



Syllabus

LL.B. Part-I (Semester-1)

SEMESTER-I
PAPER-I
JURISPRUDENCE
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Jurisprudence:-** Meaning, Definition, Nature, Purpose, Subject matter and Importance.
2. **Schools of Jurisprudence:-** (i) Analytical (ii) Historical (iii) Natural Law (iv) Sociological (v) Realistic school (vi) Marxist School.
4. **State:-** Essentials and Functions of the State.
5. **Concept of Justice:-** (i) Nature, purpose and different theories of Justice.



**SEMESTER-I
PAPER-II
CONTRACT-I**

GENERAL PRINCIPLE OF CONTRACT SECTION 1-75 AND
SPECIFIC RELIEF ACT

FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Definitions**, elements and kinds of Agreement and Contract, Meaning and feature of Proposal; Meaning and Features of Revocation and Acceptance.
2. **Consideration** – Meanings Features, Present, Past & Future consideration with exception (if any).
3. **Capacity to contract**, Incapacity arising out of status and mental defects, minor's agreement.
4. **Free consent**-Meaning, Coercion-definition, essential elements, effect of coercion, Undue influence, Misrepresentation, misrepresentation of law & law & fact, Fraud, Mistake kinds of mistake, mistake of law and fact, when does a mistake vitiate free consent and does not.
4. **Legality of objects** & Void agreement - Lawful and Unlawful considerations and objects -Void, Voidable, Illegal and Unlawful agreement and their effects.
6. **Wagering Contract, Contingent Contract.**
7. **Part Performance, Anticipatory breach of contract**



SEMESTER-I
PAPER-III
CONTRACT-II

THE INDIAN CONTRACT ACT, INDIAN PARTNERSHIP ACT, SALE OF
GOODS ACT AND OTHER SPECIFIC CONTRACTS

FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

GROUP-A
PARTNERSHIP ACT

30-MARKS

1. Definition, Nature and Essential of partnership
2. Mode of determination of existence of partnership, relation of partners to one another, Relation of partners with third parties
3. Position of minor in relation to partnership firm
4. Partner by holding out, Incoming and outgoing partner – meaning, Rights and duties
5. Registration and effects of non-registration of partnership firm
6. Dissolution of partnership firm

GROUP-B
SALE OF GOODS ACT

10-MARKS

- (1) Contract of sale - Sale & Agreement to sell, Sale distinguished from agreement to sell.
- (2) Conditions and Warrantee.
- (3) Caveat Emptor.



SEMESTER-I
PAPER - IV
FAMILY LAW-I (HINDU LAW)
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Sources and Schools of Hindu Law**
2. **Marriage and Kinship :**
Marriage – Essential of valid marriage, Void and Voidable marriage.
3. **Matrimonial Remedies:-**
Nullity of marriage.
Restitution of conjugal rights.
Judicial separation
Divorce
4. **Legitimacy:-**
Legal status of children.
Adoption.
Hindu minority of guardianship act.
5. **Alimony and Maintenance:**
Maintenance of neglected wife, Divorced wives, Minor children, disable children, and parents who are unable to support themselves under the Code of Criminal Procedure, 1973.



SEMESTER-I
PAPER V
FAMILY LAW- II (MOHAMMADEN LAW)
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. Sources of Muslim law and its Schools.
2. Marriage and kinship.
Evolution to the institution of marriage, kinds of marriage and its affect.
3. Dower.
4. Matrimonial Remedies :
Non-Judicial resolution of marital conflict problems
 - a) Divorce under Muslim personal law, Talaq and talaq-e- tafweez, Khula and Mubarat etc.
 - b) Dissolution of Muslim marriage act, 1939.
5. Alimony and Maintenance:
Maintenance of neglected wives, 125 Cr. P. C.
The Muslim women (Protection of Rights on Divorce) Act, 1986; a critical review.
6. Legitimacy and Parentage.
7. Conversion and its effect and family, Apostasy.



SEMESTER-I
PAPER VI
LAW OF CRIMES
FULL MARK-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

30-MARKS

1. **General**

Concept of crime. Distinction between crime and Torts.

2. **Elements of Criminal Liability.**

Mens Rea- Intention-negligence and recklessness; strict liability principle.

3. **Group Liability**

Common intention and Common object.

4. **Preliminary offences: - Abetment criminal conspiracy, attempt.**

5. **Factors Negating Guilty Intention.**

- a) Mental incapacity, emotional imbalance , involuntary intoxication.
- b) Private defence.
- c) Minority.
- d) Necessity and bound by duty.
- e) Mistake of Facts.

(Chapter IV of the I.P.C.)



SEMESTER-I
PAPER VII
CONSTITUTIONAL LAW
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Nature of Indian Constitution**
Essential Characteristics.
Concept of Federalism, Indian Federalism.
2. **Amendment Power & Procedure.**
3. **Fundamental Rights.**
 - a) State under Art. 12
 - b) Right to equality Art. 14, 15, 16,
 - c) Fundamental Freedoms Art. 19
 - d) Right to Religion and minority rights Art. 15, 28
 - e) Right to life and personal liberty Art. 21
 - f) Right to accused and convicts Art. 22
4. **Relationship between Fundamental Rights & Directive Principles**
Judicial process under the Constitution.
5. **Constitutional remedies Art. 32**



**SEMESTER-I
PAPER VIII
LEGAL WRITING
(INCLUDING GENERAL ENGLISH)
FULL MARK-50**

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

SELECTED LEGAL & EQUITABLE MAXIMS

LEGAL MAXIMS

25-MARKS

Actus non- facit reum nisi mens sit rea

Actio personalis moritur cum persona.

Audi alteram partem.

Delegatus non potest delegare.

Ex nudo pacto non oritur actio

Ignorantia facti excusat, Ignorantia juris non excusat.

Ignorantia legis neminem excusat.

Res Ipsa Loquitur.

Respondeat Superior.

Administrator pendente lite.

Delegata potest non potest delegari.

Donatio mortis causa.

Dormiunt leges aliquando, nunquam moriuntur.

Durante minore aetate.

Ex dolo malo non oritur actio

Expedit reipublicae ut sit finis litium
Facta sunt potentiora verbis

Fiat justitia, ruat caelum

Fraus et Jus nunquam cohabitant

Ignorantia Legis Neminem Excusat

Judex Not potest Esse Testes in Propria Causa
est dictamen Rationis

Nemo Debet bis puniri Pro Uno Delicto
Nemo Potest Facere Per Aliumquod per se non potest.
Pacta dant legem contractui
Plus valet unus oculatus testis quam auriti decem
Qui facit per alium facit per se
Salus populi suprema lex
Semper Praesumitur pro matrimonio
Vigilantibus non dormientibus jura subveniunt

EQUITABLE MAXIMS

Equity will not suffer a wrong without a remedy
Equity follows the law.
He who seeks equity must do equity.
He who comes into equity come with clean hands
Delay defeats equity.

SELECTED LEGAL TERMS

15-MARKS

Amicus-Curiae, in limine, mutatis-Mutandis, inter-alia, advalurem, status quo, pendente lite, suo Moto, affidavit, decree, deposition, domicile, estoppel, equity, exhibit, Homicide, in camera, intestate, locus standi, Mensprofit, motive, Oath, Overrule, Parole, Polygamy, Prima facie, Proviso ratio- decidendi, remission, repeal, respondent, sentence, statute law, substantive law, summons, trespass, trial, warrant, fait accompli, in re, in personam, in rem, intra vires, Ipso-facto, quo pro quo, res nullius, sin qua non, ultra-vires, subpoena.

Amicus curiae, annus possidendi, caveat actor, caveat emptor corpus delicti culpa lata, culpa, levis, ejusdem generis, lex ferim, lex loci, mens rea, nudum pactum, obiter dictum, particeps criminis pro tem, order sheet, case diary, caveat.



