

LLB I pre

SHIVAJI UNIVERSITY KOLHAPUR



Faculty of Humanities

Master of Laws

(LL.B. - Five Year) Programme

Choice Based Credit System (CBCS)

(To be implemented from Academic Year 2019-20)



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Regulations and Guidelines
Under Choice Based Credit System (CBCS)
LL. B. – Five Years Programme
 (To be implemented from Academic Year 2019-20)

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

- 5 Years LL. B. Part I, Sem I&II from Academic year 2019-20
- 5 Years LL. B. Part II, Sem III & IV from Academic year 2020- 21
- 5 Years LL. B. Part III, Sem V & VI from Academic year 2021- 22
- 5 Years LL. B. Part IV, Sem VII & VIII from Academic year 2022- 23
- 5 Years LL. B. Part V, Sem IX & X from Academic year 2023-24

The Course and Duration:

- a) Five Years LL.B. Degree programme combines Bachelor's Degree Course in Arts together with Bachelor's Degree Course in Law.
- b) The duration of the Five Years LL.B. Course shall be 5 academic years consisting of 10 semesters.
- c) **Each academic year shall be divided into two semesters:**

Course	July to November / December	December to April / May
First Pre-Law	Semester I	Semester II
Second Pre-Law	Semester III	Semester IV
Third New Law Course	Semester V	Semester VI
Fourth New Law Course	Semester VII	Semester VIII
Fifth New Law Course	Semester IX	Semester X

- 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. **FIVE YEARS LL. B. Rule.2: Eligibility Criteria for Admission to Five Years LL.B.:**

- a) Admission into Five Years LL.B. Five Year course is subject to MH-CET Government of Maharashtra with vide **G.R. No.201512041219497408, Dated: 4-12-2015** and Shivaji University, Bar Council of India (BCI) Rules and Regulations.
- b) An applicant who has completed 10+2 in any discipline of knowledge from any recognised board of Examination established by an Act of Parliament or by a State Legislature or an equivalent national institution recognized by an authority competent to declare equivalence, may apply for a Five Years programme leading to conferment of LL.B. degree on successful completion of the 10 + 2 programme.

Explanation: The applicants who have obtained 10+2 directly without having any basic qualification for prosecuting such studies are not eligible for admission in the law course.

3. **FIVE YEARS LL. B. Rule.3: Minimum marks in qualifying examination:**

As per the rules stipulated from time to time by the Bar Council of India, the minimum percentage of marks shall be not below 45% of the total marks in case of general category of applicants, 42% for OBC category and 40% of the total marks in case of Scheduled Caste (SC) and Scheduled Tribe (ST) applicants to be obtained for the qualifying examination i.e. 12th examination in any discipline for Five Years LL.B. Programme, for the purpose of applying for and getting admitted in a Law Degree Programme of this University.



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Provided that such a minimum qualifying marks shall not automatically entitle the applicant to get admission into an affiliated law college but admission shall be subject to rules made by MH-CET Cell (Government of Maharashtra) from time to time.

4. **FIVE YEARS LL. B. Rule. 4: Admission Procedure:**As per MH-CET admission procedure prescribed by Government of Maharashtra and BCI.

5. **FIVE YEARS LL. B. Rule. 5: Medium of Instruction:**

English shall be the medium of instruction in the LL.B. Programme. However, the students may maintain internship record either in English or regional language.

6. **FIVE YEARS LL. B. Rule. 6: Attendance:**

No student shall be permitted to appear for the end-of-semester examination in a given course unless he/she has, to the satisfaction of the course teacher, fulfilled the course requirements and has put in not less than 70% of the attendance in the course concerned.

Provided, that a student who has attended not less than 65% of the classes in each of the subjects prescribed may be permitted to keep the term for reasons to be recorded in writing and to the satisfaction of the Principal of the college or the Dean of the faculty as the case may be. The similar power is rest with the Vice-Chancellor or his authorised representative in the absence of the Dean Faculty of Law.


7. **FIVE YEARS LL. B. Rule.7: Prohibition to register for two regular courses of study:**

No law student shall be allowed to simultaneously register for a law degree programme with any other graduate or post – graduate degree run by this University or any other University or an Institute for academic or professional learning.

8. **FIVE YEARS LL. B. Rule.8: Courses in the Programme:**

- a) **Five Years LL.B. First Year and Second Year Discipline Specific Compulsory Course (DSC):** There shall be 14 Discipline Specific Compulsory Course (DSC) which include, General English, Sociology, Economics, History and Political Science as stipulated by BCI.
- b) **Five Years LL.B. Third, Fourth, Fifth Years Discipline Specific Compulsory Course (DSC):** There shall be 20 Discipline Specific Compulsory Course which shall include all compulsory subjects as stipulated under the rules of Legal Education, 2008, prescribed by BCI.
- c) **Five Years LL.B. Discipline Specific Elective:** There shall be 6 Discipline Specific Compulsory Course which shall include optional subjects as stipulated under BCI Rules. These elective courses intend to nurture professional proficiency and skill of the Law Students.
- d) **Five Years LL.B. Clinical Courses:** There shall be 4 Discipline Specific Compulsory Course which shall include clinical subjects stipulated by BCI.
- e) **Ability Enhancement Compulsory Courses (AECC):** There shall be 10 Ability Enhancement Compulsory Courses. It aims to impart general proficiency and skill enhancement in law discipline.
- f) Each course of Five Year LL.B. may be designed Lectures, Tutorials, Field Work, Project Work, Seminars, Practical Training, Assignments, Article / Paper Writing and Report Writing, etc. depending upon the contents and the nature of course. Each AECC subject per semester will be in self-instruction mode under the guidance of class mentor / class teacher and end-semester examinations shall be conducted by the college and marks obtained out of 50 per paper shall be communicated to the University along with internal marks of all subjects.




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9. **FIVE YEARS LL. B. Rule. 9: 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.

- a) **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 clock hours 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.
- b) Five Year LL.B. Programme comprising of 10 semesters shall be of total 54 courses of minimum 284 credits which include 44 DSC Courses and 10 AECC Courses.
- c) All DSC Courses shall be of 70:30 pattern except 4 clinical papers. Whereas, skill enhancement courses shall be of 50 marks internal written examination at the college level. For passing this examinations 2 credits will be assigned to the students. 50 marks examinations includes 25 objective type questions with 2 marks each. The minimum passing criteria shall be 20 marks.

10. **FIVE YEARS LL. B. Rule. 10: Inclusion of Mandatory Subjects:**

- a) **Democracy, Election and Good Governance (for Semester – I):** As per the recommendations of Government of Maharashtra and the Shivaji University, Kolhapur included in Five Year Law course. Every student is required to obtain minimum passing grade in this course as per the University norms for award of degree.
- b) **Environmental Studies:** The subject of environmental studies shall be mandatory for II year of Five Year Law course (Semester IV). The examination pattern for this paper shall be as per existing norms of Shivaji University.

11. **FIVE YEARS LL. B. Rule. 11: Minimum Period of Internship:**

- a) Each registered student shall have to complete the minimum of 20 weeks internship for 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. 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 four Clinical courses as stipulated under the Rules in Schedule II. The students may maintain internship record either in English or regional language.

b) **Formal Dress Code during internship:**

1. 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.
2. (Optional for Girl students) Black printed sarce, with white full sleeve blouse and covered black shoe or Lawyer Suit with black covered shoe.



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

12. FIVE YEARS LL. B. Rule. 12: Examinations and Assessment:

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

- FIVE YEARS LL. B. Part I, Sem I & II: 70 marks University Semester End Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.
- FIVE YEARS LL. B. Part II, Sem III & IV: 70 marks University Semester End Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.
- FIVE YEARS LL. B. Part III, Sem V & VI: 70 marks University Semester End Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.
- FIVE YEARS LL. B. Part IV, Sem VII & VIII: 70 marks University Semester End Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.
- FIVE YEARS LL. B. Part V, Sem IX & X: 70 marks University Semester End Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.

13. FIVE YEARS LL. B. Rule 13: Weightage: There shall be 4420 marks for 5 years having 10 Semesters Five Years LL.B. CBCS Program with 284 Credits.

a) FIVE YEARS LL. B. Part – I (Sem I & II):

For FIVE YEARS LL. B. Part I total $3+4 = 7$ papers with 42 Credits.

- There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for Sem I (Personality Development and Legal Research) and Paper 2 for Sem II (Legal Language) each of 50 marks, as compulsory course.
- There shall be seven DSC papers with 70 marks for theory examinations at University Level and 30 marks for internal assessment at College Level.

b) Five Years LL.B. Part – II (Sem III & IV):

For Five Years LL.B. Part II total $4+3 = 7$ papers with 42 Credits.

- There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for Sem III (Information and Communication Technology Law) and Paper 2 for Sem IV (Use of Law Journals, Law Reports) each of 50 marks, as compulsory course.
- There shall be seven DSC papers with 70 marks for theory examinations at University Level and 30 marks for internal assessment at College Level.

c) Five Years LL.B. Part – III (Sem V & VI):

For Five Years LL.B. Part III total $10+2=12$ papers with 6 papers of each semester and total Credits shall be 64 with 32 Credits for each Semester.

- There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for Sem V (Legal Research) and Paper 2 for



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Sem VI(Public Interest Lawyering) each of 50 marks, as compulsory course.

- There shall be five Discipline Specific Compulsory (DSC) papers per semester.
- There shall be five DSC papers with 70 marks for theory examinations at University Level and 30 marks for internal assessment at College Level.

d) Five Years LL.B. Part -IV (Sem VII & VIII)-

For Five Years LL.B. Part IV total 10+2=12 papers with 6 papers of each semester and total Credits shall be 64 with 32 Credits for each Semester.

