Principles of Legislation**

Doctrine of Utility

Doctrine of Pleasure and Pain

Doctrine of Sympathy and Antipathy

Public Opinion and Legislation

**Books**

10. Vepa Sarathi : Interpretation of Statutes
11. Bawa & Roy, Interpretation of Statutes
12. G.P. Singh, Principles of Statutory Interpretation, 1999 Wadhwa.
13. Maxwell on Interpretation
14. Bentham : Theory of Legislation Reprint 2000 N.M. Tripathi Pvt. Ltd.

**LL.B. Third Semester**

**PAPER - III  
COMPANY LAW**

**Marks : 100**

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

Definition and Kinds of Company

Nature of Company : Theory of Corporate Personality

Incorporation of Company : Memorandum of Association and Articles of Association, Doctrine of Ultravires.

**Unit II : Capital Formation of Regulation**

Prospectus : issue, contents, kinds, liabilities for misstatement, statement in lieu of Prospectus

Promoters : Position, duties and liabilities.

Share and General Principles of allotment

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

Share Capital, Reduction of Share Capital, Conversion of Loans, debentures into capital

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

**Unit III**

Dividend – Payments – Capitalization – Profit, Audit to Account

Directors Appointment – Kinds, Powers and Duties

Role of Managing Director and other Managerial Personal

**Unit IV : Winding up of Companies**

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

**Book**

1. Avtar Singh, Company Law

**LL.B. Third Semester**

**PAPER - IV  
LABOUR LAW – I**

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

**Marks : 100**

**Unit I**

Industrial Relation, Labour Problem and Labour Policy in India

Trade Union Act, 1926 (Labour Management Relation); History and Development of Trade Union Movement, Registration of Trade Union, Rights and Liabilities of Registered Trade Union, Penalties and procedure, Collective Bargaining-Process, Merit and Demerit

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

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

Courts or Tribunals

**Unit III**

Strike, Lock Out, Lay Off, Retrenchment and Closure

Unfair Labour Practices, Penalties, Offences (Standing Order) Act, 1946 by Companies etc., Industrial Employment

**Unit IV**

Philosophy of Labour Welfare, Historical Development of Labour Welfare, The Factories Act, 1948: Interpretation-competent person, Hazardous process, manufacturing process, Worker,

Factory, Occupier, Health, Safety and Welfare, Working House of Adults, Employment of young persons, Inspectors-Appointment and Powers.

**Acts**

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

**Books**

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

**LL.B. Third Semester**

**PAPER - V  
PROPERTY LAW**

**Marks : 100**

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

Concept of property: distinction between moveable and immoveable property  
Definition clause: Immoveable property, Attestation, Notice, Actionable claim  
Definition of transfer of property.  
Transfer and non-transfer property.  
Transfer to an unborn person and rule against perpetuity.  
Vested and Contingent interest.  
Rule of Election.

**Unit II: General Principles Governing Transfer of Immoveable Property**

Transfer by ostensible owner  
Rule of feeding the grant by estoppel  
Rule of Lis pendens  
Fraudulent transfer  
Rule of part performance  
Conditional transfer

**Unit III: Specific Transfers**

Sale and gift  
Mortgage and charge  
Lease and Licence

**Unit IV: Easement Act**

Object and main provisions of the Easement Act

**Acts**

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

**Books**

1. Mulla, Transfer of Property Act, 1999, Universal Delhi
2. Subba Rao, Transfer of Property Act, 1994, Subbiah Chetty, Madras
3. T.P Tripathi, Transfer of Property Act, 2007

**LL.B. Third Semester**  
**PAPER - VI**  
**GENERAL ENGLISH AND LEGAL LANGUAGE**

**Marks : 100**

**Grammar and Usage**

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

**Books:**

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

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

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

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

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

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

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

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

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

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

**Acts**

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

**Books**

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

**LL.B. Fourth Semester**

**PAPER - II**

**CODE OF CIVIL PROCEDURE & LIMITATION ACT**

**Unit I : Introduction**

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

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

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

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

**Execution** : Concept, general principles, power of execution of decrees, Procedure for execution, enforcement, Arrest and detention, Attachment, Sale, Delivery of Property, Stay of execution.

