

CH. CHARAN SINGH UNIVERSITY
LL.B. 3 YEAR (SIX SEMESTER) COURSE
SYLLABUS

(w.e.f. : 2014 – 15 Session)

SCHEME OF EXAMINATION

The Syllabus of LL.B. 3 Year (Six Semester) Course shall be applicable in **all Affiliated Colleges** and **Legal Study Center (Self- Financed)** of Ch. Charan Singh University, Meerut.

SEMESTER – I: (Total : 500 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	Jurisprudence – I (Legal Theory)	K-101	100
II	Constitutional Law of India – I (Nature of the Constitution And Fundamental Rights)	K-102	100
III	Law of Torts	K-103	100
IV	Law of Crimes – I (Indian Penal Code)	K-104	100
V	Contract – I (General Principles of Contract)	K-105	100

SEMESTER – II: (Total : 500 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	Jurisprudence – II (Legal Concepts)	K-201	100
II	Constitutional Law of India – II (Structure And Working of the Indian Constitution)	K-202	100
III	Family Law – I (Hindu Law)	K-203	100
IV	Contract – II (Specific Contract And Law of Partnership)	K-204	100
V	<u>Optional Papers</u> Student has to opt any one optional Paper (subject to availability of expert Faculty in the Department) among the following :		
	Indian Legal And Constitutional History OR	K-205	100
	Law of Taxation	K-206	100

SEMESTER – III: (Total : 500 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	Family Law – II (Muslim Law)	K-301	100
II	Public International Law	K-302	100
III	Administrative Law	K-303	100
IV	Law of Property And Easement	K-304	100
V	Professional Ethics, Accountability of Lawyers and Bar Bench Relation (Practical Training)	K-305	100

Note : Paper Code – K-305 entitled, “Professional Ethics, Accountability of Lawyers And Bar Bench Relation (Practical Training)” course will be taught in association with the practicing Lawyers / retired Judges / retired Law Teachers. This paper will carry **Maximum 100 Marks**. The written examination on this paper (Theory Paper) will be in **descriptive form** and of **three (03) hours duration** and will carry **50 Marks**. The written examination (Theory Paper) shall be held by way of paper with the other theory papers. **The Practical / Viva-voce Examination will carry 50 Marks**. The students shall be given **Assignment** by the subject teacher. Students will record answer to all the Assignment by preparing a **Project File**. **The Project File will carry 30 Marks. The Project File will be evaluated by the Board of Examiners at the time of Practical / Viva-voce examination. The Viva-voce will carry 20 Marks.**

SEMESTER – IV : (Total : 500 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	Company Law	K-401	100
II	Labour And Industrial Law	K-402	100
III	Environmental Law	K-403	100
IV	<u>Optional Papers</u> Student has to opt any one optional Paper (subject to availability of expert Faculty in the Department) among the following :		
	Criminology And Penology	K-404	100
	OR		
	Law of Trust, Equity And Fiduciary Relation	K-405	100
	OR		
	Banking Law Including Negotiable Instrument Act	K-406	100
V	Arbitration, Conciliation And Alternate Dispute Resolution (Practical Training)	K-407	100

Note : Paper Code – K-407 entitled, “Arbitration, Conciliation And Alternate Dispute Resolution (Practical Training)” will be taught partly through class room lectures including simulating exercise and partly through extension programme like Lok-Adalat, etc. The Course will be taught in association with **practicing lawyers / retired Judges / retired Law Teachers**. The Class room instructions shall include lessons on the concepts and practice of Arbitration, Conciliation and Alternate Dispute Resolution. Students will be required to maintain the **Diary of the Sessional Work** for this paper in which they shall **record the written exercises assigned to them** by the subject teacher during the session and their

observations about the field work / training work of Lok Adalat etc. organized by the Law Department of the College / University and attended by them. **This Paper will carry Maximum 100 Marks.** The **Sessional Diary** will carry **40 Marks** and will be **evaluated by the Board of Examiners at the time of Semester Practical / Viva-voce examination. Forty (40) Marks** are assigned for the **legal field work** assigned by his / her subject teacher / supervisor carried on by student during the Session. **Such field work will be evaluated by Board of Examiners.** The marks earned by the students for the legal field work during the Session will be conveyed to the Ch. Charan Singh University, Meerut by Board of Examiners to be held at the time of Practical / Viva-voce examination. The **Viva-voce will carry 20 Marks.**

Guidelines : It is advisable that the Law Department of the College / University should organize field work in such a manner that all the students get an opportunity to participate in field work so that each candidate may be able to attend at least two such field assignments.

SEMESTER – V : (Total : 500 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	Civil Procedure Code And Limitation Act	K-501	100
II	Law of Crimes – II (Code of Criminal Procedure, Juvenile Justice Act And Protection of Offenders Act)	K-502	100
III	Law of Evidence	K-503	100
IV	Land Laws Including Ceiling And Other Local Laws	K-504	100
V	Drafting of Pleading And Conveyancing (Practical Training)	K-505	100

Note : Paper Code – K-505 entitled, “Drafting of Pleading And Conveyancing” will carry **Maximum 100 Marks** which will be divided into **Theory Paper** and **Practical / Viva-voce examination carrying 50 Marks each.** The Theory paper will be conducted at the time of other Theory papers. This course will be taught through class instructions and simulation exercises, preferably with the assistance of practicing Lawyers / retired Judges. Apart from teaching the relevant provisions of law, the course will include **10 written exercises in Drafting of pleading carrying 20 Marks (2 Marks for each exercise)** and **10 written exercises in Conveyancing carrying 20 Marks (2 Marks for each exercise).** Each student will maintain a **Sessional Exercise Book** for the purpose and write down all the exercise in Pleading and Conveyancing during regular classes. **It will be assessed by the Board of Practical / Viva-voce Examiners. The Viva-voce will be of 10 Marks.**

SEMESTER – VI : (Total : 500 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	Interpretation of Statutes	K-601	100
II	Legal Language and Legal Writing Including Proficiency In General English	K-602	100
III	Law of Human Rights	K-603	100
IV	<u>Optional Papers</u> Student has to opt any one optional Paper (subject to availability of expert Faculty in the Department) among the following :		
	Intellectual Property Law OR	K-604	100
	Information Technology And Cyber Law OR	K-605	100
	Law Relating To Women And Child OR	K-606	100
	Law Relating To Right To Information	K-607	100
V	Moot Court, Pre-Trial Preparation And Participation In Trial Proceedings' (Practical Training)	K-608	100

Note : Paper Code – K-608 entitled, “Moot Court, Pre-Trial Preparation And Participation In Trial Proceedings (Practical Training)” shall comprise of the following :

(A). Moot Court : The **Maximum Marks to this Paper will be 100**. Each student will do **at least Two Moot Courts** in a Semester with **10 Marks each**. The Moot Court work will be on assigned problem and will be evaluated for **5 Marks** for written submissions (to be recorded in Sessional Diary) and **5 Marks** for Oral Advocacy.

Guidelines : For the purpose of Moot Court, **groups will be formed of 8/10 students** and cases involving several issues shall be assigned in Court practice *i.e.* Operation of Courts and legal professionals on panel of the College / University may be sought, especially in the matter of getting copies of paper books of cases which have been decided by various Courts.

The Course shall emphasize points of Court craft and decorum. The **male students shall wear white pant – shirt** and a **Black Tie** and **female students shall wear white dress with black scarf** while addressing a Moot Court and during their visits to the Court / Advocates chambers and other practical training programmes.

Practice Moots shall be held as a routine in the class itself and the three compulsory test Moots for examination shall be held after such practice Moots near the end of semester term. Attendance at such practice Moot Courts shall be counted. Each student shall be required to maintain a regular record of his / her preparation for all the Moot Courts attended by him / her in the Sessional Diary. **The Sessional Diary will carry 15 Marks (5 Marks for each Test Moot).**

(B). Court Assignments : Observation of Trial in **Four Cases** *i.e.* **Two Cases in Civil and Two in Criminal**. Each student will attend **Four Trial Courts during the Semester term**.

He / She will maintain record of his / her visits in his / her Diary of Sessional Work and enter the various steps observed during his / her attendance on different days in the Court assignment. This Scheme will carry **25 Marks**.

(c). Interviewing Techniques And Pre-Trial Preparation :

(i). Each student will observe for Interviewing Sessions of Clients at the Lawyer's Office / Legal Aid Office and record the proceedings in the Diary of Sessional Work, which will carry **10 Marks**.

(ii). Each student will further observe the preparation of documents and Court Papers by the Advocate and procedure for filing the Suit / Petition. This will be recorded in **Sessional Diary** which will carry **10 Marks**.

Guidelines : To make the training meaningful, students visits have to be organized for a continuous period, sufficiently long to observe and understand the process taking place in their proper context. Efforts should be directed to acquaint the students in the different branches of legal practice including **Civil, Criminal, Revenue, and Labour Court Practice**. Besides the legal Professionals on the College / University Panel, the students should regularly be supervised and helped by the subject teacher / tutor. It is desirable that besides Advocates Chambers the students are taken for academic Family Court / Revenue Court / Income Tax & Sales Tax Offices and other venues where judicial administrative proceedings are held. The **Indian Law Institute, Parliament, Supreme Court, and High Courts, Tribunals etc.**, may be visited to make the training academically multifarious. This programme can be intellectually and professionally challenging if properly organized and integrated with Curriculum.

(D). Viva-voce : The **Fourth Component** of this Paper will be **Viva-voce examination** by the **Board of Examiners on the above three aspects**. This will carry **10 Marks**.

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COURSE SYLLABUS
(w.e.f. : 2014 – 15 Session)

SEMESTER – I

PAPER – I
JURISPRUDENCE - I
(Legal Theory)
(Paper Code : K-101)

The course shall comprise of the following :

- (1) **Introduction** : Definition, Nature and Scope of Jurisprudence, Importance of the Study of Jurisprudence
- (2) **Analytical School** : Analytical Positivism – John Austin, Kelsen, And H.L.A. Hart.
- (3) **Historical School** : Frederick Karl Von Savigny, Sir Henry Sumner Maine.
- (4) **Natural Law School** : Classical Natural Law, Revival of Natural Law : Rudolf Stammler and Kohler.
- (5) **Sociological School** : Background and Characteristics, Roscoe Pound's theory of Social Engineering, Dugits Doctrine of Social Solidarity.
- (6) American Realist School.
- (7) **Economic Approach of Law** : Marxist Approach on Law and State and Its Impact.

BOOKS RECOMMENDED

Bodenheilmer : *Jurisprudence*.
Dias, *Jurisprudence*.
Friedman, *Law in Changing Society*.
Llyoyd, *Introduction of Jurisprudence*.
Mahajan V.D., *Jurisprudence*.
Paton : *Jurisprudence*.
Salmond : *Jurisprudence*.

PAPER – II
CONSTITUTIONAL LAW OF INDIA - I
(Nature of The Constitution And Fundamental Rights)
(Paper Code : K-102)

The course shall comprise of the following :

(1). Nature of the Indian Constitution. Special emphasis shall be placed on

(a) Federal Structure and

(b) Form of the Government.

(2). Preamble of the Constitution

(3). Fundamental Rights –

(a) **General** : Scheme of Fundamental Rights, Who can claim Fundamental Rights : Against whom Fundamental Rights are available ? Suspension of Fundamental Rights.

(b) **Specific Fundamental Rights-**

- Right to Equality (Articles 14 to 18)
- Right to Freedom of Speech and Expression (Article 19(1)(a))
- Protection in respect of Conviction for offences (Article 20)
- Right to Life and Personal Liberty (Article 21)
- Right to Education (Article 21A)
- Right against Exploitation (Articles 23 to 24)
- Right to Freedom of Religion (Articles 25 to 28)
- Cultural and Educational Rights of Minorities (Articles 29 to 30)
- Right to Constitutional Remedies (Article 32)

(5) Directive Principles of State Policy, their importance and relationship with Fundamental Rights.

(6) Fundamental Duties

BOOKS RECOMMENDED

Chander Pal, *Centre State Relations and Indian Cooperative Federalism.*

Chander Pal, *State Autonomy in Indian Federation: Emerging Trends.*

Hidayatullah M., *Constitutional Law of India.*

Jain M.P., *Constitutional Law.*

Pandey J.N., *Constitutional Law of India.*

Seervai H.M., *Constitutional Law of India.*

Shukla V.N., *Constitutional Law of India.*

Tope T.R., *Constitutional Law of India.*

PAPER – III
LAW OF TORTS
(Paper Code : K-103)

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

BOOKS RECOMMENDED

Aggarwal V.K., *Law on Consumer Protection* (students edition).
Bangia R.K., *The Law of Torts*.
Kapoor S.K., *Law of Torts*.
Lal Rattan & Lal Dhiraj, *The Law of Torts*.
Paranjape N.V., *Law of Torts*.
Salmond W.G., *Law of Torts*.
Winfield and Jolowicz, *Torts*.

