



GAUHATIUNIVERSITY
GUWAHATI-781014

**REGULATION AND SYLLABUS OF THREE YEAR LAW DEGREE COURSE IN SEMESTER
SYSTEM WITH CHOICE BASED CREDIT AND GRADING SYSTEM LEADING TO THE
AWARD OF LL.B. / LL.B.(HONS.) DEGREE**

IN CONFORMITY WITH THE BAR COUNCIL OF INDIA RULES (UNDER THE ADVOCATES ACT, 1961) PART –IV and as approved and adopted by the Bar Council of India at its meeting held on 14th September, 2008 vide resolution No. 110/2008 (Rules under Section 7(h) & (i), 24(1)(c)(iii) and (iii)(a), 49(1)(af),(ag),and(d) of the Advocates Act, 1961.

And as approved and passed by the Academic Council, Gauhati University on 10.5.2024.

(Notification no.GU/Acad/2024/99846 dated 24.9.2024)

REGULATION

PART–A

TITLE, COMMENCEMENT AND DEFINITIONS

1. Title:

This regulation may be known as the Regulation of 3yr. Law Degree Course in Semester System with Choice Based Credit and Grading System (CBCGS) leading to the Award of LL.B. / LL.B. (Hons.) Degree.

2. Commencement: This Regulation shall be effective from 2024-25 onwards. In cases of the students who have taken admission in the First Semester of 2024-25 session, their assessment will be done as per the new regulation and it will be followed in the subsequent semesters as well.

The students who took admission prior to 2024-25 session shall be required to study the revised syllabus under the new Regulation which is mentioned in Part L of the Course Structure. Further, the End Semester assessment procedure of these students will be guided by the earlier regulation.

3. Definitions:

“Bar Council of India or Council or BCI” shall mean Bar Council of India constituted under the Advocates Act, 1961.

“Centre of Legal Education” means the Constituent Law College of the University and affiliated Law Colleges recognized by the Gauhati University.

“Compulsory Subjects” mean and include subjects prescribed by the Bar Council of India as such.

“Bachelor Degree in Law” means and includes a degree in law conferred by the University and recognized by the Bar Council of India for the purpose of the Advocates Act, 1961 and includes a bachelor degree in law after any bachelor degree in science, arts, commerce, engineering, medicine or any other discipline of a University for a period of study of not less than three years.

“First Degree” means Bachelor Degree in any branch of knowledge such as Arts, Fine Arts, Science, Commerce, Management, Medicine, Engineering, Pharmacy, Technology etc. conferred by Gauhati University or any other University recognized by the Bar Council of India, from time to time.

“Regular Course of Study” means and includes a course which runs for **at least five hours a day** continuously with an additional half an hour recess everyday and running **not less than thirty hours of working schedule per week**.

“Second Degree” means a course of study leading to a degree, which can be prosecuted only after obtaining a bachelor degree.

“State Bar Council” means the state bar council constituted in the state under the Advocates Act, 1961.

“Unitary Degree Course in Law” means three year degree course in law pursued by a student after completing a bachelor degree course in any discipline.

“Full-time Faculty Members” mean all full-time faculty members of the affiliated or constituent college as per UGC/ BCI guideline.

PART-B

PROVISIONS OF ADMISSION

4. Introduction:

There shall be a 3yr. Law Degree Course of 6 (six) semesters, spreading over 3 academic years, with Choice Based Credit and Grading System (CBCGS) leading to the Award of LL.B. / LL.B.(Hons.) degree for the purpose of enrolment as advocates under Advocates Act, 1961.

5. Eligibility for Admission:

3yr. Law Degree Course: An applicant who has **graduated in any discipline** of knowledge from a university established by an Act of Parliament or by a state legislature or from an equivalent national institution recognized as a deemed to be University or from a foreign university recognized as equivalent to the status of an Indian University by an authority competent to declare equivalence, may apply for a three year law degree course leading to conferment of LL.B. / LL.B (Hons.) degree on successful completion of the regular course.

Provided that applicants who have obtained First Degree Certificate after pursuing studies in **distance or correspondence** method shall also be considered eligible for admission in the 3yr. law degree course.

6. Age on Admission:

There will be no age bar for taking admission.

7. Admission Procedure:

Admission shall be made strictly on merit by the respective college admission committee either by holding written admission test or interview of the candidates. In case of written admission test, if any, the question paper shall comprise to test

(a) linguistic ability; (b) analytical skills; (c) level of quantum of information; (d) mathematical aptitude; (e) legal reasoning; (f) aptitude for learning law. Some preliminary psychological ability test may also be included.

In case of equal marks in admission test, their merit shall be determined by marks obtained in the qualifying examination i.e. the First Degree examination.

The result of the admission test, in order of merit, shall be notified in the office notice board and/or website, if any. Any selected student who fails to pay his/her admission fee and other charges by the date fixed for such payment shall forfeit his/her claim for admission.

There shall be **no relaxation** of marks in minimum eligibility for admission.

Reservation policy of the Govt. in the category of physically handicapped and candidates having extracurricular and co-curricular activities shall be followed while selecting the candidate. As per existing policy 7% (seven percent) of the total seats will be reserved for the applicant from schedule cast (SC), 10% (ten percent) for applicants from scheduled tribe-plains (ST-P), 5% (five percent) for applicants from schedule tribes-hills (ST-H). The reservation policy would be revised from 15% to 27% as per notification issued by Directorate of Higher Education, Govt. of Assam (Reference no. DHE/EG/misc./79/2023/24 dated 20/07/2023) as applicable for non-creamy layer candidates of OBC/MOBC community.

8. A. Prohibition to Register in Two or More Regular Courses of Study

No student of the 3yr law course shall be allowed to register simultaneously with any other graduate, postgraduate, certificate or diploma courses run by the same or any other university or institute for academic or professional learning.

Provided that any short period part time certificate or diploma course on language, computer science or computer application of an institute or any course run by a Centre for Distance Learning of a university shall, however, be allowed.

B. Production of NOC (No Objection Certificate)

In respect of service holders (full-time/ part-time), the aspiring students have to produce NOC from present employer within 15 days from the date of admission failing which the seat shall be forfeited.

9. Minimum Marks in Qualifying Examination for Admission

As per stipulation of the Bar Council of India the minimum percentage of marks not bellow **45%** of the total marks in case of general category applicants ,and **40%** of the total marks in case of SC, ST and OBC applicants, to be obtained in the qualifying examination, i.e., in First Degree Examination in any discipline.

Provided that such a minimum qualifying mark shall not automatically entitle a person to get admission in the college, but shall only entitle the person concerned to fulfill other criteria notified by the college concerned or by the government concerned, from time to time, for admission.

PART-C

PROCESS AND MANNER OF RUNNING COURSE & NBER OF PAPERS

10. Semester System with CBCGS and Teaching Load:

The 3yr.lawdegreecourseleadingto the award of LL.B/LL.B (Hons.) degree shall be conducted in semester system with CBCGS in not less than **15 weeks per semester**, with not less than **30 class-hours per week** including tutorials, moot court class room exercises and seminars provided there shall be at least 24 lecture hours per week. Provided further that in case of specialized and / or honours law degree courses there shall be not less than **36 class-hours per week** including seminar, moot court and tutorial classes and 30 minimum lecture hours per week.

Minimum Weekly Class Program per Paper:

- i) Each class will be of **one hour duration**.

Number of class-hour per paper per week shall be equal to the number of credit assigned to that paper as indicated in the course structure or as shown against the name of that paper in the syllabus. (For course structure see **PART - J**).

Class Time Table shall be prepared in consultation with the faculties indicating credit per paper.

The **teaching load** of full-time faculty members and Temporary Teachers such as Part-

Time/Contractual/Teaching Associates/ Guest Teacher etc. shall be according to the norms prescribed by the BCI / UGC from time to time and in-case-of any conflict the norms prescribed by the UGC shall prevail. There shall be a **break for 10 days** at the end of each Semester.

The session for the odd semester shall run from **July to December** and for the even semester shall run from **January to June**. The odd semester examination will be held in December and the even semester examination will be held in June every year (For academic calendar see **PART - I**).

11. Attendance Provision for End Semester Examination

No student shall be allowed to appear in the end semester examination in a paper if he/ she has not attended minimum of **70%** of the classes held in the paper concerned including in tutorials, moot court exercises, practical trainings etc. conducted in respect of that paper.

If a student for any exceptional reasons fail to attend **70%** of the classes held in any paper, the principal of the college may allow him/her to take the examination if he/ she attended at least 65% of the classes held in the paper concerned and attended 70% of classes in all the papers taken together. Provided a list of such students allowed to take examination, with reasons recorded, be forwarded to BCI.

12. Academic Standards and Courses to be Studied:

Medium of Instruction: English shall be the medium of instruction in 3yr. Law Degree Course.

Total number of law papers to be offered in 3yr. Law Degree Course:

i) For 3yr. LL.B. Degree course students have to take **twenty compulsory law papers, six optional law papers and four compulsory practical (clinical) law papers** as indicated in the course structure. **(The internship training programme for the 4th practical paper may start from the earlier semesters of the 3yr. course as per Rule 17).**

ii) For 3yr. LL.B. honours degree course, in addition to above mentioned papers, a student has to take **eight additional law papers** from any of the honours/specialized groups as indicated in the course structure. The honours /specialized groups are **Constitutional Law Group, Crime and Criminology Group, Intellectual Property Law Group and Business Law Group**. However, if the additional eight papers are taken from more than one group, honours will be given in general law without mentioning any specialization.

Example: "A" has taken eight honours papers selected as follows: two from Constitutional Law Group, three from Business Law Group, one from Crime and Criminology Group and two from Intellectual Property Law Group, his honours shall be in Law. "B" takes eight papers from Constitutional Law group, his honours shall be mentioned in Constitutional Law.

However, severalty of papers must be maintained in selecting honours and optional papers. (For list of Honours paper see Part – K).

13. General Timing for Conducting the Courses:

Classes shall be conducted between **8 a.m. to 7 p.m.** in a college, which is not fully residential. However the Library may remain open till 10 p.m.

14. Size of a Section:

The size of each of the section of a class shall be not more than **60 students**, but not more than five sections in one class, such as first semester or second semester or third semester, etc.

15. Computer Education:

Computer Education is to be made compulsory for all the students.

16. Legal Aid Centre:

Each college shall establish and run a Legal Aid Clinic under the supervision of a Senior Faculty Member who will administer the Clinic, run by the final year students of the college, in co-operation with the Legal Aid Authorities with the help of voluntary lawyers and other Non-Government Organizations engaged in this regard generally in the locality from which the student community of the college hail.

17. Minimum Period of Internship:

Each registered student shall complete minimum of **12 weeks internship** for 3yr. law course during the period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory Authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies as the University shall stipulate, where law is practiced either in action or in dispute resolution or in management.

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

Each student shall keep **Internship diary** in such form as may be stipulated by the University/College concerned and the same shall be evaluated by the Guide in Internship and also a Core Faculty member of the college, each time. The total mark shall be assessed in the Final Semester of the course in the 4th practical paper.

District-wise List of Senior Lawyers Willing to Guide Students under Internship:

The college principals shall assist the State Bar Council in the preparation of the list of suggested senior advocates, district-wise, with at least ten years experience, who are willing to take under them internship students during the vacation period.

Formal Dress Code During Internship:

Students placed under internship or in moot court exercises shall have formal dress of legal professional in pupillage as follows:

For all: White or black trouser ,white shirt, black tie, black coat, black shoe and black socks.

Optional for girl students: Black printed saree, with white full sleeve blouse and covered black shoe or lawyer's suit with covered black shoe.

Formal Dress Code as above may be applicable during the normal class-hours also.

PART-D**END SEMESTER EXAMINATIONS AND EVALUATIONS****18. Examination and Evaluation:**

Examination consists of **(i) continuous internal assessments** through sessional examinations, viva-voce, seminars/group discussions and **(ii) end-semester examinations**. The schemes of continuous internal assessment designed according to needs of teaching-learning process in the course shall be disclosed to the students at the beginning of every semester by the teacher of the paper concerned.

19. Timing of End Semester Examinations:

The end semester examinations shall ordinarily be held at the end of every semester. The end semester examinations of the **odd semesters** will be held in **December** and end semester examinations of the **even semesters** will be held in **June** every year.

20. Written End Semester Examinations of Theory/Practical papers:

There will be **written end semester examinations** of 80 marks of 3 hour duration in **each theory paper**.

For **practical paper No. 1: Alternate Dispute Resolution** there will be written end semester examination for **60 marks of 2 hour duration** out of total 100 marks. For 20 marks, there will be internal assessment and for rest of the 20 marks there will be viva-voce examination and evaluation of written assignments/projects etc. to be **jointly** evaluated at the end of semester by one internal examiner and one external examiner to be appointed by the University.

The end semester examination of **practical paper No. 2: Drafting, Pleading and Conveyancing**: There will be written end semester examination for **45 marks of 2 hour duration** out of total 100 marks. For remaining 55 marks, there will be viva-voce examination (10 marks) and evaluation of written assignments/projects/ practical training (45 marks) etc. to be jointly evaluated at the end of semester by one internal examiner and one external examiner to be appointed by the University.

Theory: $15 \times 3 = 45$
 Assignment/ Project: $15 \times 3 = 45$
 Viva-Voce: 10

For **practical paper No. 3: Professional Ethics, Professional Accounting System, and Legal Aid Camp**. There will be written end semester examination for **45 marks of 2 hour duration** out of total 100 marks. For remaining 55 marks, there will be viva-voce examination (10 marks) and evaluation of written assignments/projects/ practical training (45 marks) etc. to be jointly evaluated at the end of semester by one internal examiner and one external examiner to be appointed by the University.

Assessment Procedure:
 Unit I, II, III : $15 \times 3 = 45$
 Project/ Assignment: =25
 Legal Aid Camp: =20
 Viva: =10

In case of written paper containing 45 marks, the marks distribution would be as follows:

Three questions containing 10 marks from 3 units =30 marks

Five short question on legal reasoning containing 3 marks =15 marks.

For **practical paper No. 4: Moot Court & Internship** (i) the written assignments relating to moot court, (ii) records relating to observation of 2 (two) trials in the court and (iii) the internship diary (jointly evaluated by the Guide in the internship and the core faculty member of the college) along with the list of the marks awarded on all the above three components will be placed before an internal examiner and external examiner to be appointed by the University for joint and final evaluation at the time of viva-voce examination at the end of the final semester. **As per Rule 17 of the Regulation the internship training will be of minimum 12 weeks during the entire 3yr. course, but in any year it should not be for a continuous period of more than 4 weeks.**

21. Distribution of Marks in the Question Papers of the End Semester Examinations

&Instructions:

A. In a written paper of 80 marks of 3 hour duration the distribution of marks in the question paper will be as follows: -

(i) There will be **2 (two) questions, each of 12 marks, from each of the 5 units** of the syllabus of the paper. The students have to **answer 1 one from each unit**. Of course, a question may have more than one part. (12 x 5=60 marks)

(ii) There will be a compulsory question of 20 marks:

Will have **10(ten) short questions on reasoning/legal reasoning, each of 2 marks**, containing 2 questions from each unit. (5 X 2 X 2=20 marks)

B. In a written paper of 60 marks of 2 hour duration the distribution of marks in the question paper will be as follows:

(i) There will be **2 (two) questions, each of 15 marks, from each of the 3 units** of the syllabus of the paper. Students have to **answer one from each unit**. Of course, a question may have more than one part. (15X 3=45 marks)

(ii) There will be a compulsory question of 15 marks:

Will have **5 (five) short questions on reasoning/legal reasoning, each of 3 marks**, covering all the 3 units of the syllabus, equally, as far as practicable. (5 x 3 = 15 marks)

Instruction 1: The teachers/ principals will explain about the above distribution of marks in the question paper to the students in the beginning of the semester and **the Controller of Examinations will bring the above distribution of marks to the notice of the question setters and question paper moderators.**

Instruction 2: Referred cases have been incorporated in the syllabus to make the concept of law clear. But there will be no question in examinations exclusively on any decided case, though question on any concept of law may be asked with reference to important referred cases.

For example:

There will be no question from the referred cases of the following pattern –

Q. State the facts and principles of law laid down in Maneka Gandhi vs. Union of India.

But there can be question with reference to Maneka Gandhi case of the following pattern –

Q. State the meaning of “Procedure Established by Law” under Article 21 in the Constitution in the light of the decision of the Supreme Court in Maneka Gandhi vs. Union of India.

22. Admission into End Semester Examination:

A candidate shall be admitted to end semester examination provided he/she prosecutes a regular course of study prescribed for that particular examination with **minimum 70% attendance** and secures **at least 45% of marks (i.e. 9 marks out of 20) in the internal assessment** of each of the papers in which there is provision for internal assessment.

A candidate shall have to submit a certificate from the principal of the college concerned regarding his/her bonafide, satisfactory progress of studies and testifying to his/her good conduct and character.

23. Forfeiting of Examination Fees:

Every candidate found to be qualified to be admitted in the end semester examination shall have to pay the prescribed fees and apply in the prescribed form through the Principal of the college. If he/she fails to pass or fails to present himself/herself at the examination, he/she shall forfeit the examination fees so paid for that examination.

24. Time Limit for Clearing the Degree:

A Candidate shall be required to clear his/her LL.B/LL.B(Hons.) degree **within a period of 5 (five) years** from the date of his/her admission in the first semester of the course.

PART-E**INTERNAL ASSESSMENT****25. Distribution of Marks in Internal Assessment:**

Distribution of 20 marks for internal assessment shall be as follows:-

First Sessional Examination	= 5 marks
Second Sessional Examination	=5marks
Viva-voce Examination	=5marks
Group Discussion/Seminar	=5marks

26. Procedure of Internal Assessment:

The 1st and 2nd sessional examinations of the **odd semesters** will be held in the **second part of September and November** respectively. And the 1st and 2nd sessional examinations of the **even semesters** will be held in the **second part of February and April** respectively.

The principal in consultation with the teachers **will notify from time to time the exact dates of** sessional examinations, viva-voce examinations and group discussions/ seminars.

Each sessional examination will be of **1 hour duration of total 20 marks in each paper (minimum 2 questions carrying 10 marks in each paper)**. The setting of question paper, invigilation duty, evaluation of answer scripts, viva-voce examination and all other activities connected with internal assessment will be done by the concerned teachers as part of their normal duty as teacher of the paper and **will not be entitled to any extra remuneration**.

After evaluation, the **answer scripts should be shown to the students concerned and correction should be made, if needed**. After this, the answer scripts should be collected back from the students. The entire process of evaluation of a sessional examination should not take more than 2 weeks from the date of examination.

If a student misses any of the sessional examinations for valid reasons, as evidenced by medical certificate or other authentic documents, the teacher(s) concerned may allow the student a separate examination using the teachers' own discretion.

It is **recommended that 1(one) paper in semester system should be taught by at least two teachers**. The concerned teachers of a paper should cooperate in conducting the internal assessment of that paper.

The concerned teacher(s) should submit the internal marks in proper mark sheet along with the answer scripts to the principal at least a week before the filling up of examination forms begins for that semester. The principal will send the internal marks of all the papers to the controller of examinations before the end of the semester examinations. But the answer scripts of sessional examinations and other records will be kept in the custody of the principal for future references for a minimum period of 1 year.

27. Scaling of Marks of Internal Assessment:

If necessary, the Controller of Examination shall arrange the scaling of marks of Internal Assessments before announcement of examination result.

PART-F**PROVISIONS FOR PASSING EXAMINATIONS & SEMESTER PROMOTION****28. Standard of Passing the Semester Examinations:**

In order to qualify in a particular examination, a candidate shall have **to secure at least 45% of marks** in each and every theory and practical/clinical paper **in end Semester examination** and **a minimum of 45% marks in internal assessment** of each of the papers in which there is provision for internal assessment.

To pass any of the semester examinations a candidate must have passed in all the papers of that semester as per the provisions mentioned in the preceding rules. The results of the candidates appearing at the 6th semester of the 3yr. law degree course shall not be declared unless and until the candidate has been declared passed in all the papers up to 5th semester examination.

29. Semester Promotion:

A candidate, in order to be eligible for admission for the next semester, must have successfully kept the term of the preceding semester, irrespective of the result of the semester examination.

30. Maximum No. of Back Papers:

Maximum of **3 (three) theory papers** may be allowed as **‘back’** papers in a particular semester for 3yr. law degree course. A candidate will be allowed to clear his or her back paper or papers within the **prescribed limit of 5(five) years** in 3yr. law course from the date of admission in the first semester.

31. Next Due Semester Examination:

A candidate who could not appear or failed, in any semester examination, will be allowed to clear the same as follows:

- i) First semester examination with the regular third or odd semester examinations.
- ii) Second semester examination with the regular fourth or even semester examinations and so on.

32. Betterment:

A candidate may be allowed to repeat **in any one of the theory papers** (except that of fifth & sixth semester in 3yr. law course) in the next due semester for **‘betterment’** of marks provided the candidate secures **less than 55% marks** in that paper.

33. No Betterment and Back:

No ‘betterment’/ ‘back paper’ shall be allowed in the internal assessment and in practical/clinical papers in any semester.

34. Maximum Chances to Clear a Semester Examination:

A Candidate must pass all his/her semester examinations including the ‘back’ and ‘betterment’ chances within **5(five) years** in 3yr. law course from the date of admission to the first semester.

A candidate will get a maximum of 3 (three) chances to clear a particular semester. Be it clarified that a candidate not appearing in any examination due, shall lose that particular chance allowed to him or her.

PART-G

PROVISIONS OF DISCIPLINE

35. Disciplinary Provisions:

Every student shall maintain high standard of peace and tranquility, ideal conduct, cleanliness and discipline in classroom and within the university or college campus.

No Students shall shout and scream or commit acts of miss-behaviour with his/her fellow students.

Ragging in any form is strictly prohibited and would attract severe disciplinary action including the punishment of expulsion from the college.

Obscene and indecent behaviour shall invite strict disciplinary action including expulsion from the college.

Sexual harassment or any practice derogatory to human dignity and personal privacy are strictly prohibited. Anyone found indulging in such act would be placed before the committee on sexual harassment of the college for taking immediate & appropriate strong action.

Library is maintained and managed in accordance with the rules framed for the library. It is mandatory for all students to strictly adhere to the rules. Non-compliance shall meet strong disciplinary action.

These disciplinary regulations are deemed to be known to all students of the college.

- 36.** For any matter not covered under this regulation for semester system, the existing University rules and the Gauhati University Act, 1947 (as amended up-to date) shall be applicable.

- 37.** The above rules and guidelines are provisional and subject to modification by the University Authorities from time to time.

38. Committee on Courses & Syllabus(CCS):

The CCS may, from time to time design various courses in law taking into account the development of the law in various field of study.

PART-H

PHYSICAL AND ACADEMIC INFRASTRUCTURE**39. Physical Infrastructure:**

Definition: Institution means a Centre of Legal Education (CLE) which includes constituent and affiliated law colleges.

Minimum Capital Fund Requirement: Each Law College or the Centre of Legal Education before seeking affiliation with the University and approval of Bar Council of India for the same shall have a minimum capital fund of Rupees ten lakh to be kept into a Bank account to be used for any future exigencies and development of the Institution.

Freehold or Leasehold Property: Each Law College or the Centre of Legal Education providing education in law must have either freehold or long leasehold land adequate to provide academic buildings, library, indoor and outdoor sports facilities, halls of residences for male and female students separately, as the case may be, in the name of the Centre of Legal Education or Organization running the Centre of Legal Education. However, lease in the name of the Centre of Legal Education shall be for a period of not less than ten years. Such Institutions are further regulated by the affiliation regulation of the University and as guided by the UGC, based on the size of its student population, faculty requirement, infrastructure facilities, library space requirement, indoor and outdoor games facilities and other requirements.

Academic Building: There shall be the academic building to provide separate class room for general class for each section sufficient to accommodate 60(sixty) students as per the requirement of per student floor space as specified by the University Grants Commission or such other standard setting body like AICTE etc. and also such other rooms for tutorial work, moot court room exercises, common room for male and female students and adequate library space for keeping books, periodicals, and journals. The library shall also have adequate reading space for at least 25% of the enrolled students according to per capita reading space.

Library Building: There shall be adequate space in the library for computer facility with access to Internet and national and international library access and databases.

Games Facilities: There shall be facilities for indoor and outdoor games and sports.

Halls of Residence: There may be facility required for halls of residence separately for males and females students constructed on the direction and specification by UGC or any such other standard setting body for affiliating an Institution.

Organizational Structure of a College:

Constituent College: A constituent college shall be run by the University and all properties, assets, and the academic and academic support services shall be required to be recorded in the name of the University.

Affiliated College: An affiliated college or a Centre of Legal Education can be run by a Non-profit organization, like a Public Trust, Societies registered under Union or State law, or a Non-Profit Company. All properties, assets, and the academic and academic support services shall be required to be recorded in the name of the institution or college.

Bank Accounts and Funds: All bank accounts and funds of an affiliated college or a centre of legal education shall be jointly operated by the Manager/ Secretary designated by the Trust, Society, or the Non-Profit Company, as the case may be, with the Principal or the Head of the Institution. Records relating to finance shall be kept in safe custody by the Principal or the Head of the Institution in the Office of the Institution or college.

Records of the Institution or College: All records of the institution or college, like academic and other organizational records and the meeting proceedings, shall be kept in safe custody by the Principal or the Head of the Institution or College in the Office of the Institution or College and shall remain accessible to all the authorities.

40. Academic Infrastructure:

Minimum Library Requirement: To start with a Law Library shall have a set of AIR Manuals, Central Acts and Local Acts, Criminal Law Journals, SCC, Company Cases, Indian Bar Review, **Selected Judgments on Professional Ethics(Published by the Bar Council of India Trust, 21, Rouse Avenue Institutional Area, New Delhi-110002,PhonesNo.3231647,3231648,Fax:3231767,E-mail: bcindia1@vsnl.com)** and Journals with the back volumes for at least ten years and also such number of textbooks in each subjects taught during the period according to the minimum standard ratio of ten books for each registered students. For running integrated program, textbooks of such other subjects are also to be kept in the similar minimum ratio. The minimum investment in Library in each academic year shall be Rupees Fifty Thousand for one stream and Rupees One Lakh for both the streams.

Whole Time Principal: There shall be a whole time Principal for each affiliated or constituent college who shall have minimum prescribed qualification in law as prescribed by the UGC/BCI.

Core Faculty: There shall be sufficient number of fulltime faculty members in each affiliated or constituent college to teach each subject at all point of time for running courses who can be supported by contractual, part time, guest or visiting faculty. The **core faculty, with both streams** (i.e. 3 yr. & 5 yr. law courses)in operation without the honours program, there shall be **minimum of 6 (Six)** in the first year of the approval, **8(eight)** in the second year and**10(ten)**in the case of third year **for teaching law papers**.

In addition, for the integrated 5yr. course, there shall be **adequate faculty in the liberal educational subjects** as part of the course. These faculties in the liberal educational discipline in Arts, Science, Management, Commerce, Engineering and Technology or any other discipline shall possess qualification as is required under the UGC guidelines or under any Act, Statute, or Rules of the Government of India or of the State.

For the **3yr. Law Course, with two sections**, without the honours program, there shall be **minimum of 4 (four)**core faculty in the first year,**6 (six)**in the second and **8 (eight)** in the third year in addition to the Principal.

Provided that a college intending to run any **specialized/honours course**, must have **minimum of 3 (three)** faculty in the group in which specialization/honours courses are offered.

Provided further that each fulltime faculty shall take as many classes in the subject or subjects as may be assigned to them preferably on the basis of standard prescribed by UGC/BCI.

Provided further, if the affiliated college or constituent college, approved to run professional courses, falls short of required full time faculty, the new admission in the courses may be required to remain suspended until required number of faculty is procured.

Minimum Qualification Needed for the Faculty: Full-time faculty members including the principal shall be holders of a Master's degree as prescribed by UGC/ BCI. However, faculty for teaching practical/clinical programmes may be appointed from the judicial officers or retired judicial officers or from the Bar. Visiting faculty from the Bar, bench or academy shall have a minimum professional experience of ten years.

Salary Scale: The salary paid to full-time faculty members including the principal shall be according

to the scales recommended by the UGC from time to time with other benefits as applicable. A college may however have faculty whose remuneration is based on contract, provided the remuneration is comparable with or more favourable to the faculty in comparison with the UGC Scale, and salary to all faculty members shall be paid through account payee cheque.

PART-I

ACADEMIC CALENDAR

1. **Admission:** Admission for each academic year will be over by 31st July.
2. **Odd Semesters (I/III/V Semesters):** From 1st July to 31st December.
 - a. **Classes:** From 1st August to 30th November.
 - b. **End semester examination:** Between 1st December & 31st December. (Including examination preparation).
 - c. **Sessional examinations:** 1st & 2nd Sessional examinations will be held in second part of September and November respectively.
 - d. **Result:** Result will be declared by 28th February.
3. **Even Semesters (II/IV/VI Semesters):** From 1st January to 30th June.
 - a. **Classes:** From 1st January to 31st May.
 - b. **End semester examination:** Between 1st June & 30th June. (Including examination preparation).
 - c. **Sessional examinations:** 1st & 2nd Sessional examinations will be held second part of March & May respectively.
 - d. **Result:** Result will be declared by 15th August.

PART-J

COURSE STRUCTURE OF 3yr. LL.B. & LL.B. (Hons) DEGREE WITH CREDITS AND MARKS
UNDER C.B.C.G.S.

