

# **Shivaji University, Kolhapur**



**Faculty of Humanities**

**(LL.B. - Three Year)**

**Bachelor of Laws Degree Program**

**Choice Based Credit System (CBCS)**

(To be implemented from Academic Year 2019-20)

w.e.f July, 2019

(As Amended in March 2020)

**NOTE :- In pursuance of our discussion in BOS Meeting changes have been made. Some rules or points are inserted which are shown in BOLD and UNDERLINE style.**

**Shivaji University, Kolhapur**  
**Regulations and Guidelines**  
**Under Choice Based Credit System (CBCS)**  
**Bachelor of Laws (LL.B.) Three Year Degree Program**  
 (To be implemented from Academic Year 2019-20)  
**(As Amended in March 2020)**

1. **LL.B. Rule 1: Implementation of Regulations & guidelines** - The Regulations and guidelines shall be implemented as mentioned below-

**LL.B. Part – I, Sem I&II from Academic year 2019-20**

**LL.B. Part – II, Sem III &IV from Academic year 2020-21**

**LL.B. Part – III, Sem V &VI from Academic year 2021- 22**

**The Course and Duration:**

- a) LL.B. degree course constitutes Bachelor's Degree Course in Law.
- b) The duration of the LL.B. Course shall be 3 academic years consisting of 6 semesters.
- c) Each academic year shall be divided into two semesters:

Course	July to November / December	December to April / May
3 Year First LL.B.	Semester I	Semester II
3 Year Second LL.B.	Semester III	Semester IV
3 Year Third LL.B.	Semester V	Semester VI

- d) Each Semester shall consist of 15 weeks with not less than 30 class hours per week.
- e) The papers and the syllabus shall be as given in the Scheduled –A appended to these regulations.

2. **LL.B. Rule 2: Eligibility Criteria:**

- a) Admission into 3 Year LL.B. Course is subject to MH-CET, Government of Maharashtra and Shivaji University Rules and Regulations.
- b) An applicant who has graduated in any discipline of knowledge from a University established by an Act of Parliament or by a State Legislature or an equivalent national institution recognized as a Deemed University or Foreign University recognized as equivalent to the status of an Indian University by an authority competent to declare equivalence, may apply for a three years programme leading to conferment of LL.B. degree on successful completion of the regular programme conducted by a University whose degree in law is recognized by the Bar Council of India for the purpose of enrolment.

Provided that applicants who have obtained +2 Higher Secondary Pass Certificate or First Degree Certificate after prosecuting studies in distance or correspondence method shall also be considered as eligible for admission in the three years LL.B. programme.

**Explanation:** The applicants who have obtained 10+2 or graduation / post - graduation through open Universities system directly without having any basic qualification for prosecuting such studies are not eligible for admission in the law course.

### 3. LL.B. Rule 3: Minimum percentage of Qualifying Examination:

Bar Council of India may from time to time, stipulate the minimum percentage of marks not below 45% of the total marks in case of general category applicants, 42% of the total marks in case of OBC category and 40% of the total marks in case of SC and ST applicants, to be obtained for the qualifying examination, such as +2 Examination in case of Integrated Five Years' course or Degree course in any discipline for Three years' LL.B. course, for the purpose of applying for and getting admitted into a Law Degree Program of any recognized University in either of the streams.

Provided that such a minimum qualifying marks shall not automatically entitle a person to get admission into an institution but only shall entitle the person concerned to fulfill other institutional criteria notified by the institution concerned or by the government concerned (including LAW CET), from time to time to apply for admission.

4. **LL.B. Rule 4: Admission Procedure:** As per MH-CET admission procedure prescribed by Government of Maharashtra.
5. **LL.B. Rule 5: Attendance:** No student of any of the degree program shall be allowed to take the end semester test in a subject if the student concerned has not attended minimum of 70% of the classes held in the subject concerned as also the moot court room exercises, tutorials and practical training conducted in the subject taken together.

Provided that if a student for any exceptional reasons fail to attend 70% of the classes held in any subject, the Dean of the University or the Principal of the Centre of Legal Education, as the case may be, may allow the student to take the test if the student concerned attended at least 65% of the classes held in the subject concerned and attended 70% of classes in all the subjects taken together. The similar power shall rest with the Vice Chancellor or Director of a National Law University, or his authorized representative in the absence of the Dean of Law.

Provided further that a list of such students allowed to take the test with reasons recorded be forwarded to the Bar Council of India.

### 6. LL.B. Rule 6: Prohibition against lateral entry and exit:

There shall be no lateral entry on the plea of graduation in any subject or exit by way of awarding a degree splitting the integrated double degree course, at any intermediary stage of integrated double degree course.

However, a University may permit any person to audit any subject or number of subjects by attending classes regularly and taking the test for obtaining a Certificate of participation from the University/ Faculty according to the rules prescribed by the University from time to time and gives a Certificate therefore.

### 7. LL.B. Rule 7: Pattern of CBCS :

- a) **The CBCS System:** All programmes shall be run credit-based semester system. It is an instructional package developed to suit the needs of the students to keep pace with the developments in higher education and the quality assurance expected of it in the light of liberalisation and globalisation in the higher education.
- b) **Credit:** The term credit refers to the weightage given to the course, usually in the relation to the instructional hours assigned to it. For instance, four hour theory course and one hour practical work for week is given five credits. However, in no instance the credits of a course can be greater than the hours allotted to it.

- a) Three Year LL.B. Programme comprising of 6 semesters shall be of total 36 courses of minimum 192 credits which include 30 Compulsory Core Courses (Discipline Specific Core Courses i.e DSC) and 6 Ability Enhancement Compulsory Courses (AECC). **It is applicable to only those students, who are writing University theory examination in ENGLISH.**
- b) Three Year LL.B. Programme comprising of 6 semesters shall be of total 37 courses of minimum 198 credits which include 31 Compulsory Core Courses (Discipline Specific Core Courses i.e DSC) and 6 Ability Enhancement Compulsory Courses (AECC). **It is applicable to students who are writing University theory examination in MARATHI.**

(From Academic Year 2019-2020 as per BCI Part IV, ENGLISH as additional/one more subject/paper as Discipline Specific Compulsory Course shall be compulsory for the students who intend to write University examination in MARATHI. It means there will be total 31 Discipline Specific Compulsory Courses.)

- c) All compulsory Core Courses shall be of 70:30 pattern except 2 clinical papers in the final Year, namely 1) Drafting, Pleading and Conveyancing and 2) Moot Court and Internship.
- d) Skill enhancement courses shall be of 50 marks internal; written examination at the college level. For passing this examination, two credits will be assigned to the students. 50 marks examination includes 25 objective types of questions of 2 marks each. The minimum passing criteria shall be 20 marks.
- e) **Inclusion of mandatory subjects – Democracy, Election and Good Governance (Semester I)** as per the recommendations of Government of Maharashtra and Shivaji University, Kolhapur. Every student is required to obtain minimum passing grade in this course as per the Shivaji University norms for the award of degree.

#### 8. **LL.B. Rule 8: Minimum Period of Internship:**

- a) Each registered student shall have completed minimum of 12 weeks internship for Three Year Course stream and 20 weeks in case of Five Year Course stream during the entire period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies as the University shall stipulate, where law is practiced either in action or in dispute resolution or in management.

Provided that internship in any year cannot be for a continuous period of more than Four Weeks and all students shall at least gone through once in the entire academic period with Trial and Appellate Advocates.

- b) Each student shall keep Internship diary in such form as may be stipulated by the University concerned and the same shall be evaluated by the Guide in Internship and also a Core Faculty member of the staff each time. The total mark shall be assessed in the Final Semester of the course in the 4<sup>th</sup> Clinical course as stipulated under the Rules in Schedule II.

#### 9. **LL.B. Rule 9: Formal Dress Code during internship:**

Students placed under internship or in moot court exercise shall have formal dress of legal professional in pupillage as follows: (For all) White/Black trouser, white shirt, black tie, black coat, black shoe and black socks. When students have problems of getting the entire formal dress for any reason, they have to have a white trouser, full sleeve shirt to be tucked in and covered shoe.

(Optional for Girl students) Black printed saree, with white full sleeve blouse and covered black shoe or Lawyer's Suit with black covered shoe.

The Organization or Advocate under whom the internee is placed is required to follow suitable dress code.

#### **10. LL.B. Rule 10: Examinations and Assessment:**

**The pattern of CBCS for Semester examinations shall be as mentioned below:**

- a) **LL.B. Part – I, Sem I & II:-**70 marks University Semester Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.
- b) **LL.B. Part – II, Sem III & IV:-**70 marks University Semester Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.
- c) **LL.B. Part – III, Sem V & VI: -**70 marks University Semester Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.

11. **LL.B. Rule 11: Weightage:** There shall be 3300 marks for 3 years having 6 Semesters LL.B. CBCS Program with 192 Credits. **It is applicable to students who are writing University theory examination in ENGLISH.**

12. **LL.B. Rule 12: Weightage:** There shall be 3400 marks for 3 years having 6 Semesters LL.B. CBCS Program with 198 Credits. **It is applicable to only those students who are writing University theory examination in MARATHI.**

#### **a) LL.B. Part – I (Sem I & II):**

For LL.B. Part I total 10+2=12 papers with 6 papers of each semester and total Credits shall be 64 with 32 Credits for each Semester. **It is applicable to those students who are writing University theory examination in ENGLISH.**

- I. There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for Sem I (Legal Research) and Paper 2 for Sem II (Public Interest Lawyering) each of 50 marks, as compulsory course.
- II. There shall be five Discipline Specific Compulsory (DSC) papers per semester.

- For LL.B. Part I total 5+6+2=13 papers with 5 and 6 papers of Ist and IInd semester respectively and total Credits shall be 70 with 32 and 38 Credits for Ist and IInd Semester respectively. **It is applicable to those students who are writing University theory examination in MARATHI.**

**III. In Semester II there shall be SIX Discipline Specific Compulsory (DSC) papers. It is applicable to only those students who are writing University theory examination in MARATHI.**

**IV.** DSC courses shall be assessed with 70 marks for end-semester theory examinations at University Level and 30 marks for internal assessment at College Level.

#### **b) LL.B. Part –II (Sem III & IV)–**

For LL.B. Part I total 10+2=12 papers with 6 papers of each semester and total Credits shall be 64 with 32 Credits for each Semester. **It is applicable to those students who are writing University theory examination in ENGLISH.**

- I. There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for Sem I (Fundamentals of Cyber Law) and Paper 2 for Sem II (Law and Entrepreneur Skills) each of 50 marks, as compulsory course.
- II. There shall be five Discipline Specific Compulsory (DSC) papers per semester.
- III. DSC courses shall be assessed with 70 marks for theory examinations at University Level and 30 marks for internal assessment at College Level.

**c) LL.B. Part –III (Sem V & VI)–**

For LL.B. Part I total 10+2=12 papers with 6 papers of each semester and total Credits shall be 64 with 32 Credits for each Semester. **It is applicable to those students who are writing University theory examination in ENGLISH.**

- I. There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for Sem I (Advocacy Skills) and Paper 2 for Sem II (Criminal Law Investigation and Forensic Science) each of 50 marks, as compulsory course.
- II. There shall be five Discipline Specific Compulsory (DSC) papers per semester.
- III. DSC courses (Except Practical Training Papers) shall be with 70 marks for theory examinations at University Level and 30 marks for internal assessment at College Level.

For Practical Training Papers of 1) drafting, Pleading and Conveyancing and 2) Moot Court and Internship, there will be Practical work at College Level, as per BCI norms for 90 marks and 10 marks will be for VIVA to be conducted by External Examiners appointed by the University.

**d) Credit distribution chart for LL.B. Program with Course Code:**

**(It is applicable to students who are writing university theory examination in ENGLISH.)**

Course Name	Total Courses(Papers)	Total Credits	% in total course
DSC : Discipline Specific Core Course	30	180	93.75
AECC : Ability Enhancement Compulsory Courses	6	12	6.25
<b>TOTAL</b>	<b>36</b>	<b>192</b>	<b>100%</b>

**e) Credit distribution chart for LL.B. Program with Course Code:**

**(It is applicable to students who are writing university theory examination in MARATHI.)**

Course Name	Total Courses(Papers)	Total Credits	% in total course
<b><u>DSC : Discipline Specific Core Course</u></b>	<b><u>31</u></b>	<b><u>186</u></b>	<b><u>93.93</u></b>

<b><u>AECC : Ability Enhancement Compulsory Courses</u></b>	<b><u>6</u></b>	<b><u>12</u></b>	<b><u>6.07</u></b>
<b><u>TOTAL</u></b>	<b><u>37</u></b>	<b><u>198</u></b>	<b><u>100%</u></b>

(From Academic Year 2019-2020 as per BCI Part IV, ENGLISH as additional/one more subject/paper as Discipline Specific Compulsory Course shall be compulsory for the students who intend to write University examination in MARATHI. It means for them, there will be total 31 Discipline Specific Compulsory Courses.)

### **13. LL.B. Rule 12: Scheme of Examinations:**

#### **Following is the Scheme of Examination:**

- i) Each DSC course of 6 credits will be assessed on basis of 100 marks. The marks will be divided under two heads, internal assessment 30 marks and End- Semester University Examination 70 marks. Each DSC Course shall have continuous internal assessment of 30 marks. The student shall have to secure minimum 10 marks to pass in the internal assessment of the respective DSC course. For each DSC Course End Semester University Examination of 70 marks, the student shall have to secure minimum 25 marks to pass in the End-Semester University Examination. The minimum passing in each DSC Course shall be 35 marks (10+25) and the average passing percentage for every semester shall be 40 percent.

The weightage of internal assessment shall be based on the following.

#### **Internal Assessment:**

Assignment / Project Work / Presentation	: 20 Marks
Viva Voce College Level	: 10 Marks
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	<b>: 30 Marks</b>
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- ii) Each Ability Enhancement compulsory Course (AECC) of 2 Credits shall be of 50 Marks. This paper shall be in self instructional mode under the guidance of Class Mentors or Class Teacher. The assessment of the Skill Enhancement Course shall be internal assessment. The weightage for the continuous internal Assessment shall be based on the following.

**Internal Assessment** - For passing this examination, two credits will be assigned to the students. 50 marks examination includes 25 objective type questions with two marks each. The minimum passing criteria shall be 20 marks.

- iii) The student failing in internal assessment of any course will be deemed to have failed in the End - Semester University Examination of the respective course. Such student shall be allowed to reappear for the internal assessment only in the next semester.
- iv) Appearing in Internal Written Test of all DSC Courses and Skill Enhancement Courses is strictly compulsory.
- v) The internal assessment marks for each semester for all DSC Courses, AECC along with requisite Credits earned by the student for the Compulsory Foundation Course shall have to be sent to the University, prior to the commencement of the respective End - Semester University Examination.
- vi) A student who has passed in the internal assessment but has failed in the End -

Semester University Examination, his / her internal marks and credits earned for respective course/paper will be carried forward till the validity of his / her respective semester.

- vii) A student who has failed in the End- Semester theory examinations but passed in internal assessment can reappear for theory paper and his marks of internal assessment will be carried forward.

**14.LL.B. Rule 13: Practical Training Papers:**

- a) **Practical Training Paper I: Professional Ethics and Professional Accountancy for Lawyers and Bar-Bench Relations.** The theory End-Semester University Examination shall be 70 marks and internal assessment of 30 marks at college level.
- b) **Practical Training Paper II: Alternative Disputes Resolution (ADR):** The theory End-Semester University Examination shall be 70 marks and internal assessment only of 30 marks at college level.
- c) **Practical Training Paper III: Drafting, Pleading and Conveyance (DPC):** The course will be taught class instructions and simulation exercises. Apart from teaching the relevant provisions of law, the course may include not less than 15 practical exercises in Drafting of pleadings carrying the total of 45 marks (3 marks for each) and 15 exercises in Drafting of Conveyancing, carrying another 45 marks (3 marks for each). Remaining 10 marks will be given for viva voce. **The Standard of passing shall be minimum 35 in practical training Course both internal (32 marks) + viva voce (03 marks) and average passing shall be 40 percent.**
- d) **Practical Training Paper IV: Moot Court Exercise and Internship:** This paper may have 3 components of 30 marks each and a viva of 10 marks (Moot Court 30 Marks, Observance of Trial in Two Cases 30 Marks, Interviewing Techniques and Pre-Trial Preparation and Internship Diary 30 Marks). **The Standard of passing shall be minimum 35 in practical training Course both internal (32 marks) + viva voce (03 marks) and average passing shall be 40 percent.**
- e) **Duration of Semester Examination for each theory paper -** The duration of Semester Examination for each theory paper of 70 marks shall be of three hours.
- f) **Standard of passing-** The Standard of passing shall be minimum 35 in each DSC Course both theory **(25 marks)** + internal assessment **(10 marks)** and average passing for every semester shall be 40 percentages.
- g) **A student who intends to or opt for writing university End-semester examination in MARATHI has to pass in ENGLISH paper by time of completion of course.**
- h) **ATKT rules shall be applicable to Theory Paper only as per University norms.**



**A student who intends to or opt for writing university End-Semester examination in MARATHI, fails or passes in ENGLISH subject, that shall not be considered for ATKT.**

**15.LL.B. Rule 14: Passing and Carrying Forward the Semester:**

- 1) For grant of respective academic year, the student must have kept two terms with requisite attendance, must have appeared in the internal written test of each course / paper and has secured minimum passing marks in internal assessment of each course / paper shall be eligible.
- (2) The student who has passed all the papers of Semester I and II will be promoted to Semester III (Second year). The students who have passed minimum 7 papers out of 10 core papers will be allowed to keep terms (ATKT). **A student who intends to or opt for writing university End-Semester examination in MARATHI, though passes in ENGLISH subject, it shall not be considered for ATKT.**
- (3) The student who has passed all the paper of First Year and passed all the papers of Second Year i.e. Semester I, II, III and IV will be promoted to Semester V (Third year). The students who have passed minimum 7 papers out of 10 core papers of Semester III and IV (Second year) will be allowed to keep terms ( ATKT).
- (4) ***The student who has passed Semester I, II, III, IV shall be awarded with a LL.B. General Degree (Completion of Two Years).***
- (5) ***The student who has passed Semester I, II, III, IV, V & VI shall be awarded with LL.B. Special Degree (Completion of Three Years). (However, the student who has opted to write Theory examination/papers in Marathi language, must have cleared the Paper of Advanced English which is pre-requisite of completion of the Degree.)***

**16.LL.B. Rule 15: Gradation Chart:**

Marks Obtained	Numerical Grade (Grade Point)	CGPA	Letter Grade
Absent	0 (zero)	-	-
0 – 34	0 to 4	0.0 – 4.99	F (Fail)
35 – 44	5	5.00 – 5.49	C
45 – 54	6	5.50 – 6.49	B
55 – 64	7	6.50 – 7.49	B+
65 – 74	8	7.50 – 8.49	A
75 – 84	9	8.50 – 9.49	A+
85 – 100	10	9.50 – 10.0	O (Outstanding)

**Note:**

1. Marks obtained  $\geq 0.5$  shall be rounded off to next higher digit.
2. The SGPA & CGPA shall be rounded off to 2 decimal points.
3. Marks obtained in 50 marks or 200 marks paper shall be converted to 100 marks.

**Calculation of SGPA & CGPA**

## 1. Semester Grade Point Average (SGPA)

$$\text{GPA} = \frac{\sum(\text{Course credits} \times \text{Grade points obtained}) \text{ of a semester}^S}{\sum(\text{Course credits}) \text{ of respective semester}}$$

## 2. Cumulative Grade Point Average (CGPA)

$$\text{CGPA} = \frac{\sum(\text{Total credits of a semester} \times \text{SGPA of respective semester}) \text{ of all semesters}}{\sum(\text{Total course credits}) \text{ of all semesters}}$$

17. **LL.B. Rule 16: Result** - The result of each Semester shall be declared as Pass or Fail or Allowed to Keep Terms (A.T.K.T. for Semester II & IV) with grade/ grade points and Credits gained.

**Revised Rules** - These revised rules will be implemented with effect from the academic year 2019-20 onwards for LL.B. degree program. However the existing (i.e. pre-revised) rules shall remain in force for the students of old semester pattern during the transition period.

**18. LL.B. Rule 17: Question Paper Model:**

The Question Paper of Three Year LL.B. 70 marks shall consists of total seven questions carrying 15 marks each, out of which a student can opt any four. The question number eighth shall be mandatory consisting of four short notes out of which the students have to opt any two of 5 marks each.

Practical Training Paper I – Professional Ethics and Professional Accounting System and Practical Training Paper II – Alternative Disputes Resolution (ADR), the examination pattern is 70:30. For 70 marks University Written Examination will be conducted and for 30 marks internal assessment will be conducted at college level.

- i) Regarding practical training paper – III: Drafting, Pleading and Conveyance (DPC) and Practical Training Paper – IV: Moot Court Exercise and Internship, there shall be no theory examination. Viva Voce Examinations for 10 marks each will be conducted in presence of External Examiners appointed by the University. 90 marks will be allotted for both the papers as per BCI norms.

**The Standard of passing shall be minimum 35 in practical training Courses both internal (32 marks) + viva voce (03 marks) and average passing shall be 40 percent.**

**Model Question Paper Format:**

**First year of Three Year LL.B., (Semester I) CBCS  
Examination, October, 2019  
Law of Contract – I (Paper – I)  
Subject Code: \_\_\_\_\_**

**Day & Date:** \_\_\_\_\_  
**Time:** \_\_\_\_\_

**Total Marks:** 70

**Instructions:**

1. Attempt any four questions from Q. No. 1 to 7.
2. Q. No. 8 is compulsory.
3. Figures to the right indicate full marks.

