VITASTA
SCHOOL
OF
LAW
&
HUMANITIES

LL.B. - FIVE YEARS SYLLABUS
(As Prescribed by University Of Kashmir) 2009 & Onwards
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I\textsuperscript{ST} SEMESTER:

PAPER – I: LEGAL HISTORY.

PAPER – II: GENERAL ENGLISH.

PAPER – III: POLITICAL SCIENCE – I.

PAPER – IV: ECONOMICS – I.

PAPER – V: LAW & SOCIETY.
LEGAL HISTORY

Max. Marks=100
Theory = 80
Continuous Assessment = 20

Time Duration: 3 hours.

Note: - The subject includes a comprehensive and up to date study of various aspects of Legal History. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:

1. Administration of Justice in Bombay, Madras and Calcutta:
   1.1 Emergence of the east India Company: development of authority under charters.
   1.1. Trading body to a territorial power: subsequent Charters.
   1.2. Administration of justice in Madras from 1639 to 1726.
   1.3. Administration of justice in Bombay 1668 – 1726.

2. The Mayors Court:
   2.1. Genesis of the Charters of 1726.
   2.3. Working of Judicial System.
   2.4. Charter of 1753.
   2.5. Defects of Judicial Systems.

UNIT – II:

1. Adalat System:
   1.1. Grant of Diwani.
   1.2. Execution Diwani functions.
   1.3. Judicial Plan of 1772.
   1.4. Defects of the plan.
   1.5. New Plan of 1774.
   1.6. Reorganization of adalats in 1780.
   1.7. Reforms of 1781.
   1.8. The first civil code.
   1.9. Reforms in the administrations of Criminal Justice.
UNIT – III:

1. **The Regulating Act 1773:**
   1.1. Charter of 1774 and the Supreme Court of Calcutta.
   1.2. Some landmark cases.
      1.2.1. Trial of Raj Nandkumar (1775):
      1.2.2. The Patna case (1777 - 79).
      1.2.3. The Cossijurah case (1779 - 80).
   1.3. Act of settlement 1781.
   1.4. Major defects of Act of Settlement.
   1.5. Supreme Courts at Calcutta, Madras and Bombay.
   1.6. Law and administration in the Supreme Court.

Unit – IV:

1. **Process of Codification of India.**
   1.2. The First Law Commission.
   1.3. The Second Law Commission.
   1.4. The Third Law Commission.
   1.5. The Fourth Law Commission.

UNIT – V:

1. **Establishment of the High Courts.**
   1.1. The India High Court Act 1861.
2. **The Federal Court of India.**
   2.1. Foundation of the Federal Court.
   2.2. Jurisdiction.
   2.3. Authority of Law.
   2.4. Expansion of jurisdiction.
   2.5. Abolition of the Federal Court.

RECOMMENDED READINGS:

- Courtney Illbert - The Mechanics of Law making (1914).
- M. Rama Jois - legal & constitutional History of India 1600-1936 (1936).
- Rankin, G. C. - Background to India Law (1946)
- Mittal J.K. - Legal & Constitutional History of India.
GENERAL ENGLISH

Max. Marks = 100
Theory = 80
Continuous Assessment = 20

Time Duration: 3 hours.

Note: - The Subject includes a comprehensive and up to date study of various aspects of General English. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
1. Language and Communication.
2. Barriers in Communication.

UNIT – II:
1. Interpersonal communication.
2. Small group communication.
3. Listening effectively to other speakers.

UNIT – III:
1. Using Legal terminology in oral and written communication; using legal dictionary.
2. Comprehending and summarizing texts related to legal matters.
3. Developing a written text from notes.

UNIT – IV:
1. Writing formal letters and memoranda.
2. Writing reports.
3. Writing legal documents: deeds, appeals etc.

UNIT – V:
2. English intonation.
3. English words and sentences for practice in pronunciation.

RECOMMENDED READINGS:

- Larry L Barker: Communication (Prentice Hall).
- Raymond Murphy: Murphy’s English Grammar (3rd ed.) with CD (Cambridge University Press).
POLITICAL SCIENCE – I

Max. Marks=100
Theory = 80
Continuous Assessment = 20

Paper – III

Time Duration: 3 hours

Note: - The Subject includes a comprehensive and up to date study of various aspects of Political Science. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
1. Nature of Political Science:
   1.2. Approaches to the Study of Political Science.
      a) Legal / Institutional.
      b) Normative / Philosophical.

UNIT – II:
1. State Origin:
   1.1 Meaning, Essential Elements.
   1.2 Theories of its origin.
      a) Divine origin Theory.
      b) Social Contact Theories: An Introduction.

UNIT – III:
1. Sovereignty:
   1.1 Definition and Characteristics, Different Views of Sovereignty.
   1.2 Austinian Concept of Sovereignty.
   1.3 Pluralistic Views of Sovereignty.

UNIT – IV:
1. Types of Political Structure:
   1.1 Unitary and Federal Structure of State.
   1.2 Presidential and Parliamentary System of Government.

Unit – V:
1. Democracy:
   1.1 Meaning Conditions and Development.
   1.2 Welfare State.

RECOMMENDING READINGS:
ECONOMICS – I

Max. Marks = 100
Theory = 80
Continuous Assessment = 20
Paper – IV

Time Duration: 3 hours

Note: - The Subject includes a comprehensive and up to date study of various aspects of Economics. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT-I:
Definition of Economics: Microeconomics and Macroeconomics; market Command and mixed economics; Society’s technological possibilities; Market mechanism; market solution of economic problem; trade, Money and Capital. The Economic role of Government.

UNIT-II:
Basic elements of supply and demand- the demand curve, market demand, the supply curve; equilibrium of supply and demand; elasticity of demand; elasticity of supply; prices fixed by law; Marginal utility and the law of diminishing marginal utility; the indifference curve; Budget line; consumer’s equilibrium; consumer surplus.

Unit-III:
Theory of product- production function, law of diminishing returns, returns to scale, short run and long run; business organization; analysis of costs- various types of costs; link between production and costs; choice of inputs by the firm; Business accounting- profit and loss balance sheet; opportunity costs.

UNIT-IV:
Behaviour of a competitive firm; the shutdown rule; supply behavior in competitive industries; short run and long run equilibrium; efficiency and equity of competitive markets; patterns of imperfect competitive; sources of market imperfections; Monopoly equilibrium; collusive oligopoly; monopolistic competition.

UNIT-V:
Distribution of income and wealth; Marginal productivity and the price of inputs; Demand for labour, wage differences, the economics of discrimination, supply of labour, collective bargaining; Rent as return to fixed factors; capital – basic concepts, classical theory of capital; profits main determinants.

RECOMMENDED READINGS:

LAW & SOCIETY

Time Duration: 3 hours

Note: - The Subject includes a comprehensive and up to date study of various aspects of Law & Society. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section. The subject involves study of law, in context of some contemporary social problems and some vulnerable groups of the society

UNIT- I: Law & Poverty.
- Legal Aid.
- Lawyering for the poor.

Unit – II: Bonded Labour.
- Modern form of bondage.
- Globalisation, Privatization & Labour.

Unit – III: Women & the Law – I.
- Constitutional protection.
- Dowry & dowry related crimes.

UNIT – IV: Women & the Law – II.
- Harassment of women at work places.
- Female infanticide & Female feticide.
- Women in conflict situations.

UNIT – V: Child & the Law.
- Child Labour.
- Child Marriage.
  a) Children as victims of conflict.

RECOMMENDED READINGS:

- Child Labour & Legal Control – A Socio-legal Study (Altah Ahmad Mir).
II\textsuperscript{ND} SEMESTER:

PAPER – I: CONSTITUTIONAL HISTORY OF INDIA.

PAPER – II: LEGAL LANGUAGE.

PAPER – III: POLITICAL SCIENCE – II.

PAPER – IV: ECONOMICS – II.

PAPER – V: CRIMINOLOGY & PENAL ADMINISTRATION.
CONSTITUTIONAL HISTORY OF INDIA

Max. Marks=100
Theory = 80
Continuous Assessment = 20

Time Duration: 3 hours.

Note: - The subject includes a comprehensive and up to date study of various aspects of Constitutional History. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
2. The Government of India Act, 1858.

UNIT – II:
2. Indian Councils Act, 1909.

UNIT – III:

UNIT – IV:

UNIT – V:
2. The Constituent Assembly of India.

RECOMMENDED READINGS:

- Keith – Constitutional History of India.
- Mittal J.K. – Constitutional History of India.
- Bhagwan V. - Constitutional History of India.
- Kulsheshtra – Indian Legal and Constitutional History.
- Seerai H.M. – Constitutional Law of India.
- Mahajan V. D. - Constitutional History of India.
LEGAL LANGUAGE

Max. Marks = 100
Theory = 80
Continuous Assessment = 20

Time Duration: 3 Hours.

Paper – II

Note: - The subject includes a comprehensive and up to date study of various aspects of Legal Language. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT- I:
1. What is Legal Language.
3. Legal Language in J&K.

UNIT- II:
1. Reading skills: skimming, scanning, intensive and extensive reading.
2. Making précis of a long text (Preferably related to law).
3. Reading: comprehending & answering questions based on unseen legal.

UNIT- III:
2. Effective oral communication using audio-visual aids.
3. Use of Modal Verbs.

UNIT- IV:
1. Translation and transliteration: theory.
2. Translating an Urdu text into English.
3. Translating English into Urdu: Problems and solutions.

UNIT- V:
1. Legal Essays.
2. Legal Maxims – Meanings.
3. Legal Terminology in Urdu.

RECOMMENDED READINGS:

- Francoise Grelle: Developing Reading skills (Cambridge University Press).
- Any book or official document that talks about Urdu in J&K.
- Ishtiaque Abidi: Law and Language (University Publishers, Aligarh).
- Raymond Murphy: Murphy’s English Grammar (3rd ed.) with CD (Cambridge University Press)
- G. M. D. Baba’s : Fundamentals of Legal Learning & Patwar Record Formation (Urdu)2005
Note: - The subject includes a comprehensive and up to date study of various aspects of Political Science-II. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
1. Plato.
   1.1 Concept of Ideal state.
   1.2 Justice.
   1.3 Communism.

UNIT – II:
1. Aristotle.
   1.1 Concept of Revolution.
   a) Views of Slavery.

UNIT – III:
1. Machiavelli.
   1.1 Views on the State Craft.
   1.2 Views on the Relationship between Ethics & Politics.

UNIT – IV:
   1.1 Views on the State of Nature.
   1.2 Views on Social contract.

UNIT – V:
1. Locke.
   1.1 Locke’s Concept of Natural Rights.
Rousseau:
   State of Nature.
Bentham:
   Bentham as Utilitarian.

RECOMMENDED BOOKS:
- George E. Sabine: A History of Political Thought.
- Earnest Barker: The Political Thought of Plato & Aristotle.
- J. P. Suda: History of Political Thought.
- Brain R. Nelson: Western Political Thought from Socrates to the Age of Ideology.
ECONOMICS – II

Max. Marks = 100
Theory = 80
Continuous Assessment = 20

Paper – IV

Time Duration: 3 Hours.

Note: - The subject includes a comprehensive and up to date study of various aspects of Economics. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
Gross domestic product-Concept of measurement; Problem of double counting; Details of the national accounts-real Vs. nominal GDP, net Vs. gross investment, government expenditure, net exports, net domestic product, grass national product, disposable income; GDP and net economic welfare; National income estimation in India-methodology and conceptual problems; trends in national and per capita income in India.

UNIT – II:
Income distribution – measurement of inequality sources of inequality; concept of absolute poverty; equity vs efficiency; Income inequality in India- sources, government policy and measures. Incidence of poverty in India; Population in India- size and growth rate, causes of rapid growth of population; Human resource development – importance of education, health and nutrition in India.

UNIT – III:
Government control of the economy; public choice theory; Government failure; objectives of public expenditure; Growth of public expenditure in India; composition of public expenditure in India; principles of taxation; Horizontal vs. vertical equity; classification of taxes; The Indian structure –tax burden in burden in India, taxes on income wealth; indirect taxes.

