

SAURASHTRA UNIVERSITY



Accredited Grade "A"

by NAAC

FACULTY OF LAW
Revised Syllabus for
B.A. LL.B. (Integrated)

Effective From June - 2015-16

Saurashtra University

University Campus Rajkot - 360 005,

Gujarat, India

Website : www.saurashtrauniversity.edu

Academic Council Meeting Dt. 23-10-2015,

Resolution No. 180

Semester I

1. General English I	100 marks
2. Political Science I	100 marks
3. Economics	100 marks
4. History of Courts	100 marks
5. Legal Clinic	100 marks

Semester II

1.General English II	100 marks
2.Political Science II	100 marks
3.Sociology	100 marks
4.Constitutional law I + RTI 80+20	100 marks
5.Legal Clinic	100 marks

Semester III

1. Political Science III	100 marks
2. Constitutional law II	100 marks
3. Law of Crimes	100 marks
4. Contract I	100 marks
5. Legal Clinic	100 marks

Semester IV

1. History	100 marks
2. Tort and Consumer Protection Laws	100 marks
Law of Torts 40	
Consumer Protection 40	
MVA Law 20	
3. Jurisprudence	100 marks
4. Contract II	100 marks
5. Legal Clinic	100 marks

Semester V

1. Property Law	100 marks
2. Principles of Taxation	100 marks
Income Tax, VAT Law of Gujarat (80+20)	
3. Labour I	100 marks
Industrial Dispute Act	30 marks
Trade Union Act	20 marks
Factory Act	30 marks
Employee Provident Fund	10 marks
Industrial Employment Act	10 marks [standing orders]
4. Family Law I	100 marks
5. Legal Clinic	100 marks

Semester VI

1. Administrative Law	100 marks
2. Company Law	100 marks
3. Labour II	100 marks
Employee's State Insurance Law	20 marks
Payment of Wages Act	20 marks
Minimum Wages Act	20 marks
Payment of Bonus Act	10 marks
Gratuity Act	10 marks
Work men Compensation Act	20 marks
4. Family Law II	100 marks
5. Legal Clinic	100 marks

Semester VII

1. Environmental Law	100 marks
2. Banking Law	100 marks
Banking Regulation Act	40 marks
Negotiable Instrument Act	60 marks
3. Legal Language	100 marks
4. Equity, Trust and Fiduciary 80+20	100 marks
5. Legal Clinic	100 marks

Semester IX

1. Criminal procedure code	100 marks
Cr.P.C	60 marks
Juvenile Justice	20 marks
Probation of Offender Act	20 marks
2. Interpretation of Statutes	100 marks
3. Clinical Paper	100 marks
Drafting of Pleading and Conveyance 90+10	
4. Clinical Paper	100 marks
Para-legal, legal camp, legal aid clinic, lok adalat	
5. Legal Clinic	100 marks

Semester VIII

1. Intellectual Property Law	100 marks
2. Human Rights and Public International Law 80+20	100 marks
3. Law of Evidence	100 marks
4. Arbitration, conciliation and ADR 40 + 40 +20	100 marks
5. Legal Clinic	100 marks

Semester X

1. C.P.C and Limitation Act 80+20	100 marks
2. Land Laws	100 marks
3. Clinical Paper and moot court exercise 90+10	100 marks
4. Clinical Paper	100 marks
Professional Ethics and Professional Accounting System 80+20	
5. Legal Clinic	100 marks

SEMESTER I

GENERAL ENGLISH I

Total Marks 100

1. Grammar and Usage (Communication Skills)

- 1) Simple sentences (one clause) their phrase structure.
 - i) Tense and concord
 - ii) Noun modifiers
 - iii) Basic information
 - a) Passives
 - b) Negative
 - c) Questions
- 2) Complex and compound sentences (List of conservatives)
- 3) Conditionals
- 4) Reported Speech
- 5) Question - tags and short responses
- 6) Some common errors

2. Vocabulary (communication skills)

2.1 Meaning of the following terms which are relevant to the subject papers of LL.B. students

Abet

Abstain

Accomplice

Act of God

Actionable

Accused

Adjournment

Adjudication

Admission

Affidavit

Amendment

Appeal

Acquittal

Article

Assent

Attested

Atonement

Averment

Bail

Bailment
Citation
Clause
Coercion
Code
Cognizable
Confession
Compromise
Conspiracy
Contempt
Contingent
Contraband
Conviction
Convention
Corporate
Custody
Damages
Decree
Defamation
Defiance
Escheat
Estoppels
Eviction
Executive
Finding
Floating Charge
Forma Pauperize
Franchise
Fraud
Frustration
Good-faith
Guardian
Habeas Corpus
Hearsay
Homicide
Hypothecation
Illegal
Indemnity
Inheritance
Bill
Bill of attainder
Bill of Rights

Blockade
Bona fide
By-Law
Capital Punishment
Change
Chattiest
Justifiable
Legislation
Legitimacy
Liability
Liberty
License
Leiu
Liquidation
Maintenance
Mala fide
Malfeasance
Minor
Misfeasance
Montage
M u r d e r
Negligence
Negotiable Instruments
Neutrality
Nonfeasance
Notification
Novation
Nuisance
Oath
Obscene
Offender
Order
Ordinance
Over-rule
De facto
De jure
Deposit
Detention
Discretion
Distress
Earnest Money
Enact

Enforceable
Equality
Partition
Perjury
Petition
Plaintiff
Pledge
Preamble
Pre-emption
Prescription
Presumption
Privilege
Privileges
Prize
Process
Promissory Note
Proof
Proposal
Prosecution
Proviso
Ratify
Receiver
Redemption
Reference
Regulation
Remand
R e m e d y
Rent
Repeal
Res Judicata
Respondent
In Limine
Insanity
Institute
Insurance
Intestate
Issue
Judgment
Judicial
Jurisdiction
Justice
Restitution

Rule
Ruling
Schedule
Section
Settlement
Sovereignty
Specific Performance
Stamp duty
Status quo
Statue
Stay of execution
Succession
Summons
Surety
Tenant
Testator
Testatrix
Title
Tort
Trademark
Treaty
Trespass
Trial
Tribunal
Trust
Ultra virus
Undue influence
Usage
Valid
Verdict
Vested
Violate
Vis-major
Void
Voidable
Wager
Waiver
Warrant
Will
Writ
Wrong

Reference Books

1. Bhaskar. W.W.S. and Prabhu, N. S.: English through Reading, Vol. 1, Macmillan 1978
2. Sarah Freeman: Written Communication in English, Orient Longman.

INTRODUCTION TO POLITICAL SCIENCE

1. Constitution

Definition, Classification of Constitution of Aristotelian & Modern, types of Constitution, Written, Unwritten, Rigid and Flexible. Requisites of Good Constitutions

2. Unitary & Federal Govt.

Definition, Characteristics, Merits and Demerits and Recent trends in Federalism.

3. Separation of Power

Motesque Doctrine, Its criticism, system of checks and balance in the U.S.A. legislature Structure, Function, Types of Legislature & Process of Law making.

4. Executive

Nature & functions, Functions and Importance of Prime Minister and President in Executive. Merit and Demerit of Parliamentary and Presidential Executives

5. Political Party and Public Opinion

Definition of Political party, Function and Their Role in Democracy, Merits and Demerits of Political Party, Meanin^g of Public opinion and creative Factors of public opinion and its importance in democracy.

4.1 Judicially

Composition, Organisation and Functions. Independence of Judiciary, Rule of Law, and judicial Review.

Local Self Government

Local self Government, Scope and Importance of Local self Government

Local Bodies, Relation between Local self governments with state government

Reference Books

1. The foundation of Indian Federalism - By K. R. Bornbwall
2. Theory and Practice of Modern Government - By H. diner

INTRODUCTION TO ECONOMICS**1. Introduction**

Nature and scope of economics: Methods of economic analyses; Nature and limitations of economic Laws; The problem of economic preferences; Economic static's and dynamics; the concept of equilibrium.

2. Basic concept of Economics

Economic activity and UN economic activity: wealth-, value and price; rice: consumption; production; exchange; distribution factors of production, firm and industry; demand and supply

3. Definition of Economics

Various definitions of economics - Adam smith, marshall, Robinson-, Main conclusions, of definitions and Evaluation of Each definition

4. Consumer's behavior

The elementary theory of demand; Elasticity of demand; Theory of consumer behaviour; cardinal utility approach; consumer's surplus.

5. Theory of production and cost.

Meaning of production, Input and Output-, The laws of production cost concepts, Cost - output relations; Economics of scale.

6. Market structure.

The firm and its objectives; Pricing and equilibrium of the firm under perfect competition, price and output determination under monopoly; price and output under monopolist's competition;

4.5 Factor Pricing

Marginal Productivity theory of distribution: Recording theory of rent and

Modern theories of rent. quasirent: Theories of profit.

Reference Books

1. Ahuja, H.L., (2000), Advance Economic Theory, S. Chanel & Co., New Delhi.
2. Koutsoyiannis, A. Chrystal, (1990), Modern Micro Economics, Macmillan. -Mansfield, E. (1997) Micro Economics (9th edition) W.W. Norton & Co., New York.
3. Prasad, K.N., (1985), Lectures in Micro Economics Theory, Himalaya Publication, Miumbai.
4. Samelson, P.A. and W.D. Nordhaus, (1998), Economics, Tata Magraw Hill, New Delhi.
5. Stonier, A.W. and D.C. Hague, (1972), A Text Book of Economic Theory, ELBS & Longman Group, London.
6. Varian, H.R., (2000) Intermediate Micro Economics, A Modern Approach (5th Edition) East West Press, New Delhi.

