# LL.B. (3 Years Course) Six Semesters (Applicable from academic year 2022-23)

# Ordinance

(General Rules, Examination Regulations and Course of Study with Amendments)

RMPSS University Aligarh U.P. 202001

# General Rules for LL.B. (Three Years) {Six Semesters}Degree Course

(Session 2022-23 onwards)

Whereas, it is necessary to adopt and implement the revised curriculum, and rules formulated by the Bar Council of India, Raja Mahendra Pratap Singh State University, Aligarh hereby adopts LL. B. Three Years (Six Semester) Degree Course of Study and frames the following general rules for the implementation from the academic years 2022-23 onwards.

## i. Eligibility For Admission:

A Candidate will be eligible for admission to LL.B. class if he/ she has completed B.A./ B.Sc./ B.Com. and any other equivalent bachelor degree recognized by UGC/ RMPSS University Aligarh and has secured not less than 45% marks in case of a General candidate, 42% in case of OBC candidate and 40% in case of SC/ST candidate.

### ii. Admission Procedure:

Admission to LL.B. First semester will be made strictly on the basis of the merit list prepared by adding full percentage of marks obtained in qualifying examination and half of the percentage of marks obtained in intermediate or equivalent examination plus weightage, if any, for which the candidate is entitled as per the general rules of the RMPSS University, Aligarh. The merit will be calculated upto two figures after decimal point.

To determine the merit for admissions of such candidates who have secured equal merit points in the aforesaid procedure, the candidate who has secured higher percentage in qualifying examination will get preference in the merit list.

In case at this stage also two or more candidates have equal merit counts than who is senior in age will have the preference in the merit list.

Reservation and weightage shall be as per the RMPSS University Rules.

# iii. Prohibition to Register for two regular courses of Study:

No student shall be allowed to simultaneously register for a law degree programme with any other regular graduate or post graduate degree programme run by the RMPSS University or any other university or any institution of professional learning.

# iv. Age of Admission

Bar Council of India has recommended for maximum age on admission to LL.B. three years course, however these are only recommendatory and not mandatory and more over the RMPSS University Aligarh is an affiliating University for LL.B. three years course, the faculty Board is of the view that maximum age bar is not feasible as now. However, the Vice-Chancellor, RMPSS University Aligarh may take final decision regarding age on admission keeping in view the recommendation provided in Schedule III para 28 of Bar Council Rules of Legal Education after necessary deliberations.

## v. Attendance:



No student of LL.B. programme shall be allowed to take the end semester examination if the student has not attended minimum 75% of the classes held as also the moot court room exercises, tutorials and practicals conducted in the subject taken together.

Provided that if a student for any exceptional reasons failed to attend 75% of the classes held in any subject, the Principal of the College may allow the student after approval from the Vice-Chancellor of the RMPSS University Aligarh, if he/ she has attended at least 65% of the classes held.

## vi. Overriding Effect:

The relevant UGC/ BCI Rules (as amended from time to time) shall be binding on the University.

Rules for promotion, Exemption, Back Paper including Rules for Improvement etc. to be effective from session 2022-233.

#### A. Curriculum and Duration of Studies:

- 1. The three Years degree course in law, namely Bachelor of Laws (LL.B.) shall be divided in Six Semesters.
- 2. The curriculum of studies of the LL.B. Degree shall comprise of the courses set out hereinafter. (Schedule A)
- 3. The course content of each paper of study shall be such as set out hereinafter.(Schedule B)
  Provided that the Board of studies in Law may make such changes in content of the course of study as and when it deems it necessary and report the matter to the Faculty Board of Law for approval.
- 4. The curriculum of study for the LL.B. three years degree course shall be spread over three academic years, and shall be divided into six semesters for the examination purpose called as First, Second, Third, Fourth, Fifth and Sixth Semester. Each academic year shall be divided into two semesters.
- 5. Each semester course shall be conducted in not less than 15 weeks with not less than 30 class hours per week, including tutorials/ written assignments, moot court, seminars, workshops and special lectures provided there shall be at least 24 lecture hours per week as prescribed by the Bar Council of India

## B. Examination:

- 1. In every semester in each paper/ practical, as the case may be, maximum marks shall be 100 while minimum pass marks in each paper be 40% individually and 48% in aggregate i.e. total of all papers excluding marks obtained in practical paper, as the case may be, of that semester together. In practical paper the passing marks will be 50.
- 2. A student shall be examined in twenty two compulsory and four optional theory papers from first to sixth semester carrying 90 marks for each paper through written



- examiners, of which one shall be internal and another shall be external. External and internal examiners are appointed batch wise by the University for each semester. Internal examiners of each practical paper shall conduct examination of the concerned paper for written assignment with the same external examiner in a particular batch.
- 4. Division shall be awarded on the result of examination of all the semesters. Those of successful candidates who obtain 48% and upwards and below 60% of the total marks shall be placed in the SECOND DIVISION and those of the successful candidates who obtained 60% and upwards of the total marks shall be placed in the FIRST DIVISION.
- Grace Marks:-A candidate may be given five (05) marks as grace marks in only
  one individual paper or in aggregate, as the case may be, if these grace marks
  enable him to pass the examination of final semester i.e. VIthsemeater.

#### C. Promotion

- No student shall be promoted to the next semester if he/ she has been detained in the examination for shortage of attendance.
- 2. All the candidates who have had the minimum required percentage of attendance in the First Semester, filled up the examination form and appeared in the First Semester examination will be promoted to Second Semester. The same rule of promotion will be applicable to the examinees of Third Semester to Fourth Semester, and Fifth Semester to Sixth Semester as well.
- 3. A student shall be promoted in Third Semester only after passing minimum seven papers of the First Semester and Second Semester together.
- 4. A student shall be promoted in Fifth Semester only after passing minimum seven papers of the Third Semester and Fourth Semester together. However, under any circumstances, the student will not be promoted to Fifth Semester unless and until he/ she passed his First Semester and Second Semester with 48% of total marks.
- All students who secured 48% marks and passed all the papers of the year will be promoted in the next year. (First and second semester to third semester; third and fourth semester to fifth semester)

#### A. Back Paper

- Students will be allowed to appearonly in maximum three papers in each year (The First Semester & Second Semester, Third Semester & Fourth Semester, and Fifth Semester & Sixth Semester) as back paper in next forthcoming semester examinations.
- 2. The back paper facility to reappear in a year (I.e. odd & even semester examinations) of any three papers only shall be available to a candidate who failed in Maximum three individual papers in semester examination or to candidate who passed in all individual papers but could not reach the aggregate marks (i.e.48%) to pass the semester.
- 3. This back paper facility shall be available to a student only once in a year.

