

FACULTY OF LAW
MAHATMA GANDHI KASHI VIDYAPITH, VARANASI

Ordinance and General Rules of LL.B. Three Year(Six-Semester) Degree Course

Whereas, it is essential to adopt and implement the revised curriculum and rules formulated and approved by the Bar Council of India; Mahatma Gandhi Kashi Vidyapith, Varanasi, has now therefore, decided to introduce LL.B. Three Year (Six-semester) Degree Course of study and frame these ordinances for the implementation from the academic year 2009-2010. As amended on 30th April, 2015.

1. The Degree of Bachelor of Laws

The Mahatma Gandhi Kashi Vidyapith may confer the Degree of Bachelor of laws on such candidates who, being eligible for the admission in the LL.B. Degree Course, have received regular instruction in the prescribed courses of study, undergone required practical training, passed relevant examination and being otherwise suitable by virtue of their character, have fulfilled such other conditions as may be laid down from time to time.

2. General Rules Regarding Admission

- i) The admission to LL.B. Three Year (Six-Semester) Degree shall be regulated either on merit basis or through an Entrance test conducted by the University.
- ii) The admission to LL.B. First Semester shall be taken as per the rules prescribed by Bar Council of India. Accordingly, only those candidates shall be admitted who have obtained not less than 45% marks in the qualifying examination. 5% relaxation will be granted to SC/ST candidates.
- iii) An applicant who has graduated in any discipline of knowledge from the University established by an Act of Parliament or by a State Legislature or an equivalent national institution recognized as a deemed to be university or foreign university recognized as equivalent to the status of an Indian University by an authority competent to declare equivalent, may apply for a three year degree programme in law leading to conferment of LL.B. degree on successful completion of the regular programme conducted by a university whose degree in law is recognized by the Bar Council of India for the purpose of enrolment.
- iv) The LL.B. programme is a three year full time course and no student shall be allowed to simultaneously register for a law degree programme with any other graduate or post graduate course run by the same or any other university.
- v) The applicants who have obtained graduation/post-graduation through open universities system directly without having any basic qualification for prosecuting such studies are not eligible for admission in the course.

3. The Curriculum and Duration of Studies

- i) The curriculum of study of the LL.B. Degree shall comprise of the courses set out in Schedule A.
- ii) The course content of each paper of study shall be such as set out in Schedule B.
- iii) Provided that the Board of Studies in law may make such changes in the contents of the course of study as and when it deems necessary, and report the matter to the Faculty Board of Law.
- iv) The curriculum of study for the LL.B. three year Degree course shall be spread over in 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.

- v) 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, seminar, workshops and special lectures provided there shall be at least 24 lecture hours per week as prescribed by the Bar Council of India.
- vi) The medium of instruction and examination shall be either English or Hindi. The student has to mention it in the examination form.

4. Course of Study

A candidate for the three year LL.B. Degree course shall be required –

- i) To study five papers in each semester including clinical papers and must pass in all papers with minimum of 36% marks in each paper and 45% marks in aggregate in each semester in order to qualify for LL.B. Degree.
- ii) To study Twenty compulsory theory papers, Six optional theory papers and one paper of General English and Legal Language carrying 100 marks for each paper through written examination conducted by the University.
- iii) To study four compulsory clinical papers as prescribed in IV to VI semesters carrying 100 marks for each paper through written examination conducted by the University and practical work/viva-voce as prescribed by the Bar Council of India.
- iv) Each Institution of Law shall establish and run a legal Aid Clinic with the help of final year students and in co-operation with the Legal Aid Authorities.

5. Examination

- i) Any regular student who fails to secure 75% attendance in each paper will not be allowed to appear in examination. The aforesaid attendance requirement may be reduced upto 66% on recommendation of the Dean and approved by the Vice-chancellor on health ground or for any other reasonable cause.
- ii) There shall be an examination at the end of each semester of three years study programme. Every student registered in any semester shall be eligible to appear in the concerned examination of the respective semester, subject to the attendance requirement as prescribed by the Bar Council of India and the University. It shall be calculated on the semester basis.
- iii) Candidate for the three year degree course (Bachelor of laws) shall be required to pass in all the prescribed courses within the span of six years from the academic session of his/her admission in Ist Semester.
- iv) A candidate shall be examined in 20 compulsory and 06 optional theory papers and one General English and Legal Language paper from first to six semester carrying 100 marks for each paper through written examination conducted by the University.
- v) The four compulsory clinical paper shall be examined as prescribed in contents of papers.
- vi) A Student must pass in all 30 Papers and in Legal and General English with a minimum of 36% marks in each and 45 in aggregate in each semester in order to qualify for the LL.B. Degree.
- vii) A student who appeared in the Ist Semester Examination shall be automatically promoted to IInd Semester, Similarly IInd to IIIrd, IIIrd to IVth, IVth to Vth, and Vth to VIth Semester. He will be allowed to appear as a back student according to para Vth to VIIIth of Point 6, Rules of Promotion, Back Papers and Improvement
- viii) There shall be an examination at the end of each semester.
- ix) There shall be a viva-voce examination in practical/clinical papers.
- x) A student has to qualify both theory and practical examination.
- xii) A student who obtains 45% marks but less than 60% marks will be placed in 2nd (Second) division and those who obtains 60% and above will be placed in 1st (First) division.

6. Rules of Promotion, Back Papers and Improvement

- i) No student shall be promoted to next semester if he/she has been detained in the examination for shortage of attendance.
- ii) A student of first and second semester shall be promoted in third semester if he/she has secured 36% marks in each paper and 45% marks in aggregate in each semester.
- iii) Similarly a student of third and Fourth semester shall be promoted in fifth semester if he/she has secured 36% marks in each paper and 45% marks in aggregate in each semester.
- iv) A student enrolled in first semester shall be promoted in second semester and student enrolled in third semester shall be promoted in fourth semester, similarly a student enrolled in Vth Semester shall be promoted I VIth semester.
- v) A student who has secured pass mark 36% in each paper, but failed to secure aggregate of 45% will be allowed to appear in back paper examination held in the next year as according to para -vi, vii & viii.
- vi) A student will be allowed to appear in back paper examination only one papers in each semester.
- vii) A student who has secured more than 36% marks in each paper but not secured 45% aggregate, he shall be eligible to appear in one back paper if he / she obtained 42% marks in aggregate in each semester.
- viii) A student who has not appeared or failed either in one paper in each semester and has got 42% marks as an aggregate shall be eligible to appear in back paper examination.
- ix) Improvement examination of LL.B. (I to VI semester will be held as per University rules)

7. Re- admission Rules

- i) There shall be no re- admission in the LL.B. First ,Third and Fifth semester.
- 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.

8. Miscellaneous Provisions

- i) These ordinances contained herein shall be deemed to have come into effect from the academic session 2011-2012 to the extent of its applicability.
- ii) Any provision contained in earlier ordinances in this regard repugnant to the present ordinances shall stand deleted.

