

छत्रपति शाहू जी महाराज विश्वविद्यालय, कानपुर

CHHATRAPATI SHAHUJI MAHARAJ UNIVERSITY, KANPUR

कल्याणपुर, कानपुर
KALYANPUR, KANPUR

दिनांक: 23.1.2010

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कार्यालय-ज्ञाप

एतद्वारा बार काउन्सिल ऑफ इण्डिया के नये रूल्स-2008 के अनुसार एल0एल0बी0 (त्रिचर्णीय) पाठ्यक्रम के संशोधित अध्यादेश जिसे विद्या परिषद/कार्यपरिषद द्वारा अनुमोदित किया जा चुका है की छायाप्रति सूचनार्थ/अग्रिम कार्यवाही हेतु संलग्न कर प्रेषित की जा रही है।

संलग्नक: यथोपरि।

(महेश चन्द्र)
कुलसचिव

- प्रतिलिपि: निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित -
1. प्राचार्य/प्राचार्या, (बी0एस0एस0डी0 कालेज, कानपुर, डी0सी0 लॉ कालेज, कानपुर व बी0एन0डी0 कालेज, कानपुर) को इस आशय से प्रेषित कि वह सम्बन्धित विभागाध्यक्ष को अग्रिम कार्यवाही हेतु निदेशित करें।
 2. उप कुलसचिव / सहायक कुलसचिव (परीक्षा)
 3. प्रभारी, ई0डी0पी0
 4. अधीक्षक (अकादमिक)

(संजय कुमार)
उपकुलसचिव (अकादमिक)

विभागाध्यक्ष जी, विधि विभाग

आवश्यक कार्यवाही हेतु प्रेषित

प्रभाकर के द्वारा
उपरोक्त कार्यवाही
प्रो. प्रो. के
द्वारा

प्रो. प्रो.
04/06/2010

C.S.J.M. UNIVERSITY, KANPUR

General Rules for LL.B. (Three Year) (Six Semester) Degree Course (Session 2010-11 and onwards)

WHEREAS, it is necessary to adopt and implement the revised curriculum and rules formulated by the Bar Council of India, C.S.J.M. University, Kanpur hereby adopts LL.B. Three Years (Six Semester) Degree Course of Study and frames the following general rules for the implementation from the academic year 2010-11 onwards.

(i) Eligibility for Admission:

A candidate will be eligible for admission to LL.B. class if he/she has completed BA/B.Sc/B.Com or any other bachelor's degree recognized by C.S.J.M. University, Kanpur and has secured not less than 45% marks at Graduate level. However, for SC/ST candidate minimum percentage of marks will be 40%.

(ii) Admission Procedure:

Admission to LL.B. First Semester will be made strictly by Joint Entrance test to be conducted by the university.

(iii) Reservation and weightage shall be as per University Rules.

(iv) Prohibition to register for two regular courses of study:

No students shall be allowed to simultaneously register for a law degree programme with any other graduate or post graduate degree programme run by C.S.J.M. University, Kanpur or any other University or an Institute for academic or professional learning.

(v) Age on admission:

The maximum age for seeking admission into stream of three year Bachelor Degree Course in Law, is limited to thirty years with right of the University to give concession of 5 further years for the applicants belonging to SC or ST or any other Backward community.

(vi) Attendance:

No student of LL.B. programme shall be allowed to take the end semester examination if the students concerned has not attended minimum of 75% of the classes held as also the moot court room exercise, tutorials and practicals conducted in the subject taken together.

Provided that if a student for any exceptional reasons failed to attend 75% of the classes held in any subject, the Principal of the College may allow the student after approval from the Vice-Chancellor of C.S.J.M. University, Kanpur, if he/she attended at least 66% of the classes held.

(vii) Overriding Effect:

The relevant UGC/BCI Rules (as amended from time to time) shall be binding on the University.

LL.B. (Three Year: Six Semester) Programme

Rules for Promotion, Exemption, Back Paper including Rules for Improvement etc. to be effective from Session 2010-11.

Curriculum and Duration of Studies:

1. The Three Year degree course in law, namely Bachelor of Laws (LL.B.) shall be divided in Six Semesters.
2. The curriculum of studies of the LL.B. Degree shall comprise of the courses set out hereinafter in schedule A.
3. The course content of each paper of study shall be such as set out hereinafter in schedule B.

Provided that the Board of Studies in Law may make such changes in content of the course of study as and when it deems it necessary and report the matter to the Faculty Board of Law for approval.

The curriculum of study for the LL.B. three year degree course shall be spread over three academic years, and shall be divided into six semesters for the examination purposes called as First, Second, Third, Fourth, Fifth and Sixth semester. Each academic year shall be divided into two semesters.

Each semester course shall be conducted in not less than 15 weeks with not less than 30 class hours per week, including tutorials, moot court, seminars, workshops and special lectures provided there shall be at least 24 lecture hours per week as prescribed by the Bar Council of India.

Examination

In every Semester in each paper/practical, as the case may be, maximum marks shall be 100 while minimum pass marks in each

paper shall be 36% individually and 48% in aggregate i.e., total of all papers, as the case may be, of that Semester taken together.

2. A candidate shall be examined in 20 compulsory and six optional theory papers and one General English and Legal Language paper and four practical papers from first to sixth semester carrying 100 marks for each paper through written examination conducted by the University.
3. The four compulsory practical Papers as prescribed in II, IV, V and VI semesters carrying 100 marks shall be examined as prescribed in the contents of the papers by two examiners, of which one shall be internal and one external.
4. Division shall be awarded on the combined result of examinations of all the Semester. Those of the successful candidates who obtain 48% and upwards and below 60% of the total marks obtainable shall be placed in the SECOND DIVISION and those of the successful candidate who obtain 60% and upwards of the total marks obtainable shall be placed in the FIRST DIVISION.

5. Promotion:

A Candidate who appears in at least 4 papers of the First semester will be promoted to Second Semester. However, a Candidate will not be permitted to join Third Semester unless He or She clears at least Six papers in total of First and Second Semester with 48% of aggregate marks. Similarly a Candidate will be permitted to join Fourth Semester if he appears in at least 4 papers of Third Semester and remaining uncleared papers of First Semester.

However, no Candidate will be permitted to join Fifth Semester unless he clears all the papers of First and Second Semester and at least Six Papers in total of Third and Fourth Semester with 48% of aggregate marks. A Candidate will be promoted to Sixth Semester only if he appears in at least 4 papers of Fifth Semester and remaining uncleared papers of Third Semester.

A candidate who is allowed to reappear in the examination in accordance with above rules shall appear in the next examination of those papers along with the regular examination of the Semester to which he was promoted.

A candidate who has failed in the examination but is ineligible for back paper facility may also be allowed to appear in the consecutive examination of the concerned semester.

A Candidate will have to clear the LL.B. (Three Year Course) in maximum of Six years. If he fails to pass the examination during this period, he will be deemed to have abandoned the course and shall not be readmitted in these courses.

6. Re admission:

I. There shall be no re admission in the first, third and fifth semesters.

II. A student, who has failed in examination or failed to appear in the examination and who is otherwise eligible to appear in the examination as an ex-student shall not be admitted as a regular student.

7. Improvement: A candidate can reappear at the rate of one paper in each Semester, as back paper, for improving his marks/division. But this facility will be available to those candidates only who pass the examination in one go and without availing the back paper facility. However, the inter-se merit of the candidate shall be determined on the basis of marks obtained in the First examination.

The University will hold SPECIAL BACK PAPER Examination for LL.B. Sixth Semester students as soon as possible after the results of LL.B. Sixth Semester have been declared and the outgoing student of LL.B. Sixth Semester will be provided an opportunity to clear Back Papers in different semesters.

All disputes regarding interpretation of provision of these rules shall be referred to the Examination Committee of the University whose decision shall be final.