#### B. Ex-Student

- A candidate who has failed in more than three papers or/ failed in reexamination (First & Second Semester, Third & Fourth Semester, and Fifth & Sixth Semester) as per the rules of promotion, he shall be allowed to appear as an ex-student in the concerned semester.
- 2. A candidate is also an ex-student if he have passed all the papers but failed to secure 48% marks of the total marks.
- 3. A candidate who has failed in the examination but is eligible for back paper facility, shall not be allowed to appear in the examination as an ex-student.
- 4. A candidate shall be allowed to appear as ex-student/ back paper for not more than two times in that paper subject to the condition that he will have to clear the LL.B. Course in maximum (6) six years. If he fails to pass the examination during this period, he will be deemed to have abandoned the course and shall not be re-admitted.

### C. Readmission

- 1. There shall be no readmission in the first, third and fifth semesters.
- 2. A student, who has failed in examination or failed to appear in the examinations and who is otherwise eligible to appear in the examination as an ex-student shall not be admitted as a regular student.

## D. Improvement

A candidate who has passed all the semesters with aggregate of 48% marks, is eligible for improvement only in two individual papers, and will be allowed to appear those papers in the respective semester examinations of the next year.

## E. Left out Practical/ failed practical paper

If a candidate drops/ or failed in his/ her practical examination of any semester, he may appear in left out/ or failed practical examination conducted by the university in the same semester/ year on payment of fees fixed by the university.

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# Schedule-I LLB (Three years course) 6 Semester Course

Semester-I

Paper-I - Constitutional Law of India-I

Paper-II - Contract-I

Paper-III - Family Law-I (Hindu Law)

Paper-IV - Law of Torts & Consumer Protection Act

Paper-V -Interpretation of Statutes

Semester-II

Paper-I -Law of Crimes (Indian Penal Code, 1860)

Paper-II -Family Law-II (Muslim Law)

Paper-III - Contract-II

Paper-IV -Transfer of Property Act and Indian Easement Act

Paper-V - Constitutional Law of India-II

Semester-III

Paper-I -Jurisprudence

Paper-II -Public International Law

Paper-III -Law of Evidence

Paper-IV -Code of Criminal Procedure

Paper-V -Alternative Dispute Resolution and Public Interest Litigation

Semester-IV

Paper-I - Administrative Law

Paper-II - Civil Procedure Code

Paper-III -Labour and Industrial Laws
-Criminology and Penology

Paper-IVB -Information Technology and Cyber Crime

Paper-V -Professional Ethics, Accountancy for Lawyers & Bench Bar Relations

Semester-V

Paper-I - Land Laws

Paper-II -Environmental Law

Paper-III -Company Law

Paper-IVA -Taxation

Paper-IVB -Bankruptcy and Insolvency Laws

Paper-V -Drafting and Conveyancing

Semester-VI

Paper-I -Legal Language and Legal writing

Paper-II -Intellectual Property Rights
Paper-IIIA -Gender Studies

Paper-IIIB -Trust, Equity and Fiduciary Relations

Paper-IVA -Right to Information

Paper-IVB -Human Rights: Law & Practice

Paper-V -Moot Court Exercise, Legal Awareness

# Schedule-II LLB (Three years course) 6 Semester Course

## LL. B. Semester –I

# Paper-I (Constitutional Law of India-I)

Unit-I :Basic Features of Constitution of India, Nature of the Constitution of India, and Preamble of India.

Unit-II: Citizenship, Directive Principles of State Policy, Fundamental Duties.

Unit-III: Fundamental Rights: Article 12 to Article 21-A.

Unit-IV: Fundamental Rights: Article 22 to Article 35.

Unit-V: Union Executives: President, Council of Ministers, State Executive: Governor, Council of Ministers, Legislatures: Union Legislature & State Legislature

#### **Recommended Books**

Constitution of India
 Constitution of India
 Constitutional of India
 J.N. Pandey

## Paper-II (Contract-I)

Unit-I: Formation of contract, Meaning and Nature of contract, Proposal: Definition, Communication, Revocation, general/ Specific Offer, Invitation to Offer, Acceptance: Definition, Communication, Revocation, Provisional, Tenders/ Auctions.

Unit-II :Consideration and Capacity, Consideration: Definition, Essentials, Privity of Contract & of Consideration, Exceptions, capacityto enter into a contract; Minor's Position, Nature/ effect of minor's agreement.

Unit-III: Validity, Discharge and Performance of Contract, Free Consent, Factors vitiating free consent: Coercion, Undue Influence, Misrepresentation, Fraud, Mistake, Unlawful consideration and object, effect of void, voidable, valid, illegal, unlawful and uncertain agreements/ contracts, Discharge of contracts.

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- Unit-IV: Performance, Time and Place of performance, Agreement Impossibility/ Frustration of Contract, Anticipatory Breach, Quantum Meruit, Quasi Contract.
- Unit-V: Remedies and Quasi contracts, Remedies: Damages, Kinds, Remoteness etc, Injunction, Specific Performance.

#### Recommended Books

Indian Contract Act, 1872
 Anson's Law of Contract
 Anson-Law of Contract (1998),
 Indian Contract Act
 Law of Contract
 Avtar Singh

 5. Law of Contract
 Aviai Singil

 6. संविदा विधि
 एस०के० कपूर

## Paper III (Family Law-I Hindu Law)

Unit-I: Nature, who is Hindu and Sources& schools of Hindu law, Hindu Marriage Act, 1955: Essentials of Hindu Marriage, Concept of Nullity of marriage, restitution of conjugal rights, Judicial Separation and Dissolution of marriage & its consequences, Maintenance under Hindu Marriage Act, Maintenance pendent lite & permanent alimony.

