

# KRISHNA UNIVERSITY, MACHILIPATNAM

## LAW U.G SYLLABUS



**SYLLABUS FOR 3 YEAR LL.B & 5 YEAR B.A.LL.B COURSES**

**SYLLABUS**  
**FIRST SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code – BLB10118**  
**Paper-I:**  
**General English-I**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

- A. Grammar and Usage (Communication Skills)
1. a) Simple Sentence (one clause) (their phrase structure)
    - I) Tense and Concord.
    - II) Noun modifiers (Determiners, Prepositional phrases, Clauses)
  - b) Passives          c) Negatives          d) Questions
  2. Complex and Compound Sentences (use of connectives)
  3. Conditionals
  4. Reported Speech
  5. Question-tags and Short Responses
  6. Some Common Errors
- B. a) Vocabulary (Communication Skills)  
b) Legal terms (relevant to the subject paper of a BL. Student)  
c) Use of Legal Terms and Idiomatic Expressions
- C. Comprehension Skills
1. Reading Comprehension (Principles and practice)
  2. Listening Comprehension
- D. Composition Skills
- (1) Paragraph Writing
  - (2) Formal Correspondence
  - (3) Note taking
  - (4) Translation from Regional language into English and vice-versa.

**Books prescribed:**

1. Wren and Martin: English Grammar and Composition
2. A Complete English Grammar by S.C. Gupta
3. T. E. Berry; The most common mistakes in English

**Books For reference:**

- R.A. Close: A reference Grammar for students of English

**FIRST SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code – BLB10218**

**Paper II: POLITICAL SCIENCE**  
**(POLITICAL THEORY)**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**PART -A**

**1. NATURE OF THE STATE**

- (a) Define State – Nature – Essential Elements Of the state
- (b) Differences between state – Govt, State – society, State – Associations

**2. THEORIES OF THE ORIGIN OF THE STATE**

- (a) Divine Theory
- (b) Force theory
- (c) Social contract theory
- (d) Patriarchal and matriarchal Theory
- (e) Evolutionary Theory

**3. THE STATE AS CONCEIVED BY DIFFERENT SCHOOLS OF THOUGHT**

- (a) Idealist theory
- (b) Individualist theory
- (c) Organic theory
- (d) Anarchist Theory
- (e) Marxist Theory
- (f) Welfare Theory

**4. FORMS OF GOVERNMENTS AND CONSTITUTION OF GOVERNMENT**

- I. (a) Ancient Forms of Government – Aristotle classification of Governments
- (b) Modern Forms Of Government – Monarchy, Aristocracy, Democracy, Dictatorship

**II. Constitution Of Government**

- (a) Written and Unwritten Constitutions
- (b) Flexible and Rigid Constitutions

**5. MAIN CURRENTS OF INDIAN POLITICAL THOUGHTS**

- (a) Hindu Concept of state
- (b) Islamic concept of state
- (c) Liberalism of in India
- (d) Marxism in India

- (e) Gandhism and Sarvodaya

## **6. MAIN CURRENTS OF WESTERN POLITICAL THOUGHT**

- (a) Natural Law
- (b) Natural Rights
- (c) Liberalism
- (d) Socialism – Fabian – Guild – Syndicalism
- (e) Marxism
- (f) Idealism

## **7. CONCEPTION OF SOVEREIGNTY**

- (a) John Austin
- (b) Legal and Political Sovereignty

## **8. The Totalitarian State**

- (a) Fascism
- (b) Nazism
- (c) Communism

# **PART -B**

## **POLITICAL ORGANISATION**

## **9. ORGANISATION OF GOVERNMENTS**

- (a) Unitary Government.
- (b) Federal Government.
- (c) Quasi Federal Government.

## **10. ONE PARTY DEMOCRACIES AND MILITARY RULE**

- (a) Parliamentary and Presidential forms of Governments – Features – Merits and Demerits – With reference to the Constitutions of USA, SWISS, AUSTRALIA, UK, FRANCE, CANADA, INDIA

## **11. BRANCHES OF GOVERNMENTS – FUNCTIONS**

- (a) Legislature
- (b) Executive
- (c) Judiciary
- (d) Theory of Separation of powers – checks and Balances

## **12. PARLIAMENTARY SOVERIGNTY AND INDEPENDENCE OF JUDICIARY**

### **13. CONCEPTIONS OF REPRESENTATIONS**

- (a) Universal Adult Franchise
- (b) Territorial Representation
- (c) Proportional Representation
- (d) Minority Representations

### **14. PUBLIC OPINION - FACTORS -AGENTS**

### **15. POLITICAL PARTICIPATION - NATURE -FORMS - FUNCTIONS**

#### **Books Recommended For Study:**

1. H. Finer - Theory and Practice of Modern Government
2. Appa Dorai - Substance of Politics
3. S. P. Varma - Modern Political Theory
4. H. J. Laski - The State in Theory and Practice
5. K. C. Wheare - Federal Government

**FIRST SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code - BLB10318**

**Paper - III**

**Sociology - I (General Principles)**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

**Sociology as a science**

- a) Data, Concepts and Theory,
- b) The Comparative method -Sociology and Law, Sociology and Psychology, Sociology & History
- c) Sociology and other Social Sciences.
- d) Society

**Basic concepts in Sociology:**

**Structure and Functions.**

- a) Status and Role
- b) Norms and Values

**Social Institutions**

- a) Marriage, Family, Joint Family and Kinship
- b) Economic Institutions
- c) Political Institutions
- d) Religious Institutions.
- e) Educational Institutions

**Social Stratification -**

- a) Caste and Class
- b) Social Control - Order and Stability
- c) Coercion, Conflict and Change
- d) Sociology as a Discipline
- e) Law and Society, Sociology of Law, Legal Profession

### **Books Recommended for Study:**

1. T.B. Bottomore, *Sociology, a guide to problems and Literature*, London Allen and Unwin, 1962
2. Peter Worsley : *Introducing Sociology*, Harmondsworth, Penguin Books, 1970
3. M. Haralambos, *Sociology, Themes and Perspectives*, Delhi, Oxford University Press, 1981
4. N.K. Bose, *the Structure of Hindu Society*, New Delhi, Orient Longman, 1975
5. David G. Mandelbaum, *Society in India*, Bombay, Populzar Prakashan, 1972
6. Romesh Thappar (ed), *Tribe, Caste and Religion in India*, New Delhi, Macmillan, 1977.
7. Andre Betelle, *The Backward Classes and the New Social Order*, Delhi, Oxford University Press, 1981

**FIRST SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code - BLB10418**

**Paper - IV**

**TELUGU**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

**Paper IV  
(Telugu Syllabus)**

1. దేశభక్తి - గురుజాడఅప్పారావు
2. ప్రబోధము - శ్రీరాయప్రోలుసుబ్బారావు
3. కృషివలుడు - దువ్వూరిరామిరెడ్డి
4. కన్నెరనడకలు - శ్రీవిశ్వనాథసత్యనారాయణ
5. గద్దెలము - గుర్తంజాషునా
6. మనుధర్మశాస్త్రం - 8,9 వఅధ్యాయములు
7. తెలుగులోదస్తావేజులు
  1. విక్రయదస్తావేజులు
  2. విక్రయఒప్పందం
  3. బహుమతిపత్రం
  4. వీలునామా
  5. అద్దెఒప్పందం
  6. పవరీఅఫ్అటార్నీ
8. న్యాయపరిపాలనాపదకోశం - 25 న్యాయసంబదితపదములు.

**FIRST SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code - BLB10418**

**Paper - IV**

**HINDI**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

## **हिन्दी**

### **Prose Lessons**

1. अतिथि
2. ईर्ष्या तू न गई मेरे मन से
3. आपने मेरी रचनाएँ पढ़ी
4. भारतीय साहित्य की एकता
5. कफन
6. कवि और कविता

### **Non-Detailed Lessons**

1. ठाकुर का कुआँ
2. उसने कहा था
3. हार की जीत
4. चीफ़ की दावत
5. पुरस्कार
6. रोज़

### **Grammar**

1. संधि
2. समास

### **Letter writing**

1. व्यक्तिगत पत्र
2. आदेश, नौकरी के लिए पत्र

## **SECOND SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code – BLB20118**

**Paper-I**

**General English II**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

### **A. Vocabulary**

Foreign words and phrases (important Latin and English Affixes).

1. Certain Idiomatic expressions and phrases.
2. One Word Substitution
3. Words often confused.

### **B. Comprehension Skills**

1. Common Logical Fallacies
2. Comprehension of Legal Texts.

### **C. Composition Skills**

1. Use of cohesive devices (Legal drafting).
2. Precise-Writing, Summarizing and Briefing.
3. Brief Writing and Drafting of reports.
4. Essay Writing on topics of Legal interest.
5. Varieties of Sentence Structures and Verb patterns.
6. Translation (from English to Regional languages and from Regional languages to English).

### **D. Speech Training:**

1. Reading aloud (knowledge of proper pauses).
2. Key Sounds, their discrimination and accent.
3. Consulting a Pronouncing Dictionary.
4. Rapid reading and debating exercises.

### **Recommended Source Materials:**

1. Selected materials drawn from Landmark Judgments.
2. Materials drawn from Legal notices, Petitions, Appeals, Court orders, Statutes, Bills, Rules etc.

## **SECOND SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code – BLB20218**

**Paper -II**

**Political Science -II**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

1. Conception of power, authority and legitimation.
2. How does power become legitimate power or why people ought to obey the State? Examination of classical (Hobbes, Locke, Rousseau) and modern (Max Weber, Marx, Emile Durkheim) approaches to the notion of political obligation.
3. Utilitarianism (both rule and act utilitarianism) as approaches to political obligation.
4. The problem of civil disobedience and political obligation, with particular reference to Gandhian and Neo-Gandhian thought.
5. The problem of obedience to unjust laws.
6. Why should we honour promises and contracts? (Foundations of promissory and contractual liability)
7. The problem of punishment: when is use of force by State against the citizen just and justifiable? (The basis of criminal sanction)
8. The contemporary crisis of legitimation.

### **BOOKSPRESCRIBED:**

1. Rajani Kothari-Democratic Policy and Social Change in India Crisis and Opportunities, (Allied Publishers), 1976.
2. Kar Lowernestein: Political Power and the Government Process.
3. Nisbet A.A. : The Sociological Tradition, 1967, Heinemann, LondonPart-II-Chapter-4:Authority for authority' and power.
4. Bierstadt Robert: Power and Progress, 1974, (Mc Graw-Hill), New York and Delhi.
5. Leiser: (Ch.12-Civil Disobedience) Liberty, Justice, Morals, Burton.
6. George Lich Theim: A Short History of Socialism (Fontana Collins,1970).

## SECOND SEMESTER OF 5 YEAR B.A.LL.B

Paper Code – BLB20318

### PAPER -III

### Sociology II (Sociology in India)

University Theory Examination: 70M

Internal Assessment: 30 M

1. The Development of Indian Society
  - a) Unity and Diversity
  - b) Continuity and Change
2. India as a plural Society; varieties of
  - a) Customs and ways of life
  - b) Linguistic, religious and other communities
3. Major institutions of Indian society;
  - a) Family b)Caste c)village
4. Tribe and caste in the traditional order.
5. Caste and class in contemporary India.
6. The Backward classes.
7. Trends of change in Indian society;
  - a) Sanskritisation    b) Islamization    c) Parochialisation
  - d) Secularisation    e) Westernisation    f) Modernisation
  - g) Industrialisation    h) Urbanisation    i) universalisation
  - j) Globalisation    k) Privatisation    l) Liberalisation
8. Indian cultural values and development.

#### Prescribed Readings:

1. T.B. Bottomore, Sociology, a guide to problems and Literature, London allen and Unwin, 1962.
2. Peterworsley: Introducing Sociology, Harmonds worth, Penguin Books, 1970.
3. M. Haralambos, Sociology, themes and Perspectives, Delhi, Oxford University Press, 1981.
4. N.K. Bose : The Structure of Hindu Society, new Delhi, orient Longman, 1975.
5. David Mandelbaum, Society in India, Bombay, Populzar Prakashan, 1972.
6. Romesh Thappar (ed), Tribe, Caste and Religion in India, New Delhi, Macmillian, 1977.
7. Andre Betelle, Inequality and Social Change, Delhi, Oxford University Press, 1972.
8. Andre Betelle, The Backward Classes and the New Social Order, Delhi, Oxford University Press, 1981.

## **SECOND SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code – BLB20418**

**PAPER – IV**

### **History**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

- a) Ancient Indian Cultural Heritage; Social, Political, Legal and in the areas of Religion and philosophy. (The teacher is expected to give special emphasis on the study of village republics in Ancient India, the Organization of Central Government in Ancient India, Experiments in Decentralization, Ancient law givers and Dispute Resolution Systems in Ancient Indian pre-Islamic period) law in relation to Culture.
- b) The advent of Islam-Interaction between Ancient Indian Cultural Heritage and Islamic Culture and the Emergence of Synthetic Indian Culture. Innovation by Rulers of Medieval Period in the area of Revenue Administration, District Administration and Court System.
- c) Impact of European Liberal Thought on the Indian National Movement and Constitutional Development in India up to 1947. Study of Social Reform Movements in Modern India and its Impact on Legal Culture.
- d) Economic History of India during the British Period.

#### **Books Recommended For Study:**

- 1. R.C. Majumdar & Chopra-Main currents of Indian History.
- 2. A.R.Desai-Social background of Indian Nationalism, Popular Prakash, Bombay, 1944.
- 3. K.K. Datta – Renaissance Nationalism and Social Changes in Modern India.
- 4. Iswari Prasad-Medieval India
- 5. Griffiths-Impact of British Rule of India.
- 6. Altekar-State and society in Ancient India.

**THIRD SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code – BLB30118**  
**Paper I**  
**Political Science – III**  
**(International Relations & Organization)**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

(The course is rather introductory. Its methods are descriptive and analytical. A course based on a more complex method may be taught, if so desired, at an advanced stage of the LL.B., Course.)

The course is divisible into two major parts:

Part -I : International Relations;

Part-II :International Organization.

## **INTERNATIONAL RELATIONS**

1. Introduction - Meaning, Definition, Nature & Scope
2. World Community - International Society, International Community & World Community, Classification of States on the basis of Multinational Corporations, Components of National Power, Limitations on National Power
3. Major sources of conflicts - East-West Conflicts, Cold War, Origins, Nature, Causes, Assumptions, Development, North-South Conflicts, NIEO, Territorial Claims, Natural Resources, Population Migrants, International Trade & Balance of Payment, Avoidance of War and Facilitation of peaceful change, Guerilla War, Nature of Community, Mechanism for peaceful change, The UN and peaceful change, Customary Law & Treaty Law.

4. Alliances and Balance of Power - Military Alliances, Balance of Power, Nature, Assumptions & Methods, Collective Security, Assumptions & Veto; Disarmament, AEC, CCA, UNDC, TNDC, ENDC, TBT, NPT, SALT-I, SALT-II & INF; Diplomacy, Definition, Nature, Kinds & Functions; Peaceful Resolution of Disputes, Negotiation, Good Office, Mediation, Conciliation & Arbitration.
5. Cultural Approach and the UNESCO - Promotion of International Cooperation, Purpose, Organisation & Functions
6. Functional Approach and the Specialised Agencies Specialised Agencies, IAEA, IFC, IDA & UNICEF, World Government, Origins, Basis, Solutions & Arguments for and against World Government

## **Part-II :International Organization.**

7. Inter-Governmental Organisations and their Constituent Instruments - Structure of Inter-Governmental Organisations, General Conference, Secretariat & Executive Board, Special Features of ILO, IMF & IBRD.
8. The United Nations and its Principal Organs - Evolution, Principles, Purposes, GA, SC, ECOSOC, TC, ICJ, Secretariat, Relationship between the UN and the Regional Organisations, OAS, OAU, AL, SAARC, EC, CE & COMECON.
9. Specialised Agencies and International Non- Governmental Organisations - Meaning & Typology.