1. Judicial Systems in Ancient India

- 1.1. Judicial system in ancient India: Hindu period
- 1.2. Ancient Hindu social order and religions philosophy
- 1.3. Administration of justice
- 1.4. Judicial system in medieval India: Muslim period
- 1.5. The Mughal period: judicial system

2. Administration of Justice in Bombay, Madras and Calcutta

- 2.1. Emergence of the East India Company: development of authority under charters
- 2.2. Trading body to a territorial power: subsequent charters.
- 2.3. Administration of justice in Madras from 1639 to 1726.
- 2.4. Administration of justice in Bombay 1668 -1726
- 2.5. Administration of justice in Calcutta 1619 - 1726 Law 130

3. The Mayors Court

- 3.1. Genesis of the charter of 1726
- 3.2. Provisions of the charter
- 3.3. Working of judicial system
- 3.4. Charter of 1753
- 3.5. Defects of judicial systems

4. Adalat System

- 4.1. Grant of Diwani
- 4.2. Execution of Diwani functions
- 4.3. Judicial plan of 1772
- 4.4. Defects of the plan
- 4.5. New plan of 1774
- 4.6. Reorganization of adalats in 1780
- 4.7. Reforms of 1781
- 4.8. The first civil code
- 4.9. Reforms in the administrations of criminal justice.

5. The Regulating Act 1773

- 5.1. Charter of 1774 and the Supreme Court of Calcutta
- 5.2. Some land mark cases a. Issue of Raj Nandkumar (1775): whether a. judicial murder? b. The Patna case (1777-79) c. The Cossijurah case (1779-80)
- 5.3. Act of settlement 1781 5.3.1. Major defects
- 5.4. Supreme Courts at Calcutta, Madras and Bombay.
- 5.5. Law and administration in the Supreme Court Law 131

6. Judicial Reforms

- 6.1. Judicial reforms of Cornwallis
- 6.2. Problems of judicial reforms 1793-1833
- 6.3. Impact of reforms by Cornwallis 1993
- 6.4. Reforms of Sir John Shore (1793)
- 6.5. Reforms of Lord Wellesley (1798)
- 6.6. Reforms of Lord Cornwallis (1805)
- 6.7. Reforms of Lord Minto (1807)
- 6.8. Lord Hastings' administration of justice (1813)
- 6.9. Judicial reforms of Lord Bentick (1828)
 - 6.9.1. Defects of the systems

7. Establishment of the High Courts

- 7.1. The Indian High Courts Act 1861
- 7.2. Charter of Calcutta High Court
- 7.3. Allahbad High Court
- 7.4. The Indian High Courts Act 1911
- 7.5. The Government of India Act 1915: other High Courts
- 7.6. Government of India Act 1935: more high courts created
- 7.7. Jurisdiction of high courts
- 7.8. Posts constitutional developments

8. The Federal Court of India

- 8.1. Foundation of the Federal Court
- 8.2. Jurisdiction
- 8.3. Authority of law
- 8.4. Expansion of Jurisdiction Law 132
- 8.5. Abolition of the Federal Court
- 8.6. An assessment

9. Privy Council

- 9.1. Jurisdiction
- 9.2. Appeals from India
- 9.3. A unique institution

10. The Supreme Court of India

- 10.1. Origin
- 10.2. Constitution
- 10.3. Jurisdiction and powers
- 10.4. Doctrine of precedents and the Supreme Court
- 10.5. Recent changes
- 11. Development of legislative authorities in India from 1861-1935
- 12. Growth of Criminal Law
- 13. Growth of personal Law of Hindus and Muslims
- 14. Charters Act 1833
- 15. Influence of English Law in India
- 16. Prerogative writs in India
- 17. Racial discrimination
- 18. Growth of justice, equity and good conscience

Reference Books

- Courtney Ilbert, Government of India (1962) Courtney Ilbert
- The Mechanics of Law Making (1914) M.P.Jain
- Constitutional Law of India (1987) Tripathi
- Bombay M.P.Jain
- Outlines of Legal History (1998)
- Tripathi M. Rama Jois
- Legal and constitutional History of India (1984) (Two volumes)
- A.B.Keith
- Constitutional History of India 1600-1936 (1936)
- Rankin.G.C. Background to Indian Law (1946)
- V.D.Kulshreshtha's
- Landmarks in Indian
- Legal History (1992)
- Eastern Lucknow
- Eric Stakes
- The English Utilitarian's and India 1992), Oxford, Delhi.

LEGAL CLINIC AND INTERNSHIP

Total Marks 100

In this specific area we encourage students to have practical knowledge of legal system. Students will have to attend Lok Adalat, Fast track courts, hearings of renowned cases, senior advocate's office, para-legal, Legal aid and other current affairs of Legal system.

We will recommend our best students to specific legal field work. Students are going to be evaluate as per their practical work and enthusiasm of learning law and effort to be part of Indian Legal System.

This subjects marks will be consider entirely as internal marks. Marks will be evaluate and decided by faculty team of the college.

Social activities to promote legal awareness are highly encouraged. Students will have to do field work as per national calendar [independent day, republic day, national law day, human rights day] legal and human rights awareness programs are highly recommended.

College will evaluate student's work as their practical and presentation during academic session.

Mainly there will be,	Total 100 marks
Seminar attendance and presentation	30 marks
Research work provided as per subject lecturer	20 marks
Case discussion arranged by college	30 marks
Legal awareness programs	20 marks

SEMESTER II

GENERAL ENGLISH II

Total Marks 100

1. Use of Legal and idiomatic expressions.

2. Comprehensive Skills:

Reading Comprehension (Principles and Practice)

Listening Comprehension - Précis, abstract, summanza", on and of easy, legal text & judgments.

3. Composition Skills:

1. Paragraph writing
2. Formal Correspondence
3. Note-taking

4. Translation from regional language into English and Vice-versa.

Reference Books

1. Bhaskar. W.W.S. and Prabhu
N. S: English Through Reading, Vol. 1,
Macmillan 1978,
2. Sarah Freeman : Written Communication in English, Orient Longman.

1. Introduction

Definition of political science, scope and importance study of political science Relation of political science to Economic History and sociology

2. State

Definition of state, Element of state, and difference fo state, Society and Government

3. Power and Authority

Meaning of Power, Problems and Obedience

4. Sovereignty

Definition, Types, main characteristics Austin's Theory of Sovereignty, Its limitation and Pluralism

5. Fundamental Rights

Meaning of Rights, Essential Fundamental rights provision Safeguard of Rights, Rights & duties

6. Origin of the State

Theory of the social contracts and Evolutionary Theory

7. Democracy

Meaning, Merits - Demerits, Conditions of success of Democracy and Dictatorships

8. Law

Meaning of Law, Sources of Law and Rules of Law

9. International Law

Meaning of International Law, Sources of International Law, Difference

Between law and International laws and Importance of International law

10. Welfare State

Meaning of Welfare state, its function, and Marxism

Reference Books

Modern Politics Theory - by S. P Verma - New Delhi

Political Theory as a Vocation - American Poli. Sc. Review 1969

Introduction to Modern Poli. Theory - N. P. Barry, London

The Development of the Modern State - G. Poggi, London

INTRODUCTION TO SOCIOLOGY

1. **The nature of sociology**
2. **The meaning of sociology**

The sociological perspective sociology and social sciences - the scientific and human orientations to sociological study.

3. **Basic Concept Society, community, institution, association, group, social structure, status and role.**
4. **Institutions Religion, education, politics**
5. **The individual / and society , culture, and socialisation - relation between individual and society - social control : norms, values and sanctions**
6. **Social stratification and mobility Meaning**

Forms and theories

7. **Social change Meaning and characteristics - factors of social change**
8. **The uses of sociology Introduction to applied sociology**

Social and social problem sociology and social change - sociology and social policy
social action - sociology and development - sociology's and profession

Reference Books

1. Bottomore , T. B. '19,72. Sociology : A guide to problem a literature. Bombay George Allen and Unwind (India)
2. Harmlabos. M. 1998. Sociology : Themes and perspective. New Delhi - Oxford University Press Inkier, Alex. 1987. What is sociology? New Delhi - Prentice Hall of India
3. Jayaram , N . 1988 . : Introductory sociology : A systematic introduction. New Delhi : Allied publishers
4. Johnson, Harry M. 1995. Sociology : A systematic introduction New Delhi : Allied Publishers.
5. Schaer, Richard T. And Robert P. Lamm. 1999. Sociology New Delhi : Tata - McGraw Hill.

And RIGHT TO INFORMATION 20 Marks

Article 52 and onwards

1. Equality and Social Justice.

- 1.1. Equality before the law and equal protection of laws.
- 1.2. Classification for differential treatment: constitutional validity.
- 1.3. Gender justice.
- 1.4. Justice to the weaker sections of society: scheduled castes, scheduled tribes and other backwards classes.
- 1.5. Strategies for ameliorative justice.

2. Freedoms and Social control.

- 2.1. Speech and expression.
 - 2.1.1. Media, press and information.
- 2.2. Freedom of speech and contempt of court.
- 2.3. Freedom of assembly.
- 2.4. Freedom of association.
- 2.5. Freedom of movement.
- 2.6. Freedom to reside and settle.
- 2.7. Freedom of profession/business.
- 2.8. Property: from fundamental right to constitutional right.

3. Personal Liberty.

- 3.1. Rights of an accused – double jeopardy – self-incrimination retroactive 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.

- 5.1. Emergency, meaning and scope.
- 5.2. Proclamation of emergency – conditions – effect of emergency on Centre – State relations.
- 5.3. 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.
- 7.2. Judicial review: nature and scope.

8. Services under the constitution.

- 8.1. Doctrine of pleasure (Art. 310)
- 8.2. Protection against arbitrary dismissal, removal, or reduction in rank (Art.311).
- 8.3. Exceptions to Art. 311.

9. Right to Information

Reference Books

- 1. M.P.Singh(ed.), V.N.Shukla, Constitutional law of India (2000) Oxford.
- 2. Right to Information Act

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Total Marks 100

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Research work provided as per subject lecturer	20 marks
Case discussion arranged by college	30 marks
Legal awareness programs	20 marks

SEMESTER III

POLITICAL SCIENCE III

Total Marks 100

1. **Democracy**
2. **Totalitarianism**
3. **Socialism**
4. **Communism**
5. **Gandhism and Sarovdaya**
6. **Nationalism and Internationalism**
7. **Individualism**

[The study may focused of the evolution and evolution, major trends and thought and avoid detail consideration of individual thinkers]

Books reference:

1. Fredrick Watkins – the age of ideology foundation of modern political science series
2. C.E.M Joad – modern political theory
3. C.D.Burns – political ideals, chapter VIII
4. William Ebensterm – today's ism [9 prentice hall]

1. Historical Perspective.

- 1.1. Constitutional development since 1858 to 1947.
- 1.2. Gandhi Era – 1919 to 1947: social political, economic and spiritual 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 powers.
- 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. Centre's powers over the states-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. Limitations upon constituent power.
- 4.3. Development of the basic Structure: Doctrine 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 Books

- 1. M.P.Singh(ed.), V.N.Shukla, Constitutional law of India (2000) Oxford.

