

## **SIX - SEMESTER LL.B. THREE YEAR DEGREE COURSE ORDINANCES**

WHEREAS, it is necessary to reorient legal education by making provision for instructions in new courses of study, extensive as well as intensive study of prescribed courses, and for adequate practical training for diverse careers open to law graduates.

AND WHEREAS, with a view to reorient legal education as aforesaid and to provide sufficient opportunity for adequate instruction as well as training in law, the Banaras Hindu University has decided to institute a Six Semester LL.B. Degree Course of Study and has approved of a syllabus of studies therefore :

NOW, THEREFORE, the Banaras Hindu University frames these ORDINANCES for the implementation of the aforesaid policy decisions :

### **1. THE DEGREE OF BACHELOR OF LAWS**

The Banaras Hindu University may confer the Degree of Bachelor of Laws on such candidates who, being eligible for admission to the LL.B. Degree Course, have received regular instructions 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. THE CURRICULUM AND DURATION OF STUDIES**

#### **A. Curriculum of Studies :**

- (i) The curriculum of study for the LL.B. Degree shall comprise of the courses set out in Schedule-A.
- (ii) The contents of the courses of study shall be such as set out in Schedule - B

Provided that the Board of Studies in Law may make such changes in the contents of the courses of study as and when it deems necessary, and report the matter to the Faculty of Law.

#### **B. The Duration of Studies :**

The curriculum of study for the LL.B. Degree 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 semesters.

**Explanation :**

The academic year shall extend from the day of the reopening of University after summer vacation to the last working day of the concerned academic year or as determined by Academic Council. The First, Third and Fifth semesters shall ordinarily extend from the day of re-opening of the University after summer vacation to the last week of December as the case may be. The Second, Fourth and Sixth semesters shall ordinarily extend from the first week of January to the last working day of the concerned academic year / commencement of summer vacation.

**C. Subsequent Registration and Rules for Promotion :**

(i) Students who have pursued a regular course of studies for any of the years comprising the LL.B. course of study and have appeared at the relevant examination shall be eligible to be promoted and registered for pursuing the course of study of the next higher year :

Provided that a student of the First, Third and Fifth semesters will be promoted to Second, Fourth and Sixth semesters respectively irrespective of the number of courses in which he /she has failed to pass or failed to appear in the First, Third and Fifth semesters examinations as the case may be.

(ii) A student shall not be admitted to the Third Semester unless he/she has passed in at least ten compulsory papers of First and Second semesters taken together.

Provided further that no such student shall be admitted to Fifth Semester unless he /she has passed in at least ten compulsory papers of Third and Fourth semesters taken together.

Provided further that a student who fails to secure minimum pass marks in any paper / papers of First, Second, Third and Fourth semesters shall be required to appear in the examinations of the concerned back paper/papers of the concerned examination, as the case may be.

(iii) No such student of the First Semester, who has failed to secure 25% of attendance in that semester, shall be allowed to pursue the LL.B. course of study;

However, a student securing more than 25% but detained due to shortage of attendance in any semester may be allowed to pursue the course of study of that semester within six years from the academic session of his admission in the Law Faculty for the first session or as prescribed by the University.

### 3. FEES

#### **A. General :**

Student of the Law School on being formally admitted to any of the years, shall pay to the University the prescribed fees by the date appointed in this behalf.

#### **B. Enrolment :**

Every candidate, who is admitted for the first time in the Banaras Hindu University in any of its courses of study, shall pay the University Enrolment Fee of Rs. 2/- at the time of his/her first admission in the University.

#### **C. Admission Fee :**

Every candidate, who is admitted for the first time in the Law School in any of its courses of study, shall pay a School Admission Fee of Rs. 6/- at the time of his/her first admission in the School.

#### **D. Tuition Fee :**

The Tuition Fee payable shall be as per requirements of the University on the pattern followed in other departments having Semester system.

#### **E. Legal Research and Moot Court Fee :**

- (i) The Legal Research and Moot Court Fee payable shall be Rs. 100/- for each semester and shall be paid along with the first and third instalments of the tuition fee of the academic year concerned or beginning of the each semester as the case may be.
- (ii) The Legal Research and Moot Court Fee shall be credited to the "Legal Research and Moot Court Fund" of the Law School and shall be utilised for the purposes of preparation, purchase and supply of reading and writing materials, organisation of Moot Courts and materials needed therefor, imparting practical training to students, organising practical training lectures, organising various extension programmes and other related matters pertaining to practical training courses and for such other matters as may be conducive in the opinion of the Dean, in consultation with the Policy & Planning Committee of the Law School and / or any other committee constituted by the Dean for the management of the Fund, for adequate study and training in law.

#### **F. Games Fee :**

- (i) The Game Fee payable shall be Rs. 12/- for each semester and shall be paid along with the first and third instalments of the Tuition Fee of the academic year concerned or the beginning of each semester as the case may be.

- (ii) The Games Fee shall be credited to the Law School Athletic Association Fund and shall be utilised for such purpose concerned with sports, games, athletics, etc. as the executive body of the aforesaid Association may decide.

Provided that such part of the Law School Athletic Association Fee as may be prescribed shall be transferred to the Banaras Hindu University Athletic Association.

**G. Common Room Fee :**

- (i) The Common Room Fee shall be Rs. 20/- for each semester and shall be paid along with first and third instalment of the Tuition Fee of the academic Year concerned.
- (ii) The Common Room Fund shall be utilised for subscription of daily newspapers, magazines, legal periodicals and for such other purposes, including appointment of personnel, therefor, as the Law School Common Room Committee may decide.

**H. Hostel Fee :**

The Hostel Fee shall be payable as per University Rules decided from time to time.

**I. Other Fees :**

A student of the Law School shall have to pay other fees also as determined by the University at such time in such circumstances as may be prescribed by the Banaras Hindu University.

- (i) Hostel or Delegacy Union Fee;
- (ii) B.H.U. Students' Union Fee;
- (iii) Library Fee;
- (iv) Medical Examination Fee;
- (v) Magazine Fee;
- (vi) Transfer Certificate Fee;
- (vii) Migration Certificate Fee;
- (viii) Re-admission Fee;
- (ix) Caution Money; and,
- (x) Other fees.

Notwithstanding anything mentioned in the aforesaid Ordinances concerning fees, the amount of the fee chargeable under various heads shall be subject to variation made by the University from time to time.

#### **4 (A) COURSE OF STUDY**

A candidate for the degree of Bachelor of Laws shall be required to:

- (i) Study 20 compulsory theory papers in First and Second Semesters (taken together) carrying 100 marks for each paper.
- (ii) Study 20 compulsory theory papers in Third and Fourth semesters (taken together) carrying 100 marks for each paper.
- (iii) Study 4 compulsory papers, 4 optional papers and 2 seminar papers carrying 100 marks each in Fifth and Sixth semesters respectively.
- (iv) Attend lectures, undertake project works, in each of the 6 semesters comprising Three Year Degree course.
- (v) Submit written assignments, project reports and also attend and participate in other activities including extension activities in the Law School.

#### **4 (B) PROSECUTION OF A REGULAR COURSE OF STUDY**

A student who has attended all the lectures, seminars, moot courts and all other activities in or outside Law School done or in collaboration with others in the academic year shall be deemed to have prosecuted a regular course of study for that year.

Provided that the Dean of the Law School may, on the recommendation of the Department Council condone absence from lectures, seminars and other activities upto 25% separately in each of the papers of the total number of such lectures delivered, seminars and other activities held or organized in that paper.

Provided further that the Academic Council may on the recommendation of the Dean as advised by the Departmental Council make in appropriate cases, a further condonation to such extent as it may deem fit.

### **5. EXAMINATION**

#### **A. General :**

- (i) (a) There shall be an examination at the end of each semester of three year 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 and calculated on the semester basis.
- b) A candidate for the degree of 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 admission in the Law Faculty for the first session or as prescribed by the University.

- (ii) Subject to the provisions of these ordinances, the examinations for the Degree of Bachelor of Laws shall be held in Varanasi at such time and on such dates as the Academic Council may prescribe.
- (iii) A candidate shall be examined in 10 papers of 100 marks in each semester.
- (iv) Examinations in courses One to Ten in LL.B. First Semester, Eleven to Twenty in LL.B. Second Semester, Twenty One to Thirty in LL.B, Third Semester, Thirty One to Forty in LL.B. Fourth Semester, Forty One to Fifty in LL.B. Fifth Semester, and Fifty one to Sixty in LL.B. Sixth Semester shall be conducted by means of written papers each of three hours duration, as well as evaluation of project works, regularity, discussions, extension activities, field works, court visits, and viva voce examination as the case may be.
- (v) The evaluation of papers in Practical Training in LL.B. Third, Fourth, Fifth and Sixth Semesters shall be in accordance with the criteria prescribed hereunder the head "Division of Marks" comprising of evaluation of assignment, viva-voce and any other means to be determined by the Dean in consultation with the Committee/Committees consisting of teachers teaching the course keeping in view the requirements of the Bar Council of India.

**B. Division of Marks :**

- (1) Each compulsory, optional and seminar paper in the LL.B. examination shall consist of 100 marks.

Provided that 80 marks in each of such paper shall be reserved for award on the basis of written theory paper, 10 marks on the basis of project work and 10 marks on the basis of performativity including discussion pertaining to the concerned paper, regularity, and alertness in the class.

