

Mahakaushal University Jabalpur



SYLLABUS

For

Bachelor of LAW (LLB)

Course Code: BALLB

Department of LAW

Faculty of LAW

Duration of Course	:	5Year
Examination Mode	:	Semester
Examination System	:	Non Grading

Semester-I

GENERAL ENGLISH – I(BALLB0101)

UNIT- I

Grammar & Usage (Communication skills) Parts of speech: An introduction to all
Sentences: Kind, types, Basic transformations use of connectives

Marks: 16

UNIT- II

Strong and weak verbs: The infinities, The participle, Auxiliary Verbs,
The Gerund.

Marks: 16

UNIT- III

Use of Articles & determiners. Use of punctuation.

Marks: 16

UNIT- IV

Translation: (i) English to Hindi
(ii) Hindi to English

Marks: 16

UNIT- V

Classroom speech and Group discussion.

Marks: 16

Text Books

1. Ray and martin

POLITICAL SCIENCE – I (BALLB0102)

UNIT- I

Marks: 16

The State: Different theories about the origin of the state, Essential elements of the state, distinction between state, society, Government, Nation and Nationality. The Justification and End of the state. An archaistic, Religious, Individualistic, Idealistic and Marxist theories of the State. The concept of welfare State.

UNIT- II

Marks: 16

Rights: Meaning, definition and classification, Theories, The theory of natural rights The legal theory of rights, the historical theory of rights The social welfare or social expediency theory of rights. The idealistic or personality theory of rights. Particular rights Right to life- meaning and implications, Right to liberty- meaning, types, liberty and authority, liberty and equality, State regulation of liberty, right of personal security, liberty of thought, speech and writing, liberty of action, liberty of religious opinion and practice, The right to resist the State. Right to property- The importance of property, evolution of property, characteristics of property, theories of property, case for and against private property.

UNIT- III

Marks: 16

Law, morality, sovereignty and punishment. - Law- Philosophy of law, schools of jurisprudence, the nature of law, definition and sources of Law types of Law. Law and morality- relationship and difference Sovereignty- definition, characteristics, different meanings and location of sovereignty Theories of sovereignty The concept of political sovereignty, the notion of popular sovereignty, de jure and de facto sovereignty Punishment - The right of the State to punish; theories of punishment.

UNIT- IV

Marks: 16

Ideologies- Liberalism - Origin, Meaning, Definition, principles Idealism - Meaning and basic principles Marxism - Meaning and essential features, Dialectical and Historical Materialism Fascism - Meaning and essential features, Totalitarian State concept Utilitarianism- Origin and meaning, basic principles

UNIT- V

Marks: 16

Foundation of political obligation:

Meaning, nature and different theories of political obligation. Concept of power, authority and legitimation. Examination of classic (Hobbes, Locke, Rousseau) and modern (Max Weber, Marx, Durkheim) approaches to the notion of political obligation.

SOCIOLOGY - I (BALLB0103)

UNIT- I

Marks: 16

Definition and Scope: Origin, Development, Meaning, Definition, Scope and importance of Sociology. Schools- Formalistic School and Synthetic school. Relation of sociology with other science like history, political science, anthropology, economics and law

.UNIT- II

Marks: 16

Family: Meaning and definition Features of family Types of families, functions of family Features of modern family Joint family system, merits and demerits of joint family system.

UNIT- III

Marks: 16

Human Collectivities: Society, community, group Meaning, Definitions. Theories of origin of society Characteristics of Society Types of societies – Tribal, Agrarian, Industrial etc. Culture and society Community- Meaning, definition and characteristics Groups- Meaning, definition and classification

UNIT- IV

Marks: 16

Major concepts Association Institution Values and norms Social structure, Social system and Social organization

UNIT- V

Marks: 16

Personality: Definition, meaning of personality, Human personality, Environment and heredity interrelationship. Types of personality. Development of self and personality Typologies and personality in complex societies, psychoanalysis and personalities Marxism and personality, Weberian Theory of personality, Schumpeter's view of personality.

History - I (BALLB0104)

UNIT- I

Marks: 16

Meaning, Nature and Scope: Sources of Indian History. Administrative Institutions during the Ancient Period
Main features of Judicial Administration and Law during the Ancient Period

UNIT- II

Marks: 16

Polity in Ancient India: State formation in Ancient India The Tribal and Polity in Rigveda Tribal Assemblies, Vidatha, Sabha, Samiti. Later vedic developments Kingship, The Royal function, councilleors and officials Oligarchies and Republic Jainism and Buddhism

UNIT- III

Marks: 16

State and Government in Ancient India: The Mauryan Polity The Satavahana Polity The Kaushana Polity The Gupta Polity Peninsular India (AD 550 to 1300)- Administration in the Kingdoms of Rashtrakuta, Chola and Chalukya

UNIT- IV

Marks: 16

Polity during Delhi Saltunate, Vijaynagar Empire and Mughals

UNIT- V

Marks: 16

Social Organisation in Ancient India: Varna System Gotra and Parvara Varna and Jati Untouchables (Panchamas) The family The ashrams (The four stages of life) The system of slavery The status and position of women in ancient India. The status and position of women in Ancient and Medieval Period.

LAW OF CONTRACT (BALLB0105)

UNIT- I

Marks: 16

General Principles of Law of contract, History and nature of contractual obligations. Agreement and contract: definitions, elements and kinds. Proposal and acceptance-their various forms, essential elements, communication and revocation- proposal and invitations for proposal- Consideration - its need, meaning, kinds, essential elements-nudum pactum- privity of contract and of consideration-its exceptions- adequacy of consideration present, past and adequate consideration- unlawful consideration and its effects.

UNIT- II

Marks: 16

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 estoppel- evaluation of the law relating to minor's agreements- other illustrations of incapacity to contract. Free consent-Its need and definition-factors vitiating free consent.Coercion-definition-essential elements- duress and coercion-various illustrations of coercion- doctrine of economic duress-effect of coercion. Undue influence- definition-essential elements- between which parties can it exist? Who is to prove it? Illustrations of undue influence- independent advice- pardahanshin women-unconscionable bargains-effect of undue influence. Misrepresentation- definition- misrepresentation of law and of fact- their effects and illustration. Fraud- definition- essential elements- suggestion falsi-suppressio veri-when does silence amount to fraud? Active concealment of truth- importance of intention. 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?

UNIT- III

Marks: 16

Legality of objects: Void agreements- lawful and unlawful consideration, and objects- void, voidable, illegal and unlawful agreements and their effects. Unlawful considerations and objects:Forbidden by law Defeating the provision of any law Fraudulent Injurious to person or property Immoral Against public policy Void Agreements: Agreements without consideration Agreements in restraint of marriage Agreements in restraint of trade- its exception- sale of goodwill, section 11 restrictions, under the partnership Act, trade combinations, exclusive dealing agreements, restraints on employees under agreements of service.Agreements in restraint of legal proceedings- its exceptions Uncertain agreements Wagering agreement- its exception.. Discharge of a contract and its various modes. 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. By breach- anticipatory breach and present breach. Impossibility of performance- specific grounds of frustration-application to leases theories of frustration- effect of frustration-frustration and restitution.By period of limitation By agreement- rescission and alteration- their effect- remission and waiver of performance- extension of time- accord and satisfaction. Quasi-contracts or certain relations resembling those created by Contract Remedies in contractual relations: Damages-kinds-remoteness of damages- ascertainment of damages Injunction-when granted and when refused- Why? Refund and restitution Specific performance- When? Why? Standard Form of Contracts Nature, advantages

UNIT- IV

Marks: 16

Specific relief: Specific performance of contract Contract that can be specifically enforced Persons against whom specific enforcement can be ordered Rescission and cancellation

UNIT- V

Marks: 16

Injunction Temporary Perpetual Declaratory orders Discretion and powers of court

Text Books

1 . law of contract – Dr. kailash rai

**LAW OF TORT INCLUDING M. V.
ACCIDENT & CONSUMER PROTECTION
LAWS (BALLB0106)**

UNIT- I

Marks: 16

Evolution of Law of Tort: England - forms of action- specific remedies from case to case. India- principles of justice, equity and good conscience- uncodified character- advantages and disadvantages

Definition, Nature, Scope and Objects: 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*. Tort distinguished from crime and breach of contract The concept of unliquidated damages,

Changing scope of law of torts: expanding character of duties owed to people generally due to complexities of modern society. Objects- prescribing standards of human conduct, redressal of wrongs by payment of compensation, proscribing unlawful conduct by injunction.

Principle of Liability in Torts: Fault: Wrongful intent Negligence Liability without fault Statutory liability: Place of motive in torts.

Justification in Tort: *Volenti non fit injuria* Necessity, private and public Plaintiff's default Act of God Inevitable accident Private defense Statutory authority Judicial and quasi-judicial acts. Parental and quasi-parental authority.

UNIT- II

Marks: 16

Extinguishments of liability in certain situations: *Actio personalis moritur cum persona*- exceptions Waiver and acquiescence Release Accord and satisfaction Limitation

Standing: Who may sue- aggrieved individual- class action- social action group Statutes granting standing to certain persons or groups Who may not be sued?

UNIT- III

Marks: 16

Doctrine of sovereign immunity and its relevance in India

Vicarious Liability: Basis, scope and justification, Express authorization, Ratification 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. Principal and agent

Torts against persons and personal relations: Assault, battery, mayhem False imprisonment Defamation- libel, slander including law relating to privileges, Malicious prosecution, Nervous shock,

Wrongs affecting property: Trespass to land, trespass *ab initio*, dispossession, Movable property- trespass to goods, detinue, conversion, Torts against business interests- injurious falsehood, misstatements, passing off.

UNIT- IV

Marks: 16

Negligence: Basic concepts: Theories of negligence, Standards of care, duty to take care, carelessness, inadvertence, Doctrine of contributory negligence, Res ipsa loquitur, Liability due to negligence: different professionals

Nuisance: Definition, essential and types, Acts which constitute nuisance- obstructions of highways, pollution of air, water, noise, and interference with light and air

Absolute/Strict liability: The rule in Rylands v. Fletcher, Liability for harm caused by inherently dangerous industries

Legal remedies: Legal remedies, Award of damages- simple, special, punitive, Remoteness of damage-foreseeability and directness, Injunction, Specific restitution of property, Extra-legal remedies-self-help, re-entry on land, re-capture of goods, distress damage feasant and abatement of nuisance.

UNIT- V

Marks: 16

Consumer movements: historical perspectives: Common law protection: contract and torts, Consumerism in India: food adulteration, drugs and cosmetics, essential, Commodities. Criminal sanction: Sale of noxious and adulterated substances, false weights and measures. Use of unsafe carriers.

Consumer, the concept: General Perspectives, Statutory and government services: to be included or not? Definition and scope: the consumer Protection Act 1986 (CPA) Who is not a consumer?

Unfair Trade Practices: Misleading and false advertising, Unsafe and hazardous products, Disparaging competitors, Business ethics and business self-regulation, Falsification trade marks.

Consumer of goods: Meaning of defect in goods, Standards of purity, quality, quantity and potency, Statutes: food and drugs, engineering and electrical goods, Common law: decision of courts, Price control

Service: Deficiency- meaning, Professional services, Medical Services, How to determine negligence, Violation of statute, Denial of medical service: violation of human rights, Lawyering services: duty-towards-court and duty-to-client, dilemma, break of confidentiality-negligence and misconduct, Public Utilities, Supply of electricity, Telecommunication and postal services, Housing, Banking.

Commercial Services: Hiring, Financing, Agency services

Enforcement of consumer rights: Consumer for a under CPA: jurisdiction; powers and functions, Execution of orders, Judicial review, Remedies.

No fault liability under the motor vehicle Act, 1988.

Text Books

1 law of tort and consumer protection Act. – Dr. R.K. Bagiya

Semester-II

GENERAL ENGLISH - II (BALLB0201)

UNIT- I

Vocabulary
Certain set expressions & phrases
Foreign words & phrases

Marks: 16

UNIT- II

One word substitution, synonyms, Antonyms, Homophones.

Marks: 16

UNIT- III

Indian & phrases, words often confused and misused.
Homographs

Marks: 16

UNIT- IV

Direct & Indirect Speech: Their rules & transformation.
Subject- Verb Agreement & Transformation concord.

Marks: 16

UNIT- V

Correspondence- Letter writing, Notice Writing, Application writing, Report writing & Notes taking.
Classroom speech and Group discussion.

Marks: 16

Text Books

1 Ray and Martin

POLITICAL SCIENCE – II (BALLB0202)

UNIT- I

Marks: 16

Constitution and Constitutionalism: Definition of constitution and constitutionalism, Types of constitutions
Characteristics of federal and unitary constitutions and distinction

UNIT- II

Marks: 16

The Classification of Government – (i) Traditional, (ii) Modern-Federal, Unitary, Parliamentary, Presidential, dictatorship, Theory of separation of Power – Its impact and evolution.

UNIT- III

Marks: 16

Parliamentary sovereignty – meaning and nature, Parliamentary sovereignty in India and Britain

UNIT- IV

Marks: 16

Democracy: Meaning, type and theories, Principles of representation, Role of representation, Universal suffrage, plural voting, basis of representation, single or multiple member, constituency system, functional representation, minority, representation, proportional representation, Public opinion – meaning, formation of public opinion, Agencies for the formation of public opinion- Educational, Institutions, religious and cultural associations, radio, television, local institutions, press, pressure groups, political parties etc.

UNIT- V

Marks: 16

Political parties: National and Regional Parties, Major Issues in India Politics, Caste, religion, language, Region, Poverty, corruption, criminalisation and electoral reforms.

SOCIOLOGY - II (BALLB0203)

UNIT- I

Marks: 16

Social Order: Meaning and Definition of Social Order Social structure, Social functions. Status and Role, Role and Multiplication of Roles, Types of Status Values and Norms, Custom, Folkways, Mores, Mores and Law, Etiquette, Fashion, Fads.

UNIT- II

Marks: 16

Social Process – Meaning and definition: Culture and civilization, Traits, complexes and patterns. Universals, Alternatives and specialities, Subculture – Ethnocentrism, Diffusion, Acculturation, Types of Acculturation, Assimilation, Integration. Types of Social Interaction.

UNIT- III

Marks: 16

Socialisation – Meaning and definition: Process and Pattern, Child Socialisation and Adult Socialisation, Agencies of Socialisation.

UNIT- IV

Marks: 16

Social Deviance and Social Control: Social Deviance – Meaning, Definition, Theory of Deviance, Sanctions
Social Control – Meaning, Definition, Concepts, forms, means, agencies, formal and informal social control.

UNIT- V

Marks: 16

Methods of Sociology: Scientific or Experimental method, historical method, comparative or anthropological method, Inductive and Deductive Method, Ideal Type Method, Statistical Method, Sociometry, Social survey Method, Case Study Method, Questionnaire and Interview Method, Functionalism or Structural Function Method.

HISTORY - II (BALLB0204)

UNIT- I

Marks: 16

Legal System in Ancient India: Legal Literature, Sources of Law, Concept of Dharma, Law making and interpreting Process, Law and custom, Human Law and Divine Law, Role of Smiritikar's- Manu, Vrihaspati, Yagnavalkya, Narada, Katyayana.

UNIT- II

Marks: 16

Administration of Justice in Ancient India: Judicial Institutions, Type of Courts, Courts of the guilds, Role of the village panchayats, Procedure of the trial, witnesses, pleaders, Secret Agents, Concluding Stage of Judicial Proceedings, Punishments the Role of Judges.

UNIT- III

Marks: 16

Medieval Period: Basic features, Main features of Judicial Administration and Law during the Medieval Period. Government under Moughals – Emperors, Ministers, Mansabadari system, Law and Order in society, Administration of Justice, Provincial Administration Revenue system.

UNIT- IV

Marks: 16

Socio-Religious Reforms/Movements in Nineteenth and Twentieth Century: Brahmo Samaj, Arya Samaj, Pradhan Samaj, Theosophical Society, Ramkrishan Mission, Important Social Reforms undertaken during the 19th and 20th century like Abolition of sati, Suppression of Female Infanticide, Widow remarriage, Early marriages, uplifting of depressed classes.

UNIT- V

Marks: 16

National Movement: Growth of Indian National Movement in India during the period of 1885 to 1919. Growth of Indian National Movement in India during the period of 1919 to 1947.

SPECIAL CONTRACT - (BALLB0205)

UNIT- I

Marks: 16

Indemnity: The concept, Need for indemnity to facilitate commercial transactions. Methods of creating indemnity obligations. Definition of Indemnity, Nature and extent of liability of the indemnifier, Commencement of liability of the indemnifier, Situations of various types of indemnity creations. Documents/agreements of indemnity, Nature of indemnity clauses. Indemnity in cases of International transactions, Indemnity by governments during interstate transactions.

Guarantee: The concept. Definition of guarantee: as distinguished from indemnity. Basic essentials for a valid guarantee contract. The place of consideration and the criteria for ascertaining the existence of consideration in guarantee contracts. Position of minor and validity of guarantee when minor is the principal debtor, creditor or surety. Continuing guarantee. Nature of surety's liability, Duration and termination of such liability, Illustrative situations of existence of continuing guarantee. Creation and identification of continuing guarantees. Letters of credit and bank guarantees as instances of guarantee transactions. Rights of surety: Various Judicial interpretations to protect the surety, Extent of surety's liability. Discharge of surety's liability.

UNIT- II

Marks: 16

Bailment: Identification of bailment contracts in day today life. Manner of creation of such contracts, Commercial utility of bailment contracts, Definition of bailment, Kinds of bailors and bailee, Duties of Bailor and Bailee towards each other, Rights of bailor and bailee, Finder of goods as a bailee. Liability towards the true owner. Obligation to keep the goods safe, Right to dispose off the goods.

Pledge: Pledge: comparison with bailment, Commercial utility of pledge transaction, Definition of pledge under the Indian contract Act, Other statutory regulations (State & Centre) regarding pledge, Reasons for the same, Rights of the pawner and pawnee. Pawnee's right of sale as compared to that of an ordinary bailee, Pledge by certain specified persons mentioned in the Indian, Contract Act.

UNIT- III

Marks: 16

Agency: Identification of different kind of agency transactions in day to day, life in the commercial world, Kinds of agents and agencies. Distinction between agent and servant. Essentials of a agency transaction, Various methods of creation of agency, Delegation, Duties and rights of agent, Scope and extent of agents' authority. Liability of the principal for acts of the agent including misconduct and tort of the agent. Liability of the agent towards the principal. Personal liability towards the parties, Methods of termination of agency contract, Liability of the principal and agent before and after such termination.

UNIT- IV**Marks: 16**

Sale of Goods: Concept of sale as a contract Illustrative instances of sale of goods and the nature of such contracts. Essentials of contract of sale, Essential conditions in every contract of sale, Implied terms in contract of sale, The rule of caveat emptor and the exceptions thereto under the, Sale of Goods Act. Changing concept of caveat emptor, Effect and meaning of implied warranties in a sale, Transfer of title and passing of risk, Delivery of goods: various rules regarding delivery of goods. Unpaid seller and his rights, Remedies for breach of contract.

Partnership: Nature of partnership: definition, Distinct advantages and disadvantages vis-a-vis partnership and private limited company, Mutual relationship between partners, Authority of partners, Admission of partners. Outgoing of partners. Registration of Partnership, Dissolution of Partnership.

UNIT- V**Marks: 16**

Negotiable Instruments: The concept, Various kinds, Essential requirements to make an instrument negotiable. Competent parties for making and negotiation, Acceptance of the instrument. Dishonour by non acceptance and remedies available to the holder, Holder and holder in due course: meaning, essential conditions rights and privileges of holder in due course and indorsee from the holder in due course. Negotiation of the instrument. Presentment of the instrument. Cheques: rules regarding payment of cheque, Liability of the collecting banker and paying banker. Dishonour of cheque and its effect. Discharge from liability, Kinds of bills, Evidence, Special rules of evidence regarding negotiable instruments.

