

## NOTICE

1. Change in Statutes/Ordinances/Rules/Regulations/ Syllabus and Books may, from time to time, be made by amendment or remarking, and a candidate shall, except in so far as the University determines otherwise comply with any change that applies to years he has not completed at the time of change. The decision taken by the Academic Council shall be final.

### सूचना

1. समय-समय पर संशोधन या पुनः निर्माण कर परिणियमों/अध्यादे"ों/ नियमों/ विनियमों/ पाठ्यक्रमों व पुस्तकों में परिवर्तन किया जा सकता है, तथा किसी भी परिवर्तन को छात्र को मानना होगा ब"र्ते कि वि"विद्यालय ने अन्यथा प्रकार से उनको छूट न दी हो और छात्र ने उस परिवर्तन के पूर्व वर्ष पाठ्यक्रम को पूरा न किया हो। विद्या परिशद द्वारा लिये गये निर्णय अन्तिम होंगे।

## BACHELOR OF LAWS

Ordinance Relating to the Examinations in the Faculty of Law:

0251 (A): There shall be a three years course for the degree of LL.B. (P) and two years Course for the degree of LL.B. (A) and examinations shall be conducted at the end of each years, namely :

1. LL.B. (P)/ LLB (A) First Year Examination at the end of the first year.
2. LL. B. (P)/ LLB (A) Second Year Examination at the end of the Second Year.
3. LLB (P) Third Year examination at the end of the Third Year.

0 252 (1) : A candidate who has taken Bachelor's or the Master s degree in Arts/ Science /Commerce /Medicine /Engineering/Nursing /Agriculture course or the degree of Shastri/Acharyas or the degree of Ayurvedacharya/Ayurveda Brahaspati of this University or of any other University or any of Bachelor's or Master's degree equivalent and recognized by this University with full course prescribed for the degree and secured a minimum of 45% (excluding any concessional marks) in the

aggregate marks prescribed for the Examination for the aforesaid Degree shall be eligible for admission to LL.B. First Year Course. Provided that not more than, 20% of the total seats in LL.B. First Year shall be reserved for the candidates who will become eligible on the basis of Master's degree as denned above.

N B (1) For the purpose of this Ordinance marks of only those subjects / papers shall be taken into account which had been considered for awarding division at the Bachelor /Master's Degree Examination.

(2) Candidates who have passed their qualifying examination with full course in one attempt or in parts or as private candidates or by correspondence will also be eligible for admission to the LL.B. (P)/ LL.B. (A) First Year Course/ Class provided they secure minimum percentage of marks as prescribed above. 0.252(2): Admission shall be made on the basis of merit and in accordance with rules made therefore by the competent authority.

0.253 :A candidate who has completed a regular course of study in the University Teaching Department of Law or in an affiliated college for first year will subject to the other provisions of the Act, Statutes, Ordinances, Rules and Regulations, be admitted to the first year examination in LL.B. (A) LL J. (P) Course depending on the course, he has taken.

0.253 A: A candidate who after passing the examination of the first year has completed a regular course of study in the University teaching department of law or in an affiliated college for the second year of LL.B. (P) / LL.B. (A) course will; subject to the other provisions of the Act, statutes, Ordinances, Rules and Regulations, be admitted to the second year examination of LL.B. (P)/ LL.B. (A) Course as the case may be.

0 253 B : A candidate who after passing the examination of the second year has completed a regular course of study in the University.

Teaching Department of law or in an affiliated college for the second year of LL.B. (P)/LL.B. (A) course will, subject to the other, provisions of the act statutes, Ordinances, Rules and Regulations, be admitted to the Third year examination of LL.B.(P).

0.254 A: A candidate who has once been awarded the degree of LL.B. (A) by the University and has there after appeared and passed after having undergone a regular course of study in the Third year of the LL.B. (P) Course shall be awarded the degree of the Bachelor of Law (Professional)

0.255 : Every candidate of two years course for the degree of LL.B. (A) and the three years course for the degree, of LL.B. (P) shall present himself for examination in the paper prescribed in the Regulations.

0.256: Each paper in I,II in the LL.B. (Academic) and III year-in the LL.B. (Professional) Course Examination shall be of 100 marks.

### **Ordinance 256-C**

The marks of all the examination viz. I year examination and II Year Examination in the case of LL. B.(A) degree and III rd year examination in the case of LL.B. (P) Degree will be counted together for classification of results.

