

## **APPENDIX-I**

**(Revised)**

### **COURSE AND EXAMINATION SCHEME WITH CHOICE BASED CREDIT SYSTEM (CBCS) LL.B.(3 YEARS) COURSE**

Note:- The following terminology and abbreviations are used for the course and the examination scheme of the LL.B. Three Year Course under CBCS System

**USC:**

**Unique Subject Code**

It consists of seven digits. The first digit indicates the programme (UG/PG), second digit faculty (L-Law), third digit indicates the programme under the faculty and in the present case 3 is suggested to indicate Three Year LL.B. Programme. The fourth digit indicates semester. The fifth one is for code of area of subject (F- Foundation, C-Core & E-Elective). The sixth digit indicates group or non-group subject (0 for Non group) & seventh digit indicates serial No. of the subject.

**ESE:**

**External Semester Examination**

**IA:**

**Internal Assessment**

**P:**

**Proficiency Level**

Proficiency Level is to be judged by a committee of three faculty members of the same institution after completion of 45 days from the date of the commencement of the semester. The candidate can be evaluated on any of the following areas of proficiency: 1. Subject Seminars 2. Case Review and Comments 3. Use of online legal resources and software proficiency 4. Conference Papers 5. Paper Presentations 6. Project / Field work, etc. The evaluation process will be decided by the concerned subject teachers.

**GONDWANA UNIVERSITY,GADCHIROLI**  
**BACHELOR OF LAW**  
**( THREE YEARS UG COURSE IN FACULTY OF LAW)**  
**COURSE AND EXAMINATION SCHEME WITH CHOICE BASED CREDIT SYSTEM (CBCS)**  
**SEMESTER-I**

Area	Unique Subject Code(USC)	Subject	Examination Scheme								Credit per Course	Duration of Uni. Examinati
			Maximum Marks				Minimum Marks					
			ESE	IA	P, IA	Total	ESE	IA	P, IA	Total		
AECC (foundation Course)	<b>UL31F01</b>	Legal Language	40	10		50	23		23	2	2hr	
	<b>UL31F02</b>	Legal Method & Judicial Process	40	10		50	23		23	2	2hr	
Core (Core Course)	<b>UL31C03</b>	Constitutional Law-I	80	20	50	150	45	23	68	6	3hr	
	<b>UL31C04</b>	Law of Contract-I	80	20	50	150	45	23	68	6	3hr	
	<b>UL31C05</b>	Law of Torts	80	20	50	150	45	23	68	6	3hr	
	<b>UL31C06</b>	Family Law-I(Hindu Law)	80	20	50	150	45	23	68	6	3hr	
<b>SEMESTER TOTAL</b>			<b>400</b>	<b>100</b>	<b>200</b>	<b>700</b>			<b>318</b>	<b>28</b>	<b>3hr</b>	

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**COURSE AND EXAMINATION SCHEME WITH CHOICE BASED CREDIT SYSTEM (CBCS)**  
**SEMESTER-II**

Area	Unique Subject Code(USC)	Subject	Examination Scheme								Credit per Course	Duration of Uni. Examinati
			Maximum Marks				Minimum Marks					
			ESE	IA	P, IA	Total	ESE	IA	P, IA	Total		
AECC (foundation Course)	<b>UL32F01</b>	Consumer Protection Act	40	10		50	23		2	2	2hr	
	<b>UL32F02</b>	Right to Information Act	40	10		50	23		23	2	2hr	
Core (Core Course)	<b>UL32C03</b>	Constitutional Law-II	80	20	50	150	45	23	68	6	3hr	
	<b>UL32C04</b>	Law of Contract-II	80	20	50	150	45	23	68	6	3hr	
	<b>UL32C05</b>	Law of Crimes	80	20	50	150	45	23	68	6	3hr	
	<b>UL32C06</b>	Family Law-II(Muslim Law)	80	20	50	150	45	23	68	6	3hr	
<b>SEMESTER TOTAL</b>			<b>400</b>	<b>100</b>	<b>200</b>	<b>700</b>			<b>318</b>	<b>28</b>	<b>3hr</b>	

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**COURSE AND EXAMINATION SCHEME WITH CHOICE BASED CREDIT SYSTEM (CBCS)**  
**SEMESTER-III**

Area	Unique Subject Code(USC)	Subject	Examination Scheme								Credit per Course	Duration of Uni. Examinati
			Maximum Marks				Minimum Marks					
			ESE	IA	P, IA	Total	ESE	IA	P, IA	Total		
SEC (foundation Course)	<b>UL33F01</b>	Computer Theory	40	10		50	23		23	2	2hr	
	<b>UL33F02</b>	Computer Practical			50	50		23	23	2		
Core (Core Course)	<b>UL33C03</b>	Jurisprudence	80	20	50	150	45	23	68	6	3hr	
	<b>UL33C04</b>	Labour Law-I	80	20	50	150	45	23	68	6	3hr	
	<b>UL33C05</b>	Public International Law	80	20	50	150	45	23	68	6	3hr	
	<b>UL33C06</b>	Transfer of Property	80	20	50	150	45	23	68	6	3hr	
<b>SEMESTER TOTAL</b>			<b>400</b>	<b>100</b>	<b>200</b>	<b>700</b>			<b>318</b>	<b>28</b>	<b>3hr</b>	

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**COURSE AND EXAMINATION SCHEME WITH CHOICE BASED CREDIT SYSTEM (CBCS)**  
**SEMESTER-IV**

Area	Unique Subject Code(USC)	Subject	Examination Scheme								Credit per Course	Duration of Uni. Examinati
			Maximum Marks				Minimum Marks					
			ESE	IA	P, IA	Total	ESE	IA	P, IA	Total		
SEC (foundation Course)	<b>UL34F01</b>	Moot Court			50	50			23	23	2	
	<b>UL34F02</b>	Interenship			50	50			23	23	2	
Core (Core Course)	<b>UL34C03</b>	Administrative Law	80	20	50	150	45	23	68	6	3hr	
	<b>UL34C04</b>	Labour Law-II	80	20	50	150	45	23	68	6	3hr	
	<b>UL34C05</b>	Company Law	80	20	50	150	45	23	68	6	3hr	
DSE (Disciline Specific Elective Course) ANY ONE	<b>UL34E06</b>	Land Law	80	20	50	150	45	23	68	6	3hr	
	<b>UL34E07</b>	Banking Law	80	20	50	150	45	23	68	6	3hr	
	<b>UL34E08</b>	Insurance Law	80	20	50	150	45	23	68	6	3hr	
<b>SEMESTER TOTAL</b>			<b>400</b>	<b>100</b>	<b>200</b>	<b>700</b>			<b>318</b>	<b>28</b>		

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**COURSE AND EXAMINATION SCHEME WITH CHOICE BASED CREDIT SYSTEM (CBCS)**  
**SEMESTER-V**

Area	Unique Subject Code(USC)	Subject	Examination Scheme								Credit per Course	Duration of Uni. Examinati
			Maximum Marks				Minimum Marks					
			ESE	IA	P, IA	Total	ESE	IA	P, IA	Total		
SEC (foundation Course)	<b>UL35F01</b>	Alternative Dispute Resolution (ADR)			50	50			23	23	2	
	<b>UL35F02</b>	Professional Ethics			50	50			23	23	2	
Core (Core Course)	<b>UL35C03</b>	Civil Procedure Code & Limitation Act	80	20	50	150	45	23	68	6	3hr	
	<b>UL35C04</b>	Law of Criminal Procedure	80	20	50	150	45	23	68	6	3hr	
	<b>UL35C05</b>	Law of Evidence	80	20	50	150	45	23	68	6	3hr	
DSE (Discipline Specific Elective Course) ANY ONE	<b>UL35E06</b>	Cyber Law	80	20	50	150	45	23	68	6	3hr	
	<b>UL35E07</b>	Penology ,Probation of Offenders Act & Juvenile Justice Act	80	20	50	150	45	23	68	6	3hr	
	<b>UL35E08</b>	Tribal Law	80	20	50	150	45	23	68	6	3hr	
<b>SEMESTER TOTAL</b>			<b>400</b>	<b>100</b>	<b>200</b>	<b>700</b>			<b>318</b>	<b>28</b>		

