

**LL.B. Part I**  
**(First Semester)**

**Paper - I**

**Law of Contract (General Principles)**  
(90 Marks for Written Paper and 10 Marks for Tutorial)

Section 1 to 75 of Indian Contract Act, 1972 and Indian Specific Relief Act, 1963

**Prescribed Cases :**

1. *Carlill v. Carbolic Smoke Ball Co.* [(1893) 1 Q.B. 256]
2. *Mohori Bidi v. Dharmadas Ghose* [(1903) 30 L.A. 114]
3. *Satyabrata Ghosh v. Mugneram Bangur & Co.*, (AIR 1954 S.C. 44)
4. *Bhagwandas Goerddhan Das Kedia v. Girdhari Lal Parshottam Das & Co.*, (AIR 1966 S.C. 543)
5. *Sales Tax Officer, Banaras v. Kanhaiya Lal Mukund Lal Saraf*, [AIR (1959) SCR 1350]

**Paper - II**

**Law of Torts including Consumer Protection Law & Motor Vehicle Act**  
(90 Marks for Written Paper and 10 Marks for Tutorial)

**(a) Law of Torts :**

1. Definition, Elements and Nature of Torts.
  2. General Principles of the Law of Torts :  
(i) Principle of 'fault' and no-fault liability. (ii) Principle of Vicarious Liability. (iii) Principle of Joint Liability. (iv) Exemption (Defences) from tortious Liability : Consent, Mistake, Necessity, Private Defence. (v) Remoteness of Damage.
  3. Liability of State in Tort.
  4. Damages as a remedy in tort :  
(i) Kinds of Damages. (ii) Measure of Damages.
  5. Specific Torts :  
(i) Trespass (ii) Negligence (iii) Negligent Misstatements (iv) Nervous Shock (v) Nuisance (vi) Defamation (vii) Deceit (viii) Malicious Prosecution
  6. Absolute Liability.
- (b) The Consumer Protection Act, 1986**
- (c) No Fault Liability Under The Motor Vehicle Act, 1988**

**Prescribed Cases :**

1. *Donoghue v. Stevenson*, [(1932) AC 562]
2. *Overseas Tankship (U.K.) v. Morts Dock and Engineering Co.*, [(1961) AC 388]
3. *Hedley Byrne and Co. Ltd. v. Heller and Partners Ltd.* [(1964) AC 465]
4. *Lucknow Development Authority v. M. K. Gupta*, (AIR 1994 SC 787)
5. *Vinitha Ashok v. Lakshmi Hospital, Medical Service* [(2001) 8 SCC 731]

**Paper - III**

**Constitutional Law - I**

(90 Marks for Written Paper and 10 Marks for Tutorial)

1. Meaning and nature of Constitutional Law.
2. Preamble and Basic Features of Indian Constitution.
3. Doctrine of Separation of Power.
4. Executive Power : Nature of executive in India, relationship between the President and the Council of Ministers.
5. Legislative Power : Legislative Procedure, legislative privileges.
6. Judicial Power : Organisation of Judiciary : Jurisdiction of the Supreme Court of India.
7. Federal Idea : Nature of Indian Polity, Co-operative federalism.

8. Role of Judiciary in a federal system, Rule of pith and substance, Rule of territorial nexus, Rule of repugnancy, Residuary Power of Legislation.
9. Freedoms of Inter-State Trade and Commerce.
10. Impact of Emergency on Centre-State Relations.

**Prescribed Cases :**

1. *Smt. Indira Nehru Gandhi v. Raj Narain* (AIR 1975 SC 229).
2. *Automobiles Transport Ltd. v. State of Rajasthan* (AIR 1962 SC 1406).
3. *S.R. Bommai v. Union of India* [(1994) 3 SCC 1].
4. Special Reference No. 1 of 1998 under Article 143 of the Constitution of India [(1998) 7 SCC 739].

**Paper - IV**

**Family Law - I**

**(Hindu Law)**

(90 Marks for Written Paper and 10 Marks for Tutorial)

1. Sources of Hindu Law.
2. Marriages amongst Hindus (With reference to Hindu Marriage Act).
  - (i) Nature of Marriage
  - (ii) Kinds of Marriage
  - (iii) Requirements of Marriage
  - (iv) Matrimonial Remedies.
    - (a) Restitution of Conjugal Rights
    - (b) Judicial Separation
    - (c) Dissolution of Marriage
    - (d) Decree of Nullity
3. Minority and Guardianship amongst Hindus.
4. Adoption amongst Hindus.
5. Maintenance amongst Hindus.
6. Joint Family :
  - (a) Coparcenary
  - (b) Alieneation
  - (c) Debts
  - (d) Partition
7. Stridhan and Womens Estate.
8. Succession : Testate and Intestate succession amongst Hindus.
9. Religious and Charitable Endowments under Hindu Law.

**Prescribed Cases :**

1. *Jyotish Chandra v. Meera* [AIR (1970) Cal. 266].
2. *Sita Bai v. Ram Chandra* [AIR (1970) SC 343].
3. *Commr. H.R.E. v. L.T. Swamikal* [AIR (1954) SC 282].
4. *Madhagowda v. Ankegowda* [(2002) 1 SCC 178].
5. *Geetha Hariharan v. Reserve Bank of India* [(1999) 2 SCC 228].
6. *Bhagat Ram v. Teja Singh* [AIR (2002) SC 1].

**Paper - V**

**Public International Law**

(90 Marks for Written Paper and 10 Marks for Tutorial)

1. Definition and Nature of International Law.
2. Origin and Development of International Law including its codification.
3. Sources of International Law.
4. Subjects of International Law.
5. Relationship between International Law and Municipal Law.

6. State recognition and state succession
7. International Rive and canals. International Law of the sea, air, space and aerial navigation, outer space Exploration and use of outer space.
8. Nationality Statelessness.
9. State jurisdiction. Basis of jurisdiction, jurisdictional immunity.
10. Extradition and Asylum.
11. Diplomatic and consular relations.
12. Law of treaties: Formation, Application, termination of treaties.
13. State responsibility.
14. Settlement of International Disputes: Peaceful procedures for settlement of international disputes, Diplomatic, Adjudicative and Institutional; Compulsive, procedures for settlement of international disputes, Retorsion, Repals, Armed intervention with the role of United Nations.
15. War and use of force in International Law.
16. Law of Contraband & Blockade, Concept of War and Legality of war and Use of force, Legal effects of the outbreak of war and Enemy character.