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- Q.1. \_\_\_\_\_ (15)  
Q.2. \_\_\_\_\_ (15)  
Q.3. \_\_\_\_\_ (15)  
Q.4. \_\_\_\_\_ (15)  
Q.5. \_\_\_\_\_ (15)  
Q.6. \_\_\_\_\_ (15)  
Q.7. \_\_\_\_\_ (15)  
Q.8. Write short notes (Any Two):                      2 x 5    (10)  
    a) \_\_\_\_\_  
    b) \_\_\_\_\_  
    c) \_\_\_\_\_  
    d) \_\_\_\_\_

**SCHEDULE –A****CBCS - LL.B. 3 Year : Structure: LL.B. Part –I**

<b>Semester I</b>								
<b>Teaching Scheme and Evaluation Scheme</b>								
<b>Course Code</b>	<b>Subjects</b>	<b>Theory Examination Shiv. Uni.</b>	<b>Hours</b>	<b>Internal Assessment College</b>	<b>Hours</b>	<b>Total Marks</b>	<b>Weekly Teaching Hours</b>	<b>Total Credits</b>
DSC-101	Law of Contract (General Principles of Contract and Specific Relief Act)	70	4.2	30	1.8	100	06	06
DSC-102	Constitutional Law -I	70	4.2	30	1.8	100	06	06
DSC-103	Law of Torts and Consumer Protection Act	70	4.2	30	1.8	100	06	06
DSC-104	Law of Crimes-I (Indian Penal Code)	70	4.2	30	1.8	100	06	06
DSC-105	Family Law-I	70	4.2	30	1.8	100	06	06
AECC-106	Legal Research	-	-	50	02	50	02	02
	<b>Total</b>	<b>350</b>	<b>21.00</b>	<b>200</b>	<b>11.0</b>	<b>550</b>	<b>32</b>	<b>32</b>

**(It is applicable to students who are writing university theory examination in ENGLISH.)**

<b>Semester II</b>								
<b>Teaching Scheme and Evaluation Scheme</b>								
<b>Course Code</b>	<b>Subjects</b>	<b>Theory Examination Shiv. Uni.</b>	<b>Hours</b>	<b>Internal Assessment College</b>	<b>Hours</b>	<b>Total Marks</b>	<b>Weekly Teaching Hours</b>	<b>Total Credits</b>
DSC-201	Special Contract	70	4.2	30	1.8	100	06	06
DSC-202	Constitutional Law – II	70	4.2	30	1.8	100	06	06
DSC-203	Family Law - II	70	4.2	30	1.8	100	06	06
DSC-204	Environmental Law	70	4.2	30	1.8	100	06	06
DSC-205	Professional Ethics	70	4.2	30	1.8	100	06	06
AECC-206	Public Interest Lawyering	-	-	50	02	50	02	02
	<b>Total</b>	<b>350</b>	<b>21.00</b>	<b>200</b>	<b>11.0</b>	<b>550</b>	<b>32</b>	<b>32</b>

**(It is applicable to students who are writing university theory examination in MARATHI.)**

Semester II								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Examination Shiv. Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-201	Special Contract	70	4.2	30	1.8	100	06	06
DSC-202	Constitutional Law – II	70	4.2	30	1.8	100	06	06
DSC-203	Family Law - II	70	4.2	30	1.8	100	06	06
DSC-204	Environmental Law	70	4.2	30	1.8	100	06	06
DSC-205	Professional Ethics	70	4.2	30	1.8	100	06	06
<b>DSC-207</b>	<b>Advanced English</b>	<b>70</b>	<b>4.2</b>	<b>30</b>	<b>1.8</b>	<b>100</b>	<b>06</b>	<b>06</b>
AECC-206	Public Interest Lawyering	-	-	50	02	50	02	02
	<b>Total</b>	<b>420</b>	<b>25.2</b>	<b>230</b>	<b>12.8</b>	<b>650</b>	<b>38</b>	<b>38</b>

From Academic Year 2019-2020 as per norms of BCI Part IV, ENGLISH as additional/one more subject/paper as Discipline Specific Compulsory Course shall be compulsory for the students who intend to write university examination in MARATHI.

### CBCS - LL.B. 3 Year : Structure: LL.B. Part –II

Semester III								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Examination Shiv. Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-301	Jurisprudence	70	4.2	30	1.8	100	06	06
DSC-302	Property Law	70	4.2	30	1.8	100	06	06
DSC-303	Company Law	70	4.2	30	1.8	100	06	06
DSC-304	Public International Law	70	4.2	30	1.8	100	06	06
DSC-305	Criminology	70	4.2	30	1.8	100	06	06
AECC-306	Fundamentals of Cyber Law	-	-	50	02	50	02	02
	<b>Total</b>	<b>350</b>	<b>21.00</b>	<b>200</b>	<b>11.0</b>	<b>550</b>	<b>32</b>	<b>32</b>

Semester IV								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Examination Shiv. Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-401	Interpretation of Statutes	70	4.2	30	1.8	100	06	06
DSC-402	International Human Rights	70	4.2	30	1.8	100	06	06
DSC-403	Administrative Law	70	4.2	30	1.8	100	06	06
DSC-404	Banking and Insurance	70	4.2	30	1.8	100	06	06
DSC-405	Alternative Disputes Resolution (ADR)	70	4.2	30	1.8	100	06	06
AECC-406	Law and Entrepreneur Skills	-	-	50	02	50	02	02
	<b>Total</b>	<b>350</b>	<b>21.00</b>	<b>200</b>	<b>11.0</b>	<b>550</b>	<b>32</b>	<b>32</b>

### CBCS - LL.B. 3 Year : Structure: LL.B. Part –III

Semester V								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Exam Shivaji Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-501	Civil Procedure Code & Limitation Act	70	4.2	30	1.8	100	06	06
DSC-502	Law of Evidence	70	4.2	30	1.8	100	06	06
DSC-503	Labour Law-I (Industrial Laws)	70	4.2	30	1.8	100	06	06
DSC-504	Land Laws	70	4.2	30	1.8	100	06	06
DSC-505	Drafting, Pleading and Conveyancing	No Theory Exam	4.2	45 + 45 = 90 Viva = 10	1.8	100	06	06
AECC-506	Advocacy Skills	-	-	50	02	50	02	02
	<b>Total</b>	<b>280</b>	<b>21.0</b>	<b>270</b>	<b>11.0</b>	<b>550</b>	<b>32</b>	<b>32</b>

Semester VI								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Exam Shivaji Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-601	Law of Crimes-II (Criminal Procedure Code)	70	4.2	30	1.8	100	06	06
DSC-602	Intellectual Property	70	4.2	30	1.8	100	06	06
DSC-603	Labour Law –II (Social Securities Laws)	70	4.2	30	1.8	100	06	06
DSC-604	Principles of Taxation	70	4.2	30	1.8	100	06	06
DSC-605	Moot Court, Pre-Trial Preparation & Participation in Trial Proceedings	No Theory Exam	4.2	30+30+30 = 90 Viva = 10	1.8	100	06	06
AECC-606	Criminal Law Investigation & Forensic Science	-	-	50	02	50	02	02
	<b>Total</b>	<b>280</b>	<b>21.0</b>	<b>270</b>	<b>11.0</b>	<b>550</b>	<b>32</b>	<b>32</b>

**DSE:** Discipline Specific Elective Courses (Compulsory) Total = 6 semesters x 5 papers = 30 papers. Each paper 6 credits x 30 paper = 180 Credits.

**AECC :** Ability Enhancement Core Course (Compulsory) Total = 6 semesters x 1 paper = 6 papers of 2 credits each = 12 Credits

From Academic Year 2019-2020 as per norms of BCI Part IV, ENGLISH as additional/one more subject/paper as Discipline Specific Compulsory Course shall be compulsory for the students who intend to write University examination in MARATHI.

**(Following allotment of credits is applicable to students who are writing University theory examination in MARATHI.)**

**DSE:** Discipline Specific Elective Courses (Compulsory) Total = 6 semesters x 5 papers = 30+ 1= 31 papers. Each paper 6 credits x 31 paper = 186 Credits.

**AECC :** Ability Enhancement Core Course (Compulsory) Total = 6 semesters x 1 paper = 6 papers of 2 credits each = 12 Credits

### Three Year LL.B. Semester I

#### DSC-101: LAW OF CONTRACT (GENERAL PRICIPLES OF CONTRACT AND SPECIFIC RELIEF) (Paper – I)

#### Object:

Law of contract being the pillar of the legal structure of a society, the fundamental goal of study is to critically evaluate principles underlying the legal postulates and propositions. This course is designed to acquaint a student with the conceptual and operational parameters of these various general principles of contractual relations. Specific enforcement of contract is an important aspect of the law of contracts.

Analysis of the kinds of contracts that can be specifically enforced and the methods of enforcement forms a significant segment of this study.

**Methods of teaching-learning:** Lecture and Case-study method shall be the main method of learning to be followed. Dialectic method of mootings and argumentation plays a very convincing procedure of learning. The information sharing and flow of information among the teacher and taught has to work as bonding of the entire course. Paper writing and presentation may be gainfully employed to maximize the teaching-learning device.

**Evaluation methods :** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation: 20 Marks

Viva Voce College Level : 10 Marks

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**30 Marks**  
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## SYLLABUS

### UNIT I: INTRODUCTION

- 1.1 Historical Background of Indian Contract Laws
- 1.2 Contract: Meaning, Definition, Importance, Nature and Scope
- 1.3 Essentials of Contract
- 1.4 Indian Contract- Latest developments ( e-Contracts)

### UNIT II: PROPOSAL AND ACCEPTANCE- AGREEMENT(S. 2-10)

- 2.1 Formation of an Agreement, It's Kinds – Valid, Void, Voidable, Unlawful, illegal
- 2.2 Intention to Create Legal Relationship
- 2.3 Proposal and Acceptance- Their various forms, Essential Elements
- 2.4 Communication and Revocation of Offer and Acceptance
- 2.5 What agreements are Contracts?

### UNIT III: CAPACITY TO CONTRACT AND FREE CONSENT (S. 11 - 22)

- 3.1 Legal Disability to Enter into Contract
- 3.2 Minors - Effects of Minors Agreement, Persons of Unsound Mind, Persons disqualified by Law
- 3.3 Consent and Free Consent – Definition
- 3.4 Vitiating Elements of Free Consent –
  - 3.4.1 Coercion, Doctrine of Duress
  - 3.4.2 Undue Influence
  - 3.4.3 Fraud
  - 3.4.4 Misrepresentation
  - 3.4.5 Mistake
- 3.5 Effect on Contracts influenced by any factor Vitiating Free Consent

### UNIT IV: CONSIDERATION AND OBJECT (S. 23 - 25)

- 4.1 Meaning and Nature of Consideration and Object
- 4.2 Consideration- Its Exceptions
- 4.3 Legality of Consideration and Object
- 4.4 Doctrine of Privity of Contract

### UNIT V: LIMITATIONS ON FREEDOM OF CONTRACT (S. 23, 26 – 31)

- 5.1 Void Agreements
  - 5.1.1 Agreements in Restraint of Marriage
  - 5.1.2 Agreements in Restraint of Trade



- 5.1.3 Agreements in Restraint of Legal Proceedings
- 5.1.4 Ambiguous and Uncertain Agreement
- 5.1.5 Wagering Agreements – Its exceptions
- 5.1.6 Agreements with Unlawful Consideration
- 5.1.7 Agreements without Consideration
- 5.1.8 Agreements against Public Policy
- 5.2 Contingent Contracts

#### **UNIT VI: DISCHARGE AND REMEDIES FOR BREACH OF CONTRACT (S. 37 – 67)**

- 6.1 Meaning and Nature - Discharge of Contract
- 6.2 Different Modes -
  - 6.2.1 By Performance
  - 6.2.2 By Agreement – Novation, Alteration, Rescission, Remission, Waiver, Accord and Satisfaction
  - 6.2.3 By Operation of Law – Insolvency, Merger, Alteration without consent, Death
  - 6.2.4 By Breach- Anticipatory Breach - Actual breach
  - 6.2.5 By Impossibility of Performance – Destruction of Subject Matter, Death or Personal Incapacity, Change of Law, non-existence or non-occurrence of particular state of thing, declaration of war – Doctrine of Frustration
  - 6.2.6 By Lapse of Time

#### **UNIT VII: CERTAIN RELATION RESEMBLING THOSE CREATED BY CONTRACT (QUASI CONTRACT) (S. 68 -72)**

- 7.1 Concept and Classification of Quasi-Contract
- 7.2 Standard form of Contract
- 7.3 Government as a Contracting Party

#### **UNIT VIII: REMEDIES FOR BREACH OF CONTRACT**

- 8.1 Remedies under Indian Contract Act (S.73 - 75)
  - 8.1.1 Cancellation or Rescission
  - 8.1.2 Restitution
  - 8.1.3 Quantum Merit
  - 8.1.4 Damages – Types of Damages – General or ordinary, Special, Vindictive or exemplary, nominal – Remoteness and Ascertainment of Damages
- 8.2 Remedies under Specific Relief Act, 1963 (S.5 – 43)
  - 8.2.1 Recovering possession of property
  - 8.2.2 Specific Performance
  - 8.2.3 Declaratory Decrees
  - 8.2.4 Injunctions
  - 8.2.5 Preventive Relief

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1. Cheshire & Fifoot, Cases on the Law of Contract, 7th Ed., London: Butterworths, 1977.
2. Sir G. H. Treitel, The Law of Contract, 12th Ed., London: Sweet & Maxwell, 2007.
3. Anson, Law of Contract, 28th Ed., Oxford University Press, 2002.
4. Cheshire & Fifoot, Law of Contract, Oxford University Press, 15th Ed., 2007.
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6. V.K. Rao, Contract I - Cases and Materials, Butterworths, 2004.
7. M. Krishnan Nair, Law of Contracts, 1998.
8. Dutt on Contract, H.K. Saharay, Universal, 2000..
9. Sujan M.A, Frustration of Contract 2nd Ed. UPC 2001.
10. Mulla, Indian Contract Act and Specific Relief Acts, Lexis Nexis 13th Ed. 2006.
11. Avtar Singh, Law of Contract, Eastern, Lucknow. Eighth Edition.

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13. Anand and Aiyer, Law of Specific Relief (1999), Universal
14. Banerjee S.C. Law of Specific Relief (1998), Universal

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2. Chitty on Contracts, Sweet & Maxwell, London, Vol. I & II, (28<sup>th</sup> Edn.- 1999).
3. J. Beatson, Anson's Law of Contract, Clarendon Press, Oxford, (28<sup>th</sup> Edn. -2002).
4. A. C. Moitra, Law of Contract and Specific Relief, Universal Law Publishing Co. (5<sup>th</sup> Edn.-2005)
5. Dr. Avtar Singh, Law of Contract, EBC, Lucknow (9<sup>th</sup> Edn. – 2005)
6. M. Krishnan Nair, Law of Contracts, Orient Longman, Hyderabad, (5<sup>th</sup> Edn. – 1996)
7. R. C. Chawla, K. C. Garg, V. K. Sareen, Marchantile Law, Kalyani Publisher, New Delhi (7<sup>th</sup> Edn- 1997)

### **List of Cases**

1. Carlill v. Carbolic Smoke Ball Company, (1830) 1.Q.B 265.;
2. Harris v. Nickerson, (1875) LR SQB, 286.;
3. Powell v. Lee, (1908) 99 LT 284.;
4. Entores v. Miles Far East Corporation, (1955) 2 All ER 493;
5. Bank of India Ltd v. Swarubar, AIR 2003 SC 858.;
6. Hervey v. Facie, (1893) AC 552.
7. Lalman Shukla v. Gauri Dutta, II ALJ 489;
8. Felth House v. Bindley (1862) 11, CB (NS) 86;
9. Mohri Bibee v. Dharmodass Ghosh, (1903) 30 IA 114.
10. Derry v. Peek, (1889) 14 AC 337.
11. Mithoo Lal Nayak v. LIC of India,
12. AIR 1962 SC 814; Subhas Chandra Das
13. Mushib v. Ganga Prasad Das Mushib and others AIR 1967 SC 878;
14. Central Inland Water Transport Corporation v. B.K Ganguly, AIR 1986 SC 157;
15. Kalyanpur Lime Works Ltd. v. State of Bihar and another AIR 1954 SC 165;
16. Gujarat Bottling Co. Ltd. v. Coca Cola Co. (1995) 5 SCC 545 ;
17. National Insurance co Ltd v. S. G Nayak & co AIR 1997 SC 2049.
18. Satyabrata Ghose v. Mugneeram Bangur AIR 1954 SC 44;
19. State of Bihar v. Majeed AIR 1954 SC 786.
20. Bashir Ahmad and others v. Govt. of AP AIR 1970 SC 1089;
21. Mugniram Bangur & Co.(P) Ltd. v. Gurbachan Singh AIR 1965 SC 1523;
22. Taylor v. cadwell (1863) 3 B&S 826.
23. Krell v. Henry (1903 ) 2 KB 740.
24. Hadley v. Baxendale (1854) 9 Exch 341
25. Dunlop Pucumatic Tyre Co v. New Garage & Motor Co Ltd (1915) A.C 79 :( 1914
26. All ER 739; Oil and Natural Gas Corp. Ltd. SAW Pipes Ltd. AIR 2003 SC 2629

**DSC – 102: CONSTITUTIONAL LAW- I**  
**(Fundamental Rights & Directive Principles of State Policy)**  
**(Paper – II)**

**Object:**

India is a democracy and her Constitution embodies the Principles of the democratic government. A good understanding of the Constitution and the constitutional amendments, judicial decisions, constitutional practice and conventions, is therefore, absolutely necessary for a student of law. He must also know the genesis, nature and special features of the Constitution and be-aware of the social, political and economic influence on it. A student must learn how various interpretations of the constitution are possible and how do they influence the growth of constitutional law. Judicial review is an important aspect of constitutional law. The application of basic structure objective in the evaluation of executive actions is an interesting development of Indian constitutional law.

**Methods of teaching-learning:**

Lecture and Case-study method shall be the main method of learning to be followed. Dialectic system of learning would provide better appreciation of the constitutional governance in India through class room debate and moot court exercise after the basic issues are identified by lecture and discussion. Research of issue based conflict of interest through court cases may be an added advantage.

**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation: 20 Marks

Viva Voce College Level : 10 Marks

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**30 Marks**  
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**SYLLABUS:****UNIT I: MAKING OF CONSTITUTION AND FEATURES**

- 1.1 Making of Indian Constitution
- 1.2 Nature of constitution
- 1.3 Salient Features of the Indian Constitution
- 1.4 Citizenship-under constitution and Citizenship Act 1955
- 1.5 Preamble

**UNIT II: FUNDAMENTAL RIGHTS- JUSTICIABILITY- STATE OBLIGATION- ART 12-13**

- 2.1 Fundamental Rights – meaning and scope of
- 2.2 Definition of ‘State’ for enforcement of fundamental rights
- 2.3 Justiciability of fundamental rights
- 2.4 Definition of law for constitutional law purpose
- 2.5 Doctrine of eclipse, severability, waiver.

**UNIT III: RIGHT TO EQUALITY (ART 14-18)**

- 3.1 Equality before law and equal protection of law
- 3.2 Classification for differential treatment- Constitutional validity
- 3.3 Protective measures –gender discrimination
- 3.4 Protective discrimination in favor of certain sections of the society
- 3.5 Untouchability and abolition of titles

**UNIT IV: FREEDOMS AND SOCIAL CONTROL UNITS (ART 19-22)**

- 4.1 Freedoms and restrictions under (Art.19)
- 4.2 Protection in respect of conviction for offences (Art.20)
- 4.3 Right to life and personal liberty (Art.21)
- 4.4 Right to education (Art. 21 A)
- 4.5 Protection against arrest and Preventive Detention (Art.22)

**UNIT V: RIGHT AGAINST EXPLOITATION (ART 22-23)**

- 5.1 Prohibition of traffic in human beings,
- 5.2 Forced labours – bonded labour
- 5.3 Trafficking of women and children
- 5.4 Prohibition of employment of children
- 5.5 Right of children a free and compulsory education

**UNIT VI: RIGHT TO RELIGION AND MINORITY RIGHTS**

- 6.1 Concept of Secularism- Historical perspective.
- 6.2 Freedom of Religion-nature, scope and limitations.
- 6.3 Right to Freedom of Religion- use and misuse- Indian scenario.
- 6.4 Minority Rights
- 6.5 Relationship between Religion and minority

**UNIT VII: CONSTITUTIONAL AND LEGAL REMEDIES (ART 32)**

- 7.1 Writ of Habeas Corpus
- 7.2 Writ of Mandamus
- 7.3 Writ of Certiorari
- 7.4 Writ of Prohibition
- 7.5 Writ of Quo-warranto

**UNIT VIII: DIRECTIVE PRINCIPLES, FUNDAMENTAL DUTIES AND SOCIAL JUSTICE (ART 35-51A)**

- 8.1 Underlying object and significance of Directive Principles.
- 8.2 Classification of Directives.
- 8.3 Fundamental Right and Directive principles- Interrelationship and Judicial balancing.
- 8.4 Fundamental Duties--- Need, Source and enforcement of fundamental duties.
- 8.5 Relation of Fundamental Duties with Directive Principles and Fundamental Right

**Reference Books**

1. T,K, Tope : Constitutional of India.
2. G.Austin, History of Democratic Constitution: The Indian Experience(2000) Oxford.
3. D.D. Basu : Shorter Constitution of India : (1996) Prentice Hall of India, Delhi.
4. Constituent Assembly Debates Vol. 1 to 12 (1989).
5. H.M. Seervai : Constitution of India. Vol.-1-3 (1992), Tripathy, Bombay.
6. M.P. Singh (ed) V.N. Shukla : Constitutional Law of India (2000) Oxford.
7. G.Austin: Indian Constitution:- Cornerstone of a Nation (1972)
8. M.Glanter: Competing Equalities – Law and the Backward Classes in India (1984) Oxford.
9. B. Sivaramayya : Inequalities and the Law (1984) Eastern, Lucknow.