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**COURSE AND EXAMINATION SCHEME WITH CHOICE BASED CREDIT SYSTEM (CBCS)**  
**SEMESTER-VI**

Area	Unique Subject Code(USC)	Subject	Examination Scheme								Credit per Course	Duration of Uni. Examinati
			Maximum Marks				Minimum Marks					
			ESE	IA	P, IA	Total	ESE	IA	P, IA	Total		
SEC (foundation Course)	<b>UL36F01</b>	Drafting & Pleading			50	50		23	<b>23</b>	2		
	<b>UL36F02</b>	Conveyancing			50	50		23	<b>23</b>	2		
Core (Core Course)	<b>UL36C03</b>	Environmental Law	80	20	50	150	45	23	<b>68</b>	6	3hr	
	<b>UL36C04</b>	Interpretation of Status	80	20	50	150	45	23	<b>68</b>	6	3hr	
	<b>UL36C05</b>	Intellectual Property Law	80	20	50	150	45	23	<b>68</b>	6	3hr	
DSE (Discipline Specific Elective Course) <b>ANY ONE</b>	<b>UL36E06</b>	Law of Taxation	80	20	50	150	45	23	<b>68</b>	6	3hr	
	<b>UL36E07</b>	Human Rights	80	20	50	150	45	23	<b>68</b>	6	3hr	
	<b>UL36E08</b>	Women & Law	80	20	50	150	45	23	<b>68</b>	6	3hr	
<b>SEMESTER TOTAL</b>			<b>400</b>	<b>100</b>	<b>200</b>	<b>700</b>				<b>318</b>	<b>28</b>	

Syllabus for LLB. Sem. V &  
Sem.VI(3 Year Course)  
[CBCS course]





**LL.B. Fifth Semester (3yrs)**

**Unique Subject Code:- ULC35F01**

**Alternate dispute resolution (ADR)**

***Course Objectives:-***

- The course includes a detailed examination of the theory and practice of ADR methods in the context of an adversarial legal system, to develop an understanding of the operation and implications of various ADR theories and practices and to assess their value.
- It evaluates the experience in India and other common law countries of the development and incorporation of ADR options in dispute resolution, in civil, administrative, family and criminal contexts
- The course explores the application of ADR processes in the National and International environment,

***Learning Outcomes:-***

On successful completion of this course, students will be able to:

- Capacity to identify and analyze the complex drivers of dispute behavior in the community,
- Development of basic mediation skills, including communication, analysis, and issue identification
- Capacity to engage in simple dispute resolution systems design
- Ability to adaptively apply ADR theory in varied practical contexts, including international, industrial, and socio political
- understanding of the ethical and legal ethical issues surrounding Dispute Resolution models and practice.

***Course Contents:-***

- A) Record on Topics from Unit I to III – 15 Marks  
( Marks to be awarded by the Internal evaluation Committee)
- B) Diary on Lok Adalat, Family Court, Tribunals & other ADR Proceedings 15 Marks  
( Marks to be awarded by the Internal evaluation Committee)
- C) Viva –Voce 20 Marks  
( Marks to be awarded by the Internal evaluation Committee)

Note :-Student shall get atleast 45% of the marks in each of the above components.

## **Unit-I:**

- Alternate Dispute Resolution
- Characteristics
- Advantages and Disadvantages
- Unilateral, Bilateral, Triadic (Third Party) Intervention
- Techniques and processes -Negotiation -Conciliation -Arbitration
- Distinction between Arbitration, Conciliation and Negotiation.

## **Unit-II:** The Arbitration and Conciliation Act, 1996

- Historical Background and Objectives of the Act
- Definitions of Arbitration, Arbitrator, Arbitration Agreement
- Appointment of Arbitrator
- Termination of Arbitrator –
- Proceedings in Arbitral Tribunal
- Termination of Proceedings
- Arbitral Award --Setting aside of Arbitral Award
- Finality and Enforcement of Award
- Appeals
- Enforcement of Foreign Awards.
- Conciliation
- Appointment of Conciliators
- Powers and Functions of Conciliator
- Procedure
- Settlement of disputes through conciliation.

## **Unit-III:** Other Alternative Dispute Resolution Systems

- Tribunals
- Lokpal and Lokayukta
- Lok Adalats
- Family Courts. Section 89 and Order X, Rules 1A, 1B and 1C of Civil Procedure Code.

## **Suggested Readings:**

- 1.O.P. Tiwari : The Arbitration and Conciliation Act(2nd Edition): Allahabad Law Agency.
- 2.Johar's : Commentary on Arbitration and Conciliation Act, 1996: Kamal Law House.
- 3.Acharya N.K.: Law relating to Arbitration and ADR, Asia Law House,Hyderabad
- 4.Tripathi S.C.: Arbitration, Conciliation and ADR, Central Law Agency, Allahabad.
- 5.Avatar Singh: Arbitration and Conciliation, Eastern Law Book House, Lucknow.
- 6.KSR Murthy: An introduction to ADR Mechanism, Gogia Law Agency, Hyderabad
- 7.P.C. Rao : Alternate Dispute Resolution, 2001 Edition, Universal Book Traders, New Delhi.

## **LL.B. Fifth Semester (3yrs)**

**Unique Subject Code:- ULC35F02**

### **Professional Ethics**

#### ***Course Objectives:-***

This Clinical courses are structured, mindful of overarching learning objectives for both the classroom and practical component. Each clinic is focused substantively upon a different area of the law. The goals and objectives include:

- Developing Lawyering Skills
- Cultivating Professional Identity
- Fostering Professional Ethics
- Gaining Insight into the Law and Legal System
- Promoting Cultural Competency
- Encouraging Lifelong Learning and Professional Reflection

#### ***Learning Outcomes:-***

On successful completion of this course, students will be able to:

- be able to spot ethical problems in everyday legal situations;
- be able to formulate, articulate, and defend solutions to those problems;
- develop their critical and abstract reasoning skills; and
- develop their skills in argument.

#### **The mode of Assessment is as follows:-**

- A. Record on Topics from Unit I to III –15 Marks  
( Marks to be awarded by the Internal evaluation Committee)
- B. Report on opinions of Disciplinary committee of Bar Council of India & judgments of the Supreme Court -15 Marks  
( Marks to be awarded by the Internal evaluation Committee)
- C. Viva –Voce -20 Marks  
( Marks to be awarded by the Internal evaluation Committee)

Note :-Student shall get atleast 45% of the marks in each of the above components.

## ***Course Contents:***

### **SECTION –A UNIT-I**

- The legal profession and its responsibilities;
- The equipment of the lawyer;
- Conduct in court;
- Professional conduct in general;
- Privileges of a lawyer;

### **UNIT-II**

- Seven lamps of advocacy
- Advocates duties towards public, clients, court, and other advocates and legal aid
- Bar Council Code of Ethics.
- Accountancy for lawyers
- Need for maintenance of accounts
- Books of accounts that need to be maintained
- Cash Book, journal and ledger
- Elementary aspects of bookkeeping: Meaning, object, journal, double entry system, closing of accounts
- The cash and bulk transaction
- The Cash book
- Journal proper especially with reference to client\_s accounts
- Ledger, Trial balance and final accounts

### **UNIT-III**

- Disciplinary proceedings
- Professional misconduct
- Disqualifications
- Functions of Bar Council of India/State Bar Councils in dealing with the disciplinary proceedings
- Disciplinary Committees -Powers and functions -Disqualification and removal from rolls.
- Contempt of Court Act, 1972

## **SECTION –B**

### **Selected major judgments of the Supreme Court:**

1. In the matter of D, An Advocate, AIR 1956 SC 102.
2. P.J.Ratnam v. D.Kanikaram, AIR 1964 SC 244.
3. N.B.Mirza v. The disciplinary committee of Bar Council of Maharashtra and Another, AIR 1972 SC 46.
4. Bar Council Of Maharashtra v. M.V.Dabholkar, etc., AIR 1976 SC
5. Any other recent judgments of Supreme Court selected and given by concerned teacher