SEMESTER-WISE COURSE STRUCTURE
3yr. LL.B./LL.B (Hons.)
(From the Session- 2024-25)

<u>SEMESTER – I</u>			
<u>Code</u>	<u>Paper</u>	<u>Credits</u>	<u>Marks</u>
LL.B.: 1.1	Constitutional Law – I	8	100
LL.B.: 1.2	Family Law – I	7	100
LL.B.: 1.3	Law of Contract	8	100
LL.B.: 1.4	Law of Tort incl. M.V. Act, Consumer Protection Law	7	100
LL.B. (Hons): 1.5 H1	Honours – 1 , any one from following: 1. Indian Federalism (CL group) 2. Criminal Psychology (CC group) 3. Trade Mark, Copy Right, Patents & Design (IPL group) 4. Corporate Governance (BL group)	6	100
Total for Non Hons. Course		30	400
Total for Hons. Course		36	500
<u>SEMESTER – II</u>			
<u>Code</u>	<u>Paper</u>	<u>Credits</u>	<u>Marks</u>
LL.B.: 2.1	Constitutional Law – II	8	100
LL.B.: 2.2	Family Law – II	7	100
LL.B.: 2.3	Special Contract	8	100
LL.B.: 2.4 OP1	Land Laws of Assam/Private International Law	7	100
LL.B. (Hons): 2.5 H2	Honours – 2 , any one from following: 1. Comparative Constitution (CL group) 2. Women & Criminal Law (CC group) 3. IT including Cyber Law (IPL group) 4. Direct Tax (BL group)	6	100
Total for Non Hons. Course		30	400
Total for Hons. Course		36	500
<u>SEMESTER – III</u>			
<u>Code</u>	<u>Paper</u>	<u>Credits</u>	<u>Marks</u>
LL.B.: 3.1	Bharatiya Nyaya Sanhita, 2023 (BNS)	7	100
LL.B.: 3.2	Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS)	6	100
LL.B.: 3.3	Jurisprudence	7	100
LL.B.: 3.4 OP2	Elements of Research	5	100
LL.B.: 3.5 P1	Alternative Dispute Resolution	5	100
LL.B. (Hons): 3.6 H3	Honours – 3 , any one from following:	6	100

	1. Human Rights Law and Practice(CL group) 2. Prison Administration including Jail Manual (CC group) 3. IPR management (IPL group) 4. Indirect Tax Law (BL group)		
LL.B. (Hons): 3.7 H4	Honours – 4 , any one from following: 1. Media & Law(CL group) 2. Probation & Parole (CC group) 3. Patent Right Creation & Registration (IPL group) 4. Competition Law (BL group)	6	100
Total for Non Hons. Course		30	500
Total for Hons. Course		42	700

<u>SEMESTER – IV</u>			
<u>Code</u>	<u>Paper</u>	<u>Credit</u>	<u>Marks</u>
LL.B.: 4.1	The Bharatiya Sakshya Adhiniyam, 2023 (BSA)	7	100
LL.B.: 4.2	Civil Procedure Code & Limitation Act	7	100
LL.B.: 4.3	Property Law	5	100
LL.B.: 4.4	Administrative Law	6	100
LL.B.: 4.5 P2	Drafting, Pleading & Conveyancing	5	100
LL.B. (Hons): 4.6 H5	Honours – 5 , any one from following: 1. Gender Justice & Feminist Jurisprudence (CL group) 2. Penology & Victimology (CC group) 3. Patent Drafting & Specification Writing (IPL group) 4. Bankruptcy & Insolvency Law(BL group)	6	100
LL.B. (Hons): 4.7 H6	Honours – 6 , any one from following: 1. Right to Information (CL group) 2. Offence against Child and Juvenile Offences (CC group) 3. Biodiversity Protection (IPL group) 4. International Banking & Finance (BL group)	6	100
Total for Non Hons. Course		30	500
Total for Hons. Course		42	700

SEMESTER – V			
Code	Paper	Credits	Marks
LL.B.: 5.1	Labour & Industrial Law – I	5	100
LL.B.: 5.2	Company Law	5	100
LL.B.: 5.3	Principles of Taxation Law	5	100
LL.B.: 5.4	Environmental Law	5	100
LL.B.: 5.5 OP3	Optional – 3 , any one from following: 1. Banking Law 2. Methods of Interpretation of Statutes	5	100
LL.B.: 5.6 P3	Professional Ethics, Professional Accounting System and Legal Aid Camp	5	100
LL.B. (Hons): 5.7 H7	Honours – 7 , any one from following: 1. Health Law (CL group) 2. White Collar Crime (CC group) 3. IPR Litigation in Trade Mark & Design (IPL group) 4. Legal Framework Governing IPR (BL group)	6	100
Total for Non Hons. Course		30	600
Total for Hons. Course		36	700

SEMESTER – VI			
Code	Paper	Credits	Marks
LL.B.: 6.1	Labour & Industrial Law – II	5	100
LL.B.: 6.2	Public International Law	5	100
LL.B.: 6.3 OP4	Optional – 4 , any one from following: 1. International Labour Organization 2. Insurance Law	5	100
LL.B.: 6.4 OP5	Optional – 5 , any one from following: 1. Information Technology Law & Computer Application 2. International Environmental Law	5	100
LL.B.: 6.5 OP6	Optional – 6 , any one from following: 1. Equity and Trust 2. Customary Law of Assam	5	100
LL.B.: 6.6 P4	Moot court and Internship	5	100
LL.B. (Hons.): 6.7 H8	Honours – 8 , any one from following: 1. Citizenship & Emigration Law (CL group) 2. IT Offences (CC group) 3. IPR Litigation in Copyright & Patent (IPL group) 4. Business Ethics and Corporate and Social Responsibility (BL group)	6	100
Total for Non Hons. Course		30	600
Total for Hons. Course		36	700

PART –K
LIST OF HONOURS PAPERS

Semester	Honours
FIRST	Honours – 1 , any one from following: 1. Indian Federalism (CL group) 2. Criminal Psychology (CC group) 3. Trade Mark, Copy Right, Patents & Design (IPL group) 4. Corporate Governance (BL group)
SECOND	Honours – 2 , any one from following: 1. Comparative Constitution (CL group) 2. Women & Criminal Law (CC group) 3. IT including Cyber Law (IPL group) 4. Direct Tax (BL group)
THIRD	Honours – 3 , any one from following: 1. Human Rights Law and Practice (CL group) 2. Prison Administration including Jail Manual (CC group) 3. IPR management (IPL group) 4. Indirect Tax Law (BL group) Honours – 4 , any one from following: 1. Media & Law (CL group) 2. Probation & Parole (CC group) 3. Patent Right Creation & Registration (IPL group) 4. Competition Law (BL group)
FOURTH	Honours – 5 , any one from following: 1. Gender Justice & Feminist Jurisprudence (CL group) 2. Penology & Victimology (CC group) 3. Patent Drafting & Specification Writing (IPL group) 4. Bankruptcy & Insolvency Law (BL group) Honours – 6 , any one from following: 1. Right to Information (CL group) 2. Offence against Child and Juvenile Offences (CC group) 3. Biodiversity Protection (IPL group) 4. International Banking & Finance (BL group)
FIFTH	Honours – 7 , any one from following: 1. Health Law (CL group) 2. White Collar Crime (CC group) 3. IPR Litigation in Trade Mark & Design (IPL group) 4. Legal Framework Governing IPR (BL group)
SIXTH	Honours – 8 , any one from following: 1. Citizenship & Emigration Law (CL group) 2. IT Offences (CC group) 3. IPR Litigation in Copyright & Patent (IPL group) 4. Business Ethics and Corporate and Social Responsibility (BL group)

PART L
COURSE STRUCTURE
REVISED SYLLABUS

Students are required to study the revised syllabus, course arrangement of the following subjects irrespective of the session of their Admission into 1st Semester Integrated Course.

SEMESTER	PAPER CODE	PAPER
First	1.4	LAW OF TORT INCLUDING M.V. ACT & CONSUMER PROTECTION LAWS
	1.5 (Hons.) CL Group	INDIAN FEDERALISM
	1.5 (Hons.) BL Group	CORPORATE GOVERNANCE
Second	2.4 OP 1	LAND LAWS OF ASSAM
	2.5(Hons.) BL. Group	DIRECT TAX
Third	3.1	THE BHARATIYA NYAYA SANHITA, 2023(BNS)
	3.2	THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023 (BNSS)
	3.4	ELEMENTS OF RESEARCH
	3.6 Honours 3	HUMAN RIGHTS LAW & PRACTICE (CL. GROUP)
	3.6 Honours 3	INDIRECT TAX LAW(BL GROUP)
	3.7 Honours 4	MEDIA AND LAW(CL GROUP)
Fourth	4.1	THE BHARATIYA SAKSHYA ADHINIYAM, 2023(BSA)
	4.5	DRAFTING, PLEADING & CONVEYANCE
	4.6 Honours 5	GENDER JUSTICE & FEMINIST JURISPRUDENCE(CL GROUP)
Fifth	5.2	COMPANY LAW
	5.3	PRINCIPLES OF TAXATION LAW
	5.5 OP 3	BANKING LAW
	5.7 Honours 7	HEALTH LAW (CL GROUP)
Sixth	6.3 OP 4	INSURANCE LAW
	6.4 OP 5	INFORMATION TECHNOLOGY LAW & COMPUTER APPLICATION
	6.4 OP5	INTERNATIONAL ENVIRONMENTAL LAW
	6.5 OP6	CUSTOMARY LAWS OF ASSAM

LL.B. and LL.B.(Hons)
(FROM 2024-25 SESSION ONWARDS)
GAUHATI UNIVERSITY

Instructions:

1. Students are required to go through the Regulation.
2. For assessment, distribution of marks, End Semester Examination see Part D of the Regulation.

SEMESTER-I

LL.B./LL.B.(H)- 1.1

Constitutional Law-I

Full Marks:100[80+20]

Pass marks:45[36+9]

(Credit:8)

Time:3 hours

Detailed Syllabus:

Marks

Unit 1: Preamble, Indian Territory & Citizenship 16

Nature of state Proposed
 Sovereign, Socialist, Secular, Democratic, Republic
 Justice, Liberty, Equality, Fraternity
 India and its territory
 Citizenship under the Constitution (Articles 5-11)
 Citizenship under the Citizenship Act, 1955 (as amended upto date)
 The Foreigners Act, 1946 and The Foreigners Rules, 1964
 The Passports Act, 1967

Unit 2: Fundamental Rights – I 16

Concept of the State (Art. 12)
 Concept of Law (Art. 13)
 Doctrine of Severability, Eclipse and Waiver2.
 Equality (Art. 14, 15, 16, 17)

Referred Cases :

1. *Keshavanada Bharati Vs. State of Kerala, AIR 1973 SC 1461*
2. *Kihota Hollohan Vs. Zachithu, AIR 1955, SC 781, AIR 1973 SC*

Unit 3: Fundamental Rights – II 16

Freedoms (Art. 19, 20)
 Right to life and liberty (Art. 21, 22)
 Right to education, Art. 21-A

Right against exploitation (Art. 23 and 24)

Unit 4: Fundamental Rights – III 16

Right to freedom of religion (Art. 25 – 28)
 Cultural and Educational rights of minorities (Art. 29 and 30)
 Saving of certain laws (Art. 31-A, 31-B, 31-C and Ninth schedule)
 Right to Constitutional Remedies and Judicial Review

Referred Cases :

1. *Maneka Gandhi Vs. Union of India, AIR 1978 Sc 597*
2. *Bandhua Mukti Morcha Vs. Union of India, AIR 1997 SC 2218*
3. *Hussainara Khatoon Vs. State of Bihar, AIR 1979 SC 1369*
4. *Sunil Batra Vs. Delhi Administration, AIR 1980 SC 1759*

Unit 5: Directive Principles and Fundamental duties 16

Directive Principles of State Policy (Art 37, Art 38, Art 39,
 Art 39-A, Art 41, Art 44, Art 45, Art 46, Art 47, 48-A, Art 49, Art 51)
 Fundamental Duties (Art 51 – A including Art 51 – A (K))

Referred Cases :

1. *S.P. Gupta and others Vs. President of India and other, AIR 1982 SC 149.*
2. *Janata Dal Vs. H.S. Choudhari (1992) 4 SCC 305*
3. *Sarbananda Sonowal Vs. Union of India, AIR 2005 SC 2926*
4. *Sarla Mudgal Vs. Union of India, (1995) 3 SCC 635*

Internal Assessment : 20

Recommended Books:

Brij Kishore Sarma – Constitutional Law of India.
 D.D. Basu – Shorter Constitution.
 Granville Austin, The Indian Constitution : Cornerstone of a Nation 1966.
 M.P. Jain – Constitutional Law of India.
 V.N. Shukla – Constitutional Law of India.
 Constituent Assembly Debates Vol. 1 to 12 (1989).

Paper II Family Law – I

(Credit : 7)

Code: 1.2

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Concepts 16

Who are Hindus and who are not Hindus.
 Hindu by religion, Hindu by birth, Hindu by declaration.
 Hindu Law : its origin, nature and application.
 Sources of Hindu Law

Ancient Sources
 Modern Sources
 Schools of Hindu Law
 Mitakshara School and Sub Schools
 Dayabhaga School
 Main difference between two schools
 Migration, domicile and change of religion
 Concept of Hindu joint family, mitakshara coparcenary,
 Dayabhaga coparcenary and their incidents.
 Karta : who can be Karta, his position, powers, duties and liabilities

Unit 2: Marriage

16

Concept of marriage and evolution of the institution of marriage
 Marriage as sacrament and marriage as contract
 Offence of dowry and its incidents
 Theories of Divorce
 The Hindu Marriage Act, 1955
 Applicability of the Act (Sec – 2, 4) and salient features of the Act.
 Forms of marriage
 Conditions of valid Hindu marriage (Sec 3 & 5)
 Ceremonies for Hindu marriage (Sec – 7)
 Registration of marriage (Sec – 8)
 Restitution of conjugal rights (Sec – 9)
 Judicial Separation (Sec – 10)
 Void and Voidable marriage (Sec – 11, 12, 17, 18)
 Divorce (Sec – 13(1), (2), 13 (1A), 13A, 13B and 15)
 Legitimacy of children of void and voidable marriage (Sec – 16)
 Maintenance ‘pendente lite’ and permanent alimony (Sec – 24& 25)
 Custody of Child (Sec – 26)

Unit 3: Adoptions and maintenance

16

Concepts of adoption, sonship, pious obligation of sons
 Debts, its types and father’s power of alienation for antecedent debts
 The Hindu Adoptions and Maintenance Act, 1956
 Changes brought about by the legislation
 Requisites for valid adoption (Sec – 6)
 Capacity of male Hindu & female Hindu to take in adoption (Sec – 7, 8)
 Persons capable of giving in adoption (Sec – 9)
 Persons who may be adopted (Sec – 10)
 Other conditions of valid adoption (Sec – 11)
 Effects of adoption (Sec – 12)
 Right of adoptive parents to dispose of their properties (Sec – 13)
 Maintenance of wife, daughter-in-law, children, aged

parents and other dependants (Sec – 22)

Maintenance under section 125 of the Criminal Procedure Code, 1973
Amount of maintenance (Sec – 23, 25)

Unit 4: Minority and guardianship

16

The Hindu Minority and Guardianship Act, 1956

Important changes brought about by the Act.

Definitions of 'Minor' and 'Guardian' (Sec – 4)

Natural Guardians and their powers (Sec – 6, 7, 8)

Testamentary Guardians and their powers (Sec – 9)

Incapacity of Minor to act as guardian of property (Sec – 10)

De-facto Guardian (Sec – 11)

Guardian not to be appointed for minors undivided interest in joint properties (Sec – 12)

Welfare of minor and Guardian appointed by court (Sec – 13)

Unit 5: Property and Succession

16

Kinds and sources of property in Hindu Law, coparcenary and separate property, women's property

Alienation of joint Hindu family property by Karta, Father, Alienees rights, duties and remedies

Alienation of property by way of –

Gift

Will

Religious and Charitable Endowments

Partition and its incidents

The Hindu Succession Act, 1956

Main features of legislation

Devolution of Mitakshara property under the Act.

General principles of inheritance, classification of Heirs (Sec – 8 to Sec – 13).

Succession to Mitakshara

Coparcener's interest and testamentary succession (Sec – 6, Sec – 30).

Succession to the Property of Female Hindu (Sec – 14, 15, 16).

Succession to the Property of a Male Hindu.

General rules of succession (Sec – 18 to 30).

Prescribed Acts :

1. *The Hindu Marriage Act, 1955.*
2. *The Special Marriage Act, 1954.*
3. *The Hindu Adoptions and Maintenance Act, 1956.*
4. *The Hindu Minority and Guardianship Act, 1956.*
5. *The Hindu Succession Act, 1956.*

Internal Assessment :

20

Recommended Books:

A.M. Bhattacharjee, Hindu Law and the Constitution (1994) Eastern Lawhouse, Calcutta.
 Basant K. Sharma, Hindu Law.
 D. Pathak, Hindu Law.
 Duncan M. Derrett, A Critique of Modern Hindu Law (1970).
 Paras Diwan, Family Law : Law of marriage and Divorce in India (1984).
 Law of Intestate and Testamentary Succession (1998), Universal
 Modern Hindu Law (18th ed.) 2008.
 Machanda, S.C., Law and Practice of Divorce in India (2000) Universal.
 N.D. Basu, Law of Succession (2000), Universal.
 Paras Diwan, Law of Adoption, Minority, Guardianship and Custody (2000) Universal.
 Ranganath Mishra, Mayne's Treatise on Hindu Law & Usage (15th edn., 2006).
 Satyajeet A. Desai, Mulla – Principles of Hindu Law Vol. I & II (20th edn., 2007).

Paper III Law of Contract

(credit:8)

Code: 1.3

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: General Principles – I

16

History and nature of contractual obligations

Formation of an Agreement : (Ss. 2-10)

Intention to create legal relationship

Proposal and acceptance – their various forms, essential elements, communication and revocation – mode of revocation of offer – proposal and invitations for proposal.

Making of an Agreement – Special Situations : (Ss. 2-10)

Tenders and Auctions

Consideration (Ss. 2 (d), 2 (f), 23 and 25)

Meaning – basis and the nature of consideration – kinds –essential elements

Doctrine of Privity of Contract and consideration, its exceptions nudum pactum

Adequacy of consideration – present, past and adequate consideration

Unlawful consideration and its effects, views of Law Commission of India on consideration – evaluation of the doctrine of consideration.

Unit 2: General Principles – II

16

Capacity to Contract (Ss. 10, 11, 12, 64, 65, 68 and Specific Relief Act, S. 33)

Legal disability to enter into contract – Minors, persons of unsound mind – person under legal disability – lunatics, idiots.

Restitution in cases of minor's agreement – Liability for necessities supplied to the minor – fraud by a minor – agreements made on behalf of a

minor and estoppels – evaluation of the law relating to minor's agreements – other illustrations of incapacity to contract.

Free consent – Its need and definition – factors vitiating free consent. (Ss. 13-22)

Coercion – definition – essential elements – duress and coercion – various illustrations of coercion – doctrine of economic duress – effect of coercion.

Undue Influence – definition – essential elements – between which parties can it exist ? Who is to prove it ? Illustrations of undue influence – independent advice – pardahanashin women unconscionable bargains – effect of undue influence.

Misrepresentation – definition – misrepresentation of law and of fact – their effects and illustration.

Fraud – definition – essential elements – when does silence amount to fraud? Active concealment of truth – importance of intention.

Mistake – definition – kinds – fundamental error – mistake of law and of fact – their effects – when does a mistake vitiate free consent and when does it not vitiate free consent.

Unit 3: General Principles – III

16

Legality objects : Limitations on Freedom of Contract (Ss. 23-30)

Void agreement – lawful and unlawful consideration and objects unlawful agreements and their effects.

Unlawful consideration and objects :

Forbidden by law

Defeating the provision of any law

Fraudulent

Injurious to person or property

Immoral

Against public policy

Void Agreements :

Agreements without consideration

Agreements in restraint of marriage

Agreements in restraint of trade – its exceptions – sale of goodwill – restrictions, under the Partnership Act, trade combinations, exclusive dealing agreements, restraints on employees under agreements of service.

Agreements in restraint of legal proceedings – its exceptions

Uncertain and ambiguous agreements

Wagering agreement – its exception

Unit 4: General Principles – IV

16

Discharge of a contract and its various modes. (Ss. 37-67)

By performance – conditions of valid tender of performance – How? By whom? Where? In what manner? Performance of reciprocal promises – time as essence of contract.

By breach – anticipatory breach and present breach.

Supervening Impossibility of performance – specific grounds of frustration – application to leases theories of frustration – effect of frustration – frustration and restitution.

By period of limitation

By agreement and novation – rescission and alteration – their effect – remission and waiver of performance – extension of time – accord and satisfaction.

Quasi-contracts (Ss. 68-72)

Certain relations or obligations resembling those created by contract

Remedies for Breach of Contract : (Ss. 73-74)

Damages – kinds – remoteness of damages – ascertainment of damages

Mitigation of Damages – Penalty & Liquidated Damages

Injunction – when granted and when refused – Why ?

Refund and restitution

Specific performance – When? Why?

Unit 5: Government Contracts, Standard form of Contract and Remedies 16

Government as a contracting Party : Constitutional provisions – government power to contract – procedural requirements – kinds of

government contracts – their clauses – performance of such contracts – settlements of disputes and remedies.

Standard Form Contracts : Nature, advantages – unilateral character, principles of protection against the possibility of exploitation – judicial approach to such contracts – exemption clauses – clash between two standard form contracts – Law Commission of India's views – 4, Multinational Agreement.

Remedies

Strategies and constraints to enforce contractual obligations

Judicial methods – redressal forum, remedies

Other methods like arbitration, Lok Adalat, Nyaya Panchayat and other such no formal methods.

Systemic constraints in settling contractual disputes

Court fees, service of summons, injunctions, delay.

Specific relief

Specific performance of contract

Contract that can be specifically enforced

Persons against whom specific enforcement can be ordered

Rescission and cancellation

Temporary

Perpetual

Declaratory orders

Discretion and powers of court

Prescribed Legislations :

1. *The Indian Contract Act, 1872*
2. *The Specific Relief Act, 1963*
3. *The Indian majority Act, 1875*

Referred Cases:

1. *Carlill v. Carboic Smoke Ball (1891-4) All Er Rep. 127*
2. *Bhagwandas Goverdhandas Kedia v. M/s Girdharilal Parshottamdas & Co., AIR 1966 SC 543*
3. *Kanhaiya Lal Aggarwal; v. Union of India, AIR 2002 SC 2766*
4. *Abdul Aziz v. Masum Ali, AIR 1914 All. 22*
5. *Tersem Singh v. Sukhminder Singh (1988) 3 SCC 471*
6. *Bank of India v. O.P. Swarankar, AIR 2003 SC 858*
7. *M/s Alopi Parshad & Sons Ltd. V. Union of India, AIR 1960 SC 588*
8. *State of West Bengal v. S.K. Mondal & Sons, AIR 1962 SC 779*
9. *Oil & Natural Gas Corporation Ltd. V. Saw Pipes Ltd. (2003) 4 SCALE 92*
10. *Central Inland Water Transport Corpn. V. Brojo Nath Air 1986 Sc 1571*

Internal Assessment :**20****Recommended Books:**

Avtar Singh, Law of Contract & Specific Relief (9th Ed. 2005) Eastern, Lucknow.
 T.R. Desai & S.T. Desai, Indian Contract Act and Sale of Goods Act.
 Anand and Aiyer, Law of Specific Relief (2008), Universal.
 P.S. Atiya, Introduction to the Law of Contract 1992 reprint (Claredon Law Series)
 J. Beatson (ed.) Anson's Law of Contract, (2002), Oxford, London.

Paper IV LAW OF TORT INCL. M.V. ACCIDENT & CONSUMER PROTECTION LAWS

Code: 1.4

(Credit:7)

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks**

Unit-1	Definition and nature of Tort	16
1.1	General Principles Definition, nature, scope, characteristics Tort in England and Tort in India	
1.2	Distinction between Tort and Crime, Tort and Breach of Contract, Tort and Breach of Trust. Tort and Quasi Contract etc.	
1.3	Essential Conditions of Liability in Tort -Damnum Sine Injuria -Injuria Sine Damnum Ubi jus ibi remedium -Malice in Law and Malice in Fact . Motive, Intention	
1.4	Foundation of tortious liability, Fault liability, Strict liability, Statutory liability, Liability without, fault. Principles of Insurance in tort.	
Referred Cases:-	1 Ashby v. White (1703) 2 Lord Raym 938 2. Donoghue v. Stevenson (1932) All ER Rep. 1 3. Dr.Sharad Vaid v. Pentra. AIR 1992 Bombay 478.	
Unit-2	General Exception to liability in Tort and Vicarious liability	16
2.1	Volenti Non fit Injuria, Act of God, inevitable Accident, Necessity, Private Defence. Statutory Authority.	

- 2.2 Act of State, Corporations, minor, Plaintiff the wrongdoer, Judicial and Quasi-judicial acts, Executive act, Mistake, Parental and Quasi- Parental authority.
- 2.3 Vicarious liability- Master and Servant relation, Distinction between servant and Independent Contractor, Course of Employment, Hospital cases, Common Employment, Liability for tort in independent contractor, Master's duties towards servant, Servants duties to the Master, Independent and Joint Tort feasons. Vicarious liability of the State for the tortuous acts of employees.
- [Referred Cases:- 1. Bhopal Gas Leak Disaster cases may be discussed]
- 2.4 Capacity to sue - to sue and to be sued.
- 2.6 General Remedies Judicial remedies, Extra judicial remedies, Damages, Remoteness of damages and Nervous shock, Nervous shock. Nervous actus Interveniens (isolated tort)

[Referred Cases:-1. Re Polemis and Furnace Withy & Co. (1921) 3 KB 560
(for Remoteness of damages).
2. King v. Berry (1970) 1 All ER 1074 (for Nervous Shock)
3. Martin F. D'Souza v. Mohd.Ishfaq (2009) 3 SSC 1.]

Unit-3: Specific Torts

16

- 3.1 Trespass to the Person - Assault, battery, mayhem
- 3.2 Trespass to land its remedies
- 3.3 Defamation (with essentials)- Innuendo, Libel, Slander, Defences
- 3.4 Nuisance - Private and Public Nuisance
- 3.5 Negligence-Contributory Negligence
- 3.6 Abuse of legal procedure - Malicious Prosecution.
- 3.7 Deceit Rule in Derry Vs. Peak.
- 3.8 Strict liability Rule in Raylands v. Fletcher

Recommended books :

1. R.K. Bangia, *Law of Torts*, (Allahabad Law Agency, Haryana, 26th edition, 2021).
2. M. N. Shukla, *Law of Torts* (Central law Agency, Allahabad, 21st edition, 2016).
3. Dr. S.K. Kapoor, *Law of Torts* (Central Law Agency, Allahabad, 7th edition, 2007)
- 4.P.S.APillai, *Law of Tort* (Eastern Book Company, Lucknow, 9thedition, reprinted, 2011)
- 5.[Prof.G.S Pande](#), *Law of Tort*(University Book House P.ltd, Jaipur, 9th edition, 2022)
- 6.[Ratanlal](#) &Dhirajlal, *Law of Torts*(Wadhwa& Company, Nagpur, 25th edition, 2008)

Unit-4 Motor Vehicle Act, 1988(Amendment) Act, 2019

16

- 4.1 Salient features of the Motor Vehicle Act 2019
- 4.2 Liability without fault
- 4.3 Insurer's liability for third Party risk
- 4.4 Effects of death
- 4.5 Doctrine of stare decisis
- 4.6 Negligence, Contributory negligence, non possession of driving licence

[Referred Cases: 1. K. Nandakumar v. M.D. Thantai Periyar Transport Corporation 1996 ACV 555 (S.C.)] (for fault liability)

Unit-5 The Consumer Protection (Amendment) Act, 2019

16

- 5.1- Salient feature and Object of C P A,2019
- 5.2. Definition Consumer, Deficiency in Service, Defects in Goods. Complaint, Complainant, Recognised Consumer Association etc.

- 5.3 Patient is Consumer under Medical services.
- 5.4 Restrictive and Unfair Trade Practices
- 5.5 Restrictive Trade Practice, Hazardous Goods
- 5.6 Composition, Jurisdiction, Power and Functions of District Forum. State Commission and National Commission..
- 5.7 Making of complaints, procedure on receipt of complaint, Finding of the District Forum, Appeals and execution of orders.
- 5.8 Important Guidelines for protecting consumer Rights.

Referred Cases:-

1. Vasantha P. Nair Vs. Smt. V.P. Nair 1 (1991) CPJ 685 and Indian Medical Association V.V.P. Shartha and Qrs. [111. 91985](#) CPJI (S.C.): AIR 1996 5.C. 550]
2. Ireo Grace Realtech (P)Ltd [V.Abhisekh](#) Khanna
- [3.Kavita](#) Ahuja [V.Shipra](#) Estate Ltd &Ors.
- [4.Manu](#) Solanki V. Vinayak Mission University.

Recommended books:-

1. R.K. Bangia, *A handbook of Consumer Protection Law and Procedure*(Allahabad Law Agency, Allahabad, 9th edition, 2022)
2. Dr. N.V. Paranjape, *Consumer Protection Law in India*(Central Law Publication, Prayagraj, 1st edition reprint, 2023)
3. Dr. S.C. Tripathi, *Consumer Protection Law*(Central Law Publication, Prayagraj, 7th edition, 2022)

Paper V Honours- I, any one from following

1. Indian Federalism(CL Group)
2. Criminal Psychology(CC Group)
3. Trade Marks, Copyright, Patent and Design (IPL Group)
4. Corporate Governance(BL Group)

Paper V Indian Federalism

(Credit : 6)

Code: 1.5

Honours – I : Constitutional Law Group

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Federalism

16

Definition and characteristics of federalism
 Backgrounds of federal principle under the Indian Constitution
 Advantage & Disadvantage
 Advantages and disadvantages of Federal Constitution
 Advantages and disadvantages of Unitary Constitution

Unit 2: Modification of the strict federal principle under Indian Constitution 16

Governor's role
 Centre's powers over the State Emergency
 Abrogation of Article 370 and the latest developments

Unit 3: Comparative study on federalism in

16

India

U.K. and
USA

Unit 4: Centre-State Relations—	16
Legislative Relation	
Administrative Relation	
Financial Relation	
Unit 5: Types of Federalism	16
Classical Federalism	
Confederation	
Co-operative Federalism	
Competitive Federalism	
Internal Assessment :	20

Re commended Books:

D.D. Basu, Comparative *Federalism*

OR

Paper V Criminal Psychology

(Credit : 6)

Code: 1.5

Honours – I : Crime & Criminology Group

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Introduction	16
Nature and history of criminal behaviour	
Techniques of studying criminal behaviour	
Unit 2: Analysis of Crime	16
Biological Perspectives	
Sociological Perspectives	
Psychological Perspectives	
Unit 3: Special Offender Groups	16
Types	
Causes and interventions with respect to the following-	
Juvenile delinquency	

Substance abuse
Terrorism

Unit 4: Special Offences 16

Types
Causes and interventions with respect to the following-
Crime against women
Suicide
Homicide

Unit 5: Rehabilitation 16

In Family and Society
The Role of Law-Enforcement Voluntary Agencies in Social Defence

Internal Assessment : 20

Recommended Books:

A.C. Joshi & V.B. Bhatia,(1981),Reading in social Defence, Wheelers Pub. Co.
Delhi
J. Curra, (1999) ,The Relativity of Deviance, Sage, Delhi
M.P. Fldman,(1977), Criminal Behaviour : A psycho-social analysis, Wiley,
London
W.W. Kushe,(1998), The Future of Terrorism, Sage, Delhi

OR

Paper V Trade Marks, Copyright, Patents and Designs (Credit : 6)
Code: 1.5

Honours – I : Intellectual Property Law Group

Full Marks: 100 [80+20]
Pass marks: 45 [36+9]

Time : 3 hours

<u>Detailed Syllabus</u>	<u>Marks</u>
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Unit 1: Introduction 16

Nature of Intellectual Property
Introduction to Intellectual property – Concept – Theories of
Protection, Types of Intellectual property under WTO- TRIPS –
Trade Marks, Copyright, Patents, Designs, Geographical Indications
(Geographical Indications Act,1999), Integrated Circuits,
Confidential information
International Institutional mechanism including various conventions
and WIPO
Economic importance of Intellectual property

Unit 2: Trade Marks Act, 1999

16

Meaning, Functions, Trade marks for goods or services
 Registration of trade mark for goods/services - Procedure (S.18 -23),
 Grounds of Refusal (S.9 & 11), Prior/Vested Rights (s.34 36),
 Rectification of register (S.57)
 Section 9(2) - 'Mark of the nature as to deceive public or cause confusion' –Wide power –no mention of goods /services
 Infringement & Passing off Action of Trade mark (S. 29)
 Difference between passing off and infringement Passing off Injunction against registered trade marks
 Passing off for similar goods/ different goods/ based on trans-border reputation

Protecting Domain Names as Trade Marks

Unit 3: The Copyright Act, 1957

16

Classes of Works in which copyright subsists – S.13, Copyright only in expression No Copyright in Ideas

Definitions of various works: Artistic work s.2(c), dramatic work s. 2(h), Literary work s.2(o), musical work s.2(p), computer programmes s.2(ffc), cinematograph films s.2(f), sound recordings s.2(xx)

Meaning of 'Original' & – a prefix to s 13(1)(a) Literary work

Meaning of Copyright – S.14 – Bundle of Rights

Enumeration of rights in s 14 – reproduction , issue of copies, communication to public, translation, adaptation, Other important rights in, Computer programmes, cinematograph film, sound recordings; rental rights

Abridgement of the work s 14(a)(vi), 2(a) adaptation, meaning of abridgement, Copyright in abridged work

Author's Special (Moral) Rights – S.57

Right to Assign and License – S. 18-19A, 30 to 32

Rights of Broadcasting Organizations and Rights of Performers -S.37-38 Exceptions s 39

Ownership of copyright

The first owner – S.17

Who is an author – S. 2(d) and s 2 (g) (s), S.2(uu), authorship of computer generated works, 2(d) (vi), Proviso (c) to s 17; employment; Joint authorship - tests for:

Infringement and Exceptions

Infringement – S. 51, Relationship with s 14,

Exceptions to Infringement – S.52 Rights of Public – Fair Dealing, News and current events, Teaching and Research, and others incl. Communication to the public of sound recording in religious ceremonies –S.52 (1) (a) & (b), S.52(1) (h), S.52(1)(za)

Unit 4: The Patents Act, 1970

16

Object of Patent System – Encouraging Inventions and working of Inventions in country concerned. After TRIPS Imports suffice as working.