SCHEDULE-A

(Curriculum)

LL.B. THREE YEAR (SIX-SEMESTER) DEGREE COURSE OF STUDY

LL.B. First Semester

Paper-I : Constitutional Law-I

Paper-II : Law of Contract

Paper-III : Family Law-I

Paper-IV : Law of Crimes Paper -I (Indian Penal Code)

Paper-V : Law of Tort including MV Accident and Consumer Protection Laws

LL.B. Second Semester

Paper-I : Constitutional Law-II

Paper-II : Special Contract

Paper-III : Family Law-II

Paper-IV : Public International Law

Paper-V : Professional Ethics & Professional Accounting system(Clinical)

LL.B. Third Semester

Paper-I : Administrative Law

Paper-II : Environmental Law

Paper-III : Company Law

Paper-IV : Property Law

Paper-V : Labour Law-I

LL.B. Fourth Semester

- Paper-I : Law of Evidence
- Paper-II : Law of Crime II :Criminal Procedure Code
- Paper-III : Civil Procedure Code and Limitation Act
- Paper-IV : Labour Law-II
- Paper-V : Alternate Dispute Resolution(Clinical)

LL.B. Fifth Semester

- Paper-I : Jurisprudence
- Paper-II : Drafting, Pleading and Conveyance (Clinical)
- Any three of the optional papers given in Schedule-A(i)
- Paper-III : Optional Paper-I
- Paper-IV : Optional Paper-II
- Paper-V : Optional Paper-III

LL.B. Sixth Semester

- Paper-I : Principles of Taxation Law
- Paper-II : Moot court exercise and Internship(Clinical)
- Paper-III : General English and Legal Language
- Any three of the optional papers given in Schedule-A(i)
- Paper-IV : Optional Paper-IV
- Paper-V : Optional Paper-V
- Paper-VI : Optional Paper-VI

SCHEDULE-A(1)

OPTIONAL PAPERS

1. Every student shall be required to opt Three optional papers in LL.B. fifth Semester and LL.B. sixth Semester respectively.
2. Instruction in an optional paper shall be arranged by Colleges/Department keeping in view the availability of teaching staff and teaching material.
3. Optional papers shall be offered from the following list of papers:

LL.B. FIFTH SEMESTER

1. Land Laws including Tenure & Tenancy system
2. Interpretation of Statutes and Principle of Legislation
3. Human Right Law and Practice
4. Banking Law
5. Investment Law
6. Bankruptcy & Insolvency
7. Patent Right creation and Registration
8. Right to Information
9. Law on Education

LL.B. SIXTH SEMESTER

1. Penology & Victimology
2. Trust, Equity and Fiduciary Relationships
3. Copyright
4. Trade Mark and Design
5. International Organization
6. Insurance Law
7. Humanitarian and Refugee Law
8. Information Technology Law
9. Information Technology Offences

SCHEDULE-B

Compulsory Papers

— (COURSES OF STUDY)

LL.B. FIRST SEMESTER

1-STRUCTURE AND WORKING OF THE INDIAN CONSTITUTION (CONSTITUTIONAL LAW-I)

The course shall comprise of the following

- (1) Characteristics of the Indian Constitution. Special Emphasis shall be placed on (A) Federal Structure and (B) Form of the Government.
- (2) Union Parliament : Organization, Procedure regarding Enactment of Legislation, Parliamentary Privileges.
- (3) Union Executive : The President, his Powers and Position including Ordinance Making Power.
- (4) Prime Minister and the Cabinet. Is the Prime Minister Real Head?
- (5) Distribution of Legislative Powers between Union and the States. Territorial and Topical Distribution of Powers. Power of Parliament to Legislate on State Matters. Doctrine of Territorial Nexus. Doctrine of Pith and Substance, Doctrine of Colourable Legislation.
- (6) Emergency Provisions with Special References to Proclamation of Emergency and President's Rule.

2. LAW OF CONTRACT (CONTRACT- I)

The course shall comprise of the following :

- (1) Purpose, Evolution and Scope of Law of Contracts
- (2) Proposal and Promise Including Communication of Proposal, Acceptance and Communication of the Revocation of Proposal and Acceptance.

- (3) Consideration and Doctrine of Privity of Contract.
- (4) Lawful Object and Consideration.
- (5) Capacity to Contract : Minors, Persons of Unsound Mind and Others Disqualified by Law : Nature and Effects of Minor's Agreements ; Doctrine of Restitution.
- (6) Consent and Free Consent.
- (7) Standard Form of Contracts
- (8) Agreements Declared Void Under the Contract Act.
- (9) Contingent Contracts
- (10) Law Relating to Certain Relations Resembling those Created by Contracts, viz., Quasi-Contracts.
- (11) Discharge of Contract :
 - (i) Discharge by Performance
 - (ii) Discharge by Breach Including Anticipatory Breach
 - (iii) Discharge by Agreement
 - (iv) Discharge by Impossibility of Performance with Particular Reference to English Law Doctrine of Frustration
- (12) Remedies Available Under Indian Contract Act, 1872
Compensation: Meaning Nature and Kinds; Remoteness of Damage; Measure of Damages; Contracts Containing Stipulation by Way of Penalty.
- (13) Remedies Available Under Specific Relief Act, 1963
 - (i) General Principles of Granting Specific Relief
 - (ii) Specific Performance of Contracts Including Contracts which cannot be Specifically Enforced
 - (iii) Injunctive Relief

3. HINDU LAW (FAMILY LAW-I)

The course shall comprise of the following :

- (1) Sources of Hindu Law , Schools and Sub-Schools of Hindu Law
- (2) Marriage : Essentials of a Valid Marriage, Void and Voidable Marriage

- (3) Matrimonial Relief

Concept and Grounds of Various Matrimonial Reliefs viz.

- Restitution of Conjugal Rights
- Judicial Separation
- Nullity of Marriage
- Divorce

- (4) Legitimacy - Legal Status of Children Born of Void and Voidable Marriage.

- (5) Adoption

- (6) Hindu Minority and Guardianship Act, 1956

- (7) Law of Maintenance - Hindu Adoption and Maintenance Act, 1956.

- (8) Joint Hindu Family (Mitakshara and Dayabhaga)

- (a) Coparcenary - Its Formation and Incidents

- (b) Kinds of Property - Obstructed and Un-obstructed Heritage, Coparcenary Property and Separate Property

- (c) Rights and Duties of Karta

- (d) Alienation of Coparcenary Property, Alienation of Undivided Coparcenary Interest

- (9) Law of Partition and Re-Union :

Nature of Partition

Partition how Effected and Reopened

Subject Matter of Partition

Re-union

- (10) Law of Succession

4. GENERAL PRINCIPLES OF CRIMES (LAW OF CRIMES- I)

The course shall comprise of the following with special reference to the Indian Penal Code, 1860 :

- (1) Concept of crime; Element of crime-external and internal; Motive; Concept of Strict Liability;
- (2) General Exceptions viz. Mistake, Superior order, Action in pursuance of legal obligation, accident, necessity, young age, unsoundness of mind, drunkenness, consent compulsion, trifling act, communication made in good faith;
- (3) Right of Private Defence; Joint and constructive liability; Preliminary offences viz. Abetment, conspiracy and attempt,
- (4) Offences Affecting Human Body, viz. Culpable Homicide, Murder, Homicide by Rash and Negligent Act, Hurt and Grievous Hurt; Wrongful Restraint and Wrongful Confinement; Criminal Force; Assault; Outraging the Modesty of Woman; Kidnapping and Abduction.
- (5) Offences Against Property, viz. Theft; Extortion; Robbery; Dacoity; Criminal Misappropriation; Criminal Breach of Trust; Cheating; Mischief; Criminal Trespass.
- (6)(i) Offences Against Public Tranquility viz. Unlawful Assembly; Rioting and Affray.

(ii) Offences Against Marriage viz. Bigamy and Adultery.

5. LAW OF TORTS

The course shall comprise of the following :

- (1) Evolution, Definition, Nature and Scope of Torts.
 - (a) Its Development by Courts in England and India.
 - (b) A Wrongful Act - Legal Damage
 - (i) Damnum Sine Injuria
 - (ii) Injuria Sine Damno
 - (c) Joint and Several Tort Feasors

(d) Tort distinguished from Crime and Contract

(2) General Defences in Torts : With Special Reference to Volenti Non Fit Injuria, Act of God, Inevitable Accident, Statutory Authority.

(3) Vicarious Liability with Special Reference to Master's Liability for Acts of Servant.

(4) Absolute and Strict Liability ,Absolute liability under the Motor Vehicles Act 1988(Section 140 to 143, 161 to 163)

(5) Torts based on Intentional Wrong-Doing.

(a) Affecting Person - Assault, Battery and False Imprisonment.

(b) Malicious Prosecution

(c) Affecting Immovable Property - Trespass to Land.

(6) Torts based on Intentional and Negligent Wrong-Doing

(a) Nervous Shock

(b) Nuisance

(c) Defamation

(7) Remoteness of Damage

(8) (a) Need of Consumer Protection and Consumerism

(b) Doctrine of Caveat Emptor

(c) Consumer Protection & Doctrine of Negligence

(9) Consumer Protection Act 1986 : Salient Features of the Act and the Relationship of the Act with Other Consumer Protection Legislations.

(10) Consumer Dispute Redressal Agencies .- Their Constitution, Jurisdiction and Procedure.