### **Selected opinions of the Bar council of India**

1. DC Appeal No. 16/93 1998 (Vol.1) IBR 135
2. BCI Tr. Case No.40/91 1998 (Vol.1) IBR 139
3. DC Appeal No. 8/94 1998 (Vol. 1) IBR 153
4. DC Appeal No. 20/94 1997 (Vol. 3 &4) IBR 193
5. BCI Tr. Case No. 76/95 1997 (Vol. 3 &4) IBR 201
6. DC Appeal No.43/96 1997 (Vol. 3 &4) IBR 207
7. Any other recent opinion/decision of Disciplinary committee of BCI, selected and given by concerned teacher

### **Prescribed Books:**

- 1) K.V.Krishnaswamy Iyer-Professional Conduct and Advocacy.
- 2) B.S.Raman-Accountancy.
- 3) N. R. Madhava Menon-Clinical Legal Education

- 4) Dr. B. Malik-Art of Lawyer (New Delhi, Universal Book Agency, 1999) –Relevant articles
- 5) Contempt of Court Act, 1971
- 6) Myneni S.R.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, AsiaLaw House, Hyderabad
- 7) Kailash Rai: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Allahabad Law Agency.
- 8) Siroh: Professional Ethics, Central Law Publications, Allahabad.
- 9) Ramachandra Jha: Selected Judgements on Professional Ethics published by Bar Council of India Trust, 2002.
- 10) Dr. G.B. Reddy: Practical Advocacy of Law, 2nd Ed. 2005. Gogia Law Agency. Hyderabad

## **LL.B. Fifth Semester (3yrs)**

### **Unique Subject Code:- ULC35C03**

### **Civil Procedure Code & Limitation Act**

#### ***Course Objectives:-***

Civil Procedure Code is subject of daily use by the courts and lawyers. Students cannot afford to have scant knowledge of civil procedure when he goes out to practice as a lawyer. Hence Course is designed with following objectives-

- The course intends to understand the legislative measures in procedural.
- The course also helps in understanding the procedures to be followed by the civil courts from the institution of suits till the final disposal.
- The course tries to understand the computation of limitation period for the institution of suit, appeal and applications along with exclusion.

#### ***Learning Outcomes:-***

On successful completion of this course, students will be able to: demonstrate a sound understanding and knowledge of the progress of civil litigation from initial considerations through trial to appeals. In particular, students should be able to demonstrate a sound understanding and knowledge of the following specific topics:

- Allocation of business between the High Court and County Courts, the overriding objective of the Civil Procedure Rules and the duty of the court to manage cases
- Limitation, pre-action conduct, and commencing proceedings
- Parties and statements of case
- Multiple causes of action, counterclaims and other additional claims• Amendment and further information•
- Default judgment and summary judgment
- Case management, sanctions and striking out
- Disclosure and inspection of documents
- Interim applications, interim payments, security for costs and interim injunctions
- Offers to Settle
- Evidence of fact and expert evidence
- Civil Trial and Evidence
- Judgments, Orders, Enforcement, Costs and Appeals

## ***Course Contents:-***

### **UNIT – I**

- Introduction Definitions
- Jurisdiction of Civil Court
- Place of Suing
- Institution of Suits
- Presentation of Complaint
- Parties to the suit
- principles of res subjudice and res judicata.

### **UNIT – II**

- Pleadings & Trial Complaint
- Written Statement
- Service of Summons
- Appearance and Non-Appearance of Parties
- Discovery, Inspection and Production of Documents
- Admission
- Production, Impounding and Returning of Documents
- transfer of suits-decree and judgment
- Remand – Restitution
- Appeals: first appeal, second appeal,
- appeals from orders and appeals to Supreme Court
- Reference – Review - Revision

### **UNIT – III**

- Suits in particular cases Suits by and against government and public officer
- Suits by indigent person
- suits by or against minors and lunatics,
- aliens and foreign rulers, soldiers, corporation, Firms, trustees, executors and administrators
- suits relating to family matters, mortgages, public nuisance and public charities
- interpleader suits
- summary procedure.

### **UNIT – IV**

- Execution General principles,
- courts by which decree may be executed,
- payment under decree,



- application for execution,
- mode of execution,
- stay of execution,
- questions to be determined by executing court,
- arrest and detention,
- attachment of property sale and delivery of property, distribution of assets.

#### **UNIT – V**

- Limitation Act Definitions
- Limitation of Suits
- Appeals
- Computation of Period of Limitation
- Acquisition of ownership by possession.

#### **Suggested Readings:-**

1. Mulla, Code of Civil Procedure Code (1999) Universal, Delhi.
2. C.K. Thakkar, Code of Civil Procedure Code (2000) Universal, Delhi.
3. M.R. Mallik (ed) B.B. Mitra, On Limitation Act (1998) Eastern, Lucknow.
4. P.K. Majumdar and R. P. Kataria, Commentary On The Code of Civil Procedure Code-1908, Universal, Delhi.
5. P.K. Mukharjee, Limitation Act, Allahabad Law Agency.
6. Shailendra Malik, Code Of Civil Procedure, 27 th Edition, 2011, Allahabad Law Agency.
7. Dr. Avtar Sing, Code of Civil Procedure, Central Law Publication, Allahabad
8. Sarkars Commentary on The Civil Procedure Code, Dwivedi, Allahabad Law Agency.
9. AIR Commentaries on Limitation Act, W.W. Chitaley, AIR Ltd., Nagpur

## **LL.B. Fifth Semester (3yrs)**

**Unique Subject Code:- ULC35C04**

### **Law of Criminal Procedure**

#### ***Course Objectives:-***

- This course examines various topics in criminal procedure and evidence in India. It is designed to explain and critique the legal rules pertaining to the gathering of evidence, the court process, the admissibility of evidence at trial and post-conviction sentencing, appeals, and other remedies
- .The course intends to understand the legislative measures in procedural.
- The course also helps in understanding the procedures to be followed by the criminal courts from the institution of suits till the final disposal.
- The course tries to understand the computation of limitation period for the institution of suit, appeal and applications along with exclusion.

#### ***Learning Outcomes:-***

At the conclusion of the course the successful student will be able to:

- Explain the general rules governing the criminal investigative process in India.
- Discuss the general matters relating to criminal procedure.
- Discuss the evidentiary issues in a Criminal trial.
- Explain the significance and purpose of the laws of procedure and evidence in the search for truth and the protection of civil liberties.
- Critically evaluate components of the investigative, trial and post-conviction process and the procedure govern them.

#### ***Course Contents:-***

##### **UNIT-I :**

- The Bhartiya Nagarik Suraksha Sanhita, 2023 and The Code of Criminal Procedure, 1973: a comparative analysis
- The rationale of The Bhartiya Nagarik Suraksha Sanhita – Constitutional Perspectives : Articles 14, 20 & 21
- The organization of Police, Prosecutor and Defence Counsel
- Hierarchy of Criminal Courts and their powers
- Classification of Offences - Stages of Criminal case – Investigation and use of technology—Police Powers--F.I.R-Recording of Statements and Confessions
- Arrest with and without Warrant – Handcuffing-Rights of arrested persons under

Bhartiya Nagarika Suraksha Sanhita and Article 22 (2) of the Constitution of India.

UNIT II: -

- Bail-When bail shall or shall not be granted - Cancellation of Bails - Anticipatory Bail - General Principles concerning Bail Bond
- Search and Seizure - Search with and without warrant - General Principles of Search & Seizure - Constitutional aspects of validity of Search and Seizure proceedings.

UNIT III : -

- Cognizance of Offence - Form and content of Charge - Trial Process: Features of Fair Trial
- Jurisdiction of Criminal Courts - Trial before Court of Sessions and Magistrate - Pleas of Autrefois Acquit and Autrefois Convict
- Rights of accused --Constitutional Interpretation of Article 21 as a right to speedy trial —Charge

UNIT IV: -

- Judgment: Form and content
- Summary trial
- Post-conviction orders in lieu of punishment
- Transfer of Cases - appeals, review and revisions
- Provisions as to offences affecting the administration of Justice

UNIT V –

- Preventive Measures
- Removal of Public Nuisance
- Security Provisions
- Maintenance of wife, children & parents

**Suggested Readings:-**

1. Ratanlal & Dhirajlal-Criminal procedure Code, Universal, Delhi.
2. Chandrashekar Pillai, Kelkal Lectures on Criminal Procedure Code, Eastern, Lucknow.
3. Shaileendra Malik, The Code Of Criminal Procedure Code, Eighteen edition, 2011, Allahabad law Agency
4. R.N. Choudhari, Juvenile Justice In India, II nd Edition, Orient publishing Compony, Allahabad.
5. K.L. Sethi, The Probation of offender Act, 1958, 3 rd Edition, Unique Law House, Ahemadabad.