Patentable Inventions – S.2(1)(j), S.2(1)(ja)

Non Patentable Inventions – S.3 in particular clause (d)

Procedure for filing Patent Application with emphasis on specifications & claims, application for examination, rights of patentees

Anticipation – Prior public knowledge, prior public use
 Grounds of Opposition & Revocation – S.25 – Pre-grant, post –grant

Unit 5: The Designs Act, 2000

16

What is design, S.2(d), new and original,
 Copyright in Design (duration)– S.11
 Registration of design for articles – Ss.3-9
 Rights in registered design
 Cancellation of Design- S.19
 Piracy or Infringement of copyright in Design – S.22

Referred Cases:

1. *M/s Hindustan Dev. Corpn. v. The Deputy Registrar of Trade Marks*, AIR 1955 Cal 319
2. *The Imperial Tobacco Co. of India v. The Registrar of Trade Marks*, AIR 1977 Cal 413
3. *Sony Kabushuki Kaisha v. Samrao Masker*, AIR 1985 Bom 327
4. *K. R. Krishna Chettiar v. Sri Ambal & Co*, AIR 1970 SC 146
5. *Cadila Health Care Ltd v. Cadila Pharmaceuticals Ltd*, 2001 PTC 541 (SC)
6. *Bharti Cellular Ltd and Anr v. Jai Distillers P. Ltd.*, 2006 (33) PTC 220(Bom.)
7. *Zee Entertainment Enterprises Ltd. v. Gajendra Singh*, 2008 (36) PTC 53(Bom)
8. *AmarNath Sehgal v. Union of India*, (2005) 30 PTC 253
9. *Canadian General Electric Co. Ltd. v. Fada Radio Ltd.*, AIR 1930 PC 1

Prescribed Legislations:

1. *Trade Marks Act, 1999*
2. *Copyright Act, 1957*
3. *Design Act, 2000*
4. *Patents Act, 1970*

Internal Assessment :

20

Recommended Books:

- Alka Chawla, *Copyright and Related Rights: National and International*
 Ashwani Kr. Bansal, *Law of Trade Marks in India* (2nd ed., 2006)
 Material on Copyright(2004)
- P. Narayanan, *Copyright and Industrial Designs* (2007)
Law of Trade Marks and Passing off (6th ed., 2004)
Patent Law (4th ed., 2006)
- V.K. Ahuja, *Law Relating to Intellectual Property Rights* (2007)
Law of Copyright and Neighbouring Rights: National and International Perspectives (2007)

OR

Paper V Corporate Governance Code: 1.5 <i>Honours – I : Business Law Group</i> Full Marks: 100 [80+20] Pass marks: 45 [36+9]	(Credit : 6) Time : 3 hours
Unit1: Corporate Governance Conceptual Framework 1.1 Introduction, Need and Scope, Evolution of corporate governance 1.2 Elements of good corporate governance, Theories of corporate governance 1.3 Developments in India	(16 Marks)
Unit2: Corporate Governance and Shareholders Rights 2.1 Classification of company security, Rights of shareholder 2.2 Corporate governance and related party transactions 2.3 Role of Investor association in securing shareholders rights 2.4 Role of institutional investors in corporate governance	(16 Marks)
Unit3 Legal Framework of Corporate Governance in India 3.1 National Foundation of corporate governance 3.2 SEBI Guidelines in SEBI-1992 3.3 Corporate Governance in Companies Act-2013 3.4 electronic data Information Filing & Retrieval system, listing of agreements	(16 Marks)
Unit4: Corporate & Board Management 4.1 Corporate Business Ownership Structure 4.2 Board of Directors; Its role and procedures 4.3 Insider trading 4.4 Legal Liability: Civil and criminal	(16 Marks)
Unit5 Corporate Finance and Corporate Liquidation	(16 Marks)

5.1 Profit maximization v. Shareholder wealth maximization

5.2 Bonds, share and equity Dividend

5.3 Winding of Company Mode of winding up

5.4 Payment of Liability

5.5 Role of Court

Books:

1. Bhattacharyya, *Corporate Governance in India*, Oxford University Press , First Edition, New Delhi, 2016.
2. Suman Kalyan Chaudhury, *Corporate Governance-Issues and Challenges*, Discovery Publishing, 1st Edition, New Delhi, 2023.
3. Uandna Davyi, *Corporate Governance-Emerging Issues*, Prabhat Publication, 1st Edition, New Delhi, 2023.
4. Ram K. Narayan, *Corporate Governance in India- Challenges*, Notion Press, 1st Edition, New Delhi, 2023.
5. K. Sravana, *Corporate Governance & Business Ethics*, Redshine Publication, 1st Edition, New Delhi, 2023.

LL.B. and LL.B.(Hons)
(FROM 2024-25 SESSION ONWARDS)
GAUHATI UNIVERSITY

SEMESTER–II

Paper I Constitutional Law – II

(Credit : 8)

Code: 2.1

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus:

Marks

Unit 1: The Union and The State

16

The Union and State Executive.

The President and the Vice President's qualifications, election, term of office, powers, impeachment. (Articles-52-72)

Governor-Appointment and powers. (Arts 153-161)
 Nature, scope and extent of executive power of the union and states. (Arts. 73,162)

Relationship of the President/Governor with the council of minister. (Arts. 74,75,77,78,111,102,103 (2), 217 (3), 163)
 Parliament and State Legislatures.
 Composition of Parliament and State Legislatures.
 Qualification/Disqualification of Members.
 Powers, privileges and immunities of parliament/ State Legislatures and its members (Arts. 105,194).
 Parliamentary privilege and fundamental rights.

Unit 2 Union and State Judiciary: 16

Union Judiciary- Supreme Court of India (Arts. 124-147) composition, appointment and removal of judges of Supreme Court.
 State judiciary-High Court in the States.
 Jurisdiction of Supreme Court – original jurisdiction, appellate jurisdiction, statutory appeal, special leave to appeal power of review, advisory jurisdiction.
 Writs (Arts. 32 & 226)
 Judicial review, independence of judiciary and judicial activism.

Unit 3: Relationship between the Union and the States: 16

Distribution of legislative powers. (Arts 245-255)
 Administrative relation. (Arts 256-262)
 Financial relation. (Art. 264-267)

Unit 4: Emergency and Amendment Provisions: 16

Emergency provisions-meaning and scope.
 Proclamation of emergency. (Arts. 352,358,359)
 Grounds of imposition of state emergency in states.(Arts. 356-357)
 Financial emergency. (Art. 360)
 Emergency and its effect.
 Amendment of the Constitution
 Power of the Parliament to amend the Constitution and procedure. (Art.368)
 Limitation upon constitutional power: doctrine of basic feature / structure.

Unit 5: Freedom of Trade, Commerce and Inter-Course and Services under the Union and the States and election: 16

Freedom of Trade, Commerce and intercourse (Arts. 301-307).
 Meaning of Freedom of Trade, Commerce and Intercourse
 Power of Parliament
 Restrictions

Services under the union and the states.
Doctrines of Pleasure

Internal Assessment :

20

Recommended Books:

Brij Kishore Sarma – Constitutional Law of India.
D.D. Basu – Shorter Constitution.
Granville Austin, The Indian Constitution : Cornerstone of a Nation 1966.
M.P. Jain – Constitutional Law of India.
V.N. Shukla – Constitutional Law of India.
Constituent Assembly Debates Vol. 1 to 12 (1989).

Paper II Family Law – II

(Credit : 7)

Code: 2.2

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Concepts:

16

What is Islam.
Significance of Islam.
Teachings of Islam.
Quran as the foundation of Muslim Law.
Who is a Muslim.
History of Islam.
Pre-Islamic Arabia.
The Prophet and advent of Islam.
Shias and Sunnis.
Islamic Law in India.
The Sharia.
Replacement of Islamic Law by legislation: The newly enacted laws in 2023, namely BNS, BNSS, BSA; C.P.C; Contract Act, tort.
Personal Law of Muslims: Some aspects are touched by Legislation: Divorce, Waqf etc.
Application of Muslim Law: Muslim by birth, Muslim by conversion.
Sources of Muslim Law.
Primary Sources.
Secondary Sources.
School of Muslim Law.
 The Sunni School and its Sub-School.
 The Shia School and its Sub-School.
 The Motazilas.
 Points of difference between the Sunni and Shia School.

Unit 2: Marriage (Nikah) and Divorce: 16

Definition of Nikah.
 Objects of Nikah.
 Nature of Nikah.
 Essential requirement of valid Muslim marriage.
 Void and Irregular Muslim marriage.
 Muta marriage.
 Difference between Sunni and Shia law of marriage.
 Comparison between Muslim marriage and Hindu marriage.
 Dower (Mahr).
 Definition, Nature, importance and object of dower.
 Classification of dower.
 Consequences of non-payment of dower.
 Difference between Sunni and Shia Laws relating to dower.
 Restitution of Conjugal Rights.
 Divorce (Talaq).
 Extra-judicial divorce.
 Judicial divorce : The Dissolution of Muslim Marriages Act, 1939.
 Legal consequences of divorce.

Unit 3: Minority and Guardianship Maintenance: 16

Who is a Minor
 Appointment of Guardian
 Kinds of Guardian
 Comparison of Sunni and Shia Laws relating to Guardianship Maintenance
 Definition of maintenance
 Liability for maintenance
 Principles of maintenance
 Persons entitled to maintenance
 Right of Muslim divorced women to maintenance

Unit 4: Gift, Will, Trust, Pre-emption: 16

Gift (Hiba):
 Definition of Gift.
 Essentials of a valid gift.
 Gift made during death – illness.
 Void gifts.
 Revocation of gift.
 Sadaqah.
 Will (Wasiyat):
 Definition of Will.
 Essentials of a valid Will.
 Revocation of Will.
 Abatement of legacies.
 Trust (Waqf):

Definition of Trust (waqf).
 Essentials of valid waqf
 Wishes of the Waqf : The Doctrine of Cypres.
 Mutawalli.
 Legal incidents of Waqf.
 Kinds of Waqf.
 Revocation of Waqf.
 The Waqf Act, 1995 and the latest development
 Pre-emption (Shuffa):
 Definition of pre-emption.
 Nature of the right of pre-emption.
 Constitutional validity of pre-emption.

Unit 5: Inheritance, Succession and Uniform Civil Code: 16

Applicability of certain Rules.
 Rules of Primogeniture. Rules
 of 'Spes Successionis'.
 The Indian Succession Act, 1925.
 Death-bed transactions.
 Uniform Civil Code.
 Need for Uniform Civil Code.
 Art 44 of the Constitution of India.
 Impediments to the formulation of the Uniform Civil Code.

Internal Assessment : 20

Prescribed legislations:

1. *The Muslim Law (Shariat) Application Act, 1937.*
2. *The Dissolution of Muslim Marriage act, 1939.*
3. *The Muslim Women (Protection of Rights on Divorce) Act, 1986.*
4. *The Special Marriage Act, 1954.*
5. *The Indian Succession Act, 1925.*
6. *The Waqf Act, 1995.*

Recommended Books:

Aqil Ahmed : Mohammedan Law.
 A. Fyzee : Outline of Mohammedan Law.
 D.F.Mulla : Principles of Mohammedan Law.
 Paras Diwan : Family Law.
 Muslim Law in Modern India.
 R.K.Sinha : Muslim Law.
 Tahir Mohammad : Mohammedan Law.

**Paper III Special Contract
 Code: 2.3**

(Credit: 8)

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Indian contract Act: Indemnity, Guarantee, Bailment and Pledge
16

Indemnity (Ss 124-125)

Definition

Nature and extent of liability of the indemnifier

Commencement of liability of the indemnifier.

Guarantee (Ss 126 -147)

Definition of guarantee ; as distinguished from Indemnity.

Continuing guarantee

Nature of Surety's liability duration and termination of such liability

Rights of surety

Extent of Surety liability.

Discharge of Surety's liability

Bailment (Ss 148 -171)

Definition of Bailment

Kinds of Bailees

Duties of Bailor and Bailee towards each other

Rights of bailor and bailee

Pledge (Ss 172-179)

Pledge : Comparison with bailment

Definition of pledge under the Indian contract Act.

Rights of the pawner and pownee

Pownee's right of sale as compared to that of an ordinary bailee

Pledge by certain specified persons mentioned in the Indian contract Act.

Unit 2: Agency (Ss 182-238)

16

Agent and Principal defined

Who may employ an agent who may be appointed as an agent.

Kinds of agents and agencies - essentials of a agency transaction.

Distinction between agent and servant

Various methods of creation of agency

Rights, Duties and Liabilities of principal and agent scope and limitation

Delegation Ratification and revocation of authority.

Methods of termination of Agency Contract

Liability of the principal and agent before and after such termination

Unit 3: The sale of Goods Act, 1930

16

General : Formation of contract of Sale (Ss 1-10)
 Concept of Goods
 Sale and Agreement
 Statutory Transactions
 Contract for works/Labour
 Conditions and warranties (Ss 11-17, 62, 63)
 Stipulation as to time
 Implied conditions and warranties as to title, quality, fitness etc.
 Sale by description and by Sample
 Treating conditions as warranties
 Doctrine of caveat Emptor
 Effect of the contract (Ss 180-30)
 Transfer of Property
 Doctrine of Nemo dat Quad non habit
 Sale
 By a person other than the owner
 By joint owner
 By mercantile agent
 By Seller or buyer in possession after sale
 In Market Quer
 Performance of the contract (Ss 31-44)
 Duties of Seller and Buyer
 Rules relating to delivery of goods
 Rights of unpaid seller (Ss 45-54)
 Who is an un paid seller?
 Un paid seller 's Right
 Rights of lien
 Rights of stoppage in transit
 Transfer of goods by buyer and seller
 Suit for breach of contract (Ss 18-30)
 for price
 Non Delivery
 Non acceptance
 Damages for breach of conditions and warranties
 Repudiation of contract
 Payment of damages and special damages
 Auction Sale (S 64)

Unit 4: The Indian Partnership Act, 1932

16

Nature of Partnership (Ss 4-8)
 Definition of Partnership "Partner firm" and "firm name" (S.4)
 4.1.2. Partnership not created by Statutes (S.5)
 Made of determining existence of partnership (S.6)
 Partnership at Will (S.7)
 Particular partnership (S.8) Partnership and Private Limited Company –
 Advantages and disadvantages
 Relations

Of partners to one Another (Ss 9-r)
 4.2.2. Relations of Partners to third parties (Ss 18-30)
 Incoming and outgoing partners (Ss 31-38)
 Dissolution of Firm (Ss 39-53)
 Registration of Firms (Ss 56-71)

Unit 5: Limited liability of partnership LLP

16

The limited liability partnership Act 2008

- Concept and nature of Limited liabilities partnerships
- Distinction between a partnership[a limited liability partnership and a company
- 5.3 Incorporation of LLPs
- 5.4. Effect of registration
- 5.5 Parteners and their relations
- Liabilities of LLP and its partners
- Holding out
- Protection to whistle blowers
- Investigation

Prescribed Legislation

1. *The Indian Contract Act 1872*
2. *The Sale of Goods Act 1930*
3. *The Indian Partnership Act 1932*
4. *The Limited Liability Partnership Act 2008 (6 of 2009)*

Internal Assessment :

20

Recommended Books: (Law of contract and Special Contract)

R.G.Pedia (ed) Pollack and Mulla, Indian contract and Specific Acts (13th Ed 2006)
 G.C.Bharuka, The India Partnership Act 7th Ed 2007
 Avtar Singh , Law of partnership (3rd Ed 2001) with Supplement 2003
 Sanjiv Agarwal and Rohini Agarwal Ltd liability partnership : Law and Practice (2009).
 K. Ramamurthy , Pollack and Mulla the sale of goods Act (7th ed 2007)
 V. Krishnamachari and Surender K Gogia T.S. Venkatisa
 Avtar Singh Contract Act 2000 Eastern Lucknow
 V.P.Verma (Rev) S.D. and J.P. Gupta law of partnership in India (fth Ed 1996)
 Krishnan Nair Law of contract 1999 orient
 Avtar Singh, Principles of the law of the law of sale of goods and their purchase
 1998 Eastern Lucknow
 J.P.Verma Ex Singh and Gupta the Law of partnership in India 1999 orient lawhouse,
 Delhi
 A.G.Guest (ed) Benjamin's Sale of goods (1992) Sweet and Maxwell
 Beatson (ed) Anson's Law of contracts (1998) Oxford, London.
 Ramnainga, the sale of goods Act (1998) (Universal)

Paper IV Land Laws of Assam

(Credit :7)

Code: 2.4

Full Marks: 100 [80+20]

Time: 3 hours

Pass Marks: 45 [36+9]

Detail Syllabus

Marks

Unit 1: Constitutional Provisions

16

- 1.1 History of Land rights in Assam
- 1.2 Factors leading to land reforms in Assam
- 1.3 Property as legal right and Constitutional mandates
- 1.4 State Ownership, Theory of Eminent Domain

Unit2: The Assam Land & Revenue Regulation, 1886

16

- 2.1 Revenue administration during Ahom Rule
- 2.2 Different kinds of land rights
- 2.3 Settlement operation, realization of arrear land revenue
- 2.4 Mutation, partition
- 2.5 Appeals and Revision, Matter exempted from purview of civil court
- 2.6 Protection of Backward Classes, Tribal Belts/ Blocks
- 2.7 Sixth Schedule to the Constitution of India and Land Rights

Unit 3: The Assam (Temporarily Settled Areas) Tenancy Act, 1971

16

- 3.1 Important Definitions- Land, Landlord, Rent, Town Land, Tenant, Salami
- 3.2 Different kinds of Tenant and their rights under the Act
- 3.3 Protection of Tenant
- 3.4 Obligation of the Occupancy and Non-occupancy Tenant
- 3.5 Acquisition of Intermediary and Ownership Rights
- 3.6 Remedial provisions

Unit 4: The Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013

16

- 4.1 Application & objectives
- 4.2 Definition- Affected area, Affected family, Agricultural land, Cost of Acquisition, Displaced family
- 4.3 Determination Of Social Impact And Public Purpose
- 4.4 Notification And Acquisition
- 4.5 Rehabilitation And Resettlement Award
- 4.6 Offences And Penalties

Unit 5 The Assam Tenancy Act, 2021

16

- 5.1 Objective and extent of application of the Act
- 5.2 Definitions – Landlord, Local Authority, Premises, Property Manager, Rental Agent.
- 5.3 Tenancy Agreement, Rent
- 5.4 Rights and Obligations of Landlord and Tenant
- 5.5 Eviction and Recovery of Possessions of Premises by Landlord
- 5.6 Rent Authorities, their Powers & Appeals
- 5.7 Rent Courts and Rent Tribunals
- 5.8 Salient Features of the Assam Real Estate Appellate Tribunal Regulation, 2021

Referred cases:

1. *Swarna Brahma Vs Assam Board of Revenue, AIR 1972 Gau-121*
2. *Refiqunnessa Vs Lal Bahadur Chetri AIR 1964 SC 1511*
3. *Kali Kumar Sen Vs Moahulal Biswas AIR 1969 AIR A&M 66 (FB)*
4. *Variety Emporium Vs VRM Md. Ibrahim Novina, AIR 1985 SC 207.*
5. *Satyanarajan Vs Assam Board of Revenue AIR 1999 Gau 83 (FB)*
6. *V Dhanpal Chettiar Vs Yesodal Amal, AIR 1979 SC 1745.*

Internal Assessment:**20****Recommended Books:**

1. M.P. Jain, *Indian Constitutional Law* (Lexis Nexis Butterworth, New Delhi, 17th edn., 2013)
2. Justice K.N. Saikia, *The Assam Land and Revenue Regulations, 1886* (Lawyer's Book Stall, Panbazar, 2nd edn., 2003)
3. J.N.Das, *An Introduction to the Land Laws of Assam* (Book Land, Panbazar, 9th edn., 1996)
4. Dr. Zakir Hussain (3rd ed), P. N. Goswami, *The Land Laws of Assam*, (Assam Law House, Panbazar, 2017)
5. Dr. Zakir Hussain, *The Assam Land Revenue Manual* (Assam Law House, Guwahati, 1st edn, 2024)

OR**Paper IV Private International Law****(Credit: 7)****Code: 2.4**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks****Unit-1: Origin and History of Private International Law****16**

- 1.1-The name of subject, Nature of subject, Meaning.
- 1.2-Future scope and connotations of the subject, relevance of the subject.
- 1.3-Rules of Private International Law in India, Meaning of "Foreign Law".
International variety of Private International Law rules, reliance on Anglo-American Precedents to avoid Conflicts, other sources-comity of nations, International conventions.
- 1.4-Genesis of Private International Law; with Historical Evolution, Evolution in India, Significance and Limitations of Historical perspective, Social Needs. Equal treatment.

Unit-2: Distinction between Public International Law and Private International Law**16**

- 2.1- Comparison between Municipal Law and Public International, Comparison between Public International and Private International Law .Efforts for unification of Private International Law.
- 2.2- Choice of Law and enforcement of Foreign Decrees in India, Choice of Jurisdiction "in Personam" and "in rem", Jurisdiction over Companies. Doctrine of Renvoi.
- 2.3- Theories and Modern developments.
- 2.4- Classification of Cause of actions, Classification of Rule of Law.

Unit-3: Domicile and Nationality**16**

- 3.1- Background of concepts of domicile and Nationality, Development of domicile Law.
- 3.2- Political and Civil status, Concept of Nationality.
- 3.3- Domicile by choice and illegal residence.
- 3.4- Indian Law on Domicile, Domicile provisions in Indian Constitution, Citizenship and state Domicile.

Unit-4: Matrimonial Causes and Disputes**16**

- 4.1- Concept of marriage.
- 4.2- Polygamous marriage and matrimonial relief.
- 4.3- Divorce, nullity and Judicial separation.
- 4.4- Financial relief after foreign divorce, annulment of Legal separation.

Unit-5: Contracts and International Arbitration**16**

- 5.1- Nature of problem, Rome Convention. The Principles of uniform Interpretation. Proper Law of Arbitration, Proper Law of Contract.
- 5.2- Contractual obligation, A choice between the Laws of different Countries, Freedom of choice, Arbitration agreements and agreements on the choice of Courts.
- 5.3- Indian Perspective- Arbitration and Conciliation Act 1996. Article 2 (b) and 10 of UNCITRAL Model Law.
- 5.4- Arbitration between Companies Registered in India & “Central Management & Control” from outside India.
Enforcement of Foreign Arbitral awards under the Arbitration and Conciliation Act 1996.

Paper V Honours- 2, any one from following
5. Comparative Constitution (CL Group)
6. Women & Criminal Law (CC Group)
7. IT including Cyber Law (IPL Group)
8. Direct Tax (BL Group)

Paper V Comparative Constitution
Code: 2.5

(Credit 6)

Honours – 2 : Constitutional Law Group

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Salient features of -

16

Basic features

Constitution of U.K.,

Constitution of USA, and

1.13 Constitution of India

Doctrine of Separation of Power under the Constitution of-
U.K

USA and

India

Unit 2: Comparative study on the

16

Methods of amendment under the Constitution of –

2.1.1 U.K.,

2.1 2 USA and

2.1 3 India.

Composition and jurisdiction of

USA Judicial System

Indian Judicial System

Provisions of trade, commerce and intercourse under the
Constitution of India and

Constitution of USA

Unit 3: Rule of Law

16

Meaning

Exception to the rule of law

Rule of law under the Constitution of U.K., USA and India

Unit 4: Natural Justice 16

Principles

Applicability of natural justice principles under the Constitution of U.K.

USA and India

Unit 5: Doctrine of Judicial Review in 16

U.K.,
USA and
India

Internal Assessment : 20

Recommended Books:

Anup Chand Kapoor & K.K. Mishra, *Select Constitution*, S. Chand & Co. Ltd.

D. D. Basu, *Comparative Constitutional Law*, Wadhwa & Co. Ltd.

Vishnoo Bhagwan and Vidya Bhusan, *World Constitution*

OR

Paper V Women and Criminal Law

(Credit 6)

Code:2.5

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Introduction 16

Status of Women in India

Status of Women – International concerns

Constitution of India & Women

Preamble

Equality Provision

Unit 2: Personal Laws and Women 16

Unequal position of women – different personal laws and Directive principles of State Policy

Uniform Civil Code towards gender justice

Sex inequality in inheritance

Guardianship

Unit 3: Criminal Laws and Women 16

Adultery

Rape

Outraging Modesty
Domestic Violence

Unit 4: Women Welfare Laws 16

General laws

The Dowry Prohibition Act, 1961

Pre-natal Diagnostic Techniques (Regulation &
Prevention of Misuse) Act, 1994

Indecent Representation of Women (Prohibition) Act, 1986

Immoral Traffic (Prevention) Act, 1987

Family Courts Act, 1984

Unit 5: Labour Welfare Legislations 16

Maternity Benefit Act,

Factories Act,

Equal Remuneration Act,

Implementation of Wage Laws and Legislation on Women Employment

Referred cases

1. *Sumithra Vishnu v. Union of India* 1985 SC 1618
2. *Vellore Citizens' Welfare Forum v. Union of India* (1996) 5 SCC 647
3. *Vishaka v. State of Rajasthan*, AIR 1997 SC 3011 : (1997) 6 SCC 241

Prescribed Legislations:

1. *The Constitution of India (Relevant provisions)*
2. *Dowry Prohibition Act(Relevant provisions)*
3. *Relevant provisions of BSA, 2023; BNS, 2023, BNSS, 2023; POSH, 2013,*
4. *Immoral Traffic(Prevention) Act, 1956*
5. *The Indecent Representation of Women (Prohibition) Act, 1986*
6. *The Medical Termination of Pregnancy Act, 1978*
7. *Equal Remuneration Act, 1988*

Internal Assessment : 20

Recommended Books:

Revasia & Revasia, *Women Social Justice & Human Right* (1998), P.H. Publishing, New Delhi

Ajnes, Flavia, *Law as Gender Inequality*, (Sec IV: Gen. Conl & Recomm) OUP, Delhi (1999)

Dr. Sayed Maqsood, *Law relating to Women*

Dr. S.C. Tripathi, *Law relating to Women*

42nd Report of Law Commission [Dissenting note of Justice Anna Chandy on Adultery, P.366]

Towards Equality- Report of the Committee on the Status of Women (Govt. of India), Ch. IV

Balram - *Women workers labour legislation in India* 1984 (2) I.L.J. 1527.

Lotika Sarkar, *The Law Commission of India* (1988).
 U.Baxi, *Law and Poverty: Critical Essay*
ss (1988), Eastern, Luknow
 S.N. Jain ed, *Child and the Law* (1979) Indian Law Institute, New Delhi
 Prof. Nomita Aggarwal, *Women and Law*
 Dr. Manjula Batra, *Women and Law*
 G.P. Reddy, *Women and Law*

OR

Paper V Information Technology incl. Cyber Law (Credit 6)
Code: 2.5

Honours – 2 : Intellectual Property Law Group

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus **Marks**

Unit 1: Background 16

Meaning of Cyber Law
 Cyber World and Cyber Law
 The internet and online resources
 Security of information
 Digital signature
 Cyber Law and Cyber Crimes

Unit 2: Regulation of cyber space – Introducing cyber law 16

Scope of Cyber laws – e-commerce - online contracts - IPRs (copyright, trademarks and software patenting) - e-taxation - e-governance and cyber crimes
 Cyber law in India- Information Technology Act, 2000

Unit 3: Information Technology Act-2000 16

History of the Act
 Essence of the Act
 Legal Recognition of Electronic Documents
 Legal Recognition of Digital Signatures
 E-Governance
 Regulation of Certifying Authorities
 Duties of Subscribers
 Offences and Contraventions- Penalties and Adjudications
 Justice Dispensation System for Cybercrimes
 Making of Rules and Regulations etc.

Unit 4: The Evidence Aspect in Cyber Law 16
Applicability of the Bharatiya Sakshya Adhiniyam, 2023 on Electronic Record
 The global trends in Cyber Law

Unit 5: The Intellectual Property Aspect in Cyber Law 16
 The WIPO initiative- rectification- GII initiative
 Electronic Copy Right Management System (ECMS)
 Copyrights Act on Soft Propriety Works
 Patents Act on Soft Propriety Works

Prescribed Legislations:

1. *Information Technology Act, 2000*
2. *Information Technology Rules, 2000*
3. *Cyber Regulation Appellate Tribunal Rules, 2000*
4. *The BSA, 2023*
5. *Bankers Book Evidence Act. 1891*
6. *Reserve Bank of India Act, 1934*

Internal Assessment : 20

Recommended Books:

Farooq Ahmed, *Cyber Law in India*, Pioneer Books, New Delhi-110009
 Vakul Sharma, *Information Technology Law and Practice*, Universal, Delhi
 Arun Baweja, *Information Technology and Development*, Kalpar Publication, Delhi
 P.S. Yivek Shane, Banerjee, *Science and Society*, Himalaya Publishing House, Bombay
 Ashok Korde, A. Sawant, *Science and Scientific Method*, Himalaya Pub. House, Bombay
 B.B. Batra, *Information Technology*, Kalpar Publications, Delhi
 Nandan Kamamth, *Guide to Information Technology Act*, University Law Pub. Co. Delhi-33
 Suresh T. Viswanathan, *The Indian Cyber Laws*, Bharat Law House, New Delhi-83.
 Ankit Fadia and Jaya Bhattacharjee, *Encryption-Protecting your Data*
 P. Narayan, *Intellectual Property Law*, Eastern Law House, New Delhi

OR

Paper V Direct Tax
Code: 2.5

(Credit : 6)

Full Marks: 100 [80+20]
 Pass marks: 45 [36+9]

Time : 3 hours

Detailed Syllabus

Mark

Unit 1: Introduction to Direct Tax 16

1.1 Meaning of Direct Tax

- 1.2 Merits, Demerits, Importance and role of Direct Tax in India
- 1.3 Types of Direct Tax
- 1.4 Difference between Direct Tax and Indirect Tax
- 1.5 Impact and incidence of Taxation

Unit 2: Introduction to Direct Tax 16

2.1 Basic concept of income and definition of person as per Income Tax Act

2.2 Concept of previous year and assessment year

2.3 Residential status and Tax Liability on the basis of residence

2.4 Basic of charge

2.5 Exempted income

2.6 Agricultural income

Unit 3: Computation of income 16

3.1 Heads of income

3.2 Provision governing computation of income under different heads, income from salary, income from house property, income from profits and gains of business and profession, Capital gains, income from other sources.