PAPER – IV
LAW OF CRIMES - I
(Indian Penal Code)
(Paper Code : K-104)

The course shall comprise of the following :

- **General Principles of Crime** : 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.
- **Specific Offences** :
 - (1) **Offences Affecting Human Body** : 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; Rape and Unnatural sexual Offences; Kidnapping and Abduction; Dowry death and Cruelty.
 - (2) **Offences Against Property** : Theft; Extortion; Robbery; Dacoity; Criminal Misappropriation; Criminal Breach of Trust; Cheating; Mischief; Criminal Trespass.
 - (3) **Offences Against State and Public Tranquility** : Sedition; Unlawful Assembly; Rioting and Affray.
 - (4) **Offences Against Marriage** : Bigamy and Adultery.

BOOKS RECOMMENDED

Gaur Hari Singh (Dr.), *Penal Law of India*.
Gaur K.D., *Criminal Law cases and materials*.
Lal Rattan Lal Dhiraj, *Indian Penal Code*.
Misra S.N., *Indian Penal Code*.
Nigam R.C., *Principles of Criminal Law*.

PAPER – V
CONTRACT - I
(General Principles of Contract)
(Paper Code : K-105)

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 and Voidable Under the Contract Act.
- (9) Contingent Contracts
- (10) Law Relating to Certain Relations Resembling those Created by Contracts, viz., Quasi-Contracts.
- (11) Discharge of contracts with special reference to the doctrine of frustration.

BOOKS RECOMMENDED

Anson's *Law of Contract*.

Bangia R.K. (Dr.), *Indian Contract Act*

Desai S.T., *The Indian Contract Act*

Kapoor S.K., *Contract*

Moitra A.C., (Dr.), *Principles and Digest of Indian Contract Act*.

Pollock and Mulla, *Indian Contract and Specific Relief Act*

Singh Avtar (Dr.), *Law of Contract*

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SEMESTER – II

PAPER – I
JURISPRUDENCE - II
(Legal Concepts)
(Paper Code : K-201)

The course shall comprise the following :

- (1) **Legal Person** : (a) Nature and Concept
(b) Theories of Legal Personality
- (2) **Legal Rights And Duties** : (a) Definition, Basis and Characteristics of Legal Rights and Duties
(b) Kinds of Legal Rights
(c) Relationship between Rights and Duties
- (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) **Sources of Law** : Custom, Precedent, and Legislation
- (7) **State and Sovereignty**
- (8) **Law and Justice** : (a) Concept of Justice
(b) Theories of Justice
(c) Administration of Justice

BOOKS RECOMMENDED

Bodenheilmer : *Jurisprudence*.
Dias, *Jurisprudence*.
Friedman, *Law in Changing Society*.
Llyoyd, *Introduction of Jurisprudence*.
Mahajan V.D., *Jurisprudence*.
Paton : *Jurisprudence*.
Salmond : *Jurisprudence*.

PAPER – II
CONSTITUTIONAL LAW OF INDIA - II
(Structure And Working of The Indian Constitution)
(Paper Code : K-202)

The course shall comprise of the following

- (1) Union Parliament : Organization, Procedure regarding Enactment of Legislation, Parliamentary Privileges.
- (2) Union Executive : The President, his Powers and Position including Ordinance Making Power.
- (3) Prime Minister and the Cabinet. Is the Prime Minister Real Head?
- (4) 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.
- (5) Emergency Provisions with Special References to Proclamation of Emergency and President's Rule.
- (6) Union Judiciary : Supreme Court of India. Composition and Jurisdiction
- (7). Tortious Liability of State.
- (8). Protection of Civil Servants.
- (7) Amendment of the Constitution. Power and Procedure; Basic Structure of the Constitution.

BOOKS RECOMMENDED

Chander Pal, *Centre State Relations and Indian Cooperative Federalism.*
Chander Pal, *State Autonomy in Indian Federation: Emerging Trends.*
Hidayatullah M., *Constitutional Law of India.*
Jain M.P., *Constitutional Law.*
Pandey J.N., *Constitutional Law of India.*
Seervai H.M., *Constitutional Law of India.*
Shukla V.N., *Constitutional Law of India.*
Tope T.R., *Constitutional Law of India.*

PAPER – III
FAMILY LAW - I
(Hindu Law)
(Paper Code : K-203)

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.

BOOKS RECOMMENDED

Mulla, *Principles of Hindu Law*
Diwan Paras (Dr.), *Modern Hindu Law*
Mayne's, *Hindu Law and Usage*
Kesari U.P.D. (Dr.), *Modern Hindu Law*
Sharma B. K.- *Modern Hindu Law*

PAPER – IV
CONTRACT - II
(Specific Contract And Law of Partnership)
(Paper Code : K-204)

The course shall comprise of the following :

1. Contract of Indemnity, Contract of Guarantee, Bailment and Pledge.
2. Contract of Agency.
3. Deliniation of Sale, Essentials of Contract of Sale and Agreement to Sale, Duties of Sellers and Buyers, Sale by Sample, Sale by Description, Conditions and Warranties, Rule of Caveat Emptor.
4. Transfer of Title, Passing of Property in Goods, Delivery of Goods – Rules regarding Delivery of Goods, Unpaid Seller and his Rights, Remedies for the Breach of Contract.
5. Network of Partnership, Difference between Partnership and a Company, Mutual relationship between Partners, Authority of Partners, Dissolution of Partnership, Minor as Partner.

BOOKS RECOMMENDED

Anson, *Law of Contract*.
Bangia R.K. (Dr.), *Indian Contract Act*.
Desai S.T., *The Indian Contract Act*.
Kapoor S.K., *Contract*.
Moitra A.C., (Dr.), *Principles and Digest of Indian Contract Act*.
Narayena P.S., *The Law of Partnership*.
Pollock and Mulla, *Indian Contract and Specific Relief Act*.
Singh Avtar (Dr.), *Introduction to Law of Partnership*.
Singh Avtar (Dr.), *Law of Contract*.

PAPER – V
INDIAN LEGAL AND CONSTITUTIONAL HISTORY
(Optional Paper)
(Paper Code : K-205)

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 :

Position of Native States and the development of the Doctrine of Paramountcy, Development of Legislative Institutions, Indian Council Act 1861, Government of India Act 1909, Government of India Act 1919, Government of India Act 1935, The story of Framing of Indian Constitution.

BOOKS RECOMMENDED

- Jain, M.P., *Outlines of Indian Legal History*
Kulshreshtha, V.D., *Landmarks in Indian Legal and Constitutional History*
Pranjpe, N.V., *Legal and Constitutional History of India*
Puri, S.K., *Legal and Constitutional History of India*
Ramajois, M., *Legal and Constitutional History of India, Volume-I,II*
Shilwant, S.S., *Turning Points in Indian Legal and Constitutional History*
Singh, M.P., *Outlines of Indian Legal and Constitutional History*

PAPER – V
LAW OF TAXATION
(Optional Paper)
(Paper Code : K-206)

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).

BOOKS RECOMMENDED

Rai Kailash (Dr.), *Taxation Law*.
Singhania V.K. (Dr.), *Students Guide to Income Tax*.
Kanga & Palkiwala, *Law of Income Tax*.
Taxman, *Three Direct Taxes*.

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SEMESTER – III

PAPER – I
FAMILY LAW - II
(Muslim Law)
(Paper Code : K-301)

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, Will, Gifts, Wakf and Pre-emption.
- (6) **Dissolution of Marriage under Muslim Law** : (Divorce) Talaq, Ila, Khula, Mubarrat, Talaq-e-Tafweed, Lian, Faskh etc., Dissolution of Muslim Marriage Act, 1939.
- (7) Maintenance of Wives with special reference to Section 125 Cr.P.C.
- (8) Shah Bano Case and the ensuing Legislation.
- (9) **Parentage and Legitimacy** : Acknowledgement of Legitimacy. Brief Study of Section 112 of the Evidence Act.
- (10) Indian Succession Act, Part VII (Protection of Deceased, Section : 192 to 210), Part VIII (Prerepresentative Title to Property of Deceased on Succession, Section : 211 to 216).

BOOKS RECOMMENDED

Ali Ameer, *Principles of Mohammadan Law*.

Fyze, *Outlines of Mohammedan Law*.

Mahmood Tahir, *Civil Marriage Law*.

Mahmood Tahir, *Muslim Law of India*.

Mulla, *Principles of Mohammadan Law*.

Rashid Khalid, *Muslim Law*.

Wilson, *Muslim Law*.

Cental Acts : *Dissolution of Muslim Marriage Act, 1939.*

: *Family Courts Act, 1984.*

: *Muslim Personal Law(Shariat) Application Act,1937.*

: *Muslim Women (Protection of Rights on Divorce) Act, 1986.*

: *The Special Marriage Act, 1954.*

PAPER – II
PUBLIC INTERNATIONAL LAW
(Paper Code : K-302)

The course shall comprise of the following :

- (1) **Theoretical Foundation of International Law:**
 - (a) Definition,
 - (b) Nature and Scope
- (2) **Sources of International Law:**
 - (a) Custom,
 - (b) International Conventions,
 - (c) General Principles of Law,
 - (d) Judicial Decisions and Juristic Works
- (3) **Relation between International Law and Municipal Law:**
 - (a) Theories of Relationship,
 - (b) Indian and British Practices
- (4) **State :** State Sovereignty, State Territories and Jurisdiction, Recognition, Succession, Intervention, Nationality, Diplomatic Agents, Extradition and Asylum.
- (5) **Laws of War :** War Crimes and Crime against Peace, Settlement of International Disputes – Pacific and Coercive, Hijacking Narcotics, Treatment of Aliens, Enemy Character, Contraband, Blockade, State Jurisdiction on Terrorism.
- (6) **Law of the Sea:** Maritime Belt, Contiguous Zone, EEZ, Continental Shelf Jurisdiction.

BOOKS RECOMMENDED

Aggarwal, H.O., *Public International Law and Human Rights*.
Greig, D.W., *International Law*.
Harris, D.J., *Cases and Material on International Law*.
Kappor, S.K., *International Law*.
Starke, J.G., *An Introduction to International Law*.

PAPER – III
ADMINISTRATIVE LAW
(Paper Code : K-303)

The course shall comprise of the following :

- (1) Evolution 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) Control Over Delegated Legislation
 1. Judicial Control,
 2. Parliamentary Control,
 3. Procedural Control.
- (5) **Principles of Natural Justice :**
 - (a) Nemo judex in sua causa (Rule Against Bias),
 - (b) Audi alteram partem,
 - (c) Reasoned decision,
 - (d) Doctrine of Legitimate Expectation.
- (6) **Writs with Special Reference to :**
 - (a) Writ of Habeas Corpus
 - (b) Writ of Prohibition
 - (a) Writ of Certiorari
 - (b) Writ of Mandamus
 - (c) Writ of Quo-Warranto
- (7) Public Interest Litigation.
- (8) Ombudsman (Lokpal) in India & Lokayukta in State of U.P.,
- (9) **Administrative Tribunals** - With Special Reference to Central Administrative Tribunals.

BOOKS RECOMMENDED

Basu D.D., *Comparative Administrative Law*.
Jain M.P. & Jain S.N., *Principles of Administrative Law*.
Joshi K.C., *Administrative Law*.
Massey I.P., *Administrative Law*.
S.P.Sathe, *Administrative Law*.
Takwani C.K., *Lectures on Administrative Law*.
Thakkar C.K., *Administrative Law*.
Wade H.P.W., *Principles of Administrative Law*.

PAPER – IV
LAW OF PROPERTY AND EASEMENT
(Paper Code : K-304)

The course shall comprise of the following :

- (1) General Principles of the Law of Transfer of Property, Kinds of Property, Ownership.
- (2) **Sale of Immoveable Property** : Definition and Mode of Sale and Exchange (Sections 54 and 118).
- (3) **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).
- (4) **Leases of Immoveable Property** : Definition of Lease (Section 105) and License, Leases How Made (Section 107), Determination of Lease (Section 111), Effect of Holding Over (Section 116).
- (5) **Gift** : Definition of Gift (Section 122), Transfer how Effected (Section 123), Onerous Gift (Section 127), Universal Donnie (Section 128).
- (6) **Easements** : Definition, Acquisition and Kinds of Easements (Sections 4 to 18).

BOOKS RECOMMENDED

Diwan Paras, *Transfer of Property*.
Lahri S.M., *Transfer of Property*.
Mulla D.F., *Transfer of Property Act* .
Shah S.M., *Lecturers of Transfer of Property*.
Shukla S.N., *Transfer of Property*.
Shukla V.N., *Transfer of Property*.
Sinha S.N., *Transfer of Property*.
Tripathi G.P., *Transfer of Property*.

PAPER – V
PROFESSIONAL ETHICS, ACCOUNTABILITY OF LAWYERS AND BAR BENCH RELATION
(Practical Training)
(Paper Code : K-305)

This course will be taught in association with the practicing Lawyers / retired Judges / retired Law Teachers. This paper will carry **Maximum 100 Marks**. The written examination on this paper (Theory Paper) will be in **descriptive form** and of **three (03) hours duration** and will carry **50 Marks**. The written examination (Theory Paper) shall be held by way of paper with the other theory papers. **The Practical / Viva-voce Examination will carry 50 Marks**. The students will be given **Assignment** by the subject teacher. Students will record answer to all the Assignment by preparing a **Project File**. **The Project File will carry 30 Marks. The Project File will be evaluated by the Board of Examiners at the time of Practical / Viva-voce examination.** The **Viva-voce** will carry **20 Marks**.

