



# **Mahakaushal University, Jabalpur**

## **SYLLABUS**

**For**

**Bachelor of LAW (LLB)**

**Course Code: L.L.B**

Department of LAW

Faculty of LAW

Duration of Course	:	3Year
Examination Mode	:	Semester
Examination System	:	Non Grading

Semester-I

**GENERAL ENGLISH – I  
(LLB- 0101)**

**UNIT- I**

**Marks: 16**

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

**UNIT- II**

**Marks: 16**

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

**UNIT- III**

**Marks: 16**

Use of Articles & determiners. Use of punctuation..

**UNIT- IV**

**Marks: 16**

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

**UNIT- V**

**Marks: 16**

Classroom speech and Group discussion.

**Text Books**

1. Ray and martin

# Law of Contract-I

## (LLB- 0102)

### 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 elementsnudum pactum- privity of contract and of consideration-itsexceptions-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 andmental 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 ofthe law relating to minor's agreements- other illustrations ofincapacity to contract. Free consent-Its need and definition-factors vitiating free consent.Coercion-definition-essential elements- duress and coercionvarious 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 womenunconscionable bargains-effect of undue influence. Misrepresentation- definition- misrepresentation of law and of fact- their effects and illustration. Fraud- definition- essential elements- suggestion falsisuppresio veri-when does silence amounts to fraud? Activeconcealment 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

# CONSTITUTIONAL LAW – I (LLB- 0103)

## 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

### **Reference Books**

1. Pylee , M.V.; Constitutional Amendments in India-Delhi: Universal Law,2003.
2. Seervi, H.M.; Constitutional Law of India Vol. I &II, III-Bombay: N.M. Tripathi, 1991

# LAW OF TORT (LLB- 0104)

## 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- uncoded 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

<p style="text-align: center;"><b>Law of Crimes I [Indian Penal Code]</b> <b>(LLB- 0105)</b></p>
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**Unit – I**

**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 NEGATIVING 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.

<p style="text-align: center;"><b>Public International Law</b> <b>(LLB- 0106)</b></p>
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**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-II  
**General English-II**  
**(LLB- 0201)**

**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

# SPECIAL CONTRACT

(LLB- 0202)

## 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

## **Constitution LAW -II**

**(LLB- 0203)**

### **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

## **Family Law -I(Muslim Law)**

**(LLB- 0204)**

### **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

# Enviromental Law

(LLB- 0205)

## 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

## (LLB- 0206)

### 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

Semester-III  
**General English-III**  
**(LLB- 0301)**

**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

## **Family Law-II(Hindu Law)**

### **(LLB- 0302)**

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#### **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

# Administrative Law

(LLB- 0303)

## 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, Estoppels 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

## Human rights & practice

(LLB- 0304)

### 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

#### **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

# Jurisprudence

(LLB- 0305)

## 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

<b>Land Law</b> <b>(LLB- 0306)</b>
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**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.

## Semester-IV

### Labour and Industrial Law – I

(LLB- 0401)

#### 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 a s 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

<p style="text-align: center;"><b>Law of crime-II (Criminal Procedure Code ) (LLB- 0402)</b></p>
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**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

# Intellectual propertylaw-I

(LLB- 0403)

## 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

# Property Law

## (LLB- 0404)

### **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 immoveable 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

# Interpretation of statutes

(LLB- 0405)

## 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, Eiusdem 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 Contemporaneity 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

# **Alternate Dispute resolution System**

## **(LLB- 0406)**

### **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

Semester-V

**Labour and Industrial Law – II**  
**(LLB- 0501)**

**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

# Evidence

## (LLB-0502)

### 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 and Limitation**

## **(LLB-0503)**

### **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, Plaintiff 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 detention (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

# Direct Taxation

## (LLB-0504 )

### **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.

<p style="text-align: center;"><b>Intellectual Property Law – II (Copy Right)</b> <b>(LLB-0505)</b></p>
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**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

# Computer Application in Law – I

(LLB-0506)

## 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: 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.

**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-VI  
**Indirect Taxation**  
**( LL.B. -0601)**

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**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 VALUATION 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**  
**(LL.B.- 0602)**

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, Complaint; Written Statement; Interlocutory Application; Original Petition; Affidavit; Execution Petition; Memorandum of Appeal and Revision; Petition under Article 226 and 32 of the Constitution of India.

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**

### **(LLB-0603)**

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.

# **Intellectual Property –III ( Trade Mark and Design )**

## **(LLB-0604)**

### **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 Trademarks 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 trademarks.

### **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 trademarks 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 trademarks.

### **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

**PROFESSIONAL ETHICS AND  
PROFESSIONAL ACCOUNTANCY  
(LLB-0605)**

**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. Chandrashekhhar, 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. Banshi 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. Defenses 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. Namboodari 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 - II**

### **(LLB-0606)**

#### **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](http://www.casestatus.nic.in)), Judis ([www.judis.nic.in](http://www.judis.nic.in)), case list ([www.caselists.nic.in](http://www.caselists.nic.in)), daily orders on internet ([www.dailyorders.nic.in](http://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.