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

e) Five Years LL.B. Part -V (SemIX & X)-

For Five Years LL.B. Part V total 10+2=12 papers with 6 papers of each semester and total Credits shall be 64 with 32 Credits for each Semester.

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

Credit distribution chart for LL.B, Program with Course Code:

Course Name	Total Courses(Papers)	TotalCredits	% in total course
DSC : Discipline Specific Core Course	44	264	92.96
AECC : Ability Enhancement CompulsoryCourses	10	20	7.04
TOTAL	54	284	100%

14.FIVE YEARS LL. B. Rule 14: Scheme of Examinations:



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Following is the Scheme of Examination:

- a) 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. The student shall have to secure minimum 08 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 27 marks to pass in the End-Semester University Examination. The minimum passing in each DSC Course shall be 35 marks (8+27) 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

	: 30 Marks

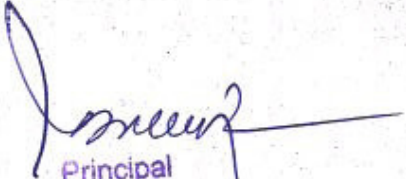
- b) Each Ability Enhancement compulsory Course (AECC) of 2 Credits shall be of 50 Marks. This paper shall be in self-instructional mode under the guidance of class mentor or class teacher. The assessment of the Subject Skill Enhancement Course shall be internal assessment. The weightage for the continuous internal Assessment shall be based on the following.

Internal Assessment: For passing this examinations 2 credits will be assigned to the students. 50 marks examinations include 25 objective type questions with 2 marks each. The minimum passing criteria shall be 20 marks.

- c) 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.
- d) Appearing in Internal Written Test of all DSC Courses and Skill Enhancement Courses is strictly compulsory.
- e) 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.
- f) 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.
- g) 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.

15. FIVE YEARS LL. B. Rule. 15: Practical Training Papers:




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- 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 only 30 marks.
- b) **Practical Training Paper II: Alternative Disputes Resolution (ADR):** The theory End-Semester University Examination shall be 70 marks and internal assessment only 30 marks.
- 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.
- 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).
- 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 + internal assessment and average passing for every semester shall be 40 percentages.
- g) **However ATKT rules shall be applicable to Theory Paper only as per University norms.**

16. FIVE YEARS LL. B. Rule. 16: 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 5 papers out of 7 core papers will be allowed to keep terms (ATKT).
- (3) The student who has passed all the papers of Semester III and IV will be promoted to Semester V (Third Year). The students who have passed minimum 5 papers out of 7 core papers will be allowed to keep terms (ATKT).
- (4) The student who has passed all the papers of Semester V and VI will be promoted to Semester VII (Fourth year). The students who have passed minimum 7 papers out of 10 core papers will be allowed to keep terms (ATKT).
- (5) The student who has passed all the papers of Semester VII and VIII will be promoted to Semester IX (Fifth year). The students who have passed minimum 7 papers out of 10 core papers will be allowed to keep terms (ATKT).
- (6) *The student at the time of promotion to Third Year of Five Years LL.B. Course, must have completed First Year of Five Years LL.B. Pre-Law Course both Semesters I & II.*
- (7) *The student at the time of promotion to Fourth Year of Five Years LL.B. Course, must have completed Third Year Five Years of LL.B. Course (Semesters I, II, III, IV, V & VI).*



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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 eighth question 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.

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.

Model Question Paper Format:

**First year of Five Years LL. B., (Semester I) CBCS,
Examination, October, 2019
Political Science – I (Paper – I)
Subject Code: _____**

Day & Date: _____
Time: _____

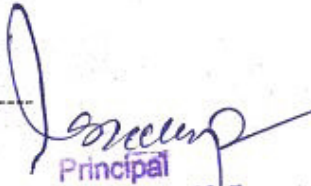
Total Marks: 70

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.

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):	(10)
	2 x 5	
a)	_____	
b)	_____	
c)	_____	
d)	_____	




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(8) **Award of Degree:**

The student who has passed Semester I, II, III, IV, V, VI, VII & VIII shall be awarded with a LL.B. General Degree (Completion of Four Years).

(5) **The student who has passed Semester I, II, III, IV, V, VI, VII, VIII, IX & X shall be awarded with FIVE YEARS LL. B. Special Degree (Completion of Five Years).****17. FIVE YEARS LL. B. Rule. 17: 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:

- ii) Marks obtained ≥ 0.5 shall be rounded off to next higher digit.
 iii) The SGPA & CGPA shall be rounded off to 2 decimal points.
 iv) 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)**

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

2. Cumulative Grade Point Average (CGPA)

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

18. FIVE YEARS LL. B. Rule. 18: Result - The result of each Semester shall be declared as Pass or Fail or Allowed to Keep Terms (A.T.K.T. for Sem 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.

19. FIVE YEARS LL. B. Rule. 19: Question Paper Model:

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Semester I								
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-101	Political Science-I (Local Self government)	70	4.2	30	1.8	100	06	06
DSC-102	Political Science-II (Public Administration)	70	4.2	30	1.8	100	06	06
DSC-103	English -I (Grammar and Usage)	70	4.2	30	1.8	100	06	06
AECC-104	Personality Development & Communication Skill)	-	-	50	-	50	-	02
Total		210	12.6	140	5.4	350	18	20

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	Political Science-III (Organisation & Administration of the State Government)	70	4.2	30	1.8	100	06	06
DSC-202	Economics-I (General Principles)	70	4.2	30	1.8	100	06	06
DSC-203	History-I (General History)	70	4.2	30	1.8	100	06	06
DSC-204	Sociology-I (General Principles)	70	4.2	30	1.8	100	06	06
AECC - 205	Legal Language	-	-	50	-	50	-	02
Total		280	16.8	170	7.2	450	24	26



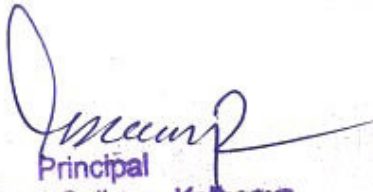
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CBCS FIVE YEARS LL. B. Structure of Programme Part - II

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	Political Science-IV (Political Theory & Political Organisation)	70	4.2	30	1.8	100	06	06
DSC-302	Sociology-II (Special Sociology)	70	4.2	30	1.8	100	06	06
DSC-303	Economics-II (Special Economics)	70	4.2	30	1.8	100	06	06
DSC-304	History-II (Legal History)	70	4.2	30	1.8	100	06	06
AECC - 305	Information and Communication Technology	-	-	50	-	50	-	02
Total		280	16.8	170	7.2	450	26	26

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	Political Science-V (Foundation of Political Obligations)	70	4.2	30	1.8	100	06	06
DSC-402	Political Science-VI (International Relations)	70	4.2	30	1.8	100	06	06
DSC-403	English-II	70	4.2	30	1.8	100	06	06
AECC-404	Use of Law Journals, Law Reports	-	-	50	-	50	-	02
Total		210	12.6	140	5.4	350	18	20




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CBCS FIVE YEARS LL. B. Structure of Programme Part - III

Semester V								
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-501	Law of Contract (General Principles of Contract and Specific Relief Act)	70	4.2	30	1.8	100	06	06
DSC-502	Constitutional Law -I	70	4.2	30	1.8	100	06	06
DSC-503	Law of Torts and Consumer Protection Act	70	4.2	30	1.8	100	06	06
DSC-504	Law of Crimes-I (Indian Penal Code)	70	4.2	30	1.8	100	06	06
DSC-505	Family Law-I	70	4.2	30	1.8	100	06	06
AECC-506	Legal Research	-	-	50	-	50	-	02
	Total	350	21.00	200	9.0	550	30	32

Semester VI								
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-601	Special Contract	70	4.2	30	1.8	100	06	06
DSC-602	Constitutional Law - II	70	4.2	30	1.8	100	06	06
DSC-603	Family Law - II	70	4.2	30	1.8	100	06	06
DSC-604	Environmental Law	70	4.2	30	1.8	100	06	06
DSC-605	Professional Ethics	70	4.2	30	1.8	100	06	06
AECC-606	Public Interest Lawyering	-	-	50	-	50	-	02
	Total	350	21.00	200	9.0	550	30	32



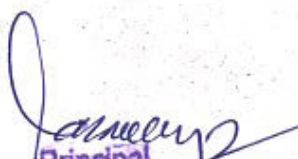
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CBCS FIVE YEARS LL. B. Structure of Programme Part - IV

Semester VII								
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-701	Jurisprudence	70	4.2	30	1.8	100	06	06
DSC-702	Property Law	70	4.2	30	1.8	100	06	06
DSC-703	Company Law	70	4.2	30	1.8	100	06	06
DSC-704	Public International Law	70	4.2	30	1.8	100	06	06
DSC-705	Criminology	70	4.2	30	1.8	100	06	06
AECC-706	Fundamentals of Cyber Law	-	-	50	-	50	-	02
Total		350	21.00	200	9.0	550	30	32

Semester VIII								
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-801	Interpretation of Statutes	70	4.2	30	1.8	100	06	06
DSC-802	International Human Rights	70	4.2	30	1.8	100	06	06
DSC-803	Administrative Law	70	4.2	30	1.8	100	06	06
DSC-804	Banking and Insurance	70	4.2	30	1.8	100	06	06
DSC-805	Alternative Disputes Resolution (ADR)	70	4.2	30	1.8	100	06	06
AECC-806	Law and Entrepreneur Skills	-	-	50	-	50	-	02
Total		350	21.00	200	9.0	550	30	32




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Semester IX								
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-901	Civil Procedure Code & Limitation Act	70	4.2	30	1.8	100	06	06
DSC-902	Law of Evidence	70	4.2	30	1.8	100	06	06
DSC-903	Labour Law-I (Industrial Laws)	70	4.2	30	1.8	100	06	06
DSC-904	Land Laws	70	4.2	30	1.8	100	06	06
DSC-905	Drafting, Pleading and Conveyancing	No Theory Exam	-	45+45=90 Viva=10	1.8	100	06	06
AECC-906	Advocacy Skills	-	-	50	-	50	-	02
Total		280	16.80	270	9.0	550	30	32

Semester X								
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-1001	Law of Crimes-II (Criminal Procedure Code)	70	4.2	30	1.8	100	06	06
DSC-1002	Intellectual Property	70	4.2	30	1.8	100	06	06
DSC-1003	Labour Law -II (Social Securities Laws)	70	4.2	30	1.8	100	06	06
DSC-1004	Principles of Taxation	70	4.2	30	1.8	100	06	06
DSC-1005	Moot Court, Pre-Trial Preparation & Participation in Trial Proceedings	No Theory Exam	-	30+30+30=90 Viva=10	1.8	100	06	06
AECC-1006	Criminal Law Investigation & Forensic Science	-	-	50	-	50	-	02
Total		280	16.80	270	9.00	550	30	32

DSE: Discipline Specific Elective Courses (Compulsory) Total = 10 semesters = 44 papers. = Total 264 Credits.