**Prescribed Cases:**

1. The Lotus Case, (France v. Turkey) [(1927) PCIJ Reports Series A No. 10].
2. North Sea Continental Shelf Cases.  
(a) FRG v. Denmark (b) FRG v. The Netherlands [ICJ Reports 1969, p. 3].
3. Nicaragua Case, (Nicaragua v. United States) [ICJ Reports 1986, p. 14].
4. V.S. Gosalia v. G.N. Agrawal and others [(1981) SCC 226].
5. Notabotum Case (Lichtenstein v. Guatemala) 1955.
6. Asylum Case (Columbia v. Peru) [1950 ICJ Reports 266].
7. Dalmier Co. Ltd. v. Continental Tyne and Rubber Co. Ltd. [(1916) 2 AC 1997].
8. The Alabama Claims Arbitration (1872) Moor. International Arbitration Vol. 1, p. 653.
9. Corfu Channel Case, (UK v. Albania) [ICJ Reports (1949), p. 4].
10. Gramophone Co. of India v. B. B. Pandey [(1984) 2 SCC 534].

**LL.B. Part I**  
(Second Semester)  
**Paper - VI**

**Law of Contract (Special Contracts)**  
(30 Marks for Written Paper and 10 Marks for Tutorial)

Specific Contracts under Indian Contract Act, Sale of Goods Act, Partnership Act-

**Prescribed Cases:**

1. Bank of Bihar v. Damodar Prasad [AIR 1969 SC 297].
2. Radha Krishna v. Tayab Ali [AIR 1962 SC 538].
3. Niblett v. Confectioners Materials Co. [(1921) 3 KB 287].
4. D.B. Hoshurpur v. Hira Singh [AIR 1968 Punjab 289].
5. Cox v. Hickman [(1860) HLC 268].
6. Commissioner of Income Tax v. Dwarka Das Khetan [AIR 1961 SC 619].

**LAW OF CRIMES-I (BHARATIYA NYAYA SANHITA-2023)**

**Unit I :**

- Extent and operation of Bharatiya Nyaya Sanhita
- Definition and elements of crime
- Stages in commission of crime: Intention, Preparation, Attempt
- Principle of Joint Liability: Common Intention and Common object

**Unit II :**

- General Explanations and General Exceptions
- Abetment and Criminal Conspiracy
- Offences against Woman and Child
  - a. Rape
  - b. Outraging the modesty of woman
  - c. Sexual harassment, to disrobe, Voyeurism, Stalking, to insult modesty of woman
  - d. Dowry death, Bigamy, Cruelty by husband or relatives of husband
  - e. Miscarriage
  - f. Hiring, employing or engaging a child to commit an offence, procurement of child, selling and buying of child for prostitution.

**Unit III:**

- Offences affecting the human body
  - a. Culpable Homicide, Murder, Causing death by negligence, Abetment of suicide, Attempt to murder, Organised Crime, Petty organised crime, Terrorist act.
  - b. Offences of Hurt and Grievous Hurt, Acid attack, offences of Wrongful Restraint and Wrongful Confinement.
  - c. Offences of Criminal Force and Assault, offences of Kidnapping and Abduction, Trafficking.
- Offences against the State and the public tranquillity
  - a. Waging war against Govt. of India and Its Conspiracy, act endangering sovereignty, unity and integrity of India.
  - b. Unlawful Assembly, Common object, Rioting, Affray.

**Unit IV :**

- Offences against Property and offences relating to documents, criminal intimidation, insult, annoyance and defamation
  - a. Theft, Snatching, Extortion, Robbery and Dacoity
  - b. Dishonest misappropriation of property and Criminal breach of trust, Stolen property.
  - c. Cheating
  - d. Mischief
  - e. Criminal trespass, House trespass and house breaking
  - f. Forgery
  - g. Criminal intimidation, insult, annoyance.
  - h. Defamation
- Punishments under the BNS: Fine, Imprisonment, Capital Punishment including Community Services

**Bare Act:**

Bharatiya Nyaya Sanhita, 2023

**Text books:**

1. Ratanlal and Dhirajlal – The Indian Penal Code
2. H.S. Gaur – Penal Law of India

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**Paper - VIII**

**Constitutional Law - II**

(50 Marks for Written Paper and 10 Marks for Tutorial)

1. Fundamental Rights.
2. Impact of Emergency on Fundamental Rights.
3. Fundamental Duties.
4. Directive Principles of State Policy.
5. Amendment of the Constitution.

**Prescribed Cases:**

1. State of Gujarat v. Shri Ambika Mills [AIR 1974 SC 1300].
2. Ajoy Hada v. Khalid Muzib [AIR 1981 SC 487].
3. Indira Sawhney v. Union of India [AIR 1993 SC 477].
4. In re Special Court Bill, 1978 [AIR 1979 SC 478].
5. Smt. Maneka Gandhi v. Union of India [AIR 1978 SC 597].
6. Ahmedabad St. Xavier's College Society v. State of Gujarat [AIR 1974 SC 1389].
7. S.R. Bommai v. Union of India [(1994) 3 SCC 1].
8. Special Reference No. 1 of 1998 under Article 143 of the Constitution of India. [(1998) 7 SCC 739].

**Paper - IX**

**Family Law - II**

(Muslim Law)

(50 Marks for Written Paper and 10 Marks for Tutorial)

1. Source of Muslim Law.
2. Marriages among Muslims in India -  
(i) Nature of Marriage

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- (ii) Kinds of Marriage  
 (iii) Requirements of Marriage (including Dower)  
 (iv) Matrimonial Remedies  
 (a) Restitution of Conjugal Rights (b) Dissolution of Marriage

3. Guardianship.
4. Legitimacy and Parentage.
5. Maintenance.
6. Wills.
7. Gifts.
8. Waqf.
9. General Principles of Inheritance (No. specific rules of inheritance are to be taught).

**Prescribed Cases :**

1. *Habibur Rahman v. Alta Ali* [(1921) 48 IA 14].
2. *Imam Bandi v. Mustaddi* [(1918) 45 IA 73].
3. *Nawazish Ali Khan v. Ali Raza Khan* [AIR (1945) PC 134].
4. *Mahra Bibi v. Chaudhary Wakil Ahmed*

**Paper - X**

**Human Rights : Law & Practice**

(30 Marks for Written Paper and 10 Marks for Tutorial)

1. Human Rights : Nature, Concept, Origin and Development, Importance, Classification.
2. Civil and Political Rights : International Instrument - Part III of the Constitution of India.
3. Social and Economic Rights : International Instrument - Part IV of the Constitution of India.
4. Human Rights and Vulnerable Groups : Rights of women, Children, Disabled, Tribals, Aged, Minorities - National and International Legal Development - Part IV (A) of the Constitution of India (Fundamental Duties).
5. Enforcement of Human Rights : International, Regional and National, The Protection of Human Rights Act, 1993 (Mechanism, Legislative, Executive and Judicial), NHRC - Role of Legal Profession, NGO and Media.
6. International Humanitarian Law : Definition, origin and development : Protection of Defenceless in war : Limitation of means and methods of use of Force-Law of internal armed conflicts - contemporary issues and challenge, with special reference to implementation of humanitarian Law.
7. Refugee Law : Origin, definition and development, Rights and Responsibilities, Protection, Internally displaced persons, Durable solution, Institutional responses, Legal Status of refugees in India.