10. S.C. Kashyap : Human Rights and Parliament (1978) Eastern Lucknow.
11. Dr. Pandey J.N. : Constitutional Law of India. (2007) Central Law Agency.
12. P.M.Bakshi, Constitution of India, Universal
13. M.P.Jain Indian Constitutional Law, Wadhwa
14. Granville Austin The Constitution of India, Oxford.

**List of cases (For reference):**

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2. Excel Wear v. Union of India AIR 1979 SC 25;
3. BhimSinghji v. Union of India, AIR 1981 SC 234;
4. State of Kerala v. N.M.Thomas AIR 1976 SC 490
5. WamanRao v. Union of India AIR 1981 SC 271;
6. Minerva Mills Ltd. V. Union of India AIR 1980 SC 1789,
7. GolakNath v. State of Punjab, AIR 1967SC 1643,
8. State of West Bengal v. Anwar Ali AIR 1951 SC 75,
9. Naga People's Movements of Human Rights v. Union of India AIR 1998 SC 431,
10. BALCO Employees'Union v. Union of India AIR 2002 SC 350
11. StStephen's College v. University of Delhi AIR 1992SC1630,
12. Indian Express Newspapers v. Union of India, AIR 1986 SC 515
13. State of Sikkim v. Surendra Prasad Sharma AIR 1994 SC 2342,
14. Prabhakar v. State of Andhra Pradesh AIR 1986 SC 210,
15. Shiv Charan v. State of Mysore AIR 1965 SC 280,
16. Balaji v. State of Mysore AIR 1963 SC 649,
17. Sagir Ahmed v. State of Utter Pradesh AIR 1954 Sc 728,
18. T.M.A. Pai Foundation v. State of Karnataka AIR 2003 SC 355,
19. Express Newspapers v. Union of India AIR 1986 SC 872
20. Khare v. State of Delhi AIR 1950 SC 211,
21. State of Maharastra v. RajendraJ.Gandhi AIR 1997 SC 3986
22. Francis CoralieMullin v. Administration of Delhi AIR 1981 SC 746,
23. M.C.Mehta v. Union of India AIR 1987 SC 1086,
24. BandhuaMuktiMorcha v. Union of India AIR 1984 SC 802,
25. Indian Council for Enviro-legal Action v. Union of India AIR 1996 SC 1446.
26. Vellore Citizens Welfare Forum v. Union of India AIR 1996 SC 2715
27. State of Punjab v. Mahinder Singh Chawla AIR 1997 SC 1225.
28. PaschimBangalKhetMazdoor Society v. State of West Bengal, AIR 1996 SC 2426
29. Air India Statutory Corporation v. United Labour Union AIR 1997 SC 645,
30. Maneka Gandhi v. Union Of India AIR 1978 SC 597,
31. Olga Tellis v. Bombay Municipal Corporation, AIR 1986 SC 186,
32. People's Union of Civil Liberty v. Union of India AIR 1997 SC 568,
33. Hussainara v. Home Secretary,State of Bihar AIR 1979 SC 1819
34. J.P.Unnikrishnan v. State of Andhra Pradesh AIR 1993 SC 2178
35. Mr. X v. Hospital Z AIR 1999 SC 495
36. Gopalan v. State of Madras, AIR 1950 SC 27,
37. M.C.Mehta v. State of Tamil Nadu, AIR 1997 SC 699,
38. Gaurav Jain v. Union of India AIR 1990 SC 1412,
39. AcharyaJagadiswarananda v. Commissioner of Police, Calcutta AIR 1984 SC 51,
40. Ratlam Municipality v. Vardichan, AIR 1980 SC 1622.
41. M.C.Mehta v. Union of India AIR 1987 SC 1086, and AIR 1999 SC 2583,
42. Pramodv.Medical Council, (1991) 2 SCC 179,
43. Ahmedabad Women Action Group v. Union of India AIR 1997 SC 3614

44. Vishakha v. State of Rajasthan, AIR 1997 SC 3011

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2. G.Austin, History of Democratic Constitution: The Indian Experience (2000) Oxford.
3. D.D. Basu : Shorter Constitution of India : (1996) Prentice Hall of India, Delhi.
4. Constituent Assembly Debates Vol. 1 to 12 (1989).
5. H.M. Seervai : Constitution of India. Vol.-1-3 (1992), Tripathy, Bombay.
6. M.P. Singh (ed) V.N. Shukla : Constitutional Law of India (2000) Oxford.
7. G.Austin: Indian Constitution:- Cornerstone of a Nation (1972)
8. M.Glanter: Competing Equalities – Law and the Backward Classes in India (1984) Oxford.
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10. S.C. Kashyap : Human Rights and Parliament (1978) Eastern Lucknow.
11. Dr. Pandey J.N. : Constitutional Law of India. (2007) Central Law Agency.
12. P.M.Bakshi, Constitution of India, Universal
13. M.P.Jain Indian Constitutional Law, Wadhwa
14. Granville Austin The Constitution of India, Oxford

**DSC – 103: LAW OF TORT & CONSUMER PROTECTION LAW  
(Paper – III)**

**Object :**

Independent of criminal or contract law, Tort law provides individuals and groups with redress for injury to every dimension of life from physical injury, to property damage, to personal insult. Over past decades no area of law within the civil justice system has experienced greater ferment than the law of Tort and this has resulted in vital changes the thinking of the tortuous liability. The object of the course is to familiarize the students with the nature and extent of liability of the private enterprises, multinationals and the government authorities for the wrongs committed against the individual and their property, and to develop sound knowledge, skills and disposition amongst students of law on some of the contemporary issues of Specific Torts, Cyber Tort, Family Tort, and Economic Tort, Product Liability etc.

Presently the emphasis is on extending the principles not only to harmful acts but also to failure to comply with standards that are continuously changing due to advancement in science and technology. In the modern era of consumer, concern of goods and services, the law of torts has added significance in consumer protection. Taking this into consideration, a topic on Motor Vehicle Accident claims has been added. It emphasizes liability, Insurance and working of claim Tribunals.

**Methods of teaching-learning:** Lecture method shall be the main method of learning to be followed. Dialectic method of case study, mooting and argumentation plays a very convincing procedure of learning. The information sharing and flow of information among the teacher and taught has to work as bonding of the entire course. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise.

**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks  
Viva Voce College Level : 10 Marks

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**: 30 Marks**  
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**SYLLABUS:****UNIT I: CONCEPT OF TORT, NATURE AND SCOPE**

- 1.1 History, Definition and Scope of Tort
- 1.2 Nature of tort-Distinction between tort and crime
- 1.3 Essential elements of law of tort
  - 1.3.1 Wrongful act
  - 1.3.2 Legal damage-a) Damnum Sine injuria b) Injuria sine damnum
  - 1.3.3 Legal remedy
- 1.4 Relevance of law of tort - Intention, Motive, Malice, Knowledge, Negligence
- 1.5 Who May Sue and who may not be sued?

**UNIT: II GENERAL DEFENSES IN TORT-**

- 2.1 Volenti non fit injuria
- 2.2 Necessity & Act of God
- 2.3 Inevitable accident & Private defense
- 2.4 Statutory Authority
- 2.5 Judicial and Quasi-Judicial Acts

**UNIT III: DISCHARGE OF TORTUOUS LIABILITY-**

- 3.1 By death of parties- action personal is monitor cum persona exceptions
- 3.2 Waiver and acquiescence
- 3.3 Release
- 3.4 Accord & satisfaction
- 3.5 Limitation

**UNIT IV: TORTIOUS LIABILITY-**

- 4.1 The concept of liability
- 4.2 Basis and Scope of liability
- 4.3 Modes of creation of vicarious liability
  - 4.3.1 Express authorization
  - 4.3.2 Ratification
  - 4.3.3 Abetment
- 4.4 Liability-Special Relationship
  - 4.4.1 Master & Servant
  - 4.4.2 Independent Contractor & Servant
- 4.5 Strict Liability and Absolute Liability
  - 4.2.1 Ryland Vs Fletcher
  - 4.2.2 UCC V. Union of India
  - 4.2.3 Application of the rule in India

**UNIT V: NEGLIGENCE AND NUISANCE**

- 5.1 Definition and concept of Negligence
- 5.2 Essentials of Negligence - Standard of care
- 5.3 Doctrine of contributory negligence - *Res ipsaloquitur* and its importance in compensatory laws.
- 5.4 Definition and concept of Nuisance
- 5.5 Essential of Nuisance – Defenses - Remedy

**UNIT VI: REMEDIES FOR TORT**

- 6.1 Judicial Remedies
- 6.2 Extra Judicial Remedies

**UNIT VII: DEFAMATION**

- 7.1 Definition and concept
- 7.2 Essentials of defamation
- 7.3 Libel, slander and Innuendo
- 7.4 Defenses and remedies

**UNIT VIII: THE CONSUMER PROTECTION ACT, 1986**

- 8.1 Meaning, Definitions, Importance, Nature & Scope
- 8.2 Rights of Consumer
- 8.3 Redressal Mechanism
- 8.4 Filing complaint, Appeal and enforcement

**List of Cases:**

1. Ashby v. White (1703) 2 LR 938;
2. Rudal Shah v. State of Bihar, AIR 1983 SC 1086
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8. Lucknow Development Authority v M.K. Gupta AIR 1994 1 SC 243;
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17. Davis v. Redcliffe, (1990) 2 AER 536;
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20. Achutrao Haribhau Khodwa V. State of Maharashtra AIR 1996 SC 2377 ;
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23. Glasgow Corporation v. Muir (1943) AC 448;
24. Municipal Corporation of Delhi v. Subhagwati AIR 1966 SC 1750;
25. Ratlam Municipality v. Vardhichand (1980) 4 SCC 162
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29. Heynes v. Harwood (1935) 1 KB 146
30. Leta Fay Ford V. Revlon, Inc. Supreme Court of Arizona (153 Ariz. 38, 734 P.2d 580) 1987;
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34. T.S. Bhatt v. A. K. Bhatt AIR 1978 Ker 111;
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- 41.Reyland v. Fletcher (1868) L.R. 3 H.L. 30;
42. M.C. Mehta v.Union of India (1987)1 SCC395
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- 47.Barrett v. Rosnethal, 112 Cal. App. 4th 749 (2003).
- 48.BillMcLaren, Jr. V. Microsoft Corporation, Courtof Appeals of Texas, Dallas (1999) WL 339015.;
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- 52.Hotmail Corp. v. Van\$ Money Pie Inc., WL 388389 (1998).Kremen v. Cohen, 337 F.3d 1024 (9th Cir 2003).
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- 54.United States of America V. Hambrick U.S District Court, W.D. Virginia 55F. Supp. 2d 504, (1999)]

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- 3.Fleming, J G, The Law of Torts (9th edition, LBC Information Services, Sydney, 1998)
- 4.RatanLal and DhirajLal on Law of Torts,
- 5.ALakshminath M Sridhar, RamaswamyIyer’s, The Law of Torts, Lexis Nexis, Tenth Edi 2007
- 6.Tony Weir, An Introduction to Tort Law, 2nd Edi Oxford University Press 2006.
- 7.John Murphy, Street on Torts ,Eleventh Edi Oxford University Press 2006.
- 8.Tabrez Ahmad “Cyberlaw, E-Commerce & M-Commerce”. APH Pub.Corp.NewDelhi 2003.
- 9.Lee B. Burgunder, Legal Aspects of Managing Technology 2nd Edition West 2001.
- 10.RamaswamyIyer Law of Tort
- 11.Bangia’s Law of Torts
- 12.Madden& Owen, On Product Liability, West Grou
- 13.D.D. Basu- The Law of Torts (1982), Kamal, Kalkatta
- 14.Dr.Avtar Sing- The Law of Consumer Protection : Prpinciples and practice (2004), Eastern Book Company, Lucknow
- 15.Saraf D.N.- The Law of Consumer Protection in India, Tripathi, Bombay

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- Ratanlal&Dhirajlal on Law of Torts
- Salmond’s Law of Torts
- RamaswamyIyer – Law of Tort
- Bangia’s Law of Torts
- Avtar Singh – Law of Consumer Protection
- Saraf D.N. the Law of Consumer Protection in India
- Law of Torts and C.P. Law by Dr. N.V. Paranjape

**DSC – 104: LAW OF CRIMES I- (Indian Penal Code)**  
**(Paper – IV)**

**Object:**

Crime and Punishment has been the one of the most important task of rule of law of the State. This course is designed with a prime object to familiarize students with the principles of criminal liability and other concepts of substantive criminal law. So proper understanding of these offences & criminal behaviors, methods of controlling them has now become extremely important in the larger context of Indians development & to build a just and humane society. The curriculum outlined here attempts to seek these objectives.

**Methods of teaching-learning:** Lecture method shall be the main method of learning to be followed. Dialectic method of mooted and argumentation plays a very convincing procedure of learning. The information sharing and flow of information among the teacher and taught has to work as bonding of the entire course. Case comment can also be a method of research writing in this paper.

**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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**30 Marks**  
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**SYLLABUS****UNIT I: CONCEPT OF CRIME (Sec. 1 – 75)**

- 1.1 Nature and Concept of crime & distinction between Crime, Ethical wrongs.
- 1.2 Definitions – General Explanations (Sec. 6-52A)
- 1.3 Stages and Elements of Crimes
- 1.4 Group Liability in Crimes – Common Intention and Common Object
- 1.5 Off Punishments (Sec. 53 to 75)

**UNIT II: GENERAL EXCEPTIONS UNDER IPC (Sec. 76 – 106).**

- 2.1 Mistake of facts mistake of law
- 2.2 Necessity, Defense of Juvenile
- 2.3 Unsound mind and intoxication
- 2.4 Act in good faith and consent
- 2.5 Right of private defense of body and property

**UNIT III: INCHOATE OFFENCES (Sec. 107 – 120 B and Sec. 141 – 160)**

- 3.1 Meaning, Nature and importance of inchoate offences
- 3.2 Attempt and abatement
- 3.3 Criminal Conspiracy
- 3.4 Unlawful Assembly
- 3.5 Rioting

**UNIT IV: OFFENCES AFFECTING THE PUBLIC HEALTH, SAFETY, CONVENIENCE, DECENCY AND MORALS (Sec 268-294A)**

- 4.1 Offences affecting the Public Health (Section 268-278)

- 4.1.1 Public Nuisance (S.268)
- 4.1.2 Acts likely to spread infection (section 269-271)
- 4.1.3 Pollution of food or drink (section 272-273)
- 4.1.4 Adulteration of drugs (section 274-276)
- 4.1.5 Fouling water and relating atmosphere (section 277-278)
- 4.2 Offences affecting the public safety and Convenience (Section 277-278)
  - 4.2.1 Rash Driving or riding on a public way. (Section 279)
  - 4.2.2 Rash or negligent navigation. (Section 280)
  - 4.2.3 Exposing false light, mark or being mislead navigator
  - 4.2.4 Conveying any person for hire by water in an unsafe and overloaded waste Vessel(Section 282)
  - 4.2.5 Causing danger or obstruction to any person in public way. (Section283)
  - 4.2.6 Negligent conduct with respect to poisonous substance.(Section 284)
  - 4.2.7 Negligent conduct with respect to fire, combustible substances. (section 285-289)
  - 4.2.8 Continuance of Nuisance. (Section 291)
- 4.3 Public Decency and Morals (ss 292-294A)
  - 4.3.1 Prevention of obscenely (ss 292-294)
  - 4.3.2 Keeping Lottery Office (S 294A)
  - 4.3.3 Cases related to spreading of infectious diseases

**UNIT- V: OFFENCES AFFECTING THE HUMAN BODY (Sec. 299 – 377)**

- 5.1 Culpable homicide. Murder
- 5.2 Hurt & Grievous Hurt.
- 5.3 Wrongful Restraint & wrongful Confinement.
- 5.4 Criminal force & assault.
- 5.5 Kidnapping & Abduction.

**UNIT- VI: OFFENCES AGAINST PROPERTY (Sec. 378 – 462)**

- 6.1 Theft and Extortion.
- 6.2 Robbery & Dacoity.
- 6.3 Criminal misappropriation of property and Criminal Breach of Trust.
- 6.4 Receiving stolen property and Cheating, Mischief.
- 6.5 Criminal Trespass, House Trespass, House Breaking

**UNIT-VII: OFFENCES OF FALSE EVIDENCE & OFFENCES RELATING TO DOCUMENTS AND PROPERTY (Sec. 191 – 229A, 463-489E)**

- 7.1 Giving false evidence & fabricating false evidence.(sec.493)
- 7.2Fraudulent claim to property
- 7.3 Forgery and making false documents
- 7.4 Forged documents

**UNIT-VIII: OFFENSES RELATING TO SEXUAL, MARRIAGE (Sec. 375 – 377, 493-498A)**

- 8.1 Rape
- 8.2 Unnatural Offenses
- 8.3 Bigamy
- 8.4 Adultery
- 8.5 Cruelty by husband and relatives

**Reference Books:**

Williams Glanville- The Text Book of Criminal Law

Jerom Hall – Studies in Jurisprudence and Criminal Theory Jw Cecil Turner

(edt.) – Kenny’s Outlines of Criminal Law Jw Cecil Turner - Russel on Crime  
 Smith and Hogan – Criminal Law  
 A.P. Simester& G.R. Sullivan – Criminal Law Theory and Doctrine  
 R. C. Nigam – Principles of Criminal Law Asia Publishing House, Lucknow. Prof. K.N.  
 Chndranshekharpillai – Essay’s on Indian Penal Code  
 R. C. Srivastava – Law Relating to Crima Punishment Andrew Ashworth –  
 Principles of Criminal Law  
 P.S/Achuthunpillai, Criminal Law (1995) Eastern, Lucknow.  
 Prof K.D Gaur - Criminal Law Cases and Material(1991), Butterworths India. Dr. Hari Singh Gaur  
 – Penal Law of India (4 volumes)  
 R. A Nelson – Indian Penal Code  
 Prof. K.N. Chandranshekharpillai – Essay’s on Indian Penal Code RatanLal and  
 DhirajLal – Indian Penal Code  
 Prof. Raghavan – Indian Penal Code  
 B.M.Gandhi, Indian Penal Code (1996), Eastern, Nagpur  
 K.D.Gaur, a Text Book on the Indian Penal Code (1998), Universal Delhi

### **DSC – 105: FAMILY LAW – I (Paper – V)**

#### **Object :**

The course structure is designed mainly with three objectives in view. One is to provide adequate sociology perspectives so that the basic concepts relating to family are expounded in their social setting. The next objective is to give an overview of some of the current problems arising out of the foundational inequalities writ large in the various family concepts. The third objective is to view family law not merely as a separate system of personal laws based upon religions but as the one cutting across the religious lines and eventually enabling us to fulfill the constitutional directive of uniform civil code. Such a restructuring would make the study of familial relations more meaningful.

To evaluate the strength of family system in India and the extent of legal support provided to the same and also to examine when and how and to what extent a Uniform Civil Code to regulate a religious part of family life, if any, may emerge!

Method of study: Lecture method and tutorial form of learning is the best method. Case study and research for self learning may also be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise. There are a lot of scope of innovation and new interpretation.

**Evaluation methods:** Theory Examination – 70 Marks

#### **Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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**: 30 Marks**  
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#### **SYLLABUS**

#### **UNIT I : FAMILY RELATIONS- HINDUS, MUSLIMS, CHRISTAINS AND PARSIS**

- 1.1 Natural and sources of Hindu Law
- 1.2 Schools of Hindu Law
- 1.3 Nature and sources of Muslim Law
- 1.4 Schools of Muslim Law

**UNIT II: MARRIAGE AND KINSHIP**

- 2.1 Evolution of the institution of marriage and Family
- 2.2 Role of Religious rituals and practices in molding the rules regulating to marital relations
- 2.3 Types of family based upon
  - 2.3.1 Lineage – patrilineal, matrilineal
  - 2.3.2 Authority structure –patriachcal; matriarchal
  - 2.3.3. Location patrilocal, matrilocal
  - 2.3.4 Number of conjugal units – nuclear, extended, joint and composite
- 2.4 Emerging concepts – maître – sambhand and divided homes.