1. General.

- 1.1. Conception of crime.
- 1.1.1. Pre-colonial notions of crime as reflected in Hindu, Muslim and tribal law.
- 1.1.2. Macaulay's draft based essentially on British notions.
- 1.2. State's power to determine acts or omissions as crimes.
- 1.3. State's responsibility to detect, control and punish crime.
- 1.4. Distinction between crime and other wrongs.
- 1.5. IPC: a reflection of different social and moral values.
- 1.6. Applicability of I.P.C.
- 1.6.1. Territorial.
- 1.6.2. Personal.
- 1.7. Salient features of the I.P.C.

2. Elements of criminal liability.

- 2.1. Author of crime – natural and legal persons.
- 2.2. Mens rea – evil intention.
- 2.3. Importance of mens rea.
- 2.4. Recent trends to fix liability without mens rea in certain socio-economic offences.
- 2.5. Act in furtherance of guilty intent.
- 2.6. Omission.
- 2.7. Injury to another.

3. Group liability.

- 3.1. Stringent provision in case of combination of persons attempting to disturb peace.
- 3.2. Common intention.
- 3.3. Abetment:
 - 3.3.1. Instigation, aiding and conspiracy.
 - 3.3.2. Mere act of abetment punishable.
- 3.4. Unlawful assembly:
 - 3.4.1. Basis of liability.
- 3.5. Criminal conspiracy.
- 3.6. Rioting as a specific offence.

4. Stages of a Crime.

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

5. Factors Negative Guilty Intention.

- 5.1. Mental incapacity.
 - 5.1.1. Minority.
 - 5.1.2. Insanity-impairment of cognitive faculties, emotional imbalance.
 - 5.1.3. Medical and legal insanity.
- 5.2. Intoxication – involuntary.
- 5.3. Private defense-justification and limits.
 - 5.3.1. When private defense extends to causing of death to protect body and property.
 - 5.3.2. Necessity.
 - 5.3.3. Mistake of fact.

6. Types of punishment.

- 6.1. Death:
 - 6.1.1. Social relevance of capital punishment.
 - 6.1.2. Alternatives to capital punishment.
- 6.2. Imprisonment – for life, with hard labour, simple imprisonment.
- 6.3. Forfeiture of property.
- 6.4. Fine.
- 6.5. Discretion in awarding punishment:
Minimum punishment in respect of certain offences

7. Specific Offences against Human Body.

- 7.1. Causing death :
- 7.1.1. Culpable homicide.
- 7.1.2. Murder.
- 7.2. Distinction between culpable homicide and murder.
- 7.2.1. Specific mental element: requirement in respect of murder.
- 7.3. Situation justifying treating murder as culpable homicide not amounting to murder.
- 7.3.1. Grave and sudden provocation.
- 7.3.2. Exceeding right to private defense.
- 7.3.3. Public servant exceeding legitimate use of force.
- 7.3.4. Death in sudden fight.
- 7.3.5. Death caused by consent of the deceased – euthanasia and surgical operation.
- 7.3.6. Death caused of person other than the person intended.
- 7.3.7. Miscarriage with or without consent.
- 7.4. Rash and negligent act causing death.
- 7.5. Hurt-grievous and simple.
- 7.6. Assault and criminal force.
- 7.7. Wrongful restraint and wrongful confinement – kidnapping from lawful guardianship and from outside India.
- 7.8. Abduction.

8. Offences against Women.

- 8.1. Insulting the modesty of women.
- 8.2. Assault or criminal force with intent to outrage the modesty of woman.
- 8.3. Causing miscarriage without woman's consent:
- 8.3.1. Causing death by causing miscarriage without woman's consent.
- 8.4. Kidnapping or abducting woman to compel her to marry or force her to illicit intercourse.
- 8.5. Buying a minor for purposes of prostitution.
- 8.6. Rape:
- 8.6.1. Custodial rape.
- 8.6.2. Marital rape.
- 8.7. Prevention of immoral traffic.
- 8.8. Cruelty by husband or his relatives.
- 8.8.1. Prevention of Sati.
- 8.9. Prohibition of indecent representation of women.

9. Offences against Property.

- 9.1. Theft.
- 9.2. Cheating.
- 9.3. Extortion.
- 9.4. Robbery and dacoity.
- 9.5. Mischief.
- 9.6. Criminal misrepresentation and criminal breach of trust.

10. New kinds of crimes such as terrorism, pollution and adulteration.

11. Law Reforms.

Reference Books

- 1. K.D. Gaur, A Text book on the Indian Penal code (1998), Universal, Delhi.

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 and 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 to contract-meaning-incapacity arising out of status and mental defect-minor's agreements-definition of 'minor' – accessories supplied to a minor agreements beneficial and detrimental to a minor affirmation-restitution in cases of minor's agreements-fraud by a minor-agreements made on behalf of a minor-minor's agreements and estoppels-evaluation of the law relating to minor's agreements-other illustrations of incapacity to contract.
- 1.6. Free consent-its need and definition-factors vitiating free consent.
 - 1.6.1. Coercion-definition-essential elements-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-pardahanashin 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-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 causes-performance of such contracts-settlements of disputes and remedies.

3. Standard Form Contracts.

Nature, advantages-unilateral character, principles of protection against the possibility of exploitation-judicial approach to such contracts-exemption clauses-clash between two standard form contracts-Laws 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 settling contractual disputes.

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

Reference Books

1. Avtar singh, law of Contract (2000)Eastern, Lucknow.
2. Anand and Aiyer, law of Specific Relief (1999), Universla.
3. Law of Contract (Studer Edition) – D.F. Mulla

LEGAL CLINIC AND INTERNSHIP

Total Marks 100

In this specific area we encourage students to have practical knowledge of legal system. Students will have to attend Lok Adalat, Fast track courts, hearings of renowned cases, senior advocate's office, para-legal, Legal aid and other current affairs of Legal system.

We will recommend our best students to specific legal field work. Students are going to be evaluate as per their practical work and enthusiasm of learning law and effort to be part of Indian Legal System.

This subjects marks will be consider entirely as internal marks. Marks will be evaluate and decided by faculty team of the college.

Social activities to promote legal awareness are highly encouraged. Students will have to do field work as per national calendar [independent day, republic day, national law day, human rights day] legal and human rights awareness programs are highly recommended.

College will evaluate student's work as their practical and presentation during academic session.

Mainly there will be,	Total 100 marks
Seminar attendance and presentation	30 marks
Research work provided as per subject lecturer	20 marks
Case discussion arranged by college	30 marks
Legal awareness programs	20 marks

SEMESTER IV

HISTORY

Total Marks 100

INDIAN HISTORY

- 1. Geography of India - Land, environment and people**
- 2. A brief survey of pre-Harappan cultures.**
Harappan civilization - Urban planning society, religion and decline.
- 3. Society, economy and religion as reflected in Vedic Literature**
Post Vedic social developments - Varna, Jati 16 sanskars and 4 Purusharthas.
- 4. Rise of new religious movement Buddhism & Jainism Political, social and economic conditions during the Age of Buddha.**
- 5. Ashoka and his greatness**
- 6. Mauryan Administration**
- 7. Western Kshatras (Kushanas), Kushans (Kanishka) and Satvahanas (Gautamiputra Satkarni), Samudragupta – Expansion of Gupta Empire**
- 8. Social and Cultural developments during the Gupta period - Literature, Arts, Education and Science.**
- 9. Harshvardhan - career & achievement**
- 10. Expansion & influence of Indian Culture in South East Asia**
- 11. The Pallavas, the Cheras, the Cholas.**
- 12. A brief political survey of Rajput states with special reference to the Parmars, Chalukyas (Vatapi) Rashtrakutas & Pal**
- 13. Social, economic, religious and cultural condition during Rajputa period.**
- 14. Invasions of Mahmud Ghaznavi & Muhammad Ghori & their impact on India.**

Reference Books

1. Majumdar R.C –
Ancient India -
[Motilal Banarsidas, -
Delhi 1968] -
2. Tripathi R.S --
History of India -
[Motilal Banarsidas, -
Delhi 1967] -
3. Mahajan V.D --
Ancient India -
[S.Chand & co
Delhi, 1968]
4. Kulkarni Chidambar
Ancient Indian
history and culture

TORTS AND CONSUMER PROTECTION LAWS

Total Marks 100

LAW OF TORTS	40 Marks
CONSUMER PROTECTION ACT	40 Marks
MOTOR VEHICLE ACCIDENT LAW	20 Marks

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 – violation of duty imposed by law, duty which is owed to people generally (in-rem) – 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. Challenging 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, proscribing unlawful conduct by injunction.

3. Principles of Liability in Torts.

- 3.1 Fault:
 - 3.1.1. Wrongful intent.
- 3.2. Negligence.
- 3.3. Liability without fault.
- 3.4. Violation of ethical codes.
- 3.5 Statutory liability.
- 3.6 Place of motive in torts.

4. Justification in Tort.

- 4.1. Volention fir injuria.
- 4.2. Necessity, private and public.
- 4.3 Plaintiff's 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 situations.

- 5.1. Actio personalise 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
 - 8.1.1.1. Ratification.
 - 8.1.2. 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 relating 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. Wrongs affecting property.

- 10.1. Trespass to land, trespass ab initio, dispossession.
- 10.2. Movable property – trespass to goods, detain, 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 loquitur 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 Acts which constitute nuisance – obstructions of highways, pollution of air, water, noise, and interference with light and air.

13. Absolute / Strict liability.

- 13.1. The rule in Rylands v. Fletcher.
- 13.2. Liability for harm caused by inherently dangerous industries.