**Prescribed Cases :**

1. *D.K. Basu v. State of West Bengal* [AIR 1997 SC 3017].
2. *Vishakha v. State of Rajasthan* [AIR 1997 SC 3011].
3. *Nilabati Behera v. State of Orissa* [(1993) 2 SCC 766].
4. *Chairman Railway Board v. Chandrika Das* [AIR 2000 SC 988].

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**LL.B. Part-II**  
**(Third Semester)**

**Paper - XI**

**Jurisprudence**

**(Legal Method, Indian Legal System and Jurisprudential Theory of Law)**  
(30 Marks for Written Paper and 10 Marks for Tutorial)

1. **Definition and Scope of Jurisprudence.**
  - (a) Critical analysis of the definitions of Jurisprudence by Austin, Holland, Salmond, Allen, Stone and Pound.
  - (b) General and Particular Jurisprudence.
  - (c) Use of the study of jurisprudence.
  - (d) Jurisprudence and Legal theory: Scope of Jurisprudence, Need of synthesis.
2. **Analytical Positivism.**
  - (a) Meaning of Positivism.
  - (b) Austin's theory of law and sovereignty and its criticism.
  - (c) Definition of law by Holland and Salmond.
  - (d) Modern positivists:
    - (i) Kelsen's Pure Theory of Law and its critical analysis.
    - (ii) Hart's definition of law as union of primary and secondary rules.
3. **Different Theoretical Approaches to the Study of Law and Jurisprudence:**
  - (a) Natural law theories, different approaches, Relationship between Natural law and Positive Law, Revival of Natural law in 20<sup>th</sup> Century, Natural law principles under the Indian Constitution.
  - (b) Historical and Anthropological approach.
  - (c) Sociological approach: Pound's theory of social engineering, Definition of Interests, Classification of Interest, Balancing of Interests, Problem of Balancing, Role of the Supreme Court of India in balancing, Jural Postulates and its relevance to India.
  - (d) Economic approach: Marx and Engel's views about law and state.
  - (e) Realist approach: American and Scandinavian Realism.
4. **Law and Morals:**

Relationship, Influence of Morality on the development of law, Public and Private Morality, Enforcement of morality by law.
5. **Legislation:**

Importance of legislation as source of law, Legislation and law reform, Legislation and codification, Kinds of legislation: Supreme and Subordinate legislation, Distinction between Supreme and Subordinate legislation, Kinds of subordinate legislation.
6. **Judicial Precedents:**

Precedent as source of law, its merits and demerits, steady role of precedent, leeways of precedent, ratio decidendi and obiter, creativity and discovery in modern precedent.
7. **Custom:**

Custom as a source of law, Essentials of a valid custom, when does custom become law? Views of Savigny and Austin.
8. **Legal Rights and Duties:**

Problem of right oriented and duty-oriented jurisprudence, relationship between rights and duties, Interest and will theories of rights, Hohfeld's analysis of rights, kinds of right.
9. **Legal Personality:**

Person defined, Natural and juristic person, Legal status of Dead persons, Unborn child, Animals, Temple & Mosque, Theories of juristic persons, Liability of Corporation in torts and crimes.

10. Possession:

Definition, essential elements, concept of possession in Roman law, in English law, in India. Possession and Ownership, kinds of possession, illustrative cases.

11. Ownership:

Definition of ownership, kinds of ownership, social control of private ownership, legal incidence of ownership, concept of trusteeship of Gandhi, Ownership in India.

Prescribed Cases:

1. A.D.M. Jabalpur v. Shiva Kani Shukla [AIR 1976 SC 1207].
2. State of Rajasthan v. Union of India [AIR 1977 SC 136].
3. Bengal Immunity Co. v. State of Bihar [AIR 1955 SC 66].
4. 'X' v. Hospital 'Z' [(1988) 8 SCC 296].
5. Shiromani Gurdwara Prabandhak Samiti v. Somnath Das [(2000) 4 SCC 146].
6. State Trading Corporation of India v. C.T.O. [AIR 1963 SC 1811].
7. Prasad Ramakant Khade v. State of Maharashtra [(1988) 8 SCC 493].
8. Sarjay Dutt v. State via C.B.I. Bombay [(1994) 5 SCC 410].
9. Kanda Lakshmana Bapji v. Govt. of A.P. [(2000) 3 SCC 258].

Paper - XII

Company Law

(20 Marks for Written Paper and 10 Marks for Tutorial)

1. The nature and kind of Company.
2. Prospectus.
3. Allotment and issue of shares and debentures, share capital and debentures.
4. Management and administration, meeting, resolution, investigation and audit.
5. Directors and other managerial personnel.
6. Prevention of mismanagement and oppression of minorities.
7. Winding up.
8. Company Law Administration: Central Government, Company Law Tribunal, Registrar.
9. Protection of Investors:
  - (i) Who are Investors?
  - (ii) Statutory Investors Protection.
  - (iii) Judicial Protection.
  - (iv) Administrative Protection.
10. Regulation of Company: SEBI.

Prescribed Cases:

1. Salomon v. Salomon and Co. Ltd. [1897 AC 22].
2. Ashbury Railway Carriage Co. v. Riche [1875 LR 4 HL 653].
3. Royal British Bank v. Turquand [(1856) 6 F and B 327].
4. Rajahmundry Electric Supply Co. Ltd. v. A. Nageshwara Rao [AIR 1956 SC 213].
5. Shanti Prasad Jain v. Kalinga Tubes Ltd. [1965 1 Comp. LJ 193].

Paper - XIII

Property Law

(20 Marks for Written Paper and 10 Marks for Tutorial)

The Transfer of Property Act, 1882.

Prescribed Cases:

1. Prabodh Kumar Das v. Danmora Tea Co. Ltd. [AIR 1940 FC 1].
2. Musahar Shah v. Hakim Lal [AIR 1915 Cal 43].
3. C. Ramchandraiyya v. Azamabad Tea Co. Ltd. [AIR 1964 SC 877].

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4. *Jamuna Masjid v. Koptmarumindra* [AIR 1962 SC 847].
5. *State of U.P. v. Banahidhar* [(1974) 1 SCC 113].
6. *Krieginger v. New Patagonia Meat and Cold Storage Co.* [(1914) AC 25].
7. *N.N. Chibwala v. Fida Hussain* [AIR 1965 SC 610].
8. *Ganesh Lal v. Jyoti Prasad* [AIR 1953 SC 1].
9. *Bhaskar W. Joshi v. S.R. Agrawal* [AIR 1960 SC 301].
10. *Ahsar Sheikh v. Suleman* [(1976) 3 SCC 1103].
11. *Shrinani Sharmao Suryavanshi v. Pralad Shetrobe* [(2002) 3 SCC 676].

#### Paper - XIV

#### English and Legal Language

Unit I: Skill of Communicative English.

Unit II: Language of the Law.