3.3 Corporate income tax

3.4 Gift tax as per Income Tax Act

Unit 4: Computation and payment of Tax(Theoretical Knowledge) 16

4.1 Clubbing of Income

4.2 Set off and carry forward of losses

4.3 Deductions from Gross Total Income

4.4 Computation of Total Income and Determination of Income Tax Liability

4.5 Tax Deducted at source(TDS)

4.6 Advance Payment of Tax

Unit 5: Assessment and Appeal procedure	16
5.1 Assessment Procedure	
5.2 Appeals Revision and Penalties	
5.3 Income tax Authorities	
5.4 Tax Planning, Tax Evasion, Tax Avoidance	

Internal Assessment :	20
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Recommended Books:

1. Income Tax Act--- Kanga & Palkiwala
- Direct Tax Law & Practice--- Dr. Vinod K. Singhania, Kapil Singhania

SEMESTER–III

Paper I The Bharatiya Nyaya Sanhita,2023	(Credit :7)
Code: 3.1	
Marks:(80+20)=100	
Pass marks: 45 [36+9]	

Unit I – INTRODUCTION	16
1.1 Concept of Crime	
1.2 Elements of Crime	
1.3 Stages of Crime	
1.4 Historical Development of Bharatiya Nyaya Sanhita, 2023 and its salient features	
1.5 Types of punishment prescribed under BNS, 2023	
1.6 General Exceptions (Sec 14-44)	
1.7 White Collar Crime	

Referred cases :-

1. R v. Tolson
2. R v. Prince
- 3 Basudev v. State of Pepsu
4. R v. Dudley and Stephens (1884)
5. R v. M'Naughten
6. Machhi Singh and Others v. State of Punjab, AIR 1983 SC 957•
7. Basdev v. State of PEPSU AIR 1956 SC 488
8. Srikant Anandrao Bhosale v. State of Maharshtra (2003) 7 SCC 748
9. Deo Narain v. State of UP AIR 1973 SC 473

Unit – II INCHOATE CRIME AND CRIMES AGAINST WOMEN AND CHILD 16

- 2.1 Abetment (Sec 45-60)
- 2.2 Criminal Conspiracy (Sec 61)
- 2.3 Attempt (Sec 62)
- 2.4 Offences against Women
- 2.4.1 Rape (Sec 63-73)
- 2.4.2 Criminal force and assault against woman (Sec 74-79)
- 2.4.3 Offences relating to marriage (Sec 80, 82, 85)

Referred Cases:-

- 1. Satvir Singh v. State of Punjab AIR 2001 SC 2828
- 2. State of Tamil Nadu v. Nalini and 25 others (AIR 1999 SC 2649)
- 3. State of Maharashtra v. Mod. Yakub (1980)3 SCC 57
- 4. Kanwar Pal Singh Gill v. State (Adm., U.T. Chandigarh) through Secy., (2005) 6 SCC 161
- 5. State of Punjab v. Gurmit Singh, (1996) 2 SCC 384
- 6. Independent Thought v. Union of India (2017) 10 SCC 800
- 7. Social Action Forum for Manav Adhikar and Another v. Union of India and Ors. Ministry Law and Justice and others AIR 2018, SC 4273

Unit – III Offences against Body**16**

- 3.1 Culpable Homicide (Sec 100, 102, 105, 110)
- 3.2 Murder (Sec 101, 103, 104, 109)
- 3.3 Mob lynching (Sec 103(2))
- 3.4 Suicide (Sec 107-108)
- 3.5 Organised Crime (Sec 111- 112)
- 3.6 Terrorist Act (Sec 113)
- 3.7 Hurt and Grievous hurt (Sec 119-125)
- 3.8 Wrongful restraint and confinement (Sec 126-127)
- 3.9 Criminal force and assault (Sec 128-136)
- 3.10 Kidnapping, Abduction, Slavery and Forced labour (Sec 137-146)

Referred Cases:-

- 1. Rawalpenta Venkalu v. State of Hyderabad, AIR 1956 SC 171
- 2. Palani Goundan v. Emperor, 1919 ILR 547
- 3. In re Thavamani, AIR 1943 Mad 571
- 4. Emperor v. Mushnoorunarayna Murthy (1912) 22 MLJR 333 Mad
- 5. Virsa Singh v. State of Punjab, AIR 1958 SC 465
- 6. State of AP v. R, Punneya, AIR 1977 SC 45

Unit – IV. Offences against State, Public tranquility, False evidence, Public nuisance and Defamation**16**

- 4.1 Offences against State (Sec 147- 158)
- 4.2 Offences against Public tranquility (Sec 189- 190)
- 4.3 Offences against Public justice (Sec 227- 238)
- 4.4 Public Nuisance (Sec 270- 273)
- 4.5 Criminal intimidation (Sec 349), Defamation (Sec 356)

Referred Cases:-

1. Mir Hasan Khan & Others V. State AIR 1951

Unit – V. Offences against Property**16**

- 5.1 Theft
- 5.2 Extortion
- 5.3 Robbery
- 5.4 Dacoity
- 5.5 Criminal misappropriation of property (Sec 314-315)
- 5.6 Criminal breach of Trust (Sec 316)
- 5.7 Cheating (Sec 318-319)
- 5.8 Mischief (Sec 324-328)
- 5.9 Criminal Trespass (Sec 329-334)

Referred Cases:-

1. Jaikrishandas Manohardas Desai v. State of Bombay, AIR 1960 SC 889
2. Mahadeo Prasad v. State of West Bengal, AIR 1954 SC 724
3. Akhil Kishore Ram v. Emperor, AIR 1938 Pat, 185

Internal Assessment

20

Referred Books**Bare Act: The Bharatiya Nyaya Sanhita, 2023****Bharat P. Maheshwari, The Bharatiya Nyaya Sanhita, 2023 & The Indian Penal Code: A Comparison (LexixNexix, 1st edn., 2024).**K.D.Gour, Textbook on The Bharatiya Nyaya Sanhita, 2023 (LexixNexix, 1st edn., 2024).**Paper II – The Bharatiya Nagarik Suraksha Sanhita, 2023****(Credit:6)****Code: 3.2****Marks – (80+20) = 100**

Pass marks: 45 [36+9]

Unit 1: Introduction**16**

- 1.1. History and importance of The Bharatiya Nagarik Suraksha Sanhita, Comparative analysis of the old and new Criminal Procedure, Repeal & Savings (S.531)
 - 1.1.1 Application of the Sanhita (S.1), Definitions (S.2), Trial of Offences under BNS & other laws (S.4), Saving (S.5), Effect of the Sanhita-retrospective or prospective.
- 1.2. Classes of Criminal Courts (Ss. 6- 17)
 - 1.2.1 Powers of Courts (Ss. 21-29), Inherent Powers of High Court, Superintendence over Courts
 - 1.2.2 Powers of Executive Magistrates (Ss. 125-143, 148-151, 152-162, 163, 164-167)
 - 1.2.3 Public Prosecutor (Ss. 18-20, 248-249, 338, etc.)

Unit 2: Provisions Relating Arrest, Investigation & Bail**16**

- 2.1 Arrest of Persons and Rights of arrested persons (Ss. 35-62)
 - 2.1.1 Summons & Warrant of Arrest (Ss. 63-71, 72-83, 90-93)
 - 2.1.2 Proclamation & Attachment (84-89)

- 2.1.3 Search Warrant (96-104)
- 2.2 First Information Report and the power of police to investigate (Ss.173-196), Evidentiary value of F.I.R, F.I.R. by Electronic Communication, Zero F.I.R.
- 2.3 Bail (Ss. 478- 483), Anticipatory Bail, Default Bail.

Unit 3: Procedure relating to Initiation of Proceedings 16

- 3.1 Jurisdiction of Criminal Courts in Inquiries and trial (197-209)
- 3.2 Conditions requisite for initiation of proceedings (Ss. 210-222) 3.3 Complaints to Magistrate and Commencement of Proceedings. (Ss.223-226,227-233)
- 3.4 The Charge (Ss. 234-247)

Unit 4: Trials 16

- 4.1 Trial before Court of Sessions (Ss.248-260)
- 4.2 Trial of Warrant Cases
 - a. Instituted on police report(Ss.261-266)
 - b. Instituted otherwise than on police report(Ss.267-270)
 - c. Conclusion of Trial (Ss. 271-273)
- 4.3 Trial of Summons Cases by Magistrate (Ss. 274- 282), Summary Trials (Ss. 283-288), Plea Bargaining (Ss.289-300)
- 4.4 Submission of death sentence for confirmation (407-412)

Unit 5: Appeals, Revisions, etc. 16

- 5.1 Appeals (Ss. 413-435)
- 5.2 Reference & Revisions (Ss.436-437, 438-445)
- 5.3 Transfer of Criminal Cases (Ss. 446-452)
- 5.4 Execution of Order

Referred Cases:

1. Lalita Kumari v. Government of Uttar Pradesh & Ors. (2014) 2 SCC 1
2. Kehar Singh v. Delhi Administration AIR 1988 SC 1883
3. Arnesh Kumar v. State of Bihar & Anr. AIR 2014 SC 2756
4. Sadhvi Pragya Singh Thakur v. State of Maharashtra AIR 2011 SC 2211
5. D.K. Basu v. State of West Bengal (1997) 6 SCC 642
6. Gulam Mohammad v. State, AIR 1959 MP147
7. Zahira Habibullah Sheikh v. State of Gujarat (2006) 3 SCC 374
8. M.H. Haskot v. State of Maharashtra (1978) 3 SCC 544
9. State of Tamil Nadu v. Rajendra (1999) 8 SCC 679
10. Balak Ram v. State, AIR 1974 SC 2165.

Internal Assessment:

20

Recommended Books:

Bare Act: The Bharatiya Nagarik Suraksha Sanhita, 2023
 Bharat P. Maheshwari, The Bharatiya Nagarik Suraksha Sanhita, 2023 & The Code of Criminal Procedure (1973) : A Comparison (LexisNexis, 1st edn., 2024).

Paper III **Jurisprudence**

(Credit : 7)

Code: 3.3

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Introduction

16

- Definition, Nature and Scope of Jurisprudence
- Definition, nature and kinds of Law, State and Sovereignty
- Justice – Meaning and kinds, Civil and Criminal Justice.
 - Administration of Justice, Punishment theories
- Sources of Law – Legal and Historical sources of Law
 - Legislation
 - Precedent
 - Custom
 - Professional Opinion
 - Agreement, etc.

Unit 2: Basic Theory of Law : Schools of Law (Part – I)

16

- Analytical Legal Positivism
 - Different approaches of Austin, Bentham and Hart
- Kelson's Pure Theory of Law
 - 'Grundnorm'
- Historical School of Law
 - Contribution of Savigny
 - Distinction between Legal History and Historical Jurisprudence
 - Analytical School and Historical School

Unit 3: Basic Theory of Law : Schools of Law (Part - II)

16

- Sociological School of Law.
 - approaches of Ihering, Duguit, Spencer.
- Roscoe Pound's 'Social Engineering'.
- 'Social Solidarity' and its implications.
- American Realism – 'Human Factor' and Scandinavian Realists.
- Natural Law School – Origin, Development and revival in 20th century.
 - Human Rights – Fundamental Rights in Indian Constitution.
 - Reflections in the Constitution of India as well as in the decisions of Supreme Court of India with special reference to Maneka Gandhi Vs. Union of India, AIR 1978 SC 597.

Unit 4: Legal Concepts

16

- Persons – Natural and Artificial of Legal – implications.
- Legal Rights and Duties
 - Analysis of legal rights and kinds of legal rights
 - Hohfeld's Theory
- Definition, nature and kinds of Liability

- Civil and Criminal Liability
- Remedial and Vicarious Liability etc.
- Negligence and Duty of Care, Strict Liability

The Law of Obligations

The Law of Property

Ownership and Possession

- Concepts & Distinction
- Kinds of Ownership
- Social control of Ownership
- Kinds of Possession
- Possessory remedies

Feminist Jurisprudence

Law of Procedure

Unit 5: Indian Legal System

16

Concepts of Dharma – Sruti and Smriti

Supremacy of Law over King & State – Law is the King of Kings

Indian Legal System after independence

Natural Law – Indian concepts and perception with special reference to Kesavananda Bharti
Vs. State of Kerala AIR 1973 SC 1461

Concept of Truth (Satya), Non-violence (Ahimsa) and Right code of Moral conduct
(Sadachar) and Indian Constitution

Analytical Positivism and Legal Positivism

Referred Case Law on Legal Positivism : A.K. Gopalan Vs. State of Madras, AIR 1950 SC 28

Sociological Jurisprudence in Indian Perspective and its new judicial response on Social Interest, Protection of Bonded Labour & Child Labour and Control of Environmental Pollution

Referred Cases and Amendments :

1. *Olga Tellis Vs. Bombay Municipal Corporation, AIR 1986 SC 180*
2. *Bandhua Mukti Marcha Vs. Union of India, AIR 1984 SC 802*
3. *Peoples Union for Democratic Rights Vs. Union of India, AIR 1982 SC. 1473*
4. *42nd Constitutional Amendment Act. 1976*

Recommended Books for Unit 5 (Indian Legal System):

1. *Fundamentals of Jurisprudence – The Indian Approach – by Dr. S.K. Dhyani (Publisher – Central Law Agency), Chapter – 2*
2. *Dias Jurisprudence – Chapter – 3 (Rules, laws and legal system) (Publisher – Butterworths)*
3. *Jurisprudence – Legal Theory – by Dr. B.N. Mani Tripathi (Publisher – Allahabad Law Agency).*

Internal Assessment :

20

Recommended Books:

Avtar Singh, Introduction to Jurisprudence
 Edgar Bodenheimer Jurisprudence – The Philosophy and Method of Law.
 H.L.A. Hart, The Concept of Law
 P.J. Fitzgerald, Salmond on Jurisprudence
 R.W.M. Dias, Jurisprudence
 S.N. Dhyani, Fundamentals of Jurisprudence – The Indian Approach
 V.D. Mahajan, Jurisprudence and Legal Theory

Paper IV Elements of Research	(Credit:5)
Code: 3.4	
Full Marks: 100 [80+20]	Time : 3 hours
Pass marks: 45 [36+9]	
Detailed Syllabus	Marks
Unit-I Basics of Law / research	16
Sources of Law	
Precedent, Custom, Legislation, Public Opinion	
Legal Materials	
Statutes, Enactments, Judgment, Reports of Commission	
Meaning of Research	
Objectives of Research	
Significance of Research	
Importance of Research methodology	
Unit – II Legal Research Methodology	16
Meaning and Objectives	
Socio Legal Research	
Doctrinal and Empirical- Relevancy in modern context	
Scientific approach to Legal research	
Unit – III Major Steps in Legal Research	16
Identifying to Research problem	
Hypothesis /Null Hypothesis	
Experimentation	
Research Design	
Collection and Analysis of Data-primary and Secondary	
Report Writing	
Unit – IV Tools of Research	16
Use of Library	
Observation	
Questionnaire	
Interview	
Sampling	
Case Study	
Unit – V Legal Reasoning	
Interpretation of Statutes	
Deductive	
Inductive	
Internal Assessment	20
Recommended books	

Edgar Bodenheimer, *Jurisprudence: The philosophy and Method of The Law* (Universal Law Publishing Co. Pvt. Ltd., 4th Indian reprint, 2004).

Janathan Anderston, Berry H. Durston and Poole Millicent (eds.), *Thesis and Assignment Writing* (Seventh Wiley Eastern Report, 1st edn. 1978).

Manoj Kumar Sinha and Deepa Kharb(eds.), *Legal Research Methodology*(The Indian Law Institute, LexixNexis, Haryana, 2017).

S.K.Verma and M.Afzal Wani (eds.), *Legal Research Methodology* (The Indian Law Institute, Delhi, 2nd edn. 2001).

Paper V Alternative Dispute Resolution (Credit : 5)
Code: 3.5

Practical – I

Full Marks: 100 [60+20+20] Pass marks: 45 [27+9+9]

Theory : 60, Pass Marks : 27

Practical : 20, Pass Marks : 9

Internal Assessment : 20, Pass Mark : 9

Detailed Syllabus	Marks
Unit 1: UNCITRAL, 1980 and UNCITRAL Rules, 1985 History International developments Government of India's obligation (Article 51, Art. 253)	20
Unit 2: The Arbitration and Conciliation Act, 1996 Mediation Conciliation Arbitration Pure Legal Process	20
Unit 3: ADR Provision Under the Constitution of India and under Different Laws ADR provisions under the CPC, 1908 (Sec. 89) ADR provision under the Hindu Marriage Act, 1955 [Sec. 23 (2)] ADR provision under the relevant provisions of the Indian Contract Act, 1872. ADR provisions under the Constitution of India, Article 298, Art. 299 and the related provisions of Art. 53 and Art. 162. Legal Services Authorities Act, 1987 (relevant provisions)	20

Referred Cases :

1. *K.K. Modi Vs. K.N. Modi & others*, AIR 1998 SC 1297.
2. *National Insurance Co. Vs. Amal Kumar Das*, AIR 1998 Gau – 1.
3. *SBP & Co. Vs. Patel Engg. Ltd.* 2005 (8) SCC 618.

4. *Krishna Bhagya Jala Nigam Ltd. Vs. G. Arischandra Reddy* (2007) 2 SCC 720.
5. *Oil & Natural Gas Corporation Vs. Saw Pipes Ltd.* 2003 (4) SCALE 92 – 185.

Practical : Marks : 20 [Written Report : 15 + Viva-voce : 5]

Every student is to attend mediation centers of the High Court, the District Courts, the Permanent Lok Adalats and other Centres under the guidance of the teacher concerned. They will also be required to submit a Report of the cases attended. Written reports will be submitted to the teacher of this paper within a week after attending the Mediation centers and other centers. The teacher will evaluate these reports continuously throughout the semester and award marks.

[Note: The written reports evaluated by the teacher along with list of the marks awarded will be placed before the external examiner at the time of vive-voce examination. The teacher of the practical paper will be the internal examiner who along with the external examiner will jointly award final marks on written reports and viva-voce examination. Written reports will not be accepted for final evaluation by the external & internal examiners if they are not submitted and evaluated regularly throughout the semester.]

Internal Assessment :

20

Recommended Books:

Avtar Singh, The Arbitration and Conciliation
N.V. Paranjape, The Arbitration and Conciliation

Honours 3 , any one from following:

Paper VI	Human Rights Law and Practice	(Credit:6)
Code: 3.6		
Full Marks: 100 [80+20]		Time : 3 hours
Pass marks: 45 [36+9]		
<u>Detailed Syllabus</u>		<u>Marks</u>

Unit 1: Theoretical Foundations of Human Rights and International Law 16

Nature and Definition of Human Rights
Sources and significance of Human Rights
origin and Development of Human Rights
Classification and theories of Human Rights
International Human Rights Law
UNO and Principal Organs
International cooperation
Disarmament-Peaceful Settlement of disputes

Unit 2 :Historical development of the Concept of Human Rights

16

Human Rights in Indian tradition– Ancient, Medieval and Modern

Human Rights in Western tradition

Concept of Natural Law

Concept of Natural Rights

Human Rights in Legal Tradition: International Law and National Law

Traditional Human Rights: Civil and Political Rights Economic, Social and Cultural Rights

Third Generation Human Rights (Community Rights)

Fourth Generation of Human Rights

Unit 3: UN and Human Rights: Implementation of Human Rights

16

At International Level

Treaties and Statutes

International Bill of Human Rights

Universal Declaration of Human Rights,1948

International Covenant on Civil and Political Rights,1966

International Covenant on Economic, Social and Cultural Rights,1966

Optional Protocol of International Covenant on Civil and Political Rights

Optional Protocol of International Covenant on Economic, Social and Cultural Rights

Role of Regional Organizations (Key points only)

European Convention on Human Rights

American Convention on Human Rights

African Convention on Human Rights

SAARC

Protection : Agencies and Mechanisms

International Commission on Human Rights

Amnesty International

Non-Governmental Organizations

European Commission on Human Rights/Court of Human Rights

U.N. Division on Human Rights

International Labour Organization

UNESCO

ICJ

Unit 4: Implementation of International Human Rights norms in India

16

The Protection of Human Rights Act,1993

Human Rights norms reflected in Fundamental Rights in the Constitution of India

Directive Principles: Legislative and Administrative implementation of International Human Rights norms

Implementation of International Human Rights norms through Indian judicial process

Enforcement of Human Rights in India

Role of Courts: Supreme Court, High Courts and other courts

Statutory Commissions
 National/ State Human Rights Commission
 National/ State Women commission

Unit 5: Contemporary Issues of Human Rights and Rights of Vulnerable in India 16

War crimes

Latest Human Rights Issue-Role of UNO and its agencies

Human Rights of women, child, senior citizens, migrant workers, differently abled, Third Gender, prisoners and arrestees, back ward classes etc

Referred cases

Vishaka v. State of Rajasthan, AIR 1997 SC 3011
 CIT v. P.V.A.L. Kulandagan Chettler (2004) 6 SCC 235
 Chairman Rly. Board v. Chandrima Das(2000)2 SCC 465
 Naga Peoples Movement for Human Rights v. Union of India, 1998 SC 465
 Nilabati Behera v. State of Orissa, AIR 1993 SC 1960
 D.K. Basu v. West Bengal, AIR 1997 SC 610
 Potsangbam Ningom Thakchom v. GOC, 1989 CRILJ 1912
 Sebastian Hongray v. Assam, (1995) 3 SCC 743

OR

Paper VI Prison Administration

(Credit : 6)

Code: 3.6

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus	Marks
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Unit 1: Introduction	16
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Prison in India
 Role of Prison in Modern Penology
 Self Government in Prison
 The Prison Community and Classification of Prisoners

Unit 2: Problems in Prison	16
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Overcrowding in Prison
 Prison Discipline
 Prisoner's Health
 Criminality in Prison

Unit 3: Prison Reforms 16

Indian Jail Reform Committee, 1919-20

Unit 4: Judicial Mandates 16

Judicial Mandates for Prisoners and Detainees
Judicial Mandates for General Administration of Prisons
The Repatriation of Prisoners Act, 2003

Unit 5: International Penal and Penitentiary Commission and Prison Reforms 16

The Repatriation of Prisoners Act, 2003

Internal Assessment : 20

Recommended Books:

1. N.V. Paranjape, *Criminology and Penology*
2. Sutherland, *Principles of Criminology*
3. Siddiqui, *Criminology*
4. Sethna, *Society and Criminal*
5. Jones, *Crime and Penal System*

OR

Paper VI IPR Management [International Protection of IPR] (Credit : 6) **Code: 3.6**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

<u>Detailed Syllabus</u>	<u>Marks</u>
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Unit 1: Intellectual Property Rights

- 1.1 Introduction and Meaning of IPR
- 1.2 Importance and its implementation of IPR
- 1.3 Role of IP in Economic Development

Unit 2: The International Trade Organization and the GAIT 16

The GAIT, its working and salient features
Negotiating history' of the WTO, the Dunkel Draft and
the Agreement stabilizing the WTO 1994.
Paris Convention for protection of Industrial Property

Unit 3: Agreement 16

Agreement on Agriculture
 Agreement on Textiles and clothing
 Agreement on Import licensing Procedure
 The Agreement on Safeguards
 General Agreement on Trade in Services
 The Agreement on Trade Related Aspects of Intellectual
 Property Rights [TRIPS]
 General Provisions and Basic Principles
 TRIPS and Patent Co-operation Treaty, 1970

Unit 4: Protection of Specific Intellectual Property Rights under TRIPS 16

Copyrights and related Rights'
 Trademarks
 Geographical indications, protection plant, varieties
 Industrial designs
 Patents
 Layout Designs Undisclosed information
 Control of anti-competitive Practices in Contractual Licenses

Unit 5: Enforcement of Intellectual Property Rights 16

Civil and Administrative procedures and Remedies
 Provisional Measures
 Special Requirements Related to Border measures
 Dispute Prevention and Settlement
 Rules and procedure governing the Settlement of Disputes

Internal Assessment : 20

Recommended Books:

1. M. B. Rao, *WTO and International Trade*
2. Michael Balkency, *Trade Related aspects of Intellectual*
3. Property Rights, *A Concise Guide to the Trips Agreement.*

OR

Paper VI Indirect Tax Law

(Credit : 6)

Code:3.6

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Introduction to Indirect Tax	16
1.1 Characteristics of good tax system	
1.2 Merits and demerits of Indirect Tax	
1.3 Role of Indirect Tax in developing countries	
1.4 Single point and multiple taxation	
Unit 2: History of Indirect Tax	16
2.1 Background and introduction of Excise law in India	
2.2 History and background of custom law in India	
2.3 Constitutional validity of laws related to taxation in India	
Unit 3: Introduction to GST	16
3.1 Evolution of GST in India	
3.2 122nd Constitutional Amendment- facets	
3.3 Components of GST and levy	
3.4 Merits and demerits of GST	
Unit 4: CGST Act, 2017	16
4.1 Salient features of CGST Act, 2017	
4.2 Administrative Structure of CGST	
4.3 Provisions relating to Registration	
4.4 Offences and Penalties	
Unit 5: The Assam Goods and Services Tax Act, 2017	16
5.1 Overview of the Act	
5.2 Levy and collection of tax	
5.3 Assessment	
5.4 Appeal, Revision and Penalties	

Internal Assessment :

20

Recommended Books:

Books on income Tax

1. *Taxmann's Master Guide to Income Tax*, (Taxman, New Delhi, 33rd edn., 2023)
2. Naveen Mittal, *Principles of Income Tax Law and Practice*, (Cengage Learning India Pvt. Ltd. New Delhi, 1st edn., 2019)
3. Dr. Kailash Rai, *Taxation Laws (Laws of Income Tax)* (Allahabad Law Agency, Prayagraj, 11th edn., 2018)
4. TN Manoharan and GR Hari, *Students' Handbook on Taxation*, (Snow White, Mumbai, 2024)
5. Ramamurthy .S., *Introduction to Taxation* (Company Law Institute, Chennai, 1st edn., 2023)
6. Pithisaria & Pithisaria, *Taxmann's Law and Practice of Income Tax* (3 vol.s), (Taxmann, New Delhi, 2022)

Books on GST

1. Ramakrishnan Viraraghavan, *The Law of Goods and Services Tax A Comprehensive commentary* (Oak Bridge, Gurgaon, 2023)
2. R.K. Jain, *GST Law Manual* (2 vol.s), (Centax Law Publication Pvt. Ltd., New Delhi, 19th edn., 2024-25)
3. Jaya Vasudevan Suseela, *Indirect Taxes (GST & Other Indirect Taxes)* (EBC, Lucknow, 1st edn., 2019)
4. Arpit Haldia and Mohd. Salim, *Taxmann's GST Law & Practice* (Taxmann, New Delhi, 5th edn., 2023)
5. Tarun Jain, *Goods and Services Tax-Constitutional Law and Policy* (Eastern Book Company, Lucknow, 1st edn., 2018)

Honours 4, any one from the following

Paper VII Media & Law

(Credit : 6)

Code: 3.7

(Constitutional Law Group)

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit – 1

- 1.1 Meaning of Media
- 1.2 Types of Media
- 1.3 Importance of Media
- 1.4 Media and its Social impact

Unit-2 : Print Media

- 2.1 Introduction
- 2.2 Importance
- 2.3 Press Law
- 2.4 Copy Right Act 1999 as amended

Unit-3 : Audio Visual Media

- 3.1 Radio- its Historical Background
- 3.2 Community Radio
- 3.3 Frequency Modulation (F.M)
- 3.4 Television
- 3.5 Broadcasting and its privileges
- 3.6 Performers Right

Unit-4

- 4.1 Need of Law in Media.

- 4.2 Freedom of Speech and expression under the constitution of India
- 4.3 Media Personal Privileges
- 4.4 Media Trial

Unit-5

- 5.1 Provisions embodied in the Bharatiya Nyaya Sanhita
- 5.2 Indecent Representation Act 1986
- 5.3 National Security Act 1980

Referred Cases-

Zee Telefilms Ltd. V. Union of India (2005) 4 SCC 649
Bennett Coleman and Co. v. Union of India AIR 1973 SC 106

Internal Assessment :**20****Recommended Books:**

Madhavi Goradia, *Facet Of Media Law*
Media , Press and Telecommunication Law, 2007
 DR. A. Verma, *Cyber Crimes & Law*

Paper VII Probation and Parole**(Credit : 6)****Code:3.7**

Honours – 4 : Crime & Criminology Group

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks**

Unit 1: Probation	16
1.1 Definition of Probation	
1.2 Object of Probation	
1.3 Origin of Probation system India	
Unit 2:	16
2.1 Probation in USA	
2.2 Probation in UK	
2.3 Probation under Criminal Procedure Code (S.360)	
2.4 The Probation of Offender's Act, 1958	
Unit 3: Parole	16
2.1 Definition of Parole	
2.2 Object of Parole	
2.3 Origin of Parole in India	
Unit 4:	16
4.1 Parole in USA	
4.2 Parole in U.K.	
4.3 Judicial Trends	

4.4 Differences between Parole and Probation

Unit 5: Essentials of Parole System 16

Parole Board
Condition of Parole system

Internal Assessment : 20

Recommended Books:

N.V. Paranjape, *Criminology and Penology*
Sutherland, *Principles of Criminology*
Siddiqui, *Criminology*
Sethna, *Society and Criminal*
Jones, *Crime and Penal System*

OR

Paper VII Patent Right Creation and Registration**(Credit : 6)**

Code: 3.7

Honours – 4 : Intellectual Property Law Group

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks**

Unit 1: Introduction 16

- 1.1 Patent and its importance
 - 1.1.1 Theories of Protection
 - 1.1.2 Economic importance of Patent
 - 1.1.3 International Regime Relating to Patents –
 - 1.1.3.1 Convention and Treaties
 - 1.1.3.2 Relevant provisions under TRIPS and laws in US, UK and EU.