(6)

LL.B. Second Semester

1. CONSTITUTIONAL RIGHTS AND LIBERTIES (CONSTITUTIONAL LAW - II)

The course shall comprise of the following :

- (1). Fundamental Rights - General : Scheme of Fundamental Rights, Who can Claim Fundamental Rights : Against whom Fundamental Rights are Available ? Suspension of Fundamental Rights.
- (2). Fundamental Rights - Specific : Special Emphasis shall be Placed on the Following Rights :
 - (a) Right to Equality (Articles 14 to 18)
 - (b) Right to Freedom of Speech and Expression (Article 19(1)(a))
 - (c) Right to Life and Personal Liberty (Article 21)
 - (d) Right to Freedom of Religion (Articles 25 to 28)
 - (e) Right to Constitutional Remedies (Article 32)
- (3) Directive Principles of State Policy. Their Importance and Relationship with Fundamental Rights.
- (4) Fundamental Duties
- (5) Union Judiciary : Supreme Court of India. Composition and Jurisdiction
- (6) Amendment of the Constitution. Power and Procedure; Basic Structure of the Constitution.

2. SPECIAL CONTRACTS (CONTRACT - II)

The course shall comprise of the following :

- I. (ii) Nature and Definition of Contract of Indemnity : Extent of Indemnifier's Liability.
- (ii) Nature and Definition of Contract of Guarantee, Rights, Liabilities and Discharge of Surety.

- (2) **Meaning and Definition of Contract of Bailment, Rights and Duties of Bailor and Bailee**
- (3) **Meaning of Bailment of Pledge; Pledge by Persons Other than the Owner.**
- (4) **Contract of Agency :**
 - (i) **Nature of Contract of Agency**
 - (ii) **Modes of Creation of Agency**
 - (iii) **Modes of Termination of Agency**
- (5)(i) **Rights and Duties of Principal and Agent**
 - (ii) **Rights and Liabilities of Undisclosed Principal**
- (iii) **Personal Liability of an Agent**
- (6) **Contract of Partnership :**
 - (i) **Nature and Definition of Contract of Partnership**
 - (ii) **Non-Partnership Interests**
 - (iii) **Formation of Partnership and Partner by Holding Out**
 - (iv) **Minor and Partnership Firm**
 - (v) **Registration of Firms and Effects of Non-Registration**
 - (vi) **Dissolution of Firms**
- (7) **Contract of sale of Goods:**
 - (i) **Nature and Definition of Contract of Sale of Goods**
 - (ii) **Conditions and Warranties**
 - (iii) **Rule of Caveat Emptor**
 - (iv) **Nemo dat quad non habet**
 - (v) **Definition and Rights of an Unpaid Seller**

3. MUSLIM LAW (FAMILY LAW - II)

The course shall comprise of the following :

- (1) Introduction : Who is Muslim, Conversion, Apostasy.
- (2) Sources of Muslim Law
- (3) Schools of Muslim Law
- (4) Marriage : Definition, Nature, Capacity, Classification and Legal Effect of Marriage.
- (5) Dower
- (6) Dissolution of Marriage under Muslim Law : (Divorce) Talaq, Ila, Khula, Mubarrat, Talaq-e-Tafweed, Lian, Faskh etc.
- (7) Dissolution of Muslim Marriage Act, 1939.
- (8) Maintenance of Wives with Special Reference to Section 125 Cr. P.C.
- (9) Shah Bano Case and the Ensuing Legislation.
- (10) Parentage and Legitimacy : Acknowledgement of Legitimacy. Brief Study of Section 112 of the Evidence Act.
- (11) Will
- (12) Gift
- (13) Hiba-Marz-ul Maut
- (14) Law of Pre-emption
- (15) General rule of Inheritance

4. PUBLIC INTERNATIONAL LAW

The course shall comprise of the following :

- (1) Theoretical Foundation of International Law :
 - (a) Definition
 - (b) Nature and Scope

(c) Schools of International Law

(2) Sources of International Law :

(a) Custom

(b) International Conventions

(c) General Principles of Law

(d) Judicial Decisions and Juristic Works

(3) Relations between International Law and Municipal Law

(a) Theories of Relationship

(b) Indian and British Practices

(4) Recognition in International Law :

(a) Concept, kind and Theories

(b) Legal Consequence of Recognition

(5) State Territory :

(a) Law of the Sea

(b) Air space

(6) Jurisdiction:

(a) Territorial Jurisdiction

(b) Extraterritorial Jurisdiction

(7) Asylum and Extradition

(8) Pacific Settlement of International Disputes

5. Professional Ethics & Professional Accounting system(Clinical)

This course will be taught in association with practising lawyers on the basis of the following topics:.

(A)The course shall comprise of the following :

(1) Nature and Characteristics of :

(a) Professional Ethics

(b) Legal Profession

(2) Historical Perspective and Regulation of Legal Profession, Constitution, Function, Powers and Jurisdiction of State Bar Council and Bar Council of India Admission and enrolment of Advocates

(3) Contempt of Court by the Lawyers :

(a) Civil Contempt

(b) Criminal Contempt :

- Punishment,

- Defences

(4) Strike by the Lawyers

(5) Extent of Professionalisation of Legal Profession

(6) Code of Ethics for Lawyers

(7) Professional Misconduct and its Control

(8) Bar-Bench Relations

(9) Accountability of Lawyers Towards :

- Court

- Clients

- Society

(10) Role of Law and Legal Profession in Social Transform

(B) Viva-Voce

Cases

1. Rajendra V Pai v Alex Frnandes AIR 2002 SC 1808

(11)

2. In re; A an advocate AIR 1962 SC 1337
3. In re; Mr. G a Senior Advocate of SC AIR 1954 SC 557
4. In re; Lalit Mohan Das AIR 1957 SC 250
5. Sheo Narayan Jafa v Judge Allahabad H.C. AIR 1953 SC 368
6. P. J. Ratnam v d. Kanik ran AIR 1964 SC 244
7. In re; "M" an Advocate AIR 1957 SC 149
9. Jhon D' Souza v Edward Ani (1994) 2 SCC 64
10. In re; V.C. Mishra AIR 1995 SC 2348

Acts and Rule

1. The Advocate Act, 1961, The Bar Council of India Rules, 1961
2. Contempt of Court Act, 1971
3. The Advocates Welfare Fund Act, 2001

The Division of marks:

Examination to be conducted by university- 80 Marks
and Viva Voce-20marks.

LL.B. Third Semester**1. ADMINISTRATIVE LAW**

The course shall comprise of the following :

- (1) Reasons for the Development of Administrative Law,
Definition and its Scope
- (2) Rule of Law
- (3) Separation of Powers
- (4) Delegated Legislation :
 - (a) Necessity of Delegated Legislation
 - (b) Constitutionality of Delegated Legislation
 - (c) Judicial Control
 - (d) Parliamentary Control
 - (e) Procedural Control
- (5) Government Liability in Torts
- (6) Government Contracts and Government Liability in Contracts
- (7) Promissory Estoppel
- (8) Principles of Natural Justice
- (9) Writs with Special Reference to :
 - (a) Writ of Certiorari
 - (b) Writ of Mandamus

(c) Writ of Quo-Warranto

(10) Public Interest Litigation and Judicial Review of Administrative Action.

(11) Ombudsman in India

(12) Public Corporation

2. ENVIRONMENTAL LAW

The course shall comprise of the following :

(1) General Background

(a) Problems of Environmental Pollution and Protection

(b) History of Indian Environmental Laws

(c) Importance and Scope of Environmental Laws

(d) International Perspective of Environmental Law

(2) Constitutional Aspects :

(a) Distribution of Legislative Power

(b) Directive Principles of State Policy

(c) Fundamental Duties

(d) Fundamental Rights

(3) Select Legal Controls - The Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

(a) Salient Features of the Acts

(b) Definitions

(c) Authorities - Composition, Power and Function

(d) Mechanism to Control the Pollution

(e) Sanctions

4. Environment (Protection) Act, 1986 : (1) Definition of 'Environment'

(a) Salient Features of the Act

(b) Authorities - Composition, Powers, Functions

(c) Mechanism to Control Environmental Pollution

(d) Sanctions

5. Control of Noise Pollution :

(a) Legal Control

(b) Judicial Control

(6) Judicial Justice - Select Case Laws :

(a) M.C. Mehta vs. Union of India (AIR 1987 SC 965, 982, 1086)

(b) M.C. Mehta vs. Union of India (AIR 1988 SC 1037, 1115)

(c) Municipal Council, Ratlam vs. Vardhichand and Others (AIR 1980 SC 1622)

7. Emerging Principles: Historical Background and Judicial Approach in India

(a) Polluter Pays Principle

(b) Precautionary Principle

(c) Public Trust Doctrine

(d) Sustainable Development

8. Environmental Dispute and Grievance Settlement Mechanism :

(a) National Environment Tribunal Act, 1995-Powers, Functions and Jurisdiction of the National Environmental Tribunal

(b) National Environment Appellate Authority Act, 1997-Powers, Functions and Jurisdiction of the National Environment Appellate Authority.