The course shall comprise of the following :

- (1) Historical Perspective and Regulation of Legal Profession.
- (2) Admission, Enrolment and Rights of Advocate, Bar Councils.
- (3) Nature and Characteristics of :
 - (a) Ethics of Legal Profession,
 - (b) Legal Profession
- (4) Contempt of Court :
 - (a) Civil Contempt
 - (b) Criminal Contempt
 - (c) Punishment for Contempt
 - (d) Defences Against Contempt.
 - (e) Constitutional Validity of Contempt Law.
 - (f) Contempt by Lawyers, Judges, State, and Corporate Bodies
- (4) Strike by the Lawyers
- (5) Extent of Professionalization of Legal Profession
 - (a) Code of Ethics for Lawyers
 - (b) Professional Misconduct and its Control
 - (c) Bar-Bench Relations
 - (d) Accountability of Lawyers towards Court, Clients and Society
 - (e) Role of Law and Legal Profession in Social Transformation

BOOKS RECOMMENDED

Gupta S.P., *Professional Ethics, Accountancy for Lawyers & Bench Bar Relations*.
Rai Kailash, *Professional Ethics, Accountancy for Lawyers & Bench Bar Relations*.
Sirohi (Dr.), *Professional Ethics, Accountancy for Lawyers & Bench Bar Relations*.

CH. CHARAN SINGH UNIVERSITY
LL.B. 3 YEAR (SIX SEMESTER)
COURSE SYLLABUS
(w.e.f. : 2014 – 15 Session)
SEMESTER – IV

PAPER – I
COMPANY LAW
(Paper Code : K-401)

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 :

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

III. 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 : Types / Kinds of Meetings, Essential Conditions of a Valid Meeting, Procedure for Calling Company Meetings, 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

IV. Winding up of Company : Modes of Winding Up, Compulsory Winding Up - Conditions and Positions, Voluntary Winding Up : Kinds and Distinctions, Officials Liquidator and Liquidator : Appointment and Powers.

BOOKS RECOMMENDED

- Majumdar A.K., *Company Law and Practice*.
Kapoor G.K. (Dr.) & Gower L.C.B., *Principles of Modern Company Law*.
Singh Avtar (Dr.), *Indian Company Law*.
Ramayya A., *A Guide to Companies Act*.
Rai Kailash, *Principles of Company Law*.
Dhingra L.C. (Dr.), *Principles of Company Law*
Tripathi S.C. (Dr.), *Modern Company Law*.

PAPER – II
LABOUR AND INDUSTRIAL LAW
(Paper Code : K- 402)

The course shall comprise of the following :

I. Evolution of Industrial Legislation in India.

II. Industrial Disputes Act, 1947.

- (a) Scope and Object, Main Features, Important Definitions
- (b) Industry
- (c) Industrial Dispute and Individual Dispute
- (d) Workman and Employee
- (e) Reference of Disputes
- (f) Voluntary Arbitration (Section 10 A)
- (g) Award
- (h) Authorities under the Act.
- (i) Procedures, Powers and Duties of Authorities
- (j) Strike
- (k) Lock- out
- (l) Retrenchment
- (m) Lay-off
- (n) Transfer and Closure
- (o) Regulation of Managements Prerogative During Pendency of Proceedings

III. Trade Unions Act, 1926

- (a) Growth of Unions
- (b) Important Definitions
- (c) Registration of Trade Unions
- (d) Rights and Liabilities of Registered Trade Unions
- (e) Collective Bargaining.

BOOKS RECOMMENDED

Bangri P.R., *Law of Industrial Disputes*.
Dhingra L.C., *Law on Industrial Adjudication in India*.
Kothari G.M. (Dr.), *A Study of Industrial Law*.
Malhotra O.P., *Law of Industrial Disputes (Volume-I)*.
Mishra S.N., *Labour and Industrial Law*.
Puri S.K., *Labour and Industrial Law*.
Srivastav K.D., *Law relating to Trade Unions Indian Act* .

PAPER – III
ENVIRONMENTAL LAW
(Paper Code : K-403)

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
- (2) Constitutional Aspects : (a) Distribution of Legislative Power, (b) Directive Principles of State Policy
(c) Fundamental Duties, (d) Fundamental Rights.
- (3) Select Legal Controls - The Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981. (a) Salient Features of the Acts, (b) Definitions (c) Authorities - Composition, Power and Function, (d) Mechanism to Control the Pollution, (e) Sanctions
- (4) Environment (Protection) Act, 1986 : Definition of 'Environment', Salient Features of the Act, Authorities - Composition, Powers, Functions, Mechanism to Control Environmental Pollution, Sanctions.
- (5) Control of Noise Pollution : Legal Control, Judicial Control.
- (6) Emerging Principles : Historical Background and Judicial Approach in India (1) Polluter Pays Principle, (2) Precautionary Principle, (3) Public Trust Doctrine, (4) Sustainable Development
- (7) Environmental Dispute and Grievance Settlement Mechanism : National Environment Tribunal Act, 1995-Powers, Functions and Jurisdiction of the National Environment Tribunal; National Environment Appellate Authority Act, 1997- Powers, Functions and Jurisdiction of the National Environment Appellate Authority.

BOOKS RECOMMENDED

Diwan Paras, *Environment Administration, Law and Judicial Attitude.*

Jaswal P.S., *Environmental Law.*

Kumar Naresh : *Air Pollution and Environment Protection.*

Pal Chandra, *Environmental Pollution & Development.*

Singh Gurdip, *Environmentl Law.*

Central Legislations :

The AIR (Prevention and Control of Pollution) Act, 1981.

The Environment (Protection) Act, 1986

The National Environment Tribunals Act, 1995.

The Public Liability Insurance Act, 1991

The Water (Prevention and control of Pollution) Act, 1974

PAPER – IV
CRIMINOLOGY AND PENOLOGY
(Optional Paper)
(Paper Code : K-404)

The course shall comprise of the following :

(A) CRIMINOLOGY

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.

(B) PENOLOGY

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.

BOOKS RECOMMENDED

Sutherland E. and Cressy, *Principles of Criminology*.
James Teary, *Introduction of Criminology*.
Sethna S.M., *Society and Criminology*.
Pannanan M., *Criminology and Penology*.
Siddique Ahmad, *Criminology: Problems and Perspectives*.
Paranjape N.V. , *Criminology and Penology*.
Sirohi J.P., *Criminology and Criminal Administration*.

PAPER – IV
LAW OF TRUST, EQUITY AND FIDUCIARY RELATION
(Optional Paper)
(Paper Code : K-405)

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.

BOOKS RECOMMENDED

- Ahmad Aquil, *Equity, Trusts and Specific Relief.*
- Desai S.T., *Equity, Trusts and Specific Relief.*
- Hansbury & Mousley, *Modern Equity.*
- Jhabwala N.H, *Elements of Equity, Trusts and Specific Relief.*
- Rao GCV Subha, *Equity, Trust and Fiduciary Relation.*
- Singh G.P., *Principles of Equity.*
- Snell, *Principles of Equity.*
- Tondon M.P., *Principles of Equity and Trusts.*

PAPER – IV
BANKING LAW INCLUDING NEGOTIABLE INSTRUMENT ACT
(Optional Paper)
(Paper Code : K-406)

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.

BOOKS RECOMMENDED

Bangia R.K., *Negotiable Instrument Act.*
Bashyam & Adiga: *The Negotiable Instrument Act.*
Chorley Lord, *Law of Banking.*
Faizi O.P., *The Negotiable Instrument Act.*
Gupta S.N., *Banks and the Customer Protection Law.*
Gupta S.N., *The Banking Law and Practice in India.*
Megrah Maurice & Ryder F.R., *Pagets Law of Banking.*
Parthasarathy M.P., *Negotiable Instrument Act.*
Singh Avtar (Dr.), *Negotiable Instrument Act.*
Tannen M.L., *Banking Law and Practice in India.*

PAPER – V
ARBITRATION, CONCILIATION AND ALTERNATE DISPUTE RESOLUTION
(Practical Training)
(Paper Code : K-407)

The Course will be taught partly through class room lectures including simulating exercise and partly through extension programme like Lok-Adalat, etc. The Course will be taught in association with **practicing lawyers / retired Judges / retired Law Teachers**. The Class room instructions shall include lessons on the concepts and practice of Arbitration, Conciliation and Alternate Dispute Resolution. Students shall be required to maintain the **Diary of the Sessional Work** for this paper in which they shall **record the written exercises assigned to them** by the subject teacher during the session and their observations about the field work / training work of Lok Adalat etc. organized by the Law Department of the College / University and attended by them. **This Paper will carry Maximum 100 Marks.** The **Sessional Diary** will carry **40 Marks** and will be **evaluated by the Board of Examiners at the time of Semester Practical / Viva-voce examination. Forty (40) Marks** are assigned for the **legal field work** assigned by his / her subject teacher / supervisor carried on by student during the Session. **Such field work will be evaluated by Board of Examiners.** The marks earned by the students for the legal field work during the Session will be conveyed to the Ch. Charan Singh University, Meerut by Board of Examiners to be held at the time of Practical / Viva-voce examination. **The Viva-voce will carry 20 Marks.**

Guidelines : It is advisable that the Law Department of the College / University should organize field work in such a manner that all the students get an opportunity to participate in field work so that each candidate may be able to attend at least two such field assignments.

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
- (6) Arbitration Agreement, International Commercial Arbitration, Composition and Jurisdiction of Arbitral Tribunals.
- (7) Conduct of Arbitral Proceedings and its Termination and Making of Arbitral Award
- (8) **Finality and Enforcement of Arbitral Award** - Recourse Against Arbitral Award, Enforcement of Foreign awards (New York Convention Awards and Geneva Convention Awards).
- (9) **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.
- (10) **Mediation** - Meaning, Advantages, Techniques, Common Errors of Mediation Advocacy.

BOOKS RECOMMENDED

Rao P.C., *Alternative Dispute Resolution*.
Basu N.D., *Law of Arbitration and Conciliation*.
Kwatra G.K., *The Arbitration and Conciliation Law of India*.
Bansal A.K., *Law of International Commercial Arbitration*.
Saraf B.P. & Jhunjhunwala M., *Arbitration and Conciliation*.
Malhotra O.P., *The Law and Practice of Arbitration and Conciliation*
Shaffer Thomas L., *Legal Interviewing and Counseling in Nutshell*.
Binder David A. & Bergman Paul et al, *Lawyers as Counselors*.

Law Commission of India Report :

Law Commission of India Report on Grama Nyayalayas
Law Commission of India Report on Urban Litigation- Mediation

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(w.e.f. : 2014 – 15 Session)
SEMESTER – V

PAPER – I

CIVIL PROCEDURE CODE AND LIMITATION ACT
(Paper Code : K-501)

The Course shall comprise of the following :

- (1) Preliminary, Definitions, Suits of civil nature, Principles of Res-judicata and Res-subjudice, Foreign judgement, place of suing.
- (2) Parties to suit, Frame of suit, Pleading : Complaint, Written statement, Set-off, Counter claim, Suits by indigent persons, Suits in particular cases.
- (3) Summons and Discovery, Issues of Summons, Appearance of parties, Summoning and Attendance of witness, Execution of Decrees.
- (4) Incidental proceedings : Commission, Letter of request, Supplemental proceedings : Arrest and Attachment before judgement, Temporary injunction, Interlocutory orders, Receiver appeals, References, Review, Revision, Restitution, Caveat, Inherent powers of court.
- (5) Limitation of suits, appeals and applications, Period of Limitation, Continuous running of time, Effect of sufficient cause for not preferring appeals or making applications within the period of limitation, Legal disability, Computation of period of Limitation and Execution of time in legal proceedings, Effect of Death, Fraud, Acknowledgement in writing, Acquisition of ownership by possession.

BOOKS RECOMMENDED

Mulla, *Code of Civil Procedure*.
Takwani C.K., *Civil Procedure*.
Mathur D.N., *The Code of Civil Procedure*.
Jain J.D., *Indian Limitation Act*.

PAPER – II

LAW OF CRIMES - II
(CODE OF CRIMINAL PROCEDURE, JUVENILE JUSTICE ACT AND
PROBATION OF OFFENDERS ACT)
(Paper Code : K-502)

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 : Meaning of Arrest, Powers of Police to Arrest, Bail.
- (3) Information to the Police and their Powers to Investigate
- (4) Cognizance 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
- (8) Juvenile Justice (Care & Protection of Children) Act, 2002; Probation of Offenders Act, 1958 along with Section 360 of Criminal Procedure Code.

BOOKS RECOMMENDED

Banerjee P.C., *Criminal Trial and Investigation*.
Kelkar R.V., *Criminal Procedure Code*.
Kelkar R.V., *Lecturers on Criminal Procedure*.
Lal Ratan & Lal Dhiraj, *The Code of Criminal Procedure*.
Mishra S.N., *The Code of Criminal Procedure*.
Sarkar S.C., *Law of Criminal Procedure*.

PAPER – III
LAW OF EVIDENCE
(Paper Code : K-503)

The course shall comprise of the following :

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

BOOKS RECOMMENDED

Lal Batuk, *Law of Evidence*.
Ratanal & Dhiraj Lal, *The Law of Evidence*.
Sarathi Vepa P, *Law of Evidence*.
Sarkar M.C. & Sarkar S.C., *Law of Evidence in India*.
Sarkar S. & Ejaz Ahmed, *Law of Evidence*.
Singh Avatar (Dr.), *Law of Evidence*.