## **LL.B. Fifth Semester (3yrs)**

**Unique Subject Code:- ULC35C05**

### **Law of Evidence**

#### ***Course Objectives:-***

To provide learners with detailed knowledge and skills in the rules of evidence and procedure as they have to follow in civil and criminal trials as might be relevant to a person working in a legal office, an insurance company or associated fields in the public or corporate sectors. Knowledge of the rules of evidence will enable analysis and evaluation of evidence available in connection with the preparation of a case for trial.

#### ***Learning Outcomes:-***

At the conclusion of the course the successful student will be able to:

- Analyse and define the concept and general nature of evidence, and illustrate the different types of evidence and court procedures relating to evidence.
- Determine and analyse the standard of proof and burden of proof in civil and criminal cases, and specify types of presumptions.
- Analyse the rule relating to relevance of facts.
- Assessment criteria
- Analyse and evaluate the rules governing examination in chief, cross examination and re-examination, and understand the procedures in the conduct of a civil or criminal trial.
- Determine the rules relating to competence and compellability of witnesses in relation to case study material.
- Analyse, evaluate and assess the framework of statutory and common law rules which provide the basis for evidence to be excluded.
- Determine and assess the rules of evidence relating to admissions
- Analyse the concept of credibility of a witness
- Determine and evaluate the main considerations to be exercised by a legal practitioner when preparing a case for trial.

#### ***Course Contents :-***

##### Unit – I

- Indian Evidence Act and Bharatiya Sakshya Adhiniyam: a comparative analysis
- Introduction and Relevancy of Facts
- Definitions – Court, Conclusive Proof, Disproved, Document, Evidence, Fact, Fact in Issue, may presume, proved, not proved, relevant, shall presume
- Relevancy of Facts-Res Gestae - Facts which are Occasion, Cause & Effect - Motive, Preparation & Conduct - Explanatory or Introductory facts
- Test Identification Parade The General Rule, Proof of the identity of accused, Visual

Identification by Identity Parade - Evidence to Prove Conspiracy - Inconsistent Facts (Plea of Alibi)

#### Unit -II

- Admissions & Confessions
- Definition of Admission - Persons whose Admissions are Relevant & Against Whom Admission may be Proved - Admissions how far Relevant & Evidentiary Value of Admissions
- Definition & Evidentiary Value of Confession - Confessions carrying Inculpatory & Exculpatory Statements - Extra Judicial Confession, Confession caused by Threat, Confession to Police & Confession of Co-accused

#### Unit -III

- Statements by Persons who cannot be called as Witnesses
- Dying Declaration – Essentials & Evidentiary Value - Relevancy of Evidence in Prior Judicial Proceeding
- Statements made under Special Circumstances
- Judgments of Court when Relevant
- How much of statement is to be proved
- Opinions of third persons when Relevant
- Character when Relevant

#### Unit -IV

- Proof - Facts which need not be proved
- Oral Evidence and Exceptions to the Exclusion of Hearsay Evidence
- Documentary Evidence
- Admissibility of Electronic Record
- Public Documents and Private Documents
- Exclusion of Oral by Documentary Evidence

#### Unit -V

- Production & Effect of Evidence
- Burden of Proof
- Survivorship & Death
- Presumptions
- Estoppel
- Witnesses & Privileged Communications
- Rules regarding Examination of Witnesses
- Impeaching credit of witnesses
- Refreshing memory of witnesses.

**Suggested Readings:**

1. Batuk Lal: The Law of Evidence, 13th Edition, Central Law Agency, Allahabad, 1998.
2. M. Munir: Principles and Digest of the Law of Evidence, 10th Edition (in 2 vols), Universal Book Agency, Allahabad, 1994.
3. Vepa P. Saradhi: Law of Evidence 4th Edn. Eastern Book Co., Lucknow, 1989.
4. Avtar Singh: Principles of the Law of Evidence, 11th Edn. Central Law Publications.
5. V. Krishnama Chary: The Law of Evidence, 4th Edn. S. Gogia & Company, Hyderabad

## **LL.B. Fifth Semester (3yrs)**

**Unique Subject Code:- ULC35E06**

### **Cyber Law**

#### ***Course Objectives:-***

This course is designed to provide fundamental skills needed to understand cyber law concepts such as privacy issues ,Cyber Space, Digital Signature , E-Commerce, computer crimes, hacking and prosecution etc. With the rapid changes in technology, and the corresponding changes in crime and the law, the course will regularly include discussions of current changes in different legislations..The course deals with all the aspects of Cyber law as per Indian/IT act 2008.It also covers overview of Intellectual l Property Right and Trademark Related laws with respect to Cyber Space.

#### ***Learning Outcomes:-***

At the conclusion of the course the successful student will be able to:

- Describe laws governing cyberspace and analyze the role of Internet Governance in framing policies for Internet security
- Discuss different types of cybercrimes and analyze legal frameworks of different countries to deal with these cybercrimes
- Explain the importance of jurisdictional boundaries and identify the measures to overcome cross jurisdictional cyber crimes
- Identify intellectual property right issues in the cyberspace and design strategies to protect your intellectual property
- Assess the legal issues with online trading, and analyze applicable e-contracting and taxation regulations

#### ***Course Contents :-***

##### **UNIT- I: 1.Introduction**

- Computers and its Impact in Society
- Overview of Computer and Web Technology
- Need for Cyber Law
- Cyber Jurisprudence

##### **2. Constitutional & Human Rights Issues in Cyberspace**

- Freedom of Speech and Expression in Cyberspace

- Right to Access Cyberspace –Access to Internet
- Right to Privacy
- Right to Data Protection

## **UNIT-II: Cyber Crimes& Legal Framework**

- Cyber Crimes against Individuals, Institution and State etc
- Hacking
- Digital Forgery
- Cyber Stalking/Harassment
- Cyber Pornography
- Identity Theft & Fraud
- Cyber terrorism
- Cyber Defamation
- Different offences under IT Act, 2000& punishments

## **UNIT- III: E Commerce**

- Concept
- E-commerce-Salient Features
- Online approaches like B2B, B2C & C2C
- Digital Signature- meaning &concept
- Online contracts – essential elements and kinds
- Applicability of Indian Contract Act, 1872

## **UNIT-IV: Intellectual Property Issues in Cyber Space**

- Interface with Copyright Law
- Interface with Patent Law
- Trademarks & Domain Names Related issues

## **UNIT-V: Dispute Resolution in Cyberspace**

- Concept of Jurisdiction
- Indian Context of Jurisdiction and IT Act, 2000.
- International Law and Jurisdictional Issues in Cyberspace.
- Dispute Resolutions
- Authorities and Tribunals under IT Act,2000

## **Suggested Readings:**

- 1.Kamlesh N. & Murali D.Tiwari(Ed), IT and Indian Legal System, Macmillan India Ltd, New Delhi
- 2.K.L.James, The Internet: A User's Guide(2003), Prentice Hall of India, New Delhi



3. Chris Reed, Internet Law-Text and Materials, 2nd Edition, 2005, Universal Law Publishing Co., New Delhi
4. Vakul Sharma, Hand book of Cyber Laws, Macmillan India Ltd, New Delhi
5. S.V.Joga Rao, Computer Contract & IT Laws(in 2 Volumes), 2005 Prolific Law Publications, New Delhi
6. T.Ramappa, Legal Issues in Electronic Commerce, Macmillan India Ltd, New Delhi
7. Indian Law Institute, Legal Dimensions of Cyber Space, New Delhi
8. Pankaj Jain & Sangeet Rai Pandey, Copyright and Trademark Laws relating to Computers, Eastern Book Co, New Delhi
9. Farouq Ahmed, Cyber Law in India
10. S.V.Joga Rao, Law of Cyber Crimes and Information Technology Law, 2007, Wadhwa & Co, Nagpur
11. Rodney D. Ryder, Guide to Cyber Laws, 2nd Edit, Wadhwa and Company, Nagpur

## **LL.B. Fifth Semester (3yrs)**

**Unique Subject Code:- ULC35E07**

### **Penology , Probation of Offenders Act and Juvenile Justice Act**

#### ***Course Objectives:-***

Penology is the study of punishment, in prison and in the community. Students are encouraged to think critically about the multiple purposes and debatable effectiveness of our contemporary modes of punishment, and to understand why this ‘end product’ of the criminal justice system has become, in recent decades, such a politically contested issue.