G. Company Law

The course shall comprise of the following :

A. Formation of Companies :

- (1) Meaning and Nature of Company with Emphasis on its Advantages and Disadvantages over Other Forms of Business Organisations.
- (2) Kinds of Companies
- (3) Corporate Personality and Lifting the Corporate Veil
- (4) Promotion of Companies :
 - (a) Promoters and "Pre-Incorporation Contracts
 - (b) Registration of Companies
- (5) Memorandum of Association and Articles of Association :
 - (a) Meaning, Nature and Contents and Relationship Between the two
 - (b) Objects Clause and Doctrine of Ultra-Vires
- (6) Prospectus and Statement in Lieu of Prospectus
- (7) Membership of Company - Its Acquisition and Termination.

B. Corporate Capital :

- (1) Share and Share Capital : Meaning, Nature and Kinds; Various Rights and Duties Attached to these Shares.
- (2) Issuance and Allotment of Shares

C. Company Management and Administration :

- (1) Company and its Various Organs Including Division of Powers between Board of Directors and Company in General Meeting.
- (2) Company Meetings and Resolutions :
 - (a) Types / Kinds of Meetings

(b) Essential Conditions of a Valid Meeting

(c) Procedure for Calling Company Meetings

(d) Resolution Kinds and Procedures Relating Thereto

(3) Directors and Managing Director : Appointment and Legal Position.

(4) Oppression and Mismanagement

(5) National Company Law Tribunal : Composition and Powers

D. Winding up of Company :

(1) Modes of Winding Up :

(2) Compulsory Winding Up - Conditions and Positions

(3) Voluntary Winding Up : Kinds and Distinctions.

4- Property Law :

The course shall comprise of the following :

I. General Principles Applicable to Transfer of Both Moveable and Immoveable Properties :

(1) General Definitions - Immovable Property, Attestation, Notice(a) Meaning of 'Transfer of Property' (Section 5)

(b) Meaning of 'Property' Including Non-transferable properties (Section 6)

(2) (a) Persons Competent to Transfer, Incidents of Transfer, Oral Transfer (Sections 7,8 and 9).

(b) Conditions Restraining Alienation (Sections 10 to 12)

(3) Transfer for Benefit of Unborn Person and Rule Against Perpetuity (Sections 13 to 18).

(4) Vested and Contingent Interests (Sections 19 and 21)

(5) Conditional Transfers (Sections 25 to 29)

(6) Election (Section 35)

II. General Principles applicable to transfer of Immoveable Properties only

7. (a) Transfer by Unauthorised Persons Other than Full Owner (Sections 41 and 43)

(b) Restrictive Covenant and Protection of Third Persons Rights (Sections 39 and 40)

(8) Lis Pendens (Section 52)

(9) Fraudulent Transfer (Section 53)

(10) Part-Performance (Section 53A)

(11) Sale of Immoveable Property : Definition and Mode of Sale and Exchange (Sections 54 and 118)

(12) Mortgages : Definitions: Mortgage, Mortgagor, Mortgagee, Mortgage Money, Mortgage Deed (Section 58), Charge (Section 100).

Kinds of Mortgage (Section 58)

Mode of Formalities for Creation of Mortgage (Section 59)

Right to Redeem, Partial Redemption, Clog on Redemption, (Section 60), Marshalling and Contribution (Sections 81 and 82), Subrogation (Sections 91 and 92).

(13) Leases of Immoveable Property :

Definition of Lease (Section 105) and Licence,

Leases How Made (Section 107)

Determination of Lease (Section 111)

Effect of Holding Over (Section 116).

(14) Gift

Definition of Gift (Section 122)

Transfer how Effected (Section 123)

Onerous Gift (Section 127)

Universal Donee (Section 128)

(15) Easements

Definition, Acquisition and Kinds of Easements (Sections 4 to 18).

5.- Labour Law-I

The course shall comprise of the following :

I. Evolution of Industrial Legislation in India.

II. Industrial Disputes Act, 1947

(1) Scope and Object, Main Features, Important Definition

(2) Industry (3) Industrial Dispute and Individual Dispute

(4) Workman and Employer

(5) Reference of Disputes

(6) Voluntary Arbitration (Section 10A)

(7) Award

(8) Authorities under the Act

(9) Procedures, Powers and Duties of Authorities

(10) Strike

(11) Lock-Out

(12) Retrenchment

(13) Transfer and Closure

(14) Regulation of Management's Prerogative During Pendency of Proceedings.

III Trade Unions Act, 1926

(1) Growth of Unions

(2) Important Definitions

(3) Registrations of Trade Unions

(4) Rights and Liabilities of Registered Trade Unions

(5) Collective Bargaining

LL.B. Fourth Semester

1. LAW OF EVIDENCE

The course shall comprise of the following :

- (1) Fact In-Issue; Relevant Facts; Document
- (2) Evidence : Proved; Disproved; Not proved;
- (3) May Presume, Shall Presume, and Conclusive Proof
- (4) Circumstantial Evidence
- (5) Relevancy and Admissibility; Res Gestae (Sections 6 to 13)
- (6) Admission ; Confession (Sections 17 to 31)
- (7) Dying Declaration (Section 32(1))
- (8) Relevancy of Judgments (Sections 40 to 44)
- (9) Opinion of Experts; Opinion of Third Persons (Sections 45 to 47)
- (10) Conduct and Character of Parties (Sections 52 to 55)
- (11) Judicial Notice (Sections 56 to 57)
- (12) Estoppel (Sections 115 to 116)
- (13) Means of Proof : Oral Evidence; Documents - Public Document, Private Document, Primary and Secondary Evidence; (Sections 59 to 65 and 74 to 78); Exclusion of Oral by Documentary Evidence (Sections 91 to 92)
- (14) (i) Burden of Proof (Sections 101 to 106)
(ii) Witnesses : Competency and Compellability of Witnesses; Examination of Witnesses; Privileges : State Privilege and Private Privilege (Sections 118 to 155).

(20)

2. Law of Crime II (Criminal Procedure Code)

The course shall comprise of the following :

- (1) Constitution of Criminal Courts and their Powers
- (2) Arrest of Persons and the Rights of Arrested Persons
- (3) Information to the Police and their Powers to Investigate
- (4) Cognisance of Offences by the Magistrate and Court of Sessions.
- (5) Complaints to Magistrates and Commencement of Proceedings before Magistrates.
- (6) The Charges :
 - (a) Forms of Charges
 - (b) Joinder of Charges
- (7) Trials of the Cases :
 - (a) Sessions Trial
 - (b) Warrant Trial
 - (i) Cases Instituted upon a Police Report
 - (ii) Cases Instituted Otherwise than on a Police Report
 - (iii) Conclusion of Trial
 - (c) Summons Trial by Magistrates
- (d) Summary Trial
 - (3) Provisions as to Bails and Bonds
 - (9) Maintenance of Wives and Children
 - (9) Security for Keeping Peace and Good Behaviour
 - (10) Maintenance of Public Order and Tranquility

(11) Dispute as to Immovable Property

(12) Appeal, Revision and Reference

3. Civil Procedure Code and Limitation Act

The Course shall comprise of the following :

(1) Definition : Decree, Order, Mesne Profit, Gradation of Courts, Suit of Civil Nature

(2) Principle of Res-Judicata and Res Sub-Judice

(3) Cause of Action, Place of Suing, Parties to the Suits, Framing of Issues, Appearance and Consequences of Non-Appearances of Parties

(4) Suits by Indigent Persons, Suit by or Against Minors and Persons of Unsound Mind

(5) Judgment, Decree and Orders

(6) Mode of Execution, Attachment and Sale of Movable and Immovable Properties in Execution

(7) Arrest, Restitution, Simultaneous Execution, Ratable Distribution

(8) Appeals : Appeal from Original Decree, Power of the Appellate Courts, Reference, Review, Revision, Inherent

(9) Interim Orders: Commission, Arrest before judgment Attachment before judgement Temporary Injunctions, Interlocutory Order Power of the Courts.

(10) Inherent Powers of Courts, Suits against Government

(11) Limitation of Suits, Appeal and Applications, Period of Limitation, Continuous Running of Time, Effect of Sufficient cause for not Preferring Appeal or Making an Application within a Period of Limitation, Legal Disabilities.

