

**LL.B. THREE YEARS (SIX SEMESTER)**  
(Applicable from the academic year 2009-10 onwards)

**Ordinance**

(General Rules, Examination Regulations and Course of Study  
with Amendments)

**M.J.P. Rohilkhand University, Bareilly**  
**U.P. - 243006**

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Date: 10/07/2019  
Faculty of Legal Studies  
MJPRU, Bareilly

**General Rules for LL.B. (Three Year) {Six Semester} Degree Course  
(Session 2009-10 and onwards)**

WHEREAS, it is necessary to adopt and implement the revised curriculum and rules formulated by the Bar Council of India, M.J.P. Rohilkhand University, Bareilly hereby adopts LL.B. Three Years (Six Semester) Degree Course of Study and frames the following general rules for the implementation from the academic year 2009-10 onwards.

**(i) Eligibility for Admission:**

A candidate will be eligible for admission to LL.B. class if he/she has completed BA/B.Sc/B.Com or any other bachelor's degree recognized by M.J.P. Rohilkhand University and has secured not less than 45% marks at Graduate level. However, for SC/ST candidate minimum percentage of marks will be 40%.

**(ii) Admission Procedure:**

Admission to LL.B. First Semester will be made strictly on the basis of the merit list prepared according to the percentage of the marks obtained by candidates in the qualifying examination plus the weightage, if any, for which the candidate may be entitled as per University Rules. The percentage will be calculated upto three figures after decimal point.

**(iii)** To determine the merit for admission of such candidates who have secured equal marks in the qualifying examination, the percentage of marks secured by the candidate at the intermediate or equivalent examination will be the determining factor of merit for admission.

If the marks obtained at the intermediate or equivalent examination by two or more candidates are the same, in that case the candidates senior in age will get preference in the merit list.

**(iv)** Reservation and weightage shall be as per University Rules.

**Unquote (Justification):**

1. Since the number of candidates applying for entrance examination for admission to LL.B. is less than three times of the available seats in affiliated colleges, there is no need for entrance examination.
2. It has been observed in previous years that a lot of time is wasted in the process of entrance examination and counseling, and still most of seats in various affiliated colleges could not be filled by the university; hence, this system is of no utility in such circumstances.
3. A significant majority of candidates, who apply for admission to this course are graduates from the Mahatma Jyotiba Phule University; so we can rely on the examination results of the same university.

**(v) Prohibition to register for two regular courses of study:**

No students shall be allowed to simultaneously register for a law degree programme with any other graduate or post graduate degree programme run by M.J.P. Rohilkhand University or any other University or an Institute for academic or professional learning.

**(vi) Age on admission:**

Bar Council India has recommended for maximum age on admission to LL.B. Course; however, these are only recommendatory and not mandatory. Since M.J.P. Rohilkhand University is an affiliating University for LL.B. Course, the Faculty Board is of the view that maximum age bar is not feasible as of now. However, the Vice Chancellor, M.J.P. Rohilkhand University may take final decision regarding age on admission keeping in view the recommendation provided in Schedule III Para 28 of Bar Council India Rules of Legal Education after necessary deliberations.

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**(vii) Attendance:**

No student of LL.B. programme shall be allowed to take the end semester examination if the students concerned has not attended minimum of 75% of the classes held as also the moot court room exercise, tutorials and practicals conducted in the subject taken together.

Provided that if a student for any exceptional reasons failed to attend 75% of the classes held in any subject, the Principal of the College may allow the student after approval from the Vice-Chancellor of M.J.P. Rohilkhand University, if he/she attended at least 66% of the classes held.

**(vii) Overriding Effect:**

The relevant UGC/BCI Rules (as amended from time to time) shall be binding on the University.

**LL.B. (Three Year: Six Semester) Programme**

**Rules for Promotion, Exemption, Back Paper including Rules for Improvement etc. to be effective from Session 2009-10**

**(A) Curriculum and Duration of Studies:**

1. The Three Year degree course in law, namely Bachelor of Laws (LL.B.) shall be divided in Six Semester.
2. The curriculum of studies of the LL.B. Degree shall comprise of the courses set out hereinafter **schedule A**.
3. The course content of each paper of study shall be such as set out hereinafter **schedule B**.

Provided that the Board of Studies in Law may make such changes in content of the course of study as and when it deems it necessary and report the matter to the Faculty Board of Law for approval.

4. The curriculum of study for the LL.B. three year degree course shall be spread over three academic years, and shall be divided into six semester for the examination purposes called as First, second, third, fourth, fifth and sixth semester. Each academic year shall be divided into two semesters.
5. Each semester course shall be conducted in not less than 15 weeks with not less than 30 class hours per week, including tutorials, moot court, seminars, workshops and special lectures provided there shall be at least 24 lecture hours per week as prescribed by the Bar Council of India.

**(A) Examination**

1. In every Semester in each paper/practical, as the case may be, maximum marks shall be 100 while minimum pass marks in each paper shall be 36% individually and 45% in aggregate i.e., total of all papers, as the case may be, of that Semester taken together.
2. A candidate shall be examined in 20 compulsory and six optional theory papers and one General English and Legal Language paper from first to sixth semester carrying 90 marks for each paper through written examination conducted by the University and 10 marks in each paper shall be of tutorial/ written assignments.
3. A candidate shall be examined for tutorial/ written assignments by two examiners, of which one shall be internal and one external. External examiners shall be appointed batch wise by the university for each Semester. Internal examiners of each paper shall conduct examination of the concerned paper for tutorial/ written assignments with the same External examiner in a particular batch.

  
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The Examination Committee, in pursuance of its Resolution no. 4 in its meeting held on 01.04.2010, unanimously revise the evaluation process of the Tutorial/Written Assignment as follows :

1. The provision of a Tutorial of 10 marks in each subject is maintained as per the guidelines of the Bar Council.
2. The marks of the Tutorial shall be awarded by the teacher teaching the concerned subjects and such teacher must be recognized/approved, selected by a due process/approve by the university.
3. Out of the prescribed 10 marks for the Tutorials, 5 marks should be awarded on the basis of the attendance and performance of the student in the group discussion and, 5 marks on the basis of his written assignment and presentation. In reference to the marks awarded on the basis of the attendance, It is clarified that these marks should be awarded only to those students who have maintained more than 75% class room attendance.
4. The marks awarded on the basis of attendance should be based on verifiable records (such as the Attendance register).
5. In case, the marks awarded in Tutorials are less than 30% or more than 80%, the normalization process may be adopted to make the same justifiable.

The above text (decision of Examination Committee) has been sent all concern Colleges vide letter No. – Ru. Vi./Gop./2010/12336-350 dated 05.04.2010 for immediate compliance.

4. The four compulsory practical Papers as prescribed in III, IV, V and VI semesters carrying 100 marks shall be examined as prescribed in the contents of the papers by two examiners, of which one shall be internal and one external.



5. Division shall be awarded on the combined result of examinations of all the Semester. Those of the successful candidates who obtain 45% and upwards and below 60% of the total marks obtainable shall be placed in the SECOND DIVISION and those of the successful candidate who obtain 60% and upwards of the total marks obtainable shall be placed in the FIRST DIVISION.
6. **Grace Marks:** A candidate may be given five marks as grace marks in individual paper or in aggregate, as the case may be, if these grace marks enable him to pass the examination of that Semester.

7. **Promotion:**

**LL.B. 3-years (six semester) degree course**

7. (a) **Promotion :**

(1) No student shall be promoted to the next semester if he/she has been detained in the examination for shortage of attendance.

(2) All candidates who have had the minimum required percentage of attendance in the First Semester, filled up the examination form and appeared in the first semester examination will be promoted to Second Semester. The same rules of promotion will be applicable to the examinees of the third to fourth semester and fifth to sixth semesters as well.