Provided that 50 marks in optional paper on Animal Law-II in LL.B. Sixth Semester shall be reserved for award on the basis of written theory paper, and 50 marks on the basis of extension activities- project report / field work.

Provided that 50 marks in compulsory papers on Legal Writing including General English / Hindi in LL.B. First and Second Semesters shall be reserved for award on the basis of written theory paper and 50 marks on the basis of project work.

Provided that 80 marks in Seminar papers in LL.B. Fifth and Sixth Semesters shall be reserved for project work and 10 marks for data collection, field works, extension activities and 10 marks for performativity including discussion pertaining to the concerned paper, regularity and alertness in class.

- (2). Each compulsory paper in Practical Training in LL.B. Semester degree course shall carry the division of marks in the following manner :
  - (a) Practical Training - I (Professional Ethics, Accountability of Lawyers and Bar-Bench Relationship) in LL.B. Third Semester.
    - (i) Written theory paper -- 80 marks
    - (ii) Performativity including discussion pertaining to the concerned paper, regularity and alertness in class--20 marks

- (b) Practical Training -II (Professional Ethics, Accountability of Lawyers and Bar-Bench Relationship) in LL.B. Fourth Semester.
- (i) Written theory paper - 60 marks  
(ii) Viva-Voce - 40 marks
- (c) Practical Training - III (Drafting and Pleadings) in LL.B. Third Semester
- (i) Exercises in Drafting and Pleading -- 90 marks  
(ii) General performativity including discussion relating to the concerned paper regularity and alertness in class -- 10 Marks
- (d) Practical Training -IV (Conveyancing) in LL.B. Fourth semester
- (i) Exercises in Conveyancing -- 90 Marks  
(ii) Viva-Voce -- 10 Marks
- (e) Practical Training-V (Moot-Court, Pre-Trial Preparation and Participation in Trial Procedures) in LL.B. Fifth Semester.
- (i) Moot-court -- 30 Marks
- (The Moot Court work will be on assigned problem and it will be evaluated for 5 marks for written submission and 5 marks for oral advocacy).
- (ii) Observance of Trial -- 30 Marks  
(iii) Interviewing Techniques and Pre-Trial Preparation -- 30 Marks
- (Proceedings of interviewing sessions, recorded in the dairy of the students will carry 15 marks. The other record containing documents and procedures for the filing of the suit/petition will carry 15 marks)
- (iv) Viva-Voce -- 10 Marks
- (f) Practical Training -VI (Public Interest Lawyering, Legal Aid and Para-Legal Services) in LL.B. Sixth Semester :
- (i) Extension Activity - Project Work -- 80 Marks  
(ii) Performativity including discussion relating to concerned paper, regularity and alertness in class -- 20 Marks
- (3) Court assignment, observation of trial and maintenance of record shall be completed by the students between the period immediately after the examination of LL.B. Fourth semester and before the commencement of the classes of the LL.B. Fifth Semester.

### C. Viva-Voce :

- 1 (i) There shall be a viva voce examination of students who have successfully completed a course of study for LL.B. Fourth and Fifth Semesters for Practical Training - III, IV and V papers respectively.

- (ii) The viva voce examination shall be held in Varanasi as such time and on such dates as decided by the Controller of Examinations, in consultation with the Dean of the Faculty of Law.

Provided that for the benefit of students who did not complete their training in as provided under the above-mentioned clauses B(2)(e) and B(3) at the time of the Annual viva voce examination or who failed at any prior viva voce examination, a supplementary viva-voce examination may be held

- (iii) The viva voce examination shall be conducted by the Banaras Hindu University and the examiners shall, while evaluating the performance of a candidate, take into account the diaries etc. maintained by the candidate as the case may be.

**D. Registration :**

- (i) (a) A regular candidate shall apply to the Dean of the Law School on the prescribed form, together with the prescribed Examination Fee on or before the date that may be appointed in this behalf.
- (b) An ex-student shall apply to the Registrar on the prescribed form, together with the prescribed Examination Fee, on or before the date that may be appointed in this behalf intimating his intention to appear at the specified examination.
- (ii) (a) The Examination Fee shall be such as may be prescribed including Mark Sheet Fee for each semester examination or any part thereof.
- (b) A candidate who is unable to appear wholly or partly at the relevant examination on any account or who, having appeared, fails to pass the said examination, shall not, except in cases hereafter mentioned, be entitled to a refund of his Examination Fee or adjustment of the fee to the next ensuing examination of the concerned year.
- (c) The Examination Fee paid by a candidate may be refunded if,
  - (i) His/her form has been rejected by the University; or
  - (ii) The fee has been submitted but not the form; or
  - (iii) The Academic Council permits a refund on compassionate grounds.
- (d) Examination Fee of a candidate, after deducting Rs. 10/- may be credited for the next ensuing examination of the concerned year in the case of a candidate who fails to appear at the examination on account of illness.

Provided that an application, supported by a Medical Certificate, shall be made for the aforesaid purpose within a month of the date of commencement of examination.

Provided further that the form which the candidate submits for the next ensuing examination is complete in all respects and is accepted.

- (e) An Examination Fee once credited to the next ensuing examination shall not be refundable.

- (iii) The Registrar / Controller of Examinations shall examine the application which, if found to be in order, shall be registered in the register of candidates for such examination and shall issue Admit Card to the candidate.
- (iv) One Back Paper Examination Fee (including Marks Sheet Fee) shall be Rs. 12/- or as prescribed by the University.

In case, a candidate appears in more than one paper of the backpapers he/she will be charged full fees.

#### **E. Admit Card :**

- (i) No candidate shall be admitted to any examination unless he produces his Admit Card in respect thereof to the Officer conducting the examination or satisfies such Officer that it will be subsequently produced.
- (ii) The Registrar / Controller of Examinations may, if satisfied that an examination Admit Card has been lost or destroyed, issue a duplicate Admit Card on payment of the prescribed fee.

#### **F. EXAMINATION :**

Examination in LL.B. Course of study shall be held semester wise i.e. twice in a year.

#### **G. RE-REGISTRATION FOR EXAMINATION :**

- (i) A candidate who having pursued a regular course of study in LL.B. First, Second, Third, Fourth, Fifth and Sixth Semesters fails to appear at the main examination of LL.B. Second Semester, LL.B. Fourth Semester, LL.B. Fifth and Sixth Semester held for regular students or having appeared fails to pass in any of the courses (First and Second semesters taken together) may appear in the course (in both semester) in which he did not appear or has failed, at any subsequent examination, held as backlogger or at supplementary examination held for regular students without undergoing a regular course of study in subsequent year in accordance with the provisions of these Ordinances.
- (ii) There shall be no supplementary examination for LL.B. First, Second, Third and Fourth Semester students. However, students who fail to pass or appear in the paper of LL.B. First, Second, Third and Fourth Semester shall be eligible to appear in the concerned paper or papers of the respective semesters along with the students of next academic session.
- (iii) A student who fails to secure minimum pass marks in any paper/papers of Fifth Semester shall be required to appear in the supplementary examination.
- (iv) The marks obtained by a candidate in the previous examination in respect of a paper in which he/she has secured less than minimum pass marks, shall be substituted by the marks obtained by him in the subsequent examination in respect of the concerned paper.

- (v) Unless otherwise specifically provided, an ex-candidate shall be required to pass the relevant examination at the time which he actually appears at the examination and not in accordance with the provisions that were prescribed at the time he appeared or should have appeared as a regular candidate, subject to the provisions contained in the Transitory Ordinances.

#### **H. Scale of Marks, Division and Distinction :**

Maximum Marks in each paper                      100

Minimum pass marks in each paper 45% (Taken together of both the written theory paper, project work and viva-voce as the case may be).

Division :	First Class	65% and above of the aggregate of marks in Six Semesters.
	Second Class	45% and above of the aggregate of marks in Six Semesters.
	Distinction	A candidate who, without failing in any course, secures an average of 75% or more marks in the aggregate of all the Six Semesters may be declared to have obtained distinction.
	Merit	The order of Merit shall be determined on the basis of aggregate marks obtained in all the Six Semesters from among candidates who passed various papers in Six Semesters from the year of their being admitted to the First Semester, subject to the rules/regulations prescribed by the University in this regard.

#### **I. Re-Evaluation of Answer-Books :**

(Note : The ordinances regarding Re-evaluation has temporarily been suspended w.e.f. 1999-2000 session).

#### **J. Consequences of Irregular Appearance at and passing of Examination :**

- (i) A student who pursues a course of studies of a higher semester without passing examinations in respect of all the prescribed courses of study for a lower semester shall not be eligible to receive any scholarship, or any other financial aid so long as he has not passed all the relevant examinations which entitles him to be in the semester in which he happens to be.

Provided that nothing in this clause shall prevent the Dean of the Law School from continuing any scholarship or freeship or granting any other financial aid where he is satisfied that a candidate could not appear at the examination because of illness or any other sufficient cause.

Provided further that in granting any scholarship, financial aid including freeship, cases of such students who have not passed in the examination of all the prescribed courses of study of the lower semester, may be considered if adequate number of students who have passed in the examinations of the

prescribed courses in the lower semester are not available, on the criteria determined by the Departmental Committee constituted by the Dean for this purpose.

- (ii) A student shall not be entitled to receive any award, medal, prize or certificate of excellence except in relation to such examination only which he passes as a whole at one time.
- (iii) A student shall not be entitled to residential accommodation or any other facility during a period in excess of the minimum prescribed for receiving instructions for the LL.B. Degree Course of Study (i.e. Six Semester).

