



BHARTI VISHWA VIDYALAYA DURG (C.G.)

Website- www.bhartiuniversity.org, Email- bhartiuniversity.in@gmail.com



SCHEME OF EXAMINATION & SYLLABUS Of LL.B.

Semester Exam

UNDER

FACULTY OF LAW

(Approved by Board of Studies)

Session 2022



BHARTI VISHWAVIDYALAYA



BACHELOR OF LAW (LL.B.) SCHEME OF EXAMINATION

SEMESTER – I

S. No.	Subject Code	Subject	External	Internal	Total	Credit
1	LLB101	Jurisprudence & Legal Theory	70	30	100	4
2	LLB102	Law of Contract & Specific Relief Act 1963	70	30	100	4
3	LLB103	Specific Contract, Indian Partnership Act 1932 and Sale of Goods Act 1930	70	30	100	4
4	LLB104	Law of Torts including Motor Vehicle Accident Act and Consumer Protection Laws	70	30	100	4
5	LLB105	Legal & Constitutional History of India	70	30	100	4
6	LLB106	Promotion of Education and Moral Values	70	30	100	4
Total					500	24

SEMESTER – II

S. No.	Subject Code	Subject	External	Internal	Total	Credit
1	LLB201	Law of Crimes (IPC)	70	30	100	4
2	LLB202	Law of Crime - II (Criminal Procedure Code, Juvenile Justice Act & Probation of Offenders Act)	70	30	100	4
3	LLB203	Law of Evidence	70	30	100	4
4	LLB204	Family Laws - I; Hindu Law	70	30	100	4
5	LLB205	Family Laws - II; Mohammedan Law	70	30	100	4
Total					500	20

SEMESTER – III

S. No.	Subject Code	Subject	External	Internal	Total	Credit
1	LLB301	Constitutional Law - I	70	30	100	4
2	LLB302	Constitutional Law - II	70	30	100	4
3	LLB303	Administrative Law & Right to Information Act, 2005	70	30	100	4
4	LLB304	Law of Equity and Indian Trust Act, 1882	70	30	100	4
5	LLB305	Professional Ethics and Professional Accounting System (Practical)			100	4



Total			500	20
--------------	--	--	------------	-----------

SEMESTER –IV

S. No.	Subject Code	Subject	External	Internal	Total	Credit
1	LLB401	C.G. Land Revenue Code and Other Local Laws	70	30	100	4
2	LLB402	Environmental Laws including Wild Life Protection and Animal Welfare	70	30	100	4
3	LLB403	Labour & Industrial Laws - I	70	30	100	4
4	LLB404	Labour & Industrial Laws - II	70	30	100	4
5	LLB405P	Alternative Disputes Resolution (Practical)			100	4
Total					500	20

SEMESTER –V

S. No.	Subject Code	Subject	External	Internal	Total	Credit
1	LLB501	Company Law	70	30	100	4
2	LLB502	International Law & Human Rights	70	30	100	4
3	LLB503	Interpretation of Statutes	70	30	100	4
4	LLB504	Legal Language and General English	70	30	100	4
5	LLB505P	Moot Court Exercise and Internship (Practical)			100	4
Total					500	20

SEMESTER – VI

S. No.	Subject Code	Subject	External	Internal	Total	Credit
1	LLB601	Transfer of Property Act and Easement Act	70	30	100	4
2	LLB602	Civil Procedure Code and Limitation Act	70	30	100	4
3	LLB603	Law of Taxation	70	30	100	4
4	LLB604	Intellectual Property Law & Information Technology Act, 2000	70	30	100	4
5	LLB605P	Drafting, Pleading and Conveyancing (Practical)			100	4
Total					500	20



Programme Outcome

Programme outcomes, Programme Specific outcomes and course outcomes for all Programme offered by BHARTI University under Faculty of Law:-

Programme Outcomes of all the programmes are identified at the National Level according to the Bar Council of India. The Programme outcomes and Programme specific outcomes are achieved through a curriculum that offers a number of courses. The prospectus of the college states the syllabus of every subject under each course offered at the college and the objectives of the course. It provides a general idea about the expectations of the college and about the outcome on the successful completion of the course. Our college offered various courses such as B.A.LL.B. (Five Year/Tenth Semester course), B.Com.LL.B. (Five Year/Tenth Semester course), LL.B. (Three Year/ Sixth Semester course) and LL.M. (Two Year/Fourth Semester P.G. course). Following are some of the work which could be done by the completion of Course or programme :-

- Judicial Services
- Legal Process Outsourcing
- As Legal Advisor In Law Firm
- Non-Governmental Organization
- As Prosecutors
- As Law Clerk
- Government Services
- Legal officers in PSUs and Private Organizations
- Practice of Law in Bar

Pedagogy:-

The pedagogy would be the combination of the following techniques:-

- Lectures
- Seminar
- Presentations
- Classroom Activities
- Discussions, Questions & Answers
- Case Study

Program outcomes of U.G. course LL.B.

- Understand and identify key concepts in corporate law and the field of education.
- Explore and explain the substantial & procedural laws in which they are made or drafted and how students think and understand the legislative setup.



- Effectively communicate by engaging in a persuasive style, and demonstrate oral advocacy skills in a clear and objective manner.
- Interpret and analyse the legal and social problems and work towards finding solutions to the problems by application of laws and regulations.
- Successfully analyse a situation and collaborate effectively with others on a variety of legal issues.
- Inculcate values of Rights and Duties, and transfer these values to real-life through legal and judicial process for promoting community welfare.
- Apply ethical principles and commit to legal professional ethics, responsibilities and norms of the established legal practices.
- Recognize the need for and have the preparation and ability to engage in independent and life-long learning in the broader context of legal change.
- Employ appropriate legal analysis by reasoning and problem solving skills to arrive at solutions to legal problems.

Program specific outcomes of U.G. course LL.B.

- LL.B. is an opportunity for learners to specialize in corporate sector along with law. Acquire advance knowledge in the specific field of law chosen for the specialization.
- Interpret and analyse the legal and social problems and work towards finding solutions to the problems by application of laws and regulations.
- Apart from imbibing knowledge of law, the course allows learners to acquire skills by understanding subjects like Finance, Marketing and Management, as well as some unique courses like Data Science, Corporate Finance, Business Communication and Business Environment, etc. and their inspiration and interdependence on Law.
- Students are equipped with the knowledge of teaching methods through the subject on Teaching Pedagogy thereby enabling them to enter the teaching profession.
- Through compulsory research component in the form of Dissertation, the students learn to conduct research study.
- As students also get exposure to subjects like seminar paper, legal writing, moot court, internship, professional ethics in the course give an edge to the learners for international outreach and business.



LL.B. (THREE YEARS DEGREE COURSE)
Semester -I

LLB 101

External Marks: 70
Internal Marks: 30

JURISPRUDENCE AND LEGAL THEORY

Course Objective: The course aims at developing an analytical approach to understand the nature of law, development of law and working of a legal system in different dimensions with reference to popular legal theorists.

Course Outcome:

- Any academic discipline, worthy of the name, must develop in the student the capacity for critical thought. Legal education needs to teach both law and its context-social, political and theoretical. At the heart of legal enterprise is the concept of law.
- Without deep understanding of this concept neither legal practice nor legal education can be a purposive activity. This course in jurisprudence is designed, primarily to induct students into a realm of questions concerning nature of law.
- Therefore, the first part of the course is concerned with important questions like what is law, what are the purposes of law, the relationship between law and justice and the like. The second part is concerned with the important sources of law.
- The emphasis is on important issues concerning law with reference to ancient and modern Indian legal thought. One important branch of jurisprudence consists in analysis of legal concepts. The law of contract and tort is concerned with different rights, which one person may have against another.
- Jurisprudence, on the other hand, studies the meaning of the term “rights” in the abstract and seeks to distinguish various kinds of rights which are in theory possible under a legal system. Similarly, it investigates other legal concepts and tries to build up a general and more comprehensive picture of each concept as a whole.
- This course is designed primarily on English model but native India orientation is given wherever possible.

1. Introduction: Meaning, Nature and Scope: Meaning of Jurisprudence, Definition, Nature and Scope of Jurisprudence its utility relation of jurisprudence with other Sciences. Jurisprudence in old scriptures both in Hindu and Muslim.

Natural Law Theory: -Its meaning and definition, Historical evolution of natural Law theory: Ancient period, medieval period, the period of renaissance, modern period critical appraisal of natural law theory, Natural Law in British, American and Indian Legal Systems.

2. School of Jurisprudence and their exponent and their views: Analytical school; Bentham, Austin, H.L.A. Hart and Kelson. Historical School: Savigny, Sir Henry main, Philosophical School: Hegel, Herbert Spencer. Economical School: Marx and Lenin. Sociological School: Rudolph Von Ihring, Euigen Ehrlich, Leon Duigvit, Dean Roscoe Pound. Realistic School: Oliver Wesndell Holmes, Alf Ross.



3. **Jurisprudence and Law:** Definition of Law, its nature, Kinds and Classification of Law. Law and Morality, Law and State theories of Origin and evolution of the State, Function of the state, The concept of world federation. Sovereignty, its definition nature, and essentials of Sovereignty, Assessment of Sovereignty, in the Constitution of Britain, America and India.
4. **Administration of Justice:** Concept Origin and importance of Administration of justice, Civil and criminal justice, Theories of Punishment. Concept of justice forms of justice theories of justice, Social justice, Concept of Social justice under the constitution of India.
5. **Sources of Law:** Custom, Precedent, Legislations, Religion and Agreement.
6. **Legal Concept:** Rights and duties meaning and Classification of Legal Rights and Legal duties, Possession and Ownership, Person, Title, Liability, Obligation, Property and Evidence.

BOOKS RECOMMENDED:

1. H.L.A.Hart - The concepts of Laws (Oxford)ELBS
2. Salmond - Jurisprudence (Tripathi)Bombay
3. G.W.Paton - Jurisprudence (Oxford)ELBS
4. RWMDias - Jurisprudence (Indian Rep.) (Aditya) NewDelhi
5. V.D.Mahajan - Jurisprudence and LegalTheory
6. W.Fridman - Legal Theory (1999) (Universal)Delhi
7. S.N.Dhyani - Jurisprudence
8. Dr. B.N.ManiTripathi- Jurisprudence
9. AnirudhPrasad - Vidhishastra ke Moolbhoot Shindhant (inHindi)

BHARTI VISHWAVIDYALAYA



LLB102

External Marks: 70

Internal Marks: 30

LAW OF CONTRACT (GENERAL PRINCIPLES) AND SPECIFIC RELIEF ACT, 1963

Course Objectives: The objective of this paper is to make students familiar with various principles of contract formation enunciated in the Indian Contract Act, 1872.

Course Outcomes:

- Contracts are the basis of majority of transaction especially transactions dealing with property.
- Whether the transaction is in the ordinary course of life or in the electronic world (E-Commerce) the general principles governing contracts remain same.
- For this reason, it is very important to introduce the students to the basic principles governing contracts and lay a powerful foundation for their study of other transactional and related laws in subsequent semesters.

CONTRACT-I

Course Objective: The objective of this paper is to make students familiar with various principles of contract formation enunciated in the Indian Contract Act, 1872.

Course Outcome

- Contracts are the basis of majority of transaction especially transactions dealing with property.
- Whether the transaction is in the ordinary course of life or in the electronic world (E-Commerce) the general principles governing contracts remain same.
- For this reason, it is very important to introduce the students to the basic principles governing contracts and lay a powerful foundation for their study of other transactional and related laws in subsequent semesters.

UNIT-I

- a) General History and Nature of Contract, Distinction between Torts and Contract, agreements and contracts, Essentials of contract & consideration.
- b) Interpretation clause communication of proposals. Its various means and its completion.
- c) Acceptance - Its certainty and absoluteness manner of Acceptance, Acceptance by performing conditions and General offers.
- d) Revocation of proposal and acceptance - Revocation of offer, how it is made? Revocation on sale by auction, Revocation before acceptance of bid and Revocation in standing orders.



UNIT-II

- a) Agreement and contract - Which agreements are contract? Competency to perform contract: factors which affects the legality of contracts - minority unsoundness etc.
- b) Lack of free consent, coercion, undue influences, fraud and misrepresentation and their effect on contract.
- c) Effect of mistake of law and mistake of fact on contract. How an unlawful consideration and object made a contract and agreement illegal and void?
- d) Contingent contract - What are they? its effect on the legality of contract

UNIT-III

- a) Performance of Contract - Which and by whom contract must be Performed? Performance if time, place and manner is mentioned in contract. Performance of reciprocal promises.
- b) Effect of failure in performance - when agreement was impossible to do or when act after words impossible and unlawful.
- c) Doctrine of frustration and its effects: contract which need not be perform and effect of novation --- and alteration of contract.
- d) Quasi contract - certain relation resembling those created by contract (68 to 72)
- e) Consequences of breach of contract - Compensation for loss or damages caused by breach of contract, compensation for failure to discharge obligation resembling those created by contract. Compensation for breach of contract where penalty stipulated and position of partly rightfully rescinding contract.

UNIT-IV

- a) Specific Relief Act and its applicability - Definition, Recovering possession of property; immovable and movable (Sec. 1 to 8)
- b) Specific performance of contract - Contract which can be specifically enforced and contract which cannot be specifically enforced. (Sec. 9 to 14)
- c) Person for or against whom contract may be specifically enforced. (Sec 15-19) d) Discretion and Powers of the courts in decreeing specific performance awarding
- d) Discretion and Powers of the courts in decreeing specific performance awarding compensation and granting relief, liquidation of damages and Bar of suit for compensation for breach after dismissal of suit for specific performance. (Sec.20-24)

UNIT-V

- a) Enforcement of awards and Direction to execute settlement and Rescission of contract.
- b) Rectification and cancellation of Instrument.



- c) Declaratory Degree - Discretion of court as to declaration of status or right and effect of declaration.
- d) Injunctions - Temporary & perpetual and mandatory. Refusal of injunction Damages in lieu of or in addition to injunction, and injunction to perform negative agreement.

BOOKS RECOMMENDED:

1. Ansons Law of Contract (1998) Universal, Delhi.
2. Pollock and Mulla - Indian Contract and specific Relief Acts. 1999, Universal 650/-.
3. Sarkar on Specific Relief Act. - Wadhwa, Nagpur.
4. Avtar Singh - Law of Contract, EBC, Lucknow.
5. Avtar Singh - Law of Contract and Specific Relief EBC, Lucknow.
6. Avtar Singh - Contract & Specific Relief Act (in Hindi).
7. Benerjees - Law of Specific Relief, Universal.
8. Anand & Ayer Law of Specific Relief, Universal.
9. Bangia R.K. - Law of Contract and Specific Relief 595/-.
10. G.H. Treital - Law of Contract, Sweet & Maxwell 1997.

BHARTI VISHWAVIDYALAYA



LLB103

External Marks: 70

Internal Marks: 30

SPECIFIC CONTRACT, INDIAN PARTNERSHIP ACT, 1932 & SALE OF GOODS ACT, 1930

Course Objective: This paper is to impart knowledge various special contract, sale of goods and partnership and specific reliefs.

Course Outcome:

- People are free to enter into any kinds of contracts and the law comes in certain cases.
- If the parties have decided their rights and liabilities, the law usually enforces them.
- This subject deals mostly with movable property.
- There is no compulsion to enter into special contracts.

UNIT-I

- a) Contract of Indemnity: Definition, its commencement and extent of indemnifier's liability, His right and when he can sue? (See 124-125).
- b) Contract of Guarantee: Guarantee and indemnity, surety consideration continuing guarantee and its revocation (see 126-132)
- c) Discharge of surety and principal debtor, co-surety and remedy for omission (see 133 to 139).
- d) Guarantee and Mental aspects; Uberrima fides, liability of surety and co-surety in contribution (see 140-147)
- e) Suit by bailees or bailor against wrongdoer and apportionment of relief and compensation (see 180-181).