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. MV Accidents

16. Consumer Protection Laws

Reference Books

- 1. D.M.Gandhi, law of Tort (1987), Eastern, Lucknow.
- 2. Consumer Protection Act
- 3. Motor Vehicle Act

JURISPRUDENCE
(Legal Method Indian Legal System)
Basic Theory Law

Total Marks 100

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 Rights: 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. **Title.**

- 10. **Property: the concept.**
 - 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. Mens rea.
 - 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.

Reference Books

- 1. V.D. Mahajan, Jurisprudence and Legal Theory (1996 re-print), Eastern, Lucknow.
- 2. Kaydana Khyalo – B.M. Shukla.

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 transactions.
- 2.8 Rights of surety:
 - 2.8.1. Position of surety in the eye of law.
 - 2.8.2. Various judicial interpretations to protect the surety.
- 2.9. Co-surety and manner of sharing liabilities and rights.
- 2.10. Extent of surety's liability.
- 2.11 Discharge of surety's liability.

3. Bailment.

- 3.1. Identification of bailment contracts in day today 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 an 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.
- 5.12 Liability of the principal and agent before and after such termination.

Reference Books

- 1. Avtar Singh, Contract Act (2000), Eastern, Lucknow.
- 2. Consumer Protection Act-1986

LEGAL CLINIC AND INTERNSHIP

Total Marks 100

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College will evaluate student's work as their practical and presentation during academic session.

Mainly there will be,	Total 100 marks
Seminar attendance and presentation	30 marks
Research work provided as per subject lecturer	20 marks
Case discussion arranged by college	30 marks
Legal awareness programs	20 marks

SEMESTER V

PROPERTY LAW

Total Marks 100

1. Jurisprudential Controls of Property.

- 1.1. Concept and meaning of property – new property – governmental largesse.
- 1.2. Kinds of property – movable and immovable property – tangible and intangible property – intellectual property – copyright – patents and designs – trademarks.
- 1.3. The concept of common property resources.
- 1.4. Possession and ownership as man – property relationship – finder of lost goods.

2. Resources Use Patterns and concepts in India: Who owns land? Sovereign or the subject?

- 2.1. Pre-colonial position.
 - 2.1.1. Hindu theory.
 - 2.1.2. Muslim theory.
 - 2.1.3. Tribal approaches.
- 2.2. Position under colonial administration.
 - 2.2.1. Introduction of permanent settlement.
 - 2.2.2. Ryotwari settlement.
 - 2.2.3. Evaluation of eminent domain under company administration.
- 2.3. Effects of colonial revenue administration.
 - 2.3.1. In term diaries.
 - 2.3.2. Tenancies.
 - 2.3.3. “Land going to the market”
 - 2.3.4. Inequalities in landholding.
- 2.4. Requisitioning and acquisition of immovable property.
 - 2.4.1. Land Acquisition: inquiry – notice and hearing – should ecological moves be examined?
 - 2.4.1.1. Concept of public purpose.
 - 2.4.2. Requisitioning: Powers, right, exemption and release.
 - 2.4.3. Inadequacies.

3. Forms of control Urban Property.

- 3.1. Right to Housing and Shelter.
 - 3.1.1. Slum Clearance or slum improvement?
 - 3.1.2. Housing Policy.
- 3.2. Rent Control.
 - 3.2.1. Protection against eviction and fixation of fair rent.

- 3.3. Urban development authority.
- 3.3.1. Master plan.
- 3.3.2. Zonal development plan.
- 3.3.3. Declaration of development areas.
- 3.3.4. Powers of the authority.

4. Post-constitutional developments with Respect to Agricultural Land.

- 4.1. 'Land to the tiller'.
- 4.2. Land ceiling legislation.
- 4.3. State enactments prohibiting alienation of land by tribals to non-tribal's.

5. Law Relating to Transfer of Property.

- 5.1. General principles of transfer of property.
- 5.2. Specific transfers.
 - 5.2.1. Sales.
 - 5.2.2. Mortgages.
 - 5.2.2.1. Under the provision of the transfer of Property Act, 1882.
 - 5.2.2.2. to a land mortgage bank, land development bank, powers and functions.
- 5.3. Leases.
- 5.5. Exchange.
- 5.6. Gifts.
- 5.7. Actionable claims.

6. Trusts.

- 6.1. Definition and classification.
- 6.2. Trust distinguished from agency, bailment and a wakf.
- 6.3. Charitable trusts. Resulting and constructive trusts.

7. Law Relating to Certain Intangible Properties.

- 7.1. Goodwill.
- 7.2. Trademarks.
- 7.3. Patents and designs.
- 7.4. Copyright.
- 7.5. Video piracy.
- 7.6. Software.

8. Easements.

- 8.1. Nature, characteristics and extinction.
- 8.2. Creation of easements.
- 8.3. Riparian rights.
- 8.4. Licenses.

9. Recordation of Property Rights.

- 9.1. Law relating to registration of documents affecting property relations – Exemptions of leases and mortgages in favour of land development bank from registration.
- 9.2. Recordation of rights in agricultural land with special reference to respective states.
- 9.3. Investigation of title to property.
- 9.4. Law relating to stamp duties.
 - 9.4.1. Of the liability of instruments to duty.
 - 9.4.2. Duties by whom payable.
 - 9.4.3. Effect of not duly stamping instruments: Examination and impounding of instruments; inadmissibility on evidence; impounding of instruments.

Reference Books

- 1. V.P. Sarathy, transfer of Property (1995), Eastern, Lucknow.

1. General Perspective.

- 1.1. History of tax law in India.
- 1.2. Fundamental principles relating to tax laws.
- 1.3. Governmental financial policy, tax structure and their role in the national economy.
- 1.4. Concept of tax :
 - 1.4.1. Nature and characteristics of taxes.
 - 1.4.2. Distinction between :
 - 1.4.2.1. Tax and fee
 - 1.4.2.2. Tax and cess.
 - 1.4.2.3. Direct and indirect taxes.
 - 1.4.2.4. Tax evasion and tax avoidance.
- 1.5. Scope of taxing powers of Parliament, state Legislature and local bodies.

2. Income Tax.

- 2.1. Basic Concepts :
 - 2.1.1. Income
 - 2.1.2. Total income.
 - 2.1.3. Income not included in total income.
 - 2.1.4. Deemed income.
 - 2.1.5. Clubbing of income.
- 2.2. Assessee.
- 2.3. Person.
- 2.4. Tax Planning.
- 2.5. Chargeable income.
 - 2.5.1. Heads of income.
 - 2.5.1.1. Salaries.
 - 2.5.1.2. Income from house property.
 - 2.5.1.3. Income from business or profession.
 - 2.5.1.4. Capital gains.
 - 2.5.1.5. Income from other sources.
 - 2.5.2. Deductions, relief and exemptions.
 - 2.5.3. Rate of income tax.
- 2.6. Income Tax Authorities:
 - 2.6.1. Power and functions.
- 2.7. Offences and penal sanctions:
- 2.8. Settlement of grievances:
 - 2.8.1. Authorities, powers and functions.

Reference Books

1. Sampath iyenger, Law of Income Tax (1998), Bharat Law House, New Delhi.
2. R.V. Patel, The Central Sales Tax Act (1966) Thripathi, Bombay.
3. Direct Tax Law & Practice – V.K. Singhania.
4. Gujarat Sales Tax Act.
5. Avak Vera Kayda – Laxmikant Sheth.
6. Gujarat Vechan Vera Dhara.

LABOUR LAW I

Total Marks 100

Industrial Dispute Act	30 Marks
Trade Union Act	20 Marks
Factory Act	30 Marks
Employee Provident Fund	10 Marks
Industrial Employment Act	10 Marks [standing orders]

1. Industrial Disputes Act 1947

2. Trade Union Act.1926

3. Collective Bargaining.

- 3.1. The concept.
- 3.2. International norms – conditions precedent – merits and demerits
- 3.3. Bargaining process.
 - 3.3.1. Negotiation.
 - 3.3.2. Techniques of Pressurization : strike and lockout, go-slow, work to rule, gherao, bundh.
- 3.4. Structure of bargaining: plant, industry and national levels.
- 3.5. Duration and enforcement of bipartite agreement.
- 3.6. Reforms in Law

4. Industrial Employment[Standing Orders] Act, 1946

5. Factories Act, 1948

Reference Books

1. Industrial Law – P.L.Malik.

1. Marriage and Kinship.

- 1.1. Evolution of the institution of marriage and family.
- 1.2. Role of religious rituals and practices in molding the rules regulating to marital relations.
- 1.3. Types of family based upon.
 - 1.3.1. Lineage – patrilineal matrilineal.
 - 1.3.2. Authority structure – patriarchal and matriarchal.
 - 1.3.3. Location – patrilocal and matrilocal.
 - 1.3.4. Number of conjugal units – nuclear, extended, joint and composite.
- 1.4. Emerging concepts: maitri sambandh and divided home.

2. Customary practices and State regulation.

- 2.1. Polygamy.
- 2.2. Concubinage.
- 2.3. Child marriage.
- 2.4. Sati.
- 2.5. Dowry.

3. Conversion and its effect on family.

- 3.1. Marriage.
- 3.2. Adoption.
- 3.3. Guardianship.
- 3.4. Succession.

4. Joint Family.

- 4.1. Mitakshara joint family.
- 4.2. Mitakshara coparcenary – formation and incidents.
- 4.3. Property under Mitakshara law – separate property and coparcenary property.
- 4.4. Davabhaga coparcenary - formation and incidents.
- 4.5. Property under Dayabhaga law.
- 4.6. Karta of the joint family – his position, powers, privileges and obligations.
- 4.7. Alienation of property – separate and coparcenary.
- 4.8. Debts – doctrines of pious obligations and antecedent debt.
- 4.9. Partition and re-union.
- 4.10. Joint hindu family as a social security institution and impact of Hindu Gains of Learning Act and various tax laws on it.
- 4.11. Matrilineal joint family.

