



**BHARATI VIDYAPEETH'S  
NEW LAW COLLEGE, KOLHAPUR**

Accredited by NAAC With 'A' Grade

Recognised u/s (2)(F) & (12)(B) of UGC

Permanent Affiliation by Shivaji University, Kolhapur

Near Chitranagar, (MS), Kolhapur-416013

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Founder

**Dr. Patangrao Kadam**  
M.A., LL.B., Ph.D.

I/C Principal

**Dr. Sapan D. Jadhav**  
B.S. L., LL.B. LL.M., NET, Ph.D.

Ref.No.: BV/NLCK /

/

Date:

**INDEX**

**1.2.1 Percentage of Programs in which Choice Based Credit System (CBCS) elective course system has been implemented**

1. Number of Programs in which CBCS/Elective course system implemented - 2
2. Total number of Programs offered by the institution for last five years-4

**Formula:**

Number of Programs in which CBCS/Elective course system implemented

----- X 100

Total number of Programs offered by the Institution for last five years

$$\frac{2}{4} \times 100 = 50\%$$

Programs having Choice Based System C.B.C.S. Pattern (70:30)

Sr. No.	Program
1.	Three Year Law Program
2.	Five Year Law Program



  
I/C PRINCIPAL  
Bharati Vidyapeeth's  
New Law College  
Kolhapur.



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**Implementation of CBCS Pattern (70:30)**

**Five Year Law Program**

S.r. No.	Academic Year	Program
1.	2019-20	B.A. LL.B. I
2.	2020-21	B.A. LL.B. II
3.	2021-22	B.A. LL.B. III
4.	2022-23	B.A. LL.B. IV
5.	2023-24	B.A. LL.B. V

**Three Year Law Program**

S.r. No.	Academic Year	Program
1.	2019-20	LL.B. I
2.	202-21	LL.B. II
3.	2021-22	LL.B. III



  
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**Kolhapur**





Estd. 1962  
NAAC 'A' Grade  
MHRD NIRF-28<sup>th</sup> Rank

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दूरध्वनी (दोपिठवीपर्यंत) २६०९००० (अध्यापन मंडळे विभाग- २६०९०९४)  
फॅक्स : ००९१-०२३१-२६९१५३३ व २६९२३३३-०-mail:bos@unishivaji.ac.in

SU/BOS/Humanities/7767

Date: 22/07/2019

To,

The Principal, All Affiliated (Law) Colleges/Institutions, Shivaji University, Kolhapur	The Head, Department of Law Shivaji University, Kolhapur.
--------------------------------------------------------------------------------------------------	--------------------------------------------------------------------

**Subject:** Regarding syllabi of Law Degree programme under the Faculty of Humanities

Sir/Madam,

With reference to the subject mentioned above, I am directed to inform you that the university authorities have accepted and granted approval to the revised syllabi, Structure Rules and Nature of question paper and equivalence of Bachelor of Law (LL.B.) CBCS Five Years, Bachelor of Law (LL.B) CBCS Three Years and Master of Law (LL.M.) CBCS Two years Programme under the Faculty of Humanities.

This syllabi and equivalence shall be implemented from the academic year 2019-2020 (i.e. from June 2019) onwards. A soft copy containing the syllabus is attached herewith and it is also available on university website [www.unishivaji.ac.in](http://www.unishivaji.ac.in). (Online Syllabus)

The question papers on the pre-revised syllabi of above mentioned course will be set for the examinations to be held in October/November 2019 & March/April 2020. These chances are available for repeater students, if any.

You are, therefore, requested to bring this to the notice of all students and teachers concerned.

Thanking you,

Yours faithfully,

Dy Registrar

Copy to:

1	The Dean, Faculty of Humanities	7	Appointment Section
2	The Chairman, Respective Board of Studies	8	Computer Centre
3	Director of BOEE	9	Affiliation Section (U.G.)
4	Eligibility Section	10	Affiliation Section (P.G.)
5	P.G.Seminar Section	11	P.G.Admission Section
6	O.E. I, II, & III Section		



# SHIVAJI UNIVERSITY KOLHAPUR



**Faculty of Humanities**

**Master of Laws**

**(LL.B. - Five Year) Programme**

**Choice Based Credit System (CBCS)**

(To be implemented from Academic Year 2019-20)

**Regulations and Guidelines**  
**Under Choice Based Credit System (CBCS)**  
**LL. B. – Five Years Programme**  
 (To be implemented from Academic Year 2019-20)

**1. FIVE YEARS LL. B. Rule.1: Implementation of Regulations & guidelines** - The Regulations and guidelines shall be implemented as mentioned below-

- 5 Years LL. B. Part I, Sem I&II from Academic year 2019-20
- 5 Years LL. B. Part II, Sem III &IV from Academic year 2020- 21
- 5 Years LL. B. Part III, Sem V &VI from Academic year 2021- 22
- 5 Years LL. B. Part IV, Sem VII & VIII from Academic year 2022- 23
- 5 Years LL. B. Part V, Sem IX & X from Academic year 2023-24

**The Course and Duration:**

- a) Five Years LL.B. Degree programme combines Bachelor's Degree Course in Arts together with Bachelor's Degree Course in Law.
- b) The duration of the Five Years LL.B. Course shall be 5 academic years consisting of 10 semesters.
- c) **Each academic year shall be divided into two semesters:**

Course	July to November / December	December to April / May
First Pre-Law	Semester I	Semester II
Second Pre-Law	Semester III	Semester IV
Third New Law Course	Semester V	Semester VI
Fourth New Law Course	Semester VII	Semester VIII
Fifth New Law Course	Semester IX	Semester X

- d) Each Semester shall consist of 15 weeks with not less than 30 class hours per week.
- e) The papers and the syllabus shall be as given in the Scheduled –A appended to these regulations.

**2. FIVE YEARS LL. B. Rule.2: Eligibility Criteria for Admission to Five Years LL.B.:**

- a) Admission into Five Years LL.B. Five Year course is subject to MH-CET Government of Maharashtra with vide **G.R. No.201512041219497408, Dated: 4-12-2015** and Shivaji University, Bar Council of India (BCI) Rules and Regulations.
- b) An applicant who has completed 10+2 in any discipline of knowledge from any recognised board of Examination established by an Act of Parliament or by a State Legislature or an equivalent national institution recognized by an authority competent to declare equivalence, may apply for a Five Years programme leading to conferment of LL.B. degree on successful completion of the 10 + 2 programme.

Explanation: The applicants who have obtained 10+2 directly without having any basic qualification for prosecuting such studies are not eligible for admission in the law course.

**3. FIVE YEARS LL. B. Rule.3: Minimum marks in qualifying examination:**

As per the rules stipulated from time to time by the Bar Council of India, the minimum percentage of marks shall be not below 45% of the total marks in case of general category of applicants, 42% for OBC category and 40% of the total marks in case of Scheduled Caste (SC) and Scheduled Tribe (ST) applicants to be obtained for the qualifying examination i.e. 12<sup>th</sup> examination in any discipline for Five Years LL.B. Programme, for the purpose of applying for and getting admitted in a Law Degree Programme of this University.

Provided that such a minimum qualifying marks shall not automatically entitle the applicant to get admission into an affiliated law college but admission shall be subject to rules made by MH-CET Cell (Government of Maharashtra) from time to time.

4. **FIVE YEARS LL. B. Rule. 4: Admission Procedure:**As per MH-CET admission procedure prescribed by Government of Maharashtra and BCI.
5. **FIVE YEARS LL. B. Rule. 5: Medium of Instruction:**  
English shall be the medium of instruction in the LL.B. Programme. However, the students may maintain internship record either in English or regional language.
6. **FIVE YEARS LL. B. Rule. 6: Attendance:**  
No student shall be permitted to appear for the end-of-semester examination in a given course unless he/she has, to the satisfaction of the course teacher, fulfilled the course requirements and has put in not less than 70% of the attendance in the course concerned.  
Provided, that a student who has attended not less than 65% of the classes in each of the subjects prescribed may be permitted to keep the term for reasons to be recorded in writing and to the satisfaction of the Principal of the college or the Dean of the faculty as the case may be. The similar power is rest with the Vice-Chancellor or his authorised representative in the absence of the Dean Faculty of Law.
7. **FIVE YEARS LL. B. Rule.7: Prohibition to register for two regular courses of study:**  
No law student shall be allowed to simultaneously register for a law degree programme with any other graduate or post – graduate degree run by this University or any other University or an Institute for academic or professional learning.
8. **FIVE YEARS LL. B. Rule.8: Courses in the Programme:**
  - a) **Five Years LL.B. First Year and Second Year Discipline Specific Compulsory Course (DSC):** There shall be 14 Discipline Specific Compulsory Course (DSC) which include, General English, Sociology, Economics, History and Political Science as stipulated by BCI.
  - b) **Five Years LL.B. Third, Fourth, Fifth Years Discipline Specific Compulsory Course (DSC)::** There shall be 20 Discipline Specific Compulsory Course which shall include all compulsory subjects as stipulated under the rules of Legal Education, 2008, prescribed by BCI.
  - c) **Five Years LL.B. Discipline Specific Elective:** There shall be 6 Discipline Specific Compulsory Course which shall include optional subjects as stipulated under BCI Rules. These elective courses intend to nurture professional proficiency and skill of the Law Students.
  - d) **Five Years LL.B. Clinical Courses:** There shall be 4 Discipline Specific Compulsory Course which shall include clinical subjects stipulated by BCI.
  - e) **Ability Enhancement Compulsory Courses (AECC):** There shall be 10 **Ability Enhancement Compulsory Courses**. It aims to impart general proficiency and skill enhancement in law discipline.
  - f) Each course of Five Year LL.B. may be designed Lectures, Tutorials, Field Work, Project Work, Seminars, Practical Training, Assignments, Article / Paper Writing and Report Writing, etc. depending upon the contents and the nature of course. Each AECC subject per semester will be in self-instruction mode under the guidance of class mentor / class teacher and end-semester examinations shall be conducted by the college and marks obtained out of 50 per paper shall be communicated to the University along with internal marks of all subjects.

9. **FIVE YEARS LL. B. Rule. 9: The CBCS System:** All programmes shall be run credit-based semester system. It is an instructional package developed to suit the needs of the students to keep pace with the developments in higher education and the quality assurance expected of it in the light of liberalisation and globalisation in the higher education.

- a) **Credit:** The term credit refers to the weightage given to the course, usually in the relation to the instructional hours assigned to it. For instance, four clock hours theory course and one hour practical work for week is given five credits. However, in no instance the credits of a course can be greater than the hours allotted to it.
- b) Five Year LL.B. Programme comprising of 10 semesters shall be of total 54 courses of minimum 284 credits which include 44 DSC Courses and 10 AECC Courses.
- c) All DSC Courses shall be of 70:30 pattern except 4 clinical papers. Whereas, skill enhancement courses shall be of 50 marks internal written examination at the college level. For passing this examinations 2 credits will be assigned to the students. 50 marks examinations includes 25 objective type questions with 2 marks each. The minimum passing criteria shall be 20 marks.

10. **FIVE YEARS LL. B. Rule. 10: Inclusion of Mandatory Subjects:**

- a) **Democracy, Election and Good Governance (for Semester – I):** As per the recommendations of Government of Maharashtra and the Shivaji University, Kolhapur included in Five Year Law course. Every student is required to obtain minimum passing grade in this course as per the University norms for award of degree.
- b) **Environmental Studies:** The subject of environmental studies shall be mandatory for II year of Five Year Law course (Semester IV). The examination pattern for this paper shall be as per existing norms of Shivaji University.

11. **FIVE YEARS LL. B. Rule. 11: Minimum Period of Internship:**

- a) Each registered student shall have to complete the minimum of 20 weeks internship for Five Year Course stream during the entire period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies as the University shall stipulate, where law is practiced either in action or in dispute resolution or in management.

Provided that internship in any year cannot be for a continuous period of more than Four Weeks and all students shall at least gone through once in the entire academic period with Trial and Appellate Advocates. Each student shall keep Internship diary in such form as may be stipulated by the University concerned and the same shall be evaluated by the Guide in Internship and also a Core Faculty member of the staff each time. The total mark shall be assessed in the Final Semester of the course in the four Clinical courses as stipulated under the Rules in Schedule II. The students may maintain internship record either in English or regional language.

b) **Formal Dress Code during internship:**

1. Students placed under internship or in moot court exercise shall have formal dress of legal professional in pupillage as follows: (For all) White/Black trouser, white shirt, black tie, black coat, black shoe and black socks. When students have problems of getting the entire formal dress for any reason, they have to have a white trouser, full sleeve shirt to be tucked in and covered shoe.
2. (Optional for Girl students) Black printed saree, with white full sleeve blouse and covered black shoe or Lawyer's Suit with black covered shoe.

3. The Organization or Advocate under whom the internee is placed is required to follow suitable dress code.

**12. FIVE YEARS LL. B. Rule. 12: Examinations and Assessment:**

The pattern of CBCS for Semester examinations shall be as mentioned below:

- a) FIVE YEARS LL. B. Part I, Sem I & II: 70 marks University Semester End Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.
- b) FIVE YEARS LL. B. Part II, Sem III & IV: 70 marks University Semester End Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.
- c) FIVE YEARS LL. B. Part III, Sem V & VI: 70 marks University Semester End Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.
- d) FIVE YEARS LL. B. Part IV, Sem VII & VIII: 70 marks University Semester End Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.
- e) FIVE YEARS LL. B. Part V, Sem IX & X: 70 marks University Semester End Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.

**13. FIVE YEARS LL. B. Rule 13: Weightage:** There shall be 4420 marks for 5 years having 10 Semesters Five Years LL.B. CBCS Program with 284 Credits.

a) FIVE YEARS LL. B. Part – I (Sem I & II):

For FIVE YEARS LL. B. Part I total  $3+4 = 7$  papers with 42 Credits.

- There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for Sem I (Personality Development and Legal Research) and Paper 2 for Sem II (Legal Language) each of 50 marks, as compulsory course.
- There shall be seven DSC papers with 70 marks for theory examinations at University Level and 30 marks for internal assessment at College Level.

b) Five Years LL.B. Part – II (Sem III & IV):

For Five Years LL.B. Part II total  $4+3 = 7$  papers with 42 Credits.

- There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for Sem III (Information and Communication Technology Law) and Paper 2 for Sem IV (Use of Law Journals, Law Reports) each of 50 marks, as compulsory course.
- There shall be seven DSC papers with 70 marks for theory examinations at University Level and 30 marks for internal assessment at College Level.

c) Five Years LL.B. Part – III (Sem V & VI):

For Five Years LL.B. Part III total  $10+2=12$  papers with 6 papers of each semester and total Credits shall be 64 with 32 Credits for each Semester.

- There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for Sem V (Legal Research) and Paper 2 for



Sem VI(Public Interest Lawyering) each of 50 marks, as compulsory course.

- There shall be five Discipline Specific Compulsory (DSC) papers per semester.
- There shall be five DSC papers with 70 marks for theory examinations at University Level and 30 marks for internal assessment at College Level.

d) Five Years LL.B. Part –IV (Sem VII & VIII)–

For Five Years LL.B. Part IV total 10+2=12 papers with 6 papers of each semester and total Credits shall be 64 with 32 Credits for each Semester.

- There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for SemVII (Fundamentals of Cyber Law) and Paper 2 for SemVIII (Law and Entrepreneur Skills) each of 50 marks, as compulsory course.
- There shall be five Discipline Specific Compulsory (DSC) papers per semester.
- There shall be five DSC papers with 70 marks for theory examinations at University Level and 30 marks for internal assessment at College Level.

e) Five Years LL.B. Part –V (SemIX & X)–

For Five Years LL.B. Part V total 10+2=12 papers with 6 papers of each semester and total Credits shall be 64 with 32 Credits for each Semester.

- There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for SemIX (Advocay Skills) and Paper 2 for SemX (Criminal Law Investigation and Forensic Science) each of 50 marks, as compulsory course.
- There shall be five Discipline Specific Compulsory (DSC) papers per semester.
- There shall be five DSC papers with 70 marks for theory examinations at University Level and 30 marks for internal assessment at College Level.

**Credit distribution chart for LL.B. Program with Course Code:**

<b>Course Name</b>	<b>Total Courses(Papers)</b>	<b>TotalCredits</b>	<b>% in total course</b>
DSC : Discipline Specific Core Course	44	264	92.96
AECC : Ability Enhancement CompulsoryCourses	10	20	7.04
<b>TOTAL</b>	<b>54</b>	<b>284</b>	<b>100%</b>

**14.FIVE YEARS LL. B. Rule 14: Scheme of Examinations:**

**Following is the Scheme of Examination:**

- a) Each DSC course of 6 credits will be assessed on basis of 100 marks. The marks will be divided under two heads, internal assessment 30 marks and End- Semester University Examination 70 marks. The student shall have to secure minimum 08 marks to pass in the internal assessment of the respective DSC course. For each DSC Course End Semester University Examination of 70 marks, the student shall have to secure minimum 27 marks to pass in the End-Semester University Examination. The minimum passing in each DSC Course shall be 35 marks (8+27) and the average passing percentage for every semester shall be 40 percent.

The weightage of internal assessment shall be based on the following.

**Internal Assessment:**

Assignment / Project Work / Presentation	: 20 Marks
Viva Voce College Level	: 10 Marks

-----  
**: 30 Marks**  
 -----

- b) Each Ability Enhancement compulsory Course (AECC) of 2 Credits shall be of 50 Marks. This paper shall be in self-instructional mode under the guidance of class mentor or class teacher. The assessment of the Subject Skill Enhancement Course shall be internal assessment. The weightage for the continuous internal Assessment shall be based on the following.

**Internal Assessment:** For passing this examinations 2 credits will be assigned to the students. 50 marks examinations include 25 objective type questions with 2 marks each. The minimum passing criteria shall be 20 marks.

- c) The student failing in internal assessment of any course will be deemed to have failed in the End - Semester University Examination of the respective course. Such student shall be allowed to reappear for the internal assessment only in the next semester.
- d) Appearing in Internal Written Test of all DSC Courses and Skill Enhancement Courses is strictly compulsory.
- e) The internal assessment marks for each semester for all DSC Courses, AECC along with requisite Credits earned by the student for the Compulsory Foundation Course shall have to be sent to the University, prior to the commencement of the respective End - Semester University Examination.
- f) A student who has passed in the internal assessment but has failed in the End - Semester University Examination, his / her internal marks and credits earned for respective course/paper will be carried forward till the validity of his / her respective semester.
- g) A student who has failed in the End- Semester theory examinations but passed in internal assessment can reappear for theory paper and his marks of internal assessment will be carried forward.

**15. FIVE YEARS LL. B. Rule. 15: Practical Training Papers:**

- a) **Practical Training Paper I: Professional Ethics and Professional Accountancy for Lawyers and Bar-Bench Relations.**The theory End-Semester University Examination shall be 70 marks and internal assessment only 30 marks.
- b) **Practical Training Paper II: Alternative Disputes Resolution (ADR):**The theory End-Semester University Examination shall be 70 marks and internal assessment only 30 marks.
- c) **Practical Training Paper III: Drafting, Pleading and Conveyance (DPC):** The course will be taught class instructions and simulation exercises. Apart from teaching the relevant provisions of law, the course may include not less than 15 practical exercises in Drafting of pleadings carrying the total of 45 marks (3 marks for each) and 15 exercises in Drafting of Conveyancing, carrying another 45 marks (3 marks for each). Remaining 10 marks will be given for viva voce.
- d) **Practical Training Paper IV: Moot Court Exercise and Internship:** This paper may have 3 components of 30 marks each and a viva of 10 marks (Moot Court 30 Marks, Observance of Trial in Two Cases 30 Marks, Interviewing Techniques and Pre-Trial Preparation and Internship Diary 30 Marks).
- e) **Duration of Semester Examination for each theory paper -** The duration of Semester Examination for each theory paper of 70 marks shall be of three hours.
- f) **Standard of passing-** The Standard of passing shall be minimum 35 in each DSC Course both theory + internal assessment and average passing for every semester shall be 40 percentages.
- g) **However ATKT rules shall be applicable to Theory Paper only as per University norms.**

**16. FIVE YEARS LL. B. Rule. 16: Passing and Carrying Forward the Semester:**

- 1) For grant of respective academic year, the student must have kept two terms with requisite attendance, must have appeared in the internal written test of each course / paper and has secured minimum passing marks in internal assessment of each course / paper shall be eligible.
- (2) The student who has passed all the papers of Semester I and II will be promoted to Semester III (Second year). The students who have passed minimum 5 papers out of 7 core papers will be allowed to keep terms (ATKT).
- (3) The student who has passed all the papers of Semester III and IV will be promoted to Semester V (Third Year). The students who have passed minimum 5 papers out of 7 core papers will be allowed to keep terms (ATKT).
- (4) The student who has passed all the papers of Semester V and VI will be promoted to Semester VII (Fourth year). The students who have passed minimum 7 papers out of 10 core papers will be allowed to keep terms (ATKT).
- (5) The student who has passed all the papers of Semester VII and VIII will be promoted to Semester IX (Fifth year). The students who have passed minimum 7 papers out of 10 core papers will be allowed to keep terms (ATKT).
- (6) *The student at the time of promotion to Third Year of Five Years LL.B. Course, must have completed First Year of Five Years LL.B. Pre-Law Course both Semesters I & II.*
- (7) *The student at the time of promotion to Fifth Year of Five Years LL.B. Course, must have completed Third Year Five Years of LL.B. Course (Semesters I, II, III, IV, V & VI).*

**(8) Award of Degree:**

*The student who has passed Semester I, II, III, IV, V, VI, VII & VIII shall be awarded with a LL.B. General Degree (Completion of Four Years).*

**(5) The student who has passed Semester I, II, III, IV, V, VI, VII, VIII, IX & X shall be awarded with FIVE YEARS LL. B. Special Degree (Completion of Five Years).****17. FIVE YEARS LL. B. Rule. 17: Gradation Chart:**

Marks Obtained	Numerical Grade (Grade Point)	CGPA	Letter Grade
Absent	0 (zero)	-	-
0 – 34	0 to 4	0.0 – 4.99	F (Fail)
35 – 44	5	5.00 – 5.49	C
45 – 54	6	5.50 – 6.49	B
55 – 64	7	6.50 – 7.49	B+
65 – 74	8	7.50 – 8.49	A
75 – 84	9	8.50 – 9.49	A+
85 – 100	10	9.50 – 10.0	O (Outstanding)

**Note:**

- ii) Marks obtained  $\geq 0.5$  shall be rounded off to next higher digit.
- iii) The SGPA & CGPA shall be rounded off to 2 decimal points.
- iv) Marks obtained in 50 marks or 200 marks paper shall be converted to 100 marks.