Unit 2: The Patents Act, 1970 and the Patents (Amendment) Act, 1999. 16

- 2.1 Meaning of Patent
- 2.2 Patents & Traditional Knowledge
- 2.3 How to obtain a patent
- 2.4 Specific Issues–Bio-patents, drug patents vis-à-vis public health, software patents, etc.
- 2.5 Protection of traditional knowledge–domestic as well as international issues.
- 2.6 Patent drafting

Unit 3: Register of Patents and Patent Office 16

- 3.1 Register of patent
- 3.2 Patent office
- 3.3 Power of the Controller
- 3.4 Power of Central Government
- Appeal

Unit 4: Rights and obligations of a patentee 16

- 4.1 Nature of patent rights
- 4.2 Limitation of the patentees' rights
- 4.3 Obligation of patentee

Unit 5: Transfer of Patent Rights – concept of Exhaustion of Rights 16

- 5.1 Compulsory Licenses and Licenses of Right
- 5.2 Revocation and surrender of patents
- 5.3 Infringement of Patents and penalties
- 5.4 International and global patent information retrieval system
[European Patent Treaty]
- 5.5 Patent Co-operation treaty [PCT]

Internal Assessment : 20

Recommended Books:

- Prabudh Ganguli, *Gearing up for Patents*
- Prabudh Ganguli, *Intellectual Property Rights*
- P. Narayanan, *Intellectual Property Law*
- Wadehra B.L., *Patents, Trademarks, Designs and Geological Indications.*
- Cornish P., *Intellectual Property Law.*
- P. Narayanan, *Patent Law* (4th ed., 2006)

OR

Paper VII Competition Law

Code: 3.7

(Credit : 6)

Honours – 4 : Business Law Group

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit1: Competition Act-2002

(16 Marks)

1.1 History of Sherman Antitrust Act, 1890, Claton Act, 1914.

1.2 History and Evolution of Competition Law in India and its Salient Features.

1.3 Difference between Competition Law and MRTP Act, 1969.

1.4 Advantages of Competition Act

1.5 High Level Raghavan Committee Report

1.6 National Competition policy

Unit 2: Anti Competitive Agreements

(16 Marks)

2.1 Horizontal Agreements

2.2 Vertical Agreements

2.3 Anti Competitive Agreements

2.4 Rule of Reason or Per Se Rule is applicable

2.5 Cartels

2.6 Bid Rigging

Unit 3: Abuse of Dominance

(16 Marks)

3.1 Dominant Position

3.2 Distinction between Dominance and its Abuse

3.3 Predatory Pricing

Unit 4 Competition Appellate Tribunal

(16 Marks)

4.1 Composition of Competition Tribunal

4.2 Function, Powers and Procedures of Appellate Tribunal

4.3 Award and Compensation

Unit 5 Role of Director General

16

5.1 Duties powers and functions of director general

5.2 Control and Regulation of Foreign companies

5.3 Foreign Collaboration and Joint Ventures

5.4 Controls measures in Foreign Trade (Development & Regulation) Act, 1992

5.5 UNCTAD Draft Model on MNC's and TNC's

Internal Assessment

20

Recommended Books:

Richard Whish and David Bailey, *Competition Law*, Oxford University Press, 10th Edition, New Delhi, 2021.

Dr. Avtar Singh, *Competition Law*, Eastern Book Company (Latest Edition), First Edition, New Delhi, First Edition, 2012.

Vershu Vahini, *Textbook on Indian Competition Law*, Lexis Nexis, 1st Edition, 2021, New Delhi.

Ashok K Jain, *Competition Law*, Central Law Publication, New Delhi, 1st Edition, 2023.

S.C. Tripathi, *Competition Law*, Central Law Publication, New Delhi, 1st Edition, 2023.

Md. Zafar Mahfooz Nomani, *Competition law*, University Book House Pvt. Ltd Jaipur, 1st Edition, 2023.

SEMESTER-IV**Paper I The Bharatiya Sakshya Adhiniyam , 2023****(Credit : 7)****Code: 4.1**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks****Unit 1 – Introduction****16****Unit 1 – Introduction****16**

1.1 Features of The Bharatiya Sakshya Adhiniyam , 2023.

1.2 Definition, Interpretation clause, Nature and Purpose Law of Evidence in Civil and Criminal Cases.

1.3 Central Conception in the Act

- Facts, Relevant facts, Facts in Issue
- Proved, Not Proved and Disproved
- Oral and Documentary evidence
- Circumstantial and direct Evidence
- Presumption
- Witness
- Electronic Evidence

- Digital Signature

1.4 Applicability of the Bharatiya Sakshya Adhiniyam on Electronic record.

1.5 Types of Evidence

Unit 2–

16

2.1 Facts – Relevancy of facts, Facts in Issue, Facts distinguished from law, facts which is to be proved, not proved and Proof in civil and criminal cases disproved

2.2 Doctrine of Res. Gestae

2.3 Evidence of Common Intention – relating to conspiracy

2.4 The problems of relevancy of “otherwise” irrelevant facts

2.5 Relevant facts for proof of custom

2.6 Facts concerning bodies and mental state

2.7 Relevancy and Admissibility of facts

2.8 Admission and confession

2.8.1 Definition

2.8.2 Similarity and difference between ‘admission’ and ‘confession’

2.8.3 Admission in civil cases, when relevant

2.8.4 Classification of confession – judicial and Extra-judicial

2.8.5 Confession to police

2.8.6 Retracted confession

2.8.7 Improper admission and rejection of evidence

Unit 3 –

16

3.1 Dying Declaration

3.2 Statements of by person who cannot be called as witness.

3.3 How Much of a statement can be proved

3.4 Expert opinion, Opinion of third person when relevant

3.5 Relevancy of Character

Unit 4 – Proof, Burden of Proof & Estoppel

16

4.1 Facts which needs to be proved

4.2 Oral Evidence, Documentary Evidence, Electronic Evidence

4.3 Public Documents

4.4 Presumption as to documents, Electronic records, certificates, messages

4.5 Exclusion of Oral Evidence by documentary evidence.

4.6 Burden of Proof in Civil and Criminal cases

4.7 Estoppel

Unit 5 – Witness and Examination of witness

16

5.1 Who may testify

5.2 Dumb Witness

5.3 Parties to a civil suit & their wives or Husband

5.4 Judicial Privileges

5.5 Privilege communication

5.6 Official communication, professional communication, position of interpreter.

5.7 Evidence of Accomplice

5.8 Examination witness

5.9 Improper Admission & rejection of evidence

Referred cases :

1. State of Maharashtra v. Praful B. Desai (2003) 4 SCC 601; AIR 2003 SC 2053 (Evidence by means electronic records)
2. Iqbal Singh Marwah v. Meenakshi Marwah (2005) 4 SCC 370 ; AIR 2005 S.C. 2119 (Degree of standard of Proof)
3. Bhim Singh v. State of Haryana AIR 2003 SC 693, (Post-mortem Report as Evidence)
4. State of Assam v. Mahim Barkakati AIR 1987 SC 98 : (1986) 4 SCC 439 (Testimony of Police officer)
5. Shukla v. Daroga Singh AIR 2009 SC 320 (Chance Witness)
6. State of Karnataka v. Papanaika AIR 2004 SC 4967 (Post-mortem Report)
7. State of Maharashtra v. Vasudeo Ramchandra Kaidalwar (1981) 3 SCC 199 (Burden of Proof)
8. Public Information officer v. A.P. Information Commissioner AIR 2009 A.P. 73
9. Rita Pandit v. AtulPandi A.I.R. 2005 AP. 253 (Examination in chief)
10. Som Nath v. State of Haryana A.I.R. 1980 SC 1226 (Dying Declaration)

Internal Assessment

20

Referred Books:-

Bare Act :The Bharatiya Sakshya Adhiniyam, 2023

M Monir, *Textbook on The Bharatiya Sakshya Adhiniyam, 2023*(LexisNexix, 2024).Bharat P. Maheshwari, *The Bharatiya Sakshya Adhiniyam, 2023& The Indian Evidence Act, 1872: A Comparison* (LexisNexix,2024).**Paper II Civil Procedure Code & Limitation Act (Credit : 7)****Code: 4.2**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks****Unit 1: Introduction :****16****1.1 SUITS IN GENERAL (S.1 – 35)**

Object of the code, scope, meaning of substantive law and procedural law, important terms and definitions related with the code – Affidavit, Appeal, Cause of Action, Caveat, Issue, Jurisdiction, Suit, Summons, Plaint, Pleading, Written Statement, Decree, Judgement, Order, Decreeholder and Decree debtor, Legal representative, Mesne Profit, Execution etc.

1.2 Jurisdiction of Civil Courts, Cause of Action, Res subjudice, Res judicata, Constructive Res judicata.**1.3 Institution of Suit, Essentials of Suits, Parties to Suit, Representative Suit, Frame of Suit.****1.4 Pleadings, - Definition, Basic Rules, Construction of Pleadings, Signing and verification of pleading , Amendment of pleading.****1.5 Plaint – Meaning, particulars, Written Statement, Set-off, Legal set-off, Equitable set-off, Set-off and Counter – claim.**

- 1.6 Issue and Service of summons, Meaning and essentials of summons, contents of summons, modes of service of summons.

Unit 2: Appearance & Non– appearance of Parties – Withdrawal & Compromise of Suits, Trial and Special Suits: 16

- 2.1 Appearance and non- appearance of parties, Ex parte decree.
- 2.2 First Hearing – Meaning, object. Disposal of Suit at first hearing.
- 2.3 Discovery, Inspection and Production of Documents.
- 2.4 Issue – meaning, framing of issues, kinds of issue, importance of issues, materials for framing issues, omission to frame issues, Disposal of suit, penalty for default Adjournments.
- 2.5 Interim orders, Issue of commission and its purpose arrest before judgment, attachment before judgment,
 - Temporary injunctions, Interlocutory orders (order 39, Rules 1-5)
- 2.6 Withdrawal and Compromise of suits.
- 2.7 Summoning and attendance of witness, summons to produce documents, adjournments,
- 2.8 Hearing of suit.
- 2.9 Judgement – its essentials, pronouncement of judgment, copy and contents of judgement, alteration in judgement.
- 2.10 Decree – its essentials, decree and judgment, contents etc.
- 2.11 Award of Interest and Award of Costs.

Unit 3: Special Suits: 16

- 3.1 Suits by or against Government or public officers, suits by aliens, suits by or against Foreign Rules, Ambassadors and Envoys.
- 3.2 Suits by or against corporations, suits by or against partnership firms, suits by or against trustees, executors and administrators.
- 3.3 Suits against minors and lunatics, guardians or next friends, suits concerning family matters.
- 3.4 Interpleader Suit.
- 3.5 Suits by indigent persons.
- 3.6 Summary Suits.
- 3.7 Arrest and attachment before judgment.
- 3.8 Temporary Injunctions and Interlocutory orders.
- 3.9 Appointment of Receiver.

Unit 4: Appeals, Reference, Review, Revision and Execution 16

- 4.1 Meaning of Appeals, Reference, Review and Revision.
 - First Appeals – meanings, essentials, different stages of Appeals, right of appeal, who may appeal, who cannot appeal, decision where appeal heard by two or more judges, cross-objection, cross appeal, powers of Appellate Court, Appeal from appellate decree.
 - Second Appeal 100 to 103, 107 – 108 and Order 42 – substantial question of law.
 - Appeals from orders, appeals by indigent/ persons, appeals to Supreme Court, Limitation, Savings powers of High Court.
- 4.2 Review – meaning, nature and scope, object, review and appeal, review and

reference, review and revision, circumstances, grounds, procedure at hearings.

4.3 Revision – meaning, Sec. 115, nature and scope, object, revision and appeal, revision and second appeal, revision and reference, revision and review, appeal, reference, review and revision – distinction.

4.4 Reference – object, nature and object, condition, who may apply, power and duty of the referring court, power and duty of High Court, distinction with appeal, review and revision, reference under CPC and Cr.P.C., reference under CPC and Constitution.

4.5 Execution (Sec. 36 -74) – meaning, nature and scope, execution proceedings.

- Courts executing decrees, - court passing a decree, courts by which decrees may be executed.

- Application for execution, procedure on receiving application, mode of execution.

- Attachment of Property, garnishee order.

4.6 Miscellaneous – restitution

- Notice under C.P.C

- Caveat – meaning, Sec. 148 – A.

- Inherent Powers of the Court (S. 148 to 151)

- Causes of delay, in Civil Litigation, amendment of 1999 and 2002.

Unit 5: Limitation Act, 1963 – Sec. 1-31

16

5.1 Meaning of law of limitation, nature and object,

5.2 Plea of bar of limitation and its efficiency

5.3 Condonation of delay and the doctrine of sufficient cause.

5.4 Doctrine legal disability, continuous running of time,

5.5 Rules regarding execution of prescribed time.

5.6 Effect of certain events on computation of period of limitation.

Referred Cases :

Nawab Shaquafath Ali Khan V. Nawab Imdad Jah Bahadur (2009) S Sec. 162

Narayan Rajendram V. Lekshmy Sarojini (2009) S Sec. 264

Director General of Police, Central Reserve Police Force, New Delhi V.

P.M. Ramalingam, AIR 2009 SC 956

Malwa Strips Pvt. Ltd. V. Jyoti Ltd., AIR 2009 SC 1581

Booddoreddy Chandraiah V. Arigela Laxmi, AIR 2008 SC 380

Puran Ram V. Bhaguram, AIR 2008 SC 1960

Union of India V. Kamalendu Shukla, AIR 2006 Pat 117

Kishor Kirtila Mehta V. Lilavati Kirtilal Mehta Medical Trust, 2007 (9) Scale 36.

R.N. Jadu V. Subhashchandra, AIR 2007 SC 2571

State of U.P. V. Nawab Hussain, AIR 1977 SC 1680

Salem Advocate Bar Association, Tamil Nadu V. Union of India, AIR 2003 SC 189.

Internal Assessment :

20

Recommended Books:*on The Civil Procedure Code by,*

C.K. Takwani (Thakkar)

Dr. Avtar Singh

M.P. Tandon

S.N. Singh

S. Rows.

on Law of Limitation by,

K.K. Srivastava

Dr. D.N.R. Pandey

Paper III Property Law**(Credit : 5)****Code: 4.3**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks****Unit 1: Introduction:****16**

Definition, Object and Scope of the Act.

Transfer of Property- movable and immovable.

Interpretation Clause- 'Immovable clause', 'Instrument', 'attested', registered, attached to the earth', 'actionable claim', 'notice', 'actually express and constructive notice.

Vested and Contingent interest, Difference, Conditional Transfer, (5.25)

Difference between Contingent interest and spes-successionis.

- NORMS PART -**Unit 2: Transfer of Property by Act of Parties:****16**

Sec. 6- Spes-successionis, Mere right of re-entry, Easements, Restricted interest, Right to future maintenance, Mere right to sue, Pensions and stipends,

Sec. 7- Persons competent to transfer, Easements of valid transfer, competency of transfer.

Sec. 8- Operation of transfer. Sec.

9- Oral transfer.

Sec. 10- Conditions restraining alienation.

Sec. 14- Rule against perpetuity- Object, Maximum remoteness of vesting, ultimate beneficiary in mothers' womb, Exceptions to the Rule.

Sec. 26 to 29- Condition Precedent and Condition subsequent Fulfilment of Condition Precedent and Condition subsequent

Sec. 35- Doctrine of Election.

Unit 3: Transfer of Immovable Property**16**

Sec. 38- Transfer by person authorized only under certain

circumstances to transfer.

Sec.39- Transfer where third person is entitled to maintenance.

Sec. 40- Burden of obligation imposing restriction on use of land or of obligation annexed to ownership, but not amounting to interest of easement.

Sec. 41- Transfer by Ostensible Owner, Benami Transaction Act, 1988. Sec.

42- Transfer by person having authority to revoke former transfer, Sec. 44

& 47, Transfer by Co-owner, Sec. 44-46, joint transfer for consideration,

Sec. 48 & 78- Priority of Rights created by Transfer. Sec.49- Transferee's rights under policy.

Sec. 50-51- Bonafide holders under defective title. Sec. 52- Transfer of property during pendency of suit. (Doctrine of Lis Pendens). Sec.53-

Fraudulent Transfer, voidable by creditors.

Sec. 53A- Doctrine of Part- Performance, Partial information of equity of redemption, difference between English and Indian Law.

- FORMS PART -

Unit 4: Sales of Immovable Property:

16

Sec. 54- Definition of Sale, how made, 'Contract for sale', Essential of valid sale.

Hire- purchase agreements, Distinction between sale and exchange, Distinction between sale and gift.

Sec. 55- Rights and liabilities of buyer and seller.

Sec. 56- Marshalling by subsequent purchase.

Sec. 57- Provision by Court for encumbrances and sale freed there from.

Unit 5: Mortgages, Leases, Exchanges, Gift & Actionable Claims :

16

Sec. 58- Mortgages- Definition and Essential its kinds of Rights and Liabilities of Mortgagors and Mortgagees. Sec. 100- Charges- Definition and kinds- Distinction between charge and mortgage, charge and lien.

Sec. 105- Leases – Definition of Lease, Lessor, Lessee, premium and rent.

Sec. 107- How made Sec. Rights and Liabilities of Lessor and Lessee. Sec.

111- Forfeiture of Lease. Holding over, Determination of Lease.

Sec. 118- Exchange- Definition, Rights and Liabilities of parties.

Sec. 122- Gift- Definition and Essential.

Sec. 123- Transfer how effected, modes of making gift. Sec. 124-

Gift of existing and future property.

Sec. 125- Gift to several of whom one does not accept. Sec.

126- When gift may be suspended & revoked.

Sec. 127- Onerous gift. Sec.

128- Universal donee.

Sec. 130- Transfer of Actionable claim,- Definition, Transfer how effected,

Sec. 130 & 132- Rights of a transfer of an actionable claim.

Sec. 133 & 134- Warranty of solvency of debtor, Mortgaged debt. Sec. 135-

Assignment of rights under policy of insurance against fire.

Referred Case Laws:

1. *M. Ramkrishna Reddy V. Sub- Registrar, Bangalore, AIR (2000) Kant. 46.*

2. *Godrej and Boyee Manufacturing Co. Ltd. v State of Maharastra (2009) 5 Sec.24.*

3. *Kaliperumal V. Rajagopal, (2009) 4 Sec. 193.*

4 C. Cheriathan V. P. Narayanan Embranthiri (2009) 2 Sec. 673

5. Vimal Chand Ghevarchand Jain V. Ramakanta Eknath Jadoo (2009) 5 Sec. 713.

Internal Assessment :

20

Recommended Books:

Avtar Singh, Textbook on Transfer of Property Act, EBC

Justice M.L.Singhal, Commentary on the Transfer of Property Act, EBC

R.K.Sinha, The Transfer of Property Act, EBC

Mallika V.P. Sarathi's Law of Transfer of Property, EBC

Paper IV Administrative Law

(Credit : 6)

Code: 4.4

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Introduction :

16

1.1 Definition, Nature and scope of Administrative Law.

1.2 Reasons for Development and Growth of Administrative Law.

1.3 Sources of Administrative Law.

1.4 Relationship between constitutional Law and Administrative Law.

1.5 Droit Administrative – Conseil De Etat.

1.6 Meaning and concept of Rule of Law, Dicey's concept of Rule of Law, Rule of Law in Indian context.

– Dicey's Rule of Law and Droit Administrative.

1.7 Doctrine of separation of Power, application of separation of Power in India, United states of America and United Kingdom.

1.8 Administrative Action, its classification (quasi legislative, quasi judicial and administrative)

1.9 Administrative Discretion – meaning and action – Abuse of Discretion

1.10 Administrative Discretion and Administrative Discrimination.

Unit 2: Delegated Legislation :

16

2.1 Meaning and concept of Delegated Legislation.

2.2 Reasons for growth of Delegated Legislation.

2.3 Advantages and Disadvantages of Delegated Legislation.

2.4 Delegated Legislation in United states of America and United Kingdom.

2.5 Committees on delegated legislation – its constitution and functions.

2.6 Delegated Legislation of Taxing Statute.

2.7 Control Mechanism

2.7.1 Judicial control

2.7.2 Parliamentary control

2.7.3 Procedural control

2.8 Sub-Delegations of legislative powers – delegata potestas non potest delegare.

Unit 3: Principles of Natural Justice (Practice and Procedure of Administrative Adjudication)

16

- 3.1 Concept of Principles of Natural justice
- 3.2 Rule against Bias – Nemo debet esse iudex in propria causa
 - 3.2.1 Personal Bias
 - 3.2.2 Pecuniary Bias
 - 3.2.3 Subject matter Bias
 - 3.2.4 Departmental Bias
 - 3.2.5 Preconceived Bias
 - 3.2.6 Bias on account of obstinacy – Doctrine of Necessity
- 3.3 Rule of Fair Hearing – Audi Alteram Partem
 - 3.3.1 Right to Notice
 - 3.3.2 Right to know the evidence against him
 - 3.3.3 Right to present case and evidence
 - 3.3.4 Right to rebut adverse evidence
 - 3.3.5 Report of the enquiring to be shown to the other party
 - 3.3.6 No Evidence at the back of other party
 - 3.3.7 Right to cross examination
 - 3.3.8 Financial incapacity to attend the Enquiring
- 3.4 Reasoned Decisions
 - 3.4.1 Institutional Decision
 - 3.4.2 Post Decisional Hearing
- 3.5 Exclusion of Principles of Natural justice
- 3.6 Administrative tribunals and other adjudicating authorities – powers and functions
- 3.7 Tribunals – nature, constitution, jurisdiction and procedure
- 3.8 Advantages of justice by Tribunals – openness, Fairness, Impartiality, Absence of Technicalities of Evidence and Procedure
- 3.9 Administrative Tribunals established under the Administrative Tribunals Act, 1985
- 3.10 Distinction between Quasi-Judicial and Administrative functions
- 3.11 Distinction between Tribunals and Courts of Law

Unit 4: Judicial Review of Administrative Action – Judicial Remedies

- 4.1 Jurisdiction of the Supreme Court and High Court
 - 4.1.1 Under Articles 32 and 136
 - 4.1.2 Jurisdiction of the High Court's under Articles 226 and 227
- 4.2 Rules restricting judicial review – locus standi, laches, res judicata, exhaustion of Alternative/administrative remedies, no dismissal of petition – without speaking order, finality of administrative action
- 4.3 Violation of Procedural norms
 - Doctrine of Legitimate Expectation
 - Doctrine of Public Accountability
 - Doctrine of Proportionality
- 4.4 Remedies in judicial Review – writs
 - 4.4.1 Writ of *Certiorari*

4.4.2 Writ of *Prohibition*

4.4.3 Writ of *Mandamus*

4.4.4 Writ of *Quo Warranto*

4.4.5 Writ of *Habeas Corpus*

Unit 5: Other Remedial Procedures –

16

P.I.L., Liability of Administration, statutory and Non-statutory Public Undertakings, Constitutional Protection of civil servants etc.

5.1 Nature and purpose of Public Interest Litigation, Locus Standi, procedure, class actions.

5.2 Liability of the Administration in Contract

5.3 Liability of Administration in Tort

5.4 Privileges and Immunities of the Administration in suits

5.5 Statutory Public Corporations, its characteristics, classifications, liability, status of employers control of statutory corporations – Government companies.

5.6 Ombudsman meaning and objectives, development in England, U.S.A. and India

5.6.1 Working of Lokayuktas in the states

5.6.2 Right to know – working of Right to Information Act, 2005

5.6.3 Control by Vigilance Commission

5.7 Constitutional Protections of civil servants

– Doctrine of Pleasure

– Constituency of Article 311

5.7.1 Procedural safeguards

– No termination by subordinate authority

– Reasonable opportunity to defend

5.7.2 Working of the Administrative Tribunals – central Administrative Tribunals and state Administrative Tribunals

Referred Cases :

Keshavananda Bharathi V. State of Kerala, (1973) 4 SCC 225
(Doctrine of Rule of Law)

A.D.M. Jabalpur V. Shivakant Shukla, (1976) 2 SCC
521 (Doctrine of Separation of Powers)

Indira, Nehru, Gandhi V. Raj Narayan
(1975) Supp. SCC 1

Supreme Court Advocates on Record Assn. V. Union of India (1993) 4
SCC 441 (Delegated Legislations)

Sahni Silk Mills V.E.S.I. Corp (1994) 5 SCC
346 (Natural Justice)

A.K. Kraipak V. Union of India, AIR 1970 SC 150

J. Mohapatra of Co. V. State of Orissa, AIR 1987 SC 1572

Maneka Gandhi V. Union of India, AIR 1978 SC 597

M.S. Gill V. Chief Election Commissioner, AIR 1978 SC 851

Olga Tellis V. Bombay Municipal Corpⁿ. AIR 1986 SC 180

State of Tamil Nadu V. R. Krishnamurthy, AIR 2006 SC 1622
(Administrative Action)

Divisional Forest Officer, Kothagudem V. Madhusudhan Rao (2008) 3
SCC 469

Internal Assessment :

20

Recommended Books on Administrative Law by:

I.P. Massay
 C.K. Thakker
 Kailash Rai
 D.D. Basu
 V.J.R. Upadhyay
 V.P.D. Kesari
 M.P. Gain
 S.P. Sathe – The Tribunal System in India
 H.W.R. Wade of C.F. Toroth
 S.N. Gain – Administrative Tribunals in India

Paper V Drafting, Pleading and Conveyancing P2**(Credit : 5)****Code: 4.5**

Full Marks:100

Theory (Written Examination): 45

Practical (Report Preparation): 45

Viva Voce: 10

NOTE

- i. The course will be taught through class instructions and simulation exercises, preferably with assistance of practicing lawyers/retired judges.
- ii. Apart from teaching the relevant provisions of law, the course will include not less than 15 practical exercises in pleadings carrying a total of 30 marks (2 marks for each), 15 exercises in conveyancing carrying another 15 marks (1 mark for each exercise) and remaining 10 marks will be given for Viva Voce and 45 for written examination.
- iii. Viva Voce examination will test the understanding of legal practice in relation to Drafting, Pleading and Conveyancing.

Detailed SyllabusMarks**Unit-1:****Drafting:** Theory

10

Concept of Drafting, General principles and substantive rules of drafting.

Unit-2: Theory**Pleadings:****Civil**

10+10=20

- i. Pleadings in general, object of pleadings and fundamental rules of pleadings.
- ii. Complaint and its amendments.
- iii. Written Statement and Counter Claim.
- iv. Application under Section 5 of the Limitation Act.
- v. Application for Setting aside *ex-parte* Decree.
- vi. Interlocutory application.
- vii. Affidavit.
- viii. Execution petition.

- ix. Memorandum of Appeal.
- x. Memorandum of Revision.
- xi. Petition under Article 32 and 226 of the Constitution of India.

Criminal

- i. Complaint and FIR.
- ii. Application for Bail.
- iii. Maintenance Petition.
- iv. Appeal
- v. Revision

Practical

Practical exercises on any 15 of following topics:

2x15=30

- Suit for recovery under Order XXXVII of the Code of Civil Procedure 1908.
- Suit for permanent injunction.
- Application for temporary injunction under Order 39 Rules 1 & 2 of the CPC.
- Application under Order 39, Rule 2-A of the CPC.
- Application for execution of decree.
- Suit for ejectment and Damages for Wrongful Use and Occupation.
- Petition for Restitution of Conjugal Rights under Section 9 of Hindu Marriage Act, 1955.
- Petition for Judicial separation U/S 10 of the Hindu Marriage Act.
- Petition for Dissolution of Marriage by Decree of Divorce under Sec.13 & 13B of Hindu Marriage Act.
- Petition for grant of Probate.
- Petition for grant of Letters of Administration.
- Contempt Petition under Sec.11 & 12 of the Contempt of Courts Act. 1971 before High Court.
- Writ Petition under Article 32 & 226 of the Constitution.
- Caveat under section 148-A of CPC.
- Caveat for Special Leave Petition (Civil) under Article 136 of the Constitution of India.
- Special Leave Petition (Civil) under Article 136 of the Constitution of India.
- Public Interest Litigation petition.
- Counter affidavit in Special Leave Petition (Civil).
- Application for Bail/Anticipatory Bail.
- Complaint under sec. 138 of Negotiable Instruments Act, 1881.
- Application under sec 144, 146, 163, 164, 165 of BNSS, 2023
- Special Leave Petition (Criminal) under Article 136 of the Constitution of India.
- Transfer Petition (Civil) u/s 25 CPC.
- Curative Petition under Articles 129, 137, 141 and 142 of the Constitution of India.
- Complaint under Sec.12 of the Consumer Protection Act, 1986.
- Written Statement to the Complaint under Consumer Protection Act, 1986.

Unit-3:

Conveyancing

- i. Conveyancing in general.
- ii. Object of conveyancing.
- iii. Component parts of a deed.

Practical

Practical exercises on any 15 of following topics:

1x15=15

- Sale Deed
- Agreement for sale
- Partition Deed
- Mortgage Deed
- Lease Deed
- Gift Deed
- Tenancy Agreement
- Promissory Deed
- Power of Attorney-General and Special power of Attorney.
- Will
- Trust Deed
- Relinquishment deed
- Partnership Deed
- Deed of Dissolution of Partnership
- Hire-Purchase Agreement
- Deed of family settlement between rival claimants of an estate.
- Notice of ejectment to the tenant under S.106 of the T.P. Act., 1982.
- Notice under S.80 of the Code of Civil Procedure, 1908.

Viva-voce

10

Viva-Voce examination of 10 marks will be mainly on the above practical works to test the understanding of the students on the topics besides general principles of drafting, pleadings and conveyancing.

Note 1:

The practical exercises should regularly be submitted by the students to the teacher of the paper throughout the semester for continuous evaluation.

Note 2:

The evaluated exercises along with the list of the marks awarded would be placed before the external examiner at the time of viva-voce examination. The teacher of this paper would be internal examiner who along with the external examiner would jointly award final marks on the exercises and viva-voce examination.

Prescribed legislations

- Code of Civil Procedure, 1908

Referred cases:

- Ram Sarup Gupta vs. Bishnu Nayan Inter College, AIR 1987, SC 1242.

- Hari Chand vs. Daulat Ram, AIR 1987 SC 94.
- Dhom Singh vs. Prakash Ch. Sethi, 1975 (1) SCC 597.
- Delhi Development Authority vs. Durga Chan, AIR 1973 SC 2609.

Recommended Books:

- M.C. Agarwal and G.C. Mogha, Mogha's The Law of Pleadings in India.
- J.M. Srivastava and G.C. Mogha, Mogha's The Indian Conveyancer.
- M.R. Mallick, Ganguly's, Civil Court, Practice & Procedure.
- C.R. Datta and M.N. Das, DeSouza's Conveyancing, Eastern Law House.
- N.S. Bindra, Conveyancing, Vol.1-5, Law Publisher, Allahabad.
- S.C. Ghosh, Principles & Forms of Pleadings, Eastern Law House.