# **THIRD SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code – BLB30218**

## **Paper II Economics–I**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

### **CONCEPTS:**

- I) Economics as a science and its relevance to law
- II) Economics as a basis of social welfare and social justice
- III) Free enterprises, Planned Economies and Mixed Economies

### **General Principles of Economics:**

- I) Demand and Supply
- II) Markets, determination of price, business organisation; perfect competition, monopoly, monopolistic competition; oligopoly, control monopolies and prevention of economic concentration.
- III) Labour and Wages
- IV) Capital and Money
- V) Savings, consumption, Investment, theory of National Income and National income determination.
- VI) International comparison of development strategies and experiences, theories of economic growth and problems of development, Technology and Economic Growth.
- VII) Banking and Fiscal Policy:
  - i) Resource Mobilisation and fiscal resources; taxation
  - ii) Role of credit and Banking system, rural money markets
  - iii) International Financial Institutions
  - iv) Technology and Economic Growth

### **Books Recommended For Study:**

1. Paul Samuelson-Economics, An introductory analysis (international student Edition- Mc.Graw Hill Book company seventh edition,1961)
2. Fredruthue lewis-Theory of Economic Growth (Unwin University books, 1954,9<sup>th</sup> Impression, 1970)
3. Me.Council,Cambell-R ,Economics (New York-McGlawHillbookc/o81)
4. Lipsey and stiner Economics(NewYork;heperandRow,1981)

## **THIRD SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code – BLB30318**

**Paper III**

### **History of Courts, Legislatures and Legal Profession in India-I**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

## **UNIT – 1 COURTS:**

- 1.1 Administration of Justice in the Presidency Towns (1600-1773) and the development Of Courts and judicial institutions under the East India Company. Uniform Administration of Justice in Three Presidency Towns – 1726 Charter.
- 1.2 **Adalat system** of Courts - Warren Hastings Plan of 1772 and the Reforms made under the Plan of 1774 and re-organization in 1780 Regulating Act 1773- Supreme Court at Calcutta – its composition, powers and functions – Failure of the Court - Act of Settlement 1781 -Supreme Court vis-à-vis Mofussil Courts.
- 1.3 Judicial measures of Lord Cornwallis 1787, 1790, 1793. Progress of Adalat system under Sir. John Shore.
- 1.4 **High Courts** : Conflicts arising out of the dual judicial system -Tendency for amalgamation of the two systems of Courts - The Indian High Courts Act, 186. High Courts under the Government of India Act, 1915, High Courts under the Government of India Act, 1935 and High Courts under the Indian Constitution.
- 1.5 Development of Rule of Law, Separation of Powers, Independence of Judiciary.
- 1.6 **Privy Council**: Judicial Committee of the Privy Council as a Court of Appeal and its jurisdiction to hear appeals from India. Abolition of the Jurisdiction of the Privy Council to hear appeals from India.
- 1.7 Courts system generally under the Constitution of India.

## **UNIT -2 LEGAL PROFESSION:**

- 2.1 Legal Profession in Pre-British India -Role, Training and Functions.
- 2.2 Law Practitioners in the Mayor's Courts established under the Charter of 1726.
- 2.3 Organization of Legal Profession under the Charter of 1774.
- 2.4 Legal Profession in the Company's Courts.
- 2.5 Provision for enrolment of Advocates, Vakils and Attorneys under the Legal Practitioner's Act, 1853.

# **THIRD SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code – BLB30418**

**Paper - IV**

## **HISTORY OF INDIAN CULTURE**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

### **UNIT-1**

Culture - Meaning - Chief Characteristics - Basic features of Indian culture- Unity in Diversity – Indus Culture – Vedic Literature its Religious and Philosophical Ideas – Vedic Culture.

### **UNIT-II**

Culture in the Epics (Ramayana & Mahabharata) - The Ideal Man and Ideal Woman - Concepts of Maitri, Karuna, Seela: Vinaya, Kshema, Anuraga - as exemplified in the Stories and Anecdotes of the Epics.

### **UNIT-III**

Jainism and Buddhism and their Contributions to Indian Culture.

### **UNIT-IV**

Contribution of Major Dynasties to Indian - Culture - Mauryas - Greeks - Guptas -Rajputs – Satavahans – Pallavas – Cholas – Vijayanagara

### **UNIT-V**

Advent of Islam – its Impact on Indian Culture – Hindu – Muslim contact – The Movements of Sufi and Bhakti - Din-i-Ilahi of Akbar - Contribution of Moghuls to Indian Culture.

### **UNIT-VI**

Social and Cultural Awakening – Factors led to the Emergence of Socio – Religious Reform Movements of 19th and 20th centuries. Socio – Religious Reform Movements Brahma Samaj – Arya Samaj - Theosophical Society- Ramakrishna Mission – Prarthana Samaj - Rama Mohan Roy – Dayananda Saraswathi - Ramakrishna Parama Hamsa – Swami Vivekananda –Isvara Chand Vidya Sagar - Veeresalingam.

### **UNIT-VII**

Muslim Renaissance - Aligarh Movement - Christian Missionaries and their impact on Indian Society and Culture - Legacy of British rule, Secularism– Meaning, its Concepts and Problems.

**FOURTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code – BLB40118**  
**PAPER-I**

**HISTORY OF COURTS, LEGISLATURES AND  
LEGAL PROFESSION IN INDIA-II**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**I Legislature:**

- 1.1 Legislative authority of the East India Company under the Charter of Queen Elizabeth, 1601.
- 1.2 Changes under Regulating Act, 1773-Act of 1781, Recognition of the powers of the Governor and Council to make Regulations by the British Parliament.
- 1.3 Act of 1813 and the extension of the legislative power conferred on all the three councils and subjection of the same to greater control.
- 1.4 Act of 1833-Establishment of Legislature of an All-India Character in 1834.
- 1.5 The Indian Councils Act, 1861, Central Legislative Council and its Composition, powers and functions, power conferred on the Governor.
- 1.6 Indian Councils Act of 1909, Government of India Act, 1919-Setting up of Bicameral system of legislature at the Centre in place of the Imperial Council Consisting of one House.
- 1.7 Government of India Act, 1935-the Federal Assembly and the Council of States, its composition powers and functions-Legislative Assemblies in the Provinces and the powers and functions of the same.
- 1.8 Legislative Councils in the provinces, powers and functions of the same.
- 1.9 Law Reform and the Law Commissions.

**II Legal Profession:**

- 2.1 High Courts under the Act of 1861 and provision for the enrolment of The advocates under the Letters Patent issued.
- 2.2. Legal Practitioners Act, 1879 -Report of the Indian Bar Committee,
- 2.3 The Indian Bar Councils Act, 1926- The All India Bar Committee, 1951
- 2.4 The Advocates Act, 1961.
- 2.5 Development of legal education.
- 2.6 History of Law Reporting in India.

### **RECOMMENDED SOURCE MATERIALS FOR PAPERS VIII&XI**

1. Herbert Cowell : The History and Constitution of the Courts and Legislative Authorities in India 6thEd. Rev.S.C.Bagehi, Calcutta, Macker, Spink, 1936.
2. Sir Courtenay Hbert, The Government of India, 2ndEd. London,OUP,1907.
3. M.P.Jain - Outline of Indian Legal History, Dhanwantra Mechanical and LawBook House,Delhi.
4. A.B.Keith-A Constitutional History of India, 1600-1935,2ndEd. Allahabad, Central Book Depot, 1961
5. Gwyerand Appadorai- Speeches and Documents on the Indian Constitution. 1945-1947 (2 Vols), London, OUP, 1957. M. V.Pylee, Constitutional History of India (1600-1950, Bombay,Asia, 1967).

### **FOURTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code - BLB40218**

**PAPER -II**

**ECONOMICS-II**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

### **I. INTRODUCTION TO INDIAN ECONOMY:**

- a. Trends in population growth.
- b. Estimates of National Income in India.

- c. Post- independence economic policies in India.

## **II POVERTY AND INCOME DISTRIBUTION:**

- a. Trends and inter- regional variations in the incidence of rural poverty.
- b. Unemployment trends and employment generation schemes.
- c. Labour, Productivity and Wages.

## **III THE LOGIC OF INDIA'S DEVELOPMENT STRATEGY:**

- d. Planning Process.
- e. Priorities between agriculture and industry.
- f. Choice of technology.
- g. The role of public, private and joint sectors.
- h. Large, medium and small industries.

## **IV. PROBLEM OF CONTROLLING ECONOMIC CONCENTRATION:**

- a. Regulation of the Private Corporate Sector (Controls, License, Quotations).
- b. Anti- monopolies and Restrictive Practices; Regulation;
- c. Deficit Financing.
- d. Pricing.
- e. Labour Relations.

## **V. FOREIGNIN VESTMENTS:**

- a. International Investment.
- b. International Aid.
- c. International Corporations.
- d. Trends in new economic order.

## **VI. EXPORT AND IMPORT POLICIES: IMPORT SUBSTITUTION AND EXPORT PROMOTION.**

## **VII. AGRICULTURAL ECONOMICS:**

- a. Basic characteristics of the economy and its transformation since Independence.
- b. Evolution of Agrarian Relation. Integrated rural development.
- c. Commercialization of Agriculture.
- d. Economics of Farm Management.
- e. Agricultural credit.

**VIII. ROLE OF CAPITAL, FORMATION, CREDIT AND  
BANKING SYSTEM. RECOMMENDED SOURCE  
MATERIALS:**

1. Rudder Datt and Sundararn: Indian Economy, (Delhi, S. Chand and Co., 1982).
2. A.N. Agarwala: Indian Economics, (New Delhi, Vikas, 1979).
3. K.K. Dewett- Indian Economics.
4. Gunnar Myrdal: Challenge of World Poverty.
5. C.T. Kurien; Planning Poverty and Social Transformation, (Allied Publications, 1976).
6. C.H. Hanumantha Rao and P.C. Joshi: Reflections of Economic Development and Social Change - Essays in Honour of V.K.R.V. Rao (Allied 1979).

**FOURTH SEMESTER OF 5 YEAR B.A.LL.B  
Paper Code - BLB40318  
PAPER -III**

**Information Technology Law**

**University Theory Examination: 70M  
Internal Assessment: 30 M**

**Unit -I**

The Information Technology Act, 2000 e-commerce and Digital Signature - e-governance - Receipt of electronic records - Adoption of Security Procedures-Certifying Authorities under the Act -

Adjudications and Penalties under the Act

**Unit-II**

Cyber Regulations Appellate Tribunal – Cyber crime -Tampering with computer source documents – Hacking – Publishing of obscene material in electronic form – Breach of confidentiality and privacy – False Digital Signature –

**Unit-III**

Computer Forensics – Powers of the Police Officers – Jurisdiction in Cyber cases – Punishments – Liability of Network Service Providers-Freedom of expression in cyber space and online defamation-

**Unit-IV**

Copyright and Trade marks in the Digital and online medium.

## **FOURTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code – BLB40418**

### **PAPER – IV PSYCHOLOGY**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

#### **Unit I - Psychology- Meaning, Nature and Scope:**

Introduction – Definition – Behavior – Nature of the subject Psychology – Scope- Branches and fields of Psychology –Utility of Psychology – Scientific Psychology- Structuralism, Functionalism, Behaviorism, Configuration, Psycho analysis, Humanist Psychology, Transpersonal Psychology, Cognitive Psychology.

#### **Unit II – Methods of Psychology:**

Introduction – Introspection method – Experimental Method – Differential method- Clinical method, Psycho – Physical Method.

#### **Unit III - Behavior, Heredity and Environment:**

Introduction – Brain – Nervous System – Neural Impulse – The Influence of Nervous system on Human Behavior –Endocrine system. Heredity-The role of Genes- Environment – The role of Heredity and environment in the development of personality and behavior.

#### **Unit IV - Sensation, Perception, imagination, Instincts and Emotions:**

Introduction –Definition of Instinct – Classification of instinct Emotion – Kinds- Characteristics – Theories –Identification and measurement of emotions –Emotional Intelligence. Meaning and types of senses and sensitivity – Meaning of Perception.

#### **Unit V – Cognitive Psychology**

-Individual differences – Intelligence testing- Reasoning  
-Problem solving-Creativity-Imagination-Memory.

## **Unit VI – Criminal Psychology**

Introduction - Heredity and Crime - Bio Physical factors and Criminality -Intelligence testing - Freud's theory of Criminal Behaviour - Aristotle's Four Laws of Association - !'Conflict theory of Crime - Classification of criminals -Treatment and rehabilitation of criminals control of crime, cybercrime, its prevention-Mass Psychology-Group Therapy- Suicidal tendency/kleptomania.

### **Recommended References Material:**

1. Counseling Psychology by H.L. Kaila, The Associated Publishers, 2963/2,Kacha Bazaar, Post Box No.36,Ambala, Cantt-133 001.
2. Psychology and Effective Behaviour, James C. Coleman, 1969,D.B.Taraporevala Sons & Co Pvt. Ltd., Treasure House of Books, 210,Dr.Dadabhai Naoroji Road, Bombay.
3. General Psychology, S.K.Mangal, Neeikamal Publicaticris, NewDelhi.
4. Psychology of Aggression, Violence and Crime, Girish Bala Mohanthi, Kalyani Publishers Ludhiana, New Delhi. Invitation to Psychology, Beena and Parameswaran.

**FIFTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code BLB50118**  
**PAPER -I**  
**CONTRACTS-I**  
**(Including The Specific Relief Act, 1963)**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**GENERAL PRINCIPLES OF LAW OF CONTRACT:**

**UNIT- 1:**

- History and nature of contractual obligations - writs of debt, covenant and action of assumpsit
- Moral basis for contractual obligations
- Subjective and objective theories
- Sanctity of contracts.

**UNIT-2:**

- Agreement and contract - definitions
- Types of contracts

**UNIT-3:**

- Proposal and acceptance
- Their essential elements
- Communication and revocation of proposal and acceptance
- Invitation to offer
- Floating offers- tenders

**UNIT-4:**

- Consideration-*nudum pactum*- its need, meaning, kinds
- Essential elements of consideration
- Privity of contract
- Privity of consideration- its exceptions
- Adequacy of consideration
- Present, past and future consideration
- Unlawful consideration and its effect
- views of Law Commission of India on consideration
- Evaluation of the doctrine of consideration.

**UNIT - 5:**

- Capacity to contract - meaning
- Incapacity arising out of status and mental deficiency
- Minor's agreements - beneficial and detrimental to minor
- Affirmation - restitution in cases of minor's agreements

- Fraud by a minor
- Ratification of contract by a minor upon attaining majority
- Agreements and estoppel
- Evaluation of the law relating to minor's agreements-other illustrations of incapacity to contract.

#### **UNIT- 6:**

- Free consent - its need and definition
- Factors vitiating free consent.
- Coercion - definition - essential elements - duress and coercion, various illustrations of coercion - doctrine of economic duress - effect of coercion
- Undue Influence-definition, essential elements, who has to prove it? Illustrations of undue influence - independent advice - pardanashin women. Unconscionable bargains effect of undue influence.
- Misrepresentation - definition - misrepresentation of law and of fact - their effects and illustration.
- Fraud - definition -essential elements-suggestio falsi. When does silence amount to fraud? Active concealment of truth, importance of intention.
- Mistake

#### **UNIT-7:**

##### **LEGALITY OF OBJECTS:**

- Void agreements - lawful and unlawful considerations, Objects-void, voidable, illegal and unlawful agreements their effects. Unlawful consideration and objects.
- Forbidden by law, Defeating the provision of any law
- Fraudulent
- Injurious to person or property
- Immoral
- Against public policy
- Void Agreements
  - Agreements without consideration
  - Agreements in restraint of marriage

Agreements in restraint of trade - its exceptions -sale of goodwill restrictions under the Partnership Act, trade combinations, exclusive dealing agreements, restraints on employees under agreements of service.

Agreements in restraint of legal proceedings -its exceptions

Uncertain agreements

Wagering agreements - its exceptions

## **UNIT-8:**

### **DISCHARGE OF A CONTRACT AND ITS VARIOUS MODES:**

- By performance - conditions of valid tender of performance- how? By Whom? Where? When/ In what manner? Performance of reciprocal promises - time is essence of contract.
- By breach - anticipatory breach and present breach.
- Impossibility of performance - specific grounds of frustration-application to leases- theories of frustration- effect of frustration and restitution.
- By period of limitation
- By agreement - rescission and alteration - their effect -remission and waiver of performance, extension of time–accord and satisfaction.

## **UNIT-9: QUASI-CONTRACTS OR CERTAIN RELATIONS RESEMBLING THOSE CREATED BY CONTRACTS.**

## **UNIT-10: REMEDIES FOR BREACH OF CONTRACT**

- Damages – kinds - remoteness of damages–ascertainment of damages.
- Injunction-when granted and when refused. Why?
- Refund and restitution
- Specific performance - When? Why?

## **UNIT-11: SPECIFIC RELIEF (THE SPECIFIC RELIEF ACT, 1963)**

- Definition
- Recovering possession of property
- Specific performance of contracts
- Rectification of instruments
- Rescission of contracts
- Cancellation of Instruments
- Declaratory decrees
- Preventive relief.

**FIFTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code BLB50218**  
**PAPER-II**  
**CONTRACTS-II**  
**(Including Partnership Act, Sale of Goods Act)**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**UNIT-1: INDEMNITY AND GUARANTEE (Sec.134, 127 of Indian Contract Act, 1872)**

- 1.1. Contract of Indemnity
- 1.2. Definition
- 1.3. Rights of Indemnity holder
- 1.4. Liability of the Indemnifier
- 1.5. Contract of Guarantee
- 1.6. Definition of Guarantee
- 1.7. Essential characteristics of contract of Guarantee
- 1.8. Distinction between contract of indemnity and contract of Guarantee
- 1.9. Kinds of guarantee
- 1.10. Rights and liabilities of surety
- 1.11. Discharge of surety. Contract of bailment (Sections.148-181 of Indian Contract, Act, 1872)

**UNIT-2: BAILMENT**

- 2.1 Definition
- 2.2 Essential requisites of Bailment
- 2.3 Kinds of Bailment
- 2.4 Rights and Duties of Bail or and Bailee
- 2.5 Termination of Bailment
- 2.6 Pledge
- 2.7 Definition
- 2.8 Rights and duties of pawn or and Pawnee
- 2.9 Pledge by Non Owners

**UNIT-3: CONTRACT OF AGENCY ( Secs.182-238 of the Indian Contract Act.1872)**

- 3.1 Definition of Agency
- 3.2 Creation of Agency
- 3.3 Rights and duties of Agent
- 3.4 Delegation of authority
- 3.5 Personal Liability of Agent

3.6 Relations of Principal with third parties

3.7 Termination of Agency

#### **UNIT- 4 : CONTRACT OF SALE OF GOODS (The Sale of Goods Act, 1930)**

4.1 Formation of Contract

4.2 Subject – matter of contract of Sale

4.3 Conditions and Warranties

4.4 Express and implied conditions and warranties

4.5 Caveat Emptor

4.6 Property, Possession and risk

4.7 Passing of Property

4.8 Sale by non- owners

4.9 Delivery of goods

4.10 Rights and duties of Seller and buyer before and after sale

4.11 Rights of unpaid seller.

#### **UNIT-5: CONTRACT OF PARTNERSHIP (The Indian Partnership Act, 1932)**

5.1 Definition and nature of Partnership

5.2 Formation of Partnership

5.3 Test of Partnership

5.4 Partnership and other associations

5.5 Registration of Firms

5.6 Effect of non-registration

5.7 Relation of Partners

5.8 Rights and duties of Partners

5.9 Properties of the Firm

5.10 Relation of Partners to third parties

5.11 Implied authority of a partner

5.12 Kinds of partners

5.13 Minor as a partner

5.14 Reconstitution of a firm

5.15 Dissolution of firm.

**FIFTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code BLB50318**  
**PAPER-III**  
**TORTS AND CONSUMER PROTECTION LAW**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**UNIT-1: EVOLUTION OF LAW OF TORTS:**

- 1.1 Its development by courts in England
- 1.2 Forms of Action
- 1.3 Emergence of specific remedies from case to case
- 1.4 Reception of Law of Torts in India
- 1.5 Principles of Equity, Justice and good conscience
- 1.6 Uncodified character –advantages and disadvantages

**UNIT-2: DEFINITION, NATURE, SCOPE AND OBJECTS:**

- 2.1 Wrongful act, Violation of a duty (in rem) imposed by law, duty which is owed to people generally, Legal damaged, *damnum sine injuria* and *injuria sine damnum*.
- 2.2 Tort distinguished from Crime, Breach of Contract etc.
- 2.3 The concept of unliquidated damages
- 2.4 Changing scope of Law of Torts: Expanding character of duties owed to people generally due to complexities of modern society-scientific and technological progress, industrialisation, urbanisation, specialisation, occupational hazards.
- 2.5 Objects, Prescribing standards of human conduct, redressal of wrongs by payment of compensation prohibition unlawful conduct by injunctions.

**UNIT-3: JUSTIFICATION IN TORT**

- 3.1 *volenti non fit injuria*-What is free consent? Consent- mere knowledge and knowledge coupled with assumption of risk
- 3.2 Necessity, private and public
- 3.3 Plaintiff's default
- 3.4 Act of God and Inevitable Accident
- 3.5 Private defence
- 3.6 Statutory Authority
- 3.7 Judicial and Quasi- judicial Acts
- 3.8 Parental and quasi parental authority.

#### **UNIT-4: EXTINGUISHMENT OF LAIBILITY IN CERTAIN SITUTATIONS**

- 4.1 Death, *actio personalis moritur cum person*- Exceptions
- 4.2 Waiver and acquiescence
- 4.3 Release
- 4.4 Accord and satisfaction
- 4.5 Limitation

#### **UNIT-5: STANDING**

- 5.1 Who may sue in torts ?
  - 5.1.1 Aggrieved individuals
  - 5.1.2 Class Action, Order 1 Rule 8
  - 5.1.3 Social Action Groups
  - 5.1.4 Statutes granting standing to certain persons, groups
- 5.2 Who may not be sued
  - 5.2.2 Lunatics
  - 5.2.3 Infants.

#### **UNIT-6: DOCTRINE OF SOVEREIGN IMMUNITY AND ITS RELEVANCE IN INIDA**

- 6.1 Liability of State-Sovereign and non-sovereign functions, Crown Proceedings Act of U.K., Federal Tort Claims Act of U.S.A, Constitution of India, Arts 294 and 300.
- 6.2 Act of State.

#### **UNIT-7: VICARIOUS LIABILITY**

- 7.1 Basis, Scope and justification
  - 7.1.1 Express authorization
  - 7.1.2 Ratification
  - 7.1.3 Abetment
- 7.2 Special Relationship
  - 7.2.1 Master and servant
    - arising out of and in the course of employment. Who is master? – Control test. Who is servant? Borrowed servant, Independent contractor.
  - 7.2.2 Corporation and Principal Officer.

#### **UNIT-8: TORTS AGAINST PERSONS AND PERSONAL RELATIONS**

- 8.1 Assault, Battery, Mayhem
- 8.2 False Imprisonment
- 8.3 Defamation -Libel, slander including law relating to privileges
- 8.4 Marital Relations, domestic Relations, parental relations, master

- and Servant relations.
- 8.5 Malicious prosecution
- 8.6 Shortened Expectation of life
- 8.7 Nervous Shock
- 8.8 Defences

#### **UNIT-9: WRONGS AFFECTING PROPERTY**

- 9.1 Trespass to land, Trespass ab initio, Dispossession
- 9.2 Movable Property-Trespass to goods, detinue, conversion
- 9.3 Torts against Business interest-Injurious falsehood, misstatements, passing off-
- 9.4 Defences.

#### **UNIT-10: NEGLIGENCE**

- 10.1 Basic concepts
  - 10.1.1 Theories of Negligence
  - 10.1.2 Standards of care, Duty to take care, carelessness inadvertence
  - 10.1.3 Doctrine of contributory negligence
  - 10.1.4 *res ipsa loquitur* and its importance in contemporary
- 10.2. Professional liability due to Negligence with special reference to Consumer Protection Law.

#### **UNIT-11: ABSOLUTE/STRICT LIABILITY**

- 11.1 Rule in Ryland vs. Fletcher
- 11.2 Principle for application of these rules: Storing of dangerous things, Escape of dangerous things
- 11.3 Application of principles in concrete cases of damage arising out of industrial activity.(The Bhopal Disaster, Oleum Gas Escape, Matheran Dam Burst, M.C.Mehta Case, Nuclear Installations and their hazards)
- 11.4 Defences

#### **UNIT-12: NUISANCE**

- 12.1 Definition, Essentials, Types
- 12.2 Acts which constitute nuisance-obstructions on highways, pollution of air, water, noise, Interference with light and air.

### **UNIT-13: LEGAL REMEDIES**

13.1. Legal Remedies

13.2. Award of damages-simple, special, punitive

Remoteness of Damages-foreseeability and directness tests , Injunction, Specific Restitution of Property

13.3 Extra-Legal Remedies-self-help, Re-entry in land, Re-capture of goods, distress damage feasant, abatement to, nuisance.

### **UNIT-14: JUDICIAL PROCESS IN TORT**

14.1 Dilatoriness

14.2 Complicated rules of procedures and evidence

14.3 Experts trial process, Reports of Testing labs

14.4 Court fees, Problems of access.

### **UNIT-15: CONSUMER PROTECTION ACT, 2019**

15.1 Duty to take care and liability for negligence: Manufacturers and Traders and providers of services such as lawyers, doctors and other professionals

15.2 Caveat emptor and caveat venditor

15.3 Deceit and false advertisement

15.4 Liability for hazardous and inherently dangerous industrial activity

15.5 Product liability-EEC directives and Liability of Endorsement

15.6 Right to common property resources-right to pass and repass on pathways.

**FIFTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code BLB50418**

**Paper-IV**

**Constitutional Law – I**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

Constitutional law is a basic or foundation law, on which other laws exist. Constitutional law is the body of rules, doctrines, and practices that govern the operation of political communities. The Constitution of a country is a document that has its own legal sanctity. In modern times the most important political community has been the state.

At present constitutional law is the offspring of nationalism as well as of the idea that the state must protect some fundamental rights of the individual. As the number of states has multiplied, so have constitutions and with them the body of constitutional law, though sometimes such law originates from sources outside the State. Constitutional law is the legal system of the country which grants collective rights and allows people to enjoy their freedom.

**Objectives of the Course**

The purpose of the course is to acquaint the students with the idea that the Indian constitution is a normative constitution with value aspirations. It aims to comprehend the philosophy, the Historical background and objectives of the Indian Constitution through the Preamble, citizenship, federal concept, amendment procedure, emergency provisions and the provisions relating to fundamental rights, directive principles of state policy and duties etc. And this course also aims to acquaint the students with the Basic Postulates of the Constitution like the Constitutional Supremacy, Rule of law, and Concept of Liberty. It further aspires to fathom the conceptually crafted Directive Principles of State Policy and Fundamental Duties. The course will also rely upon the legal case study method as a learning strategy for understanding the key principles of constitutional law. The course deals with both interpretation and implementation of the Indian Constitution.

## **Unit I: Historical Perspective**

- i. Constitution –Meaning and Significance
- ii. Evolution of Modern Constitutions
- iii. Classification of Constitutions
- iv. Constitutionalism
- v. Constitutional developments since 1858 to 1947
  - Morle Minto reforms 1909
  - Montague –Chelmsfort Reforms 1919
  - The Government of India Act 1935
  - The Indian Independence Act 1947
- vi. Role of Drafting Committee of the Constituent Assembly

## **Unit II: Introductory**

- i. Salient features of Indian Constitution
- ii. Preamble to Indian Constitution – Importance and Amenability
- iii. Nature of the Indian Constitution
- iv. Union and Its Territories
- v. Citizenship

## **Unit III: Fundamental Rights**

- i. Fundamental Rights under Indian Constitution
- ii. Classification of Fundamental Rights
- iii. Definition of State under Article 12, 13 - Inviolability of Fundamental Rights
  - Enforceability of Fundamental Rights
  - Distinctions between pre and post Constitutional laws
  - Doctrine of eclipse
  - Doctrine of Severability
  - Doctrine of waiver
  - Doctrine of Judicial Review
- iv. Right to Equality (Article 14 to 18)
  - Equality before law and equal protection of laws

- Doctrine of Rule of law
- Doctrine of Reasonable Classification
- Right against arbitrariness
- New doctrine of Equality
- Right against discrimination
- Doctrine of Protective Discrimination
- Doctrine of Compensatory Discrimination
- Equality in Public Employment : Reservation
- Abolition of Untouchability
- Abolition of Titles
- v. Right to Freedom (Article 19 to 22 and 21A)
  - Six freedoms and the reasonable restriction on the exercise of those freedoms under Article 19
  - Protection against Ex-post Facto Laws; Double Jeopardy; Compelled self-incrimination
  - Right to life and personal liberty
  - Right to Education (86<sup>th</sup> amendment, 2002)
  - Protection against Arrest and Detention in Certain cases
- vi. Right against exploitation (Article 23 and 24)
  - Prohibition against Forced Labour
  - Prohibition against Child Labour
- vii. Right to freedom of Religion (Article 25 to 28)
  - Concept of Secularism
  - Religious Freedom of the Individual and Religious Denominations
  - Restrictions on right to freedom of religion; essential religious practices test
- viii. Right to cultural and educational rights (Article 29 and 30)
  - Rights of the minorities
- ix. Right to Property (Article 19(1)(f), Article 31 and Article 300 (Constitutional Policy before and after the 44<sup>th</sup> Amendment)
- x. Right to Constitutional Remedies (Article 32 and 226)
  - Writ jurisdiction – meaning, nature, significance and kinds of writs

- Locus-standi and Public Interest Litigation
- xi. Limitations on Fundamental rights

#### **Unit IV: Directive Principles of State Policy**

- i. Concept of Welfare State and Social Justice
- ii. Meaning, Nature, Significance, Classification and Justiciability
- iii. Directive Principles of State Policy vis-à-vis Fundamental Rights (Judicial Interpretation)

#### **Unit V: Fundamental Duties**

- i. Evolution of Fundamental Duties (42<sup>nd</sup> Amendment 1976)
- ii. Relationship between fundamental rights and duties
- iii. Legislative and Judicial efforts for enforcement of Fundamental Duties

#### **Unit VI: Amendment of the Constitution**

- i. Need of Amending the Constitution
- ii. Methods and process of Amendment
- iii. Doctrine of Basic Structure

#### **Unit VII: Emergency Provisions**

- i. Need of Emergency Provisions
- ii. Types of Emergency
  - National Emergency
  - Constitutional / State Emergency
  - Financial Emergency
- iii. Impact of Emergency on Federalism and Fundamental Rights (SR Bommai Case)

**References:**

1. M.P.Jain, Indian Constitutional Law, Wadhwa & Co, Nagpur
2. V.N.Shukla, Constitution of India, Eastern Book Company, Lucknow
3. Granville Austin, Indian Constitution-Cornerstone of a Nation, OUP, New Delhi
4. H.M.Seervai, Constitutional Law of India (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.SubbaRao, Indian Constitutional Law, S.Gogia& Co., Hyderabad
6. B.ShivaRao, Framing of India's Constitution (in 5 Volumes), Indian Institute of Public Administration, New Delhi
7. J.N.Pandey, Constitutional Law of India, Central Law Agency, Allahabad
8. GCV SubbaRao, Indian Constitutional Law, S Gogia & Company, Hyderabad
9. Dr D DBasu, Introduction to the Constitution of India, Lexis Nexis.

**FIFTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code BLB50518**

**Paper-V**

**Constitutional Law – II**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

Constitutional law is a basic or foundation law, on which other laws exist. Constitutional law is the body of rules, doctrines, and practices that govern the operation of political communities. The Constitution of a country is a document that has its own legal sanctity. In modern times the most important political community has been the state.

At present constitutional law is the offspring of nationalism as well as of the idea that the state must protect some fundamental rights of the individual. As the number of states has multiplied, so have constitutions and with them the body of constitutional law, though sometimes such law originates from sources outside the State. Constitutional law is the legal system of the country which grants collective rights and allows people to enjoy their freedom.

## **Objectives of the Course**

India is a democracy and its Constitution embodies the main principles of the democratic government - how it comes into being, what are its powers, functions, responsibilities and obligations, and how power is limited and distributed whatever might have been the original power base of the constitution, today, it seems to have acquired legitimacy as a highest norm of public law.

## **Unit I: Centre and State Executive**

- i. Meaning and Scope of Executive Power
- ii. Executive Power of the President and Vice President of India
  - Delegation of Executive Power by the Union to the States
  - Election of the President
  - Presidential privileges

- Functions and Powers
- iii. Council of Ministers
  - Working of the Executive
  - President – A Titular Head
  - Prime Minister
  - Cabinet
  - Collective Responsibility
- iv. Executive Power of Governor
  - Significance of Governor's Office
  - Appointment of Governor
  - Governor's Discretionary Powers
  - Pardoning Power of the Governor
  - Ordinance Making Power
- v. Roles and Responsibilities of the CM and CoMs
- vi. Functions of the State Assemblies

## **Unit 2: Central and State Legislature**

- i. Constitution of Parliament and state Legislature
- ii. Functions of Parliament
  - Legislation
  - Control of Public Finance
  - Deliberation and Discussion
  - Parliamentary Committees
- iii. Inter-relation of the Houses
  - Legislative Process
  - Financial Legislation
  - Other areas
  - Assessment of the Role of Rajya Sabha
- iv. Parliamentary Privileges
  - Privileges expressly conferred by the Constitution
  - Other Privileges

- Privileges and Fundamental Rights
- Privileges and the Courts
- Codification of Privileges
- v. Legislative Privileges
  - Freedom of speech
  - Power to make rules
  - Internal Autonomy
  - Miscellaneous Provisions
- Legislative relations and 7th schedule
- a. Doctrine of Territorial Nexus
- b. Doctrine of harmonious construction
- c. Doctrine of pith and substance
- d. Doctrine of colourable legislation
- e. Doctrine of Reading down
- f. Doctrine of occupied field/ doctrine of Repugnancy
- g. Doctrine of Severability
- h. Doctrine of ancillary powers

### **Unit III: The Union and State Judiciary**

- i. Supreme Court
  - Composition of the Supreme Court
  - Jurisdiction and Powers
  - Appeal by Special Leave – Article 136
  - Appeals from Tribunals under Article – 136
  - Doctrine of Stare Decisis
- ii. State Judiciary
  - Composition of the High Court
  - Jurisdiction and Powers
  - Writ Jurisdiction – Article 226 and Article 227
  - Independence of High Court
  - Subordinate Judiciary

## **Unit IV: Administrative Tribunal**

- i. Concept of administration adjudication
- ii. Reason for the growth of Tribunals
- iii. Various Administrative Tribunals and Tribunal for other Matters :  
Constitution, Powers and Functions
- iv. Central Administrative Tribunals Act, 1985

## **Unit V: Evolution and Powers and Functions of Local Self Government**

- i. Historical Perspective
  - Gram Swaraj: the Gandhian concept
  - Ashok Mehta Committee Report
  - G.V.K Rao Committee Report
  - L. M. Singhvi Committee Report
  - 73<sup>rd</sup> and 74<sup>th</sup> amendments
- ii. Panchayat under Article 243 to 243-O of the Constitution of India and 73<sup>rd</sup> Constitutional Amendment
- iii. Municipalities under Article 243-P to 243-ZG and 74<sup>th</sup> Constitutional Amendment
- iv. Powers:
  - Legislative and Quasi- legislative Powers
  - Rulemaking power of the State Government
  - Regulations
  - Financial Power, Licensing Power and Levying Taxes
  - Financial Resources and Powers
  - Judicial and Quasi – Judicial powers of the Local Bodies
- v. Conduct of Meetings: Corporation, Municipal Council, Panchayat Committee and Gram Sabha
- vi. Disputes on Reservation in Local Self Government Institutions
- vii. State Election Commission role and their powers

## **Unit VI: Liability of State and Services under Union and State**

- i. Liability of State in Torts and Contracts
- ii. Freedom of Interstate Trade, Commerce and course
- iii. Services under the Union and State
  - Doctrine of Pleasure
- iv. All India Services
- v. Public Services Commissions

**References:**

1. M. P. Jain, Indian Constitutional Law, Wadhwa & Co, Nagpur
2. V. N. Shukla, Constitution of India, Eastern Book Company, Lucknow
3. Granville Austin, Indian Constitution-Cornerstone of a Nation, OUP, New Delhi
4. H. M. Seervai, Constitutional Law of India (in 3 Volumes), N.M. Tripathi, Bombay
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7. J. N. Pandey, Constitutional Law of India, Central Law Agency, Allahabad
8. GCV Subba Rao, Indian Constitutional Law, S Gogia & Company, Hyderabad
9. Dr D D Basu, Introduction to the Constitution of India, Lexis Nexis.

**SIXTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code BLB60118**

**PAPER -I**

**FAMILY LAW -I**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

**UNIT 1-FAMILY**

1.1 Definition and Characteristics

1.2 Types of Family – Patriarchal Family, Matriarchal Family, Individual Family and Joint Family

1.3 Membership and Management – Coparceners, other members, Karta – Rights, Powers and Duties

1.4 Coparcenary Property, Alienation of Joint Property and Partition.

**UNIT -2 : HINDU MARRIAGE**

2.1 Who is a Hindu ?

2.2 Source of Hindu Law

2.3 The Hindu Marriage Act, 1955

2.3.1 Valid, Void, Voidable Marriages

2.3.2 Ceremonies and Registration

2.3.3 Matrimonial remedies – Restitution of conjugal rights, Judicial Separation, grounds for dissolution of marriage, divorce by mutual consent, maintenance pendent lite and permanent alimony and maintenance.

2.3.4 Jurisdiction of the Court, Time limit for petition and disposal

2.3.5 Prevention of taking advantage of one's own wrong or disability

**UNIT -3 : HINDU ADOPTIONS**

3.1 The Hindu Adoptions and Maintenance Act, 1956 Adoption, requisites of a valid adoption, Capacity of a Hindu Male and Female to take in adoption, persons capable of giving in adoption, persons who may be adopted , other conditions for a valid adoption

3.2 Effects of valid adoption, valid adoption not to be cancelled

**3.3 Maintenance :** Wife's right to claim maintenance with separate residence, right of Widowed Daughter - in - Law, Children, Aged Parents and Dependents to claim maintenance.

**3.3.1** Amount of maintenance and its alteration.

#### **UNIT-4 GUARDIANSHIP**

**4.1.** The Hindu Minority and Guardianship Act, 1956 Minor and Guardians - Natural Guardian Testamentary Guardian, Defacto Guardian - powers.

**4.2** Incapacity of a minor to act as guardian

**4.3** Welfare of minor to be paramount consideration.

#### **UNIT-5 MAHOMEDAN LAW**

**5.1** Origin of Mahomedan law

**5.2** Sources of Mahomedan law

**5.3 Marriage**-conditions for valid marriage, Muta Marriage and Dower

**5.4 Dissolution of Marriage**-Talak, The Muslim Women (Protection of Rights on Marriage) Act, 2019

**5.5 Maintenance**- Section 125 cr.p.c, Mohammed Ahmad Khan v. Shabano Begum, Muslim Women (Protection of Rights on Divorce) Act, 1986.

#### **UNIT-6 CHRISTIAN LAW**

**6.1** Who is a Christian

**6.2** Christian law of Marriage-The Christian Marriage Act, 1872

**6.3** The Indian Divorce Act, 2007

#### **UNIT-7 UNIFORM CIVIL CODE**

## **UNIT-8 OTHER ENACTMENTS**

8.1 The Special Marriage Act,1954

8.2 The Dowry Prohibition Act,1961

8.3 The Family Courts Act,1984

8.4 Commission of Sati (Prevention ) Act,1987

### **Recommended Books:**

1. Modern Hindu Law – by Ramesh Chandra Nagpal
2. Family Law in India – by Prof. G.C.V.SubbaRao
3. Mayne's Hindu Law and Usage
4. Principles of Hindu Law – by Mulla
5. The Muslim Law of India – by Dr. Tahir Mahmood

**SIXTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code BLB60218**  
**PAPER -II**  
**FAMILY LAW -II**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**UNIT -1**

1.1 Succession – Meaning

1.2 Types of Succession

- Testamentary Succession
- Intestate Succession

1.3 Concept of personal law

- Difference between personal law and territorial law

1.4 Types of personal laws in India.

- Hindus
- Christians
- Muslims.

**UNIT-2:**

2.1 Hindus

2.2 Historical perspective of traditional laws –A background of the study of the Hindu Succession Act, 1956.

2.3 Changes brought about by The Hindu Succession (Amendment) Act, 2005 & State Amendments.

2.4 Succession to property of Hindu male dying intestate

2.5 Devolution of interest in coparcenary property - partition of Joint Family Property

2.6 Succession to property of Hindu Female dying intestate

2.7 Woman's estate & Stridhana

2.8 General provisions relating to succession.

2.9 Disqualification of heirs.

2.10 Marumakkattayam and Aliyasantana laws governing people living in Travancore, Cochin and the districts of Malabar and South Kerala.

### **UNIT-3:**

3.1 Christians – The Indian Succession Act, 1925

3.2 Intestate Succession

- Domicile
- Consanguinity
- Succession to Property of Christian dying intestate

3.3 Testamentary Succession

- Will, Codicil, Kinds of wills
- Execution of wills
- Revocation of wills
- Construction of wills
- Lapse of legacy
- Void bequest
- Conditional bequests & Contingent bequests
- Kinds of legacies
- Ademption of legacies.
- Gifts in contemplation of death

3.4 Probate and letters of administration

- Powers and functions of an executor / administrator
- Liability of an executor / administrator
- Doctrine of election.

3.5 Succession Certificate

### **UNIT – 4**

4.1 Muslims – Importance of the Quran

4.2 Classification of Muslims

4.3 Sunni law of inheritance

4.4 Shia law of inheritance

4.5 Differences between Sunni and Shia law of inheritance

4.6 Doctrine of Aul & Radd

4.7 Wills under Muslim Law

4.8 Death bed gifts

## **UNIT -5**

Significance of Uniform Civil Code in India

- Pros & Cons of U.C.C

### **Recommended Books:**

6. Modern Hindu Law – by Ramesh Chandra Nagpal
7. Family Law in India – by Prof. G.C.V.SubbaRao
8. Mayne's Hindu Law and Usage
9. Principles of Hindu Law – by Mulla
10. Law of Intestate & Testamentary Succession – by ParasDiwan
11. The Muslim Law of India – by Dr. Tahir Mahmood

**SIXTH SEMESTER OF 5 YEAR B.A. LL.B**  
**Paper Code BLB60324**  
**PAPER -III**  
**THE BHARATIYA NYAYA SANHITA, 2023**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

**Unit – 1: LAW OF CRIMES IN GENERAL:**

- 1.1. Conception of Crime - State's power to determine acts or omissions as crime - State's responsibility to detect, control and punish crime - Distinction between crime and other wrongs.
- 1.2. Macaulay's draft of Indian Penal Code, 1860 - Operation of IPC and repeal of IPC.
- 1.3. Reforms in administration of Criminal Justice in India -- Making of the Bharatiya Nyaya Sanhita, 2023 - Salient features of the Bharatiya Nyaya Sanhita, 2023.
- 1.4. Application of Bharatiya Nyaya Sanhita, 2023 & changes introduced by it.
  - a) Territorial operation and Extra-territorial operation.
  - b) Personal operation.

**Unit – 2: ELEMENTS OF CRIME AND PRINCIPLES OF CRIMINAL LIABILITY:**

- 2.1. Definition of the term 'Offence' or 'Crime'
- 2.2. Elements of Crime – Person – Mens rea and Actus reus.
- 2.3. Criminal Liability in absence of 'mens rea'.
- 2.4. Criminal liability of a person for his own acts.
- 2.5. Criminal liability of a person for act of a third person.
- 2.6. Acts committed in furtherance of Common intention.

**Unit – 3: TYPES OF PUNISHMENT:**

- 3.1. Power to prescribe punishment.
- 3.2. Various Theories of Punishment – Retributive theory, Deterrent theory, Preventive theory, Reformatory theory.

- 3.3. Kind of Punishment under Bharatiya Nyaya Sanhita – Death sentence;  
Imprisonment for life; Term imprisonment, Rigorous imprisonment and Simple imprisonment; forfeiture of property ; Fine; Community Service:
- 3.4. Commutation of sentence.
- 3.5. Sentencing for default of payment of fine.
- 3.6. Solitary Confinement.

#### **Unit – 4: GENERAL EXCEPTIONS:**

- 4.1. Factors negating guilty intention.
- 4.2. Act done by person bound by law or by mistake of fact.
- 4.3. Act of Judge when acting judicially.
- 4.4. Act done in pursuance of judgment or order of Court.
- 4.5. Act done by persons justified by law or by mistake of fact.
- 4.6. Act done by accident.
- 4.7. Act done in order to prevent other harm.
- 4.8. Act of a child.
- 4.9. Act of a person of unsound mind.
- 4.10. Act done under intoxication.
- 4.11. Act done with consent of a person.
- 4.12. Act done in good faith.
- 4.13. Communication made in good faith.
- 4.14. Act done under threat or compulsion.
- 4.15. Act causing slight harm.
- 4.16. Right of Private Defence.

#### **Unit – 5: PREPARATION, ATTEMPT, ABETMENT AND CONSPIRACY:**

- 5.1. Preparation to commit offence.
- 5.2. Attempt to commit offence.
- 5.3. Abetment of commission of offence.
- 5.4 Criminal Conspiracy.

## **Unit – 6: OFFENCES AGAINST WOMEN AND CHILD:**

- 6.1. Rape – punishment for rape.
- 6.2. Sexual intercourse by husband upon his wife – sexual intercourse by a person in authority.
- 6.3. Sexual intercourse by employing deceitful means etc.
- 6.4. Outraging modesty of a woman.
- 6.5. Disrobe of a woman.
- 6.6. Voyeurism.
- 6.7. Stalking.
- 6.8. Words, gestures or act intended to insult modesty of a woman.
- 6.9. Dowry death.
- 6.10. Cohabitation caused by man deceitfully inducing belief of lawful marriage.
- 6.11. Marrying again during lifetime of husband or wife.
- 6.12. Detaining a married woman.
- 6.13. Cruelty to a married woman.
- 6.14. Causing miscarriage – punishment for causing miscarriage.
- 6.15. Offences against Child – Exposure and abandonment of child – concealment of birth of child By secret disposal of dead body – Hiring, employing or engaging a child to commit an Offence – Procuration of child for illicit intercourse – Kidnapping child to steal from its Person – Selling and buying child for purposes of prostitution.

## **Unit – 7: OFFENCES AFFECTING HUMAN BODY:**

- 7.1. Causing death of human being; Culpable homicide; Murder;
- 7.2. Treating murder as culpable Homicide not amounting to murder – Grave and Sudden Provocation; Exceeding right of private defence; death caused by public servant; Sudden Fight; death caused by consent of the deceased – Euthanasia;
- 7.3. Death caused of person other than the person intended.
- 7.4. Death caused by negligence.
- 7.5. Attempt to commit suicide – Abetment of suicide – Abetment of suicide of child or person of Person of unsound mind.

- 7.6. Attempt to Murder.
- 7.7. Attempt to Culpable homicide.
- 7.8. Organized Crime – Petty organized crime.
- 7.9. Terrorist act.
- 7.10. Hurt and Grievous Hurt.
- 7.11. Aggravated forms of hurt and grievous hurt.
- 7.12. Wrongful restraint and Wrongful confinement.
- 7.13. Criminal force and assault.
- 7.14. Kidnapping and abduction.
- 7.15. Slavery and Forced labour - Trafficking of person.

#### **Unit – 8: OFFENCES AGAINST THE STATE:**

- 8.1. Waging or attempt to wage war or abetting waging of war against Government of India.
- 8.2. Conspiracy to commit offence of waging war against Government of India.
- 8.3. Collecting arms etc. with intention of waging war against Government of India.
- 8.4. Assaulting President, Governor etc. With intention to compel or restrain exercise of any lawful power.
- 8.5. Acts endangering sovereignty, unity and integrity of India.
- 8.6. Waging war against Government of any foreign state at peace with Government of India.
- 8.7. Committing depredation on territories of foreign State at peace with India.

#### **Unit – 9: OFFENCES AGAINST THE PUBLIC TRANQUILLITY:**

- 9.1. Unlawful Assembly.
- 9.2. Liability of members of unlawful assembly for offence committed in prosecution of Common object.
- 9.3. Rioting.
- 9.4. Affray.

## **Unit – 10: FALSE EVIDENCE AND FORGERY:**

10.1. False Evidence – Giving false evidence – Fabricating false evidence – Using evidence known to be false – Issuing or signing false certificate – Using as true a certificate known to be false.

10.2. Offence relating to documents – Making false document – Forgery – Punishment for Forgery.

## **Unit – 11: OFFENCES AGAINST PROPERTY:**

11.1. Theft.

11.2. Snatching.

11.3. Extortion.

11.4. Robbery and Dacoity.

11.5. Criminal Misappropriation.

11.6. Criminal Breach of Trust.

11.7. Receiving Stolen Property.

11.8. Cheating.

11.9. Mischief.

11.10. Criminal Trespass.

## **Unit – 12: OTHER OFFENCES:**

12.1. Criminal Intimidation.

12.2. Intentional insult with intent to provoke breach of peace.

12.3. Statement conducing to public mischief.

12.4. Inducing a person of Divine displeasure.

12.5. Misconduct in public by a drunken person.

12.6. Defamation.

12.7. Breach of contract to attend on and supply wants of helpless person.

## **Recommended Books:**

1. The Penal Code – by Ratanlal and Dhirajlal
2. Criminal Law – by PSA Pillai
3. Indian Penal Code – by Dr. Hari Singh Gour
4. Bharatiya Nyaya Sanhita, 2023, Law and Practice – by Prof. Vageshwari Deswal

**SIXTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code BLB60418**  
**Paper -IV**  
**ENVIRONMENTAL LAW**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

(Including Laws for The Protection Of The Wild Life And Other Living Creatures  
Including Animal Welfare)

**UNIT-1: THE MEANING OF 'ENVIRONMENT' AND 'POLLUTION'**

- 1.1 Definition: As defined in the Environment Protection Act, 1986 Section 2(a);  
"Pollution" as defined in the same Act. Section 2(b)(c)(d)(e); and in the Water  
(Prevention and Control of Pollution) Act, 1974. 'Forests', as defined in the  
Indian Forest Act, 1927. And the Forest (Conservation) Act, 1980. The  
intended meaning of environment in the constitution, Arts. 15(2)(b) 24,  
39(a)(b)(c)(e)(f) 47, 48A, 49.
- 1.2 Causative factors of Pollution.

**UNIT-2: SUBJECT MATTER OF ENVIRONMENTAL LAWS**

**UNIT-3: TYPES AND FUNCTIONS OF ENVIRONMENTAL LAWS**

- 3.1 Primary protective Laws
  - 3.1.1 For human-beings- Laws pertaining to:
    - a) Water
    - b) Air
    - c) Noise
    - d) Nuclear Radiation
    - e) Toxic Substances
  - 3.2 For non-human beings- Laws pertaining to:
    - a) Wildlife
    - b) Marine life
    - c) Forests
    - d) Minor forests
    - e) Restrictions on trade
- 3.3 Primary planning Laws
  - For production
  - Laws pertaining to
    - a) Land use

- b) Irrigation
- c) Industries
- d) Mining
- e) Grazing land
- f) Catchment areas
- g) Wet land
- h) Estuaries

### 3.4 For production

Laws pertaining to

- b) Land ceiling    b) Town Planning/ Zoning
- c) Slums            d) Housing            e) Recreational areas
- f) Parks            g) sanctuaries        h) Biospheres

## UNIT-4: SECONDARY LAWS

- 4.1 Pertaining to the administration and functioning of Pollution Control Boards; Water Boards; the Factories Acts, Forest Act. Land Reform and Development Acts. Industries Act, etc.
- 4.2 Laws relating to the administration within the Ministry of Environment and forest
- 4.3 Laws relating to the collection, dissemination and publication of data by the Boards or Ministry, concerning.
  - a) Hazardous material
  - b) Endangering Industries
  - c) Levels of pollution,
  - d) Types of safety measures available and implemented
- 4.4 Laws relating to the role of the lower courts (including the forest courts).