UNIT-II

- a) Bailment: Definition of Bailor and Bailee and its kinds; mode of delivery of goods bailed, duty of bailor and bailee to each other and exemption, mixing good bailed and its consequences (sec. 148 to 157).
- b) Repayment of expenses increased by bailor; restoration and return of goods; consignor as a bailor, his right to sue if consignment is not returned; Gratuitous bailment and effect of death on it. Bailor's rights and responsibility to bailee and right of third person. (Sec. 158 to 167).
- c) Position of finders of goods, His liability towards owners; and his obligation to keep goods safe and rig... to dispose of good (if perishable). Bailee's lien and general line of Bankers etc. (Sec. 168 to 171)
- d) Bailment of Pledge: Pawner and Pawnee; their rights, right to redeem in case of default. Pledge by mercantile against, Pledge under voidable contract and pledgor with limited interest (Sec. 172 to 179)

UNIT-III

- a) Appointment and authority of agent who is agent and principle? Who and by whom an agent may be appointed? Mode of appointment of agents. Duties and rights of agent and his authority, sub-agent and his position under the act, delegation of power. His responsibility towards agent and principle. (Sec. 182 to 195).



- b) Ratification its mode and its effect. Ratification of unauthorized act. Revocation of authority and its various mode termination of agency, compensation for revocation. Revocation and renunciation position of parties after termination of authorities. (Sec. 196 to 210).
- c) Agent's various duties towards principles, position when agents' remuneration is due and Agent's lien in principal's property. (Sec. 211-221).
- d) Principles duty to agent: His right to be indemnified against consequences of lawful act and acts done in good faith and for negligent act of principal, Principals liability for ultra vires act of agent, agent is not personally liable on behalf of principal, liability of the principal for acts of agent including misconduct of the agent. Effect of Fraud and his representation of the agent. (Sec. 222-238).

UNIT-IV

- a) Sales of Goods Act 1930 (Whole Act) which includes concept of sale on contract instances of sale of good and the nature of such contract, essentials of contract of sale, essential condition in every contract of sale, implied terms in contract of sale, the sale of caveat emptor and the exceptions there to under the sales of goods act. Changing concept of caveat emptor. Effect and meaning of implied warranties in a sale, transfer of title and passing of risk. Delivery of goods: various rules regarding delivery of goods. Unpaid seller and his rights. Remedies for breach of contract.
- b) Provisions of Indian Partnership Act 1932, including - definition and nature of partnership. Advantage and disadvantages vis a vis partnership and private limited company. Mutual relationship between partners. Authority of partners, admission of partners, outgoing of partners. Registration of partnership & Dissolution of partnership.

UNIT-V

Leading Cases

1. Bank of Bihar v. Dr. Damodar Prasad (AIR, 1969 SC. 297)
2. Lallan Prasad v. Rahmat Ali (AIR 1967, SC 1322)
3. PSNS Ambarana Chettiar Co. v. Express News Papers Ltd., Bombay (AIR 1968, SC 741)
4. K.K. Shah v. Mrs. K.B. Dadiba (AIR 1970 S.C. 1147)
5. Bina Murlidhar Hunde V. Kanahiyalal lakram Hunde (AIR 1999 SC 2171)
6. M/s. Lalliwal Biharilal v. Rambaboo Vaishya (AIR 1990 M.P. 64)
7. Premlata v. M/s. Ishwar Das Chamanlal (AIR 1995 S.C. 714) (8) Gherulal Parekh v. Mahadeo Das (AIR 1959 S.C.

BOOKS RECOMMENDED:

1. Avtar Singh - Contract Act (2000) E. B. C. Lucknow.
2. Saharay H.K. - Indian Partnership a Sales of goods Act(2000)
3. Beatson (Ed.) - Anson's law of contract (1998) Oxford, Universal London.
4. A.G. Guest (Ed.) - Benjamin's Sale of Goods (1992) Sweet &Maxwell.
5. Pollock Mulla on contract (1999) Tripathi, Bombay.
6. T.R. Desai - Contract sales of goods &Partnership
7. B.L.Babel – Contract – II C.L.A. Allahabad (in Hindi).
8. S.K. Kapoor – Contract - II C.L.A. Allahabad (in Hindi).
9. Krishann Nair - Law of Contract (1999) Orient.
10. Avtar Singh - Principles of the law of sales & goods and hire purchase (1990) E. B. C. Lucknow.



LLB104

External Marks: 70

Internal Marks: 30

LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENT ACT & CONSUMER PROTECTION LAWS

Course Objective: This paper is to make students understand the nature of tort and conditions of liability with reference to established case law. Further, it covers the Consumer Protection Act, 1986 and M.V. Act.

Course Outcome:

- Identify the origins and functions of tort law
- Demonstrate a specialised knowledge of the fundamental doctrines and principles of the law of torts and the characteristics of specific torts
- Demonstrate an understanding of the inter-relationship between tort and the other branches of law particularly contract and constitutional law
- Demonstrate a foundation knowledge of the remedies available in tort and the legal underpinnings behind them
- Apply basic tort law principles to practical, abstract factual situations arising in a legal context
- Engage in basic legal reasoning and predictive analysis demonstrating knowledge of the principles of tort law

UNIT-I

- a) Definition, Nature, Scope, Object & General Principles of Law of Torts: Historical Background of law of Torts - Evolution in England and India,
- b) Form of Action and its un-codified characters. It's Indian Origin from the principles of equity justice and good conscience.
- c) Definition Torts: Its comparison with crime and breach of contract, its nature, purpose and functions, general principles of liability, its kinds, *damnum sine injuria* and *injuria sine damnum*.
- d) General Elements in torts - Acts and omission voluntary and non-voluntary act. Mental Element in torts - Malice, intention, negligence, motive, recklessness, carelessness, malafide, malfeasance, misfeasance, non-feasance and fault.

UNIT-II

- a) Immunities, Justification, Remedies, Discharge and Effect of and Effect of Death.
- b) Immunities from tortious liability. Justification and defenses in action of torts - Act of God Act of State, Judicial act, inevitable accident, Private defense, necessity, consent, leave and license.
- c) Remedies - damages and its kind, quantum of damages, injunction and its types, Specific restitution of property, joint-tort feasons, contribution between wrongdoer, remedies under constitution and compensation as prescribed by statutes, self-help, distress damage feasant, discharge of torts - by accord and satisfaction, waiver by election, release acquiescence judgment recovered and statute of limitation and effect of death on tort claim.
- d) Wrongs relating to person & property relations; rights: Wrongs relating to person, assault, battery, false imprisonment and malicious prosecution. Wrong relating to domestic and other



rights. Intimidation and conspiracy, fraud and deceit. Wrongs relating to immovable - trespass to land, trespass by animal, trespass conversion and detention.

UNIT-III

- a) Negligence - Its nature, condition and exception, negligence of various persons is occupied, carriers counsel, doctors, animal, keepers, dangerous goods holder, street and statutory duty and contributing negligence.
- b) Nuisance - Nature classification and kind injury to property and remedies.
- c) Defamation - Its kinds libel and slander, its definition and essentials, repetition, defenses in defamation and remedies for defamation.
- d) Liability for wrongs committed by others - liability by ratification by relations i.e., master and servants, principal and agent, owner and independent contractor, liability of the State, doctrine of common employment, liability for abatement, absolute and strict liability.

UNIT-IV

- a) Introduction- aims and objects of M.V.A, title, extent and commencement of the act with modification, definitions, licensing of drivers of motor vehicles (Ss 3-28),
- b) licensing of conductors of stage carriages, (Ss 29-38),
- c) registration of motor vehicles, (Ss 39-65),
- d) control of transport vehicles, (Ss 66-96),
- e) control of traffic, (Ss 112-138),
- f) liability without fault in certain cases, (Ss 140-144),
- g) insurance of motor vehicles against third party risk, (Ss 145—164),
- h) claims tribunals, (Ss 165-173),
- i) offences, penalties and procedure, (ss174-205),
- j) Power of police officer to impound documents and detain vehicles used without certificate of registration, permit etc., summary disposal of cases, appeal and revision on orders passed by original authority, the first schedule and the second schedule.

UNIT-V

- a) Introduction- Aims, object and scope of Consumer Protection ACT, Definitions, Central Consumer Council, State Consumer Council.
- b) Consumer Disputers Redressal Agencies- Composition, Jurisdiction and function of district forum, State Commission and National Commission,
- c) Procedure adopted in dealing with complaint and appeal cases, Enforcement and execution of orders by Consumer Forum under section 25 and 27 of Consumer Protection ACT, 1986.

BOOKS RECOMMENDED:

1. Ratanlal Dhirajlal - The law of torts (1997), Wadwa Nagpar.
2. Winfield and Jolowitz - on Torts (1999) Sweet & Maxwell, London.
3. Salmond and Houston - Tort (1999) Butterworth, London.
4. P.S. Achutan Pillai - The Law of Torts (2004) E.B.C.Lucknow.



5. D.N. Saraf - Law of consumer protection in India (1995) Tripathi.
6. P.R. Majundar - Law of consumer protection in India (1998) Orient, New Delhi.
7. Ramaswami Aiyer - Law of Torts (1999) Tripathi, Bombay.
8. M.D. Chaturvedi – Apkrtyo ki vidhi (1998) EBCL (in Hindi).



BHARTI VISHWAVIDYALAYA



LLB105

External Marks: 70
Internal Marks: 30

CONSTITUTIONAL HISTORY OF INDIA

Course Objectives: The course is to develop understanding of evolution of modern legal system in India.

Course Outcomes: The course will enable the students:

- To gain elementary knowledge of early legal developments.
- To attain knowledge about the constitution and establishment of various courts in India
- To know the historical development of laws including personal laws.

Unit I

- a) The Government of India Act 1858, Main provisions, merits & Demerits of the Act.
- b) The Indian Council Act 1861 circumstances, main provisions, merits & Demerits.
- c) Government of India Act, 1870.
- d) The Indian Councils Act, 1892, provisions, merits & demerits and its main contribution in the Act.

Unit II

- a) The Indian Council Act 1909 (Minto – Morley Reforms), Provisions, effect & defect of the Act
- b) World War First and its effect in Constitutional Development in India
- c) The Government of India Act, 1919, The Montague Declaration, failure of the Montfort Reforms.
- d) The working & failure of Dyarchy System.

Unit III

- a) The Simon Commission and development Up to 1935 Act.
- b) Nehru Report 1928, Rejection of Nehru Report and Fourteen Points Report by Muslim League.
- c) The National Movement and Communal Award of Poona Pact.
- d) Lord Irwin's Proclamation 1929.

Unit IV

- a) The Government of India Act 1935- Main Provisions. Effect of the federal System in India. Merits & Demerits of the Act.
- b) Constitutional Development 1937 to 1947. Two nation theory and Pakistan.
- c) The August Offer 1940, Cripps Mission 1942, Wavell Plan 1945, Shimla Conference, Round Table Conference.
- d) Cabinet Mission 1946, Mountbatten Plan 1947, The Indian Independence Act 1947



Unit V

- a) The Indian High Court Act 1861, Letters Patent establishing High courts, Indian High Court Act 1865 and 1911.
- b) The Federal Court of India 1935-foundation, functions & powers, Abolition of Federal Court.
- c) The Supreme Court of India-origin, Jurisdiction and Powers.
- d) Origin and Development of the Writ System in India.

BOOKS RECOMMENDED:

1. Herbert Cowell: The History and the Constitution of the Court and Legislative Authority in India (1936) (6th edition published by S.C. Bagchi Calcutta).
2. A.B. Keith: A Constitutional History of India - (1600 - 1935) Central Book Depot Allahabad.
3. M. P. Jain: Out Lines of Indian Legal History (Tripathi) (1998).
4. M. V. Paylee: Constitutional History of India—(1600-1950) (Asia-Bombay-1967).
5. V. D. Kulshresth: Land Mark in Indian Legal History (Eastern Book Co. Lucknow).
6. M. Ramajois Wajons: Legal and Constitutional History of India (1984) 2Volums.
7. N. V. Paranjape: Indian Legal and Constitutional History (CLA).

BHARTI VISHWAVIDYALAYA



LLB106

External Marks: 70

Internal Marks: 30

PROMOTION OF EDUCATION AND MORAL VALUES

Course Objectives: The objective of this paper is to make students familiar

Course Outcomes:

- Full development of child's personality in its physical, mental, emotional and spiritual aspects.
- Inculcation of good manners and responsibility and cooperative citizenship.
- Developing respect for individual and society.
- Inculcating a spirit of patriotism and national integration.
- Developing a democratic way of thinking and living.
- Developing tolerance towards and understanding of different religious faith.
- Developing a sense of human brotherhood at social, national and international levels.
- Helping children to have faith in themselves and in some supernatural power and order that is supposed to control this universe and human life.
- Enabling children to make moral decision on the basis of sound moral principles.

UNIT I

1. Concept of Values
2. Inherent Difficulties in Acquiring Values
3. Concept and Needs of Morality
4. Educating Parents as Natural Moral Educators
5. Value Education: Meaning, Significance and Global Trends

UNIT II

1. Moral Development Concept, Significance
2. Piaget's Theory of Moral Development
3. Kohlberg's Theory of Moral Development
4. Carol Gilligan's Feminist Theory of Moral Development
5. Role of Parents to Facilitate Children's Moral Development

UNIT III

1. Fostering Values: Meaning and Significance
2. Values in the Classroom
3. Value from the Pupil's Perspective
4. Approaches to Values Education
5. Role of Teacher in Fostering Value among Students

UNIT IV

1. Meaning of Human Rights Education
2. UN Decade for Human Rights Education (1995-2004)
3. The Indian Constitution and Human Rights
4. Development of Curriculum of Human Right Education



5. Human Rights Education through Co-Scholastic Activities

UNIT V

1. Understanding Peace by Understanding Conflict
2. Aims of Peace Education
3. Basic of Peace Education
4. Peace Education and Teacher
5. Power of Silence
6. Yogic Meditation

SUGGESTED READINGS:

1. Feuerstein, Georg. 2001. The Yoga Tradition: Its History, Literature, Philosophy and Practice. Arizona, USA: Hohm Press.
2. Mohanty, J. 1986. School Education in Emerging Society. Meerut: Publishers.
3. Reardon, Betty. 1988. Educating for Global Responsibility: Teacher Designed Curricula for Peace Education. New York: Teacher College Press.
4. Chodosh, H. E., Bhatt, N. J., and Kassam. F. 2004. Mediation in India: A Toolkit. New Delhi: United States Educational Foundation in India (USEFI).

BHARTI VISHWAVIDYALAYA



Semester -II

LLB201

External Marks: 70

Internal Marks: 30

LAW OF CRIMES- I (INDIAN PENAL CODE, 1860)

Course Objective: This paper is to deal with the basic principles of criminal law determining criminal liability and punishment.

Course Outcome:

- This course is designed to understand the meaning of crimes, methods of controlling them and the essential principles of criminal liability by a study of a range of offences under the Indian Penal Code.
- Understand and describe areas of criminal justice, law and society through a critical analysis of the subject.
- Analyze lacunas within the criminal justice system and suggest the amendments have to make to provide the justice according to the changing needs of the society.
- Summarize the process of judicial review and identify criteria used by courts to evaluate the constitutionality of criminal law of India.
- Identify and synthesize social theory about crime, justice, and social deviance and explain and address various obstacles and barriers experienced by individuals before, during, and after internment.
- Problem-solve complex issues in the criminal justice system and society related to policy, law enforcement, vulnerability, and marginalization.

UNIT-I

- a) History of Criminal Law & Applicability of Indian Penal Code, Salient Feature of IPC (Sec. 1 to 5)
- b) General Explanation and definition in the code (Chapter II)
- c) Important section relating to punishment - its nature, simple & rigorous punishment solitary confinement. Fine General rules of commutation and termination of punishment on payment of fine, limit of punishment in several offences. Discretion in awarding punishment.
- d) General exceptions - factors negating guilty intention, mental incapacity, minority, insanity involuntary intoxication. Private defense - When private defense extent to causing the death to protect body and property, necessity and mistake of fact, (Sec. 76 to 106)

UNIT-II

- a) Abatement - Abettor etc. (Chap. V)
- b) Criminal Conspiracy (Chap. VA) and sedition (Chap. 124A)
- c) Offences against the public tranquility safety and health - Unlawful assembly, Rioting, Affray, Public Nuisance, Adulteration, Rashly driving & Obscenity.
- d) False Evidence - Giving false evidence and fabricating false evidences & harboring offenders.