UNIT – IV:
Public debt in India- debt obligation of central & state governments. Deficit financing in India-rationale and consequences; objectives of fiscal policy; fiscal imbalance in India and the new fiscal approach; Fiscal federalism in India- transfer of resources through finance commissions; XIth Finance Commission’s Awards.

UNIT - V:
Basis of international trade; Foreign exchange rates; Foreign exchange market; Purchasing power parity and exchange rates; balance of payments accounts; Ricardo’s analysis of comparative advantage; protectionism and its economic costs; Negotiating free trade functions and agreements of WTO; India’s balance of payments problems, Indian and WTO.

RECOMMENDED READINGS:
CRIMINOLOGY & PENAL ADMINISTRATION

Max. Marks = 100
Theory = 80
Continuous Assessment = 20

Paper – V

Time Duration: 3 Hours

Note: - The subject includes a comprehensive and up to date study of various aspects of Criminology and Penal Administration. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
2. Schools of criminology.

UNIT – II:
1. Factors in Relation to Criminal Behaviour:
   - Physical and Physiological factors.
   - Psychological factors and
   - Economic factors
2. Social factors with special emphasis on:
   - i) Home and Family in relation to Crime;
   - ii) Mass Media and Crime;
   - iii) Theory of Differential Association;
   - iv) Multiple factor: Approach of Crime Causation

UNIT – III:
1. Punishment of Offenders: Evolution, Nature and Theories of Punishment;
2. Kinds of Punishment with special emphasis on Imprisonment and Capital.

UNIT – IV:
1. Prison system in India.
2. Police system in India.

UNIT – V:
2. Prevention and Control of Crimes and Delinquency.
3) Drug Addiction:
   i) Extent, Causes and Effects.
   ii) Control of Drug Addiction.
RECOMMENDED READINGS:

Sutherland: Principles of Criminology.
Ahmad Siddique: Criminology Problems and Perspectives.
Gillin: Criminology and Penology.
Sirohi: Criminology and Criminal Administration.
Sethna: Society and the Criminal.
Qadri, M. A: Police and Law - A Socio Legal Analysis.
Chadha, K. K: The Indian Jail: A Contemporary Study.
Sharma, P. D: Police And Criminal Administration in India.
Carry, J. C: Indian Police.
IIIrd Semester:


SOCIOLOGY

Max. Marks = 100
Theory = 80
Continuous Assessment = 20

Paper – I

Time Duration: 3 Hours.

Note: - The subject includes a comprehensive and up to date study of various aspects of Sociology. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:

1. Introduction.
   b) Sociology, Psychology & Anthropology.
   c) Sociological Theories.
      i) Functionalism.
      ii) Symbolic inter-actionism.
      iii) Conflict theories.
   d) Sociological Methods.
      i) Weber.
      ii) Durkhain.

UNIT – II:

1. Basic Concepts.
   a) Society, Community & Association.
   b) Norms, Values, Role, Culture & Folkways.
   c) Primary, Secondary & Reference groups.

UNIT – III:

   a) Family, Marriage & kinship.
   b) Economy, Religion, Political.
   c) Socialization.
   d) Social change & Social control.

UNIT – IV:

1. Indian Society.
   a) Rural-urban Structure.
   b) Caste & Class in India.
   c) Approaches to Indian Society.
UNIT – V:

1. Social Change in India.
   a) Modernization.
   b) Urbanization.
   c) Industrialization.
   d) Secularization.

RECOMMENDED READINGS:

- Max Weber: Class, Status and Party (articles).
- Hutton: Caste in India.
- Johnson: Sociology.
- Srinivas: Social Change in Modern India.
- Timansheff: An Introduction to Sociology Theory.
FAMILY LAW – I

Max. Marks =100
Theory = 80
Continuous Assessment = 20

Paper – II

Time Duration: 3 Hours.

Note: - The subject includes a comprehensive and up to date study of various aspects of Family Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:

1. Sources & Schools of Muslim Law.

UNIT – II:

1) Marriage.
   a) Nature of Muslim Marriage.
   b) Essential Conditions of a valid marriage and legal effects of valid Marriage.
   c) Classification of marriage and Effects of valid, Void and Irregular Marriage.

2) Dower.


UNIT – III:

1) Divorce.
   a) Nature, Classification.
   b) Dissolution of Muslim Marriage Act, 1939.

2) Maintenance.
   a) Maintenance of Divorcee under the (Muslim Women Protection of Right of Divorce) Act, 1986.
   b) Maintenance under Muslim Personal Law.

UNIT – IV:

1. Wills and Gifts.
2. Wakfs.

UNIT – V:

1) General Principles of Inheritance.
2) Guardianship.
LEADING CASES ON MUSLIM LAW:

- Sarla Mudgal V. Union of India (1995) 3 SCC 635.
- Mohammad Ahmad Khan V. Shah Banu Begum AIR 1985 SC 945.

RECOMMENDED READINGS:

1) Fyzee A. A. A.: Outlines of Mohammadan Law.
2) Tahir Mohmood: The Muslim Law of India.
3) Paras Diwan: Muslim Law in Modern India.
4) S. Athar Hussain & S. Khalid Rashid: Wakf Laws and Administration in India.
CONTRACT – I

Max. Marks =100
Theory = 80
Continuous Assessment = 20

Paper – III

Time Duration: 3 Hours.

Note: - The subject includes a comprehensive and up to date study of various aspects of Contract. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:

- General Principles of Law of Contract.
  Agreement and contract: definitions, elements and kinds.
  Proposal-acceptance – their various forms, essential elements, communications & revocation-proposal and invitations for proposal-tenders.

UNIT - II:

- Consideration-its need, meaning, kinds, essential elements-privity of contract and of consideration-its exceptions-adequacy of consideration-present, past and adequate consideration-unlawful consideration and its effects-
- Capacity to contract-meaning –definition of minor, accessories supplied to a minor, agreements beneficial and detrimental to a minor affirmation- restitution in cases of minor’s agreement- fraud by minor-agreements made on behalf of a minor minor’s agreement and tested-evaluation of the law relating to minor’s agreement.

UNIT – III:

Free consent-definition-essential factors vitiating free consent.
Undue influence-independent advice-pardahanashin women- unconscionable bargains-effect of undue influence.
Misrepresentation-definition-misrepresentation of law & of fact their effects & Illustration.
Fraud-definition-essential elements-suggestion falsi-suppresio veri- when does silence amounts to fraud? Active-concealment of truth-importance of intention.
Mistake-definition- kinds-fundamental error-mistake of law and of fact – their effect-when does a mistake vitiate free consent and when does it not vitiate free consent?
- **Legality of objects:**
  - Void agreements – lawful and unlawful considerations and objects- void, violable, Illegal and unlawful agreements and their effects.
  - Forbidden by law.
  - Defeating the provision of any law.
  - Fraudulent.
- Injurious to person or property.
- Immoral.
- Against public policy.
- Void agreements:
  - Agreements in restraint of trade – its exceptions- sale of good will, section 11 or the Partnership Act, trade combinations exclusive dealing agreements, restraint on. Employees under agreements of service.
  - Agreement in restraints of legal proceedings – its exceptions.

**UNIT – IV:**

Discharge of contract and its various modes.
- By breach- anticipatory breach and present breach.
- Impossibility or performance – specific grounds of frustration – application to leases-theories of frustration – effect of frustration – frustration and restitution
- By period of limitation.

**UNIT – V:**

- Quasi-contracts of Certain relations Resembling those Created by Contract.
- Damages Kinds-Remoteness of damages-ascertainment of damages.

**LEADING CASES:**

- Carlill V. Carbolic Smoke Ball Co. (1892) 2 QB. 484.
- Chinnaya V. Ramayya (1882) 4 Mad.137.
- Mohori Bibee V. Dhurmodas Ghose (1903) ILR 30 Cal. 539 (PC).
- Nordenfelt V. Maxim Nordenfelt Guns & Ammunition Co. Ltd. (1894) AC 535.
- Satyabrata Ghose V. Mugneeram Bangur & Co. AIR 1954 SC 44.
- Hadley V. Baxendale 16 LQR 275 (1900).

**RECOMMENDED READINGS:**

4) Anson: Law Contract.
5) Pollock & Mulla: Indian Contract and Special Relief Acts.
LABOUR LAW – I

Max. Marks = 100
Theory = 80
Continuous Assessment = 20

Paper – IV

Time Duration: 3 Hours

Note: - The subject includes a comprehensive and up to date study of various aspects of Labour Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
1. Labour – Changing Perspectives and Labour Policy.
2. History of Trade Union Movement in India.
3. Definition of Trade Union and the right to form the Trade Union.
4. Legal control and Protection of Trade Union: Registration, amalgamation, rights, immunities liabilities and dissolution, Trade Union Funds.

UNIT – II:
1. Problems: multiplicity of unions, over politicization – intra-union and inter-union rivalry, Outside leadership, closed shop and union shop, recognition of unions,
2. Collective bargaining.
3. Theoretical foundations of state regulations of Industrial relation: social justice, labour welfare, public interest, and productivity.
4. The conceptual conundrum: industry, industrial dispute & workmen.

UNIT – III:
1. Machinery for settlement of industrial disputes and power of reference.
2. Strikes, lock-outs, lay off and retrenchment Transfer and Closure.

UNIT – IV:
1. Unfair labour practices.
2. Disciplinary proceedings.
3. Labour welfare: concept, classification and importance.
4. Obligations of employer for health, safety and welfare.
5. Working hours of adults” and “Annual Leave with wages

UNIT – V:
1. Liability for hazardous and inherently dangerous industries- environmental protection.
3. Women and labour force; equal remuneration Law, maternity benefits, and protective provisions for women under factories Law.
4. Sexual harassment of women at work places.
LEADING CASES:

- Air India V Nergesh Meerza and other AIR 1981 SC 1929.
- Hari Prasad Shiv Shanker Shukla V A. D. Divakar AIR 1957 SC 121.
- Mihir Kumar Guha V Registrar of Trade Unions West Bengal Calcutta AIR 1961 Calcutta 165.
- People’s Union for civil Liberties V Union of India (1998)8SCC485.
- Rohtas Industries Staff Union V State of Bihar AIR 1963 Pat. 531.
- Tamil Nadu NGO Union V Registrar of Trade Unions AIR 1962 Madras 234.

RECOMMENDED READINGS:

- O.P. Malhotra: The law of Industrial Disputes.
- V. V. Giri: Labour Problems in Indian Industry.
- S. N. Dhyani: Trade Unions and the right to strikes.
Note: - The subject includes a comprehensive and up to date study of various aspects of Law of Torts and Motor Vehicles Act. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.


1. Definition of Torts.
2. Development of Tort actions in England and India Tort distinguished from contract, quasi contract & crime.
3. Constituents of Torts – wrongful act, Damage – Injuria sine Damno & Damnum sine Injuria;
5. Vicarious liability.

UNIT - II: Justification in Tort.

1. Volunti non fit Injuria.
3. Inevitable Accident.
5. Private defence.

UNIT - III: Specific Torts.

1. Defamation.
2. Negligence.
4. Trespass to Person.

UNIT - IV: Consumer Protection.

1. Basic Concepts: Consumer, service and goods.
2. Authorities for consumer protection.
3. Remedies.
UNIT - V: Motor Vehicles Act.

2. Rule for payment of compensation.
3. Fault based liability.
4. No-fault liability.
5. Liability of insurer.
6. Claims Tribunals.

LEADING CASES:

LAW OF TORTS:

1) Ashby V. White (1703) Ld.Raym.938.
2) Haynes V. Harwood (1932) IKB 146.
3) Donoghue V. Stevenson (1932) AC 562.
5) Re Polemis and Furness Withy & Co. Ltd. (1920) 2KB 560.
6) Ryland V. Fletcher (1868) LR-I Ex.265.
7) M.C Mehta V. Union of India AIR 1987 SC.1086.
9) Town Area Committee V. Prabudayal AIR 1975 All 132.

MOTOR VEHICLES ACT:

1) Prabhu Dhayal Agarwal V. Saraswati Bhai 1975 ACJ.355.
2) Divisional Manager L. I. C. V. Raj Kumari Mittal 1985 ACJ 179 (DB).
3) B.P. Venkatapa V. B.L. Lakshmiah AIR 1973 Mysore 350.
4) Gyarsilal V. Sitacharm AIR 1963 MP 164.