## **6. TRANSITORY PROVISIONS**

- (1) As the provisions of re-admission has been withdrawn by the University w.e.f session 1999-2000, the students who were admitted in the academic year 2002-2003 and had been detained for shortage of attendance in the LL.B. I-Year in the academic year 2002-2003, they shall have to take admission in LL.B. I-Year (six semesters) afresh and shall be governed by these new ordinances including examinations.
- (2) The students who were admitted in LL.B. II-Year of academic year 2002-2003 or are admitted in LL.B. II-year of academic year 2003-2004 but were detained due to shortage of attendance shall be governed by the old Ordinances provided that in case any student, due to shortage of attendance or for any other reasons is again detained from appearing in the examination of LL.B. II-Year during academic year 2003-2004, he shall be governed by the old Ordinances in academic year 2004-2005.
- (3) The students who were admitted in LL.B. III-Year of academic year 2002-2003 or are admitted in LL.B. III-Year of academic year 2003-2004 but detained due to shortage of attendance shall be governed by the old Ordinances in LL.B. III-Year during academic year 2003-2004 respectively provided that in case any student, due to shortage of attendance, or for any other reason is again detained from appearing in the examination of LL.B. III-Year during academic year 2003-2004, he shall be governed by the old Ordinances in the academic year 2004-2005.
- (4) The students, who were admitted in LL.B. Ist-Year, IInd-Year or IIIrd-Year (Annual Examination System) of the academic year 2002-2003, or are admitted for the annual examination system of the academic year 2003-2004 but detained from appearing in the respective examination of that concerned year, they shall be governed by the old Ordinances in the academic year 2003-2004 and 2004-2005 respectively.
- (5) The existing LL.B. III-Year Degree Course (Annual System) shall cease to operate after the academic year 2004-2005. However, the students admitted in academic year 1998-1999 shall be

entitled to appear in the supplementary examination (wherever permitted) in the prescribed courses under the old Ordinances (Annual Examination System) up to period of six years from the date of admission in LL.B. I-Year.

## **7. PROVISIONS GOVERNING STUDENTS ADMITTED IN ACADEMIC YEAR OF 1997-1998 OR EARLIER**

Subject to such amendments as have been specifically provided in this regard in these Ordinances and subject to the provisions contained in Transitory Ordinances, the ordinances and the Syllabi of the courses prescribed and printed in 1991-1992 prospectus of studies shall continue to govern students who were admitted in the academic year 1997-1998 or earlier for the purposes of examination up to a period of six years from the date of their admission.

## **8. DEFINITIONS**

- (i) A "Regular Student" is one who has pursued a regular course of study and obtained prescribed attendance mentioned in the Ordinance and is eligible to appear in the examination for the aforesaid course.
- (ii) "Ex-student" means one who has read in the Faculty for at least one academic year preceding the date of the annual/semester examination, but has failed or failed to appear in that examination, though otherwise eligible.

## **9. MISCELLANEOUS PROVISIONS**

1. Notwithstanding anything to the contrary contained anywhere, an examination for the benefit of the backloggers of the First and Third Semesters will be held in the month of December and an examination for the benefit of the backlogger of the Second and Fourth Semesters will be held in the month of April on such dates as may be specified by the Controller of Examinations.
2. The Supplementary Examination for the students of LL.B. Fifth and Sixth Semesters shall be held after the reopening of the University after summer vacation on such dates as may be specified by the Controller of Examinations.
3. These Ordinances contained herein shall be deemed to have come into effect from the academic session 2003-2004 to the extent of its applicability.
4. Any provision contained in earlier Ordinances in this regard repugnant to the present Ordinance shall stand deleted.
5. The Dean of the Faculty of Law in consultation with the Departmental Council shall have the power to remove all difficulties in interpretation and /or application of these Ordinances which shall be final.

## **SCHEDULE-A**

### **SIX-SEMESTER LL.B. DEGREE COURSES OF STUDY**

#### **LL.B. FIRST SEMESTER**

##### **Compulsory Papers :**

1. Formation of Contract (Contract - I)
2. Structure and Working of the Indian Constitution (Constitutional Law - I)
3. Law of Torts
4. Hindu Law-I (Family Law-I)
5. Muslim Law (Family Law- II)
6. General Principles of Crimes (Law of Crimes-I)
7. General Principles of Law Relating to Transfer of Properties
8. Legal Writing Including General English and Hindi-I
9. International Law
10. Interpretation of Statutes - I

#### **LL.B. SECOND SEMESTER**

##### **Compulsory Papers :**

11. Performance of Contracts and Specific Relief Act (Contract-II)
12. Constitutional Rights and Liberties (Constitutional Law - II)
13. Consumer Protection Laws
14. Hindu Law - II (Family Law - III)
15. Muslim Law including Indian Divorce Act and Indian Succession Act (Family Law-IV)
16. Specific Offences (Law of Crimes-II)
17. Property Law relating to Specific Transfer and Easement
18. Legal Writing including General English and Hindi- II
19. Law of Human Rights
20. Interpretation of Statutes - II

#### **LL.B. THIRD SEMESTER**

##### **Compulsory Papers :**

21. Legal Theory (Jurisprudence - I)
22. Specific Contracts (Contract - III)
23. Criminal Procedure Code

24. Civil Procedure Code
25. Law of Evidence - I
26. Administrative Law - I
27. Formation of Companies and Corporate Capital (Company Law- I).
28. Land Laws Including Ceiling and Other Local Laws-I
29. Professional Ethics, Accountability of Lawyers and Bar-Bench Relation (Practical Training -I)
30. Drafting and Pleadings (Practical Training - II).

#### **LL.B. FOURTH SEMESTER**

##### **Compulsory Paper :**

31. Legal Concepts (Jurisprudence- II)
32. Specific Contracts of Partnership, Sale of Goods and Hire-purchase (Contract -IV)
33. Criminal Procedure Code, Juvenile Justice and Probation of Offenders Act
34. Civil Procedure Code and Limitations
35. Law of Evidence - II
36. Administrative Law - II
37. Company Management, Administration and Winding up of Companies (Company Law - II)
38. Land Laws Including Ceiling and Other Local Laws - II.
39. Professional Ethics, Accountability of Lawyers and Bar-Bench Relation (Practical Training - III)
40. Conveyancing (Practical Training - IV).

#### **LL.B. FIFTH SEMESTER**

##### **Compulsory Papers :**

41. Labour Management Relationship (Labour Law-I)
42. Arbitration , Conciliation and Alternate Dispute Resolution System-I
43. Environmental Law - I
44. Moot Court, Pre-Trial Preparation and Participation in Trial Procedures.

##### **Optional Papers :**

Any four of the optional papers given in Schedule-A (i).

45. Optional Paper - I
46. Optional Paper - II
47. Optional Paper - III
48. Optional Paper - IV

**Seminar Papers :**

Any two of the seminar papers given in Schedule-A(ii)

49. Seminar Paper - I
50. Seminar Paper - II

**LL.B. SIXTH SEMESTER****Compulsory Papers :**

51. Social Security and Other Labour Legislations (Labour Law-II).
52. Arbitration, Conciliation and Alternate Dispute Resolution System - II
53. Environmental Law - II
54. Public Interest Lawyering, Legal Aid and Para Legal Services

**Optional Papers :**

Any four of the optional papers given in Schedule-A(i)

55. Optional Paper - V
56. Optional Paper - VI
57. Optional Paper -VII
58. Optional Paper - VIII

**Seminar Papers**

Any two of the seminar papers given in Schedule -A(ii)

59. Seminar Paper - III
60. Seminar Paper - IV

**SCHEDULE -A(i)  
OPTIONAL PAPERS**

1. Every student shall be required to opt four optional papers in LL.B. Vth Semester and LL.B. VIth Semester respectively.
2. Instruction in an optional paper shall be arranged by the Dean, Faculty of Law keeping in view the administrative feasibility including availability of teaching staff and teaching material.
3. Instruction in any optional paper may be arranged only if, there are at least 25 students offering that optional paper provided that in case the total number of students receiving instruction in English medium is less than 100 then the minimum number of students shall be 25% but it would not be in any case less than 10 students.

4. A student shall apply to the Dean for permission to study his choice of optional papers in the order of preferences before the end of the Fourth and Fifth Semesters respectively.
5. Optional papers shall be offered from the following list of papers :

**LL.B. FIFTH SEMESTER**

1. Intellectual Property Laws - I
2. Law of Income Tax
3. Criminology
4. Animal Law - I
5. Comparative Law
6. International Economic Laws
7. Bankruptcy Law
8. Insurance Law
9. Conflict of Laws
10. Banking Law including Negotiable Instruments Act
11. Investment and Security Laws
12. Trust, Equity and Fiduciary Relationships
13. Air and Space Law
14. Women and Law
15. Legal and Constitutional History

**LL.B. SIXTH SEMESTER**

1. Intellectual Property Laws-II
2. VAT, Income Tax and Excise Duty
3. Penology
4. Animal Law - II
5. Law and Child
6. Maritime Law
7. Military Law
8. Civil and Political Rights
9. Law of Election in India
10. Feminist Legal Theory
11. Legal Remedies
12. Federal Constitutions

13. International Organisation
14. Law and Religion
15. Hindu Jurisprudence

**SCHEDULE -A(ii)**  
**SEMINAR**

1. Seminar course intends to direct the attention of students to current social problems confronting the society. A student will be required to collect relevant materials and data and to write project report in each of the Seminar Papers (I) and (II) in LL.B. Fifth Semester and Seminar Papers (III) and (IV) in LL.B. Sixth Semester.
2. Instruction in Seminar Papers shall be arranged keeping in view of the administrative feasibility including availability of teaching staff.
3. Instruction in a Seminar Paper may be arranged only if there are at least 25 students offering that Seminar paper provided that in case the total number of students receiving instructions in English medium is less than 100 then the minimum number of students shall be 25% but it would not be in any case less than 10 students.