UNIT-III

- a) Culpable Homicide, Murder, Distinction between culpable homicide and murder, mental element required for murder, situation justifying, treating murder as culpable homicide not amounting to murder, Grave and sudden provocation, and causing death by negligence and dowry death. (Sec. 299 to 304b)
- b) Injuries to unborn children - Miscarriage with or without consent. Rash and Negligent act causing death (Sec. 312-317)
- c) Hurt - Grievous and simple, voluntarily and involuntarily and on provocation, wrongful restraint and wrongful confinement. (Sec. 349 to 358)
- d) Criminal force and assault, Kidnapping from lawful guardianship and from outside India. Abduction (Sec. 359 to 362) Rape, custodial rape and unlawful offences.

UNIT-IV

- a) Theft, Extortion Robbery & Dacoity and its various forms.
- b) Criminal misappropriation of Property, Criminal Breach of trust and receiving stolen property and its various forms and manners. (Sec. 403-414)
- c) Cheating and cheating by persons and dishonesty fraudulent removal and disposition of property. (Sec. 415-424)
- d) Mischief, Mischief by hurt and intimidation, criminal trespass, house trespass and its form, House breaking and its forms.

UNIT-V

- a) Forgery and its various forms making false documents, Property marks and Bank notes.
- b) Cohabitation with other women, except lawful marriage Adultery (Chap. XX)
- c) Defamation (Sec. 499)
- d) Criminal intimidation insult and annoyance (Chapter XXII) and attempts to commit offences. (Sec. 511)

BOOKS RECOMMENDED:

1. Ratan Lal Dhiraj Lal - Indian Penal Code, 1860.
2. R. N. Saxena - Indian Penal Code, 1860.
3. S. N. Mishra - Indian Penal Code, 1860.
4. K. D. Gaur - A Text Book on the Indian Penal Code (1998) Universal Delhi.
5. Ratan Lal Dhiraj Lal - Indian Penal Code, 1860 (in Hindi).
6. Amar Singh Yadav - Bhartiya Dand Vidhan (in Hindi).
7. M. D. Chaturvedi - Bhartiya Dand Shamhita (in Hindi).



LLB202

External Marks: 70

Internal Marks: 30

LAW OF CRIME - II
(CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE ACT & PROBATION OF OFFENDERS ACT)

Course Objectives: This paper is to give students thorough knowledge of procedural aspects of working of criminal courts and other machineries.

Course Outcomes:

- Procedural law providing for a fair procedure is significant for a just society. The course is aimed at driving home the students how the pre-trial and the subsequent process are geared up to make the administration of criminal justice effective.
- The course will acquaint the student with organization of the functionaries under the code, their power and functions at various stages and the procedure according to which these powers and functions are to be exercised.
- The students will also undertake the study of two cognate Acts as a part of this course Viz; Juvenile justice Act and Probation of offenders Act.
- In additions the course teacher shall endeavor to familiarize the students with the case paper like FIR, Police statement, charge sheet, etc.

UNIT-I

- a) Introduction definition and constitution of criminal court and offices. (Sec. 1-25).
- b) Powers of courts and superior officers of police and aid to the magistrate and police (Sec. 26-40).
- c) Power of police to arrest persons, arrest by private person and arrest by magistrate, right of the arrested person, right to know the grounds of arrest and right to be taken to magistrate without delay and may not be detained for more than 24 hours and his other rights. (Sec. 41-60)
- d) Processes to compel appearances of persons and production of things, summon and warrant, how these are served? The procedure of its execution, Proclamation and attachment, search warrants, seizure and other provisions relating to production of things. (Sec. 91-105)

UNIT-II

- a) Security for keeping the peace and good behavior, maintenance of wife and children. (Sec. 106-128)
- b) Maintenance of public order and tranquility, unlawful assemblies, public nuisance, urgent cases of nuisance or apprehended danger. (Sec. 144).
- c) Dispute related to immovable property. (Sec. 129-148)
- d) Preventive action of police officers and their power to investigate, FIR and its evidentiary value (Sec. 145-157 of Evidence Act),
- e) Recording of confessions (sec. 164),
- f) Search and its procedure. (Sec. 149-176)



- g) Jurisdiction of criminal courts in inquiries and trial - Place of inquiry and trial and condition requisite for initiation of proceedings. (Sec. 177-199)

UNIT-III

- a) Complaints and commencements of proceedings before magistrate (Sec. 200-210)
- b) The charges - forms and Joinder of charges, Trial before Court of Session. (Sec. 211-237)
- c) Trials of warrant and summon case before magistrate. (Sec. 238-259).
- d) Summary Trials and attendance of person confined and detained in person. (Sec. 260-271),
- e) Accused of unsound mind. (Sec. 328-339).

UNIT-IV

- a) Provisions relating to judgments, its forms and contents. (Sec. 353-371)
- b) Appeals, revision and reference. (Sec. 372-405)
- c) Transfer of cases and Execution, suspension, Remission and commutation of sentences. (Sec. 413-435)
- d) Provision relating to Bail and Bonds. (Sec. 436-450)

UNIT-V

- a) Definitions of Juvenile etc under JJ (C & P of C) Act 2000, Juvenile justice Board and its procedure Observation Homes, Special Homes for Juvenile in conflicts of law, Escaped juvenile child welfare committee and its power and duties (Sec. 1-40)
- b) Rehabilitation and Reorientation process - adoption, foster care and after care organization and other important miscellaneous provisions (Sec. 41-70)
- c) Probation of offenders' Act 1958 - Meaning and definition of Probation, its nature and history.
- d) Admonition and Exemption from punishment below 21 years of age, Power of probation officer and his duty under the Act. (Sec. 1-19)

BOOKS RECOMMENDED:

1. R.V. Kelkar: Outlines of Criminal Procedure Code
2. R. D. Agrawal: Code of Criminal Procedure
3. P. C. Sarkar: Criminal Procedure Code
4. M. P. Tondon: Code of Criminal Procedure
5. Vijay Malik: Dandniya Manual (Three Major Arts, Cr. P. C., I.P.C. & Evidence (in Hindi)
6. Murli Manohar: Dand Prakriya Vyakhyan (Code of Criminal Procedure)
7. Mahavir Singh: Code of Criminal Procedure (in Hindi)
8. Ratanlal Dhirajlal: Criminal Procedure Code
9. Ratanlal Dhirajlal: Criminal Procedure Code (in Hindi)
10. N. V. Paranjape: Code of Criminal Procedure, Juvenile Justice ACT and Probation of offenders Act, (in Hindi)
11. D. D. Basu: Criminal Procedure Code.



LLB203

External Marks: 70

Internal Marks: 30

LAW OF EVIDENCE

Course Objective: This paper is to orient students with importance of evidence for establishment of claims and the related rules and principles.

Course Outcome:

- The law of evidence has its own significance amongst procedural laws. The knowledge of law of evidence is indispensable for a lawyer.
- The course is designed to acquaint the students with the rules of evidence in relation to relevancy of facts and proof. In addition they are introduced to law relating to production of evidence.
- The course teacher shall familiarize the students with appreciation of evidence and use innovative techniques like simulation exercises wherever necessary.

UNIT-I

Introduction - Main feature of the Indian Evidence Act. Problem of Applicability of Evidence Act. Types of Evidence - Oral, Written and Circumstantial evidence, Medical evidence and evidence of relatives, Eye witness, Chance witness and child witness and direct witnesses. Standard of proof and presumption - May presume, shall presume, conclusive proof, proved, disproved and not proved.

Doctrine of res gestae (Sec. 6, 7, 8, 10). Evidence of common intention (Sec. 10). The problem of relevancy of "otherwise" irrelevant facts (Sec. 11). Relevant facts for proof of custom (Sec. 13) Facts concerning body and mental state. (Sec. 14 & 15).

UNIT-II

Admission - General principles concerning admission (Sec. 17 to 23)

Confession - Difference between admission and confession, non-admissibility of confession caused by inducement, threat and promise and confession made before a police officer, Admissibility of custodial confession and other section relevant to confession. (Sec. 24-31).

Dying Declaration - The justification for relevance on dying declaration. The judicial standard for appreciation of evidentiary value of dying declaration (Sec. 32 & 33) Statement made under special circumstance and how much of a statement is to be proved, (Sec. 34-39).

UNIT-III

Relevancy of judgement - General principles, Admissibility of judgement in civil and criminal matter. Fraud and collusion in obtaining judgement (Sec. 40-44).

Expert testimony - General Principles, Who is an expert? Type of Expert evidence. Opinion of relationship when relevant - specially proof of marriage and opinion as to the existence of right or custom or usage and tenancy and problem of judicial defence to expert testimony. (Sec. 45-51) Relevancy of character in civil and criminal cases. (Sec. 52-55)



UNIT-IV

Oral Documents and how it is proved? Requirement for valid and admissible oral documents. (Sec. 59-60)

Documentary Evidence - General Principles, public and private documents, How it is proved? (Sec. 61-78)

Presumption as to documents of various types and kinds. (Sec. 79-90). Exclusion of oral by documentary evidence. (Sec. 91-99)

The burden of proof - Facts which need not be proved. (Sec. 56-58), General Conception of onus, General and Special presumption and exception as to onus, presumption as to dowry death etc. (Sec. 101-114A).

Estoppel and witnesses - Estoppel by deed and estoppel by conduct, equitable and promissory estoppel. (Sec. 115-117). Various kinds of witness, communication - privileged and confidential Accomplice and information as to the commission of offences. (Sec. 118-134).

UNIT-V

Examination of witnesses - General principles of examination, cross and re-examination, Leading questions (Sec. 141-143), Lawful question etc.

Cross examination of witness - General Principles of cross examination, lawful questions in cross examination, (Sec. 141-146), Compulsion to answer questions put to witness, Hostile witness impeaching of the standing and or credit of witness (Sec. 135 – 166).

BOOKS RECOMMENDED:

1. RatanlalDhirajlal - Law of Evidence, 21th Ed. 2004, PB, Wadhwa,Nagpur.
2. Sarkar - On Evidence (2 Vol.) 15th Ed. 2002, Wadhwa,Nagpur.
3. AvatarSingh - Principles of law of Evidence, Universal,Delhi.
4. VepaP.Sarathi - Law of Evidence EBC,Lucknow.
5. Ratan LalDheerajLal - Indian Evidence Act, 19th Ed., (inHindi)
6. AvtarSingh - Evidence Act (inHindi)
7. M.D.Chaturvedi - Evidence Act (inHindi).

BHARTI VISHWAVIDYALAYA



LLB204

External Marks: 70

Internal Marks: 30

FAMILY LAWS – I: HINDU LAW

Course Objective: The objective of the paper is to apprise the students with the laws relating to family matters applicable to different communities in India.

Course Outcome:

- This course is designed to endow the students with knowledge of both the codified and uncodified portions of Hindu law.
- The course concerns itself with the sources, schools, institutions, succession, maintenance, marriage and divorce, menace of dowry, etc.
- To expose students about concepts and idea of Hindu Law.
- To apprise the students about the Family in Hindu Law and its matrimonial issues.
- To expose the students about maintenance and legitimacy

UNIT-I

Nature and origin of Hindu law, applicability of Hindu Law sources of Hindu law - Smritis and their commentaries, custom, legislation, judicial decision, equity, justice and good conscience as a source, general principle of inheritance (prior to Hindu succession Act 1956) in mitakshara law and Dayabhaga, School and difference between Mitakshara and Dayabhaga succession and the Hindu Marriage Act 1955. (Doctrine of representation & spousal succession is).

Schools of Hindu Law - Mitakshara and Dayabhaga and their sub-schools, difference between the Mitakshara and Dayabhaga School, comparison between them, Migration and the schools of law.

Joint Hindu Family - Origin, Growth, Nature and Constitution, members of J.H.F. and property of J.H.F.

Coparcenary - its nature, distinction between J.H.F. and coparcenary, rights of coparcener, Karta, his powers and duties, alienation of property comparison between Mitakshara and Dayabhaga law, Debts - its liability to pay, nature and duration of liability, doctrine of pious obligation and antecedent debt, Bengal rule of Dayabhaga law, rule of Damdupat.

UNIT-II

Object, form and requirement of valid adoption. Persons who may lawfully take in adoption, adoption by widow under authority from his husband, nature and form of authority, general rules as to adoption by widows, and termination of widows power to adopt, persons lawfully capable of giving in adoption & persons who may be lawfully taken in adoption only son, orphan, stranger, adoption by two persons, simultaneous result and effect of adoption, right of adopted son in property, maintenance under Hindu Law and provisions of Hindu Adoption and Maintenance, Act 1956, and changes made by this Act.

Partition - Meaning of partition, partition and family arrangement, person entitled to partition, property liable to partition. Allotment of share, final shares, reopening of partition and reunion, point of similarity and distinction Mitakshara and Dayabhaga, partial partition, its effect.



UNIT-III

Its meaning, kinds, special feature and characteristics, enumeration of stridhan, rights of a women over her stridhan, general rule of succession common to all school, succession to stridhan under Mitakshra and Dayabhaga school, maidens property.

Its meaning, nature and sources. Incidents of widow's estate, power of alienation, reversion, compromise, surrender and setting aside.

Unauthorized alienation and effect of Hindu Succession Act 1956.

Gift - its definition under T.P. and Hindu law, its subject matter, essential of valid gift, restriction and revocation, 'donatio mortis causa' and gift to trust and Provision of Hindu Succession Act 1956.

UNIT-IV

Wills - Its definition, person capable of wills, property as a subject matter of wills under mitakshara and Dayabhaga law, revocation and alteration of wills, Bequest to unborn person when it is void? Rules against perpetuity, latter of administration and probate.

Impartible estate - its definition, origin and nature, rules of succession and separation of impartible estate.

Religious and charitable endowment - Essential of endowment, kinds - idol, math, devasthanam, and Dharmashala, Mahant, Hindu Marriage Act 1955 & Hindu and Minority & Guardian ship Act 1956.

UNIT-V

Special Marriage Act 1954 (Whole Act)

Dowry Prohibition Act 1981 (Whole Act)

Family Courts Act 1984 (Whole Act)

BOOKS RECOMMENDED:

1. R.K.Agrawal - Hindu Law, C.L.A., Allahabad.
2. ParasDiwan - Modern Hindu Law (Universal).
3. S.T.Desai (Ed.) - Mulla Hindu Law (1996), Butterworth, India.
4. ParasDiwan - Law of adoption, minority, guardianship and custody (2000) Universal.
5. BasuN.D. - Law of succession (Universal).
6. ParasDiwan - Law of intestate and testamentary succession (1998), Universal.
7. ParasDiwan - Adhunik Hindu Vidhi (in Hindi).

BHARTI VISHWAVIDYALAYA



LLB205

External Marks: 70

Internal Marks: 30

FAMILY LAWS – II: MOHAMMEDAN LAW

Course Objectives: The objective of the paper is to apprise the students with the laws relating to family matters governing succession, partition and religious endowments

Course Outcomes:

- The knowledge of family laws is important for lawyers. This course is designed to endow the students with knowledge of both the codified and uncodified portions of Mohemmedan Law.
- The course concerns itself with the sources, schools, institutions, succession, maintenance, marriage and divorce, menace of dowry, etc. In addition, the students have to familiarize themselves with the provisions of the Indian Succession Act.
- To expose the students about maintenance and legitimacy.

UNIT-I

Historical background of Islamic law - its origin and comparison with other personal Laws. Who is Muslim? Prophet and his companion, his tradition, development of Muslim law. Sources of Muslim law – Primary sources - Quran, Hadis, Ijma, Kyas, secondary sources - custom, judicial decision, legislation, comparison with sources of Hindu law.

Schools (section and sub-section) of Muslim law - Sunni School - Hanifi, Maliki, Shifai and Humbali, Shia School and their sub-sections, difference between both Shia and Sunni on important matter. Effect of conversion to Islam and Apostasy.

Marriage (Nikah) - Its object and nature, requisite and condition for valid marriage.