**Calculation of SGPA & CGPA****1. Semester Grade Point Average (SGPA)**

$$SGPA = \frac{\sum(\text{Course credits} \times \text{Grade points obtained}) \text{ of a semester}}{\sum(\text{Course credits}) \text{ of respective semester}}$$

**2. Cumulative Grade Point Average (CGPA)**

$$CGPA = \frac{\sum(\text{Total credits of a semester} \times \text{SGPA of respective semester}) \text{ of all semesters}}{\sum(\text{Total course credits}) \text{ of all semesters}}$$

**18. FIVE YEARS LL. B. Rule. 18: Result** - The result of each Semester shall be declared as Pass or Fail or Allowed to Keep Terms (A.T.K.T. for Sem II & IV) with grade/ grade points and Credits gained.

**Revised Rules** - These revised rules will be implemented with effect from the academic year 2019-20 onwards for LL.B. degree program. However the existing (i.e. pre-revised) rules shall remain in force for the students of old semester pattern during the transition period.

**19. FIVE YEARS LL. B. Rule. 19: Question Paper Model:**

The Question Paper of Three Year LL.B. 70 marks shall consists of total seven questions carrying 15 marks each, out of which a student can opt any four. The eighth question shall be mandatory consisting of four short notes out of which the students have to opt any two of 5 marks each.

Practical Training Paper I – Professional Ethics and Professional Accounting System and Practical Training Paper II – Alternative Disputes Resolution (ADR), the examination pattern is 70:30. For 70 marks University Written Examination will be conducted and for 30 marks internal assessment will be conducted at college level.

Regarding practical training paper – III: Drafting, Pleading and Conveyance (DPC) and Practical Training Paper – IV: Moot Court Exercise and Internship, there shall be no theory examination. Viva Voce Examinations for 10 marks each will be conducted in presence of External Examiners appointed by the University. 90 marks will be allotted for both the papers as per BCI norms.

**Model Question Paper Format:**

**First year of Five Years LL. B., (Semester I) CBCS,**

**Examination, October, 2019**

**Political Science – I (Paper – I)**

**Subject Code: \_\_\_\_\_**

**Day & Date: \_\_\_\_\_**

**Total Marks: 70**

**Time: \_\_\_\_\_**

**Instructions:**

1. Attempt any four questions from Q.No. 1 to 7.
2. Q. No. 8 is compulsory.
3. Figures to the right indicate full marks.

---

Q.1.	_____	(15)
Q.2.	_____	(15)
Q.3.	_____	(15)
Q.4.	_____	(15)
Q.5.	_____	(15)
Q.6.	_____	(15)
Q.7.	_____	(15)
Q.8.	Write short notes (Any Two):	(10)
	a) _____	
	b) _____	
	c) _____	
	d) _____	



**CBCS FIVE YEARS LL. B. Structure of Programme: Part - I**

<b>Semester I</b>								
<b>Teaching Scheme and Evaluation Scheme</b>								
<b>Course Code</b>	<b>Subjects</b>	<b>Theory Examination Shiv. Uni.</b>	<b>Hours</b>	<b>Internal Assessment College</b>	<b>Hours</b>	<b>Total Marks</b>	<b>Weekly Teaching Hours</b>	<b>Total Credits</b>
DSC-101	Political Science-I (Local Self government )	70	4.2	30	1.8	100	06	06
DSC-102	Political Science-II (Public Administration)	70	4.2	30	1.8	100	06	06
DSC-103	English –I (Grammar and Usage)	70	4.2	30	1.8	100	06	06
AECC-104	Personality Development & Communication Skill)	-	-	50	-	50	-	02
	<b>Total</b>	<b>210</b>	<b>12.6</b>	<b>140</b>	<b>5.4</b>	<b>350</b>	<b>18</b>	<b>20</b>

<b>Semester II</b>								
<b>Teaching Scheme and Evaluation Scheme</b>								
<b>Course Code</b>	<b>Subjects</b>	<b>Theory Examination Shiv. Uni.</b>	<b>Hours</b>	<b>Internal Assessment College</b>	<b>Hours</b>	<b>Total Marks</b>	<b>Weekly Teaching Hours</b>	<b>Total Credits</b>
DSC-201	Political Science-III (Organisation & Administration of the State Government)	70	4.2	30	1.8	100	06	06
DSC-202	Economics-I (General Principles)	70	4.2	30	1.8	100	06	06
DSC-203	History-I (General History)	70	4.2	30	1.8	100	06	06
DSC-204	Sociology-I (General Principles)	70	4.2	30	1.8	100	06	06
AECC - 205	Legal Language	-	-	50	-	50	-	02
	<b>Total</b>	<b>280</b>	<b>16.8</b>	<b>170</b>	<b>7.2</b>	<b>450</b>	<b>24</b>	<b>26</b>

**CBCS FIVE YEARS LL. B. Structure of Programme Part - II**

<b>Semester III</b>								
<b>Teaching Scheme and Evaluation Scheme</b>								
<b>Course Code</b>	<b>Subjects</b>	<b>Theory Examination Shiv. Uni.</b>	<b>Hours</b>	<b>Internal Assessment College</b>	<b>Hours</b>	<b>Total Marks</b>	<b>Weekly Teaching Hours</b>	<b>Total Credits</b>
DSC-301	Political Science-IV (Political Theory & Political Organisation)	70	4.2	30	1.8	100	06	06
DSC-302	Sociology-II (Special Sociology)	70	4.2	30	1.8	100	06	06
DSC-303	Economics-II (Special Economics)	70	4.2	30	1.8	100	06	06
DSC-304	History-II (Legal History)	70	4.2	30	1.8	100	06	06
AECC - 305	Information and Communication Technology	-	-	50	-	50	-	02
	<b>Total</b>	<b>280</b>	<b>16.8</b>	<b>170</b>	<b>7.2</b>	<b>450</b>	<b>26</b>	<b>26</b>

<b>Semester IV</b>								
<b>Teaching Scheme and Evaluation Scheme</b>								
<b>Course Code</b>	<b>Subjects</b>	<b>Theory Examination Shiv. Uni.</b>	<b>Hours</b>	<b>Internal Assessment College</b>	<b>Hours</b>	<b>Total Marks</b>	<b>Weekly Teaching Hours</b>	<b>Total Credits</b>
DSC-401	Political Science-V (Foundation of Political Obligations)	70	4.2	30	1.8	100	06	06
DSC-402	Political Science-VI (International Relations)	70	4.2	30	1.8	100	06	06
DSC-403	English-II	70	4.2	30	1.8	100	06	06
AECC-404	Use of Law Journals, Law Reports	-	-	50	-	50	-	02
	<b>Total</b>	<b>210</b>	<b>12.6</b>	<b>140</b>	<b>5.4</b>	<b>350</b>	<b>18</b>	<b>20</b>

### CBCS FIVE YEARS LL. B. Structure of Programme Part - III

<b>Semester V</b>								
<b>Teaching Scheme and Evaluation Scheme</b>								
<b>Course Code</b>	<b>Subjects</b>	<b>Theory Examination Shiv. Uni.</b>	<b>Hours</b>	<b>Internal Assessment College</b>	<b>Hours</b>	<b>Total Marks</b>	<b>Weekly Teaching Hours</b>	<b>Total Credits</b>
DSC-501	Law of Contract (General Principles of Contract and Specific Relief Act)	70	4.2	30	1.8	100	06	06
DSC-502	Constitutional Law -I	70	4.2	30	1.8	100	06	06
DSC-503	Law of Torts and Consumer Protection Act	70	4.2	30	1.8	100	06	06
DSC-504	Law of Crimes-I (Indian Penal Code)	70	4.2	30	1.8	100	06	06
DSC-505	Family Law-I	70	4.2	30	1.8	100	06	06
AECC-506	Legal Research	-	-	50	-	50	-	02
	<b>Total</b>	<b>350</b>	<b>21.00</b>	<b>200</b>	<b>9.0</b>	<b>550</b>	<b>30</b>	<b>32</b>

<b>Semester VI</b>								
<b>Teaching Scheme and Evaluation Scheme</b>								
<b>Course Code</b>	<b>Subjects</b>	<b>Theory Examination Shiv. Uni.</b>	<b>Hours</b>	<b>Internal Assessment College</b>	<b>Hours</b>	<b>Total Marks</b>	<b>Weekly Teaching Hours</b>	<b>Total Credits</b>
DSC-601	Special Contract	70	4.2	30	1.8	100	06	06
DSC-602	Constitutional Law – II	70	4.2	30	1.8	100	06	06
DSC-603	Family Law - II	70	4.2	30	1.8	100	06	06
DSC-604	Environmental Law	70	4.2	30	1.8	100	06	06
DSC-605	Professional Ethics	70	4.2	30	1.8	100	06	06
AECC-606	Public Interest Lawyering	-	-	50	-	50	-	02
	<b>Total</b>	<b>350</b>	<b>21.00</b>	<b>200</b>	<b>9.0</b>	<b>550</b>	<b>30</b>	<b>32</b>

**CBCS FIVE YEARS LL. B. Structure of Programme Part - IV**

<b>Semester VII</b>								
<b>Teaching Scheme and Evaluation Scheme</b>								
<b>Course Code</b>	<b>Subjects</b>	<b>Theory Examination Shiv. Uni.</b>	<b>Hours</b>	<b>Internal Assessment College</b>	<b>Hours</b>	<b>Total Marks</b>	<b>Weekly Teaching Hours</b>	<b>Total Credits</b>
DSC-701	Jurisprudence	70	4.2	30	1.8	100	06	06
DSC-702	Property Law	70	4.2	30	1.8	100	06	06
DSC-703	Company Law	70	4.2	30	1.8	100	06	06
DSC-704	Public International Law	70	4.2	30	1.8	100	06	06
DSC-705	Criminology	70	4.2	30	1.8	100	06	06
AECC-706	Fundamentals of Cyber Law	-	-	50	-	50	-	02
	<b>Total</b>	<b>350</b>	<b>21.00</b>	<b>200</b>	<b>9.0</b>	<b>550</b>	<b>30</b>	<b>32</b>

<b>Semester VIII</b>								
<b>Teaching Scheme and Evaluation Scheme</b>								
<b>Course Code</b>	<b>Subjects</b>	<b>Theory Examination Shiv. Uni.</b>	<b>Hours</b>	<b>Internal Assessment College</b>	<b>Hours</b>	<b>Total Marks</b>	<b>Weekly Teaching Hours</b>	<b>Total Credits</b>
DSC-801	Interpretation of Statutes	70	4.2	30	1.8	100	06	06
DSC-802	International Human Rights	70	4.2	30	1.8	100	06	06
DSC-803	Administrative Law	70	4.2	30	1.8	100	06	06
DSC-804	Banking and Insurance	70	4.2	30	1.8	100	06	06
DSC-805	Alternative Disputes Resolution (ADR)	70	4.2	30	1.8	100	06	06
AECC-806	Law and Entrepreneur Skills	-	-	50	-	50	-	02
	<b>Total</b>	<b>350</b>	<b>21.00</b>	<b>200</b>	<b>9.0</b>	<b>550</b>	<b>30</b>	<b>32</b>

### CBCS FIVE YEARS LL. B. Structure of Programme Part - V

Semester IX								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Exam Shivaji Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-901	Civil Procedure Code & Limitation Act	70	4.2	30	1.8	100	06	06
DSC-902	Law of Evidence	70	4.2	30	1.8	100	06	06
DSC-903	Labour Law-I (Industrial Laws)	70	4.2	30	1.8	100	06	06
DSC-904	Land Laws	70	4.2	30	1.8	100	06	06
DSC-905	Drafting, Pleading and Conveyancing	No Theory Exam	-	45 + 45 = 90 Viva = 10	1.8	100	06	06
AECC-906	Advocacy Skills	-	-	50	-	50	-	02
<b>Total</b>		<b>280</b>	<b>16.80</b>	<b>270</b>	<b>9.0</b>	<b>550</b>	<b>30</b>	<b>32</b>

Semester X								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Exam Shivaji Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-1001	Law of Crimes-II (Criminal Procedure Code)	70	4.2	30	1.8	100	06	06
DSC-1002	Intellectual Property	70	4.2	30	1.8	100	06	06
DSC-1003	Labour Law –II (Social Securities Laws)	70	4.2	30	1.8	100	06	06
DSC-1004	Principles of Taxation	70	4.2	30	1.8	100	06	06
DSC-1005	Moot Court, Pre-Trial Preparation & Participation in Trial Proceedings	No Theory Exam	-	30+30+30 = 90 Viva = 10	1.8	100	06	06
AECC-1006	Criminal Law Investigation & Forensic Science	-	-	50	-	50	-	02
<b>Total</b>		<b>280</b>	<b>16.80</b>	<b>270</b>	<b>9.00</b>	<b>550</b>	<b>30</b>	<b>32</b>

**DSE:** Discipline Specific Elective Courses (Compulsory) Total = 10 semesters = 44 papers. = Total 264 Credits.

**AECC :** Ability Enhancement Core Course (Compulsory) Total = 10 semesters x 1 paper = 10 papers. Each paper with 2 credits x 10 semester = 20 Credits.



**FIVE YEARS LL. B. Part I Syllabus**  
**DSC 101: POLITICAL SCIENCE – I (Local Self-Government)**

**The Object of Study:** Political Science has a very close links with legal studies because legal instruments are formulated as a system expression directly emanating from the political superstructure.

The object of the study of Local Self-Government is to throw light on the Panchayati Raj system, which is the basis of our democracy. The Panchayati Raj system plays a unique role in this 21st century, in achieving the principals of Mahatma Gandhi assured by the Indian Constitution to the citizens. The concept of De-centralization of power is introduced with the establishment of the three tire Panchyati Raj Scheme system in local self government.

**Methodology of teaching-learning:** There are two distinct process of teaching-learning through data sensitivity and fact analytical skill-development through case studies based on motivational lectures and the building up of thesis and counter-thesis through research, group discussion and presentation of papers.

**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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**: 30 Marks**  
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**SYLLABUS :**

**UNIT-1 Local Self-Government in rural and urban areas**

- 1.1 Definitions and meaning of Local Self-government
- 1.2 Nature of Local Self-government
- 1.3 Significance and role of Local Self-government

**UNIT-2 Evolution of Local Self-Government in India**

- 2.1 History of Local Self-government in India
- 2.2 Gandhian Philosophy regarding democratic decentralization and Gram Swaraj
- 2.3 Various committes on Pnchayat Raj

**UNIT -3 GramPanchayat**

- 3.1 Composition, functions and resources
- 3.2 Sarpanch and Gram Sevak
- 3.3 Gram Sabha and Social Audit

**UNIT - 4 PanchayatSamiti and ZillaParishad**

- 4.1 Composition, functions and resources of PanchayatSamiti&ZillaParishad
- 4.2 Chairman of PanchayatSamiti and Block Development Officer
- 4.3 Chairman of ZillaParishad and Chief Executive Officer

**UNIT - 5 Municipal Corporation and Municipality**

- 5.1 Composition, functions and resources
- 5.2 Municipal Commissioner and Mayor of Municipal Corporation
- 5.3 Executive Officer and President of Municipality

**UNIT - 6 Local Self-Government: Problems, Remedies and Challenges**

- 6.1` Problems and prospects of local self-government

- 6.2 Remedies and solutions of local self-government
- 6.3 Challenges of rural and urban local self-government

### **UNIT - 7 Local Self-Government and Empowerment of citizens**

- 7.1 Political and Social Empowerment
- 7.2 Empowerment of Women
- 7.3 Role of NGOs in the process

### **UNIT -8 Constitutional Provisions on Local Self-government**

- 8.1 73<sup>rd</sup> Amendment to the Constitution and its provisions
- 8.2 74<sup>th</sup> Amendment to the Constitution and its provisions
- 8.3 Organisation of Local Self-governments in India

### **Reference Books :**

- |   |                           |                                                                              |
|---|---------------------------|------------------------------------------------------------------------------|
| 1 | Political Science         | By B.K. Gokhale, Himalaya Publishing , Mumbai-4                              |
| 2 | Local Government in India | Dr. ShriramMaheshwar, Orient Longme Ltd New Delhi                            |
| 3 | Modern Governments        | By S.C. Pant, Prakashan Kendra, Railway Crossing<br>Sitapur Road. Lucknow-20 |
| 4 | Indian Administration     | By Dr. ShriramMaheshwari, Orient Longme Ltd New Delhi                        |

## **DSC 102: POLITICAL SCIENCE II (Public Administration)**

### **The Object of Study:**

The study of public administration is essential in this era of globalization. The administrative units rendering their services to the society should be known to the students of the new law course. The concept of welfare state has become a well known agenda for today's Governments. By studying public administration student will know everything about the importance of the structure and organization, method and procedure and powers and responsibilities by an easy device and that is public administration.

**Methodology of teaching-learning:** There are two distinct process of teaching-learning through data sensitivity and fact analytical skill-development through case studies based on motivational lectures and the building up of thesis and counter-thesis through research, group discussion and presentation of papers.