PAPER – IV
LAND LAWS INCLUDING CEILING AND OTHER LOCAL LAWS
(Paper Code : K-504)

The course shall comprise of the following :

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

- (1) The Political-socio and economic factors responsible for the Z.A. & L.R.Act, 1950 and its objects.
- (2) Definitions of (i) Agricultural Year (ii) Date of vesting (iii) Estate (iv) Intermediary (v) Khud Kasht Land (vi) Sir.
- (3) Acquisition of the interests of intermediaries and its consequences – Sections 4-26, with emphasis on Sections 4-9.
- (4) Mines and Minerals – Sections 106-112.
- (5) Gaon Sabha – Power and Duties – Sections 117-128
- (6) **Tenure-** (a) Classes of Tenure – Section 129
 - (i) Bhumidhar with transferable rights.
 - (ii) Bhumidhar with Non-transferable rights.
 - (iii) Asami.
 - (b) Their rights and liabilities;
 - (i) Use of land and improvements- Sections 142-146
 - (ii) Transfer – Sections 152-167.
 - (iii) Devolution – Sections 169-175.
 - (iv) Division – Sections 176-182.
 - (v) Surrender, Abandonment, extinction and acquisition Sections 183-198 A.
 - (vi) Ejectment – Sections 199-212 C
- (7) Declaratory Suit – Sections 229-229 D.
- (8) Land Revenue and Collection of Land Revenue- Sections 241-294.

(2). U.P. Land Revenue Act 1901

- (1) Maintenance of Maps and Records – Sections 21-47
- (2) Revision of Maps and Records – Sections 47-48
- (3) Appeals, Reference, Revision, Review – Sections 210-220.”

BOOKS RECOMMENDED

Maurya R.R., *Uttar Pradesh Land Laws.*

Singh Yatindra, *The Uttar Pradesh Imposition of Ceiling of Land Holding Act, 1960.*

PAPER – V
DRAFTING OF PLEADING AND CONVEYANCING
(Practical Training)
(Paper Code : K-505)

This paper will carry **Maximum 100 Marks** which will be divided into **Theory Paper** and **Practical / Viva-voce examination carrying 50 Marks each**. The Theory paper will be conducted at the time of other Theory papers. This course will be taught through class instructions and simulation exercises, preferably with the assistance of practicing Lawyers / retired Judges. Apart from teaching the relevant provisions of law, the course will include **10 written exercises in Drafting of Pleading carrying 20 Marks (2 Marks for each exercise)** and **10 written exercises in Conveyancing carrying 20 Marks (2 Marks for each exercise)**. Each student will maintain a **Sessional Exercise Book** for the purpose and write down all the exercise in Pleading and Conveyancing during regular classes. **It will be assessed by the Board of Practical / Viva-voce Examiners. The Viva-voce will be of 10 Marks.**

The course shall comprise the following :

I. Drafting :

General Principles of Drafting and Relevant Substantive Rules shall be taught.

II. Pleadings :

(1) Civil

- (a) Plaint
- (b) Written Statement
- (c) Interlocutory Application
- (d) Original Petition
- (e) Affidavit
- (f) Execution Petition
- (g) Memorandum of Appeal
- (h) Memorandum of Revision
- (i) 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.

III. Conveyancing : Essentials of Deed, Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Agreements.

BOOKS RECOMMENDED

Chaturvedi A.N., *Pleadings, Conveyancing and Drafting and Legal Professional Ethics*.
Chaturvedi R.N., *Pleading, Drafting and Conveyancing*.
Moga P.C., *The Law of Pleadings in India*.
Singh B.P., *Pleadings, Conveyancing and Drafting*.

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SEMESTER – VI

PAPER – I
INTERPRETATION OF STATUTES
(Paper Code : K-601)

The course shall comprise of the following :

- (1) **Introductory** : Meaning, Purpose and Scope of Interpretation of Statutes; Nature of Statutes and their Classification
- (2) **Internal Aids to Interpretation** : Title; Preamble; Headings and Marginal Notes.
- (3) External Aids to Interpretation; Parliamentary History; Stare Decisis (Judicial Precedents); Dictionaries.
- (4) **Rules of Statutory Interpretation** : Primary (Basic) Rules; Secondary (Subsidiary) Rules; Literal Rule; Golden Rule; Mischief Rule.
- (5) **Judicial Activism** : Nature and Scope.
- (6) **Presumptions in Statutory Interpretation** : Presumption as to Jurisdiction; Presumption as to Prospective Operation of Statutes; Presumption Against Violation of International Law.
- (7) **Maxims of Statutory Interpretation** : Ejusdem Generis; Expressio Unius Est Exclusio Alterius; Ut Res Magis Valeat Quam Paraeat, Noscitur a sociis, Raddendo singular singularis.
- (8) **Interpretation with Reference to the Subject Matter and Purpose of Statutes** : Penal Statutes; Taxing Statutes, Welfare Legislation, Prospective and Retrospective Operation.
- (9) **Principles of Constitutional Interpretation** : Harmonious Construction; Doctrine of Pith and Substance; Doctrine of Colourable Legislation; Occupied Field; Repugnancy.

BOOKS RECOMMENDED

Langan P.St., *Maxwell on the Interpretation of Statutes*.
Mathur D.N., *Interpretation of Statutes*.
Miers David R., *Sweet & Maxwell (Interpretation of Statute)*.
Sarathi V.P., *Interpretation of Statutes*.
Singh Avtar (Dr.), *Interpretation of Statutes*.
Singh G.P., *Principles of Statutory Interpretation*.
Srivastva R.D., *Interpretation of Statutes and Legislation*.

PAPER – II
LEGAL LANGUAGE AND LEGAL WRITING INCLUDING
PROFICIENCY IN GENERAL ENGLISH
(Paper Code : K-602)

The course shall comprise of the following :

1. Need and Importance of Legal Language
2. Proficiency in General English
 - (a) Parts and Types of 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. Legal Terminology
4. Writing of Case Comment
 - (a) Understanding physical structure of a case reported in a Legal journals such as A.I.R., S.C.C., Scale, J.T. etc.
 - (b) General introduction of doctrine of precedent
 - (i) Precedent as source of Law (Ratio Decidendi and Obiter dictum).
 - (ii) Circumstances which destroy or weaken the binding force of precedent
 - (iii) Circumstances which increases the authority of a precedent.
 - (c) Method of writing a case comment
5. System for Citing Documents in Written Work
 - (a) Various systems of citation
(Numeric System, Harvard System, Harvard Law Review Association System and Indian Practice)
 - (b) First Footnote References
(Books, Journal, Electronic sources etc.)
 - (c) Subsequent Footnote References and other Terms used in the Footnotes.
Following Terms shall be explained:
Ibidem/Idem, Supra, Infra, Et.seq., Op.cit., Loc. cit., Cf., See, See also,
See generally, But see, contra, In re etc.
 - (d) Preparation of Bibliography
 - (e) Abbreviations
 - (i) Common abbreviations used in footnotes and general legal writings
 - (ii) Abbreviation used for Indian and foreign legal periodicals
6. Standard Markings in Proofreading
 - (a) –Use and importance of Standard Markings
 - (b) – Marginal Marks and their explanations
7. Essay Writing on Topics of Legal Interest in English
8. Letter Writing in English

BOOKS RECOMMENDED

Abidi Ishtiaque, *Law and Language*.

Sharma K.S. (Dr.), *Legal Language, Legal Writing and English Usage*.

Hindi English Legal Glosary, Vidhi Sahitya Prakashan, Ministry of Law, New Delhi.

PAPER – III

LAW OF HUMAN RIGHTS
(Paper Code : K-603)

The course shall comprise of the following :

- (1) Meaning and Definition of Human Rights, Concept of Human Rights.
- (2) Human Rights and the United Nations.
 - (a) Charter Provisions.
 - (b) International Protection of Human Rights.
- (3) Universal Declaration of Human Rights
- (4) **Generations of Human Rights (Three Generations) :**
 - (a) International Covenant on Civil and Political Rights and Two Protocols
 - (b) International Covenant on Economic, Social and Cultural Rights
 - (c) Collective Rights
- (5) European Convention on Human Rights and Fundamental Freedoms
- (6) American Convention on Human Rights
- (7) National Human Rights Institutions with Special reference to National Human Rights Commission (NHRC) and National Commission for Women (NCW).
- (8) Inclusion of Human Rights Jurisprudence Under the Constitution of India Through Judicial Interpretation

BOOKS RECOMMENDED

Agrawal H.O., *Human Rights*.
Basu D.D., *Human Rights in Constitutional Law*.
Khera S.C., *Human Rights and United Nation*.

INTELLECTUAL PROPERTY LAW
(Optional Paper)
(Paper Code : K-604)

The course shall comprise of the following :

- (1) **Concept of Property vis-a-vis Intellectual Property** : Concept of Property and Theories of Property - An Overview, Theories of Intellectual Property Rights, Social and Economic Development and Role of Intellectual Property System, Need for Protecting Intellectual Property - Policy Consideration - National Perspectives and International Demands, Types of Intellectual Property - Origin and Development - an Overview, Intellectual Property Rights as Human Right.
- (2) **Role of International Institutions** : World Intellectual Property Organisation (WIPO), Function of WIPO, Membership of WIPO, Agreement between the WIPO and the WTO, Dispute Settlement - New Treaties.
- (3) **Copyright – National Perspective** : Copyright : What and Why?, Term of Copyright, Assignments and Licensing, Registration and Regulatory Authority, Procedure, Infringements and Remedies - Contractual, Civil, Criminal and Administrative, An Overview of International Perspective
- (4) **Trademarks** : Need and Emergence of Trade Marks Law, The Register and Conditions for Registration, Procedure for and Duration of Registration, Effect of Registration, Passing-Off and Infringement of Trade Mark, Assignment and Transmission, Use of Trade Marks and Registered Users, Rectification, Correction of the Register and Certification of Trademarks, Appellate Board, Offences, Penalties and Procedure
- (5) **Patent** : Meaning of Patent - Inventions - Concept of Novelty, Inventive Step and Utility - Inventions not Patentable - Process and Product, Patents - TRIPS Agreement (Article 27) Implications to Indian Patent System, Acquisition of Patent, Rights of Patentees and Others – Term, Exclusive Marketing Right, Surrender, Licence, Revocation, Functionaries Under the Patent Act, Infringement of Patents and Remedies

BOOKS RECOMMENDED

Narayanan P., *Law of Copy Right and Industrial Designs*.
Narayanan P., *Intellectual Property Law*.
Copinger, *Law of Copy Right*.
Iyenger, *Law of Copy Right*.
Narayanan P., *Patent Law*.
Faizan Mustafa (Dr.), *Copy Right Law (A Comparative Study)*.

PAPER – IV

INFORMATION TECHNOLOGY AND CYBER LAW
(Optional Paper)
(Paper Code : K-605)

The course shall comprise of the following :

(A) INTRODUCTION

- 1. Basic concept of Technology and Law :** Understanding the Technology, Scope of Cyber Laws, Cyber Jurisprudence
- 2. Understanding Electronic Contracts :** The Indian Law of Contract, Types of Electronic Contracts, Construction of Electronic Contracts

(B) IPR IN CYBER SPACE

- 1. Copyright in Information Technology:** Copyright in internet, Software Piracy, Multimedia and copyright issues.
- 2. Patents :** Indian position on computer related patents, International context of patents.
- 3. Trademarks :** Trade mark Law in India, Infringement and passing off.

(C) INFORMATION TECHNOLOGY ACT 2000 : Digital Signature, E-Governance, Regulation of Certifying Authorities, Duties of Subscribers, Penalties and Adjudication, Offences under the Act, Making of Rules and Regulation.

(D) CYBER CRIMES

- 1. Understanding Cyber Crimes :** Crime in context of Internet, Types of Crime in Internet
- 2. Indian Penal Law & Cyber Crimes :** Fraud, Hacking, Mischief, Trespass, Defamation, Stalking, Spam
- 3. Issues of Internet Governance :** Freedom of Expression in Internet, Issues of Censorship, Hate Speech, Sedition, Libel, Subversion, Privacy Issues, International position on Free Speech in Internet

BOOKS RECOMMENDED

Gerold R.Ferresc, *Cyber Law*(Text & Cases)
Prof. S.R. Bhansali, *Information Technology Act*
Rodney D.Ryder, *Guide to Cyber Law*
Vakul Sharma , *Cyber Crime*.

PAPER – IV
LAW RELATING TO WOMEN AND CHILD
(Optional Paper)
(Paper Code : K-606)

The course shall comprise of the following :

(A) Law Relating to Women :

(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

(B) Law Relating to Child : Legal protection to child, Child and criminal liability, State responsibility for the education of child, Family relations and child, Legal control of child labour, Discrimination against female child, child and contracted liability.