(12) Computation of Period of Limitation and Exclusion of Time in Legal Proceeding, Effect of Death, Fraud, Acknowledgement in Writing.

1 LABOUR LAW-II

The course shall comprise of the following :

I. Employees States Insurance Act, 1948 :

- (1) Historical Development
- (2) Objects and Application of the Act, Important Definitions
- (3) Employment Injury
- (4) Liability of the Employers for Accidents During and In the Course of Employment.
- (5) Various Benefits Available Under the Act
- (6) Constitution, Jurisdiction and Powers of Employees State Insurance Court.

II. The Minimum Wages Act, 1948 :

- (1) Object, Constitutional Validity and Salient Features of the Act
- (2) Important Definitions
- (3) Fixation of Minimum Rates of Wages

III. The payment of Wages Act, 1936 :

- (1) Scope and Applicability of the Act.
- (2) Important Definitions
- (3) Payment of Wages and Deductions from Wages
- (4) Authorities Under the Act

IV. The Factories Act, 1948 :

- (1) Important Definitions
- (2) Inspecting Staff

(3) Health, Safety and Welfare Measures

(4) Working Hours of Adults

(5) Employment of Young Persons

(6) Annual Leave with Wages

V. The Payment of Bonus Act, 1965 :

(1) Scope and Applicability of the Act

(2) Important Definitions

(3) Minimum Bonus and Maximum Bonus

(4) Calculation of Bonus

(5) Eligibility and Disqualification for Bonus

VI. Workmen's Compensation Act, 1923

(1) Conceptual frame work of Social Security-Evolution and concept of Social Security,

(2) Workmen's Compensation Act, 1923: Definitions, Aims & Object,

(3) Liability of Employer, Notional Extension & Defences,

(4) Determination of Amount of Compensation, Compensation when due-Penalty for default,

Contracting Out (Sec.17),

(5) Appointment & Powers of Commissioner (Sec.19-31)

5. Alternate Dispute Resolution (Clinical)

The course shall comprise of the following :

(i) Negotiation skills to be learned with simulated program

(j) Conciliation skills

(k) Arbitration Law and Practice including International arbitration and Arbitration rules.

The course is required to be conducted by senior legal practitioners through simulation and case studies. Evaluation may also be conducted in practical exercises at least for a significant part of evaluation.

(assessment through case-study, viva, and periodical problem solution besides the written tests).

The Division of marks:

case-study and periodical problem solution-50marks,

On Spot written test at the time of practical- 30 marks(One hours Duration)

and Viva Voce-20marks.

L.B. Fifth Semester

Jurisprudence

The course shall comprise of the following :

- (1) Introduction
 - (a) Definition, Nature and Scope of Jurisprudence
 - (b) Importance of the Study of Jurisprudence
- (2) Analytical School
 - (a) Analytical Positivism
 - (b) Imperative Theory : John Austin
- (3) Historical School
 - (a) Frederick Karl Von Savigny
 - (b) Sir Henry Sumner Maine
- (4) Natural Law School
 - (a) Classical Natural Law
 - (b) Revival of Natural Law : Rudolf Stammler
- (5) Sociological School
 - (a) Background and Characteristics
 - (b) Roscoe Pound
 - (c) American Realist School
- (6) Legal Person :
 - (a) Nature and Concept
 - (b) Theories of Legal Personality
 - (c) Legal Rights :

(a) Definition, Basis and Characteristics

(b) Kinds of Legal Rights

(9) Possession and Ownership :

(a) Possession in Fact and Possession in Law

(b) Relation between Possession and Ownership

(10) Liability :

(a) Theory of Remedial Liability

(b) Theory of Penal Liability

(11) Law and Morality :

(a) Relation between Law and Morals

(b) Legal Enforcement of Morality

2. Drafting, Pleading and Conveyance

Outline of the course:

- a) Drafting:- General principles of drafting and relevant substantive rules shall be taught.
- b) Pleadings: -
 - i) Civil: Complaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.
 - ii) Criminal: Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision.
 - iii) Conveyance: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed.
 - iv) Drafting of writ petition and PIL petition.

The course will be taught through class instructions and simulation exercises, preferably with assistance of practising and retired judges. Apart from teaching the relevant provisions of law, the course may include not less than 15 practical exercises in writing carrying a total of 45 marks (3 marks for each) and 15 exercises in comprehension carrying another 45 marks (3 marks for each exercise) and 10 marks will be given for viva voce.

OPTIONAL PAPERS

Any Three of The Following Optional Papers

(COURSES OF STUDY)

1. Land Laws including Tenure & Tenancy system

→ *Compulsory Paper of VIIth Sem*

The course shall comprise of the following :

(1) U.P. Zamindari Abolition and Land Reforms Act, 1950

(a) History and Development of the Land Tenure System in U.P.

(b) The Aims and Objectives of the U.P. Z.A. and L.R. Act, 1950 and its Achievements.

(2) (a) Meaning and Definition of :

(i) Estate, (ii) Intermediary, (iii) Vesting, (iv) Date of Vesting, (v) Subject Matter of Vesting.

(b) Consequences of Vesting

(c) Classes of Land Tenures :

(i) Bhumiidhar with Transferable Rights

(ii) Bhumiidhar with Non-Transferable Rights

(iii) Asami

(d) Rights and Liabilities of the Classes of Land Tenures :

(i) Transfer, (ii) Inheritance, (iii) Forfeiture and Extinction

(e) (i) Surrender, (ii) Abandonment

(f) Management and Allotment of Land under the UP ZA and L.R. Act, 1950.

(3) (5) U.P. Land Revenue Act, 1901.

(a) Constitution and Jurisdiction of the Board of Revenue.

(b) Officers and Courts under the U.P. Land Revenue Act, 1901.

(c) Maintenance of Maps and Record, (i) Sagara, (ii) Khasra (iii) Khatauni, (iv) Mutation

(d) (i) Appeals (ii) Reference and (iii) Revision under the U.P. Land Revenue Act, 1901 (Statutory Materials)

(4) Salient feature of The U.P. Consolidation of Land Holdings Act, 1953

(5) Salient feature of The U.P. Imposition of Ceiling on Land Holdings Act, 1961

2. Interpretation of Statutes and Principle of Legislation

The course shall comprise of the following :

(1) Introductory : Meaning, Purpose and Scope of Interpretation of Statutes; Nature of Statutes and their Classification

(2) Internal Aids to Interpretation : Title; Preamble; Headings and Marginal Notes.

(3) External Aids to Interpretation; Parliamentary History; Stare Decisis (Judicial Precedents); Dictionaries.

(4) Rules of Statutory Interpretation : Primary (Basic) Rules; Secondary (Subsidiary) Rules; Literal Rule; Golden Rule; Mischief Rule.

(5) Judicial Activism : Nature and Scope.

(6) Presumptions in Statutory Interpretation : Presumption as to Jurisdiction; Presumption as to Prospective Operation of Statutes; Presumption Against Violation of International Law.

(7) Maxims of Statutory Interpretation : Eiusdem Generis; Expressio Unius Est Exclusio Alterius; Ut Res Magis Valeat Quam Parcat.

(8) Interpretation with Reference to the Subject Matter and Purpose of Statutes : Penal Statutes; Taxing Statutes.

(9) Principles of Constitutional Interpretation : Harmonious Construction; Doctrine of Pith and Substance; Doctrine of Colourable Legislation; Occupied Field; Repugnancy.

3. Human Right Law and Practice:

The course shall comprise of the following :

- (1) Meaning and Concept of Human Rights :
- (2) Evolution and Development of Human Rights Law :
 - (a) Impact of Natural Law and Natural Rights
 - (b) Human Rights-Classification
- (3) Human Rights and the United Nations
 - (a) Charter Provisions
 - (b) International Protection of Human Rights
- (4) Universal Declaration of Human Rights
- (5) International Covenants and the Protocols :
 - (a) Civil and Political Rights
 - (b) Economic, Social and Cultural Rights
- (6) Human Rights in India, Human Rights and Indian Constitution,
- (7) The Protection of Human Rights Act, 1993
- (8) Judicial activism & Protection of Human Rights in India, Role of Non-Governmental Organisation in the Promotion and Protection of Human Rights; Refugees
- (9) National Human Rights Commission
- (10) National Commission for Minorities, National Commission for Safai Kargoz, National Commission for Women, National Commission for Backward Classes and National Commission for Schedule Castes and Schedule Tribes.