SCHEDULE – A
(CURRICULUM)
LL.B. THREE YEAR (SIX- SEMESTER) DEGREE COURSE OF STUDY

LL.B. First Semester

LL.B. 101	Paper – I	:Constitutional Law – I
LL.B. 102	Paper - II	:Law of Contract – I
LL.B. 103	Paper - III	:Law of Tort including MV Accident and Consumer Protection Laws
LL.B. 104	Paper - IV	:Family Law – I
LL.B. 105	Paper - V	:Public International Law

LL.B. Second Semester

LL.B. 201	Paper – I	:Constitutional Law – II
LL.B. 202	Paper - II	:Law of Contract – II
LL.B. 203	Paper - III	:Family Law – II
LL.B. 204	Paper - IV	:Law of Crime – I (Indian Penal Code)
LL.B. 205	Paper - V	:Administrative Law

LL.B. Third Semester

LL.B. 301	Paper – I	:Jurisprudence
LL.B. 302	Paper - II	:Interpretation of Statutes and Principles of Legislation
LL.B. 303	Paper - III	:Company Law
LL.B. 304	Paper - IV	:Labour Law - I
LL.B. 305	Paper - V	:Property Law
LL.B. 306	Paper – VI	:General English and Legal Language

LL.B. Fourth Semester

LL.B. 401	Paper – I	:Labour Law -II
LL.B. 402	Paper - II	:Civil Procedure Code and Limitation Act.
LL.B. 403	Paper - III	:Law of Evidence
LL.B. 404	Paper - IV	:Law of Crime – II (Criminal Procedure Code)
LL.B. 405	Paper - V	:Professional Ethics and Professional Accounting System (Clinical)

LL.B. Fifth Semester

LL.B. 501	Paper – I	:Human Rights Law and Practice
LL.B. 502	Paper - II	:Environmental Law
LL.B. 503	Paper - III	:Land Law and Land Revenue Code, 2006
LL.B. 504	Paper - IV	:Banking Law
LL.B. 505	Paper - V	:Pleading Drafting and Conveyancing (Clinical)

LL.B. Sixth Semester

LL.B. 601	Paper – I	:Principles of Taxation Law
LL.B. 602	Paper - II	:Penology & Victimology
LL.B. 603	Paper - III	:Copyright
LL.B. 604	Paper - IV	:Alternative Dispute Resolution (Clinical)
LL.B. 605	Paper - V	:Moot Court Exercise and Internship (Clinical)

Programme Outcomes of LL.B.

- PO 1-** Providing legal knowledge: to provide legal knowledge of socio-legal issues of society
- PO 2-** Professional ethics: to provide profession ethics of legal profession
- PO 3-** Professional practice: to prepare students to practice in court in legal company and industry
- PO 4-** Self-employability: to make students to self-employability
- PO 5-** Professional skills: to prepare students in writing pleading, drafting and conveyancing etc.

SCHEDULE – B
(DETAIL COURSE CONTENT)
LL.B. First Semester
PAPER – I
CONSTITUTIONAL LAW
LL.B. 101

Marks : 100

Objective

The Constitution of India is the supreme law that lays down the framework and demarcates powers, procedures, duty, structure, code, and the functioning of various government institutions. The Constitution of India is set up to ensure equal rights to everyone and to entitle people with the power to select their leaders, practice their religion and choose the work portfolio that they like. The Constitution of India includes sovereignty, socialism, secularism, democracy and republic. Justice, liberty and fraternity are also a part of the objective of the Indian Constitution.

Unit I : Constitution

- Definition and Classification
- Sources of Constitution
- Constitutional Conventions
- Salient features of Indian Constitution
- Rule of Law
- Separation of Powers

Unit – II : Distribution of Powers between Union and States

- Legislative Powers, Administrative Powers, Financial Powers
- Doctrine of Territorial Nexus, Doctrine of Harmonious Construction, Doctrine of Pith and Substance
- Doctrine of Repugnancy

Unit – III : Constitutional Organs

(i) Parliament (ii) Parliamentary Sovereignty (iii) Parliamentary Privileges (iv) Anti-Defection Law (v) Executive Power (vi) Collective Responsibility of Cabinet (vii) Judiciary : Jurisdiction of Supreme court and High Courts (viii) Independence of Judiciary (ix) Public Interest Litigation (x) Power of Judicial Review (xi) Doctrine of Political Question

Unit – IV :

Emergency Provisions, Amendment of Constitution, Doctrine of Basic Structure, Contractual and Tortious Liability of State, Right to Property and freedom of Trade & Commerce.

Books

1. D.D. Basu, Shorter Constitution of India, Wadhwa, Nagpur
2. H.M. Seervai, Constitution of India, Tripathi Bombay
3. V.N. Shukla, Constitution of India, Eastern Book Co. Lucknow
4. M.P. Jain, Constitution of India, Wadhwa Nagpur

**LL.B. First Semester
PAPER – II
CONTRACT – I
LL.B. 102**

Marks : 100

Objective

Objective of the studies is to know about the formation of Contract. To know about the validity and Discharge of Contract. To know about the performance of Contract.

Unit I : Formation of Contract

Meaning and Nature of contract

Proposal and Acceptance, Communication and Revocation, Consideration, Capacity to enter into a Contract, Minor's Position, Unsoundness of Mind, Privity of Contract.

Unit II : Validity and Discharge of Contract

Consent and Free Consent

Coercion, Undue Influence, Misrepresentation, Fraud

Unlawful Consideration and Object

Contingent contract, Void, Voidable, Valid, Illegal, Unlawful and Uncertain Agreement/contract

Discharge of Contract

Unit III : Performance of contract

Performance : Time and Place

Agreement, Impossibility of Performance and Frustration

Breach : Anticipatory and Present

Unit IV : Remedies and Quasi Contract

Remedies, Damages, Kinds, Remoteness etc.

Quantum Meruit

Quasi-Contract (Section 68 - 72)

Specific Relief Act : Injunction, Specific Performance

Books

- 1 . Anson - Law of Contract (1998), Universal, Delhi
2. Pollock and Mulla – India Contract
3. Avtar Singh – Law of Contract, Eastern Book Co. (Lucknow)

**LL.B. First Semester
PAPER – III
LAW OF TORT INCLUDING MV ACCIDENT AND CONSUMER PROTECTION
LAWS
LL.B. 103**

Marks : 100

Objective :-

The main purpose of Law of Torts is to provide compensation to the person who has suffered injuries. In Law of Torts the state has control over all the common wrongs.

The main purpose of Law of Torts is to punish the wrongdoer and promote peace in the society.

Unit I :

Introduction and Principles in Tort

- Nature, Definition and Development of Tort
- Tort Distinguished from Contract, Crime and Breach of Trust. Wrongful Act – Damnum Sine Injuria and Injuria Sine Damnum
- Joint and Separate Tortfeasors
- Doctrine of Remoteness of Damages
- Vicarious Liability.

Unit II :

- State Liability for Torts : Doctrine of Sovereign Immunity
- Liability under the M.V. Act, 1988
- Torts against Person : Assault, Battery and False Imprisonment
- Torts against property – Trespass, Conversion, Trespass to Land and Malicious Prosecution.

Unit III :

- Negligence, Res Ipsa Loquitur, Contributory Negligence
- Strict and Absolute Liability,
- Nervous Shock
- Nuisance
- Defamation

Unit IV :

- Consumer Protection Act : Consumerism in India (Historical Background), Consumers : the concept, definition, scope and object of C.P. Act, Rights of Consumers.

Acts

- Consumer Protection Act, 1986

Books

- 1 . R.K. Bangia – Law of Torts
2. Ratan Lal & Dhiraj Lal – The Law of Torts (1997), Universal Delhi

**LL.B. First Semester
PAPER – IV
FAMILY LAW – I
LL.B. 104**

Marks : 100

Objective

Family law, body of regulating family relationship, including marriage and divorce, the treatment of children and related economic matters. Family Law shares an interest in certain social issues with other areas of Law, including criminal law.