- The candidates of LL.B., 1st year shall promote in 2<sup>nd</sup> year after passing at least seven papers out of 10 papers in LL.B. 1<sup>st</sup> Year. He shall have chance to appear in 10 papers of second year along with due papers of 1<sup>st</sup> year in next consecutive year.
- The candidates of LL.B. 2<sup>nd</sup> Year shall promote in 3<sup>rd</sup> year after passing at least seven papers out of 10 papers in LL.B. 2<sup>nd</sup> year. He shall have chance to appear in 10 papers of 3<sup>rd</sup> year along with due papers of 1<sup>st</sup> year & 2<sup>nd</sup> Year.
- The Candidates of LL.B. 3<sup>rd</sup> Year shall have chance to appear in due papers of not more than three of 3<sup>rd</sup> year in next consecutive years along with due papers of 2<sup>nd</sup> year & 3<sup>rd</sup> year.

Note-

1. No candidate shall have more than two chances to appear in due papers of any class other than main attempt in only two consecutive years from the year of main attempt.
2. If candidate has availed all permitted chances and doesn't pass the concerned paper he will have to seek fresh admission in next academic session as per existing paper scheme.
3. Any case of any ambiguity and doubt Rajasthan University ordinance regarding LL.B. due examination scheme shall prevail.

**FACULTY OF LAW**  
**LL.B. EXAMINATION**  
**SCHEME OF EXAMINATION**  
**ACADEMIC AND PROFESSIONAL**

**Regulation 21**

In Each of the LL.B. First Year and LL.B. Second Year (Academic/ Professional) Examinations and LL.B. Third Year (Professional) Examination, a Candidate must obtain for a pass not less than 48 % marks of the aggregate marks of the examination concerned provided that if a candidate fails to secure 36 marks in each separate paper, he will be deemed to have failed in the examination, notwithstanding his having obtained minimum percentage of marks of all the examinations viz First Year Examination and the Second Year Examinations in the case of LLB.(A) degree and the First Year Examination, Second Year Examination and the Third Year Examination in the case of LL.B. (P) degree will be counted together for Classification of results. No division will be assigned to a candidate who appears at the First year Examination, in the case of LL.B (a) degree and

First Year Examination, and Second Year Examination in the case of LL.B.  
(P) degree:

## GENERAL GUIDELINES

1. The number of papers and the maximum marks for each paper are shown in the syllabus. It will be necessary for a candidate to pass in the theory as well as in practical papers separately.
2. A candidate for the examination shall be required to offer all the ten papers in each class:
3. For a pass, a candidate shall be required to secure a minimum of 36% marks in each paper and 48% marks in the aggregate of all the papers. The successful candidate who secures 60% or more marks shall be placed in the First Division and rest in the Second Division. (See Ord. 256-C).
4. Pattern:
  - (a) **Theory Papers;**- The question papers of all the theory papers shall consist of nine questions of 20 marks each. Q. No. 01 will be compulsory and The candidate shall be required to attempt any four questions out of Eight.
  - (b) **Clinical Papers;**-Paper no. 3.10 will be practical paper in III rd Year of LL.B. of 100 marks.
5. Duration – Three hours of all the paper at the main university examination.
6. **Practical Records:** The records/Files of clinical (practical) papers 3.10 neatly hand written shall be submitted to the college/ Department at least three weeks before the commencement of the university examination. The details of practical exam are shown in the syllabus.

## **Paper Scheme of Three Years Degree Course in Law (LL.B.)**

There shall be nine theory papers and one practical paper in all the classes of LL.B. examination. All Paper shall consist of 100 marks. The minimum passing marks shall be 36 in each Paper and 48 percent in aggregate.

### **LL.B. First year**

1. General Principles of Contract
2. Law of Torts including The M.V. Act and Consumer Law
3. Family Law-I (Hindu law)
4. Constitutional Law of India –I
5. Environmental Law
6. Public International Law
7. International Human Rights
8. Administrative Law
9. Law relating to intellectual property rights
10. Alternative dispute resolution

### **LL.B. Second year**

1. Jurisprudence
2. Law of Crimes-I (Penal Code)
3. Special Contracts
4. Family Law-II (Muslim law)
5. Constitutional Law of India-II
6. Labour and Industrial law- I
7. Interpretation of statutes, principal of legislations and legal language legal writing and general English
8. Property Law
9. Company Law
10. PROFESSIONAL ETHICS AND BAR BENCH RELATIONS

### **LL.B. Third year**

1. Law of Evidence
2. Law of Crimes-II (CrPC)
3. Civil Procedure Code and Limitations
4. Labour and Industrial Laws –II
5. Penology, Victimology and Forensic Science
6. Principals of Taxation Law
7. Land Laws including Tenure and Tenancy System
8. Information Technology
9. Right of information and legislative drafting.
10. Moot Court exercise and internship Clinical course (practical paper)

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# SYLLABUS

## LL.B. – FIRST YEAR

### PAPER-1.1: GENERAL PRINCIPLES OF CONTRACT

#### 1. Contract:

- a. Meaning, Definition, Elements and Kinds of Contract.
- b. Standard form of Contract.