(3) A student shall be promoted in six semester only after passing in a minimum of eight papers of the first and second semester together with a minimum of 45% marks in aggregate in the eight papers (he/she had passed). The remaining two papers in which the student has failed or dropped out will not be taken into count.

(4) Similarly, a student shall be admitted in the Fifth semester only after passing a minimum of eight papers of the their and fourth semester, together, with 45% marks in aggregate in the eight papers (he/she had passed). The

remaining two papers in which the student has failed or dropped out will not be taken into count.

However, under any circumstances, the student will not be admitted in the Fifth semester; unless and until he/she passed his first and second semester.

#### **7. (b) Back Paper :**

(1) Students will be allowed to appear in only two papers in each year (the 1<sup>st</sup> & II<sup>nd</sup> Semester, III<sup>rd</sup> & IV<sup>th</sup> semester and V<sup>th</sup> & VI<sup>th</sup> semester) as back paper in the next forthcoming semester examinations.

(2) The back paper facility to reappear in a semester examination of any two papers only shall be available to a candidate who failed in any two individual papers in Semester examination or to a candidate who passed in all individual papers but could not reach the aggregate marks to pass the semester.

(3) A candidate who is allowed to reappear 2 times in the examination in two papers no one of any semester for academic semester in the examination in accordance with above rules shall appear in the next examination of those papers along with the regular examination of the Semester to which he was promoted.

#### **7. (c) Ex-students**

(1) A candidate who has failed in more than two papers or/and has failed to obtain a minimum of 45% marks in aggregate in eight papers (1<sup>st</sup> & II<sup>nd</sup> semester), (III<sup>rd</sup> & IV<sup>th</sup> semester), (V<sup>th</sup> & VI<sup>th</sup> semester) as per the Rules of Promotion, he shall be allowed to appear as an ex-student in the concerned Semester.

(2) A candidate who has failed in the examination but is eligible for back paper facility may also be allowed to appear in the examination as an ex-student; however, if he wants to appear as an ex-student or otherwise appears as

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an ex-student in the examinations, he shall not be granted promotion to the next Semester.

(3) A candidate shall be allowed to appear as ex-student/back paper for not more than three attempts in that paper subject to the condition that he will have to clear the LL.B. in maximum of Six Years. If he fails to pass the examination during this period, he will be deemed to have abandoned the course and shall not be readmitted.

### **8. Readmission:**

- I. There shall be no readmission in the first, third and fifth semesters.
- II. A student, who has failed in examination or failed to appear in the examination and who is otherwise eligible to appear in the examination as an ex-student shall not be admitted as a regular student.

### **9. Improvement:**

No improvement allowed in any semester as any level.

### **10. Left out Practical :-**

If a candidate drops his/her practical exam of any semester. He may appear in left out practical exam within six years of period from admission date.

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## **SCHEDULE-A**

### **(Curriculum)**

#### **LL.B. THREE YEAR (SIX-SEMESTER) DEGREE COURSE OF STUDY**

##### **LL.B. First Semester**

- Paper-I : Constitutional Law-I
- Paper-II : Law of Contract (Contract-I)
- Paper-III : Family Law-I
- Paper-IV : Law of Crimes Paper -I (Indian Penal Code)
- Paper-V : Law of Tort including MV Accident and  
Consumer Protection Laws

##### **LL.B. Second Semester**

- Paper-I : Constitutional Law-II
- Paper-II : Specific Contracts (Contract-II)
- Paper-III : Family Law-II
- Paper-IV : Company Law
- Paper-V : Property Law

##### **LL.B. Third Semester**

- Paper-I : Administrative Law
- Paper-II : Environmental Law
- Paper-III : Labour Law-I
- Paper-IV : Public International Law
- Paper-V : Professional Ethics & Professional Accounting  
system(Clinical/Practical))

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#### **LL.B. Fourth Semester**

Paper-I : Law of Evidence

Paper-II : Law of Crime II: (Criminal Procedure Code)

Paper-III : Civil Procedure Code and Limitation Act

Paper-IV : Labour Law-II

Paper-V : Alternate Dispute Resolution (Clinical/Practical))

#### **LL.B. Fifth Semester**

Paper-I : Jurisprudence

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

Paper-II : Optional Paper-I

Paper-III : Optional Paper-II

Paper-IV : Optional Paper-III

Paper-V : Drafting, Pleading and Conveyance(Clinical/Practical)

#### **LL.B. Sixth Semester**

Paper-I : Principles of Taxation Law

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

Paper-II : Optional Paper-IV

Paper-III : Optional Paper-V

Paper-IV : Optional Paper-VI

Paper-V : Moot court exercise and Internship(Clinical/Practical)

Paper-VI : General English and Legal Language

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## **SCHEDULE-A(i)**

### **OPTIONAL PAPERS**

1. Every student shall be required to opt Three optional papers in LL.B. fifth Semester and LL.B. sixth Semester respectively.
2. Instruction in an optional paper shall be arranged by Colleges/Department keeping in view the availability of teaching staff and teaching material.
3. Optional papers shall be offered from the following list of papers :

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

#### **Optional Paper-I (any one)**

- (a) Interpretation of Statutes and Principle of Legislation
- (b) Intellectual Property Law and IPR Litigation
- (c) Banking Law

#### **Optional Paper-II (any one)**

- (a) Human Right Law and Practice
- (b) Information Technology Law
- (c) Patent Law

#### **Optional Paper-III (any one)**

- (a) Penology & Victimology
- (b) Cyber Crimes (Information Technology Offences)
- (c) White collar Crime

### **LL.B. SIXTH SEMESTER**

#### **Optional Paper-IV (any one)**

- (a) Land Laws (U.P. Revenue Code-2006)
- (b) Trade Mark and Design

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- (c) International Organization

**Optional Paper-V (any one)**

- (a) Right to Information
- (b) Copyright Including Neighbouring Rights
- (c) Investment Law

**Optional Paper-VI (any one)**

- (a) Trust, Equity and Fiduciary Relationships
- (b) Direct Taxation(Income Tax)
- (c) Insurance Law

**Optional Paper-V (any one)**

- (a) Land Laws (U.P. Revenue Code-2006)
- (b) Trade Mark and Design
- (c) International Organization

**Optional Paper –VI (any one)**

- (a) Trust, Equity and Fiduciary Relationship
- (b) Direct Taxation (Income Tax)
- (c) Insurance Law

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## **SCHEDULE-B**

### **Compulsory Papers**

#### **(COURSES OF STUDY )**

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

#### **1-STRUCTURE AND WORKING OF THE INDIAN CONSTITUTION (CONSTITUTIONAL LAW-I)**

The course shall comprise of the following

- (1) Characteristics of the Indian Constitutions. Special Emphasis shall be placed on (A) Federal Structure and (B) Form of the Government. (C) Preamble and Basic Features of Indian Constitutions.
- (2) Union Parliament : Organization, Procedure regarding Enactment of Legislation, Parliamentary Privileges.
- (3) Union Executive : The President, his Powers and Position including Ordinance Making Power.
- (4) Prime Minister and the Cabinet. Is the Prime Minister Real Head?
- (5) Distribution of Legislative Powers between Union and the States. Territorial and Topical Distribution of Powers. Power of Parliament to Legislate on State Matters. Doctrine of Territorial Nexus. Doctrine of Pith and Substance, Doctrine of Colorable Legislation.
- (6) Emergency Provisions with Special References to Proclamation of Emergency and president's Rule.
- (7) Freedom of Inter-state Trade & Commerce.
- (8) Constitutional Institutions : Election Commission, Finance Commission, Comptroller and Auditor General, Attorney General of India, Public Service

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Commission, National Commission for SC and ST, Inter-state River Dispute Resolution Tribunals, Central and State Service Tribunals.