Unit-II: Adoption: Doctrine of son ship, Meaning of adoption, Essentials of valid adoption, qualification of a valid adoption, & effect of adoption, Maintenance under Hindu Adoption and maintenance Act, 1956: Definition, nature and extent of right of maintenance. Modern Law

Unit-III :Hindu Minority & Guardianship Act, 1956: Introduction, Applicability of the Act, kinds and powers of Guardians. Over riding and pre-existing rules of Hindu Law. Guardian & Wards Act, 1890, Indian Majority Act, 1875.

Unit-IV: Joint Hindu family Origin, Nature of Joint Family and Coparcenary, Characteristic features of Coparcenary, Distinction between Coparcenary and Joint Family, Classification of Property: Joint family Property and Separate property, Karta: position, powers and liabilities, debts.

Unit-V: Partition: Definition, Persons entitled to deemed partition, reopening and reunion, Hindu Succession Act, 1956: Features, Devolution of interest in Coparcenary property including Hindu Succession (Amendment) Act, 2005. List of heirs in Class-I & II of the Schedule, Hindu Women's Right to Property before and after Hindu Succession (Amendment)Act, 2005, Gift and Will.

## **Recommended Books**

- 1. Hindu Marriage Act, 1955
- 2. Hindu Adoption and Maintenance Act, 1956
- 3. Hindu Minority and guardianship Act, 1956
- 4. Hindu Succession Act, 1956
- 5. Modern Hindu Law

6. Hindu Law

ParasDiwan, Dr. Avtar Singh

# Paper-IV (Law of Torts & Consumer Protection Act)

Unit-I: Definition, Nature, Scope of law of Torts; General Principles of Liability and Joint and Several Tort-feasors

Unit-II: Immunities & Incapability; General Defenses; Remoteness of Damages; and Vicarious Liability.

Unit-III: Tort against Persons: Defamation, Assault, Battery and false Imprisonment; Torts Against Property: Trespass, Dispossession, Conversion, Waste, and Detention; Malicious Prosecution and Nuisance.

Unit-IV: Principles of Strict liability and Absolute Liability; Negligence

Unit-V: Consumer Protection Act and Motor Vehicle Act.

## **Recommended Books**

Law of Torts
 Law of Torts
 Salmond&Heuston
 Torts
 Winfield &Jolowitz

## Paper-V (Interpretation of Statutes)

Unit-I:Introduction, Classification of Statutes, General Principles of Interpretation: Literal rule of Interpretation, Mischief Rule, Golden Rule, Harmonious Construction, Noscitiur-a-Sociis and Ejusdem Generis.

Unit-II: Beneficial construction; Strict construction of Penal Statutes, Strict Construction of Taxing Statutes and Statutes in Peri-materia.

Unit-III: Internal and external Aids to interpretation, Conjunctive and Disjunctive Enactments.

Unit-IV: Presumption regarding Jurisdiction, retrospective operation of Statutes, and Commencement, repeal and Revival of Enactments.

Unit-V: Interpretation of Constitution.

## Recommended Books

1.Principles of Statutory InterpretationMaxwell2.Interpretation Of StatutesDr. T. Bhattacharya3.Interpretation of StatutesJustice G.P. Singh4.Interpretation of StatutesR.N. Parsad5.कानूनोंकानिर्वचनडा० टी० भट्टाचार्य

## LL. B. Semester -II

# Paper-I (Law Of Crimes) (Indian Penal Code 1860)

- Unit-I :Definition, Nature, Essential Elements and Stages of Crime; mens rea, actus rea, territorial jurisdiction of IPC; Good faith; Joint Liability-Common Intention and Common Object.
- Unit-II: General Exceptions-Mistake of Fact, Accident, Necessity, Infancy, Insanity, intoxication, Consent and Private Defense.
- Unit-III: Inchoate Offences- Abetment, Criminal Conspiracy, Attempt to Commit an offence; Sedition; Unlawful Assembly; Rioting; Affray; Public Nuisance, Criminal Intimidation.
- Unit-IV: Offences against Human Body-Culpable homicide, Murder, causing Miscarriage, Hurt, Grievous hurt, Wrongful restraint, Wrongful confinement, Criminal force, Assault, Outraging the Modesty of Women, kidnapping, Abduction, Rape, Unnatural offences.
- Unit-V: Offences against Property- Theft. Extortion, Robbery, dacoity, Dishonest misappropriation, Criminal breach of trust, cheating, Mischief, Criminal trespass, Forgery. Adultery: Defamation.

#### **Recommended Books**

1.	Indian Penal Code	S.N. Misra
2.	Textbook on Indian Penal Code	K.D. gaur
3.	Indian Penal Code	Ratanlal&Dhirajlal
4.	Criminal Law	P.S.A. Pillai
5.	Principles of the law of crimes	Shamsul Huda

# Paper-II ( Family Law-II : Muslim Law)

Unit-I: Nature, Application, Schools and Sources of Muslim Law

Unit-II: Marriage, Dower, Guardianship and Legitimacy.

Unit-III: Divorce and Maintenance Unit-IV: Hiba (Gift), Waqf and will.

Unit-V: The Special Marriage Act, 1954

## Recommended Books

1.	Outlines of Mohammadan Law	Fyzee
2.	Muslim Law	Mulla
3.	Muslim Law	Khalid Rasheed
4.	Muslim Law	ParasDewan
5.	Muslim Law	Aqeel Ahmad
6.	Muslim Law	R.K. Shukla

# Paper-III (Contract-II)

- Unit-I :Contract of Indemnity and guarantee: Concept, Definition, Methods, Commencement of liability of the indemnifier, nature of indemnity clauses, Distinction between indemnity and guarantee. Rights and Duties of indemnifier, indemnified and surety; discharge of Surety's liability; kinds of Guarantee.
- Unit-II :Contract of Bailment and Pledge: meaning and definition; Rights and Duties of Bailor&Bailee, Pawnor/ Pawnee; Lien; Termination of bailment.
- Unit-III: Contract of Agency: definition of Agent & Principal; Essentials of relationship of Agency; Creation of Agency: by agreement, ratification and law relation of Principal & Agent, Sub-agent and Substituted agent, termination of agency.
- Unit-IV: Sales of Goods Act, 1930: definition, Essentials of Sale; Agreement to Sell; Duties of Seller and Buyer; sale by sample and description; Conditions and warranties; Caveat Emptor; Transfer of Title, Passing of property in Goods; Delivery of Goods, Rules regarding delivery of Goods; Unpaid Seller and his rights.
- Unit-V: Indian Partnership Act, 1932; Definition of partnership; deference between partnership and Company; Mutual relationship between partners; Kinds of Partner; authority of Partners; Dissolution of partnership; Minor as a Partner.