**Evaluation methods:**Theory Examination – 70 Marks

#### **Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: 30 Marks  
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### **SYLLABUS :**

#### **UNIT - 1 Nature and Scope of Public Administration**

- 1.1 Meaning, importance, nature and scope of Public Administration
- 1.2 Difference between Public and Private Administration
- 1.3 Similarities between Public and Private Administration
- 1.4 Public administration in developed and developing countries

**UNIT- 2 Theories of Organisation**

- 2.1 Scientific Management Theory
- 2.2 Bureaucratic Theory of Organisation
- 2.3 Classical Theory of Organisation
- 2.4 Human Relations Theory of Organisation

**UNIT- 3 Principles of Organisation**

- 3.1 Hierarchy
- 3.2 Span of Control
- 3.3 Unity of Command
- 3.4 Centralisation and decentralization of Administration

**UNIT- 4 Public Policy**

- 4.1 Meaning, nature and agencies of Public Policy
- 4.2 Models of Public Policy making and their critique
- 4.3 The Constitutional basis of making of Public Policy: Preamble and Directive Principles of State policy
- 4.4 The steps in formulation and implementation of Public policy

**UNIT- 5 Accountability and Control**

- 5.1 Concept of Accountability and Control
- 5.2 Legislative, Executive and Judicial Control on Administration
- 5.3 Role of Civil Society and Media
- 5.4 Role of Voluntary Organisations

**UNIT- 6 Boards and Commissions in India**

- 6.1 Union Public Service Commission
- 6.2 Election Commission
- 6.3 Central Vigilance Commission
- 6.4 NitiAyog

**UNIT- 7 Independent Regulatory Commissions in India**

- 7.1 Need and growth of Regulatory Commissions in India
- 7.2 Nature and functions of TRAI, SEBI, ERA, IDRA
- 7.3 Impact of globalization on public administration
- 7.4 Challenges before independent Regulatory Commissions

**UNIT- 8 Contemporary challenges of Public Administration**

- 8.1 Nature of contemporary challenges before public administration
- 8.2 Right to Information, National Rural Employment Guarantee, (MGNREG) and Disaster Management Act
- 8.3 Second administrative reforms commission, recommendations and implementations
- 8.4 Solutions to contemporary challenges

### **Recommended Books**

1	Public Administration	By Dr. M.P.Sharma
2	Public Administration	Prof.A.R. Tyagi, (Atmaram and sons publications)
3	Public Administration and Development	Stein Herold
4	The study of public administration	By Dwight Waldo
5	Management of Public Service	McGrav, New York
6	Dynamic Administration	By Follet
7	Public Administration in India	Khanna R.L., Mahindra Capital Publisher

### **Reference Books :**

1. AmreshwarAvasthi&ShriramMaheswari, Public Administration, New Delhi
2. Chaturvedi (Edited), Comparative Public Administration, I.I.P.A. New Delhi
3. Leonard D.White, Public Administration, Eurasia Publishing House, New Delhi
4. Bellone, Carl, J Organization Theory and the New Public Administration, Boston
5. Kriesberg, Martin (ed), Comparative Administrative Theory, Washington
6. Rhodes, R.A.W. Public Administration and Policy Analysis, Aldershort,

## **DSC 103: ENGLISH – I (Grammar and Usage)**

### **The Object of Study:**

As Indian legal system is heavily imbedded in English language, the first skill that an Indian lawyer has to learn is to acquire strong grounding in English language and literature. Accordingly, English I is introduced as a compulsory course in law study as per BCI Rule – IV of part – IV on Standards of Legal Education. While insisting on ‘Proficiency in English’ the Bar Council of India expects the law graduates to have the minimum linguistic skills necessary for effective legal practice in the trial and appellate Court.

The skills contemplated as essential to a lawyer are communication skills (both written and oral) well as skills of comprehension (learning by reading and listening).There can be many methods and diverse materials in imparting those skills The minimum expected by the courses is to give a functional knowledge of the language for the purpose of communication and comprehension in legal business. This would require obviously emphasis on both General English as well as English for legal purpose. The main focus, however, is on the use of English language for as the means and methods of effective communication ,reading, writing and speaking, for the purpose of understanding and transaction of legal business.

**Methodology of teaching-learning:** The effective method of teaching-learning and developing language skill is to read more and more English literature especially literatures created by Judges and Jurists in the name of Autobiography or biography or in special lecture-series. Listen, speak and write– are three straight ways of teaching-learning language. The analytical skill is developed with critical interpretations and explanation. So the best way to learnlanguage is to work in tutorials and group participation, Class activities andlectures.

### **Evaluation methods:**Theory Examination – 70 Marks

#### **Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: 30 Marks  
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**SYLLABUS :****UNIT -1Introduction to Language and Communication :**

- 1.1 Reading comprehension- Practice in slow and careful reading of functional prose in general and legal prose in particular.
- 1.2 Listening comprehension – Exercise in note taking from speech, making lecture notes.

**UNIT -2 Grammar and Usages-Comprehensive Skills**

- 2.1 Tense and concord
- 2.2 Conditionals
- 2.3 Noun modifiers (determiners, preposition phrases clauses)

**UNIT -3Grammar and Usage's (Comprehension Skills)**

- 3.1 Simple sentence (one clause) (their phrase structure)
- 3.2 Complex and compound sentences

**UNIT -4Grammar and Usage's (Comprehension Skills)**

- 4.1 Basic transformations
- 4.2 Passives
- 4.3 Negatives
- 4.4 Questions

**UNIT -5Grammar and Usage's (Comprehension Skills)**

- 5.1 Reported speech
- 5.2 Question tags and short responses
- 5.3 Some common errors.

**UNIT -6Compositions Skills**

- 6.1 Paragraph Writing
- 6.2 Translation from regional language into English & vice-versa.

**UNIT -7 Compositions Skills**

- 7.1 Formal Correspondence
- 7.2 Note taking

**UNIT 8 Voluntary Communication Skills**

- 8.1 Use of a Dictionary for words and idiomatic expressions.
- 8.2 Use of Law Lexicon for Legal Terms (relevant to the subject papers of LL.B. student )

**Books :**

1. A Handbook of English Grammar by R.W. Zandvoort – The English Language Book Society and Longman Group Ltd.
2. Grammar and composition, A senior course by C.A Sheppard, David Reid – Thoms – Orient Longman.
3. English through Reading – Volume –I by W.W.S. Bhaskar / N.S. Prabhu – The macmillan Company of India Ltd.

**Reference Books :**

1. A Practical English Grammer by A.J. Thomson and A.V. Martinet – Oxford University Press
2. English Language course for Colleges – Book – I by L.A. Hill and others (Oxford.)
3. The New English Grammar – by R.A. Close – George Allen and Unwin.
4. Block's Law Dictionary – St. Paul Minn – West Publishing Co.



5. Alyer's Law Terms and Phrases – Law Book Co. Allahabad.
6. Strengthen your English by Bhaskaran and Horsourgh – Delhi, Oxford University Press.
7. Legal Language by Madabhushi Sridhar, 2nd Edition
8. Dr. Anirudh Prasad. Outlines of legal language in India. 4th edition. Central law publications. Allahabad. 2007.

### **AECC 105: Personality Development & Communication Skill**

- |            |                                                                                                                                                                                                                                 |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Unit – I   | <b>Personality Development</b><br>1.1 Meaning of Personality<br>1.2 Types of Personality<br>1.3 Elements of Personality<br>1.4 Personality Determinants<br>1.5 Parents meet along with students.                                |
| Unit – II  | <b>Self Image and Ambition</b><br>2.1 Self – Image and personality<br>2.2 Centre of Personality<br>2.3 Improvement of images<br>2.4 Nature of Ambition person<br>2.5 Nature of Level Person                                     |
| Unit – III | <b>Self Confidence &amp; Self Study</b><br>3.1 What is Self Confidence<br>3.2 Power of self Confidence<br>3.3 Self Confidence as mental condition<br>3.4 Success in self confidence<br>3.5 Nature and Importance of Self Study. |
| Unit – IV  | <b>Decision Power and creativity</b><br>4.1 Secret of decision power<br>4.2 Challenge to decision power<br>4.3 Development of decision power<br>4.4 Nature of creativity<br>4.5 Greatest Capability                             |
| Unit – V   | <b>Communication Skill</b><br>5.1 Introducing People<br>5.2 Greeting People<br>5.3 Expressing Apologies, condolences<br>5.4 Description, Narration and Elocution                                                                |

#### **Books Recommended:**

- 1) Theories of Personality – Hall Lizard, Camp Bell, Welevy Publication U.S.A.
- 2) Development Psychology – A Life span approach, - Elizabeth B. Hurlock
- 3) Understanding Psychology – Robert S. Feldman
- 4) Human Development Tata Macgraw Hill Edition USA
- 5) PalakSanjivani, Dr. Y.K. Shinde, BharatiVidyapeeth Publications
- 6) VyaktimatvaSanjeevani, Dr. Y.K.Shinde, Education Research and Rural Development Institute, Posewadi, Sangli.

**FIVE YEARS LL.B. Part II Syllabus**  
**DSC 201: POLITICAL SCIENCE III –(Organization and**  
**Administration of the State Government)**

**The Object of Study:**

The study of State machinery in Indian union is a key stone of the Governmental system. It throws light in the functions of the state. Governmental administration should be known to the students of law.

**Teaching-learning methods:** Lectures including special lectures of experts may be a good process of learning. Interactive sessions, tutorials , Project research, paper presentation - these are also good form of teaching-learning.

**Evaluation methods:**Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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**: 30 Marks**  
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**SYLLABUS**

**UNIT 1 Introduction to organisation of State Government**

- 1.1 Federal Structure of India
- 1.2 Division of Powers between Centre and state
- 1.3 Organisation of Government at the State level

**UNIT 2 State Executive**

- 2.1 Governor
- 2.2 Chief Minister and Council of Ministers
- 2.3 Relation between the Governor, Chief Minister and Council of Ministers

**UNIT 3 State Legislature**

- 3.1 Legislative Assembly: Composition, powers and functions
- 3.2 Legislative Council: Composition, powers and functions
- 3.3 Speaker of the Legislative Assembly

**UNIT 4 State Judiciary**

- 4.1 Organisation of the State Judiciary
- 4.2 High Court: Composition and Jurisdiction
- 4.3 District and Sessions Court & Subordinate Courts: Composition and Jurisdiction

**UNIT 5 Center-State Relations**

- 5.1 Center-State relations with regard to Legislative matters
- 5.2 Center-State relations with regard to Administrative matters
- 5.2 Commission and recommendations to improve Center-State Relations

**UNIT 6 Political Parties and Pressure Groups**

- 6.1 National and State Political Parties
- 6.2 Pressure groups: labour groups, women groups, youth groups, farmer groups and business groups
- 6.3 The role of regional political parties in Indian Political system in the backdrop of coalition governments

**UNIT 7 Commissions in the State**

- 7.1 State Public Service Commission
- 7.2 State Finance Commission
- 7.3 State Election Commission

**UNIT 8 Functionaries**

- 8.1 Advocate General
- 8.2 Lokayukta

**Reference Books :**

1. State Governments in India by Dr. ShriramMaheshwari, The MacMilan Compacy of India Ltd, Delhi
2. Indian Polity by M. Laxmikant, Tata McGrawHill New Delhi
3. Public Administration by M. Laxmikant, Tata McGrawHill, Chennai
4. Panchayat and Rural Development by RaghavRao
5. Politics in India by Kothari Rajani

**DSC 202: ECONOMICS – I (General Principles)**

**Object-** The knowledge of Economics is now extremely important for everybody in the Legal Profession, more so in case of all transactional and Corporate lawyers. Therefore it is always advisable for the students of law to be thoroughly conversant with fundamental and intricate principles of economic system.

Teaching-learning methods: Lectures including special lectures of experts may be a good process of learning. Interactive sessions, tutorials, Project research, paper presentation - these are also good form of teaching-learning.

**Evaluation methods:**Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: 30 Marks  
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**SYLLABUS****UNIT -1Nature, Scope and Importance of Economics**

- 1.1 Definations, Importance, Nature and Scope of Economics
- 1.2 Importance of Micro- and Macro-Economics
- 1.3 Economics as a basis of Social Welfare and Social Justice
- 1.4 Economics and its relevance to law

**UNIT -2 Law of Demand and Supply Analysis**

- 2.1 Meaning of Demand, Factors affecting demand
- 2.2 Law of Demand, Elasticity of Demand, Demand Curve, Exceptions to law of demand
- 2.3 Utility – Law of Diminishing Marginal Utility and Law of Equi-Marginal Utility
- 2.4 Law of Supply, Factors affecting Supply, Elasticity of Supply

**UNIT -3 Law of Production and Costs**

- 3.1 Meaning of Production, Factors of Production, Production Function
- 3.2 Theories of Production- Law of Variable Proportions, Assumptions of Law, Three Stages of the Law, Explanation, Meaning, Types/Classification of Costs
- 3.3 Cost of Production- Cost Analysis
- 3.4 Equilibrium Analysis- Meaning, Types, Equilibrium of Firm and Industry

**UNIT -4 Market-Determination of Prices**

- 4.1 Market- Meaning, Definition, Classification/Types of Market
- 4.2 Perfect Competition Market
- 4.3 Monopoly- Monopolistic competition
- 4.4 Oligopoly- Characteristics, Price and Output determination

**UNIT -5 Theories of Money and Banking**

- 5.1 Definition of Money, Function of Money, Importance of Money
- 5.2 Concept Inflation, Deflation and Reflation- Causes and effect of Inflation and Deflation
- 5.3 Functions of Commercial Bank, Co-operative Banks
- 5.4 Reserve Bank of India- its Role

**UNIT -6 Public Finance, Fiscal Policy and Deficit Financing**

- 6.1 Meaning, Concept and Importance and Branching Public Finance
- 6.2 Taxation- Meaning, Importance, Merit and Demerits
- 6.3 Classification of Taxes- Direct and Indirect Taxes
- 6.4 Objectives of Monetary Policy and Fiscal Policy

**UNIT -7 Economic Analysis of Law**

- 7.1 Economic analysis origin and development
- 7.2 Economic legislations
- 7.3 Labour Legislations
- 7.4 New Economic Reforms : Liberalisation  
Privatisation and Globalisation

**UNIT 8 Interactional Dimensions of Law and Economics**

- 8.1 Formality and Informality of Law.
  - 2.4 Economic analysis of tort law
  - 2.5 Economic analysis of Contract law
  - 2.6 Economic analysis of Consumer Protection Law

**Books**

1. The Essentials of Economics – A.W. Stonier & D.C. Hague.
2. A Text Book of Economics – J.L. Johnson.
3. Economics and Introductory Analysis – Paul Samuelson  
Vaish&Sundaram.
4. Economics for Law Students- Surabhi Arora, Central Law  
Publications, Allahabad

5. An Introduction to Economics for Pre-Law Students-  
Dr Ratna Chatterjee, Central Law Publications, Allahabad
6. Handbook on Pre-Law first year by expert eminent authors, C  
Sitaraman and Company, Law Book Seller, Publishers and  
Distributors, Madras-600 014

### **Reference Books**

- (1) Salvatore, Dominick, Micro Economics: Theory and Application, Oxford University Press, Indian Edition, New Delhi, 2007.
- (2) Samuelson, Paul, Economics, Tata McGraw Hill Publishing Company Limited, New Delhi, 2007.
- (3) Seth, M.L., Principles of Economics, Lakshmi Narain Agarwal Educational Publishers, Agra, Thirty Fifth Edition, 2001.
- (4) Ahuja, H.L., Advanced Economic Theory: Micro Economic Analysis, S. Chand and Company Limited, New Delhi, 2007.
- (4) Chopra, P.N., Principles of Economics, Kalyani Publishers, Ludhiana, 2006.
- (5) Bhutani, P.J., Principles of Economics For CA Foundation, Taxman Allied Services Private Limited, New Delhi, 2000.

## **DSC 203: HISTORY-I (General History)**

### **Object:**

It is widely believed and perhaps rightly so that today's problems and solutions thereto lie hidden in History. Institutions, people and the culture inherently makes one understand as to how to critically appreciate a fact-situation. Thus a lawyer is required to understand the history of political establishment, social institutions and thus evaluate the legal and judicial structure and process.

The course detailed below is intended to give broad ideas to the student about the main currents of social political, legal and cultural movements in the course of Indian history, which influenced the legal system and its institutions. It is expected that the teacher instead of describing mere chronology of events will acquaint the student with the Indian cultural heritage in the above fields so that he may be able to critically appreciate the relevance of the present institutions of the Indian democracy which are to be taught in the law course.

**Teaching-learning process:** Studying history has various angles. As such, lectures of social historians enable a person to appreciate various angles of history and build up perspectives. There is no alternative to self studies and research. Interactive sessions, tutorials, Project research, paper presentation - these are also good form of teaching-learning.

**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: 30 Marks  
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## Syllabus

### **UNIT -1Ancient India – (600 B.C. to 1206 A.D.)Ancient Indian Cultural Heritage**

- 1.1 State- Concept, Origin, Types, Theories
- 1.2 Kingship- Concept, Origin, Duties
- 1.3 Various Assemblies- Sabha, Samiti, Vidhata, Gana
- 1.4 Concept of decentralization- Province, Division, District, Subdivision, Town and Village Administration

### **UNIT -2Sources of Law**

- 2.1 Sources of Law in Ancient
- 2.2 Sources of Law in Modern
- 2.3 Ancient Indian Law givers
- 2.4 Judicial Administration in Ancient India

### **Unit-3 – Medieval India (1206 A.D. to 1818 A.D.)**

- 3.1 Advent of Islam in India
- 3.2 Impact of Islamic Rule (Synthetic Culture)
- 3.3 Provincial and District Administration under Mughals
- 3.4 Revenue Administration under Sultans and Mughals

### **UNIT -4Judicial Administration in Medieval India**

- 4.1 Sources of Islamic Law
- 4.2 Judicial Administration under Sultans
- 4.3 Judicial Administration under Mughals
- 4.4 Judicial Administration under Chh.Shivaji- Gotsabha-its importance

### **UNIT -5 Modern India**

- 5.1 Advent of European powers in India
- 5.2 Impact of European Culture in India

### **UNIT-6Judicial Reorganisation under East India Company**

- 6.1 Judicial Reforms under Warren Hestings (1722-1785)
- 6.2 Judicial Reforms under Cornwallis (1786-1793)
- 6.3 Judicial Reforms under William Bentink (!828-1833)
- 6.4 Analysis of Judiciary System under British  
-Positive-Negative

### **UNIT -7 Emancipation of Women and Law formation**

- 7.1 Fight for betterment of position of women
- 7.2 Abolition of Sati, Widow Re-marriage
- 7.3 Preventing female infanticide, Child Marriage
- 7.4 Legislative Measures

### **UNIT -8Struggle against Caste-based Exploitation and Law**

- 8.1 Causes for awakening Caste consciousness
- 8.2 Narayan Guru Dharma Paripalana Movement-1902
- 8.3 VokkaliyaSangh- 1905
- 8.4 Justice Movement-1917

**Books**

1. Aspects of Political Ideas and Institutions in Ancient India by R.S.Sharma
2. Early India- RomilaThapar
3. Advanced Study in the History of Medieval India Vol. I,II, and III by J.L. Mehta
4. History of Medieval India Sultan Period and Mughal Period, by V.D.Mahajan, C.Chand Publications, New Delhi
5. Medieval India, the Study of Civilisation by IrfanHabib, National Book Trust, India
6. A New Look on Modern Indian History by B.L.Glover, Alka Mehta, S.Chand Publication, New Delhi
7. Social, Cultural and Economics History of India –Ancient Times – by Ray Choudhary S.C. Second Edition, 1980, Surjeet Publications, New Delhi, Chapters 1 to 6 and 10 to 14
8. Social, Cultural and Economics History of India – Medieval age – by S.C. Ray Choudhary, Second Edition, 1980, Surjeet Publications, Chapters 1 to 3, 6, 7 and 13
9. Social Cultural and Economics History of India – Modern Time – by S.C. Ray Choudhary, Second Edition, 1980. Surheet Publication. Chapters 1 to 9
10. Indian National Movement and Constitutional Development – by D.C. Gupta, Fourth Revised Edition – Vikas Publishing House Pvt. Ltd. Chapters 17 to 21
11. Social Background of Indian Nationalism – By A.R. Desai, Popular Prakashan, Bombay, 1982 Edition – Chapter 18 only.

**Reference Books :**

- 1) Origin and Development of Legal & Political System in India Volumes I, II & III (Edited by H.S. Bhatia – Deep & DeepPublications, New Delhi.
- 2) History of Modern India – 1765 to 1950 - By S. N. Sen. Wiley Eastern Limited, New Delhi.
- 3) E.H.Carr, What is History?
- 4) Arthur Marwick, Nature of History.
- 5) RomilaThapar, Past and Prejudice.
- 6) RomilaThapar, Early India.
- 7) R.S. Sharma, Aspects of Political ideas and Institutions in Ancient India.
- 8) R.S. Sharma, Sudras in Ancient India
- 9) R.S. Sharma,Material culture and Social formation
- 10)Robert Lingat, The Classical Law of India.
- 11)J.D.M. Derrett, Religion law and state in India.
- 12)Satish Chandra, Medieval India Vol. I & Vol. II.

**DSC 204:SOCIOLOGY – I (General Principles)**

**Object:** This paper is intended to familiarize the students with the social, political, economic and intellectual contexts in which sociology emerged as a distinctive discipline. Its objective is to help students gain an understanding of some of the classical contributions in sociology and their continuing relevance to its contemporary concerns. Understanding the subject is essential for a legal scholar with a view to appreciate properly the social tensions and the reason for a fact to be ordained in the Indian social system.

**Methods of teaching-learning:** The importance of sociology lies in its dealing with empirical studies, facts happening around in a social set up and understanding how is fact happening in that way. Law being a social science can be studies in the sociological way. This sociological way is through consistent interaction with the social institutions, socially

dominant factors and social structural set up. Special lectures by eminent experts are ways of part of the studies

especially in determining the models of study. Group discussion is also a good process of teaching-learning.