## UNIT-5: TERRITORIAL LAWS

- 5.1 Constitutional provisions concerning inter-state relations that concern acquisition regulation and distribution of natural resources (Water, Forests, mines, oil). (With special emphasis on Articles 14, 19, 31-A, 31-B, 31-C, 39(b)(c) Union list; 6, 52, 56, 57. State List: 17, 18, 21, 23. Concurrent list :17, 17-A, 17-B, 18, 20 and the Ninth Schedule
- 5.2. Constitutional provisions: The Constitution of India Articles: 14, 15, 2(b) 19(e) 21, 31-C, 32, 38, 39, 42, 47, 48-A, 49, 51, 51-A(g)

## **UNIT-6: INTERNATIONAL PARAMETERS OF ENVIRONMENT**

- 6.1 Stockholm Declaration and its impact
- 6.2 Rio summit
- 6.3 United Nations Environmental Programme (UNEP)
- 6.4 State responsibility for Environmental Pollution
- 6.5 North-South Perspective.

## **UNIT-7: LEGAL STRATEGIES AND REGULATIONS**

- 7.1 Deterrence through Criminal Liability, Strict Liability Absolute Liability and Vicarious Liability.
- 7.2 Principles of calculating penalties and economics and actions against offenders
- 7.3 Principles and methods of standardization Environmental impact Assessment Cost Benefit Analysis
- 7.4 Managerial
  - 7.4.1 Principles of Tortious liability
  - 7.4.2 Estoppel
  - 7.4.3 Strategies of incentives, through non-taxation. Deductions, etc.
  - 7.4.4 Methods of recovery through insurances, sureties, bonds, etc.
  - 7.4.5 Creation of Environmental Fund
- 7.5 Environmental Courts. Tribunals.

## **UNIT-8: JUDICIAL ACTIVISM AND ENVIRONMENT**

**SIXTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code BLB60518**  
**PAPER -V**  
**HUMAN RIGHTS AND PRACTICE**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

Concept of Human Rights - Evolution of Human Rights - Meaning of Human Rights, Kinds of Human Rights - Civil Liberties - International Human Rights Law - Human Rights under the UN Charter- Promotion and protection of human rights by United Nations - Commission on Human Rights - UN High Commissioner for Human Rights - Implementation and Monitoring of Human Rights-Human Rights and Domestic Jurisdiction Human Rights and impunity- Issues of Accountability.

**Unit-2**

Universal Declaration of Human Rights - Influence and Legal effects of the Declaration - International covenants on Human Rights -International Covenants on Inhuman acts - Death penalty.

**Unit-3**

Regional Conventions on Human Rights - Regional arrangements on Human rights - European Convention on Human Rights-American Convention on Human Rights-African Charter on Human and People's Rights.

**Unit-4**

Vulnerable Groups and Human Rights -Prisoners -Women - Children - Refugees-Minorities- Disabled people-indigent persons -Migrant workers-Stateless persons.

**Unit-5**

International Humanitarian law-Historical development of Humanitarian Law-Penalty charter on Humanitarian Law Protection of prisoners of war -Protection of civilian population Protection and care of wounded and sick persons - Protection of medical units - Treatment of dead bodies - Treatment of Aliens - Non-international armed conflicts.

## **Unit-6**

India and Human Rights - Genesis of Human Rights in India - Philosophy of Human Rights under the Indian Constitution - International Covenants and India-Human Right vis-a-vis Fundamental rights - Human Rights and Directive Principles of State policy  
Emergency and Human rights.

## **Unit-7**

The Protection of Human Rights Act, 1993 - Evolution of the Protection of Human Rights Act - National Human Rights Commission (NHRC) - State Human Rights Commissions - Andhra Pradesh Human Rights Commission - Human Rights Courts in Districts - The National Commission for Minorities Act, 1992 - The National Commission for Backward Classes Act, 1993.

## **Unit-8**

Enforcement of Human Rights in India - Constitutional remedies for enforcement of Human Rights - Mechanism for Enforcement and Protection of Human Rights - Machinery under the Constitution of India - Mechanism under the Protection of Human Rights Act - Non-Governmental Organizations.

### **Books Recommended for Study:**

- Surendra Malik, Sudeep Malik - Supreme Court on Human Rights and Civil Rights  
and  
Political, Social, Individual and Economic Rights
- Dr. H.O. Agarwal - Human Rights
- Dr. U. Chandra - Human Rights
- R.P. Kataria Salahuddin - Commentary on Human Rights

**SEVENTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code BLB70118**

**PAPER-I**  
**JURISPRUDENCE**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**Unit-1:**

Need to study jurisprudence –its relationship with political and power structures and just society.

**Unit-2: What is a concept?**

2.1. Concept, ideas and notions

2.2 What is a theory-difference between theory, hypothesis, conjecture, opinions.

**Unit-3:What is a norm?**

3.1. Differences between maxims, rules, principles and customary rules.

3.2. Differences between primary rules and secondary rules.

3.3. What is a normative system?

**Unit-4:**

Concept of law, its difference with laws of natural sciences, social sciences, statistics, history.

Laws of obligations.

**Unit-5: Why laws are obligatory?**

5.1. Define and discuss the following legal concepts Liability, obligation, sanction, coercion, compulsion, duty, estoppel, promise, dharma with case material.

5.2.CONTRACTARIAN THEORIES- general –will theories and free-will theories

And autonomous theories particularly positivist theories connected development of Austin onwards: Reference to Dwork in, Rawls and Marxian terms of the doctrine of the withering away of State, including TRANSCENDENTAL THEORIES.

5.3. Whom does the law obligate? Personality: people: State-with particular reference to Directive Principles of State Policy: *Locus standi*. Randhir, Golaknath and other relevant cases.

## **Unit-6:Theories of Authority.**

- 6.1 Types of authority- Legislative, judicial and customary - their binding nature.
- 6.2. Bindingness with regard to precedent. Determination of ratio and methods of Wanbaugh, Salmond, Goodhart, Simpson's approach in Jacob's case. Also the studying factors of Lewlyn (information to be provided that there is no distinction between making and declaring, basing on Gestalt psychology. (Ref. Peter Brett).

## **Unit-7:Limits on legislative authority.**

- 7.1. Positivist view that there are no limits. Discuss with reference to Austin, Kelsen. Golaknath and D.C.Wadhwa's case.
- 7.2. Natural law view that the limits are defined by principles of morality or natural justice - the legislation, from whatever source, must be in accordance with such principles. Discuss with reference to Aquinas, Finnis.
- 7.3. The Rational is view that the limits are set by rational principles of justice- Discuss with reference to Kant, Rawls.
- 7.4.The Basic structure Doctrine - that the limits are set by the basic structure of the constitution or the law itself; any legislation contrary to the basic structure is non-law (Ref: Kesavananda Case) .
- 7.5. Define and discuss the basic legal concept of reasonableness with reference to Indian cases. State of Madras V.V.G.Row (AIR 1952 SC 196). Dwaraka Prasad Laxmi Narayan V. State of U.P. (AIR 1954SC224). Krishan Chandra AroraV. Commissioner of Police (19613SCR135).Hardhan Shah V.State of West Bengal (1975 3SCC 198).AIR INDIA V.Nargesh Meerza (AIR 1987 SC 1829). Maneka Gandhi V. Union of India (19782 SCR 621).

## **Unit-8:The functions of law.**

- 8.1. Law as the upholder of the moral order in the society.
- 8.2. Concept of Dharma and connection between law and morality.

- 8.3. Law for bringing efficiency and social stability: the utilitarian views.
- 8.4. The differences between the ends of a legal order, a political order and religious order. Are they interchangeable? Can one replace another? Issue concerning the dialectics of law.
- 8.5. Law as a means of social control
- 8.6. Law as volks -geist.

**Books Recommended for Study :**

1. G.W.Paton – A Text Book of Jurisprudence
2. Dias – Jurisprudence
3. Edgar Bodenheimer – Jurisprudence The Philosophy and Method of the Law
4. Tripathi – Salmond on Jurisprudence
5. Holland on Jurisprudence
6. Lloyd's – Introduction to Jurisprudence

**SEVENTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code BLB70218**  
**PAPER -II**

**PROPERTY LAW INCLUDING TRANSFER OF  
PROPERTY ACT AND EASEMENT ACT**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**UNIT I: JURISPRUDENTIAL CONTOURS OF PROPERTY:**

- 1.1. Concept and Meaning of Property -New property - Governmental Largesse.
- 1.2. Kinds of Property - Movable and Immovable Property -Tangible and Intangible Property -Intellectual Property -Copyright-Patents and Designs – Trade Marks.
- 1.3. Private and Public Property-Natural resources as Property -Privatisation of Public Property.
- 1.4. Capitalist and Socialist analysis of property - property in means of production.
- 1.5. Possession and ownership as man- property relationship -finder of lost goods.
- 1.6. Social functions of property.

**UNIT II: LAW RELATING TO TRANSFER OF PROPERTY:**

- 2.1.General Principles of Transfer of Property.
- 2.2. Specific Transfers
  - Sale
  - Mortgages
  - Kinds of Mortgages: Simple Mortgage - Mortgage by Conditional Sale - Distinguished from sale with a condition for repurchase - Usufructuary Mortgage, English Mortgage
    - Distinguished from mortgage by conditional sale. Mortgage by deposit of title deeds – when registration is necessary? Anomalous Mortgage.
  - Systematic Constraints: When formalities are required. Formalities - effect of non- registration- debt may be proved
  - Rights of Mortgagor. Right to redeem, Distinction between “due” and “Payable”. Clog on Redemption. Partial Redemption. Accessions to mortgaged property and improvements. Mortgagor’s power to lease.

- Rights and liabilities of Mortgagees. Right to foreclose or sale. Right to sue for Mortgage money. Accession to mortgaged property. Rights of mortgages in possession. Substituted security.
- Liabilities of a mortgages in possession
- Postponement of prior mortgage.
- Marshalling and Contribution
- Who may sue for redemption
- Conventional subrogation – Legal subrogation-“Redeem up and foreclose down”

2.3. Interest on specific immovable Property

2.4. Charges

2.5. Leases

2.6. Exchange

2.7. Gifts

2.8. Actionable claims

### **Unit-3: Easements**

3.1. Creation of Easements

3.2. Nature and characteristics of easements.

3.3. Extinction of easements

3.4. Riparian rights

3.5. Licences.

### **Unit-4: RECORDATION OF PROPERTY RIGHTS:**

4.1. Law relating to registration of documents affection proper relations -Exemptions of leases and mortgages in favour of Land Development Bank from registration.

4.2. Recordation of rights in agricultural land with special reference to property.

4.3. Law relating to stamp duties

4.4.1. The liability of instruments to duty

4.4.2. Duties by whom payable

4.4.3. Effect of not duly stamping instruments: Examination impounding of instruments: Inadmissibility on evidence. Impounding of instruments.

**SEVENTH SEMESTER OF 5 YEAR B.A.LL. B**

**Paper Code BLB70318**

**PAPER-III**

**ADMINISTRATIVE LAW**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

**Unit I: Evolution, Nature, and Scope of Administrative law:**

- 1.1. From laissez faire to social welfare state -State as regulator of private interest-State as provider of services - Other functions of modern state - relief, welfare.
- 1.2. Evolution of administration as the fourth branch of Government - Necessity for delegation of powers of administration.
- 1.3. Evolution of agencies and procedures for settlement of disputes between individual and administration.
  - 1.3.1. Regulatory agencies in the United States.
  - 1.3.2. Conseil 'd' Etat of France.
  - 1.3.3. Tribalization in England and India.
- 1.4. Relationship between Constitutional law and administrative law Public Administration.
- 1.5. Separation of powers-to what extent relevant administrative functions.
- 1.6. Rule of law and administrative law.
- 1.7. Definitions of Administrative law.
- 1.8. Scope of Administrative law.
- 1.9. Emerging trends positive duties of administration under the modern social welfare legislation and compulsions of planning.

**Unit II: BUREAUCRACY IN INDIA:**

- 2.1. Nature and organization of civil service: Central and State.
- 2.2. Its hierarchical character, accountability, and responsiveness.
- 2.3. Powers and functions.
- 2.4. Attainment of developmental and social welfare goals through Bureaucracy-Problems and perspectives.
- 2.5. Class, character, and structure of Bureaucracy.
- 2.6. Administrative deviance-corruption, nepotism, mal-administration. Disciplinary proceedings and prosecutions under the Prevention of Corruption Act.

### **Unit III: LEGISLATIVE POWERS OF ADMINISTRATION:**

- 3.1. Necessity for delegation of legislative power.
- 3.2. Constitutionality of delegated legislation - power of exclusion and inclusion and power to modify statute.
- 3.3. Requirements for the validity of delegated legislation.
  - 3.3.1. Consultation of affected interests and public participation in decision making.
  - 3.3.2. Publication of delegated legislation.
- 3.4. Administrative directions, circulars, and policy statements.
- 3.5. Legislative control of delegated legislation.
  - 3.5.1. Laying procedures and their efficacy.
  - 3.5.2. Committees on delegated legislation – their constitution, function, and effectiveness.
  - 3.5.3. Hearings before legislative committees.
- 3.6. Judicial control of delegated legislation - Doctrine of Ultra vires.
- 3.7. Sub-delegation of legislative powers.

### **Unit IV: JUDICIAL POWERS OF ADMINISTRATION:**

- 4.1 Need for devolution of adjudicatory authority on administration.
- 4.2. Administrative tribunals and other adjudicating authorities their ad-hoc characters-  
Compare administration of Justice in Courts with that of Tribunals (Ref. Robson).
- 4.3. Nature of tribunals-Constitution, procedure, rules of evidence etc., with special reference to the following:
  - 4.3.1. Central Board of Customs and Excise
  - 4.3.2. MRTP Commission
  - 4.3.3. EII Courts
  - 4.3.4. Service Tribunals.
- 4.4. Jurisdiction of administrative tribunals and other authorities: Distinction between quasi-judicial and administrative functions and relevance of this distinction in the light of recent decisions of the Supreme Court.
- 4.5. The right to hearing -Essentials of Hearing process, bias (No one can be. a judge in his own cause) oral hearing etc.,
- 4.6. Rules of evidence – no evidence, some evidence and substantial evidence rules.
- 4.7 Requirements regarding reasoned decisions.
- 4.8. The right to counsel.
- 4.9. Institutional decisions.
- 4.10. Administrative Appeals.

- 4.11. Council on Tribunals and Inquiries in England.
- 4.12. U.S. Regulatory Agencies and Administrative procedures Act, 1946.
- 4.13. Emerging Trends of Tribalization in India as means to relieve congestion in the courts and utilization of administrative expertise.

#### **Unit V: JUDICIAL CONTROL OF ADMINISTRATIVE ACTION:**

##### 5.1. Preliminary:

- 5.1.1. Courts as the final authority to determine legality of administrative action-problems and perspectives.
- 5.1.2. Exhaustion of administrative remedies.
- 5.1.3. - Standing for social action litigation.
- 5.1.4. Laches.
- 5.1.5. Res Judicata.

##### 5.2. Trends of Judicial Review: Scope of Judicial review:

- 5.2.1. Jurisdictional errors/ ultra vires,
- 5.2.2. Abuse and non-exercise of Jurisdiction,
- 5.2.3. Error apparent on the face of the record,
- 5.2.4. Violation of principles of natural justice,
- 5.2.5. Violation of public policy,
- 5.2.6. Primary jurisdiction,
- 5.2.7. Absence of ripeness,
- 5.2.8. Political questions,
- 5.2.9. Doctrine of legitimate expectation.

##### 5.3. Methods of Judicial Review:

- 5.3.1. Statutory appeals,
- 5.3.2. Certiorari,
- 5.3.3. Mandamus,
- 5.3.4. Prohibition,
- 5.3.5. Quo-warranto,
- 5.3.6. Habeas Corpus,
- 5.3.7. Specific performance and civil suits for compensation,
- 5.3.8. Fact-finding commissions.

#### **Unit VI: ADMINISTRATIVE DISCRETION:**

- 6.1. Need for administrative discretion.
- 6.2. Administrative discretion and rule of law.
- 6.3. Mala fide exercise of discretion.
- 6.4. Constitutional imperatives and use of discretionary authority.
- 6.5. Irrelevant considerations.

- 6.6. Non-exercise of discretionary power.
- 6.7. Discretion to prosecute or to withdraw prosecution.
- 6.8. Limiting confining and structuring discretion-General discretion, technical discretion.

#### **Unit VII: LIABILITY FOR WRONGS (Tortious and contractual)**

- 7.1. Tortious liability: sovereign and non-sovereign functions.
- 7.2. Crown proceedings Act of U.K. and Torts claims of U.S.
- 7.3. Statutory immunity.
- 7.4. Act of State.
- 7.5. Contractual liability of Government.
- 7.6. Government privilege in legal proceedings -State secrets, public interest, etc.
- 7.7. Right to information and open Government.
- 7.8. Estoppel and Waiver.

#### **Unit VIII: CORPORATIONS AND PUBLIC UNDERTAKINGS:**

- 8.1. State Monopoly-Remedies against arbitrary action or for acting against public policy.
- 8.2. Liability of public and private corporations of Departmental undertakings.
- 8.3. Legal remedies.
- 8.4. Accountability- Committee on public undertakings, Estimates Committee, etc.

#### **Unit IX: INFORMAL METHODS OF SETTLEMENT OF DISPUTES AND GRIEVANCE REDRESSAL PROCEDURES:**

- 9.1. Conciliation and mediation through social action groups.
- 9.2. Use of Media, lobbying and public participation in policy making.
- 9.3. Public inquiries and commissions of inquiry.
- 9.4. Ombudsman, Parliamentary Commissioner.
- 9.5. Lokpal, Lok Ayukta.
- 9.6. Vigilance Commission.
- 9.7. Congressional Parliamentary Committees.

**SEVENTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code BLB70418**

**PAPER-IV**

**COMPANY LAW  
( THE COMPANIES ACT, 2013)**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

**Unit- I:** Concept of the Company: Definition; Essential Characters; Advantages, Disadvantages. Corporate Veil and lifting the Corporate Veil.

**Unit- II:** Kinds of Companies: Private Company; Public Company; Conversion of Private Company into public and vice versa; one Person Company; Limited Company; Unlimited Company; Foreign Company; Government Company; Small Company; Associate Company; Holding and Subsidiary Company; non- profit motive Company and Illegal Associations.

**Unit- III:** Promotion and Formation of the Company; Promoter – definition; duties and liabilities; remuneration and pre – incorporation contracts; Incorporation of a company and its legal effects.

**Unit- IV: Documents:**

A . Memorandum of Association – Various clauses and its Alteration;

Doctrine of Ultra vises.

B . Articles of Association and its alteration; Doctrine of Constructive notice and Indoor management.

C . Prospectus – Contents ; Issue ; Civil and Criminal Liabilities.

**Unit- V: Share Capital:** Share; Stock; Kinds of Shares; Allotment of Shares; Issue of Shares at Premium and discount; Calls on Shares; Further issue of Shares; Bonus Shares; Sweat Equity; ESOS; Shares Buy – Back; Reduction of Share Capital; Transfer and transmission of Shares; Lien and Forfeiture of Shares.

**Unit- VI: Borrowing Power:** Accepting Public Deposits; Issue of Debentures;  
Debenture trust Deed; Fixed charge and Floating Charge.

**Unit -VII: Directors:** Appointment; Qualifications; Disqualification; Powers; duties;  
and Liabilities.

**Unit -VIII: General Meetings:** Annual General Meeting; Extraordinary General  
Meeting; Notice; Chairman; Quorum; Proxy; Voting rights; Resolutions  
and Minutes.

**Unit- IX:** Majority Rule; Prevention of oppression and mis-management – powers  
of the Tribunal.

**Unit-X:** NCLT -: Constitution, Powers and functions.

**Unit- XI: Winding up:** Various modes of winding up.

**SEVENTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code BLB70518**

**PAPER-V**

**PUBLIC INTERNATIONAL LAW**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

**Unit I: CONCEPT AND EVOLUTION OF HUMAN RIGHTS:**

- 1.1. Meaning of Human Rights.
- 1.2. Perspectives of Developed and Developing countries.
- 1.3. Evolution of Human rights.
  - 1.3.1. Evolution of Human Rights prior to United Nations- League of nations.
  - 1.3.2. Adoption of UN charter
  - 1.3.3. Universal Declaration of Human Rights
  - 1.3.4. Covenants.
- 1.4. Emerging International regime Against Terrorism
- 1.5. International Humanitarian Law Standards.

**Unit II: HUMAN RIGHTS REGIONAL ARRANGEMENTS:**

- 2.1. African convention of Human Rights
- 2.2. European Convention on Human Rights.
- 2.3. American Convention of Human Rights.
- 2.4. National Human Rights Commission (NHRC).

**Unit III: PROTECTION OF HUMAN RIGHTS:**

- 3.1. Protection of Human Rights in the administration of Criminal Justice.
- 3.2. CEDAW
- 3.3. Protection of Rights of the Child.
- 3.4. Beijing Conference.

**Unit IV : PEOPLES PARTICIPATION IN PROTECTION OF HUMAN RIGHTS AND  
ROLE OF NGO'S.**

**Unit V: STATES AS SUBJECTS OF INTERNATIONAL LAW:**

- 5.1. Nature of International law.
- 5.2. Evolution of Nature of 'State' as a subject of International law.
- 5.3. Criteria of Statehood.
- 5.4. Distinction between State and Government.
- 5.5. Recognition of 'States' and 'Governments'.
- 5.6. The notion of 'State succession'.

## **Unit VI: STATES AS MAKERS OF INTERNATIONAL LAW:**

- 6.1. Custom – creation through state practice.
  - 6.1.1. Concept of “State Practices” creative of “Custom”.
  - 6.1.2. Types of ‘Custom’
  - 6.1.3. Proof of ‘custom’.
  - 6.1.4. Place of custom- any international law in the evolution, and for the Future of International law.
- 6.2. Treaties.
  - 6.2.1. Concept of Treaties
  - 6.2.2. Types of Treaties. (Bilateral/regional/multilateral: dispositive/non-dispositive: law creating)
  - 6.2.3. Authority to enter in to treaties with special reference to India.
  - 6.2.4. Essentials of a Valid Interpretation.
- 6.3. International Adjudication, General Principles of ‘Civilized Nations’ and Juristic writing (publicists) as Acknowledged Subsidiary International Law Creating Acts.
- 6.4. The Resolutions of the General Assembly as Law Creating Acts.
- 6.5. The Status of Specialized United Nations Agencies.
- 6.6. The Role of International NGOS in International Law Creation.

## **Unit VII: INDIVIDUALS, NON- STATE COMMUNITIES AND PEOPLES IN INTERNATIONAL LAW:**

- 7.1. The Traditional Discourse Concerning Individual as a Subject and Object of International law.
- 7.2. The Basic Modification. Post- charter, in the position of the Individual.

## **Unit VIII: EQUITABLE RESOURCE UTILIZATION AND JUST WORLD ORDER:**

- 8.1. The Traditional Concepts of State Jurisdiction.
- 8.2. The Reformulation of the Law of the Common Heritage of Mankind.
  - 8.2.2. Territorial Waters.
  - 8.2.3. Continental Shelf
  - 8.2.4. Sea-bed and Ocean Floor.
  - 8.2.5. Special problems of Antarctica.
- 8.3. The Law of Outer Space (The Moon Treaty, Geostationary objects in outer space, Problems of Liability in the case of Hazards. The emerging law concerning Trans Boundary pollution accidents (Chernobyl, Bhopal).

## **Unit IX: INTERNATIONAL ECONOMIC LAW:**

- 9.1. The IBRD, the IMF
- 9.2. The GATT
- 9.3. The UNCTAD-WTO.

**EIGHTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code BLB80118**

**PAPER -I  
LABOURLAWS**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

**Unit I : HISTORICAL PERSPECTIVES ON LABOUR:**

- 1.1. Labour through the ages – Slave Labour - Guild system - division on case basis labour during feudal days.
- 1.2. Colonial labour law and policy.
- 1.3. Labour - capital conflicts: Exploitation of labour, profit, motive, poor bargaining power, poor working condition sun organized labour, surplus labour, division of labour and super specialisation, lack of alternative employment.
- 1.4. International Labour Standards and their implementation.
- 1.5. From Laissez faire to Welfare State: transition from exploitation to protection and from contract to Statue.

**Unit II: TRADE UNIONISM:**

- 2.1. Labour Movement as a counter measure to exploitation  
-History of trade union movement in India.
- 2.2. Right to trade union as part of human right freedom of association, amalgamation, rights and liabilities dissolution.
- 2.3. Legal control and protection of trade union: registration, amalgamation, rights and liabilities, dissolution.
- 2.4. Problems: multiplicity of Unions, over politicisation-intra-union and Inter union rivalry, outside leadership, closed shop and union- shop, recognition of unions.

**Unit III: COLLECTIVE BARGAINING:**

- 3.1. Concept of collective bargaining.
- 3.2. International norms-conditions precedent- merits and demerits.
- 3.3. Bargaining' process.
  - 3.3.1. Negotiation
  - 3.3.2. Pressurization: Strike and Lockout, go-slow, work to rule, gherao.
- 3.4. Structure of bargaining: Plant, industry and national levels.
- 3.5. Duration and enforcement of bipartite agreement.
- 3.6: Reforms in law.

#### **Unit - IV: STATE REGULATION OF INDUSTRIAL RELATIONS:**

- 4.1 Theoretical foundations: Social Justice, labour welfare, public interest  
Productivity, industrial peace and development, price control.
- 4.2.1 Recognition of mutual arrangements.
- 4.2.2. Assistance to bipartite settlement: Conciliation, voluntary arbitration, formulation of standing orders.
- 4.2.3. State prescription of machinery: reference for adjudication (the political overtones), the adjudicatory mechanisms (How do they differ from courts) Award and its binding nature, judicial review of awards.
- 4.2.4. State prescription of standards lay off, strike, lockout, retrenchment, closure and transfer of undertakings.
- 4.3. The conceptual conundrum: Industry, industrial disputes, workmen.
- 4.4. Unfair labour practices.

#### **Unit -V: DISCIPLINE IN INDUSTRY: RESTRAINTSON MANAGERIAL PREROGATIVES:**

- 5.1. Doctrine of hire and fire-history of management's prerogative.
- 5.2. Fairness in disciplinary process:
  - 5.2.1. Punishment for misconduct –meaning of misconduct.
  - 5.2.2. The right to know: the charge sheet.
  - 5.2.3. The right to defend: domestic enquiry, notice, evidence, cross-examination, representation, unbiased inquiry officer and reasoned decision.
  - 5.2.4. Prenatal (permission) and postnatal (Approval) control during dependency of proceedings (sec.33 of the I.D. Act).

#### **Unit - VI : REMUNERATION FOR LABOUR:**

- 6.1. Theories of wages: Marginal productivity, subsistence, wages fund, supply and demand, residual claimant, standard of living.
- 6.2. Concepts of Wages (minimum wages, fair wages, living wages, need based minimum wages).
- 6.3. Components of wages: dearness allowance, principle of fixation.
- 6.4. Disparity in wages indifferent sectors - Need for rationalisation and national approach.
- 6.5. Wage determining process – modes and modalities
  - 6.5.1.Unilateral fixation by employer.
  - 6.5.2. Bilateral fixation
  - 6.5.3. Conciliation, arbitration and adjudication.
  - 6.5.4. Wage Board and Pay Commission.
  - 6.5.5. Principles of Wage fixation.
- 6.6. Concept of bonus- Computation of bonus
- 6.7. Protection of Wages: Non-payment, delayed payment, unauthorized deductions

remedial measures.

#### **Unit - VII : HEALTH AND SAFETY:**

- 7.1. Obligations for health and safety of workmen-Legislative controls: Factory, mines, and plantations.
- 7.2. Employer's liability
  - 7.2.1. Employee's compensation
  - 7.2.2. Employees 'State Insurance
  - 7.2.3. Liability for hazardous and inherently dangerous industries-Environmental Protection.

#### **Unit - VIII : LABOUR WELFARE :**

- 8.1. Welfare provided by the employers and through bipartite agreements and by statutory prescription.
- 8.2. Provident Fund and family pension.
- 8.3. Gratuity.
- 8.4. Inter-state migrant workmen – regulation of employment and conditions of service.
- 8.5. Regulation of working hours: Statutory controls.
- 8.6. Women and labour force.
  - 8.6.1. Equal Remuneration law, Maternity benefits, protective provisions for women under factories, plantations and Mines laws.
- 8.7. Employment of young persons – prohibition of employment of children, regulation of employment of young persons.

#### **Unit -IX: PROTECTION OF THE WEAKER SECTIONS OF LABOUR:**

- 9.1. Tribal labour: Need for regulation.
- 9.2. Beedi workers
- 9.3. Unorganised labour like domestic servants-Problems and perspectives.
- 9.4. Bonded Labour: Socio-economic programmes for rehabilitation.
- 9.5. Contract labour- regulation.
- 9.6. Constitutional dimensions of labour standards.

**EIGHTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code BLB80218**

**PAPER-II**

**INTERPRETATION OF STATUTES**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

**Unit I: INTRODUCTION:**

- 1.1. Difference between Construction and interpretation.
- 1.2. Concept and power of interpretation.
  - 1.2.1. Literal Construction.
  - 1.2.2. Other principles of interpretation.
- 1.3. General principles of interpretation:
  - 1.3.1. The Primary rule: Literal construction.
  - 1.3.2. The other main principles of interpretation.
  - 1.3.3. Reading words in their context: the external aspect.
  - 1.3.4. Reading words in content: the statutory aspect.

**Unit II : BENEFICIAL CONSTRUCTION AND RESTRICTIVE CONSTRUCTION:**

- 2.1. Consequences to be considered.
- 2.2. Presumption against change in the common law
- 2.3. Mens rea in statutory offences

**Unit III: THE THEORETICAL OR IDEOLOGICAL APPROACHES TO INTERPRETATION:**

- 3.1. Judicial Restraint.
- 3.2. Judicial activism

**Unit IV: PRESUMPTIONS REGARDING JURISDICTION:**

- 4.1. Presumptions against ousting established jurisdictions.
- 4.2. Presumptions against creating new and enlarging established jurisdictions
- 4.3. How far statutes affect the crown.
- 4.4. Territorial extent of British legislation.
- 4.5. How far statutes conferring rights affect Foreigners.
- 4.6. Presumption against violation of International law.

**Unit V: CONSTRUCTION TO AVOID COLLUSION WITH OTHER PROVISIONS,  
CONSTRUCTION MOST AGGEEABLE TO JUSTICE AND REASON:**

- 5.1. Presumption against intending what is inconvenient or unreasonable.
- 5.2. Presumption against intending in justice or absurdity.
- 5.3. Presumption against impairing obligations, permitting advantage from one's own wrong.
- 5.4. Retrospective operation of statutes.

**Unit VI : EXCEPTIONAL CONSTRUCTION:**

- 6.1. Modification of the Language to meet the intention.
- 6.2. Equitable construction.
- 6.3. Strict Construction of penal Laws.
- 6.4. Statutes encroaching on rights or imposing burdens.
- 6.5. Construction to prevent evasion.
- 6.6. Construction to prevent abuse of powers.

**Unit VII: SUBORDINATE PRINCIPLES:**

- 7.1. Usage and contemporanea expositio
- 7.2. Construction imposed by statute.
- 7.3. Construction of words in bonam pattern
- 7.4. Change of Language.
- 7.5. Understanding associate words in a common sense, and the expression unique.
- 7.6. General words following more specific.
- 7.7. Meaning of some particular expressions.

**Unit VIII: INTENTIONS ATTRIBUTED TO THE LEGISLATURE WHEN IT  
EXPRESSES NONE:**

- 8.1. Imperative and directory and enhancements.
- 8.2. Absolute and qualified duties.
- 8.3. Impossibility of compliance.
- 8.4. Waiver.
- 8.5. Public and private remedies.

**Unit IX: STARE DECISIS:**

- 9.1. The doctrine inherited by us.
- 9.2. Techniques of innovation (subversion) of stare decisis.
- 9.3. Supreme Court's authority to overrule its own decisions (Eg. Antulay Case).
- 9.4. Advisory jurisdiction and its import on precedent.
- 9.5. Prospective overruling in India.
- 9.6. objections to judicial review as anti majoritarian.

**Unit X: STATUTORY INTERPRETATION AND ASPECTS OF JUDICIAL PROCESS:**

- 10.1. Rules of statutory interpretation: their judge made character.
- 10.2. Legal Interpretation as mandatory rule of literal interpretation.
- 10.3. Creativity: Mischief and Golden Rule.
- 10.4. Self-Discipline: Rule of construction in Fiscal and Criminal Statutes.
- 10.5. Technicality: Rules as to necessary and implied repeal: Rules for interpretation of codifying, consolidating and amending statute.
- 10.6. Values and interpretation.

**Unit XI: Constructional interpretation:**

- 11.1. Differentiation from statutory interpretation, Rex Vs. Burah example.
- 11.2. Literal interpretations.
- 11.3. Harmonious construction.
- 11.4. Reference to Constituent Assembly debates.
- 11.5. pith and substance
- 11.6. Occupied field.
- 11.7. Residuary power
- 11.8. Repugnancy
- 11.9. Amending power
- 11.10. Directive Principles as source of Constitutional interpretation.

**EIGHTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code BLB80318**

**PAPER-III**

**INTELLECTUAL PROPERTY LAWS**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

**Unit I: INTRODUCTORY:**

- 1.1. Meaning of Intellectual Property
- 1.2. Competing rationales of the legal regimes for the protection of intellectual property
- 1.3. Main forms of intellectual property-Copyright-Trade Marks, Patents, Designs  
Geographical indications, Merchandise, Franchise and forms of unfair competition.
- 1.4. Competing rationale for protection of rights
  - 1.4.1 Copyright
  - 1.4.2 Trademarks
  - 1.4.3 Patents
  - 1.4.4 Designs.
- 1.5. Introduction to the leading international instruments concerning intellectual property rights: Berne convention, Universal Copyright Convention, the Paris union, the world Intellectual property rights organization (WIPO) and the UNESCO, TRIPS, TRIMS, WTO.

**Unit II: SELECT ASPECTS OF THE LAW OF COPYRIGHT IN INDIA:**

- 2.1. Historical evolution of the law.
- 2.2. Meaning of copyright.
- 2.3. Copyright in literary, dramatic and musical works.
- 2.4. Copyright in Musical works and cinematograph films.
- 2.5. Ownership of Copyright.
- 2.6. Assignment of Copyright.
- 2.7. Author's special Rights.
- 2.8. Notion of Infringement.
- 2.9. Criteria of Infringement
- 2.10. Infringement of copyright by films of literary and dramatic works.
- 2.11. Importation of Infringement.