RECOMMENDED READINGS:

3) Rogers, W. H. V.: Winfield and Jolowicz on Torts.
IVTH SEMESTER:

PAPER – I: CONSUMER PROTECTION.

PAPER – II: FAMILY LAW – II.

PAPER – III: CONTRACT – II.

PAPER – IV: LABOUR LAW – II.

PAPER – V: CRIMINAL LAW – I.
CONSUMER PROTECTION

Time Duration: 3 Hours.

Note: - The subject includes a comprehensive and up to date study of various aspects of Consumer Protection Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
1. Consumer, the concept (The Consumer Protection Act).
   Need of consumer protection law.
   Definitions and scope:
   Who is a consumer?
2. Consumer of Goods:
   Meaning of Goods; Defect in Goods.
   Commercial purpose of Goods.

UNIT – II:
1. Service:
   Deficiency – Meaning.
   Contract of Personal Service.
   Professional services.
   Medical Services.
   Architects and Engineers.
   Lawyering services:

UNIT – III:

Public Sector Services.
Electricity Services.
Telecommunication and Postal Services.
Insurance Service.
Banking Service.
Transport Service.

• Private Sector Services.
  Housing Service.
  Financing.
  Education.
UNIT – IV:

- Constitution and Jurisdiction of consumer Forum:
  District Forum.
  State Commission.
  National Commission.

UNIT – V:

- Enforcement of Consumer Rights.
  Consumer for a under CPA: Jurisdiction, Powers & Functions.
  Remedies.

LEADING CASES:

4) P. B. Khait Mazdoor Sangh V. State of West Bengal 1996 SC 2426.
5) V. P. Shanta V. Indian Medical Association AIR 1995 SC.

RECOMMENDED READINGS:

1. Farooq Ahmad: Consumer Protection Law in India (problems & Prospects).
FAMILY LAW – II

Max. Marks =100
Theory = 80
Continuous Assessment = 20

Paper – II

Time Duration: 3 Hours.

Note: - The subject includes a comprehensive and up to date study of various aspects of Hindu Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT- I:

1) Sources & Schools of Hindu Law:
   a) Ancient Sources:
      i) Sruti.
      ii) Smritis.
      iii) Digest & Commentaries.
      iv) Custom.

   b) Modern Sources:
      i) Equity Justice and Good Conscience.
      ii) Precedent.
      iii) Legislation.

2) School of Hindu Law:
   a) Mitakshra School.
   b) Dayabhaga School.

UNIT – II:

3) Hindu Marriage Act, 1955:
   a) Origin and Evolution of Marriage and Family.
   b) Nature and Concept of Hindu Marriage.
   c) Essential conditions of a Hindu Marriage.
   d) Grounds for Divorce under Hindu Law.
   e) Divorce by mutual consent.
   f) Matrimonial Causes.
      i). Nullity of Marriages.
      ii). Separation.
      iii). Cruelty.
      iv). Adultery.
      v). Bar to Matrimonial:
         (a) Taking advantage of One’s own wrong or disability.
         (b) Accessory.
         (c) Connivance.
         (d) Condonation.
         (e) Collusion.
UNIT – III:
1) Mitakshra Joint Family.
2) Dayabhaga Joint Family.
3) Karta (Position Powers).

UNIT – IV:
1) Hindu Minority and Guardianship Act, 1956.
2) Hindu Succession Act.

UNIT – V:
1) Hindu Adoption and Maintenance Act 1956.

LEADING CASES:
1) Sarla Mudgal V. Union of India (1995) 3 SCC 635.
4) Sawan Ram V. Kulwati 1967 SC 1761.

RECOMMENDED READINGS:
- Kuppuswani (ed); Maynis Hindu Law & Usage ch 4(1986).
- B. Sivaramayy’s Inequatus & the Law (1985).
- J. D. M. Derrett; Death of Marriage Law.
**CONTRACT – II**

Max. Marks = 100  
Theory = 80  
Continuous Assessment = 20  

**Time Duration:** 3 Hours.

**Paper – III**

**Note:** - The subject includes a comprehensive and up to date study of various aspects of Indian Contract Act. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

**UNIT – I:**

- **Indemnity.**  
  Definition of Indemnity.  
  Nature and extent of liability of the Indemnifier.  
  Commencement of liability of the indemnifier.

**UNIT – II:**

- **Guarantee.**  
  The Concept.  
  Definition of guarantee: as distinguished from indemnity.  
  Basic essentials for a valid guarantee contract.  
  Position of minor and validity of guarantee when minor is the principal debtor, creditor or surety.  
  Continuing Guarantee.  
  Nature of surety’s liability.  
  Illustrative situations of existence of Continuous guarantee.  
  Rights of surety.  
  Position of surety in the eyes of law.  
  Various judicial interpretations to protect the surety.  
  Co-surety and manner of sharing liabilities and rights.  
  Extent of surety’s liability.  
  Discharge of surety’s liability.

**UNIT – III:**

- **Bailment.**  
  Definition of bailment.  
  Kinds of bailee.  
  Duties of bailor and bailee towards each other.  
  Rights of bailor and bailee.  
  Finder of goods as a bailee.
UNIT – IV:

- **Agency.**
  Kinds of agents and agencies.
  Distinction between agent and servant.
  Essentials of a agency transaction.
  Various methods of creation of agency.
  Delegation.

UNIT – V:

Nature and Scope of Pledge.
Definition of pledge.
Rights of pounce pledge by pledge – who can pledge.

LEADING CASES:

1. Somnath Berman V. Dr. S P Raju AIR 1970 SC 846.
2. Beswick V. Beswick (1967) 2 All ER 1197 HL.
5. Kaliram V. V. Durai AIR 1998 Mad. 657 B.
7. Munawat Hussan V. Zakir Hussan 1984 (10) ALR 73 (FB).

RECOMMENDED READINGS:

LABOUR LAW – II

Max. Marks = 100
Theory = 80
Continuous Assessment = 20

Time Duration: 3 Hours.

Note: - The subject includes a comprehensive and up to date study of various aspects of Labour Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
1. Concept of Minimum Wage, Fair Wage, Living Wage & need based Minimum Wage;
5. Components of wages: dearness allowance, principles of fixation.

UNIT – II:
1. National Wage policy.
3. Definition of wage under Payment of Wages Act 1936 and responsibility for payment of wages.
4. Fixation of wage period and time of payment of wage.
5. Deductions from wages.
6. Remedial measures.

UNIT – III:
1. Social security: Concept and scope.
2. Concept of employer, workmen, dependent, disablement.

UNIT – IV:
1. Employee’s state insurance: benefits, ESI fund and contribution.
2. Concept of bonus: Computation of bonus.
4. Provident fund and family pension.
UNIT – V:

1. Unorganized labour: problems and perspectives.
2. Agricultural labour.
5. Tribal labour.
6. Domestic labour.
7. Daily wage workers.
8. Inter-state migrant workmen: regulation of employment and conditions of service.

LEADING CASES:

- Arya Munni V. Union of India (1965) ILLJ 24.
- B. Shah V. Labour Court Coimbatore AIR 1978 SC 12.
- Manganese Ore (India) Ltd. V. Chandi Lal Sinha 1991 Lab. IC 524.
- Peoples Union for Democratic Rights V. Union of India (1982) II L L J. 454 (SC).
- Pratap Narain Singh Deo V. Srinivas IR 1976 SC 222.
- Regional Provident Fund Commissioner V Shiv Kumar Joshi 200 LLR 217.
- Royal Talkies Hyderabad V. E.S.I. Corporation AIR 1978 SC 1478.
- Steel Authority of India Ltd V. National Union Water Front Workers 2001 L/L r 961.

RECOMMENDED READINGS:

1. K. D. Srivastava: Commentaries on the payment of wages Act.
5. Abdul Majid: Legal Protection to Un-organised Labour.
CRIMINAL LAW – I

Max. Marks =100
Theory = 80
Continuous Assessment = 20

Paper – V

Time Duration: 3 Hours.

Note: - The subject includes a comprehensive & up to date study of various aspects of Criminal Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 – 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:

1. Introduction to Criminal Law:
   a) Purpose and scope of Criminal Law.
   b) Nature and concept of crime.

2. Definition under sections 21, 22, 23, 24, 25, 39, 40 and 52 of IPC.

3. Elements of criminal liability:
   a) Actus Reus.
   b) Mensrea-Importance of Mensrea and recent trends to fix liability without mansrea in certain socio-economic offences.

UNIT – II:

General Defences:-
1. Mistake.
2. Judicial and Executive acts.
3. Accident.
5. Infancy.

UNIT - III:

General Defences: (Continued)
1. Insanity.
2. Intoxication.
3. Consent.
4. Right of Private Defence.

UNIT – IV:

1. Group liability under sections 34 and 149 of the IPC.
2. Unlawful Assembly, Rioting and Affray.
UNIT – V:

Preliminary Crimes:
1. Abetment: Section 107-109 IPC.
2. Criminal Conspiracy: Section 120A and 120B of IPC.
3. Criminal Attempt: Sections 511 and 307 of IPC.
   a) Attempt when punishable.
   b) Tests for determining what constitutes attempt.
   c) Impossible attempt.

LEADING CASES:
1. Queen V. Prince, (1875) LR 2CCR 154 (HL).
2. Queen V. Tolson, (1889) 23 QBD 168 (HL).
4. Lim Chin Aik V. The Queen, (1963) 1 All ER 23 (PC).
12. Mehboob Shah V. Emperor, AIR 1943 PC 118.
13. Barendra Kumar Ghosh V. King Emperor AIR 1925 PC 1.

RECOMMENDED READINGS:
1. Pillai, P. S: Criminal Law.
4. H. S. Gour: Penal Law of India.
5. S. N. Mishra: Indian Penal Code.
V\textsuperscript{TH} SEMESTER:

PAPER – I: CONSTITUTIONAL LAW – I.

PAPER – II: JURISPRUDENCE – I.

PAPER – III: MERCANTILE LAW.

PAPER – IV: INTERNATIONAL LAW – I.

PAPER – V: CRIMINAL LAW – II.
CONSTITUTIONAL LAW – I

Max. Marks = 100
Theory = 80
Continuous Assessment = 20

Paper – I

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to date study of various aspects of Constitutional Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:

▪ Parliamentary form of government:

UNIT – II:

▪ Westminster Model - President of India - Election, Qualifications, Impeachment.
▪ Position & Powers.
▪ Legislative Privileges- Privileges V. Fundamental Rights.
▪ Cabinet System, Collective responsibility - Individual responsibility, President - Prime Minister relationship.

UNIT – III:

▪ Federalism:

UNIT – IV:

▪ Constitutional Amendment - Methods of Constitutional Amendment - Limitation. (Article 368).
▪ Freedom of Trade and Commerce - Position in other countries, Position in India.
▪ Regulatory and Compensatory measures (Article 301 – 304).

UNIT – V:

▪ Articles 141 & 143.
▪ Appointment and impeachment of the Judges of the High Courts and Supreme Court.
▪ Services under the Constitution – Doctrine of Pleasure 310, Restrictions 311.
LEADING CASES:

- Ramjawaya V. State of Punjab AIR 1955 SC 549.
- Shamsher Singh V. State of Punjab AIR 1955 SC 556.
- K. Roy V. Union of India 1982 SC 710.
- Gunupati V. N. Hasan AIR 1959 SC 395.
- Keshav Singh V. Speaker Legislative Assembly AIR 1965 All. 359.
- In re Keshav Singh AIR 1965 SC 745.
- M. S. M. Sharma V. Sri Krishnan Sinha AIR 1959 SC 395.
- Prafulla Kumar V. Bank of Commerce, Khulna 74 I. A.
- Purshotam Lal Dhingra V. Union of India AIR 1958 SC 316.
- Union of India V. Tulsiram Patel AIR 1985 SC 1416.
- Advocates on Record Association v Union of India AIR 1994. SC 268.
- Raja Rampal V. Hon’ble Speaker Lok Sabha (2007) 35CC 184.