#### **Recommended Books**

1.	Law of Contract	Anson(1988)
2.	Indian Contract Act, 1872	Bare Act
3.	Indian Contract Act	Pollock and Mulla
4.	Law of Contract	Avtar Singh
5.	Mercantile Law	Avtar Singh
6.	Mercantile Law	R.K. Bangia

# Paper-IV (Transfer of Property Act and Indian Easement Act)

Unit-I: General Definition: Immovable Property, Attested, Notice, Actionable Claim, Instrument, Attached, Registered; transfer of Property including non-transferable properties; Persons Competent to transfer, oral transfer & condition restraining alienation; transfer for benefit of Unborn person & Rule against perpetuity; Direction for accumulation; Vested & Contingent Interest; Conditional transfer: Fulfilment of condition precedent & subsequent.

Unit-II: Doctrine of Acceleration; Doctrine of Election; transfer by ostensible owner (Sections 28, 41 & 43); Restrictive Covenant and Protection of Third persons' rights (Sections 39 & 40); Doctrine of Lis-pendens, fraudulent Transfer & Doctrine of Part Performance.

Unit-III :Sale of Immovable Property: Definition, essential elements, rights and duties of seller and buyer; Rule of Marshalling; Exchange: definition, essential elements, rights & duties of Exchanger; Gift: Definition, essential elements, rights & duties of Doner&Donee, suspension or revocation of Gift, onerous gift, universal Donee.



Mortgage: definition, kinds, rights & duties of mortgagor & mortgagee, right to Unit-IV: redeem, Foreclosure, Appointment of receiver, marshalling& contribution, subrogation; Charge; Lease ; definition, essential elements, right & duties of lesser & lessee, Determination of lease, forfeiture of lease; transfer of actionable claim.

Unit-V: Easement Act: Easement and License

#### Recommended Books

1. The Transfer of Property Act R.K. Sinha G.P. Tripathi 2. The Transfer of Property Act 3. The Transfer of Property Act S.M. Lahiri 4. सम्पत्तिअंतरणअधिनियम डाo जेoएनo कुलश्रेष्ठ

# Paper-V (Constitutional Law of India-II)

Composition of Supreme Court and High Court; Appointment of Judges; Unit-I

jurisdictions; Powers; Judicial Review; and Independence of Judiciary.

Centre-State Relations: Legislative, Administrative and Financial functions; Unit-II

Emergency Provisions: National, Presidential Rule, Financial.

Freedom of Trade, Commerce, and Intercourse; Services under the Union and Unit-III:

States.

Amendment of the Constitution; Tortuous liability of the State; Right to property. Unit-IV:

Constitutional Institutions: Financial Commission; Comptroller and Auditor Unit-V: General; Attorney General of India; Public Service Commission; National

Commission for S.C., S.T. and O.B.C.; Tribunals.

## **Recommended Books**

1. Constitution of India Bare Act 2. Constitution of India V.N. Shukla 3. Constitutional of India J.N. Pandey

## LL. B. Semester –III

# Paper-I (Jurisprudence)

Nature & scope of Jurisprudence; Sources of Law; Kinds of Law; and Comparative Unit-I: Law.

Unit-II: Schools/ Theories of Jurisprudence: Natural, Analytical, Historical, Sociological, and Modern Realism.

State & Sovereignty; Liability; Law of Obligation; and Administration of Justice. Unit-III:

Legal Rights & Duties; Legal Person; Ownership and Possession. Unit-IV:

Unit-V: Judicial Process; Concept of Justice and Recent Trends in Indian Jurisprudence.

#### **Recommended Books**

1. Introduction to Jurisprudence Dr. Avtar Singh

2. Jurisprudence Dias

Jurisprudence Legal Theory
 Studies in Jurisprudence & Legal Theory
 Dr. B.N.M. Tripathi
 Dr. N.P. Paranjape

5. Fundamental of Jurisprudence- The Indian Approach S.N. Dhyani

## Paper-II (Public International Law)

Unit-I : Definition, Nature & Scope of International Law; basis & Relationship of Public

International Law and Natural Law; Sources of International Law; and Treaties.

Unit-II : Recognition of State; State Succession in International Law; State Territories; and

Modes of Acquisition and Loss of Territories.

Unit-III : Nationality, Citizenship & Domicile; Extradition, Asylum & Genocide; and

Intervention.

Unit-IV: Diplomatic Agent; Law of Neutrality; and Settlement of International Disputes.

Unit-V: UNO & other Institutions and Law of War.

#### **Recommended Books**

Public International Law
 Public International Law
 An Introduction to International Law
 International Law
 Openheim

# Paper-III (Law of Evidence)

Unit-I : Definition: Fact, Relevant, Fact in Issue, Evidence, Proved, Disproved, Not proved, May presume, Shall Presume, Conclusive proof; Kinds of Evidence: Oral, Documentary, Hearsay and Circumstantial; Relevancy and Adminissibilty, Resgestae; Section 7-16 of Indian Evidence Act, 1872.

Unit-II: Admission; Confession; Dying Declaration; Relevancy of Judgement; and Opinion of Experts.

Unit-III : Relevancy of Character; Oral evidence must be direct; Proof of document by Primary evidence or by Secondary evidence; Public document.

**Unit-IV**: Burden of proof; Presumptions; Estoppel; Privileged communications; Who may testify; and Accomplice.

Unit-V: Examination of witnesses: Examination in chief, Cross examination, and Reexamination; Leading questions; Indecent and scandalous question; Hostile witness; Impeaching credit of witness; refreshing memory; Improper admission and rejection of evidence.