**UNIT III: MATRIMONIAL REMEDIES**

- 3.1 Marital conflicts
  - 3.1.1 Non- judicial resolution of marital conflicts
  - 3.1.2 Customary dissolution of marriage – unilateral divorce, divorce by mutual consent and other modes of dissolution
  - 3.1.3 Divorce under Muslim personal law – talaq and talaq-e-tafweez
- 3.2 Judicial resolution of marital conflicts : the family court
- 3.3 Nullity of marriage
- 3.4 Option of puberty
- 3.5 Restitution of conjugal rights
- 3.6 Judicial separation
- 3.7 Desertion : a ground for matrimonial relief
- 3.8 Cruelty: a ground for matrimonial relief
- 3.9 Adultery : a ground for matrimonial relief
- 3.10 Other grounds for matrimonial relief
- 3.11 Divorce by mutual consent under :
  - 3.11.1 Special Marriage Act 1954
  - 3.11.2 Hindu Marriage Act 1955
  - 3.11.3 Muslim law (Khula and Mubaraat)

**UNIT IV : BAR TO MATRIMONIAL RELIEF**

- 4.1 Doctrine of strict proof
  - 4.1.1 Taking advantage of one’s own wrong or disability
- 4.2 Accessory
- 4.3 Connivance
- 4.4 Collusion
- 4.5 Condonation
- 4.6 Improper or unnecessary delay
- 4.7 Residuary clause – no other legal ground exists for refusing the matrimonial relief.

**UNIT V: LAW OF MAINTENANCE (HINDU AND MUSLIM LAW)**

- 5.1 Claim of spouses
- 5.2 Claim of parents and children
- 5.3 Alimony (pendent and permanent)

**UNIT VI MINORITY AND ADOPTION**

- 6.1 Adoption under the Hindu Law
- 6.2 Acknowledgement under the Muslim law
- 6.3 Minority and Guardianship

**UNIT VII : CONVERSION AND ITS EFFECT ON FAMILY**

- 7.1 Marriage
- 7.2 Adoption
- 7.3 Guardianship
- 7.4 Succession

( In view of the conflict of inter-personal laws, conversion is causing problems. How conversion affects the family and whether it is compatible with the concept of secularism and to what extent such problems would stand resolved with the enactment of a uniform civil code needs to be examined.)

**UNIT VIII : CUSTOMARY PRACTICES AND STATE REGULATION**

- 8.1 Polygamy
- 8.2 Concubine
- 8.3 Child Marriage
- 8.4 Sati
- 8.5 Dowry

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- 1) ParasDiwan, Hindu Law
- 2) S.T. Desai (ed) Mulla's Principles of Hindu Law, (1998) Bitterorths , India
- 3) ParasDiwan, Family law : Law of Marriage and Divorce in India, (1984)
- 4) A. M. Bhattachargee, Muslim Law and Constitution(1994( Eastern Law House, Calcutta
- 5) A. M. Bhattachargee, Hindu Law and Constitution(1994( Eastern Law House, Calcutta
- 6) ParasDiwan, Law of Adoption, Minority, Guardianship and Custody (2000), Universal
- 7) A.A.A. Fyzee, Outline of Muhammadam law, (1986)
- 8) J.D.M. Derrett, Hindu Law : Past and present
- 9) J.D.M. Derrett, Death of Marriage Law
- 10) J.D.M. Derrett, a critique of modern Hindu law

**Suggested Books:**

- 1)ParasDiwan, Law of Intestate and Testamentary Succession (1998), Universal
- 2)Basu, N. D. Law of Succession (2000), Universal
- 3)Kusem, Marriage and Divorce Law Manual (2000), Universal
- 4)Malchandru, S.C. Law and Practice of Divorce in India (2000), Universal
- 5)P.V. Kane, History of Dharmasastras Vol. 2 pt. 1 at 624-632 (1974)
- 6)A. Kuppaswami (ed.) Mayne's Hindu Law and Usage ch. 4 (1986)
- 7)B. Sivaramayys, Inequalities and the Law, (1985)
- 8)K.C. Daiya, "Population control through family planning in India," Indian Journal of Legal studies, 85(1979)
- 9)J.D.M. Derrett, Hindu Law, : Past and Present
- 10) J.D.M. Derrett, Death of Marriage Law
- 11) A.A.A. Fyzee, Outline of Muhammadan Law, (1986)

- 12) J.D.M. Derrett, A Critique of Modern Hindu Law (1970)
- 13) ParasDiwan, Hindu Law (1985)
- 14) S.T. Desai (ed.) Mulla's Principles of Hindu Law, (1998)- Butterorthis-India
- 15) ParasDiwan, Family Law : Law of marriage and Divorce in India, (1984)
- 16) A. M. Bhattachargee, Muslim Law and the Constitution (1994) Eastern Law House, Calcutta
- 17) A. M. Bhattachargee, Hindu Law and the Constitution (1994) Eastern Law House, Calcutta
- 18) Paras Diwan, Law of Adoption, Ministry, Guardianship and Custody (2000), Universal

### **AECC – 106: FUNDAMENTALS OF RESEARCH**

Research in common parlance refers to a search for knowledge. It is a scientific and systematic search for pertinent information on a specific topic. In fact, research is an art of scientific investigation. It is the pursuit of truth with the help of study, observation, comparison and experiment. Significance of Research is increasing in all discipline as it reflects social values, attitudes and behavior. As we know law is a dynamic and not static, therefore law student should inevitably understand the basics of research. After gone through the syllabus of

'Fundamentals of Research' the law students are came to know-

1. The Basics of the Research with the conceptual foundation
2. The stages of the Research involved and
3. The ethics for Research and its principle.

Each Ability Enhancement compulsory Course (AECC) of 2 Credits shall be of 50 Marks including teaching workload of 2 lectures per week per AECC. This paper workload shall be shared by existing Full-Time Teachers. The assessment of the Subject Skill Enhancement Course shall be internal assessment. The weightage for the continuous internal Assessment shall be based on the following.

**Internal Assessment** -For passing this examination, two credits will be assigned to the students. 50 marks examination includes 25 objective type questions with two marks each. The minimum passing criteria shall be 20 marks.

### **SYLLABUS**

#### **UNIT – I - CONCEPTUAL FOUNDATION OF RESEARCH**

- 1.1.1 Introduction : Historical perspective and importance of Research
- 1.1.2 Meaning and Definitions of Research
- 1.1.3 Objectives of Research
- 1.1.4 Types of Research
- 1.1.5 Concept of Legal Research
- 1.1.5 Research Methodology

#### **UNIT – II - MAJOR STAGES OF RESEARCH**

- 2.1.1 Identification and formulation of problem
- 2.1.2 Review of Literature and Formulation of Hypothesis
- 2.1.3 Research Design

- 2.1.4 Collection of data and its various modes
- 2.1.5 Analysis and interpretation of data
- 2.1.6 Findings, Suggestions and Conclusion

### **UNIT – III - TOOLS AND TECHNIQUES OF DATA COLLECTION**

- 3.1.1 Questionnaire
- 3.1.2 Survey
- 3.1.3 Interview
- 3.1.4 Sampling
- 3.1.5 Observations
- 3.1.6 Schedule

### **UNIT – IV - RESEARCH ETHICS**

- 4.1.1 Moral Principles and Social Values in Research
- 4.1.2 Research Ethical Committee in Higher Education
- 4.1.3 Legal aspects – Copyright, Plagiarism, etc

### **Reference/ Suggested Books**

- 1 C.R.Kothari, Gaurav Garg (2018), *Research Methodology : Methods And Techniques*, New Age International Publishers Ltd.-New Delhi
- 2 Dr.S.R.Myneni (2017), *Legal Research Methodology*, Allahabad Law Agency, Allahabad
- 3 [R. Panneerselvam](#) (2<sup>nd</sup> Edition), *Research Methodology*, Kindle Edition (e-Book)
- 4 Yogesh Kumar Singh, *Fundamentals of Research Methodology and Statistics*, New Age International Publishers Ltd.-New Delhi
- 5 Dr. H. N. Tewari.(2016), *Legal Research Methodology.*, Allahabad Law Agency, Allahabad
- 6 Goode, W.J. and Hatt, P. K. (1952), *Methods in social research*. New York, McGraw-Hill Book Comp, New York
- 7 Dr.Mona Purohit (2016), *Legal Education and Research Methodology*, Central Law Publications, Allahabad
- 8 Dr.G.P.Tripathi (2015), *Legal Research and Research Methodology*, Central Law Publications, Allahabad

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## **Three Year LL.B. Semester II**

### **DSC – 201: SPECIAL CONTRACT (Paper – I)**

#### **Object :**

The course is to be taught after the students have been made familiar with the general principles of contract in which the emphasis is on understanding and appreciating the basic essentials of a valid contract and on the existence of contractual relationship in various instances. Obviously, a course on special contract should initiate the students to different kinds of contracts with emphasis on the intricacies therein. This course also should provide an insight into the justification for special statutory provisions for certain kinds of contracts.

We are witnessing a paradigm shift in every walk of life, especially commercial sector, due to computer technology. Internet has transformed traditional markets into global markets by facilitating online execution of commercial transactions including electronic transfer of goods and services through online advertising, online ordering, publishing, banking, investment, auction, travel, entertainment and professional and financial services.



Existing legal provisions have to be re-interpreted and applied to provide solutions to issues generated by new technology till the new legal provisions arrive. Students are expected to study the provisions that govern E-Contract including relevant provisions from Indian Contract act, Information technology Act and relevant amendments to Indian Penal code, Indian Evidence act, Negotiable Instruments act etc.

**Method of study:** Lecture method and tutorial form of learning is the best method. Case study and research for self learning may also be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise. There are a lot of scope of innovation and new interpretation.

**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level :10 Marks

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**30 Marks**  
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## SYLLABUS

### UNIT I – INDEMNITY

- 12.3 The Concept
- .2 Need for indemnity to facilitate commercial transactions.
- 1.3 Methods of creating indemnity obligations
- 1.4 Definition of Indemnity
- 1.5 Nature and extent of liability of the indemnifier
- 1.6 Commencement of liability of the indemnifier
- 1.7 Situations of various types of indemnity creations.
- 1.8 Documents / agreements of indemnity

### UNIT II – GUARANTEE

- 2.1 The Concept
- 2.2 Definition of guarantee
- 2.3 Basic essentials for a valid guarantee contract
- 2.4 The place of consideration and the criteria for ascertaining the existence of consideration in guarantee contracts.
- 2.5 Position of a minor and validity of guarantee when minor is the principal debtor, creditor or surety.
- 2.6 Distinguished from Indemnity
- 2.7 Continuing guarantee
  - 2.7.1 Nature of surety's liability
  - 2.7.2 Duration and terminations of such liability
  - 2.7.3 Illustrative situations of existence of continuing guarantee.
  - 2.7.4 Creations and identifications of continuing guarantees.
- 2.8 Rights of surety
  - 2.8.1 Position of surety in the eye of law
  - 2.8.2 Various judicial interpretations to protect the surety.
- 2.9 Co-surety and manner of sharing liabilities and rights.
- 2.10 Extent of surety's liability
- 2.11 Discharge of surety's liability

**UNIT – III BAILMENT**

- 3.1 The concept
- 3.2 Definition of Bailment
- 3.3 Identification of bailment contracts in day today life and Manner of creation of such contracts.
- 3.4 Commercial utility of bailment contracts
- 3.5 Kinds of bailees
- 3.6 Duties of bailor and bailee
- 3.7 Rights of bailor and bailee

**UNIT – IV PLEDGE**

- 4.1 The Concept
- 4.2 Commercial utility of pledge transactions
- 4.3 Definition of pledge under the Indian Contract Act
- 4.4 Comparison with bailment
- 4.5 Rights of the pawner and pawnee
- 4.6 Pawnee's right of sale as compared to that of an ordinary bailee
- 4.7 Pledge by certain specified persons mentioned in the Indian Contract Act.

**UNIT – V AGENCY**

- 5.1 The Concept – Agent & Principal
- 5.2 Kinds of agents
- 5.3 Essentials of an agency transaction
- 5.4 Various methods of creation of agency
- 5.5 Duties and rights of agents
- 5.6 Scope and extent of Agent's authority
- 5.7 Liability of the principal for acts of the agents
- 5.8 Liability of the agent towards the principal
- 5.9 Personal liability towards the parties
- 5.10 Methods of termination of agency contract

**UNIT – VI SALE OF GOODS**

- 6.1 Concept of sale as a contract
- 6.2 Essentials of a contract of sale
- 6.3 Essential conditions in every contract of sale
- 6.4 Implied terms in contract of sale
- 6.5 The rule of caveat emptor and the exceptions
- 6.6 Effect and meaning of implied warranties in a sale.
- 6.7 Transfer of title and passing of risk.
- 6.8 Delivery of goods : various rules regarding delivery of goods
- 6.9 Unpaid seller and his rights
- 6.10 Remedies for breach of contract

**UNIT – VII PARTNERSHIP**

- 7.1 Nature of partnership : Definition
- 7.2 Mutual relationship between partners
- 7.3 Incoming partner
- 7.4 Outgoing partner
- 7.5 Registration of Partnership
- 7.6 Dissolution of Partnership

**UNIT – VIII E- CONTRACTS**

- 8.1 The concept – Certifying Authority, digital signature, electronic record, cyber Appellate tribunal
- 8.2 Validity of Electronics Transactions

- 8.2.1 Authentication of Electronic Records
- 8.2.2 Legal recognition of Electronic records & digital signature
- 8.2.3 Retention of electronic records
- 8.3 Communication & Revocation of offer
  - 8.3.1 Attribution of electronic records
  - 8.3.2 Acknowledgement of receipt
  - 8.3.3 Time & Place of dispatch and receipt of electronic records.

#### References :

1. Pollock & Mulla on Contracts
2. Avtar Singh – Contract Act
3. Krishnan Nair, Law of Contract
4. Saharay H.K., Indian Partnership Act & Sale of Goods Act
5. Ramnainga, The sale of Goods Act
6. V.K. Rao, Contract II
7. The Information Technology Act, 2000 Asia Law House

#### Books :

- 1) R.K. Abhichandani (ed.), Pollock and Mulla on Contracts and Specific Relief Act (1999) Tripathi, Bombay.
- 2) Avtar Singh, Contract Act (2000), Eastern, Lucknow.
- 3) Krishnan Nair, Law of Contract (1999) Orient
- 4) Avtar Singh, Principles of the Law of the Sale of Goods and Hire Purchase (1998) Eastern, Lucknow.
- 5) J.R. Verma (ed.), Singh and Gupta, The law of partnership in India (1999), Orient Law House New Delhi.
- 6) A.Q. Guest (ed.) Benjamin's Sale of Goods (1992), Sweet & Maxwell.
- 7) Bhashyam and Adiga. The Negotiable Instruments Act (1995), Bharath Allahabad.
- 8) MS. Parthasarathi (ed.) J.S. Khergamvala. The Negotiable Instruments Act.
- 9) Beatson (ed.), Anson's Law of Contract, (1998), Oxford, London.
- 10) Saharay, H.K., Indian Partnership and Sale of Goods Act (2000), Universal.
- 11) Ramnainga, The Sales of Goods Act (1998), Universal.
12. Information Technology Law and Practice, Cyber Law & E-Commerce by Vakul Sharma, 2005, Universal Law Publishing Co Pvt Ltd.
13. Cyber Law in India by Dr. Farooq Ahmad, 2005, Pioneer Books, New Era Law Publication Delhi.

#### Reference Books

1. Chitty, Contracts, Vol. II, 29<sup>th</sup> Ed., Sweet & Maxwell, 2004.
2. V.K. Rao, Contract II – Cases and Materials, Butterworths, 2004.
3. M. Krishnan Nair, Law of Contracts, 1998.
4. Dutt on Contract, H.K. Saharay, Universal, 2000.
5. Mulla, Indian Contract Act and Specific Relief Acts, Lexis Nexis 13<sup>th</sup> Ed. 2006.
6. Avtar Singh, Law of Partnership
7. Piyush Joshi, Law relating to Infrastructure Projects, Butterworths
8. Agarwal, Government Contracts, Law and Procedures, Eastern Book Corporation
9. Fired, The Law of Agency, Butterworth
10. Iyer Sale of Goods and Partnership Acts, Asia Law House
11. Reynolds & Davenport, Bowstead on Agency, Sweet & Maxwell

12. Mulla, Negotiable Instrument Act, Tripathy

**Case Law (by way of illustration)**

1. Amritlal Goverdhan Lal v. State Bank of Travancore AIR 1968 SC 1432

2. Morvi Mercantile Bank v. Union of India AIR 1965 SC 1954

3. Vasireddi Seetharamaiah v. Srirama Motor Finance Corporation 1977 AP 164

4. Wheels India Ltd., Mount Road v Khem Chand Raj Kumar 1970 MLJ 648

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5. Maganbhai v Union of India AIR 1969 SC 785 Madhav Rao v. Union of India AIR 1971 SC 530

6. Delhi Science Forum & Others v. Union of India JT 1996 (2) SC 295

7. Canara Bank v Canara Sales Corporation & Others AIR 1987 SC 1603

8. Indian Airlines Corporation v Madhuri Choudhury AIR 1965 Cal 252

9. Gatewhite Ltd & Another v. Iberia Lineas de Espana SA (1989) 1 All E.R. 944

**DSC-202: CONSTITUTIONAL LAW – II (Paper – II)**

**Object :**

To understand the political, social and economic value structure of the Constitution of India and the protection of human rights of individuals and balancing with the positive responsibility of the state to establish a economy of growth, social justice and political aspiration of all sections of the Indian Society through constitutional governance.

Method of study: Lecture method and interactive sessions of learning is the best method. Case study and research for self learning may also be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise. There are a lot of scope of innovation and new interpretation

**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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**30 Marks**  
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**SYLLABUS**

**UNIT I. PARLIAMENT**

1. Composition, Election, qualifications, disqualifications and tenure of members.
2. Functions of Parliament.
3. Privileges of Members, Parliamentary Privileges and fundamental rights
4. Relationship between Lok Sabha and Rajya Sabha
5. Officers of the parliament – Speaker, Chairperson, powers and functions

**UNIT II. PARLIAMENTARY GOVERNMENT AND UNION EXECUTIVE**

1. Westminster Model- Choice of Parliamentary Form-Council of Minister and Prime Minister, Cabinet system, collective responsibility- individual responsibility.
2. Co-alition Government
3. President of India- Election, qualification and Impeachment

4. powers (specially the ordinance making power) privileges and constitutional position
5. Governor of the State- Appointment, tenure etc., position and status of Governor.

### **UNIT III. RELATIONSHIP BETWEEN UNION AND STATES**

#### **I- LEGISLATIVE RELATIONS**

1. Legislative powers of the union- extent and width- seventh schedule
2. Provision as to introduction and passing of ordinary bills
3. Joint sitting of both the houses
4. Parliament's power to legislate on State subjects
5. Principles of interpretation of Lists

### **UNIT IV -- RELATIONSHIP BETWEEN UNION AND STATES**

#### **II- ADMINISTRATIVE AND FINANCIAL**

1. Administrative relationship
  - a) Co-extensive powers of administrative organ- Art 73
  - b) Obligation of states- assistance and coordination
  - c) Inter state council
  - d) All India Services
  - e) Grants in aid.
2. Financial Relations---
  - a) Distribution of Revenue between Centre and State.
  - b) Money Bill- finance bills
  - c) Finance Commission

### **UNIT V.- FREEDOM TRADE-COMMERCE AND SERVICES UNDER THE STATE**

1. Freedom Trade-extent and relationship with fundamental rights
2. Restrictions on Trade and Commerce
3. Doctrine of Pleasure
4. Constitutional safeguards to Civil Servants
5. Public Service Commission

### **UNIT VI. - EMERGENCY PROVISIONS**

1. National emergency- imposition and implications
2. Constitutional amendments relating to national emergency
3. Failure of constitutional emergency in the state- grounds
4. Misuse of state emergency -safeguards by judicial pronouncements
5. Financial emergency – grounds and implications

### **UNIT VII. - JUDICIARY UNDER CONSTITUTION**

1. Supreme Court- composition, Appointment procedure- collegium system- removal
2. Jurisdiction of supreme court- original, appellate, advisory and curative
3. High Court-Composition, Appointment, jurisdiction etc.
4. Independence of Judiciary
5. Doctrine of Judicial Review- Nature and scope

### **UNIT VIII. - CONSTITUTIONAL PROCESS OF ADAPTATION AND ALTERATION**

1. Amendment- meaning and Methods of Constitutional amendment
2. constitutional Limitations upon constituent power
3. Doctrine of Basic Structure- emergence and expansion
4. Amendment of fundamental rights
5. Content and controversy of basic structure theory

**Reference Books:**

- 1) T.K. Tope: Constitutional of India.
- 2) G. Austin, History Democratic Constitution: The Indian Experience (2000) Oxford.
- 3) D.D. Basu : Shorter Constitution of India (1996) Prentice Hall of India, Delhi.
- 4) Constituent Assembly Debates Vol. 1 to 12 (1989)
- 5) H.M. Seervai: Constitution of India Vol. 1-3 (1992), Tripathi, Bombay.
- 6) M.P. Singh (ed) V.N. Shukal : Constitutional Law of India (2000) Oxford.
- 7) G. Austin : Indian Constitution : Cornerstone of a Nation (1972)
- 8) M. Glanter : Competing Equalities- Law and the Backward Classes in India (1984)
- 9) B. Sivaramayya : Inequalities and Law (1984) Eastern Lucknow.
- 10) S.C. Kashyap : Human Rights and Parliament (1978) Metropolitan.
- 11) Dr. Pandey J.N. : Constitutional Law of India. (2007) Central Law Agency.

**DSC – 203: FAMILY LAW – II (Paper – III)****Object:**

Succession is one every important way of transfer of property, of course after the life of the owner of the property. The study shall not only examine the law as it is and is interpreted by Courts in fact situation, it also shall aim at understanding the differences in the law of succession, both testamentary and intestate, amongst various religious groups.

**Methodology of teaching-learning:** Lecture method, Case study and presentation shall be dominant method. But research and paper-writing is also important. There shall be comparative studies in all presentations and lectures. Discussion and issue-based round table shall be emphasized instead of issue-based lecture.