Honours 5 H5: Any one from following:

Paper VI Gender Justice and Feminist Jurisprudence

(Credit : 6)

Code:4.6

Full Marks: 100 (80 + 20)

Pass Mark: 45 (36 + 9)

UNIT-1 INTRODUCTION TO FEMINIST JURISPRUDENCE

16

Introduction to gender, patriarchy and feminism

Emergence of feminism and feminist jurisprudence

Notion of patriarchy, notion of discrimination, notion of division of labour, notion of discrimination

Feminist Theory: Liberal Feminism, Cultural Feminism, Radical Feminism, Postmodern Feminism

Feminist critique of the State, family, marriage, religion

Growth of feminist jurisprudence in India

Unit-II GENDER EQUALITY & THE LAW

16

Concept of gender justice and gender equality

Approaches to Gender Equality

Women empowerment as a social change

Indian women's movements & their engagement with the law

International perception on human rights and women rights

UDHR, ICESCR, ICCPR

UN Convention for the Elimination of Discrimination against Women

UNIT-III PROVISIONS RELATING TO GENDER JUSTICE

16

Gender Justice under the Constitution of India, Social justice and gender justice, Inter relationship, Article 14, 15 and 16, Article 21 & 23,

Directive Principles of State Policy and fundamental Duties,

women under 73rd & 74th Constitutional amendment Act

National Commission for Women, Composition, Powers and Functions,

Protectionist approaches of Judiciary towards women,

Role of Human Rights Commissions, Women's Commission

-IV FEMINIST DOCTRINES & THEIR APPLICATION TO LAWS ON VIOLENCE AGAINST WOMEN IN INDIA

16

Victimization, agency & empowerment

Intersectionality

Gender-based Harassment & discrimination

Rape Laws

Courts and Feminism

Women's Right under the Bharatiya Nyaya Sanhita, 2023

UNIT-V PROTECTION LAWS & HEALTH LAWS RELATING TO WOMEN

16

Law protecting women against violence

The Dowry Prohibition Act, 1961 ,

The Protection of Women from Domestic Violence Act, 2005,

Law relating to Sexual Harassment at work place (The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act 2013)

Maternity Laws : Reproductive Rights

The Medical Termination of Pregnancy Act, 1971

The Maternity Benefits Act, 1964

The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994,

Right to Abortion

Surrogate Motherhood

Preliminary regulation of genetic counselling centres, Genetic laboratories and genetic clinics

Selected Readings:

Jennifer Pierce, Gender Trials: Emotional Lives in Contemporary Law Firms, University of California Press,

D. Kelly Weisberg, Feminist Legal Theory: Foundations, Temple University Press

Ratna Kapur and Brenda Cossman, SUBVERSIVE SITES: FEMINIST ENGAGEMENTS WITH LAW IN INDIA (1996)

Subhash Chandra Singh, Gender Justice, Serials Publications

Kalpana Kannabhiran (ed), Women And Law Critical Feminist Perspectives (Sage Publications India 2014)

Carol Pateman, "Feminist Critique of the Public and Private" in A Phillips ed. Feminism and Equality

Alison Jaggar "Introduction : Living with Contradictions: Controversies in Feminist Social Ethics" (1994) Westview Press

Flavia Agnes, Law, Justice, and Gender: Family Law and Constitutional Provisions in India, Oxford University Press, 2011

Heywood, "Feminism in Political Ideology: An Introduction" pp. 252-265 (2004) Palgrave MacMillan

Usha Tandon and Sidharth Luthra, "Rape: Violation of the Chastity or Dignity of Woman? A Feminist

Critique of Indian Law”

Anjani Kant, Women and the Law, A.P.H. Publishing Corporation, New Delhi

Monica Chawla, Gender Justice: Women and Law in India, EBC, 2016

OR

Paper VI Penology and Victimology

(Credit : 6)

Code:4.6

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus	Marks
Unit 1: Introduction- Penology	16
<ul style="list-style-type: none"> Definition of Penology <ul style="list-style-type: none"> Punishment Concept of Punishment Object of <ul style="list-style-type: none"> Theories of Punishment Deterrent theory Retributive theory Preventive theory Reformative theory 	
Unit 2: Capital Punishment	16
<ul style="list-style-type: none"> Capital Punishment in India Constitutionality of Capital Punishment Judicial Trend 	
Unit 3: Sentencing and Imprisonment	16
<ul style="list-style-type: none"> Approaches to Sentencing Alternatives to Imprisonment <ul style="list-style-type: none"> Probation Compensation Fines Imprisonment Jail System <ul style="list-style-type: none"> Classification of Prisoners Open Prison 	
Unit 4: The Police System	16
<ul style="list-style-type: none"> Police Force in India The role of Police 	

Functions of Police

Unit 5: Victimology

16

Need for Compensation
 Compensation and Rehabilitation
 Compensation as a Mode of Punishment
 Constitutional Perspective of Compensation

Referred Cases

1. Bishnu Deo v. State of West Bengal AIR 79 SC 964
2. Munna v. State of UP AIR 82 SC 806
3. Samnder Singh v. State of Rajasthan AIR 87 SC 737
4. Dharan Bir v. State of UP (1979) 3 SCC 645
5. Sunil Batra v. Delhi Administration, AIR 1980 SC 1579

Internal Assessment :

20

Recommended Books:

N.V. Paranjape, *Criminology and Penology*
 Sutherland, *Principles of Criminology*
 Siddiqui, *Criminology*
 Sethna, *Society and Criminal*
 Jones, *Crime and Penal System*

OR

Paper VI Patent, Drafting and Specification Writing Code:4.6

(Credit : 6)

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Introduction – Patent and Its importance

16

Unit 2 : Patent Drafting

16

Unit 3: Specification

16

General

Provisional Specification

Complete Specification

Priority date and state of the art

Drafting of Specification

Construction of Specification

Amendment of Specification

Unit 4: Opposition to Grant of Patent	16
Procedure	
Grounds of opposition	

Unit 5:	16
Discretion of Controller	
Disclaimer and References	

Referred Cases

1. *Excerpts from Canadian General Electric Co. Ltd. v. Fada Radio Ltd.*, AIR1930 PC 1
2. *Hoffmann La Roche Ltd v. Cipla Limited*, 2008 (37) PTC 71 (Del)

Internal Assessment :	20
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Recommended Books:

Cornish P., *Intellectual Property Law*.
 Prabudh Ganguli, *Gearing up for Patents*
 Prabudh Ganguli, *Intellectual Property Rights*
 P. Narayanan, *Intellectual Property Law*
Patent Law (4th ed., 2006)
 B.L. Wadehra, *Patents, Trademarks, Designs and Geographical Indications*.

OR

Paper VI Bankruptcy and Insolvency Law (Credit : 6)
Code:4.6

Full Marks: 100 [80+20]
 Pass marks: 45 [36+9]

Time : 3 hours

<u>Detailed Syllabus</u>	<u>Marks</u>
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Unit 1: The Concept: Inability to pay Debt	16
1.1 Transfer of property to a third person for benefit of creditors	
1.2 Transfer with intent to defeat the creditors	
1.3 Fraudulent preference in transfer of property	
Unit 2:	16
2.1 Absconding with intent to defeat the creditors	
2.2 Sale of property in execution of decree of court	
2.3 Adjudication as insolvent	
Unit 3: Insolvency Petition	16
By Creditor	

By Debtor
Contents of the petition
Admission
Procedure

Unit 4: Duties of the debtor and Interim Proceedings against the debtor 16

Unit 5: Order of Adjudication 16

Effect

Publication

Dismissal of petition filed by a creditor

Internal Assessment : 20

Recommended Books:

Avtar Singh, Law of Insolvency
Bankruptcy Reform Act ,1994
Banking Law, R.N. Choudhury
Anjani Kant, Lecture on Banking Law

Honours 6 H6 Any one from the following:

Paper VII Right to Information

(Credit : 6)

Code: 4.7

Honours – 6 : Constitutional Law Group

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Introduction 16

- 1.1 Classification of Information
- 1.2 Meaning of Information
- 1.3 Right to Information in India
- 1.4 Legal & Constitutional Perspective
- 1.5 Importance & Necessity of Right to Information

Unit 2: Right to Information in India 16

- 2.1 Judicial Interpretation
- 2.2 Freedom of Press & Freedom of Information
- 2.3 Right to know under Article 19 (1)(a) & Contempt of Court
- 2.4 Voter's Right to Know

Unit 3: Right to Information of Consumer and Arrested Person and others
16

- 3.1 Consumer's Right to Know
- 3.2 Right to Information of the arrested person

3.3 Hazards of noise pollution - S.C. Guidelines

Unit 4: Right to Information & Public Interest Litigation 16**Unit 5: Salient features of** 16

5.1 Right to Information Act, 2005

5.2 The Assam Right to Information Act, 2001

Referred Cases:

1. *Union of India v. Association for Democratic Reforms*, AIR 2002 SC 2112 : (2002) 5 SCC 294
2. *Secretary, Ministry of Information and Broadcasting, Govt. of India v. Cricket Association of Bengal*, AIR 1995 SC 1236: (1995) 2 SCC 161
3. *People's Union for Civil Liberties v. Union of India*, AIR 2003 SC 2363: (2003) 4 SCC 399
4. *Indra Sawhney v. Union of India*, AIR 1993 SC 477
5. *Union of India v. Raghbir Singh*, AIR 1989 SC 1933
6. *P.V.Narashimha Rao v. State*, AIR 1998 SC 2120

Prescribed Legislations:

1. *Right to Information Act, 2005*
2. *The Assam Right to Information Act, 2001*

Internal Assessment : 20**Recommended Books:**Justice P.S. Narayan, G.B. Reddy, *Right to Information and Law*R.K. Verma, *Right to Information Law and Practice*Dr. D.N. Barowalia, *Commentary on the Right to Information*, Universal, Delhi (2007)**OR****Paper VII Offence against Child and Juvenile Offences****(Credit : 6)****Code: 4.7***Honours – 6 : Crime and Criminology Group*

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks****Unit 1: Constitutional and International Legal Status of Child** 16

1.1 Special status of child - national policy

1.2 Constitutional concern – Arts. 15(3), 24, 39(e) & (f) and 45

1.3 International concern and endeavour for the welfare of the children:

- 1.3.1 Minimum Age conventions
- 1.3.2 Child rights conventions
- 1.3.3 U.N. Declaration of the Rights of the Child, 1924, 1959.
- 1.3.4 Contributions - UNESCO, UNICEF.

Unit 2: Legal Control of Child Labour 16

- 2.1 Regulation of the employment: protection of the health and well-being
 - 2.2 International conventions and recommendations of the ILO.
 - 2.3 Recommendations of the National Commission of Labour.
- 2.4 Legislation relating to factories, plantation labour, mines, merchant shipping, motor transport workers, apprentices, shop & establishments and child labour:
 - 2.4.1 The Factories Act, 1948
 - 2.4.2 Apprentice Act, 1961
 - 2.4.3 The Child Labour Act, 1986

Unit 3: Child and Criminal Liability 16

- 3.1 Crimes committed by child; crimes committed by others in relation to children;
- 3.2 Implementation of social policy through criminal sanctions in relation to child;
- 3.3 Variation of procedure in case of child offender
- 3.4 Judicial proceedings in criminal cases relating to children

Unit 4: Statutory provisions – 16

- 4.1 Under BNS, 2023
- 4.2 Under BNSS, 2023
- 4.3 Suppression of Immoral Traffic Act 1956 (SITA)
- 4.4 The Prohibition of Child Marriage Act, 2006
- 4.5 Young Persons Harmful Publications Act 1956
 - 4.5.1 The Children Act 1960
 - 4.5.2 Reformatory Schools Act 1897

Unit 5: Juvenile Offence: Juvenile Delinquency 16

- 5.1 Concept of Juvenile Delinquency
- 5.2 Legal Position in India
 - 5.2.1 Juvenile Delinquency Act, 1986
 - 5.2.2 The Juvenile Justice (Care and Protection of Children) Act, 2015 and the Model Rules 2016

Referred Cases

Raghubir v. State of Haryana, AIR 1981 SC 2037
Sanjay Suri v. Delhi Administration, AIR 1988 SC 414
Pratap Singh v. State of Jharkhand 2005 (1) SCALE 763
Sudesh Kumar v. State of Uttarakhand (2008) 3 SCC 111

Prescribed Legislations:

The Constitution of India (Relevant provisions)

Relevant Provisions of the BNS, 2023; The BNSS, 2023 and The BSA, 2023.
The Prohibition of Child Marriage Act, 2006
Young Persons Harmful Publications Act 1956
The Children Act 1960
Reformatory Schools Act 1897
Juvenile Delinquency Act, 1986,
The Juvenile Justice (Care and Protection of Children) Act, 2015 and the Model Rules, 2016

Internal Assessment :

20

Recommended Books:

S.N. Jain ed, *Child and the Law* (1979) Indian Law Institute, New Delhi
 Lotika Sarkar, *The Law Commission of India* (1988).
 U.Baxi, *Law and Poverty: Critical Essays* (1988), Eastern, Luknow
 Ajnes, Flavia, *Law as Gender Inequality*, New Delhi, Oxford (1999)
 (Section IV : General Conclusions & Recommendations)
 S.C. Tripathy, *Law relating to Women & Children*
 Anjani Kant, *Law relating to Women & Children*
 Mamta Rao, *Law relating to Women & Children*
 Agarwal & Agarwal, *Law relating to Women & Children*

OR

Honours 6 H6

Paper VII Biodiversity Protection

(Credit : 6)**Code: 4.7***Honours – 6 : Intellectual Property Law Group*

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Introduction:

16

- 1.1 Rights, Property Rights, Intellectual Property Rights and Bio-technology
- 1.2 Scope and need for protection of Bio Diversity

Unit 2: Biotechnology Patent

16

- 2.1 Nature and types of biotechnology patent
- 2.2 Patent over new form of life: TRIP obligations
 - 2.3 Plant patenting
 - 2.3.1 Sui generis protection for plant varieties
 - 2.3.2 Multinational ownership

Unit 3: Biological Diversity Act-2002 16

- 3.1 Objectives of the legislation
- 3.2 Principles of Biodiversity
- 3.3 Protection of Biodiversity as Sovereign Rights
- 3.4 Mechanism of Monitoring bio-diversity
- 3.5 Remedies for infringement

Unit 4: Protection of Plant Varieties and Farmers Rights Act, 2001 16

- 4.1 Objective of the legislation
- 4.2 Conceptualization of Plant varieties, breeding, culture, farmers rightsetc.
- 4.3 Period of protection
- 4.4 Infringements

Unit 5: Geographical Indications Act, 1999 16

- 5.1 Concept of appellations of origin, indication of source and Geographical Indication
 - 5.1.1 International conventions/ agreements
- 5.2 The Geographical Indications of goods (Registration and Protection)Act, 2000
 - 5.2.1 Objectives of the Act
 - 5.2.2 Procedure for registration, duration of protection and renewal
- 5.3 Geographical Indications and Biotechnology
- 5.4 Protection of Geographical Indications
- 5.5 Authorities for monitoring protection
- 5.6 Infringement, penalties and remedies

Prescribed Legislations:

The Patents Act, 1970 and the Patents (Amendment) Act, 1999.
Bio-Diversity Act-1999
Protection of Plant Varieties and Farmers Rights Act, 2001.
Geographical Indications Act, 2001

Internal Assessment : 20

Recommended Books:

- B. L. Wadehra: *Patents, Trademarks, Copyright, Designs and Geographical Indications*
- P. Narayanan: *Intellectual Property Law*
- Cornish P.: *Intellectual Property Law*
- Prabudh Ganguli : *Gearing up for Patents*
- Prabudh Ganguli : *Intellectual Property Rights*
- Iver P. Cooper, *Biotechnology and Law* (1998), Clerk Boardman Callaghan, New York

OR

Honours 6 H6**Paper VII International Banking and Finance****(Credit : 6)****Code: 4.7***Honours – 6 : Business Law Group*

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks****Unit 1: Introduction to Bank****16**

- 1.1 Central Bank and their functions and Role
- 1.2 Role of EXIM Bank
- 1.3 Role and function of RBI and Exchange Control
- 1.4 Role of ECGC, Types of insurance and guarantee covers of ECGC

Unit 2: Overview of Investment Banking**16**

- 2.1 Meaning of Investment Bank , Services/ Functions of Investment Banking
- 2.2 Structure of Investment Banking
- 2.3 Nature and scope of present day Investment Bankers

Unit 3: International Banking**16**

- 3.1 Factors determining exchange rates
- 3.2 Correspondent Banking- Bank Accounts – NOSTRO and VOSTRO accounts
- 3.3 NRI ACCOUNTS- Indian rupee and Foreign currency accounts

Unit 4: Financial Management in a Global context**16**

- 4.1 The importance , rewards and risk of international finance
- 4.2 Goals of MNCs
- 4.3 International Monetary System
- 4.4 Balance of Payment
- 4.5 International Financial Markets- Forex markets, forex trading, cash and spot exchange Markets, Forex rates and quotation , forward markets, exchange rate behaviour

Unit 5: International Monetary Organizations & their function:**16**

- 5.1 IMF
- 5.2 World Bank
- 5.3 WTO
- 5.4 IBRD
- 5.5 ADB
- 5.6 AFC

Internal Assessment :

20

Recommended Books:

International Financial Management – P.G. APTE, TMH
 Multinational Financial Management - AC Shapiro, PTH
 International Financial Management – Maurice D. Levi TMH
 International Financial Management – Bhalla V.K. , Anmol Publication
 Banking and Financial Systems – Dr. D. M. Mithani, E Gordon

SEMESTER-V

Paper I Labour and Industrial Law – I (Credit : 5)
Code: 5.1

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus Marks

Unit 1: Introduction to Labour and Industrial Law 16

The Indian Trade Union Act, 1926
 History of trade union movement in India, trade unionism, need, objects, types and functions.
 Registration of trade unions, rights and privileges of a registered trade union, advantages of registration.
 Rights, privileges, liabilities and immunities of a registered trade union, amalgamation and dissolution of trade unions.
 Penalties and procedure, collective bargaining and trade disputes

Referred Case :

1. *Rangaswami and Another Vs. Registrar of Trade Unions, AIR 1962 Mad. 231*

Unit 2: The Industrial Disputes Act, 1947 16

Preliminary : appropriate government, industry, industrial dispute vs. individual dispute, public utility service, workman.
 Strikes and lockouts in industrial units, lay-off and retrenchment, compensation theory, special provisions relating to lay-off, retrenchment and closure in certain establishment.
 Reference of disputes to board, courts or tribunals.
 Un-fair labour practices, penalties and miscellaneous provisions.

Referred Cases :

1. *Rohtas Industries Ltd. And another Vs. Rohtas Industries Staff Union and others* AIR 1976, SC 425.
2. *Bangalore Water Supply and Sewerage Board Vs. A. Rajappa*, 1978 (3) SCR 207
3. *Osmania University Vs. Industrial Tribunal* 1960, LLJ, A.P.
4. *Workmen of Dimakutri Tea Estate Vs. Dimakutri Tea Estate*, 1958, I, LLI. 500 SC

Unit 3: The Factories Act, 1948**16**

Preliminary, manufacturing process, factory, occupier, the inspecting staff.
 Health and cleanliness measures, safety arrangement measures in factory.
 Provisions relating to hazardous processes, welfare of workers.
 Working hours of adults, employment of young persons, employment of women.
 Annual leave with wages, special provisions, penalties and procedures.

Referred Cases :

1. *Lal Mohammad and other Vs. Indian Railway Construction Co. Ltd. & Others*, (1999) I, SSC 596.

Unit 4: Workmen's Compensation Act, 1923 and The Minimum**16****Wages Act, 1948.**

Preliminary, object, scope of Workmen's Compensation Act, 1923, dependants, workman, disablements etc.
 Workmen's compensation, procedure for determination of compensation, commissioners etc.
 Introduction, objects and salient features of the minimum wages act, 1948, definition, wages and its classifications etc.
 Procedure for fixation or revision of minimum wages, authorities and their powers, claims etc.

Referred Cases

1. *Saurashtra Salt Manufacturing Co. (Appellant) Vs. Bai Value Raja and Others (Respondents)* AIR 1958 SC 881.
2. *People's Union for Democratic Rights Vs. Union of India*, AIR 1982, SC 1473 (Asiad Games case)
3. *Bandhua Mukti Morcha Vs. Union of India and Others*, AIR 1984, SC 802 (Bonded Labour case)

Unit 5: The Assam Shops and Establishment Act, 1961**16**

Introduction, definitions, hours of works, leave and wages.
 Employment of children and women, prohibition, health and safety.
 Enforcement and inspector, offences, penalties and procedure.

Internal Assessment :

20

Recommended Books:

1. Labour and Industrial Law by S.N. Mishra.
 2. Labour and Industrial Law by P.M. Mallick.
 3. Nabhi's Labour Laws by Ajay Garg.
 4. The Assam Shops and Establishment Act, by B.P. Todi etc.
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Paper II Company Law**(Credit : 5)****Code: 5.2**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks****Unit 1: Company its Nature and Scope:****(16 Marks)**

- 1.1 Historical Background and Legislative Framework, Definition and Characteristics of Company, Kinds of Companies.
- 1.2 Origin of Corporate Law in India
- 1.3. Development of Companies Act from 1956 to 2013
- 1.4 Salient features of the Companies Act, 2013,
- 1.5 Different types of Companies, Definitions, Distinctions between different types of Companies, Conversion.
- 1.6 Lifting of Corporate Veil, Distinguish between Company and Partnership Distinction between Company and Corporation.

Referred Case:

1. Salmon v. Salmon (1896) UKHL 1 (1897) AC22.
2. Vodafone International Holdings BV vs. Union of Union, (2012) 6 SCC 613
3. Punjab National Bank vs. Lakshmi Industrial & Trading Co. (P) Ltd., AIR 2001 ALL 28.
4. Gol Ford Motor Co. Vs. Home (1933)

Unit 2: Procedure for Incorporation of Companies:**(16 Marks)**

- 2.1 Registration, Incorporation, Certificate of Incorporation, Commencement of Business, Advantages and Disadvantages of Incorporation of Company.
- 2.2 Meaning and Definition of Promoter, Role of Promoter, Legal position of Promoter, Pre-Incorporation Contract, Duties and Liabilities of Promoter.
- 2.3 Memorandum of Association, Meaning Purpose, Contents, Alteration of Memorandum of Association, Doctrine of Ultravires.
- 2.4 Article of Association, Meaning, Purpose, Contents, Alteration of Article of Association, Doctrine of Constructive Notice, Doctrine of Indoor Management.

Referred Case:

1. Allen v. Gold Reefs (1900) 1 Ch 656;
2. Lee vs. Lee's Air Farming Ltd. (1961) AC 12.
3. Kotla Venkataswamy vs. Chinta Ramamurthy, AIR 1934 Mdd. 579.
4. Royal British Bank vs. Turquand (1856) 119 ER 886.
5. Ashbury Railway Carriage and Iron Co. Ltd. Vs. Riche (1875) LR 7

Unit 3: Prospectus, Shares, Members and Directors:**(16 Marks)**

- 3.1 Prospectus- Meaning, Definition, Formalities of Issue of Prospectus, contents, significance, Misrepresentation of Prospectus, Golden Rule, Liability of Misstatement Untrue statement in Prospectus.

3.2 Shares- Meaning, Definition, Characteristics, Types of Shares, Transfer and Transmission of Shares, Share Capital, share certificate, Share warrant, Stock and Share, Forfeiture of Shares.

3.3 Members – Modes of acquiring membership, shareholders, rights, duties and liabilities, shareholders' meeting, classification, resolution, Alteration, Reduction of Voting Rights, Majority Rule, Oppression of Minority Shareholder.

3.4 Directors, Managing Directors, Appointment, Qualification, Legal position disqualification, disabilities, removal, power and duties, rights and liabilities, Director Identification Number (DIN).

Referred Case:

1. Foss v. Harbottle (1843) 2 HASE 461, 67, ER 89.
2. S.P. Jain vs. Kalinga Tubes Ltd. AIR 1965 SC 1535.
3. Sri Gopal Jalan & Co. Vs. Caicutta Stock Exchange Association Ltd. (1965 AIR 250)

Unit 4: Law Relating to Debt and Finance of Company: (16 Marks)

4.1 Debentures – Meaning, definition, nature, classification, creation of charges, fixed and floating charges, conversion, distinction between debenture and share, Dividend, Payment of Dividend.

4.2 Auditors – Appointment, removal, rights and liabilities, Auditors are watch dogs and not blood hounds, audit committee, Audit & Accounting System, Legal Position of Auditor.

4.3 Constitution of National Financial Reporting Authority (NFRA), Functions and Powers.

4.4 Corporate Social Responsibility (CSR).

Referred Case:

1. Burland v. Eark (1902) AC 83;
2. Cook v. Deeks (1916) 1 AC 554;
3. Royal British Bank v. Turquand (2) 6 E&B 324.
4. Ferguson Vs. Wilson (1904)

Unit5: Amalgamation, Winding Up & Administrative Regulations: (16 Marks)

5.1 Merger and Demerger of Company, Amalgamation Comprise & Arrangement.

5.2 Winding up, Meaning, definitions, Types, Procedure. Payment of Liabilities in the event of Winding up, Role of Official Liquidator.

5.3 SEBI – Compositions, powers and functions.

5.4 Company Law Tribunal, Definition of Insider, Role of Company Law Tribunal (NCLT), Company Law Appellate Tribunal (NCLAT), Significance of Corporate Governance.

5.5 Establishment of Serious Fraud Investigation Office.

5.6 Offences and Penalties of company under Company Act-2013.

5.7 Central Government Control by Registrar of Companies.

Referred Cases:

1. Seth Mohan Lal vs. Grain Chambers Ltd. AIR 1968 SC 772.
2. Pars Ram Brij Kishore vs. Jagraon Trading Syndicate Ltd. Air 1963 Lah. 226.
3. Cyrus Investments Pvt. Ltd. & Anr. Vs. tata Sons Ltd. & Ors (2017 SCC Online NCLAT 261)

Recommended Books:

1. Avatar Singh, Company Law (Eastern Book Company, Lucknow, 16th edn., 2013).
 2. Dr. Prem Kumar Agarwal and CA Rohit Kumar Singh, Company Law (University Book House Pvt. Ltd., Jaipur, 2nd edn., 2018).
 3. Dr. N.V Paranjape, Company Law (Central Law Agency, Prayagraj, 11th edn., 2022).
 4. S.C Tripathi, Company Law (Central Law Publications, Allahabad, 1st edn., 2016)
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Paper III Principles of Taxation Law**(Credit : 5)****Code: 5.3**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks****Unit 1: Introduction****16**

1.1 What is Tax, Classification Taxes, characteristics, Principles or canons of Taxation, Requirements of Good Tax system, concept of Equity in Taxation, Modern Principles of Taxation, Cost of Service Principles and Benefit

1.2 Principles – Direct and Indirect Tax, Merits and Demerits, Single Taxation and Multiple Taxation – Advantages and Disadvantages of Multiple Taxation – Impact and Incidence of Taxation – Distinction between them – Shifting of Taxation etc.

Unit 2 : Goods and Services Tax Act-I**16**

2.1 Concept and history of indirect taxation in India, Features of Constitutional 122nd Amendment, GST Council, Constitution and decisions, Main features of GST Act.

2.2 Definitions, aggregate turnover, mixed supply and composite supply, composition levy, GST compliance rating, advantages and limitations of GST

Unit 3 : Goods and Services Tax Act-II**16**

3.1 GST concept, CGST, SGST/UTGST, IGST, Goods and services network(GSTN), Filing of GST compensation act

3.2 State Goods and Services Act, 2017

Unit 4: Income Tax Act, 1961-I**16**

4.1 Preliminary, Definitions, Basis of Changes, Changes of Income Tax, Scope of Total Income, Incomes not included in Total Income, Income of 100% export-oriented undertaking, etc.

4.2 Computation of total Income, Salaries, Income from house property, profits and gains of business or profession, capital gains, Income from other Sources, Aggregation of Income, carry forward and set-off.

Unit 5: Income Tax Act, 1961 -II**16**

5.1 Incomes forming part of total income on which no Income Tax is payable, Relief in respect of Income Tax, Double Taxation relief, special provisions relating to avoidance of Tax etc.

5.2 Special provisions relating to incomes of non-residents and certain companies etc.

5.3 Income Tax authorities: Appointment control, jurisdiction, powers, procedure for return income, notice of demand, special provisions, refunds, appeals revisions and penalties etc.

Case laws(not exhaustive)

Union of India v. Mohit Minerals Pvt. Ltd. (2022) 10 SCC 700

Union of India v. VKC Footsteps India Pvt. Ltd. (2022) 2 SCC 603

Sheen Golden Jewels(India) Pvt. Ltd. V. the State Tax Officer(IB) -1 W.P.(C) No. 11335 of 2018 in the High Court of Kerala at Ernakulam

Gurucharan Singh v. Ministry of Finance (2021) SCC online Delhi 1918

Recommended books:

Books on income Tax

1. *Taxmann's Master Guide to Income Tax*, (Taxman, New Delhi, 33rd edn., 2023)
2. Naveen Mittal, *Principles of Income Tax Law and Practice*, (Cengage Learning India Pvt. Ltd. New Delhi, 1st edn., 2019)
3. Dr. Kailash Rai, *Taxation Laws (Laws of Income Tax)* (Allahabad Law Agency, Prayagraj, 11th edn., 2018)
4. TN Manoharan and GR Hari, *Students' Handbook on Taxation*, (Snow White, Mumbai, 2024)
5. Ramamurthy .S., *Introduction to Taxation* (Company Law Institute, Chennai, 1st edn., 2023)
6. Pithisaria & Pithisaria, *Taxmann's Law and Practice of Income Tax* (3 vol.s), (Taxmann, New Delhi, 2022)

Books on GST

1. Ramakrishnan Viraraghavan, *The Law of Goods and Services Tax A Comprehensive commentary* (Oak Bridge, Gurgaon, 2023)
2. R.K. Jain, *GST Law Manual* (2 vol.s), (Centax Law Publication Pvt. Ltd., New Delhi, 19th edn., 2024-25)
3. Jaya Vasudevan Suseela, *Indirect Taxes (GST & Other Indirect Taxes)* (EBC, Lucknow, 1st edn., 2019)
4. Arpit Haldia and Mohd. Salim, *Taxmann's GST Law & Practice* (Taxmann, New Delhi, 5th edn., 2023)
5. Tarun Jain, *Goods and Services Tax-Constitutional Law and Policy* (Eastern Book Company, Lucknow, 1st edn., 2018)

Paper IV	Environmental Law	(Credit : 5)
Code:5.4		
Full Marks: 100 [80+20]		Time : 3 hours
Pass marks: 45 [36+9]		
Detailed Syllabus		Marks

Unit 1: Introduction 16

Meaning of environment, meaning of environmental pollution and causes of environmental pollution
 Global issues of depletion of ozone layer and global warming (green house effect), importance of green house effect and global warming and action plan.
 International concern for environmental protection
 Indian scenario and people's response.
 Environment and Indian Constitution.