#### 2. Proposal:

- a. Meaning, Definition, Elements and kinds of Proposal.
- b. Distinction between Proposal and Invitation to Treat.

#### 3. Acceptance:

- a. Meaning, Definition, Elements and Kinds of Acceptance.
- b. Modes and Characteristics of Acceptance.
- c. Communication, Revocation and Termination of Proposal and Acceptance,

#### 4. Consideration

- a. Meaning, Definition and Elements, Significance and Adequacy of Consideration.
- b. Unlawful Consideration and Object
- c. Concept of Stranger to Contract
- d. Privity of Contract and of Consideration
- e. Exceptions of Consideration

#### 5. Capacity to Contract:

- a. Who are incapable to make a contract
- b. Determination of Age of Majority under the law of contract.
- c. Nature and Effect of Minor's Agreement
- d. Person of unsound mind, nature of contract by person of unsound mind.
- e. Persons deprived of the capacity to contract.

#### 6. Free Consent:

- a. Meaning of Consent and Free Consent
- b. Factors rendering consent not free and their effect upon the validity of contract.

#### 7. Legality of Object and Consideration:

Forbidden by Law, Defeat any Law, Fraudulent, Injurious to person or Property, Immoral, Public Policy

#### 8. Void Agreements:

Agreements in restraint of marriage, freedom of trade, right to initiate legal proceedings, Agreements involving uncertainty and Wager and impossibility.

#### 9. Contingent Contract:

#### 10. Performance of Contract:

- a. Who is liable to perform? joint rights and joint liability and performance of reciprocal promises
- b. Time, place and manner of performance.
- c. Discharge from liability to perform the contract.

#### 11. Certain relations resembling those created by contract (Quasi contract):

#### 12. Termination of contract:

- a. Meaning and Kinds of Termination

- b. Remedies for breach of contract.
- c. Damages- Measure of damages and remoteness of damages.

**Leading Cases:**

1. Cariil v. Carbolic Smoke Ball Com., (1883) IQB 256
2. Bhagwandas v. Girdhari Lai & Co. AIR 1966 SC 543
3. Motilal Padamput Sugar Mil Co. Ltd. v. State of UP, AIR 1979 SC 621
4. Lalman ShukIa v. Gauri Dutt, AILLJ(1913)409
5. Mohori Bibi v. Dhurmodas (1903) IA 172

**Suggested Reading:**

1. Anson: Law of Contract
2. P.S. Atiyah : An Introduction to the Law of Contract
3. Pollock & Mulla: Indian Contract & Specific Relief Act.
4. V.G. Ramchandran: The Law of Contract and Specific Relief ACT.
5. Dr. Avatar Singh: Law of Contract and Specific Relief (English & Hindi)
6. Dr. R. K. Bangia: Contract-I with Specific Relief Act

**PAPER-1.2: LAW OF TORTS INCLUDING THE M.V. ACT AND CONSUMER LAW**

**A. Law of Torts**

2. Definition and Nature of Tort, General Principle of tortious Liability, Elements of Tort, Injuria sine damno, damnum sine injuria,.
3. General Defences- Volenti non fit injuria, Plaintiff the wrongdoer, Inevitable Accident, Act of God, Private Defence, Mistake, Necessity, Statutory Authority.
4. Capacity- Act of State, Corporation, Minor, Independent and Joint Tortsors.
5. Vicarious Liability, Doctrine of common employment, State Liability, Absolute or Strict Liability.
6. Remedies, Kinds and measure of damages, Remoteness of damages, Torts to person and property including Negligence, Nuisance, nervous shock. Interference with contract or business, intimidation, conspiracy, deceit or fraud, malicious prosecution, defamation.

**A. The M.V. Act, 1988**

Preliminary, Licensing of drivers of Motor Vehicles, Licensing conductor of stage carriage, Registration of Motor vehicles, control of "transport vehicles, special provisions relating to stage transfer undertakings, construction, equipment and maintenance of motor vehicles, control of traffic, motor vehicles, temporarily leaving or visiting India. Liability without fault in certain cases, Insurance of Motor vehicles against third party risks, claim tribunals Offences, penalties and procedure, Miscellaneous.

**B. Consumer Protection Act, 1986**

Definitions, Consumer Protection Councils, Dispute Redressal Agencies- Establishment, Jurisdiction, Procedure and orders.