The study of Probation of Offenders act is to understand the meaning and significance of

- probation sentencing To develop a clear conception of the statutory
- framework that envisages Probation Sentencing To study the interpretations of the benevolent
- provisions of law relating to probation sentencing

#### ***Learning Outcomes:-***

At the conclusion of the course the successful student will be able to:

- Understand the realities of prison life for different categories of offenders and the challenges of successful resettlement in the community after a term of imprisonment.
- Demonstrate an ability to utilize ideas and research from social sciences and to understand the value of penological approaches.
- The students shall have an understanding about the legislative framework underlying probation sentencing.
- Understand various statutory provisions which guide the courts while exercising their probation sentencing discretion.
- The students would also stand apprised of the circumstances and offences under which probation has been allowed by the courts

## **Course Contents :-**

### **Unit I- Penology :-**

- Meaning and concept of Penology
- Nature of Punishment
- Importance of punishment
- Forms of punishment in ancient, medieval and modern times.
- Theories of punishment
- New alternative forms of punishment.

### **Unit II 1) Prison System**

- Definition of prison
  - Prisons in ancient, medieval and modern times
  - Types of prisoners.
- 2) Prison reforms**
- Role of inquiry committees and commissions.
  - Prison administration

#### **Prison Legislations**

- History and evolution of prison legislations in India
- Prisons Act.
- Prisoners Act: Transfer of Prisoners Act
- Jail Manuals

### **UNIT-III Probation History and Administration**

- Pretrial Releases, Sentencing, and the Presentence Report
- Salient features of Probation of Offenders Act
- Power of court to release certain offenders under Probation of Offenders Act
- Provision for Offenders under 21 years of age
- Conditions of probation
- The Probation Officer – Appointment and duties
- Parole and Indeterminate Sentence

### **UNIT-IV Parole Administration and Service**

- Treatment ,Theory and Practice
- Probation and Parole Officers
- Report of probation officer
- Probation and Parole Supervision

- Intermediate Punishments and concept of open prisons
- Special Problems and Programs in Probation and Parole

## **UNIT V**

### **Juvenile Justice Act**

- Definition Nature and forms of juvenile delinquency
- Juvenile Justice System Vs. Criminal Justice System
- Beijing Rules-Riyadh Guidelines
- Salient features of Juvenile Justice (care & Protection )Act,2015
- Juvenile Justice Board
- Procedure in relation to children in conflict with Law
- Child Welfare Committee
- Child in need of care & Protection
- Rehabilitation and social integration of Children
- Adoption under JJ Act, 2015
- Other Offences provided under Chapter X of JJ Act, 2015

### **Suggested Reading:-**

- 1) Dr. Krishna Pal Malik, — Penology , Victomology & correctional administration in Indial .  
Delhi , Allahabad Law Agency, 1<sup>st</sup> edition,2011
- 2) Prof. N.V. Parajape, — Criminology, Penology & Victomology|| Allahabad, Central Law  
Publication, 15<sup>th</sup> Edition 2011, reprint, 2012
- 3) Rabindra K. Mohanty, Satyajeet Mahantyl Criminology, Penology & Victimology‘ Himalay  
Publication House, First Edition 2012

## **LL.B. Fifth Semester (3yrs)**

### **Unique Subject Code:- ULC35E08**

#### **Tribal Laws**

##### ***Course Objective:***

The University being located in Tribal Region , study of tribal laws become imperative for the students. The course aims at understanding the fundamental characteristics of tribal population, their rights , problems and solutions thereupon..The course provide students insight into the welfare measures adopted for tribals in the Indian laws and otherwise.

##### ***Learning Outcome:-*** At the conclusion of the course the successful student will be able to:

- Cater the needs of tribal population residing in the region.
- Contribute in alleviation of problems faced by the tribal's in securing their rights
- Undertake studies and projects to suggest reforms in legal system for better protection of tribal's in India

##### ***Course Contents:***

###### **UNIT-I**

- i) Federalism and Tribal Governance in India
- ii) The Authority of the Centre and the States in Tribal Affairs
- iii) Land Rights to Tribal's under The Fifth and Sixth Schedules of the Constitution
- iv) The Panchayat (Extension to Scheduled Areas) Act 1996
- v) Problems Related to Scheduled Tribes
  1. Cultural Problems
  2. Educational Problems
  3. Economic Problems
  4. Health and Sanitation Problems
- vi) Constitutional Rights to Tribal People

###### **UNIT-II**

- i) Formation of PESA (Panchayats Extension to Scheduled Areas) Act, 1996
- ii) The Impairment of Tribal Rights in a Decentralized Government
- iii) The Anathema of State Legislative Incompetence
- iv) The Fading Tribal Rights in Natural Resources

- v) The Continuous Erosion of Tribal Land Rights
- vi) Insufficient Protection for Tribal Forest Rights
- vii) Tribal Rights to Water Resources
- viii) The Tribal Struggle to Cope with Imposed Laws

### **UNIT-III**

- i) Institutionalize Autonomous Tribal Governments
- ii) Concept of OUR RULE IN OUR VILLAGES
- iii) Autonomy as a -New Deal between the State and the Tribes
- iv) Decentralization Becomes an Instrument of Elite Hegemony
- v) The Recognition of Tribal Autonomy in International Law

### **UNIT-IV**

- i) Designing an Alternative Legal System for Tribal Governance in India
- ii) Securing Tribal Property Rights
- iii) The Constitutional Scheme for Tribal Autonomy
- iv) The Role of the Centre and the State
- v) The Contiguity Provided by Civil Society

### **UNIT-V**

- i) Salient Feature India's Forest Rights Act of 2006
- ii) Increase in the ceiling on land occupation:
- iii) Features of Forest Conservation Act of 1980
- iv) Features of NISTAR Rights

### **Suggested Readings:**

1. Vasudha Dhagamwar, *Role and Image of Law in India: The Tribal Experience*, 2006, Sage Publications India Pvt. Ltd, New Delhi
2. Pariyaram M. Chacko (edt.), *Tribal communities and social change*, 2005, Sage Publications India Pvt. Ltd, New Delhi
3. Govind Chandra Rath, *Tribal Development in India: The Contemporary Debate*
4. M.P.Jain, *Indian Constitutional Law*, Wadhwa & Co, Nagpur
5. V.N.Shukla, *Constitution of India*, Eastern Book Company, Lucknow
6. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
7. C. J. Nirmal, *Human Rights in India*, Oxford

## **LL.B. Sixth Semester (3yrs)**

**Unique Subject Code:- ULC36F01**

### **Drafting & Pleading**

#### ***Course Objectives:-***

This Clinical Course aim to enhance students' understandings in important professional skills e.g. drafting & pleading, client interviewing, negotiation, client counseling and the fundamental professional values and responsibilities involved in lawyering. The pedagogy of these courses involves seminars, group rounds, simulation and court visit.

it also intends to familiarize students with the different forms of legal pleadings in India and their legal requirements and typology of particular procedural aspects involved in specific pleadings. In addition the course also desires to discuss about the role of a lawyer in contemporary India, his social obligations and his overarching professional commitments which is integral to every aspect of lawyering.

It also aims development of concepts and theories underlying the skills and values being taught & opportunities for students to perform lawyering tasks with appropriate feedback and self-evaluation; and f reflective evaluation of the students' performance by a qualified assessor.