Referred case:

1. *Indian Council for Enviro-legal action v. Union of India*, AIR 1996 SC 1446

Unit 2: Environmental Pollution- Legal Remedies and Procedure 16

Remedies under law of Torts
 Nuisance
 Negligence
 Trespass
 Strict Liability
 Absolute Liability
 The writ Jurisdiction

Statutory remedies

Criminal law remedies

BNS, 2023

BNSS, 2023

Remedies for environmental justice

Damages

Injunction

Public Interest Litigation

New dynamic role of the Judiciary

Emergence of Public Interest Litigation

Public Interest Litigation entering the Area of Environmental Pollution

Referred cases:

1. *Shri Ram Gas Leak Case, M.C. Mehta v. Union of India AIR, SC, 965, 982, 1086*
2. *Raylands v. Fletcher, (1868) LR 3 HL 330*
3. *A.P. Pollution Control Board v. Prof M.V. Nayadu, AIR, 1999 SC 812*
4. *Vellore Citizens Welfare Forum v. Union of India, AIR 1996, SC 2715*
5. *Narmada Bachao Andolan v. Union of India (2000) 10 SCC 664*

Unit 3: Sustainable Development and Law**16**

The concept of International perspective

Stock Declaration, (ii) Montreal Protocol

Brundtland Commission

Earth Summit 1992

1. Rio Declaration

2. Agenda 21

3. Convention on climate change

U.N. Commission on Sustainable Development

Kyota Conference

Earth Summit 2002, Johannesburg Declaration on Sustainable Development

Copenhagen Summit

Salient principle of sustainable development

Precautionary principle

Polluter principle

Referred case:

1. *Taj Trapezium case. M.C. Mehta v. Union of India AIR, 1997 SC 734*

Unit 4: Water, Air and Noise Pollution and Its Control**16**

The Water (Prevention and Control of Pollution) Act, 1974

Introduction

Meaning of Water Pollution

Sources of Water Pollution

Central Pollution Control Board

State Pollution Control Board

Prevention and Control of Water Pollution
 Offences and Penalties
 The Air (Prevention and Control of Pollution) Act, 1981
 Introduction
 Meaning of Air Pollution
 Sources of Sources of Pollution
 Effects of Air Pollution
 Central pollution Control Board
 State Pollution Control Board
 Prevention and Control of Air Pollution
 Offences and Penalties
 Noise Pollution
 Meaning of Noise Pollution
 Sources and Effect of Noise Pollution
 Legal control

Unit V:

16

5. 1 Environment (Protection Act) 1986
 Salient Features
 Power and function of Central Govt.
 Prevention, Offences and penalties of Environment pollution
 Citizen's suit provision
 The National Environment Appellate Authority Act, 1997
 Principle of no fault and the Public Liability Insurance Act, 1991 liability
 Forest conservation and the Law
 Indian Forest Act, 1927
 Forest Conservation and Judicial Attitude

Internal Assessment :

20

Recommended Books:

1. Dr. S.K. Nanda, Environmental Law
2. Dr. S.C, Tripathi, Environmental Law
3. Dr. I.A. Khan, Environmental Law
4. Gurdip Sing, Environmental Law in India
5. Kailash Rai, Environmental Protection Law and Policy in India

Paper V Banking Law OP 3

(Credit:5)

Code: 5.5

Full Marks: 100 (80 + 20)

Pass Mark: 45 (36 + 9)

Time: 3 hours

Detailed Syllabus

Unit 1: Introduction

(16 Marks)

- 1.1 Origin of the word 'Bank'. Evolution of Banking and its history in India.
- 1.2 System of banking: Unit banking, Branch banking, Group banking and Chain banking.
- 1.3 Different types of Banking: Central Bank (RBI), Commercial Banks, Cooperative Banks, Regional Rural Bank (RRB)

- 1.4 Functions of Banks
- 1.5 Specialized Banks: NABARD, Export Import Bank of India (EXIM), Small Industries Development Bank of India (SIDBI).
- 1.6 Social Control of Banks.
- 1.7 Nationalisation of Banks, Narshiman Committee Recommendations-1991 & 1998.

UNIT 2: Banker-Customer Relation

(16 Marks)

- 2.1 Concept of the word 'Customer'.
- 2.2 Legal relationships between Banker and Customer
- 2.3 Rights and Obligations of banker
- 2.4 Types of Accounts.
- 2.5 Principle of Good Lending
- 2.6 Priority Sector Lending (PSL)

UNIT 3: Central Bank

(16 Marks)

- 3.1 Central Bank of India i.e. Reserve Bank of India (RBI)-its Organizational Structure.
- 3.2 Primary and Secondary functions of Reserve Bank of India, Basel Accord.
- 3.3 Banking Regulation Act, 1949.
- 3.4 Recent amendment under the Banking Regulation Act 2012
- 3.5 Avoidance of Money Laundering, Credit Control, Bank Rate Policy.
- 3.6 Banking Ombudsman Scheme

UNIT 4: Negotiable Instruments Act, 1881

(16 Marks)

- 4.1 Definition, Cheque, Promissory note, Bill of Exchange.
- 4.2 Parties to Negotiable Instrument-
- 4.3 Holder and Holder in due course.
- 4.4 Dishonour of Cheque, Reasons for dishonor of Cheque.
- 4.5 Legal Implications and Remedies for dishonor of Cheque

UNIT 5: Banking System with Emerging Dimensions

(16 Marks)

- 5.1 E-Commerce, E-Services.
- 5.2 E-Banking, Digital Payments.
- 5.3 AI and Fraud Detection.

Referred Cases

1. **State Bank of India v. Allahabad Bank (2007)**
2. **Cooperative Central Bank Ltd. v. Additional Industrial Tribunal, Andhra Pradesh (1960)**
3. **Jayantilal N. Mistry v. Reserve Bank of India (2016)**
4. **Standard Chartered Bank v. Directorate of Enforcement (2005)**
5. **Dashrath Rupsingh Rathod v. State of Maharashtra & Anr (2014)**
6. **Sajjan Bank (Private) Ltd. v. Reserve Bank of India AIR 1961 Mad. 8.**
7. **Shivalingappa v. P.B. Puttappa AIR 1971 Mys. 273.**
8. **Canara Bank Ltd. v. I.V. Rajagopal (1975) 1 M.L.J 420.**
9. **Lachmi Chand v. Madan Lal Khemka AIR 1947 All. 52.**

10. Singheshwar Mandal v. Gita Devi AIR 1975 Pat. 81.Recommended Books:

- M. L. Tannan Kothari Vinod, Banking Law & Practice in India - EBC Webstore.
 P. Vasantha Kumar, Banking And Negotiable Instruments: Law and Practice - EBC Webstore.
 International Banking Law & Regulation | Legal Solutions.
 P.K. Pandey, Banking Laws (University Book House Pvt. Ltd., Jaipur, 2nd Edn. 2019).
 Anjani Kant, Lectures on Banking Law for Law Students (Central Law Publication, Allahabad, 4th Edn. 2016).
 R.N. Choudhury, Banking Laws (Central Law Publications, Allahabad, 5th edn. 2022).
 R.K. Bangia, Banking Law & Negotiable Instrument Act (Allahabad Law Agency, Faridabad, Haryana, 6th Edn. 2018, Reprint 2021).
 Avtar Singh, Banking and Negotiable Instruments (Eastern Book Company, Lucknow, 2nd edn., 2011).

OR**Paper V Methods of Interpretation of Statutes and Principles of Legislation OP 3**

Code: 5.5

Full Marks: 100 (80 + 20)**Pass Mark: 45 (36 + 9)****Time: 3 hours****(Credit : 5)****Detailed Syllabus****Marks****Unit 1: Interpretation of Statutes****16**

- Meaning, Objects and Scope of 'interpretation', 'construction' and 'statute'
 Nature and Kinds of Indian Laws: Statutory, Non-statutory, Codified, Uncodified, State-made and State recognized laws
 Commencement, operation and repeal of statutes
 Purpose of interpretation of statutes.
 Basic Sources of Statutory Interpretation
 (i) The General Clauses Act, 1897: Nature, Scope and Relevance (Ss.6- 8)
 (ii) Definition clauses in various Legislations: Nature and Interpretative Role

Unit 2: Aids to Interpretation**16**

- Aids to Interpretation (Parts of the statute and their interpretative role)
 Internal aids
 Title
 Preamble
 Headings and marginal notes.
 Sections and sub-sections
 Punctuation marks.
 Illustrations, exceptions, provisos, saving clauses, explanations and schedules
 Non-obstante clause.

External aids

Role of Constituent Assembly debates in the interpretation of the Constitution of India
 Legislative history, Legislative Intention, Statement of objects and reasons, legislative debates, Committee reports, Law Commission reports etc.
 International law and human-rights documents
 Dictionaries, Translations
 Statutes in pari material

Unit 3: Rules of Statutory Interpretation 16

Primary Rules

Literal rule

Golden rule

Mischief rule (rule in the Heydon's case)

Rule of harmonious construction

Secondary Rules

Noscitur a sociis (Associated words)

Ejusdem generis

Reddendo singula singulis

Unit 4: Maxims of Statutory Interpretation 16

Delegatus non potest delegare

Expressio unius exclusio alterius

Generalia specialibus non derogant

In pari delicto potior est conditio possidentis

Ut res valet potior quam pareat

Expressum facit cessare tacitum

In bonam partem

Unit 5: Interpretation with reference to subject matter and purpose 16

Taxing Statute

Penal Statute

Welfare legislation

Colourable legislation

Residuary power

Doctrine of repugnancy

Referred Cases

1. *Girija K. Phukan v. State of Assam* 1984 (2) LR 488
2. *Bengal Immunity Co. Ltd. V. State of Bihar* 1955 2 SCR 603
3. *Smti Charu Deka v. Umeswari Nath & other* AIR 1995 Gau 9.
4. *P. Ramachandra Rao v. State of Karnataka* (2002) 4 SCC 578
5. *Bhatia International v. Bulk Trading S.A.* (2002) 4 SCC 105
6. *R.M.D.C. v. Union of India*, AIR 1957 SC 628
7. *Aytar Singh v. State of Punjab*, AIR 1955 SC 1107
8. *A.S. Sulochana v. C. Dharmalingam*, AIR 1987 SC 242
9. *Shashi Kant Laxman Kale v. Union of India*, AIR 1990 SC 2114 □ 1990) 4 SCC 366

Prescribed Legislation:
The General Clauses Act, 1897

Internal Assessment :

20

Recommended Books:

1. P. St. J. Langan, *Maxwell on the Interpretation of Statutes* (12th ed., 1969)
2. Vepa P. Sarathi, *Interpretation of Statutes* (4th ed., 2003)
3. G.P. Singh, *Principles of Statutory Interpretation* (11th ed., 2008)
4. S.G.G. Edgar, *Craies on Statute Law* (1999)
5. Swarup Jagdish, *Legislation and Interpretation*
6. P. St. Langan (Ed.). *Maxwell on The Interpretation of Statutes* (1976)
N.M.Tripathi, Bombay
7. K. Shanmukham, *N.S.Bindras's Interpretation of Statutes*, (1997) The Law Book Co. Allahabad.
8. V.Sarathi, *Interpretation of Statutes*, (1984) Eastern, Lucknow
9. M.P. Jain, *Constitutional Law of India*, (1994) Wadhwa & Co.
10. M.P .Singh, (Ed.) *V.N.Sukla's Constitution of India*, (1994) Eastern, Lucknow.
11. U. Baxi, *Introduction to Justice K.K.Mathew's, Democracy Equality and Freedom* (1978) Eastern, Lucknow

**Paper VI Professional Ethics & Professional Accounting System and Legal Aid Camp
 (Credit : 5)**

Code: 5.6

Full Marks: 100

Pass marks: 45

Theory :45

Time : 2 hours

Project/ Assignment, Legal Aid Camp and Viva-voce : (25+20+10)

Detailed Syllabus

Marks

Unit 1: Introduction

15

Aim and Objective of Professional Ethics
 Need for the Code of Legal Ethics
 Need for the Professional Accounting System
 Bar-Bench Relation
 Mr. Krishnamurthy Iyer's book on 'Advocacy'

Unit 2: The Contempt Law and Practice

15

Prescribed legislation :

The Contempt of Court Act, 1971.

Unit 3: The Bar Council Code of Ethics

15

Prescribed legislation :

2. *Bar Council of India Rules on Standards of Professional Conduct and Etiquette. (Rules under Sec. 49(I)(c) of the Advocates Act, 1961 read with proviso thereto)*
3. *Relevant portions of the Advocates Act, 1961 (Sec. 35, 36, 36(A), 36(B), 37, 38, 39, 40, 41, 42, 42(A), 43 & 44).*

[Prescribed book for this Unit 3 is “Selected Judgements on Professional Ethics published” by Bar Council of India Trust from Page No. 3 to 21.]

Practical Projects:

25

- (a) 50 selected opinions of Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court on professional misconduct.

Following are the 50 selected opinions of the Bar Councils on professional misconduct:

-

Financial Misappropriation:

1. K.V. Umere vs. Smt. Venubai, O Dase and Anr.
Civil Appeal No. 2385 of 1977.
2. Smt. Siya Bai vs. Sitaram Singh
BCI Tr. Case No. 8/1987
3. Smt. Urmila Devi vs. Sita Ram Singh
BCI Tr. Case No. 21/1987
4. Secretary, Karnataka Khadi Gram Udyog Samyukta Sangha vs. J.S. Kulkarni
BCI Tr. Case No. 12/1990
5. Devendra Bhai Shankar Mehta vs. Rameshchandra Vithaldas Sheth & Anr.
Civil Appeal No. 4437 of 1990
6. Mr. M.S. Patwardhan vs. V.V. Karmarkar
BCI Tr. Case No. 93/1991
7. Upendra D. Bhatt vs. Vijay Singh M. Kapadia
D.C. Appeal No. 23/1993
8. Allahabad Bank vs. Girish Prasad Verma
BCI Tr. Case No. 49/1993
9. Regional Officer, Allahabad Bank vs. J.P. Srivastava
BCI Tr. Case No. 20/1995
10. Prof. Krishnaraj Goswami vs. Viswanath D. Mukasikar
D.C. Appeal No. 40/1995
11. Mrs. Suresh Joshi vs. L.C. Goyal
BCI Tr. Case No. 44/1995
12. Tek Chand vs. Promod Kumar Choudhury
BCI Tr. Case No. 22/1998

Suppression of Material Facts.

13. Smt. Sudesh Rani & Ors. V.. Munish Chandra Goel
BCI Tr. Case No. 43/1996

Misuse of Signed Documents & Forgery

14. M. Veerabhadra Rao vs. Tek Chand
Civil Appeal No. 1019/1978
15. In the matter of 'A' an Advocate
Supreme Court 1887
16. Surendranath Mittal vs. Dayanand Swaroop
BCI Tr. Case No. 63/1987
17. Smt. Farida Choudhury vs. Dr. Achyut Kumar Thakuria
BCI Tr. Case No. 1/1993
18. Pratap Narain vs. Y.P. Raheja
BCI Tr. Case No. 40/1993
19. Vikramaditya vs. Smt. Jamila Khatoon
D.C. Appeal No. 21/1996
20. S.K. Nagar vs. V.P. Jain
D.C. Appeal No. 14/1997
21. D.P. Chadha vs. Triyugi Narain Mishra & Ors.
Civil Appeal No. 1124/1998
22. R.N. Tiwari vs. Ketan Shah
D.C. Appeal No. 9/1999
23. Ashok Kumar Kapur vs. Bar Council of Punjab & Haryana
D.C. Appeal No. 18/1999

Purchase of Property of the Client in Dispute

24. P.D. Gupta vs. Ram Murti & Anr.
Civil Appeal No. 15496/1986
25. Ram Sewak Patel vs. Vir Singh
D.C. Appeal No. 32/1992
26. Ajmer Singh vs. Jagir Singh
D.C. Appeal No. 11/1994

Duty to the Client

27. V.C. Rangadurai vs. D. Gopalan & Ors.
Civil Appeal No. 839/1978
28. Chandrashekhar Soni vs. Bar Council of Rajasthan & Ors.
Civil Appeal No. 258/1977
29. Prahlad Sharan Gupta vs. Bar Council of India & Anr.
Civil Appeal No. 3588/1984
30. In Re: An advocate
Civil Appeal No. 316/1987
31. Manjit Kaur, Etc. vs. Deol Bus Service Ltd.
Civil Misc. No. 4905/1988
32. Smt. P. Pankajam vs. B.H. Chandrashekhar
B.C.I. Tr. Case No. 86/1992
33. John D'Souza vs. Edward Ani
Civil Appeal No. 3206/1993
34. In the matter of Mr. 'P' an advocate
Supreme Court of India

Contingent Fees

35. H.G. Kulkarni & Ors. Vs. B.B. Subedar
D.C. Appeal No. 40/1996
And
B.B. Subedar vs. H.G. Kulkarni & Ors.
D.C. Appeal No. 36/1996
36. Rajendra V. Pai vs. Alex Fernandes, Baptist Fernandes and Francisco Fernandes
D.C. Appeal No. 11, 12, 13/2000
37. R.D. Saxena vs. Balram Prasad Sharma
Civil Appeal No. 1938/2000

Contempt of Court

38. In Re.: Vinay Chandra Mishra
Contempt Petition (Criminal) No. 3 of 1994
39. Suo Motu Enquiry vs. Nand Lal Balwani
B.C.I. Tr. Case No. 68/1999
40. Kanta Prasad vs. Baldev Sahai Rastogi
D.C. Appeal No. 28/1996

Duty to the Court

41. Vijaya Singh vs. Murarilal & Ors.
Civil Appeal No. 1922/1979

Physical Assault

42. Hikmat Ali Khan vs. Ishwar Prasad Arya & Ors.
Civil Appeal No. 4240/1986
43. Saiyed Anwar Abbas vs. Krishna Singh Singh & Ors.
B.C.I. Tr. Case No. 62/1991

Any Other Misconduct

44. Satish Kumar Sharma vs. bar Council of Himachal Pradesh
Civil Appeal No. 5395/1997
45. Sardul Singh vs. Pritam Singh & Ors.
Civil Appeal No. 1763/1993
46. J.N. Gupta vs. D.C. Singhanian & J.K. Gupta
B.C.I. Tr. Case No. 38/1994
47. J.N. Karia vs. M.S. Udeshi and M.S. Udeshi vs. T. Raja Ram Mohan Roy
B.C.I. Tr. Case No. 61/1995 / B.C.I. Tr. Case No. 3/1999
48. Babu Lal vs. Subhash Jain
B.C.I. Tr. Case No. 115/1996
49. Kamal Prasad Misra vs. Mehilal
D.C. Appeal No. 45/2000
50. Sambhu Ram Yadav vs. Hanuman Das Khattri
Civil Appeal No. 6768/2000

All the above opinions are available in the book “**Selected Judgments on Professional Ethics** (*Published by the Bar Council of India Trust, 21, Rouse Avenue Institutional Area, New Delhi – 110002, Phones No. 3231647, 3231648, Fax: 3231767, E-mail: bcindia1@vsnl.com, Price: Rs. 400/-, 2002 edition*).

It is mandatory for the college to have this book in the library under the BCI Rules, 2008.

From the following Supreme Court cases on Professional Misconducts, the students are required to study any 10 for their practical project.

1. *Salil Dutta vs. T.M. and M.C. (P) Ltd.* (1993) 2 SCC 185.
2. *Vinay Chandra Mishra, In re* (1995) 2 SCC 584.
3. *C. Ravichandran Iyer Vs. Justice A.M. Bhattacharjee* 91995) 5 SCC 457.
4. *P.D. Gupta vs. Ram Murti* (1997) 7 SCC 147.
5. *R.D. Saxena vs. Balram Prasad Sharma* (2000) 7 SCC 264.
6. *D.P. Chadha vs. Triyugi Narain Mishra* (2001) 2 SCC 221.
7. *Shambhu Ram Yadav vs. Hanuman Das Khatry* (2001) 6 SCC 1.
8. *Pravin C. Shah vs. K.A. Mohd. Ali* (2001) 8 SCC 650.
9. *Bhupinder Kumar Sharma vs. Bar Assn., Pathankot* (2002) 1 SCC 470.
10. *Ex-Capt. Harish Uppal vs. Union of India* (2003) 2 SCC 45.
11. *Mahabir Prasad Singh vs. Jacks Aviation (P) Ltd.* AIR 1999 SC 287; (1999) 1 SCC 37.
12. *John D'Souza vs. Edward Ani*, AIR 1994 SC 975, 1994 SCC (2) 64.
13. *Bar Council of Maharashtra vs. M.V. Dabholkar*, AIR 1976 SC 242, 1976 SCC (2) 291.
14. *Pandurang Dattatraya Khandekar vs. Bar Council of Maharashtra, Bombay & Others*, AIR 1984 SC 1100, 1984 (2) SCC 556.
15. *V.C. Rangadurari vs. D. Gopalan & Others*, AIR 1979 SC 281, 1979 SCC (1) 308.

(b) Legal Aid camp

20

(c) Viva-voce

10

Viva-voce examination of 10 marks will be mainly on the above practical work to test the understanding of the students on the topics.

Note : The written reports evaluated by the teacher along with list of the marks awarded will be placed before the external examiner at the time of viva-voce examination. The teacher of the practical paper will be the internal examiner who along with the external examiner will jointly award final marks on written reports and viva-voce examination. Written reports will not be accepted for final evaluation by the external & internal examiners if they are not submitted and evaluated regularly throughout the semester.

Recommended Books:

51. The Advocates Act, 1961.
52. The Contempt of Court Act, 1971.
53. Mr. Krishna Iyer's book on *Advocacy*.

54. *Professional Ethics, Accountancy for Lawyers & Bench-Bar Relations* by Dr. S.P. Gupta.
 55. *Legal Ethics, Accounting for Lawyers & Bench-Bar Relations* by Dr. Kailash Rai.
 56. *Professional Ethics, Accountancy for lawyers & & Bench-Bar Relations* by J.R.S. Sirohi.
 57. *Legal Profession & its Ethics* by B.K. Goswami.
 58. *Challenges to the Legal Profession – Law and Investment in Developing Countries* by P.N. Bhagawati.
 59. *Sociology of Legal Profession and Legal System* by J.B. Gandhi.
 60. *Socio-Legal Study of Occupational Status of Law Graduates* by K.L. Bhatia.
 61. “Sociology of Law and Legal Profession: Cross Cultural Theoretical Prospective” by K.L. Sharma in *24 J.I.L.I. 528 (1982)*.
 62. “The Pathology of the Indian Legal Profession” by Upendra Baxi in *13 Ind. Bar. Rev. 455 (1986)*.
 63. “Legal Profession and the Advocates Act, 1961” by A.N. Veeraraghavan in *14 J.I.L.I. 229 (1972)*.
 64. “Legal Profession: Its Contribution to Social Change” by K.K. Sathe in *13 ICSSR*.
-

Honours 7, any one from following:

LL.B.(Hons) 5.7 H7

Health Law (Constitutional Law Group)

Full Marks: 100 [80+20]

Pass marks: 45 [36+9]

(Credit : 6)

Time : 3 hours

Detailed Syllabus

Marks

Unit 1: Introductory

16

The right to health as emergent from parts III and IV of the Constitution of India
National Health Policy

Unit 2: Organization of public health care in India

16

Legal Organization of public hospitals
Medico-legal cases and duties of hospitals
Medical negligence
Liability for medical negligence in public hospitals
Mental health care public hospitals: duties and liabilities
Legal aspects of private medical practice
Rural health care

Unit 3: Contemporary Issues

16

3.1 Surrogacy

The Surrogacy (Regulation) Act, 2021

- Regulations of Surrogacy and Surrogacy Procedures
- Rights of Surrogate Mother
- Rights of Surrogate Child
- Offences and Penalties (Sec 38-45)

Legality of Surrogacy Laws in India
Euthanasia and physician assisted suicide

Referred Cases:

1. *Baby Manji Yamada v. Union of India*, AIR 2009 SC 84
2. *Gian Kaur v. The State Of Punjab*, 1996 AIR 946
3. *Aruna Ramchandra Shanbaug v. Union Of India & Ors*, AIR 2011 SC 1290/ (2011) 4 SCC 454)
4. *Common Cause (A Regd. Society) v. Union of India and Anr*, (2018) 5 SCC 1, AIR 2018 SC 1665

Unit 4: Cost of Health Care and Insurance

16

Types of Health Insurance in India
Health of marginalized Groups
Employee's State Insurance Corporation(ESIC)

Unit 5: Organ Transplantation and Mental Health Care

16

5.1 Transplantation of Human Organs Act, 1994

- 5.1.1 Mode of Signifying Consent for Donation.
- 5.1.2 MCIR Guidelines
- 5.1.3 Restrictions on Removal and Transplantation of Human Organs.
- 5.1.4 Judicial Approaches.

5.2 Mental Health Act, 1987

- 5.2.1 Definitions- Mentally ill Persons, Mentally ill Prisoners, psychiatrist
- 5.2.2 Mental Health Authorities
- 5.2.3 Protection of Human Rights of Mentally ill Persons.
- 5.2.4 Leave of absence of a mentally ill Persons
- 5.2.5 Penalties and procedure.

Referred Cases:

1. *Ravinder Kumar Dhariwal v. Union of India*, (2023) 2 SCC 209.
2. *Suchita Srivastava & Anr vs Chandigarh Administration*, AIR 2010 SC 235

Recommended Books:

1. Dr. Nandita Adhikari, Law and Medicine, Central Law Publications
2. Devendra Mohan Mathur, Medical Negligence and Compensation
3. Dr. Lily Srivastava, Law and Medicine, Universal Law Publishing Co.
4. K. Kannan, Medicine and Law, Oxford University Press

LL.B.(Hons) 5.7 H7

White Collar Crime

(Credit:6)

Honours-7: Crime & Criminology Group

Full Marks:100[80+20]

Time:3hours

Pass marks:45[36+9]

Detailed Syllabus

Marks

Unit1	Introduction	16
	Meaning and Definition	
	Historical Backgrounds	
	Differences between White Collar Crime and traditional crime	
Unit2:	White Collar Crime in India	16
Unit3:	Main Factors of White Collar Crime	16
Unit4:	White Collar Crime in Certain Professions	16
	Medical profession	
	Engineering profession	
	Legal profession	
	Educational professions	
	Business related White Collar Crime	
	Computer related White Collar Crime	
Unit5:	Remedial Measures	16

Internal Assessment: **20**

Recommended Books:

1. N.V.Paranjape, *Criminology and Penology*
2. Sutherland, *Principles of Criminology*
3. Siddiqui, *Criminology*
4. Sethna, *Society and Criminal*
5. Jones, *Crime and Penal System*

OR

LL.B.(Hons) 5.7

Paper VII IPR Litigation in Trade Mark and Design (Credit : 6)

Code: 5.7

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Trademarks : Trademarks Act, 1999 16

Definition and concept of trademarks

Distinction between trademark and property mark

Need for Protection of Trademarks-rationale

As an aspect of commercial and

As consumer rights.

Unit 2: Protection of Trademarks 16

Procedural Requirements for Protection of Trademarks
Kinds of Trademarks-Registration
International Legal Instruments on Trademarks

Unit 3: Indian Trademark Law 16

Content of the Rights, Exhaustion of Rights
Assignment and Licensing
Infringement, Right of Goodwill, Passing Off
Criteria of infringement
Standards of proof in passing off action
Remedies

Unit 4: Designs - The Designs Act, 2000 16

Definition of design - Copyright in Design (duration)
Need for protection of industrial designs
Subject matter of protection and requirements
Procedure for obtaining design protection
Registration of design for articles
Rights in registered design
Transfer of rights
Cancellation of Design
Piracy or Infringement of copyright in Design
Remedies

Unit 5: Layout – Designs of Integrated Circuits 16

The Semiconductor Integrated Circuits Layout
Requirements and procedure for registration
Duration and effect of registration
Assignment and transmission

Referred cases :

- 1 *Use of trade mark on goods/services: N.R. Dongre v. Whirlpool (1996) 5 SCC 714*
- 2 *Protecting Domain Names as Trade Marks: Satyam Infoway Ltd v. Sifynet Solutions Pvt. Ltd, AIR 2004 SC 3540*
- 3 *Registration of trademark for goods/services: Geep Flash Light Industries v. Registrar of Trade Marks, AIR 1972 Del 179*
- 4 *Relative Grounds of Refusal: Carrefour v. Subburaman, 2007(35) PTC 225*
- 5 *Parley Products v. JP & Co, AIR 1972 SC 1359*
- 6 *Bata India Ltd. v. Pyare Lal & Co., AIR 1985 All 242*
- 7 *Milmet Oftho Industries v. Allergen Inc. (2004) 12 SCC 624*
- 8 *Balkrishna Hatcheries v. Nandos International Ltd., 2007(35) PTC*

- 295(Bom)
9. *Bharat Glass Tube Limited v. Gopal Glass Works Limited*, 2008 (37) PTC 1 (SC)

Prescribed Legislations:

1. *Trade Marks Act, 1999*
2. *Design Act, 2000*

Internal Assessment :

20

Recommended Books:

1. Ashwani Kr. Bansal, *Law of Trade Marks in India* (2nd ed., 2006)
2. V.K. Ahuja, *Law Relating to Intellectual Property Rights* (2007)
3. P. Narayanan, *Copyright and Industrial Designs* (2007)
4. P. Narayanan, *Law of Trade Marks and Passing off* (6th ed., 2004)
5. Ashwani Kr. Bansal, *Materials on Copyright* (2004)
6. V.K. Ahuja, *Law of Copyright and Neighbouring Rights: National and International*
7. Alka Chawla, *Copyright and Related Rights: National and International Perspectives* (2007)
8. B.L.Wadhera., *Law Relating to Patents, Trademarks, Copyrights, Designs & Geographic Indications*
9. D.P. Mittal, *Trademarks, Passing Off & Geographical Indications of Goods, Law and Procedure*, (2002)
10. Vashisth, V., *Law and Practice of Intellectual Property in India*, (1999)

OR

LL.B.(Hons) 5.7 H7

Legal Framework Governing IR

(Credit : 6)

Code: 5.7

Total Marks: 100 (80 + 20)

Pass marks: 45 [36+9]

Unit1: Legal Framework of International Business

16

Nature of International Business, Common Law and its Implications in Business, International Business Contract, And Payment of Taxes.

Unit2: Regulatory Framework of WTO

16

Basic Principles and Charter of GATT/WTO, Regional Groupings, Subsidies, Technical Standards, Anti-dumping duties, Tariff Barriers, Dispute Settlement, GATS, TRIPS and TRIMS, UNCTAD, UNCITRAL, Regulation of Environment, WIPO, Investment and Transfer of Technology

Unit3: Indian Laws and Regulations

16

Governing International Transactions, FEMA, Taxation of Foreign Income, Foreign Investment, Electronic Commerce, Multi-Lateral and Bi-Lateral Treaties.

Unit4: Regulations on Investment

16

Borrowing and Lending of Money and Foreign Currency, Issue of Securities abroad, Issue of Derivatives and Foreign Securities, GDR (Global Depositories Receipt), ADR (American Depository Receipts)

Unit5: Artificial Intelligence and Law

16

Introduction to AI, Legal trends in AI Industry, AI System v. Financial Service, Regulations, AI Law and its Development in India.

Books:

O.P.Motiwal and H.K.Awasthi: *International Trade- The Law and Practice*, Bhowmik & Co., New Delhi, First Edition, 1995. Ishita Chatterjee, *International Trade Law*, Central Law Publication, New Delhi, 2nd Edition, 2023.

S.R. Myneni, *International Economic Law*, Allahabad Law Publication, Allahabad, 5th Edition, 2022. Malik: *Handbook of Labour & Industrial Law*. 2008

Srivastava K.D.: *Commentaries on Payment of Wages Act, 1936*. (1998), Eastern, Lucknow

Srivastava K.D.: *Commentaries on Minimum Wages Act, 1948*. (1995), Eastern, Lucknow

Rao S.B.: *Law and Practice on Minimum Wages* (1999), Law Publishing House, Allahabad

Seth D.D.: *Commentaries on Industrial Disputes Act, 1947*. (1998), Law Publishing House, Allahabad

R.C. Saxena: *Labour Problems and Social Welfare Chapters 1, 5 and 6* (1974)

Report of the National Commission on Labour Ch. 14-17, 22, 23 and 24

LL.B. and LL.B.(Hons)
(FROM 2024-25 SESSION ONWARDS)
GAUHATI UNIVERSITY

SEMESTER–VI

Paper I Labour and Industrial Law – II

(Credit : 5)

Code: 6.1

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: The Industrial Disputes Act, 1947 (Contd.)