#### Recommended Books

1. The Law of Evidence Ratanlal&Dheeraj Lal

2. The law of Evidence Batuk Lal

3. Principles of the law of Evidence

4. Law of Evidence

5. Law of Evidence

6. Text on the Law of Evidence

7. Law of evidence

Avtar Singh S.C. Sarkar

Justice P.S.Narayana

J ustice M.Monir

Dr. AbsarKidwai

# Paper-IV (Code of Criminal Procedure)

Unit-I: Definitions: Cognizable & Non-cognizable offences, Bailable & non-bailable

offences, Complaint, FIR, Investigation, Inquiry, Trial, Summons cases, warrant

cases, Charge, compoundable and non-compoundable offences.

Unit-II: Arrest of person; search & Seizure, Rights of Arrested Person; Security for

keeping peace and good behaviour; Maintenance of Wife etc; Urgent case of apprehended danger (section 144); Disputes as to immovable property (Section

145-148)

Unit-III: Information to police and their power to investigate (Section 154-176); Jurisdiction

of Criminal Courts in inquires and trials; Cognizance of offences; Complaints to

Magistrate and Commencement of Proceedings before Magistrates.

Unit-IV: Charge; Joinder; Misjoinder and non-Joinder of Charges; Sessions Trial;

Warrant Trial; Summons Trial and Summary Trial; Plea-bargaining;

Compounding of Offences; Appeals, Reference and Revision.

Unit-V: Provisions as to bail and bonds; Irregular Proceedings; Inherent Powers of High

Courts; Juvenile Justice Act, 2015.

## Recommended Books

The Code of Criminal Procedure
 Lectures on Criminal Procedure
 The Code of Criminal Procedure
 S.N. Mishra

4. The Code of Criminal Procedure Ratan Lal & Dheeraj Lal

5. The Code of Criminal Procedure Batuk Lal

6. Juvenile Justice (care and Protection of Children) Act, 2015 (bare Act)

7. The Code of Criminal Procedure, 1973 (bare Act)

# Paper-V (Alternative Dispute Resolution and Public Interest Litigation)

#### Part-A

- 1. Native, Concept, Scope, Limitations and necessity of alternative Modes of dispute resolution
- 2. Kinds of ADR System- Arbitration, Conciliation, Mediation, Negotiation, Lok-Adalat, family Courts.
- 3. Advantages and Disadvantages of ADR.

#### Part-B

1. Organization, Jurisdiction and types of Lok-Adalat

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- 2. Powers of Lok-Adalat
- 3. Functioning of Lok-Adalat

## Part-C

- 1. Introduction, Origin, development and scope of Public Interest Litigation
- 2. Concept of Locus-Standi
- 3. Merits and demerits of PIL.

#### Note:-The Division of Marks:

- Written test at the time of Practical (Maximum marks 40)
   Practical/ Record File (Maximum Marks 40)
- 3. Viva-Voce (Maximum Marks 20)

# LL. B. Semester -IV

## Paper-I (Administrative Law)

Unit-I : Introduction, Nature, Scope and definition of Administrative Law; DroitAdministra tiff; Separation of Powers; Rule of Law.

Unit-II :Delegated Legislation and its control.

Unit-III :Natural Justice; Administrative discretion and its judicial control; Ombudsman.

Unit-IV: Writs; Article 226 and 227 of the Constitution of India; Tribunals and Corporations.

Unit-V : Suits against Government in Torts and Contract; Power of Administration and Enquiry.

## **Recommended Books**

Administrative Law
 Administrative Law
 Administrative Law
 Administrative Law
 Administrative Law
 I.P. Massey

# Paper-II (Civil Procedure Code)

Unit-I : Preliminary, Definitions; Suits of Civil nature; Principles of Res-judicata & Ressubjudice; Foreign Judgement; Place of Suing.

Unit-II : Parties to suit, frame of Suit, Pleadings: Plaint, Written Statement, Set-off, Counter Claim; Suit by Indigent Persons; and Suits in particular cases.

Unit-III: Summons and Discovery; Issue of Process; Appearance of Parties; Summoning and Attendance of witness and Execution of Decrees.

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Unit- IV: Incidental proceedings: Commission and Letter of request; Supplemental proceedings: Arrest and Attachment before Judgement, Temporary injunction; Interlocutory orders; Receiver; Appeals; Reference; Review; Revision; Restitution; caveat and inherent powers of Court.

Unit-V : Limitation of suits, appeals and applications; Period of Limitation; Continuous running of time.

#### Recommended Books

Code of Civil Procedure, 1908
 Code of Civil Procedure
 Mulla

## Paper-III (Labour and Industrial Laws)

Unit-I: Conditions of labours in the beginning of industrialization; causes for exploitation of labour in early days; emergence of concept of social justice and social security; Role of ILO in promoting the enactment of social security legislation in India.

Unit-II: Workmen's Compensation Act, 1923- Definitions: dependent, workmen, total disablement, partial-disablement; Employer's liability for compensation: Accident arising out and in the course of employment; Notional extension of employer's premises; Liability of employers for occupational diseases; Defenses available to the employer against the claim of compensation.

Unit-III: The Employees Provident Fund and Miscellaneous Provisions Act, 1952: object and application of the Act, Definitions: basic wages, factory, employer; Schemes under the Act; Priority of payment of contribution and protection against attachment; inspector: appointment, powers and functions.

Unit-IV: Industrial Disputes Act, 1947:Definitions: Industry, industrial disputes; Authorities under the Act: Work Committee, Labour Court, Labour Tribunals, Industrial Tribunal; Award and settlement: definition, publication of award, commencement, against whom award is binding, operation of award; Strike and lockout: definition, conditions of a valid strike and lockout, when strike and lockout become illegal, penalty for illegal strike and lockout, Lay off: definition and lay off compensation; Retrenchment: definition, retrenchment compensation, procedure for retrenchment; Power of Government to refer disputes for adjudication.

Unit-V: Trade Union Act, 1926- Definition: trade union and trade dispute; Historical development of trade union; Procedure for registration of trade union; when registration certificate of trade union can be withdrawn or cancelled; Powers and functions of registrar; Privileges and immunities of registered trade union; Funds

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of trade union; kinds and purpose for which it may be spent; and Members & office bearers of the trade union.