## **2. LAW OF CONTRACT (CONTRACT- I)**

The course shall comprise of the following :

- (1) Purpose, Evolution and Scope of Law of Contracts
- (2) Proposal and Promise Including Communication of Proposal, Acceptance and Communication of the Revocation of Proposal and Acceptance.
- (3) Consideration and Doctrine of Privity of Contract.
- (4) Lawful Object and Consideration.
- (5) Capacity to Contract : Minors, Persons of Unsound Mind and Others Disqualified by Law : Nature and Effects of Minor's Agreements ; Doctrine of Restitution.
- (6) Consent and Free Consent.
- (7) Standard Form of Contracts
- (8) Agreements Declared Void Under the Contract Act.
- (9) Contingent Contracts
- (10) Law Relating to Certain Relations Resembling those Created by Contracts, viz., Quasi-Contracts.
- (11) Discharge of Contract :
  - (i) Discharge by Performance
  - (ii) Discharge by Breach Including Anticipatory Breach
  - (iii) Discharge by Agreement
  - (iv) Discharge by Impossibility of Performance with Particular Reference to English Law Doctrine of Frustration

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(12) Remedies Available Under Indian Contract Act, 1872 Compensation :  
Meaning Nature and Kinds; Remoteness of Damage; Measure of  
Damages; Contracts Containing Stipulation by Way of Penalty.

(13) Remedies Available Under Specific Relief Act, 1963

(i) General Principles of Granting Specific Relief

(ii) Specific Performance of Contracts Including Contracts which cannot be  
Specifically Enforced

(iii) Injunctive Relief

### 3. FAMILY LAW-I (HINDU LAW)

The course shall comprise of the following :

(1) Sources of Hindu Law , Schools and Sub-Schools of Hindu Law

(2) Marriage : Essentials of a Valid Marriage, Void and Voidable Marriage

(3) Matrimonial Relief

Concept and Grounds of Various Matrimonial Reliefs viz.

- Restitution of Conjugal Rights

- Judicial Separation

- Nullity of Marriage

- Divorce

(4) Legitimacy - Legal Status of Children Born of Void and Voidable Marriage.

(5) Adoption

(6) Hindu Minority and Guardianship Act, 1956

(7) Law of Maintenance - Hindu Adoption and Maintenance Act, 1956.

(8) Joint Hindu Family (Mitakshara and Dayabhaga)

(a) Coparcenary - Its Formation and Incidents

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(b) Kinds of Property - Obstructed and Un-obstructed Heritage, Coparcenary Property and Separate Property

(c) Rights and Duties of Karta

(d) Alienation of Coparcenary Property, Alienation of Undivided Coparcenary Interest

(9) Law of Partition and Re-Union :

-Nature of Partition

-Partition how Effected and Reopened

-Subject Matter of Partition

-Re-union

(10) Law of Succession

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

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

(1) Concept of crime; Element of crime-external and internal; Motive; Concept of Strict Liability;

(2) General Exceptions viz. Mistake, Superior order, Action in pursuance of legal obligation, accident, necessity, young age, unsoundness of mind, drunkenness, consent compulsion, trifling act, communication made in good faith;

(3) Right of Private Defence; Joint and constructive liability; Preliminary offences viz. Abetment, conspiracy and attempt,

(4) Offences Affecting Human Body, viz. Culpable Homicide, Murder, Homicide by Rash and Negligent Act, Hurt and Grievous Hurt; Wrongful

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Restraint and Wrongful Confinement; Criminal Force; Assault; Outraging the Modesty of Woman; Kidnapping and Abduction.

(5) Offences Against Property, viz. Theft; Extortion; Robbery; Dacoity; Criminal Misappropriation; Criminal Breach of Trust; Cheating; Mischief; Criminal Trespass.

(6) (i) Offences Against Public Tranquility viz. Unlawful Assembly; Rioting and Affray.

(ii) Offences Against Marriage viz. Bigamy and Adultery.

#### **5. Law of Torts including MV Accident and Consumer Protection Laws**

The course shall comprise of the following :

(1) Evolution, Definition, Nature and Scope of Torts.

(a) Its Development by Courts in England and India.

(b) A Wrongful Act - Legal Damage

(i) Damnum Sine Injuria

(ii) Injuria Sine Damno

(c) Joint and Several Tort Feasors

(d) Tort distinguished from Crime and Contract

(2) General Defences in Torts : With Special Reference to Volenti Non Fit Injuria, Act of God, Inevitable Accident, Statutory Authority.

(3) Vicarious Liability with Special Reference to Master's Liability for Acts of Servant.

(4) Absolute and Strict Liability ,Absolute liability under the Motor Vehicles Act 1988 (Section 140 to 143, 161 to 163 )

(5) Torts based on Intentional Wrong-Doing.

(a) Affecting Person - Assault, Battery and False Imprisonment

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- (b) Malicious Prosecution
- (c) Affecting Immovable Property - Trespass to Land.
- (6) Torts based on Intentional and Negligent Wrong-Doing
  - (a) Nervous Shock
  - (b) Nuisance
  - (c) Defamation
- (7) Remoteness of Damage
- (8) (a) Need of Consumer Protection and Consumerism
  - (b) Doctrine of Caveat Emptor
  - (c) Consumer Protection & Doctrine of Negligence
- (9) Consumer Protection Act 1986 : Salient Features of the Act and the Relationship of the Act with Other Consumer Protection Legislations.
- (10) Consumer Dispute Redressal Agencies - Their Constitution, Jurisdiction and Procedure.

## **LL.B. Second Semester**

### **1-CONSTITUTIONAL RIGHTS AND LIBERTIES (CONSTITUTIONAL LAW -II)**

The course shall comprise of the following :

- (1) Fundamental Rights - General : Scheme of Fundamental Rights, Who can Claim Fundamental Rights : Against whom Fundamental Rights are Available ? Suspension of Fundamental Rights.
- (2) Fundamental Rights - Specific : Special Emphasis shall be Placed on the Following Rights :
  - (a) Right to Equality (Articles 14 to 18)

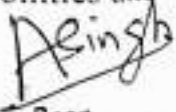
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- (b) Right to Freedom of Speech and Expression (Article 19(1)(a))
  - (c) Right to Life and Personal Liberty (Article 21)
  - (d) Right to Freedom of Religion (Articles 25 to 28)
  - (e) Right to Constitutional Remedies (Article 32)
  - (f) Right to education : Free education upto 14 years of age-Freedom of Education Act
- (3) Directive Principles of State Policy. Their Importance and Relationship with Fundamental Rights.
  - (4) Fundamental Duties
  - (5) Union Judiciary : Supreme Court of India. Composition and Jurisdiction
  - (6) Amendment of the Constitution. Power and Procedure; Basic Structure of the Constitution.
  - (7) Other Principles : Fundamental principle is of welfare, like, adequate live hood, use of material resources to sub serve the common good, economic system not to produce common determine humane condition of work and maternity relief, equal justice and free legal aid, workers participation in management – living wages, childhood care, promotion of economic and education interest of schedule caste and schedule tribes.

## 2. SPECIFIC CONTRACTS (CONTRACT - II)

The course shall comprise of the following :

- I. (i) Nature and Definition of Contract of Indemnity : Extent of Indemnifier's Liability.
- (ii) Nature and Definition of Contract of Guarantee, Rights, Liabilities and Discharge of Surety.

  
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(2) Meaning and Definition of Contract of Bailment, Rights and Duties of Bailor and Bailee

(3) Meaning of Bailment of Pledge; Pledge by Persons Other than the Owner.