HINDU LAW

Unit I :

- Nature, Who is Hindu & Sources of Hindu Law
- Hindu Marriage Act, 1955 : (Sec.5 - 23)

Unit II

- Maintenance Under Hindu Marriage Act (Sec.24 & 25)
- Maintenance Under Hindu Adoption and Maintenance Act, 1956 (Sec.18, 19 & 20)
Adoption : Essentials & Effect (Sec.6 to 12 of HA&MA, 1956)
- Kinds and Powers of guardian under Hindu Minority & Guardianship Act, 1956

MUSLIM LAW

Unit III

- Nature & Sources of Muslim Law, Who is Muslim ?
- Muslim Marriage : Essentials, Option of puberty, Kinds of Marriage under Sunni Law & Shia Law

Unit III : Divorce

- Classification of Divorce
- Maintenance of Wife Under Muslim personal law, Cr.P.C. and Muslim Women (Protection of Right of Divorce) Act, 1986
- Parentage and Legitimacy
- Kinds and Powers of guardian

Acts

1. Hindu Marriage Act, 1955
2. Hindu Adoption and Maintenance Act, 1956
3. Hindu Minority and Guardianship Act, 1956
4. Muslim Women (Protection of Right on Divorce) Act, 1986

Books

1. J.D.M. Derrett – Hindu Law
2. Mulla – Hindu Law, (18th Ed. 2002) Butterworth Publication
3. Paras Diwan, Hindu Law, Allahabad Law Agency

LL.B. First Semester
PAPER – V
PUBLIC INTERNATIONAL LAW
LL.B. 105

Marks : 100

Objective

Promoting friendly relations between member states. providing basic human rights. To solve international problems through international co-operation. To prevent the State from reatening or using force on the territory of another State in order to confer on the people the right of self-determination.

Unit I :

- Nature, Definition, Origin and Basis of International Law
- Sources of International Law
- Subjects of International Law
- Relationship between International Law and Municipal Law

Unit II :

- Recognition : Definition, Theories of Recognition, Kinds of Recognition, Legal effect of Recognition, Withdrawl of Recognition.
- Extradition : Definition, Purpose of Extradition, Legal Duty, Extradition of Political Offenders, Doctrine of Double Criminality, Rule of Specialty.
- Asylum : Meaning, Right of Asylum, Types of Asylum
- Intervention : Definition and Its Prohibition, Ground of Intervention.

Unit III :

- State Territory : Concept, Modes of Acquisition, International Rivers.
- State Jurisdiction - Territorial Jurisdiction and Its Limitation
- State Succession : Definition and Kinds of Succession Consequences of State Succession.
- State Responsibility : Kinds of State Responsibility, Consequence of State Responsibility.

Unit IV :

- U.N. : Origin, Object, Principles and Membership
- Main organs of U.N. : General Assembly, Security Council Economic and Social Council, Trusteeship Council and Secretariat, International Court of Justice.
- Settlement of International Dispute

Book

1. Starke : Introduction to International Law
2. S.K. Kapoor : Public International Law
3. H.O. Agrawal : International Law and Human Rights

LL.B. Second Semester
PAPER – I
CONSTITUTIONAL LAW – II
LL.B. 201

Marks : 100

Objective

Objective of the studies is to understand the Indian Constitution what is the meaning of state and how fundamental rights and DPSP give to citizens. To know about the Fundamental Rights with respect equality and Right to life given Constitution and judicial interpretation-reasonable restrictions. To know about the Constitutional Remedies given in Constitution to the citizen as well as persons.

Unit I : Fundamental Rights

- Definition of State for enforcement of fundamental rights, Justifiability of fundamental rights, Doctrine of eclipse, severability, waiver, distinction between pre-constitutional law and post constitutional law
- Right to Equality : Doctrine of Reasonable classification and the principle of absence of arbitrariness.
- Fundamental Freedom : Freedom of Speech and Expression, Freedom of Association, Freedom of Movement, Freedom of Reside and Settle, Freedom of Trade, Business and Profession-expansion by judicial interpretation-reasonable restrictions.

Unit II : Fundamental Rights

- Right to life and personal liberty-scope and content (expensive interpretation)
- Preventive detention under the Constitution-Policy and safeguards-Judicial review
- Right against exploitation-forced labour and child employment
- Freedom of religion
- Education and cultural rights

Unit III : Rights to Constitutional Remedies

- Right to Constitutional Remedies-Judicial Review
- Writs : Habeas Corpus, Mandamus, Certiorari, Prohibition and Quo-warranto-Art.32 and 226

Unit IV : Directive Principles, Fundamental Duties, Social Justice and Right to Information

- Directive Principles of State Policy –Nature and Justifiability of the Directive Principles-Interrelationship between Fundamental Rights and Directive Principles, Fundamental Duties
- Social Justice under the Indian Constitution, Compensatory discrimination for backward classes Mandal Commission's case and other cases-Protective discrimination doctrine
- Right to Information Act, Central and State Commission, Public Authorities, Right to Information and Power of Judicial Review

Books : Same as Semester I

LL.B. Second Semester

PAPER – II CONTRACT – II LL.B. 202

Marks : 100

Objective

Objective of the studies is to understand the concept, definition of indemnity and guarantee. To know about the Bailment and Pledge meaning, distinction and right and duties bailer/bailee. To know about the Agency and definition of Agent, principal and creation of agency.

Unit I :

Indemnity and Guarantee (Sec 124 - 147)

Indemnity & Guarantee – The Concept, Definition, Methods, Commencement of Liability of the Indemnifier, Right/Duties of Indemnifier, Indemnified and Surety, Discharge of Sureties Liability
Kinds of Guarantee

Unit II : Bailment and Pledge (Sec. 148–171 and Sec 172-182)

- Meaning and Distinction
- Rights and Duties of Bailer/Bailee, Pawnor /Pawnee
- Lien
- Termination of Bailment
- Commercial utility of pledge transaction

Agency (Sec.182 to 238)

- Definition of Agent & Principal
- Essentials of relationship of Agency
- Creation of Agency
- Relation of Principal and Agent, Sub-agent and Substituted agent
- Termination of Agency

Unit III :Partnership

Nature & Definition of Partnership, Distinction from Company and Joint Family Business, Relationship between partners, Incoming and outgoing partners (Sec. 30 to 38), Dissolution of Firm (Sec. 39 to 55), Registration of Firm (Sec. 56 to 71) Implied Authority, Relationship with third party. Liability of partners holding out, Admission of New Partner, Modes Retirement of Partners

Unit IV : Sales of Goods

Definition, Condition and Preference, Formation of Contract (Sec. 4 to 17), Effect of contract (Sec 18 to 31), Right of Parties and Remedies, Performance of Contract (Sec 31 to 44), Rights of Unpaid Seller (Sec. 45 to 54), Suits for Breach of Contract (Sec 55 to 61).

Acts :

1. Indian Contract Act, 1872
2. Indian Partnership Act, 1932
3. The Sale of Goods Act, 1930

Books

1. Avtar Singh : Partnership & Sales of Goods Act, Eastern Book Co.
2. Mulla, Partnership & Sales of Goods Act, Tripathi
3. Dr. R.K.Bangia, Partnership Act.

LL.B. Second Semester

PAPER – III FAMILY LAW – II LL.B. 203

Marks : 100

Objective

Objective of the studies is to Learnt about origin of Joint Hindu Family. To Learnt about Partition under Hindu Law and also about Hindu Succession Act 1956. To Learn about Hindu under Muslim Personal.