#### Recommended Books

1. Labour and Industrial Laws H.L. Kumar

2. Introduction to Labour and Industrial law Aytar Singh and H. Kaur

3. Labour and Industrial Laws S.N. Mishra

4. Industrial Relations and Labour Laws S.C. Srivastava

5. Industrial Relations and Labour Laws B.D. Singh

# Paper-IV A (Criminolgy and Penology)

Unit-I: Introduction, Society and criminology; causation of Crime.

Unit-II :Schools of Criminology and Modern Methods of Investigation.

Unit-III: Child Delinquency, White Collar crimes; Preventive and corrective measures.

Unit-IV: Parole; Probation and Recidivism

Unit-V: Different kinds of crimes, theories and object of punishment and capital punishment.

## **Recommended Books**

 1. New Horizons of Criminology
 Barnes & Teeters

 2. Principles of Criminology
 E.H. Sutherland

 3. Criminology and Penology
 N.V. Pranjape

4. Criminology and Penology AhamadSiddique

# Paper- IVB (Information Technology Act and Cyber Crime)

Unit-I: Introduction, basic concept of technology and law; understanding thetechnology; Scope of Cyber laws; Cyber Jurisprudence.

Unit-II: Understanding Electronic Contracts: The Indian law of Contract, Types of electric contracts.

Unit-III : Copyright in information technology and relation with copyright, patent and trademarks.

Unit-IV : Digital Signature, E-governance, Regulation of Certifying Authority, Duties of Subscribers, Penalties and Adjudication, offences under Information Technology Act, 2000.

Unit-V: Cyber Crimes: Understanding cyber crime; Crime in context of internet, types of crime in internet, Indian Penal Law &Cyber crimes: Fraud, hacking, Mischief, Trespass, Defamation, Stalking, Spam, Issue of Internet Governance, Freedom of Expression in internet, issue of censorship, Sedition, Libel, Subversion, and Privacy issues.

## Recommended Books

1. Cyber Crime

Prof. R.K. Chaubey

M

3. साइबर क्राइम

# अमिताभ ठाकुर

# Paper-V (Professional Ethics, Accountancy for Lawyers & Bench Bar Relations)

#### Part-A

Advocate Act, 1961: Constitution, Functions, Powers and Jurisdiction of State Bar Council and Bar Council of India; Professional Ethics and Advocacy; Duties of an Advocate: towards Court, Client, opponent, Colleagues and Society; Bench-Bar relationship; Professional misconduct and Privileges of Advocates.

### Part-B

Contempt of Court Act, 1971: Object and Constitutional validity of contempt of Court Act. Civil Contempt; and Criminal Contempt; Contempt by Judges, Magistrate, Lawyers and other persons.

#### Part-C

Code of Ethics for Lawyers; Punishment for professional and other misconducts of Advocates; and Punishment for contempt of Courts. Study of at least 10 (Ten) reported cases of contempt of Courts.

Note:-The Division of Marks:

1. Written test at the time of Practical ( Maximum marks 40) (Maximum Marks 40) 2. Practical/Record File (Maximum Marks 20) 3. Viva-Voce

## LL. B. Semester –V

# Paper-I (Land Laws)

Brief History of U.P. Revenue Code, 2006; Aims and Object of the Code; Unit-I: Applicability of the Code and extension to new areas; Definitions; Division of State into revenue areas and its constitution; Board of Revenue, Powers, Jurisdiction and decisions of the Board, District and Division Authorities.

Classes of Tenure Holders; Transfer of Land by different tenure holders; Rights of Unit-II: Tenure holders and consequences of transfer in contravention of provisions of the Code.

Unit-III: Mutation Proceedings on succession and Transfer; Settlement of Boundary disputes and correction of revenue records; Proceedings of Allotment of Land and Declaration of Land; Gram Sabha and BhumiPrabandhakSamiti.

Unit-IV: Surrender and Abandonment; Lease; Ejectment and Scheme of Succession.

Unit-V : Modes of Recovery of Arrears of Land Revenue; Appeal, Reference and Revision; and Penalty.

#### Recommended Books

U.P. Revenue Code, 2006
 Land Laws

3. Land Laws

Bare Act R.R. Maurya

S.P. Singh

## Paper-II (Environmental Law)

Unit-I: Introduction and components of Environment; Pollution & its kinds; International Provisions relating to Environment: Rio Declaration on Environment Development 1992, Stockholm Declaration on Human Environment 1972, UN Declaration on Human Environment 1986, United Nations Convention on Biological Diversity 1992, and Joharenberg

Unit-II: Constitutional provisions relating to Environment & Judicial Activism; Law of Tort & Environment; and Criminal Law & Environment.

Unit-III: Environment Protection Act, 1986; Hazardous Waste (managing and Handling) Rules 1989; and Disaster Management Act 2005.

Unit-IV: Water (Prevention and Control of Pollution) Act, 1974; Air (Prevention and Control) Act, 1981 and Noise (Regulation and Control) Rules, 2000.

Unit-V: Wild Life Protection Act, 1972 and Forest Conservation Act, 1980.

### **Recommended Books**

Environment Law in India
 The Environment (Protection) Act, 1986
 Environment Law & Policy in India
 Environ Protection Law & Policy in India
 K. Thakur

5. Environmental Law P.S. Jaswal

# Paper-III (Company Law)

Unit-I : Meaning, Nature and Kinds of Company; Formation, Promotion and Incorporation of Company.

Unit-II : Memorandum of Association; Articles of Association and Prospectus of Company.

Unit-III: Share capital; Debenture; Allotment; transfer and Forfeiture of Shares, Member of Company.

Unit-IV: Management and Control of Company; Directors and Auditors.

Unit-V: Winding up of company; Liquidator; National Company Law Tribunal, Appellate Tribunal, and Social Courts.

#### **Recommended Books**

Company Law

Bare Act

2. Company Law

Dr. Avtar Singh

## Paper-IV(A) (Taxation)

Unit-I: Definitions; Previous Year; Income which do not form part of total income.

Unit-II : Various heads of Income and Liability in special Cases.

Unit-III: Set off or carry forward of losses; Deduction to be made in Computing total income; Rebates and Reliefs.