**LL.B. FIFTH SEMESTER**

1. Law and Society
2. Law and Medicine
3. Law and Education
4. Law and Population
5. Natural Resource Law
6. Law, Science and Technology
7. Human Rights

**LL.B. SIXTH SEMESTER**

1. Law and Poverty
2. Law relating to Foreign Trade
3. Information Technology and Cyber Law
4. Law relating to Corruption
5. Country and Town Planning Law
6. Law and Biotechnology
7. Law and Rural Development

**SCHEDULE - B**  
**COURSES OF STUDY**

**LL.B. FIRST SEMESTER**

**1. FORMATION 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.

**2. STRUCTURE AND WORKING OF THE INDIAN CONSTITUTION (CONSTITUTIONAL LAW-I)**

The course shall comprise of the following

- (1) Characteristics of the Indian Constitutions. 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.

### **3. 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 .
- (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

### **4. HINDU LAW-I (FAMILY LAW-I)**

The course shall comprise of the following :

- (1) Sources of Hindu Law
- (2) Schools and Sub-Schools of Hindu Law
- (3) Marriage : Essentials of a Valid Marriage, Void and Voidable Marriage
- (4) Matrimonial Relief  
Concept and Grounds of Various Matrimonial Reliefs viz.
  - Restitution of Conjugal Rights
  - Judicial Separation
  - Nullity of Marriage
  - Divorce

- (5) Legitimacy - Legal Status of Children Born of Void and Voidable Marriage.
- (6) Adoption
- (7) Hindu Minority and Guardianship Act, 1956
- (8) Law of Maintenance - Hindu Adoption and Maintenance Act, 1956.

## **5. 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 Banu Case and the Ensuing Legislation.
- (10) Parentage and Legitimacy : Acknowledgement of Legitimacy. Brief Study of Section 112 of the Evidence Act.

## **6. GENERAL PRINCIPLES OF CRIMES (LAW OF CRIMES- I)**

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

Historical background of criminal law in India; Concept of crime; Element of crime-external and internal; Motive; Concept of Strict Liability; 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; Right of Private Defence; Joint and constructive liability; Preliminary offences viz. Abetment, conspiracy and attempt,

## **7. GENERAL PRINCIPLES OF LAW RELATING TO TRANSFER OF PROPERTIES :**

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)

**8. LEGAL WRITING INCLUDING GENERAL ENGLISH AND HINDI- I**

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) Parts 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

3. Proficiency in General Hindi

- (a) fgUnh Hkk"kk % ifjp;] o.kZ fopkj] orZuh fopkj
- (b) v'kqf) & 'kks/ku
  - (i) orZuh dh v'kqf);kj
  - (ii) 'kCn fuekZ.k dh v'kqf);kj
  - (iii) 'kCn p;u dh v'kqf);kj
  - (iv) vuko';d 'kCn
  - (v) O;kdj.k dh v'kqf);kj
- (c) fojke fpg~u
- (d) fof/kd 'kCnkoyh ¼ftudk iz;ksx U;k;&iz'kklu esa cgq/kk gksrk gS½

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,

## 9. 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

## **10. INTERPRETATION OF STATUTES - I**

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.

## **LL.B. SECOND SEMESTER**

### **11. PERFORMANCE OF CONTRACTS AND SPECIFIC RELIEF ACT, 1963 (CONTRACT -II)**

The course shall comprise of the following :

#### **I. Discharge of Contract :**

- (1) Discharge by Performance
- (2) Discharge by Breach Including Anticipatory Breach
- (3) Discharge by Agreement
- (4) Discharge by Impossibility of Performance with Particular Reference to English Law Doctrine of Frustration

#### **II. Breach of Contract and Remedies**

- (1) 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.
- (2) Remedies Available Under Specific Relief Act, 1963
  - (i) General Principles of Granting Specific Relief
  - (ii) Recovery of Possession of Immovable and Movable Property
  - (iii) Specific Performance of Contracts Including Contracts which cannot be Specifically Enforced
  - (iv) Rectification and Cancellation of Instruments
  - (v) Rescission of Contracts
  - (vi) Injunctive Relief
  - (vii) Declaratory Decrees

### **12. 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.

### **13. CONSUMER PROTECTION LAWS**

The course shall comprise of the following :

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

Important Definitions :

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

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

#### **14. HINDU LAW - II (FAMILY LAW - III)**

The course shall comprise of the followings :

- (1) 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
- (2) Alienation of Coparcenary Property, Alienation of Undivided Coparcenary Interest
- (3) Law of Debts  
Liability to Pay Debts, Pious Obligation Theory - Avyavaharika Debts, Antecedent Debts
- (4) Law of Partition and Re-Union :  
Nature of Partition  
Partition how Effected and Reopened  
Subject Matter of Partition  
Re-union
- (5) Law of Succession :  
Devolution of Coparcenary Interests  
General Rules of Succession in the Case of Male  
General Rules of Succession in the Case of Female  
Other General Rules of Succession  
Disqualifications Relating to Succession  
Testamentary Succession Under Section 30 of Hindu Succession Act, 1956.

#### **15. MUSLIM LAW INCLUDING INDIAN DIVORCE ACT AND INDIAN SUCCESSION ACT (FAMILY LAW - IV)**

The course shall comprise of the following :

- (1) Will
- (2) Gift
- (3) Hiba-Marz-ul Maut
- (4) Law of Pre-emption
- (5) Inheritance under Sunni Law
- (6) Inheritance under Shia Law
- (7) Indian Divorce Act, 1869 : Dissolution of Marriage and custody of Children.
- (8) Indian Succession Act, 1925 : Intestate Succession.

## **16. SPECIFIC OFFENCES (LAW OF CRIMES - II)**

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

- (1) 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.
- (2) Offences Against Property, viz. Theft; Extortion; Robbery; Dacoity; Criminal Misappropriation; Criminal Breach of Trust; Cheating; Mischief; Criminal Trespass.
- (3) Offences Against Document viz. Forgery.
- (4) Offences Against State and Public Tranquility viz. Sedition; Unlawful Assembly; Rioting and Affray.
- (5) Offences Against Marriage viz. Bigamy and Adultery.

## **17. PROPERTY LAW RELATING TO SPECIFIC TRANSFERS AND EASEMENT**

The course shall comprise of the following :

- (1) Sale of Immoveable Property : Definition and Mode of Sale and Exchange (Sections 54 and 118)
- (2) 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).

- (3) 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).

- (4) Gift

Definition of Gift (Section 122)  
Transfer how Effected (Section 123)  
Onerous Gift (Section 127)  
Universal Donee (Section 128)

- (5) Easements

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

## **18. LEGAL WRITING INCLUDING GENERAL ENGLISH AND HINDI - II**

The course shall comprise of the following :

- (1) Phonetics Theory and Practice
  - (a) The Phonetic Script
  - (b) Consulting A Dictionary for Pronunciation - Exercise with Audio Aids
  - (c) Reading Exercises - Stress, Accent and Intonation Suitable for Indian Speaker with Emphasis on Clarity of Speech.
- (2) Vocabulary
  - (a) Consulting A Dictionary - Consulting A Thesaurus
  - (b) Synonyms and Antonyms - Related Words - Regular Vocabulary Exercises
- (3) Fundamental Principles of Legal Writing
  - (a) Writing of Case Comments in English and Hindi
  - (b) Essay Writing on Topics of Legal Interests in English and Hindi
  - (c) Editing of the Journal
    - (i) Standard Markings with their Explanation
    - (ii) Foot -Noting
      - Technique of Citing A Reference
      - Use of the Words Such As : Ibidem (Ibid), Supra, Infra, Opere Citato, Carry Forward etc.
  - (d) Letter Writing
- (4) Translations:

Translations of Passages From English to Hindi and from Hindi to English

## **19. LAW OF HUMAN RIGHTS**

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) Broadening of Contents
- (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) Regional Protection of Human Rights :
  - (a) European Convention
  - (b) American Convention
- (7) International Refuge Law :
  - (a) Principle of Protection and Assistance
  - (b) UN High Commissioner for Refugees
- (8) International Humanitarian Law :
  - (a) Four Geneva Conventions of 1949
  - (b) Two Additional Protocols of 1977

## **20. INTERPRETATION OF STATUTES - II**

The course shall comprise of the following :

- (1) Presumptions in Statutory Interpretation : Presumption as to Jurisdiction; Presumption as to Prospective Operation of Statutes; Presumption Against Violation of International Law.
- (2) Maxims of Statutory Interpretation : Ejusdem Generis; Expressio Unius Est Exclusio Alterius; Ut Res Magis Valeat Quam Paraeat.
- (3) Interpretation with Reference to the Subject Matter and Purpose of Statutes : Penal Statutes; Taxing Statutes.
- (4) Principles of Constitutional Interpretation : Harmonious Construction; Doctrine of Pith and Substance; Doctrine of Colourable Legislation; Occupied Field; Repugnancy.