HINDU LAW

Unit I : Joint Hindu Family

Origin, Nature of Join Family and Coparcenary, Characteristic features of Coparcenary, Distinction between Coparcenary and Joint Family, Classification of Property : Joint Family Property and Separate Property, Karta : Position, Powers and Liabilities, Debts

Unit II

- Partition : Definition, Persons entitled to demand Partition, reopening and Reunion
- Hindu Succession Act, 1956 : Features, Devolution of Interest in Coparcenaries Property (Sec.6), List of heirs in class-I & II of the Schedule, Hindu Women's Right to Property

MUSLIM LAW

Unit III

- Hiba : Definition, Essentials, Kinds and Formalities for a Valid Hiba Revocation of Hiba.
- Will : Definition, Essentials and Kinds of a Valid Will, Abatement of Legacies, Revocation of Will

Unit IV

- Pre-emption : Definition, Classification & Formalities
- Inheritance under Sunni Law, Doctrine of Aul and Radd

Act

1. Hindu Succession Act, 1956

Books

- Same as Semester I

LL.B. Second Semester
PAPER – IV
LAW OF CRIME – I (INDIAN PENAL CODE)
LL.B. 204

Marks : 100

Objective

Objective of the studies is to know about the Definition and stage of crime. Liabilities in the form of joint liability and general exception. To know about the crime against body and criminal conspiracy along with abetment. To understand about the Wrongful Restraint and Wrongful Confinement and offence against property

Unit I : Introduction

Definition and elements of Crime, Stages of Crime

Principle of Joint Liability : Common Intention and Common object, General exception (Sec. 76-106) – Mistake, Judicial and Executive acts, Accident, Necessity and Compulsion, act of minor, Insanity, Intoxication, Consent, Private Defense.

Unit II :

Abetment and Criminal Conspiracy (Sec 107 to 114) and Sec 120, Offences affecting the Human body – Culpable Homicide, Murder, Death caused by Negligent act, Dowry Death, Hurt and Grievous Hurt

Unit III : Wrongful Restraint and Wrongful Confinement, Offences of kidnapping and Abduction. Offences against property; Theft, Extortion, Robbery and Dacoity.

Unit IV :

- Cheating, Criminal Trespass, Forgery, Criminal misappropriation, Criminal breach of trust.
- Offences against women – offences relating to Marriage, Cruelty by husband or relatives of husband
- Defamation
- Criminal Intimidation, Sedition
- Preparation and Attempt

Acts :

- The Indian Penal Code, 1860

Books

1. Penal Law of India – H.S. Gaur (In IV Volumes)
2. Nigam R.C. – General Principles of criminal Law
3. Jerome Hall, Principles of Criminal Law
4. S.N. Mishra : Indian Penal Code.

LL.B. Second Semester
PAPER – V
ADMINISTRATIVE LAW
LL.B. 205

Marks : 100

Objective

Objective of the studies is to Know about genesis of administrative Law. To understand about delegated legislation. To be Familiarized with Liability of Wrong, Public Interest Litigation.

Unit I : Introduction

Evolution and Scope of Administrative Law :

Nature, Scope and Development of Administrative Law

Rule of Law and Administrative Law, Separation of Powers and its Relevance, Relationship between Constitutional Law and Administrative Law.

Unit II :

- Delegated Legislation – Necessity and Constitutionality, Control : Legislative, Judicial and Procedural
- Principles of Natural Justice
- Administrative Tribunal and Administrative Discretion

Unit III :

- Liability of Wrong – Tortious and Contractual
- Statutory immunity, Governmental Privilege in Legal proceedings, Estoppel and Waiver.
- Public Interest Litigation

Unit IV :

- Judicial Control of Administrative Law
Writs, Injunction, Declaratory Suit, Accountability, Lokpal and Lokyaukta, Right to Information Act

Books

1. M.P.Jain : Principles of Administrative Law, Universal Delhi.
2. S.P Sathe, Administrative Law, Butterwarth, Delhi
3. C.K.Thakkar, Administrative Law, Estern Book Co.

**LL.B. Third Semester
PAPER – I
JURISPRUDENCE
LL.B. 301**

Marks : 100

Objective

Objective of the studies is to Know about meaning and importance of Jurisprudence. To understand about sources of Law such as custom, Legislation and precedent. To be Familiarize with schools of Jurisprudence.

Unit I : Introduction

- Meaning, Scope and Importance of Jurisprudence.
- Relation between Jurisprudence and other Sciences, Nature and Kinds of Law and Theories of Justice.
- Sources of Law : Custom, Legislation, Precedent

Unit II : Schools of Jurisprudence

- a) Natural Law with Indian Perspective
- b) Analytical Positivism, Pure Theory, Legal Realism
- c) Historical Jurisprudence
- d) Sociological Jurisprudence with Indian Perspective

Unit III : Law and Legislation

- Law and Morality
- Law and Religion
- Law and Social Change
- Principles of Liability : Liability and Negligence, Absolute, Liability, Immunity.

Unit IV : Concept of Law

- Rights and Duties
- Personality
- Possession, Ownership and Property

Books :

1. Bondenheimer : Jurisprudence – The Philosophy and Method of Law (1996) Universal, Delhi
2. R.W.M. Dias : Jurisprudence (1994) Indian Reprint – Aditya Books, Delhi
3. Fitzgerald P.J. Salmond on Jurisprudence (1994), Tripathi, Bombay
4. Dhyani S.N. : Jurisprudence – A Study of Indian Legal Theory (1985)

LL.B. Third Semester
PAPER – II
INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION
LL.B. 302

Marks : 100

Objective

Objective of the studies is to know about the meaning and term of Interpretation of Statutes. To know about the Rules of Interpretation. To know about the Maxims and their importance.

Unit I : Interpretation

Meaning, Object, General Principles and their Importance, Difference between Interpretation and Construction

Statutes : Meaning and its Classification

Literal Rule, Golden Rule

Unit II :

Mischief Rule Beneficial Construction

Strict Construction – In reference with Penal and Taxing Laws

Maxims of Interpretation and their Importance

Unit III :

Interpretation of Constitutional Law

Internal and External Aids to Interpretation

Commencement, repeal and Revival of Legislation

Unit IV : Principles of Legislation

Doctrine of Utility

Doctrine of Pleasure and Pain

Doctrine of Sympathy and Antipathy

Public Opinion and Legislation

Books

1. Maxwell on Interpretation
2. Vepa P. Sarathi : Interpretation of Statutes
3. Bawa & Roy, Interpretation of Statutes
4. G.P. Singh, Principles of Statutory Interpretation, 1999 Wadhwa
5. Bentham : Theory of Legislation, N.M.Tripathi Pvt. Ltd.

LL.B. Third Semester
PAPER – III
COMPANY Law
LL.B. 303

Marks : 100

Objective

Objective of the studies is to Know the concept of Company. To understand about prospectus and problems and share capital. To familiarize about dividend director appointment and role of managing director.

Unit I : Formation, Registration and Incorporation of Company

Definition and Kinds of Company

Nature of Company : Theory of Corporate Personality

Incorporation of Company : Memorandum of Association and Articles of Association, Doctrine of Ultra-vires.

Unit II : Capital Formation and Regulation

Prospectus : Issue, contents, Kinds, liabilities for misstatement, statement in lieu of Prospectus

Promoters : Position, duties and liabilities.

Share and General Principles of allotment

Transfer of Shares, Restriction on transfer, Relationship between transfer and transferee.

Share Capital, Reduction of Share Capital, Conversion of Loan as, debentures into capital

Duties of Court to protect interest of creditors and share holders.

Unit III : Administration and Management

Dividend – Payments – Capitalization – Profit, Audit to Account

Directors Appointment – Kinds, Powers and Duties

Role of Managing Director and other Managerial Personal

Oppression and Mismanagement

Unit IV : Winding up of Companies

- Kinds, Consequences and reason of winding up
- Role of the Court
- Liabilities of Past members
- Payment of Liabilities
- Reconstruction and Amalgamation
- Legal Liabilities of Company – Civil & Criminal, Remedies against them

Books

1. Avtar Singh, Company Law
2. Dr. N.V. Paranjpe

LL.B. Third Semester
PAPER – IV
LABOUR LAW - I
(LAW RELATING TO LABOUR MANAGEMENT RELATIONS IN INDIA)
LL.B. 304

Marks : 100

Objectives

Establishment of all kinds of justice for the working people – social, economic, and political. The availability of equal opportunities to all workers, irrespective of caste, creed, religion and beliefs for their overall personality development. Protection of weaker sections of workers who are not financially well off to protect themselves. Maintenance of industrial peace.