Unit-IV: Income Tax Authorities, Return of income, Regular Assessment, Best Judgment, income escaping assessment.

Unit-V: Appeals, Revision and references, Penalties, Impossible offers and Prosecutions.

#### Recommended Books

1. Law of Taxation

2. Law of Taxation

3. Service Tax

4. Income Tax

KailashRai Taxaman

Taxaman

N.A. Palkiwalah

# Paper IVB (Bankruptcy and Insolvency Laws)

Unit-I : Origin and History of Bankruptcy Law; The Insolvency and Bankruptcy Code, 2016object and applicability of the Act; and definitions.

Unit-II: Insolvency resolution and liquidation for corporate Persons; Application and definitions, corporate Insolvency resolution process, Liquidation Process, Fast Track Corporate Insolvency resolution Process.

Unit-III: Voluntary liquidation of corporate persons, adjudicating authority for corporate persons, offences and penalties; Insolvency Resolution and Bankruptcy for Individuals and Partnership firms; Application and definitions, fresh start Process; and Insolvency resolution Process, Bankruptcy order for Individuals and Partnership firms.

Unit-IV: Administration and distribution of the estate of the Bankrupt; adjudicating authorities for individuals and partnership firms; and Offences and Penalties

Unit-V: Regulation of Insolvency Professionals Agencies and Information Utilities; the insolvency and Bankruptcy Board of India; Powers and functions of the Board; Insolvency Professionals Agencies, Insolvency Professionals Information Utilities; Inspector; and Investigation, Finance, Accounts and Audit.

## **Recommended Books**

1. The Law of Insolvency in India

2. Williams on Bankruptcy

3. Commentary on the Insolvency and Bankruptcy Code, 2016

4. Law Insolvency and Bankruptcy

5. Law Relating to the Insolvency and Bankruptcy Code, 2016

Mulla

PranavKhatavkar Dr. S.R. Myneni

VinodKathari and SikhaBansal

# Paper-V (Drafting, Pleading and Conveyancing)

## Part-A

- 1. Pleading:- Meaning, importance and objects; Fundamental rules of pleadings and Amendment of Pleadings.
- 2. Plaint:- Essentials of Plaint, Presentation and Rejection
- 3. Written Statement:- Essentials of written statement and consequences of non-filing of a written statement.

## Part-B

- 1. Drafting:- General Principles of drafting and relevant substantive rules.
- 2. Civil:- Plaint; Written Statement; Affidavit; and Petitions under Article 32 and 226 of the Constitution of India.
- 3. Criminal:- Complaints; FIR; Bail Application and Framing of Charge.

## Part-C

Conveyancing: Sale Deed; Mortgage Deed; Lease deed; Gift Deed; Will Deed; and Power Attorney.

Note:- The Division of Marks should be-

(Maximum Marks-40) Written Test at the time of Practical (Maximum marks-40) Practical File iii.

(Maximum Marks-20) Vivo Vice iv.

## LL. B. Semester -VI

# Paper-I (Legal Language and Legal Writing)

Translation of two Passages (one from Hindi to English and another from English to Unit-I: Hindi), with choice.

Meaning of Legal words, terms & phrases from English to Hindi & vice versaand Unit-II: their use. Antonyms and Synonyms.

An essay on a topic of legal interest in Hindi or English. Unit-III:

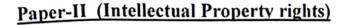
Latin, Greek and Modern European words, Maxims, & Phrases; one word Unit-IV: substitution.

Legal writing in Hindi/ English, i.e. Drafting, Pleadings & Conveyancing. Unit-V:

**Recommended Books** 

1. Legal Language, Legal Writing & General English Prof. H.D. Pithawalla Dr. Anirudh Prasad 2. Outline of Legal Language in India

प्रोo रतन लाल जैन 3. विधिक भाषा



Unit-I: Introduction and need of Intellectual Property Right (IPR)- kinds of Intellectual Property Rights: Patent, Copyright, Trade Mark, Design, Geographical Indication, Plant Varieties and Layout design; Genetic resources and Traditional Knowledge-trade Secret IPR in India, Major International Instrument concerning IPRs: Paris Convention, 1883; The Berne Convention, 1886; the Universal Copyright Convention, 1952, The WIPO Convention, 1967 The Patent Co-operation treaty, 1970 and The TRIPS Agreement, 994.

Unit-II: Patents: Elements of patentability, Novelty, Non Obviousness (Inventive steps), Industrial Application, Non-Patentable Subject Matter, Registration, Procedure, Rights and duties of Patentee, Assignment and license, Restoration of Lapsed Patent, Surrender and Renovation of Patents, Infringement, remedies, penalties, and Patent Office and Appellate Board.

Unit-III: Nature of Copyright, subject matter of copyright, original literary, dramatic, musical, artistic works; cinematograph films and sound recordings; Registration procedure, term of protection, Ownership of copyright, Assignment and license of copyright; Infringement, remedies & penalties; Related rights and distinction between related rights and copyrights.

Unit-IV: Concept of Trademarks; different kinds of marks (Brand names, logos, signatures, symbols, well known marks, certification marks and service marks); Non Registrable Trademarks; registration of Trademarks; Rights of holder and assignment and licensing of marks; infringement, Remedies & penalties; trademarks registry and appellate board.

Unit-V: Meaning and concept of Design; kinds of design; procedure for registration; effect of registration; term of protection. Geographical Indication- meaning and concept of Geographical Indication (GI); difference between GI and Trademarks; Procedure for registration, effect of registration and term of Protection.Plant Variety Protection- its meaning and concept, benefit sharing and farmers' rights; Procedure for registration, effect of registration and term of Protection.Layout Design-its meaning and concept; Procedure for registration, effect of registration and term of Protection.

## **Recommended Books**

1. Law related Intellectual Property Rights

Prof. J.P. Mishra Bare Act

2. Intellectual Property Rights

## Paper-III A (Gender Studies)

M

Unit-I : Nature and scope of gender studies; Historical perspective of gender studies; gender; development approaches and strategies.

Unit-II: Concept of Feminism; Introduction with Historical overview of Feminist movement in India & abroad; Gender Display and Education in India.