(4) Contract of Agency :

(i) Nature of Contract of Agency

(ii) Modes of Creation of Agency

(iii) Modes of Termination of Agency

(5)(i) Rights and Duties of Principal and Agent

(ii) Rights and Liabilities of Undisclosed Principal

(iii) Personal Liability of an Agent

(5) Contract of Partnership :

(i) Nature and Definition of Contract of Partnership

(ii) Non-Partnership Interests

(iii) Formation of Partnership and Partner by Holding Out

(iv) Minor and Partnership Firm

(v) Registration of Firms and Effects of Non-Registration

(vi) Dissolution of Firms

(6) Contract of sale of Goods:

(i) Nature and Definition of Contract of Sale of Goods

(ii) Conditions and Warranties

(iii) Rule of Caveat Emptor

(iv) Nemo dat quad non habet

(v) Definition and Rights of an Unpaid Seller

### 3. FAMILY LAW - II (MUSLIM LAW)

The course shall comprise of the following :

- (1) Introduction : Who is Muslim, Conversion, Apostasy.
- (2) Sources of Muslim Law
- (3) Schools of Muslim Law
- (4) Marriage : Definition, Nature, Capacity, Classification and Legal Effect of Marriage.
- (5) Dower
- (6) Dissolution of Marriage under Muslim Law : (Divorce) Talaq, Ila, Khula, Mubarrat, Talaq-e-Tafweed, Lian, Faskh etc.
- (7) Dissolution of Muslim Marriage Act, 1939.
- (7a) The Muslim Women (Protection of Rights on Marriage) Act 2019 (Act No. 20 of 2019)
- (8) Maintenance of Wives with Special Reference to Section 125 Cr. P.C.
- (9) Shah Banu Case and the Ensuing Legislation.
- (10) Parentage and Legitimacy : Acknowledgement of Legitimacy. Brief Study of Section 112 of the Evidence Act.
- (11) Will
- (12) Gift
- (13) Hiba-Marz-ul Maut
- (14) Law of Pre-emption
- (15) General rule of Inheritance
- (16) Wakf : Meaning, character formation for creation, Admission, Mutawali; Muslim Religious Institution and Offices

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(16a) Guardianship

(a) Custody of Minor

(b) Kinds and rights of Guardian

#### **4. Company Law**

The course shall comprise of the following :

##### **A. Formation of Companies :**

(1) Meaning and Nature of Company with Emphasis on its Advantages and Disadvantages over Other Forms of Business Organizations.

(2) Kinds of Companies

(3) Corporate Personality and Lifting the Corporate Veil

(4) Promotion of Companies :

(a) Promoters and Pre-Incorporation Contracts

(b) Registration of Companies

(5) Memorandum of Association and Articles of Association :

(a) Meaning, Nature and Contents and Relationship Between the two

(b) Objects Clause and Doctrine of Ultra-Vires

(6) Prospectus and Statement in Lieu of Prospectus

(7) Membership of Company - Its Acquisition and Termination.

##### **B. Corporate Capital :**

(1) Share and Share Capital : Meaning, Nature and Kinds; Various Rights and Duties Attached to these Shares.

(2) Issuance and Allotment of Shares

##### **C. Company Management and Administration :**



(1) Company and its Various Organs Including Division of Powers between Board of Directors and Company in General Meeting.

(2) Company Meetings and Resolutions :

(a) Types / Kinds of Meetings

(b) Essential Conditions of a Valid Meeting

(c) Procedure for Calling Company Meetings

(d) Resolution Kinds and Procedures Relating Thereto

(3) Directors and Managing Director : Appointment and Legal Position.

(4) Oppression and Mismanagement

(5) National Company Law Tribunal : Composition and Powers

**D. Winding up of Company :**

(1) Modes of Winding Up :

(2) Compulsory Winding Up - Conditions and Positions

(3) Voluntary Winding Up : Kinds and Distinctions.

## **5- Property Law**

The course shall comprise of the following :

### **I. General Principles Applicable to Transfer of Both Moveable and Immoveable Properties :**

(1) General Definitions - Immovable Property, Attestation, Notice

(a) Meaning of 'Transfer of Property' (Section 5)

(b) Meaning of 'Property' Including Non-transferable properties (Section 6)

(2) (a) Persons Competent to Transfer, Incidents of Transfer, Oral Transfer (Sections 7,8 and 9).

(b) Conditions Restraining Alienation (Sections 10 to 12)

  
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(3) Transfer for Benefit of Unborn Person and Rule Against Perpetuity (Sections 13 to 18).

(4) Vested and Contingent Interests (Sections 19 and 21)

(5) Conditional Transfers (Sections 25 to 29)

(6) Election (Section 35)

## **II. General Principles applicable to transfer of Immoveable Properties only**

7. (a) Transfer by Unauthorised Persons Other than Full Owner (Sections 41 and 43)

(b) Restrictive Covenant and Protection of Third Persons Rights (Sections 39 and 40)

(8) Lis Pendens (Section 52)

(9) Fraudulent Transfer (Section 53)

(10) Part-Performance (Section 53A)

(11) Sale of Immoveable Property : Definition and Mode of Sale and Exchange (Sections 54 and 118)

(12) Mortgages : Definitions: Mortgage, Mortgagor, Mortgagee, Mortgage Money, Mortgage Deed (Section 58), Charge (Section 100).

Kinds of Mortgage (Section 58)

Mode of Formalities for Creation of Mortgage (Section 59)

Right to Redeem, Partial Redemption, Clog on Redemption (Section 60),

Marshalling and Contribution (Sections 81 and 82),

Subrogation (Sections 91 and 92).

(13) Leases of Immoveable Property :

Definition of Lease (Section 105) and Licence,

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Leases How Made (Section 107)

Determination of Lease (Section 111)

Effect of Holding Over (Section 116).

(14) Gift

Definition of Gift (Section 122)

Transfer how Effected (Section 123)

Onerous Gift (Section 127)

Universal Donee (Section 128)

(15) Easements

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

**LL.B. Third Semester**

**1. ADMINISTRATIVE LAW**

The course shall comprise of the following :


- (1) Reasons for the Development of Administrative Law, Definition and its Scope
- (2) Rule of Law
- (3) Separation of Powers
- (4) Delegated Legislation :
  - (a) Necessity of Delegated Legislation
  - (b) Constitutionality of Delegated Legislation
  - (c) Judicial Control
  - (d) Parliamentary Control
  - (e) Procedural Control

- (5) Government Liability in Torts
- (6) Government Contracts and Government Liability in Contracts
- (7) Promissory Estoppel
- (8) Principles of Natural Justice
- (9) Writs with Special Reference to :
  - (a) Writ of Certiorari
  - (b) Writ of Mandamus
  - (c) Writ of Quo-Warranto
- (10) Public Interest Litigation and Judicial Review of Administrative Action.
- (11) Ombudsman in India
- (12) Public Corporation

## **2. ENVIRONMENTAL LAW**

The course shall comprise of the following :

- (1) General Background :
  - (a) Problems of Environmental Pollution and Protection
  - (b) History of Indian Environmental Laws
  - (c) Importance and Scope of Environmental Laws
  - (d) International Perspective of Environmental Law
- (2) Constitutional Aspects :
  - (a) Distribution of Legislative Power
  - (b) Directive Principles of State Policy
  - (c) Fundamental Duties
  - (d) Fundamental Rights

  
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(3) Select Legal Controls - The Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

(a) Salient Features of the Acts

(b) Definitions

(c) Authorities - Composition, Power and Function

(d) Mechanism to Control the Pollution

(e) Sanctions

(4) Environment (Protection) Act, 1986 :

(a) Definition of 'Environment'

(b) Salient Features of the Act

(c) Authorities - Composition, Powers, Functions

(d) Mechanism to Control Environmental Pollution

(e) Sanctions

(5) Control of Noise Pollution :

(a) Legal Control

(b) Judicial Control

(6) Judicial Justice - Select Case Laws :

(a) M.C. Mehta vs. Union of India (AIR 1987 SC 965, 982, 1086)

(b) M.C. Mehta vs. Union of India (AIR 1988 SC 1037, 1115)

(c) Municipal Council, Ratlam vs. Vardhichand and Others (AIR 1980 SC 1622)

(7) Emerging Principles : Historical Background and Judicial Approach in India

(a) Polluter Pays Principle

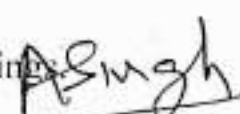
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- (b) Precautionary Principle
  - (c) Public Trust Doctrine
  - (d) Sustainable Development
- (8) Environmental Dispute and Grievance Settlement Mechanism : The National Green Tribunal Act, 2010 (No. 19 of 2010).