RECOMMENDED READINGS:

5. K. C. Wheare: Modern Constitution.
Note: The subject includes a comprehensive and up to date study of various aspects of Jurisprudence. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:

1. Introduction:
   1.1. Meaning and scope of term “Jurisprudence”.
   1.2. Nature and definition of “Law”.

UNIT – II:

1. Analytical Positivism.

UNIT – III:


UNIT – IV:

1. Historical School.
2. Sociological School.

UNIT – V:

1. Sources of Law.
   1.1 Legislation.
   1.2 Precedents: concept of stare decisis.
   1.3 Customs.

LEADING CASES:

- Maneka Gandhi V., Union of India AIR 1978 SC 597.
- Gokhul Chand V. Parvin Kumar AIR 1952 SC 862.
- Bengal Immunity Co. V. State of Bihar AIR 1955 SC 661.

RECOMMENDED READINGS:

1. Salmond: Jurisprudence.
2. Dias: Jurisprudence.
3. Friedman: Legal Theory.
MERCANTILE LAW

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to date study of various aspects of Mercantile Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section - A (very short answer type questions in about 10 - 20 words) shall have 10 questions two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I: Sale of Goods:
1. Concept of sale as a contract.
2. Essentials of contract of sale.

UNIT – II:
1. Conditions & Warranties.
2. Passing of Property.

UNIT – III:
1. Transfer of Title.
2. Unpaid seller & his rights.

UNIT – IV: Partnership:
3. Relation of Partners to third parties.

UNIT – V:
1. Incoming and outgoing partners.
2. Registration of Partnership.
3. Dissolution of Partnership.

LEADING CASES:
2. Beswick V. Beswick (1967) All ER 1197 HL.
5. Kaliram V. V. Durai AIR 1998 Mad. 657 B.
7. Munawar Hussan V. Zakir Hussan 1984 (10) ALR 73 (FB).

RECOMMENDED READINGS:
INTERNATIONAL LAW – I

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to date study of various aspects of International Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
1. Origin, Development.
2. Definition, Nature and Theories;

UNIT – II:
2. Treaties: Ratification, Reservations, Amendment, Modification.

UNIT – III:
1. Subjects of International Law:
   • State including an overview of Rights and Duties.
   • International Organizations.
   • Individuals.

UNIT – IV:
2. Modes of Acquisition of State territories.

UNIT – V:
1. Extradition and Asylum.
2. Privileges and immunities of Diplomatic Envoys.
LEADING CASES:

I. Asylum case, (1950) ICJ.

II. The Lotus case, (1927) ICJ.

III. Luther V. Sagor, (1921) III B 532.

IV. Corfu channel case, (1949) ICJ.


VI. Reparations for injuries case, (1949 ICJ).

VII. Hostage case, ICJ (1980).

VIII. Lockerbie and Pinochet case.

IX. Island of Palm’s case.

RECOMMENDED READINGS:

1. Oppenheim: International Law.


7. R. C. Hingorani: Modern International Law.

Note: The subject includes a comprehensive and up to date study of various aspects of Criminal Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 - 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I: Specific Offences against Human Body.
   b. Culpable homicide and murder.
   c. Distinction between culpable homicide and murder.
   d. Situations justifying treating murder as culpable homicide not amounting to murder
      i. Grave and sudden provocation.
      ii. Exceeding right to private defence.
      iii. Public servant exceeding legitimate use of force,
      iv. Death in sudden fight.
      v. Death caused by consent of deceased.
   e. Death caused of a person other than the person intended.
   f. Death due to rash and negligent act.
   g. Dowry death and cruelty by husband and his relatives.

UNIT – II:
   a) Hurt and grievous hurt Sections 319 - 326 IPC.
   b) Wrongful restraint and wrongful confinement: Sections 339 - 343 IPC.
   c) Kidnapping and abduction: section 359 - 363 IPC.
   d) Criminal Force and Assault: Sections 349 - 352 IPC.

UNIT – III:
   a) Obscenity – Sections 292 - 294 of IPC.
   b) Forgery – Sections 463 - 465 of IPC.
   c) Bigamy – Sections 494 & 495 of IPC.
   d) Adultery – Section 497 of IPC.

UNIT-IV
   1) Offences against Property.
      a) Theft: Sections 378 & 379 of IPC.
      b) Extortion: Sections 383 & 384 of IPC.
      c) Robbery: Sections 390 & 392 of IPC.
      d) Dacoity: Sections 391 & 395 of IPC.

UNIT-V
   1) Criminal Misappropriation and Criminal Breach of Trust: Sections 403 & 405 of IPC.
   2) Cheating: Section 415 – 417 of IPC.
   3) Mischief: Sections 425 & 426 of IPC.
LEADING CASES:

- Reg. V Govinda ILR (1876) 1 Bombay 342.
- Suresh Gupta V Govt. Of NCT of Delhi AIR 2004 SC 4091.
- State (Delhi Admin.) V Laxman Kumar & Indian Federation of woman lawyers V Shakuntala AIR 1986 SC 250.
- Rajit D. Udeshi AIR 1965 SC881.
- Body Art International V Om Pal Singh Hoon AIR (1996) 4 SCALE 75.
- Dr. Vimala V Delhi Admin. AIR 1963 SC 1572.
- Sarla Mudgal V Union of India AIR 1995 SC 1531.
- Lily Thomas V Union of India AIR 2000 SC 1650.

RECOMMENDED READINGS:

- Pillai P. S.: Criminal Law.
- H. S. Gour: Penal Law of India.
- S. N. Mishra: Indian Penal Code.
VI<sup>TH</sup> SEMESTER:

PAPER – I: CONSTITUTIONAL LAW – II.

PAPER – II: JURISPRUDENCE – II.

PAPER – III: CORPORATE LAW.

PAPER – IV: INTERNATIONAL LAW – II.

PAPER – V: INSURANCE & BANKING.
CONSTITUTIONAL LAW – II

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to date study of various aspects of Constitutional Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 - 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:

- Fundamental Rights - Concept of State (Art. 12).
- Justifiability of Fundamental Rights (Art. 13).

UNIT – II:

- Right to equality - Articles 14, 15 & 16.
- Right to freedom - Art. 19.

UNIT – III:

- Personal Liberty Arts, 20 – 22.

UNIT – IV:

- Cultural and Educational Rights - Arts 29 & 30.
- Constitutional Remedies.
- Writ Jurisdiction:
  Scope of Article – 32.
  Scope of Article – 226.

UNIT – V:

LEADING CASES:

2. R. D. Shetty V. The International Airport Authority AIR 1979 SC 1628.
4. Air India Cabin Crew Assn V. Yesaswinee Merchant 2003 111 LLJ SCI.
11. AIR India V. Nargesh Meerza AIR 1981 SC 1829.
22. Shankri Prasad V. Union of India 1951 SC 455.
28. Mr. “X” V. Hospital Z AIR 1999 SC 495.
32. T.A. Pai Foundation V. State of Karnataka (200) 8 SCC 481.

RECOMMENDED READINGS:

5. K. C. Wheare: Modern Constitution.
Purpose of this course is to impart analytical skill among students and equip them with an understanding of basic concepts concerning law and suggested solutions propounded by various schools of Jurisprudence.

Note: The subject includes a comprehensive and up to date study of various aspects of Jurisprudence. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:

1. Legal Rights: The Concept.
   1.1. Rights: Kinds.
   1.2. Right-duty correlation.

UNIT – II:

1. Persons.
   1.1 Nature of personality.
   1.2 Status of unborn, minor, lunatic drunken and dead person.
   1.3 Corporate personality.

UNIT – III:

1. Possession of Concept.
   1.1 Kinds of possession.

UNIT – IV:

   1.1 Kinds of Ownership.
   1.2 Difference between possession & Ownership.
   2.1 Kinds of property.

UNIT – V:

1. Administration of Justice, Civil & Criminal.
   1.1 Theories of punishment.
2. Liability, Concept, Civil & Criminal Liability.
RECOMMENDED READINGS:

Note: The subject includes a comprehensive and up to date study of various aspects of Corporate Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

LAW RELATION TO COMPANIES - COMPANIES ACT, 1956.

UNIT – I:
Need to company for development, formation of a company, registration and incorporation. Memorandum of association- Various clauses-alteration therein - doctrine of ultra vires.

UNIT – II:

UNIT – III:
Shares-general principles of allotment statutory restrictions-share certificate its objects and effects-transfer of share-restrictions on transfer-procedure for transfer-refusal of transfer-role of public finance institutions-relationship between transferor and transferee-issue of shares at premium and discount-depository receipts-dematerialized shares (DEMAT) and relevant provisions of SEBI. Shareholder-calls on share-forfeiture and surrender of shares-lies on shares.

UNIT – IV:
UNIT –V:
Prevention of Oppression & Mismanagement.
Winding up-types-who can apply? - Consequences of winding up.

LEADING CASES:

- Solomon V. Soloman & Co. 1897 AC 22.
- Daimler Co. Ltd. V. Continental Tyre & Rubber Co. 1916 2 AC 307.
- Lakshmanasawami Mudaliar V. Life Insurance Corporation on India AIR 1963 SC 1185
- Royal British Bank. V. Turqund (1856) 119 ER 886.
- T. R. Pratt (Bombay) Ltd. V.M.T.LTD AIR 1938 PC 159.
- Shanti Prasad Jain V. Kalinga Tubes AIR 1965 IC 1535.

RECOMMENDED READINGS:

INTERNATIONAL LAW

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to date study of various aspects of International Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
1. State Succession.

UNIT – II:
1. The Law of neutrality:
   - Neutrality in historical perspective;
   - Permanent neutrality;
   - Rights and duties of neutral states.
2. Pacific settlement of international disputes Negotiations, mediation, conciliations & arbitration.

UNIT – III:
1. The use of force:
   - The Law before 1945.
   - Article 2(4) of the UN charter.
   - Enforcement actions under chapter VII.
   - Self defence.

UNIT – IV:
1. The Law of international institutions:
   - Covenant of the League of Nations: An overview.
   - United Nations: Purpose, principles, Membership.
   - General Assembly: Composition, nature of powers, scope of jurisdiction.
   - International court of justice: composition and jurisdiction.

LEADING CASES:
1. Corfu Channel Merits cases (1949) ICJ.
2. Alabama Claim’s Award (1872).
3. Legality of the threat or use of Nuclear Weapons - (ICJ 1996).
4. Admission to the membership case.
5. Caroline case (1841).
Note: The subject includes a comprehensive and up to date study of various aspects of Banking & Insurance. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
1. General principles of Insurance.
3. Insurable interest.
4. Premium, risk.
5. Assignment of insurance policy.

UNIT – II:
1. The definition, nature and scope of:
   a. Life Insurance.
   b. Fire Insurance.
   c. Marine Insurance.

UNIT – III:
1. Organization, Operation and Functions of bank.
4. Letters of credit.

UNIT – IV:
1. Nature of Negotiable instrument.
2. Definition and nature of Promissory Notes, bill of exchange & Cheques.
3. Holder and Holder-in-due course and his special privileges.

UNIT – V:
1. Parties.
2. Endorsement.
4. Maturity and Grace period.
5. Liability of Parties.
LEADING CASES:

1. Union of India V. Sri Sarda Mills AIR S.C 281.
3. LIC of India V.G.M. Channabasemine AIR 1991 S.C 393.
8. General Assurance Society Ltd. V. Chand Mull Jain and others AIR 1996 SC 1644.

RECOMMENDED READINGS:

- M.S Parthsarathy (ed.).: Khergamvala on the negotiable Instruments Act 1898
  Butterworth, New Delhi.
- G. S. N. Tripathi (ed.): Sethi`s Commentaries on Banking regulation Act 1949 & Allied
VII\textsuperscript{TH} SEMESTER:

PAPER – I: ADMINISTRATIVE LAW – I.

PAPER – II: CIVIL PROCEDURE CODE & SPECIFIC RELIEF.

PAPER – III: PROPERTY LAW.

PAPER – IV: TAXATION LAW – I.