AECC :Ability Enhancement Core Course (Compulsory) Total = 10 semesters x 1 paper = 10 papers. Each paper with 2 credits x10 semester = 20 Credits.



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FIVE YEARS LL. B. Part I Syllabus
DSC 101: POLITICAL SCIENCE – I (Local Self-Government)

The Object of Study: Political Science has a very close links with legal studies because legal instruments are formulated as a system expression directly emanating from the political superstructure.

The object of the study of Local Self-Government is to throw light on the Panchayati Raj system, which is the basis of our democracy. The Panchayati Raj system plays a unique role in this 21st century, in achieving the principals of Mahatma Gandhi assured by the Indian Constitution to the citizens. The concept of De-centralization of power is introduced with the establishment of the three tire Panchyati Raj Scheme system in local self government.

Methodology of teaching-learning: There are two distinct process of teaching-learning through data sensitivity and fact analytical skill-development through case studies based on motivational lectures and the building up of thesis and counter-thesis through research, group discussion and presentation of papers.

Evaluation methods: Theory Examination – 70 Marks

Internal Assessment:

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

: 30 Marks

SYLLABUS :

UNIT-1 Local Self-Government in rural and urban areas

- 1.1 Definitions and meaning of Local Self-government
- 1.2 Nature of Local Self-government
- 1.3 Significance and role of Local Self-government

UNIT-2 Evolution of Local Self-Government in India

- 2.1 History of Local Self-government in India
- 2.2 Gandhian Philosophy regarding democratic decentralization and Gram Swaraj
- 2.3 Various committes on Pnchayat Raj

UNIT -3 GramPanchayat

- 3.1 Composition, functions and resources
- 3.2 Sarpanch and Gram Sevak
- 3.3 Gram Sabha and Social Audit

UNIT - 4 PanchayatSamiti and ZillaParishad

- 4.1 Composition, functions and resources of PanchayatSamiti&ZillaParishad
- 4.2 Chairman of PanchayatSamiti and Block Development Officer
- 4.3 Chairman of ZillaParishad and Chief Executive Officer

UNIT - 5 Municipal Corporation and Municipality

- 5.1 Composition, functions and resources
- 5.2 Municipal Commissioner and Mayor of Municipal Corporation
- 5.3 Executive Officer and President of Municipality

UNIT - 6 Local Self-Government: Problems, Remedies and Challenges

- 6.1 Problems and prospects of local self-government

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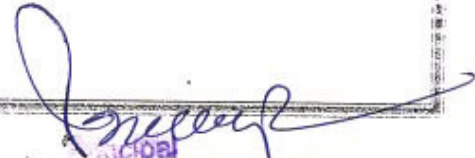
Faculty of Humanities
(LL. B. – Five Years) Degree Programme
Choice Based Credit System (CBCS)

Revised Structure and Syllabus

Part – II (Sem III and IV)

To be implemented from 2020




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CBCS FIVE YEARS LL. B. Structure of Programme: Part - I

Semester I								
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-101	Political Science-I (Local Self government)	70	4.2	30	1.8	100	06	06
DSC-102	Political Science-II (Public Administration)	70	4.2	30	1.8	100	06	06
DSC-103	English -I (Grammar and Usage)	70	4.2	30	1.8	100	06	06
AECC-104	Personality Development & Communication Skill)	-	-	50	02	50	02	02
Total		210	12.6	140	7.4	350	20	20

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	Political Science-III (Organisation & Administration of the State Government)	70	4.2	30	1.8	100	06	06
DSC-202	Economics-I (General Principles)	70	4.2	30	1.8	100	06	06
DSC-203	History-I (General History)	70	4.2	30	1.8	100	06	06
DSC-204	Sociology-I (General Principles)	70	4.2	30	1.8	100	06	06
AECC - 205	Legal Language	-	-	50	02	50	02	02
Total		280	16.8	170	9.2	450	26	26



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CBCS FIVE YEARS LL. B. Structure of Programme 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	Political Science-IV (Political Theory & Political Organisation)	70	4.2	30	1.8	100	06	06
DSC-302	Sociology-II (Special Sociology)	70	4.2	30	1.8	100	06	06
DSC-303	Economics-II (Special Economics)	70	4.2	30	1.8	100	06	06
DSC-304	History-II (Legal History)	70	4.2	30	1.8	100	06	06
AECC-305	ICT and Legal Education	-	-	50	02	50	02	02
Total		280	16.8	170	9.2	450	26	26

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	Political Science-V (Foundation of Political Obligations)	70	4.2	30	1.8	100	06	06
DSC-402	Political Science-VI (International Relations)	70	4.2	30	1.8	100	06	06
DSC-403	English-II	70	4.2	30	1.8	100	06	06
AECC-404	Use of Law Journals, Law Reports	-	-	50	02	50	02	02
Total		210	12.6	140	7.4	350	20	20




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Faculty of Humanities

(LL. B. – Five Years) Degree Programme

Choice Based Credit System (CBCS)

Syllabus Part – II (Sem III and IV)

To be implemented from 2020

SECOND YEAR OF FIVE YEAR LAW COURSE

(SEMESTER – IV)

**DSC 301: POLITICAL SCIENCE – IV (POLITICAL THEORY AND POLITICAL ORGANIZATION)
(Paper – I)**

Object of the Study: The study of Political science is fundamental to legal education. This paper covers the philosophical and organizational base of political science. The study of western and Indian political thought is the base of understanding the origin and development of Law and legal process. The study of organisation of different governments will help the student develop clarity and understanding of political systems and their functioning

Evaluation methods: Theory Examination: 70 marks
Internal Examination: 30 marks

Internal Assessment: Assignment/Project Work/Presentation : 20 marks
Viva Voce (College level) : 10 marks

30 marks

SYLLABUS:

UNIT I: CONCEPTION OF STATE AND GOVERNMENT

- 1.1 Definitions and Elements of State
- 1.2 Difference between
 - a) State and Government
 - b) State and Association
 - c) State and Society

UNIT II: THEORIES OF ORIGIN OF STATE

- 2.1 Divine Origin Theory
- 2.2 Social Contract Theory (Hobbes, Locke and Rousseau)
- 2.3 Evolutionary Theory
- 2.4 Force Theory

UNIT III : STATE AND SOVEREIGNTY

- 3.1 Meaning, attributes and kinds
- 3.2 Austin's Theory of Sovereignty
- 3.3 Pluralistic Theory of Sovereignty

UNIT IV: MAIN CURRENTS OF WESTERN POLITICAL THOUGHT

- 4.1 Ancient Political Thought
 - a) Plato – Ideal State
 - b) Aristotle – Ideal State and Revolution
- 4.2 Medieval Political Thought
 - a) Machiavelli – The Prince
- 4.3 Modern Political Thought
 - a) Marxism – Dialectical Materialism, Socialism and Communism
 - b) Liberalism and Neo-liberalism

3

UNIT V : MAIN CURRENTS OF INDIAN POLITICAL THOUGHT

5.1 Ancient Political Thought

- a) Vedic and Kautilya's concept of State

5.2 Medieval Political Thought

- a) Islamic Concept of State

5.3 Modern Political Thought

- a) Gandhism – Truth, Non-violence, Satyagraha Sarvodaya and State
b) Marxist thought in India – M. N. Roy, Ram Manohar Lohia and Jawaharlal Nehru

UNIT VI: THE TOTALITARIAN STATE

6.1 Fascism

6.2 Nazism

6.3 Military rule and One Party Democracies

UNIT VII : FORMS OF GOVERNMENT – FEATURES, MERIT AND DEMERITS OF:

7.1 Unitary Government

7.2 Federal Government

7.3 Presidential Government

7.4 Parliamentary Government

UNIT VIII : ORGANS OF GOVERNMENT

8.1 Meaning, powers and functions of

a) Legislature

b) Executive

c) Judiciary

8.2 Separation of Powers

8.3 Independence of Judiciary

BOOKS:

- 1) Political Theory: V. D. Mahajan, S. Chand Publishing
- 2) Political Theory and Organisations: S. A. H. Haqqi and L. S. Rathod, Eastern Book Company
- 3) Political Theory: Dr. Eddy Asirvatham and K. K. Mishra, S. Chand Publishing
- 4) Principles of Modern Political Science: J. C. Johari, Sterling Publishers Pvt. Ltd.
- 5) Western Political Thought: S. K. Sharma and Urmila Sharma, Atlantic Publishers and Distributors Pvt. Ltd.
- 6) A History of Political Thought: Subrata Mukherjee and Sushila Ramaswamy, PHI Learning Pvt. Ltd.