#### ***Learning Outcomes:-***

At the conclusion of the course the successful student will be able to:

- 1) Draft and Plead effectively in practicing law in the courts
- 2) Save time in learning those necessary skills once he/ she completes legal education
- 3) Prepare for the application of theory into practice
- 4) Understand the measures of effective drafting and Pleading that assists him in working as lawyer in the courts.

#### ***COURSE CONTENTS :-***

**UNIT-I DRAFTING:-** General principles of drafting and relevant substantive rules shall be taught.

**UNIT-II PLEADINGS:** - • Civil: Complaint, Written Statement, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, • Criminal: Complaint, Bail Application, Criminal

Miscellaneous petition Memorandum of Appeal and Revision. • Writ petition and PIL petition •  
Consumer Complaints under Sec 12 CPA, 1986

### **Practical Exercises**

- Apart from teaching the relevant law, the course includes not less than 10 (Ten) practical exercises in drafting of pleadings carrying a total of 30 marks (3 marks for each) and remaining 20 marks for viva-voce.
- These 10 exercises shall be recorded. Each student shall be served with different problems for the purpose of exercise. These exercises shall be assessed and marks may be allotted.
- These exercises shall be evaluated by a common Internal committee consisting of (i) Principal of the College/the concerned teacher as Internal Examiner (ii) an Advocate with 10 years experience at the Bar. The same committee will also conduct viva-voce on the above concepts.

### **Suggested Readings:**

1. R.N. Chaturvedi :*Pleadings and Conveyancing*, Central Law Publications.
2. De Souza :*Conveyancing*, Eastern Law House.
3. Tiwari :*Drafting, Pleading and Conveyancing*, Central Law Agency.
4. Mogha: *Indian Conveyancer*, Eastern Law House.
5. Mogha: *Law of Pleadings in India*, Eastern Law House.
6. Shiv Gopal: *Conveyancing, Precedents and Forms*, Eastern Book Company
7. Narayana P.S.: *Civil Pleadings and Practice*, Asia Law House.
8. Narayana P.S.: *Criminal Pleadings and Practice*, Asia Law House.
9. NoshirvanH.Jhabvala: *Drafting, Pleadings, Conveyancing & Professional Ethics*. Jamhadar



## **LL.B. Sixth Semester (3yrs)**

**Unique Subject Code:- ULC36F02**

### **Conveyancing**

#### ***Course Objectives:-***

This Clinical Course aim to enhance students' understandings in important professional skills of Conveyancing and the fundamental professional values and responsibilities involved in lawyering. It also intends to familiarize students with the different forms Conveyancing in India and their legal requirements and typology of particular procedural aspects involved in specific pleadings.

It also aims development of concepts and theories underlying the skills and values being taught & opportunities for students to perform lawyering tasks with appropriate feedback and self-evaluation; and f reflective evaluation of the students' performance by a qualified assessor.

#### ***Learning Outcomes:-***

At the conclusion of the course the successful student will be able to:

- 1) Tap career opportunities in practicing conveyancing particularly in online mode
- 2) Use his conveyancing skills in practicing civil law in particular
- 3) Use his conveyancing skills for bulk conveyancing assignments from banking, companies ,  
Sales and Marketing sectors.

#### ***COURSE CONTENTS :-***

##### **Conveyancing:**

- Sale Deed,
- Mortgage Deed,
- Lease Deed,
- Gift Deed,
- Promissory Note,
- Power of Attorney,
- Will,
- Trust Deed

## Practical Exercises

- Apart from teaching the relevant law, the course includes not less than 10 (Ten) practical exercises in Conveyancing carrying a total of 30 marks (3 marks for each) and remaining 20 marks for viva-voce.
- These 10 exercises shall be recorded. Each student shall be served with different problems for the purpose of exercise. These exercises shall be assessed and marks may be allotted.
- These exercises shall be evaluated by a common Internal committee consisting of (i) Principal of the College/the concerned teacher as Internal Examiner (ii) an Advocate with 10 years experience at the Bar. The same committee will also conduct viva-voce on the above concepts.

## Suggested Readings:

1. R.N. Chaturvedi :*Pleadings and Conveyancing*, Central Law Publications.
2. De Souza :*Conveyancing*, Eastern Law House.
3. Tiwari :*Drafting, Pleading and Conveyancing*, Central Law Agency.
4. Mogha: *Indian Conveyancer*, Eastern Law House.
5. Mogha: *Law of Pleadings in India*, Eastern Law House.
6. Shiv Gopal: *Conveyancing, Precedents and Forms*, Eastern Book Company
7. Narayana P.S.: *Civil Pleadings and Practice*, Asia Law House.
8. Narayana P.S.: *Criminal Pleadings and Practice*, Asia Law House.
9. Noshirvan H. Jhabvala: *Drafting, Pleadings, Conveyancing & Professional Ethics*. Jamhadar

## **LL.B. Sixth Semester (3yrs)**

**Unique Subject Code:- ULC36C03**

### **Environmental Law**

#### ***Course Objective-***

- This course is aims to introduce the concepts and principles which underpin environmental law from the international to the local level.
- The course will address Constitutional responsibilities and roles relating to the environment
- This course will focus on sustainable development and the law, environmental planning through environmental impact assessment .
- It will also focuses on many environmental protection principles, climate change water resources law; heritage issues and the protection of biological diversity.

#### ***Learning Outcomes:-***

On successful completion of this course, students will be able to:

1. Identify key environmental issues at the planetary, international, national, state and local level;
2. Describe State and Federal powers, responsibilities and institutions in the field of Indian Environmental Law
3. Analyse the relationships between environmental laws across multiple sectors and jurisdictions (local, state, national and international) and the interactions with regulatory and policy frameworks beyond the environmental sector;
4. Develop and execute original environmental law research on a focused topic area.

#### ***Course Contents:***

##### **UNIT-I**

- The meaning and definition of environment
- Ecology -Ecosystems-Biosphere Biomes
- Ozone depletion -Global Warming -Climatic changes
- Need for the preservation, conservation and protection of environment
- Ancient Indian approach to environment
- Environmental degradation and pollution
- Kinds, causes and effects of pollution.

## **UNIT –II**

- Common Law remedies against pollution
- trespass, negligence,
- Theories of Strict Liability & Absolute Liability
- Relevant provisions of I.P.C. and Cr.P.C. and C.P.C., for the abatement of public nuisance in pollution cases
- Remedies under Specific Relief Act
- Reliefs against smoke and noise -Noise Pollution.

## **UNIT –III**

- The law relating to the preservation, conservation and protection of forests, wild life and endangered species, marine life, coastal ecosystems and lakes etc. –
- Prevention of cruelty towards animals
- The law relating to prevention and control of water pollution-Air Pollution
- Environment pollution control mechanism
- Law relating to environment protection
- National Environmental Tribunal and National Environmental Appellate Authority.

## **UNIT -IV:**

- Art.48 and Art.51A(g) of the Constitution of India
- Right to wholesome environment
- Right to development
- Restriction on freedom of trade, profession, occupation for the protection of environment –
- Immunity of Environment legislation from judicial scrutiny(Art.31C)
- Legislative powers of the Centre and State Government
- Writ jurisdiction
- Role of Indian Judiciary in the evolution of environmental jurisprudence.

## **UNIT –V**

- International Environmental Regime
- Transnational Pollution
- State Liability
- Customary International Law
- Liability of Multinational Corporations/Companies
- Stockholm Declaration on Human Environment, 1972
- Rio Conference 1992

- Ramsar Convention 1971 -Bonn Convention (MigratoryBirds) 1992 -Nairobi Convention, 1982 (CFCC) -Biodiversity Convention (EarthSummit), 1992 - KyotoProtocol 1997, Johannesburg Convention 2002.