**Unit III : Suits in Particular Case**

By or against government, By or against firm, suit in forma pauperis, interpleader suit.

Appeals, Review, Reference and Revision.

**Unit IV : Miscellaneous**

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

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

**Act**

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

**Books**

15. C. K. Thakkar, Code of Civil Procedure 2000, Universal Delhi.
16. C. K. Takwani, Code of Civil Procedure

**LL.B. Fourth Semester****PAPER - III  
LAW OF EVIDENCE****Marks : 100****Unit I : Introduction and Relevancy**

Definition : Facts, Facts in issue, relevant fact, evidence, oral and documentary evidence, proved, disproved, not proved (Sec. 3)  
Relevancy and admissibility  
Doctrine of res gestae (Sec. 6, 7, 8, 9)  
Conspiracy (Sec 10)  
Facts concerning mental or bodily state  
Facts otherwise relevant  
Admission (Sec 17-23+31), Confession (Sec. 24-30) Dying declaration, Expert opinion, Judicial Notice

**Unit II : Method of Proving facts**

Presumptions (Sec. 4, 41, 79, 90, 105, 107, 108, 112, 113-A, 114 and 114-A)  
Oral and documentary evidence (Sec. 59-78)  
Rules relating to burden of proof (Sec. 101-105)  
Facts prohibited from proving : Estoppel (Sec. 115-117), Privileged Communication (Sec 122-129)

**Unit III : Presumption regarding discharge of Burden of proof**

Evidence by accomplice (Sec. 113 and 114 illustration b)  
Dowry death, legitimacy of child

**Unit IV**

Competent witnesses  
Hostile witnesses  
Examination of witnesses : chief examination, cross examination and re-examination.  
Number of witnesses, order of examination, leading question

**Act :**

- Indian Evidence Act

**Books :**

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

**LL.B. Fourth Semester**

**PAPER - IV**

**LAW OF CRIME – II (CRIMINAL PROCEDURE CODE)**

**Marks : 100**

**Unit I : Introduction**

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

Information to Police  
Power to Investigate

**Unit II : Proceedings before Magistrate**

Jurisdiction of Criminal Court, inquiry and arrest

Cognizance and initiation of proceeding before Megistrate, Complaint to Magistrate and commencement of Proceedings

**Public order and Alimony** : Security for Peace and good behaviour

Maintenance of wife, children and parents.

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

Charge (Sec 211 – 224)

Trial : (a) Sessions Trial

(b) Warrant Trial

(c) Summon Trial

(d) Summary Trial

Judgement

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

Appeal, Reference and Revision

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

**Acts :**

- The Code of Criminal Procedure 1973

**Books :**

5. Ratan Lal & Dheeraj Lal, Cr.P.C. Universal, Delhi
6. Woodroffe, Commentaries on Cr.P.C. 2000 Universe, Delhi
7. Kelkar, Criminal Procedure Code

**LL.B. Fourth Semester**

**PAPER - V**

**PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM  
(CLINICAL)**

**Marks : 100**

**Unit I**

Development of Legal Profession in India

Constitution, Function, Powers and Jurisdiction of State

Bar Council and Bar Council of India

Admission and Enrolment of Advocates.

**Unit II**

Professional ethics and Advocacy, Standards of Professional Conduct and Etiquette, Conflict

between interest and duty, Duty to court, Duty to Client, Duty to opponent, Duty to Colleagues, Duty towards Society and obligation to render legal aid

### **Unit III Bench-Bar Relationship**

Reciprocity as partners in administration of Justice Professional Misconduct

Rights and Privileges of Advocates

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

Historical development of Contempt of Court Act in India, Object and Constitutional validity of Contempt of Court Act.