Unit-III: a. Gender& society; social construction of faminity, masculinity; women studies. b. International Efforts on gender based violence (brief discussion); (i) Universal declaration of Human Rights brief reference to International Covenants on civil and political rights, 1966; (ii) Economic, Social and Cultural rights, 1966; (iii) Declaration on elimination of discrimination against women, 1967; (iv) Convention on the elimination of all form of discrimination against women, 1979; (v) World Conferences with special focus on- the First world conference on status of women, Mexico, 1975, the third world conference on women, Nairobi 1985; the fourth world conference on women, Beijing 1995 and world conference on Human Rights, 1993.

Unit-IV: Gender based violence in family, community, workplace etc; State Cultural Practices violating women's rights and factors responsible for violence.

Unit-V: Constitutional Provisions & Gender Justice- Fundamental Rights & Duties, Directive Principles of State Policy; Role of Statutory bodies & Institutions; and Judicial Activism on Gender Justice with landmark cases.

#### Recommended Books

1.	Gender Justice: Women and Law in India	Monika Chawla
2.	Women and Law	Raj Kumar (ed.)
3.	Law relating to Women and children	MamtaRao
4.	Women and Criminal Law	Dr. S.C. Tripathi
5.	Gender Justice under Indian Criminal Justice	Prof. G.R. Nair

# Paper-III B (Trust, Equity and Fiduciary Relations)

Unit-I: Concept, Description, History and Definition of Equity.

Unit-II: Classification of Equity Jurisdiction

Unit-III: Classification of equitable rights, election, mistake, fraud, misrepresentation, and undue influence.

Unit-IV: Concept and definition of Trust, kinds of Trust and Formation & extinction of Trust.

Unit-V: Appointment, removal, rights, duties, powers and liabilities of Trustee; Rights, duties, powers and liabilities of Beneficiaries.

#### Recommended Books

1.Principles of EquityG.P. Singh2.Equity, Trust and Fiduciary RelationsAquil Ahmed3.Equity, Trust and MortgageJ.J.R. Upadhayay4.सम्या, न्यास औरप्रत्ययी संबंधजी०पी० सिंह

# Paper- IV A (Right to Information)

M

Unit-I : A general background, origin and development of Right to Information (RTI);
Judicial aspect of RTI; Concept of freedom and legal rights.

Unit-II: RTI Act, 2005: salient features; preliminary; RTI and public authorities; Central Information Commission; State Information Commission; Powers and functions of Information Commission; Appeals and Penalties; and Miscellaneous Provisions.

Unit-III: RTI and Judicial Activism: RTI and High Courts, RTI and Supreme Court, RTI V/s Judiciary and RTI V/s Administration.

Unit-IV: Emerging Trends: Media and RTI; Interconnections of Art. 14, 19(1)a, and 21 of Indian Constitution; Stretching RTI to unreasonable limits; and RTI- a right without duty.

Unit-V: RTI and Other Laws: RTI and Human Rights, RTI in other countries-UK, USA; Media access to Official Information; Factors restricting free flow of information; and RTI and Right to Privacy.

#### Recommended Books

Handbook on RTI, 2005
 Taxamann's RTI: Law & Practice
 Handbook on RTI Act
 RTI Law in India
 Dr. Niraj Kumar
 Dr. R.K. Verma
 P.K. Das
 N.V. Paranjape

# Paper-IV B (Human Rights: Law & Practice)

Unit-I : Meaning, concept, origin, development of Human Rights; UN Charter & Universal Declaration of Human Rights and International Humanitarian Laws.

Unit-II: International Covenants of Human Rights: Civil & Political rights and Economic, social & cultural rights.; International Covenants on Inhuman Acts- Torture, salve, forced labour, genocide, apartheids; Human trafficking, prostitution, discrimination.

Unit-III: Human Rights and challenges of Globalization; Vulnerable groups and Human Rights: Women, children, refugees, migrant-workers, older & disable persons and indigenous people.

Unit-IV: Human Rights and Indian Constitution; The Protection of Human Rights Act, 1993-National Human Rights Commission and State Human Rights Commission; and Role of Non-Governmental Organizations in the Promotion and protection of Human Rights.

Unit-V: Programmes and Policies: Welfare Schemes; school and education integrated child development Schemes; Rural Health & employment; Promotion and Respect of Human Rights- Role of educational institutions, civil society, media, NGO's and obstacles; and International conventions & conferences on Human Rights.

Recommended Books

1. The United Nations & The Human Rights

2. Human Rights

P.N. Chaturvedi

D.D. Basu

## Paper-V (Moot Court Exercise, Legal Awareness)

This paper may have three components of maximum 30 marks each and a viva for maximum 10 marks.

- a. Every student may be required to do at least two moot courts in a session with 15 maximum marks for each. The moot court work will be on assigned problem and it will be evaluated for maximum 10 marks and maximum 5 marks for oral advocacy. (Maximum 30 Marks)
- b. Observation of trial in two cases, one civil and one criminal: students may be required to attend two trials in the course of the last two years of their law studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court. The evaluation may be based on their attendance and the record. (Maximum 30 marks)
- c. During last year of their legal studies, each student will observe at least two interviewing sessions of client at the Lawyer's office/ legal aid office and record the proceedings in a diary, which will carry maximum 15 marks. And also each student will further observe the preparation of documents and the court paper by the advocate and the procedure for the filling of suit/ petition. This will also be recorded in the aforesaid diary and carry maximum 15 marks, (Maximum 30 Marks)
- d. Viva-voce examination on all the above three aspects and carry maximum 10 marks.

Note:- छात्र सेमिस्टर IV में पेपर IVA (Criminology and Penolog) एवं पेपर IVB (Information Technology and cybercrime) में से एक ; सेमिस्टर V में पेपर IVA (Taxation) एवं पेपर IVB (Bankrupcy and Insolvency Laws) में से एक ; सेमिस्टर VI में पेपर IIIA (Gender Studies) एवं पेपर IIIB (Trust, Equity and Fiduciary Relations) में से एक और इसी प्रकार सेमिस्टर VI में पेपर IVA (Right to Information) एवं पेपर IVB (Human Rights: Law & Practice) में से एक ही विषय चुन पाएंगे.