**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: 30 Marks  
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### **UNIT -1 Introduction**

- 1.1 Definitions, Importance of Sociology
- 1.2 Nature and Scope of Sociology
- 1.3 Origin and Development of Sociology
- 1.4 Sociology is a Science of Society (Critique)

### **UNIT-2 Conceptual and Theoretical Orientations in Sociology**

- 2.1 Scientific Method and Social Research
- 2.2 Steps in Social Research, Sources of Data, Concepts and Theory
- 2.3 Social Order, Social Structure, Social Functions, Status and Role, Norms and Values
- 2.5 Social Phenomena and Social Change, Theories of Social Change

### **UNIT-3 Relationship between Sociology and Other Social Sciences**

- 3.1 Sociology and its relation with Political Science
- 3.2 Sociology and its relation with Economics
- 3.3 Sociology and its relation with Jurisprudence (Law)
- 3.4 Sociology and its relation with Ethics and Morals

### **UNIT -4 Social Institutions**

- 4.1 Marriage, Family and Kingship
- 4.2 Work and economic institutions
- 4.3 Power and Political Institutions
- 4.4 Religious and educational Institutions

### **UNIT -5 Social Differentiations and Social Stratification**

- 5.1 Meaning, Definition and functions of Social differentiation
- 5.2 Social Stratification- Meaning, Types and Characteristics
- 5.3 Cast system and Social Stratification
- 5.4 Social control and Socialization- Meaning, Types of both (Coercion, Conflict and Changes)

### **UNIT-6 The Development of Indian Sociology**

- 6.1 Salient features of Indian Society
- 6.2 Concept of Unity and Diversity, Forms of Diversity in India, Bonds of Unity in India
- 6.3 Different Elements of Unity and Diversity
- 6.4 Continuity and Change in Sociological Study



**UNIT -7 Law and Society**

- 7.1 Evolution of legal systems and the significance of the law in the society
- 7.2 Law in relation to Social order in India
- 7.3 Law as a means of Social Control, Law and social change in India
- 7.4 Law making and Society

**UNIT -8 Contemporary Social Issues in India**

- 8.1 Religious violence –Its impact
- 8.2 Issues related to SC,STs, BCs
- 8.3 Corrupt Practices-Its impact
- 8.4 Terrorism and its prevalence

**Books prescribed**

1. Fundamentals of Sociology by pascualGisbert – Orient Longmans – Chapters 1 to 4, 6 to 9 and 11 to 13
2. Social change India by B. Kuppuswamy – Vikas Publishing Hose Pvt. Ltd. Second Revised and Enlarged Edition. Chapters 1 to 4 and 12 to 20.
3. Law in changing society by W. Friedman –only introduction.
4. Text Book on Sociology for Law Students Part-I by S.R.Myneni, Allahabad Law Agency, Allahabad.
5. Sociology for Law Students by Prof.T.K.Oommen, Dr.C.N.Vnugopal, Eastern Book Company, Lucknow.
6. Sociology a Systematic Introduction by Harry M.Johnson, Allied Publishers Ltd, Lucknow
7. Sociology of Indian Society by C.N.SankarRao, S.Chand & Company Ltd., Delhi.
8. Law and Social Transformation by Dr.G.P.Tripathi, Central Law Publications, Allahabad.
9. Hand Book on Pre-Law First Year by Expert Eminent Authors, C.Seetharaman & Co., Madras.
10. Sociology-Indian Society, Dr.B.R.Ambedkar Open University, Hyderabad Study Material.

**Reference Book:**

- 1) Human Society by Kingsley Davis – The Macmillan Company, New York.
- 2) The Social Web by John A. Perry / Erna K. Perry – 4<sup>th</sup> Edition Happer and Raw Publishers, New York.
- 3) Sociology by Haward, J. Sherman & James L. Wood. Happer and Raw Publishers, New York.
- 4) Modern Sociological Theory by M. Francis – Abraham – Delhi. Oxford University Press Democratic Policy and Social Change in Indian by Rajani Kothari – Allied Publishers

**AECC 205: Legal Language**

Legal Language helps in developing the communication skill. The ability to communicate clearly and effectively is an essential component of any lawyer's skill. Command over language is very vital and is an essential quality of a lawyer. The object of this course is that student should have clarity about significance of language and the implication of legal language inside and outside the court room. It helps students to read the judgments of courts analytically and understand their facts and principals.

**Unit 1-Language and Law**

- 1.1 Concept of law in legal profession
- 1.2 Importance of language
- 1.3 Jurisprudential background of study of language and law
- 1.4 Problems in legal language

**Unit 2- Legal Maxims and Phrases**

- 2.1 Origin of maxims and phrases
- 2.2 Meaning of maxims and phrases
- 2.3 legal Maxims
  - Actus non facit reum nisi mens sit rea
  - Acti personalis moritur cum persona

- Audi AlteramPartem
  - Delegatus non potestdelegare
  - Ex turpicausa non oritur action
  - Ignorantiafactiexcusat,ignorantjuris non excusat
  - Res ipsa loquitur
  - Ubi jus ibiremedium
  - volenti non fit injuria
  - Saluspopuliestsupremalex
- 2.4 Latin Phrases
- De facto, De jure, Ultra vires, Caveat emptor, amicus curiae, Ratio decidendi, Null and void, Sine die statusquo, Quo warranto,

### **Unit 3- Basic elements of legal writing**

- 3.1 Fundamental principle of legal writing
- 3.2 General guidelines relating to legal writing
- 3.3 Book Review
- 3.4 Use of library-Books, Journals, Magazines, E-library etc.,

### **Unit 4-Case Study**

#### **Books:**

1. B. M. Gandhi., Legal language, legal writing and General English.Eastern Book Company.
2. Blacks' Law Dictionary, Universal Publishing ltd.
3. Brooms' Legal Maxims, Universal Publishing ltd.,
4. S. C. Tripathi, Legal Language, Legal writing and General English. Central law publications,
5. Madabhushi Sridhar, Legal language.
6. Anirudh Prasad, Outlines of Legal Languages in India, Central law publications,

# SHIVAJI UNIVERSITY KOLHAPUR



**Faculty of Humanities**

**Master of Laws**

**(LL.B. – Three Year) Programme**

**Choice Based Credit System (CBCS)**

(To be implemented from Academic Year 2019-20)

**Regulations and Guidelines**  
**Under Choice Based Credit System (CBCS)**  
**LL.B. - Three Years Programme**

(To be implemented from Academic Year 2019-20)

1. **LL.B. Rule 1: Implementation of Regulations & guidelines** - The Regulations and guidelines shall be implemented as mentioned below-

**LL.B. Part – I, Sem I&II from Academic year 2019-20**

**LL.B. Part – II, Sem III &IV from Academic year 2020-21**

**LL.B. Part – III, Sem V &VI from Academic year 2021- 22**

**The Course and Duration:**

- a) LL.B. degree course constitutes Bachelor's Degree Course in Law.
- b) The duration of the LL.B. Course shall be 3 academic years consisting of 6 semesters.
- c) Each academic year shall be divided into two semesters:

Course	July to November / December	December to April / May
3 Year First LL.B.	Semester I	Semester II
3 Year Second LL.B.	Semester III	Semester IV
3 Year Third LL.B.	Semester V	Semester VI

- d) Each Semester shall consist of 15 weeks with not less than 30 class hours per week.
- e) The papers and the syllabus shall be as given in the Scheduled –A appended to these regulations.

2. **LL.B. Rule 2: Eligibility Criteria:**

- a) Admission into 3 Year LL.B. Course is subject to MH-CET, Government of Maharashtra and Shivaji University Rules and Regulations.
- b) An applicant who has graduated in any discipline of knowledge from a University established by an Act of Parliament or by a State Legislature or an equivalent national institution recognized as a Deemed University or Foreign University recognized as equivalent to the status of an Indian University by an authority competent to declare equivalence, may apply for a three years programme leading to conferment of LL.B. degree on successful completion of the regular programme conducted by a University whose degree in law is recognized by the Bar Council of India for the purpose of enrolment.

Provided that applicants who have obtained +2 Higher Secondary Pass Certificate or First Degree Certificate after prosecuting studies in distance or correspondence method shall also be considered as eligible for admission in the three years LL.B. programme.

**Explanation:** The applicants who have obtained 10+2 or graduation / post - graduation through open Universities system directly without having any basic qualification for prosecuting such studies are not eligible for admission in the law course.

### 3. LL.B. Rule 3: Minimum percentage of Qualifying Examination:

Bar Council of India may from time to time, stipulate the minimum percentage of marks not below 45% of the total marks in case of general category applicants, 42% of the total marks in case of OBC category and 40% of the total marks in case of SC and ST applicants, to be obtained for the qualifying examination, such as +2 Examination in case of Integrated Five Years' course or Degree course in any discipline for Three years' LL.B. course, for the purpose of applying for and getting admitted into a Law Degree Program of any recognized University in either of the streams.

Provided that such a minimum qualifying marks shall not automatically entitle a person to get admission into an institution but only shall entitle the person concerned to fulfill other institutional criteria notified by the institution concerned or by the government concerned from time to time to apply for admission.

### 4. LL.B. Rule 4: Admission Procedure: As per MH-CET admission procedure prescribed by Government of Maharashtra.

### 5. LL.B. Rule 5: Attendance: No student of any of the degree program shall be allowed to take the end semester test in a subject if the student concerned has not attended minimum of 70% of the classes held in the subject concerned as also the moot court room exercises, tutorials and practical training conducted in the subject taken together.

Provided that if a student for any exceptional reasons fail to attend 70% of the classes held in any subject, the Dean of the University or the Principal of the Centre of Legal Education, as the case may be, may allow the student to take the test if the student concerned attended at least 65% of the classes held in the subject concerned and attended 70% of classes in all the subjects taken together. The similar power shall rest with the Vice Chancellor or Director of a National Law University, or his authorized representative in the absence of the Dean of Law.

Provided further that a list of such students allowed to take the test with reasons recorded be forwarded to the Bar Council of India.

### 6. LL.B. Rule 6: Prohibition against lateral entry and exit:

There shall be no lateral entry on the plea of graduation in any subject or exit by way of awarding a degree splitting the integrated double degree course, at any intermediary stage of integrated double degree course.

However, a University may permit any person to audit any subject or number of subjects by attending classes regularly and taking the test for obtaining a Certificate of participation from the University/ Faculty according to the rules prescribed by the University from time to time and gives a Certificate therefore.

### 7. LL.B. Rule 7: Pattern of CBCS :

a) **The CBCS System:** All programmes shall be run credit-based semester system. It is an instructional package developed to suit the needs of the students to keep pace with the developments in higher education and the quality assurance expected of it in the light of liberalisation and globalisation in the higher education.

b) **Credit:** The term credit refers to the weightage given to the course, usually in the relation to the instructional hours assigned to it. For instance, four hour theory course and one hour practical work for week is given five credits. However, in no instance the credits of a course can be greater than the hours allotted to it.

- c) Three Year LL.B. Programme comprising of 6 semesters shall be of total 36 courses of minimum 192 credits which include 30 Compulsory Core Courses (Discipline Specific Core Courses i.e.DSC) and 6 Ability Enhancement Compulsory Courses (AECC).
- d) All compulsory Core Courses shall be of 70:30 pattern except 4 clinical papers, whereas, skill enhancement courses shall be of 50 marks internal; written examination at the college level. For passing this examination, two credits will be assigned to the students. 50 marks examination includes 25 objective types of questions of 2 marks each. The minimum passing criteria shall be 20 marks.
- e) Inclusion of mandatory subjects – Democracy, Election and Good Governance (Semester I) as per the recommendations of Government of Maharashtra and Shivaji University, Kolhapur. Every student is required to obtain minimum passing grade in this course as per the Shivaji University norms for the award of degree.

**8. LL.B. Rule 8: Minimum Period of Internship:**

- a) Each registered student shall have completed minimum of 12 weeks internship for Three Year Course stream and 20 weeks in case of Five Year Course stream during the entire period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies as the University shall stipulate, where law is practiced either in action or in dispute resolution or in management.

Provided that internship in any year cannot be for a continuous period of more than Four Weeks and all students shall at least gone through once in the entire academic period with Trial and Appellate Advocates.

- b) Each student shall keep Internship diary in such form as may be stipulated by the University concerned and the same shall be evaluated by the Guide in Internship and also a Core Faculty member of the staff each time. The total mark shall be assessed in the Final Semester of the course in the 4<sup>th</sup> Clinical course as stipulated under the Rules in Schedule II.

**9. LL.B. Rule 9: Formal Dress Code during internship:**

Students placed under internship or in moot court exercise shall have formal dress of legal professional in pupillage as follows: (For all) White/Black trouser, white shirt, black tie, black coat, black shoe and black socks. When students have problems of getting the entire formal dress for any reason, they have to have a white trouser, full sleeve shirt to be tucked in and covered shoe.

(Optional for Girl students) Black printed saree, with white full sleeve blouse and covered black shoe or Lawyer's Suit with black covered shoe.

The Organization or Advocate under whom the internee is placed is required to follow suitable dress code.

**10. LL.B. Rule 10: Examinations and Assessment:**

**The pattern of CBCS for Semester examinations shall be as mentioned below:**

- a) **LL.B. Part – I, Sem I & II:-**70 marks University Semester Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.
- b) **LL.B. Part – II, Sem III & IV:-**70 marks University Semester Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.

- c) **LL.B. Part – III, Sem V & VI:** -70 marks University Semester Examination for each theory paper in each Semester and 30 Marks for Internal Assessment at College Level.

11. **LL.B. Rule 11: Weightage:** There shall be 3300 marks for 3 years having 6 Semesters LL.B. CBCS Program with 192Credits.

a) **LL.B. Part – I (Sem I & II):**

For LL.B. Part I total 10+2=12 papers with 6 papers of each semester and total Credits shall be 64 with 32 Credits for each Semester.

- I. There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for Sem I (Legal Research) and Paper 2 for Sem II (Public Interest Lawyering) each of 50 marks, as compulsory course.
- II. There shall be five Discipline Specific Compulsory (DSC) papers per semester.
- III. There shall be five DSC courses with 70 marks for end-semester theory examinations at University Level and 30 marks for internal assessment at College Level.

b) **LL.B. Part –II (Sem III & IV)–**

For LL.B. Part I total 10+2=12 papers with 6 papers of each semester and total Credits shall be 64 with 32 Credits for each Semester.

- I. There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for Sem I (Fundamentals of Cyber Law) and Paper 2 for Sem II (Law and Entrepreneur Skills) each of 50 marks, as compulsory course.
- II. There shall be five Discipline Specific Compulsory (DSC) papers per semester.
- III. There shall be five DSC courses with 70 marks for theory examinations at University Level and 30 marks for internal assessment at College Level.

c) **LL.B. Part –III (Sem V & VI)–**

For LL.B. Part I total 10+2=12 papers with 6 papers of each semester and total Credits shall be 64 with 32 Credits for each Semester.

- I. There shall be Ability Enhancement Compulsory Courses (subjects) (hereafter termed as AECC) with Paper 1 for Sem I (Advocacy Skills) and Paper 2 for Sem II (Criminal Law Investigation and Forensic Science) each of 50 marks, as compulsory course.
- II. There shall be five Discipline Specific Compulsory (DSC) papers per semester.
- III. There shall be five DSC courses with 70 marks for theory examinations at University Level and 30 marks for internal assessment at College Level.

d) **Credit distribution chart for LL.B. Program with Course Code:**

Course Name	Total Courses(Papers)	Total Credits	% in total course
DSC : Discipline Specific Core Course	30	180	93.75
AECC : Ability Enhancement Compulsory Courses	6	12	6.25

<b>TOTAL</b>	<b>36</b>	<b>192</b>	<b>100%</b>
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## 12. LL.B. Rule 12: Scheme of Examinations:

### Following is the Scheme of Examination:

- i) Each DSC course of 6 credits will be assessed on basis of 100 marks. The marks will be divided under two heads, internal assessment 30 marks and End- Semester University Examination 70 marks. Each DSC Course shall have continuous internal assessment of 30 marks. The student shall have to secure minimum 10 marks to pass in the internal assessment of the respective DSC course. For each DSC Course End Semester University Examination of 70 marks, the student shall have to secure minimum 25 marks to pass in the End-Semester University Examination. The minimum passing in each DSC Course shall be 35 marks (10+25) and the average passing percentage for every semester shall be 40 percent.

The weightage of internal assessment shall be based on the following.

#### Internal Assessment:

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: **30 Marks**  
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- ii) Each Ability Enhancement compulsory Course (AECC) of 2 Credits shall be of 50 Marks. This paper shall be in self instructional mode under the guidance of Class Mentors or Class Teacher. The assessment of the Skill Enhancement Course shall be internal assessment. The weightage for the continuous internal Assessment shall be based on the following.

**Internal Assessment** -For passing this examination, two credits will be assigned to the students. 50 marks examination includes 25 objective type questions with two marks each. The minimum passing criteria shall be 20 marks.

- iii) The student failing in internal assessment of any course will be deemed to have failed in the End - Semester University Examination of the respective course. Such student shall be allowed to reappear for the internal assessment only in the next semester.
- iv) Appearing in Internal Written Test of all DSC Courses and Skill Enhancement Courses is strictly compulsory.
- v) The internal assessment marks for each semester for all DSC Courses, AECC along with requisite Credits earned by the student for the Compulsory Foundation Course shall have to be sent to the University, prior to the commencement of the respective End - Semester University Examination.
- vi) A student who has passed in the internal assessment but has failed in the End - Semester University Examination, his / her internal marks and credits earned for respective course/paper will be carried forward till the validity of his / her respective semester.
- vii) A student who has failed in the End- Semester theory examinations but passed in



internal assessment can reappear for theory paper and his marks of internal assessment will be carried forward.

### 13.LL.B. Rule 13: Practical Training Papers:

- a) **Practical Training Paper I: Professional Ethics and Professional Accountancy for Lawyers and Bar-Bench Relations.** The theory End-Semester University Examination shall be 70 marks and internal assessment of 30 marks at college level.
- b) **Practical Training Paper II: Alternative Disputes Resolution (ADR):** The theory End-Semester University Examination shall be 70 marks and internal assessment only of 30 marks at college level.
- c) **Practical Training Paper III: Drafting, Pleading and Conveyance (DPC):** The course will be taught class instructions and simulation exercises. Apart from teaching the relevant provisions of law, the course may include not less than 15 practical exercises in Drafting of pleadings carrying the total of 45 marks (3 marks for each) and 15 exercises in Drafting of Conveyancing, carrying another 45 marks (3 marks for each). Remaining 10 marks will be given for viva voce.
- d) **Practical Training Paper IV: Moot Court Exercise and Internship:** This paper may have 3 components of 30 marks each and a viva of 10 marks (Moot Court 30 Marks, Observance of Trial in Two Cases 30 Marks, Interviewing Techniques and Pre-Trial Preparation and Internship Diary 30 Marks).
- e) **Duration of Semester Examination for each theory paper** - The duration of Semester Examination for each theory paper of 70 marks shall be of three hours.
- f) **Standard of passing-** The Standard of passing shall be minimum 35 in each DSC Course both theory + internal assessment and average passing for every semester shall be 40 percentages. **However ATKT rules shall be applicable to Theory Paper only as per University norms.**

### 14.LL.B. Rule 14: Passing and Carrying Forward the Semester:

- 1) For grant of respective academic year, the student must have kept two terms with requisite attendance, must have appeared in the internal written test of each course / paper and has secured minimum passing marks in internal assessment of each course / paper shall be eligible.
- (2) The student who has passed all the papers of Semester I and II will be promoted to Semester III (Second year). The students who have passed minimum 7 papers out of 10 core papers will be allowed to keep terms (ATKT).
- (3) The student who has passed all the paper of First Year and passed all the papers of Second Year i.e. Semester I, II, III and IV will be promoted to Semester V (Third year). The students who have passed minimum 7 papers out of 10 core papers of Semester III and IV (Second year) will be allowed to keep terms (ATKT).
- (4) ***The student who has passed Semester I, II, III, IV shall be awarded with a***

**LL.B. General Degree (Completion of Two Years).**

- (5) *The student who has passed Semester I, II, III, IV, V & VI shall be awarded with LL.B. Special Degree (Completion of Three Years).*

**15. LL.B. Rule 15: Gradation Chart:**

Marks Obtained	Numerical Grade (Grade Point)	CGPA	Letter Grade
Absent	0 (zero)	-	-
0 – 34	0 to 4	0.0 – 4.99	F (Fail)
35 – 44	5	5.00 – 5.49	C
45 – 54	6	5.50 – 6.49	B
55 – 64	7	6.50 – 7.49	B+
65 – 74	8	7.50 – 8.49	A
75 – 84	9	8.50 – 9.49	A+
85 – 100	10	9.50 – 10.0	O (Outstanding)

**Note:**

1. Marks obtained  $\geq 0.5$  shall be rounded off to next higher digit.
2. The SGPA & CGPA shall be rounded off to 2 decimal points.
3. Marks obtained in 50 marks or 200 marks paper shall be converted to 100 marks.