### **Suggested Readings:**

- 1.Paras Diwan: Studies on Environmental Cases
- 2.S.N. Jain (ed.): Pollution Control and the Law.
- 3.Armin Rosencranzand Shyam Divan: Environmental Law and Policy in India
- 4.A.Agarwal (ed.): Legal Control of Environmental Pollution
- 5.Chetan Singh Mehta: Environmental Protection and Law
- 6.V.K. Krishna Iyer: Environment Pollution and Law
- 7.Shah : Environmental Law
- 8.Paras Diwan : Environmental Law and Policy in India,1991
- 9.Dr. N. Maheshwara Swamy, Environmental Law, Asia Law House, Hyderabad.
10. Dr. Sukanta K. Nanda, Central Law Publications, Allahabad, First Edition 2007

## **LL.B. Sixth Semester (3yrs)**

**Unique Subject Code:- ULC36C04**

### **Interpretation of Statutes**

#### ***Course Objective:-***

- **interpretation** is the process by which courts interpret and apply legislation. Some amount of interpretation is often necessary when a case involves a statute
- The objective of the course is to introduce students to important issues concerning the theory and doctrine of statutory interpretation
- To let students understand how the judiciary apply the rules of interpretation to avoid ambiguity or vagueness in the words of the statute ,
- To make students understand how to find the meanings of statutes, by using various tools and methods of statutory interpretation, including traditional canons of statutory interpretation, legislative history, and purpose.

#### ***Learning Outcome:-***

On successful completion of this course, a student will be able to:

- Acquire knowledge and understanding of substantive and procedural law
- Locate, identify and be able to critically analyse relevant statutes, statutory provisions and legislative instruments, as well as pertinent judicial authority;
- Interpret the appropriate provisions using the accepted tools and techniques of statutory interpretation;
- Apply statutory provisions to fact scenarios and communicate the interpretation, nature and effect of statutory provisions to relevant stakeholders, such as clients and courts.

#### ***Course Contents:***

##### **Unit-I**

- Meaning, Nature and Scope of Interpretation
- Statute-Definition and Classification
- Need and Purpose of Interpretation
- General Principles of Interpretation
- Rules of Construction under the General Clauses Act, 1897

##### **Unit-II**

- Primary Principles of Interpretation,
- Intention of Legislature-
- Statute must be read as a whole-Statute to be workable and effective-Plain Language must be given effect irrespective of consequences-

- Subsidiary Rules of Interpretation-
- Rule of Last Antecedent-
- Non Obstante Clause-
- Legal Fiction
- Mandatory and Directory Provisions
- Conjunctive and Disjunctive words-Construction of General Words-

### **Unit-III:**

- Grammatical Rule of Interpretation
- Golden Rule of Interpretation
- Mischief Rule
- Noscitur A Sociis,
- EjusdemGeneris, ,
- ReddendoSingulaSingulis

### **Unit-IV:**

- Interpretation of Penal Statutes and Statutes of Taxation
- Beneficial Construction
- Doctrine of Harmonious Construction.
- External Aids to Interpretation
- Internal Aids to Interpretation

### **Unit-V**

- Effect of Repeal
- Effect of amendments to statutes
- Conflict between parent legislation and subordinate legislation
- Methods of interpreting substantive and procedural laws.
- Contemporary Issues of Interpretation

### **Suggested Readings.**

1. Vepa P. Sarathi: Interpretation of Statutes, Eastern Book Co, 4thEdition, 1976.2.Maxwell:
2. Interpretation of Statutes, Butterworths Publications, 1976, 12thEdition
3. Crawford: Interpretation of Statutes, Universal Publishers
4. Chatterjee: Interpretation of Statutes.
5. G.P. Singh: Principles of Statutory Interpretation, Wadhwa and Company, 8thEdn., 2001.
6. Cross, Statutory Interpretation

## **LL.B. Sixth Semester (3yrs)**

**Unique Subject Code:- ULC36C05**

### **Intellectual Property Law**

#### ***Course Objectives:***

- The main objective of the IPR is to make the students aware of different forms of Intellectual properties and rights thereupon .
- To acquaint them with the registration procedure for provided in the law and registration of various IPR's
- To make them familiar with the remedies available for violation of IPR's.

#### ***Learning Outcomes:***

On successful completion of this course, a student will be able to:

- Understand the basics of the four primary forms of intellectual property rights
- Compare and contrast the different forms of intellectual property protection in terms of their key differences and similarities.
- Apply intellectual property law principles (including copyright, patents, designs and trademarks) to real problems and analyse the social impact of intellectual property law and policy
- Analyse ethical and professional issues which arise in the intellectual property law context
- Student will be able to register their inventions, trademarks, copyright etc.
- They also get the knowledge of plagiarism in their innovations
- Students will be able to analyze the effects of intellectual property rights on society as a whole.

#### ***Course Contents:-***

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

- Meaning of property,
- Origin, Nature, Meaning & Classification of Intellectual Property Rights,
- Provision of IPR under TRIPS, WTO, and other International Conventions
- Kinds of Intellectual property rights—Copy Right, Patent, Trade Mark, Trade Secret and trade dress, Design, Layout Design, Geographical Indication, Plant Varieties and Traditional Knowledge

##### **UNIT-II PATENT RIGHTS**

- Origin, Meaning of Patent, Types,
- Patentable & Non-patentable Inventions
- Registration Procedure,
- Rights and Duties of Patentee,



- Assignment and licence ,
- Surrender and Revocation of Patents,
- Infringement,
- **Remedies & Penalties.**

### **UNIT III: COPY RIGHT**

- Concept of Copy Right
- Registration procedure,
- Assignment & licence,
- Terms of Copy Right,
- Infringement, Remedies,
- Copy rights with special reference to software
- Plagiarism in IT world
- Broadcasters special rights—Performers Rights

### **UNIT-IV TRADE MARKS**

- Origin, Meaning & Nature of Trade Marks
- Types of Trade Marks  
Registration of Trade Marks
- Infringement & Remedies,
- Offences relating to Trade Marks,
- Passing Off,
- IPR & E-Commerce.

### **UNIT-V :- DESIGNS & GEOGRAPHICAL INDICATIONS**

- Meaning, Definition, Object,
- Registration of Design,
- Cancellation of Registration,
- Geographical Indications—Meaning and Features  
Procedure for registration

### **Suggested Readings :**

- 1)G.B. Reddy -Intellectual property Rights & Law, Gogia Law agency Hyderabad.
- 2)Comish W.R. 0 Intellectual Property, Patents, Trademarks, Copyrights and Allied Rights.
- 3)Vikas Vashisht -Law and Practice of intellectual Property, (1999), Bharat Law House Delhi.
- 4)P. Narayanan -Intellectual Property Law, (1999), (ed), Eastern Law House, Calcutta.
- 5)Bibeck Debroy -(ed), Intellectual Property Rights, (1998), Rajiv Gandhi Foundation, Delhi.
- 6)U.I.F. Anderfelt -International Patent Legislation and Developing Countries, (1971).
- 7)Comish W.R. -Intellectual Property, (3rdEdn), (1996), Sweet & Maxwell.
- 8)W.R. Mann -Transfer of Technology (1982).
- 9)Mata Din -Law of Passing Off and Infringement Action of Trademarks (1986).

## **LL.B. Sixth Semester (3yrs)**

**Unique Subject Code:- ULC36E06**

### **Law of Taxation**

#### ***Course Objectives:***

- The main **objective** of the **course** is to give an understanding of **income tax & GST laws** in India for effective tax planning advice to the client.
- The course is designed to provide students with an understanding of the Indian income tax system and various rules and authorities thereunder
- The course is also designed to specific objective of Understand fundamental concepts of income tax law that the students can apply in practice

#### ***Learning Outcomes:***

On successful completion of this course, a student will be able to:

1. Deliver specific and accurate advice with regard to income tax and GST
2. Decide practicing tax in the court as one career prospective
3. Take up allied studies in the tax like Accountancy, Company Secretary, Auditing etc.