5. Inheritance.

- 5.1. Hindus.
 - 5.1.1. Historical perspective of traditional Hindu law as a background to the study of Hindu Succession Act 1956.
 - 5.1.2. Succession to property of a Hindu male dying intestate under the provisions of Hindu Succession Act 1956.
 - 5.1.3. Devolution of interest in Mitakshara coparcenary with reference to the provisions of Hindu Succession Act 1956.
 - 5.1.4. Succession to property of Hindu female dying intestate under the Hindu Succession Act 1956.
 - 5.1.5. Disqualification relating to succession.
 - 5.1.6. General rules of succession.
 - 5.1.7. Marumakkattayam and Aliyasantana laws governing people living in Travancore-Cochin and the districts of Malabar and south Kanara.
- 5.2. Muslims.
 - 5.2.1. General rules of succession and exclusion from succession.
 - 5.2.2. Classification of heirs under Hanafi and Ithna Ashria schools and their shares and distribution of property.
- 5.3. Christians, Parsis and Jews.
 - 5.3.1. Heirs and their shares and distribution of property under the Indian Succession Act of 1925.

Reference Books

1. Hindu Law, D.F. Mulla.
2. Mohammedan law, D.F. Mulla.
3. Law of Marriage & Divorce., Kusum.

LEGAL CLINIC AND INTERNSHIP

Total Marks 100

In this specific area we encourage students to have practical knowledge of legal system. Students will have to attend Lok Adalat, Fast track courts, hearings of renowned cases, senior advocate's office, para-legal, Legal aid and other current affairs of Legal system.

We will recommend our best students to specific legal field work.

Students are going to be evaluate as per their practical work and enthusiasm of learning law and effort to be part of Indian Legal System.

This subjects marks will be consider entirely as internal marks. Marks will be evaluate and decided by faculty team of the college.

Social activities to promote legal awareness are highly encouraged. Students will have to do field work as per national calendar [independent day, republic day, national law day, human rights day] legal and human rights awareness programs are highly recommended.

College will evaluate student's work as their practical and presentation during academic session.

Mainly there will be,	Total 100 marks
Advocate's report of attendance of court	30 marks
Seminar attendance and presentation	20 marks
Case discussion arranged by college	30 marks
Legal awareness programs	20 marks

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 – necessary 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'Etat.
 - 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 service: from colonial relics to democratic aspiration.
- 2.2. Powers and functions.
- 2.3. Accountability and responsiveness: problems and perspectives.
Administrative deviance-corruption, nepotism, mal-administration.

3. Legislative Powers of Administration.

- 3.1. Necessity for delegation of legislative power.
- 3.2. Constitutionality of delegated legislation – powers of exclusion and inclusion and power to modify statute.
 - 3.1. Requirements for the validity of delegated legislation.
 - 3.3.1. Consultation of affected interests and public participation in rule-making.
 - 3.3.3. 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 committees.
- 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 injunctions.
 - 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 Wrong (Tortuous and Contractual)

- 7.1. Tortuous 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 undertakings.
- 8.3. Legislative and governmental control.
- 8.4. Legal remedies.
- 8.5. Accountability-Committee on Public Undertakings, 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 Committees.

Reference Books

- 1. S.P.Sathe, Administrative Law (1998) Butterworths-India, Delhi.
- 2. Administrative Law – C.K.Takwani.
- 3. Vahivati Kanoon – Harubhai Mehta.

The company act 20131.Introduction and incorporation of company and matters incidental thereto

Formation of company, memorandum, articles, act to override memorandum and articles etc, incorporation of company, formation of companies with charitable objects etc, effect of registration, effect of memorandum and article, commencement of business, registered office of company, alteration of memorandum, alteration of articles, alteration of memorandum or articles to be noted in every copy, rectification of name of company, copies of memorandum-articles etc to be given to members, conversion of companies already registered, subsidiary company not to hold shares in its holding company, services of documents, authentication of documents-proceedings and contracts, execution of bills of exchanges etc

2.Prospectus and allotment of securities

Public offer and private placement, power of securities and exchange board to regulate issue and transfer of securities etc, documents containing offer of securities for sale to be deemed prospectus

3.Private placement4.Share capital and debentures5.Acceptance of deposits by companies

Prohibition on acceptance of deposits from public, repayment of deposits etc, damages for fraud, acceptance of deposits from public by certain companies, punishments for contravention of section 73 or section 76

6.Registration of charges7.Management and administration8.Declaration and payment of dividend9.Accounts of companies10.Audit and auditors

11.Appointment and qualifications of directors

12.Meetings of board and its powers

13.Appointment and remuneration of managerial personnel

14.Inspection, inquiry and investigation

15.Compromises, arrangements and amalgamations

16.Prevention of oppression and mismanagement

17.Registered valuers

18.Removal of names of companies from the register of companies

19.Revival and rehabilitation of sick companies

20.Winding up

21.Official liquidators

22.Companies authorized to register under this act

23.Companies incorporated outside India

24.Governmental companies

25.Registration office and fees

26.Companies to furnish information or statistics

27.Nidhis

28.National company law tribunal and appellate tribunal

29.Special courts

Reference Books:

The companies act, 2013

Labour II		Total Marks 100
Employee's State Insurance Law	20 Marks	
Payment of Wages Act		20 Marks
Minimum Wages Act		20 Marks
Payment of Bonus Act		10 Marks
Gratuity Act		10 Marks
Work men Compensation Act	20 Marks	

- (1) Minimum Wages Act 1948.**
- (2) Payment of Wages Act 1936.**
- (3) Payment of Bonus Act 1965.**
- (4) Equal Remuneration Act 1974.**
- (5) Payment of Gratuity Act.-1972**
- (6) Provident Fund Act.-1952**
- (7) Employees State Insurance Act -1948**
- (8) Workmen's Compensation Act-1923**

Reference Books:

1. Industrial Law – P.L.Malik.

1. Matrimonial Remedies.

- 1.1 Non-judicial resolution of marital conflicts.
 - a. Customary dissolution of marriage – unilateral divorce, divorce by mutual consent and other modes of dissolution.
 - b. Divorce under Muslim personal law – talaq and talq-e-tafweez.
- 1.2. Judicial resolution of marital conflicts: the family court.
- 1.3. Nullity of marriage.
- 1.4. Option of puberty.
- 1.5. Restitution of conjugal rights.
- 1.6. Judicial separation.
- 1.7. Desertion: a ground for matrimonial relief.
- 1.8. Cruelty: a ground for matrimonial relief.
- 1.9. Adultery: a ground for matrimonial relief.
- 1.10. Other grounds for matrimonial relief.
- 1.11. Divorce by mutual consent under: Special Marriage Act 1954; Hindu Marriage Act 1955; Muslim law (Khula and mubaraat).
- 1.12. Bar to matrimonial relief:
 - 1.12.1. Doctrine of strict proof.
 - 1.12.2. Taking advantage of one's own wrong or disability.
 - 1.12.3. Accessory.
 - 1.12.4. Connivance.
 - 1.12.5. Collusion.
 - 1.12.6. Condonation.
 - 1.12.7. Improper or unnecessary delay.
 - 1.12.8. Residuary clause – no other legal ground exists for refusing the matrimonial relief.

2. Alimony and maintenance.

- 2.1. Maintenance of neglected wives, divorced wives, minor children, disabled children, and parents who are unable to support themselves: provisions under the code of Criminal Procedure 1973.
- 2.2. Alimony and maintenance as an independent remedy: a review under different personal laws – need for reforming the law.
- 2.3. Alimony and maintenance as an ancillary relief.
- 2.4. Maintenance of divorced Muslim women under the Muslim Women (Protection of Rights on Divorce) Act 1986: a critical review.

3. Child and the Family.

- 3.1. Legitimacy.
- 3.2. Adoption.
- 3.3. Custody, maintenance and education.
- 3.4. Guardianship and parental rights – welfare of the child principles.

4. Family and its changing patterns.

- 4.1. New emerging trends:
 - 4.1.1. Attenuation of family ties.
 - 4.1.2. Working women and their impact on spousal relationship: composition of family, status and role of women.
 - 4.1.3. New property concepts, such as skill and job as new forms of property.
- 4.2. Factors affecting the family: demographic, environmental, religious and legislative.
- 4.3. Processes of social change in India: sanskritization, westernisation, secularisation, universalization, parochialization, modernization, industrialization and organization.

5. Settlement of spousal property.

- 5.1. Need for development of law.

6. Establishment of Family Courts.

- 6.1. Constitution, power and functions.
- 6.2. Administration of gender justice.

7. Uniform civil code – need for

- 7.1. Religious pluralism and its implications.
- 7.2. Connotations of the directive contained in Article 44 of the constitution.
- 7.3. Impediments to the formulation of the Uniform Civil Code.
- 7.4. The idea of Optional Uniform Civil Code.

Reference Books

- 1. Paras Diwan, Hindu law (1985)
- 2. Hindu Law – D.F. Mulla
- 3. Mohammedan Law – D.F. Mulla.

LEGAL CLINIC AND INTERNSHIP

Total Marks 100

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Advocate's report of attendance of court	30 marks
Seminar attendance and presentation	20 marks
Case discussion arranged by college	30 marks
Legal awareness programs	20 marks

SEMESTER VII

ENVIRONMENTAL LAW

Total Marks 100

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 law 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. Enforcing agencies and remedies.
- 3.5.1. Courts.
- 3.5.2. Tribunal.
- 3.5.3. Constitutional, statutory and judicial remedies.
- 3.6. Emerging principles.
- 3.6.2. 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. Court's 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.
 - 8.1.1. 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.

Reference Books

1. R.B. Singh & Suresh Misra,
2. Environmental law in India (1996), concept Publishing Co., New Delhi
3. Environmental Law – Meet publication.

BANKING LAW

Total Marks 100

Banking Regulation Act

40 marks

Negotiable Instrument Act

60 marks

1. Introduction.

- 1.1. Banking: definition – common law and statutory.
- 1.2. Commercial banks: functions.
 - 1.2.1. Essential functions.
 - 1.2.2. Agency services.
 - 1.2.3. General utility services.
 - 1.2.4. International trading service.
 - 1.2.5. Information services.
 - 1.2.6. Emergence of multi functional dimensions.
- 1.3. Systems of Banking: Unit banking, branch banking, group banking and chain banking.
- 1.3. Banking companies in India.