**Calculation of SGPA & CGPA**

1. Semester Grade Point Average (SGPA)

$$\text{GPA} = \frac{\sum(\text{Course credits} \times \text{Grade points obtained}) \text{ of a semester } S}{\sum(\text{Course credits}) \text{ of respective semester}}$$

2. Cumulative Grade Point Average (CGPA)

$$\text{CGPA} = \frac{\sum(\text{Total credits of a semester} \times \text{SGPA of respective semester}) \text{ of all semesters}}{\sum(\text{Total course credits}) \text{ of all semesters}}$$

16. **LL.B. Rule 16: Result** - The result of each Semester shall be declared as Pass or Fail or Allowed to Keep Terms (A.T.K.T. for Semester II & IV) with grade/ grade points and Credits gained.

**Revised Rules** - These revised rules will be implemented with effect from the academic year 2019-20 onwards for LL.B. degree program. However the existing (i.e. pre-revised) rules shall remain in force for the students of old semester pattern during the transition period.

**17.LL.B. Rule 17: Question Paper Model:**

The Question Paper of Three Year LL.B. 70 marks shall consists of total seven questions carrying 15 marks each, out of which a student can opt any four. The question number eighth shall be mandatory consisting of four short notes out of which the students have to opt any two of 5 marks each.

Practical Training Paper I – Professional Ethics and Professional Accounting System and Practical Training Paper II – Alternative Disputes Resolution (ADR), the examination pattern is 70:30. For 70 marks University Written Examination will be conducted and for 30 marks internal assessment will be conducted at college level.

Regarding practical training paper – III: Drafting, Pleading and Conveyance (DPC) and Practical Training Paper – IV: Moot Court Exercise and Internship, there shall be no theory examination. Viva Voce Examinations for 10 marks each will be conducted in presence of External Examiners appointed by the University. 90 marks will be allotted for both the papers as per BCI norms.

**Model Question Paper Format:**

**First year of Three Year LL.B., (Semester I) CBCS  
Examination, October, 2019  
Law of Contract – I (Paper – I)  
Subject Code: \_\_\_\_\_**

**Day & Date:** \_\_\_\_\_

**Total Marks:** 70

**Time:** \_\_\_\_\_

**Instructions:**

1. Attempt any four questions from Q.No. 1 to 7.
2. Q. No. 8 is compulsory.
3. Figures to the right indicate full marks.

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Q.1. _____	(15)
Q.2. _____	(15)
Q.3. _____	(15)
Q.4. _____	(15)
Q.5. _____	(15)
Q.6. _____	(15)
Q.7. _____	(15)
Q.8. Write short notes (Any Two):	2 x 5 (10)
a) _____	
b) _____	
c) _____	
d) _____	

## CBCS - LL.B. 3 Year :Structure:LL.B. Part –I

Semester I								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Examination Shiv. Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-101	Law of Contract (General Principles of Contract and Specific Relief Act)	70	4.2	30	1.8	100	06	06
DSC-102	Constitutional Law -I	70	4.2	30	1.8	100	06	06
DSC-103	Law of Torts and Consumer Protection Act	70	4.2	30	1.8	100	06	06
DSC-104	Law of Crimes-I (Indian Penal Code)	70	4.2	30	1.8	100	06	06
DSC-105	Family Law-I	70	4.2	30	1.8	100	06	06
AECC-106	Legal Research	-	-	50	-	50	-	02
	<b>Total</b>	<b>350</b>	<b>21.00</b>	<b>200</b>	<b>9.0</b>	<b>550</b>	<b>30</b>	<b>32</b>

Semester II								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Examination Shiv. Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-201	Special Contract	70	4.2	30	1.8	100	06	06
DSC-202	Constitutional Law – II	70	4.2	30	1.8	100	06	06
DSC-203	Family Law - II	70	4.2	30	1.8	100	06	06
DSC-204	Environmental Law	70	4.2	30	1.8	100	06	06
DSC-205	Professional Ethics	70	4.2	30	1.8	100	06	06
AECC-206	Public Interest Lawyering	-	-	50	-	50	-	02
	<b>Total</b>	<b>350</b>	<b>21.00</b>	<b>200</b>	<b>9.0</b>	<b>550</b>	<b>30</b>	<b>32</b>

## CBCS - LL.B. 3 Year : Structure:LL.B. Part –II

Semester III								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Examination Shiv. Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-301	Jurisprudence	70	4.2	30	1.8	100	06	06
DSC-302	Property Law	70	4.2	30	1.8	100	06	06
DSC-303	Company Law	70	4.2	30	1.8	100	06	06
DSC-304	Public International Law	70	4.2	30	1.8	100	06	06
DSC-305	Criminology	70	4.2	30	1.8	100	06	06
AECC-306	Fundamentals of Cyber Law	-	-	50	-	50	-	02
<b>Total</b>		<b>350</b>	<b>21.00</b>	<b>200</b>	<b>9.0</b>	<b>550</b>	<b>30</b>	<b>32</b>

Semester IV								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Examination Shiv. Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-401	Interpretation of Statutes	70	4.2	30	1.8	100	06	06
DSC-402	International Human Rights	70	4.2	30	1.8	100	06	06
DSC-403	Administrative Law	70	4.2	30	1.8	100	06	06
DSC-404	Banking and Insurance	70	4.2	30	1.8	100	06	06
DSC-405	Alternative Disputes Resolution (ADR)	70	4.2	30	1.8	100	06	06
AECC-406	Law and Entrepreneur Skills	-	-	50	-	50	-	02
<b>Total</b>		<b>350</b>	<b>21.00</b>	<b>200</b>	<b>9.0</b>	<b>550</b>	<b>30</b>	<b>32</b>

## CBCS - LL.B. 3 Year :Structure:LL.B. Part –III

Semester V								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Exam Shivaji Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-501	Civil Procedure Code & Limitation Act	70	4.2	30	1.8	100	06	06
DSC-502	Law of Evidence	70	4.2	30	1.8	100	06	06
DSC-503	Labour Law-I (Industrial Laws)	70	4.2	30	1.8	100	06	06
DSC-504	Land Laws	70	4.2	30	1.8	100	06	06
DSC-505	Drafting, Pleading and Conveyancing	No Theory Exam	-	45 + 45 = 90 Viva = 10	1.8	100	06	06
AECC-506	Advocacy Skills	-	-	50	-	50	-	02
<b>Total</b>		<b>280</b>	<b>16.80</b>	<b>270</b>	<b>9.0</b>	<b>550</b>	<b>30</b>	<b>32</b>

Semester VI								
Teaching Scheme and Evaluation Scheme								
Course Code	Subjects	Theory Exam Shivaji Uni.	Hours	Internal Assessment College	Hours	Total Marks	Weekly Teaching Hours	Total Credits
DSC-601	Law of Crimes-II (Criminal Procedure Code)	70	4.2	30	1.8	100	06	06
DSC-602	Intellectual Property	70	4.2	30	1.8	100	06	06
DSC-603	Labour Law –II (Social Securities Laws)	70	4.2	30	1.8	100	06	06
DSC-604	Principles of Taxation	70	4.2	30	1.8	100	06	06
DSC-605	Moot Court, Pre-Trial Preparation & Participation in Trial Proceedings	No Theory Exam	-	30+30+30 = 90 Viva = 10	1.8	100	06	06
AECC-606	Criminal Law Investigation & Forensic Science	-	-	50	-	50	-	02
<b>Total</b>		<b>280</b>	<b>16.80</b>	<b>270</b>	<b>9.00</b>	<b>550</b>	<b>30</b>	<b>32</b>

**DSE:** Discipline Specific Elective Courses (Compulsory) Total = 6 semesters x 5 papers = 30 papers. Each paper 6 credits x 30 paper = 180 Credits.

**AECC :** Ability Enhancement Core Course (Compulsory) Total = 6 semesters x 1 paper = 6 papers of 2 credits each = 12 Credits

### Three Year LL.B. Syllabus

## DSC-101: LAW OF CONTRACT (GENERAL PRICIPLES OF CONTRACT AND SPECIFIC RELIEF)

**Object:** Law of contract being the pillar of the legal structure of a society, the fundamental goal of study is to critically evaluate principles underlying the legal postulates and propositions. This course is designed to acquaint a student with the conceptual and operational parameters of these various general principles of contractual relations.

Specific enforcement of contract is an important aspect of the law of contracts. Analysis of the kinds of contracts that can be specifically enforced and the methods of enforcement forms a significant segment of this study.

**Methods of teaching-learning:** Lecture and Case-study method shall be the main method of learning to be followed. Dialectic method of mooting and argumentation plays a very convincing procedure of learning. The information sharing and flow of information among the teacher and taught has to work as bonding of the entire course. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise.

**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation: 20 Marks

Viva Voce College Level : 10 Marks

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**30 Marks**  
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### SYLLABUS

#### UNIT I: INTRODUCTION

- 1.1 Historical Background of Indian Contract Laws
- 1.2 Contract: Meaning, Definition, Importance, Nature and Scope
- 1.3 Essentials of Contract
- 1.4 Indian Contract- Latest developments ( e-Contracts)

#### UNIT II: PROPOSAL AND ACCEPTANCE- AGREEMENT(S. 2-10)

- 2.1 Formation of an Agreement, It's Kinds – Valid, Void, Voidable, Unlawful, illegal
- 2.2 Intention to Create Legal Relationship
- 2.3 Proposal and Acceptance- Their various forms, Essential Elements
- 2.4 Communication and Revocation of Offer and Acceptance
- 2.5 What agreements are Contracts?

#### UNIT III: CAPACITY TO CONTRACT AND FREE CONSENT (S. 11 - 22)

- 3.1 Legal Disability to Enter into Contract
- 3.2 Minors - Effects of Minors Agreement, Persons of Unsound Mind, Persons disqualified by Law
- 3.3 Consent and Free Consent – Definition
- 3.4 Vitiating Elements of Free Consent –
  - 3.4.1 Coercion, Doctrine of Duress
  - 3.4.2 Undue Influence
  - 3.4.3 Fraud
  - 3.4.4 Misrepresentation
  - 3.4.5 Mistake
- 3.5 Effect on Contracts influenced by any factor Vitiating Free Consent

**UNIT IV: CONSIDERATION AND OBJECT (S. 23 - 25)**

- 4.1 Meaning and Nature of Consideration and Object
- 4.2 Consideration- Its Exceptions
- 4.3 Legality of Consideration and Object
- 4.4 Doctrine of Privity of Contract

**UNIT V: LIMITATIONS ON FREEDOM OF CONTRACT (S. 23, 26 – 31)**

- 5.1 Void Agreements
  - 5.1.1 Agreements in Restraint of Marriage
  - 5.1.2 Agreements in Restraint of Trade
  - 5.1.3 Agreements in Restraint of Legal Proceedings
  - 5.1.4 Ambiguous and Uncertain Agreement
  - 5.1.5 Wagering Agreements – Its exceptions
  - 5.1.6 Agreements with Unlawful Consideration
  - 5.1.7 Agreements without Consideration
  - 5.1.8 Agreements against Public Policy
- 5.2 Contingent Contracts

**UNIT VI: DISCHARGE AND REMEDIES FOR BREACH OF CONTRACT (S. 37 – 67)**

- 6.1 Meaning and Nature - Discharge of Contract
- 6.2 Different Modes -
  - 6.2.1 By Performance
  - 6.2.2 By Agreement – Novation, Alteration, Rescission, Remission, Waiver, Accord and Satisfaction
  - 6.2.3 By Operation of Law – Insolvency, Merger, Alteration without consent, Death
  - 6.2.4 By Breach- Anticipatory Breach - Actual breach
  - 6.2.5 By Impossibility of Performance – Destruction of Subject Matter, Death or Personal Incapacity, Change of Law, non-existence or non-occurrence of particular state of thing, declaration of war – Doctrine of Frustration
  - 6.2.6 By Lapse of Time

**UNIT VII: CERTAIN RELATION RESEMBLING THOSE CREATED BY CONTRACT (QUASI CONTRACT) (S. 68 -72)**

- 7.1 Concept and Classification of Quasi-Contract
- 7.2 Standard form of Contract
- 7.3 Government as a Contracting Party

**UNIT VIII: REMEDIES FOR BREACH OF CONTRACT**

- 8.1 Remedies under Indian Contract Act (S.73 - 75)
  - 8.1.1 Cancellation or Rescission
  - 8.1.2 Restitution
  - 8.1.3 Quantum Meruit
  - 8.1.4 Damages – Types of Damages – General or ordinary, Special, Vindictive or exemplary, nominal – Remoteness and Ascertainment of Damages
- 8.2 Remedies under Specific Relief Act, 1963 (S.5 – 43)
  - 8.2.1 Recovering possession of property
  - 8.2.2 Specific Performance
  - 8.2.3 Declaratory Decrees
  - 8.2.4 Injunctions
  - 8.2.5 Preventive Relief

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5. Chitty, Contracts, Vol. 1, 29th Ed., Sweet & Maxwell, 2004.
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9. Sujan M.A, Frustration of Contract 2nd Ed. UPC 2001.
10. Mulla, Indian Contract Act and Specific Relief Acts, Lexis Nexis 13th Ed. 2006.
11. Avtar Singh, Law of Contract, Eastern, Lucknow. Eighth Edition.
12. Smith & Thomas, A Case Book on Contract 11th Edition
13. Anand and Aiyer, Law of Specific Relief (1999), Universal
14. Banerjee S.C. Law of Specific Relief (1998), Universal

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3. J. Beatson, Anson's Law of Contract, Clarendon Press, Oxford, (28<sup>th</sup>Edn. -2002).
4. A. C. Moitra, Law of Contract and Specific Relief, Universal Law Publishing Co.(5<sup>th</sup> Edn.-2005)
5. Dr. Avtar Singh, Law of Contract, EBC, Lucknow (9<sup>th</sup>Edn. – 2005)
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2. Harris v. Nickerson, (1875) LR SQB, 286.;
3. Powell v. Lee, (1908) 99 LT 284.;
4. Entores v. Miles Far East Corporation, (1955) 2 All ER 493;
5. Bank of India Ltd v. Swarubar, AIR 2003 SC 858.;
6. Hervey v. Facie, (1893) AC 552.
7. Lalman Shukla v. Gauri Dutta, II ALJ 489;
8. Felth House v. Bindley (1862) 11, CB (NS) 86;
9. Mohri Bibee v. Dharmodass Ghosh, (1903) 30 IA 114.
10. Derry v. Peek, (1889) 14 AC 337.
11. Mithoo Lal Nayak v. LIC of India,
12. AIR 1962 SC 814; Subhas Chandra Das
13. Mushib v. Ganga Prasad Das Mushib and others AIR 1967 SC 878;
14. Central Inland Water Transport Corporation v. B.K Ganguly, AIR 1986 SC 157;
15. Kalyanpur Lime Works Ltd. v. State of Bihar and another AIR 1954 SC 165;
16. Gujarat Bottling Co. Ltd. v. Coca Cola Co. (1995) 5 SCC 545 ;
17. National Insurance Co Ltd v. S. G Nayak & Co AIR 1997 SC 2049.
18. Satyabrata Ghose v. Mugneeram Bangur AIR 1954 SC 44;
19. State of Bihar v. Majeed AIR 1954 SC 786.
20. Bashir Ahmad and others v. Govt. of AP AIR 1970 SC 1089;
21. Mugniram Bangur & Co.(P) Ltd. v. Gurbachan Singh AIR 1965 SC 1523;
22. Taylor v. Cadwell (1863) 3 B&S 826.
23. Krell v. Henry (1903) 2 KB 740.
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**DSC – 102: CONSTITUTIONAL LAW- I**  
**(Fundamental Rights & Directive Principles of State Policy)**

**Object:**

India is a democracy and her Constitution embodies the Principles of the democratic government. A good understanding of the Constitution and the constitutional amendments, judicial decisions, constitutional practice and conventions, is therefore, absolutely necessary for a student of law. He must also know the genesis, nature and special features of the Constitution and be aware of the social, political and economic influence on it. A student must learn how various interpretations of the constitution are possible and how do they influence the growth of constitutional law.

Judicial review is an important aspect of constitutional law. The application of basic structure objective in the evaluation of executive actions is an interesting development of Indian constitutional law.

**Methods of teaching-learning:** Lecture and Case-study method shall be the main method of learning to be followed. Dialectic system of learning would provide better appreciation of the constitutional governance in India through class room debate and moot court exercise after the basic issues are identified by lecture and discussion. Research of issue based conflict of interest through court cases may be an added advantage.

**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation: 20 Marks

Viva Voce College Level : 10 Marks

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**30 Marks**  
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**SYLLABUS:**

**UNIT I: MAKING OF CONSTITUTION AND FEATURES**

- 1.1 Making of Indian Constitution
- 1.2 Nature of constitution
- 1.3 Salient Features of the Indian Constitution
- 1.4 Citizenship-under constitution and Citizenship Act 1955
- 1.5 Preamble

**UNIT II: FUNDAMENTAL RIGHTS- JUSTICIABILITY- STATE OBLIGATION- ART 12-13**

- 2.1 Fundamental Rights – meaning and scope of
- 2.2 Definition of ‘State’ for enforcement of fundamental rights
- 2.3 Justiciability of fundamental rights
- 2.4 Definition of law for constitutional law purpose
- 2.5 Doctrine of eclipse, severability, waiver.

**UNIT III: RIGHT TO EQUALITY (ART 14-18)**

- 3.1 Equality before law and equal protection of law
- 3.2 Classification for differential treatment- Constitutional validity
- 3.3 Protective measures –gender discrimination
- 3.4 Protective discrimination in favor of certain sections of the society
- 3.5 Untouchability and abolition of titles

#### **UNIT IV: FREEDOMS AND SOCIAL CONTROL UNITS (ART 19-22)**

- 4.1 Freedoms and restrictions under (Art.19)
- 4.2 Protection in respect of conviction for offences (Art.20)
- 4.3 Right to life and personal liberty (Art.21)
- 4.4 Right to education (Art. 21 A)
- 4.5 Protection against arrest and Preventive Detention (Art.22)

#### **UNIT V: RIGHT AGAINST EXPLOITATION (ART 22-23)**

- 5.1 Prohibition of traffic in human beings,
- 5.2 Forced labours – bonded labour
- 5.3 Trafficking of women and children
- 5.4 Prohibition of employment of children
- 5.5 Right of children a free and compulsory education

#### **UNIT VI: RIGHT TO RELIGION AND MINORITY RIGHTS**

- 6.1 Concept of Secularism- Historical perspective.
- 6.2 Freedom of Religion-nature, scope and limitations.
- 6.3 Right to Freedom of Religion- use and misuse- Indian scenario.
- 6.4 Minority Rights
- 6.5 Relationship between Religion and minority

#### **UNIT VII: CONSTITUTIONAL AND LEGAL REMEDIES (ART 32)**

- 7.1 Writ of Habeas Corpus
- 7.2 Writ of Mandamus
- 7.3 Writ of Certiorari
- 7.4 Writ of Prohibition
- 7.5 Writ of Quo-warranto

#### **UNIT VIII: DIRECTIVE PRINCIPLES, FUNDAMENTAL DUTIES AND SOCIAL JUSTICE (ART 35-51A)**

- 8.1 Underlying object and significance of Directive Principles.
- 8.2 Classification of Directives.
- 8.3 Fundamental Right and Directive principles- Interrelationship and Judicial balancing.
- 8.4 Fundamental Duties--- Need, Source and enforcement of fundamental duties.
- 8.5 Relation of Fundamental Duties with Directive Principles and Fundamental Right

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2. G.Austin, History of Democratic Constitution: The Indian Experience(2000) Oxford.
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21. State of Maharastra v. RajendraJ.Gandhi AIR 1997 SC 3986
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25. Indian Council for Enviro-legal Action v. Union of India AIR 1996 SC 1446.
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27. State of Punjab v. Mahinder Singh Chawla AIR 1997 SC 1225.
28. PaschimBangalKhetMazdoor Society v. State of West Bengal, AIR 1996 SC 2426
29. Air India Statutory Corporation v. United Labour Union AIR 1997 SC 645,
30. Maneka Gandhi v. Union Of India AIR 1978 SC 597,
31. Olga Tellis v. Bombay Municipal Corporation, AIR 1986 SC 186,
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33. Hussainara v. Home Secretary, State of Bihar AIR 1979 SC 1819
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41. M.C.Mehta v. Union of India AIR 1987 SC 1086, and AIR 1999 SC 2583,

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43. Ahmedabad Women Action Group v. Union of India AIR 1997 SC 3614
44. Vishakha v. State of Rajasthan, AIR 1997 SC 3011

#### Reference Books:

1. T,K, Tope : Constitutional of India.
2. G.Austin, History of Democratic Constitution: The Indian Experience (2000) Oxford.
3. D.D. Basu : Shorter Constitution of India : (1996) Prentice Hall of India, Delhi.
4. Constituent Assembly Debates Vol. 1 to 12 (1989).
5. H.M. Seervai : Constitution of India. Vol.-1-3 (1992), Tripathy, Bombay.
6. M.P. Singh (ed) V.N. Shukla : Constitutional Law of India (2000) Oxford.
7. G.Austin: Indian Constitution:- Cornerstone of a Nation (1972)
8. M.Glanter: Competing Equalities – Law and the Backward Classes in India (1984) Oxford.
9. B. Sivaramayya : Inequalities and the Law (1984) Eastern, Lucknow.
10. S.C. Kashyap : Human Rights and Parliament (1978) Eastern Lucknow.
11. Dr. Pandey J.N. : Constitutional Law of India. (2007) Central Law Agency.
12. P.M.Bakshi, Constitution of India, Universal
13. M.P.Jain Indian Constitutional Law, Wadhwa
14. Granville Austin The Constitution of India, Oxford

### DSC – 103: LAW OF TORT & CONSUMER PROTECTION LAW

#### Object :

Independent of criminal or contract law, Tort law provides individuals and groups with redress for injury to every dimension of life from physical injury, to property damage, to personal insult. Over past decades no area of law within the civil justice system has experienced greater ferment than the law of Tort and this has resulted in vital changes the thinking of the tortuous liability. The object of the course is to familiarize the students with the nature and extent of liability of the private enterprises, multinationals and the government authorities for the wrongs committed against the individual and their property, and to develop sound knowledge, skills and disposition amongst students of law on some of the contemporary issues of Specific Torts, Cyber Tort, Family Tort, and Economic Tort, Product Liability etc.