**Leading Cases:**

1. Ushabenv. Bhagya Laxrai Chitra Mandir, AIR 1970 Guj. 18.
2. N. Nagendra Rao v. State of A.P., AIR 1 994 SC 2663
3. Municipal Corp. of Delhi v. Subhagwati, AIR 1 966 SC 1 750
4. Raylands v. Fletcher, (1 869) IRHT 330.



5. Indian Medical Association v. VP Shantha, AIR 1996 SC 500

**Suggested Readings:**

1. G S. Pandey: Law of Torts and Consumer Protection Act.
2. Wiirfeld: Law of Torts.
3. Rama swami Iyer: Law of Ton.
4. B.S, Sinha: Law of Torts
5. Salmond: Law of Torts
6. Street: Law of Torts.
7. Ratanlal D Mrajlal: Law of Torts.
8. Avtar Singh: Law of Consumer Protection.
9. Venkateshwar: Consumer Protection in India

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**PAPER-1.3: FAMILY LAW-I (HINDU LAW)**

1. **Hindu Law-** Sources, Schools and application, Coparcenary, Joint family property and self-acquired property. Karta & His powers and obligations, Religious and Charitable Endowments, Essentials of an endowment, kinds of she bait and Mahant.
2. The Hindu Marriage Act 1955 – Condition of Hindu Marriage, its ceremonies and registration, Void and voidable marriage, Restitution of conjugal rights, Judicial separation, legitimacy of children, Void-voidable marriages, Separation of marriage, alternative relief in Separation of marriage, proceedings of Separation of marriage by mutual consent, One year bar to Separation of marriage, Separation of married persons when marry again, jurisdiction of procedure.
3. **The Hindu Succession Act, 1956-** Succession to the property of a Hindu Male, Succession to interest in coparcenary property, property of Hindu female, Succession to the property of Hindu female. General rules and disqualifications of Succession, Escheat.
4. **The Hindu Adoption and Maintenance Act, 1956-** Requisites of valid adoption, Capacity to take in adoption, Effects of adoption, persons who may be adopted, other condition for a valid adoption, Miscellaneous provisions of adoptions and Maintenance,
5. **The Hindu Minority and Guardianship Act 1956-** Natural guardians and their powers. Testamentary, guardians and their powers. De-facto guardian, general provisions of guardianship.
6. **Partition Under Hindu Law-** Meaning, property for partition, persons entitled to sue for partition and allotment of shares, partition how affected. Determination of shares, Re-opening of partition. Re-union. Debt-Doctrine of pious obligation: Antecedent Debt.

**Leading Cases:**

1. ShastriYagya Purushasji v. Muldas, AIR 1966SC 1119.
2. Hanuman Prasad v. Mussamat flaboeee Munraj Koonwaree, (1856) 6 M LA. 305.
3. GitaHaribaranv. State Bank of India, AIR 1996 SCI 149.
4. Biphi Chandra v. Prabhavati, AIR 1957 SC 176.
5. DharmendiaKumarv.UshaKumar,AIR19T7SC2218.
6. Tulsan v. Sessa Reddy, AIR 1977 SC 1944.

**Suggested Readings:**

1. Dr. P.C. Jain and Mukesh Agarwal: Hindu Law.
2. Mulla: Principles of Hindu Law.
3. Raghvachari: Hindu Law Principles and Procedures.

4. Paras Diwan: Modern Hindu Law,
5. Tahir Mahmood: Hindu Law.
6. Dr. U.C. Shankhla: Fundamental Principles of Separation of marriage Law

### **PAPER-1.4: CONSTITUTIONAL LAW OF INDIA –I**

1. Constitutional History of India-
  - a. The Council of India Act, 1909
  - b. The Council of India Act, 1919
  - c. The Government of India Act, 1935
  - d. The Independence of India Act, 1947
2. Constitution of India, 1950- Characteristics of the Indian Constitution, Salient Feature, Preamble, Federal Structure, Form of the Government,
3. **Union of India and its Territory**- Territory of India, Admission, or Establishment of New States.
4. **Citizenship**- Constitutional Provision and Dual Citizenship, Citizenship of Corporations.
5. **Union Parliament**-Organization, Procedure regarding enactment of Legislation, Parliamentary privileges.
6. **Union and State Executive**- The President, His Powers, viz., Executive, Legislative and Judicial, and Position including Ordinance Making Power, Prime Minister and Council of Ministers, Governor and his Powers.
7. **Legislative Relations**- Distribution of Powers between Union, and the States, Extent of Legislative Powers, Doctrine of Territorial Nexus, Doctrine of Pith Substance, Doctrine of Colorable Legislation and Doctrine of Repugnancy, Residuary Powers.
8. **Emergency Provision**- National Emergency, Failure of Constitutional Machinery, Civil Liberties and Emergency, Financial Emergency.