Objectives:

Sociology is an academic and applied discipline that studies society and human social interaction. As a discipline sociology incorporates a cluster of sub disciplines that examine different dimensions of society. It is presumed that the student has some familiarity with Indian society by virtue of the fact that he is a member of it and that he has observed and experienced some facets of it. However, this familiarity is likely to be superficial, selective and rather fragmentary. The course is aimed at rectifying these limitations by presenting a comprehensive, integrated and empirically-based profile of Indian society. Though this continuity is reflected in the structure of the course, the focus is on the contemporary Indian society. It is hoped that the sociological perspective on Indian society presented in this course will also enable students to gain a better understanding of their own situation and region. This course is designed to acquaint a student with the conceptual and operational parameters of these various social and legal dimensions.

Methods of Teaching Learning:

Lecture, case study method, project method, seminar method, field visits etc. shall be the main method of learning to be followed. Special lectures by eminent teachers and group dissections are good process of teaching learning.

Evaluation methods: Theory Examination: 70 marks
Internal Examination: 30 marks

Internal Assessment: Assignment/Project Work/Presentation : 20 marks
Viva Voce (College level) : 10 marks

30 marks

SYLLABUS:**UNIT – I - INDIAN SOCIETY COMPOSITION**

- 1.1 Indian Society- Nature and Characteristics
- 1.2 Meaning, Types and characteristics of Indian Society – Tribal, Rural, Urban
- 1.3 Diversity – Geographical, Linguistic, Cultural and Religious

UNIT – II - SOCIAL MOVEMENTS

- 2.1 Meaning, Causes and Types of Social Movements
- 2.2 Peasant movements
- 2.3 Dalit movements
- 2.4 Student movements
- 2.5 Women movements
- 2.6 Environmental movements

UNIT – III - NEW TRENDS OF CHANGE IN INDIAN SOCIETY AND ITS IMPACT

- 3.1 Meaning and Nature of Social Change
- 3.2 Factors of Social Change
- 3.3 Urbanisation and Social change
- 3.4 Westernisation and Social Change
- 3.5 Sanskritisation and Social Change

UNIT – IV - INDIAN SOCIAL PROBLEMS

- 4.1 Concept and Characteristics of Social Problems.
- 4.2 Causes and Types of Social Problems.
- 4.3 Reactions /Solutions to Social Problems.

UNIT – V - GENDER BASED PROBLEMS

- 5.1 Meaning and Nature of Gender based Problems
- 5.2 Forms/Types of Violence against Women - Dowry, Rape and Female Feticide
- 5.3 Measures to Control Violence against Women.

UNIT – VI - KEY SOCIAL ISSUES AND MEASURES TO CONTROL

- 6.1 Juvenile Delinquency
- 6.2 Youth Unrest
- 6.3 Drug Abuse and Drug Addiction
- 6.4 Cyber Crime

UNIT – VII - MODERN SOCIAL LEGISLATIONS - I

- 7.1 Concept, Nature, Scope and Objectives of Social Legislations
- 7.2 Protective Laws –Sexual Harassment and Law
- 7.3 Law relating protection of women from domestic violence

UNIT – VIII - MODERN SOCIAL LEGISLATIONS-II

- 8.1 Protective Laws- Maintenance and Welfare of Senior Citizens
- 8.2 Protective Laws- Prevention of Atrocities against SC and ST
- 8.3 The Right of Children to Free and Compulsory Education (RTE) Act, 2009.

Reference Books:

- Navendu K. Thakur – An Introduction to sociology Central Law Publications, Allahabad.
- Ram Ahuja – Social problems in India, Rawat Publications, New Delhi.
- Dr. L. M. Singhvi (General Editor) Law and poverty cases and materials.
- N. M. Tripathi Private Ltd., Mumbai.
- Aron.Raaymond.19567 (1982 reprint). Main currents in sociological thought (2 Volumes). Harmondworth. Middlesex: Penguin Books.
- Barnes,H.E.1959. Introduction to the history of sociology, Chicago: The University of Chicago Press.
- Coser, Lewis A 1979. Masters of sociological thought. New York: Harcourt Brace Contemporary
- Manikyam,Sita K. 2009. Cyber Crimes: Law and Policy Perspectives, Hind Law House, Pune.
 - Shankar Rao, C.N. 2007, Sociology: Principles of Sociology with an Introduction to social Thought, S. Chand & Company LTD. New Delhi.
 - Myneni ,S.R. Sociology , 2015. Allahabad Law Agency, Faridabad.
 - Vidya Bhushan and D. R. Sachdeva. Sociology. 2013, KitabMahal, Allahabad.

6

DSC 303 : ECONOMICS – II (PAPER – III)

Objective :- The Knowledge of Indian Economy is now important in everybody in legal profession. The Syllabus is prescribed to acquaint the students with emerging issues in the economy at the National & International level:

Teaching Learning Methods : Lecture method & group discussion methods:

Evaluation methods: Theory Examination: 70 marks
Internal Examination: 30 marks

Internal Assessment: Assignment/Project Work/Presentation : 20 marks
Viva Voce (College level) : 10 marks

30 marks

SYLLABUS :

UNIT – I - INTRODUCTION

- 1.1 Basic Characteristics of Indian Economy
- 1.2 National Income in India : Trends and Limitations of National Income Estimation
- 1.3 Human Development of India : Concept , Measurement & Progress

UNIT – II - PROBLEMS OF INDIAN ECONOMY

- 2.1 Poverty in India : Concept, Nature, Causes & Measures
- 2.2 Issues of Employment, Skill Development, make in India Programmers, Issues of SEZ
- 2.3 Population in India : Characteristics, causes, Measures to control population growth.
- 2.4 Inflation : Meaning, Causes, Remedies

UNIT – III - INDUSTRIAL DEVELOPMENT

- 3.1 Large Scale Industries: Progress and problems of Cotton & Textile and Sugar Industry
- 3.2 Small Scale Industries in India: Role of Small Scale Industries, Problems & Remedies
- 3.3 Industrial Policy 1991
- 3.4 Issues of Industrial Labour & Legislation.

UNIT – IV - AGRICULTURAL DEVELOPMENT

- 4.1 Role of Agriculture in Indian Economy
- 4.2 Patterns of Land holding in India
- 4.3 Green Revolution in India & its impact on Agriculture.
- 4.4 Agriculture labours : Problems & Suggestions.

UNIT – V - ECONOMIC PLANNING

- 5.1 Objectives of Economic Planning
- 5.2 Twelfth & Thirteenth Five year Plans: Objectives, Strategy & Evaluation
- 5.3 Mixed Economy and Economic Planning

UNIT – VI - INDIAN PUBLIC FINANCE

- 6.1 Financial Relation of Centre & State Government under Constitution.
- 6.2 Thirteenth and Fourteenth Finance Commission
- 6.3 Revenue and expenditure of Central & State Governments.

UNIT - VII - INDIAN FINANCIAL SYSTEM

- 7.1 Financial Markets : Money & Capital Markets in India.
- 7.2 Black Money & Corruption: Causes and measures

UNIT - VIII - INTERNATIONAL ECONOMIC ENVIRONMENT

- 8.1 Foreign Capital : Meaning, Need and Policy of Govt. Of India
- 8.2 Multi National Corporation (MNCs) : Definition, merits and Demerits.

Recommended Reading :

- 1) R. Dutt and K.P.M'Sundaram, "Indian Economy", S. Chand & Company Ltd, Delhi.
- 2) Mishra & Puri, "Indian Economy", Himalaya Publishing, Mumbai.
- 3) Agrawal, A.N., "Indian Economics", Vikas Publication, Delhi.
- 4) H.L.Bhatiya, "Public Finance" Vikas Publication, Delhi.
- 5) Suraj B. Gupta, "Monetary Economics", S.Chand & Comp. Ltd, Delhi.
- 6) Dr. S.R.Myneni, "Principles of Economics", Allahabad Law Agency.
- 7) Dr. S.R.Myneni, "Indian Economy", Allahabad Law Agency.

8

DSC -304 - HISTORY – II (Legal History)
(PAPER – IV)

Objectives: The Legal System has been developed passing through different stages. For the proper understanding of the development of legal system of the country, it is necessary to study the History of court system in India, legislature and legal system.

Legal system in India is originated and developed mainly during British Rule. By studying this paper the student will come to know Establishment and organization of the East India Company, Administration of Justice before British Rule, during British Rule and after British Rule i.e. after independence. The students will study Establishment and organization of various courts.

Teaching and learning: Generally the Lecture method, Seminar Method, Discussion Method, Case Law Method, and court visits shall be the main methods of learning.

Evaluation methods: Theory Examination: 70 marks
Internal Examination: 30 marks

Internal Assessment: Assignment/Project Work/Presentation : 20 marks
Viva Voce (College level) : 10 marks

30 marks

SYLLABUS:

UNIT – I - HISTORY OF COURTS AND LEGISLATURE (1600-1781)

- 1.1 Administration of justice in the Presidency Towns- and Development of courts and Judicial Institution under East India Company.
- 1.2 Mayor's Courts, The Charter of 1726 & 1753.
- 1.3 Judicial Reforms of Warren Hastings Judicial Plan of 1772, 1774, 1780, 1781.