2. Banks and Customers.

- 2.1. Customer: meaning.
- 2.2. Legal character of banker – customer relationship.
- 2.3. Rights and obligations of banks.
 - 2.3.1. Right of set-off.
 - 2.3.2. Banker's lien.
 - 2.3.3. Right to charge interest and commission.
 - 2.3.4. Obligation to honour customers' cheques.
 - 2.3.5. Duty of confidentiality.
 - 2.3.5.1. Nature and justification of the duty.
 - 2.3.5.2. Exceptions to the duty.
 - 2.3.6. Garnishee orders.
- 2.4. Accounts of customers.
 - 2.4.1. Current Accounts.
 - 2.4.2. Deposit Accounts.
 - 2.4.3. Joint Accounts.
 - 2.4.4. Trust Accounts.
- 2.5. Special types of customers: - Lunatics, minors, agents, administrators and executors, partnership firms and companies.

3. Control over Banks.

- 3.1. Control by Government and its agencies.
- 3.1.1. Need for elimination of systemic risk, avoidance money laundering, consumer protection, promotion of fair competition on management.
- 3.1.2. On account and audit.
- 3.1.3. On money lending.
- 3.1.4. Reorganization and reconstruction.
- 3.1.5. On suspension and winding up.
- 3.2. Control by ombudsman.
- 3.3. RBI.

4. Control Banking Theory and the RBI.

- 4.1. Evolution of Central Banks.
- 4.2. Characteristics and functions of central banks.
- 4.3. Central bank as banker and adviser of the State.
- 4.4. Central bank as banker's bank.
- 4.5. The Reserve Bank of India as central bank in India.
- 4.5.1. Objectives and organizational structure.
- 4.5.2. Functions.
- 4.5.3. Regulations of the monetary system.
- 4.5.4. Monopoly of note issue.
- 4.5.5. Credit control.
- 4.5.6. Determination of bank rate policy.
- 4.5.7. Open market operations.
- 4.5.8. Banker to government.
- 4.5.9. Control over Non-banking financial institutions.
- 4.5.10. Economic and statistical research.
- 4.5.11. Staff training.
- 4.5.12. Control and supervision of other banks.

5. Lending by Banks.

- 5.1. Principles of good lending.
- 5.2. Securities for bank advances.
- 5.2.1. Pledge.
- 5.2.2. Mortgage.
- 5.2.3. Charge.
- 5.2.4. Goods or documents of title to goods.
- 5.2.5. Life insurance policies as security.
- 5.2.6. Debentures as security.
- 5.2.7. Guarantees as security.
- 5.2.7.1. Contract of guarantee and contract of indemnity.

- 5.2.7.2. Kinds of guarantees: specific & continuing.
- 5.2.7.3. Surety's rights and liabilities.
- 5.3. Repayment.
- 5.3.1. Interest: Rule against penalties.
- 5.4. Default and Recovery.
- 5.4.1. Recovery of Debts Due to Banks and Financial Institutions Act, 1993.
- 5.4.2. Establishment of; debt recovery tribunals – constitution and functioning.

6. Merchant Banking

- 6.1. Merchant Banking in India.
- 6.2. SEBI (Merchant Bankers) Regulations, 1992.

7. Letter of Credit and Demand Guarantee.

- 7.1. Letter of Credit.
 - 7.1.1. Basic features.
 - 7.1.2. Parties to a letter of credit.
 - 7.1.3. Fundamental principles.
- 7.2. Demand Guarantee.
 - 7.2.1. Legal character.
- 7.3. Distinction between irrevocable letter of credit and demand guarantees.

8. Law Relating to Negotiable Instruments.

- 8.1. Negotiable instruments kinds.
- 8.2. Holder and Holder in due course.
- 8.3. Parties.
- 8.4. Negotiation.
- 8.5. Presentment.
- 8.6. Discharge from liability.
- 8.7. Dishonour.
- 8.8. Civil liability.
- 8.9. Liability: procedure for prosecution: extent of penalty.
- 8.10. The Paying Banker.
- 8.11. Duty to honour customers' cheques.
- 8.12. Conditions.
- 8.13. Exceptions to the duty to honour cheques.
- 8.14. Money paid by mistake.
- 8.15. The Collecting Banker.
 - 8.15.1. Liability for conversion.
 - 8.15.2. Duties.
 - 8.15.3. Good faith and statutory protection to the collecting banker.

Reference Books

1. M.S. Parthasarathy (Ed.), Kherganvala on the Negotiable Instruments Act (1998) Buterworth, New Delhi.
2. M.L. Tannen, Tannen's Banking Law and Practice in India, (2000) India Law House, New Delhi.
3. Mukherjee. T.K., Banking Law and Practice (1999), Universal, Delhi.

1. Essay.
2. Magazines.
3. Drafting of
 - a) Pleading,
 - b) Petition.
 - c) Conveyance
 - d) Applications
 - e) Writs etc.
4. Precise writing.
5. Comprehension.
6. Translation.

1. Introduction.

- 1.1. The concept of trust: distinction with agency and contract.
- 1.2. Development of law: common law and equity.
- 1.3. Trusts: classification.

2. Definition and Nature of trusts under the Indian Law.

- 2.1. Creation of trusts: rules.

3. Duties of trustees.

- 3.1. Execution.
- 3.2. Acquaintance with the nature of property.
- 3.3. Duties in respect of title.
- 3.4. Duty of care.
- 3.5. Conversion.
- 3.6. Impartiality.
- 3.7. Prevention of waste.
- 3.8. Keeping of accounts and giving of information.
- 3.9. Investment.
- 3.10. Sale.
- 3.11. Liability for breach of trust.

4. Rights of trustees.

- 4.1. Title deed.
- 4.2. Reimbursement.
- 4.3. Indemnity.
- 4.4. Seeking direction from court.
- 4.5. Settlement of accounts.
- 4.6. General authority.

5. Powers of trustees.

- 5.1. Sale.
- 5.2. Varying of investment.
- 5.3. Property of minors.
- 5.4. Giving receipts.
- 5.5. Power to compound, compromise and settle.
- 5.6. Exercising authority on death or disclaimer of one of the trustees.
- 5.7. Suspension of trustee's power.

6. Disabilities of trustees.

7. Rights of beneficiaries.

- 7.1. Rents and profits.
- 7.2. Specific execution.
- 7.3. Inspection and information.
- 7.4. Transfer.
- 7.5. Suit for execution.
- 7.6. To have proper trustees.
- 7.7. Right to compel the trustee to do the duties.
- 7.8. Rights on wrongful purchase or acquisition by trustees.
- 7.9. Follow up of trust properties in the hands of third parties.
- 7.10. Blending of property by trustee.
- 7.11. Wrongful application of trust property by partner trustee for partnership purposes.

8. Liabilities of beneficiaries.

9. Discharge of Trustees.

10. Appointment of New Trustees.

11. Extinction of Trust.

12. Constructive Trusts: the equitable and fiduciary Relationship.

- 12.1. Transfer without intent to dispose beneficial interest.
- 12.2. Trust incapable of execution and trusts executed fully without exhausting property the cypress doctrine.
- 12.3. Transfer and request for illegal purpose.
- 12.4. Transfer pursuant to rescindable contract.
- 12.5. Debtor becoming creditor's representative.
- 12.6. Advantage from undue influence.

- 12.7. Advantage by qualified owner.
- 12.8. Property acquired with notice of existing contract.
- 12.9. Purchase by person contracting to buy property to be held on trust.
- 12.10. Possession of property without whole beneficial interest.
- 12.11. Duties of constructive trustees.
- 12.12. Right to bonafide purchasers.

13. Special legislation.

13.1. Charitable and religious trust.

14. Common property resources and public trust doctrine.

15. Specific relief.

6.1. Specific performance of contract.

6.1.1. Contract that can be specifically enforced.

6.1.2. 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 court.

Reference Books

1. Rao.C.R., The Indian Trust Act and Allied Laws (1999).
4. Specific Relief Act 1963.

LEGAL CLINIC AND INTERNSHIP

Total Marks 100

In this specific area we encourage students to have practical knowledge of legal system. Students will have to attend Lok Adalat, Fast track courts, hearings of renowned cases, senior advocate's office, para-legal, Legal aid and other current affairs of Legal system.

We will recommend our best students to specific legal field work. Students are going to be evaluate as per their practical work and enthusiasm of learning law and effort to be part of Indian Legal System.

This subjects marks will be consider entirely as internal marks. Marks will be evaluate and decided by faculty team of the college.

Social activities to promote legal awareness are highly encouraged. Students will have to do field work as per national calendar [independent day, republic day, national law day, human rights day] legal and human rights awareness programs are highly recommended.

College will evaluate student's work as their practical and presentation during academic session.

Mainly there will be,	Total 100 marks
Advocate's report of attendance of court	30 marks
Seminar attendance and presentation	20 marks
Case discussion arranged by college	30 marks
Legal awareness programs	20 marks

SEMESTER VIII

INTELLECTUAL PROPERTY LAW

Total Marks 100

1. Introduction

- 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 rights in
 - 1.4.1. Copyright
 - 1.4.2. Trade marks
 - 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 Indians
- 1.5. Introduction to the leading international instruments concerning intellectual property rights: the Berne Convention, Universal Copyright Convention, the Paris Union TRIPS the World Intellectual Property Rights Organisation (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 copyright
- 2.3. Copyright in literary, dramatic and musical works
- 2.4. Copyright in sound records and cinematograph films
- 2.5. Copyright in computer programme Law 187
- 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 as (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 Law 188
- 4.2. Historical view of the patents law in India
- 4.3. Patentable inventions 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 Law 189

- 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. Injunctions and related remedies.

Reference Books

Cornish 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. Cornish, 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 & Maxwell

Human Rights**1) The Framework of the UN charter and the role of the United Nations.**

- i) The UN Charter, 1945.
- ii) Normative and Institutional framework of the United Nations.
- iii) Role of the UN General Assembly, the Economic and Social Council
And other UN Bodies.

2) The International Bill of Human Rights.

- i) The Universal Declaration of Human Rights 1948.
- ii) International Covenant on Economics Social and Cultural Rights,
1966.
- iii) International Covenant on Civil and Political Rights, 1966.
- iii) Optional Protocols.