PAPER – V: LOCAL LAWS – I.
ADMINISTRATIVE LAW – I

Note: The subject includes a comprehensive and up to date study of various aspects of Administrative Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 - 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:

   1.1. From Laissez-faire to a social welfare state.
      1.1.1 State as regulator of private interest.
      1.1.2 State of provider of services.
      1.1.3 Other functions of modern state: relief and welfare.
   1.2. Necessity of delegation of powers on administration.
   1.3. Definition, nature and scope of administrative Law.

2. Some constitutional Principles and their impact on Administrative Law.
   2.1. Relation between constitutional law and administrative law.
   2.2. Rule of law.
   2.3. Separation of powers.
   2.4. Droit administrative.

UNIT – II:

1. Classification of Administrative Action:
   1.1. Definition of Administrative Action.
   1.2. Need for classification.
   1.3. Identification of legislative action.
   1.4. Distinction between Judicial, quasi-Judicial and Administrative Actions.

2. Legislative powers of administration:
   2.1. Necessity for delegation of legislative powers.
   2.2. Constitutionality of delegation legislation.
   2.3. Delegation of various types of legislative powers, power of inclusion and exclusion, taxing power, power of modification including Henry VIII clause.
   2.4. Some procedural safeguards.
      2.4.1. Consultation of affected interests and public participation in rule-making.
      2.4.2. Publication of delegating legislation.
   2.5. Judicial control of delegated legislation.

UNIT – III:

1. Judicial powers of Administration.
   1.1. Need for devolution of adjudicatory authority on administration:
   1.2. Administrative tribunals & other adjudicatory authorities: their adhoc character.
   1.3. Tribunals-need, nature, constitution, jurisdiction and procedure.
   1.4. Problems of administrative adjudication.
1.5. Articles 323 A and 323B.
  1.5.1. CAT and SAT.

2. **Natural Justice—Applicability:**
   2.2. The right to hearing: when can it be claimed.
   2.3. Doctrine of fairness.
   2.4. Doctrine of legitimate expectation.
   2.5. Exclusion of natural justice.
   2.6. Post-decisional hearing.

**UNIT – IV:**

1. **Natural Justice: Principles.**
   1.1. No man shall be judge in his own cause.
   1.2. No man shall be condemned unheard.
   1.3. Rules of evidence- no evidence, some evidence and substantial evidence rules.
   1.4. Reasoned decisions.
   1.5. Institutional decisions.
   1.6. Failure of natural justice.

**UNIT – V:**

1. **Judicial control of Administrative Action.**
   1.1. Exhaustion of administrative and other remedies.
   1.2. Locus standi.
   1.3. Public interest litigation.
   1.4. Laches.
   1.5. Res-Judicatation.
   1.6. Grounds of judicial control.
      1.6.1. Error of jurisdiction.
      1.6.2. Error of apparent on the face of the record.
      1.6.3. Jurisdictional fact.
      1.6.4. Findings of fact.
      1.6.5. Molding of relief.

2. **Specific Writs.**
   2.1. Mandamus.
   2.2. Certiorari.
   2.3. Prohibition.
   2.4. Habeas Corpus.

**RECOMMENDED READINGS:**

CIVIL PROCEDURE CODE & SPECIFIC RELIEF

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to date study of various aspects of C.P.C. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT - I:
1. Preliminary Section Jurisdiction of Courts, Sec. 2 to 14.

UNIT – II:
1. Place of suiting institutions of suits, Service of Summon, appearance of Parties & consequences for non-appearance Section 15 – 32.

UNIT – III:
1. Amendment of Pleadings, settlement of issues o.6, r.17, & 014, 018 rr. 1 – 6, 11 – 18.
2. Parties to suit, Addition of parties o1 rr 1 – 8.

UNIT – IV:
1. Judgment and decree and execution of decree Sec. 33, 020 rr 1 – 8 & Section 36 – 44A.
2. Specific Relief Act. Preliminary Sections & recovery of possession of property Sec. 1 – 8.

UNIT – V:
1. Specific performance of Contracts (Sections 9 - 25).
2. Temporary and Perpetual Injunctions (Sections 37 - 42).

LEADING CASES:
2. Beswick V. Beswick (1967) 2 All ER 1197 HL.
5. Kaliram V. V. Durai AIR 1998 Mad. 657 B.
7. Munawer Hussan V. Zakir Hussan 1984 (10) ALR 73 (FB).

RECOMMENDED READINGS:
1. Pollock & Mulla: Indian Contract and specific Relief Acts
2. Suba Roa: Specific Relief Act.
Note: The subject includes a comprehensive and up to date study of various aspects of Property Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 - 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
- Interpretation Clause – Section - 3 & Transfer of property by Section 5 – 10 Act of Parties

UNIT – II:

UNIT – III:
- Doctrine of Election Section 35, 54, Sale of Immovable Property Section 55, Mortgage of Immovable Property Section 58, 60, 67, 81, 82, 91, 92, 93.

UNIT – IV:
- Charge & Lease of Immovable Property - Sections 100, 101, 105 - 108 & 111. Section 139 & 140 of the J & K Transfer of Property Act.

UNIT – V:
- The Indian Easement Act, 1882.
  1. Easement generally.
  2. The incidents & disturbance of Easements.
  3. Licenses Lease Easement, distinction.
LEADING CASES:


RECOMMENDED READINGS:

TAXATION LAW – I

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Paper – IV

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to date study of various aspects of Taxation Law. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 - 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

Income Tax:

UNIT – I:
1. Definitions Sec. 2 – 3.
2. Basis of Charge Sec. 4 – 9.

UNIT – II:
1. Head of Income.
   1.1 Salaries.
   1.2 Income from House Property.
   1.3 Income from Business or Profession.
   1.4 Capital Gains.
   1.5 Income from other sources.

UNIT – III:
1. Incomes not included in Total Income Sec. 10 – 13.

UNIT – IV:
1. Setoff & Carry forward.
3. Deductions, Sec. 80 – 88.

UNIT – V:
2. Procedure for Assessment Sec. 139 – 148.
LEADING CASES:

2. Union of India V. Raghubir Singh 1989 178 ITR 548 SC.
3. CIT V. Carew & Co. Ltd 1979 12 ITR 540 SC.
4. CIT V. G. K. Karthi Keyen 1993 201 ITR 866 SC.

RECOMMENDED READINGS:

LOCAL LAWS – I

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Paper – V

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to date study of various aspects of Local Laws. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section A (very short answer type questions in about 10 - 20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A and B have to be attempted. Section C (Long answer type questions in about 400-500 words) shall have 5 question, one from each unit carrying 10 marks each. Any three questions out of 5 have to be attempted from this section.

UNIT – I:
1. The J&K Agrarian Reforms Act, 1976:
   1.1. Definition (Sec. 2 – 3).
   1.2. Vesting of rights in State (Sec. 4 – 8).
   1.3. Restrictions on rights in land (Sec. 9 – 17).
   1.4. Jurisdiction & procedure for settlement of disputes (Sec. 18 – 25).

UNIT – II:
1. The J&K Land Revenue Act, Samvat 1996:
   1.1. Definitions (Sec. 3).
   1.2. Revenue officers- Classification, appointment & powers (Sec. 6 – 19A).
   1.3. Record of Rights & Annual Records & procedure for making records (Sec. 21 – 34).

UNIT – III:
1. The Jammu & Kashmir Houses & Shops Rent Control Act, 1966:
   1.1. Definition (Sec. 2).
   1.2. Payment of Rent and Fixation of fair Rent (Sec. 3 – 10).

UNIT – IV:
1. Rent Control Act:
   a) Protection of a tenant against Eviction (Sec. 11 – 13).
   b) Deposit of Rent (Sec. 14 – 16).

UNIT – V:
1. Rent Control:
   a) Powers of Controller (Sec. 17 – 20).
   b) Appeals (Sec. 21).
   c) Repairs and maintenance of Essential Supply (Sec. 27 – 29).
LEADING CASES:

5. Thuru V. Rasal Sing AIR 1997, J&K.

RECOMMENDED READINGS:

3. J&K Land Revenue Act, 1996 (Smvt.)
VIII\textsuperscript{TH} SEMESTER:

PAPER – I: ADMINISTRATIVE LAW – II.

PAPER – II: CIVIL PROCEDURE CODE & LIMITATION ACT.

PAPER – III: CYBER LAW.

PAPER – IV: TAXATION LAW – II.

PAPER – V: LOCAL LAWS – II.

PAPER – VI: ENVIRONMENTAL LAW.
ADMINISTRATIVE LAW – II

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up-to-date study of various aspects of Administrative Law. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type question in about 10-20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section- B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I:

1. Administrative Discretion:
   a) Need for administrative discretion.
   b) Administrative discretion and rule of law.
   c) Need for safeguards.

2. Doctrine of Excessive Delegation Discretion:
   a) Constitutionality of discretionary powers.
   b) Administrative discrimination & arbitrariness.

UNIT – II:

1. De tourna ment De peuvoir:
   a) Malafide exercise of discretion.
   b) Improper purpose.
   c) Irrelevant considerations.
   d) Unreasonableness.
   e) Non- exercise of discretionary powers.

UNIT – III:

1. Liability of the Government:
   a) Tortions Liability: sovereign and non-sovereign.
   b) Statutory - immunity.
   c) Act of state.
   d) Contractual liability of government.
   e) Freedom of information.
UNIT – IV:

   a) Characteristics & classification.
   b) Liabilities of public corporations.
   c) Legislative & government control.
   d) Legal Remedies.

2. Statutory Judicial Remedies: General:
   a) Declaratory judgment compared with certiorari.
   b) Injunctions.
   c) Injunctions compared with Mandamus.
   d) Specific performance and civil suits for compensation.
   e) Specific statutory remedies.

UNIT – V:

1. Exclusion of Judicial Review.
   a) Scope of exclusionary & finality clauses.
   b) Impact of doctrine of ultra vires on private clauses.

2. Ombudsman.
   a) Central Vigilance Commission.

RECOMMENDED READINGS:

7. Massey: Administrative law.
CIVIL PROCEDURE CODE & LIMITATION ACT

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Paper –II

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up-to-date study of various aspects of C.P.C & Limitation Act. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section - A (Very short answer type questions in about 10 - 20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section- B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I:
2. Attachment of property, Sec. 60 – 63, o xxx viii rr 1 – 9.
3. Commissions,, Sec. 75 – 76.
4. Suits by and against Govt. Sec. 79 – 80.

UNIT – II:
1. Public Nuisance & procedure for such suits Sec.91 – 92.
4. Application for Restitution, Section 144.

UNIT – III:
1. Enlargement of time & powers of courts in terms of Section 148, 151 – 153.
2. Law of Injunctions in terms of Sections 0 39 rr 1 – 9.

UNIT – IV:
3. Limitation of suits, Appeals and applications & law of computation of period of limitation Sec. 3 – 14.

UNIT – V:
1. Computation of period of limitation, & acquisition of ownership by possession, etc - Sections 15 – 27.
LEADING CASES:


RECOMMENDED READINGS:

Note: The subject includes a comprehensive and up to-date study of various aspects of Cyber Law. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10-20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section- B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I:

1) History of Internet:
   a) Genesis of Internet.
   b) Internet Functioning.
   c) Access to Internet.
   d) Modes of Communication.
      I. E-Mail.
      II. Listserve.
      III. Distributed Message based Databases.
      IV. Real Time Text based Communications.
      V. Real Time Remote Computer Utilization.
      VI. Remote Retrieval of Information.

2) Genesis, Object & Scope of the I.T. Act.
   a) Genesis.
   b) Object.
   c) Scope.

UNIT – II:

- Authentication of Electronic Records of Electronic Governance.
  1. Authentication of Electronic Records.
     I. Digital Signatures.
     II. Hash Functions.
     III. Digital Signatures in Practice.
     IV. Secure Electronic Record & Secure Digital Signatures.
  2. Electronic Governance.
     I. Legal Recognition of Electronic Records.
     II. Legal Recognition of Digital Signatures.
     III. Use of Electronic Records & Digital Signatures in Government & its Agencies.
     IV. Retention of Electronic Records.
UNIT – III:

- **CERTIFYING AUTHORITIES.**
  
  I. Need for Certifying Authority.
  
  II. Functioning of the Certifying Authority.
  
  III. Types of Certificates:
  
  a) Identification Certificate.
  
  b) Transactional Certificate.
  
  c) Digital Time Stamping Service.
  
  d) Authorizing Certificate.
  