Definition, Kinds of Contempt

Contempt by Judges, Magistrates, Lawyers and other persons

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

### **Cases**

1. Rajendra V Pai v Alex Fernandes AIR 2002 SC 1808
2. In re; A an advocate AIR 1962 SC 1337
3. In re; Mr. G a Senior Advocate of SC AIR 1954 SC 557
4. In re; Lalit Mohan Das AIR 1957 SC 250
5. Sheo Narayan Jafa v Judge Allahabad H.C. AIR 1953 SC 368
6. P. J. Ratnam v d. Kanik ran AIR 1964 SC 244
7. In re; "M" an Advocate AIR 1957 SC 149
8. L.D. Jaisingham v Narain das N Punjabi (1976) I ACC 354
9. Jhon D'Souza v Edward Ani (1994) 2 SCC 64
10. In re; V.C. Mishra AIR 1995 SC 2348

### **Acts**

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

### **Rule**

The Bar Council of India Rules, 1961

**In this paper there shall be written examination of 80 marks by the university and 20 marks will be allocated for the case study and viva-voce.**

### **Books**

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

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

### **PAPER - I**

### **HUMAN RIGHTS LAW AND PRACTICE**

**Marks : 100**

### **Unit I**

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

### **Unit-II**

U.N. Charter and Human Rights, Universal Declaration of Human Rights and its legal

significance.

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

### **Unit III**

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

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

### **Unit IV**

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

### **Acts**

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

### **Books:**

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

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

### **PAPER - II ENVIRONMENTAL LAW**

**Marks : 100**

#### **Unit I**

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

#### **Unit II**

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

The Air (Prevention & Control of Pollution) Act, 1981; Definition, Central and State

Pollution Control Boards: Constitution, power and function; Sample of effluents, Citizen Suit Provision

### **Unit III**

The Environment (Protection) Act, 1986, The National Environment Tribunal Act, 1995 and The National Environment Appellate Authority Act, 1997

### **Unit IV**

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

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

### **Acts**

1. The Water (Prevention and Control of Pollution) Act, 1974
2. The Air (Prevention and Control of Pollution) Act, 1981
3. The Environment (Protection) Act, 1986
4. The National Environment Tribunal Act, 1955
5. The National Environment Appellate Authority Act, 1997
6. Indian Forest Act, 1927
7. The Forest (Conservation) Act, 1980
8. The Wild Life (Protection) Act, 1972

### **Books**

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

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

### **PAPER - III**

### **LAND LAW INCLUDING TENURE & TENANCY SYSTEM**

**Marks : 100**

#### **Unit I**

- U.P. Zamindari Abolition and Land Reform Act, 1951; Historical development of Land holding in U.P. Characteristics of the Act and definition.
- Acquisition of interests of Intermediaries and its consequences
- Compensation and Rehabilitation Grant

#### **Unit II**

- Gaon Sabha and Land Management Committee
- Classes of tenure holder and their rights and liabilities
- Ejectment of tenure-holders and trespassers

### **Unit III**

- U.P. Land Revenue Act, 1901; Revenue Authorities, Board and their jurisdiction, Lease
- Maintenance of Maps and Records, Revision of Maps and Records
- Mutation and Procedure of Revenue Courts
- Appeal, Reference and Revision

### **Unit IV**

- U.P. Panchayat Raj Act 1947; Historical development and 73<sup>rd</sup> Constitution amendment and relevant amendments in the U.P. Panchayat Raj Act, 1947, Gram Panchayat, Nyaya Panchayat- establishment, Powers, duties and functions.
- Consolidation of Land Holding Act, 1950.

### **Act**

- The UPZA and Land Reform Act, 1950
- U.P. Panchayat Raj Act, 1947
- U.P. Consolidation of Holding Act 1953

### **Books**

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

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

### **PAPER - IV BANKING LAW**

**Marks : 100**

#### **Unit I**

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

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

Incorporation, Capital, Management and Business of Banking Company, Central Banking function of Reserve Bank of India, Collection and furnishing of Credit Information, Control of Reserve Bank of India over Non-banking Institutions and Financial Institutions, Credit

Control by Reserve Bank of India, General provisions and penalties.