## **LL.B. THIRD SEMESTER**

### **21. LEGAL THEORY (JURISPRUDENCE - I)**

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
- (6) American Realist School

### **22. SPECIFIC CONTRACTS (CONTRACT - III)**

The course shall comprise of the following :

- I. Contract of Indemnity, Contract of Guarantee, Contract of Bailment and pledge.
  - (1) Nature and Definition of Contract of Indemnity : Extent of Indemnifier's Liability.
  - (2) Nature and Definition of Contract of Guarantee.
  - (3) Rights, Liabilities and Discharge of Surety.
  - (4) Meaning and Definition of Contract of Bailment
  - (5) Rights and Duties of Bailor and Bailee
  - (6) Meaning of Bailment, of Pledge; Pledge by Persons Other than the Owner.

## II. Contract of Agency

- (7) Nature of Contract of Agency
- (8) Modes of Creation of Agency
- (9) Modes of Termination of Agency
- (10) Rights and Duties of Principal and Agent
- (11) Rights and Liabilities of Undisclosed Principal
- (12) Personal Liability of an Agent

### **23. 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

## **24. CIVIL PROCEDURE CODE**

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

## **25. LAW OF EVIDENCE-I**

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)

## **26. ADMINISTRATIVE LAW - I**

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

## **27. FORMATION OF COMPANIES AND CORPORATE CAPITAL (COMPANY LAW-I)**

The course shall comprise of the following :

- I. Formation of Companies :
  - (1) History of Company Legislation in India
  - (2) Meaning and Nature of Company with Emphasis on its Advantages and Disadvantages over Other Forms of Business Organisations.
  - (3) Kinds of Companies
  - (4) Corporate Personality and Lifting the Corporate Veil
  - (5) Promotion of Companies :
    - (a) Promoters and Pre-Incorporation Contracts
    - (b) Registration of Companies
  - (6) 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
  - (7) Prospectus and Statement in Lieu of Prospectus
  - (8) Membership of Company - Its Acquisition and Termination.

## II. Corporate Capital :

- (9) Share and Share Capital : Meaning, Nature and Kinds; Various Rights and Duties Attached to these Shares.
- (10) Issuance and Allotment of Shares
- (11) Alteration of Share Capital :
  - (a) Increase in Share Capital
  - (b) Reduction of Share Capital
  - (c) Pre-Emptive Rights and Variation of Class Rights

### **28. LAND LAWS INCLUDING CEILING AND OTHER LOCAL LAWS**

The course shall comprise of the following :

- (1) (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) Bhumidhar with Transferable Rights
    - (ii) Bhumidhar 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) (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) U.P. Zamindari Abolition and Land Reforms Act, 1950
  - (5) U.P. Land Revenue Act, 1901.

**29. PROFESSIONAL ETHICS, ACCOUNTABILITY  
OF LAWYERS AND BAR-BENCH RELATION  
(PRACTICAL TRAINING-I)**

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
- (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

**30. DRAFTING AND PLEADING (PRACTICAL TRAINING - II)**

The course shall comprise the following :

This course will be taught through class instructions and simulation exercises, preferably with the assistance of practising lawyers / retired judges. Apart from teaching the relevant provisions of law, the course will include 15 written exercises in Drafting and pleading as detailed below :

- I. Drafting :  
General Principles of Drafting and Relevant Substantive Rules shall be taught.
- II. Pleadings :
  - (1) Civil
    - (a) Complaint
    - (b) Written Statement
    - (c) Inter-Locutory Application
    - (d) Original Petition
    - (e) Execution Petition
    - (f) Memorandum of Appeal
    - (g) Memorandum of Revision
    - (h) Petition under Articles 226 and 32 of the Constitution of India.

- (2) Criminal
  - (a) Complaints
  - (b) Criminal Miscellaneous Petition
  - (c) Bail Application
  - (d) Memorandum of Appeal and Revision

## **LL.B. FOURTH SEMESTER**

### **31. LEGAL CONCEPT (JURISPRUDENCE - II)**

The course shall comprise the following :

- (1) Legal Person :
  - (a) Nature and Concept
  - (b) Theories of Legal Personality
- (2) Legal Rights :
  - (a) Definition, Basis and Characteristics
  - (b) Kinds of Legal Rights
- (3) Possession and Ownership :
  - (a) Possession in Fact and Possession in Law
  - (b) Relation between Possession and Ownership
- (4) Liability :
  - (a) Theory of Remedial Liability
  - (b) Theory of Penal Liability
- (5) Law and Morality :
  - (a) Relation between Law and Morals
  - (b) Legal Enforcement of Morality
- (6) Law and Justice :
  - (a) Concept of Justice
  - (b) Theories of Justice

### **32. SPECIFIC CONTRACT OF PARTNERSHIP, SALE OF GOODS AND HIRE-PURCHASE (CONTRACT - IV)**

The course shall comprise of the following :

- I. Contract of Partnership :
  - (1) Nature and Definition of Contract of Partnership
  - (2) Non-Partnership Interests
  - (3) Formation of Partnership and Partner by Holding Out
  - (4) Minor and Partnership Firm
  - (5) Registration of Firms and Effects of Non-Registration
  - (6) Dissolution of Firms
- II. Contract of sale of Goods and Hire-Purchase :
  - (1) Nature and Definition of Contract of Sale of Goods
  - (2) Conditions and Warranties
  - (3) Rule of Caveat Emptor
  - (4) Rule of Transfer of Title
  - (5) Definition and Rights of an Unpaid Seller
  - (6) Hire-Purchase Agreement its Meaning, Form and Contents; Distinction between Sale and Hire-Purchase Agreement.

### **33. CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE AND PROBATION OF OFFENDERS ACT**

The course shall comprise of the following :

- I. Criminal Procedure Code, 1973 :
  - (1) Provisions as to Bails and Bonds
  - (2) Maintenance of Wives and Children
  - (3) Security for Keeping Peace and Good Behaviour
  - (4) Maintenance of Public Order and Tranquility
  - (5) Dispute as to Immovable Property
- II. The Juvenile Justice Act, 2000 :
  - (1) Preliminary (Short Title, Extent and Commencement, Definition, Continuation of Inquiry in Respect of Juvenile, who has Ceased to be Juvenile).

- (2) Competent Authorities and Institutions for Juveniles
- (3) Child in Need of Care and Protection
- (4) Child in Conflict with Law
- (5) Procedures of Competent Authorities Generally, and Appeals and Revision from Orders of such Authorities.
- (6) Special Offences in Respect of Juveniles.

III. Probation of Offenders Act, 1958 :

A Critical Study of the Act vis-a-vis the Provisions of Criminal Procedure Code.

### **34. CIVIL PROCEDURE CODE AND LIMITATIONS**

The course shall comprise of the following :

- (1) Mode of Execution, Attachment and Sale of Movable and Immovable Properties in Execution
- (2) Arrest, Restitution, Simultaneous Execution, Ratable Distribution
- (3) Appeals : Appeal from Original Decree, Power of the Appellate Courts, Reference, Review, Revision, Inherent Power of the Courts.
- (4) 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.
- (5) Computation of Period of Limitation and Exclusion of Time in Legal Proceeding, Effect of Death, Fraud, Acknowledgement in Writing.

### **35. LAW OF EVIDENCE - II**

The course shall comprise of the following :

- I. 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)
- II. Burden of Proof (Sections 101 to 106)  
  
 Witnesses : Competency and Compellability of Witnesses; Examination of Witnesses;  
 Privileges : State Privilege and Private Privilege (Sections 118 to 155).

### **36. ADMINISTRATIVE LAW - II**

The course shall comprise of the following :

- (1) Principles of Natural Justice
- (2) Writs with Special Reference to :
  - (a) Writ of Certiorari
  - (b) Writ of Mandamus
  - (c) Writ of Quo-Warranto
- (3) Public Interest Litigation and Judicial Review of Administrative Action.
- (4) Ombudsman in India
- (5) State Privileges Regarding Production of Documents
- (6) The Freedom of Information Act, 2002
- (7) Administrative Tribunals - With Special Reference to Central Administrative Tribunals.

### **37. COMPANY MANAGEMENT, ADMINISTRATION AND WINDING UP OF COMPANIES (COMPANY LAW - II)**

The course shall comprise of the following :

- I. 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) Investigation into the Affairs of Companies
  - (6) Reconstruction and Amalgamation
  - (7) National Company Law Tribunal : Composition and Powers
- II. Winding up of Company :
  - (8) Modes of Winding Up :
    - (a) Compulsory Winding Up - Conditions and Positions
    - (b) Voluntary Winding Up : Kinds and Distinctions.
  - (9) Officials Liquidator and Liquidator :  
Appointment and Powers.