**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: 30 Marks  
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**SYLLABUS:****UNIT I : JOINT FAMILY**

- 1.1 Mitakshara joint family
- 1.2 Mitakshara coparcenary – formation and incidents
- 1.3 Property under Mitakshara law – separate property and coparcenary property
- 1.4 Dayabhaga coparcenary – formation and incidents
- 1.5 Property under Dayabhaga law
- 1.6 Karta of the joint family – his position, powers, privileges and obligations
- 1.7 Alienation of property – separate and coparcenary
- 1.8 Partition and reunion
- 1.9 Joint Hindu Family as a social security institution and impact of Hindu gains of Learning act and various tax laws on it
- 1.10 Matrilineal joint family

**UNIT II : INHERITANCE – HINDUS**

- 2.1 Historical perspectives of traditional Hindu law as a background to the study of Hindu Succession act 1956
- 2.2 Succession to property of a Hindu male dying intestate under the provisions of Hindu Succession act 1956
- 2.3 Devolution of interest in Mitakshara coparcenary with reference to the provisions of Hindu Succession act 1956
- 2.4 Succession to property of a Hindu female dying intestate under the provisions of Hindu Succession act 1956
- 2.5 Disqualification relating to succession
- 2.6 General rules of succession
- 2.7 Marumakkattayam and Aliyasantana laws governing people living in Travancore – Cochin and the districts of Malabar and South Kanara.

**UNIT III : INHERITANCE – MUSLIMS**

- 3.1 General rules of succession and exclusion from succession
- 3.2 Classification of heirs under Hanafi and IthnaAshria schools and their shares and distribution of property
- 3.3 Christians, Parsis and Jews
  - 3.3.1 Heirs and their shares and distribution of property under the Indian Succession Act 1925

**UNIT IV : WOMEN'S PROPERTY**

- 4.1 Stridhan – concepts and characteristics, sources
- 4.2 Principles of succession
- 4.3 Comparative analysis of right to property of women under different religious and statutory law

**UNIT V : TESTAMENTARY SUCCESSION**

- 5.1 Power of testamentary succession under various religious and statutory law under Hindu, Islamic, Christian and Parsi Law
- 5.2 Competence of the testator, limitation to testamentation
- 5.3 Abatement of legacy, Will and administration of will – Probate, Codicil, execution of Privileged and unprivileged will
- 5.4 Attestation, alteration and revival of will

**UNIT VI : RIGHT OF PRE-EMPTION:**

- 6.1 Pre-emption, meaning, nature, constitutionality, classification
- 6.2 Who can claim the right, formalities and legal effect
- 6.3 legal devices of evading right of pre-emption, when is the right lost

**UNIT VII : GIFT UNDER THE ISLAMIC LAW**

- 7.1 Hiba – nature and characteristics, kinds of hiba
- 7.2 Conditional and future gift, types of Hiba, Death-bed gift
- 7.3 Revocation of gift

**UNIT VIII : RELIGIOUS ENDOWMENTS**

- 8.1 Wakf
  - 8.1.1 Meaning, character, formalities for creation
  - 8.1.2 Administration, power of Mutawali, Muslim Religious Institutions and offices
- 8.2 Hindu Religious Endowment
  - 8.2.1 Traditional religious principles of creation, administration and offices

8.2.2 Statutory methods of creation of trust

8.2.3 Powers and functions of the trustees

### References:

- 1) Mulla, Hindu Law, Vol I and II, Butterworth
- 2) Mayne, Hindu Law and Usage, Bharat
- 3) Diwan, Modern Hindu law, Universal
- 4) Tyabji, Muslim Law, Tripathy
- 5) Mulla, Principles of Mohammedan Law, Tripathy
- 6) Amer Ali, Mohammedan Law, Vol I andII, EBS
- 7) TahirMohammod, Family Law reforms in Muslim world, tripathy
- 8) TahirMohammod, Islamic Law in Modern india, Tripathy
- 9) Derret Hindu Law, Past and Present, Universal
- 10) Derret, Introduction to modern Hindu Law, Universal
- 11) Ghosh, the law of endowments, S.C. Sarkar
- 12) Row, Sanjiva, The Indian Succession Act, Law book Co
- 13) Basu, Indian Succession Act, eastern
- 14) Gaur, hindu code Vol i and II, Law Publisher
- 15) Diwan, law of Intested and testamentary Succession, wadhwa
- 16) Mukherjee, Hindu law of religious and charitable trust, eastern
- 17) Desai Kumud, Law of Marriages and Divorce
- 18) Mayne's Hindu law and usage
- 19) Parasdiwan, Family law
- 20) Dr. T. V. Subbaroa Familt law in India
- 21) Mulla, principles of Mahommedan law

### **DSC – 204: ENVIRONMENTAL LAW (Paper – IV)**

#### **Object:**

The Environmental law programme, in contrast to other law curricula, has certain characteristics which make it unique and is one of the best instruments for breaking the ice of colonial legal education. Its uniqueness lies in the fact that the problems it raises do not relate merely to specific individuals but about such matters as national development, industrial policy, policies concerning natural resources, injustice to communities, inter generational equity and prevention of pollution. All these issues related to problematic about construction of a just, humane and healthy society.

Secondly environmental law necessarily demands an inter – disciplinary approach. Thirdly, uniqueness of the subject is borne out by the new epistemological outlook which ecology – related knowledge has brought about in recent times. The development of ecological knowledge has necessitated an overall change not only in managerial studies but also in socio-legal explorations. This approach to the growing dimensions of environments law is essential.

Method of study: Lecture method and tutorial form of learning is the best method. Case study and research for self learning may also be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise. There are a lot of scope of innovation and new interpretation.



**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: 30 Marks

**SYLLABUS**

**UNIT I - CONCEPT OF ENVIRONMENTAL AND POLLUTION**

- 1.1 Meaning and definition of environment and pollution under different Acts
- 1.2 Kinds of pollution
- 1.3 Effects of pollution

**UNIT II -- HISTORICAL PERSPECTIVES OF ENVIRONMENT AND POLLUTION**

- 2.1 Indian tradition : Dharma of environment
- 2.2 British Raj – Industrial development and exploitation of nature  
Nuisance : penal code and procedural codes
- 2.3 Free India – continuance of British influence

**UNIT III -- CONSTITUTIONAL PERSPECTIVES**

- 3.1 Constitution making – development and property oriented approach
- 3.2 Directive principles
  - 3.2.1 Judicial approach
- 3.3 Fundamental rights - Right to clean and healthy environment, Pollution Free Atmosphere etc.
- 3.4 Environments v. Development
- 3.5 Enforcing agencies and remedies
- 3.6 Emerging Principles
  - 3.6.1 Polluter pays and Precautionary Principle : Public Liability Insurance
  - 3.6.2 Public Trust Doctrine
  - 3.6.3 Sustainable Development

**UNIT IV -- WATER AND AIR POLLUTION**

- 4.1 Water and Air Pollution - Meaning and standards
- 4.2 Culprits and victims
- 4.3 Offences and penalties
- 4.4 Judicial approach
- 4.5- Noise Pollution and Control
  - 4.5.1 Legal control
  - 4.5.2 Courts of balancing : permissible and impermissible noise

**UNIT V -- ENVIRONMENT PROTECTION**

- 6.1 Protection means
- 6.2 Protection agencies : Power and functions
- 6.3 Emerging protection through delegated legislation
  - 6.3.1 Hazardous waste
  - 6.3.2 Bio – medical waste
  - 6.3.3 Genetic engineering
  - 6.3.4 Disaster emergency preparedness
  - 6.3.5 Coastal zone management
- 6.4 Judiciary : complex problems in administration of environmental justice

**UNIT VI -- FOREST AND GREENERY**

- 7.1 Greenery conservation laws
  - 7.1.1 Forest Conservation Act
  - 7.1.2 Symbiotic relationship and tribal people
  - 7.1.5 Denudation of forest : judicial approach
- 7.2 Wild life Protection Act

**UNIT VII - - INTERNATIONAL REGIME**

- 8.1 Stockholm conference
- 8.2 Green house effect and ozone depletion
- 8.3 Rio Conference
- 8.4 Bio – Diversity
- 8.5 U. N. Declaration on right to Development

**UNIT VIII -- PREVENTION OF CRUELTY TO ANIMALS**

- 9.1 Animal welfare Board
- 9.2 Cruelty to Animals Generally
- 9.3 Experimentation on Animals
- 9.4 Performing animals

**Reference Books**

1. Ball and Bell, Environmental Law
2. ShyamDivan : Armin Rosencranz Environmental Laws and Policy in India - Cases, Materials and Statutes
3. BaxiUpendra, The Bhopal Case
4. Aggarwal Anil, The State of India's Environment
5. Lal's Commentaries on Water and Air Pollution and Environment Protection Laws
6. Pal Chandra, Environmental Pollution and Development, ed 1999
7. Iyer V R Krishna, Environment Pollution and the Law
8. Malaviya, Environment Pollution and its Control under International Law
9. Leelakrishnan, Environmental Law in India 1986
10. The Environment (Protection) Act 1986 and Rules 1986

**Select Bibliography :**

- 1) AarminRosencranz, et al, (eds.), Environmental Law and Policy in Indian, (2000), Oxford
- 2) R. B. Singh & Suresh Misra, Environmental Law in India (1996), Concept Publishing, New Delhi.
- 3) Kailash Thakur, Environment Protection Law and Policy in India (1997), Deep & Deep publications, New Delhi.
- 4) Richard L. Riversz, et.al. (eds.), Environment Law, the economy and other Sustainable Development (2000), Cambridge
- 5) Christopher D. Stone, Should Trees Have Standing and other Essays on Law, Morals and the Environment (1996), Oceana
- 6) Leelakrishnan, P et. al. (eds.), Law and Environment (1990), Eastern, Lucknow
- 7) Leelakrishnan, P, The Environmental Law in India (1999), Butterworths – India
- 8) Department of Science and Technology, Government of India Report of the Committee for Recommending Legislative Measures and Administrative Machinery for Ensuring Environmental protection (1980) (Tiwari Committee Report).
- 9) Indian Journal of Public Administration, Special Number on Environment and Administration, July – September 1988, Vol. XXXV, No. 3, pp. 353 - 801
- 10) Center for Science and Environment, The State of Indian's Environment 1982, The State 42 of

- of India's Environment 1984 – 1985 and The State of Indian Environment 1999 – 2000
- 11) World Commission on Environment and Development, Our Common Future (1987), Oxford.
  - 12) Maneka Gandhi et. all Animal Laws of India (2001)
  - 13) Iyer V R Krishna, Environment Pollution and the Law
  - 14) Lal's Commentaries on Water and Air Pollution and Environment Protection Laws
  - 15) Pal Chandra, Environmental Pollution and Development, ed 1999
  - 16) Malaviya, Environment Pollution and its Control under International Law
  - 17) The Environment (Protection) Act 1986 and Rules 1986

## **DSC – 205: PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM (Paper – V)**

### **Object:**

Advocates have the dual responsibility of upholding the interests of the client fearlessly while conducting themselves as officers of the court. Accordingly, they are expected to adhere to the highest standards of probity and honour. An advocate's conduct should reflect their privileged position in society which derives from the nobility of this profession. The service of an advocate to the common man should be compassionate, moral and lawful. Indian Legal System can write up the next big success story in professional legal education and consequently higher efficiency in Justice Delivery System if it succeeds in facilitating high professional skills, building up of human resource with proper integration of knowledge to match the growing world standard.

**Method of study:** Lecture method and tutorial form of learning is the best method. Case study and research for self learning may also be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise. There are a lot of scope of innovation and new interpretation.

**Evaluation methods:** Theory Examination – 70 Marks

#### **Internal Assessment:**

Assignment / Project Work / Presentation	: 20 Marks
Viva Voce College Level	: 10 Marks
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	<b>: 30 Marks</b>
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## **SYLLABUS**

### **UNIT I -- PROFESSIONAL ETHICS**

- 1.1 Development of Legal Profession in India.
- 1.2 Concept, need and importance of Professional Ethics.
- 1.3 Bar Council of India Rules on Standards of professional Conduct and Etiquettes, seven lamps of advocacy
- 1.4 Duties and Obligations of Advocate (Norms of Professional Ethics)
  - Section I -Duty to the Court.
  - Section II -Duty to Client.
  - Section II -Duty to Opponent.
  - Section IV -Duty to Colleagues
    - Duty to Profession
    - Duty to Render Legal Aid.

- 1.5 Restrictions on other employments.
- 1.6 Senior Advocates and Restrictions on Senior Advocates.
- 1.7 Form of Dresses or Robes to be worn by Advocate.
- 1.8 Vakalatnama.

## **UNIT II -- ADVOCATES ACT, 1961 :**

- 2.1 Chapter I (Sections 1 and 2) Definitions-Advocate, Legal Practitioner, Law Graduate.
- 2.2 Chapter II (Sections 3 to 15) -Bar Councils Functions.
- 2.3 Chapter III (Sections 16 to 28) -Admission and Enrolment of Advocates.
- 2.4 Chapter IV (Sections 29 to 34) -Right to Practice.
- 2.5 Chapter V (Sections 35 to 44) -Conduct of Advocates. Punishment of Advocates for misconduct.
- 2.6 Chapter VI (Sections 45 -Miscellaneous.)

## **UNIT III -- BAR-BENCH RELATIONS AND CONTEMPT OF COURT.**

- 3.1 Concept and Role of Bar-Bench Relation with reference to administration of Justice.
- 3.2 The Contempt of Courts Act, 1971 Sections 1 to 24.

## **UNIT IV -- ACCOUNTANCY FOR LAWYERS.**

- 4.1 Definition, object, Importance and Utility of Book Keeping.
- 4.2 Principles of Book-keeping and Accountancy, Accounting concepts and Accounting conventions.
- 4.3 Meaning and Advantages of Double Entry Bookkeeping.
- 4.4 Classification of accounts and Rules for debiting and crediting the accounts. Journal entries, Ledger Posting, Subsidiary Books.
- 4.5 Types of Cash Book.
  - (a) Simple Cash Book.
  - (b) Cash Book with Cash and Discount columns.
  - (c) Cash Book with Cash, Bank and discount columns.
- 4.6 Bank Reconciliation statement.
- 4.7 Rectification of Errors.
- 4.8 Preparation of Trial Balance.
- 4.9 Preparation of Trading, Profit and Loss Account and Balance Sheet.
- 4.10 Preparation of Income and Expenditure Account.
- 4.11 Assessment of income and expenditure and payment of taxes by Advocates.

## **UNIT V -- CASES & SELECTED OPINIONS PRESCRIBED FOR STUDY.**

### **5.1 Major Judgements of Supreme Court on the subject :**

- 1) Pralhad Saran Gupta V/s Bar Council of India & another, AIR 1997, SC, 1338
- 2) Hikmat Ali Khan V/s IshwarPrasd, AIR, 1997, SC 864.
- 3) V. P. Kumarvelu V/s B.C.L., AIR, 1997, SC 1014
- 4) P.D. Gupta V/s Ram Murty, AIR, 1988, SC 283.
- 5) In Re. V.C. Mishra, AIR, 1995, SC 2348.
- 6) Supreme Court Bar Association V/s Union Bank of India, AIR, 1988, SC 1895.
- 7) U.P. Sales Tax Service Association V/s Taxation bar Association, Agara AIR, 1996, SC 98.
- 8) John D' Souza V/s Edward Ani, AIR, 1994, SC 975.
- 9) Dalal, D.S. V/s State Bank of India, AIR, 1993, CRLJ 1478.
- 10) Mr. Roma Baneriji V/s UshapatiBanerji, AIR, 1958, CRLJ 1478.

## 5.2 Selected Opinions Of The Disciplinary Committee Of Bar Council Of India

- 1) B.C.I. TR Case No. 27/1988, Vol. 16(3&4) 1989, I.B.R. Y.V.R. (Complainant) V/s M.K.N. (Respondent).
- 2) B.C.I. TR Case No. 24/1986, Vol. 16(3&4) 1989, I.B.R.C.L. (Complainant) V/s N.T.S. (Respondent).
- 3) D.C. Appeal No. 6/1988, Vol. 16(3&4) 1989, I.B.R.J.E. (Appellant) V/s Smt. A (Respondent).
- 4) D.C. Appeal No. 28/1986, Vol. 15(3&4) 1988, I.B.R.J. (Appellant) V/s Smt. A (Respondent).
- 5) D.C. Appeal No. 35/1987, Vol. 16(3&4) 1989, I.B.R.N.M. (Appellant) V/s V. D. (Respondent).
- 6) D.C. Appeal No. 131975 (Mah.) Vol. 5 (1-3) 1976, Journal of Bar 35 Council of India, A. (Appellant) V/s Bar Council of Maharashtra, (Respondent)
- 7) B.C.I. , TR. Case No. 17/86. Vol. 15(3&4), 1988, I.B.R. M. (petitioner/complainant) V/s Bar Council of Maharashtra, (Respondent)
- 8) B.C.I. , TR. Case No. 63/1983. Vol. 15(3&4), 1988, I.B.R. B. (Complainant) V/s R. (Respondent)
- 9) D.C. Appeal No. 21 of 1985. Vol. 15(3 and 4), 1988, I.B.R.G. (Applicant) V/s T. (Respondent)
- 10) B.C.I. , TR. Case No. 61/1983. Vol. 14(2), 1987, I.B.R. D. (Complainant) V/s B. (Respondent)

### Recommended Books

1. Sanjiva Row's Advocates Act, 1961.
2. Iyer's Law of Contempt of Courts.
3. Bar Council of India Trust Selected Judgments on Professional Ethics.
4. Bar Council of India Rules on Standards of Professional conduct and Etiquette.
5. Dr. Kailash Rai-Legal Ethics, Accountancy for Lawyers and Bench-Bar Relations.
6. Dr. S. P. Gupta-Professional Ethics, Accountancy for Lawyers and Bench-Bar Relations.
7. M. G. Patkar-Book Keeping and Accountancy.
8. Mrs. Jayashree Kotibhaskar-Book Keeping and Accountancy.
9. Krishnamurti Iyer-Advocacy.
10. Shukla and Grewal-Advance Accountancy.
11. R. L. Gupta-Advanced Accountancy.
12. S. N. Maheshwari-Introduction to Accountancy.
13. Indian Bar Review-Journal.
14. M. P. Jain-Outline Indian Legal History-Chapter Development of Legal Profession.
15. V.K.V. Krishna Swami Iyer-Professional Conduct and Advocacy Chapters 10 to 17.
16. M. R. Mallick-Advocates Act, 1961 with professional Ethics Advocacy and Bar Bench Relationship.
17. P. L. Mehta, Sushma Gupta-Legal Education and Legal Professional in India.
18. Law Reporters-A.I.R., S.C.C. (Relevant cases).
19. J.P.S. Sirohi-Professional Ethics, Accountancy for Lawyers and Bar Bench Relations.
20. Agarwal A. N.-Practical Aspects of Higher Accountancy.
21. Anand-Professional Ethics of Bar.
22. Jha Shriram Chandra-Selected Judgments on Professional Ethics.
23. Mynen S. R.-Professional Ethics, Accountancy for Lawyers and Bench Bar Relations.
24. Reddy G. B.-Practical Advocacy for Lawyers.

## **AECC – 206 PUBLIC INTEREST LAWYERING AND PARA LEGAL SERVICES**

This Ability Enhancement compulsory Course (AECC) of 2 Credits shall be of 50 Marks including teaching workload of 2 lectures per week per AECC. This paper workload shall be shared by existing Full-Time Teachers. The assessment of the Subject Skill Enhancement Course shall be internal assessment. The weightage for the continuous internal Assessment shall be based on the following.

**Internal Assessment** -For passing this examination, two credits will be assigned to the students. 50 marks examination includes 25 objective type questions with two marks each. The minimum passing criteria shall be 20 marks.

### **SYLLABUS**

#### **UNIT – I- PUBLIC INTEREST LITIGATION**

- 1.1 Meaning and object
- 1.2 Locus Standy
- 1.3 Merits and demerits of Public Interest Lawyering
- 1.4 Public Interest Litigation and Writ Jurisdiction
- 1.5 Social Revolution Through P.I.L. with Cases

#### **UNIT – II LEGAL – AID AND LEGAL LITERACY PROGRAMME**

- 2.1 Meaning, Object and Importance
- 2.2 Constitutional Provisions
- 2.3 Legal Services Authorities Act, 1987
- 2.4 Legal – Aid and Legal Profession

#### **UNIT – III LOKADALAT**

- 3.1 Meaning of LokAdalat
- 3.2 Organisation of LokAdalat
- 3.3 Permanent LokAdalat
- 3.4 Compostion of LokAdalat
- 3.5 Functioning of LokAdalats

#### **UNIT – IV - PARA-LEGAL TRAINING AND IMPORTANCE**

- 4.1 Meaning, Objects and Importance
- 4.2 Role of DALSA, TALSA
- 4.3 Legal Literacy Campus
- 4.4 Negotiation
- 4.5 Counselling

#### **UNIT – V - LOKNAYALAYA AND GRAM NYAYALAYA**

- 5.1 Meaning, Objects and Importance
- 5.2 Features of the Gram Nayalaya Act, 2008
- 5.3 Jurisdiction of Gram Nyayalaya
- 5.4 Appellate Provisions
- 5.5 Mobile Court

#### **Books Recommended**

- 1) Public Interest Lawyering, Legal-Aid and Para Legal Services by Prof. KailashRai
- 2) Public Interest Litigation by J. Gulab Gupta
- 3) Legal – Aid to the poor by S.S.Sharma.