- 2.12. Fair use provisions.
- 2.13. Video piracy.
- 2.14. Aspects of Copyright Justice.
- 2.15. Remedies, especially the possibility of Anton Pillar Injunctive relief in India.

### **Unit III: INTELLECTUAL PROPERTY IN TRADEMARKS:**

- 3.1. The rationale of protection of trademarks as (a) and aspect of commercial and (b) of Consumer rights.
- 3.2. Definition Conception of Trade Marks.
- 3.3. Registration.
- 3.4. Distinction between Trade Mark and Property Mark.
- 3.5. The Doctrine of Honest Concurrent user
- 3.6. The Doctrine of Deceptive Similarity.
- 3.7. Passing off and Infringement, Criteria of Infringement
- 3.8. Standards of proof in passing-off action.
- 3.9. Remedies.

### **Unit IV: THE LAW OF INTELLECTUAL PROPERTY: Patents:**

- 4.1. Conception of patent.
- 4.2. Historical overview of the patents law in India.
- 4.3. Patentable Inventions with special reference to Biotechnology products entailing creation of new forms of life.
- 4.4. Process of obtaining a patent: Application, examination, opposition, and Sealing of patents: general introduction.
  - 4.4.1. The problem of limited locus stand to oppose, specially in relation to inventions having potential of ecological and mass disasters.
  - 4.4.2. Wrongfully obtaining the invention.
  - 4.4.3. Prior publication or Anticipation.
  - 4.4.4. Obviousness and the lack of Inventive Step.
  - 4.4.5. Insufficient description.
- 4.5. Rights and obligations of a patentee.
  - 4.5.1. Patents as chose in action.

4.5.2. Duration of patent: Law and Policy consideration.

4.5.3. Use and exercise rights.

4.5.4. Right to secrecy.

4.5.5. The notion of “abuse” of patent rights.

4.5.6. Compulsory Licenses.

4.6. Special Categories.

4.6.1. Employee Invention: Law and Policy Consideration.

4.6.2. Combination and selection patents

4.6.3. International patents, Transfer of Technology, know-how and problems of self-reliant development.

4.6.4. Biotechnology patents. {New varieties of plant breeds and medical plants}.

4.6.5. Patents in Nuclear power.

4.7. Infringement.

4.7.1. Criteria of Infringement:

4.7.2. Onus of proof

4.7.3. Modes of Infringement: The Doctrine of colourable variation.

4.7.4. Defences in suits of infringement

4.7.5. Injunctions and related remedies consideration of some aspects of reform in the law of intellectual property:

4.7.6. Information technology and exclusive marketing rights.

## **Unit V: Intellectual property and remedies under Criminal Law.**

**EIGHTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code BLB80418**  
**PAPER-IV**  
**LAND LAWS INCLUDING CEILING AND OTHER LOCAL LAWS**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**Unit I: OWNERSHIP OF LAND- Doctrine of Eminent Domain-Doctrine of Escheat.**

**Unit II: MOVEMENT OF LAW REFORMS:** 2.1.Pre-Independence position - Zamindari Settlement - Ryotwari Settlement -Mahalwari system -Intermediaries - Absentee Landlordism -Large holdings. 2.2.Post-independence Reforms:  
**2.2.1.** Abolition of Zamindaries.  
**2.2.2.** Laws relating to Abolition of Intermediaries.

**Unit III: LAWS RELATING TO ACQUISITION OF PROPERTY AND GOVERNMENTAL CONTROL AND USE OF LAND - LAND ACQUISITION ACT OF 1994.**

**Unit IV: LAWS RELATING TO CEILING ON LAND HOLDINGS:**

**4.1.** Urban Land Ceiling.

**4.2.** Agricultural Land Ceiling.

**Unit V: LAWS RELATING TO TENANCY REFORMS:**

**5.1.** Land to the Tiller

**5.2** Rent control and protection against Eviction.

**Unit VI: LAWS RELATING TO ALIENATION/ASSIGNMENT IN SCHEDULED AREAS:**

**Unit VII: LAWS RELATING TO GRABBING**

**Unit VIII: FOREST LAWS-CONSERVATION OF FOREST ACT.**

**EIGHTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code BLB80518**

**PAPER-V**

**LAW OF BANKING**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

## **1. The Nature and Development of Banking**

History of Banking in India-Evolution. Constitutional perspectives - Union List, entries 36, 37, 38, 43, 44, 45 and 46 - State List, entry 30 of List II

## **2. Nationalisation of Banks:**

Banking Companies (Acquisition and Transfer of Undertakings) Act, 1969 and 1970.

Legislative competence for Nationalisation : Entries 43, 44 and 45 of List I, Entry 42 of List III, Entry 7 and 52 of List I, Entries 24, 26, 27 of List II, 33 of List III, Entries 54, 56 of List I, Articles 19(1)(f), 19(5), 31, 31(1).

Banks before and after Nationalisation: Growth, Assets and Disabilities, efficiency and profitability, Recovery, Frauds in Banks, Bank Robberies.

Banking Ombudsman.

## **3. Relationship of Banker and Customer**

Banker, Banking business, Meaning of Customer, Types of Customers, Types of Accounts. Contract between Banker and Customer, General relation, Legal relation- Their rights and duties. Banker's lien

## **4. Banking instruments:** Bank Notes, Bankers Drafts, Deposit receipts, Letter of Credit, Indemnities, Traveller's cheques, Postal orders, Dividend Warrants, Bonds.

## **5. Law Relating to Banking Companies in India:**

The Banking Companies Act, 1949. Extent and application.

The Banking Regulation Act, 1948: Extent and application Business of Banking companies. Provisions for winding up.

## **6. Reserve Bank of India Act, 1934.**

Characteristics, Functions and Objectives, Legal status and organizational structure functions such as: Banking. Currency, Banker to Government, Exchange Control over non-banking companies and supervision of other Banks (See Sections 17, 18 and 42).

## **7. Cooperative Banking Law:**

Banking Regulation (Cooperative Societies) Rules, 1966 - Cooperative Credit Society Act, 1904 and 1925.

## **8. Foreign Exchange Control and Banking for Non Resident Indians.**

FEMA, 1999, Authorised Dealers in Foreign Exchange: Restrictions on dealing on payment.

## **9. Law Relating to Negotiable Instruments:**

Negotiable Instruments Act, 1881; Meaning; Kinds of Negotiable Instruments - Promissory Notes, Bill of Exchange, Holder-Holder in due course, parties, Negotiation, Presentment, Discharge from liability, Dishonour - Noting and protest. Payment for honour of cheques, Crossing of Cheques, Pledge of stocks, shares, life policies, documents of title to goods - Guarantee and hypothecation.

## **10. Reforms in Indian Banking Law:** The Indian Banking Commission and Banking Laws; Committee of Government of India- their Recommendations.

### **BOOKS RECOMMENDED FOR STUDY:**

1. Paget-Law of Banking
2. Sheldon-Law of Banking
3. Gulati- Banking Companies Act
4. Maheswari- Banking law and practice
5. Ravi R. Mehta- Fundamentals of Banking
6. Promod Kumar Mukargee- Modern Banking Theory
7. B. G. Papapolkar- Banking in India.

**NINTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code BLB90118**  
**PAPER-I**  
**CIVIL PROCEDURE CODE AND THE LIMITATION ACT**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**1. INTRODUCTION:**

- 1.1 The conceptions of Civil Procedure in India before the advent of the British Rule
- 1.2 Evolution of Civil Procedure from 1712 to 1901,
- 1.3 Principal features of the Civil Procedure Code, 1908
- 1.4 Importance of State Amendments
- 1.5 Types of Procedures –Inquisitorial & Adversarial-Importance of observance of procedures.

**2. SUITS:**

- 2.1 Concept of Law Suit
- 2.2 Order I, Parties to Suit
- 2.3 Order II, Frame of Suit
- 2.4 Order, IV, Institution of Suits
- 2.5 Bars of Suit: Doctrines of res sub judice & res judicata
- 2.6 Place of Suing (Section 15-20) - Territorial Jurisdiction.
- 2.7 “Cause of Action” and Jurisdictional Bars
- 2.8 Summons (Sections 27,28,31, orders V,VI,IX)
- 2.9 Service of Foreign Summons (Section 29)
- 2.10 Power for order (Section 30, Order XI)

**3. PLEADINGS:(ORDERVI)**

- 3.1 Material Facts
- 3.2 Forms of Pleadings
- 3.3 Condition Precedent

3.4 Presumptions of Law

3.5 Striking out / amendment

#### **4. PLAINT:(ORDERVII)**

4.1 Particulars (esp. in money suits / suits for immovable property)

4.2 Showing of defendant's interest and liability

4.3 Ground of limitation

4.4 Return of plaint

4.5 Rejection of plaint

4.6 Production and listing of documents

4.7 Written statement

4.8 Counter - claim

4.9 Set-off

4.10 Framing of issues

#### **5. APPEARANCE AND EXAMINATIONS:**

5.1 Appearance

5.2 Ex parte procedure

5.3 Default of Parties

5.4 Summoning and attendance of witnesses

5.5 Examination

5.6 Admissions

5.7 Production, Impounding and return of documents

5.8 Hearing

5.9 Affidavit.

#### **6. ADJOURNMENTS:**

61. Order XVII

62. Adjournment, judicial discretion and Problems of arrears

## **7. JUDGEMENT AND DECREE:**

- 7.1 Concepts of Judgment, Decree, and Interim Orders and stay
- 7.2 Injunctions
- 7.3 Appointment of Receivers
- 7.4. Costs.

## **8. EXECUTION:(ORDER.XXI)**

- 8.1 Concept of "Execution"
- 8.2 General Principles of Execution
- 8.3 Power of Execution of Decrees (Rules 38-46)
- 8.4 Procedure for Execution (Rules 51-54)
- 8.5 Enforcement: Arrest and Detention (Sections 55-59)
- 8.6 Attachment (Rules 60-64)
- 8.7 Sale ( Rules 65-67)

## **9. SUITS IN PARTICULAR CASES:**

- 9.1 Suits by or against Government (Sections 79-82)
- 9.2 Suits by Aliens
- 9.3 Suits by or against Foreign Rulers, Ambassadors (Sections 91-93)
- 9.4 Suits relating to public matters.
- 9.5 Incidental and supplementary Proceedings (Sections 75-78,94-95)
- 9.6 Suits against Minors, persons with unsound mind, indigent persons etc.
- 9.7 Interpleader suits.

## **10. APPEALS:**

- 10.1 Appeals from original Decrees (Sections 96-99- and Order XLI)
- 10.2 Appeals from Appellate Decrees (Sections 100-101)
- 10.3 Appeals from Orders (Sections 104-106 and Order XLIII)
- 10.4 General Provisions Relating to Appeals (Sections107-108)
- 10.5 Appeals to Supreme Court (Sections 109&112)

## **11. COMMISSIONS:**

11.1 The rationale of commissions

11.2 Order XXVI

11.3 Socio-Legal Commissions of Inquiry in “Social Action” or “Public Interest Litigation”

## **12. LAW REFORMS**

## **13. LIMITATION**

13.1 Concept of Limitation – Why Limitation?

13.2 General Principles of Limitation

13.3 Extension - sufficient cause – condonation of delay

13.4 Acknowledgements

13.5 Legal disability–When comes to an end?

13.6 The Limitation Act, 1963 (Excluding Schedules).

13.7 Exclusion of time

**NINTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code BLB90224**

**THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023, JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015 AND PROBATION OF OFFENDERS ACT, 1958**

**University Theory Examination: 70M  
Internal Assessment: 30 M**

**UNIT-1 :**

- 1.1 Need for Bharatiya Nagarik Suraksha Sanhita and changes introduced by it & how it differs from the CrPc, 1973 & changes introduced by the Bharatiya Nagarik Suraksha Sanhita.

**UNIT - 2: Bharatiya Nagarik Suraksha Sanhita 2023 and its aims and objectives**

- 2.1 The rationale of Criminal Procedure the importance of Fair Trail
- 2.2 Constitutional Perspectives - Articles 14, 20 & 21
- 2.3. The variety of Criminal Procedures
- 2.4. The organization of Police, Prosecutor, Defence Counsel and Prison Authorities their Duties, Functions and Powers
- 2.5 Types of Procedures-Inquisitorial & Adversary - Importance of Procedure.

**UNIT-3: PRE- TRIAL PROCESS: ARREST, SEARCH & SEIZURE, FIR**

- 3.1 The distinction between "Cognizable" and "non-cognizable" offences - relevance and Adequacy problems.
- 3.2 Steps to ensure accused's presence at trial of warrant and Summons cases.

- 3.3. Arrest with and without Warrant (sections 72, 75 and 35)
- 3.4 The absconder status (section 84, 85, 87 and 88)
- 3.5. Rights of the arrested
  - 3.5.1 Right to be informed of Grounds of arrest (Sections 61, 55, 77)
- 3.6. Right to be taken to magistrate without Delay (Sections 57, 58)
- 3.7 Right of not being detained for more than twenty-four hours (Section 58), Articles 22 (2) of the Constitution of India
- 3.8. Right to consult legal practitioner and legal aid
- 3.9. Right to be...examined by a Medical Practitioner (section 53)
- 3.10. Search Warrant (Sections 96, 97, 100, 101) and Searches without Warrant (Section 108)
- 3.11 Police search during investigation (Sections 185 and 186)
- 3.12 General Principles of Search
- 3.13. Search and Seizure (Section 106)
- 3.14. Constitutional aspects of validity of Search and Seizure proceedings.
- 3.15 FIR (Section 173) and Zero FIR
- 3.16. Evidentiary value of FIR under Bharatiya Sakshya Adhiniyam, 2023
- 3.17 Magisterial Powers to take cognizance
- 3.18 Police Custody
- 3.19 Compulsory video recording of crime scene

#### **UNIT - 4: TRIAL PROCESS: (FAIR TRIAL, CHARGE, PLEAS, TRIAL BEFORE COURT OF SESSIONS)**

- 4.1 Commencement of Proceedings (Sections 223, 224, 225)
- 4.2 Dismissal of Complaints (Sections 226, 227)
- 4.3. Bail
  - 4.3.1 "Bailable" and "Non Bailable" offences (Sections 478, 480, 483)
  - 4.3.2 Cancellation of Bails
  - 4.3.3 Anticipatory bail (Section 482)
  - 4.3.4. Appellate bail Powers-suspension of sentence

4.3.5 General Principles concerning Bond (Sections 485-496)

4.3.6. Constitutional Principles regarding Bail

4.4. Concept of Fair Trial

4.5. Presumption of innocence

4.6. Venue of trial (Sections 197-209)- Jurisdiction of Criminal Courts.

4.7 Right of Accused to know the Accusation

4.8. The trial must generally be held in accused's presence (Sections 228, 308, 355)

4.9 Right to Cross examine and to offer evidence in defence.

4.10. Constitutional interpretation of Article 21 read with 39A as a right to speedy trial.

4.11 Form and Content of Charge (Sections 234, 235 and 239)

4.12. Separate charges for distinct offences (Sections 241, 242, 243, 244 and 246)

4.13. Jurisdiction (Sections 21, 197-208, 507, 508 and 81)

4. 14. Time Limitations: Rationale and Scope (Sections 514-519)

4.15. Pleas of Autrefois Acquit and Autrefois Convict (Sections 337, Article 20(2) of the Constitution of India)

4. 16. Procedural steps and substantive rights under Sections 249-259

## **UNIT - 5: JUDGEMENT, APPEALS & REVISION, PROBATION, PAROLE**

5.1 Form and Content (Section 393)

5.2 Summary trial (Section 389)

5.3. Post-Conviction orders in lieu of punishment - Emerging penal policy (Sections 401 and 25)

5.4. Compensation and Cost (Sections 395 and 399)

5.5. Modes of providing judgment (Sections 392, 403 and 404)

5.6. No appeal in certain cases (Sections 413,416 and 417)

5.7 The rationale of Appeals Review, Revisions.

5.8. The multiple ranges of appellate remedies

5.8.1 Supreme Court of India (Sections 415 and 420, Articles 132, 134 of Constitution of India)

5.8.2. High Court (Section 415)

5.8.3. Sessions Court (Section 415)

5.8.4. Special right to Appeal (Section 421)

5.8.5. Governmental Appeal against Sentencing (Sections 418 and 419)

5.8.6. Judicial Powers in disposal of Appeals

5.8.7. Legal Aid in Appeals.

5.9.1 Problems and principles in Probation

5.9.2 Suspension of sentence in Probation

5.10.1 Meaning of Parole

5. 10.2. Authority granting Parole

5.10.3. Supervision of Parole

5.10.4. Conditional release on Parole

## **UNIT-6: PROCEDURES UNDER PROBATION OF OFFENDERS ACT, 1958 AND JUVENICE JUSTICE ACT**

6.1 Procedures under Juvenile Justice Act.

6.2 Juvenile Justice System

6.3. Treatment and rehabilitation of Juveniles

6.4. Juvenile- adult crimes

6.5. Protection of Juvenile offenders-Legislative and Judicial role

6.6. Concept of Juvenile Delinquency

**NINTH SEMESTER OF 5 YEAR B.A.LL. B**  
**Paper Code BLB90324**  
**THE BHARATIYA SAKSHYA ADHINIYAM 2023**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

The evaluation pattern for the following subject is 70 marks for semester examination and 30 marks for internals.