Public International Law**3) Definition, Nature and Basis of International law.**

Is International Law a true Law?

Weakness of International Law.

Codification and development of International Law.

Relation between international Law and State Law.

Sources of International Law, Subjects of International Law, Place of Individual in International Law, Nationality.

Extradition and Asylum, Human Rights.

4) State in general.

Kinds of States and Non-States entities, Acquisition and loss of State Territory.

Territorial water, Continental shelf, Contiguous Zone and exclusive economic zone.

Recognition of states and Governments.

Recognition of insurgency and belligerency, de facto and de-jure recognition.

State succession.

State Jurisdiction, Territorial sovereignty, Criminal jurisdiction in International Law.

Intervention.

Freedom of the High Sea, Piracy.

5) Diplomatic agents, Consultants.

Classification and Functions of diplomatic agents, Privileges and immunities with reference to Vienna Convention on Diplomatic relation 1661.

Treaties definition, basis, classification and formation of treaties, Interpretation and revision of treaties, principles of jus cogens and pacta sunt servende, termination of treaties, Vienna convention on the law of treaties, Pacific and compulsive means of settlement of International disputes.

International court of justice Jurisdiction and contribution towards development of international law.

6) International institution: League of Nations.

United Nations, History and formation of United Nations, organs of United Nations with specific reference to General Assembly, Security Council and International Court of Justice.

International Law Commission.

War, its legal character and effects, enemy character, Armed conflicts and other hostile relations. Belligerent occupation.

War Crimes, Termination of war and doctrine of postliminium Prize courts.

7) The Law of Neutrality – basis of neutrality.

Rights and duties of neutral states, neutrality, neutrality and U.N. Charter. Right of Angray. Contraband, Blockade Un-neutral service. Right of visit and search.

Reference Books

1. Starke : An Introduction to International Law
2. Briggs: Law of Nations.
3. S.K. Varma, Public International Law (1998), Prentice-Hall, New Delhi.

1. Introduction.

- 1.1. The main features of the Indian Evidence Act 1861.
- 1.2. Other acts which deal with evidence (Special reference to CPC, Cr.PC).
- 1.3. Problem of applicability of Evidence Act.
 - 1.3.1. Administrative.
 - 1.3.2. Administrative Tribunals.
 - 1.3.3. Industrial Tribunals.
 - 1.3.4. Commissions of Enquiry.
 - 1.3.5. Court-martial.
- 1.4. Disciplinary authorities in educational institutions.

2. Central Conceptions in Law of Evidence.

- 2.1. Facts: section 3 definitions: distinction – relevant facts / facts in issue.
- 2.2. Evidence: oral and documentary.
- 2.3. Circumstantial evidence and direct evidence.
- 2.2. Presumption (Section 4).
- 2.3. “Proving”, “not providing” and “disproving”.
- 2.4. Witness.
- 2.5. Appreciation of evidence.

3. Facts: relevancy.

- 3.1. The doctrine of res gestate (Section 6, 7,8,10).
- 3.2. Evidence of common intention (Section 10).
- 3.3. The problems of relevancy of “Otherwise” irrelevant facts (Section 11).
- 3.4. Relevant facts for proof of custom (Section 13).
- 3.5. Facts concerning bodies & mental state (Section 14, 15).

4. Admissions and confessions.

- 4.1. General principles concerning admission (Section 17, 23).
- 4.2. Differences between “admission” and “confession”.
- 4.3. The problems of non-admissibility of confessions caused by “any inducement, threat or promise (Section 24).
- 4.4. Inadmissibility of confession made before a police officer (Section 25).
- 4.5. Admissibility of custodial confessions (Section 26).

- 4.6. Admissibility of “information” received from accused person in custody; with special reference to the problem of discovery base on “joint statement” (Section 27).
 - 4.7. Confession by co-accused (Section 30).
 - 4.8. The problems with the judicial action based on a “retracted confession”.
- 5. Dying Declarations.**
- 5.1. The justification for relevance on dying declarations (Section 32).
 - 5.2. The judicial standards for appreciation of evidentiary value of dying declarations.
- 6. Other statements by Persons who cannot be called as Witnesses.**
- 6.1. General principles.
 - 6.2. Special problems concerning violation of women’s rights in marriage in the law of evidence.
- 7. Relevance of Judgments.**
- 7.1. General principles.
 - 7.2. Admissibility of judgments in civil and criminal matters (Section 43).
 - 7.3. “Fraud” and “Collusion” (Section 44).
- 8. Expert Testimony.**
- 8.1. General principles.
 - 8.2. Who is an expert? : Types of expert evidence.
 - 8.3. Opinion on relationship especially proof of marriage (Section 50).
 - 8.4. The problems of judicial defense to expert testimony.
- 9. Oral and Documentary Evidence.**
- 9.1. General principles concerning oral evidence (Section 59-60).
 - 9.2. General principles concerning Documentary Evidence (Section 67-90).
 - 9.3. General Principles Regarding Exclusion of Oral by Documentary Evidence.
 - 9.4. Special problems: re-hearing evidence.
 - 9.5. Issue estoppel.
 - 9.6. Tenancy estoppel (Section 116).
 - 9.7.

10. Witnesses, Examination and Cross Examination.

- 10.1. Competency to testify (Section 118).
- 10.2. State privilege (Section 123).
- 10.3. Professional privilege (Section 126, 127, 128).
- 10.4. Approval testimony (Section 133).
- 10.5. General principles of examination and cross examination (Section 135-166).
- 10.6. Leading questions (Section 141-143).
- 10.7. Lawful questions in cross-examination (Section 146).
- 10.8. Compulsion to answer questions put to witness.
- 10.9. Hostile witness (Section 154).
- 10.10. Impeaching of the standing or credit of witness (Section 155).

11. Burden of Proof.

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

12. Estoppels.

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

Reference Books

1. Avtar Singh, Principles of the Law of Evidence (1992), Central Law Agency, New Delhi.

- 1. Arbitration meaning and scope**
 - 1.1.1 1940 law and 1996 law UNCITRAL model law
 - 1.1.2 Arbitration and conciliation
 - 1.1.3 Arbitration and expert determination,
 - 1.2 Extent of judicial intervention
 - 1.3 International commercial arbitration
- 2. Arbitration agreement**
 - 2.1 Essentials
 - 2.2 Vacancy
 - 2.3 Reference to arbitration
 - 2.4 Interim measures by court
- 3. Arbitration Tribunal**
 - 3.1 Appointment
 - 3.2 Challenge
 - 3.3 Jurisdiction of arbitral tribunal
 - 3.3.1 Powers
 - 3.3.2 Grounds of link challenge
 - 3.4 Procedure
 - 3.5 Court assistance
- 4. Award**
 - 4.1 Rules of guidance
 - 4.2 Form and content
 - 4.3 Correction and interpretation
 - 4.4 Grounds of setting aside an award
 - 4.4.1 Can misconduct be a ground?
 - 4.4.2 Incapacity of a party, invalidity of arbitration agreement
 - 4.4.3 Want of proper notice and hearing
 - 4.4.4 Beyond the scope of reference
 - 4.4.5 Contravention of composition and procedure
 - 4.4.6 Breach of confidentiality
 - 4.4.7 Impartiality of the arbitrator
 - 4.4.8 Bar of limitation, res judicata
 - 4.4.9 Consent of parties
 - 4.5 Enforcement
- 5. Appeal and Revision**

6. Enforcement of foreign award

- 6.1 New York convention awards
- 6.2 Geneva convention awards

7. Conclusion

- 7.1 Distinction between "Conciliation", "negotiation", "mediation", "arbitration"
- 7.2 Appointment
- 7.3 statements to conciliator
- 7.4 Interaction between conciliator and parties
 - 7.4.1. Communication
 - 7.4.2 Duty of the parties to co-operate
 - 7.4.3 Suggestions by parties
 - 7.4.4 Confidentiality
- 7.5 Resort to judicial proceedings
- 7.6 Costs

8. Rule-making power

- 8.1 High Court
- 8.2 Central Government

9. Legal Services Authorities act : Scope

Reference Books

The Arbitration and conciliation Law of India - Kaarsatra Legal Services Authorities Act 1987

LEGAL CLINIC AND INTERNSHIP

Total Marks 100

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SEMESTER IX

Criminal Procedure Code

Total Marks 100

Cr.P.C

60 Marks

Juvenile Justice

20 Marks

Probation of Offender Act

20 Marks

1. Introduction

- 1.1. The rationale of criminal procedure: the importance of fair trial.
- 1.2. Constitutional perspectives: Articles 14, 20 & 21.
- 1.3. The variety of criminal procedures (the class should examine, in particular the procedure for trial of special offences, especially, offences under the Prevention of Corruption Act and Narcotic Drugs and Psychotropic Substances Act).
- 1.4. The organisation of police, prosecutor, defense counsel and prison authorities and their duties, functions and powers.

2. Pre-trial process: arrest:

- 2.1. The distinction between cognizable and non-cognizable offences: relevance and adequacy problems.
- 2.2. Steps to ensure accused's presence at trial: warrant and summons.
- 2.3. Arrest with and without warrant (Section 70-73 and 41).
- 2.4. The absconder status (Section 82, 83, 84, and 85)
- 2.5. Right of the arrested person.
- 2.6. Right to know grounds of arrest (Section 50(1), 55, 75)
- 2.7. Right to be taken to magistrate without delay (Section 56, 57)
- 2.8. Right to not being detained for more than twenty-four hours (Section 57) : 2.9 Article 22(2) of the Constitution of India.
- 2.9. Right to consult legal practitioner, legal aid and the right to be told of rights to bail.
- 2.10. Right to be examined by a medical practitioner (Section 54).

3. Pre-trial process: Search and Seizure.

- 3.1. Search warrant (Section 83, 94, 97, 98) and searches without warrant (Section 103).
- 3.2. Police search during investigation (Section 165, 166, 153).
- 3.3. General principles of search (Section 100).
- 3.4. Seizure (Section 102).
- 3.5. Constitutional aspects of validity of search and seizure proceedings.

4. Pre-trial Process: FIR.

- 4.1. F.I.R. (Section 154).
- 4.2. Evidentiary value of F.I.R. (Section 145 and 157 of Evidence Act).