4. BANKING LAW

The course shall comprise of the following :

- (1) Nature and Development of Banking
- (2) Relationship of Banker and Customer: (a) Banks, Banking Business, Meaning of Customer, Types of Accounts, Banker as Borrower
- (b) Contract Between Banker and Customer - Their Rights and Duties
- (c) Banker's Lien;
- (d) Banking Instruments;
- (e) Banking Services
- (3) Laws Regulating the Business of Banking (Salient Features Only) :
 - (a) Banking Companies Act, 1949
 - (b) Reserve Bank of India Act, 1934
 - (c) Foreign Exchange Management Act, 1998
- (4) Meaning and Kinds of Negotiable Instruments
- (5) Endorsement, Negotiability and Assignability
- (6) Holder and Holder in Due Course
- (7) Rights and Liabilities of Paying and Collecting Banker
- (8) Dishonour of Negotiable Instruments Including Criminal Liability of Drawer and Protection of Collecting Banker

5. Investment Law

The course shall consist of the following :

- (1) Meaning of Investment and Securities.

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(2) Legal Regulations of Investment in Securities - Shares and Debentures of a Company :

(a) Private Company

(b) Public Company

(c) Other Companies

(3) Legal Regulations of Investment in Securities Listed at Stock Exchange :

(a) General Knowledge about Stock Exchange

(b) Procedure for Buying / Selling Corporate Securities through Stock Exchange

(c) Role and Functions of Securities Exchange Board of India.

(4) Legal Regulations of Portfolio Investment in Corporate Securities

(5) Legal Regulations of Investment through Mutual Funds

(6) Legal Regulations of Fixed Deposits with Companies and Rights of Depositors

(7) Legal Regulations of Investment through Life Insurance Schemes, Unit-Linked Insurance Plan, Public Provident Fund, National Saving Schemes, Units, Post-Office Scheme, Deposits in Bank and Other Schemes in the Form of Bonds.

(8) Legal Regulations of Foreign Investment in Indian Securities and Indian Investments in Foreign Securities;

(9) Law Relating to Protection of Investors

(a) Pre-Investment

(b) Post-Investment

Bankruptcy & Insolvency

Emphasis will, *inter-alia*, be laid on the Coverage of Insolvency in India, Nature of the Acts of Insolvency on the Commission of

when a Person may be Adjudged Insolvent; Adjudication Proceedings
and Interim Proceedings; Order of Adjudication and its Annulment, Effect
of the Order of Adjudication Including Consequential Proceedings,
Property Available for Distribution Including the Doctrine of Reputed
Partnership and the Consequences of Doctrine of 'Relation Back', Proof of
Debts, Compositions and Schemes of Arrangement, Distribution of
Property, Discharge of Property, Discharge of the Debtor, Powers, Duties
and Liabilities of the Official Assignee and Receiver, and the Law Relating
to Appeals, Revision and Reviews.

LL.B. Sixth Semester

1. Principles of Taxation Law



*Optional Paper
Sixth Sem*

The course shall comprise of the following :

- (1) Introduction : History and Objects of Taxation, Direct and Indirect Taxes,
- (2) Concept of Tax and Fee, Distinction between Tax and Fee
- (3) Constitutional provisions relating to Taxation Nature and Scope of Tax,
- (4) Residuary Power of Taxation Under Entry 97 of the Union List
- (5) Power to levy taxes on income
- (6) Power to levy Excise Duties
- (7) Taxes on Sale or Purchase of Goods
- (8) Distribution of Tax Revenues
- (9) Inter-Governmental Tax Immunities
- (10) Judicial Review of the Orders of Tax Authorities
- (11) Canons of Taxation & characteristics of a good tax system
- (12) Tax evasion & Black money- Causes & effects of Tax Evasion, Tax evasion distinguished with Tax Avoidance and Tax Planning.

2. Moot court exercise and Internship:

This paper may have three components of 30 marks each and a viva for 10 marks.

- (a) Moot Court (30 Marks). Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

(b) Observance of Trial in two cases, one Civil and one Criminal (30 marks): Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

(c) Interviewing techniques and Pre-trial preparations and Internship diary (30 marks): Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

(d) The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

3. General English and Legal Language

The course shall comprise of the following :

1. Introduction to Legal Language

(a) Need and Importance of Legal Language

(b) Legal Language in India

(c) Official Language - the Constitutional Position

(Articles 343 to 347, 348, 350, 351)

2. Proficiency in General English

(a) Forms and Types of the Sentences

(b) Parts of Speech - A Brief Introduction

(c) Tenses : Forms and Use

(d) Active and Passive Voice

(e) Direct and Indirect (or Reported) Speech

(f) Some Common Mistakes in English

4. Legal Terminology

(a) Terms Used in Civil and Criminal Law

(b) Latin Words and Expressions

Meaning and use of the following shall be taught -

Ab Initio, Ad Idem, Ad Infinitum, Ad Nauseam, Ad Valorem, Alibi, Ambiguitas Latens, Ambiguitas Patens, Amicus Curiae, Animus Possidendi, Audi Alteram Partem, Bonafide, Caveat Emptor, De Facto, De Jure, De Novo, Ejusdem Generis, Ex Gratia, Ex Parte, Ex Post Facto, Factum Valet, Fait Accompli, Fiat Justitia, Inter Alia, In Limine, Jus Ad Rem, Jus In Personam, Letter Rogatory, Locus Standi, Malafide, Modus Operandi, Mutatis Mutandis, Nudum Pactum, Obiter, Onus Probandi, Parens Patriae, Pari Passu, Per Incuriam, Prima Facie, Pro Bono Publico, Quid Pro Quo, Ratio Decidendi, Raison D'etre, Res Integre, Res Nullius, Sine Qua Non, Intra-Vires, Ultra Vires,

5.(a) Essay Writing on Topics of Legal Interests in English

(b) Letter Writing

(c) Translations: English to Hindi and Hindi to English

Any three of the following optional Papers.

1. Penology & Victimology

The course shall comprise of the following :

Concept of Punishment; Relationship Between Criminology and Penology; Forms of Punishment - From Ancient to Modern; Theories of Punishment; Capital Punishment; Police and its Role in Crime Prevention; Concept of Treatment with Special Reference to Prison, Probation and Parole; New Dimensions of Penology - Compensation to the Victims of Crime; Victimology.

2. LAW OF TRUST, EQUITY AND FIDUCIARY RELATION

This course is designed to acquaint students with general principles of Equity, Trust and Fiduciary Relations and remedies available under Equity. The course shall be divided in two parts:

(1) Equity (2) Trust & Fiduciary Relations.

The course shall comprise of the following :

History, nature and principles of Equity-Emergence of law of trust from Equity-- The making of Indian Law of Trust and provisions of law of Trust-Religious Trusts-Principles of Equity and Equitable Remedies, Equitable Relief in different branches of law with special reference to property law.

(1) Equity

- (a) Nature of Equity
- (b) History of Courts of Equity
- (c) Relations of law of Equity
- (d) The maxims of equity
- (e) Different Equitable remedies.

(2) Trust & Fiduciary Relations :

- (a) Essentials of Trust
- (b) Fiduciary Relationship— Concept, kinds vis-a-vis Trusteeship
- (c) Trust and contract, Power, condition, charge and personal obligations - distinguished
- (d) Classification of Trust and its importance
- (e) Private Trusts
- (f) Public Trusts
- (g) Appointments, Retirement and removal of Trustee
- (h) Rights, Power, Discretion and control of Trustees
- (i) Duties of Trustee in relation to :
 - (i) Trust property; and
 - (ii) Beneficiary
- (j) The Administration of Trust

- (k) Liability for Breach of Trust
- (l) Rights and Remedies of the Beneficiary
- (m) Constructive Trusts.

3. Copyright

The course shall comprise of the following :

- (1) Concept of Copyright as Intellectual Property
- (2) Origin and Development -
- (3) Role of International Institutions Copyright
- (4) World Intellectual Property Organisation (WIPO) and Copyright
- (4) Meaning of copyright
 - (a) Copyright in literary, dramatic and musical works
 - (b) Copyright in sound records and cinematograph films
 - (c) Copyright in computer programme
- (5) Term of Copyright,
- (6) Ownership of copyright
- (7) Assignments and Licensing
- (8) Author's special rights
- (9) Registration and Regulatory Authority
- (10) Infringements and Remedies - Contractual, Civil, Criminal and Administrative (Remedies, especially, the possibility of Anton pillar injunctive relief in India.)

4. Trademarks and Design

- (1) Need and Emergence of Trade Marks Law.