Text Books

1 . law of contract – dr kailash rai

CONSTITUTIONAL LAW - I (BALLB0206)

UNIT- I

Marks: 16

Historical Perspective: Constitutional developments since 1858-1947, Gandhi Era- 1919 to 1947: Social, political, economic and, Spiritual influence, Making of Indian constitution, Nature and special features of the constitution.

Secularism: Concept of secularism: historical perspective, Indian constitutional provisions, Freedom of religion- scope, Religion and the State: the limits, Minority rights.

UNIT- II

Marks: 16

Equality and social Justice: Equality before the law and equal protection of laws, Classification for differential treatment: Constitutional validity, Gender Justice, Justice to weaker sections of society: Scheduled castes, scheduled tribes and other backward classes.

UNIT- III

Marks: 16

Freedoms and social control: Speech and Expression, Media, Press and Information, Freedom of speech and contempt of court, Freedom of assembly, Freedom of Association, Freedom of movement, Freedom to reside and settle, Freedom of profession/ business, Property: from fundamental right to constitutional right.

UNIT- IV

Marks: 16

Personal Liberty:

Rights of an accused-double jeopardy- self incrimination retroactive Punishment, Right to life and personal liberty: meaning, scope and limitations, Preventive detention- constitutional policy.

UNIT- V

Marks: 16

Fundamental Rights and Directive Principles: Directive Principles- directions for social charge- A new social order, Fundamental Rights and directive principles- interrelationshipjudicial balancing, Constitutional amendments to strengthen directive principles, Reading directive Principles into fundamental rights.

Fundamental duties: The need and status in constitutional set up, Interrelationship with fundamental rights and directive principles.

Text Books

1 . Indian constitution – Dr. J. N. Pandey

Semester-III

GENERAL ENGLISH - III (BALLB0301)

UNIT- I

Tenses: Structure and rules, Voice : Rules for transformation

Marks: 16

UNIT- II

Analysis of Sentences: Main clause, Co-ordinating Clause, Sub-ordinate Clause

Marks: 16

UNIT- III

Essay Writing, Story Writing.

Marks: 16

UNIT- IV

Re-ordering of Sentences.

Marks: 16

UNIT- V

Classroom speech and Group discussion

Marks: 16

Text Books

1. Ray and Martin

POLITICAL SCIENCE – III (BALLB0302)

UNIT- I

Marks: 16

Approaches to the study of International Politics: Historical Approach, Philosophical Approach, Systems Approach, Morton Kaplan's Six systems approach, Policy Science Approach, Game theory, Bargaining theory, Decision making and Policy Planning approach.

Emergence Of Nation – State System: Modern Nation – State systems explained, Development of Modern Nation – State system, Classification of Modern States, Decline of Modern State system, Basic features of Modern State system, Concept of Sovereignty in International Politics.

UNIT- II

Marks: 16

Nationalism: Meaning of Nationalism, Constituent elements of Nationalism, Nationalism as a blessing, Nationalism as a curse, Instruments and symbols of Nationalism, Types of Nationalism, Features of New Nationalism.

Elements Of National Power: The term 'power' explained, Definition of National Power, Elements of National Power, Geography, Natural Resources, Technology, Military Preparedness, Ideologies, National Morale, Quality of Leadership, Quality of Diplomacy.

UNIT- III

Marks: 16

Foreign Policy: Meaning and Definition of Foreign Policy, Determinants of Foreign Policy, Foreign Policy Objectives, Foreign Policy Orientation.

UNIT- IV

Marks: 16

Diplomacy: Meaning definition of Diplomacy, Nature of Diplomacy, Role of Diplomacy, Styles of Diplomacy Shopkeeper Vs. Warrior Diplomacy, Secret Vs. Open Diplomacy, Democratic Approach to Diplomacy, Totalitarian Diplomacy, Diplomacy by Conference, Personal Diplomacy, Propaganda and Diplomacy, Old and New Diplomacy, Objectives of Diplomacy, Techniques of Diplomacy, Decline of Diplomacy, Future of Diplomacy, Conditions for the success of Diplomacy, Limitations of Diplomacy.

UNIT- V

Marks: 16

Role of Ideology: Meaning and definition of Ideology, Ideology and Interest, Importance of Ideology in International Relations, Some Important Ideologies and their role.

The Balance of Power: Meaning of the Balance of Power, Definition of the Balance of Power Theory of Balance of Power explained, Basic assumptions of the Theory of Balance of Power The Concept of Balance, Forms of the Balance of Power Methods of ways of maintaining the Balance of Power, Purpose and Utility of the Balance of Power Criticism of the Theory of Balance of Power, Has the Balance of Power concept become obsolete Is the Balance of Power concept relevant to-day?

SOCIOLOGY - III (BALLB0303)

UNIT- I

Marks: 16

Social Change – Meaning and Nature of Social Change: Meaning and Definition of Social Change, Nature and Characteristics of Social Change, Social Change and Culture Change, Causes of Social Change, Sources of Social Change Resistance to Social Change, The role of Values in Social Change, The role of Great Men in Social Change.

Social Evolution: Social Progress, Theories and Factors of Social Change, Theories of Social Change Evolutionary Theories, Cyclical Theories, Functionalist of Dynamic Theories, Conflict Theories, Factors of Social Change: Geographic Factors, Biological Factors Cultural Factors, Technological Factors, Social Legislation and Social Change, Education and Social Change.

Collective Behaviour: Definition and Characteristics of Collective Behaviour, Meaning and Definition of Social Change, Nature and Characteristics of Social Change, Collective Behaviour and Social Movements, Difficulties Involved in the study of Collective Behaviour, A Theory of Collective Behaviour, Some forms of Mass Behaviour, The concept of Mass and Mass Behaviour, Some Basic forms of Mass Behaviour, Rumours, Panics, Mass Hysteria, Fashions and Fads, Crowd and Crowd Behaviour, Meaning of Crowd, Characteristics of Crowd, Types of Crowd, Theories of Crowd Behaviour, The ‘Contagion Theory’, The ‘Emergent Norms’ Theory, Mobs and Riots as Forms of Crowd Behaviour, Audience as a Crowd with a difference, Publics and Public Opinion, Propaganda and its Techniques, Limitations of Propagand.

UNIT- II

Marks: 16

Social Movements: The concept of Social Movement, Definition and Characteristics, The Formation of Social Movements, Condition of a Successful Social Movement, Types of Social Movement, Theories of Social Movement, The Relative Deprivation Theory, The Strain Theory and the Revitalisation Theory, Social Movements, Social Problems and Social Change.

Social Disorganisation: The concept of Social Disorganisation: Pocial Organisation Vs Disorganisation Definition and Characteristics of Social Disorganisation, Causes of Social Organisation and Remedial Measures

The Problem of Order: , The concept of Social Order, Orderliness in Human Behaviour, Definition and Nature of Social Order, Three Approaches to Social Order, The Problem of Social Order, The Unity of Society

UNIT- III

Marks: 16

Science and Technology: Meaning of Science and Technology, Definition of Science, Nature and Characteristics of Science, Meaning of Technology, Difference between Science and Technology, Institutionalisation of Science, Science as a Modern Institution, Effects of Institutionalisation of Science, The Norms of Science

Social Process of Innovation, Influence of Social Factors on Scientific Innovation: Influence of Four factors as suggested by Kingsley Davis, Technology and Society, Technological Determinism, The Social Control of Science and Technology, Difficulties of Involved in Establishing Systematic Control Over, Science and Technology, Conditions for the success of Science and Technology in the, Service of Society, Science and Technology should be made the Servants of Society?

UNIT- IV**Marks: 16**

Social Mobility: Meaning and definition of Social Mobility Individual and Group Mobility, Types of Social Mobility: Vertical Social Mobility and Horizontal Social Mobility Forms of Vertical Social Mobility Upward and Downward Mobility Intergenerational Mobility and Intra Generational Mobility, Structural Mobility Causes of Vertical Mobility Social Mobility and Social Stratification: Interrelationship Open and Closed Societies and Social Mobility Channels or factors that promote Social Mobility: Structural Aids and Individual Factors of Mobility Determinants of Social Mobility: Positive Consequences or Gains of Mobility and Negative Consequence or costs of Mobility, Education and Social Mobility.

UNIT- V**Marks: 16**

Race and Ethnic Relations: Meaning and definition of Race, Race is not a Biological Concept, Rejection of the Conventional three folds classification of Races, Concept of Pure Race ia a Myth, Meaning and definition of ethnic groups, Racial and Ethnic Groups: Main differences, Minority Groups: Meaning and definition of Minority, Characteristics of Minority Groups, Racism and its Nature, Ethnocentric attitudes at the root of Racism?, Causes of Racism, Ideology of Racism, Patterns of Race and Ethnic Relations, Minorities as a Problem: Main problems of the Minorities, Problems of Religious Minorities in India, Welfare of Minorities, National Commission for Minorities, National Minorities Development and Finance, Corporation.

HISTORY-III (BALLB0304)

UNIT- I

Marks: 16

Constitutional Development From 1772-1853: The Regulating Act, Provision of the Regulating Act, Criticism of the Regulating Act, Judicature Act of 1781, Dundas's Bill, Fox India Bill, Provision of Pitt's India Act, Act of 1786, Declaratory Act of 1788, Charter Act of 1793, Charter Act of 1813, Harter Act of 1833, Charter Act of 1853

UNIT- II

Marks: 16

Constitutional Development from 1858 -1919: Government of India Act,1858, Queen's Proclamation of 1858, Indian Councils Act,1861, Indian Councils Act, 1892, Minto – Morley Reforms, 1909, Circumstances leading to Montagu – Chelmsford Reforms, 1909, August Declaration, Proposals for Reforms, Memorandum of the, 1916, Congress - League Scheme, Gokhale's Political Testament, Recommendation of 1918, Government of India Act, 1919, Preamble of the Act of 1919, Main provisions of the Act, Working of Dyarchy.

UNIT- III

Marks: 16

Constitutional Development From 1919-1935: Muddiman Committee Report, Appointment of Simon Commission, The Nehru Report, Jinnah's Fourteen Points, Simon Commission Report, Round Table Conference, Communal Award, Poona Pact, Third Round Table Conference, The White Paper, Government of India Act, 1935.

UNIT- IV

Marks: 16

Constitutional Development From 1937 -1950: Cripps Proposals, Cabinet Mission Scheme, Constituent Assembly, The Indian Independence Act, Partition of India, The New Constitution of India, Criticism of the Constitution.

UNIT- V

Marks: 16

Growth Of Central And Provincial Legislatures: Growth of Central Legislature, Charter Act of 1833, Charter Act of 1853, Act of 1861, Act of 1892, Act of 1909, Act of 1919, Act of 1935, Constitution of 1950, Growth of Provincial Legislatures, Charter Act of 1853, Act of 1861, Act of 1892, Act of 1909, Act of 1919, Act of 1935, Constitution of 1950.

CONSTITUTIONAL LAW - II (BALLB0305)

UNIT- I

Marks: 16

Parliamentary Government- West Minister model- choice of parliamentary government at the centre and States, President of India, Election, qualifications, salary and impeachment, Powers: Legislative, executive and discretionary powers, Council of Ministers, Governor and State Government- constitutional relationship, Legislative process, Practice of law- making, Legislative privileges and fundamental rights, Prime Minister- Cabinet system- collective responsibility individual, Responsibility, Coalition government: Anti-defection Law.

UNIT- II

Marks: 16

Federalism: Federalism- principles: comparative study, Indian federation: identification of federal features Legislative relations, Administrative relations, Financial relations, Governor's role, Centre's powers over the states- emergency, Jammu and Kashmir- special status, Challenges to Indian federation.

UNIT- III

Marks: 16

Judiciary under the constitution: Judicial process, Court System, The Supreme Court, High Courts, Subordinate judiciary, Judges: appointment, removal, transfer and conditions of service: Judicial independence Judicial services: nature and people.

Services under the constitution: Doctrine of pleasure (Art. 310), Protection against arbitrary dismissal, removal, or reduction in rank (Art.311), Exception to Art. 311.

UNIT- IV

Marks: 16

Emergency: Emergency- meaning and scope, Proclamation of emergency- conditions- effect of emergency on centre- state relations, Emergency and suspension of fundamental rights.

UNIT- V

Marks: 16

Constitutional processes of adaptation and alternation: Methods of constitutional amendment, Limitations upon constituent power, Development of basic structure: Doctrine of judicial activism and restraint.

Text Books

1 Indian constitution – Dr. J. N. Pandey

**PUBLIC INTERNATIONAL LAW –
(BALLB0306)**

UNIT- I

Marks: 16

Definition and nature of International Law, Origin and Development of International Law including its codification, Sources of International Law, Subjects of International Law, Relationship between International Law and Municipal Law.

UNIT- II

Marks: 16

State recognition and state succession, International River and canals. International Law of the sea, air, space and aerial navigation, outer space Exploration and use of outer space, Nationality, Statelessness, State jurisdiction. Basis of jurisdiction, jurisdictional immunity, Extradition and Asylum, Diplomatic and consular relations.

UNIT- III

Marks: 16

Law of treaties: Formation, Application, termination of treaties, State responsibility.

UNIT- IV

Marks: 16

Settlement of International Disputes: Peaceful procedures for, settlement of international disputes, Diplomatic, Adjudicative and Institutional. Compulsive procedures for settlement of international, Disputes: Retorsion, Reprisals, Armed Intervention with the role of United Nations.

UNIT- V

Marks: 16

War and use of force in International Law: Concept of War and legality of war and Use of force, Legal effects of the outbreak of war, Law of contraband & Blockade Enemy character.

Text Books

1 Dr. S. K. KAPOOR

Semester-IV

Political Science-IV (BALLB0401)

UNIT- I

Marks: 16

The Political Ideas of Ram Mohan Roy: Theory of Personal & Political Freedom, Freedom of Press, The Judicial System of India, Settlement in India by Europeans, Humanism and Universal Religion, Economic Ideas: Liberalism, The Revenue system of India and the Indian Peasants, Law of Female Inheritance, The Political Ideas of Keshav Chandra Sen, The Political Philosophy of Dayananda Saraswati, Enlightened Monarchy, Theory & Practice of Democracy, Village Administration, Supremacy of Divine Law

UNIT- II

Marks: 16

The Political Ideas of Annie Besant: Liberty, Aristocratic Socialism, Critique of Representative Democracy, The Political Ideas of Rabindranath Tagore, Theory of Rights, Theory of Freedom, The Political Thought of Vivekananda, Vedantic Nationalism, The Political Philosophy of Swami Ramatirtha, Theory of Dynamic Spiritual Nationalism, Theory of Freedom and Individualism, Theory of Divine Law.

UNIT- III

Marks: 16

The Political Ideas of Dadabhai Naroroji: The Political Thought of Mahadeva Govinda Ranade, Rational Liberalism, The Political Ideas of Pherozeshah Mehta, Liberal Nationalism, The Political Ideas of Surrendra Nath Banerjee, The Political Thought of Gopal Krishna Gokhale.

UNIT- IV

Marks: 16

13. The Political Thought of Bal Gangadhar Tilak: Bipin Chandra Pal, Pal's Theory of Nationalism, Pal's Political Philosophy, The Political Ideas of Lala Lajpat Rai, Extremist Nationalism.

UNIT- V

Marks: 16

The Political Philosophy of Gandhi: The Political Ideas of Motilal Nehru, The Political Ideas of Jawaharlal Nehru, Nationalism, Democracy, Internationalisms.

Human Rights Law and Practice (BALLB0402)

UNIT- I

Marks: 16

EVOLUTION OF THE CONCEPT OF HUMAN RIGHTS: Historical Perspective, Natural Law and Human Rights, Natural Law in Recent Times, Opposition to the Idea of Natural Rights, Theory of Social Contract, Liberal thinkers and Human Rights, Landmarks in the path of Liberty, The Magna Carta (1205), The Petition of Rights (1628), Habeas Corpus Act (1679), The Bill of Rights (1689), The Act of Settlement, American Revolution, French Revolution, International concern with Human Rights, International concern over Human Rights Prior to the League of Nations, Human Rights and League of Nations, United Nations and Internationalisation of Human Rights, Importance of Human Rights, Nature of Human Rights, Right to Economic Self Determination, Economic, Social and Cultural Rights, Right to Political Self Determination, Right to Life

UNIT- II

Marks: 16

Human Rights – Classification: Civil and Political Rights, Economic, Social and Cultural Rights, Negative Rights.

Positive Rights: First Generation of Human Rights, Second Generation of Human Rights, Third Generation of Human Rights.

UNIT- III

Marks: 16

Traditional Law and Modern Law Concerning Human Rights: Traditional Law, Problems of International Personality under Traditional International Law, The Individual: The subject of International Law, Juristic Writings, State Practice, Other Entities as Subject of International Law, Individual as the Bearer of International Rights and Duties, Individual before International Tribunal,

Modern Law: International Protection of Human Rights, Provisions in the U.N. Charter, Legal Nature of the obligations of the Charter in the Matters of Human Rights, International Bill of Human Rights, Universal declaration of Human Rights, Content of the Universal Declaration of Human Rights, Importance and Legal Character of the Declaration, Declaration as a part of Customary International Law, Covenants on Human Rights, The International Covenant of Economic, Social and Cultural Rights, International Covenant on Civil and Political Rights, Optional Protocol to the International Covenant on Civil and Political Rights No-1, Optional Protocol to the International Covenant on Civil and Political Rights No-2, International Convention on the Elimination of All Forms of Racial Discrimination

UNIT- IV

Marks: 16

Human Rights And Vulnerable Groups: Right of Women, Rights of Women: Legal Development at International Level, Charter Provisions, International Instruments Specifically devoted to matters concerning the status of women, Convention on the Political Rights of Women, Convention on the Nationality to Married Women, Convention on the consent to Marriage Minimum Age for Marriage and Registration of Marriages, Equal Remuneration Convention, Convention Against Discrimination in Education, International Women's Year: 1975, World Conferences, Fourth World Conference on Women, 1995, Indian Position, Major Enactments Relating to the Rights of Women, Dowry Prohibition Act, 1961, Immoral Traffic (Prevention) Act, 1956, Indecent Representation of Women (Prohibition) Act, 1986, The Commission of Sati (Prevention) Act, 1987; Child Marriage Restraint Acts, The Medical Termination of Pregnancy Act, 1971, The National Commission for Women Act, 1971, The National Commission for Women Act, 1990, The Protection of Women from Domestic Violence Act, 2005, Machinery at National level, Judicial System and Human Rights.

UNIT- V

Marks: 16

The Right of the Child: Legal Development of the Rights of the Child at International Level, Declaration on the Rights of Child, The International Convention on the Rights of the Child, Optional protocol to the convention on the Rights of the Child, Impact of Armed conflict on children, Child Labour, In brief, Position in India, Policy, Measures, Priority in programme formulation, Constitution of National Children Board.

Law relating to Working Child: The Children (Pledging of Labour) Act, 1933, The employment of Children Act, 1938, Factories Act, 1948, Mines Act, 1952, Merchant Shipping Act, 1968, Motor Transport Workers Act, 1961, Bonded Labour System (Abolition) Act, 1976, National Commission for Scheduled Castes and Scheduled Tribes, Composition, Functions of the Commission, Procedure and Power, The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989

Environmental law (BALLB0403)

UNIT- I

Marks: 16

Concept of environment and Pollution: Environment Meaning and contents Pollution, Meaning Kinds of pollution Effects of pollution

UNIT- II

Marks: 16

Legal control: historical perspectives: Indian tradition: dharma of environment, British Raj - industrial development and exploitation of nature, Nuisance: penal code and procedural codes, Free India - continuance of British influence, Old laws and new interpretations.