- Distinctive Feature of Legal Language, Problems of Language in the Drafting of statutes, Other Legal Documents Representations and the Language of the Judgements.
- Official Language: The Constitutional Provisions (Articles 343 to 347).
- Language of the Supreme Court and the High Courts (Article 348 of the Constitution), Language of the representations for redress of grievances (Article 350) and the development of the Hindi Language (Article 351).

Unit III: Essay - Writing

(In Hindi and English Languages)

Essay using legal expressions on socio-legal problems and legal concepts (Democracy, Socialism, Secularism, Social justice, Human rights, Environment, Consumer Protection, Uniform Civil Code, Panchayat Raj).

Unit IV: Translation

Translation of passages from legal documents: Law books, Constitution of India and Acts (Indian Penal Code and Indian Contract Act).

Unit V:

Legal Maxims, legal words and Phrases (used in law-teaching, law-courts, legal-documents and enactments).

Legal Maxims:

1. Actio personalis moritur cum persona.
2. Actus non facit reum, nisi mens sit rea.
3. Delegatus non potest delegare.
4. Ex turpi causa non oritur actio.
5. Ignorantia legis neminem excusat.
6. Jura non remota causa, sed proxima, spectantur.
7. Nemo dat quod non habet.
8. Pax in parem imperium non habet.
9. Ubi jus ibi remedium.
10. Ut res magis valeat quam pereat.
11. Volenti non fit injuria.

Legal Terms and Phrases

Ab initio, ab idem, Ad valorem, Alibi, Ambiguitas latens, Ambiguitas patens, Amicus Curiae, Animus possidendi, Audi alteram partem, Bonafide, Caveat emptor, corpus delicti, Cy pres, De facto, De jure, De novo, Ex abundanti cautela, Ex-officio, ex parte, ex-post facto, factum valet, facti accompli, felo de se, fiat justitia, functio officio, in limine, in loco parentis, in pari delicto, in pari materia, jus ad rem, latus rogatory, locus standi, mutata mutandis, nudum pactum, onus probandi, perena patriae, plenum dominium, prima facie, pro bono publico, quid proquo, res integra, res nullius, sine qua non, ultra vires.

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**The Question-Paper Structure :**

The question paper will have nine questions in five sections. Section - A will have two questions out of which the examinee will have to answer any one question. Section - B will have two questions out of which the examinee will have to answer only one question. All questions from Sections C, D and E will have to be answered, question Nos. 3 to 10 will be compulsory. In all eight questions will have to be answered. The scheme of questions will be as follows -

**Section A :** 10 Marks (for one question)

Two questions will be asked from unit I<sup>st</sup> of the course of study. The examinee will answer only one question out of these two questions.

**Section B :** 10 Marks (for one question)

Two questions will be asked from unit II<sup>nd</sup> of the course of study. The examinee will answer only one question out of these two questions.

**Section C :** 30 Marks (for two question)

Two essays of 15 marks each and in about 200 words each, one in Hindi language and another in English language from the topics prescribed in Unit II<sup>nd</sup> of the course of study. The examiner will give three topics each for Hindi and English essays.

**Section D :** 10 Marks (for two question)

Two passages of not more than 100 words each will have to be translated - One from Hindi into English, and another from English to Hindi. Each translation will carry 10 marks. The passages will be asked in accordance with Unit III<sup>rd</sup> of the course.

**Section E :** 20 Marks (for two questions of 10 and 10 respectively)

Que. 09: Explanation of 5 legal maxims from unit IV<sup>th</sup> of the course. Each carrying Two marks.

Que. 10: Explanation of 10 legal words and phrases from unit V<sup>th</sup> of the course. Each carrying One marks.

**Paper - XV**

**Trust and Equity**

(90 Marks for Written Paper and 10 Marks for Tutorial)

**(1) Trust :**

**(a) Definition and classification :**

- (i) Definition of Trust, Trustee, Beneficiary, Trusts and Semi-trust Institutions.
- (ii) Classification and Kinds of Trusts.
- (iii) Creation of Trusts.
- (iv) Trustees: Appointment and Removal of Trustees.

**(b) Duties, liabilities and discretion of trustees**

**(c) Power of trustees.**

**(d) Extinction of trusts.**

**(2) Public and Charitable Trusts :**

**(a) Public and charitable Trusts (English Law) :**

- (i) Definition of Charity. (ii) Charitable Purposes. (iii) Cy pres doctrine.

**(b) Charitable Trusts under Mohammedan Law.**

**(c) Charitable Trusts under Hindu Law.**

**(3) Nature, History and Growth of Equity.**

**(4) Maxims of Equity.**

**(5) Equitable Doctrines.**

**Prescribed Cases :**

1. In re Hallet's Estate : Knatchbull v. Hallet [(1897) 13 Ch.D. 696].
2. Mercantile Bank v. Raynor [(1862) LR 7 AC 321].
3. Commissioner of Income Tax v. Pemsel [(1891) AC 531].
4. Jemabhai Jayer v. P.M. Nilkanth Jayer [AIR 1962 SC 633].

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5. Gopal Lal Paranchandra [49 IA 100].
6. Nair Services v. K.C. Alexander [AIR 1968 SC 1165].
7. Burn and Co. v. McDonald [36 Cal 354].

**LL.B. Part II:**  
(Fourth Semester)

**Paper - XVI**

**Administrative Law**

(30 Marks for Written Paper and 10 Marks for Tutorial)

- (1)
  - (a) Meaning of Administrative Law.
  - (b) Growth of Administrative Law.
  - (c) Administrative Law and Constitutional Law, Relation between the two, Rule of Law and Administrative Law, Doctrine of Separation of Power and Administrative Law.
- (2) Administrative Action, Discretion and Direction:
  - (a) Administrative action and quasi-judicial action.
  - (b) Discretion : Its meaning, advantages and disadvantages of conferring discretionary powers, judicial control of administrative discretion.
  - (c) Administrative direction : Its nature, Distinction between direction and rule.
- (3) Legislative Power of Administrative Agencies :
  - (a) Meaning of Delegated Legislation.
  - (b) Causes for the Growth of Delegated Legislation.
  - (c) Extent of Delegation of Legislative Power.
  - (d) Control of Delegated Legislation, Judicial Control and Parliamentary Control.
  - (e) Publication of Delegated Legislation.
- (4) Liability of and Suits Against Union of India, State and Other Public Authorities :
  - (a) Liability in Torts, and
  - (b) Liability in Contracts.
- (5) Privileges Enjoyed by the Government and Public Authorities in Relation to Legal Proceedings :
  - (a) Whether State is bound by Statutes?
  - (b) Government Privileges to Withhold Documents.
  - (c) Estoppel Against Government.
  - (d) Privilege of the Government under Section 80 of the Civil Procedure Code (CPC).
- (6) Power of Adjudication of the Administrative Agencies :
  - (a) Administrative Adjudication and Adjudication by Traditional Courts.
  - (b) Administrative Tribunals (in General).
  - (c) Practice and Procedure of Administrative Tribunals and Agencies :
    - (i) General, (ii) The twin principles of natural justice, (iii) Right to Counsel, (iv) Reasoned Decision, (v) Institutional Decisions, (vi) Hearing Officer's Report.
  - (d) Finality of Decisions.
- (7) Control of Administrative Action :
  - (a) Extra-ordinary Remedies.
  - (b) Equitable Remedies.
  - (c) Other Statutory Appeals.
- (8) Public Corporations.