**SEMESTER-I
PAPER IX
INTERNATIONAL LAW
FULL MARKS-50**

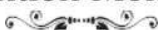
(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

PART-A

INTERNATIONAL LAW

1. Nature and definition of international Law
 - i. Origin
 - ii. Foundation of European International Law.
 - iii. Definitions of International Law.
 - iv. Basis of international Law, Theories relating to Basis of International Law.
 - v. Nature of International law, vanishing point of Jurisprudence, weak law.
2. Sources of International Law
 - i. Custom.
 - ii. Treaty.
 - iii. States Practices.
 - iv. General Principles Recognised by Civilised States.
 - v. Juristic Opinion.
 - vi. Decision of International Bodies: -General Assembly specialised united Nation Agencies.
3. Subjects of International Law
 - i. State as subject of international Law.
 - ii. Development of various non-entities & individual as subject of international Law.
4. Relationship between Municipal law and international Law
 - i. Theories relating to the relationship.
 - ii. Practices of states in application of international law in municipal sphere.

5. **State in International Law**
 - i. Characteristics of State.
 - ii. Mandated and trust territories.
 - iii. Modes of acquisition of loss of territory.
6. **Equitable resources utilisation and just world order**
 - i. Traditional concept of state jurisdiction.
 - ii. The law of sea.
 - iii. Territorial water.
 - iv. Continental shelf.
 - v. Seabed and ocean floor.
 - vi. Area and its resources as common heritage of Mankind.
7. **Recognition of States**
 - i. Meaning and Definition.
 - ii. Theories of Recognition- Constitutive and Declaratory.
 - iii. Forms of Recognition- express and implied, defacto & de jure.
 - iv. Recognition of state & Govt.
 - v. Legal Consequences of recognition.
8. **State Jurisdiction**
 - i. Territorial sovereignty, extra territorial, maritime.
9. **Succession of State**
 - i. Meaning and definition.
 - ii. Kinds- Universal, Partial.
 - iii. Consequences of succession.
10. **State and Individual**
 - i. Extradition- Meaning, Necessary Conditions, Provisions of Indian Extradition Act, 1962, the attentat clause.
 - ii. Asylum-Meaning, Kinds-principles of Non refoulment.
 - iii. Nationality-Meaning, Distinction from domicile and citizenship, Modes of acquisition and loss of Nationality.
11. **Intervention**
 - i. Meaning and definition
 - ii. Position in charter.
 - iii. Ground of intervention.
 - iv. Doctrines of intervention-Monroe, Drago, Brezhenev.



Syllabus (Semester-II)

*Jamshedpur Co-operative Law College,
Jamshedpur*



Syllabus

LL.B. Part-I (Semester-II)

SEMESTER-II
PAPER-I
JURISPRUDENCE
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. Nature and Source of law:
 - i. Legislation
 - ii. precedent
 - iii. customs
2. Legal Concepts:
 - i. Person
 - ii. Rights
 - iii. Duties
 - iv. Ownership
 - v. Possession.
3. Relation between law and morals.



**SEMESTER-II
PAPER-II
CONTRACT-I
FULL MARKS-50**

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

PART-A

24-MARKS

1. **Discharge of Contract-Modes:**
 - i. Discharge by Performance.
 - ii. Discharge by Agreement.
 - iii. Discharge by Breach.
 - iv. Discharge by Impossibility.
2. **Quasi - Contract:**
3. **Remedies for breach of contract under Indian Contract Act, 1872**

PART- B

MARKS-16

4. **Specific Relief Act, 1963**



SEMESTER-II
PAPER-III
CONTRACT-II
THE INDIAN CONTRACT ACT, INDIAN PARTNERSHIP
ACT, SALE OF GOODS ACT AND OTHER SPECIFIC
CONTRACTS
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

Part – A

30-Marks

1. **Contract of Indemnity** : Definition, nature and scope, Rights of indemnity-holders, Commencement of the indemnifier liability.
2. **Contract of Guarantee** : Definition Nature and Scope, Difference between contract of indemnity and Contract of Guarantee, Rights and Liabilities of Surety, Discharge of Surety.
3. **Bailment** : Definition and Essentials of Bailment; Rights & Duties of bailor and bailee.
4. **Pledge** : Definition, Difference between pledge and bailment, rights of pawnor and pawnee, pledge by the person other than owner.
5. **Agency**: Definition, Requisites, Creation of Agency, Rights and duties of agent, Relation of Principal with Third Parties, Personal liability of agent, Termination of Agency.

Part – B

Sale of Goods Act

10-Marks

1. Passing of property.
2. Transfer of title.
3. Rights of unpaid seller.



**SEMESTER-II
PAPER - IV
FAMILY LAW-I (HINDU LAW)
FULL MARKS-50**

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Joint Hindu Family :** (Mitakshra and Dayabhaga)
 - i. Coparcenaries.
 - ii. Kind of Property.
 - iii. Rights & Duty of Karta.
 - iv. Alienation of Coparcenary Property.
2. **Law of debt.**
3. **Law of Partition of Reunion.**
4. **Devolution of interest in Mitakshara,** Coparcenary with reference to the provisions of Hindu Succession Act. 1956.
5. **General rules of succession** – Male & Female, Disqualification, Testamentary succession U/S 30 of Hindu Succession.
6. **Indian Succession Act :** Intestate Succession.
7. **Indian Divorce Act :** Dissolution of Marriage and Custody of child.



SEMESTER-II
PAPER V
FAMILY LAW-II (MOHAMMEDAN LAW)
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Inheritance:**

General rules of succession and exclusion from succession, Classification of heirs under Hanafi and Ithna Asharia Schools and their shares and distribution of property.

- i. Securing Uniform Civil Code :
- ii. Religious pluralism and its implication
- iii. Connotation of the directives contained in Art 44 of the Constitution.
- iv. Impediments to the formation of the Uniform Civil Code.

2. **Will.**

3. **Gift.**

4. **Waqf.**

5. **Preemption.**

6. **Guardianship.**



SEMESTER-II
Paper VI
LAW OF CRIMES
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Specific Offences Against Human Body**
 1. Culpable Homicide and Murder.
 2. Hurt, grievous hurt offences relating to wrongful restraint and wrongful confinement assault.
 3. Kidnapping, Abduction.
2. **Offences Against Women**

Insulating the modesty of a woman and assault of criminal force with intent to outrage the modesty of woman. Cruelty by husband and relatives of husband.
3. **Offences Against Property & Documents.**
 - i. Theft, Cheating, Extortion, Robbery and dacoity, Mischief, Forgery.
 - ii Criminal misrepresentation, and breach of trust.
4. **Offences Against Marriage – Bigamy and adultery.**
5. **Offences Against State and Public Tranquility – Sedition, Unlawful Assembly Riot Affray.**



SEMESTER-II
PAPER VII
CONSTITUTIONAL LAW
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Executive** – Union and State Position and Power.
2. **Judiciary** – Union and State Appointment, Jurisdiction and Removal.
3. **Emergency** – Proclamation, President Rule and Financial Emergency.
4. **Trade, Commerce and Intercourse Finance Commission and Financial Relation.**
5. **Parliament & the State Legislature.**

Functions of Parliament, Money Bill, Ordinary Bill, Financial Bill,
Powers & Privileges of Parliament. Division of Legislative Scheme.



**SEMESTER-II
PAPER VIII
LEGAL WRITING
(INCLUDING GENERAL ENGLISH)
FULL MARKS-50**

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

15-Marks

1. **Application for Adjournment** of case compromise applications, affidavit agreement interim maintenance general power of attorney, legal notice, application for grant of certified copy. Writing of case comments on specific 5 cases.

10-Marks

2. **C. J. Registrar, Single Bench, Division Bench full Bench, Vacation Judge Legal aid board, Oath commissioner, Notary, Attesting office.**

5-Marks

3. **Citation of Legal Journals and Periodicals :**

- i. Technique of citing a reference.
- ii. Use of words such as Ibid, Supra, Infra, Op.cit.

10-Marks

4. **Essay writing** on topics of legal interest, translation & Precise writing, use of phrases & idioms.