### 3. Labour Law-I

The course shall comprise of the following :

- I. Evolution of Industrial Legislation in India.
- II. Industrial Disputes Act, 1947
  - (1) Scope and Object, Main Features, Important Definition
  - (2) Industry(3) Industrial Dispute and Individual Dispute
  - (4) Workman and Employer
  - (5) Reference of Disputes
  - (6) Voluntary Arbitration (Section 10A)
  - (7) Award
  - (8) Authorities under the Act
  - (9) Procedures, Powers and Duties of Authorities
  - (10) Strike
  - (11) Lock-Out
  - (12) Retrenchment
  - (13) Transfer and Closure
  - (14) Regulation of Management's Prerogative During Pendency of Proceedings

  
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### III. Trade Unions Act, 1926

- (1) Growth of Unions
- (2) Important Definitions
- (3) Registrations of Trade Unions
- (4) Rights and Liabilities of Registered Trade Unions
- (5) Collective Bargaining

### 4. PUBLIC INTERNATIONAL LAW

The course shall comprise of the following :

- (1) Theoretical Foundation of International Law :
  - (a) Definition
  - (b) Nature and Scope
  - (c) Schools of International Law
- (2) Sources of International Law :
  - (a) Custom
  - (b) International Conventions
  - (c) General Principles of Law
  - (d) Judicial Decisions and Juristic Works
- (3) Relations between International Law and Municipal Law
  - (a) Theories of Relationship
  - (b) Indian and British Practices
- (4) Recognition in International Law :
  - (a) Concept, kind and Theories
  - (b) Legal Consequence of Recognition



(5) State Territory :

(a) Law of the Sea

(b) Air space

(6) Jurisdiction :

(a) Territorial Jurisdiction

(b) Extraterritorial Jurisdiction

(7) Asylum and Extradition

(8) Pacific Settlement of International Disputes

**5. Professional Ethics & Professional Accounting  
system(Clinical/Practical)**

**This course will be taught in association with practicing lawyers on the basis of the following topics:.**

**(A)The course shall comprise of the following :**

**(1) Nature and Characteristics of :**

(a) Professional Ethics

(b) Legal Profession

**(2) Historical Perspective and Regulation of Legal Profession, Constitution, Function,**

**Powers and Jurisdiction of State Bar Council and Bar Council of India  
Admission and enrolment of Advocates**

**(3) Contempt of Court by the Lawyers :**

(a) Civil Contempt

(b) Criminal Contempt :

-Punishment,

- Defences

(4) Strike by the Lawyers

(5) Extent of Professionalization of Legal Profession

(6) Code of Ethics for Lawyers

(7) Professional Misconduct and its Control

(8) Bar-Bench Relations

(9) Accountability of Lawyers Towards :

- Court

- Clients

- Society

(10) Role of Law and Legal Profession in Social Transform

(B) Viva-Voce

**Cases(10 Selected cases)**

1. Rajendra V Pai v Alex Frmandes AIR 2002 SC 1808

2. In re; A an advocate AIR 1962 SC 1337

3. In re; Mr. G a Senior Advocate of SC AIR 1954 SC 557

4. In re; Lalit Mohan Das AIR 1957 SC 250

5. Sheo Narayan Jafa v Judge Allahabad H.C. AIR 1953 SC 368

6. P. J. Ratnam v d. Kanik ran AIR 1964 SC 244

7. In re; "M" an Advocate AIR 1957 SC 149

8. Jhon D' Souza v Edward Ani (1994) 2 SCC 64

9. In re; V.C. Mishra AIR 1995 SC 2348

10. L.D. Jaisingham v Narain das N Punjabi (1976) 1 ACC 354

## **Acts and Rule**

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

### **The Division of marks:**

- Written Assignment-40 marks,
- On the Spot written test at the time of practical on above topics conducted by

External and Internal examiners- 40 Marks (One hours Duration).

-Viva Voce-20 marks.

## **LL.B. Fourth Semester**

### **1. LAW OF EVIDENCE**

The course shall comprise of the following :

- (1) Fact In-Issue; Relevant Facts; Document
- (2) Evidence : Proved; Disproved; Not proved;
- (3) May Presume, Shall Presume, and Conclusive Proof
- (4) Circumstantial Evidence
- (5) Relevancy and Admissibility; Res Gestae (Sections 6 to 13)
- (6) Admission ; Confession (Sections 17 to 31)
- (7) Dying Declaration (Section 32(1))
- (8) Relevancy of Judgments (Sections 40 to 44)
- (9) Opinion of Experts; Opinion of Third Persons (Sections 45 to 47)
- (10) Conduct and Character of Parties (Sections 52 to 55)

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(11) Judicial Notice (Sections 56 to 57)

(12) Estoppel (Sections 115 to 116)

(13) Means of Proof : Oral Evidence; Documents - Public Document, Private Document, Primary and Secondary Evidence; (Sections 59 to 65 and 74 to 78); Exclusion of Oral by Documentary Evidence (Sections 91 to 92)

(14) (i) Burden of Proof (Sections 101 to 106)

(ii) Witnesses : Competency and Compellability of Witnesses; Examination of Witnesses; Privileges : State Privilege and Private Privilege (Sections 118 to 155).

## **2. Law of Crime- II (Criminal Procedure Code)**

The course shall comprise of the following :

(1) Constitution of Criminal Courts and their Powers

(2) Arrest of Persons and the Rights of Arrested Persons

(3) Information to the Police and their Powers to Investigate

(4) Cognisance of Offences by the Magistrate and Court of Sessions.

(5) Complaints to Magistrates and Commencement of Proceedings before Magistrates.

(6) The Charges :

(a) Forms of Charges

(b) Joinder of Charges

(7) Trials of the Cases :

(a) Sessions Trial

(b) Warrant Trial

(i) Cases Instituted upon a Police Report

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(ii) Cases Instituted Otherwise than on a Police Report

(iii) Conclusion of Trial

(c) Summons Trial by Magistrates

(d) Summary Trial

(8) Provisions as to Bails and Bonds

(9) Maintenance of Wives and Children

(9) Security for Keeping Peace and Good Behaviour

(10) Maintenance of Public Order and Tranquility

(11) Dispute as to Immovable Property

(12) Appeal, Revision and Reference

### **3. Civil Procedure Code and Limitation Act**

The Course shall comprise of the following :

(1) Definition : Decree, Order, Mesne Profit, Gradation of Courts, Suit of Civil Nature

(2) Principle of Res-Judicata and Res Sub-Judice

(3) Cause of Action, Place of Suing, Parties to the Suits, Framing of Issues, Appearance and Consequences of Non-Appearances of Parties

(4) Suits by Indigent Persons, Suit by or Against Minors and Persons of Unsound Mind

(5) Judgment, Decree and Orders

(6) Mode of Execution, Attachment and Sale of Movable and Immovable Properties in Execution

(7) Arrest, Restitution, Simultaneous Execution, Ratable Distribution

(8) Appeals : Appeal from Original Decree, Power of the Appellate Courts,

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Reference, Review, Revision, Inherent

- (9) Interim Orders: Commission, Arrest before judgment Attachment before Judgement Temporary Injunctions, Interlocutory Order .
- (10) Inherent Powers of Courts, Suits against Government
- (11) Limitation of Suits, Appeal and Applications, Period of Limitation, Continuous Running of Time, Effect of Sufficient cause for not Preferring Appeal or Making an Application within a Period of Limitation, Legal Disabilities.
- (12) Computation of Period of Limitation and Exclusion of Time in Legal Proceeding, Effect of Death, Fraud, Acknowledgement in Writing.