  IV. Validity Period for Digital Signatures.
  
  V. Certificate Chain.
  
  VI. Appointment of Controller.
  
  VII. Functions of Controller.
  
  VIII. Controller to act as a Repository.
  
  IX. Powers of Controller
  
  a) Power to recognize foreign Certifying Authorities.
  
  b) Power to issue License.
  
  c) Power to renew License.
  
  d) Power to Suspend or Revoke License.
  
  e) Power to Delegate & Investigate.
  
  f) Power to Search & Seizure.
  
  g) Power to call for information.
  
  h) Power of Survey.
  
  i) Power to Collect certain Information
  
  j) Power to Inspect Registers of Companies.
  
  k) Power to have access to Computers & data.
  
  l) Power to issue Directions.
  
  m) Power to Decrypt Information.
  
  n) Power to make Regulations.
  
  X. Database for Certifying Authorities.
  
  XI. Who can be a Certifying Authority?
  
  XII. Application for License.
  
  XIII. Certification practice Statement.
  
  XIV. Issuance of License.
  
  XV. Refusal of License.
  
  XVI. Surrender of License.
  
  XVII. Cross Certification.
  
  XVIII. Duties of Certifying Authorities.
  
  XIX. Certifying Authority to follow Procedures.
  
  XX. Certifying Authority as an Indemnifier.
  
  XXI. Commencement of commercial operation by the licensed certifying authority.
  
  XXII. Requirement prior to Cessation as Certifying Authority.
XXIII. Digital Signature Certificates.
XXIV. Digital Signature Standard.
XXV. Representation upon issuance of Digital Signature Certificate.
XXVI. Generation of Digital Signature Certificate.
XXVII. Issuance of Digital Signature Certificate.
XXVIII. Certificate Life Time.
XXIX. Suspension of Digital Signature Certificate.
XXX. Revocation of Digital Signature Certificate.
XXXI. Certification Revocation List (CRL).
XXXII. Compromise of Digital Signature Certificate.
XXXIII. Duties of Subscribers.
   a) Generating Key Pair.
   b) Acceptance of Digital Certificate.
   c) Control of Private Key.

UNIT – IV:

• ELECTRONIC COMMERCE.

   I. Introduction.
   II. Formation of Electronic Contracts.
      a. Contract by Electronic Data Inter changer.
      b. Cyber Contracts.
   i. E - Mail.
   ii. World Wide Web (www).
   iii. Validity of Electronic Transactions.
   iv. Dichotomy of Offer & Invitation to Treat.
   v. Application of Minor Image Rule.
   viii. Incorporation of Terms by Reference.
   ix. Attribution of Electronic Records.
   x. Time & Place of Despatch & receipt of Electronic Record.
   xi. Jurisdiction.
   xii. Identity of the Parties

UNIT – V:

• CYBER REGULATIONS APPELLATE TRIBUNAL.

   I. Establishment & Composition of Cyber Appellate Tribunal.
   II. Qualifications of Presiding Officer.
   III. Resignation, Removal & Filling up of Vacancies.
   IV. Jurisdiction of Cyber Appellate Tribunal.
   V. Adjudicating Officer.
   VI. Powers of the Adjudicating Officer.
   VII. Factors to be taken into account by Adjudicating Officer.
VIII. Power to award Compensation.
IX. Power of the Adjudicating Officer to impose Penalty.
X. Compounding of Contraventions.
XI. Appeal to Cyber Regulations Appellate Tribunal.
XII. Procedure & Powers of the Cyber Appellate Tribunal.

- **COMPUTER SYSTEMS & LIABILITY ISSUES.** (Cyber Crimes).
  I. Definition of Cyber Crimes.
  II. Classification of Cyber Crimes.
  III. Target of computer crime.
  IV. Challenges of Cyber crime.
  V. Indian Scheme of offences and Punishment.
     a. Damage to Computer, Computer System etc.
     b. Unauthorised access.
     c. Computer Contaminant or Computer virus.
     i. Virus.
     II. Logic Bomb.
     III. Worms.
     IV. Trojan horse Programme.
     V. Denial of Service.
     d. Tampering with computer source Documents.

**RECOMMENDED READINGS:**

- Chris Reed: Computer Law, Universal, N. Delhi.
TAXATION LAW – II

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Paper –IV

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to-date study of various aspects of Taxation Law. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10 -20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section- B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I: (Income Tax):

1. Appeals.
2. Reference and Revisions.
3. Advance Rulings mechanism Sec. 245.

UNIT – II: (Income Tax):

2. Penalties – Sec. 271 – 280.


1. Definition Sec. 2.
2. Levy of Tax Sec. 3.
4. Registration: Sec. 7 – 8.

UNIT – IV: (Service Tax):

1. Introduction.
   1.1 Definition.
   1.2 Scope and Nature.
2. Basis of charge.
3. Registration.
5. Penalties.
6. Appeals and revision.
UNIT – V:  J & K Value Added Tax-2005: (VAT)

1. Definition: Sec. 2.
2. Taxation Authorities: Sec. 3 – 10.
4. Returns, Assessment, Recovery (Sec. 31 – 33, 37 – 40, 42).

LEADING CASES:


RECOMMENDED READINGS:

**LOCAL LAWS – II**

Max Marks = 100  
Theory = 80  
Continuous Assessment = 20

**Time Duration: 3 Hours.**

**Note:** The subject includes a comprehensive and up to-date study of various aspects of Local Laws. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section - A (Very short answer type questions in about 10-20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section- B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

**UNIT – I:**
a) Registration Establishment (Sec. 5 – 12).  
b) Time for presenting a place for registration (Sec. 23 – 31).

**UNIT – II:**
1) Registerable Documents (Sec. 17 – 21).
2) Of Registration & Non-registration (Sec. 47 – 50 & 60).

**UNIT – III:**
1) Persons to present Documents for Registration (Sec. 32 – 35).
2) Refusal to Register (Sec. 71 – 77).
3) Registration fees (Sec. 78 – 80).

**UNIT – IV:**
a) Exemptions (Sec. 19).  
b) Mode of Levying Fees Schedule I and II (Sec. 25 – 30).  
c) Suit valuation in suit (Sec. 4, 8 & 11).

**UNIT – V:**
a) Definition (Sec. 2).  
b) Incorporation (Sec. 3 – 15).  
c) Membership (Sec. 16 – 29).  
d) Management (Sec. 31 – 36).  
e) Finance (Sec. 39 – 41).  
f) Dispute Resolution (Sec. 49).  
g) Dissolution (Sec. 51 – 56).
LEADING CASES:


RECOMMENDED READINGS:

3. Court Fees Act.
ENVIRONMENTAL LAW

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Paper –VI

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to-date study of various aspects of Environmental Law. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10 - 20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section- B (Short answer type question in about 200 -250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I:

2. Historical development of Environmental Laws in India.
   Nuisance: Penal Code, Criminal & Civil procedure codes, old laws & new Interpretations - Absolute & no fault liability under Environmental Laws.

UNIT – II: The water & Air Pollution control Acts:

- Standards, CPCB & SCPB Consent mechanism, Control areas & restrained orders.
  a) Citizen Suit & Access to Environment information.
  b) Corporate & Government liability for Environment offences.


- Powers of Central Govt. Citizen Suit Policing of Pollution.
  a) Rules
     - Ozone deleting substance Rules.


a) Stockholm Declaration, Global Warming & Ozone conventions.
b) Sustainable Development, Public trust Doctrine.
c) Precautionary Principles, Polluter Pays Principle.
UNIT – V:

- Local Environmental Laws & Problems in Jammu & Kashmir.
  a) Forest Act 1930, J & K Wild Life Protection Act, J & K Forest Conservation Act (Summary of the Provisions with special emphasis on forest dwellers & forests, Medical Plants & related traditional knowledge).
  c) Preservation & Protection of Lakes & water ways in J & K:
    Existing related Laws & future legal needs.

RECOMMENDED READINGS:

- Centre for Science & Environment Citizen’s Reports: Anil Aggarwal.
- Rosencranz, Diwan Noble: Environmental Laws & Polices in India.
- Lal: Commentaries on Water & Air Pollution Law.
- P. Leela Krishnan: Environmental Law in India.
- Iyer V. R Krishna: Environmental Pollution & the Law.
- Kashmir University Law Review - Relevant Papers.
- 

INTERNATIONAL DOCUMENTS:

- Stockholm Conference, Ozone Convention, Climate Change Convention.

LOCAL LEGISLATION:


CENTRAL LEGISLATION:

- The Water (Prevention & Control of Pollution) Act, 1974.
- The Air (Prevention & Control of Pollution) Act, 1981.
- Noise Pollution Control Rules, 2000.
- Ozone deletion (substances & Control) Rules.
- Ozone depleting substances & Control Rules.
- Ozone Depleting Substances Rules.
ESSENTIAL CASE LAW:

7. A. P. Pollution Control Board V. M. V. Nayudu, AIR 1999 SC 812.
17. Tarun Bharat Singh V. Union of India (1994) 2 SCALE 68.
25. M. C. Mehta V. Union of India, AIR (Relocation of Industries in Delhi), AIR 1996 SC 2231.
IXTH SEMESTER:

PAPER – I: CODE OF CRIMINAL PROCEDURE – I.

PAPER – II: LAW OF EVIDENCE – I.

PAPER – III: INTERPRETATION OF STATUTES.

PAPER – IV: CLINIC – I.
  • ARBITRATION, CONCILIATION & ALTERNATE DISPUTE RESOLUTION SYSTEM.

PAPER – V: SEMINAR – I.
  • INTELLECTUAL PROPERTY.
  • SOCIAL & ECONOMIC OFFENCES.

PAPER – VI: SEMINAR – II.
  • PROFESSIONAL ETHICS.
CODE OF CRIMINAL PROCEDURE – I

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Paper – I

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to-date study of various aspects of Cr. P. C. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10-20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section- B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I:
1. Definition – Section.

UNIT – II: Arrest, and Compelled Procedure for Appearance:
   a) Arrest by Police & Public (SS 36, 41 – 49).
   c) Production & attachment (SS. 82 – 86).

UNIT – III:
   a) Conditions necessary to initiate proceedings.
   b) Cognizance by Courts (SS. 190 – 199).
   c) Filling of Complaints (SS. 200 – 203).
   d) Commencement of Proceedings Before magistrate (SS. 204 – 210).


UNIT – V: Definition and Framing of charges.
   a) Joinder of Charge.
   b) Sessions Trials.
   c) Warrant Trials.
   d) Summons Trials.
   e) Summary Trials.
LAW OF EVIDENCE – I

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Paper – II

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to-date study of various aspects of Law of Evidence. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10-20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section- B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section- C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I:

1. Interpretation Clause (Sec. 3 – 4).
2. Relevancy of Facts (Sec. 5 – 16).

UNIT – II:

1. Admissions and Relevancy of Admissions (Sec. 17 – 23).

UNIT – III:

1. Relevancy and Admissibility of Confessions (Sec. 24 – 31).

UNIT – IV:

1. Relevancy of Statements by Persons who cannot be called as Witness (Sec. 32, 33).
2. Relevancy of Statements made under special circumstances (Sec. 34 – 39).

UNIT – V:

1. Judgements of Courts when relevant (Sec. 40 – 44).
2. Opinion of third person when relevant (Sec. 45 – 51).
3. Character when relevant (Sec. 52 – 55).
4. Facts which need not be proved (Sec. 56 – 58).
LEADING CASES:

- R. V. Foster, 172 ER 1261.
- Pakala Naryan Swami V Emp. AIR 1939 PC 47.
- R. Singh V State of Punjab 1976 1SCC 181
- Tuka Ram V State of Maharashtra AIR 1979 SC 185.
- Union of India V Ramaswamy AIR 1997 SC 205.