SEMESTER-II
PAPER-IX
HUMAN RIGHTS
&
INTERNATIONAL LAW
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

PART-A
INTERNATIONAL LAW

25-Marks

1. **State Responsibility**
 1. Meaning and Definition of State Responsibility.
 2. Original and vicarious responsibility.
 3. International Delinquency.
 4. Notion of Imputability.
 5. Calvo Doctrine.
 6. State responsibility-a study of Bhopal Gas Leak Disaster Case.
2. **Diplomatic agents**
 1. Who is Diplomat?
 2. Classification of diplomatic agents.
 3. Function, Immunities and Privileges.
 4. Consule, Privilege & Immunities.
 - i. Rebus sic Stantibus.
3. **Nuclear Proliferation and Disarmament**
 1. Nuclear proliferation and Disarmament under Charter.
 2. Problems of Nuclear Proliferation and role of super power and balance of terror.
 3. Test Ban Treaty and Legality of testing.
 4. SALT
 5. Disarmament under league and charter.
4. **Laws of War & Neutrality.**
 1. Settlement of international disputes.
 2. War and its effects.
 3. United nation peace, keeping force.
 4. War under U. N. Charter.
 5. Concept of neutrality.



PART-B
HUMAN RIGHTS

15-Marks

1. Charter
2. Universal Declaration of Human Rights, 1948.
3. International Commission on Human Rights, 1966.
4. Regional International Human Rights Bodies and their Role.
 1. European Commission and court of Human Right ECHR, 1950.
 2. Inter American Commission and Courts of Human Rights. IACHR, 1969.
 3. Human Right Commission in India 1993.
5. Role of Amnesty International U.N.G.A., S.C. & ICJ.





Syllabus

LL.B. Part-II (Semester-III)

SEMESTER-III
PAPER-I
ENVIRONMENTAL LAW
FULL MARKS – 50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. Development and Environment the conflict of interest.
2. Early development of strict liability and environment concern.
3. Sources of Environmental Law:
 - (a) Environmental Policy in India:
 - (b) Early environmental Legislation.
4. Digest of environmental legislation:
 - (a) Noise pollution
 - (b) Legal theories-concerning natural resources, Bio-diversity, treaty, liability to protect environment.
 - (c) Land conservation – Mining – Construction – Distribution of resources etc.
 - (d) Land acquisition Act and rehabilitation package.
 - (e) The Air (Prevention and Control of Pollution) Act, 1981.
 - (f) The Water Prevention and Control Act of 1974, water cess Act.
 - (g) The Environment (Protection) Act, 1986 – Scope and enforcement of the Act, International obligations.
 - (h) Prevention of Cruelty to Animals Act, 1960.
5. Pollution control boards and other authorities – enforcement of laws :

Environment protection – authority of the central government
Independent commission on environment protection laws and planning, conservation and protection in connection with environment.
6. Hazardous waste disposal, Solid waste disposal.



**SEMESTER-III
PAPER-II
LAND LAWS**

(Including Ceiling and Local Laws)

FULL MARKS – 50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Bihar Land Reforms Act, 1950.** (Act XXX of 1950) Amended upto date.
2. **The Bihar Land Reforms (Fixation & Ceiling Area and acquisition of Surplus Land) Act, 1961.** (Act, XII of 1961) amended upto date.
3. **The Jharkhand Buildings (Lease, Rent and Eviction) Control Act, 2011.**



SEMESTER-III
PAPER-III
CRIMINAL PROCEDURE CODE,
JUVENILE JUSTICE ACT & PROBATION
OF OFFENDERS ACT

FULL MARKS-50

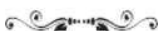
(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

PART-A

CRIMINAL PROCEDURE CODE, 1973

25-MARKS

1. Constitution of Criminal Courts & its power. (chap. II)
2. Arrest of persons.
3. Process to compel appearance.
 - (a) Summons.
 - (b) Warrant of arrest.
 - (c) Proclamation & attachment.
 - (d) Other rules regarding processes.
4. Process to compel the production of things.
 - (a) Summons to produce.
 - (b) Search Warrant.
 - (c) General provisions relating to search.
 - (d) Miscellaneous
5. Security for keeping the peace and for good behaviour.
6. Order for maintenance of wives children and parents.
7. Maintenance of public order and tranquillity.
 - (a) Unlawful assemblies.
 - (b) Public nuisances.
 - (c) Urgent cases of nuisance.
 - (d) Dispute as to immoveable property.
8. Preventive action of the Police.
9. Information to the police and their powers to investigate.



PART-B
THE JUVENILE JUSTICE
(Care and Protection of Children Act, 2015)

MARKS-15

1. **Meaning of Juvenile**, Juvenile in conflict with law, Juvenile in need of care and protection.
2. **Juvenile Justice Board** Constitution Power and Functions.
3. **Juvenile Institutions**: observation Homes, special Homes.
4. **Offences Against Juvenile**.
5. **Special Procedure** to be followed in case of Juvenile.



SEMESTER-III
PAPER- IV
PROPERTY LAW
(Transfer of Property Act.)

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

FULL MARKS-50

1. **General Principles of Transfer of Property** – Different classification of Property – Ability to transfer Property – Transaction resembling transfer.
2. **Rule against inalienability.**
3. **Rule against restriction on enjoyment.**
4. **Conditional transfers and transfers containing directions of transfer.**
5. **Rule against perpetuity.**
6. **Condition Precedent and Condition Subsequent-Its fulfilment.**
7. **Vested interest and Contingent Interest.**
8. **Doctrine of Election.**
9. **Transfer by co-owner.**
10. **Joint Transfer.**
11. **Doctrine of Lispendents.**
12. **Fraudulent Transfer**
13. **Part – Performance.**



**SEMESTER-III
PAPER-V
ADMINISTRATIVE LAW
FULL MARKS – 50**

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. Evolution, Nature and Scope of Administrative Law

Nature, Definition and scope of Administrative Law. Rule of Law; separation of power.

2. Legislative Powers of Administration

Meaning and Necessity for delegation of legislative Power, Constitutionality of delegated legislation, Consultation of affected interests and Public Participation in decision making, Publication of delegated Legislation (Administrative directions)

Legislative control of delegated Legislation, Committees on delegated Legislation.

Judicial Control of Delegated Legislation – Doctrine of Ultra vires.

3. Judicial Powers of Administration

Need for devolution of adjudicatory authority on administration.

Administrative Tribunals and other adjudicatory authorities.

Nature of tribunals – Constitution, Procedure, rules of evidence etc.

4. Natural Justice

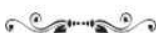
Right to hearing, Rule against bias, reasoned decisions, right to counsel, institutional decisions.



SEMESTER-III
PAPER-VI
COMPANY LAW
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Company:** Meaning, Kinds and Distinction between a company and others firms of business organization.
2. **Consequences and effect of incorporation** with particular emphasis on the doctrine of corporate personality.
3. **Memorandum of Association** – various clauses-Alteration therein – doctrine of ultra vires.
4. **Articles of Association** – binding force- alteration – its relation with memorandum of association – doctrine of constructive notice and indoor management – exceptions.
5. **Prospectus:** meaning, importance and contents; liabilities for misstatement in the prospectus; statement in lieu of prospectus.
6. **Promoters:** Meaning of legal position; Promoter and pre-incorporation contracts.
7. **Shares** – General Principles of allotment statutory restrictions – share certificate its objects and effects – transfer of shares – restrictions on transfer – procedure for transfer – refusal of transfer – role of public finance institutions – relationship between transferor and transferee – Issue of shares at premium and discount.
8. **Share capital** – kinds – alteration and reduction of share capital – further issue of capital – conversion of loans and debentures into capital duties of court to protect the interests of creditors and shareholders.



**SEMESTER-III
PAPER-VII
LEGAL HISTORY
FULL MARKS-50**

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Formation of East India Company and Charter of 1600.**
2. **Administration of Justice** in Madras (1639-1726) Bombay (1668-1726) Calcutta (1690-1726)
3. **Mayor,s Court** – Provisions, Working & defects-charter of 1726, charter of 1753.
4. **Establishment of Supremes Court at Calcutta**, Regulating Act 1773, Merits & Demerits.
The trial of Nand Kumar – Patna Case.
The cassijurah case
Act of Settlement. 1781.
5. **Supreme Court at Bombay & Madras.**
6. **Judicial measures of Lord Cornwallis, Warren Hastings & William Bentinck.**



PRACTICAL TRAININGS

Objectives:

Lawyers are supposed to perform an important function of helping people to abide by the law. They are officers of Courts and supposed to help them arrive at the truth and just resolution of disputes. The successful operation of the delivery of justice depends upon the commitment of the lawyers to the cause of justice. Various ethical questions arise in this connection. The purpose of these papers is to acquaint the student with:-

- (a) Social background of the lawyers.
- (b) How far career opportunities in the profession are determined by their Caste/Class/Sex/Context and public relation background?
- (c) How far the legal profession is professionalized in its dealings with the clients on the one hand and judges on the other?
- (d) How far legal profession is apprised of the law as an instrument of social change and law far it can participate meaningfully in the transformation effort?
- (e) What ethical standards are expected of the lawyers and how are such standards enforced?