#### **4. LABOUR LAW-II**

The course shall comprise of the following :

##### **I. Employees States Insurance Act, 1948 :**

- (1) Historical Development
- (2) Objects and Application of the Act, Important Definitions
- (3) Employment Injury
- (4) Liability of the Employers for Accidents During and In the Course of Employment.
- (5) Various Benefits Available Under the Act
- (6) Constitution, Jurisdiction and Powers of Employees State Insurance Court.

##### **II. The Minimum Wages Act, 1948 :**

- (1) Object, Constitutional Validity and Salient Features of the Act
- (2) Important Definitions
- (3) Fixation of Minimum Rates of Wages

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### III. The payment of Wages Act, 1936 :

- (1) Scope and Applicability of the Act.
- (2) Important Definitions
- (3) Payment of Wages and Deductions from Wages
- (4) Authorities Under the Act

### IV. The Factories Act, 1948 :

- (1) Important Definitions
- (2) Inspecting Staff
- (3) Health, Safety and Welfare Measures
- (4) Working Hours of Adults
- (5) Employment of Young Persons
- (6) Annual Leave with Wages

### V. The Payment of Bonus Act, 1965 :

- (1) Scope and Applicability of the Act
- (2) Important Definitions
- (3) Minimum Bonus and Maximum Bonus
- (4) Calculation of Bonus
- (5) Eligibility and Disqualification for Bonus

### VI. Employees' Compensation Act, 1923 (Workmen Compensation Amendment Act 2009 act no 45 of 2009 amended the name of Workmen Compensation Act 1923)

- (1) Conceptual frame work of Social Security-Evolution and concept of Social Security,
- (2) Employees' Compensation Act, 1923: Definitions, Aims & Object,



- (3) Liability of Employer, Notional Extension & Defenses,
- (4) Determination of Amount of Compensation, Compensation when due-  
Penalty for default, Contracting Out (Sec.17),
- (5) Appointment & Powers of Commissioner (Sec.19-31)

### **5. Alternate Dispute Resolution (Clinical/Practical))**

The course shall comprise of the following :

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

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

(assessment through case-study, viva, and periodical problem solution besides the written tests).

#### **The Division of marks:**

- case-study and periodical problem solution-50 marks,
- On the spot written test at the time of practical conducted by Internal and External examiners- 30 marks (One hours Duration) and
- Viva Voce-20marks.

### **LL.B. Fifth Semester**

#### **1- Jurisprudence**

The course shall comprise of the following :

- (1) Introduction

(a) Definition, Nature and Scope of Jurisprudence

(b) Importance of the Study of Jurisprudence

(2) Analytical School

(a) Analytical Positivism

(b) Imperative Theory : John Austin

(c) Pure Theory of Law: Hans Kelsen

(3) Historical School

(a) Frederick Karl Von Savigny

(b) Sir Henry Sumner Maine

(4) Natural Law School

(a) Classical Natural Law

(b) Revival of Natural Law : Rudolf Stammler

(5) Sociological School

(a) Background and Characteristics

(b) Roscoe Pound

(6) American Realist School:

(a) Karl Llewellyn

(b) Jerone Frank

(c) Gray

(7) Legal Person :

(a) Nature and Concept

(b) Theories of Legal Personality


(8) Legal Rights :

- (a) Definition, Basis and Characteristics
- (b) Kinds of Legal Rights
- (c) Relation between Rights and Duties
- (3) Possession and Ownership :
  - (a) Possession in Fact and Possession in Law
  - (b) Relation between Possession and Ownership
- (9) Liability :
  - (a) Theory of Remedial Liability
  - (b) Theory of Penal Liability
- (10) Law and Morality :
  - (a) Relation between Law and Morals
  - (b) Legal Enforcement of Morality

## **5. Drafting, Pleading and Conveyance**

### **Outline of the course:**

- (a) Drafting:- General principles of drafting and relevant substantive rules shall be taught.
- (b) Pleadings: -
  - (i) Civil: Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.
  - (ii) Criminal: Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision.
  - (iii) Conveyance: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed

  
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(iv) Drafting of writ petition and PIL petition

**Note:**

The course will be taught class instructions and simulation exercises, preferably with assistance of practicing lawyers/retired judges. Apart from teaching the relevant provisions of law, the course may include not less than 15 practical exercises in drafting and 15 exercises in conveyancing. Each student is required to maintain a diary under the guidance of Subject teacher. **The evaluation of marks will be as under:**

(i) Preparation & maintenance of diary (Evaluation of Diary by internal and External Examiners will be done in consultation with subject teacher) -60 marks

(ii) On Spot written examination at the time of practical for evaluating drafting skill of student, conducted by Internal and External Examiners - 30 marks(One hours and thirty minutes Duration)

(iii) Viva Voce-10 marks.

**LL.B. Sixth Semester**

**1.Principles of Taxation Law**

The course shall comprise of the following :

- (1) Introduction : Origin, History and Need of Taxation
- (2) Concept of Tax and Fee, Distinction between Tax and Fee
- (3) Canons of Taxation(Characteristics of a good tax system)
- (4) Direct and Indirect tax
- (3) Constitutional provisions relating to Taxation :Nature and Scope of Tax
  - (a) Taxation and Right to equality
  - (b) Taxation and Freedom of Trade, Commerce and Intercourse

- (c) Residuary Power of Taxation Under Entry 97 of the Union List
- (4) Power to levy taxes on income
  - (5) Power to levy Excise Duties
  - (6) Taxes on Sale or Purchase of Goods
  - (7) Distribution of Tax Revenues between centre and states
  - (8) Inter-Governmental Tax Immunities in a federation
  - (9) Judicial Review of the Orders of Tax Authorities
  - (10) Tax evasion & Black money- Causes & effects of Tax Evasion, Tax evasion distinguished with Tax Avoidance and Tax Planning.

**5. Moot court exercise and Internship:**

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

(a) Moot Court (30 Marks). Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

(b) Observance of Trial in two cases, one Civil and one Criminal (30 marks): Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

(c) Interviewing techniques and Pre-trial preparations and Internship diary (30 marks): Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of

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documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

(d) The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

## **6. General English and Legal Language**

The course shall comprise of the following :

### **1. Introduction to Legal Language :**

(a) Need and Importance of Legal Language

(b) Legal Language in India

(c) Official Language - the Constitutional Position

(Articles 343 to 347, 348, 350, 351)