UNIT – II - HISTORY OF COURTS AND LEGISLATURE – SUPREME COURT OF CALCUTTA (1773 - 1832):

- 2.1 Regulating Act 1773.
- 2.2 Charter of 1774.
- 2.3 Supreme Court at Bombay and Madras 1823.

UNIT – III - JUDICIAL REFORMS OF LORD CORNWALLIS

- 3.1 Judicial Plan of 1787.
- 3.2 Judicial Plan of 1790.
- 3.3 Judicial Plan of 1793.

UNIT – IV - PROCESS OF CODIFICATION AND CONSTITUTIONAL CHANGES (1833-56):

- 4.1 The Charter Act of 1833.
- 4.2 Establishment Legislature of an All India Charter in 1834.
- 4.3 Establishment of Law Commissions & Law Reforms.

UNIT – V - PRIVY COUNCIL

- 5.1 Basis of Privy Council jurisdiction
- 5.2 Appeals to Privy Council
- 5.3 Reorganization of Privy Council
- 5.4 Demise of Appeals to Privy Council

UNIT – VI - HISTORY OF COURTS (1857-1915):

- 6.1 The First War of Indian Independence 1857.
- 6.2 Establishment & Development of Indian High-Courts (Act of 1861, 1911, 1915)

UNIT – VII - LEGISLATURES IN INDIA (1892-1947):

- 7.1 Indian Council Act 1892
- 7.2 Indian Council Act 1909
- 7.3 The Government of India Act – 1919.
- 7.4 The Government of India Act – 1935.
- 7.5 Cripps Mission – 1942.
- 7.6 Cabinet Mission – 1946.
- 7.7 Indian Independence Act – 1947.

UNIT – VIII - GROWTH OF LEGAL PROFESSION IN INDIA

- 8.1 Legal Profession in Pre-British India (During Hindu & Muslim Period)
- 8.2 Legal Profession in British India (Legal Practitioners Act 1879 Indian Bar Committee 1923, The Indian Bar Council Act, 1926)
- 8.3 Legal Profession in India after Independence

Recommended Source of Material:

1. Herbert Cowell. The History and Constitution of the Courts and Legislative Authorities in India – 6th Ed, Rev. S. C. Bagchi, Calcutta, Macker, Spink, 1936.
2. Sir, Coutenayllbert, the Government of India, 2nd Ed. London OUP 1907.
3. M. D. Indian Legal History, Dhanwantra Mechanical and Law Book House, Delhi.
4. A. B. Keith – A Constitutional History of India, 1600-1935 2nd Ed Allahabad, Central Book Depot. 1961.
5. G. and Appadorai – Speeches and Ecuements on the Indian Constitution. 1945
6. M.P. Jain – Outlines of Indian Legal History - 5th ed. 2004 Pub.-Wadhwa and Company
7. Arvind S. Avhad- The Indian Legal History- ed-2008 – Hind Law Publications
8. J.K. Mittal- Indian Legal & Constitutional History- 1st ed-2003, pub-Allahabad Agency

Aims : This course have been designed with the following aims:

1. Student will achieve competency in acquiring knowledge of basic concepts of ICT,
2. Inculcation of interdisciplinary subjects like ICT will make students techno savvy for law profession.
3. The students will learn and develop skills of ICT helpful in legal profession.

Objectives: This course has been designed with the following objectives:

1. To learn different skills for application of ICT skills like online data base for law profession.
2. To learn information technology and legal education.
3. This course will make students aware about ethical norms and scientific temperament while using internet.
4. Learn ICT application for e-justice delivery system.
5. Learn to apply e-governance and e- court process in personal and professional life.

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. 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 - INTRODUCTION TO INFORMATION TECHNOLOGY

- 1.1 Information Technology and Legal Education: Concept, meaning and Importance
- 1.2 ICT Application In Teaching-Learning Purpose In Legal Education
- 1.3 Merits of ICT Application In Legal Education
- 1.4 Approaches to Develop Better Communication Skills, Service Orientation, Verbal Non-Verbal Communication, Barriers In Communication and Relationship Building

UNIT – II - FUNDAMENTALS OF COMPUTER

- 2.1 Computers and its Impact in Society
- 2.2 Introduction to Ms Office, Word, Power-Point, Excel
- 2.3 Basic Concepts of IT, Data Processing: Data and Information
- 2.4 Computer Networks, World Wide Web, Electronic Mail

UNIT – III - ONLINE DATA BASE & LEGAL EDUCATION

- 3.1 Understanding Legal Data Bases, Use of Online Legal Databases and Its Significance in Legal Education
- 3.2 Useful Legal Web-Portals, Websites For Lawyers
- 3.3 Data Basics, E-Library and Open Access Journals
- 3.4 Tools for Legal Research and Use of Search Engine

UNIT – IV - ICT AND COURT ADMINISTRATION

- 4.1 Application of ICT in Court Administration
- 4.2 E-Litigation & E-Governance In Court Procedure; E-Courts: Needs of The Present Era
- 4.3 ICT Application In Justice Delivery System
- 4.4 National Policy For Implementation of ICT In Judiciary

SUGGESTED READINGS:

- Raja Raman V:** Fundamental of Computers (4th Edition.), Prentice, Hall of India, New Delhi
B. Ram: Computer Fundamentals, New Age International Pvt. Ltd
Norton, Peter: Introduction to Computers, Mc-Graw-Hill
S. Jaiswal: Fundamental of Computer & IT, Wiley Dreamtech India
Dr. S.R. Myneni: Legal Research Methodology, Allahabad Law Agency, 2012
C.R. Kothari: Research Methodology, New Age International Publishers, 2004
Prof. Dr. Rattan Singh: Legal Research Methodology, Lexis Nexis, 2013

DSC 401: POLITICAL SCIENCE – V (Paper - I)
(Foundations of Political Obligation),

Objective of Study :- Political obligation is distinctly a problem in modern democratic theory. Individual consent has taken central stage in providing legitimacy to the political authority of the sovereign modern democratic theory is therefore related to understanding of individual liberty, equality and the capacity to give informed consent to the political process.

Teaching Learning Methods : Lecture method & group discussion methods:

Evaluation methods: Theory Examination: 70 marks
Internal Examination: 30 marks

Internal Assessment: Assignment/Project Work/Presentation : 20 marks
Viva Voce (College level) : 10 marks

30 marks

SYLLABUS

UNIT – I - INTRODUCTION TO POLITICAL OBLIGATION:

- 1.1 Meaning and nature
- 1.2 Grounds of Political obligation
- 1.3 Individual Political Obligation towards State
- 1.4 Limitations of Political obligation

UNIT – II - THEORIES OF POLITICAL OBLIGATION

- 2.1 Divine
- 2.2 Consent
- 2.3 Prescriptive
- 2.4 Idealistic
- 2.5 Marxist

UNIT – III - POWER AND AUTHORITY

- 3.1 Meaning, Definition, features of- Power and authority
- 3.2 Kinds of Power and authority
- 3.3 Theories of political Power
 - Power Theory
 - Sociological
 - Marxist
 - Elite
- 3.4 Relationship between Power and Authority

UNIT – IV - LEGITIMACY OF POWER:

- 4.1 Meaning, Definition, features of Legitimacy
- 4.2 Theories of Political Legitimacy Idealist, Prescriptive, Marxist, Liberal
- 4.3 Political legitimacy and Effectiveness

UNIT - V- UTILITARIANISM

- 5.1 Meaning, Definition, features of- Utilitarianism
- 5.2 Utilitarianism : Jeremy Bentham
- 5.3 Utilitarianism : J. S. Mill
- 5.4 Utilitarianism as an approach to political obligation

UNIT - VI - CIVIL DISOBEDIENCE AND POLITICAL OBLIGATION:

- 6.1 Henry David Thoreau
- 6.2 Mahatma Gandhi on Civil Disobedience, Neo-Gandhian movements- Sarvodaya, Bhoodan, Sampattidan and Gramdan
- 6.3 Martin Luther King and Nelson Mandela

UNIT - VII - THE PROBLEM OF OBEDIENCE TO UNJUST LAWS:

- 7.1 Just Laws and unjust laws
- 7.2 Opinion of political thinkers -Plato, Bentham, Bodin and Kant Grotius
- 7.3 Methods of Disobedience
- 7.4 Safeguards against unjust laws

UNIT - VIII - FOUNDATION OF PROMISSORY AND CONTRACTUAL LIABILITY

- 8.1 Meaning, Definition, Essentials of- Promise
- 8.2 Promissory Liability
- 8.3 Meaning, Definition, Essentials and types of- Contract
- 8.4 Contractual Liability

Recommended Reading :

- 1) J C Johari, "Contemporary Political Theory", Sterling Publishers(P) Ltd, Greater, Novida.
- 2) Dr. S. R. Myneni, "Foundations of Political Obligation", New Era Law Publications, Faridabad.
- 3) Dr. Alok K. Gupta, "Political Science -II (Political Obligation)", Central Law Publications, Allahabad.
- 4) O P Sinha - "Political Obligation" Central Law Publications, Allahabad

DSC 402 : POLITICAL SCIENCE – VI (Paper – II)
(International Relations & International Organizations)

Object :

The study of the subject Political science by the students of law is a base for their legal education. It is necessary to study the relations between the independent and sovereign state of the world. This has to be accompanied by the study of International and regional organization as well, as they are part of the collective efforts taken by the nations regarding international issues.