Unit I :

Industrial Relation, Labour Problem and Labour Policy in India
Trade Union Act, 1926 (Labour Management Relation); History and Development of Trade Union Movement, Registration of Trade Union, Rights and Liabilities of Registered Trade Union, Penalties and procedure, Collective Bargaining – Process, Merit and Demerit

Unit II : Industrial Dispute Act, 1947

Scope of Industry, Employees, Employers, Industrial Disputes, Authorities under the Industrial Dispute Act, 1947; Procedure, Power and Duties of Authorities, Reference of Disputes to Boards. Courts or Tribunals

Unit III :

Strike, Lock Out, Lay Off, Retrenchment and Closure
Unfair Labour Practices, Penalties, Offences (Standing Order) Act, 1946
by Industrial Employment

Unit IV :

Philosophy of Labour Welfare, Historical Development of Labour Welfare, The Factories Act, 1948: Interpretation-competent person, Hazardous process, manufacturing process, Worker, Factory, Occupier, Health, Safety and Welfare, Working House of Adults, Employment of young persons, Inspectors - Appointment and Powers.

Acts

1. Trade Union Act, 1926
2. Industrial Dispute Act, 1947
3. Factories Act, 1948

Books

1. John Bowers & Simon Honey Ball, Text Book on Labour Law
2. K.M. Pillai, Labour and Industrial Laws, 1999
3. V.G. Goswami, Labour and Industrial Laws, 1999
4. D.D. Seth, Commentaries on Industrial Disputes Act, 1998

**LL.B. Third Semester
PAPER – V
PROPERTY LAW
LL.B. 305**

Marks : 100

Objective

Objective of the studies is to know about the Concept of Property. To know about the movable and immovable Property. To know about the General principles of Transfer of Immovable Property.

Unit I : Concept of Property and General Principles Relating to Transfer of Property

Concept of Property : Distinction between movable and immovable property
Definition clause : Immovable property, Attestation, Notice, Actionable claim
Definition of transfer of property (Sec.5)
Transfer and non-transfer of property (Sec. 10- 12)
Vested and Contingent interest (Sec. 19 & 21)
Rule of Election (Sec.35)

Unit II : General Principles Governing Transfer of Immovable Property

Transfer by ostensible owner
Rule of feeding the grant by estoppels
Rule of Lis-pendence
Fraudulent transfer
Rule of part - performance
Conditional transfer

Unit III : Specific Transfers

Sale and gift
Mortgage and charge
Lease and License

Unit IV : Easement Act

Object and main provisions of the Easement Act

Acts

1. The Transfer of Property Act, 1882
2. The Indian Easement Act, 1882

Books

1. Mulla, Transfer of Property Act, Universal Delhi
2. Subba Rao, Transfer of Property Act, Subbiah Chetty, Madras
3. T.P.Tripathi, Transfer of Property Act

**LL.B. Third Semester
PAPER – VI
LEGAL LANGUAGE
(INCLUDING LEGAL AND GENERAL ENGLISH)
LL.B. 306**

Marks : 100

Objective

Objective of the studies is to understand the basis knowledge of English grammar. To enhance the composition skill and creative writing skill. To the basis legal terms and legal maxims.

Grammar and Usage

1. Simple Sentences
 - i) Tense and Composition
 - ii) Basic Transformations
 - (a) Active to Passive
 - (b) Simple to Negative
 - (c) Affirmative to Interrogative
2. Complex and Compound Sentence
3. Part of Speech
4. Vocabulary – Terms of Common Use
5. Composition Skills - Paragraph Writing
6. Translation – Hindi to English
7. Letter and Application writing
8. Essay (a) Essay in Hindi on Legal Topics
(b) Essay in English on Legal Topics (for example) : Fundamental Rights under the Indian Constitution, Secularism, Social Justice, Consumer Protection, Women's Right, Public Interest Litigation, Lok Adalat etc.
9. Legal words – Terms and Phrases
10. One word substitution
11. Abbreviation
12. Précis Writing

Books :

1. Prof. Anniruddha Prasad, Legal Language
2. Dr. S.K. Gupta, Legal Language and General English

LL.B. Fourth Semester
PAPER – I
LABOUR LAW – II
(SOCIAL SECURITY AND WAGE LEGISLATION)
LL.B. 401

Marks : 100

Objective

Objective of the studies is to Conceptual frame work with regard to social security and the relevant provision with regarded to employ composition act 1923 were discuss. The provision of the maternity benefit act 1961 was dedicated upon. The concept and the objection along with the objective of the minimum wages act 1948 were dedicated upon at length.

Unit I : Employees Compensation Act, 1923 (Sec. 1-10, 12, 14, 14A, 17 & 20)

- Conceptual frame work of Social Security- Evolution and concept of Social Security, Scheme of Social Security, Employees Compensation Act, 1923 : Definitions, Aims & Object, Liability of Employer.
- Notional Extension & Defences, Determination of Amount of Compensation, Compensation when due, Penalty for default, Contracting Out (Sec.17), Appointment & Powers of Commissioner (Sec. 19-31)

Unit II : Maternity Benefit Act, 1961 (Sec. 3-18)

- Aims & Object, Definitions, Restriction on employment, Right to Maternity Benefit, Medical Benefit.
- Bonus, Leave Dismissal during Pregnancy (Sec. 10-16), forfeiture of Maternity benefit, Leave for Miscarriage, Penalty for contravention of Act by Employer, Cognizance of offences.
- The Payment of Gratuity Act, 1972 : Aims and Objects of Act, Definition, Controlling Authority, Payment of Gratuity, Recovery of Gratuity, Determination of the amount of Gratuity

Unit III : Minimum Wages Act, 1948

- Theories and Concept of Wages, Aims & Objects of Act, Definition , Fixation & Revision of rates of Wages, Working Hours and Determination of Wages and claim etc. Authority – Appointment & Powers of the Authority.
- The Equal Remuneration Act, 1976, Payment of Remuneration at equal rates to Men and Women Employees and other matters.

Unit IV : Payment of Wages Act, 1936

- Aims & Object, Responsibility of Payment of Wages, Time of Payment of Wages & Fixation of Wage Period, Authorized Deductions (Sec.7 to 13), Appointment & Powers of Inspectors and Authority for Adjudication of Claims (Sec.15-18), Penalty for offences under the Act.
- The Payment of Bonus Act : Scope and Application, Definition, Computation of Gross profit and available surplus, Eligibility for Bonus, Disqualification for Bonus, Minimum and Maximum Bonus.

Acts

1. Employees Compensation Act, 1923
2. Maternity Benefit Act, 1961
3. Payment of Wages Act, 1936
4. Minimum Wages Act, 1948

Books

1. K.D.Srivastava, Commentaries on Minimum Wages Act, 1995, Eastern Book Co.
2. K.D. Srivastava, Commentaries on Payment of Wages Act, 1998, Eastern Book Co.

LL.B. Fourth Semester
PAPER – II
CODE OF CIVIL PROCEDURE & LIMITATION ACT
LL.B. 402

Marks : 100

Objective

Objective of the studies is to know about the Civil Procedure and Limitation. To know about the decree, judgment order trial. To know about the appearance, examination and trial.

Unit I : Introduction

Definition : Decree, Judgment, Order, Foreign Court, Foreign Judgment , Mesne Profit, Affidavit, Plaint, Written statement , Legal Representative, Distinction between Decree & Judgment and between Decree and Order.

Jurisdiction : Kinds, Hierarchy of Courts, Suit of a Civil nature, Concepts of Res-Subjudice and Resjudicata, Place of Suing, Institution of Suit, Parties to the suit, Joinder, Misjoinder or non-joinder of parties, Representative suit, Framing of suit, Cause of Action.