UNIT- III

Marks: 16

Constitutional Perspectives: Constitution making - development and property oriented, Approach, Directive principles, Status, role and interrelationship with fundamental rights and fundamental duties, Fundamental Duty Contents, Judicial approach Fundamental Rights Rights to clean and healthy environment, Right to education Right to information, Environment V. Development.

UNIT- IV

Marks: 16

Enforcing agencies and remedies: Courts, Tribunal Constitutional, Statutory and judicial remedies.

UNIT- V

Marks: 16

Emerging principles

Text Books

J.J.R. UPADHAYA

COMPANY LAW (BALLB0404)

UNIT- I

Marks: 16

Meaning of Corporation: Theories of corporate personality, Creation and extinction of corporations.

Forms of Corporate and Non-Corporate Organisations: Corporations, partnerships and other associations of persons, State corporations government companies, small scale, cooperative, corporate and joint sector.

Law relating to companies- public and private- Companies Act, 1956: Need of company for development formation of a company, registration and incorporation, Memorandum of association- various clauses- alteration thereindocctrine of ultra vires, Articles of association- binding force- alteration- its relation with memorandum of association- doctrine of constructive notice and indoor management- exceptions, Prospectus- issue- contents- liability for misstatementsstatement in lieu of prospectus.

UNIT- II

Marks: 16

Promoters- position-duties and liabilities: Share- general principles of allotment, statutory, restrictions- share certificate its objects and effectstransfer, of shares- restrictions on transfer-procedure, for transfer- refusal of transfer- role of public finance, institutions-relationship between transferor and transfereeissue, of shares at premium and discount- depository, receipts- dematerialized shares (DEMAT), Shareholder- who can be and who cannot be shareholdermodes, of becoming a shareholder- calls on sharesforfeiture, and surrender of shares- lien on shares, Share capital- kinds- alteration and reduction of share, capital- further issue of capital- conversion of loans and, debentures into capital- duties of courts to protect the interests of creditors and share holders.

UNIT- III

Marks: 16

Directors: position- appointment- qualifications- vacation of officeremoval-resignation- powers and duties of directors- meeting, registers, loans - remuneration of directors- role of nominee, directors- compensation for loss of office- managing directors, compensation for loss of office-managing directors and other managerial personnel, Meetings- kinds- procedure- voting, Dividends- payment- capitalisation- profit, Audit and accounts, Borrowing powers-powers-effect of unauthorized borrowingcharges, and mortgages- loans to other companies- investmentscontracts, by companies, Debentures- meaning-fixed and floating charge- kinds of, debentures- shareholder and debenture holder- remedies of debenture holders.

UNIT- IV

Marks: 16

Protection of minority rihts: Protection of oppression and mismanagement- who can apply?, powers of the company, court and of the central government, Investigation- powers, Private companies- nature and advantages- government, companies-holding and subsidiary companies, Regulation and amalgamation.

UNIT- V

Marks: 16

Winding up-types- by court: reasons- grounds- who can apply procedure-powers of liquidator- powers of court- consequences of winding up order-voluntary winding up by members and creditors- winding up subject to supervision of courts- liability of past members- payment of liabilities-preferential payment, unclaimed dividends- winding up of unregistered company.

Law and Multinational Companies: International norms for control, National law FEMA (foreign Exchange Management Act 1999), controls joint- ventures- investment in India- repatriation of project, Collaboration agreements for technology transfer.

Corporate Liability: Legal Liability of companies- civil and criminal, Remedies against them civil, criminal and tortious- Specific Relief, Act, writs, liability under special statutes.

Text Books

1 Dr. N. V. PARNJPAY

Family law-I (Muslim Law) (BALLB0405)

UNIT- I

Marks: 16

CONCEPTION, ORIGIN AND DEVELOPMENT OF MUSLIM LAW: Muslim Conception of Law, Who is a Muslim?, Origin of Muslim Law, Traditions - Sunnah' and 'Ahadis', 'Shariat' - Meaning of Religious injunctions, Figh, Difference between Shariat and Figh.

SOURCES OF MUSLIM LAW: Primary sources, The Quran, Quran as a source of law, Legislative Functions of the Quran, The Sunnat and Ahadis (Traditions), Kinds of Traditions, The Ijma (consensus of opinion), Importance of Ijma, Essential Ingredients of a valid Ijma, Repeal of Ijma, Kinds of Ijma, (a) Ijma of the Companions of the Prophet, (b) Ijma of Jurists, (c) Ijma of the People, The Qiyas (Analogical deductions), Legal Authority of Qiyas as a Source of Islamic Law, Qiyas in the Light of Holy Quran, Qiyas in the Light of Hadith, Conditions for the validity of Qiyas, Secondary Sources, Urf or Custom, Judicial decisions, Legislation Justice, equity and good conscience, Istihsan - Its Meaning, Sources of law according to Shias.

SCHOOLS OF MUSLIM LAW: The Sunni Sub-Schools, Hanafi school, Maliki school, Shafii school, Hanbali school, The Shia Sub-Schools, Motazilas, Points of difference between the Sunni and Shia Schools.

UNIT- II

Marks: 16

MARRIAGE (NIKAH): Definition of marriage (Nikah), Objects of marriage, Nature of Muslim Marriage, Essentials or formal requirements of marriage, Proposal and acceptance, Competent parties, No legal disability, Duration of Iddat, Valid Retirement, Prohibitive incapacity, Kinds of marriages according to validity, Consequences of a void, irregular and valid marriage, Distinction between void, irregular and valid marriages, Enforcement of lawful conditions of marriage, Presumption of marriage, Remedies available to husband and wife, Restitution of conjugal rights, Payment of dower money, Muta Marriage - Meaning and nature, Polygamy in Islam, Registration, Difference between Shia and Sunni Law of marriage.

DOWER (MAHR): Origin, Definition, Nature of Dower, Importance of dower, Legislature's right to make a legislation in respect of reasonable dower, The object of Dower, Increase or decrease of Dower, Classification of dower, Specified Dower (Mahr-i-Musamma), Prompt Dower, Deferred Dower, Customary (Proper) Dower (Mahri-i-Misl), Wife's rights and remedies on non-payment of Dower, Difference between Sunni and Shia Laws relating to Dower, Effect of Apostacy on Dower, Suits for dower and Limitation, Kharche-i-pandan,

DIVORCE (TALAQ): Introduction, Difference between Talaq and Divorce, Classification of Divorce, Talaq (Repudiation) – Meaning, Different modes of Talaq, Talaq-ul-Sunnat, Talaq-ul-Biddat, Triple Divorce: An overview, Ila, Talaq-ul-tafweez, Khula (Redemption), Mubarat (Mutual Release), Lian (False charge of adultery), Judicial Divorce (Dissolution of Muslim Marriage Act, 1939), Effect of apostasy on Marriage, Legal consequence of Divorce, Distinction between Sunni and Shia Law of Talaq.

UNIT- III

Marks: 16

PARENTAGE, LEGITIMACY AND ACKNOWLEDGEMENT: Parentage - Maternity and paternity, Maternity, how established, Paternity, how established, Legitimacy, Special rules regarding presumption of legitimacy, Legitimacy when concusively presumed, Legitimacy presumed from presumptive marriage, Legitimacy and legitimation, Acknowledgment, Necessity of acknowledgment of legitimacy, Basic principles of the doctrine, Conditions of a valid acknowledgment, Rule of legitimation by acknowledgment, Effects of acknowledgment.

GUARDIANSHIP (HIZANAT): Definition of guardian, Meaning of Guradianship, Appointment of Guradian Kinds of guardianship, Guardianship in marriage (Jabar), Guardian of the person of the minor for custody (Hizanat), Guardianship of Minor's Property, Legal Guardian, Guardian appointed by the court, De facto Guardian, Removal of guardian, Cessation of the authority of guardianship, Comparison of Sunni and Shia Laws relating to Guardianship.

MAINTENANCE (NAFAQA): Introduction, Kharcha-i-pandan, Definition of maintenance, Liability of maintenance, Principle of maintenance, Persons entitled to maintenance, Duration of maintenance, Scale of maintenance, Arrears of maintenance, Effect of Apostasy on maintenance, Distribution of the liability, Difference between Sunni and Shia Laws regarding maintenance, Definition of Gift, Requisites of gift, Parties to a gift, Subject of a gift, Formalities and modes of Gift, Acceptance of gift, Delivery of possession, Different subjects delivery how effected, movable property, Void Gifts, Oral gifts, writing and Registration, Doctrine of Mushaa, Kindsof Mushaa, Revocation of gift, Kinds of gift, Distinction between 'Hiba-bil-Iwaz' and 'Hiba-bil Shartul-Iwaz', Sadagah, Ariyul.

UNIT- IV

Marks: 16

WILL (WASIYAT): Nature, object and meaning of will, Origin of the law of will, No formality required, Requisites of a valid will, Testator and his competence, Legatee and his competence, Subject of will and its validity, Testamentary power and its limits, Limitation as regards the person, Limitation as regards the property Doctrine of Consent, Revocation of will, Difference between Shia and Sunni Law.

WAQF (TRUST): Introduction, Definition, Essential of Waqf, Doctrine of Cy pres, Legal incidents of waqf, Doctrine of Mushaa, Waqf how created, Kinds of Waqf, Private Waqf or family endowments (Waqf-alal-aulad), Salient features of the Waqf Act of 1913, Alteration in beneficiaries, Contingent Waqf, Public and quasi-public Waqfs, Revocation of Waqf, Mutawalli, Who can be appointed as Mutawalli ?, Who can appoint a Mutawalli ?, Powers and duties of Mutawalli, Removal of Mutawali, Management of Waqf property.

UNIT- V

Marks: 16

DEATH-BED TRANSACTIONS (MARZ-UL-MAUT): What is death-illness-Literal Meaning?, Test of death-illness, Essentials of death-bed gift, Death-bed acknowledgment of debt, Death-bed waqf, Dower contracted during death-illness, Marriage contracted on death-bed, Comparison of Shia and Sunni Law, Repudiation of marriage by the sick.

SUCCESSION AND ADMINISTRATION: Introductory, Application of the property of a deceased Mohammedan, Representatives of a deceased Muslim, Legal position of heirs as representatives, Devolution of inheritance, Distribution of estatate, Alienation, Dealing with creditors and debgtors of the deceased, Executors and Administrators under the general Law, Executor, Administrator, Difference between 'Executor' and 'Administrator', Power and duties of Executors and Administrators.

Text Books

1. Muslim Law- Dr. Akil Ahamad

International Humanitarian and Refugee Law (BALLB0406)

UNIT- I

Marks: 16

INTERNATIONAL HUMANITARIAN LAW: Application of International Humanitarian Law, Historical development of International Humanitarian Law, Character of International Humanitarian Law, **Sources of International Humanitarian Law:** First Geneva Convention, Second Geneva Convention, Third Geneva Convention, Fourth Geneva Convention, Protocol – I, Protocol – II, Definition of International Humanitarian Law, Distinction between Human Rights and International, Humanitarian Laws. **Armed conflicts:** The concept of armed conflict, International and non international armed conflicts, combatant and protected person, Fundamental rules of humanitarian law applicable in armed conflicts.

UNIT- II

Marks: 16

The Protection of the defenceless in war – The True “Law of Geneva” or “Red Cross Law”: First Geneva Convention, Second Geneva Convention, Third Geneva Convention, Fourth Geneva Convention, Protocol – I, The general obligation of human treatment, Wounded, sick and shipwrecked persons, Prisoners of war, Civilians, Aliens on the territory of a party to the conflict, Persons living in occupied territories, Treatment of interns, Aid to civilian population; special measures, Protection of the civilian population and civilian objects, Protection of women in International Humanitarian Law, Protection of captured child combatants.

UNIT- III

Marks: 16

Limitations on warfare (Hague law): Limits on the choice of methods of means of warfare, Prohibited methods of combat, Prohibited weapons, Nuclear weapons. **Breaches of International Humanitarian law:** Criminal proceedings before national courts, International Responsibility of States, Reprisals.

UNIT- IV

Marks: 16

Refugee and law: Definition, General principles for determining Refugee Status, Exclusion clause, Cessation clause, Development and codification of Refugee law, Role of UNHCR in Refugee Protection.

UNIT- V

Marks: 16

Rights of Refugees: Right to seek Asylum, Right to Remain in peace in their own homes / own lands / own countries, Right to protection against Refoulement, Right to physical safety, Exemption from penalties for Illegal entry, Right to challenge the lawfulness of Detention, Right to Identity Papers and Travel Documents Right to compensation, Right to freedom of movement, Right to Freedom of opinion and expression, Right to Freedom of Religion and free access to courts, Right to Fair Hearing and Procedure, Right to Equality and Non-discrimination, Right to Life and Personal Security, Right to Family life, Right to Education, Right to work

Semester-V

HINDI LANGUAGE AND GRAMMER – I (BALLB0501)

Unit – I

Marks: 16

भाषा : भाषा की परिभाषा: भाषा के विवरूप, भाषा की महत्ता एवं उपयोगिता हिन्दी भाषा, हिन्दी भाषा की उत्पत्ति/उद्भव, हिन्दी भाषा का संक्षिप्त परिचय, हिन्दी की विशेषताएँ, हिन्दी की साम्प्रतिक स्थिति।

Unit – II

Marks: 16

वर्ण विचार : ध्वनि, लिपि, वर्णमाला, स्वर, देवनागरी – वर्णमाला तालिका, व्यञ्जन, अक्षरों के उच्चारण, मात्रा विचार।
सन्धि : परिभाषा, संयोग और सन्धि में अंतर, भेद स्वर सन्धि, व्यञ्जन सन्धि, विसर्ग सन्धि।

Unit – III

Marks: 16

वर्तनी और वाक्य दोष : उपयोगिता और महत्ता, वर्ण और मात्रा संबंधी दोष ;उदाहरण सहित, विसर्ग संबंधी दोष ;उदाहरण सहित, हलन्त संबंधी दोष ;उदाहरण सहित, उपसर्ग संबंधी दोष ;उदाहरण सहित, प्रत्यय संबंधी दोष ;उदाहरण सहित, अनुस्वार संबंधी दोष;उदाहरण सहित, चन्द्रबिन्दु संबंधी दोष ;उदाहरण सहित, स्वर और मात्रा संबंधी दोष;उदाहरण सहित, भाब्द निर्माण संबंधी दोष;उदाहरण सहित, विभक्ति संबंधी दोष ;उदाहरण सहित, सज्ञा संबंधी दोष;उदाहरण सहित, सर्वनाम संबंधी दोष ;उदाहरण सहित, विशेषण तथा क्रिया विशेषण संबंधी दोष ;उदाहरण सहित, क्रिया संबंधी दोष;उदाहरण सहित, क्रिया के वचन संबंधी दोष ;उदाहरण सहित, क्रिया के लिंग संबंधी दोष;उदाहरण सहित, अव्यय संबंधी दोष;उदाहरण सहित, सन्धि संबंधी दोष ;उदाहरण सहित, व्यञ्जन संबंधी दोष;उदाहरण सहित, समास संबंधी दोष;उदाहरण सहित, लिंग संबंधी दोष ;उदाहरण सहित, वचन संबंधी दोष;उदाहरण सहित, पुनरुक्ति संबंधी दोष;उदाहरण सहित, वाक्य भ्रुद्धीकरण –शब्द के अज्ञान से अशुद्धियाँ,

Unit – IV

Marks: 16

विराम चिन्ह : अर्थ और परिभाषा, आवश्यकता और उपयोगिता, विराम चिन्हों के भेद, शब्द सौष्ठव, परिभाषा और भेद, सार्थक निरर्थक शब्द, विकारी और अविकारी शब्द,रुद्ध, यौगिक एवं योगरुद्ध, हिन्दी का शब्द भण्डार, तत्सम, तद्भव, देशज, विदेशी, संकर और नव निर्मित शब्द।

Unit – V

Marks: 16

उपसर्ग और प्रत्यय : परिभाषा एवं भेद।

समास : परिभाषा और भेद, अव्ययी भाव, तत्पुरुष, कर्मधारय, द्विगु, द्वन्द्व, बहुव्रीहि, सन्धि और समास में अन्तर।

POLITICAL SCIENCE-V (BALLB0502)

Unit – I

Marks: 16

COMPARATIVE GOVERNMENT: Comparative Politics and Comparative Government, Case of Development and Developing Countries, Comparative Method in Comparative Politics,
GOVERNMENT OF U.K.: Basic Features, Monarchy – King and Crown, Title and Succession, Formal Powers of the Crown, Bagehot's Classic, Survival of Monarchy, Westminster Model – Cabinet Government, Prime Ministerial Government, Prime Minister, Cabinet, Permanent Executive, Parliament – House of Lords, House of Commons, Speaker, The Opposition.

Unit – II

Marks: 16

GOVERNMENT OF THE U.S.A.: Basic Features, President – Term, Succession and Impeachment, Election, Functions and Powers, Compared with British King and Prime Minister, Vice President, Cabinet, Permanent Executive, Congress – Senate Composition, Filibustering, Senatorial Courtesy, Functions and Powers, Critical Appreciations ; House of Representatives – Composition, Qualification and Term, Speaker, Committee System, Legislative Process, Supreme Court – Organisation, Jurisdiction and Judicial Review, Critical Appreciation.

Unit – III

Marks: 16

GOVERNMENT OF SWITZERLAND: Salient Features of the Constitution, Process of Constitutional Amendment, Direct Democracy – Initiative and Referendum Federal System, State Structure - Federal Council – Organisation, President, Functions and Powers, Criticism, Federal Tribunal – Composition, Jurisdiction,

Unit – IV

Marks: 16

GOVERNMENT OF FRANCE: Salient Features, State Structure – President and Government, Parliament – National Assembly and Senate, Commissions and Legislative Process, Judicial and Advisory Organs, Other Constitutional Agencies Constitutional Council, Economic and Social Council.

Unit – V

Marks: 16

GOVERNMENT OF GERMANY: Salient Features, Basic Rights of the Citizens, Federalism, State – Structure – President, Chancellor and his Ministers, Federal Legislature – Bundestag and Bundesrat, Legislative Process and Committee system. Federal Judiciary

FAMILY LAW – II (HINDU LAW) (BALLB0503)

Unit – I

Marks: 16

Application Of Hindu Law: Who is Hindu?, Persons to Whom Hindu Law applies, Persons to Whom Hindu Law does not apply, Extent of the application of Hindu Law,

Sources & Schools of Hindu Law: Sources, Ancient Sources, Modern Sources, Schools, Mitakshra' Banaras School, Mithila School, Dravida or Madras School, Bombay or Maharashtra School, Punjab School, Dayabag, Difference between Mitakshara & Dayabag, Doctrine of Factum Valet.

Unit – II

Marks: 16

Marriage Under the Hindu Marriage Act, 1955: Nature, Conditions for a valid Hindu Marriage, Sapinda, Guardianship, Ceremonies, Proof of Marriage, Restitution of Conjugal Rights, Judicial Separation, Divorce, Nullity of Marriage, Void & Voidable Marriages, Family Courts Act, 1984 – All Sections.

Unit – III

Marks: 16

Maintenance Under the Hindu Adoption & Maintenance Act, 1956: Persons entitled to be maintained Nature & extent of the right to maintenance – Personal Liability, Limited Liability, Amount of Maintenance.

Adoption under the Hindu Adoptions & Maintenance Act, 1956: Essentials of a valid adoption, Who can adopt? – Capacity of a male & female Hindu to adopt, Who can give the child in adoption?, Who could be adopted?, The ceremonies for adoption?, Effect of adoption.

Guardianship under the Hindu Minority & Guardianship Act, 1956: Meaning of Minor & guardian, Kinds of guardians, Who is a Natural guardian?, Disabilities to act as a Natural guardian, Powers of a Natural guardian, Limitation on powers of Natural guardian, Testamentary Guardian, Who is a Testamentary Guardian?, Powers of a Testamentary Guardian.