#### **Leading Cases:**

1. Indira Nehru Gandhi v Rajanarain AIR 1975SC 2299
2. State of Rajasthan v. Union of India AIR 1977 SCD61.
3. In Re-The Gujrat Legislative Assembly ATR (1974) 2 SCC 33.
4. U.K. Rao v. Indira Gandhi AIR 3970 SC 2097.
5. Kehar Singh v. Union of India, AIR 1 989 SC 653.

#### **Suggested Readings:**

1. Constitution of India as amended up-to-date.
2. Prof. GS, Pandey: Constitutional Law of India.
3. V.N. Shukla: Constitution of India.
4. M.P. Jain: constitutional law of India (Eng. A Hindi)
5. D.D. Basu: Introduction of the Constitution of India.
6. Paras Diwan: Constitutional of India.
7. M.C.J. Kagzi: Constitution of India.

### **PAPER-1.5: ENVIRONMENTAL LAW**

- A. **Introduction**- Concept and Dimensions of Environment; Enormity of Environmental degradation and its causes, environmental concern in the Traditional knowledge system of India, Environmental concern in Modern India, post-independence Policy Framework.

- B. **Constitution and the Environment**- Dimensions of the right to pollution free environment under Article 21 of the Constitution of India; Specific Constitutional provisions to ensure Pollution free Environment; Judicial activism and environment protection.
- C. **The Water (Prevention and Control of Pollution) Act, 1974**- Application of the Act. Definitions. Constitution of Central, State and joint boards; power and functions of the board; qualifications and disqualification of the members; prevention and control of water pollution and procedure thereof; powers to give direction; funds, accounts and audit, penalties and procedure and Miscellaneous provisions.
- D. **The Air (Prevention and Control of Pollution) Act, 1981**- Application of the Act, Definitions. Constitution of Central, State and joint boards; power and functions of the board; Qualifications and disqualification of the members; prevention and control of water pollution and procedure thereof powers to give direction; funds, accounts and audit, penalties and procedure and Miscellaneous provisions.
- E. **Environment (Protection) Act, 1986**- Application of the Act, Definitions, General powers of the Central Government including the powers to give directions; prevention and control of Environmental Pollution and procedure thereof; penalties and procedure and Miscellaneous.

**Leading Cases:**

1. M.C. Mehta v. Union of India, AIR 1987 SC 965.
2. M. C. Mehta v. Union of India, AIR 1988 SC 11
3. Municipal Council of Ratalam v. Wirdhichand, AIR 1980 SC 1622.
4. Vallore Citizen Forum v. Union of India.
5. Tarun Bharat Singh v. Union of India, Affi.1992 SC 514

**Suggested Readings:**

1. Thorough reading of the following statutes-
  - b. Environmental Protection Act, 1986.
  - c. Air (Prevention and Control of Pollution) Act, 1981.
  - d. Water (Prevention and Control of Pollution) Act, 1974.
  - e. Rajasthan Noises Control Act, 1993.
2. Armin Resencranz, Shyam Devan and Martha L. Noble: Environmental Law and Policy in India.
3. Justice Krishna Aiyer: Environmental Pollution and Law.
4. Dr. SB Verma: Environmental Law, Pollution and Management.
5. Suresh Jain and Vimla Jain: Environmental Law of India.
6. Kailash Thakur: Environmental Protection, Deep and Deep Publications, New Delhi)
7. Citizen Report, Pub, by Centre for Sc & Environment, Delhi.

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**Paper-1.6 Public International Law**

1. Definition, Nature and basis of and Sources of International Law, Relationship of international law and municipal law, codification of international law, subjects of international law, place of individual in international law.
2. State territory- Theory of recognition of state, acquisition and loss of state territory, state jurisdiction, state succession.
3. Law relating to Sea, Outer space, Asylum,
4. Extradition, diplomatic agents.
5. U.N.O.- General Assembly, Security Council, International Court of Justice.

6. Settlement of Dispute, intervention, war, laws of war, war crimes, aggression,
7. Belligerent occupation: Neutrality, Blockade and central.
8. Human Rights-Concept of Human Rights, Convention and covenant of Human Rights, Asylum, War crimes and war trials.
9. International terrorism, disarmament: Air Craft hijack.