Unit II : Appearance, Examination & Trial

Appearance, Ex-parte Procedure, Summary & Attendance of witness, Trial, Adjournments, Interim orders, Commission Arrest and Attachment before judgment, Injunction and Appointment of Receiver, Interest and Costs.

Execution : Concept, General Principles, Power of execution of decrees, Procedure for execution, enforcement, Arrest and detention, Attachment, Sale, Delivery of Property, Stay of execution.

Unit III : Suits in particular Case

By or against government, By or against firm, Suit in forma pauperis, Interpleader suit Appeals, Review, Reference & Revision

Unit IV : Miscellaneous

Transfer of cases, Restitution, Caveat, Inherent powers of Courts.

Law of Limitation : Meaning, Nature & Scope of Law of Limitation, Bar of Limitation and its efficacy, sufficient cause its meaning and applicability, Legal Disability : Meaning, Scope & Effect, Continuous running of time, General Principles, Meaning, Scope & its exception, Law Relating to Registration of documents.

Act

- The Civil Procedure Code, 1908
- The Limitation Act, 1963

Books

1. C.K.Thakkar, Code of Civil Procedure 2000, Universal Delhi
2. C.K. Takwani, Code of Civil Procedure

**LL.B. Fourth Semester
PAPER – III
LAW OF EVIDENCE
LL.B. 403**

Marks : 100

Objective

The law of Evidence encompasses the rules and principles that govern the proof of fact in a legal proceedings. The Law of Evidence is also concerned with the amount, quality, and type of proof needed to prevail in litigation. The Indian Evidence Act contains a number of provisions governing, examining, relevancy, admissibility and evidence of fact.

Unit I : Introduction and Relevancy

Definition : Facts in issue, relevant fact, evidence, oral and documentary evidence, proved, disproved, not proved (Sec. 3)
Relevancy and admissibility
Doctrine of res gestae (Sec. 6,7,8,9)
Conspiracy (Sec. 10)
Facts concerning mental or bodily state
Facts otherwise relevant
Admission (Sec17-23+31), Confession (Sec. 24-30) Dying declaration, Expert opinion, Judicial Notice

Unit II : Method of Proving facts

Presumptions (Sec. 4,41,79,90,105,107,108,112,113-a,114 and 114-A)
Rules relating to burden of proof, Estoppel (Sec.101-117) , Privileged Communication (Sec 122-129)

Unit III : Presumption regarding discharge of Burden of Proof

Evidence by accomplice [(Sec. 133 and 114 illustration(b))]
Dowry death, legitimacy of child

Unit IV :

Competent witnesses
Hostile witnesses
Examination of witnesses : Chief examination, Cross examination and Re-examination.
Number of witnesses, order of examination, leading question

Act :

- Indian Evidence Act,1872

Books :

1. Ratan Lal & Dheeraj Lal, Law of Evidence
2. Avatar Singh, Law of Evidence

LL.B. Fourth Semester
PAPER – IV
LAW OF CRIME – II (CRIMINAL PROCEDURE CODE)
LL.B. 404

Marks : 100

Objective

Objective of the studies is to know about the constitution of criminal courts. This paper is used how the court work in support to the substantive law. This paper is used to know about the legal rights of accused and police in criminal act.

Unit I : Introduction

Definition, Constitution of Criminal Courts and their powers (Sec. 6-35)
Provision for Investigation : Arrest, Search and seizure
Processes to Compel Appearance
Information to Police
Power to Investigate

Unit II : Proceedings before Magistrate

Jurisdiction of Criminal Court, inquiry and arrest
Cognizance and initiation of Proceeding before Magistrate, Complaint to Magistrate and commencement of Proceedings Public order and Alimony , Security for Peace and good behavior
Maintenance of wife, children and parents.

Unit III : Introduction to Trial & Trial procedure

Charge (Sec 211 - 224)
Trial : (a) Sessions Trial
(b) Warrant Trial
(c) Summon Trial
(d) Summary Trial
Judgement

Unit IV : Appeal, Revision and Reference

Appeal, Reference and Revision
Bail and Sentencing : Execution of Sentence, Suspension, Remission and Commutation of Sentence,
Provision as to Bail, Limitation for taking cognizance

Acts :

- The Code of Criminal Procedure, 1973

Books :

1. Ratan Lal & Dheeraj Lal, Cr.P.C. Universal, Delhi
2. Woodroffe, Commentaries on Cr.P.C. 2000 Universe, Delhi
3. Kelkar, Criminal Procedure Code

LL.B. Fourth Semester
PAPER – V
PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM
(CLINICAL)
LL.B. 405

Marks : 100 (80+20)

Objective

Objective of the studies is to know about the need of Legal profession in India and who regulates this profession. To know about the ethics of advocates and duty of advocate towards the client, court and colleagues. To know about the relationship between Bar and Bench.

Unit I :

Development of Legal Profession in India, Constitution, Function, Powers and Jurisdiction of State Bar Council and Bar Council of India, Admission and Enrolment of Advocates

Unit II :

Professional ethics and Advocacy, Standards of Professional Conduct and Etiquette, Conflict between interest and duty, Duty to court, Duty to Client, Duty to opponent, Duty to Colleagues, Duty towards Society and obligation to render legal aid

Unit III : Bench-Bar Relationship

Reciprocity as partners in administration of Justice, Professional Misconduct, Rights and Privileges of Advocates

Unit IV : Contempt of Court Act, 1971

Historical Development of contempt of Court Act in India, Object and Constitutional Validity of Contempt of Court Act., Definition, Kinds of Contempt, Contempt by Judges, Magistrates, Lawyers and other persons, Cognizance, Procedure, Appellate provisions regarding Contempt Defences, Punishment and Remedies against punishment for Contempt of Court and Punishment for Contempt, Defences under contempt of court.

Cases

1. Rajendra V Pai v Alex Fernandes AIR 2002 SC 1808
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 Kanikaran AIR 1964 SC 224
7. In re; “M” an Adovate AIR 1957 SC 149
8. L.D. Jaisingham v Narain das N Punjabi (1976) I SCC 354
9. John D’Souza v Edward Ani (1994) 2 SCC 64
10. In re; V.C. Mishra AIR 1995 SC 2348

Acts

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

Rule

The Bar council of India Rules, 1961, In this Paper there shall be written examination of 80 marks by the university and 20 marks will be awarded on the basis of case study and viva-voce.

Books

1. Holland Avrom Shree, Advocacy, 1994 Universal, Delhi
2. Keith Evam. The Golden Rules of Adovacy. 1994, Universal, Delhi
3. JPS Sirohi, Professional Ethics, Lawyer’s Accountability, Bench- Bar Relationship, ALA
4. The Bar Concil Code of Ethics

LL.B. Fifth Semester
PAPER – I
HUMAN RIGHTS LAW AND PRACTICE
LL.B. 501

Marks : 100

Objective

Objective of the studies is to know about the Meaning and Importance of Human Rights. To know about the Relationship between Legal Right and Human Rights. To know about the U.N. Charter and Human Rights?

Unit I :

Human Rights : Meaning, Evolution of Human Rights : Ancient and Natural Law perspective, Natural Rights and Human Rights, Legal right and Human Rights, Human Rights Classification, Human Rights-Importance.

Unit II :

U.N.Charter and Human Rights, Universal Declaration of Human Rights and its legal Significance. Covenants and Conventions : International Covenant on Economic, Social and Cultural Rights, 1966; International Conventions on Civil & Political Rights, 1966 The European Convention on Human Rights, 1950, The American Convention on Human Rights, 1969, African Charter on Human and People's Rights, The Vienna Conference on Human Rights, Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, Rights of the Aged.