Effect of incapacity absolute, relative and declaratory, kind of marriage, option of puberty. Restitution of conjugal rights muta marriage, difference between Shia & Sunni law and marriage.

Dower (Mehr) - Definition, nature & classification of dower law of shia sect on dower, confirmation of dower, remission of dower, non-payment of dower effect of apostasy on mehr liabilities of heir for dower, dower as a debt. Widows rights in case of non-payment of dower, Kharchi-i-pandan, & Mehr-i-misl.

UNIT-II

Divorce (Talaq) - Quranic provisions regarding talaq kind, nature, classification and effect of divorce on the parties, apostasy and conversion as ground of divorce, Iddat utility its rationale and utility divorce through agreement or by mutual consent Khula, Mubarat, Ila & Zihar, Lian; Effect of false charges of adultery. Tolaq-i-Tafwid, Fask (Annulment of marriage by court) provision of dissolution of Muslim marriage Act.1939.

Legal Effect of Divorce, Difference between Shia & Sunni Law on Divorce.

Parentage - Maternity and paternity. How it is established? Legitimacy and acknowledgement, acknowledgement as a proof of legitimacy, prescription of legitimacy condition of valid acknowledgement and its effects. Position of adoption in Muslim Law? A comparison between acknowledgement and adoption.



UNIT-III

Guardianship (Vilaya) - Concept of guardianship in Islam. Appointment of guardian. Their kinds age of majority, disqualification of guardian, guardianship of property. Power of guardian to dispose of to purchase and to alienate the immovable property of the minor.

Maintenance (Nafaqa) - Introduction, definition and quran decree regarding maintenance, Person entitled to maintenance. Relevant provision of Muslim women (Protection of right on divorce) Act 1986.

UNIT-IV

Succession - General rule of succession and exclusion from succession. Administration – Administration of the estate of a deceased. Provision of Indian succession act 1925.

Inheritance - General rule of Inheritance (sunni & shia) Position of birth right and heritable property. Principle of renunciation and transfer of chance of succession (spes succession) vested inheritance classification of heirs- sharer, residuary and distance kindered. Their share and distribution of property. Doctrine of increase (Aul) Return (Radd) and position of rules relating to (shia & sunni) illegitimate child, missing person, acknowledge kins man, universal legatee & successor by contact eldest son and childless widow.

Wills - Person capable of making wills, its forms, position of heir on wills, limit of testamentary power, abatement and lapse of legacy, subject of legacy, position of unborn person in wills, various kinds of bequest i.e. bequest in future, contingent and conditional alienation, revocation of bequest, its types, position of probate and letter of administration in case of muslim wills.

UNIT-V

Marzulmaut - Death bed gift, its condition for validity acknowledgement of debt at death-bed. Hiba (gift)- Definition, capacity of making gift extents of doners powers. Gift to unborn person, gift with intent to defraud creditor, position of gifts i.e. - gift of actionable claim and incorporeal property, gift of equity of redemption, gift of property held adversely to doner, requisite for gift and essential of gift (declaration acceptance & delivery of possession), Gift of movable and immovables and corporeal & property and incorporeal property and actionable claim, gift in family and out of family, gift to bailee to two are more donee: Mushaa, conditional & contingent gift, gift in future, revocation of gift, Gift with exchange (Hiba-bil-iwaz) Hibh-ba shartul iwaz, sadaqah areeat.

Waqf - Definition, object and subject of waqf, condition for valid waqf, doctrine of cy-pres. Form and kind of waqf, waqf how completed? Revocation of waqf, contingent waqf, waqf aaldaulad, Alienation of waqf property, muttawalli- his appointment power and function & renewal and provision of waqf act 1995, Khanqah, imambara, sajjadanashir kazi, takiya. Pre-emption - its nature and kind, who may claim it, its requisite and condition.

BOOKS RECOMMENDED:

1. Syed Khalid Rashid - Muslim law - EBC Lucknow (Hindi English).
2. A.A.A. Fyzee - Outline of Muhammada law (1998).
3. A.M. Bhattacharya - Muslim law and the constitution.
4. Aquil Ahmed - Muslim law - CLA Allahabad (Hindi).
5. S.K. Awasthi - The waqf act 1995 (Hindi/English) India law House 22, Sikh Mohalla, Indore.
6. Mulla's - Principles of Mohammedan law, Tripathi.



7. Paras Diwan – Adhunik Muslim Vidhi (in Hindi).
8. Akeel Ahmed - Muslim Vidhi (in Hindi).
9. Scatcht - Mohd. Jurisprudence.
10. Caulson - Principles of Mohd. Inheritance.



BHARTI VISHWAVIDYALAYA



Semester-III

LLB301

External Marks: 70

Internal Marks: 30

CONSTITUTION-I CONSTITUTIONAL LAW OF INDIA

Course Objective: This paper is to give students thorough knowledge of procedural aspects of working of criminal courts and other machineries.

Course Outcome:

- To enable the student to understand the supreme law of the land, the fundamental rights and the duties and the functions of the courts to redress the violation of such rights. It helps the student to be pro-active undertake 'judicial activism'.
- The students should be able to articulate their independent views over contemporary crucial constitutional issues like constitutional supremacy, rule of law, and concept of liberty, organization, powers and functions of the various organs of the government.

UNIT-I

Philosophy of Constitution, Definition and Classification, Main features of Federal and Unitary Constitutions, Nature and Salient features of Indian Constitution, Welfare State, Preamble of the Indian Constitution, Union and its Territory(Art. 1-4), Formation of New States, Citizenship(Art. 5- 11).

UNIT-II

State, Fundamental Rights and their position under the Constitution, Right to Equality, Right to Freedom, Right against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights, Right to Constitutional Remedies including Public Interest Litigation(Art.12-35).

UNIT-III

Directive Principles of State Policy, their relevance, Comparison with Fundamental Rights, Classification of Directive Principles of State Policy, Correlation between Fundamental Rights(Art.36-51) Fundamental Duties(Art.51-A).

UNIT-IV

Union Executive- President, Vice President, Council of Ministers, Attorney General, and conduct of Government Business (Art. 52-78). Union Legislature (The Parliament)- Constitution, Composition, Duration of Houses, Qualification of Members and other General Provisions, Officers of the Parliament (Art. 79-104), Powers, Privileges and immunities of the members (Art. 105 -106), Legislative Procedure including procedure in financial matters(Art. 107-122), Legislative Powers of the President(Art. 123), Union Judiciary- Supreme Court of India(Art. 124-144), Comptroller General of India(Art.148-151).

UNIT-V

State Executive-Governor, Council of Ministers, Advocate General for the State, Conduct of Government Business(Art. 152-167) State Legislature-Constitution Composition Powers



Privileges and immunities of State Legislatures and their Members, Legislative Procedure(Art.168- 212) Legislative Powers of Governor (Art. 213) State Judiciary - High Courts in the States and Subordinate Judiciary (Art. 214-237).

BOOKS RECOMMENDED:

1. V.N.Shukla - Constitution of India
2. J.N. Pandey - Constitutional Law of India
3. M.P. Jain - Constitution of India
4. D.D.Basu - Shorter Constitution of India
5. Kagzi's - The Constitution of India
6. M.D.Chaturvedi - Bharat Ka Samvidhan (Hindi).



BHARTI VISHWAVIDYALAYA



LLB302

External Marks: 70

Internal Marks: 30

CONSTITUTIONAL LAW - II

CONSTITUTIONAL LAW OF INDIA

Course Objective: The aim of this paper is to give adequate knowledge regarding various constitutional bodies, various organs of state and relations between them.

Course Outcome: This subject enables the students to understand the relationship between the centre and the states, the role of the governor in the states, the functions of the election commission and the distribution of finance between the centre and the states for effectively enkindling the laws and rules in force in the state.

- To understand the form of Government- Parliamentary and Presidential.
- To understand the Parliamentary democracy and its structure.
- To understand the contemporary status of center-state relations.

UNIT-I

To generate understanding of methods of amendment in the constitution of India. Administration of Union Territories (Art.239-241), The Panchayats-Definitions, Gram Sabha, Constitution and Composition of Panchayats, Reservation of Seats, Duration, Disqualifications for Membership, Powers, Authority and responsibilities of Panchayats (Art.243-243-O) The Municipalities- Definition, Constitution and Composition of Municipalities and Wards Committees, Reservation of Seats, Duration, Disqualifications for Membership, Powers, Authority and responsibilities of Municipalities, Power to impose Taxes, Finance Commission etc. (Art.243- P-243-ZG). The Scheduled and Tribal Areas (Art.244-244-A).

UNIT-II

Relations between Union and the States-Legislative Relations (Art.245-255) Administrative Relations, Disputes Relating to Waters and Co-ordination Between States (Art. 256-263), Provisions Regarding Finance (Art.264-279) Finance Commission (Art.280-281) Miscellaneous Financial Provisions (Art.282-290) Borrowing by the Government of India and the States (Art.292- 293), Constitutional Provisions Regarding Property, Contracts, Rights, Liabilities Obligations and Suits (Art.292-300) Right to Property (Art.300-A).

UNIT-III

Trade Commerce and Intercourse (Art.301-307) Service under the Union and the States (Art.308-313) Public Service Commission's (Art.315-323) Administrative Tribunals and Tribunals for other Matters (Art. 323-A-323-B), Provisions regarding Election and Election Commission (Art.324-329), Special Provisions regarding to certain Classes (Art.330-342).

UNIT-IV

Official Language - Language of the Union, Regional Languages, Language of the Supreme Court



and the High Courts etc, Special Directives as to Languages (Art.343-351), Emergency Provisions(Art. 352-360) Miscellaneous Provisions (Art.361-367).

UNIT-V

Amendment of the Constitution (Art. 368), Temporary, Transitional and Special Provisions (Art. 369-392), Short Title, Commencement, Authoritative Text in Hindi and Repeals, All Schedules and Amendments.

RECOMMENDED BOOKS:

1. V.N.Shukla - Constitution of India.
2. J.N. Pandey - Constitutional Law of India.
3. M.P. Jain - Constitution of India.
4. D.D.Basu Shorter- Constitution of India.
5. M.D.Chaturvedi - Bharat Ka Samvidhan (Hindi).

BHARTI VISHWAVIDYALAYA



LLB303

External Marks: 70

Internal Marks: 30

ADMINISTRATIVE LAW

Course Objective: The purpose of this paper is making students aware of various aspects of administrative law including quasi-legislative, quasi-judicial and other ministerial functions of administration and control thereof.

Course Outcome:

- Administrative law is basically concerned with triple function of administrative authorities, their constitutional limits and statutory limitations, the procedure to be followed in the exercise of their functions and the necessity to study in depth relevant remedies.
- Constitutional or otherwise in case of administrative arrogance and consequent abuse of power.
- The course is designed to convince the students how the right to information infuses transparency and accountability in governance, preventing abuse of power.

UNIT-I

Meaning, nature, history and function of administrative law, sources of administrative law, its origin and scope, reasons for its growth, its historical development in England, America and India, administrative law and constitutional law, droit administrative ... and council, D. Etate, constitutional foundation of administrative law, the rule of law, its meaning, supremacy of regular laws and equality before the laws, doctrine of separation of powers, its meaning and its position in U.K., U.S.A. & India. Nature of administrative process, and its classification, legislative, judicial, quasi-judicial and pure executive action, their characteristics and difference among them. Meaning, nature and criteria, its use or principle applicable for its use, need for administrative discretion, limit on exercise of discretion, mala fide exercise of discretion acting under dictation, constitutional imperative... and use of discretionary authority, non- application of mind, unreasonableness and standard of reasonableness, taking irrelevant consideration or not taking in to consideration among relevant matter, non-exercise of discretionary powers, administrative arbitrariness and bias. Procedural safeguards for use of discretion. Administrative Direction - its use and classification, its unenforceability.

UNIT-II

Delegated legislation, its historical background and function, reasons for its growth, need for delegation of administrative power, kinds of delegated legislation, sub-delegated legislation and conditional legislation, constitutionality of delegated legislation in Britain and India, Re Delhi Laws Act, Power of exclusion and inclusion and power to modify statutes, essential legislative functions, requirement for the validity of delegated legislation. Judicial control of delegated Legislation - Doctrine of ultra vires, its kinds, substantive and procedural grounds for its applicability, consultation, sub delegation, publication, delegated legislation, laying procedure, policy statement, committees on delegated legislation and hearing before it, sub delegation & powers, guide-lines for it,



and control of sub delegation, administrative adjudication and tribunals, reasons for proliferation of administrative tribunals, functional approach characteristics and feature of administrative tribunals, Basic difference between a court and a tribunals position of tribunals in India, CAT its purpose, establishment and composition, jurisdiction power and authorities, aspect of tribunal practice and administrative procedure, procedure before the enquiry or hearing, procedure at the tribunal hearing and procedure after tribunal hearing, frank committee report, administrative tribunal act 1985, administrative tribunals and appeal judicial review and finality of the tribunal decision, reopening of tribunal proceeding rule of res judicata, Administrative tribunals in India.

UNIT-III

Judicial Control of Administrative Action and Natural Justice Power of the High Court, writ jurisdiction of High Court under Article 226, limitation of jurisdiction, territorial limit, general limitations, Locus standi, non-existence of alternative remedies laches, acquiescence, doctrine of legitimate expectation, doctrine of public accountability, doctrine of proportionality, grounds and condition for writs and orders, mandamus, certiorari, prohibition, Quo warrants, Habeas corpus, nature of relief practice and procedure, power of supreme court under Art 32, role of natural justice on administrative law - principals of natural justice, (1) No man shall be a judge in his own cause or if he has any bias (Pecuniary personal & official) against a party or any interest in subject matter of the enquiry (2) Audi Alteram Partem - "Hear the other side and limit of audi alteram partem (3) The party must be known the reasons for the decisions, the use of principle of natural justice in disciplinary process and exclusion & violation of principles of natural justice and its effect.

UNIT-IV

State Liability for Wrongs Act & Commission of Inquiry & Corporate: Liabilities for torts, distinction between sovereign and commercial functions, constitutional provisions in this regard, act of state and statutory immunities contractual liability of Govt., Government privilege in legal proceeding state secrets, public interest, transparency and right to information estoppel and waiver. Remedies against administrative acts, constitutional remedies writ injunctions, its nature and types, distinction between injunction and mandamus, suit for declaration, its condition and nature, suits for damages. Public enquiry and commission of enquiry, general enquiry under service rules, procedure in disciplinary action and Provisions of commission of enquiry act 1952.

UNIT-V

Corporations, its kinds and characteristics, its classification, legal and Constitutional provisions & their responsibilities in contract and in tort, position of their employee whether they are civil servants? Control on corporation, legislative control, judicial control, governmental control and public controls. Ombudsman, its development in New Zealand, Britain and Australia, Position of Ombudsman in India, Lokpal and Lokayukt and their position, Public Interest litigations its nature and importance in Democracy. Central vigilance commissions its powers and functions. Right to Information Act, 2005 - Introduction, Right to Information and Voluntary Organization, Right to Information in the Foreign Countries, Request for Right to Information, Constitution, Rights and Obligations of the Information Agencies, Procedure of Disposal of Applications and Complaints by State Commissions with special reference to Section 18, 19 and 20 of Right to Information Act 2005.



BOOKS RECOMMENDED:

1. Jain and Jain - Principles of Administrative law, Tripathi (1986).
2. Wade - Administrative law (Indian Rep.) Universal Delhi.
3. J.C. Garner - Administrative law, Butterworth(1990)
4. D.D. Basu - Comparative Administrative law (Prentice Hall).
5. I.P. Massey - Administrative law EBC, Lucknow. (1996).
6. M.P. Jain - Cases and material on Indian Administrative law (Vol. I & II) 1998
Universal book traders Delhi.
7. S.P. Sathe - Administrative law (1998), Butterworth (India), Delhi.
8. De Smith - Judicial review of Administrative Action (1995) with supplement, Sweet & Maxwell.
9. M.A. Fazal - Judicial control of administrative action in India Pakistan & Bangladesh
(2000), Butterworth India.
10. Indian law institute - Cases and material on Administrative law in India vol. I (1996), Delhi.
11. D.R. Saxena - Ombudsman, Deep & Deep Delhi.
12. Tusharkanti Saha - Administrative law - Kanishk Publication, New Delhi.
13. V.G. Ramchandran - Administrative law, Eastern Book Co. Lucknow.
14. Foulkes - Introduction to Administrative law, Butterworth.
15. Bhagwati Prasad Banerjee - Writ Remedies (1999) Wadhwa, Nagpur.
16. M.P. Jain - The evolving Indian Administrative law (1983) Tripathi, Bombay.