5. Pre-trial Process: Magisterial Powers to take Cognizance.

6. Trial Process.

- 1.1. Commencement of proceedings : (Section 200, 201, 202)
- 1.2. Dismissal of complaints (Section 203, 204).
- 1.3. Bail: concept, purpose: constitutional overtones.
 - 1.3.1. Bailable and Non-Bailable offences (Section 436, 437, 439).
 - 1.3.2. Cancellation of Bail (Section 437 (5))
 - 1.3.3. Anticipatory bail (Section 438).
 - 1.3.4. Appellate bail powers (Section 389(1), 395(1), 437(5)).
 - 1.3.5. General principles concerning bond (Sections 441-450).

7. Fair Trial.

- 7.1. Conception of fair trial.
- 7.2. Presumption of innocence.
- 7.3. Venue of Trial.
- 7.4. Right of the accused to know the accusation (Section 221-224).
- 7.5. The right must generally be held in the accused's presence (Section 221-224).
- 7.6. Right of cross-examination and offering evidence in defence: the accused's statement.
- 7.7. Right to speedy trial.

8. Charge.

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

9. Preliminary pleas to bar the trial.

- 9.1. Jurisdiction (Section 26, 177-188, 461, 462, 479).
- 9.2. Time limitations: rationale and scope (Section 468-473).
- 9.3. Pleas of autrefois acquit and autrefois convict (Section 300, 22D).
- 9.4. Issue-Estoppel.
- 9.5. Compounding of offences.

10. Trial before a Court of Sessions: Procedural Steps and Substantive Rights.

11. Judgment.

- 11.1. Form and content (Section 354).
- 11.2. Summary trial.
- 11.3. Post-conviction orders in lieu of punishment: emerging penal policy. (Section 360, 361, 31)
- 11.4. Compensation and cost (Section 357, 358).
- 11.5. Modes of providing judgment (Section 353, 362, 363).

12. Appeal, Review, Revision.

- 12.1. No appeal in certain cases (Section 372, 375, 376).
- 12.2. The rationale of appeals, review, revision.
- 12.3. The multiple range of appellate remedies :
 - 12.3.1. Supreme Court of India (Section 374, 379, Articles 31, 132, 134, 136).
 - 12.3.2. High Court (Section 374).
 - 12.3.3. Sessions Court (Section 374).
 - 12.3.4. Special right to appeal (Section 380).
 - 12.3.5. Governmental appeal against sentencing (Section 377, 378).
 - 12.3.6. Judicial power in disposal of appeals (Section 368).
 - 12.3.7. Legal aid in appeals.
- 12.4. Revisional jurisdiction (Sections 397-405).
- 12.5. Transfer of cases (Section 406, 407).

13. Juvenile delinquency.

- 13.1. Nature and magnitude of the problem.
- 13.2. Causes.
- 13.3. Juvenile court system.
- 13.4. Treatment and rehabilitation of juveniles.
- 13.5. Juveniles and adult crime.
- 13.6. Legislative and judicial protection of juvenile offender.
- 13.7. Juvenile Justice Act 1988.

14. Probation.

- 14.1. Probation of offender's law.
- 14.2. The judicial attitude.
- 14.3. Mechanism of probation: standards of probation services.
- 14.4. Problems and prospects of probation.
- 14.5. The suspended sentence.

15. Reform of criminal procedure.

Reference Books

1. Ratanlal Dhirajlal, Criminal Procedure Code (1999) University, Delhi.

1. Principles of Legislation.

- 1.1. Law –making-the legislature, executive and the judiciary.
- 1.2. Principles of utility.
- 1.3. Relevance of John Rawls and Robert Nozick – individual interest to community interest.
- 1.4. Operation of these principles upon legislation.
- 1.5. Distinction 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 material.
 - 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. Noscitur 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 exclusio alterius.
- 6.3. Generalia specialibus non derogant.
- 6.4. In pari delicto potior est conditio possidentis.
- 6.5. Ultes valet potior quam pareat.
- 6.6. Expressum facit cessare tacitum.
- 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.

Reference Books

1. G.P. Singh, Principles of Statutory Interpretation, (7th Edition) 1999, Wadhwa, Nagpur.
2. V. Sarathi, Interpretation of Statutes, (1984) Eastern, Lucknow.

DRAFTING OF PLEADINGS AND CONVEYANCE 90+10 Marks

- (a) **Drafting: - General principles of drafting and relevant substantive rules shall be taught.**
- (b) **Pleadings:-**
- (i) Civil : Complaint, Written Statement, Interlocutory Application, Original Petition, affidavit, Execution Petition, memorandum of Appeal and Revision, Petition under article 226 and 32 of the Constitution of India.
 - (ii) Criminal: Complaint, Criminal Miscellaneous petition, Bail Application, memorandum of Appeal and Revision.
 - (iii) Conveyance: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, trust Deed.
 - (iv) Drafting of writ petition and PIL petition.

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

Apart from teaching the relevant provisions of law, the course may include not less than 15 practical exercises in drafting carrying a total of 45 marks (3 marks for each) and 15 exercises in conveyance

carrying another 45 marks (3 marks for each exercise) remaining 10 marks will be given for viva voce.

PARA-LEGAL, LEGAL CAMP, LEGAL AID CLINIC AND LOK ADALAT

This course carrying 100 marks will have to be designed and evaluated according to local conditions by the colleges in consultation with the Universities and State Bar Councils.

It can be taught partly through class room instructions including simulation exercises and partly through extension programmes like Lok Adalat, Legal aid Camp, Legal Literacy and Para Legal Training.

The Course should also contain lessons on negotiations and counseling, use of computer in legal work, legal research in support of Public Interest Litigation, writing of case comments, editing of Law Journals and Law Office management.

The marks may be appropriately divided to the different programmes that each University might evolve for introduction in the Colleges under its control.

LEGAL CLINIC AND INTERNSHIP

Total Marks 100

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SEMESTER X

CIVIL PROCEDURE CODE 80 Marks

Total Marks 100

LIMITATION ACT

20 Marks

1. Introduction.

1.1. Concepts.

1.1.1. Affidavit, order, judgment, decree, plaint, restitution, execution, decree-holder, judgment, debtor, manse profits, written statement.

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

2. Jurisdiction.

2.1. Kinds.

2.1.1. Hierarchy of courts.

2.2. Suit of civil nature – scope and limits.

2.3. Res-subjudice and Resjudicata.

2.4. Foreign judgment – 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 or attachment before judgment, injunction and appointment of receiver.
- 4.7. Interests and costs.

5. Execution.

- 5.1. The concept.
- 5.2. General principles.
- 5.3. Power for execution of decrees.
- 5.4. Procedure for execution (ss.52-54).
- 5.5. Enforcement, arrest and detection (ss.55.59).
- 5.6. Attachment (ss.60-64).
- 5.7. Sale (ss.65-97).
- 5.8. Delivery of property.
- 5.9. Stay of execution.

6. Suits in particular cases.

- 6.1. By or against government (ss.79-82)
- 6.2. By aliens and by or against foreign rulers or ambassadors (ss.83-87A).
- 6.3. Public nuisance (ss.91-93).
- 6.4. Suits by or against firm.
- 6.5. Suits in forma pauperis.
- 6.6. Mortgages.
- 6.7. Inter pleader suits.
- 6.8. 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, prescription.
- 11.1. Extension and suspension of limitation.
- 11.2. Sufficient cause for not filing 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.
- 11.8. Acknowledgement – essential requisites.
- 11.9. Continuing tort and continuing breach of contract.

Reference Books

- 1. Mulla, code of Civil Procedure (1999), Universal, Delhi.
- 2. C.K. Thacker, code of Civil Procedure (2000), Universal, Delhi.

Including ceiling and any other local laws

1. Constitutional provisions

- 1.1 Fundamental Rights
 - 1.1.1 Agricultural reforms
- 1.2 Property as legal right
- 1.3 Legislative powers
 - 1.3.1 The Union
 - 1.3.2 States
 - 1.3.3 Local Bodies

2. State Legislation

- 2.1 Land Reserve Code 1897
- 2.2 Land Acquisition Act

Constitutional Provision – 15 Marks

Land Reserve Code – 65 Marks

Land Acquisitions Law – 20 Marks

Reference Books

- 1. Short constitution of India – D.D.Basu
- 2. Land Reserve Code – C.M.Shah
- 3. Land Acquisition Act – Swami
- 4. Jamin mehsul dharo 1898 – C.H.Joshi
- 5. Jamin savadat dharo – C.H.Joshi
- 6. Bharatnu savindhan – Dr. Joe. Nayak

**CLINICAL PAPER III
AND MOOT COURT 90 + 10 Marks**

Total Marks 100

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

(a) 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 submissions and 5 marks for oral advocacy.

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

Students may be required to attend two trials 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 (30 marks):

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

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

PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM 80+20 Marks

Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations.

- (i) Mr. Krishnamurthy Iyer's book on "Advocacy".
- (ii) The contempt Law and Practice.
- (iii) The Bar Council code of Ethics.
- (iv) 50 selected opinions of the Disciplinary committees of bar councils and 10 major judgments of the Supreme Court on the subject.
- (v) Other reading material 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.

LEGAL CLINIC AND INTERNSHIP

Total Marks 100

In this specific area we encourage students to have practical knowledge of legal system. Students will have to attend Lok Adalat, Fast track courts, hearings of renowned cases, senior advocate's office, para-legal, Legal aid and other current affairs of Legal system.

We will recommend our best students to specific legal field work. Students are going to be evaluate as per their practical work and enthusiasm of learning law and effort to be part of Indian Legal System.

This subjects marks will be consider entirely as internal marks. Marks will be evaluate and decided by faculty team of the college.

Social activities to promote legal awareness are highly encouraged. Students will have to do field work as per national calendar [independent day, republic day, national law day, human rights day] legal and human rights awareness programs are highly recommended.

College will evaluate student's work as their practical and presentation during academic session.

Mainly there will be,	Total 100 marks
Advocate's report of attendance of court	30 marks
Seminar attendance and presentation	20 marks
Case discussion arranged by college	30 marks
Legal awareness programs	20 marks