BOOKS RECOMMENDED

Jain S.N., *Child And The Law.*

Mukherjee Roma, *Legal Status And Remedies For Women In India.*

Saxena Shobha, *Crime Against Women And Protective Laws.*

Swaroop K. (Dr.), *Legal Protection to Children.*

PAPER – IV
LAW RELATING TO RIGHT TO INFORMATION
(Optional Paper)
(Paper Code : K-607)

The course shall comprise of the following :

1. Meaning and Scope of Right to Information
2. Historical Background : Indian Perspective, Global Perspective
3. Media Access to Official Information
4. Right to Information and Human Rights Violations
5. Right to Information different from Right to Obtain Information
6. Basic Elements of Right to Information Law
7. Factors Restricting Free Flow of Information
8. **THE RIGHT TO INFORMATION ACT, 2005** : Preliminary (Section 1 to 2), The Central Information Commission (Section 12 to 14), Right to Information and Obligations of Public Authorities (Section 3 to 11), The State Information Commission (Section 15 to 17), Powers & Function of the Information Commission, appeals & penalties (Section 18 to 20), Miscellaneous (Section 21 to 31).
9. **JUDICIARY ON RIGHT TO INFORMATION** :
 - (a). Free flow of Information for Public Record
 - (b). Right to information: Fundamental Right
 - (c). Disclosure of Information
 - (d). Right to Know
 - (e). Right to Acquire & Disseminate Information
 - (f). Direction on Voter's Right to Information
 - (g). Right to Information and Community Participation
 - (h). Third Party Information
 - (i). Public Authority under Art. 12 of the Indian Constitution

BOOKS RECOMMENDED

- Das P.K., *The Right to Information Act*.
Jain N.K., *Right to Information Concept Law and Practice*.
Khandelwal Dheera & Khandelwal Krishana K., *The Right to Information Act, 2005*.
Niraj Kumar Dr., *Treatise on Right to Information Act, 2005*.

PAPER – V
MOOT COURT, PRE-TRIAL PREPARATIONS AND PARTICIPATION IN TRIAL PROCEEDINGS
(Practical Training)
(Paper Code : K-608)

The course shall comprise of the following :

(A). Moot Court : The **Maximum Marks to this Paper will be 100**. Each student will do **at least Two Moot Courts** in a Semester with **10 Marks each**. The Moot Court work will be on assigned problem and will be evaluated for **5 Marks** for written submissions (to be recorded in Sessional Diary) and **5 Marks** for Oral Advocacy.

Guidelines : For the purpose of Moot Court, groups will be formed of 8/10 students and cases involving several issues shall be assigned in Court practice *i.e.* Operation of Courts and legal professionals on panel of the College / University may be sought, especially in the matter of getting copies of paper books of cases which have been decided by various Courts.

The Course shall emphasize points of Court craft and decorum. The **male students shall wear white pant – shirt** and a **Black Tie** and **female students shall wear white dress with black scarf** while addressing a Moot Court and during their visits to the Court / Advocates chambers and other practical training programmes.

Practice Moots shall be held as a routine in the class itself and the three compulsory test Moots for examination shall be held after such practice Moots near the end of semester term. Attendance at such practice Moot Courts shall be counted. Each student shall be required to maintain a regular record of his / her preparation for all the Moot Courts attended by him / her in the Sessional Diary. **The Sessional Diary will carry 15 Marks (5 Marks for each Test Moot).**

(B). Court Assignments : Observation of Trial in **Four Cases** *i.e.* **Two Cases in Civil** and **Two in Criminal**. Each student will attend **Four Trial Courts during the Semester term**. He / She will maintain record of his / her visits in his / her Diary of Sessional Work and enter the various steps observed during his / her attendance on different days in the Court assignment. This Scheme will carry **25 Marks**.

(c). Interviewing Techniques And Pre-Trial Preparation :

(i). Each student will observe for Interviewing Sessions of Clients at the Lawyer's Office / Legal Aid Office and record the proceedings in the Diary of Sessional Work, which will carry **10 Marks**.

(ii). Each student will further observe the preparation of documents and Court Papers by the Advocate and procedure for filing the Suit / Petition. This will be recorded in Sessional Diary which will carry **10 Marks**.

Guidelines : To make the training meaningful, students visits have to be organized for a continuous period, sufficiently long to observe and understand the process taking place in their proper context. Efforts should be directed to acquaint the students in the different branches of legal practice including **Civil, Criminal, Revenue, and Labour Court Practice**. Besides the legal Professionals on the College / University Panel, the students should regularly be supervised and helped by the subject teacher / tutor. It is desirable that besides Advocates Chambers the students are taken for academic Family Court / Revenue Court / Income Tax & Sales Tax Offices and other venues where judicial administrative proceedings are held. The **Indian Law Institute, Parliament, Supreme Court, and High Courts, Tribunals etc.**, may be visited to make the training academically multifarious. This programme can be intellectually and professionally challenging if properly organized and integrated with Curriculum.

(D). Viva-voce : The **Fourth Component** of this Paper will be **Viva-voce examination** by the **Board of Examiners on the above three aspects**. This will carry **10 Marks**.

BOOKS RECOMMENDED

Rai Kailash (Dr.), *Moot Court, Pre-Trial Preparations & Participation in Trial Proceedings*.
Awasthi S.K. (Prof.), *Practical Training of Law, Moot Court & Viva-Voce*.

CH. CHARAN SINGH UNIVERSITY

LL.M. 2 YEAR (FOUR SEMESTER) COURSE

SYLLABUS

(w.e.f. : 2014 – 15 Session)

SCHEME OF EXAMINATION

The Syllabus of LL.M. 2 Year (Four Semester) Course shall be applicable in Affiliated College of the Ch. Charan Singh University, Meerut and Legal Study Center (Self- Financed) of Ch. Charan Singh University, Meerut.

SEMESTER – I (Compulsory Papers): (Total : 400 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	Indian Constitutional Law – I (Fundamental Rights)	L-101	100
II	Jurisprudence– I (Theories of Law)	L-102	100
III	Legislative Oughts, Interpretation and Judicial Process	L-103	100
IV	Legal Education and Research Methodology	L-104	100

SEMESTER – II (Compulsory Papers): (Total : 400 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	Indian Constitutional Law – II	L-201	100
II	Jurisprudence– II (Legal Concepts)	L-202	100
III	Law And Social Transformation In India	L-203	100
IV	Human Rights	L-204	100

Note : SEMESTER – III & IV (Papers Based on Optional Groups)

- ❖ Three will be **Three (03) Law Group Courses in Semester III & IV**. The Student has to opt **any one Law Group** in LL.M. IIIrd and IV Semester. **Once a group opted by the student in LL.M. III Semester, he/she cannot change the Group in LL.M. IV Semester i.e. they shall keep the same Group with them** . All the Theory Paper of LL.M. IIIrd and IVth Semester will carry Maximum **100 Marks**.
- ❖ The Student has to appear in **FOUR Theory Papers in LL.M. IIIrd Semester**. Each Theory Paper will carry **100 Marks**.

- ❖ The Student will **start writing a Dissertation in LL.M. III Semester** on the topic (**Any topic pertaining to Law and the Society**) of his choice **with prior consent of his / her Guide / Supervisor**. It will be submitted by the students latest by **one month (30 days)** from the date of **last theory paper of LL.M. IVth Semester examination**. The Dissertation will carry **100 Marks**.
- ❖ The Student has to appear in **TWO Theory Papers in LL.M. IVth Semester**. **The Subject Group will be same as it was taken in Semester III by the student**. Each Theory Paper will carry **100 Marks**.
- ❖ The Student will appear in **Viva-voce examination** in LL.M. IVth Semester which will carry **100 Marks**.

❖ **LL.M. Semester III & IV Law Groups are as under :**

- **GROUP (A) : Constitutional And Administrative Law Group**

OR

- **GROUP (B) : Business Law Group**

OR

- **GROUP (C) : Torts And Criminal Law Group**

SEMESTER – III [GROUP (A) : Constitutional And Administrative Law Group] : (Total : 400 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	Constitutionalism And Constitutional Development in India	L-301	100
II	Comparative And Cooperative Federalism (India, America And Australia)	L-302	100
III	Civil And Political Rights : Comparative Study of Select Constitutions (India, USA and U.K.)	L-303	100
IV	Local Self Government Law	L-304	100

SEMESTER – III [GROUP (B) : Business Law Group] : (Total : 400 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	Contract – I (General Principles of Contract)	L-305	100
II	Contract – II (Specific Contract, Sales of Goods And Law of Partnership)	L-306	100
III	Company Law	L-307	100
IV	Banking Law	L-308	100

SEMESTER – III [GROUP (B) : Torts And Criminal Law Group] : (Total : 400 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	History and Principles of Criminal Law	L-309	100
II	Penology And Treatment of Offenders	L-310	100
III	Privileged Class Deviance	L-311	100
IV	Police And The Criminal Justice	L-312	100

SEMESTER – III [GROUP (A) : Constitutional And Administrative Law Group] : (Total : 400 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	Administrative Law of India – I	L-401	100
II	Administrative Law of India – II	L-402	100
III	Dissertation (Compulsory for all Students)	L-407	100
IV	Viva-voce	L-408	100

SEMESTER – III [GROUP (B) : Business Law Group] : (Total : 400 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	Insurance Law	L-403	100
II	International Trade Law	L-404	100
III	Dissertation (Compulsory for all Students)	L-407	100
IV	Viva-voce	L-408	100

SEMESTER – III [GROUP (C) : Torts And Criminal Law Group] : (Total : 400 Marks)

Paper No.	Title of the Paper	Paper Code	Max. Marks
I	Development of Law of Torts And General Torts	L-405	100
II	Specific Tort	L-406	100
III	Dissertation (Compulsory for all Students)	L-407	100
IV	Viva-voce	L-408	100

LL.M. Ist SEMESTER

(COMPULSORY PAPERS)

- ❖ **The Student has to appear in FOUR Theory Papers in LL.M. Ist Semester. Each Theory Paper will carry 100 Marks.**

PAPER – I
CONSTITUTIONAL LAW OF INDIA - I
(Fundamental Rights)
(Paper Code : L-101)

1. **Concept of State** : Constitutional And Judicial Approach of State (Article 12)
2. **Right to Equality**: Scope of the right to Equality. New approach of Article 14. Equality of opportunity in matters of public employment and in admission to educational institutions.
3. **Freedom of Speech and Expression**: The area of freedom and its limitation. Freedom of Press and challenges of new scientific development.
4. **Emerging regime of new Fundamental Rights**: The changing dimension of right to life and Personal Liberty. Reading Directive Principles and Fundamental Duties into Fundamental rights.
5. **Right to Freedom of Religion(Article 25 – 28)**: The scope of the freedom and the State Control. Secularism and religious fanaticism.
6. **Minorities Rights (Articles 29 & 30)**: Constitutional And Judicial Approach.
7. **Right to Remedy** : Constitutional And Judicial Approach.
8. Relationship Between Fundamental Rights And Directive Principles of State Policy.

BOOKS RECOMMENDED

Chander Pal, *Centre State Relations and Indian Cooperative Federalism*.
Chander Pal, *State Autonomy in Indian Federation: Emerging Trends*.
Hidayatullah M., *Constitutional Law of India*.
Jain M.P., *Constitutional Law*.
Pandey J.N., *Constitutional Law of India*.
Seervai H.M., *Constitutional Law of India*.
Shukla V.N., *Constitutional Law of India*.
Tope T.R., *Constitutional Law of India*.

PAPER – II
JURISPRUDENCE - I
(Theories of Law)
(Paper Code : L-102)

The course shall comprise of the following :

- (3) **Introduction** : Definition, Nature and Scope of legal theory, Importance of the Study of legal theory.
- (4) **Analytical School** : Analytical Positivism – John Austin, Kelsen, And H.L.A. Hart.
- (3) **Historical School** : Savigny’s Theory of Volk-geist, and Maine’s Theory of Status to Contract.
- (4) **Natural Law School** : Classical Natural Law, Revival of Natural Law : Rudolf Stammler and Kohler.
- (5) **Sociological School** : Background and Characteristics, Roscoe Pound’s theory of Social Engineering, Dugits Doctrine of Social Solidarity.
- (6) American Realist School
- (7) Relationship between Law and Morality : Hart and Fuller Controversy.
- (8) **Economic Approach of Law** : Marxist Theory of Law.

BOOKS RECOMMENDED

Bodenheilmer : *Jurisprudence*.
Dias, *Jurisprudence*.
Friedman, *Law in Changing Society*.
Llyoyd, *Introduction of Jurisprudence*.
Mahajan V.D., *Jurisprudence*.
Paton : *Jurisprudence*.
Salmond : *Jurisprudence*.