BHARTI VISHWAVIDYALAYA



LLB304

External Marks: 70
Internal Marks: 30

LAW OF EQUITY AND INDIAN TRUST ACT, 1882

Course Objective: The purpose of this paper is make students aware of various aspects of Equity Law and Indian Trust Act.

Course Outcome:

- To facilitate and promote awareness among the people to donate various organs of human body. Within preview of law.
- To ensure people's involvement in developing a society wherein peace, justice and equality prevail.
- To promote self-employment and other ventures for the benefits of weaker sections.

UNIT-I

Law of Equity -Historical Introduction- Concept of Equity, Principles of Equity, Nature and Scope of Equity, Equity under the Roman, English and Indian Legal System. Origin and Growth of Equity in England-Origin of Equitable Jurisdiction, Procedure in Equity.

UNIT - II

Division of Equity Jurisdiction-Exclusive, Concurrent and Auxiliary Jurisdiction Equity and the Common Law- Distinctive Features of Equity and Common Law, Relation of Equity with Common Law, Fusion of the Administration of Equity and Common Law, The Judicature Act, 1873-1875, Object and Effect of the Judicature Act

UNIT - III

Maxims of Equity. Nature of Equitable Rights and Interest, Classification of Equitable Rights, Penalties and Forfeitures, Mortgages, Liens and Charges, Married Women, Guardians, Infants, Idiots and Lunatics, Conversion and Re-conversion, Election, Performance Satisfaction and Redemption, Administration of Assets, Mistake, Misrepresentation, Fraud and Undue Influence, Accident, Set-off, Equitable Assignments and Equitable Estoppels.

UNIT - IV

Indian Trust Act, 1882: Historical Background- Importance of Trust, Origin and Development of Trust under Roman Law, English Law and Indian Law. Definition of Trust and Comparison with other Analogous Relations, Kinds of Trusts, Public or Charitable Trust, Doctrine of Cypres, Creation of Trust, The Appointment and Discharge of Trustees, The Duties and Liabilities of Trustees, The Rights and Powers of Trustees, Disabilities of Trustees, Rights and Liabilities of Beneficiaries, Vacating the Office of Trustee, Extinction of Trust, Certain Obligation in the Nature of Trust.



UNIT – V

LEADING CASES:

- 1- Deoki Nandan Vs. Murlidhar and Others AIR 1957 S.C. 133.
- 2- Jankiram Ayyar Vs. Neelkanth Ayyar, AIR 1962 S.C. 536.
- 3- Shyamlal Yadu Rao Bhau Vs. Yesha Ram Lodku Pavan AIR 1954 Nag. 334
- 4- Satyanarayan Vs. G. Velloji Rao AIR 1965 S.C. 1465

RECOMMENDED BOOKS:

1. Snell - Principles of Equity
2. S.T.Desai - Indian Trust Act
3. G.P. Singh - Equity, Trust and Specific Relief
4. Aqil Ahmed - Equity, Trust with Fiduciary Relations and Specific Relief Act
5. Basanti Lal Babel - Equity, Trust and Specific Relief Act (In Hindi)
6. Suryanarayan Iyer - Indian Trust Act.

BHARTI VISHWAVIDYALAYA



LLB305

Total Marks: 100

PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM (PRACTICAL)

Course Objective- Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations
This Course will be taught in association with practicing lawyers on the basis of following materials.

Course Outcome:

- Professions are noble. The movement of all professions, hitherto, has been from chaos to organisation, organisation to consolidation and consolidation to autonomy and monopoly. Same is true of the law profession also. The prime reason for conferring autonomy and monopoly by the society on the professionals is the fact that they are a body of learned persons and the interest of society and individuals is safe in their hands.
- The Bar should set enviable standards of ethics and scrupulously adhere to them as also enforce them. It is too good of the society to trust the learned body of the professionals to regulate themselves and not to empower an outsider to sit in judgement over their activities.
- The trust reposed by the society in profession is to be zealously guarded. The Bar should live up to the expectations of the society. The society has a right to expect of the professionals such ideal behavior.
- The course is designed to imbue students with these high values forming the basis of the profession so that they can live up to those standards in their professional life.

OUTLINE OF THE COURSE: Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations. This Course will be taught in association with practicing lawyers on the basis of following materials.

- (i) Mr. Krishnamurthy Iyer's book on "Advocacy"
- (ii) The Contempt Law and Practice
- (iii) The Bar Council Code of Ethics
- (iv) 50 selected opinion of the Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court on the subject
- (v) Other reading materials as may be prescribed by the University.

SCHEME OF EXAMINATION

(1) Written Examination	50
(2) Seminar two (each of 10 marks)	20
(3) Project Report (on any topic of the material)	20
(4) Viva-Voce	10

The written examination shall be conducted from the prescribed course. The seminar shall also be conducted from the important topics of the materials. The presentation of Project Report and



appearance in seminar and viva-voce examination is compulsory. The candidate who does not appear in seminar and viva-voce examination or who does not prepare Project Report will be declared fail in this paper.

The Practical work/Project Report shall be submitted by the students in own handwriting in the College. The evaluation shall be made by the college on the basis of participation and record. The college after valuation shall be sent the diaries and marks to the University. The Principal may himself evaluate and allot marks on the record or may authorize any senior member(s) of the staff, for this purpose. In the later case The Principal shall countersign on the awarded marks.

DETAILED COURSE CONTENT OF WRITTEN EXAMINATION (50 marks)

UNIT – I

GENESIS NATURE AND EVOLUTION OF INDIAN BAR

- a) Evolution of Indian Bar - Regulating Act, 1773. Bengal Regulation of 1793 and the Legal Practitioners Act, 1846.
- b) The Legal Practitioners Act 1853 and the legal practitioners Act, 1879.
- c) The Bar Councils Act, 1926 and the Report of the All India Bar Committee 1953.
- d) History and circumstances before the passing of the Advocate Act, 1961.

UNIT – II

SOURCES & SANCTIONS OF PROFESSIONAL ETHICS & MISCONDUCTS

- a) Sources of Rules of Professional Ethics - Judicial and extra Judicial sanctions and advantages of study of professional ethics.
- b) Lawyers misconduct - Professional and others.
- c) Equipment of Advocate Reverence for the law learning public service, brotherhood organization. Love for professional ideals.
- d) Independence and integrity of The Bench and the Bar.

UNIT – III

PRIVILEGES RIGHTS POWERS AND DISABILITIES OF LEGAL PRACTITIONERS

- a) Right and duties of Advocates
- b) Privileges of Advocate
- c) Powers of Legal practitioners
- d) Disabilities of legal practitioners

UNIT – IV

ADVOCATES AND THEIR RELATION WITH OTHERS IN THE LIGHT OF B.C.I.

RULES 1976

- a) Advocate and the Court.
- b) Advocates relation with his opponent and with his client.
- c) Advocates relation with his colleagues and witnesses
- d) Advocates and the public and other employment and Advocates



UNIT – V

ADVOCATE ACT, CODE OF ETHICS AND CONTEMPT OF COURT

- a) Indian Advocates Act, 1961.
- b) The contempt law & practice - Indian contempt of court Act 1976.
- c) Other statutory provisions relating to contempt in IPC, Cr.P.C and CPC.
- d) Supreme Court on professional misconduct – Important cases.

BOOKS RECOMMENDED:

1. C.L. Anand - Professional Ethics of the Bar (Law Book Co., S.P. Marg Allahabad).
2. V.G. Ramchandran's - Contempt of Court EBC, Lucknow.
3. The Bar Council Code of Ethics and Indian Advocate Act 1961.
4. Indian Contempt of Court Act 1996.
5. M. Krishnamurthy - Advocacy
6. AVROM Sherr - Advocacy, Universal Book Traders, 80, Gokhale Market, Delhi.

BHARTI VISHWAVIDYALAYA



Semester- IV

LLB401

External Marks: 70

Internal Marks: 30

LAND LAWS INCLUDING OTHER LOCAL LAWS

Course Objective: The object of this paper is to focus on land reforms besides land acquisition procedures in Chhattisgarh and other local laws

Course Outcome: This course enables the learner to understand and study the local laws applicable in the state of Chhattisgarh such as the land revenue code, agricultural tenancy act, rent control act and also to increase the employability of students in these areas of practice of local laws.

UNIT – I

The Chhattisgarh Land Revenue Code 1959 (Amended 2006) The C.G. Ceilings on Agricultural Holding Act, 1960 (as Amended 2006) C.G. LAND REVENUE CODE - Historical Development, Definitions, Abadi, Agriculture, Agriculture Year, Bonafide Agriculturist, Board, Co-operative Society, Government, Forest.

UNIT – II

Government Lessee, Holding. Improvement, Land, Landless Person, Land Records, Legal Practitioner, Mango Grove, Orchard, Recognized Agent, Rent, Revision, Revenue Officer, Revenue Year, Sub-Division of Survey Number, Tenant, Tenure Holder, Timber Tree, Urban Area, Unoccupied Land.

UNIT – III

Board of Revenue, Revenue Officers and their Classes and Powers, Procedure of Revenue Courts, Appeal Revision and Review, Land and Land Revenue, Revenue Survey and Settlement in Non -Urban Areas, Assessment and Re-assessment of Land Records.

UNIT – IV

Boundaries and Boundary Marks and Survey Marks, Tenure Holders, Government Lessee and Service Land, Occupancy Tenants, Alluvial and Dilluvian, Consolidation of Holding, Village-Officers, Rights in Abadi and Unoccupied Land and its Produce.

UNIT – V

C.G. on Agricultural Holding Act, 1960 : Definitions, Exemptions and Restrictions on Transfer of Land, Fixing of Ceiling Area, Determination of Surplus Land and Acquisition Thereof, Payment of Compensation in Cumbrances on Surplus Land, Offences and Penalties and Miscellaneous.

BOOKS RECOMMENDED:

1. M.P. Land Revenue Code - H.N. Dwivedi.
2. M.P. Land Revenue Code - R.D. Jain.



LLB402

External Marks: 70

Internal Marks: 30

ENVIRONMENTAL LAWS INCLUDING WILD LIFE PROTECTION AND ANIMAL WELFARE

Course Objective: The objective of this paper is to acquaint the students with the environmental issues and the measures taken for its protection along with the norms prevailing at international and national level.

Course Outcome: Environmental problems have attained alarming proportions. It is essential to sensitize the students to environmental issues and the laws.

- The important principles in the field like inter – generation equity, carrying capacity, sustainable development, and precautionary principle, polluter pay principle are to be appreciated.
- The law in practice is to be analyzed and evaluated. The course is designed toward these objectives.

This paper includes following Statutes -

1. The Water (Prevention and control of pollution) Act, 1974.
2. The Air (Prevention and control of pollution) Act, 1981.
3. Environment Protection Act, 1986.
4. The Wild Life (Protection) Act, 1972
5. Prevention of Cruelty to Animals Act, 1960.

UNIT – I

Concept of Environment and Pollution - Environment, meaning and concept, pollution meaning and effect, environmental pollution, Provisions of Indian Constitution as to Environment.

UNIT – II

The Water (Prevention and control of pollution) Act, 1974- Application and Commencement (S.1), definition(S.2), the control and state Boards for prevention and control of water pollution(S.3-12), Constitution of joint Boards (S. 13-15), Powers and functions of Boards(S. 16- 18), Prevention and control of Water pollution (S. 19-33),Funds, Accounts and Audit (S. 34-40), penalties and procedure (S. 41-50), Miscellaneous (S.51-64).

UNIT – III

The Air (Prevention and control of pollution) Act , 1981- Preliminary (Ss. 1-2), Central and State Boards for the Prevention and Control of Air Pollution (Ss. 3-15), Powers and Functions of Boards (Ss. 16-18), Prevention Control of Air pollution (Ss. 19-31), Fund, Accounts and Audit (Ss. 32-36), Penalties and Procedure (Ss. 37-46), Miscellaneous (47-54)Schedules.

UNIT – IV

The Wild Life (Protection) Act, 1972 (No . 53 of 1972) - Preliminary (Ss. 1-2), Authorities to be appointed or constituted under the act (Ss. 3-8), Hunting of wild animals(Ss. 9-17), Sanctuaries, national parks game reserves and closed areas (Ss.18-38),Trade and commerce in wild animal articles and trophies (Ss. 39-49), prevention and detection of offences (Ss. 50-58), Miscellaneous (Ss. 59-66).



UNIT – V

Prevention of Cruelty to Animals Act, 1960- Preliminary (Ss. 1-3), Animal Welfare Board (Ss. 4- 10), Cruelty to animals generally (Ss. 11-13) Experimentation on Animals (Ss.14-20).

BOOKS REFERENCE

1. Trivedi R.K. & P.K. Goel - Introduction to Air Pollution (Techno Science Publication).
2. Jadhav & Bhosle V.M. - Environmental Protection and Laws (Himalaya Publishing House, Delhi).
3. Clark R.S. - Marine Pollution (Cleradon Press Oxford)
4. Cenningham W .P. Cooper, T.H. Gorhani & Hepworth M.T. - Environmental Encyclopedia (Jaico Publishing House, Mumbai - 1196P.)
5. Rao R.N. & Dutta A.K. - Waste water Treatment (Oxford & IBH) 1987.
6. R.B. Singh & Suresh Mishra - Environmental Law in India (Concept Publishing Co. (New Delhi 1996).
7. Leela Krishnan P. (Ed.) - Law & Environment (EBC Lucknow1990)
8. Leela Krishnan P.P. - The Environmental Law in India Butterworth India(1999)
9. Nagendra Singh - Environmental Law in India(1986)
10. Suresh Jain - Environmental Law in India(1986)
11. B.L. Babel - Environmental Protection Law1997.
12. Kailash Thakur - Environmental Protection Law & Policy in India (Deep & Deep Publishing Co., New Delhi (1977).
13. R.K. Trivedi - Hand Book of Environmental laws, Rules Guidelines Compliance and standard Vol. I &II.
14. Dr. Anirudhha Prasad - Paryavaran ayam paryavarniya sanrakshan vidhiya.

BHARTI VISHWAVIDYALAYA



LLB403

External Marks: 70
Internal Marks: 30

LABOUR AND INDUSTRIAL LAWS - I

Course Objective: This paper focuses on various aspect of management of labour relation and dispute settlement bodies and techniques.

Course Outcome:

- In this course, the students are to be acquainted with the Industrial relations framework. Further, the importance of the maintenance of industrial peace and efforts to reduce the incidence of strikes and lockouts are to be emphasized.
- The main objective is to critically examine the provisions in the trade unions Act 1926, the machineries contemplated under the Industrial disputes Act 1947, for the prevention and settlement of industrial disputes and other matters.
- Further the objectives underlying the Industrial employment (Standing orders) Act 1946, and disciplinary enquiry for misconduct are to be studied with a view to acquaint misconduct and the procedure to be followed before imposing punishment for misconduct alleged and established.

This Paper includes Following Statutes

- (1) The Industrial Disputes Act, 1947
- (2) The Trade Unions Act, 1926
- (3) The Workmen's Compensation Act, 1923
- (4) The Payment of Wages Act, 1936
- (5) The Minimum Wages Act, 1948

UNIT – I

General Introduction - Industrial Jurisprudence, Labour Policy in India, Industrial Revolution of India, Evil of Industrialization, Labour Problems, Principles of Labour Legislation, Growth of Labour Legislation in India, Classification of Labour and Industrial Legislations.