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(9) Law of Government Service in India as Provided Under the Constitution of India with Special Reference to Service Tribunals.

**Prescribed Cases :**

1. In re Delhi Laws Act, 1912, etc. [AIR 1950 SC 330].
2. Lachmi Narain v. Union of India [AIR 1976 SC 714].
3. Govind Lal v. The Agricultural Produce Market [AIR 1978 SC 263].
4. Union of India v. Anglo-Afghan Ltd. [AIR 1968 SC 718].
5. Legal Remembrancer, State of West Bengal v. Corporation of Calcutta [AIR 1967 SC 997].
6. A.K. Krupak v. Union of India [AIR 1970 SC 150].
7. Gullapelli Nageshwar Rao v. A.P. State Road Transport Corporation [AIR 1959 SC 1376] (The Second Gullapelli Case).

**Paper - XVII**

**Environmental Law**

(30 Marks for Written Paper and 10 Marks for Tutorial)

1. Meaning and Definition of Environment.
2. Development of International Legal Norms & Standards for Environmental Protection.
3. Concept of Sustainable Development.
4. Environmental Protection and the Constitution of India.
5. Civil and Criminal Liabilities and Remedies for Environmental Damage.
6. Environment (Protection) Act, 1986.
7. Laws Relating to Prevention & Control of Water and Air Pollution in India.
8. Salient Features of Wild Life (Protection) Act, 1972.
9. Prevention of Cruelty of Animals Act, 1960.

**Prescribed Cases :**

1. M.C. Mehta v. Union of India [(1992) 3 SCC 256] (Relating to stone crushing activities in and around Delhi, Faridabad and Ballabgarh Complexes).
2. Indian Council for Environ-Legal Action v. Union of India [(1996) 3 SCC 212] (popularly known as H-Acid cases).
3. Vellore Citizens Welfare Forum v. Union of India [(1996) 5 SCC 647] (popularly known as T.N. Tanneries cases).
4. A.P. Pollution Control Board II v. M.V. Nayudu [(2001) 2 SCC 62].
5. N.R. Nair v. Union of India [AIR (2000) 403].
6. Centre for Environment Law WWFI v. Union of India [(1999) 1 SCC 263].
7. Narmada Bachao Andolan v. Union of India [(2000) 10 SCC 664].

**Paper - XVIII**

**Principles of Legislation and Interpretation of Statutes**

(30 Marks for Written Paper and 10 Marks for Tutorial)

1. Principles of Legislation.
2. Definition of 'Interpretation' and 'Construction'.
3. Nature of 'Judicial Process' : Judges as Law-makers.
4. Principles of Statutory Interpretation : General Aspects, Why rules necessary for Interpretation of Statutes, Rules of Law and Rules of Interpretation, Distinction.
5. The Three Rules : Primary Rule, Golden Rule, Mischief Rule.
6. Intention of the Legislature.
7. Aids to Construction : (i) Internal Aids, (ii) External Aids.
8. Effect and Operation of Statutes :  
(i) Repeal of Statutes.

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- (ii) Retrospective Operation of Statutes.
- (iii) Effect of Statutes on the State.
- 9. Construction of Penal Statutes.
- 10. Construction of Tax Statutes.

**Prescribed Cases :**

1. Institute of Accountant of India v. Priceware House [(1997) 6 SCC 312].
2. State of Madras v. Gyanan Dunderlay [(1959) SCR 379].
3. S.R. Bommai v. Union of India [(1994) 3 SC 61].
4. American Home Product Corporation v. Mac Laboratories Pvt. Ltd. [AIR 1986 SC 136].
5. Pawan Kumar v. State of Haryana [(1998) 3 SCC 309].
6. Rajasthan Electricity Board v. Associated Stone Industries [(2000) 6 SCC 141].
7. Sheikh Abdul Aziz v. State of Karnataka [AIR 1977 SC 1485].
8. I.C. Golaknath v. State of Punjab [(1967) 2 SCC 762].

**Paper - XIX**

**Banking Law**

(90 Marks for Written Paper and 10 Marks for Tutorial)

1. Banking Regulation Act, 1949.
2. Reserve Bank of India Act, 1934 (Salient Features).
3. Banking and Public Financial Institutional Laws (Amendment) Act, 1976.
4. Negotiable Instruments Act, 1881.

**Prescribed Cases :**

1. The Janata Sahakari Bank Ltd. State of Maharashtra [AIR 1993 Bomb. 292, 287].
2. Vijaya Bank v. Art Trend Exports [AIR 1992 Cal. 12].
3. Federal Bank Ltd. v. V.M. Jog Industries Ltd. [(2001) 1 SCC 663].
4. A.V. Murthy v. B.S. Nagabharan [(2002) 2 SCC 642].
5. Punjab and Sind Bank Ltd. v. Vinkar Sahakari Bank Ltd. 642 [AIR 2001 SC 3641].

**Paper - XX**

**Labour and Industrial Law**

(90 Marks for Written Paper and 10 Marks for Tutorial)

1. Trade Unions Act, 1926.
2. Industrial Disputes Act, 1947.
3. Workmen's Compensation Act, 1923.
4. Minimum Wages Act, 1948.
5. Employee's State Insurance Act, 1948.

**Prescribed Cases :**

1. Workmen of Dimakuchi Tea Estate v. The Management of Dimakuchi Estate [AIR 1958 SC 637].
2. Bharat Bank v. Employees of Bharat Bank [AIR 1950 SC 18].
3. Atherton West and Co. Ltd. v. Suti Mill Mazdoor Union [AIR 1953 SC 24].
4. Bangalore Water Supply and Sewerage Board v. A. Rajappa [AIR 1978 SC 548].
5. State of Madras v. C.P. Sarathy [AIR 1953 SC 53].
6. Surashtra Salt Manufacturing Co. Ltd. v. Bel-Velu Raja [AIR 1958 SC 881].
7. Unichoy v. State of Kerala [AIR 1962 SC 12].
8. Buckingham and Carnatic Co. Ltd. v. Venkathayya [AIR 1964 SC 1272].
9. Regional provident Fund Commissioner v. S.K. Metal Manufacturing Co. Bandra [AIR 1964 SC 1936].