PAPER – III
LEGISLATIVE OUGHTS, INTERPRETATION AND JUDICIAL PROCESS
(Paper Code : L-103)

1. **Principles of Legislation:** Bentham's Theory of Utility and its Relevance, Relationship of Law and Public Opinion.
2. **Interpretation:** Meaning, Purpose, Main Rules of Interpretation, Subsidiary Rules of Interpretation, External and Internal Rules of Interpretation, Interpretation of the Constitution and Penal statutes
3. **Judicial Process:**
 - (a) The concept of justice and relation between Law and Justice. the concept of 'Dharma' in Indian thought. 'Dharma' as the foundation of legal ordering. Various theories of justice in the Western thought.
 - (b) The nature of Judicial Process. Judicial process as an instrument of social ordering. Judicial process and creativity in law. The tools and techniques of judicial creativity and precedents.
 - (c) Judicial Process in India. Indian debate on the role of judges and on the notion of judicial review. Danger signals and New challenges before the Indian Judiciary.
 - (d) Independence of judiciary and the nature of judicial process. Provisions of the Indian Constitution guaranteeing Independence of judiciary. Attitude of confrontation with the Legislature & Executive. Appointment & transfer of judges and its effect on independence of judiciary.
 - (e) Judicial Activism and Constitutional obligations of the court. Evolution of the concept. Reasons in defense of judicial activism. Constitution of India and judicial activism. Role played by the Supreme Court of India. The tools and techniques of the judicial activism. Need for care and caution.
 - (f) Decision making in the Supreme Court of India: Nature of participation- Dissent, concurrence, unanimity and voted with majority etc.

BOOKS RECOMMENDED

Bentham, *Theories Of Legislation*.
Cardozo, *Nature of Judicial Process*.
Craze W. F, *Statute Law*.
Dicey, A.V., *Law and Public Opinion*.
Henry J. Abraham, *Judicial Process*.
J. Swaroop, *Interpretation*.
Maxwell, *Interpretation*.

PAPER – IV
LEGAL EDUCATION AND RESEARCH METHODOLOGY
(Paper Code : L-104)

• **LEGAL EDUCATION :**

1. Objectives of Legal Education
2. Lecture method of teaching – Merits and demerits
3. Discussion method and Seminar method of teaching
4. Examination system and problems in evaluation.

• **RESEARCH METHODOLOGY**

5. **Introduction:** Legal Research – Evolution, Changing Emphasis and Contemporary Trends in general and specific to India.
6. **Different Kinds of Legal Research:** Doctrinal, Non-Doctrinal/Empirical/Socio-Legal , Inter/Multidisciplinary, Historical.
7. **Research:** Meaning, Objectives, Motivations, Types and Significance, Method and Methodology, Scientific Method, Research Process.
8. **Formulating Research Problem:** Literature Review, Hypothesis, Research Design.
9. **Sampling Procedures:** Probability and Non-Probability Sampling.
10. **Quantitative Method:** Use of quantitative method of research, Types and Sources of Data – Primary and Secondary data, Data analysis for specific type of data, Observation, Interview, Questionnaire, Schedules, Case Study.
11. Organisation, Interpretation and Analysis of Data.
12. **Communication and Evaluation of Research :** Report writing and writing of research papers, Presentation of research proposals, Evaluation of Research Report, Oral and written presentation of research (abstracts / synopsis), How to write a Thesis, Use of Citations, Foot Notes, References, Bibliography, Indexes, Appendices etc.
13. **Tools of Legal Research:** Library, Books, Journals, Law Reports, Law Commission Reports, Legislative and Constitutional Assembly Reports, Computer/Internet.
14. **Legal Research and Law Reforms:** Role of Judges and Jurists, Recommendations of Commissions and Committees etc.

BOOKS RECOMMENDED

- Black Thomas, *Understanding Social Science Research*.
Bruce L. Berg, *Qualitative Research Methods For The Social Sciences*.
C.R. Kothari, *Research Methodology: Methods and Techniques*.
Engalhart Max D., *Methods of Educational Research*.
Fern Edward F, *Advanced Focus Group Research*.
Galtung Johan, *Theory and Methods of Social Research*.
Kothari C.R., *Research Methodology- Methods and Techniques*.
Verma S.K. & Wani (eds) M Afzal, *Legal Research and Methodology*.

LL.M. IInd SEMESTER

(COMPULSORY PAPERS)

- ❖ **The Student has to appear in FOUR Theory Papers in LL.M. IInd Semester. Each Theory Paper will carry 100 Marks.**

PAPER – I
CONSTITUTIONAL LAW OF INDIA - II
(Paper Code : L-201)

1. **Indian Federalism:** Conceptual position of Federalism. Nature of the Indian Constitution. Cooperative Federalism. Relationship of trust and faith between center and state. Challenges before the Indian Federalism.
2. **Distribution of Legislative Powers:** The Scheme of the distribution of legislative powers in India the judicial approach and the present position. Recommendation of Sarkaria Commission & Venkatachaliah Commission.
3. **The Judiciary:** The Supreme Court of India. Jurisdiction and Powers. Its role as guardian of the Constitution, Independence of Judiciary.
4. **Tortious Liability of State :** Constitutional And Judicial Approach.
5. Freedom of Trade Commerce And Intercourse (Article 301 – 308)
6. Parliamentary Privileges.
7. Parliamentary Form of Government versus Presidential Form of Government.
8. **Emergency Provisions in Indian Constitution :** National And State Emergency
9. Amendment of the Constitution (Article 368).

BOOKS RECOMMENDED

Chander Pal, *Centre State Relations and Indian Cooperative Federalism.*
Chander Pal, *State Autonomy in Indian Federation: Emerging Trends.*
Hidayatullah M., *Constitutional Law of India.*
Jain M.P., *Constitutional Law.*
Pandey J.N., *Constitutional Law of India.*
Seervai H.M., *Constitutional Law of India.*
Shukla V.N., *Constitutional Law of India.*
Tope T.R., *Constitutional Law of India.*

PAPER – II
JURISPRUDENCE - II
(Legal Concepts)
(Paper Code : L-202)

- (1) **Legal Person** : (a) Nature and Concept, (b) Theories of Legal Personality
- (2) **Legal Rights and Duties**: (a) Definition, Basis and Characteristics, (b) Kinds of Legal Rights (c) Relationship between Rights and Duties.
- (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 Justice** : (a) Concept of Justice, (b) Theories of Justice (c) Administration of Justice
- (6) Theories of Possession
- (7) **Sources of Law** : Custom, Precedent, and Legislation.
- (8) Concept of State and Sovereignty.

BOOKS RECOMMENDED

Bodenheilmer : *Jurisprudence*.
Dias, *Jurisprudence*.
Friedman, *Law in Changing Society*.
Llyoyd, *Introduction of Jurisprudence*.
Mahajan V.D., *Jurisprudence*.
Paton : *Jurisprudence*.
Salmond : *Jurisprudence*.

PAPER – III
LAW AND SOCIAL TRANSFORMATION IN INDIA
(Paper Code : L-203)

1. Interaction of Law and Social Sciences
2. Impact of Social Development of Law
3. Law as an instrument of Social Change
4. Legal Idealism and the Sociological approach to Law
5. Social Morality and Legal Order
6. Role of Law, the individual and the welfare state
7. Role of Law and the function of lawyer
8. Social change through Judicial interpretation in India.
9. Economic, Social and Political Reforms and the Law: Modernization and the Law.

BOOKS RECOMMENDED

Bhat P. Ishwara, *Law And Social Transformation*.
Cardozo, *The Nature of Judicial Process*.
Enbee, *Law, Social Transformation And Judicial Process in India- I*.
Friedman, *Law And Changing Society*.
Malik K.P. & Raval K.C. (Dr.), *Law And Social Transformation in India*.
Mendelsohn Oliver, *Law And Social Transformation in India*.

PAPER – IV
HUMAN RIGHTS
(Paper Code : L-204)

1. Human Rights and the United Nations Charter:
 - (a) Normative and Institutional Framework of the UN
 - (b) Role of the permanent organs of the UN, Human Rights Commissions, UN High Commissioner for Human Rights
2. Universal Declaration on Human Rights:
 - (a) History of the Declaration
 - (b) Structure of the Declaration
 - (c) Legal Significance
3. International Covenants: ICCPR and ICESCR
 - (a) Nature and Characteristic
 - (b) Optional Protocols
4. Regional Instruments
 - (a) European Convention on Human Rights
 - (b) American Convention on Human Rights
 - (c) African Charter on Human and People's Rights
 - (d) Asia and Human Rights
5. Right to Life and Personal Liberty: Evolution of New Dimension of Human Rights Through Judicial Interpretation.
6. Implementation and Enforcement Mechanism of Human Rights in India. Remedies provided by the Judiciary and National Human Rights Commission.
7. Fundamental Duties. Article 51-A of the Constitution concept and need of Fundamental Duties. Enforcement and Effectuation of Fundamental Duties.
8. Emerging regime of new Human Rights in India. Taking guidance from Directive Principles of State Policy and Fundamental Duties. New Approach.

BOOKS RECOMMENDED

Agrawal H.O., *Human Rights*.
Basu D.D., *Human Rights in Constitutional Law*.
Khera S.C., *Human Rights and United Nation*.

LL.M. IIIrd & IVth SEMESTER (OPTIONAL GROUP PAPERS)

The Student has to opt any one Law Group among the following Law Groups in LL.M. IIIrd and Fourth Semester. Once a group opted by the student in LL.M. III Semester, he/she cannot change the Group in LL.M. IV Semester *i.e.* they shall keep the same Group with them. All the Theory Paper of LL.M. IIIrd and IVth Semester will carry Maximum 100 Marks.

- **GROUP (A) : Constitutional And Administrative Law Group**

OR

- **GROUP (B) : Business Law Group**

OR

- **GROUP (C) : Torts And Criminal Law Group**

IIIrd SEMESTER

Syllabus

- **GROUP (A) : Constitutional And Administrative Law Group**
 - ❖ **The Student has to appear in FOUR Theory Papers in LL.M. IIIrd Semester. Each Theory Paper will carry 100 Marks.**
 - ❖ **The Student will start writing a Dissertation on the topic of his choice (Any topic pertaining to Law and the Society) with prior consent of his / her Supervisor / Guide. It will be submitted by the students latest by one month (30 days) from the date of last theory paper of LL.M. IVth Semester examination.**

PAPER – I
[GROUP (A)]
CONSTITUTIONALISM AND CONSTITUTIONAL DEVELOPMENT
IN INDIA AND ENGLAND
(Paper Code : L-301)

1. What is a Constitution? Constitution, Constitutional Law and Constitutionalism. Concept of Limited Government and limitations on government power. Conventions of constitutionalism- Law and conventions. Historical evaluation of constitutional government in India and England.
2. Rule of Law. Concept and new horizons; Separation of powers. Concept and its applicability in India and England.
3. Sovereignty of British Parliament, Powers and Functions Privileges of the Parliament and Courts- Indian and British position.
4. The King of England. Prerogatives of the Crown. Position of the King in England. Cabinet System of government in India and England.
5. The Judicial system in England. Crown Proceeding Act 1947. Judicial Review and Constitutionalism in India. Prerogative writs.

BOOKS RECOMMENDED

Beeghot Walter, *The English Constitution*.
Boqdanor Vernon, *The New British Constitution*.
Hidayatullah M., *Constitutional Law of India*.
Jain M.P., *Constitutional Law*.
King Anthoni, *The British Constitution*.
Pandey J.N., *Constitutional Law of India*.
Seervai H.M., *Constitutional Law of India*.
Shukla V.N., *Constitutional Law of India*.

PAPER – II
[GROUP (A)]
COMPARATIVE AND COOPERATIVE FEDERALISM
(India, America, And Australia)
(Paper Code : L-302)

1. Concept of Federalism. Requisite conditions of federalism Patterns of federal government of U.S.A. and Australia. Federal Control v. State autonomy.
2. Indian Federal Constitution and its present shape.
3. The changing dimension of modern federal Constitutions New trends in federalism. National supremacy. Cooperative Federalism.
4. The scheme of the distribution of legislative powers in India and a comparative study of the scheme of U.S.A. and Australia. The specific legislative powers: Defence & External affairs.
5. Emergency provisions. Effect of Emergency on the federal structure. Judicial approach. Indian and American experiences.
6. Judicial Review for federal Umpiring. Scope of judicial review in the federal Constitutions. The approach of Indian & American Supreme Court.
7. Scope of Constituent power. Amending process and process in action. Judicial response. The direction of the Indian constituent power.

BOOKS RECOMMENDED

- Amar Akhil Reed, *America's Constitution : A Select Bibliography*.
French Robert, Lindell Geoffrey and Saunders Cheryl (ed.), *Reflections on the Australian Constitution*.
Hidayatullah M., *Constitutional Law of India*.
Jain M.P., *Constitutional Law*.
Landynski Jacob & Padover Saul, *The Living U.S. Constitution*.
Mason, *The Australian Constitution in Retrospect and Prospect*.
Pandey J.N., *Constitutional Law of India*.
Saunders Cheryl, *The Constitution of Australia*.
Seervai H.M., *Constitutional Law of India*.
Shukla V.N., *Constitutional Law of India*.
Stevens Richard G., *The American Constitution and Its Provenance*.
Vile John R., *A Companion to the United States Constitution and Its Amendments*.