- (2) Definition and concept of trademarks
- (2) The Register and Conditions for Registration
- (3) Procedure for and Duration of Registration
- (4) Effect of Registration
- (5) Passing-Off and Infringement of Trade Mark
- (6) The doctrine of honest Current User
- (7) The doctrine of deceptive similarity
- (8) Assignment and Transmission
- (9) Use of Trade Marks and Registered Users
- (10) Protection of well-known marks
- (11) Appellate Board, Offences, Penalties and Procedure
- (12) An Overview of the Design Act, 2000

5. International Organization

The course shall comprise of the following :

- (1) Concept and Nature of International Organization; Progress of Mankind Towards International Organization; Individual Visions and Organized Peace Movement
 - (2) The League of Nations : General Provisions, Organs of the League - Assembly, Council, Secretariat; Causes of the Failure of the League.
 - (3) A Comparative View of the League Covenant and the U.N. Charter.
 - (4) The United Nations : Genesis and Creation
- Purposes and Principles
- Membership
- Legal Capacity

Privileges and Immunities

- (5) The U.N. Organs : Their Composition; Power and Functions.
- (6) Achievements of the United Nations;
- (7) Review and Revision of the Charter
- (8) Specialized Agencies : Concept, Relationship with U.N., UNESCO, ILO, WTO

(9) Regional Organizations

6. Insurance Law

The course shall comprise of the following :

- (1) Origin and History of Insurance Law :

Nationalisation and Regulation of Insurance Business.

- (2) Insurance :

Definition, Essentials, Nature, Kinds and Application of Doctrine of Utmost Good Faith and Doctrine of Indemnity

- (a) Insurable Interest - Definition, Essentials, Nature and Person having Insurable Interest.

- (b) Premium - Definition, Mode or Method of Payment, Days of Grace, Forfeiture and Return of Premium.

- (c) The Risk - Meaning, Essentials, Scope, Alteration and Application of Doctrine of Causa Proxima.

- (d) Assignment of Insurance Policy - Nature and Manner

- (e) Warranty - Meaning, Characters, Kinds, the Effect of Breach of Warranty, Warranty and Representation

- (3) Life Insurance : Definition, Essentials, Nature, Scope, Event Insured, Circumstances Affecting the Risk Including Suicide, Categories of Insurance Policies.

(4) Fire Insurance : Definition, Nature, Scope, Meaning of the Term, Fire, Loss by Fire, Categories of Fire Insurance Policy and the Application of Special Doctrine - Reinstatement, Subrogation, Contribution etc.

(5) Marine Insurance : Definition, Scope, Nature, Categories of Marine Insurance Policies, Insured Perils, Loss and Abandonment, Partial Losses and General Average, Measure of Indemnity.

(6) Miscellaneous Insurance (Burglary, Liability and Motor Vehicle) - Definition, Nature and Scope.

(7) Double Insurance and Reinsurance

SCHEDULE -A(i)

OPTIONAL PAPERS

1. Every student shall be required to opt Three optional papers in LL.B. fifth Semester and LL.B. sixth semester respectively. Only one paper from each group can be opted.
2. Instruction in an optional paper shall be arranged by Colleges/Department keeping in view the availability of Teaching Staff and Teaching Material.

LL.B. Fifth Semester

Group A

- 1- ~~Principles of Taxation Law~~ *Principles of Taxation Law*
- 2- Banking Law
- 3- Patent Right Creation and Registration

Group B

- 1- Interpretation of Statutes and Principles of Legislation
- 2- Human Rights Law and Practice
- 3- Investment Law

Group C

- 1- Right to Information
- 2- Law on Education
- 3- Bankruptcy & Insolvency

LL.B. Sixth Semester

Group A

- 1- Copyright
- 2- Trust, Equity and Fiduciary Relation
- 3- Information Technology Law

Group B

- 1- Trade Mark and Design
- 2- International Organization
- 3- Penology and Victimology

Group C

- 1- Insurance Law
- 2- Humanitarian and Refugee Law
- 3- Law Relating to Women

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LL B II Semester
GROUP - A
2 Banking Law

The course shall comprise of the following:-

- (1) Nature and Development of Banking.
- (2) Relationship of Banker and Customer: (a) Banks, Banking Business, Meaning of Customer, Types of Accounts, Banker as Borrower.
- (b) Contract Between Banker and Customer - Their Rights and Duties.
- (c) Banker's Lien;
- (d) Banking Instruments;
- (e) Banking Services
- (3) Laws Regulating the Business of Banking (Salient Features Only)
 - (a) Banking Companies Act, 1949
 - (b) Reserve Bank of India Act, 1934
 - (c) Foreign Exchange Management Act, 1998
- (4) Meaning and Kinds of Negotiable Instruments
- (5) Endorsement, Negotiability and Assignability
- (6) Holder and Holder in Due Course
- (7) Rights and Liabilities of Paying and Collecting Banker
- (8) Dishonor of Negotiable Instruments Including Criminal Liability of Drawer and Protection of Collecting Banker

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LL B V Semester
GROUP - A
3 PATENT RIGHT CREATION AND REGISTRATION

The Patents Act, 1970

Introduction, Aims, Objective, Features & Principles, Inventions (Sec.2j) Invention not patentable (Sec. 3 to 5), Application (Sec. 6 to 8), Specification (Sec. 9 to 10), Opposition (Sec.25), Grant & Sealing of Patent (Sec.43), Conditions for grant of patent (Sec.47)

Rights of Patents (Sec.47), Term of Patent (Sec.53). Patents of Addition (Sec. 54 & 55), Surrender & Revocation (Sec.63 to 68) Patents Office (Sec. 73 to 74 r.4 (2), Compulsory Licenses (Sec.84), License of right (Sec.86k to 88), Government use (Sec.99), infringement (Sec. 104 to 115), Patent Agents (Sec. 125 to 132), International Arrangements (Sec. 133 to 139), Paris convention, 1999 Amendment Act, 17 of 1999, Sec. 5 amended, Exclusive Marketing Right (Sec.24A-24F).

The Trade Marks Act, 1999

Introduction (Sec.2), Registration (Sec.4 to 17), Procedure (Sec.18 to 26), Effect of Registration (Sec. 27 to 32), Deceptive Similarity, Infringement, Passing off.

Law relating to Geographical Indications

Introduction, meaning and salient features of Geographical Indication of Goods under the Geographical Indication of Goods (Registration and Protection) Act, 1999

Procedure for Registration, Duration and Renewal, Right conferred by registration, Infringement of Geographical Indication, Remedies, Offences and Penalties.

Acts

1. The Patents Act, 1970
2. The Trade Marks Act, 1999
3. Geographical Indication of Goods (Registration and Protection) Act, 1999

Books

1. Prof. A.K.A. Avasthi (ed.) Spotlight on Intellectual Property Rights, 2005
2. Nagarajun, Intellectual Property
3. Menu Paul, Intellectual Property

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GROUP-B
2, Human Right Law and Practice:

The course shall comprise of the following:-

- (1) Meaning and Concept of Human Rights:
- (2) Evolution and Development of Human Rights Law:
 - (a) Impact of Natural Law and Natural Rights
 - (b) Human Rights- Classification
- (3) Human Rights and the United Nations
 - (a) Charter Provisions
 - (b) International Protection of Human Rights
- (4) Universal Declaration of Human Rights
- (5) International Covenants and the Protocols
 - (a) Civil and Political Rights
 - (b) Economic, Social and Cultural Rights
- (6) Human Rights in India, Human Rights and Indian Constitution
- (7) The Protection of Human Rights Act, 1993
- (8) Judicial activism & Protection of Human Rights in India, Role of Non- Government organization in the promotion and Protection of Human Rights Refugees
- (9) National Human Rights Commission
 - National for Minorities, National Commission for Safai
 - commission for women, National Commission for Backward
 - Classes and National Commission for Schedule Castes and
 - Schedule Tribes.