**UNIT I : INTRODUCTION:**

- 1.1 Concept of Evidence
- 1.2 Bharatiya Sakshya Adhinyam: Historical background, reason & objective of law of evidence.
- 1.3 Important changes brought by BSA to Law of Evidence.
- 1.4 Comparative Analysis of Indian Evidence Act 1872 and Bharatiya Sakshya Adhinyam, 2023.
- 1.5 The fundamental principles of the law of evidence.
- 1.6 Nature and purpose of law of evidence in civil and criminal cases.

**UNIT II: CONCEPTUAL BACKGROUND:**

- 2.1 Definitions.
- 2.2 Distinction between Proved, Disproved & Not Proved.
- 2.3 Distinction between May Presume, Shall Presume & Conclusive Proof.
- 2.4 Division of evidence – Direct, Indirect, Real, Personal, Original, Hearsay, Primary, Secondary, Oral, Documentary, Judicial & Extrajudicial.

**UNIT III: RELEVANCY & ADMISSIBILITY OF FACTS:**

- 3.1 Facts, Distinction between relevant facts and facts in issue.
- 3.2 Doctrine of Res Gestae.
- 3.3 Evidence of Common Intention – relating to conspiracy.
- 3.4 Facts otherwise irrelevant when relevant.
- 3.5 Relevant facts for proof of custom.
- 3.6 Facts concerning mental state or body.
- 3.7 Admission and Confession.

#### **UNIT IV: RELEVANCY & ADMISSIBILITY OF FACTS:**

- 4.1 Statements by persons who cannot be called as witnesses.
- 4.2 Statements made under special circumstances.
- 4.3 How much of a statement is to be proved.
- 4.4 Relevance of judgment
- 4.5 Opinion of third person when relevant
- 4.6 Character when relevant

#### **UNIT V: ON PROOF & BURDEN OF PROOF**

- 5.1 Facts which need not be proved.
- 5.2 Oral Evidence.
- 5.3 Documentary Evidence.
- 5.4 Electronic evidence.
- 5.5 Presumptions as to documents.
- 5.6 Exclusion of oral by documentary evidence
- 5.7 Burden of Proof

#### **UNIT VI: ELECTRONIC OR DIGITAL EVIDENCE:**

- 6.1 Definition and Scope of Electronic or Digital Evidence.
- 6.2 Types of Electronic or digital evidence.
- 6.3 Relevance and admissibility in legal proceedings.

#### **UNIT VII: ESTOPPEL & WITNESSES:**

- 7.2 Estoppel.
- 7.3 Who may testify.
- 7.3 Judicial privileges.
- 7.4 Privileged Communication.
- 7.5 Rules relating to production of title deeds & documents or electronic records.
- 7.6 Accomplice and rules regarding evidence of an accomplice.
- 7.7 Examination of witnesses.
- 7.8 Appreciation of evidence.
- 7.9 Improper admission & rejection of evidence

#### **RECOMMENDED BOOKS: ( The latest edition )**

- 1. Ratanlal and Dhirajlal's The Law of Evidence, Lexis Nexis.
- 2. Dr. Avtar Singh Indian Evidence Act, Central Law Publications.
- 3. Batuk Lal, Law of Evidence, Central Law Agency.
- 4. Rameshwar Dayal: Commentaries on Indian Evidence Act, Allahabad Law Agency.
- 5. V. P. Sarathi's Law of Evidence, Eastern Book Company

**NINTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code BLB90418**

**PAPER-IV**  
**ARBITRATION, CONCILIATION AND ALTERNATE DISPUTERE**  
**SOLUTION SYSTEMS**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**1: JUDICIALDISPUTE RESOLUTIONS:**

- 1.1 Characteristics
  - 1.1.1 Operating Principles
    - 1.1.1.1 Party participation and Control
    - 1.1.1.2 Short focus on Issues
    - 1.1.1.3 Reasoned Decision
    - 1.1.1.4 Finality
  - 1.1.2 Adversary Process
- 1.1.3 Why courts do and do not do effectively?
- 1.2 Advantages and Disadvantages of such resolution

**2. ALTERNATE DISPUTERE SOLUTION:**

- Alternate to formal adjudication-Techniques processes
  - 2.1.1 Unilateral-Bilateral - Triadic (Third party) Intervention
- 2.2 Advantages - Limitations
- 2.3 Negotiations
- 2.4 Conciliation
- 2.5 Distinction Between Arbitration-Conciliation and Negotiation

**3. DISTINCTION BETWEEN JUDICIAL SETTLEMENT AND ALTERNATE DISPUTE RESOLUTION:**

**4. THE ARBITRATION AND CONCILIATION ACT, 1996**

- 4.1 Background of the Act
- 4.2 Efforts of United Nations commission on International Trade Law
- 4.3 Model Arbitration Law
- 4.4 Recommendations of Law Commissions of India.

**5. ARBITRATION**

- 5.1 Definitions of "Arbitration". "Arbitrator", "Arbitration Agreement"
- 5.2 Appointment of "Arbitrator"
- 5.3 Grounds for challenging the arbitrator
- 5.4 Termination of Arbitrator.

## **6. PROCEEDINGS IN ARBITRAL TRIBUNALS:**

- 6.1. Arbitral Award
- 6.2 Termination of Proceedings
- 6.3 Setting aside of Arbitral Award
- 6.4 Finality and Enforcement
- 6.5 Appeals
- 6.6 Power of the High Court to make rules

## **7. ENFORCEMENT OF FOREIGN AWARDS:**

New York and Geneva Convention Awards

## **8. CONCILIATION:**

- 8.1 Meaning and Definition
- 8.2 Appointment of conciliators
- 8.3 Powers and functions of conciliators
- 8.4 Conciliation agreements
- 8.5 Conciliation Proceedings
- 8.6 Enforceability

## **9. ALTERNATE MODES OF DISPUTE RESOLUTIONS:**

- 9.1 Role of Panchayat
- 9.2 Role of Grama Sabhas
- 9.3 Lokpal-Lokayukta
- 9.4 Lok Adalats
- 9.5 Family Court-Counselling centers
- 9.6 Tribunals

## **10. LEGAL SERVICES AUTHORITY**

### **ROLE OF N.G.OS IN DISPUTE RESOLUTION**

**NINTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code BLB90518**

**PAPER-V**

**LAW OF INSURANCE**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

**Unit-1 :** Basic principles and concepts of Insurance, Insurance - Definition and meaning of the term - Insurance Distinguished from wager and conditional contracts - History of Insurance in England and India in brief-outline - Kinds of Insurance: Life, Fire and Marine, Accident, Burglary and other Insurance - Construction of Insurance Policies - Subject matter of Insurance - The Risk - The Premium -Double Insurance - Reinsurance - Conditions in Insurance - Non-Disclosure, Misrepresentation, Waiver and estoppel - contribution-Subrogation.

**Unit: 2 LIFE INSURANCE :** Basis of the contract - event insured against -circumstances affecting the risk -assignment of life policies-payment under life policies.

**Unit: 3 FIRE INSURANCE:** Perils insured against -Proximate cause-Interest in particular cases- Assignment of Interest -Reinstatement -Salvage.

**Unit: 4 MARINE INSURANCE:** Peril insured against-Assignment of policy -Avoidance of policy - General average-Measures of loss for which insurers are liable-Total loss-Redemption.

**Unit-5:** Regulatory framework over the insurance sector, The I R DA-its constitution, powers and functions and Insurance Ombudsman.

**BOOKSFORSTUDY:**

1. K.S.N.MURTHY:MODERN LAW OF INSURANCE IN INDIA
2. E.W.PATTERSON: ELEMENTS OF INSURANCE LAW
3. MACGILL : INSURANCE LAW
4. McARNOLD: LAW OF MARINE INSURANCE

**TENTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code BLB100118**

**PAPER -I**

**LAW OF TAXATION**

**University Theory Examination: 70M**

**Internal Assessment: 30 M**

**Unit- I:** Definition of Tax; Objects; Kinds of Taxes – Direct and indirect; Relation with Duty; Cess; Fee; Fine.

**Unit- II:** Indian Constitution – Tax Laws – Articles 14, 19(1)(g); Central State Financial relations.

**Unit-III: Income Tax:**

1. Definitions: Assessee; Assessment year; Previous year; person; Income; Total Income; Agricultural Income; Assessment.
2. Residential Status and Tax incidence.
3. Heads of Income:
  - A. Income from Salary and Perquisites: Rent free accommodation; Free gas ; electricity; Water ; Free education; Free transport; Interest Free loan.
  - B. Income from House Property
  - C. Kinds of income chargeable to tax under the head “Profits and Gains of Business and deductions.
  - D. Capital Gains: Long term and short term Capital Gains; Capital Gains Exempted from income tax.
  - E. Income from other Sources.
4. Return of Income; Self – Assessment; Summary Assessment; Best Judgment Assessment; and Reassessment.
5. Appeals and Revisions.

**Unit- IV: Goods and Service Tax:**

1. **Introduction:** Constitutional Frame Work; Structure of GST; GST council,
2. **Important definitions:** Aggregate Turnover; Assessment; Capital goods; Casual taxable person; Credit note; Debit note; Exempt Supply; Input tax; Job work; Non- Taxable Supply; output tax; Tax invoice; Taxable Supply; Works Contract.
3. **Registration:** Persons liable for Registration –Procedure – Amendment and Cancellation of Registration.
4. **Returns:** Furnishing of Returns; Annual Return; Final Return; Levy of Late Fee.
5. **Assessment:** Self- Assessment; Provisional Assessment; Assessment of non- filers of Returns.
6. **Powers:** Power of inspection, Search and Seizure, inspection of goods in movement, power of Arrest, Access to business premises.
7. Offences and penalties.

**Unit-V: Customs Duty:**

Nature of Customs Duty, Background and types of customs duties.

**TENTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code BLB100118**  
**PAPER -I**  
**WOMEN AND THE LAW**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**Unit – I Historical Background**

- 1.1 Status of Women in India
- 1.2 Role of Women in Ancient India
- 1.3 Ancient Women & Education
- 1.4 Historical Practices
  - Sati
  - Purduah
  - Devadasi
  - Bhogahstrees
- 1.5 The Changing Status of Women
  - Growing Need for Women Empowerment
  - National Commission for Women

**Unit – II - Women & the Constitution of India**

- 2.1 Preamble of the Indian Constitution
- 2.2 Equality Provisions in Fundamental Rights & Directive Principles of State Policy
- 2.3 Different Personal Laws regarding Marriage, Divorce & Succession in Hindu, Muslim & Christian Laws
- 2.4 Uniform Civil Code towards Gender Justice.

**Unit – III Criminal Law - Crimes against Women**

- 3.1 Adultery
- 3.2 Rape & Bigamy, Cruelty
- 3.3 Acid Attacks
- 3.4 Matrimonial Cruelty under Bharatiya Nyaya Sanhita, 2023.
- 3.5 Dowry Prohibition Act of 1961 - Dowry Death and Dowry Suicide.

## **Unit - IV Termination of Pregnancy & Female Child -**

4.1 Amniocentesis

4.2 Female Infanticide & Foeticide

4.3 Women and Employment Special Provisions Labour Laws regarding Women

4.4 Inadequate implementation of protective labour legislation

4.5 Matrimonial property.

### **BOOKS FOR STUDY :**

1. S.P.SATHE : TOWARDS GENDER JUSTICE
2. DR.VIJAY SHARMA : PROTECTIONS TO WOMEN  
IN MATRIMONIAL HOME
3. DR.SAROJINISAXENA : FEMIJURES (LAW RELATING  
TO WOMEN IN INDIA)
4. DR.ARCHANAPARASHER : WOMEN AND FAMILY LAW  
REFORM IN INDIA
5. MALLADISUBBAMMA : WOMEN AND SOCIAL REFORM
6. DR.PARAS DIWAN : DOWRY AND PROTECTION  
TO MARRIED WOMEN

**TENTH SEMESTER OF 5 YEAR B.A.LL.B**  
**Paper Code BLB100218**  
**PAPER -II**  
**DRAFTING, PLEADINGS AND CONVEYANCING**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

Class room instructions and simulation exercises on the following items shall be extended:

- a) Drafting:**  
General principles of drafting and relevant substantive rule shall be taught.
- b) Pleadings:**
  - 1. Civil:**
    - (i) Complaint
    - (ii) Written Statement
    - (iii) Inter locutory Application
    - (iv) Original Petition
    - (v) Affidavit
    - (vi) Execution Petition
    - (vii) Memorandum of Appeal and Revision
    - (viii) Petition under Article 226 and 32 of the Constitution of India.
  - 2. Criminal:**
    - (i) Complaints
    - (ii) Criminal Miscellaneous Petition
    - (iii) Bail Application and
    - (iv) Memorandum of Appeal and Revision.
- c) Conveyance:**
  - (i) Sale Deed
  - (ii) Mortgage Deed
  - (iii) Lease Deed (iv) Gift Deed
  - (iv) Promissory Note
  - (v) Power of Attorney
  - (vi) Will

**TENTH SEMESTER OF 5 YEAR B.A.LL. B**  
**Paper Code BLB100318**

**PAPER -III**  
**PROFESSIONAL ETHICS, ACCOUNTANCY OF LAWYERS**  
**AND BAR - BENCH RELATIONS**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**Unit-I: INTRODUCTION:**

- 1.1. Law and Legal profession - Development of Legal profession in India.
- 1.2 Right to practice - a right or privilege? Constitutional guarantee under article 19(1)(g) and its scope.

**Unit-II: REGULATIONS ON ENROLMENT AND PRACTICE:**

- 2.1 Regulation governing enrolment and practice.
- 2.2 Practice of Law-Whether a business?
- 2.2 Solicitors firm - Whether an Industry.
- 2.3 Elements of Advocacy.

**Unit-III: ETHICS:**

- 3.1 Seven lamps of advocacy.
- 3.2 Advocates duties towards Public, Clients, Court, towards other advocates and Legal Aid.
- 3.3 Bar Council Code of Ethics.

**Unit-IV: DISCIPLINARY PROCEEDINGS:**

- 4.1 Professional misconduct – disqualifications.
- 4.2 Functions of Bar Council of India / State Bar Councils in dealing with the Disciplinary proceedings.
- 4.3 Disciplinary Committee.
- 4.4 Disqualifications and removal from rolls.  
(50 selected opinions of the Disciplinary Committees of Bar Councils and 10 major Judgments of the Supreme Court on the subject to be covered.)

**Unit-V-BAR-BENCH RELATIONS**

**Unit-VI: ACCOUNTANCY OF LAWYERS:**

- 6.1 Nature and functions of accounting.
- 6.2 Important branches of accounting.
- 6.3 Accounting and Law.

6.4 Use of knowledge of accountancy in Legal Disputes especially arising out of Law of Contracts, Tax Law, etc.

6.5 Accountancy in Lawyers office/firm:

6.5.1 Basic financial statements. - Income & Loss account-Balance sheet - Interpretation There of - Feature of Balance sheet.

6.5.2 Standard Costing.

**TENTH SEMESTER OF 5 YEAR B.A.LL.B**

**Paper Code BLB100418**

**PAPER -IV**

**MOOT COURT**

**ORAL EXAMINATION: 70M**

**COURT OBSERVATION CUM VIVA VOCE: 30 M**

Two Hypothetical legal problems on civil and criminal law will be given to the students in advance and on which each student should make his/her arguments, besides submitting written memorials. The Moot Court Exam will be conducted by a panel of three experts nominated by the University.

**Tenth Semester of 5 Year B.A.LL.B**  
**Paper Code: BLB100518**  
**PAPER - V**  
**PUBLIC INTEREST LAWYERING, LEGAL AID AND PARA**  
**LEGAL SERVICES**

**University Theory Examination: 70M**  
**Internal Assessment: 30 M**

**UNIT 1 : INTRODUCTION**

- Public Interest Lawyering
- Social obligations of Advocates
- Law Office Management
- E-justice system and Use of I.C.T tools in legal profession

**UNIT II: LEGAL AID**

- Concept of Legal Aid
- Constitutional Provisions
- Landmark Judicial Decisions
- Legal Services Authorities Act Objects, Reasons, Salient Features
- Legal Services Authorities: National, State and District levels

**UNIT III: LOK ADALAT AND PARA LEGAL SERVICES**

- Lok Adalat
- Permanent Lok Adalat
- Para-Legal Services : Concept and Development
- Para Legal Services in other countries
- Para Legal Services in India : Para Legal Services Scheme

**UNIT IV: PUBLIC INTEREST LITIGATION: CONCEPT AND DEVELOPMENT**

- Concept of Public Interest Litigation
- Origin and Evolution of Public Interest Litigation
- Advantages, Disadvantages and Limitations of PIL
- Judicial contribution to the development of PIL in India
- Guidelines to prevent misuse of PIL
- Precautions necessary for a lawyer before filing PIL

## **UNIT V: CONTRIBUTION OF PUBLIC INTEREST LITIGATION IN SPECIFIC AREAS**

- For protection of rights of prisoners
- For protection of marginalized sections; women, children, workers, LGBT community
- For Environmental Protection
- For misuse of public authority and powers
- For addressing problem of bonded labour.

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