PAPER – III
[GROUP (A)]

CIVIL AND POLITICAL RIGHTS : COMPARATIVE STUDY OF SELECT CONSTITUTIONS
(India, United States of America and United Kingdom)

(Paper Code : L-303)

1. Constitutional basis for protection of Individual rights. Balance between individual liberty and social needs. To whom and against whom Rights are available. Suspension of Rights.
2. Right to Equality. General principles. Protective discrimination with special references to emerging judicial response to the problems of group inequalities. Comparative study of the decisions of the Indian and American courts.
3. Freedom of Speech and Expression: Special attention will be paid to the liberty of Press as interpreted by the Indian Supreme Court and to the interpretation of the freedom guaranteed by the First Amendment of the American Constitution.
4. Right to life and Personal Liberty: Judicial determination of the scope of the term “personal liberty”, “procedure established by law” and the American expressions “liberty” and ‘due process’. Radical changes in judicial thinking in this area.
5. Freedom of Religion Judicial interpretation of the freedom under the Constitution of India and of the United States.
6. Amendment of Rights: Adaptability of the Constitutional law to the changing needs of the society. Power and Procedure for amendments of these rights under the American and Indian constitution.
7. Elections and the Franchise: Constitutional foundation of the right to vote. The voting rights Acts. Judicial supervision of Elections.

BOOKS RECOMMENDED

- Amar Akhil Reed, *America’s Constitution : A Select Bibliography*.
Begehot Walter, *The English Constitution*.
Boqdanor Vernon, *The New British Constitution*.
Hidayatullah M., *Constitutional Law of India*.
Jain M.P., *Constitutional Law*.
Landynski Jacob & Padover Saul, *The Living U.S. Constitution*.
Pandey J.N., *Constitutional Law of India*.
Saunders Cheryl, *The Constitution of Australia*.
Seervai H.M., *Constitutional Law of India*.
Shukla V.N., *Constitutional Law of India*.
Stevens Richard G., *The American Constitution and Its Provenance*.
Vile John R., *A Companion to the United States Constitution and Its Amendments*.

PAPER – IV
[GROUP (A)]
LOCAL SELF GOVERNMENT LAW
(Paper Code : L- 304)

1. Historical Perspectives: Early period, Gram Swaraj-the Gandhian concept
2. Constitutional Scheme: Directive Principles, Structure and powers of local bodies
3. Legislative Powers: Direct democracy and grass root planning, Municipalities and corporation, gram Sabha
4. Quasi-legislative Powers: Rule making power of the State Government, Regulations and Bye-laws
5. Financial Powers: Levying taxes, Licensing power, Financial resources and powers
6. Judicial and Quasi-judicial powers of the Local Bodies
7. Election to Local Bodies
8. Conduct of Meetings – Corporation, Municipal Council, Panchayat Committee and Gram Sabha
9. Institutional and Judicial Control

BOOKS RECOMMENDED

Dhaliwal S.S., Local Self Government.
Jain M.P., Constitutional Law.
Mudgal Rahul, Local Self Government in India.
Pandey J.N., Constitutional Law of India.
Seervai H.M., Constitutional Law of India.
Shukla V.N., Constitutional Law of India.
Swami Satpal, Local Self Government.
Vidyasagar I.S., Local Self Government – Theoretical Perspective.

IIIrd SEMESTER

Syllabus

- **GROUP (B) : Business Law Group**
- **The Student has to appear in FOUR Theory Papers in LL.M. IIIrd Semester. Each Theory Paper will carry 100 Marks.**
- **The Student will start writing a Dissertation on the topic of his choice (Any topic pertaining to Law and the Society) with prior consent of his / her Supervisor / Guide. It will be submitted by the students latest by one month (30 days) from the date of last theory paper of LL.M. IVth Semester examination.**

PAPER – I
[GROUP (B)]
(CONTRACT – I : GENERAL PRINCIPLES OF CONTRACT)
(Paper Code : L- 305)

1. Formation of Contract: A critical study of offer and acceptance.
2. Doctrine of Consideration and Privity of Contract
3. Capacity to contract: Nature of minor's agreements and the doctrine of restitution.
4. Consent: Meaning, importance and the factors vitiating free consent with special reference to Fraud and Misrepresentation.
5. Standard form Contracts.
6. Void Agreements: With special reference to agreements relating to restraint of trade and wagering agreements.
7. Discharge of contracts with special reference to the doctrine of frustration.
8. Relations resembling those created by contract.
9. Remedy in the form of compensation.

BOOKS RECOMMENDED

Anson's *Law of Contract*.
Bangia R.K. (Dr.), *Indian Contract Act*
Desai S.T., *The Indian Contract Act*
Kapoor S.K., *Contract*
Moitra A.C., (Dr.), *Principles and Digest of Indian Contract Act*.
Pollock and Mulla, *Indian Contract and Specific Relief Act*
Singh Avtar (Dr.), *Law of Contract*

PAPER – II
[GROUP (B)]

(CONTRACT – II : SPECIFIC CONTRACT, SALES OF GOODS AND LAW OF PARTNERSHIP)
(Paper Code : L- 306)

1. Contract of Indemnity : Definition and nature of contract of indemnity, Extent and commencement of liability
 2. Contract of Guarantee : Meaning and Essentials of Contract of Guarantee, Extent of Surety's Liability, Discharge of Surety's Liability, Rights of Surety
 3. Contract of Bailment & Pledge : Meaning and Essentials of Contract of Bailment, Duties of Bailer and Bailee, Rights of Bailee, Meaning and Essentials of Pledge and persons entitled to pledge.
 4. Contract of Agency : Nature and Essentials of Contract of Agency, Creation of Agency: Implied Agency and Agency of Necessity, Agency by Ratification, Termination of Agency.
1. Delineation of Sale, Essentials of Contract of Sale and Agreement to Sale, Duties of Sellers and Buyers, Sale by Sample, Sale by Description, Conditions and Warranties, Rule of Caveat Emptor.
 2. Transfer of Title, Passing of Property in Goods, Delivery of Goods – Rules regarding Delivery of Goods, Unpaid Seller and his Rights, Remedies for the Breach of Contract.
 3. Network of Partnership, Difference between Partnership and a Company, Mutual relationship between Partners, Authority of Partners, Dissolution of Partnership, Minor as Partner.

BOOKS RECOMMENDED

Anson's *Law of Contract*.
Bangia R.K. (Dr.), *Indian Contract Act*
Desai S.T., *The Indian Contract Act*
Kapoor S.K., *Contract*
Moitra A.C., (Dr.), *Principles and Digest of Indian Contract Act*.
Narayana P.S., *The Law of Partnership*.
Pollock and Mulla, *Indian Contract and Specific Relief Act*
Singh Avtar (Dr.), *Law of Contract*.

PAPER – III
[GROUP (B)]
COMPANY LAW
(Paper Code : L- 307)

1. **Introduction:** History of Company Legislation, Characteristic features of a company and Lifting the corporate veil.
2. **Prospectus :** Meaning and Definition, Requirements, Statement in lieu of Prospects, Public Issue, Misrepresentation – Remedies for Liabilities for Misrepresentation.
3. **Share Capital :** Shares—Meaning, Allotment- restrictions on allotment, Certificate of shares, Transfer and restrictions on transfer, Kinds of share capital, Preference share capital, Bonus shares, Issue and redemption of shares – Allotment, Alteration, Reduction, Transfer, Transmission, Surrender, Forfeiture of shares.
4. **Shares:** Meaning, kinds and general principles and statutory provisions regarding Allotment of shares. Effect of irregular Allotment.
5. **Share Holders and Members :** Differences, How to become a member, who may be a member, Rights of share holders – Right to receive dividend, Right to transfer shares, Preemptive right, Right to information, Inspection and Investigation.
6. **Shares and Debentures :** Difference and similarities between shares and debentures, Redeemable and Irredeemable debentures, Remedies of debenture holders, Company Charges : Registration, Floating Charges, Fixed Charge, Crystallization of Floating Charge.
7. **Take-Over and Mergers:** Meaning, Provisions relating to take-over in Company Law, Guidelines of the Security and Exchange Board of India (SEBI) on Take-over.
8. **Insider Trading :** Meaning, Reasons for prohibiting Insider Trading, Provisions in Company Law to prohibit Insider Trading, American and English perspective, Guidelines of SEBI on Insider Trading.
9. **Securities And Exchange Board of India (SEBI):** Its Constitution, Powers and Functions of SEBI, The Securities and Exchange Board of India Act, 1992.
10. **Dividends :** Meaning of Dividends, How are they paid – Payment of Dividend only out of profits, Deduction of loss or depreciation, Reserves – Transfer of certain percentage of profits to reserves, Declaration—No declaration on dividend on equity shares in case of non- compliance with Section 80A, Dividend to be paid in cash, Accounts and Audit, Account Books, Annual Accounts and Balance Sheets – their inspection, Auditors – Appointment, Appointment, Powers, Duties, Removal, Special Audit, Audit of Cost accounts.

BOOKS RECOMMENDED

Majumdar A.K., *Company Law and Practice*.
Kapoor G.K. (Dr.) & Gower L.C.B., *Principles of Modern Company Law*.
Singh Avtar (Dr.), *Indian Company Law*.
Ramayya A., *A Guide to Companies Act*.
Rai Kailash, *Principles of Company Law*.
Dhingra L.C. (Dr.), *Principles of Company Law*
Tripathi S.C. (Dr.), *Modern Company Law*.

PAPER – IV
[GROUP (B)]
BANKING LAW
(Paper Code : L- 308)

1. **Introduction:** Nature and development of banking. History of banking in India and elsewhere-indigenous banking-evolution of banking in India-different kinds of banks and their functions, Multi-functional banks- growth and legal issues.
2. **Law relating to Banking Companies in India:** Controls by government and its agencies. On management, On accounts and audit, Lending, Credit policy, Reconstruction and reorganization, Suspension and winding up, Contract between banker and customer; their rights and duties.
3. **Social Control over Banking:** Nationalization, Evaluation: private ownership, nationalization and disinvestments, Protection depositors, Priority lending, Promotion of under privileged classes.
4. **Deposit Insurance:** The Deposit Insurance Corporation Act 1961: Objects and Reasons, Establishment of Capital of DIC, Registration of banking companies insured banks, liability of DIC to depositors, Relations between insured banks, DIC the Reserve Bank of India.
5. **The Central Bank:** Evolution of Central Bank, Characteristic and functions, Economic and social objectives, The Central Bank and the State as bankers' bank, The Reserve Bank of India as the central Bank, Organizational structure, Functions of the RBI, Regulation monetary mechanism of the economy, Credit control , Exchange control, Monopoly of currency issue, Bank rate policy formulation, Control of RBI over non-banking companies, Financial companies, Non-financial companies.
6. **Relationship of Banker and Customer:** Legal character, Contract between banker and customer, Banker's lien, Protection of bankers, Customers, Nature and type of accounts, Special classes of customers-lunatics, minor, partnership, corporations, local authorities Banking duty to customers, Consumer protection: banking as service.
7. **Negotiable Instruments:** meaning and kinds, Transfer and negotiations, Holder and holder in due course, Presentment and payment, Liabilities of parties.
8. **Lending by Banks:** Good lending principles, Lending to poor masses, Securities for advances, Kinds and their merits and demerits, Repayment of loans: rate of interest, protection against penalty, Default and recovery, Debt recovery tribunal.
9. **Recent Trends of Banking System in India:** New technology, Information technology, Automation and legal aspects, Automatic teller machine and use of internet, Smart card, Use of expert system, Credit cards.
10. **Reforms in Indian Banking Law:** Recommendations of committees: a review.

BOOKS RECOMMENDED

- Bangia R.K., *Negotiable Instrument Act.*
Bashyam & Adiga: *The Negotiable Instrument Act.*
Chorley Lord, *Law of Banking.*
Faizi O.P., *The Negotiable Instrument Act.*
Gupta S.N., *Banks and the Customer Protection Law.*
Gupta S.N., *The Banking Law and Practice in India.*
Megrah Maurice & Ryder F.R., *Pagets Law of Banking.*
Parthasarathy M.P., *Negotiable Instrument Act.*
Singh Avtar (Dr.), *Negotiable Instrument Act.*
Tannen M.L., *Banking Law and Practice in India.*

IIIrd SEMESTER

Syllabus

- **GROUP (C) : Torts And Criminal Law Group**
 - ❖ **The Student has to appear in FOUR Theory Papers in LL.M. IIIrd Semester. Each Theory Paper will carry 100 Marks.**
 - ❖ **The Student will start writing a Dissertation on the topic of his choice (Any topic pertaining to Law and the Society) with prior consent of his / her Supervisor / Guide. It will be submitted by the students latest by one month (30 days) from the date of last theory paper of LL.M. IVth Semester examination.**

PAPER – I
[GROUP C]
HISTORY AND PRINCIPLES OF CRIMINAL LAW
(Paper Code : L- 309)

1. History and Development of Criminal law in India and England.
2. Crime and criminal law: - Nature of crime & place of criminal law in criminal science.
3. Basic Elements of Crime.
4. Stages in Commission of Crime.
5. Constructive and Joint Criminality.
6. Abetment and Criminal Conspiracy.
7. General Exceptions.

BOOKS RECOMMENDED

Hall Jerome, *General Principles of Crime*.
Harrie, *Principles & Practices of Criminal law*.
Kenny, *Outlines of Criminal law*.
Lal Ratan & Lal Dhiraj, *Law of Crimes*.
Nigam R.C, *Principles of Criminal law*.
Radzinowicz , *History of English Criminal Law*.
Russel, *Law of Crimes*.
Stephen J.F., *History of Criminal law in England*.
Williams G., *Criminal Law*.