Presently the emphasis is on extending the principles not only to harmful acts but also to failure to comply with standards that are continuously changing due to advancement in science and technology. In the modern era of consumer, concern of goods and services, the law of torts has added significance in consumer protection. Taking this into consideration, a topic on Motor Vehicle Accident claims has been added. It emphasizes liability, Insurance and working of claim Tribunals.

**Methods of teaching-learning:** Lecture method shall be the main method of learning to be followed. Dialectic method of case study, mooted and argumentation plays a very convincing procedure of learning. The information sharing and flow of information among the teacher and taught has to work as bonding of the entire course. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise.

#### Evaluation methods: Theory Examination – 70 Marks

##### Internal Assessment:

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: 30 Marks

**SYLLABUS:****Unit I: Concept of Tort, Nature and Scope**

- 1.1 History, Definition and Scope of Tort
- 1.2 Nature of tort-Distinction between tort and crime
- 1.3 Essential elements of law of tort
  - 1.3.1 Wrongful act
  - 1.3.2 Legal damage-a) Damnum Sine injuria b) Injuria sine damnum
  - 1.3.3 Legal remedy
- 1.4 Relevance of law of tort - Intention, Motive, Malice, Knowledge, Negligence
- 1.5 Who May Sue and who may not be sued?

**Unit: II General Defenses in Tort-**

- 2.1 Volenti non fit injuria
- 2.2 Necessity & Act of God
- 2.3 Inevitable accident & Private defense
- 2.4 Statutory Authority
- 2.5 Judicial and Quasi-Judicial Acts

**Unit III: Discharge of Tortious Liability-**

- 3.1 By death of parties- action personal is monitor cum persona exceptions
- 3.2 Waiver and acquiescence
- 3.3 Release
- 3.4 Accord & satisfaction
- 3.5 Limitation

**Unit IV: Tortious Liability-**

- 4.1 The concept of liability
- 4.2 Basis and Scope of liability
- 4.3 Modes of creation of vicarious liability
  - 4.3.1 Express authorization
  - 4.3.2 Ratification
  - 4.3.3 Abetment
- 4.4 Liability-Special Relationship
  - 4.4.1 Master & Servant
  - 4.4.2 Independent Contractor & Servant
- 4.5 Strict Liability and Absolute Liability
  - 4.2.1 Ryland Vs Fletcher
  - 4.2.2 UCC V. Union of India
  - 4.2.3 Application of the rule in India

**Unit V: Negligence and Nuisance**

- 5.1 Definition and concept of Negligence
- 5.2 Essentials of Negligence - Standard of care
- 5.3 Doctrine of contributory negligence - *Res ipsa loquitur* and its importance in compensatory laws.
- 5.4 Definition and concept of Nuisance
- 5.5 Essential of Nuisance – Defenses - Remedy

**Unit VI: Remedies for Tort**

- 6.1 Judicial Remedies

## 6.2 Extra Judicial Remedies

### Unit VII: Defamation

- 7.1 Definition and concept
- 7.2 Essentials of defamation
- 7.3 Libel, slander and Innuendo
- 7.4 Defenses and remedies

### Unit VIII: The Consumer Protection Act, 1986

- 8.1 Meaning, Definitions, Importance, Nature & Scope
- 8.2 Rights of Consumer
- 8.3 Redressal Mechanism
- 8.4 Filing complaint, Appeal and enforcement

### List of Cases:

- 1.Ashby v. White (1703)2 LR 938;
- 2.Rudal Shah v. State of Bihar, AIR 1983 SC 1086
- 3.Saheli v. Commissioner of Police, Delhi AIR 1990 SC 513;
- 4.GloucesterGrammer School case (14190 V.B. Hill 11.;
- 5.Mayor of Bradford Corporation v. Pickles (1895) AC 587;
- 6.Bhim Singh v. State of Jammu & Kashmir AIR 1986 SC 494;
- 7.Usha Ben v. BhagyaLaxmiChitraMandir, AIR 1978 Guj.
- 8.Lucknow Development Authority v M.K. Gupta AIR 1994 1 SC 243;
- 9.State of Rajasthan v. Vidyawati Devi AIR 1962 SC 933;
- 10.Donoghue v. Stevenson, 1932,AC 562;
- 11.KasturiLal v. State of U.P. AIR 1965 SC 1039;
- 12.Nicholes v. Marshland (1876)2 Ex.D. 1;
- 13.Smith v. London and South Western Railway Co. (1870) LR 6;
14. Loyd v. Grame Smith &Co. (1912) AC 716:
- 15.JayLaxmi Salt Works (P) Ltd. V. State of Gujarat 1994(4) SCC 1;
- 16.Dr.Laxman V. Dr. Trimbak AIR 1969 SC 128;
- 17.Davis v. Redcliffe, (1990)2 AER 536;
- 18.F. V. Birkshire Health Authority (1989) 2 All ER 545 (HL);
- 19.Maynard V. Midlands Health Authority ( 1985) 1 All ER 635 (HL);
- 20.AchutraoHaribhauKhodwa V. State of Maharashtra AIR 1996 SC 2377 ;
- 21.M.P. State Road Transport Corp. v. Basantibai (1971) MPLJ 706 (DB);
- 22.Indian Air Lines v. MadhuriChaudhri AIR 1964 Cal. 252;
- 23.Glasgow Corporation v. Muir (1943) AC 448;
- 24.Municipal Corporation of Delhi v. Subhagwati AIR 1966 SC 1750;
- 25.Ratlam Municipality v. Vardhichand (1980) 4SCC 162
26. Hall v. Brookaland Auto Racing Club ;
- 27.Smith v. Backer (1981) AC 325;
- 28.Stanleyv.Powell (1891)11 Q.B. 86;
- 29.Heynes v. Harwood (1935) 1 KB 146
- 30.Leta Fay Ford V. Revlon, Inc. Supreme Court of Arizona (153 Ariz. 38, 734 P.2d 580) 1987;
- 31.NoorMohd. v, MohdJiauddin AIR 1992 MP 244;
- 32.Hayward v. Thompson (1981)3All E R 450;
- 33.M.C. Verhese v. T.J. Poonam, AIR 1970 SC1876;
- 34.T.S. Bhatt v. A. K. Bhatt AIR 1978 Ker 111;
- 35.Girija Prasad Sharma v. Uma Shankar Pathak AIR 1973 MP 79;

36. Quinn v. Leatham, (1901) AC 495;
37. Municipal Board of Kanauj v. Mohanlal AIR 1951 All 867
38. State v. Gangadhar AIR 1967 Raj 199;
39. Rajalingam v. Lingaiah (1964) 1 ALT 391;
40. Sobha Ram v. Tika Ram (1936) ILR 58 All 903
41. Reyland v. Fletcher (1868) L.R. 3 H.L. 30;
42. M.C. Mehta v. Union of India (1987) 1 SCC 395
43. In Re Polemise Case (1921) 3 KB 560 CA;
44. Wagaon Mound Case (1961) AC 388
45. Leisbosch Dredger v. Edison, (1933) AC 449 HL.
46. Barrett v. Fonorow, 799 N.E.2d 916 (Ill. App. 2003)
47. Barrett v. Rosnethal, 112 Cal. App. 4th 749 (2003).
48. Bill McLaren, Jr. V. Microsoft Corporation, Court of Appeals of Texas, Dallas (1999) WL 339015.;
49. CompuServe Inc. v. Cyber Promotions, Inc., 962 F.Supp 1015 (SD Ohio 1997).
50. Doe v. AOL, Inc., 783 So. 2d 1010 (Fl 2001).
51. EBAY, Inc., Plaintiff, V. BIDDER'S EDGE, Inc., Defendant. United States District Court for the Northern District of California .100 F.Supp.2d 1058(2000).
52. Hotmail Corp. v. Van\$ Money Pie Inc., WL 388389 (1998). Kremen v. Cohen, 337 F.3d 1024 (9th Cir 2003).
53. School of Visual Arts v. Kuprewicz, 771 N.Y.S.2d 804 (2003).
54. United States of America V. Hambrick U.S District Court, W.D. Virginia 55F. Supp. 2d 504, (1999)]

#### References:

1. Wienfield and Zolowicz, Torts, 17th Edi., Sweet & Maxwell 2006
2. Salmond, J W, Salmond's Law of Torts (8th edition, Sweet & Maxwell, London, 1934)
3. Fleming, J G, The Law of Torts (9th edition, LBC Information Services, Sydney, 1998)
4. Ratan Lal and Dhiraj Lal on Law of Torts,
5. ALakshminath M Sridhar, Ramaswamy Iyer's, The Law of Torts, Lexis Nexis, Tenth Edi 2007
6. Tony Weir, An Introduction to Tort Law, 2nd Edi Oxford University Press 2006.
7. John Murphy, Street on Torts ,Eleventh Edi Oxford University Press 2006.
8. Tabrez Ahmad "Cyberlaw, E-Commerce & M-Commerce". APH Pub.Corp. New Delhi 2003.
9. Lee B. Burgunder, Legal Aspects of Managing Technology 2nd Edition West 2001.
10. Ramaswamy Iyer Law of Tort
11. Bangia's Law of Torts
12. Madden & Owen, On Product Liability, West Group
13. D.D. Basu- The Law of Torts (1982), Kamal, Kalkatta
14. Dr. Avtar Sing- The Law of Consumer Protection : Prpinciples and practice (2004), Eastern Book Company, Lucknow
15. Saraf D.N.- The Law of Consumer Protection in India, Tripathi, Bombay

#### References –

- Ratanlal & Dhirajlal on Law of Torts
- Salmond's Law of Torts
- Ramaswamy Iyer – Law of Tort
- Bangia's Law of Torts
- Avtar Singh – Law of Consumer Protection
- Saraf D.N. the Law of Consumer Protection in India
- Law of Torts and C.P. Law by Dr. N.V. Paranjape



## **DSC – 104: LAW OF CRIMES I- (Indian Penal Code)**

### **Object:**

Crime and Punishment has been the one of the most important task of rule of law of the State. This course is designed with a prime object to familiarize students with the principles of criminal liability and other concepts of substantive criminal law. So proper understanding of these offences & criminal behaviors, methods of controlling them has now become extremely important in the larger context of Indians development & to build a just and humane society. The curriculum outlined here attempts to seek these objectives.

**Methods of teaching-learning:** Lecture method shall be the main method of learning to be followed. Dialectic method of mooting and argumentation plays a very convincing procedure of learning. The information sharing and flow of information among the teacher and taught has to work as bonding of the entire course. Case comment can also be a method of research writing in this paper.

**Evaluation methods:** Theory Examination – 70 Marks

#### **Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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**30 Marks**  
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## **SYLLABUS**

### **Unit I: Concept of crime (Sec. 1 – 75)**

- 1.1 Nature and Concept of crime & distinction between Crime, Ethical wrongs.
- 1.2 Definitions – General Explanations (Sec. 6-52A)
- 1.3 Stages and Elements of Crimes
- 1.4 Group Liability in Crimes – Common Intention and Common Object
- 1.5 Off Punishments (Sec. 53 to 75)

### **Unit II: General Exceptions under IPC (Sec. 76 – 106).**

- 2.1 Mistake of facts mistake of law
- 2.2 Necessity, Defense of Juvenile
- 2.3 Unsound mind and intoxication
- 2.4 Act in good faith and consent
- 2.5 Right of private defense of body and property

### **Unit III: Inchoate Offences (Sec. 107 – 120 B and Sec. 141 – 160)**

- 3.1 Meaning, Nature and importance of inchoate offences
- 3.2 Attempt and abatement
- 3.3 Criminal Conspiracy
- 3.4 Unlawful Assembly
- 3.5 Rioting

### **Unit IV: Offences affecting the public Health, Safety, Convenience, Decency and Morals (Sec 268-294A)**

- 4.1 Offences affecting the Public Health (Section 268-278)
  - 4.1.1 Public Nuisance (S.268)
  - 4.1.2 Acts likely to spread infection (section 269-271)
  - 4.1.3 Pollution of food or drink (section 272-273)
  - 4.1.4 Adullualia of drugs (section 274-276)
  - 4.1.5 Fouling water and relating atmosphere (section 277-278)
- 4.2 Offences affecting the public safety and Convenience (Section 277-278)
  - 4.2.1 Rash Driving or riding on a public way. (Section 279)
  - 4.2.2 Rash or negligent navigation. (Section 280)
  - 4.2.3 Exposing false light, mark or being mislead navigator
  - 4.2.4 Conveying any person for hire by water in an unsafe and overloaded waste Vessel(Section 282)
  - 4.2.5 Causing danger or obstruction to any person in public way. (Section283)
  - 4.2.6 Negligent conduct with respect to poisonous substance.(Section 284)
  - 4.2.7 Negligent conduct with respect to fire, combustible substances. (section 285-289)
  - 4.2.8 Continuance of Nuisance. (Section 291)
- 4.3 Public Decency and Morals (ss 292-294A)
  - 4.3.1 Prevention of obscenely (ss 292-294)
  - 4.3.2 Keeping Lottery Office (S 294A)
  - 4.3.3 Cases related to spreading of infectious diseases

**Unit- V: Offences affecting the human body (Sec. 299 – 377)**

- 5.1 Culpable homicide. Murder
- 5.2 Hurt & Grievous Hurt.
- 5.3 Wrongful Restraint & wrongful Confinement.
- 5.4 Criminal force & assault.
- 5.5 Kidnapping & Abduction.

**Unit- VI: Offences against Property (Sec. 378 – 462)**

- 6.1 Theft and Extortion.
- 6.2 Robbery & Dacoity.
- 6.3 Criminal misappropriation of property and Criminal Breach of Trust.
- 6.4 Receiving stolen property and Cheating, Mischief.
- 6.5 Criminal Trespass, House Trespass, House Breaking

**Unit-VII: Offences of False Evidence & Offences Relating to Documents and Property (Sec. 191 – 229A, 463-489E)**

- 7.1 Giving false evidence & fabricating false evidence.(sec.493)
- 7.2 Fraudulent claim to property
- 7.3 Forgery and making false documents
- 7.4 Forged documents

**Unit-VII: Offenses Relating to Sexual, Marriage (Sec. 375 – 377, 493-498A)**

- 8.1 Rape
- 8.2 Unnatural Offenses
- 8.3 Bigamy
- 8.4 Adultery
- 8.5 Cruelty by husband and relatives

**Reference Books:**

Williams Glanville- The Text Book of Criminal Law

- Jerom Hall – Studies in Jurisprudence and Criminal Theory Jw Cecil Turner (edt.) – Kenny’s Outlines of Criminal Law Jw Cecil Turner - Russel on Crime
- Smith and Hogan – Criminal Law
- A.P. Simester& G.R. Sullivan – Criminal Law Theory and Doctrine
- R. C. Nigam – Principles of Criminal Law Asia Publishing House, Lucknow. Prof. K.N. ChndranshekharPillai – Essay’s on Indian Penal Code
- R. C. Srivastava – Law Relating to Crima Punishment Andrew Ashworth – Principles of Criminal Law
- P.S/AchuthunPillai, Criminal Law (1995) Eastern, Lucknow.
- Prof K.D Gaur - Criminal Law Cases and Material(1991), Butterworths India. Dr. Hari Singh Gaur – Penal Law of India (4 volumes)
- R. A Nelson – Indian Penal Code
- Prof. K.N. ChandranshekharPillai – Essay’s on Indian Penal Code RatanLal and DhirajLal – Indian Penal Code
- Prof. Raghavan – Indian Penal Code
- B.M.Gandhi, Indian Penal Code (1996), Eastern, Nagpur
- K.D.Gaur, a Text Book on the Indian Penal Code (1998), Universal Delhi

### **DSC – 105: FAMILY LAW - I**

#### **Object :**

The course structure is designed mainly with three objectives in view. One is to provide adequate sociology perspectives so that the basic concepts relating to family are expounded in their social setting. The next objective is to give an overview of some of the current problems arising out of the foundational inequalities writ large in the various family concepts. The third objective is to view family law not merely as a separate system of personal laws based upon religions but as the one cutting across the religious lines and eventually enabling us to fulfill the constitutional directive of uniform civil code. Such a restructuring would make the study of familial relations more meaningful.

To evaluate the strength of family system in India and the extent of legal support provided to the same and also to examine when and how and to what extent a Uniform Civil Code to regulate a religious part of family life, if any, may emerge!

Method of study: Lecture method and tutorial form of learning is the best method. Case study and research for self learning may also be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise. There are a lot of scope of innovation and new interpretation.

#### **Evaluation methods:**Theory Examination – 70 Marks

##### **Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: **30 Marks**  
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### **SYLLABUS**

#### **Unit I : Family Relations- Hindus, Muslims, Christains and Parsis**

- 1.1 Natural and sources of Hindu Law
- 1.2 Schools of Hindu Law

1.3 Nature and sources of Muslim Law

1.4 Schools of Muslim Law

## **Unit II: Marriage and Kinship**

2.1 Evolution of the institution of marriage and Family

2.2 Role of Religious rituals and practises in moulding the rules regulating to marital relations

2.3 Types of family based upon

2.3.1 Lineage – patrilineal, matrilineal

2.3.2 Authority structure – patriarchal; matriarchal

2.3.3. Location patrilocal, matrilocal

2.3.4 Number of conjugal units – nuclear, extended, joint and composite

2.4 Emerging concepts – maître – sambhand and divided homes.

## **Unit III: Matrimonial Remedies**

3.1 Marital conflicts

3.1.1 Non- judicial resolution of marital conflicts

3.1.2 Customary dissolution of marriage – unilateral divorce, divorce by mutual consent and other modes of dissolution

3.1.3 Divorce under Muslim personal law – talaq and talaq-e-tafweez

3.2 Judicial resolution of marital conflicts : the family court

3.3 Nullity of marriage

3.4 Option of puberty

3.5 Restitution of conjugal rights

3.6 Judicial separation

3.7 Desertion : a ground for matrimonial relief

3.8 Cruelty: a ground for matrimonial relief

3.9 Adultery : a ground for matrimonial relief

3.10 Other grounds for matrimonial relief

3.11 Divorce by mutual consent under :

3.11.1 Special Marriage Act 1954

3.11.2 Hindu Marriage Act 1955

3.11.3 Muslim law (Khula and Mubaraat)

## **Unit IV : Bar to matrimonial relief**

4.1 Doctrine of strict proof

4.1.1 Taking advantage of one's own wrong or disability

4.2 Accessory

4.3 Connivance

4.4 Collusion

4.5 Condonation

4.6 Improper or unnecessary delay

4.7 Residuary clause – no other legal ground exists for refusing the matrimonial relief.

## **Unit V: Law of maintenance (Hindu and Muslim Law)**

5.1 Claim of spouses

5.2 Claim of parents and children

5.3 Alimony (pendent and permanent)

## **Unit VI Minority and adoption**

6.1 Adoption under the Hindu Law

6.2 Acknowledgement under the Muslim law

6.3 Minority and Guardianship

### **Unit VII : Conversion and its effect on family**

7.1 Marriage

7.2 Adoption

7.3 Guardianship

7.4 Succession

( In view of the conflict of inter-personal laws, conversion is causing problems. How conversion affects the family and whether it is compatible with the concept of secularism and to what extent such problems would stand resolved with the enactment of a uniform civil code needs to be examined.)