RECOMMENDED READINGS:

- Sarkar: Evidence.
- Sarathi V.P.: Elements of Law of Evidence.
INTERPRETATION OF STATUTES

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to-date study of various aspects of Interpretation of Statutes. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10 - 20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section- B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I:
   a. Introduction.
   b. Classification of Statutes.

UNIT – II: Methods of Interpretation:
   a. Literal Rule.
   b. Golden Rule.
   c. Mischief Rule.

UNIT – III: Aids of construction:
   a. Intrinsic.
   b. Extrinsic.

UNIT – IV: Specific Interpretations:
   a. Taxing Statutes.
   b. Penal Statutes.

2. Interpretation of Constitution.

UNIT – V:
1. Repeal, Repugnance & Retrospective Doctrine.

LEADING CASES:

RECOMMENDED READINGS:
1. Maxwell: Interpretation of Statutes.
2. Bindra N. S.: Interpretation of Statutes.
3. Chattarji: Interpretation of Statutes.
4. Sarathi Vepa: Interpretation of Statutes.
The paper will carry 100 marks, out of which 60 marks will be for theory and 40 marks for clinic. The break-up of marks for clinic will be as under:

1. Practice Exercise and Case Studies: 30 Marks
2. Viva – Voce: 10 Marks

This course will focus on dispute resolution methods, client interviewing and counseling, litigation planning, investigation strategies, negotiation and mediation. The students will be required to learn the language of negotiation, mediation and settlement conferences, so that all these processes can be placed in a practical, conceptual framework. To understand latest empirical studies in business, communication psychology and law their application to negotiation, mediation and settlement conferences.

The students will be also required to identify strategies in dispute resolution and apply them to actual cases.

The whole exercise will be done by the student in the presence of the Board of examiners to be nominated by the Head, Department of Law, which will include the teacher concerned. The student will be required to secure the minimum pass marks in both theory and clinic separately.

Note: The subject includes a comprehensive and up to-date study of various aspects of ADR. The question paper shall be of 60 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10 - 20 words) shall have 10 questions, 2 questions from each unit carrying 1 mark each. Section- B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 4 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I: INTRODUCTION:

a. Alternate Dispute resolution system (ADR): Concept & Need.

b. International Commercial dispute arbitration & ADR under Legal Services Schemes
   • Concept. Dimensions & Practice of International Commercial arbitration.
   • Legal Services Authority Act 1987 / Section 89 CPC.
   • Legal Literacy Mission.
UNIT – II: TECHNIQUES OF ADR – I.
- Negotiation / Conciliation.
- Mediation.
- Good Offices.

UNIT – III: TECHNIQUES OF ADR – II.
- Arbitration: Arbitration agreement / Clause, Jurisdiction of the arbitral Tribunal, Applicable Law, IIC, UNCITRAL, KSID.

- Arbitration Sections 3 – 34.

UNIT – V: RECOGNITION & ENFORCEMENT.
- Indian Practice.
- International Practice.

LEADING CASES:
- P. Anand Gajapathi Raju V P. V. G. Raju (Dead), 2000(4) SCC 539.
- Mahesh Kumar V Rajasthan State Road Transport Corp. AIR 2006 Raj. 56.
- Baby Arya V Delhi Vidyut Board AIR 2002 Del 50.
- Sanshin Chemicals Ltd. AIR 2001 SC 1219.
- Tamil Nadu Electricity Board V Bridge Tunnel Constructions AIR 1997 SC 1376.
- Union of India V G. S. Atwal & Co. AIR 1996 SC 2965.
- National Thermal Power Corp. V Singer Co.

RECOMMENDED READINGS:
- M. Menon: Clinical Legal Education Relevant Chapters.

LEGISLATION:
- The Arbitration and Conciliation Act, 1996 with up-to date amendments.
SEMERNAR – I

INTELLECTUAL PROPERTY

Max Marks = 100

Time Duration: 2 Hours.

The paper Intellectual property will carry 60 marks for theory examination and 40 marks for the seminar. The seminar will be purely research oriented with a focus on empirical research. The students will be divided into groups depending upon the availability of the teachers. The teacher in-charge of the group will assign topic to each student on which research has to be conducted. However, teacher concerned is free to allow joint research. The report is forwarded to the Head of the Department for presentation before the Board of Examiners. The Head of the Department will constitute the Board of Examiners comprising of the Head of the department, or his nominee having specialization in the field and the teacher concerned. The breakup of the marks shall be as follows:

1. Field work / Research tools and techniques: 10 marks.
2. Assignment / Project: 15 marks
3. Presentation / Viva voce: 15 marks

TOTAL: 40 marks

Note: The subject includes a comprehensive and up to-date study of various aspects of Intellectual Property. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10 - 20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section - B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I:

- Copyright.
- Definition.
- Nature & scope of Copyright law – Types.
- Assignment & Licensing.

UNIT – II:

- Infringement.
- Remedies.
- Copyrights & Technology.
UNIT – III:

- Trade marks.
- Infringement of Trade mark & passing off.
- Remedies.

UNIT – IV:

- Patents.
- Nature & Scope of patents.
- Types of patents.

UNIT – V:

- Rights & obligations of a patentee.
- Infringement.
- Relevant provisions of TRIPS.

LEADING CASES:


RECOMMENDED READINGS:

The paper Social and Economic offences will carry 60 marks for theory examination and 40 marks for the seminar. For the Seminar the students will be divided into groups. The teacher concerned will assign a topic contemporary relevance to a student/group of students. The student shall be required to conduct a field study on the subject and prepare a complete assignment based on his observations. He will analyze the problem critically and will present it to the concerned teacher.

In his field survey the student will apply various tools of research which are essential for Socio legal research i.e. questionnaire/interview schedule. He will prepare a complete report/assignment in consultation with his teacher concern. After submitting his assignment the student will present his findings before Board of examiners. The Head of the Department will constitute the Board of Examiners comprising of the Head of the Department, or his nominee having specialization in this field and the teacher concerned.

The breakup of the marks shall be as follows:

1. Field work: 10 marks
2. Writing: 15 marks
3. Presentation: 15 marks

Note: The subject includes a comprehensive and up to-date study of various aspects of Socio-Economic Offences. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10 - 20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section - B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I:

- Evaluation & Concept of Socio-economic offences & its comparisons with that of white-collar crimes.
- Differences between Social and Conventional Crimes.
- Criminological explanations of Socio-economic offences: study of causes with special reference to social disorganization & economic theories. Sutherland’s Differential Associations theory and Socio-economic offences.
UNIT – II:

1. Traditional criminal Jurisprudence & principles of liability.
   a) Strict Liability.
   b) Vicarious Liability.
   c) Corporate Liability.
   d) Burden of Proof.
2. Sentencing policy under the Socio-economic offences.

UNIT – III:

1. Bail & Socio-Economic offences.

UNIT – IV:

1. Enforcement of Laws dealing with Socio-economic offences.
   a. Efficacy of enforcement machinery.
   b. Difficulties in enforcement.
2. Courts & Socio-economic offences including probation & Socio-economic offences.

UNIT – V:

1. Specific areas in-depth study of the following Socio-economic legislations.

RECOMMENDED READINGS:

- Mahesh Chandra: Socio - Economic offences.
- Ghosh, S. K: Economic offences.
- Sutherland: White - Callor crime.
- Santhanam Committee Report on Corruption.
SEMINAR – II
PROFESSIONAL ETHICS.

Max Marks = 100

Time Duration: 2 Hours.

The paper Professional Ethics will carry 60 marks for theory examination and 40 marks for the seminar.

For the Seminar the students will be divided into groups depending upon the availability of the teachers. The teacher in-charge of the group will assign topics to the students on which research has to be conducted. The teacher concerned will assign topic to each student or will allow 3-4 students to carry joint research. However, submission of assignment presentation has to be made separately. The students will submit their report to the concerned teacher who after certification will forward that to the Head of the Department for presentation before the Board of examiners. The Head of the Department will constitute the Board of Examiners comprising of the Head of the department, teacher concerned or a nominee of the Head having knowledge of the subject. The student will be required to secure minimum pass marks in both theory and seminar separately.

The break-up of the marks shall be as follows:

1. Field work / Research tools & teachings: 10 marks
2. Assignment: 15 marks
3. Presentation: 15 marks

Total: 40 Marks

Note: The subject includes a comprehensive and up to-date study of various aspects of Professional Ethics. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10 - 20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section - B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT- I:
1. Supreme Court Rules, 1966.

UNIT- II:

UNIT – III: BENCH BAR RELATIONS.
3. Professional & other Misconduct.
4. Right & Privileges of Advocates.
5. Reciprocity as Partners in administration of Justice.
UNIT – IV: LEGAL ETHICS.
1. Ethics in present Era.
2. Ethics & Statutory sanctions.
5. Duty of Court.
9. Duty towards Society & Obligation to render Legal Aid.

UNIT – V: CONTEMPT OF COURT.
1. Classification.
2. Constitutional Validity of Contempt Law.
3. Contempt Law in J & K.

LEADING CASES:
- Bar Council of Maharashtra V M. V. Dabhalkar, 1976(1) SCR 303 also 1976(2) SCR.
- Hanraj L. Chulani V Patna High Court 1986.
- Advocate General Bihar V Patna High Court 1986(2) SCC 577.
- Harish Uppal V Union of India AIR 2003 SC 739.
- In the matter of P an Advocate AIR 1963 SC 1313.
- Indian Council of Legal Aid V Bar Council of India AIR 1995 SC 691.
- In Re Sanjiv Dutta 1995(3) SCC 619.

RECOMMENDED READINGS:
- B. R. Aggarwal: Supreme Court Practice & Procedure.

REFERENCES:
- P. Ramanatha Iyer: Legal & Professional Ethics.
XTH SEMESTER:

PAPER – I: CODE OF CRIMINAL PROCEDURE – II.

PAPER – II: LAW OF EVIDENCE – II.

PAPER – III: HUMAN RIGHTS, HUMANITARIAN LAW & REFUGEE LAW.

PAPER – IV: CLINIC – II.
  • PLEADING, DRAFTING & CONVEYANCING.

PAPER – V: SEMINAR – III.
  • CHILD LAW JUVENILE JUSTICE.
  • INTERNATIONAL TRADE LAW.

PAPER – VI: PUBLIC INTEREST LAWYERING, LEGAL AID & PARA LEGAL SERVICES.
Note: The subject includes a comprehensive & up to date study of various aspects of Cr. P. C. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10 - 20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section - B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section -C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I:
3. Maintenance of Public order & Tranquility (SS. 133 – 144).

UNIT – II:
1. Powers of Police & their powers to investigate (Sec. 154, 155, 156, 160, 161, 162, 164)
2. Remand (Sec. 167).
3. Rights of Accused (Sec. 50, 51, 56, 57).

UNIT – III:

UNIT – IV:
c. Suspension, Remission & Communication of Sentence (SS. 418 – 435).

UNIT – V:
1. Appeal, Revision & Reference (Section 372, 376, 378, 382, 394 – 397, 399, 405).

RECOMMENDED READINGS:
- Qadri, S. M. A: Police & the Law - A Socio Legal Analysis.
LAW OF EVIDENCE – II

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up to-date study of various aspects of Law of Evidence. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10 - 20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section - B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I:
- Principles, Proof & Exclusion of Oral Evidence (Sec. 59, 60, 91 – 95).

UNIT – II:
- Principles, Proof of Primary & Secondary Documents (Sec. 61 - 76).

UNIT – III:
- Burden of Proof in Civil & Criminal cases (Sec. 101 – 114A).
- Estoppel (Sec. 115 – 117).

UNIT – IV:
- Competence of Witness to Testify & Privileges of Witness (Sec. 118 – 134).

UNIT – V:
- Examination of Witness & Questions to be asked (Sec. 135 – 167).
LEADING CASES:

- R.V. Foster, 172 ER 1261.
- Pakala Naryan Swami V Emp. AIR 1939 PC 47.
- Tuka Ram V State of Maharashtra AIR 1979 SC 185.
- Union of India V Ramaswamy AIR 1997 SC 2055.