PAPER – II
[GROUP (C)]
PENOLOGY AND TREATMENT OF OFFENDERS
(Paper Code : L- 310)

- (A) **Ancient and Medieval Concept of Treatment Offenders:**
- (1) Primitive Treatment of Offenders.
 - (2) Transportation of Criminals
 - (3) Capital Punishment.
- (B) **Era of Reform: - Emergence of Concept of Imprisonment:**
- (1) Reforms in Criminal law.
 - (2) Genesis and development of Penitentiary.
 - (3) Appraisal of Conventional Imprisonment
 - (4) County Jails and Town lock-up
 - (5) Correctional Treatment for women
 - (6) Rise of Reformatory
- (C) **Rehabilitative Process within the Framework of Imprisonment :**
- (1) Emergence of the Concept of Corrections.
 - (2) The Processing of the Convicted offenders by the Prison.
 - (3) Education and Religion Behind Bars.
 - (4) Self Government in Prison.
 - (5) Prison Visiting, Citizen Participation and inmate Contribution to Society.
 - (6) Inmate Labour in Correctional Program.
- (D) **Resocialisation of Offenders in Community :**
- (1) Release and Reception of the criminal in Community.
 - (2) Suspended Sentences and Probation.
 - (3) Conditional Release and Parole.
 - (4) The Challenge of Delinquency and Crime.

BOOKS RECOMMENDED

Fitzgerald , *Punishment*.
Hart H.L.A, *Punishment & Responsibility*.
Oppenheimer, *Rationale of Punishment*.
Packer Iterbert L., *Limits of Criminal Sanction*.
Ross A., *On Guilt, Responsibility & Punishment*.
Shukla K.S., *Sociology of Deviant Behavior*.
Siddiqui A., *Criminology*.
Sutherland, E. and Cressy, *Principles of Criminology*.

PAPER – III
[GROUP (C)]
PRIVILEGED CLASS DEVIANCE
(Paper Code : L- 311)

1. Conceptions of white-collar crimes
2. Indian approaches to socio-economic offences
3. Notions of privileged class deviance as providing a wider categorization of understanding Indian development.
4. Typical forms of such deviance
5. Official deviance (deviance by legislators, judges, bureaucrats)
6. Professional deviance: journalists, teachers, doctors, lawyers, engineers, architects and publishers
7. Trade union deviance (including teachers, lawyers/urban property owners)
8. Landlord deviance (class/caste based deviance)
9. Police deviance
10. Deviance on electoral process (rigging, booth capturing, impersonation, corrupt practices)
11. Gender-based aggression by socially, economically and politically powerful.

BOOKS RECOMMENDED

Sutherland, E. and Cressy, *Principles of Criminology*.
James Teary, *Introduction of Criminology*.
Sethna S.M., *Society and Criminology*.
Pannanan M., *Criminology and Penology*.

PAPER – IV
[GROUP (C)]
POLICE AND THE CRIMINAL JUSTICE
(Paper Code : L- 312)

- (1) The Police system.
- (2) Structural organization of police at the Centre and the States.
- (3) Powers and Duties of Police under U.P. Police Acts, Criminal Procedure Code and other Laws.
- (4) Arrest, Search, Seizure and Constitutional Imperatives.
- (5) Methods of Police Investigation.
- (6) Third Degree Methods.
- (7) Corruption in Police.
- (8) Relationship between Police and Prosecution.
- (9) Liability of Police for Custodial Violence.
- (10) Police Public Relations.
- (11) Select aspects of National Police Commission report.

BOOKS RECOMMENDED

Chaturvedi Shailendra Kumar, *Role of Police in Criminal Justice System.*
Dempsey John & Forst Linda S., *Police With Criminal Justice Course.*
Starmer Keir, *Criminal Justice, Police Powers and Human Rights.*
Hoover Larry, *Police Crime Control Strategies.*
Manoharan N. (Dr.), *Reforming the Criminal Justice System.*
Sharma P.D., *Criminal Justice Administration.*
Mondal Dipock, *The Role of Police in Criminal Justice System.*

IVth SEMESTER

Syllabus

- **GROUP (A) : Constitutional And Administrative Law Group**
 - ❖ **The Student has to appear in TWO Theory Papers in LL.M. IVth Semester. Each Theory Paper will carry 100 Marks.**
 - ❖ **The Student will submit his / her Dissertation latest by one month (30 days) from the date of last theory paper of LL.M. IVth Semester. The Dissertation will carry 100 Marks.**
 - ❖ **The Student will appear in Viva-voce examination in LL.M. IVth Semester which will carry 100 Marks.**

PAPER – I

[GROUP (A)]
ADMINISTRATIVE LAW IN INDIA – I
(Paper Code : L- 401)

- (1) Importance and Scope of Administrative Law;
- (2) Rule of Law;
- (3) Separation of Powers;
- (4) Delegated Legislation:
 - a. Constitutionality;
 - b. Judicial Control;
 - c. Parliamentary Control;
 - d. Procedural Control
- (5) Ombudsman in India (Lokpal)
- (6) Central Vigilance Commission
- (7) The Commission of Inquiry Act, 1952.

BOOKS RECOMMENDED

Basu D.D., *Comparative Administrative Law*.
Jain M.P. & Jain S.N., *Principles of Administrative Law*.
Joshi K.C., *Administrative Law*.
Massey I.P., *Administrative Law*.
S.P.Sathe, *Administrative Law*.
Takwani C.K., *Lectures on Administrative Law*.
Thakkar C.K., *Administrative Law*.
Wade H.P.W., *Principles of Administrative Law*.

PAPER – II
[GROUP (A)]
ADMINISTRATIVE LAW IN INDIA – II
(Paper Code : L- 402)

- (1) Judicial Review of Discretionary Power.
- (2) Writ of Habeas Corpus
- (3) Writ of Mandamus.
- (4) Writ of Certiorari.
- (5) Writ of Prohibition.
- (6) Writ of Quo-warranto.
- (7) Natural Justice: Rule Against Bias, Opportunity of Hearing (Audi alteram partem).
- (8) Administrative Tribunals.
- (9) Domestic Inquiries.
- (10) Administrative Finality.
- (11) Role of Declaratory Decree as Public Law Remedy.
- (12) Role of Injunction as Public Law Remedy.

BOOKS RECOMMENDED

Basu D.D., *Comparative Administrative Law*.
Jain M.P. & Jain S.N., *Principles of Administrative Law*.
Joshi K.C., *Administrative Law*.
Massey I.P., *Administrative Law*.
S.P.Sathe, *Administrative Law*.
Takwani C.K., *Lectures on Administrative Law*.
Thakkar C.K., *Administrative Law*.
Wade H.P.W., *Principles of Administrative Law*.

- **DISSERTATION (Code : L- 407) (100 Marks)** : Dissertation will be submitted by the students latest by one month (30 days) from the date of last theory paper of LL.M. IVth Semester examination.
- **VIVA- VOCE (Code : L-408)--- 100 Marks.**

IVth SEMESTER

Syllabus

- **GROUP (B) : Business Law Group**

- ❖ **The Student has to appear in TWO Theory Papers in LL.M. IVth Semester. Each Theory Paper will carry 100 Marks.**
- ❖ **The Student will submit his / her Dissertation latest by one month (30 days) from the date of last theory paper of LL.M. IVth Semester. The Dissertation will carry 100 Marks.**
- ❖ **The Student will appear in Viva-voce examination in LL.M. IVth Semester which will carry 100 Marks.**

PAPER – I
[GROUP (B)]
INSURANCE LAW
(Paper Code : L- 403)

1. Nature and definition of Contract of Insurance.
 - (a) Definition of Contract of Insurance.
 - (b) Contract is ‘Aleatory’
 - (c) Contract of utmost good faith.
 - (d) Contract of indemnity.
 - (e) Contract of Wager.
2. Insurable interest:
 - (a) Nature of insurable interest
 - (b) Time or duration of interest
 - (c) Insurable interest and Life insurance.
 - (d) Insurable interest and Fire insurance.
3. The Risk:
 - (a) Meaning of risk
 - (b) Scope of risk
 - (c) Application of rule in various classes of insurance
 - (d) The elements of risk
 - (e) The alteration of the risk
4. The Insurance Regulatory and Development Authority:
 - (a) Establishment
 - (b) Composition
 - (c) Duties, powers and functions.

BOOKS RECOMMENDED

Mishra M.N., *Principles of Insurance and Practices.*
Mishra M.N., *Principles of Insurance.*
Rao C.R., *Treaties on the Law of Insuranc.*
Singh Brij Nandan, *Insurance Law.*
Ray R.M., *Life Insurance in India.*
Singh Avtar, *Law of Insurance.*

PAPER – II
[GROUP (B)]
INTERNATIONAL TRADE LAW
(Paper Code : L- 404)

- (1) **International Trade and Trading Blocks:** Theory and policy, Institutionalisation of international trade, pre general agreement on tariff and trade (Gatti), Establishment of World Trade Organization (WTO).
- (2) **Establishment of World Trade Organization, WTO and Tariff Restrictions, WTO and non-tariff restrictions:**
- (3) **Competition law and International Trade:**Interface between trade and competition, International aspects of competition policy, competition and consumer protection, regulation of anti-competition activities, multinational corporations and competition in international trade.
- (4) **Settlement of Disputes under World Trade Organisation:**Dispute settlement under world trade organisation rules, regulations and procedures relation to settlement of disputes under world trade organisation.
- (5) **International Commercial Arbitration:** International commercial contract and International commercial arbitration, Agreement, Procedure for International commercial Arbitration, International commercial institution.
- (6) **Regulations on Investments:** Borrowing and landing of money and foreign currency, Immovable property, Purchase abroad, Establishment of business outside, Investment in Indian banks, Repatriation and surrender of foreign securities.

BOOKS RECOMMENDED

- Kaul Krishan, Avtar, *The General Agreement on Tariffs and Trade/World Trade Organization-Law, Economics and Politics.*
- Carr, Indira : *Principles of International Trade Law.*
- Charley, Janetle : *International Trade Law.*
- Motiwali O.P., *International Trade- The Law and Practice.*
- Bhalla Raj, *International Trade Law: Theory & Practice.*
- Lowenfield A., *Law of International Trade.*
- Goyal Arun, *WTO in New Millennium.*
- Bagchi Jayanta, *World Trade Organization.*
- Rao M.B. & Guru Manjula, *WTO and International Trade.*

- **DISSERTATION (Code : L- 407) (100 Marks) :** Dissertation will be submitted by the students latest by one month (30 days) from the date of last theory paper of LL.M. IVth Semester examination.
- **VIVA- VOCE (Code : L-408)--- 100 Marks**

IVth SEMESTER

Syllabus

- **GROUP (C) : TORTS AND CRIMINAL LAW GROUP**

- ❖ **The Student has to appear in TWO Theory Papers in LL.M. IVth Semester. Each Theory Paper will carry 100 Marks.**
- ❖ **The Student will submit his / her Dissertation latest by one month (30 days) from the date of last theory paper of LL.M. IVth Semester. The Dissertation will carry 100 Marks.**
- ❖ **The Student will appear in Viva-voce examination in LL.M. IVth Semester which will carry 100 Marks.**

PAPER – I
[GROUP (C)]
DEVELOPMENT OF LAW OF TORTS AND GENERAL TORTS
(Paper Code : L- 405)

1. Evolution of Law of Torts
2. Definition, nature, scope and objects
3. Principles of liability in torts
4. Justification in Tort
5. Extinguishment of liability in certain situations
6. Standing
7. Vicarious liability
8. Doctrine of sovereignty and its relevance in India.
9. Absolute Strict liability
10. Legal Remedies

BOOKS RECOMMENDED

Bangia R.K., *The Law of Torts*.
Kapoor S.K., *Law of Torts*.
Lal Rattan & Lal Dhiraj, *The Law of Torts*.
Paranjape N.V., *Law of Torts*.
Salmond W.G., *Law of Torts*.
Winfield and Jolowicz, *Torts*.

PAPER – II
[GROUP (C)]
SPECIFIC TORTS
(Paper Code : L- 406)

1. Assault, batter, mayhem False imprisonment
2. False imprisonment
3. Defamation
4. Malicious prosecution
5. Trespass to land, trespass to goods, detinue, conversion.
6. Injurious falsehood, misstatements, passing off.
7. Negligence:
 - (a) Basic concepts
 - (b) Theories of negligence
 - (c) Standards of care, duty to take care carelessness, inadvertence
 - (d) Doctrine of contributory negligence
 - (a) *Res ipsa loquitur* and its importance in contemporary law
 - (b) Liability due to negligence-different professionals.
 - (c) Liability of common causes for negligence.
8. Nervous shock.
9. Nuisance: definition, essentials and types
10. Acts which constitute nuisance-obstructions of highways, pollution of air, water, water, noise, and interference with light and air.
11. Liability due to negligence- different professions- under the consumer protection Act.
12. Liability of manufacturers and business houses for their products under the consumer Protection Act.

BOOKS RECOMMENDED

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Kapoor S.K., *Law of Torts*.
Lal Rattan & Lal Dhiraj, *The Law of Torts*.
Paranjape N.V., *Law of Torts*.
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- **DISSERTATION (Code : L-407) (100 Marks)** : Dissertation will be submitted by the students latest by **one month (30 days)** after the date of last theory paper of LL.M. IVth Semester examination.
- **VIVA- VOCE (Code : L-408) – (100 Marks)**