Evaluation methods: Theory Examination: 70 marks
 Internal Examination: 30 marks

Internal Assessment: Assignment/Project Work/Presentation : 20 marks
 Viva Voce (College level) : 10 marks

 30 marks

SYLLABUS:**UNIT – I - INTRODUCTION TO INTERNATIONAL RELATIONS**

- 1.1 Meaning, definition and importance of international relation
- 1.2 Nature and scope of international relations
- 1.3 Approaches to study of International relations

UNIT – II - COMPONENTS OF NATIONAL POWER

- 2.1 Tangible components – Geography, Population, Natural Resources, Technology and Military Force
- 2.2 Intangible components – Ideology, Leadership, National morale and National character

UNIT – III - LIMITATIONS OF NATIONAL POWER

- 3.1 International Law
- 3.2 International Morality
- 3.3 World Public Opinion

UNIT – IV - WAR

- 4.1 Meaning, Definition and nature
- 4.2 Traditional causes: Religious, geographical, economic, boundary and cultural
- 4.3 Modern causes: International trade, balance of payment and Protectionism
- 4.4 Consequences of war

UNIT – V - PEACEFUL SETTLEMENTS OF DISPUTES

- 5.1 Balance of Power
- 5.2 Collective Security
- 5.3 Pacific Settlement of Disputes
- 5.4 Diplomacy
- 5.5 Disarmament

UNIT – VI - UNITED NATIONS AND ITS AGENCIES

- 6.1 Establishment and Objectives
- 6.2 Organs of United Nations, their powers and functions
- 6.3 Specialized agencies: UNESCO, WHO, ILO, IMF, IBRD, FAO & UNICEF

UNIT – VII - REGIONAL ORGANISATIONS

- 7.1 Meaning and importance of regional organisations
- 7.2 NATO, SAARC & OPEC
- 7.3 Threats of regional organisations

UNIT – VIII - WORLD COMMUNITY AND WORLD GOVERNMENT

- 8.1 Possibilities of World Community
- 8.2 Obstacles to World Community
- 8.3 Possibilities of World Government
- 8.4 Obstacles to World Government

BOOKS:

1. International relations: Palmer and Perkins, CBS Publications
2. International Relations: Peu Ghosh, Prentice Hall India Learning Private Limited
3. International Relations: Shrivastva and Joshi, Krishna Prakashan Media
4. International relations and Organisation: Dr. S. R. Myneni, New Era Law Publications

Objectives :

The proficiency in English is essential for the Law Graduates to understand and argue the cases in the courts. After studying this paper the students will come to know the vocabulary, comprehensive skill, composition skill, reading and writing skills.

Teaching Learning Method : The effective method of teaching learning and developing language is to read more English Literature. The Literature relates to legal matters is essential to learn, lecture series, listen, speak, handwriting methods of shall be apart from group discussion.

Evaluation methods: Theory Examination: 70 marks
Internal Examination: 30 marks

Internal Assessment: Assignment/Project Work/Presentation : 20 marks
Viva Voce (College level) : 10 marks

30 marks

SYLLABUS**UNIT – I – VOCABULARY Part - I**

- 1.1 Introduction to vocabulary building
- 1.2 Foreign words and phrases (important Latin and English affixes)
- 1.3 Certain set of expression and phrases

UNIT – II – VOCABULARY Part - II

- 2.1 One word substitution
- 2.2 Words often confused
- 2.3 Verities of sentences, structure and verbs
- 2.4 Confused words triplets

UNIT – III – COMPREHENSION SKILLS

- 1.1 Concern logical fallacies
- 1.2 Comprehension of legal text
- 1.3 Importance of Legal Language

UNIT – IV – COMPOSITION SKILLS

- 4.1 Precise writing, Summarizing and Briefing
- 4.2 Brief writing and Drafting Reports
- 4.3 Rapid reading and debating exercise

UNIT – V – ESSAY WRITING ON TOPICS OF LEGAL ASPECTS / CURRENT ISSUES

- 5.1 Constitution – Justice, Fundamental Rights and Duties
- 5.2 Lok Nayalaya and Naya Panchayat
- 5.3 Social Justice
- 5.4 Bar and Bench Relation
- 5.5 Capital punishment
- 5.6 Rule of Law and Separation of powers, comment on judicial decisions

UNIT – VI – SPEECH WRITING

- 6.1 Contents of speech
- 6.2 Reading allowed (knowledge of proper pauses)
- 6.3 Key sounds their discrimination and account
- 6.4 Consulting a pronouncing dictionary
- 6.5 Transcription
- 6.6 Weak forms and contraction

UNIT – VII – LAW AND LANGUAGE

- 7.1 Law related literature
- 7.2 Use of cohesive devices (legal drafting) (case writing)

UNIT – VIII – LEGAL MAXIMS AND LEGAL TERMS**8.1 – Legal Maxims**

- (a) Falus in uno Falsus in omnibus
- (b) Donatio mortis causa
- (c) Vigilantibus non Dormientibus, jura Subvenient
- (d) Nemo Dat quad non Habet
- (e) Nemo Debet Bis Vexari Pro Una Et Edam Causa
- (f) Volunt̄ non fit injuria
- (g) Ubberime Fide
- (h) Qui facit per alium facit per se
- (i) Actori Incumbit Onus Probandi
- (j) Caveat Emptor

8.2 - Legal Terms

ipso Facto, ab initio , abandonment, abscond, accessory, accord and satisfaction, addendum, bail, bondsman, bid, burglary, de novo, delinquent, deportation, emancipation, eminent domain, encumbrance, escalator clause, estoppels, garnishment, guardian ad litem, illusory promise, impleader, in personam, inchoate, mail box rule, malfeasance, mayhem, mesne profits, parental neglect, seduction, sentence, sequester, severable contract, waiver, wind up, quantum meruit, question of fact.

Objectives :

The objective of this course is to provide a law student with basic information about various law reports and journals. Law reports are series of books that contain judicial opinions from a selection of case law decided by courts. When a particular judicial opinion is referenced, the law report series in which the opinion is printed will determine the case citation format. The Supreme Court Reports (SCR) is the official reporter for Supreme Court decisions, in addition some private reporters are also authorised to publish court decisions. Law journals generally express views on topical legal issues, generating cross current of ideas on emerging matters. In addition to the Law Reports and Journals there are many law magazines which updates the knowledge and covers the Current socio – legal issues. Magazine provides Latest Legal news, Supreme Court news, commentary and brief analysis of court cases. This also helps the law fraternity. The course aims to equip the law student for effective and maximum use of ICT in teaching-learning processes.

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 - LAW REPORTING

- 1.1 Principles of Law Reporting - The Doctrine of Precedent
- 1.2 Law Reports of Supreme Court
- 1.3 Law Reports of High Courts
- 1.4 Other Law Reports
- 1.5 Official and Private Reporting, SCR, ISCLR, AIR, SCC
- 1.6 Copyright in Law Reports/Law Journals
- 1.7 1.8 Computer aided search of case law reported in law reports

UNIT – II - USE OF LAW JOURNALS

- 2.1 Indian Law Journals
- 2.2 Foreign Law Journals

UNIT – III - USE OF LAW MAGAZINES

- 3.1 Legal News and Views
- 3.2 Practical Lawyer
- 3.3 Law teller
- 3.4 LawZ
- 3.5 Down to Earth
- 3.6 Nayadeep
- 3.7 Women's Link

UNIT – IV - USE OF INTERNET

- 4.1 Use of Internet and Legal Education
- 4.2 Law related websites : basic knowledge, Selection of appropriate websites
- 4.4 Various law related websites – LiveLaw.in, Path Legal, Lawctopus, Indian Kanoon, Manupatra, LexisNexis, Google Scholar, Legallhyindia
- 4.4 Finding law – domestic and international
- 4.5 Finding case law – domestic and international
- 4.6 Legal Software : General Information and Use

Suggested Readings –

Nandan Kamath : Law relating to Computers and Internet, Universal

Allan M Garten : Internet : Law and Legal Profession

Kant D. Stuckey : Internet and Online Law - Michael D. Rostoker : Computer Jurisprudence and Legal Responses to the Information, Revolution

Rega Surya Rao : Use of Internet, Internet for Law Students and Legal Profession, Asia.

Baxi Upendra : "Legal Education in 21st Century" - : "Towards Socially Relevant Legal Education" A Consolidated Report of the UGC Workshop on Modernization of Legal Education.

B.M. Gandhi : V.D. Kulshrestha's Landmarks in Legal and Constitutional History, See Chapter-21, Eastern.

N.R. Madhawa Menon : Reflection on Legal and Judicial Education, Universal.

- Law Reports / Law Journals Refer Volumes of ----

- AIR

- All India Reporter

- SCC

- Supreme Court Cases

- ILR – Indian Law Reporter etc.

- Indian Bar Review – published by the Bar Council of India

Journal of Indian Law Institute – published by ILI, New Delhi

- Journal of Indian Society of International Law – published by ISIL, New Delhi

- Journal of the Constitution and Parliamentary Studies – published by Institute of Constitutional and Parliamentary Studies, New Delhi

- Law Journals – published by Indian Universities

- Foreign Journals – published by foreign universities namely Harvard, Oxford, Cambridge etc.