Unit – IV

Marks: 16

Succession Under the Hindu Succession Act, 1956: Object & Main features of the Act, Order of Succession, Succession to property of a male, Succession to property of a female, Hindu Woman's Right to property (Sec.14), 6 Disqualifications for Heirs, Testamentary Succession.

Unit – V

Marks: 16

Joint Family: Mitakshara Joint Family, Mitakshara Coparcenary – formation & incidents, Property under Mitakshara Law – Separate Property and Coparcenary Property Dayabhaga Coparcenary – formation & incidents, Property under Dayabhaga Law, Karta of Joint Family – his position, powers, privileges, & obligations. Alienation of Property – Separate and Coparcenary, Debts, Doctrines of pious obligations, Antecedent debt, Partition, Re-union.

Text Books :- Hindu law - Dr. U P D Kesri

LAW OF CRIMES- I

(Indian Penal Code) (BALLB0504)

Unit – I

Marks: 16

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

ELEMENTS OF CRIMINAL LIABILITY: Author of crime- natural and legal person, Mensrea-evil intention, Importance of mens rea, Recent trends to fix liability without mens rea in certain socioeconomic offences, 5 Act in furtherance of guilty intent, Omission, Injury to another.

GROUP LIABILITY: Stringent provision in case of combination of persons attempting to disturb peace, Common intention, Abetment:, Instigation, aiding and conspiracy, Mere act of abetment punishable, Unlawful assembly, Basis of liability, Criminal conspiracy, Rioting as a specific offence.

Unit – II

Marks:16

STAGES OF A CRIME: Guilty intention- mere intention not punishable, Preparation, preparation not punishable, Exception in respect of certain offences of grave nature or of peculiar kind such as possession of counterfeit coins, false weights and measures, Attempt: Attempt when punishable- specific provisions of IPC, Tests for determining what constitutes attempt- proximity, equivocality and social danger, Impossible attempt,

FACTORS NEGATING GUILTY INTENTION: Mental incapacity, Minority, Insanity – impairment of cognitive faculties, emotional imbalance, Medical and legal insanity, Intoxication – involuntary, Private Defence – justification and limits, When private defence extends to causing of death to protect body and property, Necessity, Mistake of fact. **TYPES OF PUNISHMENT:** Death, Social relevance of capital punishment, Alternatives to capital punishment, Imprisonment-for life, with hard labour, simple imprisonment, Forfeiture of property, Fine, Discretion in awarding punishment, Minimum punishment in respect of certain offences.

Unit – III

Marks: 16

SPECIFIC OFFENCES AGAINST HUMAN BODY: Causing death of human beings, Culpable homicide, Murder, Distinction between culpable homicide and murder, Specific mental element: requirement in respect of murder, Situation justifying treating murder as culpable homicide not amounting to murder, Grave and sudden provocation, Exceeding right to private defense, Public servant exceeding legitimate use of force, Death in sudden fight, Death caused by consent of the deceased- euthanasia and surgical operation, Death caused of person other than the person intended, Miscarriage with or without consent, Rash and negligent act causing death, Hurt- grievous and simple, Assault and criminal force, Wrongful restraint and wrongful confinement- kidnapping from lawful guardianship and from outside India, Abduction

Unit – IV

Marks: 16

OFFENCES AGAINST WOMEN: Insulting the modesty of women, Assault or criminal force with intent to outrage the modesty of woman, Causing miscarriage without woman's consent: Causing death by causing miscarriage without woman's consent Kidnapping or abducting woman to compel her to marry or force her to illicit intercourse, Buying a minor for purposes of prostitution, Rape, Custodial rape, Marital rape, Cruelty by husband or his relatives.

Unit – V

Marks: 16

OFFENCES AGAINST PROPERTY: Theft, Cheating, Extortion, Robbery and dacoity, Mischief, Criminal misrepresentation and criminal breach of trust.

JURISPRUDENCE (BALLB0505)

Unit – I

Marks: 16

INTRODUCTION: Meaning of the term ‘Jurisprudence’ Nature and definition of Law.

SCHOOLS OF JURISPRUDENCE: Analytical Positivism, Natural law, Historical School, Sociological School
The Ancient: the concept of ‘Dharma’. The Modern: PIL, social justice, compensatory jurisprudence.

PURPOSE OF LAW: Justice, Meaning and kinds, Justice and law: approaches of different schools, Power of the Supreme Court of India to do complete justice in a case: Article 142

SOURCES OF LAW: Legislation, Precedents: concept of stare decisis, Custom, Juristic Writing.

Unit – II

Marks: 16

LEGAL RIGHTS: THE CONCEPT, Rights: kinds, Right duty correlation, **PERSONS,** Nature of Personality, Status of the unborn, minor, lunatic, drunken and dead persons, Corporate personality, Dimensions of the modern legal personality: Legal personality of nonhuman, beings

PERSONS: Nature of Personality, Status of the unborn, lunatic, drunken and persons Corporate personality, Dimensions of the modern legal personality: Legal personality of non-human beings.

Unit – III

Marks: 16

POSSESSION: THE CONCEPT Kinds possession,

OWNERSHIP: THE CONCEPT Kinds of Ownership, Difference between possession and ownership.

TITLE: 10. PROPERTY: THE CONCEPT, Kinds of property.

Unit – IV

Marks: 16

LIABILITY: Conditions for imposing liability, Wrongful act, Damnum sine injuria, Causation, Mens rea Intention, Malice ,Negligence and recklessness, Strict liability, Vicarious liability.

Unit – V

Marks: 16

OBLIGATION: NATURE AND KINDS, Sources of Obligation,

PROCEDURE: Substantive and procedural laws: difference Evidence: Nature and kinds

Text Books

1. JURISPRUDENCE Dr. NV Paranjpe

MEDIA AND LAW (BALLB0506)

Unit – I

Marks: 16

MASS MEDIA: Types, Constitutional Status of the Media,

Press – Freedom of Speech and Expression – Article 19 (1) (a), Right to circulate, Right to criticise, Right to receive information, Right to expression beyond national boundaries, Right to the press to conduct interviews, Reporting of Court Proceedings, Reporting of Legislative Proceedings, Right to advertise, Right of rebuttal, Compelled Speech, Right to broadcast, Right to entertain and to be entertained, Internet,

CONSTITUTIONAL RESTRICTIONS ON THE FREEDOM OF AND EXPRESSION: Sovereignty and integrity of India, Security of the State and Public order, Friendly relations with foreign states, Incitement to an offence, Censorship of films, Testing the reasonableness of restrictions: the doctrine of direct impact, Case Law.

Unit – II

Marks: 16

MORALITY, OBSCENITY AND CENSORSHIP: Decency and morality: exceptions to Article 19(1) (a) , The meaning of decency and morality, Indecency and Obscenity, Obscenity and Vulgarity, Obscenity, Sex and nudity, Obscenity and pornography, Strict liability, Test of Obscenity, Hicklin’s Test, The Likely Audience Test, Literary merit and preponderating social purpose, The aversion defence, Contemporary/national standards, Judging the work as a whole, Opinion of literacy /artistic experts, Test of ordinary man.

Unit – III

Marks: 16

CONTEMPT OF COURT: Contempt: a reasonable restriction on free speech, Criminal Contempt, The rationale of Criminal Contempt, The right to genuine criticism, The test of erosion of public confidence, Standard of proof in contempt matters, Case Law.

DEFAMATION: Kinds, Essentials, Defences, Remedies, Online defamation, Publication, Place of Publication and Jurisdiction, Who is liable ?

Unit – IV

Marks: 16

THE RIGHT TO PRIVACY AND THE RIGHT TO INFORMATION: Privacy defined, Privacy and Right to Free Speech, Modern Media and Privacy, International Treaties and Privacy, The Law of Privacy in India, Statutory and Judicial recognition of right to information, Protection of sources of information.

COPY RIGHT: The meaning of Copyright, Copyright versus the freedom of expression, Infringement of Copyright, Remedies for infringement of copyright.

Unit – V

Marks: 16

BREACH OF LEGISLATIVE PRIVILEGE AND FREEDOM OF SPEECH AND EXPRESSION: Case Law.

BROADCASTING: The meaning of broadcasting, Judicial recognition of the right to broadcast, Evolution of broadcasting laws in India.

TAXATION: Constitutional Provisions, Direct impact of taxes on circulation of newspapers 10.1.2 Power to tax on sale and purchase of newspapers and advertisements, Tax on the provider of entertainment.

Semester-VI

HINDI LANGUAGE AND GRAMMER – (BALLB0601)

UNIT- I

Marks: 16

विकारी : अविकारी भाव

विकारी संज्ञा-परिभाषा और प्रकार, सर्वनाम-परिभाषा और प्रकार, अविकारी शब्द (Indeclinables), अव्यय (Indeclinable), परिभाषा, भेद ; 1. क्रिया -विशेषण 2. सम्बन्धबोधक 3. समुच्चयबोधक 4., विस्मयादिबोधक, क्रिया - विशेषण (Adverb), भेद, 'प्रयोग' के अनुसार, 'रूप' के अनुसार, सम्बन्धबोधक (Preposition), परिभाषा, भेद 'व्यत्पत्ति' के अनुसार, 'प्रयोग' के अनुसार, समुच्चयबोधक (Conjunction), परिभाषा, भेद, विस्मयादिबोधक (Interjection & Exclamatory), परिभाषा, भेद।

शब्द - शक्ति : शब्द - शक्ति के भेद, अशिधा, लक्षणा और व्यंजना में भेद।

UNIT- II

Marks: 16

वाक्य रचना : वाक्य में आकांक्षा, योग्यता और क्रम : पदबन्ध : संज्ञा पदबन्ध, विशेषण पदबन्ध क्रियाविशेषण पदबन्ध।

वाक्य और उपवाक्य : संज्ञा उपवाक्य, विशेषण उपवाक्य, क्रियाविशेषण उपवाक्य।

वाक्य - भेद : रचना की दृष्टि से वर्गीकरण, सरल मिश्र और संयुक्त वाक्य अर्थ की दृष्टि से वर्गीकरण, विधिवाचक, निशेधवाचक, आज्ञावाचक, प्रश्नवाचक, विस्मयावाचक, सन्देशवाचक, इच्छावाचक और संकेतवाचक।

वाक्य कारूपान्तर : सरल वाक्य से मिश्रवाक्य, सरल वाक्य से संयुक्त वाक्य, मिश्र वाक्य से सरल वाक्य, कर्तृवाचक वाक्य से कर्मवाचक वाक्य,

विधिवाचक वाक्य से निशेधवाचक वाक्य। सामान्य वाक्य : अज्ञान एवं उनके संशोधन : वाक्य रचना के कुछ सामान्य नियम

UNIT- III

Marks: 16

पर्यायवाची शब्द (Synonyms), परिभाषा, महत्त्वपूर्ण पर्यायवाची भाव, पर्याय भावों के सूक्ष्मान्तर, विपरीतार्थक शब्द (Antonyms), प्रचलित विपरीतार्थक भाव, स्वतन्त्र विपरीतार्थक भाव, उपसर्गों द्वारा निर्मित विपरीतार्थक भाव, 'अ' अथवा 'अन्' के द्वारा निर्मित विपरीतार्थक भाव, लिंग, परिवर्तन द्वारा विपरीतार्थक भाव, लिंग भेद द्वारा भिन्नार्थक भाव, विशेषणवाची भाव परिवर्तन द्वारा अर्थ भेद, अनेक भावों के लिए एक भाव (One Word Substitution), अनेकार्थक भाव (Polysemantic)

UNIT- IV

Marks: 16

मुहावरे : मुहावरे का भाविक अर्थ, मुहावरे की परिभाषाएँ, उद्देश्य, निर्माण की पृष्ठभूमि, प्रयोग के नियम, महत्त्वपूर्ण मुहावरे, भारी से संबंधित, मुहावरे, अन्तर्कथाओं से सम्बन्धित मुहावरे, जोड़े के मुहावरों में अर्थ - भेद

UNIT- V

Marks: 16

संक्षेपण एवम् पल्लवन

POLITICAL SCIENCE-VI (BALLB0602)

UNIT- I

Marks: 16

Public Policy: Introduction, Significance, Meaning, Policy and Administration, Forces in the Policy –making, Process. Policy Formulation in India - Legislature, Executive, Planning Commission, National Development Council. Policy Implementation – Meaning, Elements, Implementers, Conditions for Successful Implementation

UNIT- II

Marks: 16

BASIC CONCEPTS OF PUBLIC ADMINISTRATION: Origin – Indian Administration, Meaning-Administration; Public Administration,. Nature ; Scope. PUBLIC AND PRIVATE ADMINISTRATION Public Administration and Private Administration under, Liberalisation, Woodrow Wilson’s Vision of Administration IMPORTANCE OF PUBLIC ADMINISTRATION IN THE MODERN STATE - Information Technology and Public Administration; Concept of E Governance, Indian Experience with E-Governance; Impact of IT on Public, Administration; Public Administration under New Economic, Policy, 1990, Future of Discipline of Public Administration.

UNIT- III

Marks: 16

PRINCIPLES OF ORGANISATION: Hierarchy – Features, Merits, Criticism; Span of Control; Unity of Command; Integration versus Disintegration; Centralization and, Decentralization; Meaning, Advantages of Decentralization, Demerits, Advantages of Centralization, Demerits of Centralization. THEORIES OF ORGANIZATION The Administrative Theory – Henry Fayol, Gulick and Urwick; Evaluation; The Scientific Management Theory – Characteristics, Principles, Criticism; The Bureaucratic Theory - Theory of Authority, Characteristics, Criticism; The Human Relations Theory; Relative Importance of these Theories, The System Theory. STRUCTURE OF ORGANIZATION: PUBLIC UNDERTAKINGS Significance; Types or kinds; Growth of Public Undertakings in India; Reasons for Government Participation in Economic Activities; Organization of Public Undertakings – Departmental Concerns , Government Companies, Government of Public Corporations ; Which one is the Best Enterprise ? Problems of Public Corporation – Accountability to Parliament, Extent and Nature of Ministerial Control, Parliamentary Committee on Public Undertakings – Functions, Tenure, Jurisdiction, Limitations.

UNIT- IV

Marks: 16

STRUCTURE OF ORGANIZATION: BOARDS AND COMMISSIONS. The Finance Commission; The Union Public Service Commission; The Election Commission; The Backward Classes Commission; The Official Language Commission, The Sc/ST Commissions. STRUCTURE OF ORGANIZATION: INDEPENDENT REGULATORY COMMISSION.

UNIT- V

Marks: 16

STRUCTURE OF ORGANIZATION: CHIEF EXECUTIVE: Types of Chief Executive; Functions of the Chief Executive ; Line and Staff – Line Agency, Auxiliary Agency, Staff Agency, Staff Agency in India. **MANAGEMENT** Meaning; Nature; Tasks or Functions; Participative Management; Planning - Planning Commission **ACCOUNTABILITY AND CONTROL OVER ADMINISTRATION** The concept of Accountability; Need for Control – 1 Legislative Control, 2. Executive Control, 3. Judicial Control.

Law of Crimes – II (BALLB0603)

UNIT- I

Marks: 16

Introductory: The rationale of criminal procedure: the importance of fair trial Constitutional perspectives: Articles 14, 20 and 21. Constitution of Criminal Courts and Offices. Power of Courts. Power of Superior Officers of Police. Pre – Trial Process: Arrest The distinction between cognizable and non- cognizable offences. Steps to ensure accused’s presence at trial: warrant and summons. Arrest with and without warrant (Section 70-73 and 41) The absconder status (Section 82, 83, 84 and 85) Right of the arrested person. Right to know grounds of arrest. (Section 50 (1), 55 and 75) Right to be taken to magistrate without delay. (Section 56, 57) Right of not being detained for more than twenty four hours (Section 57) Article 22 (2) of the Constitution of India. Right to consult legal practitioner, legal aid and the right to be told of rights to bail. Right to be examined by a medical practitioner. (Section 54) Pre – trial Process: Search and Seizure Search Warrant (Section 83,94,97 and 98) and searches without warrant (Section 103). Police search during investigation (Section 165, 166, 153) General Principles of search. (Section 100) Seizure (Section 102) Pre – trial Process: FIR FIR (Section 154) Evidentiary value of FIR (See Sections 145 and 157 of Evidence Act) Pre – trial Process: Magisterial Powers to take Cognizance.

UNIT- II

Marks: 16

Trial Process: Commencement of Proceedings: (Section 200, 201, 202) Dismissal of Complaints (Section 203, 204) Bail: concept purpose: constitutional overtones. Bailable and Non-bailable offences (Section 436, 437, 439) Cancellation of Bail.(Section 437(5)) Anticipatory bail (Section 438) Appellate bail powers (Section 389 (1), 395 (1), 437 (5)) General Principles concerning bond (Section 441 – 450) Fair Trial Conceptions of fair trial. Presumption of innocence. Venue of trial. Right of the accused to know the accusation (Section 221 – 224) The right must generally be held in the accused presence (Section 221 – 224) Right of Cross – examination and offering evidence in defence: the accused’s statement.Right to speedy trial. Charge Framing of charge.Form and content of charge. (Section 201, 202, 207) Separate charges for distinct offence. (Section 218, 219, 220, 221, 223) Discharge, precharge evidence. Preliminary pleas to bar the trial Jurisdiction (Section 26, 177 – 188, 461, 462, 479) Time Limitations: rationale and scope (Section 468 – 473) Pleas of autrefois acquit and autrefois convict (Section 300, 22D) Compounding of offences. Trial before a Court of Sessions: Procedural steps and substantive rights.

UNIT- III

Marks: 16

Judgment: Form and content (Section 354) Summary trial Plea Bargaining. Post – conviction orders in lieu of punishment: emerging penal policy (Section 360, 361,) Compensation and cost.(Section 357, 358) Modes of providing judgement (Section 353, 362, 363) Appeal, Review, Revision No appeal in certain cases (Section 372, 375, 376) Supreme court of India (Sections 374,379)(Articles 31,132,134,136) High Court (Section 374) Sessions Court (Section374) Special right to appeal (Section 380) Governmental appeal against sentencing (Section 377, 378) Judicial power in disposal of appeals (Section 368) Revisional Jurisdiction (Sections 397 – 405) Transfer of cases(Section 406, 407)

UNIT- IV**Marks: 16**

Juvenile delinquency: Nature and magnitude of the problem. Causes Juvenile court system. Treatment and rehabilitation of juveniles. Juveniles and adult crime. Legislative and judicial protection of juvenile offender. Juvenile Justice (Care and Protection of Children) Act, 2000

UNIT- V**Marks: 16**

Probation: Probation of offender's law. The judicial attitude. Mechanism of probation: Standards of probation services. Problems and prospects of probation. The suspended sentence. The Probation of offenders Act, 1958.

Text Books

1 Law of Crime- Rantan lal Deeraj Lal

Interpretation of Statutes and Principles of Legislation (BALLB0604)

UNIT- I

Marks: 16

Interpretation of Statutes: Meaning of the term ‘Statutes’, classification of statutes, The duties of a Judge and legislation, Purpose of Interpretation of statutes. Utility of rules of interpretation. Commencement, Repeal of statutes. Aids to Interpretation Internal aids, Title, Preamble, Heading and marginal notes, Punctuation marks, Illustrations, exceptions, provisions and saving clauses. Schedules, Non-obstinate clause, External aids, Dictionaries, Translations, Travaux Preparatoires, Stare decisis, Statutes in para material, Parliamentary History, Foreign Judgments.