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GROUP B
3 Investment Law

The course shall consist of the following:-

- (1) Meaning of Investment and Securities.
- (2) Legal Regulations of Investment in Securities - Shares and Debentures of a Company:
 - (a) Private Company
 - (b) Public Company
 - (c) Other Companies
- (3) Legal Regulations of Investment in Securities Listed at Stock Exchange:
 - (a) General Knowledge about Stock Exchange
 - (b) Procedure for Buying/Selling Corporate Securities through Stock Exchange.
 - (c) Role and Functions of Securities Exchange Board of India.
- (4) Legal Regulations of Portfolio Investment in Corporate Securities
- (5) Legal Regulations of Fixed Deposits with Companies and Rights of Depositors
- (6) Legal Regulations of Fixed Deposits with Companies and Rights to Depositors;
- (7) Legal Regulations of Investment through Life Insurance Schemes, Unit-Linked Insurance Plan, Public Provident Fund, National Saving Schemes, Units, Post-Office Scheme, Deposits in Bank and Other Schemes in the Form of Bonds.
- (8) Legal Regulations of Foreign Investment in Indian Securities and Indian Investments in Foreign Securities;
- (9) Law Relating to Protection of Investors
 - (a) Pre-Investment
 - (b) Post-Investment

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LL B I Semester GROUP - C

1 Law Relating to Right to Information

1. Introduction
2. Right to know
3. The Right to Information Act
4. Salient Features of the Act
5. Definitions
6. Obligations of Public Authority
7. Designation of Public Information Officers (PIO)
8. Request for obtaining information
9. Duties of a PIO
10. Exemption from disclosure
11. Rejection of request
12. Partial disclosure allowed
13. Who is excluded?
14. Information Commissions
15. Powers of Information Commissions
16. Appellate Authorities
17. Penalties
18. Jurisdiction of Courts

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LL B V Semester
GROUP - B
2 LAW ON EDUCATION

1. Introduction
2. Historical Background
3. Constitutional Provisions relating to Education.
4. Main Object - Philosophical Aspect
5. Fundamental Right Education in India
6. The Right of Children to Free and Compulsory Education Act, 2009.
 - I. Definitions.
 - II. Right to Free and Compulsory Education
 - III. Duties of Appropriate Government, Local Authority & Parents.
 - IV. Responsibilities of Schools and Teachers.
 - V. Protection of Right of Children.
 - VI. Miscellaneous Provisions.
7. The Right of Children to Free and Compulsory Education Rules, 2010.

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LL B V Semester
GROUP - B
3 Bankruptcy & Insolvency

Emphasis will, inter-alia, be laid on the Coverage of Insolvency statutes in India, Nature of the Acts of Insolvency on the Commission of which a person may be Adjudged Insolvent; Adjudication Proceedings & interim Proceedings. Order of Adjudication and its Annulment, Effect of the order of Adjudication. Including Consequential Proceedings, Property Available for Distribution Including the Doctrine of Reputed ownership and Consequences of Doctrine of Relation Back, Proof of Debts, Compositions and Schemes of Arrangement, Distribution of property Discharge of property, Discharge of the debtor, Powers, Duties and liabilities of the Official Assignee and Receiver; and the Law Relating to Appeals, Revision and Reviews.

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GROUP A
1 Copyright
LL.B. VI Semester

The course shall comprise of the following:-

- (1) Concept of Copyright as Intellectual Property
- (2) Origin and Development
- (3) Role of International Institutions Copyright
- (4) World Intellectual Property Organization (WIPO) and Copyright
- (5) Meaning of copyright
 - (a) Copyright in literary, dramatic and musical works
 - (b) Copyright in sound records and cinematograph films
 - (c) Copyright in computer programme
- (5) Term of Copyright
- (6) Ownership of copyright
- (7) Assignments and Licensing
- (8) Author's special rights
- (9) Registration and Regulatory Authority
- (10) Infringements and Remedies - Contractual, Civil, Criminal and Administration (Remedies, especially, the possibility of Anton pillar injunctive relief in India)

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LL B VI Semester
GROUP A
3 INFORMATION TECHNOLOGY LAW

1. Introduction
2. Nature and Dimensions
3. The Information Technology Act : Its Role
4. Main Object
5. Definitions of basis Expressions
6. Digital Signature
7. Electrical Governance/Legal Recognition of Electronic Records.
8. Retention of information.
9. Subordinate Legislation.
10. Attribution and dispatch of Electronic Records.
11. Secure Electronic Records, etc.
12. Certifying Authorities
13. Offences
14. Penalties and Adjudication
15. Cyber Regulations appellate Tribunal
16. Liability of Network Providers
17. Domain Names
18. Passing off
19. E-commerce Legal Issues
20. Legal Issues in Cyber Contracts
21. Cyber Contract and Information Technology Act 2000
22. The UNCITRAL Model on Electronic Commerce

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LL B VI Semester
GROUP B
1 Trademarks and Design

- (1) Need and Emergence of Trade Marks Law.
- (2) Definition and concept of trademarks
- (3) Procedure for and Duration of Registration
- (4) Effect of Registration
- (5) Passing-Off and Infringement of Trade Mark
- (6) The doctrine of honest Current User
- (7) The doctrine of deceptive similarity
- (8) Assignment and Transmission
- (9) Use of Trade Marks and Registered Users
- (10) Protection of well-known marks
- (11) Appellate Board, Offences, Penalties and Procedure
- (12) An Overview of the Design Act, 2000

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LL B VI Semester
GROUP B
2 International Organization

The course shall comprise of the following:-

- (1) Concept and Nature of International Organization; Progress of Mankind Towards International Organization; Individual Visions and Organized Peace Movement
- (2) The League of Nations : General Provisions, Organs of the League- Assembly, Council, Secretariat, Causes of the Failure of the League.
- (3) A Comparative View of the League Covenant and the U.N. Charter.
- (4) The United Nations : Genesis and Creation
Purpose and Principles
Membership
Legal Capacity

Privileges and Immunities

- (5) The U.N. Organs: Their Composition; Power and Functions.
- (6) Achievements of the United Nations;
- (7) Review and Revision of the charter
- (8) Specialized Agencies : Concept, Relationship with U.N., UNESCO, ILO, WTO

- (9) Regional Organizations

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The course shall comprise of the following:-

- (1) Origin and History of Insurance Law:
Nationalization and Regulation of Insurance Business.
- (2) Insurance: -
Definition, Essentials, Nature, Kinds and Application of Doctrine of Utmost Good Faith and Doctrine of Indemnity
- (a) Insurable Interest- Definition, Essentials, Nature and Person having insurable Interest.
- (b) Premium - Definition, Mode or Method of payment, Days of Grace, Forfeiture and Return of Premium.
- (c) The Risk - Meaning, Essentials, Scope, Alteration and Application of Doctrine of Causa Proxima.
- (d) Assignment of Insurance Policy - Nature and Manner
- (e) Warranty - Meaning, Characters, Kinds the Effect of Breach of Warranty, Warranty and Representation
- (3) Life Insurance - Definition, Essential, Nature, Scope, Event, Insured, Circumstances Affecting the Risk Including Suicide, Categories of Insurance Policies
- (4) Fire insurance : Definition, Nature, Scope, Meaning of the Term, Fire, Loss by Fire, Categories of Fire Insurance Policy and the Application of Special Doctrine - Reinstatement, Subrogation, Contribution etc.
- (5) Marine Insurance : Definition, Scope, Nature, Categories of Marine Insurance Policies, Insured Perils, Loss and Abandonment, Partial Losses and General Average, Measure of Indemnity.
- (6) Miscellaneous Insurance (Burglary, Liability and Motor Vehicle) Definition, Nature and Scope.
- (7) Double Insurance and Reinsurance.

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LL B VI Semester
GROUP - C
2 ~~Humanitarian and Refugee Laws~~

1. Conceptual Perspective
Problems of international violence, civil wars and refugees
2. International Humanitarian Law (IHL)
 - (i) Origin and development
 - (ii) Role of IHL in non-international armed conflicts
 - (iii) Role of International Red Cross and NGOs
 - (iv) Implementation and Enforcement of IHL
 - (a) Concept of Protecting Power
 - (b) United Nations
 - (c) International Criminal Courts and Tribunals
 - (d) Unilateralism: 'humanitarian' intervention versus state sovereignty
3. International Refugee Law
 - (i) The History of International Refugee Law: Cold War Origins to Rights of People who are not Citizens
 - (ii) Determination of Refugee Status under the Refugee Convention, 1951 and Protocol, 1967
 - (iii) Protection under International Law
 - (a) Right of non-refoulement
 - (b) Right to Asylum
 - (c) UNHCR and Refugee protection
 - (d) Special problems of protection of refugee women and children
4. Status of refugees in India under UNHCR
5. Solution of Refugee problem

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LL B VI Semester
GROUP C
3 LAW RELATING TO WOMEN

A Need of separate study

International concerns and Convention

Social and Legal inequality, Social reform movement in India

Position of Women in pre and Post Independence India

Indian Constitution and Women

Preamble

Constitutional safeguard for the Protection of Women

Personal Laws-unequal position of women

Gender Discrimination under Personal Laws (Hindu, Muslim and Christian Laws)

Adultery, Role etc and provisions of Maintenance under Cr.PC

Dowry Prohibition, Prevention of Immoral Traffic; The Commission of Sati (Prevention) Act;

Indecent Representation of Women (Prohibition) Act.

Prevention of Domestic violence Act, 2005

Women and Employment

Protective Laws, Exploitation and Harassment in Workplaces

Protection and enforcement agencies

Courts, Family Court, Commission for Women, NGOs

Books:

1. Prof. Nomita Aggarwal, Women and Law
2. Dr. Manjula Batra, Women and Law
3. G.P. Reddy, Women and Law

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