# LL.B. V<sup>th</sup> Semester

## LL.B. FIFTH SEMESTER

### Paper – XXI

#### LAW OF CRIMES – II

#### (THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023)

##### **UNIT I: INTRODUCTION**

- A – MEANING & DEFINITION OF TERMS USED IN THE SANHITA
- B – CONSTITUTION OF CRIMINAL COURTS AND THEIR POWERS
- C – PROVISIONS FOR INVESTIGATION:
  - ARREST AND BAIL PROVISIONS
  - INFORMATION TO THE POLICE AND THEIR POWERS TO INVESTIGATE
- D – PROCESSES TO COMPEL APPEARANCE AND PRODUCTION OF THINGS:
  - SUMMONS FOR APPEARANCE
  - WARRANT OF ARREST
  - PROCLAMATION AND ATTACHMENT
  - RECIPROCAL ARRANGEMENTS FOR ASSISTANCE IN CERTAIN MATTERS AND PROCEDURE FOR ATTACHMENT AND FORFEITURE OF PROPERTY
  - OTHER RULES REGARDING PROCESSES
  - SUMMONS TO PRODUCE DOCUMENT OR OTHER THING
  - SEARCH WARRANTS
  - GENERAL PROVISIONS RELATING TO SEARCHES
  - MISCELLANEOUS

##### **UNIT II: PROCEEDINGS BEFORE MAGISTRATE**

- A – JURISDICTION OF CRIMINAL COURTS IN INQUIRIES AND TRIALS
- B – CONDITIONS REQUISITE FOR INITIATION OF PROCEEDINGS
- C – COMPLAINTS TO MAGISTRATE
- D – COMMENCEMENT OF PROCEEDINGS BEFORE MAGISTRATES
- E – SECURITY FOR KEEPING PEACE AND MAINTAINING GOOD BEHAVIOUR
- F – MAINTENANCE OF PUBLIC ORDER AND TRANQUILITY

##### **UNIT III: TRIAL & EXECUTION PROCEDURE**

- A – GENERAL PROVISIONS AS TO INQUIRIES AND TRIALS
- B – EVIDENCE IN INQUIRIES AND TRIALS
- C – THE CHARGE:
  - FORMS OF CHARGES
  - JOINDER OF CHARGES

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D - TRIAL:

- SESSIONS TRIAL
- WARRANT TRIAL
- SUMMON TRIAL
- SUMMARY TRIAL

E - JUDGEMENT

F - SUBMISSION OF DEATH SENTENCE FOR CONFIRMATION

G - EXECUTION, SUSPENSION, REMISSION AND COMMUTATION OF SENTENCE

H - PROVISIONS AS TO ACCUSED PERSON OF UNSOUND MIND

I - PLEA BARGAINING

UNIT IV:

A - APPEAL, REVISION AND REFERENCE

B - INHERENT POWER OF THE HIGH COURT

C - MISCELLANEOUS:

- MAINTENANCE OF WIFE, CHILDREN AND PARENTS
- TRANSFER OF CRIMINAL CASES
- IRREGULAR PROCEEDINGS
- LIMITATION FOR TAKING COGNIZANCE OF CERTAIN OFFENCES
- PREVENTIVE ACTION OF THE POLICE
- PROVISIONS AS TO OFFENCES AFFECTING THE ADMINISTRATION OF JUSTICE

RECOMMENDED BOOKS:

1. Ratan Lal & Dheeraj Lal, Cr.P.C. (Publisher - Bharat Law House, New Delhi, 25<sup>th</sup> Ed. 2006)
2. Batuk Lal, Code of Criminal Procedure (Publisher - Central Law Publication, Allahabad, 2016)
3. V.N. Paranjape, Code of Criminal Procedure (Publisher - Central Law Publication, Allahabad, 2017)
4. S.N. Mishra, Code of Criminal Procedure (Publisher - Central Law Publication, Allahabad, 2017)
5. Muralidhar Chaturvedi, Code of Criminal Procedure (Publisher - Allahabad Law Agency, Allahabad, 2016)

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LL. B. V<sup>th</sup> Semester

*Law of Evidence*  
**(Bhartiya Sakshya Adhiniyam, 2023)**

**Paper – XXII**

**LL.B.**

**Unit-I : Introduction and Relevancy**

- a. Evidence and its relationship with the substantive and procedural laws
- b. Definitions – Facts in issue, relevant facts, evidence proved, disproved, not proved [oral and documentary evidence] etc.
- c. Relevancy and admissibility
- d. Proof of Conspiracy

**Unit-II : Statements – Admissions/Confessions and Dying Declarations**

- a. Admissions
- b. Confessions
- c. Dying Declarations

**Unit-III : Method of proof of facts**

- a. Presumptions
- b. Presumption as to Abetment of Suicide and as to Dowry Death
- c. Expert opinion
- d. Evidence as to Character
- e. Admissibility of – oral and documentary evidence, primary and secondary evidence
- f. Evidence relating to Electronic record and its admissibility
- g. Law relating to Burden of proof
- h. Privileged Communications

**Unit-IV : Presumptions regarding discharge of burden of proof**

- a. Evidence by accomplice
- b. Judicial notice
- c. Presumption as to Certain Offences
- d. Improper admission and rejection of evidence
- e. Examination-in-chief, cross examination and re-examination
- f. Estoppels

**Recommended Books :**

1. M. Monir – The Law of Evidence (Publisher – Universal Law Publishing Co., G.T. Karnal Road, Delhi, 2017)
2. Murlidhar Chaturvedi – Evidence Act (Publisher – Eastern Book Company, Lucknow)
3. Raja Ram Yadav – Indian Evidence (Publisher – Central Law Agency, Allahabad, 2017)
4. Batuk Lal – The Law of Evidence (Publisher – Central Law Agency, Allahabad, 2017)
5. Raghunath Prasad Verma – Indian Evidence Act (Publisher – Allahabad Law Agency, Allahabad, 2017)
6. Avtar Singh – Indian Evidence Act (Publisher – Central Law Publications, Allahabad, 2017)

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**Paper - XXIII**

**Law of Intellectual Property**  
(60 Marks for Written Paper and 40 Marks for Tutorial)

1. Meaning, Nature and Scope of Intellectual Property Rights.
2. Intellectual Property Rights in International Perspective.
3. Trademarks Act, 1999.
4. Patents Act, 1970.
5. Copyright Act, 1957.

**Prescribed Cases :**

1. R.G. Anand v. Delux Films [AIR 1970 SC 1613].
2. Gramophone Company of India v. B.B. Pandey and Others [AIR 1984 SC 667].

**Paper - XXIV**  
(Clinical Course - I)

**Professional Ethics & Professional Accounting System**  
(50 Marks for Written Paper and 50 Marks for Viva-Voce)

**Professional Ethics & Professional Accounting System :**

- (i) Legal Profession.
- (ii) Professional Ethics.
- (iii) Accounting for Lawyers.
- (iv) Bench-Bar Relations.