### **Unit VIII : Customary practises and State regulation**

8.1 Polygamy

8.2 Concubine

8.3 Child Marriage

8.4 Sati

8.5 Dowry

### **References :**

- 1) ParasDiwan, Hindu Law
- 2) S.T. Desai (ed) Mulla's Principles of Hindu Law, (1998) Bitterorths , India
- 3) ParasDiwan, Family law : Law of Marriage and Divorce in India, (1984)
- 4) A. M. Bhattachargee, Muslim Law and Constitution(1994( Eastern Law House, Calcutta
- 5) A. M. Bhattachargee, Hindu Law and Constitution(1994( Eastern Law House, Calcutta
- 6) ParasDiwan, Law of Adoption, Minority, Guardianship and Custody (2000), Universal
- 7) A.A.A. Fyzee, Outline of Muhammadam law, (1986)
- 8) J.D.M. Derrett, Hindu Law : Past and present
- 9) J.D.M. Derrett, Death of Marriage Law
- 10) J.D.M. Derrett, a critique of modern Hindu law

### **Suggested Books:**

- 1)ParasDiwan, Law of Intestate and Testamentary Succession (1998), Universal
- 2)Basu, N. D. Law of Succession (2000), Universal
- 3)Kusem, Marriage and Divorce Law Manual (2000), Universal
- 4)Malchand, S.C. Law and Practice of Divorce in India (2000), Universal
- 5)P.V. Kane, History of Dharmasastras Vol. 2 pt. 1 at 624-632 (1974)
- 6)A. Kuppaswami (ed.) Mayne's Hindu Law and Usage ch. 4 (1986)
- 7)B. Sivaramayys, Inequalities and the Law, (1985)
- 8)K.C. Daiya, "Population control through family planning in India," Indian Journal of Legal studies, 85(1979)
- 9)J.D.M. Derrett, Hindu Law,,: Past and Present
- 10) J.D.M. Derrett, Death of Marriage Law
- 11) A.A.A. Fyzee, Outline of Muhammadan Law, (1986)
- 12) J.D.M. Derrett, A Critique of Modern Hindu Law (1970)

- 13) ParasDiwan, Hindu Law (1985)
- 14) S.T. Desai (ed.) Mulla's Principles of Hindu Law, (1998)- Butterorths-India
- 15) ParasDiwan, Family Law : Law of marriage and Divorce in India, (1984)
- 16) A. M. Bhattachargee, Muslim Law and the Constitution (1994) Eastern Law House, Calcutta
- 17) A. M. Bhattachargee, Hindu Law and the Constitution (1994) Eastern Law House, Calcutta
- 18) ParasDiwan, Law of Adoption, Ministry, Guardianship and Custody (2000), Universal

### **AECC – 106: FUNDAMENTALS OF RESEARCH**

Research in common parlance refers to a search for knowledge. It is a scientific and systematic search for pertinent information on a specific topic. In fact, research is an art of scientific investigation. It is the pursuit of truth with the help of study, observation, comparison and experiment. Significance of Research is increasing in all discipline as it reflects social values, attitudes and behavior. As we know law is a dynamic and not static, therefore law student should inevitably understand the basics of research. After gone through the syllabus of

'Fundamentals of Research' the law students are came to know-

1. The Basics of the Research with the conceptual foundation
2. The stages of the Research involved and
3. The ethics for Research and its principle.

Each Ability Enhancement compulsory Course (AECC) of 2 Credits shall be of 50 Marks including teaching workload of 2 lectures per week per AECC. This paper workload shall be shared by existing Full-Time Teachers. The assessment of the Subject Skill Enhancement Course shall be internal assessment. The weightage for the continuous internal Assessment shall be based on the following.

#### **UNIT I**

##### **1.CONCEPTUAL FOUNDATION OF RESEARCH**

- 1.1.1 Introduction : Historical perspective and importance of Research
- 1.1.2 Meaning and Definitions of Research
- 1.1.3 Objectives of Research
- 1.1.4 Types of Research
- 1.1.5 Concept of Legal Research
- 1.1.5 Research Methodology

#### **UNIT II**

##### **2.1MAJOR STAGES OF RESEARCH**

- 2.1.1Identification and formulation of problem
- 2.1.2Review of Literature and Formulation of Hypothesis
- 2.1.3Research Design
- 2.1.4Collection of data and its various modes
- 2.1.5Analysis and interpretation of data
- 2.1.6Findings, Suggestions and Conclusion

#### **UNIT III**

##### **3.1TOOLS AND TECHNIQUES OF DATA COLLECTION**

- 3.1.1Questionnaire
- 3.1.2Survey

- 3.1.3 Interview
- 3.1.4 Sampling
- 3.1.5 Observations
- 3.1.6 Schedule

#### UNIT IV

##### 4.1 RESEARCH ETHICS

- 4.1.1 Moral Principles and Social Values in Research
- 4.1.2 Research Ethical Committee in Higher Education
- 4.1.3 Legal aspects – Copyright, Plagiarism, etc

#### Reference/ Suggested Books

- 1 C.R.Kothari, Gaurav Garg (2018), Research Methodology : Methods And Techniques, New Age International Publishers Ltd.-New Delhi
- 2 Dr.S.R.Myneni (2017), Legal Research Methodology, Allahabad Law Agency, Allahabad
- 3 [R. Panneerselvam](#) (2<sup>nd</sup> Edition), Research Methodology, Kindle Edition (e-Book)
- 4 Yogesh Kumar Singh, Fundamentals of Research Methodology and Statistics, New Age International Publishers Ltd.-New Delhi
- 5 Dr. H. N. Tewari.(2016), *Legal Research Methodology.*, Allahabad Law Agency, Allahabad
- 6 Goode, W.J. and Hatt, P. K. (1952), Methods in social research. New York, McGraw-Hill Book Comp, New York
- 7 Dr.Mona Purohit (2016), Legal Education and Research Methodology, Central Law Publications, Allahabad
- 8 Dr.G.P.Tripathi (2015), Legal Research and Research Methodology, Central Law Publications, Allahabad

### Three Year LL.B. Semester II

#### Paper – I SPECIAL CONTRACT

##### Object :

The course is to be taught after the students have been made familiar with the general principles of contract in which the emphasis is on understanding and appreciating the basic essentials of a valid contract and on the existence of contractual relationship in various instances. Obviously, a course on special contract should initiate the students to different kinds of contracts with emphasis on the intricacies therein. This course also should provide an insight into the justification for special statutory provisions for certain kinds of contracts.

We are witnessing a paradigm shift in every walk of life, especially commercial sector, due to computer technology. Internet has transformed traditional markets into global markets by facilitating online execution of commercial transactions including electronic transfer of goods and services through online advertising, online ordering, publishing, banking, investment, auction, travel, entertainment and professional and financial services.

Existing legal provisions have to be re-interpreted and applied to provide solutions to issues generated by new technology till the new legal provisions arrive. Students are expected to study the provisions that govern E-Contract including relevant provisions from Indian Contract act, Information technology Act and relevant amendments to Indian Penal code, Indian Evidence act, Negotiable Instruments act etc.

**Method of study:** Lecture method and tutorial form of learning is the best method. Case study and research for self learning may also be truly effective. Paper writing and presentation may be gainfully

employed to maximize the teaching-learning devise. There are a lot of scope of innovation and new interpretation.

**Evaluation methods:**Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: **30 Marks**  
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**I LL.B., Sem II**  
**DSC – 201: Special Contract**

**Syllabus :**

**Unit I – Indemnity**

- 12.3 The Concept
- .2 Need for indemnity to facilitate commercial transactions.
- 1.3 Methods of creating indemnity obligations
- 1.4 Definition of Indemnity
- 1.5 Nature and extent of liability of the indemnifier
- 1.6 Commencement of liability of the indemnifier
- 1.7 Situations of various types of indemnity creations.
- 1.8 Documents / agreements of indemnity

**Unit 2 – Guarantee**

- 2.1 The Concept
- 2.2 Definition of guarantee
- 2.3 Basic essentials for a valid guarantee contract
- 2.4 The place of consideration and the criteria for ascertaining the existence of consideration in guarantee contracts.
- 12.3 Position of a minor and validity of guarantee when minor is the principal debtor, creditor or surety.
- 2.6 Distinguished from Indemnity
- 2.7 Continuing guarantee
  - 2.7.1 Nature of surety's liability
  - 2.7.2 Duration and terminations of such liability
  - 2.7.3 Illustrative situations of existence of continuing guarantee.
  - 2.7.4 Creations and identifications of continuing guarantees.
- 2.8 Rights of surety
  - 2.8.1 Position of surety in the eye of law
  - 2.8.2 Various judicial interpretations to protect the surety.
- 2.9 Co-surety and manner of sharing liabilities and rights.
- 2.10 Extent of surety's liability
- 2.11 Discharge of surety's liability

**Unit – 3 Bailment**

- 3.1 The concept



- 3.2 Definition of Bailment
- 3.3 Identification of bailment contracts in day today life and Manner of creation of such contracts.
- 3.4 Commercial utility of bailment contracts
- 3.5 Kinds of bailees
- 3.6 Duties of bailor and bailee
- 3.7 Rights of bailor and bailee

#### **Unit – 4 Pledge**

- 4.1 The Concept
- 4.2 Commercial utility of pledge transactions
- 4.3 Definition of pledge under the Indian Contract Act
- 4.4 Comparison with bailment
- 4.5 Rights of the pawner and pawnee
- 4.6 Pawnee's right of sale as compared to that of an ordinary bailee
- 4.7 Pledge by certain specified persons mentioned in the Indian Contract Act.

#### **Unit – 5 Agency**

- 5.1 The Concept – Agent & Principal
- 5.2 Kinds of agents
- 5.3 Essentials of an agency transaction
- 5.4 Various methods of creation of agency
- 5.5 Duties and rights of agents
- 5.6 Scope and extent of Agent's authority
- 5.7 Liability of the principal for acts of the agents
- 5.8 Liability of the agent towards the principal
- 5.9 Personal liability towards the parties
- 5.10 Methods of termination of agency contract

#### **Unit – 6 Sale of Goods**

- 6.1 Concept of sale as a contract
- 6.2 Essentials of a contract of sale
- 6.3 Essential conditions in every contract of sale
- 6.4 Implied terms in contract of sale
- 6.5 The rule of caveat emptor and the exceptions
- 6.6 Effect and meaning of implied warranties in a sale.
- 6.7 Transfer of title and passing of risk.
- 6.8 Delivery of goods : various rules regarding delivery of goods
- 6.9 Unpaid seller and his rights
- 6.10 Remedies for breach of contract

#### **Unit – 7 Partnership**

- 7.1 Nature of partnership : Definition
- 7.2 Mutual relationship between partners
- 7.3 Incoming partner
- 7.4 Outgoing partner
- 7.5 Registration of Partnership
- 7.6 Dissolution of Partnership

#### **Unit – 8 E- contracts**

- 8.1 The concept – Certifying Authority, digital signature, electronic record, cyber Appellate tribunal
- 8.2 Validity of Electronics Transactions
  - 8.2.1 Authentication of Electronic Records
  - 8.2.2 Legal recognition of Electronic records & digital signature

- 8.2.3 Retention of electronic records
- 8.3 Communication & Revocation of offer
  - 8.3.1 Attribution of electronic records
  - 8.3.2 Acknowledgement of receipt
  - 8.3.3 Time & Place of dispatch and receipt of electronic records.

### References :

1. Pollock & Mulla on Contracts
2. Avtar Singh – Contract Act
3. Krishnan Nair , Law of Contract
4. Saharay H.K., Indian Partnership Act & Sale of Goods Act
5. Ramnainga , The sale of Goods Act
6. V.K. Rao, Contract II
7. The Information Technology Act, 2000 Asia Law House

### Books :

- 1) R.K. Abhichandani (ed.), Pollock and Mulla on Contracts and Specific Relief Act (1999) Tripathi, Bombay.
- 2) Avtar Singh, Contract Act (2000), Eastern, Lucknow.
- 3) Krishnan Nair, Law of Contract (1999) Orient
- 4) Avtar Singh, Principles of the Law of the Sale of Goods and Hire Purchase (1998) Eastern, Lucknow.
- 5) J.R. Verma (ed.), Singh and Gupta, The law of partnership in India (1999), Orient Law House New Delhi.
- 6) A.Q. Guest (ed.) Benjamin's Sale of Goods (1992), Sweet & Maxwell.
- 7) Bhashyam and Adiga. The Negotiable Instruments Act (1995), Bharath Allahabad.
- 8) MS. Parthasarathi (ed.) J.S. Khergamvala. The Negotiable Instruments Act.
- 9) Beatson (ed.), Anson's Law of Contract, (1998), Oxford, London.
- 10) Saharay, H.K., Indian Partnership and Sale of Goods Act (2000), Universal.
- 11) Ramnainga, The Sales of Goods Act (1998), Universal.
- 12) Information Technology Law and Practice, Cyber Law & E-Commerce by Vakul Sharma, 2005, Universal Law Publishing Co Pvt Ltd.
- 13) Cyber Law in India by Dr. Farooq Ahmad., 2005, Pioneer Books , New Era Law Publication Delhi.

### Reference Books

1. Chitty, Contracts, Vol. 11, 29<sup>th</sup> Ed., Sweet & Maxwell, 2004.
2. V.K. Rao, Contract II – Cases and Materials, Butterworths, 2004.
3. M. Krishnan Nair, Law of Contracts, 1998.
4. Dutt on Contract, H.K. Saharay, Universal, 2000.
5. Mulla, Indian Contract Act and Specific Relief Acts, Lexis Nexis 13<sup>th</sup> Ed. 2006.
6. Avtar Singh, Law of Partnership
7. Piyush Joshi, Law relating to Infrastructure Projects, Butterworths
8. Agarwal, Government Contracts, Law and Procedures, Eastern Book Corporation
9. Fired, The Law of Agency, Butterworth

10. Iyer Sale of Goods and Partnership Acts, Asia Law House
11. Reynolds & Davenport, Bowstead on Agency, Sweet & Maxwell
12. Mulla, Negotiable Instrument Act, Tripathy

Case Law (by way of illustration)

1. AmritlalGoverdhanLal v. State Bank of Travancore AIR 1968 SC 1432
2. Morvi Mercantile Bank v. Union of India AIR 1965 SC 1954
3. VasireddiSeetharamaiah v. Srirama Motor Finance Corporation 1977 AP 164
4. Wheels India Ltd., Mount Road v Khem Chand Raj Kumar 1970 MLJ 648  
201
5. Maganbhai v Union of India AIR 1969 SC 785Madhav Rao v. Union of India AIR 1971  
SC 530
6. Delhi Science Forum & Others v. Union of India JT 1996 (2) SC 295
7. Canara Bank v Canara Sales Corporation & Others AIR 1987 SC 1603
8. Indian Airlines Corporation v MadhuriChoudhury AIR 1965 Cal 252
9. Gatewhite Ltd & Another v. Iberia Lineas de Espana SA (1989) 1 All E.R. 944

### **DSC-202: CONSTITUTIONAL LAW – II**

#### **Object :**

To understand the political, social and economic value structure of the Constitution of India and the protection of human rights of individuals and balancing with the positive responsibility of the state to establish a economy of growth, social justice and political aspiration of all sections of the Indian Society through constitutional governance.

Method of study: Lecture method and interactive sessions of learning is the best method. Case study and research for self learning may also be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise. There are a lot of scope of innovation and new interpretation

**Evaluation methods:**Theory Examination – 70 Marks

#### **Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks  
Viva Voce College Level : 10 Marks

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**: 30 Marks**  
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#### **Syllabus**

##### **UNIT I. PARLIAMENT**

1. Composition, Election, qualifications, disqualifications and tenure of members.
2. Functions of Parliament.
3. Privileges of Members, Parliamentary Privileges and fundamental rights
4. Relationship between Lok Sabha and Rajya Sabha
5. Officers of the parliament – Speaker, Chairperson, powers and functions

##### **UNIT II. PARLIAMENTARY GOVERNMENT AND UNION EXECUTIVE**

1. Westminster Model- Choice of Parliamentary Form-Council of Minister and Prime Minister, Cabinet system, collective responsibility- individual responsibility.
2. Coalition Government
3. President of India- Election, qualification and Impeachment
4. powers (specially the ordinance making power) privileges and constitutional position
5. Governor of the State- Appointment, tenure etc., position and status of Governor.

### **UNIT III. RELATIONSHIP BETWEEN UNION AND STATES – I- LEGISLATIVE RELATIONS**

1. Legislative powers of the union- extent and width- seventh schedule
2. Provision as to introduction and passing of ordinary bills
3. Joint sitting of both the houses
4. Parliament's power to legislate on State subjects
5. Principles of interpretation of Lists

### **UNIT IV. RELATIONSHIP BETWEEN UNION AND STATES – II- ADMINISTRATIVE AND FINANCIAL**

1. Administrative relationship
  - a) Co-extensive powers of administrative organ- Art 73
  - b) Obligation of states- assistance and coordination
  - c) Inter state council
  - d) All India Services
  - e) Grants in aid.
2. Financial Relations---
  - a) Distribution of Revenue between Centre and State.
  - b) Money Bill- finance bills
  - c) Finance Commission

### **UNIT V. FREEDOM TRADE-COMMERCE AND SERVICES UNDER THE STATE**

1. Freedom Trade-extent and relationship with fundamental rights
2. Restrictions on Trade and Commerce
3. Doctrine of Pleasure
4. Constitutional safeguards to Civil Servants
5. Public Service Commission

### **UNIT VI. EMERGENCY PROVISIONS**

1. National emergency- imposition and implications
2. Constitutional amendments relating to national emergency
3. Failure of constitutional emergency in the state- grounds
4. Misuse of state emergency -safeguards by judicial pronouncements
5. Financial emergency – grounds and implications

### **UNIT VII. JUDICIARY UNDER CONSTITUTION**

1. Supreme Court- composition, Appointment procedure- collegium system- removal
2. Jurisdiction of supreme court- original, appellate, advisory and curative
3. High Court-Composition, Appointment, jurisdiction etc.
4. Independence of Judiciary
5. Doctrine of Judicial Review- Nature and scope

### **UNIT VIII. CONSTITUTIONAL PROCESS OF ADAPTATION AND ALTERATION**

1. Amendment- meaning and Methods of Constitutional amendment
2. constitutional Limitations upon constituent power
3. Doctrine of Basic Structure- emergence and expansion
4. Amendment of fundamental rights
5. Content and controversy of basic structure theory

**Books:**

- 1) T.K. Tope: Constitutional of India.
- 2) G.Austin, History Democratic Constitution: The Indian Experience (2000) Oxford.
- 3) D.D. Basu : Shorter Constitution of India (1996) Prentice Hall of India, Delhi.
- 4) Constituent Assembly Debates Vol. 1 to 12 (1989)
- 5) H.M. Seervai: Constitution of India Vol. 1-3 (1992), Tripathi, Bombay.
- 6) M.P.Singh (ed) V.N. Shukul : Constitutional Law of India (2000) Oxford.
- 7) G.Austin : Indian Constitution : Cornerstone of a Nation (1972)
- 8) M.Glanter : Competing Equalities- Law and the Backward Classes in India (1984)
- 9) B.Sivaramayya : Inequalities and Law (1984) Eastern Lucknow.
- 10) S.C.Kashyap : Human Rights and Parliament (1978) Metropolitan.
- 11) Dr. Pandey J.N. : Constitutional Law of India. (2007) Central Law Agency.

**DSC – 203: FAMILY LAW - II**

**Object:**

Succession is one every important way of transfer of property, of course after the life of the owner of the property. The study shall not only examine the law as it is and is interpreted by Courts in fact situation, it also shall aim at understanding the differences in the law of succession, both testamentary and intestate, amongst various religious groups.

Methodology of teaching-learning: Lecture method, Case study and presentation shall be dominant method. But research and paper-writing is also important. There shall be comparative studies in all presentations and lectures. Discussion and issue-based round table shall be emphasized instead of issue-based lecture.