**Leading cases-**

1. United Kingdom v. Norway (Anglo Norwegian Case), ICJ Report 1951 p. 116.
2. The Nuremberg Judgment, International Military Tribunal Nuremberg 1946 AJIL Vol. 41, 1947 p. 12.
3. In Re Govt. of India and Mubarak Ali Ahmad, 1952 1 HER 2060.
4. Kitch Tribunal Award Case-Foreign Affairs Report Vol. XVII March 68.
5. Right to Passage over Indian Territory Case, ICJ Report p.06.

**Suggested Readings-**

1. Stark: An Introduction to International Law.
2. Oppenheim: International Law, Vol. I &U.
3. Breirly: The Law of Nations.
4. Dr. Kusum Jam: Foundation of Human Rights.
5. S.K.Kapur: International Law (English & Hindi)
6. M.P. Tendon: International Law (English &Hindi)
7. Nagendra Singh :Lectureson International Law

**Paper-1.7: International Human Rights**

1. The Concept, Origin and Development of Human Rights, United Nation’s Charter, Universal Declaration of Human Rights, 1948,
2. Core Conventions on Human Rights including International Covenant on Civil and Political Rights, International Covenant on Economic Social and Cultural Rights.
3. Regional connections on Human rights, American convention on Human rights, European Convention, African charter on Human Rights.
4. Human Rights in India: its origin and development, Indian Constitution and Human Rights, Impact of International Conventions on the Constitution of India, Implementation of Human rights in India, Protection of Human Rights Act, 1993.
5. Rote of judiciary in enforcing human rights, Role of NGO’s and Human Rights in India.

**Suggested Reading:**

1. Basic documents on Human Rights,
2. Carey John; UN Protection of Civil and Political Rights - New York; Oceans.
3. Bhalla S.L. Human Rights; an Institutional Frame Work for Implementation.
4. VR, Krishna; Human Rights and the Law; Vedpal Law House,
5. Thomas M.A; The struggle for Human Rights - Asian Trading Corporation, Bangalore
6. U. Cahndra; Human Rights - Allahabad Law Agency.

**Paper-1.8: Administrative Law**

1. Nature, definition and scope of Administrative Law.
2. Principles of Natural Justice,
3. Delegated Legislation

- a. Factors leading to its growth
  - b. Restraints on delegation.
  - c. Control: Judicial and Legislative
4. Rule of Law
  5. Ombudsman and CVC.
  6. Public undertakings and public corporations.
  7. Administrative agencies and tribunal.

**Leading Cases:**

1. A.K. Kripak and Others vs. Union of India, ATA 1970 SC 150; (1969) 2 SCC 262.
2. In re-Delhi Laws Act etc. AIR 1951 SC 332.
3. Raj Narayan v. Chairman, Patna Administration, AIR 1954 SC 569,
4. Syed Yaqoob v. Radha Krishan, AIR 2014 SC 477,
5. Rohtash Industries Pvt Ltd. v. S.D, Agarwal, AIR 1969 SC 707.
6. State of Karnataka v. Union of India, AIR 1978 SC 1361

**Suggested Readings:**

1. Jain A; Administrative Law,
2. S.P Sathe: Administrative Law.
3. U.P.D. Kesri: Administrative Law (English & Hindi)
4. I.P. Massey: Administrative Law

**Paper-1.9 Laws Relating to Intellectual Property Rights**

1. The Copyright Act. 1957
2. The Patents Act, 1970
3. Trade Marks Act, 1999
4. The Geographical Indication of Goods Act, 1999
5. The Design Act, 2000
6. The Protection of Plant Varieties and Farmers 'Rights Act, 2001
7. The Biological Diversity Act, 2002

**Intellectual Property rights:** Meaning and scope of Intellectual property rights, International and Regional Influence, TRIPS, Intellectual Property Rights in India.

**Copyright:** Introduction to copyright, nature and Objectives of Copyright, Law, Copy rights vs. Public Interest, Neighboring and related Rights, Subject Matter, Ownership and Term of Copyright, Economic Rights of Copyright owner, Assignment of Copyright and Licenses, Role of Copyright Societies in the Administration of Copyright, Copyright Office, Copyright Board and Registration of Copyright, Infringement of Copyright.

**Patents:** Meaning and history of Patents, Product Patent and Process Patent, not patentable Inventions

**Trade Marks:** Meaning and Definition, Functions and Objectives of Trade Marks, Historical Background of Trade Marks in India, Certification Trade Mark, Collective Marks and Well known Trade Mark. Trade Mark and Property Mark, Trade Mark and Goodwill, Domain Name, Territoriality of Trade Mark.

**Geographical Indication:** Definition and function of Geographical Indication, Rational of protecting geographical Indication, Distinction between Trade Mark and Geographical Indication,

Historical Background of Law on Geographical Indication in India, Geographical Indication Registry, Condition for registration and effect of Registration, Infringement and Passing off.