**From Academic Year 2019-2020 as per norms of BCI Part IV, ENGLISH as additional/one more subject/paper as Discipline Specific Compulsory Course shall be compulsory for the students who intend to write university examination in MARATHI.**

**(It is applicable to students who are writing university theory examination in MARATHI.)**

## **DSC – 207 - ADVANCED ENGLISH (Paper – VI)**

### **Object :**

As Indian legal system is heavily imbedded in English language, the first skill that an Indian lawyer has to learn is to acquire strong grounding in English language and literature. Accordingly, English is introduced as a compulsory course in law study as per BCI Rule – IV of part – IV on Standards of Legal Education. While insisting on ‘Proficiency in English’ the Bar Council of India expects the law graduates to have the minimum linguistic skills necessary for effective legal practice in the trial and appellate Court. The skills contemplated as essential to a lawyer are communication skills (both written and oral) well as skills of comprehension (learning by reading and listening). There can be many methods and diverse materials in imparting those skills. The minimum expected by the courses is to give a functional knowledge of the language for the purpose of communication and comprehension in legal business. This would require obviously emphasis on both General English as well as English for legal purpose. The main focus, however, is on the use of English language as the means and methods of effective communication, reading, writing and speaking, for the purpose of understanding and transaction of legal business.

### **Methodology of teaching-learning:**

The effective method of teaching-learning and developing language skill is to read more and more English literature especially literatures created by Judges and Jurists in the name of Autobiography or biography or in special lecture-series. Listen, speak and write– are three straight ways of teaching-learning language. The analytical skill is developed with critical interpretations and explanation. So the best way to learn language is to work in tutorials and group participation, Class activities and lectures.

**Evaluation methods :** Theory Examination – 70 Marks

#### **Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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**30 Marks**  
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### **SYLLABUS :**

#### **UNIT – I - INTRODUCTION TO LEGAL LANGUAGE**

- 1.1 Importance of Legal Language
- 1.2 Characteristics of Legal Language
- 1.3 History of Legal Language

#### **UNIT –II - WHAT IS WORD ?**

- 2.1. Types of Words.
- 2.2 Types of Adverbs

**UNIT – III - SYNTHESIS AND ANALYSIS OF SENTENCE**

- 3.1 Sentence structures
- 3.2 Laws of the sequence of tenses
- 3.3 Conditionals
- 3.4 Analysis of Simple, Compound and Complex sentences

**UNIT – IV- COMMON ERRORS**

- 4.1 Parts of Speech
- 4.2 Articles
- 4.3 Tenses

**UNIT – V - PHONETICS THEORY AND PRACTICE**

- 5.1 Importance of Correct Pronunciation and Accent
- 5.2 Transcription of Words / Sentence
- 5.3 Strong Forms ,Weak Forms and Contractions
- 5.4 Intonation
- 5.5 Conversational passages for practice
- 5.6 The problems of Accent and Dialects

**UNIT – VI - COMPOSITION SKILLS**

- 7.1 Use of Cohesive Devices in Legal Drafting
- 7.2 Case Writing
- 7.3 Essay Writing on topics of Legal Interest

**UNIT – VII - TRANSLATION OF LEGAL TEXT FROM ENGLISH TO MARATHI OR HINDI****UNIT – VIII - BOOK REVIEW....**

- 9.1 Federalism in India : Theory and Practice - S. C. Gangal
- 9.2 The five functions of the Lawyer : Arthur T. Vanderbilt

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**SECOND YEAR OF THREE YEAR LAW COURSE  
(SEMESTER – III)**

**DSC-301 - JURISPRUDENCE (Paper I)**

**Objective:**

Jurisprudence implies the study and systematic arrangement of the general principles of law. Jurisprudence course can impart knowledge of doctrines about law and justice, developed over the years, in various nations and historical situations. A course in jurisprudence should, primarily, introduce the students about questions concerning nature and concepts of law so that he will be able to understand the complexities of Law and develop critical thinking about the law, legal system and legal processes. The undergraduate course should impart the analytical skills and equip the student with the basic problems concerning nature of law and the types of solutions sought. It should also help students to appreciate how diverse approaches to law influence decision-making in judicial process. Since a basic idea in the designing of this course is to bring jurisprudence closer to



our reality, in the selection of cases and reading materials the teacher should try to make use of the Indian material as far as possible.

The main objectives of the course is-

- To equip students of Jurisprudence to understand, analyze, explain and classify the law.
- To reveal the conceptual and theoretical part of various theories of jurisprudence.
- To compare and contrast law with other fields of knowledge such as literature, religion and social sciences.
- To understand the abstract nature of jurisprudence and complexities of law.

### **Teaching Learning Method:**

Lectures, including special lectures by experts may be a good process of learning. Interactive – sessions, tutorials, project and research paper presentation these are the good forms of teaching and learning.

**Evaluation methods:** Theory Examination – 70 Marks

### **Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level: 10 Marks

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**30 Marks**  
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### **SYLLABUS: -**

#### **UNIT- I: JURISPRUDENCE- ITS MEANING, NATURE AND SCOPE:**

- 1.1 Evolution of Jurisprudence
- 1.2 Nature, scope and utility of jurisprudence.
- 1.3 Relation of Jurisprudence with other Social Sciences.
- 1.4 Definition of Law- Natural Law School
- 1.5 The Bharat Jurisprudence, the Concept of ‘Dharma’

#### **UNIT-II: SCHOOLS OF JURISPRUDENCE:**

- 2.1 Analytical school
- 2.2 Historical School
- 2.3 Sociological School
- 2.4 American Realism

#### **UNIT – III: LAW AND ADMINISTRATION OF JUSTICE:**

- 3.1 Kinds of Law
- 3.2 Sources of law - *Custom, Legislation, Judicial Precedent, Conventional law*
- 3.3 Law and Morality
- 3.4 Law and Administration of Justice
- 3.5 Social Justice - Compensatory Jurisprudence

**UNIT – IV: THE CONCEPT OF LEGAL RIGHTS AND DUTIES:**

- 4.1 Meaning of Legal Rights, Duties
- 4.2 Classification of Legal Rights and Duties
- 4.3 Correlation of Rights and Duties – *Hohfield's Analysis*

**UNIT – V: LEGAL STATUS OF PERSONS:**

- 5.1 Definition and Nature of Personality
- 5.2 Legal Status of Unborn Children, Minor, Lunatic, Drunken and Dead Persons
- 5.3 Legal Status of Animals
- 5.4 Legal Personality of State and non-state entity

**UNIT – VI: THE CONCEPT OF POSSESSION AND OWNERSHIP:**

- 6.1 Concept of Possession
- 6.2 Elements of Possession
- 6.3 Kinds of Possession
- 6.4 Modes of Acquiring Possession
- 6.5 Concept of Ownership
- 6.6 Kinds of Ownership
- 6.7 Modes of Acquiring Ownership

**UNIT – VII: LIABILITY:**

- 7.1 The Definition and Nature of Liability.
- 7.2 Kinds of Liability
- 7.3 General Conditions of Civil and Criminal Liability

**UNIT – VIII: THE LAW OF OBLIGATIONS:**

- 8.1 Definition and Nature of Obligation.
- 8.2 Sources of Obligation.
- 8.3 Kinds of Obligation

**Recommended Reading:-**

1. Bodenheimer Jurisprudence – The philosophy and Methods of Law (1996), Universal Publication, Delhi.
2. Fitzgerald, (ed.) Salmond on Jurisprudence (1999).
3. Tripathi, Bombay W. Friedman, Legal Theory (1999) Universal Pub., Delhi.
4. V. D. Mahajan, Jurisprudence and Legal Theory (1996 re-print), Eastern Books, Lucknow.

5. M.D.A. Freeman (ed.), Lloyd's Introduction to Jurisprudence, (1994), Sweet and Maxwell.
6. Paton G. W. Jurisprudence (1972), Oxford, ELBS.
7. H.L.A. Hart, The Concept of Law (1970), Oxford, ELBS.
8. Roscoe Pound, Introduction to the Philosophy of Law (1998 Re-print), Universal Pub., Delhi.
9. Dias, Jurisprudence (1994), Adithya Books, New Delhi.
10. Dhyani S. N. Jurisprudence: A study of Indian Legal Theory (1985), Metropolitan, New Delhi.
11. M.P. Tondon, Jurisprudence Legal Theory, Allahabad Law Agency.
12. Dr. Vijay Ghormade, Jurisprudence and Legal Theory, Hind Law House.
13. N.V. Pranjape, Studies in Jurisprudence and legal theory, Central Law Agency.
14. N.V. Jayakumar, Lectures in Jurisprudence, 2nd Ed., Lexis-Nexis.
15. Dr. B.N. Mani Tripathi, Jurisprudence Legal Theory, Allahabad Law Agency.
16. P.S. Atchthen Pillai, Jurisprudence and Legal Theory, Eastern Book Company.
17. Prof. G.C. Venkata Subba Rao, Jurisprudence and Legal Theory, Eastern Book Comp.

### **DSC-302 - PROPERTY LAW (Paper - II)**

#### **Objectives:**

The course on Property Law primarily deals with the Transfer of Property Act, 1882, including specific modes of transfer of property, especially immovable property transferred by act of parties. It also covers rules relating to Easement and License for better enjoyment of property rights.

Growing urbanization, industrialization and technological advancements have made far reaching changes in the field in property laws. Due to scarcity of land in urban areas, peoples may not afford houses on individual basis. This led to growing tendency to construct multi-storied buildings, apartments on ownership basis. Therefore, The Maharashtra Apartment Ownership Act, 1970 has been passed by the state of Maharashtra to constitute each apartment, a heritable and transferable immovable property for all purposes.

Further, to avoid malpractices in construction industry, to protect interest of consumers and to provide speedy and effective dispute redressal mechanism The Real Estate (Regulation and Development) Act 2016 is passed by the Central Govt.

#### **Learning Outcomes:**

1. Understanding various principles of Transfer of Property Act 1882
2. Understanding fundamental concepts and essential rules of Easement and License.
3. Acquisition of knowledge of the basic concepts of The Maharashtra Apartment Ownership Act, 1970
4. Understanding the mechanism of The Real Estate (Regulation and Development) Act 2016

**Teaching Learning Methods:** - Lectures, including special lectures of experts may be a good process of learning. Interactive – sessions, tutorials, assignments, field visits, project and research paper presentation- these are the good forms of teaching and learning.

**Evaluation methods:**

Theory Examination –	70 Marks
<b>Internal Assessment:</b>	
Assignment / Project Work / Presentation:	20 Marks
Viva Voce College Level:	10 Marks
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	<b>30 Marks</b>
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**SYLLABUS:-****UNIT – I: THE TRANSFER OF PROPERTY ACT, 1882:**

- 1.1 Concept and Kinds of Property
- 1.2 Concept of Immovable Property under T.P. Act, General Clauses Act, and Registration Act.
- 1.3 Definition of Transfer of Property (sec. 5 )
- 1.4 Test of Transfer- Whether family settlement, compromise, partition, surrender, release, relinquishment and charge amount to transfer.
- 1.5 Definition of Actionable Claims

**UNIT – II: GENERAL PRINCIPLES OF TRANSFER OF PROPERTY:**

- 2.1 General rules of Transferability of Property (Sec. 6)
- 2.2 Competency of Parties to transfer and Effect of transfer (Sec. 7-8)
- 2.3 Restrictive Conditions about the alienation of Property (Sec. 10-12)
- 2.4 Transfer for the benefit of Unborn Person and Rule against Perpetuity (Sec. 13-14)
- 2.5 Directions for Accumulation (Sec. 17)

**UNIT – III : EQUITABLE PRINCIPLES OF TRANSFER OF PROPERTY:**

- 3.1 Kinds of Interest – Vested Interest and Contingent Interest (Sec.19-21)
- 3.2 Conditional Transfer (Sec.25- 29)
- 3.3 Doctrine of Election (Sec.35)
- 3.4 Doctrine of Lis Pendense (Sec.52)
- 3.5 Doctrine of Part-Performance (Sec.53A)
- 3.6 Transfer by Ostensible Owner and Fraudulent Transfers (Sec.41 and 53)

**UNIT – IV: MODES OF TRANSFER OF OWNERSHIP:**

- 4.1 Definition and Essentials of Valid Sale (Sec.54)  
Rights and liabilities of buyer and seller (Sec.55).
- 4.2 Exchange of property (Sec.118)
- 4.3 Definition and essentials of Gift (Sec.122)  
Revocation of gift (Sec.126)  
Onerous gift (Sec.127) and Universal Donee (Sec.128)

**UNIT – V: MODES OF TRANSFER OF POSSESSION:**

- 5.1 Definition and Kinds of Mortgage (Sec.58)
- 5.2 Rights and Liabilities of Mortgagor and Mortgagee (Sec. 60-77)  
Doctrine of Redemption (Sec.91)
- 5.3 Definition and Essentials of Lease (Sec.105)  
Rights and Liabilities of Lessor and Lessee (Sec.108)

- Determination of Lease (Sec.111)
- 5.4 Transfer of Actionable Claim (Sec.130- 132)

**UNIT – VI: EASEMENT AND LICENSE:**

- 6.1 Concept, Definition and Classification of Easements (Sec. 4-7)
- 6.2 Imposition and Acquisition of Easement (Sec.8-18)
- 6.3 Extinction of Easement (Sec.37-48)
- 6.4 Definition and Characteristics of License (Sec. 52)
- 6.5 Revocation and deemed revocation of License (Sec.60 to 62)

**UNIT – VII: THE MAHARASHTRA OWNERSHIP OF APARTMENT ACT, 1970:**

- 7.1 Applicability of the Act.
- 7.2 Definition, Status and Ownership of Apartment (Sec.3-5)
  - 7.3 Definition and Status of Common Areas and Facilities (Sec.3 and 6)
- 7.4 Contents of Deed of Apartment and Deed or Declaration (Sec.11 and 13)
- 7.5 Bye-Laws and its content (Sec.16)

**UNIT – VIII: THE REAL ESTATE (REGULATION AND DEVELOPMENT) ACT 2016:**

- 8.1 Provisions about registration of Real Estate Project (Sec. 3-7)
- 8.2 Functions and Duties of Promoter (Sec. 11-18)
- 8.3 Composition, Powers and Functions Real Estate Regulatory Authority (Sec. 20-21, 34-38)
- 8.4 Composition and powers of the Appellate Tribunal (Sec. 43, 45, 53-54)
- 8.5 Offences, Penalties (Sec. 59-68)

**Books Recommended:**

- 1) Mulla, Transfer of property Act, (1999) Universal, Delhi Subbarao, Transfer of Property Act, (1994), C. Subbiah chetty, Madars.
- 2) Sivaramayya, The equalities and the Law, (1997) Eastern Book Co., Lucknow.
- 3) P. C. Sen, The General Principles of Hindu Jurisprudence (1984 reprint) Allahabad Law Agency.
- 4) V. P. Sarathy, Transfer of Property (1995), Eastern Lucknow.
- 5) S. D. Dighe, Law and Practice of Ownership Flats and Apartments in Maharashtra (1995), Hindu Law Publication, Pune.
- 6) Amin, B. K. and Shashtri C. J. V. M. Shukla, The Law of Easements, Eastern Book Company, Lucknow.
- 7) C. B. Upadhyaya, Law of Easements, Malhotra publishing House Allahabad.
- 8) The Real Estate (Regulation and Development) Act 2016 Bare Act.
- 9) S.N. Shukla, Transfer of Property Act, Allahabad Law Agency.
- 10) R.K. Agarawal, Indian Easement Act, Pioneer Printers, Agra.
- 11) The Maharashtra Ownership of Apartment Act, 1970, Bare Act
- 12) H.N. Tiwari, Transfer of Property Act, Allahabad Law Agency
- 13) Avtar Singh, Text Book on Transfer of Property Act, Universal Lexis Nexis.

**DSC-303 - COMPANY LAW (Paper - III)****Objective :**

In view of the important developments that have taken place in the corporate sector, important regulations pertaining to the issue of shares and the capital raising have come into force. This course aims to impart the knowledge relating to corporate management, control, possible abuse, the remedies and government regulation of corporate business and winding up of companies.

**Method of Teaching:**

Lecture method and interactive sessions of learning is the best method. Practicing Company Secretaries and other stakeholders may be invited to impart practical knowledge to the students on relevant topics. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise.

**Evaluation Methods:-**

Theory Examination: 70 Marks

Internal Assessment: Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level: 10 Marks

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**30 Marks**

**SYLLABUS****Unit I: FORMATION OF A COMPANY**

- 1.1 Meaning , features of company and Kinds of companies
- 1.2 Lifting of Corporate Veil
- 1.3 Legal Position of Promoters and status of Pre-incorporation contracts.
- 1.4 Procedure for Registration and Incorporation of Company
- 1.5 Legal effect of Certificate of Incorporation & Commencement of Business.

**Unit II: MEMORANDUM AND ARTICLES OF ASSOCIATION**

- 2.1 Memorandum of Association: Contents and procedure for alteration
- 2.2 Articles of Association: Contents and procedure for alteration
- 2.3 Doctrine of *Ultra Vires*: Meaning , Object , Consequences of ultra vires transactions,
- 2.4 Doctrine of Constructive Notice
- 2.5 Doctrine of Indoor Management and its exceptions.

**Unit III: PROSPECTUS**

- 3.1 Meaning and Definition of Prospectus
- 3.2 Contents of Prospectus
- 3.3 Golden Rule / Golden Legacy for issue of Prospectus
- 3.4 Remedies for misrepresentation
- 3.5 Liability for misstatement in Prospectus- Civil and criminal

**UNIT IV: SHARES AND DEBENTURES**

- 4.1 Shares, Types of Shares, General Principles of Allotment, Share Certificates and Share Warrants, Transfer and Transmission of Shares, Demat transfers
- 4.2 Modes of becoming Member- Collective membership rights
- 4.3 Share Capital, Kinds of Share Capital, Alteration and Reduction of Share Capital
- 4.4 Dividend, Kinds of Dividend, Declaration of Dividends – Statutory Requirement
- 4.5 Debentures – Kinds of Debentures, Types of Charge, Crystallization of Charge

**UNIT V: DIRECTORS**

- 5.1 Appointment of Directors, Types of Directors, Qualifications and Disqualifications.
- 5.2 Legal Position of Directors: Agents, Trustees, Organs
- 5.3 Powers, Functions and Duties of Directors.
- 5.4 Liabilities of Directors
- 5.5 Removal, Resignation and Vacation of the office of Director

**UNIT VI: ACCOUNTS, AUDIT AND MEETINGS**

- 6.1 Books of Accounts, Right to inspection of Books of Accounts
- 6.2 Appointment, Removal and resignation of Auditor
- 6.3 Legal position, Powers and Duties of Auditor
- 6.4 Types of Shareholders Meetings
- 6.5 Procedure and Requisites of Valid Meeting

**UNIT VII: MINORITY RIGHTS AND WINDING UP OF COMPANY**

- 7.1 Majority Powers and Minority Rights- Rule in *Foss vs. Harbottle*
- 7.2 Compromise, Arrangement and Amalgamation
- 7.3 Modes of Winding up of Company
- 7.4 Consequences of Winding Up
- 7.5 Role of Official Liquidator and National Company Law Tribunal

**UNIT VIII: CORPORATE GOVERNANCE**

- 8.1 Meaning and significance of Corporate Governance
- 8.2 Inspection, Inquiry and Investigation
- 8.3 Corporate Social Responsibility
- 8.4 Resolution of Corporate Insolvency under Insolvency & Bankruptcy Code 2016
- 8.5 Revival and Rehabilitation of Sick Companies.

**Recommended Books :**

1. Dr. Avtar Singh, Company Law, Eastern Book Company, Lucknow
2. Ramaiya, Guide to the Companies Act, Wadhawa Book Company, Nagpur
3. K.R. Chandratre, Company Directors, Bharat Law House, New Delhi
4. Dr.N.V.Paranjape , Company Law, Central Law Agency, Prayag Raj, UP
5. N.D.Kapoor , Elements of Company Law, S. Chand & Sons
6. Agarwal and Beby , SEBI Act, Taxmann
7. Kailash Rai, Company Law, Allahabad Law agency, Faridabad, Haryana
8. B.K.Goyal, Company Law, Singhal Law Publication, New Delhi

**DSC – 304 - PUBLIC INTERNATIONAL LAW – (PAPER – IV)****Objectives:**

The course includes the study of general principles of international law including law of peace. Third world concerns in respect of security and development and the role of U.N. and International Agencies in structuring solutions in the context of changing balance of power are also to be appreciated.

The subject covers various aspects associated with International recognition of law. The Students have able to understand wide spread mechanism of International law. Students have to learn UNO and its Agencies, their operations with different legal perspectives. They have to learn recent trends in International Law. Moreover, they have to understand significance and applicability of International Law into domestic law.

**Learning Outcomes:**

1. To become well-acquainted with the historical and modern basic concepts & principles of International Law
2. To learn organizational structure, powers and functions of the UN system and its various Organs and Agencies.
3. To study relationship between International Law and Municipal Law with reference to diplomatic relations, peace and security, respect for human rights, socio-economic issues, etc.

**Teaching Learning Methods:**

Lectures, including special lectures of experts may be a good process of learning. Interactive – sessions, tutorials, and research paper presentation-theses are the good forms of teaching and learning.