16

1.1 Investigation & Settlement of Industrial Disputes – General
(Sections 3 to 15)

- 1.2 Dispute Settlement Machinery : Conciliation and Adjudication
 - 1.2.1 Conciliation/Mediation as a Dispute Settlement Mechanism
 - 1.2.2 Adjudication : Voluntary
 - 1.2.2 Adjudication/Arbitration and Compulsory Adjudication.
- 1.3 Reference of the Industrial Dispute
 - 1.3.1 Nature and Scope of the Power of the Appropriate

Government under Section 10

1.3.2 Jurisdiction of Adjudicatory Authorities.

1.4 Awards and Settlements

1.4.1 Settlement : Nature, Duration and Termination

1.4.2 Awards : Nature and Duration

1.4.3 Judicial Review of Industrial Awards

Unit 2: Managerial Prerogative

16

2.1 Domestic Enquiry and Disciplinary actions with special reference to the Industrial Employment (Standing Orders) Act, 1946

2.2 Powers of the Adjudicatory Authorities

2.2.1 Power in cases of Discharge/Dismissal (section 11A)

2.3 Restraints on Managerial Prerogatives (section 33 and 33A)

Unit 3: Wage – Concept and Kinds of Wages

16

3.1 Concept – National Wage Policy

3.1.1 Theories of wages : Marginal productivity, subsistence, wages fund, supply

3.2 Kinds of wages – (a) Minimum Wage; (b) Fair Wage ; (c) Living Wage

3.3 Components of wages : dearness allowance, principle of fixation.

3.4 The Minimum Wage Act, 1948

3.5 Machinery under the Act for the Fixation of Minimum Wage

3.6 The Payment of Wages Act, 1936 : Salient Features

3.6.1 Protection of wages : non-payment, delayed payment

3.6.2 Unauthorized deductions – remedial measures.

Unit 4: Bonus

16

4.1 Concept of Bonus – computation of bonus

4.2 Salient features of the Payment of Bonus Act, 1965

Unit 5: Health and Safety: Legislative Controls : Factory, Mines and plantations

16

5.1 The Workmen's Compensation Act, 1923

5.1.1 Entitlement for Compensation

5.1.2 Concept of injury : arising out of and in the course of employment

5.1.3 Disablement : Partial and Total, Temporary and Permanent

5.1.4 Quantum of Compensation – principles for determination

5.2 The Factories Act, 1948 : A General Study of the Act

Referred Cases :

Karnal Leather Karamchari Sanghatan v. Liberty Footwear Co. AIR 1990 SC 247

J.K. Synthetics Ltd. V. K.P. Agrawal (2007) 2 SCC 433

Delhi Cloth and General Mills Ltd. V. Kushal Bhan, AIR 1960 SC 806

Debotosh Pal Choudhary v. Punjab National Bank, AIR 2002 SC 3276

Neeta Kaplish v. Presiding Officer, Labour Court, AIR 1999 SC 698

Jalan Trading Co. (P.) Ltd. V. Mill Mazdoor Sabha, AIR 1967 SC 69

Prescribed Legislations :

The Industrial Disputes Act, 1947
The Industrial Employment (Standing Orders) Act, 1946
The Minimum Wages Act, 1948
The Payment of Wages Act, 1936
The Workmen's Compensation Act, 1936
The Payment of Bonus Act, 1965
The Factories Act, 1948

Internal Assessment:**20****Recommended Books:**

Books on Labour and Industrial law by

O.P. Agarwala
 V.G. Goswami
 A.G. Chatarvedi
 S.C. Srivastava

Paper II LL.B./LL.B.(H)- 6.2**Public International Law****(Credit : 5)**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks****Unit 1: Nature and Development of International Law 16**

- 1.1 Definition and concept of International law
- 1.2 Sources of International law
- 1.3 History, Development and Schools of International law
- 1.4 Law of Nature and its influence on the development of International law
- 1.5 Relationship of International law and Municipal law

Unit 2: The Law of Peace 16

- 2.1 States in General
- 2.2 Recognition of states
- 2.3 State succession
- 2.4 Intervention
- 2.5 Law of Sea and Air law
- 2.6 Extradition
- 2.7 Asylum
- 2.8 Diplomatic Agents
- 2.9 Laws of Treaties, including its formation, classification, ratification, termination and binding forces.

Unit 3: The Law of War 16

- 3.1 Settlement of International Dispute
- 3.2 Laws of Armed conflicts and its effect including insurgency and belligerency, Four Geneva covenants of 1949 including its Additional Protocol of 1977,
- 3.3 Enemy character
 - 3.4 Belligerent occupation
 - 3.5 Prize court
- 3.6 War Crimes and Role of ICRC
 - 3.7 The Termination of war
 - 3.8 International Terrorism
- 3.9 Concept of International Humanitarian Law

Unit 4: The law of Neutrality 16

- 4.1 Neutrality
- 4.2 Blockade
- 4.3 Contraband
- 4.4 Disarmament

Unit 5: International Institution 16

- 5.1 Origin, Development role and functions
- 5.2 The League of nations
 - 5.3 The United nations Organisations and its organs
 - 5.4 International Court of justice
 - 5.5 International Criminal Court

Referred cases

Shri Krishna Sharma Vs. State of West Bengal., AIR(1954) Calcutta 591
Civil Air Transport Inc. Vs. Central Air Transport Corporation, (1953)
AC70
G.B Sing Vs. Government of India, AIR 1973, S.CP 2667
Daya Sing Lahoria Vs. Union of India, AIR, S.C2001. P1716
Vishakha Vs. State of Rajasthan, A.I.R. 1997, S.C. P3011
Re Castioni Case (1981) IQB 149
Luther Vs., Sagor, (1921) 3 KB, P 532

Internal Assessment: 20

Recommended Books:

J.G. Starke: Introduction to International Law
 Dr. H.O. Agarwal: International law & Human Right
 M.P. Tandon & Dr. V.K. Anand : Introduction to International Law
 Dr.S.K. . Kapoor: International Law & Human Rights

Full Marks: 100[80+20]**Pass marks: 45(36+9)****Detailed syllabus**

Unit 1: History of International Labour Organisation	16
1.1 Objective, purpose, Fundamental Principles	
1.2 Composition and Functions	
Unit 2: ILO & India	16
2.1 Impact of ILO on Labour Laws in India	
2.2 Child Labour Legislations	
2.3 Bonded Labour abolition	
Unit 3: Right to Education & ILO	16
3.1 Six convention relevant to the Right to Education-ILO	
Convention No.-87,98,111,138,169,182	
Unit 4: Freedom of Association & Abolition of Forced labour	16
4.1 Convention No. 87 & 98	
Unit 5: Equality and Elimination of child labour	16
5.1 Convention No.138 & 182	
Internal assessment	20

OR**LL.B./LL.B.(H)- 6.3 OP4****Insurance Law****(Credit : 5)***Optional 4 : Business Law Group*

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks**

Unit 1: Introduction	16
1.1 Definition, Nature and history of Insurance in India, brief outline of Insurance in England, Contract of Insurance, General Principles of Law of Insurance common to all: Insurable Interest, need of Utmost Good Faith, Indemnity, Consideration, Subrogation, Insurance policy.	
1.2 Constitutional Perspective	
1.2.1. List-I – Entries 24, 25, 29, 30 and 47.	
1.2.2. List-III Concurrent List- Entries 23 and 24.	
1.3 Premium, Commencement of policy, assignment and construction.	

1.4 Insurance and Wager

Referred Cases

1. Prudential Insurance Co. V. Inland Revenue Commissioner (1904) 2 KB658.
2. Carlill v. Carbolic Smoke Ball Co. (1893) 1 QB 256.
3. Wier v. Bell (1878) 3 Ex. Ch. D 238.
4. Derry v. Peek 1889 UKHL-1 LR 14 App. Cas. 337 (1889)

Unit 2: General Principles of Law and Insurance

16

- 2.1 Insurance Act-1938, Insurance Regulatory Authority Act-2000, Salient features, duties, powers, functions and constitution of IRDA.
- 2.2 Public Liability Insurance Act-1991 - Section 2 to 21.
- 2.3 Assignment and alteration
- 2.4 The General Insurance Act-1972
- 2.5 Regulation of Insurance business

Referred Cases

1. Harris v. Poland (1941) All ER 204: KBD 204.
2. Simmonds v. Cockell (1920) All ER 162.
3. VikramGreentech (I) Ltd. v. New India Assurance Co. Ltd. AIR 2009 SC 2493.

Unit 3: Life Insurance

16

- 3.1 Nature and scope, event insured against life insurance contract, kinds of insurance policy.
- 3.2. LIC Act-1956, LIC role and functions, object, nature and scope of life insurance
- 3.3 Formation of life insurance contract, circumstances affecting the risk, amount recoverable under life insurance policy, persons entitled to payment from settlement of claims, payment of money, Effect of war upon policy.
- 3.4 Mutual insurance companies and co-operative life insurance societies, Double insurance, Reinsurance.
- 3.5 Nomination, assignment and alteration of life policies.

Referred Cases

1. Bresford v. Royal Assurance Co. (1938) AC 586.
2. Bernarasi Devi v. New India Assurance Co. Ltd. AIR 1959 PAT 540 AIR 1959.
3. Kulta Ammal v. Oriental Government Security Life Assurance Co. Ltd. AIR 1954 Mad. 636.
4. Life Insurance Corporation of India v. Asha Goel AIR 2001 SC 549.
5. Mithoolal Nayak v. Life Insurance Corporation of India AIR 1962SC 814.
6. Kasim Ali Bulbul v. New India Assurance Co. AIR 1968 J&K 39.
7. Smt. Krishna Wanti Puri v. Life Insurance Corporation of India AIR 1975 Del. 19.

Unit 4: Insurance against Accident

16

- 4.1 Insurance and M.V Act-1988, Necessity of Insurance against IIIrd Party.
- 4.2 Risk, Requirement of policies and limits of liability, Rights of IIIrd party against assurance as to insured, effect of death, cause of action.
- 4.3 Claims Tribunal Procedure, Process of Tribunal, Applications.
- 4.4 Assessment of Compensation, contributory negligence, Apportionment of compensation and liability

Referred Cases

1. New Sholme Bros. V. Road Transport & General Insurance Co. (1929) 34 Ll. L. Rep. 247
2. Moore v. Evans (1917) UKHL 533, 55SLR 533.
3. Hobbs v. Morlowe (1977) UKHL –JO 33H.

Unit 5 Marine Insurance and Property Insurance

16

- 5.1 The Marine insurance act-1963, Nature and scope of marine insurance, Insurable value, voyage deviation, Perils of the sea, proximate cause, notice of abandonment, total valuation of liability.

5.2 Fire insurance, definition, nature and scope of fire insurance, rights after loss, amount recoverable

5.3 Important of social insurance and need, commercial insurance and social insurance, workmen compensation, risk covered, industrial accidents, occupational diseases, cash benefits, incapacity, dependents.

5.4 Property Insurance. Burglary Insurance, Crop Insurance, Livestock insurance, Aviation insurance, Train accident insurance.

Referred Cases

1. Pink v. Fleming (1890) 25 QBD 396.
2. Bresford v. Royal Assurance Co. (1938) ac 586.

Books:

1. M.N. Srinivasan & K. Kanan, *Principles of Insurance Law (In Two Volume)*, Lexis Nexis, New Delhi, Eleventh Edition, 2023.
2. K.S.N. Murthy & K.V.S Sarma, *Modern Law of Insurance in India*, Lexis Nexis, New Delhi, Sixth Edition, 2019.
3. Avtar Singh, *Law of Insurance*, Eastern Book Company, Allahabad 3rd Edition, 2023.
4. R.N. Chaudhury, *General Principles of Law of Insurance*, Central Law Publications, New Delhi, 1st Edition, 2022.
5. Sachin Rastogi, *Principles of Insurance law*, Lexis Nexis, 1st Edition, 2023.

LL.B./LL.B.(H)-6.4 OP5 Any one from following:

Information Technology Law and Computer Application

(Credit : 5)

Full Marks: 100 [80+20]

Time : 2 hours

Pass marks: 45 [36+9]

Detailed Syllabus

Marks

Unit 1: Introduction to Computer

1.1 Computer system

- 1.1.1 Concepts, History of computer; Computer system characteristics, Types/ Classification of computers, Generations of computers, Basic components of computer system, memory-primary & secondary memory;
- 1.1.2 OS & Software Its Need, Types of Software – System Software, Application Software, System Software – Operating system, Utility Programs, Programming languages.
- 1.1.3 Computer Network Definition, architecture & requirement, Types of Networks-LAN, MAN, WAN etc., Internet-basics, browser, email, Intranet, Extranet, WWW.

1.2 Overview of web technology-HTML, E-Commerce, E-Business, E-Education, etc.

1.3 Cyber Crime & Security (Introduction & Classification)

1.4 Introduction to Cyber Crime Investigation

- 1.4.1 Digital Evidence
- 1.4.2 Cyber Forensic
- 1.4.3 Impact of computers and technology in the legal office.

Unit 2: Information technology Act – 2000

2.1 Object and Essence of the Act – Its Salient Features

- 2.2 Legal Recognition of Digital Signatures
- 2.3 Legal Recognition of Digital Signatures
- 2.4 E-Governance
- 2.5 Regulation of Certifying Authorities
- 2.6 Duties of Subscribers
- 2.7 Offenses and Contraventions-Penalties and Adjudications
- 2.8 Justice Dispensation System for Cybercrimes
- 2.9 Making of Rules and Regulations etc.

Unit 3: Cyber Law

- 3.1 Meaning of Cyber Law
 - 3.1.1 Cyber World and Cyber Law
 - 3.1.2 The international and online resources
 - 3.1.2.1 Security of Information
 - 3.1.2.2 Digital Signature
 - 3.1.3 Cyber Law and Cyber Crimes
 - 3.1.4 The intellectual Property aspect in Cyber Law

Unit 4: Regulation of cyber space-introducing cyber law

Scope of Cyber Laws-e-commerce-online contracts- IPRs (Copyright, trademarks and software patenting) -e-Taxation-e-Governance and cyber crimes)

Unit 5: The Evidence Aspect in Cyber Law

Applicability of the BSA,2023 on Electronic Record

Prescribed Legislations:

1. Information technology Act, 2000
2. Information technology Rules, 2000
3. Cyber Regulation Appellate Tribunal Rules, 2000
4. Bankers Book Evidence Act, 1891
5. Reserve Bank of India Act, 1934

Prescribed Books:

1. Farooq Ahmed, Cyber Law in India, Pioneer Books, New Delhi-110009
2. Vakul Sharma, Information technology Law and Practice, Universal, Delhi

Recommended Books:

1. Arun Baweja, Information technology and Development, Kalpar Publication, Delhi.
 2. P.S. Yivek Shane, Banerjee, Science and Society, Himalaya Publishing House, Bombay.
 3. Ashok Korde, A. Sawant, Science and Scientific Method, Himalaya Pub. House. Bombay.
 4. B.B. Batra, Information Technology, Kalpar Publications, Delhi.
 5. Nandan Kamamth, Guide to Information Technology Act, University Law Pub.Co. Delhi-33
 6. Suresh T. Viswanathan, The Indian Cyber Laws, Bharat Law House, New Delhi-83
 7. Ankit Fadia and Jaya Bhattacharjee, Encryption -Protecting your Data
 8. P. Narayan, Intellectual Property Law, Eastern Law House, New Delhi.
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OR

LL.B./LL.B.(H)-6.4 OP5**International Environmental Law**

Full Marks: 100 [80+20]

Pass marks: 45 [36+9]

(Credit : 5)

Time : 3 hours

Detailed Syllabus	Marks
Unit-1 : International Environmental Law – Origin, Concepts And Discussions.	16
1.1 Origin of International Environmental Law.	
1.2 Environmental Ecosystem and Nature.	
1.3 Right to Environment as a Human Right.	
1.4 Pollution Hazards -	
1.4.1 Global Warming	
1.4.2 Acid Rain.	
1.4.3 Green House Effects.	
1.4.4 Radioactive Waste.	
1.4.5 Global Environment Facility.	
1.5 Animal Rights as a part of the Rights of Nature	
Unit-2 : Fundamental Principles And Mechanism Of International Environmental Law	16
2.1 Bruntland Commission Report	
2.2 Stockholm Declaration	
2.3 Earth Summit (Rio Conference)	
2.4 Kyoto Protocol	
2.5 Copenhagen Summit	
2.6 Treaty on Antarctic and Polar region-1961	
2.7 Corporate Environment Regulation at International Level	
Unit-3 : Role Of International Organization And Sustainable Development	16
3.1 Sustainable Development Goals	
3.2 Role of United Nations	
3.3 Role of NGOS-	
3.3.1 WWF	
3.3.2 GREENPEACE	
3.3.3 FRIENDS OF THE EARTH	
Unit- 4: Trade And Environment	16
4.1 Paris Agreement.	
4.2 Minamata Convention.	
4.3 Convention on International Trade in Endangered Species.	
4.4 Basal Convention on Hazardous Waste.	
4.5 Ramsar Sites /Convention.	
Unit-5 : Environment And Climate Change	16
5.1 Climate Justice Programme CPJ, 2002- its establishment, aims and functions..	
5.2 UNFCCC- Objectives and Achievements.	
5.3 Impact and Mitigation Measures on Climate Change.	
5.4 The United Nations Environment Assembly (UNEA).	

Internal Assessment:

20

Referred cases –

A.P. Pollution control board v. M.V. Naydu
 Narmada Bachao Andolan v. Union of India
 Ridhima Pandey v. Union Of India
 Animal Welfare Board of India v. Nagaraja and Ors

Recommended Books:-

Dr. H.N. Tiwari Environmental Law
 Dr. S.S. Tripathi , Environmental Law
 Dr. J.J. Upadhayay , Environmental Law
 A.Usha (ed) , Environmental Pollution , International Perspective
 S.S.Shastri , Environmental Law

(OP 6) Any one from the following:**Paper V Equity and Trust****(Credit : 5)****Code: 6.5**

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks****Unit 1: Concept and Definition of Equity: Origin and Development****16**

- 1.1 Introduction, Historical Background, Equity as a branch of Law
- 1.2 Description of Equity, Definition of Equity, Nature and Scope of Equity
- 1.3 Equity under the legal system, distinction between Common Law and Equity

Unit II: Maxims of Equity-I**16**

- 2.1 Equity will not suffer a wrong to be without a remedy
- 2.2 Equity follows the law
- 2.3 He, who seeks Equity, must do Equity
- 2.4 He who comes to Equity, must come with clean hands
- 2.5 Delay defeats equities
- 2.6 Equality is Equity

Unit III: Maxims of Equity-II**16**

- 3.1 Equity looks to the intent rather than the form
- 3.2 Equity looks on that as done which ought to have been done
- 3.3 Equity imputes an intention to fulfill an obligation
- 3.4 Equity acts in *personam*
- 3.5 Where equities are equal first in time shall prevail
- 3.6 Where there is equal equity, the law shall prevail.

Unit IV: Trust**16**

- 4.1 Origin and development of Trust, Definition of Trust, Rights of Trustees and Beneficiaries
 - 4.2 Classification of Trusts
- According to the nature of duties of Trustees – Simple Trust and Special Trust
 According to their objects – Private Trust, Public or Charitable Trust

According to the mode of their education – Express or Declared Trusts, Executed and Executory Trusts, Implied or Presumed Trusts, Constructive Trusts.

4.3 Creation of Trust

Essentials of a Trust, Express Trusts, Rule of Three Certainties, Creation of Trusts, Purpose of Trusts, Constructive Trusts

Unit V: Duties, Liabilities and Rights of Trustees **16**

5.1 Introduction, Duties of Trustees

5.2 Liabilities, Non-Liability

5.3 Rights of Trustees, Powers of Trustees, General Powers of Trustees, Statutory Powers of Trustees,.

Internal Assessment: **20**

Recommended books

B.M. Gandhi, Equity, Trusts and Specific Relief , EBC

G P Singh, Principles of Equity with special reference to Trusts & Specific Relief

M P Tandon , Principles of Equity with Trusts and Specific Relief

OR

Paper V Customary Laws of North Eastern Region **(Credit:5)**

Code: 6.5

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus **Marks**

Unit –I: Introduction to Tribal Communities **16**

Concept of Custom- Customary Law-Tradition

Various approaches of Culture of Indian Tribal Communities

Unit II: Some Tribal Communities in North Eastern Region

Matrilineal- Khasi and Garo

Patrilineal- Naga and Karbi

Unit III: Social Institutions in Tribal Society

Family- Marriage- Divorce- Custody of Children- Maintenance

Unit IV: Tribal Customary Laws and Women's Status

Khasi and Garo

Naga and Karbi

Unit V: Tribal Culture in North-East

Art-Dance- Festival- Textile-Architecture

Recommended Books: (list is not exhaustive)

Jeuti Barooah, Customary Laws of the Naga of Nagaland, Law Research Institute, Gauhati High Court, 2007

Jeuti Barooah, Customary Laws of the Khasis of Meghalaya, Law Research Institute, Gauhati High Court, 2007

Jeuti Barooah, Customary Laws of the Garos of Meghalaya, Law Research Institute, Gauhati High Court, 2007

Jeuti Barooah, Customary Laws of the Karbi of Assam, Law Research Institute, Gauhati High Court, 2007

P4

Paper VI Moot Court & Internship

(Credit : 5)

Code: 6.6

Practical – 4

Full Marks: 100

Pass marks: 45

[This paper will have three components of 30 marks each, and the fourth component will be a viva-voce examination for 10 marks.]

Detailed Syllabus**Marks****Unit 1: Moot Court****30**

Every student will do at least 3 (three) moot courts with 10 marks each. Each moot court work will be on assigned problem and it will be evaluated as follows :

- | | | | |
|-----|--------------------|---|---------|
| 1.1 | Written submission | : | 5 marks |
| 1.2 | Oral advocacy | : | 5 marks |

Unit 2: Observance of Trial in two cases :**30**

- | | | | |
|-----|-------------------|---|----------|
| 2.1 | One Civil case | : | 15 marks |
| 2.2 | One Criminal case | : | 15 marks |

Students in a group of not more than 10 (ten) students will **attend two trials in the course of the last two or three years of law course**. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment.

Unit 3: Interviewing techniques and Pre-trial preparations**30**

- | | | | |
|-----|--|---|----------|
| 3.1 | Two interviewing sessions of clients | : | 15 marks |
| 3.2 | Observation of the preparation of documents and court papers | : | 15 marks |

Each student will observe 2 (two) interviewing sessions of clients at the Lawyers' Office/ Legal Aid Office and record the proceedings in the 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.

Viva Voce examination [on all the above three aspects]**10**

Note 1: Written submissions on Moot Courts, Written Records of Observance of Trials in Courts and Written Diaries regarding Interviewing Techniques and Pre-trial preparations must be submitted to the teacher of this paper regularly and the teacher will evaluate those continuously throughout the semester and award marks.

Note 2: All the evaluated works along with the list of marks awarded would be placed before the external examiner at the time of viva-voce examination. The teacher of this paper would be internal examiner who along with external examiner would jointly award final marks on the above works and viva-voce.

Honours 8 H8, Any one from following:**Citizenship and Emigration Law****(Credit : 6)**

Paper: 6.7*Honours – 8 : Constitutional Law Group*

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus	Marks
Unit 1: Introduction	16
1.1 Meaning and Definition of Citizenship	
1.1 Citizenship under the Indian Constitutional provisions and Citizenship Act, 1955	
Unit 2: Citizenship	16
2.1 Acquisition of Citizenship	
2.2 Termination of Citizenship	
2.3 Overseas Citizenship	
2.4 Commonwealth Citizenship	
Unit 3: Kinds of Citizenship	16
3.1 Single Citizenship	
3.2 Dual Citizenship	
Unit 4: Meaning of Immigration	16
Unit 5: Migration	16
5.1 Fundamental Right for movement	
5.2 Migration, Growth of informal sector and quality of life: Problems for the Indian Population	
5.3 Illegal Migrations	
5.3.1 Migration into Assam-Historical Background	
5.3.2 Contributory factors of Illegal Migration	
Internal Assessment :	20

Recommended Books:

Mazhar Hussain, *The Law relating to Foreigners, Passport and Citizenship in India*
 Seth, *Citizenship and Foreigner Act*
Immigration Reform & Control Act, 1986
 M.P. Jain, *Indian Constitutional Law*
 D. D. Basu, *Shorter Constitution of India*
 V.N. Shukla, *Constitution of India*

OR

Honours 8 H8**IT Offences****(Credit : 6)**

Honours – 8 : Crime & Criminology Group

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus	Marks
Unit 1: Introduction to Cyber Crime & Cyber Laws	16
1.1 Freedom of Expression in Cyberspace	
Unit 2: The Cyber Regulations Appellate Tribunal	16
2.1 Composition	
2.2 Power and Procedure	
2.3 Limitation	
2.4 Appeal to High Court	
2.5 Recovery of Penalty	
Unit 3: Offences under the Information Technology Act, 2000	16
3.1 The Cyber Offences	
Unit 4: Offences:	16
4.1 Tampering with computer Source Documents	
4.2 Hacking with Computer System	
4.3 Publishing of Obscene Information in Electronic Form	
4.5 Acts and Omissions Against the Controller	
4.6 Breach of Confidentiality and Privacy	
Unit 5: Electronic Signature	16
5.1 Related to Digital Signature Certificate	
5.2 Contravention Committed outside India	

Referred Cases

Shrimant Shamrao Surryavanshi v. Pralhad Bhairoba Suryavanshi, (2002) 3 SCC 676

Ajay Goswami v. Union of India (2007) 1 SCC 170

District Registrar and Collector v. Canara Bank (2005) 1 SCC 496, AIR 2005 SC 186

Internal Assessment : **20**

Recommended Books:

J.A. Senn, *Information Technology in Business* – J. A. Senn
 C.S.V. Murthy, *E- Commerce*, Himalaya Publishing House
 Rohnay D. Ryder, *Guide to Cyber Crime*, Wadhwa Nagpur
 Devid Whiteley, *E- Commerce*, Mc Graw Hill

OR

Honours 8 H8

**IPR Litigation in Copyright and Patent
Code:6.7****(Credit : 6)***Honours – 8 : Intellectual Property Law Group*

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks****Unit 1: Copyright: Introduction:****16**

- 1.1 Historical evolution of the law
- 1.2 Meaning of copyright
- 1.3 Subject Matter of Copyright
- 1.4 International Conventions and Treaties
- 1.5 The Copyright Act, 1957

Unit 2: Copyright**16**

- 2.1 Literary, dramatic and musical works
- 2.2 Sound records and cinematograph films
- 2.3 Computer programme
- 2.4 Multimedia works
- 2.5 The Cyber World

Unit 3: Ownership of Copyright –Infringement and Remedies**16**

- 3.1 Assignment of copyright
- 3.2 Author's special rights
 - 3.2.1 Authorship,
 - 3.2.1.1 Ownership, Transfer and Duration of copyright
 - 3.2.2 Renewal and termination of copyright
 - 3.3.3 Neighbouring rights
 - 3.3 Notion of infringement
 - 3.3.1 Criteria of infringement
 - 3.3.2 Infringement of copyright by films of literary and dramatic works.
 - 3.3.3 Importation and infringement
 - 3.3.4 Piracy in internet
- 3.4 Aspects of copyright justice
 - 3.4.1 Remedies- injunctive relief in India.

Unit 4: Patent : Introduction**16**

- 4.1 Concept of patent
 - 4.1.1 Paris convention
 - 4.1.2 Patent cooperation treaty
 - 4.1.3 Patent and WTO – TRIPS
 - 4.1.3.1 Harmonization of TRIPS & CBD

4.1.4 Historical view of the patents law in India

Unit 5: The Patents Act, 1970 with its Amendments

16

- 5.1 Patentable subject matter, patentability criteria
- 5.2 Revocation, patent infringement and remedies
 - 5.2.1 Criteria of infringement
 - 5.2.2 Onus of Proof
 - 5.2.3 Modes of Infringement : the Doctrine of Colourable Variation
 - 5.2.4 Defences in suits of infringement
 - 5.2.5 Injunctions and related remedies

Referred cases :

R.G.Anand v. Deluxe Films, AIR 1978 SC16 (Subject Matter of Copyright)
Eastern Book Co. v. D.B. Modhak, 2008 (36) PTC 1 (SC) (Subject Matter of Copyright)
Macmillan v. K. J. Cooper, AIR 1924 PC 75 181 (Ownership and Rights) *Gee Pee Films Pvt. Ltd. v. Pratik Chowdhury, 2002(24) PTC 392 (Cal) 190 (Ownership)*
R G Anand v. Deluxe Films, AIR 1978 SC 1613 (Infringement and Exceptions)
Canadian General Electric Co. Ltd. v. Fada Radio Ltd., AIR 1930 PC 1
Hoffmann-La Roche Ltd v. Cipla Limited, 2008 (37) PTC 71 (Del) 219

Prescribed Legislations:

Copyright Act, 1957
Patents Act, 1970

Internal Assessment :

20

Recommended Books:

V.K. Ahuja, *Law Relating to Intellectual Property Rights* (2007)
 P. Narayanan, *Copyright and Industrial Designs* (2007)
 P. Narayanan, *Patent Law* (4th ed., 2006)
 Ashwani Kr. Bansal, *Materials on Copyright* (2004)
 V.K. Ahuja, *Law of Copyright and Neighbouring Rights: National and International*
 Alka Chawla, *Copyright and Related Rights: National and International Perspectives* (2007)
 Wadhera, B.L., *Law Relating to Patents, Trademarks, Copyrights, Designs & Geographic Indications*
 Mittal, D.P., *Trademarks, Passing Off & Geographical Indications of Goods, Law and Procedure, (2002)*
 Vashisth, V., *Law and Practice of Intellectual Property in India, (1999)*
 Mittal, D.P., *Indian Patents Law (1997)*

OR

Honours 8, H8

Business Ethics and Corporate & Social Responsibility**(Credit : 6)**

Business Law Group

Full Marks: 100 [80+20]

Time : 3 hours

Pass marks: 45 [36+9]

Detailed Syllabus**Marks****Unit 1: Corporate Social responsibility 16**

Social responsibility of a business firm; Social responsibility of business stakeholders (owners, employees, consumers and community); response of Indian firms towards CSR

Unit 2: CSR and Consumer Protection 16

Consumerism, unethical issues in sales, marketing and technology; competitive strategy

Unit 3: Corporate Ethics 16

Values concepts, types and formation; principles and concepts of managerial ethics; relevance of ethics and values in business; corruption in businesses; values of Indian managers; factors influencing business ethics

Unit 4: Knowledge and Wisdom 16

Meaning and difference between knowledge and wisdom; wisdom workers, wisdom based management; modern business ethics and dilemmas

Unit 5: Business and Humanism, Business and environment 16**Internal Assessment : 20****Recommended Books:**

Velasquez (2002) – Business Ethics – Concepts and Cases, Prentice Hall, 5th edition.

Baxi C.V. and Prasad Ajit (2005): Corporate Social Responsibility, Excel Books.

Kaur Tripat, Values & Ethics in Management, Galgotia Publications.

Chakraborty, S.K. Human Values for Managers.

Badi, R.V. and Badi, N.V. Business Ethics, Vrinda Publications

References:

www.bite.org.uk