### **38. LAND LAWS INCLUDING CEILING AND OTHER LOCAL LAWS - II**

The course shall comprise of the following :

- I. (1) Objectives and Achievement of the Consolidation of Land Holding in U.P.
  - (2) Notification under Section 4 of the U.P. Consolidation of Land Holdings Act, 1993, and its Consequences.
  - (3) Operation of Consolidation :
    - (a) The Officers of Consolidation
    - (b) Consolidation Committee,
    - (c) Statement of Principles
  - (4) Objectives and its Disposals -
    - (a) With Respect to Statement of Principles
    - (b) With Respect to C.H. Form -5
    - (c) With Respect to C.H. Form -23
  - (5) The Provisional Consolidation Scheme - Its Pre-Requisites and Confirmation
  - (6) (a) Jurisdiction of Courts, (b) Appeals (c) Revision
- II. (1) History and Development of the Panchayat Raj System in U.P.
  - (2) (a) Establishment of Gaon Sabha and its Functions
  - (b) Constitution of Gaon Panchayat, Functions and Powers
  - (3) The Constitution of Nyaya Panchayat and its Jurisdiction
  - (4) The Land Management Committee : Its Functions and Powers
  - (5) (a) The Gaon Fund, (b) Consolidated Gaon Fund,
  - (c) Panel Lawyers
- III. (1) National Policy and Planning of the Ceiling Laws
  - (2) Aims and Objectives of Imposition of Ceiling on Land Holdings in U.P. and its Achievements
  - (3) The Administrative Machinery
  - (4) Management and Allotment of Surplus Land (Statutory Materials)
    - (a) The U.P. Consolidation of Land Holdings Act, 1953
    - (b) The U.P. Panchayat Raj Act, 1947.
    - (c) The U.P. Imposition of Ceiling on Land Holdings Act, 1961.

**39. PROFESSIONAL ETHICS, ACCOUNTABILITY OF  
LAWYERS AND BAR-BENCH RELATION  
(PRACTICAL TRAINING - III)**

The course shall comprise of the following :

- (1) Code of Ethics for Lawyers
- (2) Professional Misconduct and its Control
- (3) Bar-Bench Relations
- (4) Accountability of Lawyers Towards :
  - Court
  - Clients
  - Society
- (5) Role of Law and Legal Profession in Social Transformation

**40. CONVEYANCING (PRACTICAL TRAINING - IV)**

The course shall comprise of the following :

The course will be taught through class instructions and simulation exercises, preferably with the assistance of practising lawyers/retired judges. Apart from teaching the relevant provisions of law, the course will include 15 written exercises in conveyancing as detailed below :

- (1) Sale Deed
- (2) Mortgage Deed
- (3) Lease Deed
- (4) Gift Deed
- (5) Promissory Note
- (6) Power of Attorney
- (7) Will

**LL.B. FIFTH SEMESTER**

**COMPULSORY PAPERS**

**41. LABOUR MANAGEMENT RELATIONSHIP  
(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

## **42. ARBITRATION, CONCILIATION AND ALTERNATE DISPUTE RESOLUTION SYSTEM - I**

The course shall comprise the followings :

- (1) Existing Justice Delivery System in India - Effectiveness and Menaces.
- (2) Reforms in the Legal System for Achieving Effective and Speedy Resolution of Disputes  
- Public Interest Litigation
- (3) Alternate Dispute Resolution System - Objectives, Meaning and Advantages.
- (4) Types of ADR System -  
Mini Trial  
Mediation - Arbitration  
Neutral Fact Finding Expert  
Early Neutral Evaluation  
Court-annexed Arbitration  
Mediation and Hybrid Process  
Judicial Settlement Conferences etc.  
Multi-Door Court House
- (5) Other Amicable Settlement Process - LOK ADALAT

### **43. ENVIRONMENTAL LAW - I**

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) 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)

### **44. MOOT COURT, PRE-TRIAL PREPARATIONS AND PARTICIPATION IN TRIAL PROCEDURES (PRACTICAL TRAINING -V)**

The course shall comprise of the following :

- I. Moot Court : Every student will do at least three moot courts in a year. The moot court work will be on assigned problems.
- II. Observance of Trial in Two Cases, One Civil and One Criminal. Students will attend Two Trials. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment.
- III. Interviewing Techniques and Pre-Trial Preparations:

Each student will observe two interviewing sessions of clients at the lawyers 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 filing of the suit / petition.

## **OPTIONAL PAPERS (45,46,47,48)**

### **Optional Paper -1 : INTELLECTUAL PROPERTY LAWS - I**

The course shall comprise of the following :

- (1) Concept of Property vis-a-vis Intellectual Property
  - (a) Concept of Property and Theories of Property - An Overview.
  - (b) Theories of Intellectual Property Rights.
  - (c) Social and Economic Development and Role of Intellectual Property System.
  - (d) Need for Protecting Intellectual Property - Policy Consideration - National Perspectives and International Demands.
- (2) Types of Intellectual Property - Origin and Development - an Overview. Intellectual Property Rights as Human Right.
- (3) Role of International Institutions
  - (a) World Intellectual Property Organisation (WIPO)
  - (b) Function of WIPO
  - (c) Membership of WIPO
  - (d) Agreement between the WIPO and the WTO
  - (e) Dispute Settlement - New Treaties
- (4) Copyright : National Perspective
  - (a) Copyright : What and Why?
  - (b) Term of Copyright, Assignments and Licensing
  - (c) Registration and Regulatory Authority
  - (d) Procedure
  - (e) Infringements and Remedies - Contractual, Civil, Criminal and Administrative.
  - (f) An Overview of International Perspective
- (5) An Overview of :
  - (a) The Geographical Indications of Goods Act, 1999.
  - (b) The Semiconductor Integrated Circuits Layout- Design Act, 2000.
  - (c) The Protection of Plant Varieties and Farmer's Rights Act, 2001.

## **Optional Paper - 2 : LAW OF TAXATION**

The course shall comprise of the following :

- (1) Introduction : History and Objects of Taxation, Direct and Indirect Taxes, Concept of Tax and Fee.
- (2) Definitions : Assessee, Assessment Year, Previous Year, Business, Agricultural Income, Income, Person
- (3) Residence (Sections 6, 7 and 9)
- (4) Salaries (Sections 15 to 17)
- (5) Income from House Property (Sections 22 to 27)
- (6) Profits and Gains of Business or Profession (Section 28)
- (7) Depreciation Allowance (Section 32)
- (8) Business Expenditure and Loss (Section 37)
- (9) Capital Gains (Sections 45, 46 and 54)
- (10) Income from Other Sources (Sections 56 to 58).

## **Optional Paper -3 : CRIMINOLOGY**

The course shall comprise of the following :

Definition, Nature, Scope and Importance of Criminology; Methods of Criminological Studies; Schools of Criminology; Future Directions in Criminology with Special Reference to Peacemaking Criminology, Postmodern Criminology and Feminist Criminology; Cause of Crime; Juvenile Delinquency - Causes, Prevention and Treatment.

## **Optional Paper - 4 : ANIMAL LAWS-I**

The course shall comprise of the following :

- (1) General Background : Concept of Right with Reference to Animals;
- (2) General Legal Framework - Early Legislations.
- (3) Constitutional Provisions Relating to Animals - Directive Principles of State Policy and Fundamental Duties;

Wild Life (Protection) Act, 1972 :

- (4) Historical Background of Legislation; Definitions; Authorities Under the Act.
- (5) Hunting of Wild Animals.
- (6) Sanctuaries, National Parks and Closed Areas.
- (7) Central Zoo Authorities and Recognition of Zoos.
- (8) Trade or Commerce in Wild Animals Articles and Trophies. Prohibition on Trade or Commerce in Trophies and Animal Articles; Prevention and Detection of Offences

### **Optional paper -5 : COMPARATIVE LAW**

The course shall comprise of the following :

- (1) Nature and Definition
- (2) Origin and Development
- (3) Province
- (4) Functions
- (5) Utility
- (6) Comparative process
- (7) Comparative Law; Approach to Conflict of Laws
- (8) Comparative Law and Codification of Conflict of Laws
- (9) Comparative Law and Law of Nations
- (10) Unification of Private Law.

### **Optional paper -6 : INTERNATIONAL ECONOMIC LAWS**

The course shall comprise of the following :

Issues and Direction in International Law of Development, Law and Institutions of International Economic Relations : General Agreement on Trade and Tariff, World Bank, International Monetary Fund, International Finance Corporation, United Nations Conference on Trade and Development, Multinational Corporation and World Economic Development.

New International Economic Order : Background, UN Declaration, Third World Strategy vs. Western Position, Charter of Economic Rights and Duties of States, Common Responsibility Towards International Community - Sea Bed, Ocean Floor, Environment and Transfer of Technology. World Trade Organization : Composition, Function, Dispute Settlement Mechanism.

### **Optional Paper - 7 : BANKRUPTCY LAW**

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 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 Ownership 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.

### **Optional Paper - 8 : LAW OF INSURANCE - I**

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

### **Optional Paper - 9 : CONFLICT OF LAWS**

Definition; Nature and Scope of Private International Law. Domicile, Nationality and Renoi. Classification. General Principles Relating to Jurisdiction.

Conflict of Laws Relating to -

- (a) Persons : Status and Capacity, Corporations.
- (b) The Family : Validity and Effects of Marriage, Divorce, Legitimacy : Adoption; Guardianship and Lunacy.
- (c) Contracts : Form, Interpretation, Illegality and Discharge.
- (d) Torts
- (e) Property : Movable and Immovable, Transfer of Legal and Equitable Property, Succession, Intestacy, Will Administration of Estates.
- (f) Procedure and Evidence, Proof of Foreign Law, Recognition and Enforcement of Foreign Judgment and Decree, Reference to Indian Law be made Wherever Relevant.