Unit III :

Human Rights in India, Human Rights and Indian Constitution, The Protection of Human Rights Act, 1992

Judicial activism & Protection of Human Rights in India, Role of Non-Governmental Organization in the Promotion and Protection of Human Rights; Refugee: Rights and Duties

Unit IV :

National Human Rights Commission, National Commission for Minorities, National Commission for Safai Karamacharis, National Commission for Women, National Commission for Backward Classes and National Commission for Schedule Castes and Schedule Tribes.

Acts

1. The Charter of UN
2. The Protection of Human Rights Act, 1993
3. The Universal Declaration of Human Rights, 1948
4. The Protection of Human Rights Act, 1993

Books :

1. Theodor Meron (ed.), Human Right in International Law
2. V.R. Krishna Iyer, The Dialectics and Dynamics of Human Right in India
3. S.K. Kapoor, Human Right under International Law & Indian Law

**LL.B. Fifth Semester
PAPER – II
ENVIRONMENTAL LAW
LL.B. 502**

Marks : 100

Objective

Objective of the studies is to Know about environmental problems. To understand the water (Prevention & Control of Pollution) Act/1974. To Familiarize with the National Green Tribunal Act, 2010.

Unit I :

Dimensions of Environmental Problems, Pollution & Its Kinds, Sustainable development, Constitutional Provisions & Judicial Activism(Principles- Precautionary Principle, Polluter pays principle, Public trust doctrine)

Unit II :

The Water(Prevention & Control of Pollution) Act, 1974; Definition, Central and State Pollution Control Boards : Constitution, Power and function; Sample of effluents, Citizen Suit Provision

Unit III :

The Environmental (Protection) Act, 1986, The National Green Tribunal Act, 2010
(Appellate Authorities under the Act)

Unit IV :

Indian Forest Act, 1927; Kinds of forest-Private, Reserved, Protected and Village Forest, The Forest (Conservation) Act, 1980

The Wild Life (Protection) Act, 1972; Authorities to be appointed and constituted under the Act, Hunting of wild animals, Protection of Specified Plants, Trade or Commerce in Wild animals, animal articles and trophies; Its prohibition.

Acts

1. The Water (Prevention and Control of Pollution) Act, 1974
2. The Air (Prevention and Control of Pollution) Act, 1981
3. The Environment (Protection) Act, 1986
4. The National Environment Tribunal Act, 1955
5. The National Environment Appellate Authority Act, 1997
6. Indian Forest (Conservation) Act, 1980
7. The Forest (Conservation) Act, 1980
8. The Wild Life (Protection) Act, 1972

Books

1. Shyam Diwan, Armin Rosencranz Environmental Law & Policy in India
2. P. Leelakrishnan, The Environmental Law in India
3. S.K. Nanda, Environmental Law, 2007

LL.B. Fifth Semester
PAPER – III
Land Laws and Land Revenue Code- 2006
LL.B. 503

Marks : 100

Objective

Objective of the studies is to know about the Historical Development of Land law. To know about the U.P. Zamindari Abolition and Land Reform Act, 1951. To know about the Gram Sabha and Land Management Committee.

Unit – I

UP Land Revenue Code, 2006

- (i) Definitions, revenue Divisions, Board and Revenue Officers
- (ii) Revenue court : Jurisdiction and Procedures
- (iii) Maintenance and revision of Revenue Records
- (iv) Management of Land and other properties by gram sabha

Unit- II

- (i) Tenures : Transfer, devolution, Division, surrender and Abandonment
- (ii) Lease of Land by gram Panchayat, ejectment, declaratory suit
- (iii) Assessment and collection of land revenue
- (iv) Penalties

Unit – III

UP Consolidation of Holdings Act, 1953

- (i) UP Consolidation : Definitions, Declaration and Notification, Its's effect, Reconsolidation, Cancellation of consolidation.
- (ii) Consolidation Courts
- (iii) Consolidation scheme : Objection and disposal
- (iv) Statement of Principles

Unit – IV

UP Panchayati Raj Act, 1947

- (i) Establishment, constitution Meetings and Functions of Gram sabha
- (ii) Gram Panchayat : Powers and duties, Eligibility of Gram Panchayat Members
- (iii) Nayay Panchayat : Establishment, Appointment and tenure of Panchs, election and Powers of Sarpanch
- (iv) Powers of Nyay Panchyat

Acts :

- 1- UP Land revenue code, 2006
- 2- UP Consolidation of Holdings Act 1953
- 3- UP Panchayati Raj Act, 1947

Books

- 1. Dr. R.R. Maurya, U.P. Land Laws, 28th Ed. 2007
- 2. Dr. C.P. Singh, U.P. Land Laws, ALA

**LL.B. Fifth Semester
PAPER – IV
BANKING LAW
LL.B. 504**

Marks : 100

Objective

Objective of the studies is to know about the concept of Bank and Banker and function and Classification of Banks. To know about the relationship between Bank and Customer and control by Government. To understand the incorporation, capital, management and business of Banking Company under Reserve Bank of India Act-1934.

Unit I :

Concept of Bank and Banker, Functions of Bank, Classification of Banks, Relationship between Bank and Customer, Control by Government and its agencies, Management of Banking companies on account and audit, Reconstruction and reorganization of banking companies, Suspension and winding up of business of banking companies, Social control over banking, Banking Ombudsman, Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart Credit Cards, Banking Frauds

Unit II : Reserve Bank of India Act, 1934

Incorporation, Capital, Management and Business of Banking Company, Central Banking function of Reserve Bank of India, collection and furnishing of Credit Information, Control of Reserve Bank of India over Non-banking Institutions and Financial Institutions, Credit Control by Reserve Bank of India, General provisions and penalties.

Unit III : Negotiable Instrument Act, 1881

Definition and characteristic of Negotiable Instruments, Types of Negotiable Instruments, Definition and Essentials Promissory Note, Bill of exchange and cheque, Liabilities and capacity of Parties of Negotiable Instrument, Holder and Holder in due Course, Transfer and Negotiation of Negotiable Instrument.

Unit IV :

Crossing of Cheque and payment, Dishonor of Cheques, Presentment and Payment, Dishonor, Noting and Protest of Negotiable Instrument, Endorsement : Definition, Essential of a valid endorsement and its kinds, Rules of evidence and compensation.

Books

1. Bashyam and Adiga, The Negotiable Instrument Act, 1997
2. M.L. Tannen, Jannen's Banking Law & Practice in India, 2000
3. Dr. Avtar Singh, Negotiable Instrument Act.
4. S.N. Gupta, The Banking Law in Theory & Practice, 1999

LL.B. Fifth Semester
PAPER – V
PLEADING, DRAFTING AND CONVEYANCING (CLINICAL)
LL.B. 505

Marks : 100 (60+40)

Objective

Objective of the studies is to understand the basis knowledge about principles of pleading. To enhance the writing skill with respect to legal drafting. To knowledge the skill power about legal language in drafting.

Unit I : Fundamental Rule of Pleading

Meaning and Definition of Pleading History; Object and Interpretation

Rules of Pleading : General and fundamental, Amendment of Pleading

Civil: Plaint, Written Statement, Interlocutory Application, Originally Petition Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.

Unit II : General Principles Governing Transfer of Immovable Property

Criminal : Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision

Unit III : Model Draft of Application

Application for Restoration of Suit; Amendment in the Pleading, Substitution of Parties, Setting aside ex parte decree, Alimony, Bail, Matrimonial petition, Legal notice, Appointment of receiver/local commission; Compromise of Suit, condonation of delay and application for execution etc., Drafting Writ petition and PIL petition

Unit IV : Conveyancing : Theory and Model Draft

Definition and essential part of a deed, Model deed : Sale-deed, Mortgage deed, Gift-deed, Will-deed, Trust deed, Lease-deed, Promissory Note, General Power of Attorney, Partnership deed; Tenancy deed; Relinquishment deed etc.