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

Definition and characteristic of Negotiable Instruments, Types of Negotiable Instruments, Definition and Essentials of Promissory Note, Bill of Exchange and Cheque, Liabilities and Capacity of Parties of Negotiable Instrument, Holder and Holder in due course, Transfer and Negotiation of Negotiable Instrument.

### **Unit IV:**

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

### **Books**

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

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

### **PAPER - V**

### **PLEADING, DRAFTING AND CONVEYANCING (CLINICAL)**

**Marks : 100**

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

Meaning and Definition of Pleading, History/Object and Interpretation

Rules of Pleading : General and Fundamental, Amendment of Pleading

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

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

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

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

Application for Restoration of Suit; Amendment in the Pleading, Substitution of Parties, Setting aside ex parte decree, Alimony, Bail, Matrimonial petition, legal notice, Appointment

of receiver/ local commission; Compromise of Suit, Condonation of delay and application for execution etc., Drafting of Writ petition and PIL petition.

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

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

**In this paper students have to do 15 practical exercises in drafting and 15 exercises in conveyancing carrying 3 marks for each exercise. There shall be viva-voce examination of 10 marks..**

#### **Books**

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

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

#### **PAPER - I PRINCIPLES OF TAXATION LAW**

**Marks : 100**

#### **Unit I**

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

#### **Unit II**

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

#### **Unit III**

Other Tax Laws:

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

Export or Import.  
Central Sales Tax Authorities, Offences and Penalties.

#### **Unit IV**

##### 13. Service Tax

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

##### **Acts :**

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

##### **Books**

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

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

### **PAPER - II PENOLOGY AND VICTIMOLOGY**

**Marks : 100**

#### **Unit I : Criminology**

Definition, nature, scope and importance, White Collar Crime : concept, causes and prevention,

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

#### **Unit II : General causes of crime**

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

#### **Unit III : Punishment**

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

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

#### **Unit IV : Police System**

Structural organization of police, Power and Duties of police under the Police Act and Cr.PC.  
National Police Commission

Liabilities of Police for custodial violence  
Victims of crime

##### **Books**

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

**LL.B. Sixth Semester**

**PAPER - III  
COPYRIGHT**

**Marks : 100**

**Unit I**

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

**Unit II : The Copyright Act**

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

**Unit III**

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

**Unit IV**

- Copyright Registrar and Copyright Board — Power and Procedure
- Copyright Societies, Assignment, Licence, Infringement—Criteria of Infringement, Infringement of Copyright Film, Literary and Dramatic Works, Importation and Infringement, Fair use provision.
- Remedies

**Acts**

- The Copyright Act 1957

**Book**

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

**LL.B. Sixth Semester**

**PAPER - IV  
ALTERNATIVE DISPUTE RESOLUTION (CLINICAL)**

**Marks : 100**

**Unit I :**

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

**Unit II**

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

**Unit III**

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

**Unit IV**

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

**Acts:**

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

**Evaluation will be in two parts. There shall be written examination of 80 marks conducted by the university. 10 marks shall be allocated on practical exercises and 10 marks on viva-voce.**

**Books**

1. B.P.Saraf & M.Jhunjunwala, Law of Arbitration & Conciliation, (2000) Snow White, Mumbai
2. Gerald R.William (ed.), The New Arbitration & Conciliation Law of India
3. P.C.Rao & William Sheffield, Alternative Disputes Resolutions, (1997) Universal, Delhi

4. Johari, Commentary on Arbitration and Conciliation Act. 1999 Universal, Delhi

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

#### **PAPER V MOOT COURT EXERCISE AND INTERNSHIP (CLINICAL)**

**The Paper will have following components:**

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