**Detail Outline of the Course :**

1. Brief History of the Legal Profession and Professionalisation of the Legal Profession:
  - History and Development of Legal Profession in India.
  - Professionalisation of Legal Profession.
  - Efforts towards the Unification of the Bar in India.
2. Nature of Legal Profession :
  - As a Noble Profession.
  - As an Independent Profession.
3. Professional Ethics :
  - Need and Importance of Professional Ethics.
  - Lawyers Duty Towards Court, Client, Opponent, Colleagues and Others (As prescribed by the Bar Council of India in its Rules, 1976).
  - Code of Conduct for Lawyers (as prescribed by the International Bar Association).
4. Professional and Other Misconduct by the Lawyers :
  - Meaning and Scope.
  - Misconduct which amounts to Contempt of Court.
  - Inquiry into Misconduct and Punishment.
  - Powers of State Bar Councils and Bar Council of India in Relation to Punishment.
5. Selected Opinions of the Disciplinary Committees of the Bar Councils and Judgments of the High Courts and Supreme Court on Professional and Other Misconduct by the Lawyers.
6. Accountancy for Lawyers :
  - Meaning of Accountancy and Its Necessity.

- Different Kinds of Accounts to be Maintained by the Lawyers.
  - Receipt and Payment Accounts.
  - Income and Expenditure Account.
  - Balance Sheet.
7. Bench-Bar Relationship :
- Ethical Equipment of Judges.
  - Judicial Misbehaviour and Conduct which amounts to Contempt of Court.
  - Need to be Judge the Judges (in special reference to Judges Inquiry Bill, 2006).
  - Selected Judgements of the High Courts and Supreme Court on Judicial Misbehaviour and Contempt of Court by the Judges.

Paper - XXV  
(Clinical Course - 2)

**Alternate Dispute Resolution**

(30 Marks for Written Paper and 20 Marks for Viva-Voce)

1. Negotiation Skills to be learnt with simulated programmes.
2. Conciliation Skills.
3. Arbitration: Law and Practice Including International Arbitration and Arbitration Rules (With reference to Arbitration and Conciliation Act, 1996).

**Prescribed Cases :**

1. Meyst Enterprises v. Britannia Engineering Products and Service Ltd. [AIR 1993 Cal. 272].
2. M/s Konkan Rly. Corporation Ltd. v. M/s Rani Construction Pvt. Ltd. [AIR (2002) SC 778].
3. Fair Air Engineers v. N.K. Modi [AIR (1997) SC 533].
4. M.M.T.C. Ltd. v. Starline Industries (India) Ltd. [AIR (1997) SC 605 (1996) 2 Arbitration Law Report 705].
5. Coach Navigation Incorporation v. Hindustan Petroleum Co. Ltd. [AIR (1989) SC 2198].
6. J.K. Jains v. Delhi Development Tribunal [AIR 1996 SC 318].
7. K.K. Modi v. K.M. Modi [AIR (1998) SC 1297].
8. Varun Sico v. Bharat Bijali Ltd. [AIR (1998) Gujarat 99].
9. Messrs S.S. Paster v. Satyapal Verma [AIR (2000) P. & H. 301].
10. B.B. Radha Krishna v. Sponz Iron India Ltd. [(1999) 1 SCC 63].
11. T.P. George v. State of Kerala [AIR (2001) SC 816].
12. Binco Bicks v. Sitaram Agrawal [AIR (1996) Raj. 71].

LL.B. Part III  
(Sixth Semester)

Paper - XXVI

**Civil Procedure Code and Limitation Act**

(30 Marks for Written Paper and 10 Marks for Tutorial)

**(A) Civil Procedure Code :**

1. Preliminary : Definition, Decree, Order, Mesne Profit.
2. Suits in General : Jurisdiction of Courts, Meaning and kinds of Jurisdiction, Suits of Civil Nature, Doctrine of Res-judicata (Stay of Suits), Doctrine of Res-judicata, Bar to trial, Foreign Judgement (Its Presumption and Enforcement), Place of Suits, Transfer of Suits, Institution of Suits, Summons and Discovery, Issue and Service of Summons for Defendants, Summons to Witnesses, Penalty for, and Service of Summons for Defendants, Summons to Witnesses, Penalty for Default, Persons Exempted to Appear Before Courts, Discovery, Judgement and Decree, Interests and Costs.

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3. Incidental Proceedings : Commissions, Power of the Court to Issue Commissions, Commission to Another Court, Letter of Request, Commissions Issued by Foreign Courts.
4. Suits in Particular Cases : Suits by or against Government or Public Officer in their official Capacity, Suits by aliens and by or Against Foreign Rulers, Ambassadors and Envoys, Interpleader Suits.
5. Special Proceedings : Suits Relating to Public Matters, Suits Relating to Public Nuisance, and Public Charities.
6. Supplemental Proceedings : Arrest before Judgement, Attachment before Judgement, Temporary Injunction, Interlocutory Order, Compensation for Wrongful Arrest and Attachment.
7. Execution : General Question to be determined by the Court Executing Decree, Transfer, Legal Representatives, Procedure in Execution, Arrest and Detention, Attachment, Sale, Distribution of Assets (ratable distribution), Resistance to Execution.
8. Appeals : Appeals from Order, General Provisions relating to Appeals, Appeals to the Supreme Court.
9. Reference, Review and Revision.
10. Miscellaneous : Application for Restitution, Inherent Power of the Courts.
11. Rules of Procedure and Orders :

Parties to the Suit, Joinder, Misjoinder of Parties, Representatives (0.1), Frame of Suits (0.2), Institution of Suits (0.4), Issue and Service of Summons (0.5), Pleadings and Complaints (0.6.7), Written Statement, Set off and Counter-claim (0.8), Appearance of Parties and Consequences of Non-appearance (0.9), Discovery and Inspection (0.14), Summoning and Attendance of Witnesses (0.16), Judgement and Decree (0.20), Costs (0.20A), Withdrawal Suits (0.23), Commission (0.26), Suit by or Against Government or Public Officers in their Official Capacity (0.27), Suits by or Against Trustees, Executors and Administrators (0.31), Suits by or Against Minors and Persons of Unsound Mind (0.32), Suits by Indigent Persons (0.37), Interpleader Suit (0.35), Arrest and Attachment Before Judgement (0.38), Execution (0.21), Appeals to the Supreme Court (0.45), Appeals from Orders (0.43), Appeal by Indigent Persons (0.44), Revision (0.47).

• Civil Court Rules, Chapters I to IX,

• High Court Rules (Civil and Criminal), Chapters I to VII, IX, XIII, XVII and XVIII.

**(B) Indian Limitation Act, 1963.**

**Prescribed Cases :**

1. Amritlal Berry v. Collector of Central Excise, New Delhi and Others [(1975) Uchhatam Nyayalaya Nirnaya Patrika, p. 500].
2. Shri Bhavanarayan Swami Vari Temple v. Vedapalli Venkata Bhavanarayan Parayula [(1974) 3 Uchhatam Nyayalaya Nirnaya Patrika, p. 1749].
3. Vallabh Das v. Dr. Madan Lal and Others [(1974) Uchhatam Nyayalaya Nirnaya Patrika, p. 1812].
4. Union of India v. Messrs Charurhai M. Patel and Co. [(1976) 4 Uchhatam Nyayalaya Nirnaya Patrika, p. 341].
5. Nagu v. Banu [AIR 1174].
6. Shalimar Road Works Ltd. v. Adul Husain [1980 SC 1163].
7. Srikrishna Singh v. Mathura Ahir [AIR 1988 SC 666].
8. S.K. Sen v. State of Bihar [(1975) 3 Uchhatam Nyayalaya Nirnaya Patrika, p. 591].
9. International Airport Authority of India v. R.D. Babi [AIR 1988 SC 1090].