UNIT – II

The Industrial Disputes Act, 1947 - Preliminary, (Sec. 1-2), Authorities under this Act (Sec. 3- 9), Notice of change (Sec. 9A -9 B), Reference Of Certain Individual Disputes To Grievance Settlement Authorities (Sec. 9C), Reference of Disputes to Boards, Courts or Tribunals (Sec. 10- 10A), Procedure, Power and Duties of Authorities (Sec. 11-21), Strikes and Lockouts (Sec. 22-25), Lay-Off and Retrenchment (Sec. 25A-25J), Unfair Labour Practice (Sec. 25T-25U), Penalties (Sec. 26-31).

UNIT – III

The Trade Unions Act, 1926 - Preliminary, (Sec. 1-2), Registration of Trade Unions (Sec. 3-14), Rights and Liabilities of Registered Trade Unions (Sec. 15-28), Regulations (Sec. 29-30), Penalties and Procedure (Sec.31-33).

The Workmen's Compensation Act, 1923 - Preliminary, (Sec. 1-2), Workmen's Compensation (Sec. 3-18), Commissioners – Reference to Commissioners, Appointment and Powers of Commissioners, Powers and Procedure of Commissioners, Appeals (Sec. 19-21),



Rules 32-36, All Schedules, All Schedules and amendments made from time to time.

UNIT – IV

The Payment of Wages Act, 1936 - Preliminary, (Sec. 1-2), Responsibility for Payment of Wages (Sec. 3-6), Deductions which may be made from wages (Sec. 7-13), Authorities under the Act, Inspectors, Facilities to be afforded to Inspectors, Authorities to hear claims, Single application in respect of claims from unpaid group, Appeal (Sec. 14-17), Power of authorities appointed under section 15 (Sec. 18-19), Miscellaneous Provisions (Sec. 20-26).

UNIT – V

The Minimum Wages Act, 1948 - Preliminary, (Sec. 1-2), Fixing of minimum rates of wages (Sec. 3-6), Advisory Board (Sec. 7-9), Wages in kind (Sec. 10-17), Maintenance of Registers and Records, etc. (Sec. 18-21), Penalties, etc. (Sec. 22-26), Power of Govt. to make rules (Sec. 27-31), All Schedules and all amendments made from time to time

BOOKS RECOMMENDED:

1. H.K. Sharey - Industrial & labour laws in India (Prentice-Hall) New Delhi.
2. I.A. Sayieed - Labour laws, Himalayan Publishing Co. Nagpur
3. Reshma Arora - Labour law, Himalayan Publishing Co. Nagpur
4. S.K. Mishra - Labour and Industrial law - Allahabad law agency H.N. 387, Sector 16-A Faridabad.
5. Taxmann - Labour laws - Bare Act (Taxman allied series, Allahabad)
6. S.C. Shrivastava - Treatise on social security and labour laws EBC Lucknow.
7. S.N. Mishra - Labour & Industrial laws CLA Allahabad.
8. P.L. Malik - Hand Book of Labour and Industrial laws, EBC Lucknow.
9. Seth D.D. - Commentaries on Industrial Act (Law publishing house -Allahabad)
10. K.D. Shrivastava - Commentary of payment of wages act (1998) EBC Lucknow.
11. O.P. Malhotra - The law of Industrial Disputes (1998) Universal Delhi.
12. V.G. Goswami - Labour and Industrial laws, CLA Allahabad.
13. P.K. Padhi -Labour and Industrial Laws, Prentice Hall of India Pvt. Ltd. New Delhi.

BHARTI VISHWAVIDYALAYA



LLB404

External Marks: 70
Internal Marks: 30

LABOUR AND INDUSTRIAL LAWS - II

Course Objective: The paper is to focus on wage policies, compensation for learn caused during the course of employment and working conditions of employees.

Course Outcome:

- In this course, students shall also acquaint with legal frame-work relating to social security and welfare.
- The concept of social security, its importance and also constitutional basis for the same are introduced. The importance of ensuring health, safety and welfare of the workmen, social assistance and social insurance schemes and the regulation of wages under various legislations are to be emphasised.
- The objective is also to understand the provisions of the employee's compensation Act 1923, the employees state Insurance Act 1948, the payment of wages Act 1936, the factories Act 1948.
- These legislations are to be studied with a view to acquaint the students regarding various rights and benefits available to the workmen thereunder.
- Legislations are to be analysed by examining historical background, objectives underlying these legislations, judicial interpretations and effectiveness of these legislations in the changed economic policies.

This Paper includes following Statutes:

- (1) The Employees' State Insurance Act, 1948
- (2) The Factories Act, 1948
- (3) The Child Labour (Prohibition and Regulation) Act, 1947
- (4) The Maternity Benefits Act, 1961
- (5) The Gratuity Act, 1972.

UNIT – I

The Employees' State Insurance Act, 1948 — Preliminary (Definitions) (Sec. 1-2), Corporation, Standing Committee and Medical Benefit Council (Sec. 3-25), Finance and Audit (Sec. 26-37), Contributions (Sec. 38-45), Benefits (Sec. 46-59), Adjudication of Disputes and Claims (Sec. 74- 83), Penalties (Sec.84-86).

UNIT – II

The Factories Act, 1948 — Preliminary (Definitions) (Sec. 1-7), Inspecting Staff (Sec. 8-10), Health (Sec. 11-20), Safety (Sec. 21-41), Welfare (Sec. 42-50), Working hours of Adults (Sec. 51- 66), Employment of Young persons (Sec. 67-77), Annual leave with wages (Sec.78-84).



UNIT – III

The Child Labour (Prohibition and Regulation) Act, 1986 - Preliminary (Definitions) (Sec. 1-2), Prohibition of Employment of Children in certain occupations and processes (Sec. 3 -5), Regulation of conditions of work of children (Sec. 3-5), Miscellaneous (Sec. 14-26). Causes of child labour and Present prospect of child labour in India.

UNIT – IV

The Maternity Benefits Act , 1961 - Preliminary (Definitions) (Sec. 1-3), Employment of, or work by woman prohibited during certain period , Right to payment of maternity benefit, Notice of claim for maternity benefit and payment thereof, Payment of maternity benefit in case of death of a woman, Payment of medical bonus, Leave for miscarriage, Other leaves, Nursing breaks, Dismissal during absence of pregnancy, Deduction of wages, Appointment of Inspectors, Powers and duties of Inspectors (Sec. 4-22), Cognizance of Offence (Sec.23).

UNIT – V

The Gratuity Act, 1972 - Preliminary (Definitions) (Sec. 1-2), Controlling Authority, Payment of Gratuity, Nomination (Sec. 3-6), Determination of the amount of gratuity (Sec. 7), Inspector, Recovery of gratuity, Penalties (Sec. 8-9), Cognizance of Offences (Sec. 11-14), Power to make rule (Sec. 15).

BOOKS RECOMMENDED:

1. H.K. Sharey - Industrial & labour laws in India (Prentice-Hall) New Delhi.
2. I.A. Sayieed - Labour laws, Himalyan Publishing Co. Nagpur
3. Reshma Arora - Labour law, Himalyan Publishing Co. Nagpur
4. S.K. Mishra - Labour and Industrial law - Allahabad law agency H.N. 387, Sector 16-A Faridabad.
5. Taxmann - Labour laws - Bare Act (Taxmann allied series, Allahabad)
6. S.C. Shrivastava - Treatise on social security and labour laws EBC Lucknow.
7. S.N. Mishra - Labour & Industrial laws CLA Allahabad.
8. P.L. Malik - Hand Book of Labour and Industrial laws, EBC Lucknow.
9. Seth D.D. - Commentaries on Industrial Act (Law publishing house -Allahabad)
10. K.D. Shrivastava - Commentary of payment of wages act (1998) EBC Lucknow.
11. O.P. Malhotra - The law of Industrial Disputes (1998) Universal Delhi.
12. V.G. Goswami - Labour and Industrial laws, CLA Allahabad.
13. P.K. Padhi –Labour and Industrial Laws, Prentice Hall of India Pvt. Ltd. New Delhi.

BHARTI VISHWAVIDYALAYA



LLB405

Total Marks: 100

ALTERNATIVE DISPUTES RESOLUTION (PRACTICAL)

Course Objectives: The objective of this paper is to acquaint students with various modes of ADR.

Course Outcomes:

- Students shall be in a position to know litigation aspect and non-litigation aspects-its consequences.
- Enter into mediation and negotiation.
- Know to draft arbitration agreement, and arbitration clause- its importance.
- Developed skills in conciliation and mediation.
- Students have knowledge of win-win situation than win-lose situation.

Outline of the Course:

- (i) Negotiation skills to be learned with simulated program.
- (ii) Conciliation skills.
- (iii) Arbitration Law and Practice including International arbitration and Arbitration rules.

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

SCHEME OF EXAMINATION

(1) Written Examination	50
(2) Seminar two (each of 10 marks)	20
(3) Project Report (on any topic of the material)	20
(4) Viva-Voce	10

The written examination shall be conducted from the prescribed course. The seminar shall also be conducted from the important topics of the materials. The presentation of Project Report and appearance in seminar and viva-voce examination is compulsory. The candidate who does not appear in seminar and viva-voce examination or who does not prepare Project Report will be declared fail in this paper.

The Practical work/Project Report shall be submitted by the students in own handwriting in the College. The evaluation shall be made by the college on the basis of participation and record. The college after valuation shall be sent the diaries and marks to the University. The Principal may himself evaluate and allot marks on the record or may authorize any senior member (s) of the staff, for this purpose. In the later case The Principal shall countersign on the awarded marks.

DETAILED COURSE CONTENT OF WRITTEN EXAMINATION

UNIT – I

Arbitration: meaning scope and types, Arbitration Agreement - essentials, kinds, who can enter into arbitration agreement? Validity, Reference to arbitration, Interim measures by Court.



UNIT – II

Arbitral Tribunal, Appointment, Jurisdiction of arbitral tribunal, Grounds of challenge, Powers, Procedure, Court assistance, Award, Rules of guidance, Form and content, Correction and interpretation, Grounds of setting aside an award Want of proper notice and hearing , Contravention of composition and procedure, Impartiality of the arbitrator, Bar of limitations, Res judicata, Consent of parties, Enforcement.

UNIT – III

Appeal and Revision, Enforcement of foreign awards, New York Convention Award, Geneva Convention Awards.

UNIT – IV

Conciliation: Distinction between “conciliation”, “negotiation”, “mediation” and “arbitration”, Appointment of conciliator, Interaction between conciliator and parties, Communication, disclosure and confidentiality, Suggestions by parties, Resort to judicial proceedings, legal effect, Costs and deposit repeal.

UNIT – V

Rulemaking power: Legal Services Authorities Act, Lok Adalat, Legal Camp.

BOOKS RECOMMENDED:

1. Avtar Singh : Arbitration and Conciliation.
2. Goyal : Arbitration and Conciliation Act.
3. Shukla : Legal remedies.
4. Jhabvala : Law of Arbitration and Conciliation.
5. Dr.N.V.Paranjape : Arbitration and Alternative Dispute Resolution.

BHARTI VISHWAVIDYALAYA



Semester- V

LLB501

External Marks: 70

Internal Marks: 30

COMPANY LAW

(INDIAN COMPANY ACT, 2013 (18th of 2013) WITH AMENDMENTS)

Course Objectives: The paper aims to provide insight into formation and winding up of companies and also about Share Capital and allotment.

Course Outcomes:

- In view of the important developments that have taken place in the corporate sector, the course is designed to understand the formation, management and other activities of the companies.
- Important regulations pertaining to the issue of shares and the capital raising have come into force.
- This course aims to impart the students, the corporate management, control, possible abuses, the remedies, and government regulation of corporate business and winding up of companies.

UNIT – I

Introduction, History and Definition of Company, Registration of Corporate Entity, Corporate Veil, Company and Hindu undivided Family, company and Partnership, Club, Association of Persons, Advantages and Disadvantages of Incorporation, Kinds Companies and Application of the Act. Interpretation and Definitions of Various Terms.

UNIT – II

Formation of Companies, Promotion, Promotor and his Rights and Liabilities, Incorporation, Memorandum of Association and Articles of Association, Doctrine of Ultra-Vires, Prospectus, Definition, Contents of Prospectus Punishment for Misrepresentation in the Prospectus, Members of the Company, Members and Shareholders and Public Trustees.

UNIT – III

Share and Share Capital, Allotment of Share, Statutory Restriction on Allotment, General Principles as to Allotment, Company which cannot issue prospectus, Irregular Allotment, Return as to Allotment, Issue of Share at Discount, Underwriting Commission, Brokerage, Issue of Share at Premium, Share Capital: Definition, Nature of Share Certificate, Position of Transferor and Transferee, Procedure, Blank Transfer, Right to Refuse Registration, Restriction on the Acquisition and Transfer of Share, Certificate of Transfer, Kinds of Share, Power of Company to Accept Payment in Advance of Calls. Reserve Liability, Alteration of Capital Reorganisation of Share Capital. Reduction of Capital, Share Warrant.

UNIT – IV

Directors, Position of Directors, Appointment, Powers and Duties of Directors, Other Office Bearers of the Company.

UNIT – V

Dividend, Debenture, Accounts and Audit, Borrowing Powers of the Company, Investment and Contract, Majority Powers and Minority Rights and Rule of Foss and Harbottle, Mismanagement and Remedies Compromise. Arrangement, Reconstruction and Amalgamation, Investigation and Liquidation and Consequences of Winding up of the



Companies.

BOOKS RECOMMENDED:

1. Company Lax - Philip. K.Thayil.
2. Lectures on Company Law - S.M.Shah.
3. Indian Company Law - AwtarSingh.
4. Company Law - R.R.Maurya.
5. Company Law - Dr.Ramchandran.
6. Students Guide to Company Law –Taxmann.
7. Company Law- N.VParanjape.



BHARTI VISHWAVIDYALAYA



LLB502

External Marks: 70
Internal Marks: 30

INTERNATIONAL LAW & HUMAN RIGHTS

Course Objective: The objective of this course is to lay the foundation of the Human Rights law and acquaint the students with basic human rights institutions.

Course Outcome: This course includes the study of general principles of international law including law of peace.

- Third world concerns in respect of security and development and the role of U N and international agencies in structuring solutions in the context of changing balance of power are also to be appreciated.
- This course includes the study of general principles of Human Rights.

UNIT – I

INTRODUCTION - INTERNATIONAL LAW:

- a) Definition and Concept of International Law, Object of International Law, Nature and Origin and development of International Law,
- b) Sources of International Law, Codification of International Law Relationship between international and municipal law and difference between Public International law and Law of conflicts subjects of PIL.
- c) Relationship between international and municipal law and difference between Public International law and Law of conflicts, subjects of Public International Law.

UNIT – II

GENERAL PRINCIPLES OF INTERNATIONAL LAW

- d) State - its nature, evolution, and criteria of statehood, Recognition of States and Governments, Meaning and theory of Recognition, Mode of Recognition and legal effects of Recognition, Acquisition and Loss of State Territory.
- e) State Succession-Its kinds and Principles of State Succession, Effect of Succession, State Jurisdiction and State Responsibility, Nationality, Extradition, Asylum, Diplomatic Agents and Treaties.
- f) Law of the Sea - Territorial water, continental shelf, sea bed, ocean-floor.



UNIT – III

LAW OF WAR AND PEACE AND SETTLEMENT OF DISPUTES

- g) Settlement of International Disputes - Peaceful or amicable methods and for coercive methods for settlement of disputes, Intervention, Neutrality, Blockade, Contraband and Prize Courts.
- h) International Organization - League of Nations and reasons of its failure, Role of United Nations Organization (UNO) and their specialized agencies. Composition, Powers and Functions of the General Assembly and the Security Council, Composition, Powers and Jurisdiction of the International Court of Justice.
- i) Some recent trends – International Criminal Courts of Justice, Doctrine of Self-determination, International Terrorism Disarmament and Genocide.