UNIT- II

Marks: 16

Rules of Statutory Interpretation: Primary Rules, Literal rule, Golden rule, Mischief rule (Rule in the Heydon’s case), Rule of harmonious construction, Secondary Rules, Noscitur a sociis, Ejusdem generis, Reddendo singula singulis,

UNIT- III

Marks: 16

Presumptions in Statutory Interpretation: Statutes are valid, Statutes are territorial in operation Presumption as to jurisdiction, Presumption against violation of International Law Prospective operation of statutes, Maxims of Statutory Interpretation Contemporane expositio est fortissime in lege, Expressio unius est exclusio alterius Generalia specialibus non derogant Utres magis valet quam perat,

UNIT- IV

Marks: 16

Interpretation with reference to the subject matter and purpose: Restrictive and beneficial construction Taxing Statutes Penal Statutes Interpretation of directory and mandatory provisions. Principles of Constitutional Interpretation Harmonious construction - Doctrine of pith and substance Colorable legislation Doctrine of eclipse Doctrine of Severability, Doctrine of repugnancy

UNIT- V

Marks: 16

Principles of Legislation Law- making—the legislature, executive and the judiciary, Principle of utility Distinction between morals and legislation.

Text Books

1. Dr. N. V. PARNAJPAY

Land Law (Including tenure and tenancy system) (BALLB0605)

UNIT- I

Marks: 16

Constitutional Provisions: Fundamental Rights, Agricultural reform, Property as legal right, Legislative powers, The Union, States, Local bodies, Madhya Pradesh Land Revenue Code, 1959 - Preliminary, Short title, Extent, Commencement, Definitions, Board of Revenue, Constitution of Board of Revenue, Jurisdiction of Board,

UNIT- II

Marks: 16

Revenue Officers, their Classes and Powers: Revenue Officers, Their appointment and powers. Procedure of Revenue Officers and Revenue Courts - Place for holding enquires, Power to enter upon and survey land, Power to transfer cases, Power to transfer cases to and from subordinates, Conferral of status of courts on board and revenue officers, Inherent power of revenue courts, Powers of revenue officers to require attendance to persons Production of documents and to receive evidence, Hearing in absence of party, Manner of executing order to deliver possession of immovable property. Appeal, Revision and Review - Appeal and appellate authorities, No appeal against certain orders, Limitation of appeals, Power of appellate authority, Revision, Review of order, Stay of execution of orders, Land and Land Revenue - State ownership in all lands, Liability of land to payment of land revenue, Variation of land revenue according to purpose for which land is Used.

UNIT- III

Marks: 16

Revenue Survey and Settlement in Non- urban Areas: Appointment of authorities their powers, Revenue Survey- Definition of Revenue Survey, Formation of survey numbers and villages. Settlement of rent - Definition of Settlement, All lands liable to assessment, Principles of assessment, Term of Settlement. Assessment and Re- Assessment of land in Urban areas - Provisions of Chapter to apply to land in Urban areas, Term of settlement. Land Records - Formation of patwaris circles and appointment of patwaris thereto, Formation of revenue inspectors circles, Appointment of revenue inspectors etc, Field map, Record of rights, Acquisition of rights to be reported, Mutation of acquisition of right in the field book and other land records, Bhoo Adhikar Avam Rin Pustika, Presumption as to entries in land records. Boundaries and Boundary Marks, Survey Marks - Construction of boundary marks of village and survey, Ejectment of persons wrongfully in possession, Rights of way and other private easements, Removal of obstruction, Acquisition of land for road, paths etc, Realisation of Land Revenue - Land Revenue first charge on land, Responsibility for payment of land revenue, Remission or suspension of land revenue on failure of crops, Notice of demand, Process for recovery of arrear, Moneys recoverable as an arrear of land revenue.

UNIT- IV**Marks: 16**

Tenure – Holders: Bhumiswami, Land revenue payable by Bhumiswamis, Diversion of land, Relinquishments, Abandonment of holding, Rights to trees in holding, Restriction on transfer of trees. Government Lessees and Service Land - Government lessees, Rights and liabilities of a government lessees, Service land. Occupancy Tenants - Resumption by Bhumiswami in certain cases, Conferral of Bhumiswami rights on occupancy tenants. Restoration of occupancy tenant, Termination of tenancy, Surrender, Reinstatement of wrongfully ejected occupancy tenant, Consolidation of Holdings - Definitions, Initiation of consolidation proceedings, Rejection of application, Admission of application, Preparation of scheme for consolidation of holdings, Confirmation of scheme. Village Officers - Patels, Kotwars, Gram Sabha. Rights in abadi and unoccupied land and its produce - Preparation of Nistar Patrak, Matters to be provided for in Nistar Patrak, Provision in Nistar Patrak for certain matters, Collectors to set apart land for exercise of Nistar Rights, Wajib-ul –arz, Penalty for unauthorisedly taking possession of land, Reinstatement of Bhoomi-Swami improperly dispossessed.

UNIT- V**Marks: 16**

M.P. Accommodation Control Act, 1961: Preliminary, Short title, Extent and commencement, Definitions, Act not to apply to certain accommodations. Provisions Regarding Rent - Provisions of the chapter not to apply to certain accommodations, for specified period, Rent in excess of standard rent not recoverable, Unlawful charges not to be claimed or received, Standard rent, Lawful increase of standard rent in certain cases and recovery of other charges, Notice of increase of rent, Rent controlling authority to fix standard rent etc. Control of eviction of Tenents - Restriction on eviction of tenants, When tenant can get benefit of protection against eviction, Restriction on sub-letting, Recovery of possession for occupation and re-entry, Recovery of possession for repairs and re-building and re-entry. Eviction of tenants on grounds of “Bonafide “requirement - Special provision for eviction of tenant on ground of bonafide requirement, Rent controlling authority to issue summons in relation to every application under section 23-A, Tenant not entitled to contest except under certain circumstances, Procedure to be followed by rent controlling authority or grant of leave to tenant to contest. Revision by High Court, Definition of landlord for the purpose of chapter III-A. Deposit of Rent - Receipt to be given for rent paid, Deposit of rent by tenant, Time limit for making deposit and consequences of incorrect particulars in application for deposit, Appointment of Rent Controlling Authorities, Their Powers - Functions and Appeals, Appointment of rent controlling authority, Power of rent controlling authority, Procedure to be followed by rent controlling authority Appeal to District Judge or additional District Judge, Second appeal, Provisions Regarding Special Obligations of Landlords and Penalties, Landlord’s duty to keep accommodation in good repair, Cutting off or withholding essential supply service, Control of letting, Allotment of accommodation.

LABOUR AND INDUSTRIAL LAW-I

(BALLB0606)

UNIT- I

Marks: 16

Trade Unions Act, 1926 Main features and the following:- History of Trade Unionism in India, Development of Trade Union Law in India, Right to Trade Union as a part of fundamental right to freedom of association under the Indian Constitution.

UNIT- II

Marks: 16

Definition of Trade Union and Trade Dispute: Distinction between Trade Dispute and Individual Dispute, Registration of Trade Unions, Rights and Liabilities of Registered Trade Unions, Recognition of Trade Unions, Collective Bargaining and Trade Disputes.

UNIT- III

Marks: 16

The Industrial Disputes Act, 1947 – Main features and the following:- Definitions of Employer, Industry, Lay off, Lock out, Retrenchment, Strike, Unfair Labour Practice and workman, Authorities, Procedure, Powers & duties of Authorities, Reference of Disputes to Boards, Courts, Tribunals, Strike and Lock out, Lay off and Retrenchment, Unfair Labour Practices, Penalties,

UNIT- IV

Marks: 16

The Minimum Wages Act, 1948 – Main features and the following:- Concept of wages – Minimum wages, fair wages, living wages, Definitions – Employer, Wages, Employee, Wage Structure, Fixation of Minimum Rates of wages, Working hours and Determination of wages & claims etc.

UNIT- V

Marks: 16

The Factories Act, 1948 - Main features and the following:- Definitions – Manufacturing Process, Worker, Factory and Occupation, Provisions relating to Health, Provisions relating to Safety, Provisions relating to Hazardous Processes, Provisions relating to welfare, Penalties.

Text books

1. Dr. I. J. SING

Semester-VII

हिन्दी भाषा और व्याकरण & III (BALLB0701)

UNIT- I

Marks: 16

आशय लेखन ;अर्थ लेखन, परिभाषा, आवयक तत्व, उदाहरण, अनुच्छेद लेखन, परिभाषा और स्वरूप, अनुच्छेद की प्रमुख विशेषताएँ, उदाहरण, सारांश लेखन ;Abridgement), परिभाषा और उद्देश्य, आवश्यक तत्व, संक्षेपण ;सार लेखनद्ध और सारांश लेखन में अंतर उदाहरण

UNIT- II

Marks: 16

अपठित (गद्य) (Unseen Prose): अर्थ और परिभाषा, अपठित करने के नियम, उदाहरण, अनुच्छेद लेखन (Paragraph Writing), परिभाषा, उपयोगिता और महत्ता, अनुच्छेद लेखन के नियम, उदाहरण, प्रारूपण ;आलेखनद्ध और टिप्पण (Drafting and Noting), परिभाषा, भेद : प्रारंभिक प्रारूपण, उन्नत प्रारूपण, प्रारंभिक प्रारूपण (Elementary Drafting), व्यक्तिगत पत्र (Personal Letters), आवेदन पत्र (Applications), व्यावसायिक पत्र (Business Letters), सम्पादक के नाम पत्र (Letters to Editor), निमंत्रण पत्र (Invitations)

UNIT- III

Marks: 16

उन्नत प्रारूपण (Advance Drafting): भासकीय पत्र (Official Letters), अर्द्धभासकीय पत्र (Demi Official Letters), कार्यालयीय ज्ञापन (Official Memorandum), ज्ञापन (Memorandum), परिपत्र (Circulars), अनुस्मारक / ध्यानरूपण (Reminder).

UNIT- IV

Marks: 16

अनौपचारिक निर्देश / टिप्पणी (Unofficial Reference)/Note):, कार्यालयीय आदेश (Office Order), पृष्ठांकन (Endorsement), संकल्प (Resolution), अधिसूचना (Notification), प्रेस टिप्पणी ;नोटद्ध और प्रेस विज्ञापित (Press note and Press communiqué), सूचना (Notice), मितव्यय पत्र (Savrigram Letter), द्रुतगामी पत्र (Express Letter).

UNIT- V

Marks: 16

टिप्पण (Noting): परिभाषा, टिप्पण की लेखन विधि, टिप्पणी, टिप्पण और टिप्पणी में अंतर,

LABOUR AND INDUSTRIAL LAW-II (BALLB0702)

UNIT- I

Marks: 16

The Payment of Bonus Act, 1965: Historical development of concept of bonus, Meaning of bonus, Scheme of Act, Constitutional Validity of the Act, All Sections of the Act.

UNIT- II

Marks: 16

The Payment of the Gratuity Act, 1972: Historical Background of the Act, Necessity of Payment of Gratuity Act, Salient features of the Act, All Sections of the Act,

UNIT- III

Marks: 16

The Employees' Compensation Act, 1923: Historical background of the Act, Object of the Act, All sections of the Act,

UNIT- IV

Marks: 16

The Employees' State Insurance Act, 1948:

Object of the Act. Constitutional Validity of the Act, All Sections of the Act,

UNIT- V

Marks: 16

Employees' Provident funds and Miscellaneous Provisions Act, 1952: Object of the Act, All Sections of the Act.

Text Books

1. DR. B.N MANI TRIPATHI

PROPERTY LAW (BALLB0703)

UNIT- I

Marks:16

Jurisprudential Controls of Property

- 1.1 Concept and Meaning of Property.
- 1.2 Kinds of Property.
- 1.3 Possession and ownership as man – property relationship

UNIT- II

Marks: 16

Transfer of Property Act, 1882

General principles of transfer of property. Specific transfers. Sale Mortgages Charges Leases Exchange Gift Actionable claims

UNIT- III

Marks: 16

Easements

Nature, Characteristics and extinction Creation of easements. Licences

UNIT- IV

Marks: 16

Registration Act, 1908

Registrable Documents related to immovable property. Documents of which registration is optional. Documents of which registration is compulsory. Exemption of leases and mortgages in favour of land development bank from registration. Place for registering documents relating to land.

UNIT- V

Marks: 16

Indian Stamp Act, 1899

Of the liability of instruments to duty. Duties by whom payable. Effect of not duly stamping instruments.

Text Books

- 1. DR. G P TRIPATHI

**LOCAL SELF GOVERNMENT
INCLUDING PANCHAYAT
ADMINISTRATIONS - (BALLB0704)**

UNIT- I

Marks: 16

Meaning, Scope and Significance of Urban Local Government. Urbanization: Indian Scenario. Evolution of Urban Local Government in India. National Commission on Urbanization. The Constitution (74th Amendment) Act, 1992 and Urban Government.

UNIT- II

Marks: 16

Municipal Councils. Nagar Panchayat, Municipal Council, Composition of the Municipal Council, Municipal Corporations, Mayor

UNIT- III

Marks: 16

Urban Local Government Personnel Administration. Urban Local Government Finances, State Control over Urban Local Governments, Special Purpose Urban Authorities,

UNIT- IV

Marks: 16

Urban (Town) Planning: Ministry of Urban Development.

UNIT- V

Marks: 16

People's Participation in Urban Local Government: Panchayat Administration.

INSURANCE LAW (BALLB0705)

UNIT- I

Marks: 16

General Principles: Definition and function, Proposal and acceptance, Competence of parties, Free consent, Legality of object, Limitation of time, Indemnity, Duty of disclosure, *uberimma fides* (utmost good faith). Materiality of facts, Alteration in disclosed facts before acceptance, Facts not known to assured, Instances of material facts, Filling of form by agent, Where contents of proposal are basis of contract, Facts which insurer knows or deemed to know, Inconsistent statements, Form completed with blanks, Proof of materiality, Burden of proof, Expert evidence on materiality, Section 45, Insurance Act, Insurable interest, Terms and conditions of policy. Interpretation, Ambiguous clauses (*contra proferentum* rule), Employers' liability policy, Employees Insurance Scheme, Grammatical meaning, Waiver, Subrogation, Roman Law origin, Proportional right, Full payment of insured, Effect of under insurance on right of subrogation, Valued policies, Burden of proving loss. Double insurance, Writ jurisdiction, Against Cancellation, Life Insurance, Nature and definition of life insurance contract, Insurable interest, Husband and wife, Parent, child and relatives, Debtor and creditor, Employer and employee, Insurance without interest, premium and refundable, Duty to disclose (S.45, Insurance Act, 1938), Questionnaire filled by agent, Repudiation on account of misrepresentation, Limitation, Refund of premium, No refund where policy vitiated (S.45 Insurance Act), Computation of two years (Revival), Lapse of policy for non-payment, Surrender value, Salary savings scheme, Date of policy, Back dating, Premature illness Life, Presumption of death, Application of Hindu succession Act, General agent, Interest on delayed payments (S.106), Fidelity insurance guarantee, LIC terms and conditions on business, principles (S. 2(II), Insurance Act) Assignment, Development Officer, charge of forging, insurance policies (S.104, Insurance Act), Personal Accident Insurance, Doctrine of proximate cause, Death due to cold wave, Janta Accident Policy issued under error, Non-production of driving licence, Double accident benefit, Death because of threats, Accident benefit, Factional death, Injury to fellow passenger, Personal Accident Insurance, not property or interest in property, Election Insurance Scheme, Medical Insurance, Renewal of policy, Wrongful refusal to renew, Interpretation, Writ jurisdiction, Exclusion clause, Renewal at enhanced premium, Renewal with mutual assent, Liability Insurance, General Insurance scheme.

UNIT- II

Marks: 16

Fire Insurance: Chief characteristic: contract of indemnity, Insurable interest, Description of subject matter and duty of disclosure, Material not covered by policy, Materiality of fact not disclosed, Warranties, Perils insured against and proximate cause, Excepted perils, Loss of timber in fire, Procedure and burden of proof, Requirement of notice of loss, Rejection of claim on surveyor's report, Appointment of second surveyor, Cancellation of contract, Civil commotion, Reinstatement fire policy, Poultry farm, Burglary insurance, Duty to disclose material facts, Risks covered under burglary policy, Interpretation of policy, Interpretation of "reasonable care" provisions, Householder's Comprehensive Insurance, Damage by tree roots, Occupier, Storm Jewellery Insurance, Duty of disclosure, Loss of jewellery, Assignment, Burden of proof, Subrogation, Premium, Short Charged Premium, Withheld payment, claim of interest, Full and Final Settlement, Quantum of Compensation, Payment by way of indemnity compensation, Destruction of factory in terrorfire, Insurance of factory, Claim of interest, Damage caused by floods, Postal Insurance, Slight difference between declared and actual or market value, Condition in aircraft policy, Interrelationship between sections 149 and 180

UNIT- III

Marks: 16

Marine Insurance: Definition of marine insurance (S.3), Indemnity, Receipt of premium, Warehouse to warehouse insurance, Insurable Interest, When interest should exist (S.8), Defeasible or contingent interest (S.9), Partial interest (S.10), Reinsurance (S.11), Bottomry and respondentia (S.12), Master's and seamen's wages (S.13), Advance freight (S.14), Interest in profits Charges of insurance (S.15), Quantum of interest (S.16), Assignment of interest (S.17), Insurable value (S.18), Disclosures and representations, Insurance is uberrima fides (S.19), Representations pending negotiations (S.22), Duty of continuing nature, The Policy, Contract must be embodied in a policy (S.24), Contents of the policy (S.25), Voyage and time policies (S.27), Designation of subject matter (S.28), Valued policy (S.29), Unvalued policy (S.30), Floating policy (S.31), Construction of terms of policy (S.32), All risks policy, Premium to be arranged (S.33), Alteration of policy, Double insurance (S.34), Warranties, Nature of warranty (S.35), Breach when excused (S.36), Express warranties (S.37), Warranty of neutrality (S.38), No implied warranty of nationality (S.39), Warranty of good safety (S.40), Warranty of seaworthiness (S.41), Warranty of legality (S.43), The Voyage, Implied condition as to commencement of risk (S.44), Change of voyage (S.47), Deviation (S.48), Delay in voyage (S.50), Excuse for deviation and delay (S.51), Assignment of policy, When and how assignable (S.52), The Premium (S.54), Loss and abandonment, Included and excluded losses: proximate cause (S.55), Non- delivery, Partial and total loss (S.56), Actual total loss, Constructive total loss (S.60), Limitation, Loss due to unseaworthiness, Negligence and duty to sue and labour, Warehouse - to - warehouse clause, Option of the assured (S.61), Notice of the abandonment (S.62), When notice not necessary, Effect of abandonment (S.63), Partial losses: salvage, general average and particular charges, Particular average loss (S.64), Salvage charges (S.65), General average loss (S.66), Measure of indemnity, Extent of liability of insurer for loss (S.67), Partial loss of ship (S.69), Partial loss of freight (S.70), Partial loss of goods, merchandise, etc. (S.73), Liabilities to third parties (S.74), General provisions as to measure of, indemnity (S.75), Particular average warranties (S.76), Successive lossess (S.77), Rights of insurer on payment, Right of subrogation (S.79), Right of contribution (S.80), Effect of under insurance (S.81), Refund of premium, Enforcement of refund (S.82), Return on failure of consideration (S.84), Supplemental Ratification by assured (S.85), Effect of agreement or usage upon implied obligations (S.86), Reasonable time, etc. (S.87), Covering note as evidence (S.88), Rules for construction of policy, Lost or not lost", At and from, From the loading thereof, Safely landed, Touch and stay, Perils of the seas, Matters of interpretation, Pirates (R.8), Thieves (R.9), Restraint of princes (R.10), Barratry (R.11), All other perils (R.12), Average unless general (R.13), Stranded (R.14), Burden of proof, Ship (R.15), Freight (R.16), Goods (R.17), Jurisdiction, Limitation.