### **Optional Paper - 10 : BANKING LAW INCLUDING NEGOTIABLE INSTRUMENTS ACT**

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) Indorsement, 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

### **Optional Paper - 11 : INVESTMENT AND SECURITY 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 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

## **Optional Paper -12: 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.

## **Optional Paper -13: AIR & SPACE LAW**

This course shall comprise of the following :

- (1) Sovereignty over Space. Five freedoms of Air
- (2) Hijacking. Aviation safety and terrorism
- (3) The concept, substance and subject matter of International Space Law
- (4) The History of the Development of Space Law
- (5) Sources of International Space Law
- (6) Fundamental Principles of International Space Law

- (7) Legal problem as to the Exploration of the Moon & Planets
- (8) Rescue of Human Life in Outer Space
- (9) The Legal status of Space objects
- (10) The Regulation of various aspects of Space Activities, viz., Space communications, Direct Television Broadcasting Satellites, the use of artificial earth satellites for navigation, space meteorology, the exploration of the earth's resources by space facilities, space activities and environmental pollution. Remote sensing.

#### **Optional Paper - 14 : WOMEN AND LAW**

The course shall comprise of the following :

- (1) Legal Position of Women in Pre-Independence Period :
  - (a) Legal Position of Women in Ancient India
  - (b) Legal Position of Women in Medieval India
  - (c) Legal Position of Women in British India
- (2) Women's Right and Indian Constitution :
  - Constitutional Provisions Concerning Equality and Protection of Women in Chapters of Fundamental Rights and Directive Principles.
- (3) U.N. Convention on Elimination of Discrimination Against Women, 1979.
- (4) U.N. Machinery for Advancement of Women's Equality and Women's Welfare.
  - (a) International Commission on Status of Women
  - (b) CEDAW
- (5) Social Legislation for Women
  - Dowry Prohibition Act, 1961
- (6) Dowry Crimes and I.P.C. 1860
  - (a) Cruelty Against Married Women (Section 498 A)
  - (B) Offence of Dowry Death (Section 304 B)
- (7) Stree Dhan and Matrimonial Property
- (8) Women's Right to Control their Re-Productivity

#### **Optional Paper -15 : LEGAL AND CONSTITUTIONAL HISTORY**

This course is intended to introduce students to the Legal and Constitutional History of India (1600-1950). Emphasis will be laid on the following :

##### I. Legal History :

The Early Charters and the Administration of Justice by the East India Company, the Mayor's Courts; Judicial Reforms of Warren Hastings and the Advent of Adalat System; the Regulating Act and the Act of Settlement; Judicial Reforms of Cornwallis; the High Courts; Privy Council; the Supreme Court of India; the Law Commissions and Codification, Development of Criminal Law, Law of Contract and Law of Evidence in India; Personal Laws of Hindu and Mohammedans.

II. Constitutional History :

Provincial Autonomy

Salient Features of the Government of India Act, 1935 and the Constitution of India.

**SEMINAR PAPERS (49,50)**

- (1) Law and Society
- (2) Law and Medicine
- (3) Law and Education
- (4) Law and Population
- (5) Natural Resource Law
- (6) Law, Science and Technology
- (7) Human Rights

**LL.B. SIXTH SEMESTER**

**COMPULSORY PAPERS**

**51. SOCIAL SECURITY AND OTHER LABOUR LEGISLATION (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 :
  - (8) Object, Constitutional Validity and Salient Features of the Act
  - (9) Important Definitions
  - (10) Fixation of Minimum Rates of Wages
- III. The payment of Wages Act, 1936 :
  - (11) Scope and Applicability of the Act.
  - (12) Important Definitions
  - (13) Payment of Wages and Deductions from Wages
  - (14) Authorities Under the Act

- IV. The Factories Act, 1948 :
  - (15) Important Definitions
  - (16) Inspecting Staff
  - (17) Health, Safety and Welfare Measures
  - (18) Working Hours of Adults
  - (19) Employment of Young Persons
  - (20) Annual Leave with Wages
- V. The Payment of Bonus Act, 1965 :
  - (21) Scope and Applicability of the Act
  - (22) Important Definitions
  - (23) Minimum Bonus and Maximum Bonus
  - (24) Calculation of Bonus
  - (25) Eligibility and Disqualification for Bonus

## **52. ARBITRATION, CONCILIATION AND ALTERNATE DISPUTE RESOLUTION SYSTEM-II**

The course shall comprise of the following :

- (1) Arbitration Agreement, International Commercial Arbitration, Composition and Jurisdiction of Arbitral Tribunals.
- (2) Conduct of Arbitral Proceedings and its Termination and Making of Arbitral Award
- (3) Finality and Enforcement of Arbitral Award
  - Recourse Against Arbitral Award
  - Enforcement of Foreign awards
  - (New York Convention Awards and Geneva Convention Awards)
- (4) Conciliation - Commencement of Proceedings, Appointment and Role of Conciliators, Submission of Statement to Conciliators, Settlement Agreement, Termination, Cost and Deposits of Proceedings, Protection for Conciliation Proceedings.
- (5) Mediation - Meaning, Advantages, Techniques, Common Errors of Mediation Advocacy.

## **53. ENVIRONMENTAL LAW - II**

The course shall comprise of the following :

- I. Environment (Protection) Act, 1986 :

- (1) Definition of 'Environment'
  - (2) Salient Features of the Act
  - (3) Authorities - Composition, Powers, Functions
  - (4) Mechanism to Control Environmental Pollution
  - (5) Sanctions
- II. Control of Noise Pollution :
- (6) Legal Control
  - (7) Judicial Control
- III. Emerging Principles : Historical Background and Judicial Approach in India
- (8) Polluter Pays Principle
  - (9) Precautionary Principle
  - (10) Public Trust Doctrine
  - (11) Sustainable Development
- IV. Environmental Dispute and Grievance Settlement Mechanism :
- (12) National Environment Tribunal Act, 1995-Powers, Functions and Jurisdiction of the National Environmental Tribunal
  - (13) National Environment Appellate Authority Act, 1997- Powers, Functions and Jurisdiction of the National Environment Appellate Authority.

#### **54. PUBLIC INTEREST LAWYERING, LEGAL AID AND PARA-LEGAL SERVICES**

This course will be taught partly through class-room instructions including simulation exercises and partly through extension programmes like Lok Adalat, Legal Aid Camp, Legal Literacy and Para-Legal Training and Legal Aid Clinic. The course will also contain lessons on Negotiations and Counselling and advising persons seeking legal aid and advice in the Law School Legal Aid Clinic, use of Computer in Legal Work, Legal research in support of Public Interest Litigation, writing of case comments, editing of Law Journals, contesting of cases sponsored by the Legal Aid Clinic in Courts and Law Office Management.

#### **OPTIONAL PAPERS (55, 56, 57, and 58)**

##### **Optional Paper - 1 : INTELLECTUAL PROPERTY LAW - II**

- I. Trademarks :
- (1) Need and Emergence of Trade Marks Law.
  - (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) Assignment and Transmission
  - (7) Use of Trade Marks and Registered Users
  - (8) Rectification, Correction of the Register and Certification of Trademarks
  - (9) Appellate Board, Offences, Penalties and Procedure
- II. Patent :
- (1) Meaning of Patent - Inventions - Concept of Novelty
  - (2) Inventive Step and Utility - Inventions not Patentable - Process and Product Patents - TRIPS Agreement (Article 27) Implications to Indian Patent System.
  - (3) Acquisition of Patent
  - (4) Rights of Patentees and Others - Term
  - (5) Exclusive Marketing Rights
  - (6) Surrender, Licence, Revocation
  - (7) Functionaries Under the Patent Act
  - (8) Infringement of Patents and Remedies
- III. An Overview of the Design Act, 2000

### **Optional Paper - 2 : VAT, INCOME TAX AND EXICE DUTY**

The course shall comprise of the following :

- I. Income Tax :
  - (1) Income of Other Persons Included in Assesse's Total Income (Sections 60 to 65)
  - (2) Set Off and Carry Forward of Losses (Sections 70 to 74)
  - (3) Income Tax Authorities and Powers of Search and Seizure (Sections 116, 117 and 132)
  - (4) Procedure for Assessment of Income Tax (Sections 139, 139A, 140, 140A, 145 and 147)
  - (5) Appeals and Revisions (Sections 246 to 264)
- II. Central Excises and Salt Act, 1944 :
  - (1) Basic Duty, Special Duty, Additional Duty and Cesses
  - (2) Levy and Collection of Duty (Sections 3 to 12)
  - (3) Adjudication of Confiscations and Penalties (Sections 33 to 34A)
  - (4) Appeals and Revision (Sections 35, 35B, 35EE, 35G, 35H and 35L)
- III. Value Added Tax
- IV. Service Tax

### **Optional Paper - 3 : PENOLOGY**

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.

### **Optional Paper - 4 : ANIMAL LAW - II**

The course shall comprise of the following :

- (1) Provisions Under the Indian Penal Code, 1860
- (2) Concept of Cruelty. The Prevention of Cruelty to Animals Act, 1960, Definitions : Animal Welfare Board - Constitution, Powers and Function; Performing Animals; Experimentation on Animals.

### **Optional Paper -5 : LAW AND CHILD**

The course shall comprise of the following :

- (1) Concept of Child - Determination of Age
- (2) Protection of Children's Rights under Religion - Hindu, Islam and Christian
- (3) UN Declaration of the Rights of Child, 1959
- (4) UN Convention on the Rights of the Child, 1989
- (5) Impact of War on Child and Protection of Child during Armed Conflict
- (6) Indian Constitution :
  - (a) Fundamental Rights
  - (b) Directive Principles of State Policy
- (7) Child Labour (Prohibition and Regulation) Act, 1986
- (8) Protection of Child under various Personal Laws
- (9) Protection of Child under Commercial Laws
- (10) Child and Delinquency with Special Reference to Juvenile Justice (Care and Protection of Children) Act, 2000
- (11) Child and Health with Special Reference to the Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992.