### **2. Proficiency in General English:**

(a) Parts and Types of the Sentences

(b) Parts of Speech - A Brief Introduction

(c) Tenses : Forms and Use

(d) Active and Passive Voice

(e) Direct and Indirect (or Reported) Speech

(f) Some Common Mistakes in English

### **3. Legal Terminology:**

(a) Terms Used in Civil and Criminal Law

(b) Latin Words and Expressions

Meaning and use of the following shall be taught -

Ab Initio, Ad Idem, Ad Infinitum, Ad Nauseam, Ad Valorem, Alibi,

Ambiguitas Latens, Ambiguitas Patens, Amicus Curiae, Animus Possidendi,

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Audi Alteram Partem, Bonafide, Caveat Emptor, De Facto, De Jure, De Novo, Ejusdem Generis, Ex Gratia, Ex Parte, Ex Post Facto, Factum Valet, Fait Accompli, Fiat Justitia, Inter Alia, In Limine, Jus Ad Rem, Jus In Personam, Letter Rogatory, Locus Standi, Malafide, Modus Operandi, Mutatis Mutandis, Nudum Pactum, Obiter, Onus Probandi, Parens Patriae, Pari Passu, Per Incuriam, Prima Facie, Pro Bono Publico, Quid Pro Quo, Ratio Decidendi, Raison D'etre, Res Integre, Res Nullius, Sine Qua Non, Intra-Vires, Ultra Vires,

4.(a) Essay Writing on Topics of Legal Interests in English

(b) Letter Writing in English

5. (a) Translations: English to Hindi and Hindi to English

(b) Precise Writing in English

### **OPTIONAL PAPERS**

#### **(COURSES OF STUDY)**

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

##### **Optional Paper-I (any one)**

##### **(a) Interpretation of Statutes and Principle of Legislation**

The course shall comprise of the following :

- (1) Introductory : Meaning, Purpose and Scope of Interpretation of Statutes; Nature of Statutes and their Classification
- (2) Internal Aids to Interpretation : Title; Preamble; Headings and Marginal Notes.
- (3) External Aids to Interpretation; Parliamentary History; Stare Decisis (Judicial Precedents); Dictionaries.
- (4) Rules of Statutory Interpretation : Primary (Basic) Rules; Secondary (Subsidiary) Rules; Literal Rule; Golden Rule; Mischief Rule.

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- (5) Judicial Activism : Nature and Scope.
- (6) Presumptions in Statutory Interpretation : Presumption as to Jurisdiction; Presumption as to Prospective Operation of Statutes; Presumption Against Violation of International Law.
- (7) Maxims of Statutory Interpretation : Ejusdem Generis; Expressio Unius Est Exklusio Alterius; Ut Res Magis Valeat Quam Paraeat.
- (8) Interpretation with Reference to the Subject Matter and Purpose of Statutes : Penal Statutes; Taxing Statutes.
- (9) Principles of Constitutional Interpretation : Harmonious Construction; Doctrine of Pith and Substance; Doctrine of Colourable Legislation; Occupied Field; Repugnancy.

## **(b) INTELLECTUAL PROPERTY RIGHTS LAW AND IPR LITIGATION**

The course shall comprise of the following:

1. The Concept of Property vis-a-vis Intellectual Property
  - (a) Concept of Property and theories of Property-An Overview.
  - (b) Theories of Intellectual Property Rights
  - (c) Social and Economic Development and Role of Intellectual Property System.
  - (d) Need for Protecting Intellectual Property-Policy Consideration-,National Perspectives and International Demands
2. Kinds of Intellectual Property-organised Development-An Overview.
3. Intellectual Property Rights as Human Rights
4. Role of International Institutions - WIPO
  - (a) WIPO

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(b) Functions of WI PO

(c) Membership of WI PO

(d) Agreement between WIPO and WTO

(e) Dispute Settlement- New Treaties

5. International Legal Instruments Relating to IPR- Paris Convention, Bern~  
Convention, PCT etc.

6. IPR Litigation vis-a-vis general litigation

7. Nature and Complexities of IPR Litigation

8. LP.R. Litigation and National Interest.

### **(c) BANKING LAW**

The course shall comprise of the following :

1. Origin and Development of Banking System

2. Relationship of Banker and Customer and their rights and  
duties 3. E-Banking System and Legal Aspects

4. Laws Relating to the Banking Companies in India

(I) Reserve Bank of India Act, 1934

(i) Evolution of Reserve Bank of India

(ii) Compositions and functions of Reserve Bank of India

(iii) Reserve Bank as a banker's bank and advisor to the Government

(II) Banking Regulation Act, 1949

(i) Business of Banking Companies

(ii) Prohibited Banking functions

(iii) Suspension of Business and Winding Up of Banking Companies  
Application to Co-operative Banks

(III) Foreign Exchange Management Act, 1999

(i) Objectives, Scope and Commencement of the Act

(ii) Contravention and Penalties

(iii) Adjudication and Appeal

(iv) Directorate of Enforcement

5. Meaning and kinds of Negotiable Instruments

6. Endorsement, Negotiability and Assignability

7. Holder and Holder in due course

8. Rights and Liabilities of Paying and Collecting Banker

9. Dishonour of Negotiable Instruments Including Criminal Liability of Drawer and Protection of Collecting Banker

**Optional Paper-II (any one)**

**(a) Human Right Law and Practice**

The course shall comprise of the following :

(1) Meaning and Concept of Human Rights :

(2) Evolution and Development of Human Rights Law :

(a) Impact of Natural Law and Natural Rights (b) Human Rights-  
Classification

(3) Human Rights and the United Nations :

(a) Charter Provisions (b) International Protection of Human Rights


(4) Universal Declaration of Human Rights

(5) International Covenants and the Protocols :

(a) Civil and Political Rights (b) Economic, Social and Cultural Rights

(6) Human Rights in India, Human Rights and Indian Constitution,

- (7) The Protection of Human Rights Act, 1993: (a) National Human Rights Commission (b) State Human Rights Commission (c) Human Rights Court
- (8) Judicial activism & Protection of Human Rights in India, Role of Non-Governmental organization in the Promotion and Protection of Human Rights;
- (9) Programmes and Policies:
- (a) Integrated Child Development Scheme
  - (b) School Education and Mid day meal
  - (C) Rural Health and Employment
  - (d) Welfare Schemes
- (10) Promotion and Respect of Human Rights:
- (a) Role of Civil Society and the Media
  - (b) Role of Educational Institutions
  - (c) Obstacles
- (11) Human Rights and Challenges of Globalization
- (12) Future of Human Rights
- (b) Information Technology Law**
1. The Information Technology Act, 2000
    - (a) History, Object, Scope and Commencement of the Act.
    - (b) Overview of a Computer, Computer Network and the internet
  2. (a) E-Governance, Attribution, Acknowledgement and Despatch of Electronic Records
    - (b) Digital Signature and Secure Digital Signature
    - (c) Authorities- Controller, Certifying Authorities, Adjudicating Officer and Cyber Appellate Tribunal

  
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3. Contravention and Offences, Power of Police Officers and Jurisdiction

4. Cyber Space- Intellectual Property Rights.

5. Amendments to the various enactments.

(a) The Indian Penal Code, 1860

(b) The Indian Evidence Act, 1872

(c) The Reserve Bank of India Act, 1934

6. Liability of Network Service Providers

(a) U.S.A.

(b) U.K.

(c) India

**(c) Patent Law**

The course shall comprise of the following:

A. (1) Evolution and Development of Patent Law

(2) International Conventions/Treaties on Patent

(a) Paris Convention .

(b) Patent Cooperation Treaty

(c) WTO- TRIPs

(d) Harmonization of CBD and TRIPs

B. Indian Patent Law

(1) The Patents Act, 1970 with its amendments

(2) Patentable Subject Matter, Patentability Criteria

(3) Procedure for Filing Patent Applications and Patent Granting Procedure

(4) Revocation, Patent Infringement and Remedies

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(5) Public Interest Provisions for Preventing abuse of Patent Rights

C. (1) Relevant Provisions of the biological Diversity act 2002.

(2) Access and benefit sharing Issue

**Optional Paper-III (any one)**

**(a) Penology & Victimology**

The course shall comprise of the following:

- (i) Relation between Criminology and Penology
- (ii) Concept and Forms of Punishment: From Ancient to Modern
- (iii) Theories of Punishment
- (iv) Capital Punishment
- (v) Crime Prevention and the Role of Police
- (vi) Concept of Treatment with Special reference to Prison, Probation and parole
- (vii) Victimology
- (viii) New Dimensions of Penology- Compensation to Victims of Crime

**(b) Cyber Crimes (Information Technology Offences)**

The course shall comprise the following:

- 1. Meaning, Definition, Nature of Cyber crimes
- 2. Historical Genesis and Evolution of Cyber Crimes
- 3. Statutory Laws pertaining to Cyber Crimes in India:
  - a) Indian Penal Code
  - b) Indian Evidence Act.
  - c) Information Technology Act.