#### ***Course Contents:***

##### **UNIT-I :-**

- History of Taxation in India
- Constitutional Basis of Power of Taxation
- Scheme of Taxation
- Basic Concepts of Income Tax
- Residential Status

##### **UNIT-II :-**

- Income Exempt from tax
- Heads of Income
- Clubbing of Income
- Set off and carry forward of losses
- Permissible deductions from gross total income

##### **UNIT-III:-**

- Return of Income
- PAN & TAN

- Assessment – Procedure & Kinds
- Rectification of Mistake
- Advance Tax, TDS

#### **UNIT-IV:-**

- Income Tax Authorities- hierarchy, Powers & Function
- Survey, Search & Seizure under Income Tax Act
- Settlement of Income Tax Cases
- Penalties & Prosecution
- Appeal and Revision

#### **UNIT-V:-**

- Concept of GST
- Benefits of GST over VAT
- Basic concepts under GST Act, 2016
- Administration under GST Act, 2016
- Registration Procedure under GST Act, 2016
- Levy and Exemptions from tax under GST
- Return filling & Assessment Procedure under GST Act, 2016
- Penalties , Prosecution , Appeal & Revision under GST Act, 2016

#### **Suggested Reading:-**

- 1) Students Guide to Income Tax – Dr. Vinod K. Singhania
- 2) Principles of Taxation & Tax Laws- Dr. S.R. Myneni
- 3) Income Tax – Dr. S. R. Myneni
- 4) Income Tax – Dr. Girish Ahuja & Dr. Ravi Gupta
- 5) Income Tax – Mohd. Rafi
- 6) Guide to Goods and Services Act- Dr. Sanjiv Agrawal
- 7) Taxman’s Basics of GST- Nitya Tax Associates
- 8) Guide to Goods and Services Act(GST)- 2016

## **LL.B. Sixth Semester (3yrs)**

**Unique Subject Code:- ULC36E07**

### **Human Rights**

#### ***Course Objectives:***

Human Rights course is designed to develop fundamental values and respect for human rights and human dignity, freedom, democracy, equality and the rule of law.

- To make students aware of Universal Human Rights and its application in Indian legal system.
- To let them know the various remedies available for protection of Human Rights in India

#### ***Learning Outcomes:***

On successful completion of this course, a student will be able to:

- Demonstrate commitment for the cause of protecting human rights in India.
- Students will ultimately assessed on their knowledge of the legal system and legal doctrine. Students will graduate with a broad knowledge of foundational and other core area human rights, specialized knowledge in areas of interest and experience with advanced study.
- Students will ultimately assessed on the development of legal analysis, legal communication and legal research.
- Look at human right problems in India and use his legal expertise in redressing these problems effectively.
- Work as a catalyst to spread Human Rights awareness amongst ignorant sections of society.

## ***Course Contents:-***

### **UNIT I - Basic Concepts**

- Concept of Human Rights
- Evolution & Development of Human Rights: International & Indian Perspective
- Classification of Human Rights
- Interrelationship between Rights & Duties.
- Universal Declaration of Human Rights- Significance-Preamble

### **UNIT II -Deprivation of Human Rights: Core Issues**

- Poverty, Overpopulation, illiteracy
- Problems of Unsustainable Development
- Problems of Disadvantaged Groups:
  - a) Women, (b) Children, (c) Scheduled Castes & Scheduled Tribes
  - d) Disabled Persons, (e) Homeless & Slum Dwellers, (f) Refugees & Internally Displaced Persons, (g) Aged Persons

### **UNIT III-International Redressal Mechanism& Regional Arrangements**

- European Convention on Human Rights
- The American Convention on Human Rights
- African Charter on Human & People's Rights
- International Commission on Human Rights
- International Labour Organization
- Non – Governmental Organizations
- Amnesty International
- Media Advocacy
- Legal Aid & Legal Literacy

### **UNIT IV -Human Rights in Indian Context**

- Preamble, Fundamental Rights, Directive Principles & Fundamental Duties

- Enforcement Mechanism:
- Protection of Human Rights Act, 1993
- Judicial Remedies of Violation of Human Rights
- Statutory Commissions

#### **UNIT V - Contemporary Issues & Concerns**

- Human Rights & Terrorism
- Threat of Use of Nuclear Weapons
- Climate Change & Natural Disasters & Environmental induced Issues
- Violation of Human Rights in Cyber World
- Sexual Orientation & Gender Identity

#### **Suggested Reading:-**

1. Meron Theodor, Human Rights and International Law: Legal and Policy Issues, 2 Vols.
2. S.K. Kapoor, Human rights Under International Law and Indian Law.
3. C. J. Nirmal, Human Rights in India, Oxford
4. P. R. Gandhi, International Human Rights Documents, Universal, Delhi
5. Wallace, International Human Rights: Texts and Materials, Sweet and Maxwell
6. Dr. H.O. Agrawal, International Law and Human Rights, Central Law Publication
7. K. R. Gupta, Global Terrorism, Atlantic Publishers
8. DugmantiRao, HIV / AIDS and Law, Ethics and Human Rights, Discovery Publishing House, New Delhi.

## **LL.B. Sixth Semester (3yrs)**

**Unique Subject Code:- ULC36E08**

### **Women & Law**

#### ***Course Objectives:***

- A woman is seen as divine and worshiped as the embodiment of all the virtues on one hand but on other hand she is discriminated against and victimized by the norms created by the male dominated society. She has not been given her dues and legitimate place and status in the society even after all the civilization and cultural revolutions. No religion can boast about the equal rights given to the women on par with the men in all respects. Unfortunately the man made law could not rectify the historical inequality where it is possible. This is the precise reason to study the various laws pertaining to the women.
- Students will develop an understanding of how gender combines with nationality, race and ethnicity, religion, social class, sexual orientation, and physical ability to shape the experiences of men and women, including themselves.
- The course draws the attention to the feeble condition of women and their exploitation. The legal limitation on their capacity and legal rights and protection provided in the Constitution and in various laws are to be studied critically.
- Analyze and examine global women's right issues
- Assess policy approaches to women's rights issues and provide policy recommendations

#### ***Learning Outcomes:***

On successful completion of this course, a student will be able to:

- demonstrate an understanding of how gender constructs within and outside the legal system affect women interactions with the law;
- demonstrate the skills of socio-legal analysis, research, written, presentation and legal analysis through the completion of set assigned tasks;
- demonstrate a critical analysis of law related problems and existing reform proposals from a socio-legal and holistic perspective for protection of women in India.

#### ***Course Contents:-***

##### **UNIT-I :**

- Historical background and status of women in ancient India
- Constitutional Provisions – Fundamental Rights, Directive Principles of State policy & Fundamental Duties related to women
- Uniform civil Code

**UNIT -II:**

- Laws relating to marriage, divorce and succession and maintenance under the relevant personal laws with special emphasis on discrimination of women
- Special Marriage Act
- Maintenance under Cr. P.C.

**UNIT -III :**

- Special provisions relating to women under the Indian Evidence Act, 1872
- Offences against women under Indian Penal Code
- outraging the modesty of women
- sexual harassment-
  - rape
  - bigamy
  - mock and fraudulent marriages
  - adultery
  - causing miscarriage
  - insulting women etc.
  - Cyber Crimes and Victimization of Women

**UNIT -IV:**

- Socio-Legal position of women and the law
- Dowry Prohibition Act, 1961,
- Medical Termination of Pregnancy Act
- Law relating to the Pre Natal Diagnostic Techniques (Regulation and Prevention of Misuse) and Sex selection
- Immoral Traffic (Prevention) Act
- Law relating to domestic violence.

**UNIT -V :**

- Relevant provisions relating to women under Maternity Benefit Act, 1961,
- Factories Act and other Labour & Industrial Laws
- Sexual Harassment of women at workplace.
- Position of Women under International instruments
- Salient features of Convention for Elimination of all forms of Discrimination Against Women (CEDAW)

**Suggested Readings :**

- 1.S.P. Sathe: Towards Gender Justice.
- 2.Dr. Vijay Sharma: Protection to woman in Matrimonial home
- 3.Dr. Sarojini Saxena: Femijuris (Law relating to Women in India)
- 4.Dr. Archana Parshar: Women and Social Reform
- 5.Dr. Paras Diwan: Dowry and protection to married women
- 6.Mary Wollstonecraft: A Vindication of the rights of women.
- 7.Dr. G.B.Reddy: Women and Law, 2nd Edn. Gogia Law Agency, Hyderabad, 1998.
- 8 Dr. Anjali Hastak, Empowerment of women through Property Rights in Hindu Law, SPARC publication , Chandrapur