In this paper students have to do 15 practical exercises in drafting and 15 exercises in conveyancing apart from teaching. There shall be written examination of 60 marks conducted by the university and remaining 40 marks will be given on record file and viva-voce. (30 + 10 respectively)

Books

1. Banerjee and Awasthi, Guide to Drafting
2. William M. Ross, Pleading
3. G.C.Mogha & K.N. Goyal, Indian Conveyancer

**LL.B. Sixth Semester
PAPER – I
PRINCIPLES OF TAXATION LAW
LL.B. 601**

Marks : 100

Objective

Objective of the studies is to know about the History of Income Tax Law in India. To know about the Fundamental Principles to Tax Laws. To know about the Powers Including Search and Seizure of Income Tax Authorities.

Unit I :

1. Introduction : History of Income Tax Law in India
2. Fundamental Principles relating to Tax Laws
3. Concept of Tax
 - a) Nature and Characteristics of Taxes
 - b) Distinction between (i) Tax and Fee (ii) Tax and Cess (iii) Direct and Indirect Taxes (iv) Tax Evasion and Tax avoidance.
 - c) Definition : Tax Planning, Income, Agricultural Income, Person, Assessment Year, Previous Year, Total Income, Assessee.

Unit II :

4. Income Tax : (i) Residential Status of Assessee-Individual, Company, Firm
(ii) Income not included in total Income (limit)
5. Chargeable Income : Heads of Income –salaries, Income from House Property, Profit and Gains from Business or Profession, Capital Gains, Income from other Sources, Clubbing of Income
6. Income Tax Authorities : Powers including Search and Seizure.
7. Appeal and Revision
8. Settlement of Grievances : Authorities – Powers and Functions

Unit III :

Other Tax Laws :

9. Taxable Wealth, Determination of Nature of Assets, Exemption and Rate of Wealth Tax
10. Wealth Tax Authorities
11. Offences and Penalties
12. Central Sales Tax :
Introduction : Sale or Purchase of Goods, Meaning of Sale, Sale in the Course of Inter-State Trade and Commerce, Sale to take Place outside a State, Sale in the Course of Export or Import.
Central Sales Tax authorities, Offences and Penalties.

Unit IV :

13. Service Tax
 - (a) Meaning and Importance of Services Tax;
 - (b) Constitutional Perspective
 - (c) Salient Features of the Service Tax Law
 - (d) Offences and Penalties

Acts :

- The Central Sales Tax Act, 1956
- U.P Trade Tax Act
- The Wealth Tax Act 1957

Books

M.C. Mehrotra, Other Taxes in India
Sampat Iyenger, Law of Income Tax (1998)

LL.B. Sixth Semester
PAPER – II
PENOLOGY AND VICTIMOLOGY
LL.B. 602

Marks : 100

Objective

Objective of the studies is to know about the Meaning, Definition and Importance of Criminology. To know about the Schools of Criminology. To know about the General Causes of Crime.

Unit I : Criminology

Definition, Nature, scope and importance, White Collar Crime : Concept, Causes and prevention

Schools of Criminology : Classical & Neo classical, Lombroso and others, Hereditary and mental retardation as causes of crime, sociological theories, socialistic, cartographic

Unit II : General causes of crime

Lombrosian theory, Psychiatric theory, Differential association theory, Anomies theory, Multiple causation theories, Juvenile in conflict with the Law.

Unit III : Punishment

Concept and Justification of Punishment : Deterrent theory, Retributive theory, Preventive theory, Reformatory theory, Capital punishment.

Treatment of correction of offenders : Prison and open Air System, Probation, Parole, Indeterminate sentence, correctional, institutions.

Unit IV : Police System

Structural organization of police, power and duties of police under the Police Act and Cr.P.C.

Power and duties of police under the police Act and Cr.P.C.

Liabilities of Police for custodial violence

Victims to the crime

Books

1. Loveland; Frontiers of Criminality, 1995
2. Walker, N. Crime and Criminology, 1987
3. A. Siddique, Criminology – Problem and Perspective, 1997
4. N.V. Paranjape – Criminology and Penology

**LL.B. Sixth Semester
PAPER – III
COPYRIGHT
LL.B. 603**

Marks : 100

Objective

Objective of the studies is to the growth of the intellectual property laws at the international forum. The leading instruments in the field of intellectual property rights were deliberated upon. The subject matter and the associated principles were discussed at length.

Unit I :

- Meaning of Intellectual Property
- International Instruments : Paris, TRIPS, WIPO, UNESCO.

Unit II : The Copyright Act

- Definition and Historical Background of Copyright Law, Copyright Act, 1957
- Leading International Instruments : Berne Convention, Universal Copyright convention, International Copyright under copyright Act.

Unit III :

- Copyright in Literary, Dramatic and Musical work, Sound Recording, Cinematograph Film.
- Copyright in Computer Programme, Ownership of copyright, Author Special Rights
- Rights of Broadcasting and Performers
- Terms of copyright

Unit IV :

- **Copyright Registrar and Copyright Board** – Power and Procedure
- Copyright Societies, Assignment, License, Infringement – Criteria of Infringement, Infringement of Copyright of Film, Literary and Dramatic Works, Importation and Infringement, Fair use provision.

Acts

- The Copyright Act 1957

Books

1. B.L. Wadera : Intellectual Property Law
2. Nagarajun : Intellectual Property

LL.B. Sixth Semester
PAPER – IV
ALTERNATIVE DISPUTE RESOLUTION (CLINICAL)
LL.B. 604

Marks : 100 (80+20)

Objective

Objective of the studies is to know about the alternative dispute resolution. The complicity aap judicial system is simplified. Several mode of negotiation will used to solve the problem.

Unit I : Concept, Need and Development, Advantages

Arbitration and Conciliation Act, 1996 : Object, Development and Salient features

Arbitration : Definition, Sources, Kinds, Scope and Differences to Court

Arbitration Agreement, Composition of Arbitral Tribunal

Unit II :

Jurisdiction of Arbitral tribunal, Conduct of Arbitral Proceeding, Making of Arbitral Award and Termination of Proceedings

Unit III :

Recourse against Arbitral Award, Finality and Enforcement of Arbiral Award, Appeal, Enforcement of Certain Foreign Awards

Unit IV :

Conciliation, Mediation, Lok- Adalat & Permanent Lok- Adalat, Negotiation, Summary Trial, etc.

Acts:

Arbitration and Conciliation Act, 1996

Legal Service Authority Act, 1987

Evaluation will be in two parts, There shall be written examination of 80 marks conducted by university and 20 marks will be awarded through exercises and viva-voce

Books

B.P. Saraf & M.Jhunhunwala, Law of Arbitration & Conciliation, (2000) Snow White, Mumbai

Gerald R. William (ed.), The New Arbitration & Conciliation Law of India

P.C. Rao & William Sheffied, Alternative Disputes Resolutions, (1997) Universal, Delhi

Johari, Commentary on Arbitration and Conciliation Act. 1999 Universal, Delhi.

LL.B. Sixth Semester
PAPER – V
MOOT COURT EXERCISE AND INTERNSHIP (CLINICAL)
LL.B. 605

Marks : 100

Objective

Objective of the studies is to know about the Moot Court Exercise. To know about the observation of Trial in Civil and Criminal Cases. To know about the Interviewing Techniques and Internship diary.

The Paper will have following components :

- a) Moot Court : Every student will be required to do at least three moot courts 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
Student will 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.
Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filling of the suit /petition. This scheme will carry 30 marks.
- d) The fourth component of this paper will be viva-voce examination on all the above three aspects. This will carry 10 marks.
- e) Student will be required to undertake legal awareness programme in association with N.S.S. and other authorities as directed by the Department .