- Journal published by SAGE

Shivaji University, Kolhapur



Faculty of Humanities

(LL. B. – Five Years) Degree Programme

Choice Based Credit System (CBCS)

Syllabus Part – III (Semester V and VI)

To be implemented from

Academic Year 2021-22

THIRD YEAR OF FIVE YEARS LAW COURSE

SEMESTER - V

DSC-501: LAW OF CONTRACT

(GENERAL PRICIPLES OF CONTRACT AND SPECIFIC RELIEF)

(Paper – I)

Objectives of the course:

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 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

30 Marks

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

Book references

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.
5. Chitty, Contracts, Vol. 1, 29th Ed., Sweet & Maxwell, 2004.
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.
12. Smith & Thomas, A Case Book on Contract 11th Edition
13. Anand and Aiyer, Law of Specific Relief (1999), Universal
14. Banerjee S.C. Law of Specific Relief (1998), Universal

Suggested References:

1. Mulla, Indian Contract Act and Specific Reliefs, Butterworth's India, New Delhi, Vol. I & II, (12th Edn.- 2001)

2. Chitty on Contracts, Sweet & Maxwell, London, Vol. I & II, (28thEdn.– 1999).
3. J. Beatson, Anson's Law of Contract, Clarendon Press, Oxford, (28thEdn. -2002).
4. A. C. Moitra, Law of Contract and Specific Relief, Universal Law Publishing Co.(5th Edn.-2005)
5. Dr. Avtar Singh, Law of Contract, EBC, Lucknow (9thEdn. – 2005)
6. M. Krishnan Nair, Law of Contracts, Orient Longman, Hyderabad, (5thEdn. – 1996)
7. R. C. Chawla, K. C. Garg, V. K. Sareen, Marchantile Law, Kalyani Publisher, New Delhi (7thEdn- 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. LalmanShukla v. GauriDutta, II ALJ 489;
8. Felth House v. Bindley (1862) 11, CB (NS) 86;
9. MohriBibee v. DharmodassGhosh, (1903) 30 IA 114.
10. Derry v. Peek, (1889) 14 AC 337.
11. MithooLalNayak 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. SatyabrataGhose v. MugneeramBangur 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. MugniramBangur& Co.(P) Ltd. v. Gurbachan Singh AIR 1965 SC 1523;
22. Taylor v. cadwell (1863) 3 B&S 826.
23. Krellv.Henry (1903) 2 KB 740.
24. Hadley v. Baxendale (1854)9 Exch 341
25. Dunlop PueumaticTyre 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 – 502: CONSTITUTIONAL LAW-I

(Fundamental Rights & Directive Principles of State Policy)

(Paper – II)

Objectives of Course :

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

30 Marks

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):

1. Keshavananda Bharati v. State of Kerala, AIR 1973 SC 1461;
2. Excel Wear v. Union of India AIR 1979 SC 25;
3. Bhim Singhji v. Union of India, AIR 1981 SC 234;
4. State of Kerala v. N. M. Thomas AIR 1976 SC 490
5. Waman Rao v. Union of India AIR 1981 SC 271;
6. Minerva Mills Ltd. V. Union of India AIR 1980 SC 1789,
7. Golak Nath 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. Paschim Bangal Khet Mazdoor Society v. State of W. B., 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. Acharya Jagadiswarananda v. Commissioner of Police, Calcutta AIR 1984 SC 51,
40. Ratlam Municipality v. Vardichand, 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

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.
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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

DSC – 503: LAW OF TORT & CONSUMER PROTECTION LAW

(Paper – III)

Objectives of the Course:

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 tortious 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, 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. 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

: 30 Marks

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 ipsa loquitur* 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 (As per BoS Resolution No. 4)

6.1 Judicial Remedies

6.2 Extra Judicial Remedies

6.3 Defamation and types of defamation

6.4 Essentials of Defamation

6.5 Defenses and remedies

UNIT VII : THE CONSUMER PROTECTION ACT, 2019 (As per BoS Resolution No. 4)

7.1 Introduction to Consumer Protection Act, 2019

7.2 Consumer Protection Act, 2019 – features

7.3 Important Definitions under CPA, 2019

7.4 Authorities under CPA, 2019

UNIT VIII : GRIEVANCE REDRESSAL MECHANISM (As per BoS Resolution No. 4)

8.1 Who can file a complaint

8.2 Rights of Consumer

8.3 Grounds & procedure of filing a complaint

List of Cases:

1. Ashby v. White (1703)2 LR 938;
2. Rudal Shah v. State of Bihar, AIR 1983 SC 1086
3. Saheli v. Commissioner of Police, Delhi AIR 1990 SC 513;
4. Gloucester Grammar School case (14190 V.B. Hill 11.;
5. Mayor of Bradford Corporation v. Pickles (1895) AC 587;
6. Bhim Singh v. State of Jammu & Kashmir AIR 1986 SC 494;
7. Usha Ben v. Bhagya Laxmi Chitra Mandir, AIR 1978 Guj.

8. Lucknow Development Authority v M.K. Gupta AIR 1994 1 SC 243;
9. State of Rajasthan v. Vidyawati Devi AIR 1962 SC 933;
10. Donoghue v. Stevenson, 1932, AC 562;
11. Kasturi Lal v. State of U.P. AIR 1965 SC 1039;
12. Nicholes v. Marshland (1876) 2 Ex.D. 1;
13. Smith v. London and South Western Railway Co. (1870) LR 6;
14. Loyd v. Grame Smith & Co. (1912) AC 716;
15. Jay Laxmi Salt Works (P) Ltd. V. State of Gujarat 1994(4) SCC 1;
16. Dr. Laxman V. Dr. Trimbak AIR 1969 SC 128;
17. Davis v. Redcliffe, (1990) 2 AER 536;
18. F. V. Birkshire Health Authority (1989) 2 All ER 545 (HL);
19. Maynard V. Midlands Health Authority (1985) 1 All ER 635 (HL);
20. Achutrao Haribhau Khodwa V. State of Maharashtra AIR 1996 SC 2377 ;
21. M.P. State Road Transport Corp. v. Basantibai (1971) MPLJ 706 (DB);
22. Indian Air Lines v. Madhuri Chaudhri AIR 1964 Cal. 252;
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
26. Hall v. Brookland Auto Racing Club ;
27. Smith v. Backer (1981) AC 325;
28. Stanley v. Powell (1891) 11 Q.B. 86;
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;
31. Noor Mohd. v, Mohd Jiauddin AIR 1992 MP 244;
32. Hayward v. Thompson (1981) 3 All E R 450;
33. M.C. Verhese v. T.J. Poonam, AIR 1970 SC 1876;

34. T.S. Bhatt v. A. K. Bhatt AIR 1978 Ker 111;
35. Girija Prasad Sharma v. Uma Shankar Pathak AIR 1973 MP 79;
36. Quinn v. Leathem, (1901) AC 495;
37. Municipal Board of Kanauj v. Mohanlal AIR 1951 All 867
38. State v. Gangadhar AIR 1967 Raj 199;
39. Rajalingam v. Lingaiah (1964) 1 ALT 391;
40. Sobha Ram v. Tika Ram (1936) ILR 58 All 903
41. Reyland v. Fletcher (1868) L.R. 3 H.L. 30;
42. M.C. Mehta v. Union of India (1987) 1 SCC 395
43. In Re Polemise Case (1921) 3 KB 560 CA;
44. Wagaon Mound Case (1961) AC 388
45. Leisbosch Dredger v. Edison, (1933) AC 449 HL.
46. Barrett v. Fonorow, 799 N.E.2d 916 (Ill. App. 2003)
47. Barrett v. Rosnethal, 112 Cal. App. 4th 749 (2003).
48. Bill McLaren, Jr. V. Microsoft Corporation, Court of Appeals of Texas, Dallas (1999) WL 339015.;
49. CompuServe Inc. v. Cyber Promotions, Inc., 962 F.Supp 1015 (SD Ohio 1997).
50. Doe v. AOL, Inc., 783 So. 2d 1010 (Fl 2001).
51. EBAY, Inc., Plaintiff, V. BIDDER'S EDGE, Inc., Defendant. United States District Court for the Northern District of California .100 F.Supp.2d 1058(2000).
52. Hotmail Corp. v. Van\$ Money Pie Inc., WL 388389 (1998). Kremen v. Cohen, 337 F.3d 1024 (9th Cir 2003).
53. School of Visual Arts v. Kuprewicz, 771 N.Y.S.2d 804 (2003).
54. United States of America V. Hambrick U.S District Court, W.D. Virginia 55F. Supp. 2d 504, (1999)]

References:

1. Wienfield and Zolowicz, Torts, 17th Edi., Sweet & Maxwell 2006
2. Salmond, J W, Salmond's Law of Torts (8th edition, Sweet & Maxwell, London, 1934)

- 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
16. Ratanlal & Dhirajlal on Law of Torts
17. Salmond's Law of Torts
18. Ramaswamy Iyer – Law of Tort
19. Bangia's Law of Torts
20. Law of Torts and C.P. Law by Dr. N.V. Paranjape

DSC – 504: LAW OF CRIMES – I (Indian Penal Code)

(Paper – IV)

Objective of the course:

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

30 Marks

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 Adullualia 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)
- 7.2 Fraudulent 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. Chndranshekhar Pillai – Essay’s on Indian Penal Code
 R. C. Srivastava – Law Relating to Crime and Punishment
 Andrew Ashworth – Principles of Criminal Law
 P.S/Achuthun Pillai, 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. Chandranshekhar Pillai – Essay’s on Indian Penal Code
 Ratan Lal and Dhiraj Lal – 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 – 505: FAMILY LAW – I**(Paper – V)****Objectives of the course :**

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!

Methodology of teaching-learning:

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

: 30 Marks
-----**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

References :

- 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
- 11) ParasDiwan, Law of Intestate and Testamentary Succession (1998), Universal
- 12) Basu, N. D. Law of Succession (2000), Universal
- 13) Kusem, Marriage and Divorce Law Manual (2000), Universal
- 14) Malchandu, S.C. Law and Practice of Divorce in India (2000), Universal
- 15) P.V. Kane, History of Dharmasastras Vol. 2 pt. 1 at 624-632 (1974)
- 16) A. Kuppaswami (ed.) Mayne's Hindu Law and Usage ch. 4 (1986)
- 17) B. Sivaramayys, Inequalities and the Law, (1985)
- 18) K.C. Daiya, "Population control through family planning in India," Indian Journal of Legal studies, 85(1979)
- 19) ParasDiwan, Hindu Law (1985)
- 20) S.T. Desai (ed.) Mulla's Principles of Hindu Law, (1998)- Butterorths-India
- 21) ParasDiwan, Family Law : Law of marriage and Divorce in India, (1984)
- 22) A. M. Bhattachargee, Muslim Law and the Constitution (1994) Eastern Law House, Calcutta
- 23) A. M. Bhattachargee, Hindu Law and the Constitution (1994) Eastern Law House, Calcutta

AECC – 506: FUNDAMENTALS OF RESEARCH

Objective of the Course:

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 (2nd 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.MonaPurohit (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

Semester – VI

DSC – 601: SPECIAL CONTRACT

(Paper – I)

Objectives of the course :

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.