**Evaluation methods:**

<b>Theory Examination –</b>	70 Marks
<b>Internal Assessment:</b>	
Assignment / Project Work / Presentation:	20 Marks
Viva Voce College Level:	10 Marks
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	<b>30 Marks</b>
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**SYLLABUS****UNIT-I: THE CONCEPT, NATURE, AND HISTORY OF INTERNATIONAL LAW**

- 1.1 Definitions
- 1.2 Nature of International Law
- 1.3 Historical Development of International Law
- 1.4 Basis of International Law
- 1.5 Relationship between International Law and Municipal Law.

**UNIT – II: MODERN SUBJECTS OF INTERNATIONAL LAW**

- 2.1 International Legal Personality and Concept of Subject
- 2.2 Theories as to Subjects of International Law
  - Realist, Fictional and Functional Theory
- 2.3 Types of Subjects
  - State as the basic Subject of International Law
  - Individual as a Subject of International Law
  - Non-State Entities
- 2.4 The United Nations and its Principal Organs

**UNIT – III: SOURCES OF INTERNATIONAL LAW:**

- 3.1 Customs and Usages
- 3.2 Treaties – In general
- 3.3 Judicial Decisions
- 3.4 Other Sources – Writings of Jurists, Equity, Resolutions of General Assembly, etc.
- 3.5 Law of the Treaties
  - 3.5.1 Formation of Treaties
  - 3.5.2 Termination of Treaties
  - 3.5.3 Reservation of Treaties



**UNIT – IV: STATES – TERRITORY, RECOGNITION AND SUCCESSION**

- 4.1 Concept of State
- 4.2 Attributes of Statehood – Territory, Population, Government and Capacity to enter into relation with other states
- 4.3 State Territory – Land, National Waters and Air Space
- 4.4 The Recognition of States- Theories, Forms, Modes & Consequences
- 4.5 State Succession – Definition, Kinds, Theories & Consequences

**UNIT – V: PURPOSES AND PRINCIPLES OF INTERNATIONAL LAW:**

- 5.1 Preamble and Purposes of United Nations – Art.1 of UN Charter
- 5.2 The Principles of United Nations – Art. 2 of UN Charter
- 5.3 The Principles of State Jurisdiction on Terrorism, Hijacking, Narcotics, War Crimes and Crimes against Peace.
- 5.4 State Responsibility – Concept, Kinds, etc.

**UNIT – VI: INTERNATIONAL MARITIME, AIR AND SPACE LAW:**

- 6.1 Concept of Maritime, Air and Space Laws
- 6.2 The Basic Principles of Maritime Law
- 6.3 The Basic Principles of Air Law
- 6.4 The Basic Principles of Outer Space Law
- 6.5 Principle of Co-operations in International Space Law

**UNIT – VII: INDIVIDUAL AND STATE**

- 6.1 Nationality - Acquisition & Termination of Nationality
- 6.2 Aliens
- 6.3 Extradition
- 6.4 Asylum

**UNIT – VIII: ROLE OF INTERNATIONAL ORGANISATIONS IN RESOLVING CONFLICTS:**

- 8.1 War
- 8.2 Armed Conflicts
- 8.3 Aggression
- 8.4 Intervention
- 8.5 Self Defense

**Recommended Books:-**

- 1) International Law and Human Rights – By H. O. Agarwal: Central Law Agency, Allahabad.
- 2) Public International Law – By S. K. Kapoor: Central Law Agency, Allahabad.
- 3) International Law – By Dr. S. K. Kapoor.
- 4) Public International Law - By Bhattacharya, K. K.
- 5) Public International Law – By M. P. Tondon.
- 6) Public International Law (1998), - By S. K. Varma: Prentice-Hall Pub., New Delhi.
- 7) Introduction to International Law (1989), - By J. G. Starke: Aditya Books, 10<sup>th</sup> Ed.

- 8) The Law of Nations – By J. B. Brierly: Oxford Publications, London.  
 9) Principles of Public International Law – By Ian Brownlie: Oxford Publications, London.  
 10) World Trade Organization – By Bhagirathlal Das.

**DCS 305 - CRIMINOLOGY, PENOLOGY AND VICTIMOLOGY**  
**(PAPER – V)**

**Objective :**

The course is designed to acquaint students with advances made by sociology and psychiatry in understanding human behaviors particularly deviant behavior and also with a view to develop among students a greater understanding of social cost of crime and the effective ways of lessening them. Penology offers a specialist understanding of criminal policies including focus on theories of punishment, prison reforms and the focus on alternatives to existing punishments. The victim has traditionally been ignored as component of the crime. The development of Victimology as separate discipline will provide the student with insights into not only how important the victim is to an investigation, but why they are important in the overall scheme of the Criminal Justice System, which will shift the study from accused centric approach to much needed victim centric approach.

**Teaching Learning Method:** - Lectures, Seminars, Debates, Case Study, Project Method, including field visits and lectures of experts may be good processes of learning.

**Evaluation methods:**

<b>Theory Examination –</b>	70 Marks
<b>Internal Assessment:</b>	
Assignment / Project Work / Presentation:	20 Marks
Viva Voce College Level:	10 Marks
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	<b>30 Marks</b>

**SYLLABUS**

**UNIT – I: INTRODUCTION**

- 1.1 Concept of Crime, Criminology
- 1.2 Nature, Scope and Significance of Criminology.
- 1.3 Theories and Schools of Criminology.
  - 1.3.1 Pre, Classical and Neo-Classical School
  - 1.3.2 Positive School – Lombroso, Enrico Ferri, Raffaele Garofello.
  - 1.3.3 Sociological School – Social disorganization, Differential Association and Anomie Theories.

**UNIT – II: SPECIFIC CRIMES- NATURE, CAUSES AND MEASURES TO CONTROL IN INDIA**

- 2.1 White collar Crime
- 2.2 Organized Crime
- 2.3 Juvenile delinquency
- 2.4 Cyber Crime
- 2.5 Immoral Trafficking

**UNIT – III: THEORIES AND FORMS OF PUNISHMENT**

- 3.1 Penology – Meaning, Nature and Scope
- 3.2 Punishment – Definitions, Forms and Theories.
- 3.3 Penal Policy in India
- 3.4 Sentencing policy and process

**UNIT – IV: PRISON SYSTEM AND ADMINISTRATION**

- 4.1 Imprisonment- Meaning, types and Significance.
- 4.2 Administrative Organization of Prisons
- 4.3 Problems of Prison Administration
- 4.4 Prisons Reforms
- 4.5 Overview of Model Prison Manual 2016

**UNIT – V: PROBATION, PAROLE AND FURLOUGH**

- 5.1 Concept, Definition and Legislative Framework of Probation
- 5.2 Parole – Concept, Objectives and procedure for granting Parole
- 5.3 Problems of the Released Offenders and attitude of community towards them
- 5.4 Furlough – Conditions and Rules of Granting

**UNIT – VI: NON-INSTITUTIONAL CORRECTIONAL METHODS**

- 6.1 Grant of Pardon
- 6.2 Commutation of sentence
- 6.3 Reprieves and suspension of sentence
- 6.4 Remission of sentence.

**UNIT – VII: VICTIMOLOGY- NATURE AND SCOPE**

- 7.1 History, Philosophy, Definition and Scope of Victimology
- 7.2 Definitions and Characteristics of Victim
- 7.3 Compensatory relief and rights of Victims
- 7.4 Specific Victimization in Indian scenario- Child Victim, Women Victim and victimization of under privileged class.(SC, ST)

**UNIT – VIII: CRIME VICTIMS AND ROLE OF INSTITUTIONS**

- 8.1 Legal Framework
- 8.2 Role of Judiciary
- 8.3 Role of NHRC
- 8.4 Victims Assistance Programmes and Services
- 8.5 Witness Protection Schemes

**Recommended Books:-**

- 1) Edwin H. Sutherland – Criminology
- 2) Ahmad Siddique – Criminology, Penology and Victimology.
- 3) V. N. Rajan – Victimology in India.
- 4) Prof. N. V. Paranjape – Criminology and Penology, Central Law Agency, Allhabad.21
- 5) Penology, Victimology and correctional Administration in India – Dr. Krishna Pal Malik.
- 6) Criminology and Criminal Justice System – Dr. N. MaheshwaraSwamy.

**Reference Books:-**

- 1) Krishna Pal Malik – Penology-Sentencing process and treatment of offenders.
- 2) Rohinton Mehta – Crime and Penology
- 3) R. Taft, Donald – Criminology

- 4) S. Rao – Crime in our Society
- 5) J. M. Sethana – Society and Criminal
- 6) HLA Hart – Punishment and Responsibility.
- 7) S. Chabra – Quantum of Punishment in Criminal Law.
- 8) Herbert L. Packer – The Limits of Criminal Sanctions.
- 10) Iyer – Prospective in Criminology, Law and Social Change.

### **AECC-306 -- FUNDAMENTALS OF CYBER LAWS**

#### **Objectives:**

Change is the law of nature. The cave age to information age man has travelled a long journey. In last few decades the technological advancements have brought this generation to a situation where everything is moving at a fast pace. Computer and internet have converted the entire world in to a global village what we call as cyberspace. Though a common heritage of mankind few people misuse it and many users who are unaware about what a computer crime means are exploited. People with intelligence have been grossly misusing this aspect of internet to perpetuate illegal acts in cyberspace. The changing goals of legal education always focus on the recent issues and concerns which touches the life of common man. The fundamentals of cyber law also take in to consideration to make aware the students about the basics of this branch of legal education.

This Ability Enhancement compulsory Course (AECC) of 2 Credits shall be of 50 Marks including teaching workload of 2 lectures per week per AECC. This paper workload shall be shared by existing Full-Time Teachers. The assessment of the Subject Skill Enhancement Course shall be internal assessment. The weightage for the continuous internal Assessment shall be based on the following.

**Internal Assessment** -For passing this examination, two credits will be assigned to the students. 50 marks examination includes 25 objective type questions with two marks each. The minimum passing criteria shall be 20 marks.

## **SYLLABUS**

### **UNIT I - CYBER LAWS IN INDIA**

- a) Introduction and need of cyber law
- b) Cyber Law and Cyber Crimes
- c) Salient features of Information Technology Act, 2000 and constitutional perspective
- d) Fundamental Concepts- Access, Computer, Cyber Security, Data, Network, IP Address

### **UNIT II - OFFENCES AND PENALTIES UNDER I T ACT, 2000**

- a) Penalties and Compensation for damage to computer and computer system S. 43, Failure to protect Data 43 A
- b) Other offences and Punishments S 65 to S 74
- c) Abetment and attempt of offences
- d) Power to Investigate

### **UNIT III - E- COMMERCE & INTELLECTUAL PROPERTY ISSUES**

- a) Electronic/Digital Signature, Certifying Authority
- b) Electronic Contracts
- c) Copyright and Trademark Issue
- d) Computer Software License

## UNIT IV - CYBER APPELLATE TRIBUNAL & OTHER PROVISIONS UNDER IT ACT

- a) Establishment and Composition of tribunal
- b) Procedure and Power of Tribunal
- c) Powers to Enter and search by police or other officer
- d) Cyber Crime and Cyber Forensic
- e) Other related Rules and relevant case laws

### REFERENCES:

**Vakul Sharma: (Fifth Edition)** Information Technology Laws and Practice, Universal Publication

**Pavan Duggal:** Textbook on Cyber Law, Universal Publication

**Anirudh Rastogi:** Cyber Law- Law of Information Technology and Internet, Lexis Nexis

**Aparna Vishwanathan:** Cyber Law – Indian and International Perspective, Lexis Nexis

**Justice Yatindra Singh:** Cyber Laws, Universal Publication

**M.P. Jain:** Indian Constitutional Law, Universal Publication

Information Technology Act, 2000

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## LL. B. Three Years Law (SEMESTER – IV)

### DSC 401 - INTERPRETATION OF STATUTES (PAPER – I)

#### Objectives :

Legislation is one of the sources of law. Draftsmen are experts in grammar, language skills and rules of drafting. They also foresee and try to avoid any possible absurdity, hardship, misinterpretation of codified statute. However, there are legislative gaps and ambiguities existing in statutory provisions by the reason of rapidly changing circumstances, arising complexities etc that need to be resolved. Therefore, Interpretation of statutory provisions and other instruments is a primary duty assigned to judiciary.

In this background, Subject of Interpretation of Statute is significant and guiding source not only for law students, but also for judges and law professionals. Syllabus of this paper incorporates primary and secondary principles of Interpretation and construction. It covers various aids to interpretation, presumptions and considerations to be taken into account while interpreting statutory provisions. Further, it also deals with principles of constitutional interpretation.

#### Learning Outcome:

- i. Acquisition of knowledge of rules of interpretation
- ii. Develops of legal reasoning
- iii. Inculcates skills and techniques for interpreting and constructing statutory provisions

#### Teaching and Learning Methods:

Classroom teachings with the help of lecture and Discussion method, Case study methods, assignments, Tutorials, Papers writing etc are several methods to be adopted by faculties. Use of ICT, reference of study material relating to case laws etc is also beneficial for learners.

**Evaluation methods:**

<b>Theory Examination –</b>	70 Marks
<b>Internal Assessment:</b>	
Assignment / Project Work / Presentation:	20 Marks
Viva Voce College Level:	10 Marks
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	<b>30 Marks</b>

**SYLLABUS****UNIT – I: Process of Law, Legislation and its interpretation:**

- 1.1. Concept of Law, Legislation and Statutes
- 1.2. Legislative powers and process
- 1.3. Judicial Law Making – Judicial Activism and Judicial Restraint
- 1.2. Interpretation – Meaning, Purpose and Importance
- 1.3. Interpretation and Construction

**UNIT –II: RULES OF STATUTORY INTERPRETATION:**

- 2.1. Primary Rules of Interpretation
  - Grammatical rule of interpretation
  - Golden rule of interpretation
  - Mischief rule of interpretation
- 2.2. Secondary Rules of Interpretation
  - Nosctiur a sociis
  - Ejusdem generis
  - Reddindo singula singulis
  - Law to be read as a whole
  - Predominance of Legislative intent

**UNIT –III: AIDS TO INTERPRETATION OF STATUTES:**

- 3.1. Internal aids to interpretation of Statutes
  - Title
  - Preamble
  - Statement of Object and Reasons
  - Headings and marginal notes
  - Sections and Sub-sections
  - Punctuation marks
  - Illustrations, Exceptions, Provisos and Saving clauses
  - Schedules
  - Non-obstinate clause

### 3.2. External aids to interpretation of Statutes

- Dictionaries
- Translations
- Debates, Inquiry Commission Reports and Law Commission Reports
- Travaux Preparatoires
- Statutes in pari materia- Meaning, importance and interpretation
- Contemporanea exposito

#### **UNIT –IV: PRESUMPTIONS IN STATUTORY INTERPRETATION:**

- 4.1. Presumptions as to validity of Statutes
- 4.2. Presumptions as to territorial nexus of statutes
- 4.3. Presumption that statutes are consistent with International Law
- 4.4. Presumption as to prospective operation of Statutes
- 4.5. Presumption that Legislature knows Law and Judicial decisions
- 4.6. Legislature does not intend what is inconvenient and unreasonable

#### **UNIT –V: CONSIDERATIONS IN STATUTORY INTERPRETATION:**

- 5.1. Considerations of Absurdity and Futility
- 5.2. Considerations of Reasonableness
- 5.3. Considerations of Injustice and Hardship
- 5.4. Considerations of Inconvenience
- 5.5. Considerations of consequences

#### **UNIT –VI: MAXIMS OF STATUTORY INTERPRETATION:**

- 6.1. Delegatus non potest delegare
- 6.2. Expreesio unis exclusion ulterius
- 6.3. Generalia specialibus non derogant
- 6.4. Utres valet portiur quam pareat
- 6.5. Expressum facit cessare tacitum

#### **UNIT –VII: INTERPRETATION OF CONSTITUTIONAL PRINCIPLES:**

- 7.1. Doctrine of Harmonious Construction
- 7.2. Doctrine of Pith and Substance
- 7.3. Doctrine of Colourable Legislation
- 7.4. Doctrine of Repugnancy
- 7.5. Doctrine of Ancillary Powers
- 7.6. Doctrine of Occupied Field
- 7.7. Doctrine of Residuary Powers

## UNIT –VIII - INTERPRETATION WITH REFERENCE TO SUBJECT MATTER AND PURPOSE:

### 8.1. With reference to Subject Matter –

- Penal Statutes
- Taxing Statutes
- Welfare Legislations

### 8.2. With reference to Purpose –

- Substantive and Procedural Laws
- Directory and Mandatory Provisions
- Codifying and Consolidating Statutes
- Enabling Statutes - Conferring Rights
  - Conferring Powers

### Reference Books:

**G.P. Sing**, “Principles of Statutory Interpretation”, Wadhava & Co., Nagpur

**P.St. Langan** (Ed), Maxwell on the Interpretation of Statutes, N.M.Tripathy, Mumbai.

**N.S.Bindra’s** Interpretation of Statutes, M.N.Rao & Amita Dhanda(Ed), ButterworthWadhawa, Nagpur

**V.P.Sarathy**, ”Interpretation of Statutes”, Eastern Book Co., Lucknow

**Dr. M.P.Tondon**, “Interpretation of Statutes”, Allahabad Law Agency, Faridabad.

**D.N. Mathur**, Interpretation of Statutes”, Central Law Publication, Allahabad

**Prof. T. Bhattacharya**, Interpretation of Statutes”, Central Law Agency, Allahabad

**M.P.Jain**, “Constitutional Law of India”, Wadhava & Co., Nagpur

**M.P.Sing**, (Ed), V.N.Shukla’s Constitution of India, Eastern Book Co., Lucknow

**U.Baxi**, “Introduction to justice K.K. Mathew’s Democracy, Equality and Freedom, Eastern Book Co., Lucknow

## DSC 402 - INTERNATIONAL HUMAN RIGHTS – (PAPER –II)

### Objectives :

The Concept of Human Rights has become a thought provoking challenge all over the world. The study of Human Rights is contemporary relevant. The main thrust of this course is to explore human rights law, Policy & Practice. This course will examine Human Rights Law at International, Regional & National levels. An attempt is made to introduce important norms of Human Rights at International Level Such as Civil, Political & Economic, Social & Cultural Rights, Protection Mechanism of Human Rights, Regional contribution for protection of Human Rights, Role of Specialized agencies of U.N. & NGO’S an attempt is also made to introduce rights of vulnerable groups.

This course is to be confirmed to deliberation of international law, to the growth of Human Rights law & how international norms & dissections are applied in municipal law of the country.

### Learning Outcomes:

- To know the concepts of Human Rights Jurisprudence
- To Study International, Regional and National Perspectives of Human Rights.
- To learn Human Rights Promotion and Protection Mechanism



**Teaching Learning Methods:** - Lectures, including special lectures of experts may be a good process of learning. Interactive – sessions, tutorials, project and research paper presentation-these are the good forms of teaching and learning.

**Evaluation methods:**

Theory Examination –	70 Marks
<b>Internal Assessment:</b>	
Assignment / Project Work / Presentation:	20 Marks
Viva Voce College Level:	10 Marks
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	<b>30 Marks</b>

**SYLLABUS**

**UNIT – I: CONCEPT AND DEVELOPMENT OF HUMAN RIGHTS:**

- 1.1 Meaning, Definition, Importance and Scope of Human Rights
- 1.2 Kinds and Sources of Human Rights
- 1.3 Theories of Human Rights
- 1.4 Evolution of the Concept of Human Rights- Ancient Times [5<sup>th</sup> Century B.C., Ancient Greece] Middle Ages [12<sup>th</sup> Century to 19<sup>th</sup> Century] Modern Ages - 20<sup>th</sup> Century
- 1.5 Historical development of Human Rights in India (Ancient, Medieval & Modern)

**UNIT – II: ROLE OF INTERNATIONAL INSTITUTIONS ON HUMAN RIGHTS:**

- 2.1 First World War and Second World War - Consequences and Human Rights
- 2.2 Role of League of Nations
- 2.3 United Nations Charter and Human Rights
- 2.4 Role of Principal Organs of United Nations Organization on Human Rights
- 2.5 Role of UN Specialized Agencies

**UNIT - III: INTERNATIONAL BILL OF RIGHTS:**

- 3.1 Universal Declaration of Human Rights, 1948
- 3.2 The International Covenant on Civil and Political Rights, 1966
- 3.3 Optional protocols to the Covenant on Civil and Political Rights
- 3.4 The International Covenant on Economic, Social and Cultural Rights, 1966
- 3.5 Optional protocols to the covenant on International Covenant on Economic, Social and Cultural Rights

**UNIT – IV: INTERNATIONAL CONVENTIONS ON INHUMAN ACTS:**

- 4.1 Genocide, Apartheid and Racial Discrimination
- 4.2 Torture and other Cruel, Inhuman or Degrading Treatment or Punishment
- 4.3 Slavery and Slave Trade, Forced or Compulsory Labour
- 4.4 Traffic in Persons and Prostitutions
- 4.5 International Humanitarian Law

**UNIT – V: HUMAN RIGHTS AT REGIONAL PERSPECTIVES:**

- 5.1 Role and Importance of Regional Organisations
- 5.2 European Convention on Human Rights
- 5.3 American Convention on Human Rights

- 5.4 African Charter on Human and People's Rights
- 5.5 Human Rights in South Asia – SAARC

#### **UNIT – VI: HUMAN RIGHTS AND VULNERABLE GROUPS:**

- 6.1 Women and Human Rights
- 6.2 Children and Human Rights
- 6.3 Aged Persons and Human Rights
- 6.4 Disabled Persons and Human Rights
- 6.5 Refugees and Human Rights

#### **UNIT – VII: HUMAN RIGHTS PROTECTION MECHANISM AT INTERNATIONAL LEVEL:**

- 7.1 Role of Human Rights Commission
- 7.2 Role of Human Rights Council
- 7.3 Role of International Court of Justice (ICJ)
- 7.4 Role of International Criminal Court (ICC)
- 7.5 Role of International NGO's – Amnesty International, etc.