### **Optional Paper - 6 : MARITIME LAW**

The course shall comprise of the following :

(1) History and Jurisdiction :

Public International Law and Merchant Shipping Laws; Relationship of Merchant Shipping Law to National and International Law; Maritime Flag and State Responsibility. Equality of Flag and Use of National Ports; Merchant Shipping in Territorial Water and High Seas.

(2) Carriage by sea :

The Form of the Contract Charter Party and Bills of Lading; Rights and Duties of Shipowners at Common Law, Carriage of Goods by Sea Act, 1924; Protection of Shipowner and Limitation of His Liability Under the Merchant Shipping Act; Bill of Lading as a Document of Title and its Function in Relation to Overseas Trade; Bills of Lading Act, 1855; Contract for the Sale of Goods and C.I.F. and FOB Terms; Average and the York Antwerp Rules (All in Outline Only); The Shipowners Lien, Stoppage in Transit. Measure of Damages for Breach of the Contract.

(3) Marine Insurance :

General Principles; What is Insured; Insurable Interest Duty of Disclosure; Principle of Indemnity, Formation of the Contract: Premium its Retention and Return Conditions and Warrantees and their Interpretation; Loss and Abandonment and Measure of Indemnity; Assignment; Reinsurance.

(4) Collision :

The Importance of Collision; The Elements of Collision Liability; The Standards of Proper Action; The Effect of Fault; Causation Collision Litigation.

(5) Salvage :

The Nature of Salvage; What Property May be Salvaged; Who may become Salvors; The Salvage Award how Computed how Distributed; Liability for Salvage Award, Salvage under Contract.

(6) International Regulation of Navigation, Shipping and Overseas Communications (in Outlines Only)

### **Optional Paper - 7 : MILITARY LAW**

This course is designed to acquaint students with military law in India with a special reference to the Army Act, 1950, the Air Force Act, 1950, and the Navy Act, 1957.

The course shall comprise of the following :

Evolution of Military Law-Relation of Officers and soldiers to civil life: Statutory immunities; Exemptions and Restrictions; System of Trial by Court Martial; Court of law in relation to Armed Forces; Personnel and Court Martial-Armed Forces and the Indian Constitution.

## **Optional Paper - 8 : CIVIL AND POLITICAL RIGHTS**

The course shall comprise of the following :

- (1) The Right to Security of Person :
  - (a) Constitutional Protections of Personal Liberty.
  - (b) Constitutional Protection in Respect of Convictions for Offences.
- (2) The Right of Franchise :
  - (a) Right to be Enrolled as a Voter.
  - (b) Right of the Political Parties
- (3) Right to Freedom of Speech :
  - (a) Rights of Political and Economic Organisation
  - (b) Right to Political Expressions and Political Belief.
  - (c) Freedom of the Press
  - (d) Right to the Use of other Communication Media
  - (e) Right of Assembly, Canvassing and Picketing
  - (f) Right to Demonstration, Procession and Strike
  - (g) Regulation of Mails and Censorship of Correspondence.
- (4) Freedom of Religion :
  - (a) Freedom of Conscience
  - (b) Right to Propagate and Practice Religion
  - (c) Rights of the Religious Organization
  - (d) Right Against Compulsory Religious Instructions
- (5) Right of the Minorities :
  - (a) Constitutional Safeguards Relating to the Reservation of Seats in Legislature and Government Services
  - (b) Educational Rights of the Minority Community
  - (c) Right to Conserve their Culture
- (6) Discrimination :
  - (a) Equal Treatment by the Laws
  - (b) Equality of Opportunity in the Matters of Government Services and Admission to Educational Institutions.
  - (c) Discrimination by Private Persons
  - (d) Social Equality
- (7) Right to Constitutional Remedies :
  - (a) Right to Move the Court for the Enforcement of Constitutional Rights
  - (b) Right to Defy an Unconstitutional Statute

- (8) National Emergency and Rights of the People
- (9) Constitutional Amendments and the Rights of the People
- (10) Directive Principles of State Policy :

An Assessment of the Directive Principles to Test How Far the Laws Implementing the Directive Principles have and could Raise the Quantum of Civil and Political Rights Enjoyed by the People

### **Optional Paper - 9 : LAW OF ELECTION IN INDIA**

The course shall comprise of the following :

- (1) Composition of and Election to Parliament and State Legislatures: Methods of Elections; Nomination of Members to the Legislatures : Reservation of Seats for Certain Classes.
- (2) Right of Franchise; Eligibility for Membership of Legislature; Delimitation Commission: Delimitation of Constituencies and the Allotment of Seats in the Legislature
- (3) Election Commission : Functions and Powers; Duty and Functions of Chief Electoral Officers; Returning Officers; Presiding Officers and Polling Officers; Preparation of the Electoral Rolls; Conduct of Elections Including the Nomination of Candidates; Procedure at Elections and Counting of Votes; Corrupt Practices and Electoral Offences; Procedure for Deciding the Disputes Regarding Elections; Election Tribunals; Appeals Against the Orders of Election Tribunals; Judicial Review of the Orders of Election Tribunal and Election Commission.

### **Optional Paper - 10 : FEMINIST LEGAL THEORY**

The course shall comprise of the following :

- (1) Feminism :
  - (a) Concept
  - (b) Notion of Patriarchy
- (2) Feminist Theories-Liberal, Socialist & Radical Feminism
- (3) Feminist Movement in India
- (4) Women and Indian Constitution
- (5) Impact of Feminism in India-Judicial response with reference to marriage, rape, obscenity, dowry & Sati.

### **Optional Paper - 11 : LEGAL REMEDIES**

The course shall comprise of the following :

- (1) Damages Including Theory of Causation in Torts and Contracts, Measure of Damages and Different Kinds of Damages :
- (2) Specific Performance of Contracts Including Contracts which cannot be Specifically Enforced; Recovery of Possession of Immovable and Movable Property; Restitution; Rectification of Instruments Including Cancellation of Instruments; Rescission of Contracts; Nature, Scope and Kind of Injunctive Relief; Nature and Effect of Declaratory Decrees; and

- (3) Constitutional Remedies Through the Issuance of Various Kinds of Writs and Other Remedies.
- (4) (a) Law Relating to Limitation : Reason and Object of the Law of Limitation and Prescription; Doctrine of Limitation and Doctrine of Laches; Construction in Favour of Right to sue.
- (B) Limitation of Suits, Appeals and Applications; Period of Limitation; Continuous Running of Time; Trustees, Foreign Contracts, Pre-Emption Suits; What if Court is Closed when Period Expires; Effect of Sufficient Cause for not Preferring Appeals or Making Application within the Period of Limitation; Legal Disability; Disability of One of Several Plaintiffs; Cessation of Disability or Death of Disabled Person.
- (C) Computation of Period of Limitation; Exclusion of Time in Legal Proceedings, of Time of Defendant's Absence Abroad, of Time of Proceeding Bonafide in Court Without Jurisdiction, of Time During Which the Proceedings are Suspended, and of Time During Which the Proceedings to Set Aside Execution Sale are Pending. Effect of Death, Fraud, Acknowledgement in Writing, Payment on Account of Debtor of Interest on Legacy, Effect of Receipt of Produce of Mortgaged Land, Effect of Substitution or Adding New Parties.

#### **Optional Paper - 12 : FEDERAL CONSTITUTIONS**

This course is intended to introduce students to the federal aspects of the Constitutions of Australia, Switzerland and the United States.

#### **Optional Paper - 13 : 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

### **Optional Paper - 14 : LAW AND RELIGION**

In the history of civilization, the religion has played a decisive role in all the societies and it is more true in a religious society like ours. There has been positive as well as negative impact of religion. In order to avoid negative impact of religious freedom, the Constitution of India tries to bring a balance between the religious claims and the secular ideals of the State. In this connection, the Constitution of India emphasizes more on the goal of social welfare / reform, which has been a historical need. Having this constitutional goal in mind, this course shall be taught under the following heads :

- (1) Concept of 'Religion' and 'Secularism'
- (2) Historical background of Freedom of Religion in India
- (3) Individual Freedom of Religion, Art.25
- (4) Denominational Freedom of Religion, Art.26
- (5) State Aid to Religion, Art.27 and Art.28
- (6) Protection against the discrimination on the ground of religion, Art.15(1) and Art.29(2)
- (7) Protection of Language and Culture of the religious groups, Art.29(1)
- (8) Minorities and National Integration
- (9) Other Constitutional provisions :
  - (a) Preamble
  - (b) Directive Principles
  - (c) Fundamental Duties

All the above topics shall be studied in comparison to the constitutional provisions of the U.S.A. and the U.K.

### **Optional Paper - 15 : HINDU JURISPRUDENCE**

The course shall comprise of the following :

Definition of Law : Sources of Law, Administration of Justice; Gradation of Course : of Evidence, Family Property Nexus, Principles of Succession, Ownership, Possession, Pledge, Bailment, Other Contractual Obligations, Torts and Crimes, Mimansa Rules of Interpretation.

#### **SEMINAR PAPERS (59,60)**

- (1) Law and Poverty
- (2) Law relating to Foreign Trade
- (3) Information Technology and Cyber Law
- (4) Law relating to Corruption
- (5) Country and Town Planning Law
- (6) Law and Biotechnology
- (7) Law and Rural Development