**Designs:** Meaning of Design, Historical Background of Design Law, Protection of Industrial Design, Introduction to Industrial designs, Registration of designs, Copyright in Registered Design, Piracy of Registered Design and Remedies.

**Plant Varieties and Farmers 'Rights:** Meaning of Plant varieties, Objectives of the Plant varieties Act, Advantages, Farmer's Rights, Researcher's Rights and Public Interest. National Gen Fund and Benefit sharing. Registration, Effect of registration and Benefit sharing.

**Biological Diversity:** Meaning of Biodiversity, Objectives of Law on Biological diversity, National Biodiversity Authority, Functions and Powers of National Biodiversity Authority, State Biodiversity Authority,

**Suggested Readings:**

1. Bentley, L & Sherman, B: Intellectual Property Law, Oxford University Press
2. Ahuja, V.K.: Intellectual Property Rights In India

**PAPER-1.10: ALTERNATIVE DISPUTE RESOLUTION**

This paper shall consist of following two parts:

	Maximum Marks	Minimum Marks
a. Written Paper	80	2
b. Viva Voce	20	07

**The candidate must secure pass mark in part A & Part B separately**

**A. Written Paper**

**1. The Arbitration and Conciliation Act, 1996:**

A. Arbitration: General provisions, arbitration agreements, Arbitral tribunals (composition and jurisdiction), conduct of arbitral proceedings, Arbitral awards, Termination of proceedings, setting aside of arbitral award, enforcement of arbitral awards.

B. Conciliation: Meaning, appointment of conciliators, Relationship of conciliators with the parties, settlement agreement status and effect of settlement agreements, Termination of Conciliation proceedings. Resort to arbitration of judicial proceedings costs and deposits.

2. The Legal Services Authority Act 1987: Alternative dispute and resolution system, Objects & role of Committee for implementation of Legal Aid Scheme (CILAS). Function of national legal service Authority, State Legal Service Authority and District Legal Service Authority. Organization of Lok Adalats, Jurisdiction and powers of Lok Adalat, Procedure for determination of disputes before the Lok Adalat. Permanent Lok Adalat, Study of other alternative dispute resolution system in brief such as Gram Panchayat, Family courts and Commissioner for a Panchayat.

**Leading Cases:**

1. Sundaram Finance Ltd. vs. NEPC India Ltd. (1999) 2 SCC479, AIR 1999 SC 565.
2. State of U.P. vs. Harishchandran & Co., Arbitration Power to grant interest. AIR 1976, 1430
3. Union of India & Others v. Girdhari Lal, 1999 Rajasthan 106.
4. MMTCL Ltd. vs. Starlight Industries Ltd., 1996(4) CCS 219 (S) appointment of arbitrator 7, 10, 11.
5. Lotus Investment and Securities v. Pramod S. Tiberwal, 1996(4) CCS 219 (s).
6. State of Rajasthan v. Nav Bharat Construction Col., 1998(4) CCS 172(Raj.)

### **Suggested readings :**

1. G C. Mathur, Arbitration, and Conciliation Act, 1996.
2. S. Krishan murthy : Law of Arbitration and Conciliation.
3. P.M. Bakshi : Arbitration Law.
4. O. P. Tiwari : The Arbitration and Conciliation Act, 1996.
5. Avtar Singh : Law of Arbitration and Conciliation (English & Hindi)
6. N. V. Paranjape : arbitration and "conciliation act (English & Hindi)

### **B. Viva Voce :**

The candidate shall required to prepare a file containing programme of conciliation and Negotiation skill and case studies. The division of marks will be as under:

- i. Preparation of File regarding conciliation, negotiation skill and case study 10 marks
- ii. Viva Voce 10 marks

The viva voce examination shall be conducted by a committee of 3 persons. In this committee there shall be two internal examiners and one external examiner.

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### **LL.B. – Second Year** **Paper-2.1: Jurisprudence**

1. Meaning and definition of Jurisprudence, General and particular Jurisprudence, Importance of Jurisprudence.
2. Analytical School of Jurisprudence: Chief Exponents, background, basic tenets of school, law in terms of and a product of state.
3. Historical School : Its basic tenets thinkers of the school; their theories *and* contributions;
4. Sociological school of jurisprudence; its basic tenets; Basic Principles of various jurists; Contribution of the school
5. Natural law School:
6. Realist School of Law: Principles given by different jurists and its relevance.
7. Administration of Justice: Theories of punishment, sources of law legislation, judicial precedent and custom as source of Law.
8. Concepts: Concepts of rights and duties, Person, Property, Possession and Ownership,