UNIT- IV

Marks: 16

Some Provisions of the Insurance Act,1938: Assignment and transfer of policies, Meaning of assignment and its effects, Nomination (S.39), Injunction against nominee who refused to receive amount as trustee, Assignment and nomination distinguished, Misstatement or concealment (S.45), Insurance as Public Utility Service, Preamble and Object of the Act, Insurer (Ss.2-D, 33 and 2(9)), Insurance Business (S.2(11)), Reservation of deposit (S.8), Nature and Scope, Life Insurance Fund (Ss. 10(2)), 11, 56(2), 58 (3) & Form D of Sch III), Scheme of Transfer (Ss. 35 and 36), Transfer of Life Insurance Business (Ss 36, 44), Appointment of Administrator, Cancellation of Contracts and Agreements (S.52-C), Voluntary acceptance of Payment.

UNIT- V

Marks: 16

Insurance Regulatory and Development Authority: Duties, Powers and Functions of the Authority Amendments of the Insurance Act ,1938, Important amendments made in the, Insurance Act, 1938 by the Insurance, Regulatory and Development Authority, Act,1999, Regulatory Authority in place of Controller of Insurance, Registration, Cancellation of registration, Requirements as to capital (Section 6), Transfer of shares by a public company carrying on life insurance business (Section 6-A), Manner of divesting excess shareholding by promoter in certain cases (Section-6-AA), Deposits (Section 7), Accounts and balancee – sheet (Section 11(1-A), Prohibition on investment of funds outside India (Section 27-C), Manner and conditions of investment (Section 27-D), Insurance business in rural or social sector (Section 32-B), Obligations of insurers in respect of rural or unorganized, Sector and Backward, Classes (Section 32-C), Power of investigation and inspection by Authority (Section 33), Licensing of insurance agents (Section 42), Issue of license to Intermediaries or Insurance Intermediaries (Section 42-D), Licensing of Surveyors and Loss Assessors, (Section 64-UM) Nationalised Insurance Companies.

WOMEN AND CRIMINAL LAW (BALLB0706)

UNIT- I

Marks: 16

Prostitution: Social backdrop, The immoral traffic (Prevention) Act,1956, Objective, All the sections of the Act.

UNIT- II

Marks: 16

Dowry Prohibition: Origin & History of dowry system, The Dowry Prohibition Act,1961, Objective, All the sections of the Act, Foeticide - The Medical Termination of Preganancy Act,1971, Objective, All the sections of the Act

UNIT- III

Marks: 16

Indecent Representation: Indecent Representation of Women (Prohibition) Act,1986, Objective, All the Sections of the Act. Sati – History, The Commission of Sati (Prevention) Act, 1987, Objective, All the Sections of the Act.

UNIT- IV

Marks: 16

Sex Determination: The Preconception and Pre Natal Diagnostic Techniques, (Prohibition of Sex Selection) Act, 1994, Objective, All the Sections of the Act.

UNIT- V

Marks: 16

Domestic Violence: The Protection of Women from Domestic Violence Act, 2005, Objective, All the Sections of the Act.

Text Books

1. ANJANI KANT

Semester-VIII

**OFFENCES AGAINST CHILD AND JUVENILE
OFFENCE (BALLB0801)**

UNIT- I

Marks: 16

RIGHT AGAINST ECONOMIC EXPLOITATION-CHILD LABOUR: What is Child Labour? Laws to Prohibit and Regulate Child Labour in India, The National Policy on Child Labour, Laws Relating to Bonded Child Labour, Critique of the Laws, Enforcement of the Child Labour and Bonded Child, Labour Legislation, Judicial Response to Child Labour-Important Case Law, Some Significant Court Rulings Related to Bonded, Child Labour, Non-governmental Organizations' (NGOs) Interventions, Government Initiatives and Schemes, International Legal Interventions, Strategies, and Movements.

UNIT- II

Marks: 16

RIGHT TO PROTECTION AGAINST SEXUAL ABUSE AND EXPLOITATION:

Introduction, Child Sexual Abuse in India, Introduction, The Present Legal Regime, Child Marriages, Judicial Trends, Law Reform, International Legal Initiatives, Role Played by NGOs and the Government in Child Sexual, Abuse Cases.

UNIT- III

Marks: 16

Commercial Sexual Exploitation and Trafficking of Children: Introduction, The Indian Scenario, Indian Laws Dealing with Commercial Sexual Exploitation of Children and Trafficking, Judgments on Trafficking, Law Reform, International Instruments, International Initiatives to Prevent Child Pornography on the Internet, Government/NGO Interventions in the Area of Exploitation and Trafficking.

UNIT- IV

Marks: 16

The young persons harmful publications Act, 1956: The prohibition of child marriage Act, 2006, Sec. 21 & 23 of Juvenile Justice (Case & Protection of Children) Act, 2000.

UNIT- V

Marks: 16

The Commission for Protection of Child Rights Act, 2005: The Protection of Children from Sexual Offences Act, 2012.

RIGHT TO INFORMATION (BALLB0802)

UNIT- I

Marks: 16

An Introduction to Right to Information: Accountability through Law, Information as a Right Why Should Information be a Right ? How Right to Information Strengthens Democracy ? Realizing Participatory Democracy Making People the Centre of Development Increases Trust Quotient in Government Facilitates Market-Based Economic Growth Rooting out Corruption Enhances Vigilance of Media.

UNIT- II

Marks: 16

RIGHT TO INFORMATION: INTERNATIONAL AND NATIONAL SCENARIO: Right to Information and International Instruments - Universal Declaration on Human Rights, 1948 [Article 19], International Covenant on Civil and Political Rights, 1966 [Article 19], International Convention on All Form of Racial Discrimination 1966 [Article 7], The United Nations Convention on Right of Child [Article 13], Rio Declaration on Environment and Development, 1992, The United Nation's Principles on Freedom of Information, 2000, Rio+10 World Summit on Sustainable Development, Johannesburg, 2002, Public Information and Documentation disclosure Policy (IDP) of UNDP, Right to Information and Regional Instruments - American Declaration on the Rights of Man, 1948 [Article I & IV], American Convention on Human Rights (Pact of San Jose, Costa Rica) 1969 [Article 13], Inter-American Declaration of principle on freedom of expression 2000, Rome Convention for the Protection of Human Rights and Fundamental Freedoms, 1950 [Article 5, 10 & 13], European Convention on Human Rights, 1950 [Article 10], African Charter on Human Rights and Peoples Rights, 1981 [Article 9].

UNIT- III

Marks: 16

National Laws relating to Right to Information: The Right to Information in the USA, The Right to Information in the United Kingdom, The Right to Information in Canada, The Right to Information in France, The Right to Information in Japan, The Right to Information in Indonesia, The Right to Information in Asia and Pacific, The Right to Information in the Middle East.

UNIT- IV

Marks: 16

RIGHT TO INFORMATION LAW IN INDIA: Historical Background, The Indian Evidence Act, 1872 [Section 76], The Factory Act, 1948, The Water (Prevention and Control of Pollution) Act, 1974 [Section 25(6)], The Air (Prevention and Control of Pollution) Act, 1981, The Environment (Protection) Act, 1986, The Representation of the Peoples Act, 1951, The Protection of Women from Domestic Violence Act, 2005, Trade Marks Act, 1999, The Semiconductor Integrated Circuits Layout Design Act, 2000 [B] Constitutional Provisions and Judicial, Trend on Right to Information in India before 2005, Evolution of Right to Information Act, 2005.

UNIT- V

Marks: 16

Right to Information Act, 2005: Whole Act The study of the provisions of the Act with the help of cases decided by High Courts, Supreme Court and Chief Information Commissioner.

Text Books

1. DR ABHAY SINGH YADAV.

ADMINISTRATIVE LAW (BALLB0803)

UNIT- I

Marks: 16

Evolution, Nature and Scope of Administrative Law:

From a laissez - faire to a social welfare state, State as regulator of private interest, State as provider of services
Other functions of modern - state: relief, welfare, Evolution of administration as the fourth branch of government - necessity for delegation of powers on administration, Evolution of agencies and procedures for settlement of disputes between individual and administration, Regulatory agencies of the United States, Council d'Etat, Tribunalization in England and India, Definition and scope of administrative law, Relationship between constitutional law and administrative law, Separation of powers, Rule of law, Civil Service in India - Nature and Organization of Civil Service: from colonial relics to democratic aspiration, Powers and functions, Accountability and responsiveness: problems and perspectives, Administrative deviance - corruption, nepotism, maladministration.

UNIT- II

Marks: 16

Legislative Powers of Administration: Necessity for delegation of legislative power, Constitutionality of delegated legislation - powers of exclusion and inclusion and power to modify statute, Requirements for the validity of delegated legislation, Consultation of affected interests and public participation in rule making, Publication of delegated legislation, Administrative directions, circulars and policy statements, Legislative control of delegated legislation, Laying procedures and their efficacy, Committees on delegated legislation - their constitution, function and effectiveness, Hearings before legislative committees, Judicial control of delegated legislation, Sub-delegation of legislative powers, Judicial Powers of Administration - Need for devolution of adjudicatory authority on administration, Administrative tribunals and other adjudicating authorities: their ad-hoc character, Tribunals - need, nature, constitution, jurisdiction and procedure, Jurisdiction of administrative tribunals and other authorities, Distinction between quasi - judicial and administrative functions.

UNIT- III

Marks: 16

The right to hearing - essentials of hearing process: No man shall be judge in his own cause, No man shall be condemned unheard, Rules of evidence - no - evidence, some evidence and substantial evidence rules, Reasoned decisions, The right to counsel, Institutional decisions, Administrative appeals, Judicial Control of Administration Action - Exhaustion of administrative remedies, Standing: standing for Public interest litigation (social action litigation) collusion, bias, Laches, Res judicata, Grounds, Jurisdictional error / ultra vires, Abuse and non exercise of jurisdiction, Error apparent on the face of the record, Violation of principles of natural justice, Violation of public policy, Unreasonableness, Legitimate expectation.

UNIT- IV

Marks: 16

Remedies in judicial review: Statutory appeals, Mandamus, Certiorari, Prohibition, Quo-Warranto, Habeas Corpus, Declaratory judgments and injunctions, Specific performance and civil suits for compensation, Administrative Discretion - Need for administrative discretion, Administrative discretion and rule of law, Limitations on exercise of discretion, Malafide exercise of discretion, Constitutional imperatives and use of discretionary authority, Irrelevant considerations, Non-exercise of discretionary power.

UNIT- V**Marks: 16**

Liability for Wrongs (Tortious and Contractual): Tortious liability: sovereign and non - sovereign functions, Statutory immunity, Act of State, Contractual liability of government, Government privilege in legal proceedings - state secrets, public interest, Transparency and right to information, Estoppel and waiver, Corporations and Public Undertakings - State monopoly - remedies against arbitrary action or for acting against public policy, Liability of public and private corporations - departmental undertakings, Legislative and governmental control, Legal remedies, Accountability - Committee on public undertakings, Estimate committee, etc.

Text Books

1. DR J J RAM UPADHYAYA

EQUITY AND TRUST (BALLB0804)

UNIT- I

Marks: 16

Concept of Equity: Historical Background, What is Equity, Equity and Equitable - meaning, Need for Equity, Descriptions of Equity, Definitions of Equity, Subject matter of Equity, Equity as a Source of law, Equity under the Roman, English and Indian Legal Systems - Equity under Roman Law, Equity under English Law, History of Equity in England, Origin of common law, Deficiencies of common law, The chancellor, Practice, procedure and process of Equity Courts, Classification of Equity jurisdiction, Basis of Authority of Equity, Equity under the Indian Legal System, Recognition of Equity under Indian Legal System, Equitable Rights and Interests, Origin, Nature of Equitable Rights, Nature of Equitable interests, Characteristics, Classification of Equitable Rights, Position in India.

UNIT- II

Marks: 16

The Maxims of Equity: Working Principles of Equity - Equity will not suffer a wrong to be without a remedy - Meaning, Application and Cases, Limitations of the maxim, Recognition in India, Equity follows the law - Meaning, Application and Cases, Limitations of the Maxim, Position in India, He who seeks equity must do equity - Meaning, Application and Cases, Illegal loans, Doctrine of Election, Consolidation of mortgages, Notice to redeem mortgage, Wife's equity to a settlement, Equitable estoppel, Restitution of benefits on cancellation of transaction, Set-off, Waiver, Limitations of the maxim, Recognition in India. Indian Contract Act. Transfer of Property, Act Specific Relief Act and Indian Trusts Act, Civil Procedure Code, He who comes into equity must come with clean hands -, Meaning, Application and Cases, Limitation of the maxim, Exceptions to the maxim, Recognition in India, Distinction, Delay defeats equities - Meaning, Application, Cases, Delay when fatal, Limitations or Exceptions to the maxim, Laches and Acquiescence, Recognition in India, Equality is equity - Meaning, Application and Cases, Dislike for Joint Tenancy, Equal Distribution of Joint Funds or Joint Purchases, Contribution between Co-trustees, Co-sureties and Co-contractors, Rateable Distribution of Legacies, Power to appoint, Marshalling of assets, Recognition in India, Equity looks to the intent rather than the form - Meaning, Application and Cases, Where there is equal equity, the law shall prevail - Where the equities are equal, the first in time shall prevail - Equity acts in personam - Meaning, Application and Cases, Limitations of the maxim, Recognition and Application in India.

UNIT- III

Marks: 16

History of the Trusts: Concept of a Trust, How a Trust Arises, Origin, In English Law, In India, Institution of Trust - Its Benefits and Hazards Definition - The Problem of Definition, The Indian Trusts Act, 1882, Definition of Trust: Section 3, Idea of Double Ownership and Section 3 In India Classification of Trusts - General, Classification, Express Trusts, Implied Trusts, Constructive Trusts, Principle of unjust enrichment, Private and Public Trusts, Simple and Special Trusts, Trusts of Perfect and Imperfect Obligation, Resulting Trust - When comes into existence Types, Important features, Distinction from Constructive Trust, Varieties of Resulting Trusts, Modern position, Precatory Trusts - Meaning and origin, A turning point, Ratio of modern decisions, Secret Trust - Meaning, Illustrations, Types, Definitions, Explanation, Basis of the secret trust, Trusts for Value, Voluntary Trust, Illusory Trust, Nature, Benefits enjoyed by a purpose trust, Where such trusts arise, When it

becomes irrevocable.

UNIT- IV

Marks: 16

Creation of Trusts: Express Private Trust - General, Text, Parties to a Trust (Section 3), Who may create Trust (Section 7) , Who may be Beneficiary (Section 9) , Who may be Trustee (Sections 10 and 60) , When is a Trust created (Section 6), Rule of three certainties - Certainty of intention, Certainty of subject-matter (Section 8), Certainty of object, Illustrations, Lawful purpose and transfer of trust-property, Necessary formalities for creation of a trust (Section 5), Executed and Executory Trust, Completely and Incompletely Constituted Trust, Discretionary Trust, Protective Trust, Purpose trust, Distinction from a Charitable Trust, A Purpose Trust or a 'Power Trust', Express Public (or Charitable) Trust - General, Definition, Requirements of a Charitable Trust, Charitable objects classified, What is a charitable object, Examples- Poverty, Education, Religion, Beneficial to the Community, Incidents of a Charitable Trust - When is a charity favoured, When less favoured, The Cy-pres Doctrine - Position in India - What trusts are charitable, General Public Utility, Charity, Cases, Trustees - Their duties and liabilities - Duties, Text of Sections 11 to 22, Onerous Nature of Office, Standards Applicable to Trustees, To execute trust (Section 11), Acquaintance with Trust-property (Section 12), To protect title to Trust-property (Section 13), Not to set up adverse title (Section 14), To exercise reasonable care (Section 15), To convert perishable property (Section 16), To be impartial (Section 17), 11. To prevent waste (Section 18), Accounts and Information (Section 19), Investment of Trust Money (Sections 20, 20-A, 21 and 22), Positive and Negative Duties, Liabilities - Text of sections 23 to 30, Breach of Trust, Meaning and Definition, Section 23, Measure of liability, No set-off: Section 24, Liability for interest: Section 23, Co-trustees: Liability and Non-liability, (Sections 25, 26, 27, 28, 29 and 30), Trustees - Their rights and powers - Rights - Text of sections 31 to 35, About rights and power, Rights to title deed (Section 31), Right to Reimbursement of expenses (Section 32), Right to Indemnity against beneficiary personally (Section 32), Right to Indemnity from gainer by breach of trust (Section 33), Right to seek Court's direction (Section 34), Right to settlement of accounts (Section 35), Powers - Text of Sections 36 to 45, Powers and duties, Nature of powers, General authority of a trustee (Section 36), Statutory powers of a trustee, Power to sell in lots, etc. (Sections 37, 38 and 39), Power to vary investments (Section 40), Power with regard to maintenance of minor beneficiaries (Section 41), Power to give receipts (Section 42), Power to compound (Section 43), Vesting and suspension of power (Sections 44 and 45), Trustees - Their disabilities - Text of Sections 46 to 54, Trustees cannot renounce (Section 46), Trustees cannot delegate (Section 47), Co-trustees cannot act singly (Sections 48 and 49), No right to remuneration (Section 50), Not to use Trust-Property (Section 51), Trustees must not be purchasers (Sections 52 and 53), Co-trustees cannot lend to one of themselves (Section 54).

UNIT- V

Marks: 16

Rights and Liabilities of the Beneficiary: Text of Sections 55 to 69 - General, Rights of the Beneficiary - Right to Rents and Profits (Section 55), Right to Specific Execution (Section 56), Right to terminate a trust (Section 56), Right to Inspect and take copies of trust instrument etc. (Sec.57), Right to Transfer Beneficial Interest (Section 58), Right to Sue for Execution of Trust (Section 59), Right to Proper Trustees (Section 60), Right to compel to any act of duty (Section 61), Remedies of the Beneficiary - General, Right to action against Trustee personally, Difference between a Proprietary and a Personal, Remedy, Right of "Following Trust-Property" (Sections 63-66), Equities attached to "Right of following Trust- Property" (Sec.62), Liability of the Beneficiary (Section 68) - Impounding of Beneficial Interest, Bar to Remedies for Breach of Trust, Appointment and Discharge of Trustees - Text of Sections 70 to 76, Initial Trustees, Vacation of Office (Section 70), Discharge of Trustee (Section 71), Petition for Discharge (Section 72), Removal of a Trustee (Section 73), Appointment of New Trustees (Section 73), Selection of New Trustees: Rules (Section 74), Result of New Appointment (Sections 75 and 76), Extinction of Trust - Text of Sections 77 to 79, Extinction (Section 77), Revocation (Sections 78 and 79), Meaning, Power of Revocation, Trust created by a will, Trust created otherwise, Obligations in the Nature of Trust - Text of Sections 80 to 96, Resulting Trust (Section 83 to 85), Constructive Trusts (Sections 86 to 94).

Text Books

1. DR SC TRIPATHI

FORENSIC SCIENCE (BALLB0805)

UNIT- I

Marks: 16

Forensic Management: Introduction - History of Forensic Science, Principles of Forensic Science, Branches of Forensic Science, Forensic Examinations, Forensic Science and related services in India, LAW IN FORENSIC SCIENCE - Enacted Law - The Indian Constitution, The Indian Evidence Act, Code of Criminal Procedure, 1973, The Identification of Prisoners Act, CASE LAW - Reports under section 293 Cri PC (1973), Reports Admissible, Death Penalty, Case Law Binding, Presumption of Innocence, The Evidence, Good evidence, ye-witness accounts, Corpus Delicti, corroboration, Insufficient evidence, Improper Identity, Third Degree Methods, Police Padding, Stock Witness, Circumstantial Evidence, Chain of circumstances complete, Trap evidence, Time element, Testimonial compulsion, Minority judgment, Voluntary Confession, Investigating Officer, Trustworthiness of police, Immediate despatch, Identification marks, Chain of custody, Expert, Value, Appearance, Data necessary, Language, Reports, Prosecution, Prove contents, Counter-complaints, Duties of the Defence, The Court, Duties, Powers, Strictures, Fair criticism of courts, Physical Evidence and their Significance - Introduction, Classification, Sources, Types of Physical Evidence, Significance, Conditions to be followed by Investigators, Nature of Physical Evidence and their Analysis.