**Evaluation methods:** Theory Examination – 70 Marks

**Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks  
Viva Voce College Level : 10 Marks

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**: 30 Marks**  
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**SYLLABUS:**

**Paper Number III: Family Law II**

**Unit 1 : Joint Family**

- 1.1 Mitakshara joint family
- 1.2 Mitakshara coparcenary – formation and incidents
- 1.3 Property under Mitakshara law – separate property and coparcenary property
- 1.4 Dayabhaga coparcenary – formation and incidents
- 1.5 Property under Dayabhaga law
- 1.6 Karta of the joint family – his position, powers, priviledges and obligations
- 1.7 Alination of property – separate and coparcenary

1.8 Partition and reunion

1.9 Joint Hindu Family as a social security institution and impact of Hindu gains of Learning act and various tax laws on it

1.10 Matrilineal joint family

## **Unit 2 ; Inheritance – Hindus**

- 2.1 Historical perspectives of traditional Hindu law as a background to the study of Hindu Succession act 1956
- 2.2 Succession to property of a Hindu male dying intestate under the provisions of Hindu Succession act 1956
- 2.3 Devolution of interest in Mitakshara coparcenary with reference to the provisions of Hindu Succession act 1956
- 2.4 Succession to property of a Hindu female dying intestate under the provisions of Hindu Succession act 1956
- 2.5 Disqualification relating to succession
- 2.6 General rules of succession
- 2.7 Marumakkattayam and Aliyasantana laws governing people living in Travancore – Cochin and the districts of Malabar and South Kanara.

## **Unit 3 : Inheritance – Muslims**

- 3.1 General rules of succession and exclusion from succession
- 3.2 Classification of heirs under Hanafi and IthnaAshria schools and their shares and distribution of property
- 3.3 Christians, Parsis and Jews
  - 3.3.1 Heirs and their shares and distribution of property under the Indian Succession Act 1925

## **Unit 4 : Women's property**

- 4.1 Stridhan – concepts and characteristics, sources
- 4.2 Principles of succession
- 4.3 Comparative analysis of right to property of women under different religious and statutory law

## **Unit 5 : Testamentary Succession**

- 5.1 Power of testamentary succession under various religious and statutory law under Hindu, Islamic, Christian and Parsi Law
- 5.2 Competence of the testator, limitation to testamentation
- 5.3 Abetment of legacy, Will and administration of will – Probate, Codicil, execution of Privileged and unprivileged will
- 5.4 Attestation, alteration and revival of will

## **Unit 6 : Right of Pre-emption:**

- 6.1 Pre-emption, meaning, nature, constitutionality, classification
- 6.2 Who can claim the right, formalities and legal effect
- 6.3 legal devices of evading right of pre-emption, when is the right lost

## **Unit 7 : Gift under the Islamic law**

- 7.1 Hiba – nature and characteristics, kinds of hiba
- 7.2 Conditional and future gift, types of Hiba, Death-bed gift
- 7.3 Revocation of gift

## Unit 8 : Religious Endowments

- 8.1 Wakf
  - 8.1.1 Meaning, character, formalities for creation
  - 8.1.2 Administration, power of Mutawali, Muslim Religious Institutions and offices
- 8.2 Hindu Religious Endowment
  - 8.2.1 Traditional religious principles of creation, administration and offices
  - 8.2.2 Statutory methods of creation of trust
  - 8.2.3 Powers and functions of the trustees

### References:

- 1) Mulla, Hindu Law, Vol I and II, Butterworth
- 2) Mayne, Hindu Law and Usage, Bharat
- 3) Diwan, Modern Hindu law, Universal
- 4) Tyabji, Muslim Law, Tripathy
- 5) Mulla, Principles of Mohammedan Law, Tripathy
- 6) Amer Ali, Mohammedan Law, Vol I and II, EBS
- 7) TahirMohammad, Family Law reforms in Muslim world, tripathy
- 8) TahirMohammad, Islamic Law in Modern india, Tripathy
- 9) Derret Hindu Law, Past and Present, Universal
- 10) Derret, Introduction to modern Hindu Law, Universal
- 11) Ghosh, the law of endowments, S.C. Sarkar
- 12) Row, Sanjiva, The Indian Succession Act, Law book Co
- 13) Basu, Indian Succession Act, eastern
- 14) Gaur, hindu code Vol i and II, Law Publisher
- 15) Diwan, law of Intested and testamentary Succession, wadhwa
- 16) Mukherjee, Hindu law of religious and charitable trust, eastern
- 17) Desai Kumud, Law of Marriages and Divorce
- 18) Mayne's Hindu law and usage
- 19) Parasdiwan, Family law
- 20) Dr. T. V. Subbaroa Familt law in India
- 21) Mulla, principles of Mahommedan law

## DSC – 204: ENVIRONMENTAL LAW

### Object:

The Environmental law programme, in contrast to other law curricula, has certain characteristics which make it unique and is one of the best instruments for breaking the ice of colonial legal education. Its uniqueness lies in the fact that the problems it raises do not relate merely to specific individuals but about such matters as national development, industrial policy, policies concerning natural resources, injustice to communities, inter generational equity and prevention of pollution. All these issues related to problematic about construction of a just, humane and healthy society.

Secondly environmental law necessarily demands an inter – disciplinary approach. Thirdly, uniqueness of the subject is borne out by the new epistemological outlook which ecology – related knowledge has brought about in recent times. The development of ecological knowledge has

necessitated an overall change not only in managerial studies but also in socio-legal explorations. This approach to the growing dimensions of environmental law is essential.

Method of study: Lecture method and tutorial form of learning is the best method. Case study and research for self learning may also be truly effective.

Paper writing and presentation may be gainfully employed to maximize the teaching-learning device. There are a lot of scope of innovation and new interpretation.

### **Evaluation methods:** Theory Examination – 70 Marks

#### **Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: 30 Marks  
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### **Syllabus**

#### **Unit 1- Concept of Environmental and Pollution**

- 1.1 Meaning and definition of environment and pollution under different Acts
- 1.2 Kinds of pollution
- 1.3 Effects of pollution

#### **Unit 2 Historical perspectives of environment and pollution**

- 2.1 Indian tradition : Dharma of environment
- 2.2 British Raj – Industrial development and exploitation of nature  
Nuisance : penal code and procedural codes
- 2.3 Free India – continuance of British influence

#### **Unit 3- Constitutional Perspectives**

- 3.1 Constitution making – development and property oriented approach
- 3.2 Directive principles
  - 3.2.1 Judicial approach
- 3.3 Fundamental rights - Right to clean and healthy environment, Pollution Free Atmosphere etc.
- 3.4 Environments v. Development
- 3.5 Enforcing agencies and remedies
- 3.6 Emerging Principles
  - 3.6.1 Polluter pays and Precautionary Principle : Public Liability Insurance
  - 3.6.2 Public Trust Doctrine
  - 3.6.3 Sustainable Development

#### **Unit 4- Water and Air Pollution**

- 4.1 Water and Air Pollution - Meaning and standards
- 4.2 Culprits and victims
- 4.3 Offences and penalties
- 4.4 Judicial approach
- 4.5- Noise Pollution and Control
  - 4.5.1 Legal control
  - 4.5.2 Courts of balancing : permissible and impermissible noise



## **Unit 5- Environment Protection**

- 6.1 Protection means
- 6.2 Protection agencies : Power and functions
- 6.3 Emerging protection through delegated legislation
  - 6.3.1 Hazardous waste
  - 6.3.2 Bio – medical waste
  - 6.3.3 Genetic engineering
  - 6.3.4 Disaster emergency preparedness
  - 6.3.5 Coastal zone management
- 6.4 Judiciary : complex problems in administration of environmental justice

## **Unit 6- Forest and greenery**

- 7.1 Greenery conservation laws
  - 7.1.1 Forest Conservation Act
  - 7.1.2 Symbiotic relationship and tribal people
  - 7.1.5 Denudation of forest : judicial approach
- 7.2 Wild life Protection Act

## **Unit 7 - International Regime**

- 8.1 Stockholm conference
- 8.2 Green house effect and ozone depletion
- 8.3 Rio Conference
- 8.4 Bio – Diversity
- 8.5 U. N. Declaration on right to Development

## **Unit 8- Prevention of cruelty to animals**

- 9.1 Animal welfare Board
- 9.2 Cruelty to Animals Generally
- 9.3 Experimentation on Animals
- 9.4 Performing animals

## **Books**

1. Ball and Bell, Environmental Law
2. ShyamDivan : Armin Rosencranz Environmental Laws and Policy in India - Cases, Materials and Statutes
3. BaxiUpendra, The Bhopal Case
4. Aggarwal Anil, The State of India's Environment
5. Lal's Commentaries on Water and Air Pollution and Environment Protection Laws
6. Pal Chandra, Environmental Pollution and Development, ed 1999
7. Iyer V R Krishna, Environment Pollution and the Law
8. Malaviya, Environment Pollution and its Control under International Law
9. Leelakrishnan, Environmental Law in India 1986
10. The Environment (Protection) Act 1986 and Rules 1986

## **Select Bibliography :**

- 1) AarminRosencranz, et al, (eds.), Environmental Law and Policy in Indian, (2000), Oxford
- 2) R. B. Singh & Suresh Misra, Environmental Law in India (1996), Concept Publishing, New Delhi.
- 3) Kailash Thakur, Environment Protection Law and Policy in India (1997), Deep & Deep publications, New Delhi.

- 4) Richard L. Riversz, et.al. (eds.), Environment Law, the economy and other Sustainable Development (2000), Cambridge
- 5) Christopher D. Stone, Should Trees Have Standing and other Essays on Law, Morals and the Environment (1996), Oceana
- 6) Leelakrishnan, P et. al. (eds.), Law and Environment (1990), Eastern, Lucknow
- 7) Leelakrishnan, P, The Environmental Law in India (1999), Butterworths – India
- 8) Department of Science and Technology, Government of India Report of the Committee for Recommending Legislative Measures and Administrative Machinery for Ensuring Environmental protection (1980) (Tiwari Committee Report).
- 9) Indian Journal of Public Administration, Special Number on Environment and Administration, July – September 1988, Vol. XXXV, No. 3, pp. 353 - 801
- 10) Center for Science and Environment, The State of Indian's Environment 1982, The State of India's Environment 1984 – 1985 and The State of Indian Environment 1999 – 2000
- 11) World Commission on Environment and Development, Our Common Future (1987), Oxford.
- 12) Maneka Gandhi et. all Animal Laws of India (2001)
- 13) Iyer V R Krishna, Environment Pollution and the Law
- 14) Lal's Commentaries on Water and Air Pollution and Environment Protection Laws
- 15) Pal Chandra, Environmental Pollution and Development, ed 1999
- 16) Malaviya, Environment Pollution and its Control under International Law
- 17) The Environment (Protection) Act 1986 and Rules 1986

### **DSC – 205: PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM**

#### **Object:**

Advocates have the dual responsibility of upholding the interests of the client fearlessly while conducting themselves as officers of the court. Accordingly, they are expected to adhere to the highest standards of probity and honour. An advocate's conduct should reflect their privileged position in society which derives from the nobility of this profession. The service of an advocate to the common man should be compassionate, moral and lawful. Indian Legal System can write up the next big success story in professional legal education and consequently higher efficiency in Justice Delivery System if it succeeds in facilitating high professional skills, building up of human resource with proper integration of knowledge to match the growing world standard.

**Method of study:** Lecture method and tutorial form of learning is the best method. Case study and research for self learning may also be truly effective. Paper writing and presentation may be gainfully employed to maximize the teaching-learning devise. There are a lot of scope of innovation and new interpretation.

**Evaluation methods:** Theory Examination – 70 Marks

#### **Internal Assessment:**

Assignment / Project Work / Presentation : 20 Marks

Viva Voce College Level : 10 Marks

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: **30 Marks**  
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#### **Syllabus :**

#### **Unit 1. Professional Ethics. ( 20 marks)**

1.1 Development of Legal Profession in India.

1.2 Concept, need and importance of Professional Ethics.

1.3 Bar Council of India Rules on Standards of professional Conduct and Etiquettes, seven lamps of advocacy

1.4 Duties and Obligations of Advocate (Norms of Professional Ethics) Section I -Duty to the Court.

Section II -Duty to Client.

Section II -Duty to Opponent.

Section IV -Duty to Colleagues

-Duty to Profession

-Duty to Render Legal Aid.

1.5 Restrictions on other employments.

1.6 Senior Advocates and Restrictions on Senior Advocates.

1.7 Form of Dresses or Robes to be worn by Advocate.

1.8 Vakalatnama.

### **Unit 2. Advocates Act, 1961 : ( 20 marks)**

2.1 Chapter I (Sections 1 and 2) Definitions-Advocate, Legal Practitioner, LawGraduate.

2.2 Chapter II (Sections 3 to 15) -Bar Councils Functions.

2.3 Chapter III (Sections 16 to 28) -Admission and Enrolment of Advocates.

2.4 Chapter IV (Sections 29 to 34) -Right to Practice.

2.5 Chapter V (Sections 35 to 44) -Conduct of Advocates. Punishment of Advocates for misconduct.

2.6 Chapter VI (Sections 45 -Miscellaneous.)

### **Unit 3.Bar-Bench Relations and Contempt of Court.( 10 marks)**

3.1 Concept and Role of Bar-Bench Relation with reference to administration of Justice.

3.2 The Contempt of Courts Act, 1971 Sections 1 to 24.

### **Unit 4.Accountancy for Lawyers.( 10 marks)**

4.1 Definition, object, Importance and Utility of Book Keeping.

4.2 Principles of Book-keeping and Accountancy, Accounting concepts and Accounting conventions.

4.3 Meaning and Advantages of Double Entry Bookkeeping.

4.4 Classification of accounts and Rules for debiting and crediting the accounts. Journal entries, Ledger Posting, Subsidiary Books.

4.5 Types of Cash Book.

(a) Simple Cash Book.

(b) Cash Book with Cash and Discount columns.

(c) Cash Book with Cash, Bank and discount columns. 4.6 Bank Reconciliation statement.  
4.7 Rectification of Errors.  
4.8 Preparation of Trial Balance.

4.9 Preparation of Trading, Profit and Loss Account and Balance Sheet.

4.10 Preparation of Income and Expenditure Account.

4.11 Assessment of income and expenditure and payment of taxes by Advocates.

### **Unit 5. Cases & Selected Opinions Prescribed for Study.**

5.1 Major Judgements of Supreme Court on the subject :

- 1) Pralhad Saran Gupta V/s Bar Council of India & another, AIR 1997, SC, 1338
- 2) Hikmat Ali Khan V/s IshwarPrasd, AIR, 1997, SC 864.
- 3) V. P. Kumarvelu V/s B.C.L., AIR, 1997, SC 1014
- 4) P.D. Gupta V/s Ram Murty, AIR, 1988, SC 283.
- 5) In Re. V.C. Mishra, AIR, 1995, SC 2348.
- 6) Supreme Court Bar Association V/s Union Bank of India, AIR, 1988, SC 1895.
- 7) U.P. Sales Tax Service Association V/s Taxation bar Association, Agara AIR, 1996, SC 98.
- 8) John D' Souza V/s Edward Ani, AIR, 1994, SC 975.
- 9) Dalal, D.S. V/s State Bank of India, AIR, 1993, CRLJ 1478.
- 10) Mr. Roma Baneriji V/s UshapatiBanerji, AIR, 1958, CRLJ 1478.

5.2 Selected Opinions Of The Disciplinary Committee Of Bar Council Of India

- 1) B.C.I. TR Case No. 27/1988, Vol. 16(3&4) 1989, I.B.R. Y.V.R. (Complainant) V/s M.K.N. (Respondent).
- 2) B.C.I. TR Case No. 24/1986, Vol. 16(3&4) 1989, I.B.R.C.L. (Complainant) V/s N.T.S. (Respondent).
- 3) D.C. Appeal No. 6/1988, Vol. 16(3&4) 1989, I.B.R.J.E. (Appellant) V/s Smt. A (Respondent).
- 4) D.C. Appeal No. 28/1986, Vol. 15(3&4) 1988, I.B.R.J. (Appellant) V/s Smt. A (Respondent).
- 5) D.C. Appeal No. 35/1987, Vol. 16(3&4) 1989, I.B.R.N.M. (Appellant) V/s V. D. (Respondent).
- 6) D.C. Appeal No. 131975 (Mah.) Vol. 5 (1-3) 1976, Journal of Bar 35 Council of India, A. (Appellant) V/s Bar Council of Maharashtra, (Respondent)
- 7) B.C.I. , TR. Case No. 17/86. Vol. 15(3&4), 1988, I.B.R. M. (petitioner/complainant) V/s Bar Council of Maharashtra, (Respondent)
- 8) B.C.I. , TR. Case No. 63/1983. Vol. 15(3&4), 1988, I.B.R. B. (Complainant) V/s R. (Respondent)
- 9) D.C. Appeal No. 21 of 1985. Vol. 15(3 and 4), 1988, I.B.R.G. (Applicant) V/s T. (Respondent)

10) B.C.I. , TR. Case No. 61/1983. Vol. 14(2), 1987, I.B.R. D. (Complainant) V/s B. (Respondent)

#### Recommended Books

1. Sanjiva Row's Advocates Act, 1961.
2. Iyer's Law of Contempt of Courts.
3. Bar Council of India Trust Selected Judgments on Professional Ethics.
4. Bar Council of India Rules on Standards of Professional conduct and Etiquette.
5. Dr. Kailash Rai-Legal Ethics, Accountancy for Lawyers and Bench-Bar Relations.
6. Dr. S. P. Gupta-Professional Ethics, Accountancy for Lawyers and Bench-Bar Relations.
7. M. G. Patkar-Book Keeping and Accountancy.
8. Mrs. Jayashree Kotibhaskar-Book Keeping and Accountancy.
9. Krishnamurti Iyer-Advocacy.
10. Shukla and Grewal-Advance Accountancy.
11. R. L. Gupta-Advanced Accountancy.
12. S. N. Maheshwari-Introduction to Accountancy.
13. Indian Bar Review-Journal.
14. M. P. Jain-Outline Indian Legal History-Chapter Development of Legal Profession.
15. V.K.V. Krishna Swami Iyer-Professional Conduct and Advocacy Chapters 10 to 17.
16. M. R. Mallick-Advocates Act, 1961 with professional Ethics Advocacy and Bar Bench Relationship.
17. P. L. Mehta, Sushma Gupta-Legal Education and Legal Professional in India.
18. Law Reporters-A.I.R., S.C.C. (Relevant cases).
19. J.P.S. Sirohi-Professional Ethics, Accountancy for Lawyers and Bar Bench Relations.
20. Agarwal A. N.-Practical Aspects of Higher Accountancy.
21. Anand-Professional Ethics of Bar.
22. Jha Shriram Chandra-Selected Judgments on Professional Ethics.
23. Mynen S. R.-Professional Ethics, Accountancy for Lawyers and Bench Bar Relations.
24. Reddy G. B.-Practical Advocacy for Lawyers.

### **AECC – 206 PUBLIC INTEREST LAWYERING AND PARA LEGAL SERVICES**

Each Ability Enhancement compulsory Course (AECC) of 2 Credits shall be of 50 Marks including teaching workload of 2 lectures per week per AECC. This paper workload shall be shared by existing Full-Time Teachers. The assessment of the Subject Skill Enhancement Course shall be internal assessment. The weightage for the continuous internal Assessment shall be based on the following.

#### **Unit – 1 Public Interest Litigation**

- 1.1 Meaning and object
- 1.2 Locus Standy
- 1.3 Merits and demerits of Public Interest Lawyering

1.4 Public Interest Litigation and Writ Jurisdiction

1.5 Social Revolution Through P.I.L. with Cases

**Unit – 2 Legal – Aid and Legal Literacy Programme**

2.1 Meaning, Object and Importance

2.2 Constitutional Provisions

2.3 Legal Services Authorities Act, 1987

2.4 Legal – Aid and Legal Profession

**Unit – 3 LokAdalat**

3.1 Meaning of LokAdalat

3.2 Organisation of LokAdalat

3.3 Permanent LokAdalat

3.4 Composition of LokAdalat

3.5 Functioning of LokAdalats

**Unit – 4 Para-Legal Training and Importance**

4.1 Meaning, Objects and Importance

4.2 Role of DALSA, TALSA

4.3 Legal Literacy Campus

4.4 Negotiation

4.5 Counselling

**Unit – 5 LokNayalaya and Gram Nyayalaya**

5.1 Meaning, Objects and Importance

5.2 Features of the Gram Nayalaya Act, 2008

5.3 Jurisdiction of Gram Nyayalaya

5.4 Appellate Provisions

5.5 Mobile Court

• Books Recommended

1) Public Interest Lawyering, Legal-Aid and Para Legal Services by Prof. KailashRai

2) Public Interest Litigation by J. Gulab Gupta

3) Legal – Aid to the poor by S.S.Sharma.

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