GENERAL BACKGROUND & HISTORICAL PERSPECTIVE – HUMAN RIGHTS

- a) Historical Development and concept of Human Right
- b) Meaning and definition of Human Rights
- c) Theories of Human Rights
- d) Kinds and Classification of Human Rights
- e) Human Right in India ancient, medieval and modern concept rights
- f) Human Right in Western tradition
- g) Concept of natural law and natural rights

UNIT – IV

INTERNATIONAL PROTECTION OF HUMAN RIGHTS

- a. Evolution of the concept of Human Rights
- b. Sources of International Human Rights Law
- c. Protection and implementation of Human Rights under the U. N. O. Charter
- d. Universal Declaration of Human Rights, 1948 – Importance of declaration, Legal Effect and influence of the Universal Declaration.
- e. International Covenant on Economic, Social and Cultural Rights, 1966.
- f. International Covenant on Civil and Political Rights, 1966.
- g. Convention on the elimination of all forms of discrimination against women
- h. Convention on the rights of the child.

REGIONAL PROTECTION OF HUMAN RIGHTS:

1. European Convention for the protection of Human Rights and Fundamental Freedoms (1950) and European Social Charter, 1961
2. American Convention on Human Rights, 1969
3. African Charter on Human and People's Rights, 1981
4. Arab Commission on Human Rights



UNIT – V

NATIONAL PROTECTION OF HUMAN RIGHTS:

1. Impact and Implementation of International Human Rights Norms in India
2. Human rights norms reflected in fundamental rights in the constitution
3. Directive principles: legislative and administrative implementation of international human rights norms through judicial process
4. Enforcement of Human Right in India
5. Role of courts: the Supreme Court, High Courts and other Courts.

PROTECTION OF HUMAN RIGHTS ACT, 1993:

1. The National Human Rights Commission - Constitution, Functions and powers of the Commission, Power of Investigation and inquiry into Complaints
2. The State Human Rights Commission — Constitution, Functions and powers of the Commission , Power of Investigation and inquiry into Complaints
3. Human Rights Courts
4. Other Statutory Commissions – Women’s, Minority, ST, SC and Backward classes.

BOOKS RECOMMENDED:

1. J.K. Starke - An Introduction to the International Law.
2. J. L. Brierley - The Law of Nations (Oxford).
3. K.C. Joshi - International Law and Human Rights.
4. S.K. Verma - An Introduction to Public International Law (Prentice-Hall India).
5. All the Covenants and Conventions.
6. Shaw M.N. - International law (CUP).
7. M.C. Nair - The Law of Treaties (Oxford).
8. S.K.Kappor - Human Rights under International Law and Indian Law Central Law Agency Allahabad.
9. S.K.Kappor - Human Rights under International Law and Indian Law Central Law Agency Allahabad (InHindi).
10. H.O. Agrawal - International Law and Human Rights (In Hindi).
11. S.K. Avesti and kataria Law relating to Human Rights, Orient New Delhi.
12. Human Rights watch women’s Rights watch global report on women’s Human Rights (2000), Oxford.
13. Ermacora Nowak and Tretter, International Human Rights (1993), Sweet and Maxwell.
14. Wallace, International Human Rights: Text & Materials (1996), Sweet &Maxwell.
15. Human Rights & Global Diversity (2001), Frank Cass, Landon.
16. Nirmal B.C. The Right of self Determination in International Law (1995), Deep and Deep.
17. P.R. Gandhi, International Human Rights Documents (1999) Universal Delhi.
18. H.O. Agrawal, International Law and Human Rights, Central Law Publication.



LLB503

External Marks: 70

Internal Marks: 30

INTERPRETATION OF STATUTES

Course Objectives: The paper is to equip the students with various tools of interpretation of statutes.

Course Outcomes:

- As it is difficult to have legislation without ambiguous provisions, there is a need to make proper study of the rules and principles relating to interpretation of statutes. Legislation is the major source of law of modern era. Legislatures enact laws after much deliberation. No doubt in this process they have to take into account the present and future needs of the people.
- What are the matters to be reckoned with by legislature while enacting laws? With the emergence of legislation, interpretation of statutes became a method by which judiciary explores the intention behind the statutes. Judicial interpretation involves construction of words, phrases and expressions.
- In their attempt to make the old and existing statutes contextually relevant, Courts used to develop certain rules, doctrines and principles of interpretation. Judiciary plays a highly creative role in this respect.
- What are techniques adopted by courts in construing statutes? How far are they successful in their strategy? With the above problems and perspectives in view, this paper is framed.

UNIT – I

Principles and Legislation-Law Making - Legislature, Executive and Judiciary, Principle of Utility, Operation of these Principles upon Legislation, Distinction between Morals and Legislation.

INTERPRETATION OF STATUTES - Introduction, Meaning, Commencement, Operation and Repeal of Statutes, Purpose of Interpretation of Statutes Classification of Statutes.

UNIT – II

GENERAL PRINCIPLES OF INTERPRETATION - Primary Rules, Literal Rule, Golden Rule, Mischief Rule (Rule in the Hydon's Case) Rule of Harmonious Construction. Secondary Rules, Noscitur a Sociis, Ejusdem Generis, Reddendo Singula Singulis, Utres Magis Valeat Quam Pereat, Contemporanea Expositio est Fortissima in Lege. PRESUMPTIONS IN STATUTORY INTERPRETATION - Presumption as to Jurisdiction, Presumption Against inconvenient or Absurd, Presumption Against Intending Injustice, Presumption Against Impairing Obligations or



Permitting from One's Own Wrong, Prospective Operation of Statutes.

UNIT – III

AIDS TO INTERPRETATION AND MAXIMS OF STATUTORY INTERPRETATION - Internal Aids and External Aids, **MAXIMS** - Delegates Non Potest Delegare, Expressio Unius Exclusio Alterius, Generalia Specialibus non Derogant, In Pari Delicto Potior Est Condition Possidentis, Utresvalet Potior Quam Pareat, Expressum Facit Cessare Tacitum, Jure Nature Sunt Immutabilia.

UNIT – IV

INTERPRETATION WITH REFERENCE TO THE SUBJECT MATTER AND PURPOSE - Beneficial Construction, Strict Construction of Penal Statutes and Taxing Statutes, Construction and Interpretation of Welfare Legislation, Harmonious Construction of the Statutes, Interpretation of Statutes in Pari Materia, Amending, Consolidating and Codifying Statutes, Mandatory and Directory Enactments and Conjunctive and Disjunctive Enactments.

UNIT – V

PRINCIPLES OF CONSTITUTIONAL INTERPRETATION - Principles of Implied Powers, Incidental or Ancillary Power, Doctrine of Pith and Substance and Colourable Legislation, Principles of Implied Prohibition, Occupied Field and Territorial Nexus, Doctrine of Severability and Repugnancy and Doctrine of Eclipse and Ancillary Powers. Retrospective and Prospective Operation of Statutes.

BOOKS RECOMMENDED:

1. Principles of Statutory Interpretation - G.P.Singh.
2. Interpretation of Statutes and Legislation - M.P.Tondon and Rajesh Tondon.
3. Statute Law - Craies.
4. Interpretation of Statutes - V.P.Sarathi.
5. Maxwell's Interpretation of Statute - N.M.Tripathi.



LLB504

External Marks: 70

Internal Marks: 30

LEGAL LANGUAGE AND GENERAL ENGLISH

Course Objectives: The Objective of this course is to develop a student capability to write and speak in English correctly.

Course Outcomes:

- Focuses on developing preliminary legal knowledge which inter-alia helps to cope with learning the law.
- Précis writing/drafting reports etc. Caters to Horne the interpretation skills and effective understating of judgements, law texts, etc.
- Essays written by eminent writers on law gives various dimensions on the legal professions and learning the law.
- To understand the principles of law its process and application in various streams in the legal world.
- Equip with legal knowledge and functional skills.
- Understanding of legal perspective of various global issues.
- Ethical reasoning and professionalism.
- Awareness on various political, socio-economic, environmental issues, etc.

UNIT – I

Legal Language:

Legal terminology. Legal terms - meaning. Explanation of the following Latin Glossary/Maxims either in English or Hindi-Ab-initio, Ad hoc, Ad-interim, Ad-litem guardian, Actus non-faciet reum nisi mens sit rea, Abuse of process, Injuria sine Damnum, Damnum sine injuria, Novus actus interveniens, Respondent superior, Res Ipsa loquitur, Restitution in integrum, Caveat emptor, Res-judicata, Prima facie, Malafides, Bonafides, Expost facto, Ex-parte, Ex-gratia, Tresspass-abinitio, Sine-die, Non-compos mentis, Nemo-dat- quod-non habeat.

UNIT – II

Abbreviation of Law Magazines & Journals:

The following Abbreviations are prescribed for study.

AIR, S.C.C., M.P.LJ., J.LJ, M.P.W.N., Cal. LR, S.C.R, S.C.W.R., AL.I.L.J. Cal. L.J., O.LR, Cr. L.J., All L.J., I.B. Rev., I.L.R., AI. Cr. C., S.C.J., I.T.R., I.T.J., Bomb. L.R., An. L.T.

Translation of the Hindi passage into English:



UNIT – III

Proficiency in regional language: Translation of the English passage into Hindi. Precise writing.

UNIT – IV

Essay writing on the following topics of legal interest:

Marriage under Hindu Law, Marriage and Divorce under Mohmmedan Law, Essentials of a valid contract, Master's liability under the law of Tort, Right of private defense under Criminal Law, Fundamental Rights under the Indian Constitution, Emergency provisions, Theories of punishment, Independence of Judiciary.

UNIT – V

General English:

Gender, Number (Singular, Plural), Article, Tenses, Active and Passive voice, Preposition, Narration, One word Substitution, Antonyms and synonyms, Correction of Common Errors.

Reference Books:

1. Legal Language and Legal Writing – P.K. Mishra
2. English Grammar – Wren and Martin
3. Legal Language, Writing and General English – J.S. Singh

BHARTI VISHWAVIDYALAYA



LLB505

Total Marks: 100

MOOT COURT EXERCISE AND INTERNSHIP

Course Objective: This paper is to help a law student to acquire a thorough knowledge of practical aspect of court system.

Course Outcome:

- Students are in a position to identify different stages in civil and criminal cases.
- Shall understand the relevancy of documents and expert witnesses in special situations.
- When a commissioner is appointed and other courts designated officers in a given case along with their powers.
- They can draft notices- different pleadings in civil litigations.
- Shall be able to understand and prepare for court trial and proceedings like cross examinations and arguments.

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

- (a) Moot Court (30 marks) - every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for or an advocacy.
- (b) Observance of Trial in two cases, one Civil and one Criminal (30marks).
Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.
- (c) Interviewing techniques and Pre-trial preparations and Internship dairy 30 marks. Each student will observe two interviewing sessions of clients at the Lawyer's Office/ Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/ petition. This will be recorded in the dairy, which will carry 15marks.
- (d) The fourth component of this will be Viva Voce examination on all the above three aspects. This will carry 10marks.

The Court work shall be submitted by Student in own handwriting in the College/SOS in Law. The evaluation shall be made by the college/SOS in Law on the basis of participation and record. The college/SOS in Law after valuation shall sent the diaries and marks to the University. The



Principal/ Head may himself evaluate and allot marks on the record or authorize any senior members of the staff, for this purpose. In the later case the Principal/Head shall countersign on the awarded marks.

BOOKS RECOMMENDED:

1. Moot Court, Pre-trial Preparation and Participation in trial Proceedings - O.P. Mishra (Advocate).
2. Moot Court Pre-trial Preparation and Participation in trial Proceedings - Dr. S.P. Gupta.
3. Moot Court Pre-trial Preparation and Participation in trial Proceedings –J. P. S. Sirohi.
4. Practical training for Law students – Prof. J. K. Mittal.



BHARTI VISHWAVIDYALAYA



Semester -VI

LLB601

External Marks: 70

Internal Marks: 30

TRANSFER OF PROPERTY ACT (1882) AND INDIAN EASEMENT ACT (1882)

Course Objective: The Objective of this paper is to focus on concept and classification of property as well as principles governing transfer of immovable property.

Course Outcome:

- The focus of this course is on the study of the concept of 'Property', the 'nature of property rights' and the general principles governing the transfer of property.
- A detailed study of the substantive law relating to particular transfers, such as sale, mortgage, lease, exchange, gift and actionable claims will also be undertaken.
- The course also includes an exposure into the concept of trust.

UNIT – I

- a) Historical evolution of Law of property, Introduction, Short title, Commencement, Repeal of Acts, Interpretation Clause (Ss 1-3),
- b) Transfer of Property by act of Parties - Definition of Property, Rule of Transferability, Persons Competent to Transfer, Operation of Transfer and Oral Transfer (Ss 5-9),
- c) Condition Restraining Alienation, Restriction Repugnant to Interest, Condition Making Interest Determinable on Insolvency or Attempted Alienation (Ss 10-12),
- d) Transfer for the Benefit of Unborn Person, Rule against Perpetuity etc. (Ss 13-18),
- e) Vested interest and Contingent Interest (Ss 19-24),
- f) Conditional Transfer, Doctrine of Acceleration, Doctrine of Conditional Limitation (Ss 25-34),
- g) Doctrine of Election (Ss 35-37),
- h) Transfer of Immovable Property (Ss 38-53-A).

UNIT – II

- a) Sale of immovable property: Definition, Competency of Parties, Difference between Sale and Agreement to Sale, Rights and Liabilities of buyer and Seller (Ss 54-57),
- b) Mortgages charges of immovable (Ss 58),



- c) Property, Definition, Kinds of Mortgages, Obligation to transfer to third party instead of Mortgagor, Rights and Liabilities of Mortgager (Ss 58-66),
- d) Rights and Liabilities of Mortgagee (Ss 67-77),
- e) Other Provisions Related to Mortgage including charges (Ss 78-104).

UNIT – III

- a) Leases of immovable property Definition, Essential Elements of Leases, Modes of Leases, Rights and Liabilities of Lessor and Lessee, Doctrine of Waiver, Determination of Lease and Other Related Provisions (Ss 105-117),
- b) Exchanges (Ss 118-121),
- c) Gift (Ss 122-129),
- d) Transfer of Actionable Claims (Ss 130-137).

UNIT – IV

- a) Indian Easement Act, 1882 :- Introduction (Ss 1-3),
- b) Easement in General (Ss 4-7),
- c) Imposition, Acquisition and Transfer of Easements (Ss 8-19),
- d) Incidents of Easement (Ss 20-21),
- e) Disturbance of Easement (Ss 32-36),
- f) Extinguishment, Suspension and revival of easements (Ss 37-51),
- g) Licenses, Definition, Ingredients and Revocation of Licenses (Ss 52-64)

UNIT – V

Leading Cases :

1. Nainsukhdas Shivnarayan Vs. Goverdhan das AIR 1948, Nagpur 110.
2. Associated Hotel of India Vs. R.N. Kapoor AIR 1962, SC 1262.
3. Jama Masjid Vs. Koci Manindra Deviah and other, AIR 1962, SC 807.
4. Kedarnath Vs. Shivnarayan AIR 1970, SC 1717.
5. Kanji Manji Vs. Trusters of Port of Bombay AIR 1963, SC 268.
6. Murari Lal Vs. Devkaran AIR 1965, SC 225.



BOOKS RECOMMENDED:

1. Transfer of Property Act –Mulla.
2. Sampatti Antaran Adhinyam - G.P.Tripathi.
3. Sampati Antaran Adhinyam - S.N.Shukla.
4. Transfer of Property Act 1882 - S.N.Shukla.
5. Law of Easement - S.T.Desai.
6. Transfer of Property Act, 1882 - G.P.Tripathi.



BHARTI VISHWAVIDYALAYA



LLB602

External Marks: 70

Internal Marks: 30

CIVIL PROCEDURE CODE AND LIMITATION ACT

Course Objective: This paper is to help a law student to acquire a thorough knowledge of procedural aspects of working of civil courts and other machineries.

Course Outcome:

- Study of procedural law is important for a law student. This course is designed to acquaint the students with the various stages through which a civil case passes through, and the connected matters.
- The course also includes law of limitation. The course teacher shall endeavor to familiarise the students with case paper (like plaints, written statement, interlocutory application, etc.) involved in civil cases and touch upon the provision of evidence Act wherever necessary.