Methodology of teaching-learning:

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

30 Marks

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.), Ansons' 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. 11, 29th 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 13th 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. AmritlalGoverdhanLal v. State Bank of Travancore AIR 1968 SC 1432
2. Morvi Mercantile Bank v. Union of India AIR 1965 SC 1954
3. VasireddiSeetharamaiah v. Srirama Motor Finance Corporation 1977 AP 164
4. Wheels India Ltd., Mount Road v Khem Chand Raj Kumar 1970 MLJ 648
5. Maganbhai v Union of India AIR 1969 SC 785
6. Madhav Rao v. Union of India AIR 1971 SC 530

7. Delhi Science Forum & Others v. Union of India JT 1996 (2) SC 295
8. Canara Bank v Canara Sales Corporation & Others AIR 1987 SC 1603
9. Indian Airlines Corporation v MadhuriChoudhury AIR 1965 Cal 252
10. Gatewhite Ltd & Another v. Iberia Lineas de Espana SA (1989) 1 All E.R. 944

DSC-602: CONSTITUTIONAL LAW – II (Paper – II)

Objectives of the course:

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.

Methodology of teaching-learning:

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

30 Marks

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. Shukul : 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 – 603: FAMILY LAW – II
(Paper – III)

Objectives of the course:

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

: 30 Marks

SYLLABUS:**UNIT I : JOINT FAMILY**

- 1.1.1 Mitakshara joint family
- 1.1.2 Mitakshara coparcenary – formation and incidents
- 1.1.3 Property under Mitakshara law – separate property and coparcenary property

- 1.1.4 Dayabhaga coparcenary – formation and incidents
- 1.1.5 Property under Dayabhaga law
- 1.1.6 Karta of the joint family – his position, powers, privileges and obligations
- 1.1.7 Alienation of property – separate and coparcenary
- 1.1.8 Partition and reunion
- 1.1.9 Joint Hindu Family as a social security institution and impact of Hindu gains of Learning act and various tax laws on it
- 1.1.10 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) TahirMohammad, Family Law reforms in Muslim world, tripathy
- 8) TahirMohammad, 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 – 604: ENVIRONMENTAL LAW
(Paper – IV)**

Objectives of the course:

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 environmental law is essential.

Methodology of teaching-learning:

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 device. 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

	: 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

Reference/ Suggested Books

1. AbhaMathur, *Fundamentals of Entrepreneurship*, Taxmann Publication
2. Rosedar S.R.A. *Company Law*, LexisNexis Publication.
3. Dr. N.V. Paranjape, *The New Company Law*, Central Law Agency, Allahabad.
4. R.C. Chawla, K.S. Garg, V.K.Sareen, *Marchantile Law*, Kalyani Publication.
5. Avtar Singh, *Law of Contract and Specific Relief*, LexisNexis Publication
6. Avtar Singh & Harpreet Kaur, *introduction to Labour and Industrial Laws*, LexisNexis Publication.
7. S.N. Mishra, *Labour & Industrial Laws*, Central Law Publication, Allahabad.
8. V K Ahuja, *Law Relating to Intellectual Property Rights*, LexisNexis Publication.
9. Dr. J.P.Mishra, *Introduction To Intellectual Property Rights*, Central Law Publication, Allhabad.

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

- 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

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 - 806 - 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.

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 222nd 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 – 154th 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

- 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;

DSC- 805- 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 countries. 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

30 Marks

SYLLABUS

UNIT-I INTRODUCTION

- 1.1 Adjudication Methods of Dispute Resolution (Adversarial & Inquisitorial) and Alternative Dispute Resolution System

- 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.

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

- 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- 804 – 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

	30 Marks

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.

- 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

Internal Assessment:

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level: 10 Marks

30 Marks

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

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) 15th Ed.
5. Human Rights in Int. Law, Collected Texts – 2nd ed Universal Law Publication
6. Human Rights in the world, An introduction to the study of the International
7. Protection of Human Rights – 4th ed. A. H. Robertson & J. G. Merrills.
8. Ross Mallick, Development, Ethnicity & Human Rights in South Asia.

DSC- 803 – 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

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.

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 [5th Century B.C., Ancient Greece] Middle Ages [12th Century to 19th Century] Modern Ages - 20th 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

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 - 802 - 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

Internal Assessment:

Assignment / Project Work / Presentation: 20 Marks

Viva Voce College Level: 10 Marks

30 Marks

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

- 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. Expressio unis exclusion ulterius
- 6.3. Generalia specialibus non derogant

Evaluation methods:

Theory Examination – 70 Marks

Internal Assessment:

Assignment / Project Work / Presentation: 20 Marks

Viva Voce College Level: 10 Marks

30 Marks

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

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

FOURTH YEAR OF FIVE YEAR LAW COURSE

(SEMESTER – VIII)

DSC - 801 - 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.

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 Publicati

Pavan Duggal: Textbook on Cyber Law, Universal Publication

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

- 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-706 -- 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.

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

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.

Evaluation methods:

Theory Examination – 70 Marks

Internal Assessment:

Assignment / Project Work / Presentation: 20 Marks

Viva Voce College Level: 10 Marks

30 Marks

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

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

DCS 705 - 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.

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

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

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 it's various Organs and Agencies.
3. To study relationship between International Law and Muncipal 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:

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

	30 Marks

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.

- 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 – 704 - 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.

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

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.

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-703 - 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

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)

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

	30 Marks

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)

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-702 - 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.

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.

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

Evaluation methods: Theory Examination – 70 Marks

Internal Assessment:

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level: 10 Marks

30 Marks

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

FOURTH YEAR OF FIVE YEAR LAW COURSE

(SEMESTER – VII)

DSC-701 - 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.

Shivaji University, Kolhapur



Faculty of Humanities

(LL. B. – Five Years) Degree Programme

Choice Based Credit System (CBCS)

Syllabus Part – IV (Semester VII and VIII)

**To be implemented from
Academic Year 2022-2023**



Estd. 1962

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SHIVAJI UNIVERISTY, KOLHAPUR-416 004. MAHARASHTRA

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FAX 0091-0231-2691533 & 0091-0231-2692333 – BOS - 2609094

शिवाजी विद्यापीठ, कोल्हापूर — ४१६००४.

दुरध्वनी (ईपीएबीएक्स) २६०९००० अभ्यास मंडळे विभाग — २६०९०९४

फॅक्स : ००९१-०२३१-२६९१५३३ व २६९२३३३. e-mail: bos@unishivaji.ac.in

Ref. No./SU/BOS/Law/

Date : 24 JUN 2022

To,

The Principal,
All Affiliated Law Colleges,
Shivaji University, Kolhapur

No 00876

Subject : Regarding syllabi of Fourth Year of Five Years Law Course
Under The faculty of Humanites.

Sir/Madam,

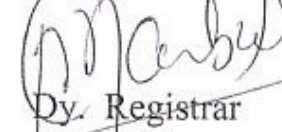
With reference to the subject mentioned above I am directed to inform you that the University authorities have accepted and granted approval to the revised syllabi of Fourth Year of Five Years Law Course under the Faculty of Humanities.

This syllabi shall be implemented from the academic year 2022-23 onwards . A soft copy containing the syllabus is attached herewith and it is also available on university website www.unishivaji.ac.in (Online Syllabus).

You are therefore, requested to bring this to the notice of all students and teachers concerned.

Thanking you,

Yours faithfully


Dy. Registrar

Encl : As above

Copy to,

1. I/c Dean, Faculty of Humanities.
2. Chairman, B.O.S. / Ad-hoc Board.

For Informaton.

3. Director, Board of Examinations & Evaluation
4. Appointment Section
5. Exam. Section.
6. P. G. Admission Section.
7. Affiliation Section (U.G./P.G.)
8. Computer Center/I. T. Cell.
9. Eligibility Section.
10. P. G. Seminar Section.

For Information and necessary action.

- 4.3 Legal Literacy Campus
- 4.4 Negotiation
- 4.5 Counseling

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. Kailash Rai
- 2) Public Interest Litigation by J. Gulab Gupta
- 3) Legal – Aid to the poor by S. S. Sharma.

AECC – 606 PUBLIC INTEREST LAWYERING AND PARA LEGAL SERVICES

Objective of the course :

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 Organization of LokAdalat
- 3.3 Permanent LokAdalat
- 3.4 Composition 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

- 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. KailashRai-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. JayashreeKotibhaskar-Book Keeping and Accountancy.
9. KrishnamurtiIyer-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. JhaShriram 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.

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 Judgments 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 Taxtion 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).

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.

**DSC – 605: PROFESSIONAL ETHICS AND PROFESSIONAL
ACCOUNTING SYSTEM**

(Paper – V)

Objectives of the course:

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.

Methodology of teaching-learning:

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

: 30 Marks

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.

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 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

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
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9. Leelakrishnan, Environmental Law in India 1986
10. The Environment (Protection) Act 1986 and Rules 1986