UNIT- II

Marks: 16

Crime Scene Investigation: Introduction, Significance, Role of Investigator, Crime Scene Examination, Evaluation, Protection, Photography, Sketching, Searching of Physical Evidence, Collection of Physical Evidence, Preservation of Physical Evidence, Packaging of Physical Evidence, Sealing, Marking and Labelling, Chain of Custody, Documentation of Crime Scene, Dispatching of Exhibits, Expert at Crime Scene - Introduction, Expert Testimony, Forensic Expert, Medicolegal Expert, Ballistics Expert, Explosive Expert, Fingerprint Expert, Photography Expert, Expert in the Court of Law, Dog Squads.

UNIT- III

Marks: 16

Crimes Involving Electronic Evidence: Introduction, A Computer, Computer Crimes, Cyber Crimes, Motives, Targets, Types of Computer Crimes, Investigation of Computer Crimes, Modus Operandi, Electronic Evidence, Evidence Collection, Packaging.

UNIT- IV

Marks: 16

DNA - Profiling: Introduction, What is DNA ?, Significance, Forensic Aspects, Evidence Materials, Collection, Preservation and Packaging - Blood, Bloodstains, Semen, Urine and Saliva, Tissue, Body Organs and Bones, Hair, Postmortem Samples, Documentation.

UNIT- V

Marks: 16

High-Tech Interrogation: Introduction, Forensic Psychology, Polygraph Examination, Objectives, Role of Investigator, Legal Rights of the Subject, Questionnaire/Narco Analysis, Objectives, Role of Investigator, Brain Mapping, Objectives, Role of Investigator, Procedure.

INTELLECTUAL PROPERTY LAW – I (BALLB0806)

UNIT- I

Marks:16

Patents: Concept of Patents - Origin of the term patent, Meaning of the term 'Patent', Patent - A Form of property, What is the objective behind a Patent Law, Historical view of the Patent Law in India, Principles underlying the Patent Law in India, PROTECTABLE SUBJECT MATTER - PATENTABLE INVENTION - Intangibles are not patentable, Inventions which are not patentable under the Act, Patent of addition, Term of patents of addition, Process patent, PROCEDURE FOR OBTAINING PATENT - Submission of application, Persons entitled to apply for patents, First-to-apply system, Meaning of true and first inventor, Assignee of an inventor may apply, Inventions made by an employee, Form of application, Special provision for foreign applicants, The applicant to file provisional and complete specification, What is a specification? Publication and examination of the application, Communication to the applicant, Opposition Proceedings to Grant of Patent, Grant of Patent, Term of the Patent, Joint inventors, Compulsory Licence.

UNIT- II

Marks: 16

PROVISIONAL AND COMPLETE SPECIFICATION: Specification, Contents and form of specification, Nature of the patent specification, Kinds of Specification, Provisional specification, Need to file a Provisional Specification, Provisional Specification to be followed by Complete Specification, Complete specification, The contents of a Complete Specification, Priority date of a claim, The interpretation of specification and its importance, Claims, Whether a specification can be amended once it has been filed, Amendment before acceptance, Amendment after acceptance, Amendment before the grant of patent, Conditions for amendment, Disclaimer, Correction, Explanation, Who is to allow the amendment. RIGHTS CONFERRED ON A PATENTEE - Patent rights are conditional, Rights of patentees, The right to exploit the patent, Right to licence, Right to assign, The right to surrender the patent, Right to sue for infringement, Exceptions and Limitations, Power of the Central Government to use invention for purposes of Government, Acquisition of invention and patent by the Central Government, Government use of invention without payment of royalty, Compulsory licences, Use of the invention for defence purposes, How the rights of a patentee are enforced? Duties of a patentee.

UNIT- III

Marks: 16

TRANSFER OF PATENT :

Forms of transfer of Patent Rights, Assignment, The difference between assignment and licence, Assignee, Kinds of assignment, Legal assignment, Equitable assignment, Mortgage, Conditions to create a valid assignment, Licence, The kinds of licence, Voluntary Licence, Statutory Licence, Exclusive / limited licence, Express / implied, Rights conferred: on a licensee, Transmission of Patent by operation of law, Registration of assignment / licence is essential, Certain restrictive conditions to be avoided, When a restrictive condition can be imposed, REVOCATION AND SURRENDER OF PATENTS - Protection of security of India, Revocation of the Patent, Lapsing of patent for non-payment of renewal fee, Surrender of Patents, Limitation on restored patents.

UNIT- IV**Marks: 16**

INFRINGEMENT OF PATENTS: What can amount to infringement, Doctrine of pith and marrow, ACTION FOR INFRINGEMENT- Where a suit is to be instituted, Procedure followed in the suit, When can a suit be instituted, Period of Limitation for instituting a suit, Whether a notice of the suit to be served on the defendant, Who is entitled to sue, Persons who can be sued, Onus of establishing infringement, Acts not to be considered as Infringement, Defence which may be set up by the defendant, Plaintiff not entitled to sue, Denial of infringement, Estoppel or res judicata, Expert evidence, Reliefs available in an action for infringement, Injunction, Final injunction, Damages or accounts of profits.

UNIT- V**Marks: 16**

PATENT AGENTS: Qualifications of a Patent Agent, Rights of Patent Agents, Disqualification for Registration as a Patent Agent, PATENT IN COMPUTER PROGRAMMES- The recreation of dolly as a Clone.

Text Books

1. DR J.P MISHRA

Semester-IX

EVIDENCE (BALLB0901)

UNIT- I

Marks: 16

Introductory : The main features of the Indian Evidence Act 1861, Applicability of the Act, Central Conceptions in Law of Evidence- Facts: Section 3 definition: distinction – relevant facts/facts in issue, Evidence: Oral and documentary, Circumstantial evidence and direct evidence, Presumption (Section-4), “Proving”, “not proving”, and “disproving”, Witness, Appreciation of evidence. Facts: relevancy- The doctrine of res gestae (Section 6,7,8,10), Evidence of common intention (Section 10), The problems of relevancy of “otherwise “irrelevant facts (Section 11), Relevant facts for proof of custom (Section 13), Facts concerning bodies and mental state. (Section 14,15).

UNIT- II

Marks: 16

Admissions and confessions: General principles concerning admission (Section 17, 23), Differences between “admission “and “confession“, The problems of non- admissibility of confessions caused by “any inducement, threat or promise” (Section 24) Inadmissibility of confessions made before a police officer. (Section-25), Admissibility of custodial confessions (Section 26), Admissibility of “information “received from accused person in custody ; with special reference to the problem of discovery based on “joint statement “(Section 27), Confession by co-accused (Section 30), The problems with the judicial action based on a “retracted confession“.

UNIT- III

Marks: 16

Dying Declarations: The justification for relevance on dying declarations (Section 32), The judicial standards for appreciation of evidentiary value of dying declarations, Other statements by persons who cannot be called as witnesses- General principles, Special problems concerning violation of women’s rights in marriage in the law of evidence, Relevance of Judgments- General principles, Admissibility of judgments in civil and criminal matters (Section 43), “Fraud “and “Collusion “(Section 44).

UNIT- IV

Marks: 16

Expert Testimony: General principles, Who is an expert? types of expert evidence, Opinion on relationship especially proof of marriage (Section 43), The problems of judicial defense to expert testimony, Oral and Documentary Evidence- General principle concerning oral evidence (Sections 59-60), General principles concerning Documentary Evidence (Sections 67-90), General principles regarding Exclusion of Oral by Documentary Evidence, Special problems: re – hearing evidence, Issue estoppels, Tenancy estoppels (Section 106), Witnesses, Examination and Cross Examination- Competency to testify (Section 118), State privilege (Section 123), Professional privilege (Section 126, 127, 128), Approval testimony (Section 133), General principles of examination and cross examination (Section 135 – 166), Leading questions. (Section 141 – 143), Lawful questions in cross – examination (Section 146), Compulsion to answer questions put to witness, Hostile witness (Section 154), Impeaching of the standing or credit of witness (Section 155).

UNIT- V**Marks: 16**

Burden of Proof: The general conception of onus probandi (Section 101), General and special exceptions to onus probandi, The justification of presumption and of the doctrine of judicial notice, Justification as to presumptions as to certain offences (Section 101A), Presumption as to dowry death (Section 103-B), The scope of the doctrine of judicial notice (Section 104) 12 Estoppel Why estoppel ? The rationale (Section 105) Estoppel, res judicata and waiver and presumption. Estoppel by deed. Estoppel by conduct. Equitable and promissory estoppel. Questions of corroboration (Section 156 - 157), Improper admission and of witness in civil and criminal cases.

Text Books

1. DR AVTAR SINGH

CIVIL PROCEDURE CODE & LIMITATION ACT (BALLB0902)

UNIT- I

Marks: 16

Introduction: Concepts, Affidavit, order, judgment, decree, plaint, restitution, execution, decree – holder, judgment – debtor, mesne profits, written statement, Distinction between decree and judgment and between, decree and order, Jurisdiction - Kinds, Hierarchy of courts, Suit of civil nature – scope and limits, Res – subjudice and Resjudicata, Foreign judgment, Place of suing, Institution of suit, Parties to suit: joinder, mis – joinder or non-joinder of parties representative suit, Frame of suit: Cause of action, 2.10 Summons.

UNIT- II

Marks: 16

Pleadings: Rules of pleading, signing and verification, Alternative pleadings, Construction of pleadings, Plaint: particulars, Admission, return and rejection, Written statement: particulars, rules of evidence, Set off and counter claim: distinction, Discovery, inspection and production of documents, Interrogatories, Privileged documents, Affidavits, Appearance, examination and trial- Appearance, Ex-parte procedure, Summary and attendance of witnesses, Trial, Adjournments, Interim orders: commission, arrest or attachment before, judgment, injunction and appointment of receiver, Interests and cost.

UNIT- III

Marks: 16

Execution: The concept, General principles, Power for execution of decrees, Procedure for execution (ss. 52-54), Enforcement, arrest and detection (ss. 55-59), Attachment (ss. 60-64), Sale (ss. 65-97), Delivery of property, Stay of execution, Suits in particular cases- By or against government (ss.79 – 82), Public nuisance (ss. 91 – 93), Suits by or against firm, Suits in forma pauperis, Interpleaded suits.

UNIT- IV

Marks: 16

Appeals: Appeals from original decree, Appeals from appellate decree, Appeals from orders, General provisions relating to appeal, Appeal to the Supreme Court, Review, reference and revision, Miscellaneous- Transfer of cases, Restitution, Caveat, Inherent powers of courts.

UNIT- V

Marks: 16

Law of Limitation: The concept – the law assists the vigilant and not those who sleep over the rights, Object, Extension and suspension of limitation, Sufficient cause for not filing the proceedings, Illness, Mistaken legal advice, Mistaken view of law, Poverty, minority and purdha, Imprisonment, Defective vakalatnama, Legal liabilities, Acknowledgement- essential requisites, Continuing tort and continuing breach of contract.

Text Books

1. DR BASANTI LAL BAVEL

INTELLECTUAL PROPERTY – II (BALLB0903)

UNIT- I

Marks: 16

The Law of Copy Right in India (The Copy Right Act, 1957): Historical evolution of the Law, Meaning of Copy Right.

UNIT- II

Marks: 16

Characteristics of Copy Right: Creation of a statute- Form of Intellectual property, Monopoly Right, Negative Right, Object of Copy Right- Multiple Rights, Neighboring Rights.

UNIT- III

Marks: 16

Kinds of copy right: Copy right in literary, dramatic and musical works, Copy right in sound records and cinemate graphs films, Copy right in computer programme, Ownership of Copy Right, Assignment of Copy Right, Author's special rights.

UNIT- IV

Marks: 16

Notion of infringement: Criteria of infringement, Infringement of copyright by films of literacy and dramatic works, Importation and infringement, Fair use provisions, Piracy in Internet.

UNIT- V

Marks: 16

Aspects of copyright justice: Remedies, especially, the possibility of Anton pillar injunctive relief in India.

Text Books

1. DR Gyanwati dhakad

DIRECT TAXATION (BALLB0904)

UNIT- I

Marks: 16

General Perspective: Fundamental principles relating to tax laws, Concept of tax, Distinction between, Tax and fee, Tax and cess, Direct and Indirect taxes, Tax evasion and tax avoidance, Scope of taxing powers of Parliament, state legislature and local bodies.

UNIT- II

Marks: 16

Income Tax (Income Tax Act, 1961): Basic concepts, Income, Total Income, Income not included in total income, Deemed income, Clubbing of income, Assessee- Person, Tax Planning, Chargeable Income.

UNIT- III

Marks: 16

Heads of Income: Salaries, Income from House Property, Income from business and profession, Capital gains, Income from other source, Deductions, relief and exemptions, Rate of Income Tax.

UNIT- IV

Marks: 16

Income Tax Authorities: Power and functions, Offences and penal sanctions, Settlement of grievances, Authorities, powers and functions.

UNIT- V

Marks: 16

Wealth Tax (Wealth Tax Act): Wealth Tax, Taxable wealth, determination of value of assets, exemptions and rate of wealth tax, Wealth tax authorities, Offences and penalties.

**PROFESSIONAL ETHICS AND
PROFESSIONAL ACCOUNTANCY
(BALLB0905)**

UNIT- I

Marks: 16

ETHICS OF LEGAL PROFESSION : Meaning, Nature and Need, Professional Ethics, Duty to the court, Duty to the client, Duty to opponent, Duty to the colleagues, Other Duties, Punishment for the breach, **PUNISHMENT FOR PROFESSIONAL OR OTHER MISCONDUCT-** Professional or other Misconduct – Meaning and Ambit, The body or authority empowered to punish for professional or other misconduct.

UNIT- II

Marks: 16

State Bar Council and its disciplinary committee: Organisation, Initiation and procedure, Powers, Bar Council of India and its disciplinary committee- Organisation, Initiation and procedure, Powers, Complaint against advocates and procedure to be followed by the, Disciplinary Committee, Remedies against the order of punishment, Review, Appeal.

UNIT- III

Marks: 16

CASES RELATING TO PROFESSIONAL OR OTHER MISCONDUCT: Decisions of Disciplinary Committee of the Bar Council of India- Smt. Siyabai V. Sita Ram, Smt. Urmila Devi V. Sitaram Singh, Secretary, Karnataka Khadi Gramudyog Samyukta Sangh, Benguri, Hubli V. J.S.Kulkarni, Upendra D.Bhatt v. Vijay Singh M.Kapadia, Allahabad Bank v. Girish Prasad Verma, Regional Officer, Allahabad Bank v. J.P.Srivastava, Prof. Krishnaraj Goswami v. Vishwanath D. Mukashikar, Smt.Sudesh Rani v. Munish Chandra Goel, Surendra Nath Mittal v. Daya Nand Swaroop, Smt. Farida Chaudhary v. Dr. Achyut Kumar Thakuria, Pratap Narayan v. Y.P. Raheja, Vikramaditya v. Smt. Jamila Khatoon, S.K.Nagar v. V.P.Jain, Smt.P. Pankajam v. B.H. Chandrashekhar, Rajendra V. Pai v. Alex Farnandes, Rajendra V. Pai v. Baptish Farnandes, Rajendra V. Pai v. Francisco Farnandes, Suo Moto Enquiry v. Nand Lal Balwani, Saiyed Anwar Abbas v. Shri Krishna Singh, Shri Badre, Habib Siddique and Shri Sadre Habib Siddque, Babulal Jain v. Subhash Jain, R.N. Tiwari v. Ketan Shah, Ashok Kumar Kapur v. Bar Council of India, Ram Sewak Patel v. Vir Singh, Ajmer Singh v. Jagir Singh, Mrs.Suresh Joshi v. L.C.Goyal, Tek Chand v. Pramod Kumar Chaudhary, H.G.Kulkarni & Others v. B.B. Subedar, B.B.Subedar v. H.G.Kulkarni & Others, J.N.Gupta v. D.C.Singhania & J.K.Gupta, J.N.Karia v.

M.S.Udeshi, M.S.Udeshi v.T.Raja Ram Mohan Roy, Kamal Prasad Mishra v. Mehilal, Mata Prasad v. Anjani Kumar Sinha, Navtej Singh v. S.C. Gudimani, Shant Sharan Mishra v. Narottam Das Gupta, Shri A.K. Maleri v. Shri Manjeet Singh Sawhney, District Judge Nanital v. R., Vijay Kumar v. Ajay Nigam, Hiralal Ahari, Advocate v. Bada Meena, Devinder Singh Deol v. Mohinder Singh Chawla, Mohinder Singh Chawla v. Devender Singh Deol, Balaichandra Dev Nath (A) v. Bansi Das (B), A. Sudarshan v. B. Vijayraj, Col.Bhawani Singh Mr.Nani A. Palkhiwala & another, Rajesh Dixit v. Surinder Gupta, Smt.Mithlesh Pradhan v. Sarvesh Gupta, Shri Avadesh M.Nathani v. Shri O.J. Coelho, Suo Moto Enq. (C.M.Raju) v. Shri Mohan Lal, The Bar Council Of India, Removal Proceedings No 1/1996, In the matter of shri P.K.Saxena and Ravinon Petition No 7/1996, Suo Moto Enquiry v. MS. S.B. Ajinkiya, M.Mohd. Ali (A) v. Parvin C.Shah (B), Smt. Brijesh Kumari v. Shri Indrapal Singh, Rudra Pratap Mishra v. Chandra Dutt Pandey, Smt. Gulabo Devi v. Shri Mahesh Chandra Bansal, Shri Dharam Chand Jain v. Shri Sree Chand Naik, Mrs. M.S. Patawardhan v. V.V. Karmarkar, DECISION OF THE SUPREME COURT OF INDIA- Harish Chandra Tiwari v. Baiju, V.C. Rangadurai v. D.P.Gopalan & Others, In Re Vinay Chandra, Vijay Singh v. Murarilal & Others, Sardul Singh v. Pritam Singh & Others, Satish Kumar Sharma v. Bar Council of Himachal Pradesh, R.D.Saxena v. Balram Prasad Sharma, In Re: An Advocate, In the matter of Mr. 'P' an advocate Supreme Court of India, Chandrashekar Soni v. Bar Council of Rajasthan & Others, K.V.Umre v. Smt. Venubai , O, Dase and Another.

UNIT- IV

Marks: 16

BENCH BAR RELATION: Meaning and Kinds of Contempt of Court- Contempt of Court – Its meaning, Nature and main features, Kinds of contempt of courts, Difference between civil contempt and criminal contempt, Kinds, Civil Contempt, Meaning and Nature- Disobedience of the order, decree, etc. of the court or breach of undertaking given to the court, Wilful disobedience or breach, Criminal Contempt, Publication or other act, Scandalizing or lowering the authority of the court or interfering with judicial proceeding or administration of justice, Scandalising the court or lowering the authority of the court,. Prejudice to or interference with the due course of any judicial proceeding, Interference or obstruction with the administration of justice in any other manner, Interference with the court's officer's, interference with the parties, interference with witnesses, Abuse of process of Court, Defences Available to Contemner, Nature and Extent of Punishment, Remedies against the order of punishment, Basis and Extent of Contempt Jurisdiction- Contempt jurisdiction of the High Court and Supreme Court, Contempt jurisdiction of the Subordinate Court, Contempt By Lawyers, Judges, State and Corporate Bodies- Contempt by Lawyers, Contempt by judges, Magistrates or other persons acting judicially, Contempt Liability of State, Corporate Bodies and their Officers, Contempt Proceedings – Nature and Main Features- Nature and main features, Cognizance and Procedure in case of contempt in face of the court, Contempt in the face of the Supreme Court or High Court, Contempt in the face of the Subordinate Courts, Contempt outside the court (Constructive Contempts), Period of Limitation for initiation of contempt proceedings, Parties to contempt proceedings, Defences Open to Contemner- Defences in Criminal contempt, Innocent publication and distribution of matter, Fair and accurate report of Judicial Proceedings, Fair criticism of judicial act, Bonafide complaint against the presiding officers of the subordinate court, No substantial interference with due course of justice, Defamation of the Judge Personally, The Statement complained of open to different interpretations, The Statement complained of has no nexus with the judicial function of a judge, No imminent danger of interference with administration of justice. Defences in Civil contempt, Disobedience or Breach was not willful, The order has been passed without jurisdiction, Order disobeyed is vague or ambiguous, Order involves more than one reasonable interpretation, Compliance with the order is impossible, No knowledge of order.