*J. Shauhan*  
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Paper - XXVII

Land Laws

(30 Marks for Written Paper and 10 Marks for Tutorial)

(A) Land Laws :

1. General Introduction : Scope of the Subject, Importance for the Social and Economic Life of the Country, General Idea of the Nature of the Land System in the Past.
  2. U.P. Zamindari Abolition and Land Reforms Act, 1950.
    - (a) Nature and the Problems the U.P.Z.A. and L.R. Act 1950, Scope of the Act and its General Character and Impact.
    - (b) Vesting of the Different Kinds of Interests of Intermediaries Along with the Operation of Mines in the State.
  3. The Concept of Gaon Sabha and Land Management Committee: Their Powers, Functions, and the Role Assigned to them in the new set up of Land Tenure.
  4. An Idea of the Different Types of the Tenures Existing at the time of the Passing of the U.P.Z.A. and L.R. Act, 1950 with regard to the Use, Transfer, Exchange, bequest, Succession and Division of Holdings.
  5. Surrender and Abandonment of Holdings, Extinction and Merger of the Interests, Admission to or Allotment of Land, Ejectment, Rent Payable by an Assam, Declaratory Suits.
  6. U.P. Land Revenue Act, Revenue Courts and Revenue Officers, Maintenance of the Maps and Records, Revision of Maps and Records, Procedure of Revenue Courts and Revenue Officers.
- (B) General Principles of the Law of Ceiling and Consolidation of Holdings.

Prescribed Cases :

1. Lal Narak Chand v. Board of Revenue [1966 R.D. 165].
2. Allauddin v. Hamid Khan [AIR 1971 All 348].
3. Abdul v. U.P. Government and Others [AIR 1968 All 428].
4. Gram Sabha v. Ram Raj Singh [AIR 1968 SC 1073].
5. Kumar v. Dy. Director of Consolidation [1976 A.L.J. 635].
6. Abdul Rasheed v. Additional Commissioner [1989 R.D. 453].
7. Gajodhari Devi v. Gokal [AIR 1990 SC 45].
8. Virendra Singh v. L.M.C. [2001 R.D. 774].
9. Sant. Bhagurita v. D.D.C. [1982 A.L.J. 29].
10. Jal Singh v. II Additional District Judge Muzaffarnagar [2000 R.D. 1217].

Paper - XXVIII

Principles of Taxation Law

(30 Marks for Written Paper and 10 Marks for Tutorial)

1. General Principles of Taxation : Needs, Meaning, Difference Between Tax and Fee, Canons of Sound Taxation, Direct and Indirect Taxes, Incidence and Shifting of Taxes, Problem of Tax Evasion and Tax Avoidance, Tax Planning and Management.
2. Constitutional Principles of Taxation : Power of Taxation, Distribution of Taxing Power, Residuary Power of Taxation, Inter Governmental Tax Immunities, Role of Finance Commission, Aims of Directive Principles of State Policy to be achieved through Taxation, Money and Finance Bills.
3. Introduction of Certain Taxes : Income Tax, Corporation Tax, Wealth Tax, Gift Tax, Service Tax, Excise & Custom, VAT, CST.
4. Law of Income Tax :
  - (a) Introduction.
  - (b) Definition of Income, Agriculture Income, Person, Assesses Taxable Income.
  - (c) Basis of Charge : Residence and Tax Liability.

*A. K. Sharma*  
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- (d) Exemptions from Tax (Non-Taxable Income),
- (e) Heads of Income :
- (i) Income from Salaries,
  - (ii) Income from House Property,
  - (iii) Profits and Gain of Business and Profession, Depreciation Allowance,
  - (iv) Capital Gains,
  - (v) Income from other Sources.
- (f) Clubbing of Income and Aggregation of Income,
- (g) Set-off and Carry-Forward of Losses,
- (h) Deductions from to be made in Computing Total Income,
- (i) Rebates of Income Tax,
- (j) Assessment of Hindu Undivided Family,
- (k) Assessment of Firms and Association of Persons,
- (l) Income Tax Authorities and Their Powers,
- (m) Procedure for Assessment,
- (n) Deduction of Tax at Source,
- (o) Advance Payment of Tax,
- (p) Appeals and Revision,
- (q) Penalties,
- (r) Income Tax on Fringe Benefits.

**Paper - XXX**  
(Clinical Course - 3)

**Drafting, Pleading and Conveyance**

(45 Marks for Drafting & Pleading, 45 Marks for Conveyance and 10 Marks for Viva-Voce)

**Outline of the Course :**

1. **Drafting :** General Principles of Drafting and relevant substantive Rules shall be taught.
2. **Pleadings :**
  - (i) **Civil :** Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.
  - (ii) **Criminal :** Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision.
  - (iii) **Conveyance :** Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed.
  - (iv) **Drafting of Writ Petition and PIL Petition.**

The Course will be taught class instructions and simulation exercises, preferably with assistance of practising lawyers/retired judges.

Apart from teaching the relevant provisions of law, the course may include not less than 15 practical exercises in drafting carrying a total of 45 marks (3 marks for each) and 15 exercises in conveyance carrying another 45 marks (3 marks for each exercise) remaining 10 marks will be given for viva-voce.

**Paper - XXX**  
(Clinical Course - 4)

**Moot Court Exercise and Internship**

(30 Marks for Moot Court, 30 Marks for Observation of Trial, 30 Marks for Internship and 10 Marks for Viva-Voce)

**Outline of the Course :**

1. **Moot Court (30 Marks) :** Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for Written Submissions and 5 marks for Oral Advocacy.

2. **Observation of Trial in two cases, One Civil and One Criminal (30 Marks)** : Students may be required to attend two trials in the course of the last two or three years of LL.B. Studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.
3. **Interviewing Techniques and Pre-trial Preparations and Internship Diary (30 Marks)** : Each Student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and Record the Proceedings in a Diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.
4. **Viva-Voce Examination (10 Marks)** : The Fourth Component of this Paper will be Viva-Voce on all the above three aspects. This will carry 10 marks.

**Mode of Assessment in Practicals :**

The Assessment in all the Component of each Practical in V<sup>th</sup> and VI<sup>th</sup> Semesters shall be done by a Board Consisting of the Following :

- (I) **Convener** : A Teacher of the University Law Department.
- (II) **External Examiner** : Who shall either be a Lawyer of not less than 10 Years standing at the Bar or a Retired Judicial Officer.
- (III) **Practical Training Teacher** : The Teacher concerned of the University/College.

*Reference*  
3/10/07