RECOMMENDED READINGS:

- Sarkar: Evidence.
- Sarathi V. P.: Elements of Law of Evidence.
HUMAN RIGHTS, HUMANITARIAN LAW & REFUGEE LAW

Max Marks = 100
Theory = 80
Continuous Assessment = 20

Paper – III

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up-to-date study of various aspects of Human Rights. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10 - 20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section- B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT - I:

2. Human Rights some contemporary Issues:
   i) Role of NGO’s.
   ii) Cultural Relativism.
   iii) Self - Determination.

UNIT - II:

   a) The UN Charter & Human Rights.
   b) International Bill of Human Rights.
      i) The Universal Declaration of Human Rights.
      ii) The Covenant on Civil & Political Rights.
      iv) UN Charter based Institutions for implementation.

UNIT - III:

   Rights of Women, Children, Minorities & Refugees.

UNIT - IV:

1) Regional Convention of Human Rights:
   1. 1. 1 European Convention of Human Rights.
   1. 1. 2. The American Convention on Human Rights.
2) **India & International Humanitarian Law:**

2. 1. 1 India & International Humanitarian Treaties.


**UNIT - V:**

1. **International Humanitarian Law**

a) Definition, Origin & Development.

b) Protection of Defenceless in war.

c) Limitation on methods & use of force during armed conflicts contemporary issues & challenges.

**LEADING CASES:**

- Namibia Case.
- Ireland V United Kingdom.
- Golder V United Kingdom.
- Maneka Gandhi V Union of India AIR- 1978 SC 597.

**RECOMMENDED READINGS:**

- Nirmal C. J: Human Rights in India.
- I. Menon: Human Rights in International Law.
- Upendra Baxi: The Right to be Human.
Pleading Drafting and Conveyancing paper will carry 100 marks. Out of 100 marks 60 marks will be for theory and 40 marks for clinic. The break-up of marks for clinic will be as under:

1. Contents of Form (Drafting Plaint written statement, Application, Petition, Affidavit, Deeds etc): 20 Marks
2. Typing by Computer: 15 Marks
3. Fulfillment of requirements under Stamp & Suit valuation: 05 Marks

This student will be provided intensive training in type writing / computer, to enable him to draft petitions, deeds etc. at the end of the clinic the student will be required to draft petition/Deed etc.(Pleading & Drafting within a period of two hours. The student will draft the form/petition etc. by computer on Judicial / Non-Judicial paper as required under the stamp and suit valuation Act The student will not be required to fix the Judicial / Non-judicial paper of actual but will draft on the Judicial / Non-judicial paper of minimum value. However, he will state the actual value of Judicial / Non Judicial paper/ Court fee on the opposite side of the drafting’s and also the required documents to be produced before the Court at the time of Registration / filling of Petition / Suit etc. as the case may be. The whole exercise will be done by the student in the presence of the Board of examiners. The Board of examiner will constituted by the Head of the Department, consisting of Head of the Department or his nominee & the teacher concerned. The student will be required to secure the minimum pass marks in both theory and clinic separately.

**Note:** The subject includes a comprehensive and up to-date study of various aspects of Pleading & Drafting. The question paper shall be of 60 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10-20 words) shall have 10 questions, 2 questions from each unit carrying 1 marks each. Section - B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 4 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of five have to be attempted from this section.

**UNIT – I: FUNDAMENTAL RULES OF PLEADING.**

a. Plaintiff Structure.
b. Description of Parties.
c. Written statement & Affidavit.
d. Application for setting Ex- parte Decree.
UNIT – II: ORDINARY SUIT FOR RECOVERY.

a. Suit under order XXXVII of CPC.
b. Suit for permanent Injunction.
c. Application for temporary Injunction, order XXXIX of IPC.
d. Suit for Specific Performance.

UNIT – III: GENERAL PRINCIPLES OF CRIMINAL PLEADING.

a. Application for Bail.
b. Application under Section 125 Cr. P. C.
c. FIR under Section 154 Cr. P. C.

UNIT – IV: MODEL DRAFTS – I.

- FORMS:

I. Notice to the Tenant under Section 106 of Transfer of Property Act.
II. Notice under Section 80 of CPC.
III. Reply to Notice.
IV. General Power of Attorney.
V. Will.
VI. Agreement to Sell.
VII. Sale Deed.
VIII. Suit for Dissolution of Partnership.
IX. Petition for grant of Probate/ Letters of Administration.
X. Application for Appointment of Receiver/ Local Commissioner.
XI. Application for Compromise of Suit.
XII. Application for Appointment of Guardian.
XIII. Application to Sue as an indigent person under order 33 CPC.
XIV. Application from Original Decree under order 41 of CPC.
XV. Appeal from orders under order 43 of CPC.
XVI. Revision Petition.
XVII. Review Petition.
XVIII. Application under 5 of Limitation Act.
XIX. Application for Execution.
UNIT – V: MODEL DRAFTS – II.

I. Writ Petition under Article 32 & 226.
II. Application under Section 148A of CPC.
III. Compounding of Offences by way of compromise under Sec. 320(1) Cr. P. C.
IV. Lease Deed.
V. Special Power of Attorney.
VI. Relinquishment Deed.
VII. Partnership Deed.
VIII. Mortgage Deed.
IX. Reference to Arbitration & Deed of Arbitration.
X. Deed of Gift.
XI. Notice under Section 434 of the Companies Act.
XII. Notice for Specific performance of Contract.
XIII. Complaint.

BOOKS RECOMMENDED:


LEADING CASES:

• Nana Tuka Ram V Sona Bai AIR 1982 Born 437.
• Sait Tarajee Khim Chand V Yelamatri Satyam AIR 1971 SC 1865.
• Rama Shankar Pathak V Collector Central Excise AIR 1971 ALL. 287 & 289.
SEMINAR – III

CHILD LAW & JUVENILE JUSTICE.

Max. Marks = 100

Time Duration: 2 hours.

The paper Child, Law and Juvenile Justice will carry 60 marks for theory examination and 40 marks for the seminar. For the Seminar the students will be divided into groups and each group will be assigned to a teacher.

The teacher concerned will assign a topic of contemporary relevance to a student/group of students. The student/s shall be required to conduct a field study on the subject and prepare a complete assignment based on his / her observations. He/they will analyze the problem critically and will present it to the concerned teacher.

In his field survey the student will apply various tools of research which are essential for Socio legal research i.e. questionnaire / interview schedule. He will prepare a complete report/assignment in consultation with his teacher concern. After submitting his assignment the student will present his findings before the teacher/ Board of examiners on a date to be fixed by the teacher / department. The Board of examiners will be nominated by the HOD in consultation with teacher concerned. The teacher concerned shall be one of the examiners in case the presentation is made before the Board of examiners. The students will have to appear for a viva-voce relating to the assignment before the teacher concerned/ Board of examiners.

The break - up of the marks shall be as follows:

1. Field work: 10 marks.
2. Writing: 20 marks.
3. Presentation: 10 marks.

**Note:** The subject includes a comprehensive and up to-date study of various aspects of Child & the Law. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10 - 20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section - B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempt ed from this section.

**UNIT – I:**

1. The concept of Juvenile Delinquency.
   i) Defining Juvenile Delinquency.
   ii) Scope of Juvenile Delinquency.
   iii) Delinquent and Status offences.

2. Genesis of Juvenile delinquency with particular reference to the role of following institution.
   i) Family functioning.
   ii) Mass Media and violence aggressive delinquent Behaviour.
   iii) The School as a delinquency producing Institutions.
UNIT – II:

   i) The concept of juvenile Justice.
   ii) The History and Philosophy of Juvenile Justice.

2. Definitions of various terms under the Act of 2000:
   i) Juvenile in conflict with law.
   ii) Child in need of care & protection.

UNIT – III:


2. Bail of Juvenile – Section 12.

UNIT – IV:


UNIT – V:

   i) Articles 23 & 24 of the Constitution.
   ii) Articles 45 & 47 of the Constitution.


RECOMMENDED READINGS:

- N. K. Chakraborti: Juvenile Justice.
- Ahmad Siddique: Criminology: Problems and perspectives.
- Panday: Constitutional Law of India.
- Pallai: Criminal Law.
SEMERNAR – III

INTERNATIONAL TRADE LAW

Max. Marks = 100

Time Duration: 2 hours.

Paper - V

The Paper International Trade Law will carry 60 marks for theory examination & 40 marks for the seminar

The Seminar paper will be purely research oriented with a focus on empirical research. The students will be divided into groups depending upon the availability of the teachers. The teacher in charge of the group will assign topic to each student on which research has to be conducted. However, teacher concerned is free to allow joint research. The report will be submitted to the concerned teachers, who will after proper certification of the report forward it to the Head of the Department. The Head of the Department will constitute the Board of examiners comprising of the HOD, his nominee having specialization in the field and the teacher concerned. The student will be required to secure minimum pass marks in both theory & seminar separately

The breakup of the marks shall be as follows:

1. Field work / Research tools & techniques: 10 marks.
2. Assignment / Project: 15 marks.
3. Presentation / Viva – Voce: 15 marks.
TOTAL: 40 marks.

Note: The subject includes a comprehensive and up to-date study of various aspects of International Trade Law. The question paper shall be of 100 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type questions in about 10-20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section- B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 7 marks each. All questions from section A & B have to be attempted. Section-C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 15 marks each. Any three questions out of five have to be attempted from this section.

UNIT – I:

2. Formation of the Contract.
4. Incoterms.

UNIT – II:

1. Frustration of the Contract.
3. Rights of Unpaid seller.
UNIT – III:
4. Licensing.

UNIT – IV:
2. Letters of Credit.
4. Collection Arrangements.

UNIT – V:
1. World Trade Organization.
2. International Court of Commercial Arbitration.

RECOMMENDED READINGS:
1. Schmithoff: Export Trade Law & Practice.
PUBLIC INTEREST LAWYERING, LEGAL AID & PARA LEGAL SERVICES

Max. Marks = 100
Theory = 80
Continuous Assessment = 20

Time Duration: 3 Hours.

Note: The subject includes a comprehensive and up-to-date study of various aspects of Public Interest Lawyering. The question paper shall be of 80 marks, spread over the whole syllabus comprising of three sections. Section- A (Very short answer type question in about 10-20 words) shall have 10 questions, 2 questions from each unit carrying 2 marks each. Section- B (Short answer type question in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from section A & B have to be attempted. Section- C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of five have to be attempted from this section.

Part II of the subject shall be of 20 marks to be evaluated by the internal examiner

PART–I:

UNIT – I:

1. Legal Aid:
   • Concept, Constitutional Mandate & historical Perspective.
   • Historical perspective of legal Aid in India & Jammu & Kashmir.
   • Legal Aid to scheduled castes & defence Personnel Rules.

UNIT – II:

   • Legal Services Authorities & their Power & Functions.
   • Entitlement to Legal Aid – Beneficiaries: Modes & Procedure.
   • Working of Legal Service Authorities.
   • Duties of Lawyers & Aided Persons.

UNIT–III:

1. Lok Adalat & other forms of Alternate Disputes Resolution System.
   • Organization of Lok Adalats, Cognizance of Cases, Awards:
     Procedure & Practice.
   • Lok Adalats: Procedural & other Socio – Legal problems.
UNIT– IV:

1. Legal Aid, Para Legal Services & Clinical Legal Education & Other forms of ADR & their application in J & K.
   
   - Clinical Legal Education: Concept & Contemporary Practices.
   - Need for Legal & Para Legal Services.
   - Role of Lawyers, Law students & NGO’s in Legal Aid & Para Legal Services.
   - Para Legal Service Training.

UNIT–V:

1. Public Interest Lawyering.
   
   a) Public Interest Litigation in India.
   b) PIL: Consumer & Environmental Protection, Scope of Public Interest Lawyering.
   c) PIL & Public Involvement.
   d) Law Student & PIL: Incentives & Scope of Involvement.

PART-II:

1. Simulation Exercises.
   
   a) Lok Adalat, Legal Aid Camp, Legal Literacy Programmes, Clinical Services, & Services in Legal Aid Offices.
   b) Legal Research, Case comments & Editing skills.

RECOMMENDED READINGS:


REPORTS:

1. Iyer V. R. Krishna: Report on the Committee on Legal Aid, 1973

ACTS: