

UNIVERSITY OF JAMMU

SYLLABI AND COURSE OF STUDY IN (LL.B. 5 YEARS) COURSE

**Semester - I (Syllabus for the Examination to be held
in Dec., 2009 to Dec. 2010)**

Paper - I

General English-I

Duration of

Maximum Marks : 100

Examination : 3 Hrs.

UNIT-I

- a. Use of dictionary for words and idiomatic phrases.
- b. Use of legal lexicon.
- c. Major categories of words formation in English with special reference to expressions of Latin and French Origin.

UNIT - II

Grammar and Usage

- a. Tense and concord.
- b. Determiners
- c. Prepositional phrase clauses.
- d. Basic transformations : Passive, Negative, Interrogative.
- e. Use of Connectives

UNIT-III

- a. Comprehension skill
- b. Listening comprehensions with speech reference and making notes.

UNIT-IV

- a. Comprehension skills.
- b. Sentences building exercises with special reference to

word patterns and common Indian errors as associated with them.

- c. Short note on general and legal topics.

UNIT-V

- a. Translation from Hindi/Urdu to English.
b. Paragraph writing.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each. unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

Suggested Readings

1. Raymond Murphy-Intermediate English Grammar.
2. Raymond Murphy-Advanced English Grammar.
3. Thomson & Martinet-A Practical English Grammar.
4. Robertson-English Grammar for Indian Students.
5. Wren & Martin-High School English Grammar.

PAPER-II

Political Science-I

Duration of Examination : 3 hrs. Maximum Marks : 100

UNIT-I

Introduction

- 1.1. Nature and Scope

1.2. Approaches :

Classical and Traditional Behavioural
Decision Making
Post-Behavioural

- 1.3 a. Political Authority and Power: Machiavelli, Hobbes, Max Weber. Harold Lasswell, Robert Dahl, Karl Marx. Bertrand Russell and David Easton.

- b. Liberal, Marxian, Elitist and Mahatma Gandhi's Theories of Power.

1.4 . Major Political Challenges :

Environment

Social and Political Disturbances

Conflict and Peace

Lord Acton's Phrase "Power corrupts and absolute power corrupts absolutely."

UNIT-II

State

2.1 Concepts of State

2.2 Theories of Origin of State

2.3 Diverse Notions and Concepts of State

Legal

Pluralist

Liberal

Marxist

Anarchist

Totalitarian

Welfare State

Post Modernist

2.4 Nature, concept and types of Sovereignty

2.5 Theories of Sovereignty

Legal

Pluralist

UNIT-III

Political Concepts

- 3.1 Rights : Meaning ; Theories :
Natural Rights Theory

Legal Theory
Historical Theory
Laski's Theory

- 3.2 Concept, Meaning and Nature of Liberty and Equality.
- 3.3 Concept, Meaning. and Nature of Property.
- 3.4 Liberal, Laski's and Marxian Theories of Property.

UNIT-IV

Political Obligation and Ideologies

- 4.1.1 Nature and development of Concept of Political Obligation, its relationship with Ideologies, Rights and Duties.
- 4.2 Basis and Limits of Political Obligation
 1. Force Majeure
 2. Divine right
 3. Idealist
 4. Conservative
 5. Marxist
 6. Anarchist
 7. Gandhian
- 4.3 Political Obligation and Modern Ideologies
 1. Liberalism
 2. Marxism
 3. Socialism and Democratic Socialism
 4. Fascism
- 4.4 Democracy : Meaning, Concept and Theories :
 1. Classical
 2. Liberal
 3. Marxian
 4. Pluralist

5. Elitist
6. Democracy, State and Civil Society

UNIT-V

Civil Society

- 5.1 What is a Civil Society? How has the idea of Civil Society Developed?
- 5.2 Constituents of Civil Society with special reference to India: Caste, Religion and Ethnicity.
- 5.3 Major views of Rousseau, Hegel, Marx, Gramsci & Habermas
- 5.4 New Social Movements; Feminist, Ecology, Peace and Civil Rights.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

SUGGESTED READINGS

1. Ashirvatham Eddy & K.K. Mishra-Political Theory
2. Coker Francis W,-Recent Political Thought
3. Jain M.P., Political Theory: Liberal and Marxiam
4. Sabine George H. & Thomas L. Thomson, -A Histroy of Political Theory.
5. Kothari Rajni, Politics in India.
6. Ray Amal and Mohit Bhattacharya-Political Theory : Ideas and Institutions.
7. Verma S.P. - Modern Political Theory.
8. Guaba O.P. - Political Theory.

PAPER-III

Economics - I

Duration of Examination : 3 hrs. Maximum Marks : 100

UNIT-I

Nature of Economics : Distinctions from other Social Sciences such as History, Political Science, Sociology, Law, Ethics, Elementary Knowledge of Economic Theories from Adam Smith, Spencer to present day. Utility of economics, Economics as a basis of social justice and social welfare :

Nature of Capitalist, Socialistic and Mixed Economy.

UNIT-II

General Principles of Economics.

Utility analysis Distinction between Micro and Macro Economics.

Indifference curves: Meaning and properties, comparison between the Utility approach and indifference curve analysis, consumer equilibrium.

UNIT-III

Demand : Nature, determinants of demand concept, measures and factors determining price, Elasticity of Demand.

Supply: Nature, Concept and measurement of elasticity of supply. Relationship between demand and supply.

UNIT-IV

Factors of Production: Land labour, capital and organization. Pricing and cost curves of production. Revenue functions under different market firms, Perfect Competition, Monopoly, Monopolistic, Price & output determination. (or equilibrium determination).

UNIT- V

Forms of business organization: Sole trader, Partnership, Joint Stock Company, Cooperative Society. Legal mechanism of business

control; Economic regulation and economic reforms.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

SUGGESTED READINGS

1. Alfred W. Stonier & Douglas C Hague. The Essentials of Economics
2. B. Samuelson-Economics, An introductory Analysis ISEBO.
3. Fredrute Lewis-Theory of Economics Growth.
4. I. Livingstone-Economic Policy for development.
5. Myrdal Gunner- The Challenges of world poverty.
6. K.K. Dewett-Modem Economic Theory.
7. H.L. Ahuja-Principles of Modem Economics.
8. M.L. Seth-Advanced Economics Theory.
9. A. Kartspeis-Indifferent Curves Analysis.
10. Lipsey-Principles of Economics.

PAPER-IV

Sociology-I

Duration of Examination : 3 hrs. Maximum marks: 100

UNIT-I

Nature and Scope of Sociology, Relevance of Sociology for the study of Law, Distinguish between Sociology and other social sciences-Political Science, History, Economics, Ethics.

UNIT-II

Basic concepts in Sociology: Norms and values, status and role, Institution, structure and function.

UNIT-III

Social institutions :- Marriage, family and kinship; economic institutions: capitalism, division of labour; Political institutions, Religious institutions, Educational Institutions.

UNIT-IV

Social control and social stratification their meaning and forms, social change.

UNIT-V

Sociology of Law, Law and Social change.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

SUGGESTED READINGS

1. Andre Beteille- Inequality and Social Changes.
2. Andre Beteille- The backward classes & the new social order.
3. David G.Mandelmanm-Sociology in India.
4. M. Haralambos-Sociology Themes and perspectives.
5. N.K. Bose-.The Structure A Thirsty, Society.
6. Sankar Rao c.N.-Sociology.
7. P.B. Kar-Sociology.

PAPER- V

History-I

Duration of Examination : 3 hrs. Maximum marks: 100

UNIT-I

Sources of Ancient Indian History, Indus Valley Civilization, Vedic Society, Rise of Buddhism and Jainism and their main principles.

UNIT-II

The Mauryas with special reference to administration and religious policy of Ashoka.

UNIT-III

The Guptas and their Administration, Sources of Law in Ancient India with special reference to Arthashastra, Manu Smiriti- and Yajanvalkyya Smmt, court system in Ancient India.

UNIT-IV

The Advent of Islam, Cultural approachment-Sufi & Bhakti movement.

UNIT- V

Brief survey of Administration in Medieval period with special reference to Land revenue system. Central Administration. Provincial Administration and Mansabdari system, Judicial Administration in Mughal Period.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

SUGGESTED READINGS

- 1 Jha, D.N. - Ancient India.
2. Ray Choudhary - Political History of Ancient India.
3. Henry Maine - Ancient India.
4. R.S. Tripathi - Ancient India.
5. Majumdar - Ancient India.
6. V.D.Mahajan - Ancient India.
7. Romila Thapar - Ancient India.

PAPER-VI **Legal Method-I**
Duration of Examination : 3 hrs **Maximum marks: 100**

Law as a discipline is entirely different from other disciplines. Its methods and processes are different. A fresher in legal studies, therefore, has to be familiarized with legal methods and processes enabling him to better appreciate the legal studies. The course is primarily meant to initiate a beginner into the study of Law and its processes. The course shall be taught in tutorials consisting of not more than 15 students. It shall spread into first two semesters of LL.B 5 years course and will carry 100 marks in each semester out of which 50 marks are reserved for viva-voce and 50 marks for written assignment based on reported case read and discussed in class and class performance. There shall be the following break up for 50 marks.

Written Assignment - 30 marks (two assignment
of 15 marks each)

Class Performance - 15 marks

Attendance - 5 marks

- a. What is Law? How to find out Law? Using Law Library.
- b. Legal and Non-Legal Material. Authoritative and Non-Authoritative legal material.
- c. Importance of case law and law reporting. Reading cases from the reports and understanding them.

**Semester -II (Syllabus for the Examination to be held in
Dec., 2009 to Dec. 2010)**

PAPER - I **General English-II**
Duration of Examination : 3 Hrs. **Maximum Marks : 100**

UNIT - I

VOCABULARY

- a. Certain set expressions and phrases in common use.
- b. Latin words and phrases
- c. Words often confused.

UNIT - II

GRAMMAR AND USAGE

- a. Reported Speech
- b. Question tags and short responses
- c. Conditionals
- d. Some Common Errors
- e. Tenses

UNIT - III

- a. Comprehension exercises to pinpoint the logical argument.
- b. Reading comprehension of suitable narrative, descriptive, discursive and expository prose passages.

UNIT-IV

- a. Precis writing-summarizing and briefing.
- b. Formal correspondence.

UNIT-V

- a. Translation from English to Urdu/Hindi
- b. Short essay on legal and general topics (about 150 words).

NOTE FOR PAPER SETTING

The question paper will contain two questions. from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

SUGGESTED READINGS

1. Geoffrey Leech and Jan Svartvik-A Communicative Grammar of English.
2. A.J. Thomson and A.V. Martinet-A practical English Grammar.
3. Webster's New Dictionary of Synonyms.
4. AS. Hornby and R.M. Mackin-Oxford Progressive English alternative course book.
5. I.L.A Hill-English Language course for college Book.
6. Exercises in English Composition, Department of English Lucknow Univerisity.
7. Aiyer's Law Terms and Phrases.
8. Biswas Encyclopedia Law Dictionary.
9. Black's Law Dictionary.
10. LLA. Hill-English Language course for colleges, Book II and III.
11. Michael McCarthy and Felicity O'Dell-English Vocabulary in use.
12. Raymond Murphy-English Grammar in use intermediate to upper intermediate.
13. Martin Hewings-Advanced Grammar in use.
14. Michael McCarthy, Felicity O'Dell and Ellen Shaw-American English Vocabulary in use.
15. Cambridge International Dictionary of Idioms.

16. Denial Jones-English Pronouncing Dictionary.
17. Liz Hamp-Lyons and Ben Heasley-Study Writing.

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PAPER - II

Political Science-II

Duration of Examination : 3 hrs. Maximum Marks : 100

UNIT-I

Political Organization

- 1.1 State and Government
- 1.2 Forms of Government
 - Unitary
 - Federal
 - Quasi Federal
- 1.3 Organs of Government
 - Legislative
 - Executive
 - Judiciary
- 1.4 How organs of Government mutually interact and coordinate in different forms of governance ?

UNIT - II

Organic and Institutional Balances

- 2.1 Doctrine of Separation of Power and Checks and Balances.
- 2.2 Principles of Independence of Judiciary and Judicial Review in the Parliamentary, Presidential and other forms of Government.
- 2.3 Significance of Political Institutions and Values : Political Parties. Pressure Groups and Interest Groups Social Movements Social Stratification such as Religion,

Ethnicity and Kinship.

2.4 Mass Media and Modern Communication.

UNIT - III

Concepts of Representation

- 3.1 Theory and Practice of Mass Representation
- 3.2 Territorial, Proportional and Functional Representation.
- 3.3 Expression of public opinion and its Formation.
- 3.4 Mass Media and Political Education.

UNIT-IV

Political Organization in India

- 4.1 Parliamentary form of Government.
- 4.2 Nature, Theory and Practice of Indian Federalism.
- 4.3 West - Minister Model : Prime Ministerial form of Government.
- 4.4 Judiciary and the Judicial Review.

UNIT- V

Political Institutions in India

- 5.1 Political parties, People Representation and Mass Media.
- 5.2 Pressure Groups and Interest Groups.
- 5.3 Caste, Religion and Ethnicity.
- 5.4 New Social Movements.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice. within each unit.

SUGGESTED READINGS

1. Finer Herman-Theory and Practice of Modern Government
2. Ganga!, S.C. Prime-Minister and the Cabinet in India
3. Jones Morris-Indian Government and Politics
4. Kothari Rajni State and Non-Building
5. Kothari Rajni-Politics in India.
6. KotharLRajni-Caste in Indian Politics
7. Ray Amal and Mohit Bhattacharya-Political Theory : Ideas and Institutions
8. Wheare K.C - Federal Government
9. Gupta D.C.-Indian Government and Politics
- 10 Johri J.C -Indian Government and Politics.

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PAPER-III

Economics-II

Duration of Examination : 3 hrs. Maximum Marks : 100

UNIT-I

Economic Trends

Economic growth and development : Meaning and Measurement, Characteristics of underdevelopment. Modern economic growth; Sources of growth, Income; problems of growth of developing economies, Determinants of element development.

UNIT-II

National Income

Definition, Concept and uses. Difficulties in measurement of National Income, Gross National product and net domestic product,

Gross domestic product and net domestic product (at market price and factor costs).

UNIT- III

International Economic Institutions

IMF, IBRD, WTO, SAARC, (Objectives and Functions)
Relationship of India with these Institutions.

UNIT - IV

Business Cycle

Meaning and phases : Theories of trade cycle (under consumption. monetary and over investment).

Foreign Capital : Need, Impact on Economic Development, role of multinational in economic development. Theories of economic development. (Schumpeters and Myrdals)

UNIT-V

Indian Economy : Trends in Population Growth since 1951, Population and Poverty. Economic Planning in India : Unemployment, Nature of Problem and Possible solutions. Public Finance and economic policy. Role of agriculture in India's economy. Land reforms in India, Industrial Policy Resolution of 1991.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

SUGGESTED READINGS

1. M.L. Jhingan-Economics of Development and Planning.

2. M.L. Jhingan-Advance Economics Theory.
3. Mishra and Puri-Indian Economy
4. Sunderam-Indian Economy.
5. Kulkarni-Economic Theory
6. R. Dutt-Indian Economy.
7. Mishra and Puri-Economics of Development and Planning.
8. R.R. Paul Economics of Development and Planning.

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PAPER - IV

Sociology-II

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Communities : Rural. Transitional Structure and Function, Role of Panchayat. Co-operative Movement, Land reforms, Bhoodan Movement Jajmani system.

Tribal : Features, Problems, constitutional safeguards. Urban Community: Feature. Problem, Urban Welfare.

UNIT-II

Social Deviance : Factor facilitating devitation, causes of crime, Juvenile Delinquency, White Collar Crime, Alcoholism and drug addiction, Dowry penology.

UNIT-III

Women in Society : Women and Law, Legal Dimensions, Changing Status of Women.

UNIT-IV

Sociology of Minority : Meaning and Nature, religious

minorities and impact on Indian Society, Minority safeguards in India, Backward class movement.

UNIT-V

Sociology of Legal Profession in India, Sociological approaches to Law and common law courts in Indian Legal system in Modern India.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

SUGGESTED READINGS

1. Andre Beteille : Inequality and Social Changes.
2. Andre Beteille - The Backward Classes & the New Social Order.
3. David G. Mendelmann - Society in India.
4. M. Haralamno - Sociology, Themes and Perspectives.
5. N.K. Bose - The Structure : A Thirsty Society.

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PAPER - V

History - II

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

The British East India Company : Foundation and early developments, Development of Authority ;

- a. Power derived from the Crown and Parliament
- b. Power derived from the Mughals and other
- c. Governance and Organization of Company's Factories.

UNIT - II

Colonial Imperialism and National Movement in Modern India. Lord William Bentinck and his reforms. The Charter Act of 1833.

UNIT - III

Administrative Developments under Lord Ripon
Administrative Development under Lord Curzon

UNIT - IV

The Indian Nationalist Movement : Rise of Indian National Congress, Moderates and Extremists.

The Non co-operation movement, Home rule movement.

UNIT - V

The Economic History of India during ancient, medieval and British period.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

SUGGESTED READINGS

1. R.C. Aggarwal - Constitutional Development and National Movement of India.
2. Sumit Sarkar - Modern India
3. S.L. Grover- Modern Indian History.
4. Bipin Chandra - India's Struggle for Independence.
5. Perceval Spear- History of India.

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PAPER - VI**Legal Method - II****Duration of Examination : 3 hrs Maximum Marks : 100**

Law as a discipline is entirely different from other disciplines. Its methods and processes are different. A fresher in legal studies, therefore, has to be familiarized with legal methods and processes enabling him to better appreciate the legal studies. The course is primarily meant to initiate a beginner into the study of Law and its processes. The course shall be taught in tutorials consist in if not more than 15 students. It shall spread into two semesters of LL.B 5 years course and will carry 100 marks in each semester out of which 50 marks are reserved for viva-voce and 50 marks for written assignment based on reported case read and discussed in class and class performance. There shall be the following break up for 50 marks.

Written Assignment - 30 marks (two assignment of 15 marks each)

Class Performance - 15 marks

Attendance - 5 marks

- a. Introduction to the Indian Legal System/Common Law System. Hierarchy of courts under the Constitution, Cr. P.C., C.P.C. and specialized courts and tribunals, working of Higher Appellate Courts. Importance of precedent in the Law System.
- b. Reading cases from the Law, Reports and Comprehensive cases.
- c. The student may also be introduced to legal research methods.

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Semester-III (Syllabus for the examination to be held in Dec. 2003 to 2006).

PAPER-I**General English - III****Duration of Examination : 3 Hrs. Maximum marks : 100****UNIT - I****Vocabulary**

- a. Current and popular usage in British English and American English.
- b. The use of the The saurus for locating synonyms, near synonyms and antonyms.
- c. Vocabulary Exercises :
Choose the correct meaning / correct spelling.

UNIT - II**Grammar and Usage**

- a. Use of will, would, shall, should.
- b. Auxiliaries do, may, can, be, have.
- c. Words often confused.
- d. Use of Relatives.

UNIT - III

- a. Application of comprehension skills to materials drawn from legal notices, judgements, court orders etc.
- b. Comprehension passage with questions.

UNIT - IV

- a. Drafting of Reports / Briefs
- b. Taking notes.

UNIT - V

- a. Long Essay (400 words) on general and legal topics.

b. Complete given passage by using the information provided.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

SUGGESTED READINGS

1. Geoffrey Leech and Jan Svartvik - A Communicative Grammar of English.
2. A.J. Thomson and A.V. Martinet - A practical English Grammar.
3. Webster's New Dictionary of Synonyms.
4. A.S. Hornby and R.M. Mackin - Oxford Progressive English alternative course book.
5. I.L.A. Hill - English Language course for college Book.
6. Exercises in English Composition, Department of English Lucknow University.
7. Aiyer's Law Terms and Phrases.
8. Biswas Encyclopedia Law Dictionary.
9. Black's Law Dictionary
10. I. L.A. Hill-English Language course for colleges, Book II and III.
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12. Raymond Murphy-English Grammar in use intermediate to upper intermediate.
13. Martin Hewings-Advanced Grammar in use.
14. Michael McCarthy, Felicity O'Dell and Ellen Shaw- American English Vocabulary in use.

15. Cambridge International Dictionary of Idioms.
16. Denial Jones-English Pronouncing Dictionary.
17. Liz Hamp-Lyons and Ben Heasl -Study Writing.

PAPER-II

Political Science-III

Duration of Examination : 3 hrs.

Maximum Marks : 100

UNIT-I

Political, thought :

Nature and Characteristics

- 1.1 Greek
- 1.2 Medieval
- 1.3 Recent

UNIT-II

Ideal State

- 2.1 Manu
- 2.2. Plato
- 2.3 Hegel
- 2.4 Bosanquet

UNIT-III

Statecraft

- 3.1 Chanakya or Kautilya
- 3.2 Aristotle's Classification
- 3.3 Machiavelli
- 3.4 Marsilious or Marsiglio

UNIT -IV

Justice

- 4.1 Roman Conception
- 4.2 Augustine

- 4.3 Hume
- 4.4 Rawls

UNIT - V

Law

- 5.1 Cicero
- 5.2 Aquinas
- 5.3 Grotius
- 5.4 Montesquieu and Bentham

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

SUGGESTED READINGS

1. Barker Ernest-Greek Political Theory : Plato and his predecessors.
2. Political Thought in English (1848-1914)
3. Johari, J.C - Traditions of Political Thought : Western and Eastern.
4. Sabine and Thorson - A History of Political Theory.
5. Wayper C.L. - Political Thought.

PAPER - III

History of Courts, Legislature & Legal Profession in India

Duration of Examination : 3 hrs. Maximum Marks : 100

UNIT - I

Establishment of the East India Company.

Legislative authority of the company.

Charter of 1726 and the system of regulation law charter act of 1813.

Sources of Indian Legislation before 1833.

Development of law in presidency towns ; introduction of English Law and uncertainties about Law.

Development of Civil Law in Mofussil : Law applicable to Non-Hindus and Non-Muslims ; Justice equity and good conscience.

UNIT -II

Establishment of Legislature of All India Character under Charter Act. 1833.

Relevant provisions of Charter Act. 1833 ; All India Legislature, Law Member, Law Commission.

Codification of Law in India : The First Law Commission - Lex Loci Report and other contributions. Second Law Commission- The Third and Fourth Law Commission- their work and contribution.

An appraisal of codification during this period.

UNIT - III

Indian Council's Act, 1861.

Indian Council's Act, 1892

Indian Council's Act, 1909

UNIT - IV

The Govt. of India Act, 1919

The Govt. of India Act, 1935

Problem of Communal Representation.

UNIT -V

Legislatures under the constitution of Indian Parliament and the State legislatures.

Their constitution, jurisdiction and functions.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

SUGGESTED READINGS

1. M.P. Jain - Outlines of Legal History
2. M. Rama. Jois - Legal and Constitutional History of India.
3. Raukin G. C. Background to Indian Law.
4. Eric Stakes - The English utilitarian and India (1992) Oxford.
5. Kailash Rai - History of Courts Legislature and Legal Profession in India.

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PAPER - IV

Cyber Law-I

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Computer Fundamentals : Data Information, File, Database, Bit, Byte, Block Diagram of Computer, Hardware and Software, CPU, Memory, Operating System, Computer Languages. Types of Computer Languages, Compiler, Interpreter.

UNIT-II

Windows 98 : Booting, GUI, Anatomy of window, icon,

Desktop, Folder, Creating and deleting a folder, Creating and deleting a file, copy a file, Print a file, Windows Explorer, Microsoft Office, Creating document chart and presentation, Multimedia. .

UNIT-III

Networking and Internet : Networking, Types of Networking, Topology, Components, peer-to-peer and Clients server networking, Examples, Internet, Evolution, Features, Services, TCP/IP Protocol, IP addresses, Classes of IP addresses. Standard addresses, DNS, WWW, HTML, Web server, HTTP protocol, Browsers, ISP, Business transactions of Internet, E-Commerce, E-payments.

UNIT-IV

Internet security : Proxy server Firewall, Cookies, Cryptography, Private key and public key encryption algorithms, certifying authority.

UNIT-V

Computer Crimes: Internet Scams, Spreading virus, Hacking and Cracking.

Cyber squatting, Repudiation, Concoction, Document forging, Pronography on the Internet, Domain name issues.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be require to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

SUGGESTED READINGS

1. P. K. Sinha - Computer Fundamentals; BPB Publications.

2. V. Rajaraman - Fundamentals of Computer ; PHI Pvt. Ltd.
3. Turbun - John Wily; Introduction to Information Technology;
4. Stephen Wynkoop - Running a perfect Web Site; PHI Pvt. Ltd.
5. R. Mishra - Cyber crime.
6. A. Kurpar - Information Technology.
7. Alex Leon - Fundamentals of Information Technology.
8. B. Ram - Computer Fundamentals.

PAPER-V

Comparative Law

Duration of Examination :3 hrs. Maximum Marks:100

UNIT-I

Nature, scope and Ambit of Comparative Law.

- 1.1 The Nature and scope of Comparative Law.
- 1.2 Notions of Comparison.
- 1.3 Methods of Comparison.
- 1.4 Types of Comparison.

UNIT-II

Comparative study of Legal Systems.

- 2.1 Common Law system, foundation, Sources and Reception in India..
- 2.2 Civil Law system, Foundation and Sources.

UNIT-III

Comparative study of Family Law. General Principles

- 3.1 Hindus

- 3.2 Muslims
- 3.3 Christians
- 3.4 Parsis

UNIT-IV

Scope of comparative constitutional Law

- 4.1 Importance of the study of comparative constitutional Law in constitution making.
- 4.2 Basic concepts :
 - a. Written Constitution
 - b. Unwritten Constitution
 - c. Conventions
- 4.3 Federalism-What is Federalism USA, India, Germany.

UNIT-V

Comparative Judicial Process

- 5.1 Definition of Judicial Review
- 5.2 Judicial Review Basic Structure India, USA and Germany.
- 5.3 Contours of Judicial Review India, USA, UK and Germany.
- 5.4 Judicial Review and, Judicial Activism: India; USA, Germany.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

SUGGESTED READINGS

1. Warner F. Menski-Comparative Law in Global Context :

The Legal Systems
of Asia and Africa (2000) Platinum Publishing Ltd.
London.

2. O. Khan Freund - Collected Essays (1978)
3. Indian Law Institute-An introduction to the study of
Comparative Law
Re-print. (1979).
4. J.D.M. Derrett (ed.) - An Introduction to Legal System.
5. G. Eorsi - Comparative Civil Law (1979)
6. K.L. Bhatia - Judicial Review and Judicial Activism
(1997).
7. K.L. Bhatia - Federalism and Frictions in Centre-State
relations (2001).
8. D.D. Basu - Comparative Federalism.
9. D.D. Basu - Comparative Constitutions.

PAPER-VI Clinical Legal Education

Duration of Examination : 3hrs Maximum Marks:100

(Note : Out of 100 marks, 50 marks shall be for written, oral
presentation and attendance and 50 marks shall be for viva-voce.

The course shall have following components.

1. Advocate Chamber Visit

Every student shall be allotted the chamber of an advocate
where he shall acquaint himself with the working of the chamber
and observe the advocate- client relationship.

2. Law Library Visit

Every student shall be taken to the Law Library wherein he
shall acquaint himself with the working of Law Library, the

periodicals available in the Library and the mode of consultation of
various law journals and reports etc.

**Semester-IV (Syllabus for the examination to be held in
May 2004 to 2007)**

PAPER-I Law and Population

Duration of Examination: 3 hrs Maximum Marks : 100

UNIT-I

Introduction

- a. Definition and Scope
- b. Past Developments
- c. Human Rights and Population
- d. Demography aspect of Population Problem

UNIT -II

Status of Women and Population

- a. Equality and Fertility
- b. Influence of Age at marriage on Family Size
- c. Polygamy
- d. Joint Family
- e. Education and Employment

UNIT-III

Medical Termination of Pregnancy Act. 1971.

UNIT-IV

Law relating to Voluntary Sterilization, and Contraceptives.

UNIT- V

Law and Child

- a. Legitimacy of Children

- b. Protection of Children
- c. Status of Unborn Child
- d. Registration of Births.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

SUGGESTED READINGS

- 1. Dr. B.P. Singh-Population Control and Law.
- 2. Dr. B.P. Singh-Women Birth Control and Law.
- 3. Dr. B.P. Singh-Population Policy and Law.
- 4. Chandra Shekhar-Population and Law.
- 5. S.N. Aggarwal-Population Law.
- 6. S.N. Aggarwal-India Population Problem.

PAPER-II International Organization

Duration of Examination : 3 hrs Maximum Marks:100

UNIT-I

- I. Evolution of International Organization
- II. The Concert of Europe
- III. The League of Nations, its establishment and functioning.

UNIT-II

- I. United Nations as a constitutional system
- II. U.N. Organs and their functioning
- III. Law creating processes including Resolution and Declarations of the General Assembly.

- IV. Amendment process of U.N. Charter.

UNIT-III

- I. U.N. Peace-keeping functions
- II. U.N. Peace-keeping forces-case studies (Congo, East Timor)
- III. Problems of Peace enforcement through U.N.

UNIT-IV

- I. Special Agencies - Constitution and functioning.
- II. Case Studies of some Agencies, such as FAO and UNDP.
- III. Select studies of NGO's serving as consultants such as Amnesty International and International Commission of Jurists.

UNIT-V

- I. Dispute Settlement Machinery of U.N.
- II. Role of ECOSOC in bringing peaceful change.
- III. Disarmament and human rights.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer the one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

SUGGESTED READINGS

- 1. D.W. Bowett-Law of International Institutions (1982).
- 2. Rigid Dettter-Law Making by International Organization (1965).
- 3. Wilferd Fenks- The Proper Law of International Organization (1962).

4. E.P. Walters-History of League of Nations (1965).
5. L.M ; Goodrich-Charter of United Nations (1969).
6. Edward Maclumary-United Nations Law making (1984).

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PAPER-III Sociology-III. Crime, Law & Society

Duration of Examination : 3 hrs. Maximum Marks : 100

UNIT-I

Crime in Modern Society :

- a. Uniquity of Crime in modern society.
- b. Social and psychological factors relating to Crime
- c. Criminology, Crimes and Criminals.

UNIT-II

Social Organisation and disorganisation :

- a. Concept of social organisation.
- b. Concept of social disorganisation.

UNIT-III

Sociogenic approaches : Social Structure & Criminality :

- a. The development of sociological criminology.
- b. Theories of Deviant behaviour with special reference to Emile Durkheim's theory of Anomie and Southern land's theory of differential association.
- c. Radical criminology / conflict and interest group theories in criminology with special reference to Max.

UNIT-IV

Explaining Criminal Behaviour : Psychogenic Approaches.

- a. Psychogenic explanation of crime.

- b. Psychoanalytic theories with special reference to Sigmund Freud.
- c. Emotional problems and criminality.
- d. Psycopathy and criminality with special reference to Gough's contributions.

UNIT-V

- a. Corruption, Law and Society.
- b. Organised crime.
- c. Political crime.
- d. Mundane crime.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

SUGGESTED READINGS

1. Don C. Gibbons : Society, Crime and Criminal Behaviour.
 2. Don C. Gibbons : Society, Crime and Criminal Careers.
 3. Ram Ahuja : Criminology
 4. Marvin E. Wolfgang, : The Sociology of crime and Delinquency.
- Leonord Savitz,
Norman Johnston.
5. C.N. Shanker Rao : Sociology
 6. N.V. Prangpe : Criminology and Penology.
 7. Scheafer & Lamm : Sociology

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PAPER-IV

Cyber Law-II

Duration of Examination : 3 Hrs. Maximum Marks : 100

UNIT-I

Need and role of Law in cyber world. Authority and scope of governments to regulate Internet, free speech and expression on Internet, Impact of Telecommunication and broadcasting law on interest regulation, privacy issues and access rights, Related issues under International law Jurisdiction, issues of Law enforcement.

UNIT-II

Concept of property in Cyberspace, Nature of Intellectual property rights, copyrights issues, Berne convention, WIPO copyright convention, TRIPS agreement. Application of copyright Act 1957, Scope of protection of computer program, Applications of patents to Computer technology.

UNIT-III

Introduction to electronic commerce, Online contracts, Establishing and maintaining brand identity, Spamming, Disclaimer, Competition Law, Licensing and regulatory requirements, Electronic funds transfer, Evidence and security, Taxation issues, Work in UNCITRAL, WTO & WIPO regarding commerce.

UNIT-IV

Information Technology Act. 2000, Historical background, Objectives, Legal recognition of electronic, records and procedure, Legal recognition of digital Signatures. Certifying Authority and its role. Controller of cert fying authority, Appointment functions and Powers of Controller. Cyber Appellate- tribunal, Offences and penalties under Act.

UNIT-V

Liabilities of internet Service Provider, Amendment to Indian

penal code 1860, Amendment to Indian Evidence Act 1872, Amendments to Bankers Books Evidence Act 1891, Amendments to Reserve Bank of India Act 1934.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

SUGGESTED READINGS

1. Nandan Kamath-Law relating to Computers Internet and E-Commerce; Universal Law Publishing.
2. K. Kumar-Cyber Law; Dominant Publication.
3. B.L. Wadhwa-Patents Trademarks Copyrights : Design and Geographical Indications.
4. Ganguli-Intellectual property right (LMH).

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PAPER- V

Law, Society and Development

Duration of Examination : 3 Hrs Maximum Marks : 100

UNIT-I

Conceptual Framework : The Scope of Inquiry

1. Law as a Social Science.
2. Law as an Instrument of Social Engineering.
3. Behavioral approaches towards understanding law.
4. Utilitarianism and it impact on law.

UNIT-II

Relationship between Law, Social Change and Public Opining.

1. Impact of society on law.

2. Impact of public opinion on law.
3. Need for Uniform Civil Code and Public Opinion
4. Social Change in India : Concept, Goals, Directions and Resistances.

UNIT-III

Law as an Instrument of Socio Economic Justice

1. Welfare State as a regulator and dispenser of Justice.
2. Law relating to disadvantaged groups (Protective Discrimination, and Welfare of disadvantaged groups.

UNIT-IV

Law and Culture :

1. Pluralism and Secularism Conceptual Framework and Challenges in India.
2. Secularism and Secularisation.
3. Religion in Secular Society.

UNIT- V

Law, and Democracy at grass root level.

1. Democracy at grass root level.
2. The Panchayats and The Municipalities.
3. Democratic aspirations and Constitutional vision.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e.; there will be internal choice within each unit.

SUGGESTED READINGS

1. J.Bentham : The Theory of Legislation.
2. C.A.R. Crossland - The Future of Socialism.

3. A.V : Dicey - Law of the Constitution.
4. Lord Fuller - The Morality of the Law.
5. Walter Lippman - An Inquiry into the Principles of Good Society.
6. A.D. Lindsey - The Modern Democratic State.
7. B.A. Masoodkar - Society, State and the Law.
8. Andre Betellie - In equality among Men.
9. A.P. Barnabas - Good Governance at local level, Indian Journal of Public Administration July - Sept Vol. XLIV, No.3, 1998.
10. Ram Ahjua - Society in India.
11. S.K. Sharma - Distributive Justice under the Indian Constitution (with reference to right to equality and property).
12. A. V. Dicey-Law and Public Opinion.

PAPER- VI

Clinical Education-II

Duration of Examination : 3 hrs. Maximum Marks : 100

(NOTE : Out of 100 marks, 50 marks shall be for written. J Oral presentation and attendance and 50 marks shall be for viva-voce).

The course shall be have following components.

1. Advocate Chamber Visit

Every student shall be allotted the chamber of an advocate wherein he shall acquaint himself with the working of the chamber and observe the advocate-client relationship.

2. Law Library Visit

Every student shall be taken to the Law Library wherein he shall acquaint himself with the working of Law Library, the

periodicals available in the library and the mode of consultation of various journals and reports, etc.

3. Court Visit

Every student shall attend two civil trials and shall acquaint himself with the court environment. They shall maintain a record and enter the various steps observed during their attendance in the court.

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Semester-V (Syllabus for the examination to be held in the Year Dec. 2002)

PAPER-I Contract-I (General Principles of Contracts Secs. 1-75 and Specific Relief)

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Formation of Contracts

Offer, Acceptance, Consideration, Consent and capacity (Secs. 2-22).

UNIT-II

1. Legality of Object (Secs. 23, 24, 25, 26, 27, 28, 29, 30, 56).
2. Contingent Contract (Secs. 31).
3. Quasi-Contracts (Secs. 68, 69, 70, 71, 72, 168, &169).

UNIT-III

Discharge of Contract :

Performance of Contract, Remoteness of Damages.

1. By Performance
2. Impossibilities of Performance
3. By Agreement

4. By Breach (Secs. 37-75).

UNIT-IV

Preliminary Specific Relief (Secs. 1-4).

Specific Performance of Contracts Secs. 5-8).

Rescission of Contracts (Secs. 27-30).

UNIT-V

1. Declaratory Decree (Secs. 34-35).

2. Injunction generally (Secs. 36-37).

3. Perpetual Injunction (Secs. 38-40)

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Anson : Law of Contract
2. Pollock and Mulla : Indian Contract Act.
3. Avtar Singh : Indian Contract Act.
4. R.K. Bangia : Principles of Mercantile Law
5. Desai, T.R. : Law of Contracts and partnership and Sale of Goods Act.
6. Singh, G.P. : Equity, Trust and specific Relief.
7. Akil Ahmed : Equity, Trusts and specific Relief.

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PAPER-II Law or Torts anti Consumer Protection

Duration of Examination : 3 hrs. Maximum Marks : 100

UNIT-I

Nature and Definition of Torts; Conditions of Liability including *damnum sine injuria*, *injuria sine damnum*; Remoteness of damages.

UNIT-II

- a. Assault, Battery, False Imprisonment.
- b. Defamation-Libel, Slander including defences in an action for defamation.

UNIT-III

- a. Negligence including contributory negligence and other defences.
- b. Absolute liability/Strict liability, Rules in **Rylands v.Fletcher**, Principles for the application of the rule and defences; Enterprises engaged in hazardous activities : **M.C. Mehta v. Union or India.**

UNIT-IV

The concept of a Consumer and Consumer Dispute under the Consumer Protection Act, 1986 : The Aims and Objectives of the Consumer Protection Act, 1986. Consumer Protection Councils under the Consumer Protection Act.

UNIT-V

Redressal mechanism under the Consumer Protection Act, 1986; The District Forum, The State Commission, The National-Commission, who may Institute proceedings: Grievances Redressal Procedure of Consumer Disputes redressal agencies; power of CDRS's; Remedies available under the Consumer protection Act, 1986.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

- | | | |
|----|-----------------------|--|
| 1. | Rattan Lal Dhiraj Lal | Law of Torts |
| 2. | R.K. Bangia | Law of Torts |
| 3. | Winfield | Law of Torts |
| 4. | Dr. D.N. Saraf | Law of Consumer Protection in India |
| 5. | Dr. Avtar Singh | Law of Consumer Protection in India |
| 6. | Dr. Gurjeet Singh | The law of Consumer Protection in India. |

PAPER - III

Law of Crimes - I

Duration of Examination : 3 hrs. Maximum Marks : 100

UNIT-I

Conception of Crime; Conditions of Criminal Liability *actus reus*, *mens rea*, exclusion of *mens rea* i.e Strict Liability in Criminal Law.

UNIT-II

General Exceptions; Mistake of Fact (Secs. 76 & 79) Necessity (Sec. 81); Unsoundness of mind (Secs. 84) : Intoxication (Secs. 85 & 86); Rights of Private Defence (Secs. 96-106).

UNIT-III

Joint and constructive liability (Secs. 34.& 149): Abetment

(Secs. 107,108, 108-A); Criminal conspiracy (Secs. 120-A); Preparation and Attempts (Secs. 51.1).

UNIT-IV

Culpable homicide and murder (Secs. 299-300); Death by Negligence (Secs. 304-A); Kidnapping and Abduction (Secs. 359-362).

UNIT- V

Theft (Sec. 378); Extortion (Sec. 383); Robbery and ,Dacoity (Secs. 390 391); Criminal Misappropriation of Property and Criminal Breach of Trust (Secs. 403, 405).

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Rattan Lal and Dhiraj Lal : Law of Crime
2. Jaspal Singh : Indian Penal Code
3. S.N. Misra : Indian Penal Code
4. K.D. Guar : Criminal Law, Cases and Materials.
5. Smith and Hogan : Criminal Law.

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PAPER-IV

Legal Languages including

Duration or Examination : 3 hrs. Maximum Marks: 100

UNIT-I

Vocabulary

1. Major categories of word formation in English with special

referency to expression of Latin and French origin. Perso-Arabic and Sanskrit origin, regional language and/or Hindi /Urdu in Legal profession.

2. The use of word under or the thesaurus for location synonymous, near synonymous and antonymous.
3. Words often confused.
4. One words substitute.
5. Certain set expressions and phrases in common use in legal usage including writing.

UNIT-II

Comprehension Skills

1. Reading comprehension of suitable narrative, descriptive, expository and disensive prose passages.
2. Comprehension, exercises with emphasis on pin pointing the logical argument, separating theoretical devices and logical fallacies. Application of both 1 and 2 .to materials drawn from Legal notices, petitions, appeals, judgments, court orders, Statues, bills, rules, etc.
3. a. Practice in slow careful reading of functional prose in general and legal prose in particular.
b. Practice in fast reading and retaining the content in the form of notes.

UNIT-III

COMPREHENSION SKILLS

1. Sentence building exercises with special reference to words patterns/word order and Common Indian Errors associated with them, avoidance of ambiguity, vagueness and obscurity.
2. Sentence linking, exercises with the help of cohesive devices

such as pronouns, adverbs, conjunctions, articles, on legal writing.

UNIT-IV

1. Paragraph writing, brief writing and drafting of reports.
2. Precis writing, summarizing and briefing.
3. Long essay writing on topics of legal interest to the legal profession.

UNIT - V

Translation from regional language : Hindi/Urdu to English and vice-versa.

As a preparation to translation proper, the student, should be asked to summarize on English passage both on non-legal and legal passages in regional language Hindi and regional language Hindi passage - in English, with particular reference to legal passages drawn from notices, complaints, petitions, court orders, order, rules etc. Small essay writing on topics of legal interest in the legal profession.

Note : Special attention should be drawn to common pit-falls in translation from and to English.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

BOOKS RECOMMENDED

1. LA. Hill and others-English Language Course from Colleges, Book-I, II and III (Oxford).
2. Exercises in English Composition, Department of English, Lucknow University (Oxford, 1966).

3. A.A.S. Horney and RM. Mackin-Oxford Progressive English Alternative Course (Oxford).
4. N.S. Prabhu and W.W. Bhaskar-English through reading (Mackmillan India).
5. Oxford as an Advanced Learning Dictionary by current English Usage.
6. Legal Dictionaries.

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PAPER-V

Family Law-I

Duration of Examination : 3 Hrs. Maximum Marks : 100

UNIT-I

Source and Schools

1. a. Ancient Sources-Sruti, Smiriti, Digest & Commentaries, Customs.
b. Modern Sources-Equity, Justice and good conscience, Precedent and Legislation.

2. Schools of Hindu Law

Mitakshara and Dayabhaga Schools, Sub-Schools of Mitakshara.

3. Sources of Muslim Law

- a. Ancient Sources
The Koran, The Sunna (Practices of Prophet), Ijma (Consensus of Opinion) and Qiyas (Analogical deduction).
 - b. Modern Sources-Justice Equity and Good Conscience, Precedent and Legislation.
4. School of Muslim Law
 - a. Sunni Schools of Muslim Law.
 - b. Shia Schools of Muslim Law.

UNIT-II

Marriage

1. Nature and concept of Hindu Marriage, Essential conditions of a Hindu Marriage, consequences for violating these conditions and ceremonies of marriage.
2.
 - a. Nature and concepts of Muslim Marriage, Essential conditions of a valid marriage, prohibitions, disabilities, classification of marriage and effects of valid, irregular void marriage.
 - b. Definition and nature, classification of dower, endorsement of dower including widow's right of retention.

UNIT-III

Matrimonial Remedies

1. Non-judicial resolution of marital conflict problems.
 - a. Customary dissolution of marriage : unilateral divorce, divorce by mutual consent and other modes of dissolution.
 - b. Divorce under Muslim personal Law- Talaq and ralaq-e- Tafweez.
2. Judicial resolution of material conflict problems, a general perspective of matrimonial fault theory and the principle of irretrievable breakdown of marriage.
3. Nullity marriage.
4. Option of puberty.
5. Restitution of Conjugal rights.
6. Judicial separation.
7. Grounds for divorce under Hindu Law.
8. Bars to matrimonial relief under Hindu Law.
9. Grounds for divorce under Indian Dissolution of Muslim Marriages Act, 1939.

UNIT-IV

Alimony and Maintenance

1. Maintenance of neglected wives, divorced wives, minor children, disabled children and parents who are unable to support themselves under the Code of Criminal Procedure, 1973.
2. Alimony and Maintenance as an independent remedy, a review under different personal laws.
3. Alimony and Maintenance as Ancillary Relief: Alimony Pendent Lite and Permanent Maintenance.
4. Maintenance of Divorced Muslim Women under the Muslim : Women (Protection of Rights on Divorce) Act, 1986: A Critical Review.

UNIT- V

Emerging Trends in Family Law

1.
 - a. Family Courts : Establishment Powers and Functions.
2.
 - a. Uniform Civil Code : Constitutional Mandate.
 - b. Role of the State.
 - c. Impediments to the formulation of the Uniform Civil Code.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Mulla, D.E : Principles of Hindu Law
2. Paras Diwan : Modern Hindu Law
3. Mulla, D.E : Principles of Mohammadan
4. Fyzee, AAA : Law Outlines of Mohammadan Law
5. Mahmood, T. : Muslim Law of India.

PAPER- VI Clinical Legal Education-III

Duration of Examination : 3 hrs. Maximum Marks : 100

NOTE : Out of 100 marks, 50 marks shall be or written, Oral presentation and attendance and 50 marks shall be for vivavoce.

The course shall have following components :

1. Advocate Chamber Visit

Every students shall be allotted the chamber of an advocate wherein he shall acquaint himself with the working of the chamber and observe the advocate-client relationship.

2. Law Library Visit

Every student shall be taken to the Law Library wherein he shall acquaint himself with the working of law library, the periodicals available in the library and the mode of consultation of various law journals and reports, etc.

3. Court Visit

Every student shall attend two criminal trials and shall acquaint themselves with the court environment. They shall maintain a record and enter in various steps observed during their attendance in the court.

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Semester- VI : (Syllabus for the examination to be held in the year, May 2006)

PAPER- I Contract- II (Partnership Act, Sale of Good, Indemnity, Guarantee, Bailment and Agency).

Duration of Examination :3 hrs Maximum Marks : 100

UNIT-I

1. Indemnity (Secs. 124-125)
2. Guarantee (Secs. 126-147)

3. Bailment (Secs. 148-171, 180)

4. Pledge (Secs. 172-179)

UNIT-II

1. Appointment of an Agent (Secs. 182-85).
2. Authority of an Agent (Secs. 186-189).
3. Sub Agents (Secs. 190-195).
4. Ratification of Agent's authority (Secs. 195-200).
5. Revocation of Agent's authority (Secs. 201-210).
6. Effects of Agency on contracts with third person (Secs. 226-238).

UNIT-III

1. Definition and Essentials of Contracts of Sale of Goods Act (Secs. 2-10).
2. Conditions and Warranties (11-17).
3. Transfer of property between Seller and Buyer (Secs. 18-26).
4. Transfer of Title (Secs. 27)

UNIT-IV

1. Rights of Unpaid Seller Dunder Sales of Goods Act.
2. Definition and Nature of Partnership (Secs. 2-8).
3. Relation of Partners to one another (Secs. 9-17).

UNIT- V

1. Relation of partners to third party (Secs. 18-30).
2. Incoming and outgoing partners (Secs. 31-38).
3. Dissolution of Firm (Secs. 39-55).
4. Registration of firm (Secs. 56, 58, 59, 60).

NOTE FOR PAPER SETTING

The question paper will contain two questions from, each unit

(total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Pollock & Mulla : Indian Contract Act., 1872
2. Avtar Singh : Indian Contract Act., 1872
3. K. Bangia : Principles of Mercantile Law
4. Mulla, D.E : Indian Partnership Act.
5. Desai, T.R : Law of Contract, Partnership and Sale of Goods Act.
6. R.K. Biangia : Sales of Goods Act, 1930.
7. Avtar Singh : Sales of Goods Act.
8. Avtar Singh : Indian Partnership Act
9. Kapoor : Indian Contract Act.

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PAPER-II

Criminal Procedure Code and Juvenile Justice Act-2000.

Duration of Examination : 3 hrs. Maximum Marks : 100

UNIT-I

1. Historical Background and Objectives of Criminal Procedure Code.
2. Section-2 : Definition classes of Criminal Courts : Sections 6 to 12.

UNIT-II

1. Power of police to investigate : Sections 154 to S 172.
2. Power of arrest without warrants : Sections 41 to 43.

3. Process to compel appearances :
 - a. Summons : Sections 61 to 69.
 - b. Warrants of arrest : Sections 70 to 81.
 - c. Proclamation and attachment : Sections 82 to 85.

UNIT-III

1. Form of charge and joinder of charges : Sections 211 to 224.
2. Criminal Trials :
 - a. Trial before Courts of Sessions : Section 225 to 237.
 - b. Trial of warrant case by magistrate : Section 238 to 247.
 - c. Trial of Summons Case : Section 251 to 265.
 - d. Summary Trial : Section 160 to 265.

UNIT-IV

1. Appeal and Revisions : Sections 374 to 381, 397 to 402.
2. Bail & Bonds : Sections 436 to 439.
3. Security for keeping peace and for good behaviour : Sections 107 to 117.
4. Section 125 to 127 Maintenance of wife, parent & children.
5. Disputes as regarding immovable property : Sections 145 to 147.

UNIT - V

- I. Definition & scope of Juvenile Delinquency and Causation. Introduction, Objectives and Historical background of Juvenile Justice Care and Protection Act. 2002 (Latest of 2000) reference to the constitution of Juvenile Courts and Section 2 of Juvenile Act. 2000.

- II. Historical Background of Juvenile Laws in India after, 1964.
- III. Objectives & Scope of a Juvenile Justice Act : Children Care and Protection Act-2000.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Nand Lal : Criminal Procedure Code, 1973
2. Rattan Lal, Dheeraj Lal : Criminal Procedure Code
3. D.D. Basu : Criminal Procedure Code
4. R.V. Kelkar : Lectures on Criminal Procedure Code

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PAPER- III Property Law (Including Transfer of Property Act and Easement).

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Jurisprudential Contours of property.

1. Concept and meaning of property New Property, Kinds of property-Movable and immovable property, tangible and intangible property-intellectual property-copyright-patents and designs trademarks.
2. Transfer of Property by Act of Parties Se.c. 5-21.

UNIT-II

Sale of Immovable Property

1. Doctrine of Election Sec. 35, Fraudulent Transfer Sec. 53.
2. Sale of immovable property Secs. 54-55. (Sale, Control for Sale, Rights and Liabilities of buyer and seller, including Secs. 54, 139 and 140 of Jammu & Kashmir Transfer of Property Act).

UNIT-III

Specific Transfers

1. Mortgages of Immovable Property : Secs. 58-77 (Kinds of mortgage, Rights and Liabilities of the mortgager and mortgagee.
2. Marshalling and Contribution (Secs. 81-82), Redemption (Secs. 91-96).

UNIT-IV

Leases

1. Leases (Secs. 105-117).
Definition, Leases how made, Rights and Liabilities of lessor and lessee).
2. Charges (Section 100-104).

UNIT-V

Easements

1. Creation of Easements (Secs. 4-7).
2. Nature and characteristics of Easements.
3. Extinction, Suspension and Revival of Easements (Secs. 37-51).
4. Licences (Secs. 52-64).

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Mulla, D.F. : Transfer of Property Act.
2. Shukla, S.N. : Transfer of Property Act.
3. Shah, S.M. : Transfer of Property Act.
4. Tripathi : Indian Easements Act.
5. Jain, J.D. : Indian Easements Act.

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PAPER- IV International Law and Human Rights-I

Duration of Examination : 3 hrs Maximum Marks:100

UNIT-I

1. Definition and Nature of International Law.
2. Sources of International Law.
3. Relationship between Municipal Law and International Law.

UNIT-II

1. Recognition of States.
2. State Territory - Modes of acquiring and losing.
3. Law of the Sea-Territorial water, Continental shelf, Contiguous Zone and High Sea.

UNIT-III

1. Nationality
2. Extradition.
3. Intervention.

UNIT-IV

1. Diplomatic Envoys.
2. Modes of settlements of International Disputes, peaceful and Coercive.

UNIT-V

1. United Nations - Purposes, Principles and membership.
2. General Assembly - Composition, Function and Powers.

3. Security Council - Composition, Functions, Powers, Veto and Double Veto Powers.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Oppenheim : International Law, Vol.1
2. J.G. Strake : Introduction to International Law.
3. Grieg : International Law.
4. R.C. Hingerani : Modern International Law.
5. H.C. Aggarwal : International Law.
6. S.K. Kapoor : International Law.
7. Bowett : The Law of International Institution.
8. Verma, S.K. : An Introduction of Public International Law

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PAPER- V

Family Law

Duration of Examination : 3 hrs Maximum Marks:100

UNIT-I

Joint Hindu Family

- 1.1 Mitakshara Joint Family.
- 1.2 Mitakshara coparcenary : formation and incidents.
- 1.3 Property under Mitakshara Law-separate property and coparcenary property.
- 1.4 Dayabhaga coparcenary formation and incidents.
- 1.5 Property under Dayabhaga Law.

- 1.6 Karta of the Joint Family-His position, powers, privileges and obligations.
- 1.7 Alienation of property-Separate and coparcenary.
- 1.8 Debts : doctrine of pious obligation and antecedent debt.
- 1.9 Partition and Re-union.
- 1.10 Joint Hindu Family as a Social Security Institution and impact of Hindu Gains of Learning Act and Various Tax Laws on it.

UNIT-II

Dispositions under Muslim Law

- A. Testamentary Disposition (Will) :
 - 2.1 Will Definition and basis : Capacity of the Legatee ;
 - 2.2 Formalities of a Will ; subject matter of Will.
 - 2.3 Restrictions on testamentary power of disposition ; interpretation of the Will ; Revocation of the Will ;
- B. Disposition inter vivos (Gift) :
 - 2.4 Gift (Hiba) its definition, classification and essentials of a gift ;
 - 2.5 Who can make gift, to whom gift can be made ; Delivery of possession, Musha, Revocation of Gifts ;
 - 2.6 Distinction between Hiba, Ariya, Sadaqa and Wakf, Hiba bil - Iwad, Hiba bishartilwad, Gift during death illness (Marzul Mawt).

UNIT-III

Law of Succession and Inheritance among Hindus.

- 3.1 Succession to property of a Hindu male dying intestate under the provisions of Hindu Succession Act, 1956.
- 3.2 Devolution of interest in Mitakshara Coparcenary, Coparcenary with reference to the provisions of Hindu

Succession Act, 1956.

- 3.3 Succession to property of Hindu female dying intestate under the Hindu Succession Act, 1956.
- 3.4 Disqualifications relating to succession.
- 3.5 General rules of Succession.

UNIT-IV

Law of Succession and inheritance among Muslims

- 4.1 General rules of succession and exclusion from succession.
- 4.2 Classification of heirs under Hanafi and Ithna Asharia Schools and their shares and distribution of property.

UNIT-V

Family and its Changing Patterns.

- 5.1 New emerging trends :
 - a. Attenuation of family ties ;
 - b. Working women and their impact on spousal relationship, composition of family, status and role of women and decision-making authority structure.
 - c. New property concepts, such as skill, job, etc., as new forms of property.
- 5.2 Factors affecting the family : demographic environmental religious and legislative.
- 5.3 Processes of social change in India.
- 5.4 Settlement of spousal property, a need for development.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Mulla, D.F. : Principles of Hindu Law.
2. Paras, Diwan : Modern Hindu Law.
3. Mulla, D.F. : Principles of Mohammadan Law
4. Fyzee, A.A.A. : Outlines of Mohammadan Law
5. Mahmood, T. : Muslim Law of India

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PAPER- VI Clinical Legal Education-IV

Duration of Examination : 3 hrs Maximum Marks:100

(NOTE : Out of 100 marks, 50 marks shall be for written, Oral presentation and attendance and 50 marks shall be for viva voce).

The course shall have following components :

1. Advocate Chamber Visit

Every students shall be allotted the chamber of an advocate wherein he shall acquaint himself with the working of the chamber and observe the advocate-clinent relationship.

2. Law Library Visit

Every student shall be taken to the Law Library wherein he shall acquaint himself with the working of Law Library, the periodicals available in the library and the mode of consultation of various law journals and reports, etc.

3. Moot Court / Mock Trail

Every student shall do one Moot Court on assigned problem.

4. Court Visit

Every student shall attend one Civil and one Criminal Trail and shall acquaint themselves with the court environment. They shall maintain a record and enter in various steps during their attendance in the court.

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Semester :VII. (Syllabus for the exmination to be held in the year Dec. 2006)

PAPER- I Constitutional Law of India- I

Duration of Examination : 3 hrs Maximum Marks:100

UNIT-I

Historical Perspective

Constitutional Developments since 1935 to 1947. Negotiations for India's Independence-Cripps Mission, Cabinet Mission Plan, India's Independence Act, 1947, Making of-India's Constitution : Constituent Assembly; Salient features of the Constitution :

UNIT-II

Parliamentary Government

Choice of Parliamentary Government; President of India ; Prime Minister and Council of Ministers, Individual and collective Responsibility; Constitutional position of the President and President-Prime Minister relationship.Governor : His position and relationship with State Government.

Party system : Anti-defection Law; Freedom of an M.P/ M.L.A to dissent.

Legislative privileges : their relationship with fundamental rights.

UNIT-III

Federalism

Nature of Indian Federation : Legislative relations between the centre and states ; territorial distribution : subject-wise distribution Arts. 245-246. Inter relationship between three lists, Pre-dominance of Central List ; Harmonious construction ; Doctrine of Pith and Substance ; Colourable Legislation. Residuary powers of Legislation

Art, 248, Repugnancy Art. 254.

Parliamentary Laws in State field.

Administrative Relations-Arts. 256 to 263.

Financial Relations - Arts. 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 279, 280, 281.

UNIT-IV

Provisions dealing with Emergency and Amendment of the Constitution.

Emergency provisions : Arts, 352 to 360. Need for such a provision. Types of Emergencies, Effect of Emergency on Centre State relations, Centre's Powers over the State ; Emergency and suspension of fundamental rights, Methods of constitutional Amendment, Limitations upon the Power of Parliament to amend the Constitution : Shankri Prasad. Sajjan Singh : Golak Nath ; and Keshava Nand Bharti and aftermath.

UNIT-V

Services under the Constitution

Doctrine of Pleasure-Art, 310. Protection against arbitrary Dismissal, Removal, or Reduction in Rank-Art 311, Exceptions to Art. 311, Tulsiram patel and aftermath.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

BOOKS RECOMMENDED

1. D.D. Basu : Shorter Constitution of India.
2. M.P. Jain : Constitutional Law of India.
3. H.M. Seervai : Constitution of India

4. V.N. Shukla : Constitution of India.

(By M.P. Singh)

5. M.Hidayatullah (Ed.) : Constitutional Law of India

6. M.V. Paylee : Constitutional History of India.

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PAPER- II Civil Procedure and Limitation Act.

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Introduction and Evolution of Civil Procedure Code in India, Definitions: Decree, Order, Judgement and Mesne Profits, Section 2. Institution of Suit, Section 26 and Order IV Plaintiff and written statement order VII and VIII: Framing of Issues-Order XIV.

UNIT-II

Service of Summons, Section 27 and Order V, Place of Suing-Sections 15 to 24, Suits by or against Govt. Ss 79 and 80, Costs: Sections 35, 35-A, 35-B. Temporary Injunction-Order XXXIX Arrest and attachment before Judgment Order XXXVIII and Section 60.

UNIT-III

Jurisdiction of Courts and Res-Judicata ; Doctrine of Lis-Pendis (Res Sub- Judice) Sections 9 to 11. Concept of execution, General Principles of execution, Power for execution of decrees: Ss 38-46 and conditions for the application of Secs. 47 of C.P.C. Powers of Court to issue Commissions Secs. 75-78. Socio Legal Commissions of Enquiry in Social action or public Interest Litigation.

UNIT-IV

Appeals from original decrees Secs. 96-99. Appeals from Appellate Decrees-Sec 100 ; Appeals from Orders ; Ss. 104 to

106. Appeals to the Supreme Court-Secs. 109. General Provisions relating to Appeals - Ss. 107-108, Reference, Review and Revisional Jurisdiction of Courts - Ss. 113, 114, 115.

UNIT-V

Introduction and Historical background of the Limitation Act, Bar of Limitation (Sec. 3), Computation of period of limitation (Ss. 12 to 24) or Condonation of Limitation.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. D.F. Mulla : Civil Procedure Code (Student Ed.)
2. D.F. Mulla : The Key to Civil Practice
3. C.K. Takwani : Civil Procedure Code
4. R.D. Dayal : Limitation Act
5. M.P. Tandon : Civil Procedure Code
6. J.D. Jain : Indian Limitation Act
7. S.N. Singh : Civil Procedure Code

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PAPER- III

Labour Law-I

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Regulation of Trade Union & Unfair Labour Practices :

1. History of Trade Union Movement in India and need to form Trade Union.
2. Workers Rights to form Union vis-a-vis Indian Constitution ; The membership of Trade Union,

Closed shop and Union Shop.

3. Registration of Trade Union, Remedies in case of non-registration and cancellation of registration of union.
4. Privileges and Protection of registered Trade Union from certain Acts and omission.
5. Unfair labour practices and victimization.

UNIT-II

Collective Bargaining

1. Concept and importance of Collective bargaining.
2. Pre-requisites for Collective bargaining.
3. Process of administering collective agreement (Negotiation, Mediation & Voluntary arbitration & Compulsory Arbitration).
4. Duration and enforcement of bipartite agreement (Secs. 18, 19 Industrial Disputes Act, 1947).
5. Pressurization ; Strike, Go-Slow, Work to rule, Gherao and Lockout.

UNIT-III

Regulation of Industrial Disputes

1. Define the concept of Industry, Industrial Dispute and workman.
2. Power of Government to refer Industrial Disputes for adjudication :
 - a. The Adjudicatory Machinery.
 - b. Award and its binding nature.
 - c. Judicial review of Award.
3. The concept of lay-off, retrenchment and procedure and compensation relating to lay-off and retrenchment.

UNIT-IV

Standing Orders

1. Concept, Nature and scope of standing orders under Industrial Employment (Standing Order Act, 1946).
2. Formulation of Standing Orders and its Certification process.
3. Modification : Modification and Temporary application of Model Standing Order.
4. Interpretation and Legal status of Standing Orders.

UNIT-V

Discipline in Industries

1. Doctrine of hire and fire.
2. Fairness in disciplinary process :
 - a. Meaning of misconduct.
 - b. Right to know : The Charge Sheet.
 - c. Right to defend : Domestic enquiry notice, evidence, cross-examination, unbiased enquiry officer and reasoned decision.
 - d. Punishment of misconduct.
 - e. Prenatal (Permission) and Postnatal (Approach) control during pendency of proceeding (Secs. 33 of Industries and Disputes Act).

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. O.P. Malhotra : Law of Industrial Disputes
2. Indian Law Institute : Labour Law and Labour Relations

3. K.D. Srivastava : Commentary of Industrial Employment (S.C.) Act, 1946.
4. S.C. Srivastava : Industrial Relation and Labour Law.
5. Report of National Commission on Labour, 1969.
6. Industrial Disputes Act, 1947.
7. R.B. Sethi & R.N. Dwivedi : Law of Trades Union.
8. S.C. Srivastava : Industrial Relation & Labour Problem.

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Paper- IV International Law and Human Rights-II

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

1. Ancient Indian Perspective
2. League of Nations and Human Rights
3. UN Charter and Human Rights
4. The Universal Declaration of Human Rights and its legal significance.

UNIT-II

1. Covenants of Human Rights
 - a. International Covenant on Economic, Social and Cultural Rights, 1966.
 - b. International Covenant on Civil and Political Rights, 1966.
 - c. Optional Protocol-II of 1966. (Right of Human

Rights Committee to consider the communications for the violation of Human Rights directly from individuals).

d. Optional Protocol-II of 1989 (Abolition of Death Penalty).

2. Status of Refugees

UNIT-III

1. Human Rights in India, including Constitutional Guarantees of Fundamental Rights.

2. The Protection of Human Rights Act, 1993 and functioning of National Human Rights Commission in India.

UNIT-IV

1. Judicial Activism and the Protection of Human Rights in India.

2. Role of Non-governmental organizations in the promotion and protection of Human Rights.

UNIT-V

International Humanitarian Law and Four Geneva Conventions of 1949 relating to :

a. Amelioration of the Conditions of Wounded and Sick in Armed Forces.

b. Amelioration of the Conditions of wounded, Sick and Shipwrecked members of Armed Forces at sea.

c. Treatment of Prisoners of War.

d. Protection of Civilian persons in the time of War.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Rama Jois : Human Rights in Ancient India, 1997.
2. U. Baxi : The Rights to be Human, 1986.
3. F. Kazmi : Human Rights, 1987
4. J. Sawrup : Human Rights and Fundamental Freedom, 1975.
5. Nagendra Singh : Human Rights and International Co-operation, 1969.
6. S.C. Khare : Human Rights and United Nations.
7. A.B. Kailash : Human Rights in International Law, 1986.
8. I. Menon (Ed) : Human Rights in International Law, 1985.
9. A.B. Robertson (Ed) : Human Rights in National and International Law, 1970.
10. E. Lauterpact : International Law and Human Rights, 1968.
11. Sohn Lavis & Burgenthal : International Protection of Human Rights, 1973.
12. Sehgal, B.P. Singh : Human Rights in India, 1997.

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PAPER- V

Jurisprudence

Duration of Examination : 3 hrs

Maximum Marks : 100

UNIT-I

1. Nature and definition of Jurisprudence.
2. Analytical School
3. Historical School

UNIT-II

1. Sociological School
2. Natural Law School

UNIT-III

SOURCE OF LAW

1. Custom
2. Legislation
3. Precedent

UNIT-IV

1. Administration of Justice-Civil and criminal.
2. Rights and Duties.
3. State (Definition, Elements and Functions).

UNIT-V

1. Person (Natural Person & Legal Person).
2. Possession.
3. Ownership.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Fitzerolc:t, P.S. Salmod : Jurisprudence
2. Dias : Jurisprudence
3. Patson, S.W. : Jurisprudence
4. S.N. Dhyani : Fundamental of Jurisprudence
5. M.N. Tripathi : Jurisprudence
6. Friedman : Legal Theory

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PAPER- VI Professional Ethics, Accountancy for Lawyers and Bench Bar Relation.

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Historical introduction to legal profession in India-

Barristers, Vakils, High Court Pleaders, Advocates etc. The All India Bar Committee 1951 and the passing of Indian Advocates Act, 1961. The Advocates Act 1961 : Definition Section 2, Constitution and function of State Bar Councils, Bar Council of India, Terms of Office, various sub-committees including Disciplinary Committee and the qualification for their membership Power to make rules. Sections 2 to 15 Chapter-II.

UNIT-II

The Advocates Act, 1961.

Admission and enrolment of Advocate-Senior and other Advocates, Common role of Advocates, Qualifications and Disqualifications for enrolment and procedure thereof. Chapter III-Sections 16 to 28.

Rights to Practice : Monopoly of representation, Exclusion of advocates from certain cases, self representation by litigants. Chapter IV Secs. 29 to 34. Professional and other misconduct, Principles for determining misconduct, Disciplinary Committees of State Bar Council and the Bar Council of India. Punishment of advocates for misconduct. Appeals to the Supreme Court, Chapter-V Secs. 35 to 44.

UNIT-III

Nature of Legal Profession, Need for an Ethical Code Rights, privileges and duties of Advocates, Preparation of a case and fees of an Advocate, under-cutting. Bar against soliciting work and advertisement, Bar against touting, refusal of briefs, accountability to the client, confidentiality between an Advocate to compromise, Study of code of Ethics prepared by the Bar Council of India.

UNIT-IV

Contempt of Courts Act, 1971

What is Contempt? Civil and criminal contempt punishment

for contempt. Procedures in contempt cases. J&K High Court Rules and the Supreme Court rules to regulate contempt proceedings.

UNIT-V

This unit will consist of selected opinions of the Disciplinary Committees of Bar Councils to be selected by the teacher/teaching the course to be approved by the Dean of Faculty and sent to the Controller of Examinations. Apart from the above the following decisions shall be discussed and analysed :

1. Supreme Court Bar Association vs. Union of India, AIR 1998 SC. 1895.
2. In re Ajay Kumar Pandey Advocates AIR 1998 SC.
3. In re Ajay Vinay Chandra Mishra, AIR 1995 SC 2349.
4. Jaswant Singh vs. Virendra Singh AIR 1995 SC 520.
5. Delhi Journal Services Association vs. State of Gujarat AIR 1991SC 2176.
6. M. Veerbhadra Rao vs. Tek Chand Singh, AIR 1985 SC 28.
7. Narendra Singh vs. Chottey Singh, AIR 1983 SC 990.
8. In re S. Mulgaokar, AIR 1978 SC 727.
9. Bar Council of Maharashtra vs. M.V. Debholkar, AIR 1975 SC 2092.
10. State of Bihar vs. Kripalu Shanker, AIR 1987 SC 1554.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Sanjeev Rao, Indian Advocates Act, 1961.
2. M.P. Jain - Indian Legal History (Chap. on Legal Profession).
3. Krishna Murthi Iyer's Book on Advocacy.
4. The Contempt of Courts Act, 1971.
5. Journal of Bar Council of India.

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Semester :VIII. (Syllabus for the examination to be held in the year, May 2007)

PAPER- I Constitutional Law of India- II

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Fundamental Rights and Directive Principles

Idea of Fundamental Rights and their importance ; Against whom the fundamental, rights are available? Definition of State? Law in Art. 13, Directive Principles: Nature and reasons for incorporation, inter-relationship between fundamental rights and directive principles, Judicial policy towards directive principles from Champakan to Minerva Mills and thereafter.

UNIT-II

Freedoms and Personal Liberty

Freedom of speech and expression and of press, Freedom of Assembly, Freedom of Association, Freedom of Movement and Residence, Freedom of Profession/Business, etc. Art. 19. Rights of an accused. Double Jeopardy, Self-incrimination and Protection against Ex-Post Facto laws, Art. 20. Right to personal liberty. Meaning of personal liberty, Procedure established by Law, Before Maneka Gandhi, Maneka Gandhi and thereafter. Art. 21. Preventive detention and constitutional safeguards Art. 22.

UNIT-III

Equality / Protective Discrimination

Equality before Law and Equal protection of Laws, meaning,

constitutional provisions Arts 14, 15, 16, 17, 29 (2), 335-Total
conspetus. Protective Discrimination in favour of SC/ST and other
backward classes, women and children Abolition of titles-Arts. 18.

UNIT-IV

Secularism

Concept of Secularism, Freedom of religion, Scope-Arts.
25,26, Limits of Freedom, Religion and State in India, State Control
and non-interference with religion. Cultural and Educational Rights
of the Minorities Art 29-30.

UNIT-V

Judicial Process under the constitution

Judicial Review-Nature of Judicial Review. Arts 32, 136,
141, 226, 227.

Judges : Appointments, Conditions of service, etc, Public
Interest Litigation.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each
unit (total ten questions) and the candidates will be required to
answer one question from each unit (total questions to be attempted
will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. V.N. Shukla's : Constitution of India (Ed. by M.P.
Singh)
2. M.P. Jain : Indian Constitutional Law.
3. M.Hidayatullah (Ed.) : Constitutional Law of India.
4. A.Jacob (Ed.) : Constitutional Developments since
Independence, 1975.
5. P.K. Tripathi : Some spotlights on Constitutional
Interpretation.
6. D.D. Basu : Shorter Constitution of India.

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PAPER-II

Company Law

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Meaning, of corporation, various theories of corporate
personality, creation and extinction of corporations, lifting the
corporate veil.

UNIT-II

Formation of a company-private and public, registration
and incorporation, memorandum of association-alteration therein,
Doctrine of ultra vires, Articles of association binding force alteration
relationship with memorandum of association-Doctrine of
constructive notice and indoor management, Prospectus-issues,
contents liability for misstatement-statements in lieu of prospectus.

UNIT-III

Promoter -positions-duties and liabilities, sharesgeneral
principles of allotment-transfer, shares at premium and discount,
shareholders who can be a share holder. Forfeiture and surrender
of share-rights and liabilities of shareholder. Share capital-kinds,
protection of interests of debenture holders-remedies of debenture
holders.

UNIT-IV

Director Appointment, position, powers and duties-meaning
of director and other managerial personal, company meetings.
Prevention of oppression and mismanagement powers of the Court
and Central Government, protection of minority rights, winding up-
types, grounds effect.

UNIT- V

Corporate liability legal liability of companies and remedies
against them-Civil, Criminal, tortious, specific Relief Act, Writs,
Liability under Environmental Protection Act, 1986.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each

unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. S.M. Shah : Lectures on Company Law
2. Avtar Singh : Company Law
3. G. M. Sen : Company Law cases & Material

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PAPER-III

Labour Law-II

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Labour Welfare

1. Concept of Labour Welfare
2. Classification and Importance, Labour Welfare activities.
3. Obligation of employer for health, welfare, safety of workmen, provisions relating to hazardous process, Employment of young person : A Legislative Control in factories.

UNIT-II

Social Security of Workmen

1. Concept and scope of Social Security.
2. Origin of Social Security in India.
3. Benefits under Employee's State Insurance Act, 1948.
4. Claim and Adjudication of Disputes under Employee's State Insurance Act, 1948.

UNIT-III

Remuneration for Labour

1. Concept of Wages (Minimum wages, living wages, fair wages)

2. Fixation of minimum rate of wages.
3. Scope and Object of Payment of Wages Act, Liabilities to pay the wages, and period for payment of wages.
4. Protection of wages :
 - a. Non-payment
 - b. Delayed payment
 - c. Unauthorized deduction and
 - d. Remedial measures for the protection of wages.

UNIT-IV

Employer's Liability for Compensation

1. Concept and scope of Compensation to industrial workers.
2. Concept of Employer. Workman, Dependent disablement.
3. Employer's Liability to pay compensation.
 - a. Amount and Compensation
 - b. Notice and Claim
4. Settlement of dispute under workmen compensation Act, 1923.

UNIT-V

Protection of Weaker Section of Labour

1. Interstate Migrant Workmen (Regulation of Employment and condition of Service) Act, 1979.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

BOOKS RECOMMENDED

1. R.C. Saxena : Labour Problem and Social Welfare
2. Inter-state Migrant Workmen (Regulation of Employment and Condition of Service), Act, 1979.
3. Report of National Commission of Labour, 1969.
4. Indian Law Institute : Labour Law and Labour Relation, 1987.
5. K.D. Srivastava : Commentary on Minimum Wages Act, 1948 and payment of Wages Act, 1936.
6. Workmen's Compensation Act, 1923
7. Employee's State Insurance Act, 1948.
8. Factories Act, 1948.

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PAPER-IV Criminology and Penology **Duration of Examination : 3 hrs Maximum Marks : 100**

UNIT-I

Criminology : Definition, Nature, Scope, Classification of Crime including economic & white collar crimes, Criminal behaviour and Social processes.

UNIT-II

Schools of Criminological thought : ancient, classical, ecological, sociological, typological, socialist and multi-factor School.

UNIT-III

Theories of punishment, Modes of punishment with special reference to imprisonment and capital punishment.

UNIT-IV

Prison system in India, Types of Prisons, Need for rehabilitation and reformation of offenders, Participation of inmates in community service, Recidivism and Apprenticeship programmes for the offenders.

UNIT-V

Police System in India, Police a Criminal Justice, Structural Organization of Police in Centre and the States, Powers & Duties of Police under Police Act. Liability of Police for Custodial Violence, Methods of Police investigation. Police public relations.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Barnes & Teeters - New Horizons of Criminology (1966).
2. Sutherland & Cressy - Principles of Criminology (1978).
3. Ahmad Siddique - Criminology & Penology.
4. Vidya Bhushan - Prison System in India.
5. P.D. Sharma - Police & Criminal Administration in India.
6. J.C. Carry - Indian Police.

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PAPER-V Law of Evidence **Duration of Examination : 3 hrs Maximum Marks : 100**

UNIT-I

Definition and Relevancy of Facts (Sections 1-10)

- a. Evidence, Document, Proved, Disproved, Not Proved.
- b. Relevant fact and fact in issue.
- c. My presume, shall presume and conclusive proof.

UNIT-II

Admission and Confessions (Section 17-31) and Statements by persons who cannot be called as witnesses (Section 32).

- a. Definition of admission, who can make admissions, proof of admissions against the persons making them and admissions in Civil cases. (Sections 17-23, 31).
- b. Definition of confession and relevance of confessions (Section 24-30).
- c. Dying Declaration.

UNIT-III

Of Documentary Evidence (Section 61-73).

- a. Primary and Secondary Evidence.
- b. Proving and Genuineness of Documents.

UNIT-IV

Production and Effect of Evidence.

- a. Burden of proof (Secs. 101-114).
- b. Estoppel (Sec. 115).
- c. Competence of Witnesses (Secs. 118-120).

UNIT-V

Examination of Witnesses (Secs. 135-166) with special reference to the following.

- a. Types of Examinations.
- b. Leading Question
- c. Hostile Witness
- d. Refreshing memory
- e. Question which can be asked during different types of examinations.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Munir : Law of Evidence
2. Rattan Lal & Dheeraj Lal : Law of Evidence

3. Monir : Law of Evidence
4. Field : Law of Evidence
5. Indian Evidence Act.

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PAPER-VI Drafting, Pleading & Conveyancing

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

The objectives and general rules of pleading Order VI, VII & VIII of C.P.C.

Different forms of Suits :

Inter-pleader suit, Suit for dissolution of partnership, Suit for malicious prosecution, Suit for breach of agreement to purchase land, Suit for setting aside property procured by fraud, Misjoinder & nonjoinder O r 10. Application for temporary injunction O 39 r 2.

UNIT-II

Petitions : Different forms of petitions-Execution petition, Petitions under Sections 9 & 13 of Hindu Marriage Act, Petition for dissolution of Muslim Marriage under Dissolution of Muslim Marriage Act, Petitions under Articles 226, 32 of the constitution.

UNIT-III

Criminal Complaint, Criminal miscellaneous petitions, Bail Application, Memorandum of Appeals and sessions.

Notice : Notice to quit by landlord to tenant, Notice under Section 70 of C.P.C.

UNIT-IV

Conveyancing : Introduction, Component parts of a deed, Attendant requirement of execution, description of property how to be made. Definition, alteration and registration of Sale. Sale deed, Sale by guardian on behalf of minor.

Mortgage : Form of simple mortgage and usufructuary mortgage.

UNIT-V

Definition of Lease, Attestation and registration of lease deed, lease of a house for a term exceeding one year, rents being payable every month, surrender of a lease by deed.

Gifts how made, execution and attestation. Deed of a gift property.

Power of attorney, registration, stamp duty. Common opening forms for a power of attorney, Power of attorney to a lawyer, Power of attorney to two or more persons.

Bonds : Definition, execution, attestation, registration, Simple money bond, money bond with sureties, securities bond pledging property.

Will : The question paper will be of 80 marks. 20 marks are allotted for viva-voce.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

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Semester : IX. (Syllabus for the examination to be held in the year Dec. 2007)

PAPER- I

Taxation

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Income Tax Act, 1961 :

Definition and basis of charge (Secs. 2-9) Income which do not form part of total income sections 10(1), 10(2), 10(2a),

10(3), 10(5), 10(10), 10(11), 10(12), 10(15), 10(21), 10(23) and Sections 11-13.

UNIT-II

Salary (Sec. 15-17), Income from house property (Sec. 22-27), Profit and Gains of Business and Profession (Sec. 28 and 32, 33, 33A, 34, 36, 37). Capital gains (Sec. 45, 47, 48, 50, 54), Income from other sources (Sec. 56, 58).

UNIT-III

Set off and carry forward of losses (Sec. 71-73) Deductions (Sec. 80A, 80AA, 80AB, 80B and Sec. 88) Double taxation Relief (Sec. 90, 91).

UNIT-IV

Income Tax Authorities (Sec. 116-120), 124, 131, 132, Procedure for Assessment Sec. 139, 140A, 143, 144, 147) Appeal and Revision.

UNIT-V

Central Sales Tax Act, 1956, Definition and Inter-State trade (Sec. 2, 3) Import and Exports of Sale (Sec. 5) Registration Section 7.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. N.A. Palkiwala : Income Tax
2. K. Ravi : Law of Income Tax
3. A.N. Aiyar : Indian Tax Laws
4. S.D. Singh : Law of Central Sales Tax Act.
5. Chaturvedi and Kothari : Central Sales Tax Act.

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**PAPER-II Arbitration, Conciliation and Alternative
Dispute Resolution Systems**

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Arbitration and conciliation Act, 1996, General Provisions. Definitions, Receipt of written communications, Waiver of right to object, Extent of Judicial Intervention, Administration Assistance.

Arbitration agreement, Power to refer parties to arbitration where there is an arbitration agreement. Interim measures by court.

UNIT-II

Composition of Arbitral Tribunal;
Number of Arbitrators; Appointment of Arbitrators;
Grounds for Challenge; Challenge procedure, Failure or impossibility to act; Termination of Mandate and Substitution of Arbitrator.

Jurisdiction of Arbitral Tribunal;
Competence of Arbitral tribunal to rule on its Jurisdiction;
Interim measures ordered by Arbitral Tribunal; Conduct of Arbitral Proceedings.

Equal treatment of parties; Determination of rules of procedure; Place of Arbitral; Commencement of Arbitral proceedings; Language; Statements of claim and defence; Hearings and Written proceedings; Default of a party; Expert appointed by Arbitral Tribunal; Court Assistance in taking evidence.

Making of Arbitral award and termination of proceedings.
Rules applicable to substance of dispute, decision making by panel of arbitrators, settlement form and contents of arbitral award, Termination of proceedings, Correction. and Interpretation of awards, Additional award.

UNIT-III

Recourse against Arbitral Award:

Application for setting aside Arbitral Award; Finality and enforcement of Arbitral Award; Appealable Orders, Miscellaneous, Deposits, Lien on Arbitral Award and Deposits as to costs, Arbitration agreement not to be discharged by death of party there of; Provisions in case of insolvency, Jurisdiction, limitation, Limitation, Enforcement' of certain Foreign Awards.

UNIT-IV

Conciliation :

Application and Scope; Commencement of Conciliation proceedings; Number of Conciliators ; Appointment of conciliators; Submission of Statements to Conciliator; Conciliator not bound by certain enactments; Role of Conciliator; Administrative Assistance; Communication between Conciliator and parties; Disclosure of information; Co-operation of parties with conciliator; Suggestions by parties for settlement of Dispute; Settlement Agreement Confidentiality; Termination of Conciliation proceedings; Resort to Arbitral or Judicial proceedings; Costs, Deposits, Role of conciliator in other Proceedings; Admissibility of Evidence in other proceedings.

UNIT-V

Alternative Disputes Resolution Legal Services - Meaning and scope in legal Aid and advice, Lok Adalats - nature, scope, procedure and functioning.

Statutory Material

Arbitration and Conciliation Act, 1996.

Legal Services Authority Act, 1987.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each

unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Rao, P.C. : Arbitration and conciliation Act, 1996, University Law Book Co., Pvt. Ltd. (1997).
2. Rao, P.C. & Sheffield William : Alternative Dispute Resolution - What it is and how it.
3. Sujan, M.A. : Law relating to Arbitration and conciliation.
4. Kawatra, G.K. : The New Law of Arbitration and conciliation.
5. Chaudhary, S.K. : Law of Arbitration
Roy, Saharay, H.K. : Conciliation : 4th Ed., Eastern Book Co. (1997) Revised Print.
6. Tewari, O.P. : The Arbitration & conciliation Act.
7. Deshta Sunil : Lok Adalat in India, Deep & Deep Publication, New Delhi.
8. Chitkara, M.G. : Lok Adalat & the Poor-A Socio Constitutional Study.

PAPER-III

Administrative Law

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Evolution, Nature and scope of Administrative Law.

1. From a laissez-faire to a social welfare State, state as regulator of private interest, State as provider of services, other functions of modern State-Relief, Welfare.

2. Evolution of Administration as the fourth branch of government-Necessity for delegation of powers on administration ; Tribunalisation in India.
3. Relationship between constitutional law and administrative law.
4. Separation of powers to what extent relevant to administrative functions.
5. Rule of law and administrative law.
6. Definitions of administrative law-scope of administrative law-emerging trends: Positive duties of administration under the modern social welfare legislation and compulsions of planning-Negative trend, administrative deviance.

UNIT-II

Legislative Powers of Administration

1. Necessity for delegation of legislative power.
2. Constitutionality of delegated legislation-powers- of exclusion and inclusion and power to modify statute.
3. Requirements for the validity of delegated legislation.
4. Consultation of affected masses and public participation in decision-making.
5. Publication of delegated legislation.
6. Administrative directions, circulars and policy statements.
7. Legislative control of delegated legislation:
 - a. Laying procedures and their efficacy;
 - b. Committees on delegated legislation their constitution, function and effectiveness.
 - c. Hearing before legislative committees.
8. Judicial control of delegated legislation-doctrine of ultra vires.
9. Sub-delegation of legislative powers.

UNIT-III

Formal and Informal Methods of Settlements of Administrative Disputes :

1. Judicial Control of Administrative Action :
 - ◆ Courts are the final authority to determine legality of administrative action: Exhaustion of administrative remedies, standing for public interest or social action litigation, laches, res Judicata.
 - ◆ Grounds of judicial review and scope of judicial review :
Jurisdictional error/ultra vires, abuse and non-exercise of Jurisdiction, error apparent on the face of the record, violation of principles of natural Justice-Rule against Bias (Nemo Judex in Causa sua) and Audi alteram Partem.
 - ◆ Method of Judicial review: Mandamus, Certiorari, prohibition, Quo-warranto, habeas corpus, injunction & declaratory action.
2. Informal Method
Conciliation and mediation through social action groups, ombudsman Lokpal and Lok-Ayukta.

UNIT-IV

Administrative Discretion

Need for discretion administrative discretion, administrative discretion and rule of Law : Malafide exercise of discretion, constitutional imperatives and use of discretionary authority (Arts 14, 19, 21, 22), Judicial control of discretionary powers-limiting, confining need, structuring discretion.

UNIT-V

Liability for Wrongs : Tortious and Contractual

1. Tortious liability: Sovereign and non-sovereign

functions, Act of state, Emerging trends-Negligence etc.

2. Contractual liability, Constitutional imperatives and the rule of Equity.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOK RECOMMENDED

1. M.P. Jain and S.K. Jain : Principles of Administrative Law.
2. S.P. Sathe : Administrative Law.
3. I.P. Massey : Administrative Law
4. D.D. Basu : Comparative Administrative Law.
5. K.L. Bhatia : Judicial Review and Judicial Activism.
6. S.A. de Smith : Judicial Review of Administrative Action.
7. K.C. Davis : Administrative Law Text.

PAPER-IV

Land Laws (including Ceiling and Local Laws)

Duration of Examination : 3 hrs Maximum Marks : 100

A. The Jammu & Kashmir Houses and Shops Rent : Control Act. 1966

UNIT-I

1. History, Object and Scope of the Rent Control Legislation in J&K.
2. Definitions (Sec. 2)

3. Provisions regarding rent (Secs. 3-10)
4. Suits and Proceedings for eviction (Secs. 11-13) .

UNIT-II

1. Deposit of Rent (Secs. 14-16)
2. Appointment and Powers of Controller (Secs. 17-20)
3. Appeal, Review and Revision (Sec. 21)
4. Obligations of Landlord under the Rent Control Act (Secs. 27-28)
5. Cutting off or withholding essential service or supply (Sec. 29)

B. The Jammu and Kashmir Land Revenue Act, 1996 Samvat (1939 AD)

UNIT-III

1. Definitions (Sec. 3)
2. Revenue Officers-Classes, Appointment and powers (Secs. 5-19A).
3. Record of Rights and Annual Record (Secs. 21-34)
4. Right of Government in Mines and Minerals (Secs. 35-40)

UNIT-IV

1. Collection of arrears of land revenue (Secs. 60-89)
2. Partition including partition of Shamilat lands (Secs. 104-119A)
3. Exclusion of jurisdiction of Civil Courts (Sec. 139)

C. The Jammu & Kashmir Agrarian Reforms Act. 1976.

UNIT-V

1. Salient Feature.
2. Restrictions on rights in land. (Secs. 4-17).
3. Jurisdiction and Procedure (Secs. 18-25).
4. Supplemental provisions (Secs. 26- 36).

5. Penalties and Miscellaneous provisions. (Secs. 36-39, and 40-43)

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. J&K Houses and Shops Rent Control Act, 1966.
2. Commentary on J&K Houses and Shops Rent Control Act, 1966 by N.K. Ganjoo.
3. J&K Land Revenue Act, 1996 Sambat.
4. J&K Agrarian Reforms Act, 1976.
5. Analytical Commentary on Revenue Law by G.Q. Wani and H. Taranum.

Paper-V Environmental Law including Laws for the Protection of Wild Life and Living creatures including Animal welfare.

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Introduction to Environmental Laws

1. Environmental Protection : Issues and Problems.
2. International and national efforts and Environmental Protection.
3. Indian Constitution vis-a-vis Environment.
4. Environmental Policy resolution, Objects and Schemes.

UNIT-II

Control Mechanism of Environmental Pollution Legislation I

1. Environment Protection Act, 1986.

2. Environment Tribunal Act, 1995.
3. Forest Conservation Act, 1980.
4. Wildlife Protection Act, 1972.

NOTE : Only relevant provisions of the above Acts.

UNIT-III

Control Mechanism of Environmental Pollution :

Legislative II

1. Air (Prevention and control of Pollution) Act, 1981.
2. Motor Vehicles Act, 1988.
3. Hazardous Waste (Management & Handling) Rules 1989.
4. Factories Act, 1949.

Note : Only relevant provisions of the above Acts.

UNIT-IV

Control Mechanism of Environmental Pollution :

Legislative-III

1. Water (Prevention and Control of Pollution) Act, 1974.
2. Public Liability Insurance Act, 1991 (Only relevant provisions).
3. Offences affecting Public Health, Safety Convenience (Chapter XIV Indian Penal Code 1960, Secs. 268, 277, 278, 284, 290 and 291).
4. Sections 133-143 of criminal procedure code 1973.

UNIT-V

1. The prevention of cruelty to animals Act, 1960.
 - a. Definitions - Section 2.
 - b. Sections 11-13 : Promotion of cruelty to animals.
 - c. Section 14-20 : Experimentation of animals.
 - d. Sections 21-27 : Performing animals.
 - e. Sections 28-36 : Miscellaneous.
2. Prevention of cruelty to animals (Slaughter House) Rules, 2001 : Relevant Provisions.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e.: there will be internal choice within each unit.

BOOKS RECOMMENDED

1. V.R. Krishna Iyer : Environment Pollution and the Laws, 1984.
2. Paras Diwan : Environmental Administration - Laws and Judicial Attitude, Vol. I, II, 1992.
3. R.G. Chaturvedi : Law on Protection of Environment and Dr. M.M. Chaturvedi Prevention of Pollution.
4. S. Agarwal : Legal Control of Environmental Pollution.
5. Ramakrishna : The Emergency of Environmental Laws in Developing Countries : A Case Study of India.
6. A.B. Srivastava : Protect Global Environment (1994) Chugh publication 2, Strachy Road, Civil Lines, Allahabad, 211002.

ARTICLES

1. C.M. Jariwala : Changing Dimensions of Indian Environment Law, Review 49, (1989).
2. Mihir Desai : Environment Pollution, The Lawyers Collective pp. 52-55 (July, 1986).
3. Sudesh Kumar Sharma : "Expanding Role of Judiciary in the Protection of Environment : An Environmental Concern as a Human Right", in J.L. Kaul (ed) Human Rights : Issues and Perspectives (1995).

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PAPER-VI Moot Court, Pre-Trial Preparation and Participation in Trial Proceedings.

Duration of Examination : 3 hrs Maximum Marks : 100

The paper will have three components of marks each and a viva-voce for 10 marks.

UNIT-I

Moot Court

Every Student will do two moot courts with 15 marks for each. The moot court work will be on assigned problems and it will be evaluated for 10 marks for written submissions and 5 marks for oral advocacy.

UNIT-II

Observance of Trial 30 Marks

The Student will attend two trials, one civil and one criminal. They will maintain a record and enter the various steps observed during their attendance on different days in the court in their diary.

UNIT-III

Interviewing Techniques and Pre-Trial Preparations. 30 Marks

Each Student will observe interviewing sessions of clients at the lawyer's office/ legal Aid office and record the proceedings in a diary which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filling of the suits/petitions. This will be recorded in the diary which will carry 15 marks. The viva-voce examination on all the above three aspects shall be conducted by a Board consisting of the Head, the Dean, the teacher teaching the course & one external examiner, where Head and Dean is the same person, senior teacher will be co-opted by the Head for purpose.

Semester-X (Syllabus for the examination to be held in the year May 2008)

PAPER-I Insurance Law

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

General Principles of Law of Insurance; Definition, nature and History of Insurance; Contract of Insurance, Insurable interest, Premium, Policies, Classification, form and contents, Commencement, assignment and construction.

UNIT-II

Life Insurance : Life Insurance Corporation Act 1956. Life Insurance Emergence (Provision) Act 1956: Object of Acts, nature, and scope of Life Insurance. Kinds of Life Insurance, the policy and formation of a Life Insurance Contract, Events insured against Life Insurance Contract; Circumstances affecting the risk. Amounts recoverable under life policy, persons entitled to payment from a settlement of claim.

UNIT-III

Establishment of LIC Function of LIC Transfer Existing Life Insurance Business to LIC Compensation for Insurance Business ; Profits from other Business and exclusive privilege of LIC of carrying on Life Insurance Business.

UNIT-IV

Motor Vehicle Act 1988

Necessity for Insurance against third party risk; Requirement of policies and limits of liability; Validity of policies of Insurance in reciprocating countries; Rights of third parties against Insurances on insolvency of the insured; Duty to give assurance as to Insurance; Settlement between insurance and insured person; Effect of death on certain causes of action; claims Tribunal; Procedure and powers of claims, Tribunals, Appeal.

UNIT-V

Public Liability Insurance Act 1991, Section 2 to 21.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e. there will be internal choice within each unit.

SUGGESTED READINGS

1. M.N. Srinivasan - Law and the Life Insurance Contract
2. B.N. Banerjee - The Law of Insurance.
3. Bhattacharya Jee-The Life Insurance Corporation Act.

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PAPER-II

Women and Law

Duration of Examination : 3 hrs Maximum Marks : 100

UNIT-I

Status of Women

- (a) Women in Ancient India.
- (b) Women in Pre-independent India
 - (i) Social reform movement in India.
 - (ii) Gandhian Movement.
 - (iii) Karachi Congress Fundamental Rights, Resolution, Equality of sexes.
- (c) Women in post-independent India.
 - (i) Preamble of Constitution-Equality provisions in Fundamental rights and Directive Principles of State Policy.
 - (ii) Negative Aspects of the Constitution-Exploitation of Sex not mentioned in Articles 23.

UNIT-II

Sex Inequality in Inheritance rights .

- (a) Continuance of Feudal System of Joint Family,-

Women's Inheritance position,

Right of Inheritance by birth for son's not for daughters.

- (b) Inheritance under Muslims Law.
- (c) Inheritance right of women under Christian Law.
- (d) Inheritance right of women under Parsi Law.

UNIT-III

Women Marriage Law-Comparative Study

- (a) Marriage
- (b) Divorce
- (c) Maintenance

UNIT-IV

(a) Laws to protect Women

- (i) Maternity Benefit Act
- (ii) Factories Act
- (iii) Equal Remuneration Act.
- (iv) Medical Termination of Pregnancy Act.

(b) Matrimonial Property

(c) Social Legislation

- (i) Dowry prohibition Act.
- (ii) Amniocentesis

UNIT- V

Status of Child

- (a) Legitimacy of child.
- (b) Adoption and Guardianship of Child.
- (c) Child Labour.
- (d) Juvenile Delinquency

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. S.N. Jain (ed) : Child and Law-Indian Law Institute, 1979
2. Hingorani (ed) : Gandhi to the Women.
3. Jawahar Lal Nehru : Thoughts in Women Economic Bondage of Indian Women (produced Memorial and Library)
4. Paras Diwan : Law of Marriage and Divorce- Indian Personal Law- 1 (1988).
5. Dr. Nagendra Singh : Human Rights and International Cooperation.
6. Shrinivar Gupta : Juvenile Justice System in India (1991).
7. Paras Diwan : Family Law-Law of Marriage and Divorce in India, 1983.
8. Justice D.D. Seth : Abortion and termination of pregnancies in India, 1980.
9. Paras Diwan : Muslim Law in Modern India, 1995
10. Paras Diwan : Modern Hindu Law, 1995
11. Asaf A.A. Fyzee : Outlines of Muhammadan Law, 1993
12. M.P. S. Jain : Indian Constitutional Law, 1994.
13. D.R. Sachdeva : Social Welfare Administration in India, 1993.

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PAPER-III

Interpretation of Status

Duration of Examination : 3 hrs Maximum Marks: 100

UNIT-I

Meaning of Interpretation, Commencement, repeal and revival of a statute. Rule of interpretation-Liberal, rule,

mischief rule and golden rule, Harmonious construction.

UNIT-II

Rules relating to interpretation of general words.

1. Ejudem of Generis.
2. Noscitur-A Socius.
3. Reddendo Singula Singlis.
4. Expressio Unius Est exclusio Alterius.
5. UI Res Magis Valent Quam Pereat.
6. Contemporanea Espositio Est. Optima Et Portissima Lege.

UNIT-III

Internal Aids to Interpretation.

UNIT-IV

External Aids to Interpretation.

UNIT-V

1. Construction of Penal Statutes.
2. Mensres in statutory offences.
3. Interpretation of taxing of statutes.
4. Strict construction of taxing statutes and its limitations.

NOTE FOR PAPER SETTING

The question paper shall contain two questions from each unit (total ten questions) and the candidates shall be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Maxwell : Interpretation of Statutes.
2. J. Sarup : Interpretation of Statutes.
3. G. P. Singh : Principles of Statutory Interpretation
4. V.P. Sarathi : The Interpretation Statutes.
5. Bindra : Interpretation of Statutes.

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PAPER-IV**Intellectual Property Law****Duration of Examination : 3 hrs Maximum Marks: 100**

The course is designed to provide comprehensive knowledge to the students regarding Indian position of the Patent Law (1970) Copyright Law (1957) and the Designs Act of 2000 which invariably form the part of the Intellectual Property Law and shall comprise of the following :

UNIT-I

1. Concept of Intellectual property vis-a-vis patents.
2. Definition of invention and non-patentable inventions.
3. Procedure for seeking a patent.
4. Restoration of Lapsed Patent.
5. Surrender and Revocation of Patents.

UNIT-II

1. Powers of the Controller under the patents Act, 1970.
2. Compulsory Licences and licences of Right and Revocation.
3. Acquisition of inventions by the Government.
4. Infringement of patents and penalties.
5. Patent Agents.

UNIT-III

1. Concept of copyright and its nature.
2. Definitions :

a. Adaptation	b. Artistic Works
c. Author	d. Dramatic Works
e. Musical Work	f. Literary Works
3. Subject matter and term of copyright.
4. Ownership of copyright and rights of owner.

UNIT-IV

1. Copyright Office and Copyright Board.
2. Registration of Copyright.
3. Infringement of copyright.

4. Remedies against infringement.
5. Appeals.

UNIT-V

1. Definitions under Designs Act of 2000.

a. Design	b. Article
c. Original	d. Proprietor
2. Registration of Designs
3. Copyright in Registered Designs.
4. Legal proceedings.
5. Powers and duties of controller.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. D.P. Mittal : Indian Patents Law and Procedure (Taxmann Publication)
2. B.L. Wadera : Patents, trademarks, copyright, Designs and Geographical Judications.
3. P. Narayanan : Intellectual Property Law (Eastern Law House)
4. W. Cornish : Intellectual Property (Universal Publication)
5. R.K. Nagrajan : Intellectual Property Law (Allahabad Law Agency)
6. Ganguli : Intellectual Property Rights. (Tata McGraw)

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PAPER-V **Indian Legal History**

Duration of Examination : 3 hrs Maximum Marks: 100

UNIT-I

1. Mayor Courts Charter of 1688, 1727 & 1753.
2. Creation of Adalats System, its working and Jurisdiction, Judicial Reforms of Warren Hastings.

UNIT-II

1. Cornwallis reforms and emergence of Indian Legal profession. The Indian High Courts Act, 1861.
2. The establishment of Supreme Court at Calcutta, its Constitution, Jurisdiction and Defects. The trial of Nand Kumar, Patna Case, Cassijurah Case, Act of Settlement of 1781.

UNIT-III

1. Privy Council
2. High Court Act
3. Federal Courts, its establishment, Constitution and Jurisdiction.

UNIT-IV

1. The Evolution of criminal Law.
2. Procedure, Rise of Legal Education in India
3. Process of Codification in India.
First, Second, Third, Fourth and Fifth Law Commission.

UNIT-V

1. Law Reporting
2. Legal Aid
3. Racial discrimination during British Period.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total questions to be attempted

will be five) i.e., there will be internal choice within each unit.

BOOKS RECOMMENDED

1. Jain, M.P. : Outlines of Indian Legal History
2. Mittal, J.K. : Indian Legal History.
3. Setalvad, M.C : Common Law in India

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PAPER-VI **Public Interest Lawyering, Legal Aid and Part Legal Services**

Duration of Examination : 3 hrs Maximum Marks: 100

The students in this course shall be assessed for 80 marks on the basis of preparation of record maintained by the student as per the details given below. 20 marks are fixed for viva-voce which shall be conducted by the Board consisting of the Head, Dean, The Teacher teaching the course and one external examiner, when the Head and the Dean is the same person, a senior teacher shall be cooperated by the Head.

The course will be taught partly through classroom instructions and partly through extension programmes as specified below. Each student will maintain a dairy about his activities under this course, which shall be submitted to the teacher concerned.

UNIT-I

Legal Aid **20**

The students will be taught about the Legal and constitutional mandate for Legal Aid, Legal Services Authority Act and Lok Adalat. The students are required to attend atleast one legal camp/Lok Adalat during the session.

UNIT-II

Legal Literacy **10**

The students would be required to attend atleast one Legal

Literacy Camp and would also prepare a note on a topic of Law which might be of interest to general public.

UNIT-III

Law Office Management/Negotiations and Counselling 10

The students are required to attend the chamber of a Advocate for one week continuously and note down their observations. in the diary?

Two lectures will be organized on the subject of Negotiations and Counselling.

UNIT-IV

Legal Research 20

The students will be taught about the techniques of research how to locate .and consult legal material. The students will be required to equip themselves about various law reports and their modes of citation. They will further be required to write a case analysis.

UNIT-V

Field Study in Support of Public Interest Lawyering 20

The candidate will be assigned one problem on any public interest issue and he/she will be asked to prepare a questionnaire/interview schedule and give his finding on the basis of the information gathered during the field study.

NOTE FOR PAPER SETTING

The question paper will contain two questions from each unit (total ten questions) and the candidates will be required to answer one question from each unit (total question to be attempted will be five) i.e., there will be internal choice within each unit.

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UNIVERSITY OF JAMMU
JAMMU



SYLLABI AND COURSES OF STUDY
for
LL.B. 5 Years

<i>Semester</i>	<i>Syllabi prescribed for the year</i>	<i>Syllabi continued for the examination to be held in the year</i>
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IVth	May 2005 to 2007	May 2009 to 2010
Vth	Dec. 2005	Dec. 2009 to 2010
VIth	May 2006	May 2009 to 2010
VIIth	Dec. 2006	Dec. 2009 to 2010
VIIIth	May 2007	May 2009 to 2010
IXth	Dec. 2007	Dec. 2009 to 2010
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