#### **UNIT – VIII: HUMAN RIGHTS PROTECTION IN INDIA:**

- 8.1 The Protection of Human Rights Act, 1993
- 8.2 Role of Judiciary
- 8.3 Role of Non Governmental Organisations (NGO's)
- 8.4 National Commission on Women
- 8.5 National Commission for Minorities and Backward Classes.

#### **Recommended Reading:**

1. K. C. Joshi, International Law & Human Rights, Eastern Book Company.
2. Dr. V. K. Anand, Human Rights, Allahabad Law Publication.
3. Dr. H. O. Agarwal – Human Rights, Central Law Publication.
4. Human Rights & Humanitarian Law, Developments in India & International Law, South Asia Human Rights documentation centre (Oxford)
5. Dr. U. Chandra Human Rights All Law Agency.

#### **Reference books:-**

1. N. K. Jaykumar, International Law & Human Rights, Lexis Nexis.
2. Paras Diwan, Human Rights & the law, Universal & India, Deep & Deep Publications.
3. M. P. Tondon, International Law & Human Rights.
4. S. K. Kapoor, International Law & Human Rights (Nutshell) 15<sup>th</sup> Ed.
5. Human Rights in Int. Law, Collected Texts – 2<sup>nd</sup> ed Universal Law Publication
6. Human Rights in the world, An introduction to the study of the International
7. Protection of Human Rights – 4<sup>th</sup> ed. A. H. Robertson & J. G. Merrills.
8. Ross Mallick, Development, Ethnicity & Human Rights in South Asia.

**DSC- 403 – ADMINISTRATIVE LAW – (PAPER - III)****Objective :**

To understand the evolution, nature and scope of Administrative Law and its relation with Constitutional Law. To study different Constitutional principles, powers of administration, the control mechanism etc. Further to assess the liability of the government in torts and contract. In addition to aforesaid, to study the informal methods of settlement of disputes and grievance redressal procedures. Lastly, to trace out, understand the importance of Right to Information in administration in the present context. There is lot of scope of innovation and new interpretation. The main objectives of the course is-

- To equip students to understand, analyze, explain and classify the Administrative law.
- To unfold the conceptual and theoretical part of various Doctrines and Principles.
- To understand the abstract nature of jurisprudence and complexities of law.

**Teaching Learning Method :-**

Lectures, including special lectures by experts may be a good method of learning. Interactive – sessions, tutorials, project and research paper presentation these are the good forms of teaching and learning.

**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level: 10 Marks

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**30 Marks**  
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**SYLLABUS****UNIT – I: EVOLUTION, NATURE AND SCOPE OF ADMINISTRATIVE LAW:**

- 1.1 Evolution, Definitions and scope of Administrative Law
- 1.2 Role of Modern Welfare State – From Laissez faire to welfare State
- 1.3 Relationship between Constitutional Law and Administrative Law
- 1.4 Reasons for growth of Administrative Law
- 1.5 Doctrine of Separation of Powers
- 1.6 Doctrine of Rule of Law

**UNIT – II: LEGISLATIVE POWERS OF ADMINISTRATION:**

- 2.1 Meaning of and Necessity for Delegated Legislation
- 2.2 Functions which may be delegated (Permissible Delegation)
- 2.3 Functions which may not be delegated (Impermissible Delegation)
- 2.4 Legislative control of delegated legislation
- 2.5 Judicial control of delegated legislation

**UNIT – III: JUDICIAL POWERS OF ADMINISTRATION**

- 3.1 Need for devolution of adjudicatory authority on Administration
- 3.2 Tribunals – Meaning, Nature, Constitution, Jurisdiction and Procedure
- 3.3 Natural Justice –Meaning, Nature, content etc.
  - Rule Against Bias – Types of Bias
  - Right of Fair Hearing- Components of Fair Hearing
- 3.4 Exceptions to natural justice
- 3.5 Effect of violation of natural justice

**UNIT – IV: JUDICIAL CONTROL OF ADMINISTRATIVE ACTION**

- 4.1. Administrative actions- meaning and classification
- 4.2. Public law review- Prerogative writs – remedies
- 4.3. Grounds of Writ jurisdiction and judicial review
  - Illegality
  - Irrationality
  - Procedural impropriety
  - Unreasonableness
- 4.4. Conditions for exercising writ jurisdiction
  - Exhaustion of administrative remedies
  - Alternative remedy
  - Laches
  - Res Judicata
- 4.5 Private law review-remedies
  - Injunction
  - Declaration
  - Suit for damages
  - Specific performance and Civil Suits for compensation
  - Statutory appeals
- 4.6. Public interest litigations for enforcement of public duty

**UNIT – V: JUDICIAL REVIEW OF ADMINISTRATIVE DISCRETION**

- 5.1 Meaning and Need for administrative discretion
- 5.2 Judicial Control of administrative discretion
  - Failure to exercise discretion
  - Abuse of discretion
- 5.3. Doctrine of Proportionality
- 5.4. Doctrine of Legitimate Expectation
- 5.5. Exclusion of Judicial Review

**UNIT – VI: LIABILITY OF THE STATE**

- 6.1 Sovereign and Non-Sovereign Function
- 6.2 Liability of government in Contracts
- 6.3 Liability of State in Torts
- 6.4 Doctrine of Estoppel and Waiver
- 6.5 Doctrine of Public Accountability
- 6.6 Government's privileges in legal proceedings

**UNIT – VII: SETTLEMENT OF DISPUTES AND GRIEVANCE REDRESSAL****PROCEDURES:**

- 7.1 Informal methods of settlement of disputes- Conciliation and mediation etc
- 7.2 Commission of Enquiry- The Commissions of Inquiry Act, 1952
- 7.3 Ombudsman in India - The Lokpal And Lokayuktas Act, 2013
- 7.4 Central Vigilance Commission- Central Vigilance Commission Act 2003
- 7.5 The Whistle Blowers Protection Act, 2014

**UNIT – VIII: RIGHT TO INFORMATION:**

- 8.1 Official secrets Act- 1923
- 8.2 Right to Information Act, 2005-Salient features of the Act
- 8.3 Citizen charter - obligations of Public Authorities
- 8.4 Hurdles in the implementation of the Act

**Recommended Books:-**

- 1) C. K. Allen, Law and Orders (1985).
- 2) D.D. Basu, Comparative Administrative Law (1998).
- 3) M.A. Fazal, Judicial Control of Administrative Action in India, Pakistan and Bangladesh (2000), Butterworth – India.
- 4) Franks, Report of the Committee on Administrative Tribunals and Inquiries HMSO, 1959.
- 5) Peter Cane, an Introduction of Administrative Law (1996) Oxford.
- 6) Wade, Administrative Law (Seventh Edition, Indian Print 1997), Universal, Delhi.
- 7) J. C. Garner, Administrative Law (1998) Butterworth (ed.B.L. Jones).
- 8) M. P. Jain Cases and Materials on Indian Administrative Law Vol. I and II (1996), Universal, Delhi.
- 9) Jain and Jain, Principles of Administrative Law (1997), Universal Delhi.
- 10) S. P. Sathe, Administrative Law (1998), Butterworth – India, Delhi.
- 11) De Smith, Judicial Review of Administrative Action (1995), Swest and Maxwell with supplement.
- 12) Indian Law Institute, Cases and Materials on Administrative Law in India Vol I (1996), Delhi.
- 13) C. K. Takwani, Lectures on Administrative Law, Eastern Law Pub. Co. Luuknow.
- 14) N. K. Archarya, Commentry on Right to Information Act 2005, Asia Law House, Hydrabad.
- 15) P. K. Das, Universal's Handbook on The Right to Information Act, 2005, Universal Law Publishing Co. Pvt. Ltd., New Delhi.

**DSC- 404 – BANKING AND INSURANCE LAW (PAPER – IV)****Objectives:**

Banking Institutions have become important players in the present day economy. Several policy initiatives and legislative amendments have changed the role of Banks from being mere economic institutions into the agents of social change. Appreciating the importance, the Government has enacted several legislations to direct, regulate and control the banks and banking operations, through Reserve Bank of India and Ministry of Finance. The Course is designed to primarily acquaint the students with operational parameters of banking law, and to teach the general principles of banking law and to develop appreciative faculties of the students.

The insurance contract is subject to all the judicial interpretative techniques and has a compensatory justice component. This course is designed to acquaint the students with the conceptual and operational parameters, of insurance law.

**Method of Teaching:**

Lecture method and interactive sessions of learning is the best method. Practicing Advocates, Bank, Insurance officials and other stakeholders may be invited to impart practical knowledge to the students on relevant topics. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise.

**Evaluation methods :**

Theory Examination – 70 Marks

Internal Assessment: Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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**30 Marks**

**SYLLABUS****UNIT – I: INTRODUCTION TO BANKING**

- 1.1 Nature of Indian Banking Business
- 1.2 Banker and Customer Relationship
- 1.3 Banker's duty of secrecy
- 1.4 Banker's duty to honour cheques,
- 1.5 Banker's lien, and banker's right to set off

**UNIT – II: LAW RELATING TO NEGOTIABLE INSTRUMENTS:**

- 2.1 Negotiable Instruments, 1881 Act R/w amended Act of 2002 – Salient features
- 2.2 Negotiable Instruments – Kinds
- 2.3 Sec.138 of Negotiable Instruments Act – procedure of filing complaint, Defenses and Punishment
- 2.4 Penal provisions under Negotiable Instruments Act 1881.

**UNIT – III: BANKING REGULATION:**

- 3.1 RBI – Constitution, Management and Functions
- 3.2 Banking Regulation Act, 1949 – Salient features.
- 3.3 Information Technology and E- Banking -
- 3.4 Bankers Book Evidence Act,

**UNIT – IV: GRIEVANCE REDRESSAL AND DEBT RECOVERY**

- 4.1 RBI – Grievance Redressal Agency
- 4.2 Banking ombudsman, Powers & functions.
- 4.3 Role of Consumer Forums
- 4.4 Debt Recovery Tribunal

**UNIT – V: INTRODUCTION TO INSURANCE LAW:**

- 5.1 Nature of Contract of Insurance
- 5.2 Principle of Insurable Interest
- 5.3 Principles of good faith
- 5.4 Effect of Misrepresentation in Insurance Contract

**UNIT – VI: LIFE INSURANCE CONTRACTS:**

- 6.1 Risk and circumstance affecting the risk
- 6.2 Amount recoverable under the Life Policy
- 6.3 Persons entitled to payment
- 6.4 Settlement of claim and payment of money

**UNIT – VII: GENERAL INSURANCE CONTRACTS:**

- 7.1 The Motor Vehicles Act, 1988 – Sec. (140-176)
- 7.2 Absolute or no fault liability.
- 7.3 Third party or compulsory insurance of motors vehicles
- 7.4 Claims Tribunal – Public Liability Insurance
- 7.5 Own Damages Claims
- 7.6 Third Party Liability Claims

**UNIT – VIII: REGULATION OF INSURANCE BUSINESS:**

- 8.1 Life Insurance Act, 1956 – Salient features
- 8.2 General Insurance Act, 1972 – Salient features
- 8.3 Insurance Regulatory & Development Authority Act 1999-Salient features
- 8.4 Insurance Ombudsman-Powers & functions.

**Prescribed Books:**

1. M. L. Tannan – Law of Banking.
2. M. S. Parthasarathy (Ed.) Khergamvala-Negotiable Instruments Act.
3. Avtar Singh – Negotiable Instruments Act.
4. Basu – Review of Current Banking: Theory and Practice.
5. L. C. Goyle – The Law of Banking and Bankers.
6. K.S.N. Murthy and K.V.S. Sharma – Modern Law of Insurance in India.
7. M. H. Srinivasan – Principles of Insurance Law.
8. E. R. Hardy Ivamy – General Principles of Insurance Law,
9. The Life Insurance Corporation Act, 1956.
10. Motor Vehicle Act, 1988.
11. Recovery of debts due to Banks & Financial Institutions Act 1993.

**DSC 405- ALTERNATE DISPUTE RESOLUTION (PAPER – V)****Objectives:**

The major concern of law is conflict resolution. Familiarization with modalities and techniques of resolution of conflict is a necessary component in the endeavors of developing expertise in juridical exercise. The traditional justice delivery system through adjudicatory by courts had already given way to a large extent to many an alternative mode of dispute resolution in the common law counties. The advent of globalization has enthused this transformation everywhere. The study of ADR is highly significant in molding the students of law to act as soldiers of justice in the ever changing socio-economic scenario.

With the introduction of Section 89 in Civil Procedure Code 1908; Section 320 in Criminal Procedure Code, 1973 and amendments in the Arbitration and Conciliation Act 1996 in 2015 and 2019, alternative dispute resolution methods have been given a primary role in reducing arrears and promoting fast and affordable settlement of disputes. This course has two primary objectives. First, is to provide the students with the theoretical understanding of the concepts and the legal provisions relating to ADR. Secondly, the course is geared to train the students in the practical skills required to effectively participate in the ADR processes.

### **Teaching Learning Methods:**

The teaching methods to be employed by teachers include lectures, simulation exercises, role plays/ field visits/ seminar/debate and other Clinical Legal Education methods.

### **Evaluation methods :**

Theory Examination – 70 Marks

Internal Assessment: Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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**30 Marks**  
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## **SYLLABUS**

### **UNIT-I INTRODUCTION**

- 1.1 Adjudication Methods of Dispute Resolution (Adversarial & Inquisitorial) and Alternative Dispute Resolution System
- 1.2 Reasons for need of Alternatives to the Formal Legal System
- 1.3 Advantages and Disadvantages of Alternative Dispute Resolution System
- 1.4 Methods of ADR: Arbitration, Conciliation, Mediation, Negotiation, Lok-Adalat, Nyaya Panchayat
- 1.5 Suitability of ADRs to particular types of disputes.
- 1.6 International Commitments

### **UNIT-II ARBITRATION**

- 2.1 Arbitration Meaning, Definitions and different kinds
- 2.2 Overview of Arbitration and Conciliation Act, 1996-
- 2.3 Qualities and Qualifications of an Arbitrator
- 2.4 Arbitration Agreement
- 2.5 Arbitral award -Appeal and Revision-Enforcement of foreign awards
- 2.6 Overview of International Rules: UNCITRAL Model Law

### **UNIT-III CONCILIATION**

- 3.1 Conciliation Meaning and different kinds
- 3.2 Role, Qualities and Duties of Conciliator
- 3.3 Stages of Conciliation and its Process
- 3.4 Statutory provisions for Conciliation-
  - 3.4.1. Arbitration and Conciliation Act, 1996.
  - 3.4.2. Industrial Disputes Act, 1947;
  - 3.4.3. Family Courts Act, 1984;
  - 3.4.4. Hindu Marriage Act, 1955;



**UNIT-IV MEDIATION:**

- 4.1 Mediation Meaning, Kinds, Role and Skills of Mediator
- 4.2 Stages of Mediation
- 4.3 Code of Conduct for Mediator
- 4.4 ADR & Mediation Rules, 2006

**UNIT-V NEGOTIATION**

- 5.1 Meaning of Negotiation
- 5.2 Seven Elements of Negotiation
- 5.3 Different styles and strategies of Negotiation
- 5.4 Phases of Negotiation

**UNIT-VI - ADR IN ADMINISTRATION OF CIVIL JUSTICE**

- 6.1 129th Report of the Law Commission of India as well as Justice Malimath Committee Report
- 6.2. Law Commission 222<sup>nd</sup> Report of India on Need for Justice-Dispensation through ADR
- 6.3 Overview Arbitration and Conciliation Act, 1996 as amended in 2015 (Arbitration Council of India) and 2019 (amendments in Schedules)
- 6.4 Sec. 89 and Order X 1 A,B,C of Civil Procedure Code, 1908

**UNIT-VII - ADR IN CRIMINAL JUSTICE SYSTEM**

- 7.1 Sec. 320 of Criminal Procedure Code, 1973 - compoundable offences
- 7.2 Plea Bargaining – 154<sup>th</sup> Report of Law Commission of India – Overview
- 7.3 Plea Bargaining – Ch. XXI A of Criminal Procedure Code
- 7.4 Critical analysis of Plea Bargaining in India

**UNIT VIII - NEW DIMENSIONS OF ADR**

- 8.1 Lok-Adalat, Nyaya Panchayat
- 8.2 Co-operative matters
- 8.3 Consumer matters
- 8.4 Accidental claims
- 8.5 Banking matters

**Reference Books**

1. P.C. Markanda: Law Relating To Arbitration and Conciliation, LexisNexis Publication
2. Sridhar Madabhushi: Alternative Dispute Resolution. LexisNexis Student edition
3. Rajan R. D.: A Primer on Alternative Dispute Resolution, Bharati Law Publication, Tirunelveli
4. S. C. Tripathi: Arbitration and Conciliation Act, 1996, Central Law Publication
5. Dr. Anupam Kurlwal: An Introduction to Alternative Dispute Resolution (ADR), Central Law Publication
6. B.P. Saraf and M. Jhunjhunwala, Law of Arbitration and Conciliation, Snow White, Mumbai.
7. A.K. Bansal, Law of International Commercial Arbitration (1999), Universal, Delhi.
8. P.C. Rao & William Sheffield, Alternative Disputes Resolution-what it is and How it Works, Universal Law Publication, Delhi.
9. G.K. Kwatra, The Arbitration and Conciliation Law of India, Universal Law Publication, Delhi.
10. Basu N.D. Law of Arbitration and Conciliation, Universal Law Publication, Delhi.
11. Johari, Commentary on Arbitration and Conciliation Act 1996, Universal Law Publication, Delhi

## AECC 406 - LAW AND ENTREPRENEUR SKILL

### Objectives:

The main object of the course is to provide a basic knowledge of entrepreneurship and a legal perspective prevailing in India through which after successfully completed course student shall be able to:

- Analyse and critically evaluate the special conditions for companies, industries MSM (Micro, Small, Medium) entrepreneurship and other establishments.
- Account for and problematize the pros and cons of the working in local networks on authorities, enterprises and such establishments.
- Account for basic legal foundations and contractual constructions for business incorporations and activities in such establishments.
- Explain basically how to handle accounting and financial management in transactions.

### Teaching Learning Methods:

Lecture method including special lectures of experts may be good process of learning. Projects, Research Paper Presentation, conduction internal examination and taking the students for visit of relevant Govt. offices of such establishment are the good form of teaching and learning.

This Ability Enhancement compulsory Course (AECC) of 2 Credits shall be of 50 Marks including teaching workload of 2 lectures per week per AECC. This paper workload shall be shared by existing Full-Time Teachers. The assessment of the Subject Skill Enhancement Course shall be internal assessment. The weightage for the continuous internal Assessment shall be based on the following.

**Internal Assessment** -For passing this examination, two credits will be assigned to the students. 50 marks examination includes 25 objective type questions with two marks each. The minimum passing criteria shall be 20 marks.

## SYLLABUS

### UNIT I - ENTREPRENEUR AND ENTREPRENEURSHIP: AN INTRODUCTION

- 1.1 A Philosophy of Entrepreneur and Characteristics of Entrepreneurship
- 1.2 History and Development of Entrepreneurship in India
- 1.3 Entrepreneurship: Social, Commercial it's Meaning & Concept
- 1.4 Basic Skills and Functions of Entrepreneurship

### UNIT II - Entrepreneurship: Laws for Incorporation in India

- 2.1 Statutory Companies- its Incorporation Process
- 2.2 Incorporation of Companies - Public, Private and One Person Company (OPC) - It's MOA, AOA & Alteration Process - Companies Act, 2013
- 2.3 Partnership Firm - Registration Process, Grounds for Dissolution - Indian Partnership Act, 1932
- 2.4 Limited Liability Partnership (LLP) – Registration Process, Grounds for Dissolution LLP Act, 2008
- 2.5 Sole Proprietorship- Registration Process
  - 2.5.1 Shop & Establishment Act
  - 2.5.2 Ministry of MSME
  - 2.5.3 GST Registration

### UNIT III - Entrepreneurship: Contracting & Accounting

- 3.1 Definitions- 'Proposal', 'Acceptance', 'Agreement', 'Contract', 'Consideration' and 3.2 Essentials of Valid Contract – Indian Contract Act, 1872
- 3.3 Discharge of Contract and Remedies for Breach of Contract
- 3.4 Book Keeping – Meaning, Types and Balance Sheet
- 3.5 Income Tax Act, 1961- Object and Scope, Certain Basic Concepts- ITR, TDS, Set-Off, Counterclaim, Exemption etc.

### UNIT IV - Entrepreneurship: Concern Laws for Good Administration

- 4.1 Industrial Dispute Act, 1947- Object & Scope, Settlement Mechanism
- 4.2 Employee's Compensation Act, Employee's State Insurance Act, Employee's Provident Fund & Miscellaneous Provisions Act – Objects and Benefits ensured
- 4.3 Payment of Wages Act- Permissible Deductions, Minimum Wages Act- Object & Scope, Factories Act- Salient Features
- 4.4 Intellectual Properties: It's Kinds and Protecting Laws
- 4.5 Startup India Scheme, 2016

### Reference/ Suggested Books

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2. Rosedar S.R.A. *Company Law*, LexisNexis Publication.
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