UNIT- V

Marks: 16

Nature and Extent of Punishment And Remedies Against the Order of Punishment: Nature and Extent of Punishment, Remedies against the order of Punishment, Apology, Appeal, Review, Important Cases On Contempt Of Court- E.M.S. Nambodari v. T.N.Nambiar, Delhi Judicial Services Association , Tis Hazari Court v. State of Gujrat, Mohd. Aslam v. Union of India, In re- Dr. D.C.Saxena and Dr.D.C.Saxena , Contemnor v. Hon'ble Chief Justice of India, Sukumar Mukhopadhyay v. T.D. Karamchandani, T.R. Dhananjaya v. J.Vasudevan, J.Vasudevan v. T.R. Dhananjaya, In re- Vinay Chandra Mishra, Supreme Court Bar Association v. Union of India, State of Rajasthan v. Prakash Chand, T. Deen Dayal v. High Court of Andhra Pradesh, Kashinath Kher and Others v. Dinesh Kumar Bhagat and Others, In re- Ajay Kumar Pandey, Income-Tax Appellate Tribunal through President v. V.K.Agarwal, Om Prakash Jaiswal v. D.K.Mittal, Mrityunjoy Das v. Sayed Hasibur Rahman.

COMPUTER EDUCATION – I

(BALLB0906)

UNIT- I

Marks: 16

Fundamental of IT: Types of Computer, Computer application in various areas, Data, Information and knowledge, Computer hardware, Software's, Application software, System software, Computer memory, Basic block diagram of computer, Input/Output devices, Programming basic concepts: data type, variable, procedures, functions, loop, control structure, programming style such as structural, procedural, object orient programming systems; Operating system, Network basic concept.

UNIT- II

Marks: 16

Windows: Windows operating system basic commands, advantages, and drawback of windows operating system; MS Word: features, commands and menus, properties options, mail merge, creating, editing, find, replacement of file, creating files and table, printing documents; MS-PowerPoint: creating and presenting slides, working with graphs and text, Transaction and build effect, showing slides, printing presentation elements, application of MS – word in legal profession such as drafting of agreement, legal documentations etc.

UNIT- III

Marks: 16

MS - Excel: Spreadsheet and electronic worksheet basic concept, formatting data, insert and delete row and column, toolbars, menus, options, functions, creating, editing and printing electronic worksheet, and graphs: application of electronic worksheet in legal profession such as taxation, accounting, registry, court management, law firm management etc.

UNIT- IV

Marks: 16

MS - Access: Field, record, table, database, DBMS basic concept ; types of DBMS software available in market, advantages of DBMS, forms, reports, query building through wizard; application of DBMS in legal profession; various legal database such as JUDIS, JURIX, electronic legal literature etc.

UNIT- V

Marks: 16

Internet, E- Commerce and E – Business: domain, email, portal, URL, Types of Network, Intranet, extranet, internet, basic hardware, component in network; E – commerce: basic concept and model, electronic payment systems: virtual pin, e cash, EDI, secure electronic transaction (SET), Pay pal, designing an e-commerce web site using 7Cs framework, mobile commerce; various business information systems; E – Business basic concept; Strategic use of IT in Legal profession i.e. Advocate office management, practice management software for lawyers and law firms available in market. E- access for legal literature.

National and international co-ordination to handle cyber crime, important computer cases in India, online resources relating to incident response and computer crime, computer forensic product and their features, Cyber Appellate Tribunal: appeal, procedure and power of the tribunal, limitation of tribunal.

Suggested text books :

1. Tiwari, R.K. Sastry P.K. and Ravi : Computer Crime and Computer Forensics (2002) Pub. Select Publishers, New Delhi.
2. Menon, Madhava : Law Relating to : Computer Internet & E-Commerce (2009) Pub. Universal Law Publishing Co. Delhi.

Semester-X

INDIRECT TAXATION (BALLB1001)

UNIT- I

Marks: 16

BASIC ASPECTS OF INDIRECT TAXES : Features of Indirect Taxes, Constitution of India, Basic Concept of VAT.

UNIT- II

Marks: 16

Madhya Pradesh VAT ACT, 2002: Preliminary, Taxing Authorities, Incidence of Tax, Liability of a dealer registered under Central Sales Tax Act, Levy of Tax, Registration of dealers, Returns, Assessment, Payment and Recovery of Tax, Refund, Accounts and issue of bill, invoices or cash memoranda, Certain powers of the Commissioner and delegation by the Commissioner, Appeals, Revisions and Rectification, Detection and prevention of Tax evasion, Offences and penalties, Miscellaneous.

UNIT- III

Marks: 16

SERVICE TAX: BASICS OF SERVICE TAX, EXEMPTIONS AND ABATEMENTS IN SERVICE TAX, PROCEDURE IN SERVICE TAX, POINT OF TAXATION, OTHER ASPECTS OF SERVICE TAX, EXPORT AND IMPORT OF SERVICES.

UNIT- IV

Marks: 16

CENTRAL EXCISE: BASICS OF CENTRAL EXCISE DUTY, MANUFACTURE PRODUCTION AND MANUFACTURER, CLASSIFICATION OF GOODS, MRP BASED VALUTION FOR CENTRAL EXCISE, TRANSACTION VALUE IN EXCISE, OTHER MODES OF VALUATION OF A PRODUCT, ELIGIBILITY OF CENVAT CREDIT, UTILISATION OF CENVAT CREDIT, EXEMPTED GOODS /EXEMPTED OUTPUT SERVICES, OTHER PROVISIONS RELATING TO CENVAT, EXEMPTION FROM DUTY, REFUND OF DUTY, DEMANDS OF DUTY, OTHER TOPICS IN CENTRAL EXCISE, ADJUDICATION AND ENFORCEMENT, PENALTIES AND CONFISCATION, CRIMINAL OFFENCES AND PROOFS, APPEALS IN INDIRECT TAXES.

UNIT- V

Marks: 16

CUSTOMS: INTRODUCTION TO CUSTOMS DUTY, VALUATION FOR CUSTOMS DUTY, CUSTOMS PROCEDURES, EXEMPTIONS, REMISSION, DEMANDS, OTHER PROVISIONS IN CUSTOMS.

DRAFTING PLEADING AND CONVEYANCE (BALLB1002)

The paper shall consist of 15 practical exercises in drafting carrying a total of 45 marks (3 marks for each exercise) and 15 exercises in Conveyancing carrying another 45 marks (3 marks for each exercise). The Grand total of both the above exercises shall be 90 marks and 10 marks are given for viva-voce to be conducted by a teacher nominated by the Head of the department.

(A) Drafting: General Principles of drafting and relevant substantive rules,

(B) Fundamental/ Basic Rules of Pleading: Facts and not law; Material Facts; Facts and not evidence. Concise form;. Alternative and inconsistent Pleadings; Construction of Pleadings; Striking out of Pleadings;. Signing and Verification of Pleadings;. Variance between Pleadings and Proof; Amendment of Pleadings.

1. Pleadings- Civil, Plaint; 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.

2. Criminal- Complaint; Criminal Miscellaneous Petition; Bail Application; Memorandum of Appeal and Revision.

3. **CONVEYANCE-** Sale deed, Mortgage deed, Lease deed, Gift deed, Partition deed, Agreement deed, Settlement deed, Exchange deed. Relinquishment deed

4. Promissory note- Power of Attorney, Will, Trust deed, Drafting of writ petition and PIL petition.

MOOT COURT EXERCISE AND INTERNSHIP (BALLB1003)

The paper shall have three components of 30 marks each (Total 90 marks) and a viva-voce for 10 marks, to be conducted by a teacher nominated by the Head of the department.

(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. 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 interviewing 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.

MOOT COURT: Meaning and Importance, Difference between Moot court and Court, Manner of organising or conducting the Moot Court, Imaginary legal case, Decided case, Moot Court on specific Legal subject, Factors for Success, Preparation of case, Judicial system in India, Pleading, Art of Examination and cross-examination, Preparation of Arguments,

INTERVIEWING TECHNIQUE: Pre-Trial Preparations and Participation in Trial Proceedings-Civil Matters- Procedure before Hearing- Pre-trial preparation, Essentials of a suit, Stages of suit, Place of suing, Suit in particular cases, Parties to suits (Order- I), Institution of suit, Pleading- Generally, Complaint, Written statement, set off and counter claim, (Order-VIII), Issue and Service of Summons, Procedure in suits during Hearing, Procedure in suits after Hearing Judgment and Decree, Application and Affidavits.

PRE-TRIAL PREPARATIONS AND PARTICIPATION IN TRIAL PROCEEDINGS- Criminal Matters- Introduction, Pre-trial Preparation, Important Concepts, Complaint, Name of the Court, Case No. and year, Name of the parties, Nature of complaint, Facts, Relief, Signature, Annexure, Police – Report.

ART OF CROSS-EXAMINATION AND ARGUMENT: Introduction, Important concepts, Examination of witnesses, Order or stages of Examination of Witnesses, Examination–in-Chief, Cross-examination, Re-examination, Arguments.

Text Books

1 . DR KAILASH RAI

INTELLECTUAL PROPERTY – III (BALLB 1004)

UNIT- I

Marks: 16

Trade Marks: Introduction- Law relating to Trade Marks, Statements of Objects and Reasons. The Trade Mark Act, 1999, Meaning of ‘Trade Mark’, The Principles for comparison of the marks, Trade description, The functions of a Trade Mark, Need and emergence of Trade Marks Law, Essentials of a Trade Mark, Features of Distinctiveness, Trade Mark Law in India, How is a trade mark protected in India, Civil remedies, Criminal Proceedings, Administrative remedies, Service Marks, Collective Marks, Deceptively Similar Work, The principles for deciding the question of similarity of two marks, Factors to be considered for deciding deceptive similarity, Criteria for determining the deceptively, Principal place of business in India, Procedure for Registration of Trade Mark, Advertisement of Application, Registration of Trade Mark, Extension of time in Registration proceedings, Statutory Authorities- The Jurisdiction of Trade Marks offices, Jurisdiction of offices of the Trade Marks Registry, Registrar of Trade Marks, Register of Trade Marks, Classification of goods and services, Principles of Registration of Trade Marks- Register of the Trade Marks, Absolute grounds for refusal of registration, Relative ground for refusal of registration, Distinctiveness, The importance of distinctiveness, Distinctiveness does not give conclusive right to registration, Solio case, Illustrations- Words found invented, Section (9) – Non- descriptive words, Non- descriptive words- Registration allowed, Words found descriptive – Registration refused, Rights Conferred by Registration of Trade Marks- Registration of Trade marks is prima facie evidence of its validity, Effect of acquiescence, Savings of the Vested Rights, Savings for use of name or address or description of goods or services, Savings for the words used as name or description of an article or of service, Financial Remedies, Damages and Accounts of profits, The rights of registered proprietors of similar trade marks.

UNIT- II

Marks: 16

Infringement of Trade Marks and action against Infringement: Essentials of infringement, Forms of infringement, Using a deceptively similar mark, Degree of similarity and action for infringement, Illustrative case laws, Taking substantial feature of the mark would be infringement, Addition, Use of registered trade mark along with a name other than that of registered proprietor constitutes infringement, When mark is copied, it amounts to infringement, Use on reconditioned or second hand articles, Printing of labels is infringement, Goods manufactured by third party would constitute infringement, Suit for infringement etc, Procedure followed, Period of Limitation, Who can sue for infringement? Who can be sued? Issues in infringement suits, The defences which may be set up by the defendant, Illustration, Defences which cannot be set up, Suit for passing off, Adoption of corporate name and passing off, Elements of a claim of passing off, Applicability of law of passing off, Relief in suits for infringement or passing off, Types of relief, Relief not exhaustive, Grant of relief is discretionary, Injunction, Anton pillar order, Mareva injunction, Interlocutory injunction, Object of interlocutory injunction, Perpetual injunction, Damages, Accounts of profits.

UNIT- III

Marks: 16

Procedure of Registration and Duration: Submission of application, Where the application is to be filed, Reciprocal arrangements in regard to applications – Convention country, Submission of an application for registration, Classification of goods and services, Name of the classes, Services, Advertisement, Hearing of the parties, Duration of Trade Mark, Removal and Restoration of Trade Mark, Removal, Restoration, Prior user of Trademark, Phishing and Infringement of Trademarks, Domain names are not merely internet website addresses, Licensing in Trade Mark- Use of trade marks and registered users, Removal from register and imposition of limitation on grounds of non-use, Registered User- Right of the registered user to take proceedings against infringement, Alteration of registered trade mark, Collective marks, Additional grounds for Removal of Registration of Collective Mark, Certification Trade Mark, Penalty for falsely Representing Trade Marks, Application for Registration of Certification Trade Marks, Infringement of Certification Trade Marks, Acts not Constituting Infringement of certification Trade Marks, Cancellation or varying of Registration of Certification Trade Marks, Rights conferred by Registration or Cancellation Trade Marks, Special provision for Textile Goods, Stamping of Piece Goods, Cotton Yarns, and Threads, Determination of Character of Textile Goods by Sampling.

UNIT- IV

Marks: 16

Intellectual Property Appellate Board: Qualification for appointment as Chairman and Vice-Chairman, Term of office of Chairman, Vice-Chairman and other Members, Appeals to the Appellate Board, Procedure and Power of the Appellate Board, Bar of Jurisdiction of Courts, etc, Offences, Penalties and Procedure, Procedure for Intellectual Property Appellate Board, Procedure for Application or Appeal, Language of Proceedings, decisions and orders of the Intellectual, Property Appellate Board, Rectification of defective Application, Documents to be attached with appeal or application, Procedure of counter-statement by the respondent or other party, Procedure for hearing by Appellate Board, Procedure for Order of Appellate Board, Petition for review of an Order of the Appellate Board, Continuation of Proceedings after death of a party, Procedure for transfer of pending proceedings to Intellectual, Property Appellate Board, Miscellaneous Provisions- Powers of the Registrar, Preliminary Advice by the Registrar as to Distinctiveness, Relevance in Suit for infringement or for passing off, Registered user to be impleaded in certain proceedings, Evidence of Entries in the Register, etc. and things done by the Registrar, Power to require information of imported goods bearing false Trade Marks, Trade usages etc. to be taken into consideration. Documents open to Public inspection, Special Conditions Relating to Applications for Registration from citizens of convention Countries, Provisions as to Reciprocity, Assignment and Transmission- Assignment and Transmission of registered trade marks.

UNIT- V

Marks: 16

Designs: Law of Designs in India- Introduction, Development of Design Law in India, Salient features of Designs Act, 2000. Basic features of designs Controller of Designs- Controller of Designs and his Powers and Duties, Registration of Designs- Introduction, Essential Requirements of Registration, Design which are not Registrable, Who is entitled to seek Registration? Procedure for Registration (Sections 3 to 10), Cancellation of Registration (Section 19), Rights of Design Holder, Infringement And Legal Remedies- Introduction, Rights of Proprietor of Designs, Infringement of Copyright in Design (Piracy of Design), Legal Remedies (Section 22).

Text Books

1. DR JP MISHRA

ALTERNATE DISPUTE RESOLUTION SYSTEM (BALLB1005)

UNIT- I

Marks: 16

Arbitration: meaning, scope and types: Distinctions, Arbitration and conciliation, Extent of Judicial Interpretation, International commercial arbitration, Arbitration agreement- Essentials, Kinds, Who can enter into arbitration agreement, Validity, Reference to arbitration, Interim measures by court.

UNIT- II

Marks: 16

Arbitration Tribunal: Appointment, Challenge, Jurisdiction of arbitral tribunal, Powers, Grounds of challenge, Procedure, Jurisdiction of High Court, Award- Rules of guidance, Form and content, Correction and interpretation, Grounds of setting aside an award, Can misconduct be a ground? Incapacity of a party, invalidity of arbitration agreement, Want of proper notice and hearing, Beyond the scope of reference, Contravention of composition and procedure, Breach of confidentiality, Impartiality of the arbitrator, Bar of limitation, res judicata, Consent of parties, Enforcement.

UNIT- III

Marks: 16

Appeal and Revision: Enforcement of foreign awards- New York Convention awards, Geneva Convention awards.

UNIT- IV

Marks: 16

Conciliation: Distinction between “Conciliation”, “negotiation”, “mediation”, and “arbitration”, Appointment of conciliator, Statements to conciliator, Interaction between conciliator and parties communication, Duty of the parties to co-operate, Suggestions by parties, Confidentiality, Resort to judicial proceedings, Costs, Rule – Making Power, High Court, Central Government.

UNIT- V

Marks: 16

Legal Services Authorities Act: scope: Salient Features of Various ADR’s, Mediator, Arbitrator, Conciliator, Judicial Settlement Section 89, Settlement of disputes outside the court, Lok Adalat.

Text Books

1 DR NV PARANJPE

COMPUTER EDUCATION - II (BALLB 1006)

UNIT- I

Marks: 16

Application of IT in Legal profession: legal database, court management, case information systems, automated legal standard forms, reports and agreement, application of IT for litigants, judges, advocates, registry, case status (www.casestatus.nic.in), Judis (www.judis.nic.in), case list (www.caselists.nic.in), daily orders on internet (www.dailyorders.nic.in).

UNIT- II

Marks: 16

Digital Signature: Signature in paper based society, authentication of computer based documents, digital signature-basic concepts, digital signature generation and verification, need for trusted intermediary, certification authority. Domain Name: registering, dispute, law related to domain name, dispute resolution policies.

UNIT- III

Marks: 16

Emergence of Computer Crime: Classification of computer crime, computer virus, characteristics of computer virus, characteristics of criminals, common targets of computer criminals. Internet crimes: modus operandi used for committing Internet crimes, different types of Internet crime, cyber laundering, cyber terrorism, cyber warfare prevention of internet crimes. Investigation of computer crime: characteristics issue, challenges, process of investigation and detection of crime, handling preserving examination of digital evidence. Mobile crime:

UNIT- IV

Marks: 16

Cyber Law and Security: need to regulate the internet, country specific cyber law, salient features of Indian IT Act 2000 and additional provision, legal reorganization of electronic records and signature, inadequacies in Indian IT Act 2000. Cyber Security: basic security concepts, safeguards against the computer security breaches, monitoring the security measures, security management tools, good security practices.

UNIT- V

Marks: 16

National and international co-ordination to handle cyber crime, important computer cases in India, on line resources relating to incident response and computer crime, computer forensic product and their features, Cyber Appellate Tribunal: appeal, procedure and power of the tribunal, limitation of tribunal.

Text Books

1. Tiwari, R.K. Sastry P.K. and Ravi: Computer Crime and Computer Forensics (2002) Pub. Select Publishers, New Delhi.
2. Menon, Madhava: Law Relating to: Computer Internet & E-Commerce (2009) Pub. Universal Law Publishing Co. Delhi.