This following syllabus of these papers is prepared to train the students to be a good lawyer. These papers are distributed in three parts:-

- (a) In classroom instruction which will carry 50 marks by written examination.
- (b) Field work will carry 30 marks.
- (c) Viva-voce will carry 20 marks. The written examinations questions may be objective type and short descriptive type.



**SEMESTER-III
PAPER-VIII
PRACTICAL TRAINING-I**

Professional Ethics, Accountancy for Lawyers & Bar Bench Relations

FULL MARKS-100

PART-A

CLASS ROOM INSTRUCTIONS

MARKS-50

Professional Ethics

1. **Advocates Act, 1961.**
 - (I) Bar Councils, their constitutions, power and functions.
Sec. 3, 4, 5, 6, 7, 9, 10, 10A, 10B, 15, 48, 48A, 48AA, 48B, 49, 49A.
 - (II) Advocates on a state roll.
Sec. 22, 24, 24A, 25, 26, 26A, 27, 28.
 - (III) Conduct of Advocates.
Sec. 35, 36, 36B, 37, 38, 39, 40, 41, 42, 42A, 43, 44, 45, 47.
2. **Bar Bench relations and Rules of Courts.**
 - (I) Senior and other Advocate and Right to Practice.
 - (a) Advocates Act, 1961 Sec. 16, 21, 29, 30, 32, 33, 34.
 - (b) Rules framed by High Court of Judicature at Patna under Advocates Act, 1961 and the Indian Bar Councils Act, 1926.
 - (II) Advocates in the Supreme Court of India Order IV of the Supreme Court of India Rules, 1966.
 - (III) Civil Court Rules of the High Court of Judicature at Patna. Preliminary, Chapters I, II, III, IV, V, X, XI of Part I, Chapter I and II of Part III, Chapter I of Part II.
 - (IV) Criminal Court Rules of the High Court of Judicature at Patna. Preliminary Part I, Part II, Chapter I, II, III of Part III, Chapter I of Part IV.
3. **Accountability for Lawyers.**



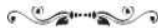
PART-B
FIELD WORK

MARKS-30

Attending different Courts and tribunals and to observe the Court proceeding and prepare reports.

PART-C
VIVA-VOCE

MARKS-20





Syllabus

LL.B. Part-II (Semester-IV)

SEMESTER-IV
PAPER-I
ENVIRONMENTAL LAW
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Sustainable Development** and Equitable society, problems of developmental technology.
2. **European Communities Law** – International Law – Judicial Review, Remedies, Procedure – Restrictions on Judicial Review.
3. **Constitutional and Legislative Provisions:**
 - (a) Constitutional provisions and environment.
 - (b) Environmental protection and fundamental rights and duties:
 - (c) The right to Wholesome Environment.
4. **Digest of environmental legislation:**

The Wild life Protection Act of 1972.
The Indian Forests Act of 1927.
The Forest Conservation Act of 1980.
The Insecticides Act of 1968.
The Atomic Energy Act of 1962.
The Factories Act of 1948.
5. **Judicial remedies and procedures Tort Law:**
 - (i) Damages and Injunction.
 - (ii) Nuisance, Negligence and strict liability.
 - (iii) Public interest litigation, Locus standi Principle.
 - (iv) Judicial Activism.
6. **Bio-Medical waste disposal.**



SEMESTER-IV
PAPER – II
LAND LAWS
(Including ceiling and local laws)
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Chotanagpur Tenancy Act, 1908,**
Chapter – I to VIII.
Chapter – IX Section 51A, 55, 56, 57, 58, 59, 60, 61, 61A, 62, 63.
Chapter – X Whole, except Sec. 75 amended up-to-date.
Chapter – XII Section 83, 84, 91, 92.
Chapter – XIV Whole.
Chapter – XV Section 127, 134.
Chapter – XVI Section 137, 139, 139A, 143, 144, 172, 173, 177,
178, 179, 182, 196, 206, 208, 210, 211, 212, 213,
213A, 215, 217, 218, 224.
Chapter – XVIII Whole.
Chapter – XIX Section 257, 258.



SEMESTER-IV
PAPER-III
CRIMINAL PROCEDURE CODE,
JUVENILE JUSTICE ACT & PROBATION
OF OFFENDERS ACT
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

PART-A
CRIMINAL PROCEDURE CODE, 1973

25-MARKS

1. Jurisdiction of the Criminal Courts in inquiry.
2. Conditions Requisite for Initiation of Proceedings.
3. Complaints to Magistrates.
4. Commencement of Proceedings before Magistrates.
5. Trials :
 - (a) Trial before a Court of Session.
 - (b) Trial of warrant-cases by Magistrate.
 - (c) Trial of summons-cases by Magistrate.
 - (d) Summary Trials.
6. Charge – contents, Joinder of charges.
7. Appeals.
8. Reference and Revision.
9. Provisions as to bail and bonds.
10. Limitation for taking cognizance of certain offences.
11. Inherent powers of High Court.



PART-B
THE PROBATION OF OFFENDERS ACT,
1958

15-MARKS

1. Probation – As a resocialization process.
2. Objects and Reasons of the Act – Historical perspective and Legislative History of probation laws in India.
3. Concept and Definition of Probation.
4. Probation of Offenders Act, 1958 (All Sec.)
5. Distinction between Probation and suspended sentences.
6. Judicial Trend in Probation.



SEMESTER-IV
PAPER- IV
PROPERTY LAW

(Including Transfer of Property Act & Easement Act)

FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

PART-A

25-MARKS

1. **Sale:** Definition – Mode of sale – Rights and Liability of seller and buyer
Difference between Sale and Exchange.
2. **Mortgages:** Definition – Kinds of Mortgages and features – Rights of Mortgager and Mortgagee-Liabilities of Mortgager and Mortgagee – Right to Redeem, Partial Redemption, Clog on Redemption, securities – Marshalling and Contribution and subrogation and charge..
3. **Leases:** Definition – Scope – Leases how made - Determination of Lease– Holding over.
4. **Gifts:** Scope and meaning – Mode of Transfer – Onerous gift – Universal Donee.



PART-B
INDIAN EASEMENT ACT

MARKS -15

1. **Easements:** Definition – classifications – characteristics
 - Mode of acquisition.
 - Kind of Easement
 - Extinction of easements.
 - License – Difference between License and Easements.



SEMESTER-IV
PAPER-V
ADMINISTRATIVE LAW
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Judicial Control of Administrative Actions.**

Preliminary.

Scope of Judicial Review, Jurisdictional error/ultra vires, abuse and non-exercise of jurisdiction, error apparent on the face of the record, Violation of principles of natural justice, Mandamus, Certiorari, Prohibition, Quo-Warranto, Habeas Corpus, Declaratory judgments and injunctions..

2. **Administrative Discretion**

Need for administrative discretion, Administrative discretion and rule of law, Mala fide exercise of discretion,

3. **Liability for Wrongs (Tortious and Contractual)**

Tortious liability: sovereign and non-sovereign functions, Statutory immunity, Act of State, Promissory Estoppel and Waiver.

4. **Corporations and Public Undertakings**

Nature liability and control of public corporations.

5. **Ombudsman, Parliamentary Commissioner**



**SEMESTER-IV
PAPER-VI
COMPANY LAW
FULL MARKS-50**

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Directors** – Appointment and legal position – removal– role of nominee directors – managing directors and other managerial personnel.
2. **Meetings** – kinds, procedure – voting.
3. **Audit and accounts.**
4. **Borrowing powers** and effects of unauthorised borrowing.
5. **Debentures** – meaning and kind – floating charge; relation between shareholder and debenture holder; remedies of debenture holders.
6. **Protection of minority rights** : oppression and mismanagement; meanings; conditions for the remedies against oppression and mismanagement and persons entitled to seek relief against oppression and mismanagement, powers of the court and of the Central Government for the prevention of oppression and mismanagement.
7. **Winding up:** meaning, types, grounds and the persons entitled to apply for winding up; official liquidator and liquidator; Appointment and Powers.



SEMESTER-IV
PAPER – VII
LEGAL HISTORY
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. The Indian High Court Act, 1861.
2. The Government of India Act, 1909 and 1919.
3. Government of India Act, 1935.
4. Appeal to Privy Council.
5. Appeal to Federal Court.
6. Appeal to Supreme Court.
7. Development of Criminal Law 1772-1860.
8. Muslim law of crimes : Salient features
9. Development of Civil Law.
10. Bengal Madras and Bombay Scheme.
11. Charter Act of 1833.
12. Justice, Equity & Good Conscience.
13. Law Commissions.



PRACTICAL TRAINING

Objectives:

Lawyers are supposed to perform an important function of helping people to abide by the law. They are officers of Courts and supposed to help them arrive at the truth and just resolution of disputes. The successful operation of the delivery of justice depends upon the commitment of the lawyers to the cause of justice. Various ethical questions arise in this connection. The purpose of these papers is to acquaint the student with:-

- (a) Social background of the lawyers.
- (b) How far career opportunities in the profession are determined by their Caste/Class/Sex/Context and public relation background?
- (c) How far the legal profession is professionalised in its dealings with the clients on the one hand and judges on the other?
- (d) How far legal profession is apprised of the law as an instrument of social change and law far it can participate meaningfully in the transformation effort?
- (e) What ethical standards are expected of the lawyers and how are such standards enforced?

The following syllabus of these papers is prepared to train the students to be a good lawyer. These papers are distributed in three parts:-

- (a) In classroom instruction which will carry 50 marks by written examination.
- (b) Field work will carry 30 marks.
- (c) Viva-voce will carry 20 marks. The written examinations questions may be objective type and short descriptive type.



SEMESTER-IV
PAPER-VIII
PRACTICAL TRAINING
FULL MARKS-100

Public Interest Lawyering Legal Aid and Para Legal Services.

PART-A
CLASSROOM INSTRUCTIONS

Theory Paper 50-Marks

1. **Acts, Laws, Rules etc. about Lok Adalat and Legal Aid.**
 - (a) Article 39A of the Constitution of India – Right to legal aid is a fundamental right under article 21 of the Constitution of India, Sec.309 of Cr. P.C., 1973.
Important cases: - (i) Hussainara Vrs. State of Bihar (AIR 1979 SC 1369).
 - i. Khatri Vrs. State of Bihar (AIR 1981 SC 928).
 - ii. Haskot Vrs. State of Maharastra AIR 1978 SC 1548.
 - iii. Janardan Reddy Vrs. Hyderabad AIR 1951 SC 217.
 - (b) Legal Services Authority Act, 1987.
 - Aims and Objective of the Act.
 - Different authorities and modes under the Act.
 - Class of peoples eligible to get legal aid.
2. **Alternative Dispute Resolution Systems.**

Mediation, Negotiation, Conciliation, and Arbitration.
3. **Public Interest Litigation.**
 - Its development and effect on traditional rules, doctrine of locus standi.
 - Its effect on society and executives.
 - Its misuse – and unscrupulous person should prevented to vindicate. his personal grudge in garb of protecting a public or social interest.
 - Recent trend of judiciary in PIL Cases.

IMPORTANT CASE:-

- (i) S. P. Gupta v. Union of India.
 - AIR 1982 SC 149, 194 (Scope and basic approach).
- (ii) D. C. Wadhwa v. State of Bihar.
 - AIR 1987 SC 579 Paragraph 38. (Locus Standi)
- (iii) Ratlam Municipality v. Vardi Chand.
 - AIR 1980 SC 1622 (General)
- (iv) Charan Lal Sahu v. Union of India.
 - AIR 1990 SC 1480 (Doctrine of Parens patriae)
- (v) Bandhua Mazdoor Case. AIR 1984 SC 802 (Proceeding can be continued even if petitioner withdraws himself from it).
- (vi) Rudal Sah v. State of Bihar AIR 1983 SC 1086 (Compensation to Victim).
- (vii) Olga Tellis v. Bombay Corporation. AIR 1986 SC 180 (Fundamental Rights cannot be waived).
- (viii) Saheli v. Commissioner of Police.
 - AIR 1990 SC 513 (Compensation for Police atrocities)
- (ix) Sunil Batra v. Delhi Administration.
 - AIR 1980 SC 1579 (Treatment in Prisons)

4. Para Legal Services:-

- (a) Social Profile of the Legal Profession.
 - Class/caste/education/sex composition of the different Bar.
 - Professional opportunities-Upward mobility.
 - How far have under privileged groups such as SC/ST advanced in the Profession.
 - Position of women lawyers-Career opportunities and Handicaps.
- (b) Non-State Legal System (NSLS).
 - Conceptions of NSLS.
 - Type NSLS
 - Interaction between NSLS and SLS.
- (c) Law are instrument of Social Control-Impact of law in Society.

PART-B
FIELD WORK

30-MARKS

1. Attending Lok Adalat, Legal Aid Centre, Legal literacy, Camp and Para Legal training camp organised by the different Courts, University or College
2. Legal research in support of PIL.
3. Reporting of cases which students observed in different court rooms.

PART-C
VIVA-VOCE

20-MARKS





Syllabus

LL.B. Part-III (Semester-V)

SEMESTER-V
PAPER-I
LAW OF EVIDENCE
(INDIAN EVIDENCE ACT, 1872)
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Definition of facts.** Distinction between relevant facts and facts in issue. Oral and documentary evidence,. Circumstantial evidence and direct evidence. Proving and Dis-proving witnesses.
2. **Relevancy**
Doctrines of res-gestae.
3. **Admissions and Confessions**
General principles concerning admission and its admissibility. Difference between admission and confession. Non-admissibility of confession. Admissibility of custodial confession. Admissibility of “information” received from an accused person in custody with special reference, problems of discovery based on “joint statement”. Confession by co-accused “Retracted Confession”.
4. **Dying Declaration**
Justification for relevance on dying declaration. Judicial standards for appreciation of evidentiary value of dying declaration.
5. **Other Statement by Persons who cannot be called as Witnesses**
Section 32 entire. Special problems concerning violation of woman’s right in maturity in the law of evidence, relevance of judgements, general principles, admissibility of judgements in civil and criminal matters, fraud and collusion.
6. **Expert Testimony**
General principles, who is an expert, type of expert, opinion on relevancy, special proof of maturity. Problems of judicial defence to expert testimony.
7. **Character Evidence**



SEMESTER-V
PAPER-II
LAW OF TORTS
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Evolution of Torts** in England and India.
2. **Definition, Nature, Scope and object of Tortious liability.**
3. **Distinction of Tort, Crime, Breach of contract, Essentials of Tort.**
Principles of Liability in Tort.
4. **Defences and Justification for a Tortious conduct.**
5. **Assault, Battery, False Imprisonment.**
6. **Defamation.**
7. **Malicious Prosecution.**



SEMESTER-V
PAPER-III
CIVIL PROCEDURE CODE & LIMITATION
ACT

FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

PART-A

CIVIL PROCEDURE CODE

30-MARKS

1. **Definitions** Decree, Decree-holder, Foreign Court, Foreign Judgment, Judgment, Judgment-Debtor, Legal representative Mesne profit, Order,
2. **Jurisdiction of courts** to try civil suits. Stay of Suits Res-Judicata, Place of suing.
3. **Parties to suits.** Necessary party and Proper Party. Mis-joinder and Non-joinder. Frame of suits. Institution of Suits. Pleadings. Complaint, written statement and set-off. Amendment of pleading.
4. **Suit by or against the Government** or public officer in their official capacity. Notice. Interpleader Suit. Suit by indigent persons. Suit by or against minor.

PART-B

LIMITATION ACT

10 MARKS

1. **Nature of the Law of Limitation.**
2. **Bar of Limitation.** Expiry of prescribed period when court is closed. Extension of prescribed period in certain cases.
3. **Legal disability.** Disability of one several persons.
4. **Special Exception.**
5. **Continuous running of time.** Exclusion of time in legal proceeding. Exclusion of time in cases where leave to sue or appeal as a pauper is applied for. Exclusion of time proceeding bonafide in court without jurisdiction.



**SEMESTER-V
PAPER-IV
ARBITRATION, CONCILIATION &
ALTERNATE DISPUTE RESOLUTION
SYSTEM**

FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Need of Alternative** Dispute Resolution System; to solve the litigation pending in different courts and maintain harmony in the society.
2. **Objects and principles of Arbitration**, kind and class of Arbitration, Arbitration agreement.
3. **Appointment of Arbitrator**, Composition of Arbitral Tribunal, Resignation by or removal of Arbitrator, venue of Arbitration.
4. **Mediation**: Meaning, nature and scope of mediation. Theory of Restorative Justice and its application, Gandhian Principles of non-violent conflict resolution, traditional mediation practices in India and abroad.
5. **Mediation Laws in India**: Judicial interpretation and relevant case laws, dispute resolution Institutions in India, Essential elements of mediation, process and stages of mediation, approaches to mediation and role of the mediator.
6. **Importance of communication**: Elements of verbal and non-verbal communication, effective and ineffective communication techniques.
7. **Conciliation**: Meaning, nature and scope of conciliation.



SEMESTER-V
PAPER-V
LABOUR LAWS
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. Factories Act, 1948 **15-Marks**

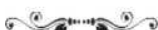
Interpretation, Notice by occupier, General duties of the occupier, Powers of Inspectors, Health welfare, working hours of Adults, Weeks Hours, Weekly holidays, Compensatory holidays, Daily hours, Night shifts, Extra wages for overtime, Prohibition of employment of women and children, Prohibition of employment of young children, Working hours for children, Notice of certain accidents, Liability of owner of premises in certain circumstances.

2. Industrial Disputes Act, 1947 **15-Marks**

Definition, Works committee, Conciliation officers, Boards of conciliation, Labour courts, Tribunals, National Tribunals, Reference of Disputes to Boards, Courts and Tribunals, Procedure and powers of conciliation officers, Boards Courts and Tribunals, Duties of Board-Courts, Labour Courts, Tribunals National Tribunals, Persons on whom settlements and Awards are binding, Period of operation of settlements and awards, Strikes and Lock outs, Definition of continuous Service, Conditions precedent to retrenchment workmen, Compensation to workmen in cases of closing down of undertaking, Recovery of money due from an employer.

3. Industrial Employment (Standing Order) Act, 1946 **10-Marks**

Interpretation, Submission of Draft Standing Orders, Conditions for Certification of Standing Orders, Certification of Standing Orders, Appeals, Duration and Modification of Standing Orders, Certifying Officers and Appellate authorities to have powers of Civil Courts.



SEMESTER-V
PAPER-VI
INTERPRETATION OF STATUTES
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Meaning of the word stature-** Different types of classifications- meaning of the words construction and Interpretation- commencement, repeal and revival of legislation.
2. **Internal Aids to construction-** Title-Preamble-Headings-Marginal notes-Illustrations- Definition-Types of Definition-Utility and Importance of Definition-Proviso-Explanation-Schedule.
3. **External Aids to construction-** Parliamentary History-Historical facts-Reference to other statutes- Contemporanea Expositio (Effect of usage and custom)-Dictionaries-Foreign decisions-Government publications..
4. **Guiding rules:** Rule of literal construction-Mischief rule-Beneficial rule-Restrictive rule-Golden rule-words understood according to their subject matter-regard to consequences-Noscitur A Sociis
5. **Operation of Statutes-commencement-** Retrospective operation- Operation controlled on considerations of constitutionality- Operation controlled on considerations of territorial nexus-other relevant considerations relating to operations.

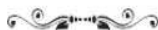


SEMESTER-V
OPTIONAL PAPERS

PAPER-I
LAW OF TAXATION
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Concept of Taxation** and its historical development in India.
2. **Direct and Indirect tax:** Tax and Fee.
3. **Definition;** Income, Agricultural Income, Assessment year, previous year, Person, Assesses.
4. **Income Tax Act 1961:**
 - (a) Basic concept.
 - (b) Residential status and Tax incidence.
 - (c) Salaries.
 - (d) Income from House Property.
 - (e) Profits and Gains of Business and Profession.
 - (f) Capital Gains.
 - (g) Income from other Sources.
 - (h) Return of Income and Assessment.
 - (i) Search and Seizure.
 - (j) Income Tax Authorities.
 - (k) Appeals and Revision.



**SEMESTER-V
OPTIONAL
PAPER-II
CRIMINOLOGY AND PENOLOGY
FULL MARKS-50**

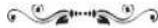
(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. Objectives of the study of Criminology and Penology.
2. Criminology.
 - (a) Nature and Scope.
 - (b) Inter-relation between Criminology Penology & Etilogy.
 - (c) Fundamentals of Criminal Law.
 - (d) Possibility of science of Criminology.
3. Schools of Criminology.
 - (a) Pre-classical School of Criminology.
 - (b) Classical School of Criminology.
 - (c) Typological School of Criminology.
 - i. Italian School
 - ii. Mental Tester School
 - iii. Psychiatric School
 - (d) Sociological School of Criminology
 - (e) Cartographic School.
4. Methods of Study of Criminology.
 - (a) Statistics of Crimes.
 - (b) Individual case study method.
 - (c) Limited case method
5. Causation of Crime.
 - (a) Heredarity and Crime.
 - (b) Biophysical factors and criminality.
 - (c) Freuds Theory of Criminal behaviour-psychological concept.
 - (d) Deferential Association Theory.
 - (e) Anomie.

6. **Crime and Economic Condition.**

7. **White Collar Crime.**

- (a) Nature and Crime in India.
- (b) General approaches to crime control.
- (c) Crimes of the powerful organised and white collars-crimes in the profession viz. medical, legal, engineering etc.
- (d) Organised crime, sexual offences, prostitution & drugs abuse.
- (e) Perpetrators of ordinary crimes, the situational criminals, chronic offenders and criminal gangs.



**SEMESTER-V
OPTIONAL
PAPER – III
LAW AND MEDICINE
FULL MARKS-50**

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Notion of Profession.**
 - (a) Types of Medical Profession in India.
 - (b) Para Professionals.
2. **Self-regulation through codes of conduct and disciplinary Proceedings.**
 - (a) Self-regulation through education-Institutional discipline viz. hospitals and research centres.
 - (b) The Role of law in sustaining and monitoring self-regulation.
3. **The Regulation and Organization of Medical Education and Profession in India.**
 - (a) Medical Degrees Act, 1916.
 - (b) Pharmacy Act, 1948.
 - (c) Indian Medical Council Act, 1956.
 - (d) Nursing Council Act, 1947.
4. **Emerging Issues.**

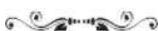
The Trans plantation of Human organs Act, 1994.
5. **Important Medico – Legal Cases.**
 - (i) Ratlam Municipality Vrs. Vardhichand.
(AIR 1980 SC 1622)
 - (ii) Rakesh Chandra Narayan Vrs. State of Bihar.
(1989 supp (1) SCC. 644-656)
(AIR 1995 SC 208)
 - (iii) Indian Medical Association Vrs. V. P. Shantha & ors.
(1995) 6 SCC. 651)
 - (iv) Dr. Laxman Balakrishna Joshi Vrs. Dr. Trimbal Babu Godbole
and another.
(AIR 1969 SC 123)



SEMESTER-V
OPTIONAL PAPER-IV
INTELLECTUAL PROPERTY LAWS
FULL MARKS -50

(Theory Paper-40 Marks, Internal Assessment- 10Marks)

1. **Concept of Property vis a vis Intellectual Property**
 - (a) Concept of Property and Theories of Property – An Overview.
 - (b) Theories of Intellectual Property Rights.
 - (c) Social and Economic Development and Role of Intellectual Property System.
 - (d) Need for Protecting Intellectual Property, Policy Consideration, National Perspectives and International Demands.
2. **Types of Intellectual Property- Origin and Development – An Overview, Intellectual Property Rights as Human Right.**
3. **Role of International Institutions.**
 - (a) World Intellectual Property Organization (WIPO).
 - (b) Function of WIPO.
 - (c) Membership of WIPO.
 - (d) Agreement between the WIPO and the WTO.
 - (e) Dispute Settlement – New Treaties.
4. **Copyright: National Perspective.**
 - (a) Copyright: What and Why?
 - (b) Term of Copyright, Assignments and Licensing.
 - (c) Registration and Regulatory Authority.
 - (d) Procedure.
 - (e) Infringements and Remedies- Contractual, Civil, Criminal and Administrative.
 - (f) An Overview of International Perspective.
5. **Trademarks:**
 - (a) Need and Emergence of Trade Marks Law.
 - (b) The Register and Conditions for Registration.
 - (c) Procedure for and Duration of Registration.
 - (d) Effect of Registration.
 - (e) Passing Off and Infringement of Trade Mark.
 - (f) Assignment and Transmission.
 - (g) Use of Trade Marks and Registered Users.
 - (h) Rectification, Correction of the Register and Certification of Trademarks.
 - (i) Appellate Board Offences, Penalties and Procedure.



**SEMESTER-V
PAPER-IX**

(Compulsory Paper)

PRACTICAL TRAINING

FULL MARKS-100

Division of Marks

- | | | | |
|-----|--------------------|---|----------|
| (a) | Theory Examination | - | 45 marks |
| (b) | Practical Work | - | 45 marks |
| (c) | Viva-Voce | - | 10 marks |

1. Moot Court, Pre-trial Preparations and Participation in Trial Proceeding.

This paper will have three components of 30 Marks each and a Viva for 10 Marks.

- (a) **Moot Court** (30 Marks). Every students will do at least three moot courts in a year with 10 Marks for each. The mootcourt work will be on assigned problems and it will marks for oral advocacy.
- (b) **Observance of Trial** in two cases, one Civil and one Criminal (30 Marks):
Students will attend two trials in the course of his final year of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.
- (c) **Interviewing techniques** and pre-trial preparations (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 components of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.**



SEMESTER-V
PAPER-IX
Compulsory Practical Training Paper
Moot Court, Pre-Trial Preparations and
Participation in Trial (Proceedings)
Syllabus for Written Examination
FULL MARKS-45

1. Moot Court 15-marks

The students have prepared the following five cases for the Moot Court with a written arguments of both side.

- (a) Pakla Narain Swami v. Emperor.
AIR 1939 P.C. 47
- (b) P. Kottayya v. Emperor.
AIR 1947 P.C. 67
- (c) Mahboob Shah v. Emperor.
1945, BLR 941
- (d) Bangalore Water Supply Sevarage Board v. A. Ragappa
AIR 1985 S.C. 1430
- (e) Vellore Citizen Welfare Form v. Union of India
1996 (5) S.C.C 647

2. Observance of Trial 15-marks

- (a) Civil Trial.
- (b) Criminal Trial.

Students are expected to know the different stages of Civil and Criminal Trial.

3. Interviewing Techniques & Pre-Trial Preparation 15-marks

Students are expected to know interviewing sessions of client at the lawyers office Legal Aid office. Students are also expected to know the preparation of documents and court papers by the Advocate and the procedures for filling of the Suits/Petition.

NB: The above referred cases for moot court are subject to change.





Syllabus

LL.B. Part-III (Semester-VI)

SEMESTER-VI
PAPER-I
LAW OF EVIDENCE
(INDIAN EVIDENCE ACT, 1872)
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. Oral and Documentary Evidence

General principles concerning oral evidence and documentary evidence, Exclusion of oral by documentary evidence, Hearsay evidence.

2. Burden of Proof

General conception to onus pro-bendi, general and special exceptions, the onus pro-bendi, justification of presumptions and of the doctrine of judicial notice. presumption as to certain offences. Presumption as to dowry death. The scope of doctrine of judicial notice.

3. Estoppel

Introduction as to the rationale (section 115) estoppel. Res judicata and waiver and presumption, estoppel as a matter, estoppel by deed, equitable and promissory estoppel.

4. Witnesses Examination and Cross Examination

Competency to testified, state privilege professional privilege, accomplice, general principle of examination and cross-examination, leading questions, lawful questions in cross-examination. Compulsion to answer questions put to witness, hostile witness, impeachment to the standing or credited witness.



SEMESTER-VI
PAPER-II
TORTS AND CONSUMER PROTECTION
ACT
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

PART-A
TORTS

MARKS-15

1. Negligence and Nervous shock.
 - a. Strict liability.
 - b. Remoteness of damages.
 - c. Joint Tort Feasor and Several Tort Feasor.
 - d. Conversion.
 - e. Passing off.

PART-B
CONSUMER PROTECTION LAWS

MARKS-25

1. Concept of Consumer Sovereignty.
 - a. Need of Consumer Protection and Consumerism.
 - b. Doctrine of Caveat Emptor.
 - c. Consumer Protection and Doctrine of Negligence.
2. Consumer Protection Act : Salient Features and the Relationship of the Act with other Consumer Protection Legislations.
3. Consumer Protection Act, 1986 :

Important Definitions :

- | | |
|---------------------------|--------------------------------|
| (a) Consumer | (b) Consumer Dispute |
| (c) Complaint | (d) Complainant |
| (e) Trader | (f) Manufacturer |
| (g) Service | (h) Unfair Trade Practice |
| (i) Defect and Deficiency | (j) Restricted Trade Practices |

4. **Consumer's Rights and Consumer Protection Councils :** Objective Jurisdiction and Procedure.
5. **Consumer Dispute Redressal Agencies :** Their Constitution, Jurisdiction and Procedure.
6. **Enforcement of Decrees and Order :** Dismissal of Frivolous or Vexatious Complaints, Limitation.



**SEMESTER-VI
PAPER-III
CIVIL PROCEDURE CODE & LIMITATION ACT
FULL MARKS-50**

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

**PART-A
CIVIL PROCEDURE CODE**

30-MARKS

1. **Summons and Discovery.** Issue and service of summons.
2. **Appearance of parties** and consequence of non-appearance. Ex-parte decree. Setting aside decree ex-parte. Discovery and Inspection. Settlement of issues and determination of suit on issue of law or on issue agreed upon.
3. **Summoning and attendance of witness.** Adjournment. Hearing of suit and Examination of witness Judgment and Decree. Execution of decree.
4. **Appeal from original Decree.** Second Appeal. Appeal to the Supreme Court. Cross-objection. Reference Revision and Review. Saving of inherent powers of court.
5. **Arrest before Judgment,** attachment before Judgment. Injunction. Receiver. Withdrawal of Suits. Compromise of suits.
6. **Commissions, Restitution.**

**PART-B
LIMITATION ACT**

10 MARKS

1. Effect of death on or before the accrual of right to sue.
2. Effect of fraud or mistake.
3. Effect of acknowledgement in writing.
4. Effect of substitution or adding new plaintiff or defendant. Continuing breach and tort.
5. Computation of time mentioned in instrument. Acquisition of ownership by possession.



SEMESTER-VI
PAPER-IV
ARBITRATION, CONCILIATION &
ALTERNATE DISPUTE RESOLUTION
SYSTEM
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Jurisdiction and procedure of Arbitral Tribunal**, Making of Arbitral Award and Termination of proceeding.
2. **Modification and Correction of the Arbitral Award**, setting aside of the Arbitral Award.
3. **Finalizing and enforcement of Arbitral Award**, appeals and Miscellaneous provisions of the Act, Supplementary provisions of the Act.
4. **Conducting effective mediation**: Decision making techniques, problem solving tactics, ensuring positive outcomes.
5. **Qualities and skills of Mediators**: Developing mediation skills, code of ethics, confidentiality requirements.
6. **Status of Mediated Agreements**: Sanctity of mediated agreements, enforcement laws and procedures.
7. **Conciliation** - As per statutorily valid procedure



**SEMESTER-VI
PAPER-V
LABOUR LAWS
FULL MARKS-50**

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Workmen's Compensation Act, 1923** **15-Marks**
Definitions, Employer's Liability for Compensation, Amount of Compensation, Method of Calculating Wages, Distribution of Compensation, Notice and Claim, Reference to Commissioners, Appointment of Commissioners, Venue of proceedings and transfer, Form of application, Powers and Procedure of Commissioners, Appeals, Withholding of certain payments pending decision of Appeal.
2. **Trade Unions Act, 1926** **15-Marks**
Definitions, Mode of Registration, Application for Registration, Provisions to be contained in the Rules of Trade Union, Registration, Certificate of Registration, Cancellation of Registration, Appeal Registered office, Objects on which general funds may be spent, Constitution of a separate fund for political purposes, Amalgamation of Trade Unions, Notice of Change of Name or Amalgamation, Dissolution.
3. **Payment of Wages Act, 1936** **10-Marks**
Definitions, Responsibility for payment of Wages, Deductions for absence from duty, Deductions for damage or loss, Deduction for services rendered, Deductions for recovery of advances, Claims arising out of deductions from Wages or delay in payment of Wages and penalty for malicious or vexatious claims, Single application in respect of claims from unpaid group, Appeal.



SEMESTER-VI
PAPER-VI
INTERPRETATION OF STATUTES
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Statutes affecting jurisdiction of courts:-**
General principles-the extent of exclusion of jurisdiction of superior courts.
2. **Construction of taxing statutes and evasion of statutes:-**
Strict construction of taxing statutes-General Principles of strict construction-Illustration cases-Limits of Rule of strict construction-Evasion of Statutes.
3. **Remedial and Penal statutes,** Meaning, Distinction between the two, Liberal construction of Remedial statutes, Strict construction of penal statutes, Mens Rea in statutory offences.
4. **Use of different words,** Use of negative words, Affirmative words may imply a negative, use of 'shall' or 'shall and may' 'must and should'- conjunctive words 'or' & 'and'.
5. **Principles of Legislation,** Distinction between Morals and Legislation, Political good and evil, Circumstances which affect sensibility, Methods of reasoning on subject of legislation.



**SEMESTER-VI
OPTIONAL PAPERS**

(Any two of the followings)

PAPER-I

LAW OF TAXATION

FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Historical Background** and Basic Concept of GST. Comparison with earlier Indirect Taxes in India viz. VAT, CST, Central Excise, Service tax etc.
2. **GST Council**- Constitution and Procedure, Power and Responsibilities of GST Council.
3. **Important definitions under GST.**
4. **Concept and Scope of Supply.**
5. **Levy and Collection of Tax including Reverse Charge.**
6. **Registration.**
7. **Input Tax Credit.**
8. **Return, Payment of tax, Penalties and Assessment.**
9. **Appeal and Revision.**



SEMESTER-VI
OPTIONAL
PAPER-II
CRIMINOLOGY AND PENOLOGY
FULL MARKS-50

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. **Theories of Punishment.**
 - (a) Meaning of Punishment.
 - (b) Forms of punishment.
 - (c) Capital punishment.
2. **The police and Criminal Justice.**
 - (a) The Police systems-structural organizations.
 - (b) Power and duties of Police under Police Acts, Criminal Procedure Code and other laws-methods of Police Investigations.
3. **The Prison Systems.**
 - (a) Evolution of Prison System.
 - (b) Concept of Treatment in Prison.
 - (c) Open prisons – Prisoners, rights and security compulsion.
4. **Probation of offenders and Police.**
5. **Rehabilitations of convicts.**
6. **Recidivism.**



**SEMESTER-VI
OPTIONAL
PAPER – III
LAW AND MEDICINE
FULL MARKS-50**

(Theory Paper – 40 Marks, Internal Assessment – 10 Marks)

1. Public Health

- (a) Health as a fundamental human right – role of medical professionals and courts in its realisation.
- (b) Important provision of law.
- (c) Constitution of India, Articles 21, 39, 47, 48A, 51A. I.P.C., 1860 Sec. 268, 269, 270, to 278, 284, 285, and 286.
- (d) Epidemic Diseases Act, 1897.
- (e) The Cigarettes (Regulation of Production, Supply and Distributions) Act, 1975.

2. Health and Drug Laws

- (a) International Convention for the Protection of Human Rights and Dignity of Human Beings with regard to the Application of Biology and Medicine, Convention on Human Rights and Bio-Medicine, 1997.
- (b) Important Legislation
- (c) Dangerous Drugs Act, 1930.
- (d) Drugs and Magic Remedies (Objectionable Advertisements) Act, 1954.

3. Experimental Abuses Special Groups.

- (a) Children, Mentally ill, Women, Prisoners.
- (b) Important legislation attached to Special Group.
- (c) Vaccination Act, 1880.
(Sec. 6, 7, 9, 17 only)
- (d) Mental Health Act, 1987.
(Sec. 1 to 6, 15, 16, 19 and 81 only)
- (e) Medical Termination of Pregnancy Act, 1971.
(Sec. 3 & 4 only)
- (f) Prisoners Act, 1894.
(Sec. 13, 14, 15, 24, 37, 38, 39, and 39A only)

4. Medical Insurance – Necessity.



SEMESTER-VI
OPTIONAL
PAPER-IV
OTHER FORMS OF INTELLECTUAL
PROPERTY RIGHTS

FULL MARKS -50

(Theory Paper-40 Marks, Internal Assessment- 10Marks)

1. **Geographical Indication:**
 - (a) The Geographical Indications of Goods Act, 1999.
 - (b) The Semiconductor Integrated Circuits Layout Design Act, 2000.
 - (c) The Protection of Plant varieties and Farmer's Right Act, 2001.
2. **Patent:**
 - (a) Meaning of Patent, Inventions – Concept of Novelty.
 - (b) Inventive Step and Utility – Inventions not Patentable – Process and Product Patents- TRIPS Agreement (Article 27) Implications to Indian Patent System.
 - (c) Acquisition of Patent.
 - (d) Rights of Parentees and Others Term.
 - (e) Exclusive Marketing Rights.
 - (f) Surrender License Revocation.
 - (g) Functionaries under the Patent Act.
 - (h) Infringement of Patents and Remedies.
3. **The Designs Act, 2000.**
 - (a) Introduction to Designs Law.
 - (b) Brief Introduction to related International Treaties and Conventions.
 - (c) Definitions (s2), Registration of Designs and Procedure (ss3-9, s16, s21).
 - (d) Cancellation of Registration of Design (s19).
 - (e) Piracy of Registered Design (s22) and Remedies.
 - (f) Overlapping Between Designs Copyrights and Trademark

4. Topography & Folklore:

- (a) Semiconductor, Integrated Circuits Layout Design Act.
- (b) Folklore, Indigenous, Knowledge, Know how.

5. Plant Variety and Bio Diversity:

- (a) Protection of plant varieties and Farmer's Right Act, 2001: Aims and Objects, Farmer's Rights.
- (b) Compulsory License, Registration, Infringement and Remedies.
- (c) Biological Diversity Act, 2002: An Overview, Salient Features of the Act, 2002- Brief Introduction.



SEMESTER-VI
PAPER-IX
(Compulsory Paper)
PRACTICAL TRAINING
FULL MARKS-100

Division of Marks

- | | | | |
|----|--------------------|---|----------|
| 1. | Theory Examination | - | 45 marks |
| 2. | Practical Work | - | 45 marks |
| 3. | Viva-Voce | - | 10 marks |

1. Drafting, Pleading & Conveyancing :

This course will be taught through class instructions and simulation exercises, preferable with assistance of practising lawyers/ retired judges. Apart from teaching the relevant provisions of law, the course will include 15 exercise in Drafting carrying a total of 45 marks and 15 exercise in Conveyancing carrying another 45 marks. (3 marks for each exercise)

NOTE :

(a) Drafting :

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

(b) Pleadings :

1. **Civil:** (i) Complaint (ii) Written Statement (iii) Interlocutory Application (iv) Original Petition (v) Affidavit (vi) Execution petition and (vii) Memorandum of Appeal and Revision (viii) Petition under Article 226 and 32 of the Constitution of India.
2. **Criminal:** (i) Complaints (ii) Criminal Miscellaneous Petition (iii) Bail Application and (iv) Memorandum of Appeal and revision.
3. **Drafting of Mediation Agreement under Mediation Law.**

(c) Conveyancing :

- (i) Sale Deed (ii) Mortgage Deeds (iii) Lease Deed (iv) Gift Deed (v) Promissory Note (vi) Power of Attorney and (vii) Will

The remaining 10 marks will be given in a viva voce examination which will test the understanding of legal practice in relation to Drafting, Pleading and Conveyancing.