UNIT – I

Civil Procedure Code - Historical Background, Introduction, Short Title, Definition, Kinds of Courts and their Jurisdiction, Stay of Suit, Rejudicata, Bar to Further Suit etc. (Ss 1-14), Place of Suing, Institution of Suit, Summons and discovery, Judgment and Decree, Interest and Costs (Ss 15-35-B), Execution Proceedings, Courts by which decree may be executed, Procedure in Execution, Arrest, Detention, Attachment and Sale, Resistance to Execution (Ss 36-74), Incidental Proceedings, Suit in Particular case, Suit by or against the Government, Suit by Aliens and by or against foreign rulers/ambassadors suits against rulers of former Indian States and Interpleaded Suit (Ss 75-88), Appeals, Reference, Review and Revision (Ss 96-115), Miscellaneous Proceedings, Application for Restitution, Right to Lodge a Caveat, Power to make-up deficiency of Court fees, Inherent Powers of Courts, Amendment of Judgment, decrees and order and General power to Amend (Ss 144-153).

UNIT – II

Parties to Suits, Plaintiff and Defendants, Representative Suit, Joinder, Misjoinder and non- Joinder, (Order - I Rules 1-13), Frame of Suit, Recognized Agents and Pleader, Institution of Suits, Issue and Service of Summons (Order II - V), Pleading Generally, Plaint, Written-Statement, Set-off and Counter-Claim (Order VI-VIII), Appearance of Parties and Consequences of non-appearance, dismissal of suits and ex-party Decree and Order, Examination of Parties by the Court, Discovery and Inspection, Admission, (Order IX-XII), Settlement of Issues and Determination thereof, Summary Disposal, Summoning Attendance and Examination of Witnesses, Adjournment of Hearing and



Affidavit (Order XIV-XIX).

UNIT – III

Judgment and Decree, Execution of Decrees and Orders, Death, Marriage and Insolvency of Parties, Withdrawal and Adjustment of Suits (Order XX-XXIII), Commission, Suits by or against the Government and Public Officers, Suits Involving a Substantial Question of Law, Suits by or against Military, Navel or Airmen, Suits by or against Corporation, Suits by or against Firms, Trustees, Executors and Administrators, Suits by or against Minors and Persons of Unsound Mind, Suits Relating to Matters, Concerning the Family, Suit by Indigent Persons, Suits Relating to Mortgagor, Interpleader Suit (Order XXIV-XXXV), Arrest and Attachment before Judgment, Temporary Injunctions and Interlocutory Order, Appointment of Receiver, Appeal from Original Decrees, Appeal from Appellate Decrees, Appeal from Orders, Appeal by Indigent Persons, Appeal to the Supreme Court, Reference and Review (Order XXXVIII-XLVII).

UNIT – IV

Limitation Act, 1963 - Historical Background, Short Title, Extent, Commencement and Definition (Ss 1-2), Limitation of Suits, Appeals and Applications (Ss 3-11), Computation of Period of Limitation, Exclusion of Time in Legal Proceedings, Effect of Death on or before the accrual of right to Sue, Effect of Fraud or Mistake, Effect of Acknowledgement in Writing, Effect of Substituting or Adding New Plaintiff or Defendant etc. (Ss 12-24), Acquisition of Ownership by Possession, Acquisition of Easement by Prescription, Reversioner and Extinguishment of Right to Property (Ss 25-27).

UNIT – V

Leading Cases –

1. P.G.H. Patil Vs. R.S. Patil and others AIR 1957, SC 363.
2. M.P. Shrivastava Vs. Mrs. Veena AIR 1967, SC 1193.
3. Kiran Singh & Others Vs. Chaman Paswan and others AIR 1954, SC 340.
4. State Vs. Administrator AIR 1972, SC 749.
5. Hindustan Aeronautics Vs. Ajit Prasad AIR 1973, SC 7



BOOKS RECOMMENDED:

1. Civil Procedure Code -Mulla
2. Civil Procedure Code - ViswanathIyer
3. Code of Civil Procedure - P.K.Majumdar
4. A Guide to Civil Procedure Code - RamaRao
5. Civil Procedure Code -Sarkar
6. Civil Procedure Code - M.P.Jain
7. Law of Limitation & Prescription - U.N.Mitra
8. Law of Limitation - Dr. N.M.Swami
9. Limitation Act –Sarkar.

BHARTI VISHWAVIDYALAYA



LLB603

External Marks: 70
Internal Marks: 30

THE LAW OF TAXATION

Course Objective: Concept of income tax, heads of income, including foreign income assessment procedures, adjudication and settlement of tax disputes are the focus points of study in this paper.

Course Outcome:

- Legal regime of tax encompasses the policies, laws and rules for Taxation process. Income tax law is concerned with tax imposed on various sources of Income. With regard to indirect tax latest in the pipeline of fiscal policy is introduction of uniform Goods and service Tax (G S T) regime by July 1st, 2017.
- Tax policy is related to duties on imports from foreign countries and all compulsory levies imposed by the government on individuals firms, limited companies, Govt. organisations, Local authorities and others for the benefit of the state. The object here is imparting conceptual understanding to the studies of the provisions of both direct and indirect tax laws.
- The students of law are required to know the impact of taxation on business transactions.

UNIT – I

GENERAL INTRODUCTION: Historical Perspective Historical Development of Tax Laws in India Concepts of tax Nature & characteristics of taxes Distinction between tax & fee, tax, & cost Distinction between Direct & Indirect tax

UNIT – II

INCOME TAX ACT, 1961: Preliminary – Short Title, Extent and Commencement, Definitions, Previous Year Defined(Sec. 1-3) - Basis of charges of Income Tax: Residential status of assesses – its impact on tax liability(Sec. 4-9) Incomes which do not form part of total income(Sec. 10-13)

UNIT – III

Computation of Total Income(Heads of income) Salaries, Income from House Property, Profits and Gains of Business or Profession, Capital Gains and Income from Other Sources – general concepts – chargeability to tax – admissible & inadmissible deductions, exclusions and deductions from income(Sec. 14-59) Income of other persons included in assessee's Total Income(Sec. 60-65), Aggregation of Income and set- off and carry forward of losses(Sec. 66-80) Deductions to be made in computing total income,



Deductions in respect of certain Payments and certain incomes and other deductions, Rebate of Income Tax and Relief for Income Tax(Sec. 80A-89),

UNIT – IV

Income tax authorities- Appointment and Control, Jurisdiction, powers & functions, Disclosure of Information(Sec.116-138), Procedure for Assessment (Sec.139-158), Collection and Recovery of Tax- Deduction at source and Collection at source, Advance payment of tax, Collection and Recovery , Interest Chargeable in some cases and Refunds,(Sec. 190-245)Allotment of permanent account number, Settlement of Cases-Appeals and Revision, Appeals to the Appellate Tribunal, Reference to High Court, Appeals to High Court, Appeals to the Supreme Court, Revision and reference(Sec. 245A-269) Penalties Imposable(Sec. 270-275) Offences and Prosecutions- Penalties and prosecutions under income tax act, 1961 for non- compliance, contravention, avoidance and evasion of tax(Sec. 275A-280)

UNIT – V

C.G. VALUE ADDED SALES TAX ACT, 2003 Preliminary-Short Title, Extent and Commencement, Definitions, Taxing Authorities, Incidence of Tax(Sec. 1-7) Levy of Tax(Sec. 8-15) Registration of Dealers(Sec.16-18),Returns, Assessment, Payment and Recovery of Tax(Sec.19-38), Refund of Tax, Accounts and Issue of Acts, invoices or cash memoranda(Sec.39-42) Certain powers of the Commissioner and Delegation by the Commissioner(Sec.43-47), Appeals, Revision and Rectification(Sec.48-56), Detection and Prevention of Tax Evasion(Sec.57-63), Offences and Penalties(Sec.64)Miscellaneous and Power to make Rules(Sec.65-74)

BOOKS RECOMMENDED:

1. A.K. Saxena - Income Tax Act
2. Kailash Rai - Income Tax Act
3. V.K. Shusha Kumari - Law of Income Tax
4. B.L. Babel - Pratyaksh Kar Vidhayan, Aparadh, Abhiyojan Evam Shastiyan.

BHARTI VISHWAVIDYALAYA



LLB604

External Marks: 70

Internal Marks: 30

INTELLECTUAL PROPERTY LAW & INFORMATION TECHNOLOGY ACT, 2000

Course Objective: The objective of this course is to acquaint the students with basics of intellectual property law with special reference to Indian law and practice.

Course Outcome:

- Intellectual property law has assumed a great importance in recent time as a result of the recognition that “knowledge is property”.
- The creations of the human brain as IP are required to be understood and protected.
- The syllabi encompassing all relevant IP legislation in India with a view to understand and adjust with changing needs of the society because creative work is useful to society and law relating to innovation / creativity i.e., intellectual property is one of the fastest growing subjects all over the globe because of its significance and importance in the present era. Disseminate information on national and international IPR issues.

UNIT – I

Introduction Nature Basic Concepts and International Conventions Nature and meaning of Intellectual property, need for protection of right of intellectual property. The types of intellectual property. The types of intellectual property and enhancement of area of I.P. History and introduction to the leading international instrument concerning intellectual property rights i.e. WIPO (world intellect property organization) and its Paris convention on protection of industrial property (PIP) and patents co-operation treaty (PCT) The Berne (1971) and Rome convention (1961) on copy right. Universal copy right convention (UCC) of 1952, and neighboring rights and Madrid agreement on trade mark registration. The general agreement on tariffs and trade (GATT) and its creations, World trade organization (WTO), Uruguay Round (April 1997) and its highly significant instrument "Trade Related intellectual property agreement" (TRIPS).

UNIT – II

Copyrights its contents and forms & related act: Copyrights its history and definition, provisions of Copy-right act 1957 and copyrights (amendment) act 1994 which includes copyright its nature and meaning. Subject matter of copyright, forms of copyrights, ownership of copyrights assignment of copy rights. Copyrights as an author's special rights. Notion and criteria of infringement, their definition and exception, proposition relating to infringement, authorization of infringement, acts not constituting infringement, infringement of literary, dramatic, musical and artistic works,



cinematographic films and sound recording. Remedies against infringement of copyright - nature and kind of remedies civil and criminal under Copyright Act sec. 55-57, 62, 63-70, slender of title Anton Pillar order, international copyrights, copyrights societies and copyright office, copyrights board, legislation of copyright and appeal.

UNIT – III

Trade Marks & designs - their nature & related acts: Introduction definition evolution and concept of trademarks, Distinction between trademarks and property works, the doctrine of honest current user and doctrine of deceptive similarity, provisions of the trade mark act 1999, it includes definition and interpretation, condition for registration, trade mark registry. Property in a trade-mark, registration of trade mark, its refusal, Berne principles of registration of trade marks, its procedure and evidence. Marks, not registrable, effect and limit on effect. registered trade work, assignment and transmission of registered trademarks, use of trade mark and registered user, rectification and correction of the registration, collective marks, provisions relating to textile goods, offences, penalties and procedure, appellate board, its constitution, powers and duties and procedures and other miscellaneous provisions of the act, provisions of Design act 2000, it includes following chapter - definition, registration of design, copyright in registered design legal proceedings, general powers and duties of controller Evidence agency & powers of central government.

UNIT – IV

Patents its introduction grant, registration and patents act 1970 : Provisions of Patents act 1970 which includes patents, its introduction concept and history, process of obtaining patents, specification, application for patents, examination of application, position to grant a patent, invention not patentable, register of patents and patent office, register and obligation of a patent. Transfer of patent right, Right of the Govt. in case of use of invention provisions for secrecy of certain invention. Patents in addition, procedure for restoration of lapse patents. Revocation and surrender of patents. Registration of patents, patents office, its constitution, controller and its power, infringement of patents and treat of infringement proceedings of officers penalties for the Violation of act. Licenses of right, compulsory licenses patent agent etc. and miscellaneous provision of the act.

UNIT – V

The Information Technology Act 2000 and Leading Cases Provision of ITA 2000, it includes introduction, need, coverage, definition digital signature, electronic record certifying authorities, electronic governance, their regulation, penalties, cyber regulation appellate tribunals under ITA act and following leading cases.



BOOKS RECOMMENDED:

1. Parvin Anand - The law of Intellectual Property (Batter Worth)
2. Bibek Deb Roy - The Intellectual Property Rights (B.R. Publishing, New Delhi)
3. Terrel - Law of Patents (Rajiv Gandhi Institute of Concept Studies)
4. P.S. Sanyal & Kishore Singh - Indian Patent System
5. Stewart - International copyright and neighboring right.
6. P. Narayanan - Intellectual Property Law (Eastern Law House, Kolkata / Delhi, 315/-)
7. Vikas Vashisth - Intellectual Property Law (Bharat Law House)
8. Cornish W .R. - Intellectual Property Patents, Trade Names, Copyrights and allied rights (1999) (Universal law publishing Co. Pvt. Ltd.) Ansal's Dilkhush Industrial Estate, G.T. Karnal Rd., Delhi.
9. W.R. Cornish - Intellectual Property (Sweet & Maxwell)
10. Mata Din - Law of passing off and infringement action of trademarks.
11. UIE Anderfelt - International patent legislation and developing countries.
12. The Patent Act 1970
13. The Design Act 2000
14. The Trade Mark Act 1999
15. The Copyright Act 1957.
16. The Information Technology Act, 2000.

BHARTI VISHWAVIDYALAYA



LLB605

Total Marks: 100

DRAFTING, PLEADING AND CONVEYANCING (PRACTICAL)

Course Objective: The object of this paper is to train students in the art of drafting both for court purposes as well as for other legal forums.

Course Outcome:

- Translation of thoughts into words-spoken and written is an essential ingredient of an effective lawyer.
- The students should be trained in drafting of pleadings and conveyances and other essential documents.
- The skill of drafting can be acquired and sharpened by undertaking the exercises under the supervision of an expert in the field. The course aims at equipping the students with drafting skills.

There shall be two parts of this paper.

Part- A will consist of theoretical aspect of drafting, pleading and conveyancing caring 70 marks.

Part-B will be based on the practical works caring 30 marks including 10 marks of viva-voce. The theoretical paper of 70 marks will be taught through the class instructors and simulation exercises preferably with the assistance of retired judges/ practicing lawyers.

PART – A

PART-A shall consist of the following:

UNIT – I

Pleading:

- (i) **Civil:** General Principles of Pleadings with Special Reference to the Following: Complaint and written statement with reference to the suits mentioned below:
 - (a) Money Suit
 - (b) Ejectment Suit
 - (c) Injunction
 - (d) Interlocutory application under the provisions of C.P.C.
 - (e) Suits under Hindu Marriage Act,1955
 - (f) Suits for Specific Performance of Contract
 - (g) Original Petition
 - (h) Affidavit
 - (i) Execution Petition
 - (j) Memorandum of Appeal and Revision
 - (k) Petition under Articles 226 and 32 of the Constitution of India.



UNIT – II

- (ii) **Criminal:** Criminal Pleadings with respect to the following:-
- (a) Drafting of First Information Report (FIR U/S 154, Cr.P.C.)
 - (b) Drafting of Challan/Charge sheet (under section 173, Cr.P.C.)
 - (c) Drafting of Charge by the Court
 - (d) Complaints for Commission of offences u/s 294, 323/324, 325, 341, 352 and 506 of the Indian Penal Code.
 - (e) Criminal Miscellaneous Petition. Interlocutory Application.

UNIT – III

- (a) Drafting of Bail Application u/s 436 and 437 of Cr.P.C.
- (b) Drafting of Anticipatory Bail Application u/s 438, Cr.P.C.
- (c) Drafting of Cancellation of bail application u/s 439 (i) and (ii) of Cr.P.C.
- (d) Maintenance application u/s 125-128, Cr.P.C.
- (e) Memorandum of Appeal and Revision.

UNIT – IV

Conveyancing: General Principles of Conveyancing with special reference to the following:-

- (a) Sale Deed
- (b) Mortgage Deed
- (c) Lease Deed
- (d) Exchange Deed
- (e) Gift Deed
- (f) Will Deed
- (g) General Power of Attorney
- (h) Promissory Note.

UNIT – V

- (a) C.G. High Court Rules and Orders (Civil)
- (b) C.G. High Court Rules and Orders (Criminal).

PART – B

PART-B will be based on the Practical work

Practical:

Students will be required to attend the Civil Court for 5 days. The student will observe the proceedings of the Court and take down notes their own.