4. Cyber Crimes Laws of USA and U.K: A Comparative Study.

5. Specific Cyber crimes

a) Cyber Stalking

b) Cyber Terrorism

c) Child Pornography

d) Computer viruses

6. Investigation and Jurisdiction over Cyber crimes.

**(c) White collar Crime**

The course shall comprise the following:

(1) Concept of White Collar Crime and difference with Traditional crimes

(2) Causes of White Collar Crime

(3) White Collar Crimes and Public Servants with Special-references to Prevention of Corruption Act.

(4) Professional Ethics of Doctors, Advocates, Engineers, Teachers and White Collar Crimes.

(5) Corporate Crimes and Stock Market Frauds.

**LL.B. SIXTH SEMESTER**

**Optional Paper-IV(any one)**

**(a) Land Laws (U.P. Revenue Code-2006)**

The course shall comprise of the following :

1. Division and constitution of UP into Revenue Areas, Powers and Functions of Revenue Board, Commissioner, Collectors, Additional Collectors, Tasildar and Lekhpal.

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2. Boundary and Boundary Marks – Fixation, Demarcation, Repair and Renewal, Penalty for damage and destruction, Settlement of boundary disputes.
3. Maintenance and revision of Village Records-Records of Rights, Mutation Proceedings, Records and Survey Operation, Preparation of New Record of Rights.
4. Management of Land and other Properities by Gram Panchayat, Land Management Committee, Gaon Fund, Consolidated Gaon Fund.
5. Classes and rights of Land tenures-Bhumidhar with Transferable Rights, Bhumidhar with Non-Transferable Rights, and Asami, Declaration, bequeath, Transfer, Exchange, Lease, Mortgage, Division.
6. Devolution-Order of Succession and Survivorship.
7. Abandonment, Surrender, Ejectment and Declaratory Suit and Rent.
8. Land Revenue-Liability, First Charge, Process of Collection of Land Revenue.
9. Revenue Courts – Jurisdiction and Procedure, First Appeal, Second Appeal, Board's Power of Review.
10. Salient features of the UP Consolidation of Land Holdings Act 1953.
11. Salient feature of the UP Panchayati Raj Act, 1947.

#### **(b) Trademarks and Design**

- (A) Introduction to Trade marks
- (2) Need and Emergence of Trade Marks Law
- (3) Definition and concept of trademarks
- (4) Kinds of Trade Mark
- (5) International Legal Instruments on Trade Marks

(B) Indian Trademark Law

(1) The Register and Conditions for Registration

(2) Procedure for and Duration of Registration

(3) Effect of Registration

(5) Passing-Off and Infringement of Trade Mark

(5) The doctrine of honest Current User

(6) The doctrine of deceptive similarity

(C) (1) Assignment and Transmission

(2) Use of Trade Marks and Registered Users

(3) Protection of well-known marks

(4) Appellate Board, Offences, Penalties and Procedure

(5) Domain names and Effects of New Technology(Internet)

(D) An Overview of the Design Act, 2000

**(c) INTERNATIONAL ORGANIZATION**

The course shall comprise of the following :

(1) Concept and Nature of International Organization; Progress of Mankind Towards International Organization; Individual Visions and Organized Peace Movement

(2) The League of Nations : General Provisions, Organs of the League - Assembly, Council, Secretariat; Causes of the Failure of the League.

(3) A Comparative View of the League Covenant and the U.N. Charter.

(4) The United Nations : Genesis and Creation

-Purposes and Principles

-Membership

-Legal Capacity

-Privileges and Immunities

(5) The U.N. Organs : Their Composition; Power and Functions.

(6) Achievements of the United Nations;

(7) Review and Revision of the Charter

(8) Specialized Agencies : Concept, Relationship with U.N., UNESCO, ILO, WTO

(9) Regional Organizations

**Optional Paper-V**(any one)

**(a) Right to Information**

The course comprise of the following:

1. Conceptual Background: Right to know, Open Government and Transparency in Governance

2. Privilege to withhold disclosure of Documents/Informations:

Comparative analysis of Laws in other Common Law - countries with special reference to (i) England (ii) U.S.A.

3. Privilege to withhold documents and the law in India - with special reference to:

(i) Indian Evidence Act, 1872

(ii) Indian Telegraph Act, 1885

(iii) The Official Secret Act, 1923

(iv) The Atomic Energy Act, 1962

4. Right to Information and Legislative Measures in India

Efforts/attempts made to legislate Right to Information Act, 2005

5. Right to Information Act, 2005:

(i) Right to information and Obligation of Public Authorities

(a) Designation of Public Information Officer

(b) Request for obtaining information

(c) Disposal of request

(d) Third Party Information

(ii) The State Information Commission: Constitution, Powers and Function

(iii) The Central Information Commission: Constitution, Powers and Function

(iv) Appeal and Penalties

6.- Right to-Information and Judiciary: Supreme Court on Right to Information,

-Electoral reforms, privilege and immunities of journalist involved in legal reporting

**(b) Copyright Including Neighbouring Rights**

The course shall comprise of the following :

(1) Concept of Copyright a kind of Intellectual Property

(2) Nature, Origin and Development of Copyright

(3) Role of International Institutions: International Conventions/ Treaties on Copyright

(a) Berne Convention

(b) Universal Copyright Convention, Rome Convention

(c) World Intellectual Property Organization (WIPO) and Copyright

(4) Meaning of copyright

(a) Copyright in literary, dramatic and musical works

(b) Copyright in sound records and cinematograph films

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- (c) Copyright in computer programme
- (5) Registration of Copyright and Term of Copyright
- (6) Ownership of copyright, Assignments and Licensing
- (7) Author's special rights
- (8) Neighboring Rights
- (9) Copyright Office and Copyright Board, Collective Administration of Copyright-Copyright Societies
- (10) Infringements and Remedies - Contractual, Civil, Criminal and Administrative (Remedies, especially, the possibility of Anton pillar injunctive relief in India.)
- (11) International Copyright

**(c) Investment Law**

The course shall consist of the following :

- (1) Meaning of Investment and Securities.
- (2) Legal Regulations of Investment in Securities - Shares and Debentures of a Company :
  - (a) Private Company
  - (b) Public Company
  - (c) Other Companies
- (3) Legal Regulations of Investment in Securities Listed at Stock Exchange :
  - (a) General Knowledge about Stock Exchange
  - (b) Procedure for Buying / Selling Corporate Securities through Stock Exchange
  - (c) Role and Functions of Securities Exchange Board of India.
- (4) Legal Regulations of Portfolio Investment in Corporate Securities

- (5) Legal Regulations of Investment through Mutual Funds
- (6) Legal Regulations of Fixed Deposits with Companies and Rights of Depositors
- (7) Legal Regulations of Investment through Life Insurance Schemes, Unit-Linked Insurance Plan, Public Provident Fund, National Saving Schemes, Units, Post-Office Scheme, Deposits in Bank and Other Schemes in the Form of Bonds.
- (8) Legal Regulations of Foreign Investment in Indian Securities and Indian Investments in Foreign Securities;
- (9) Law Relating to Protection of Investors
  - (a) Pre-Investment
  - (b) Post-Investment