### **Leading Cases:**

1. Keshvanand Bharati v. State of Kerala, AIR 1973 SCI 461, (Per MathewD, 1974; Para 1617-1620(Sovereignty) 1685-1698 (Natural lawand naturalrights) 1762-129 (Roscoe Pound and Sociological Jurisprudence) 1738-1745 1(Property rights and Social Justice)
2. A.K. Gopalan v. State of Madras, AIR 1950 SC 970, PARA1 8, 19, PerKania C.J., Para 107-109 (Per Patanjali Shastri), para 192 (Per Mukherji J.), Paras 2289 (Per Das J. Natural Law and Positive Law).
3. Maharaja Shree Umed Mills Ltd. v. Union of India AIR 1963 P. 953, Paras 12, 13, 14 (Per S.K. Das Concept of Law; Legislative agreements)
4. Jaipur Udyog Ltd. v. Income Tax Commissioner, AIR 1965 Raj. 162, Para 12, 13, 14, (Per Tyagi, Sovereignty, separation of powers and functions).
5. Shrimati Indira Nehru Gandhi v. Rajanarayan, AIR 1973 SC, Para 210 and 299 (Per Mathew J.)(Generally as a property of law)
6. In Re article 143 (Keshav Singh), AIR 1965 SC 745 Para 9-17 (Per SarkarJ. Law making by judicial and legislative comity).

7. Bengal Immunity Co., v. State of Bihar, AIR1955 SC 62 Precedent).SETH TrilokchandMotichand v. H.B, Munshi, AIR 1970 SSC S93.
8. Maneka Gandhi v. Union of India, AIR 1978 SC 597.

**Suggested Readings:**

1. Salmond: Jurisprudence.
  2. Dias: Jurisprudence.
  3. S.N.Dhyani: Jurisprudence - A Study of Indian Legal Theory.
  4. Henery Maine: Ancient Law
  5. Prof, K.B. Agarwal: Some Thoughts on Modern Jurisprudence.
  6. Vijay Mani Tripathi: Jurisprudence
  7. N. V. Paranjape: Jurisprudence (English & Hindi)
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**Paper-2.2: Law of Crimes (Penal Code)**

**Indian Penal Code, 1861:**

1. General Introduction: Nature, scope and definition of crime, Stages of Crime-Intention, preparation, attempt and action, Criminal Liability, intention and motive, knowledge.
2. Extent and operation in case of intra and extra territorial operation, General explanation, Common intention and common object, punishments and its kinds.
3. General Exceptions: Mistake of Law and mistake of Fact, Judicial Act, Accident, Necessity, Child's Act, Act of person of the unsound mind. Intoxication, trifling act; right of private defense of person and property.
4. Abetment and Criminal conspiracy.
5. Offences against the State: Wagering war against the state and sedition etc.
6. Offences against public tranquility; Unlawful Assembly; rioting; promoting enmity between different classes, affray; contempt of lawful authority of public servants; False evidence and offences against public justice; Public nuisance, rash driving or riding.
7. Offences relating to Religion: Injury of defiling place of worship; disturbing religious assembly, trespassing on burial places, uttering words to injure religious feelings.
8. Offences affecting Human body. Culpable homicide, murder, homicide by rash or negligent act, dowry deaths; Hurt simple and grievous, wrongful restraint and wrongful confinement; criminal force and assault; Kidnapping abduction, rape, unlawful sexual intercourse and unnatural offences.
9. Offences against property: Theft, extortion, robbery, dacoity; Criminal misappropriation of property, criminal breach of trust, receiving and retaining or concealment of state property; Cheating, mischief and criminal trespass.
10. Offences relating to documents: Forgery or making a forged document
11. Offences relating to marriage: Bigamy, marriage or fraudulently gone through without lawful marriage, adultery, endanger deceiving a married woman; Cruelty by husband or relatives of husband.
12. Defamation; Criminal intimidation and words leading to the insulting the modesty of woman.

**Leading Cases:**

1. Reg. v. Govind IR 1876 1 Bom 342.
2. Kedar Nath Singh v. State of Bihar, AIR 1 962 SC 955.
3. T.V. Vadgammav. State of Gujrat, AIR 1973 SC 2213.
4. Velji Raghavji v. State of Maharashtra AIR J 965 SC 1433,
5. K.M. Nanavati v. State of Maharashtra, AIR 1962 SC 605.



6. Bachan Singh v. State of Punjab, AIR 1 980 SC 896.

**Suggested Readings:**

1. Ratanlal and Dhirajlal: the Indian Penal Code (English & Hindi)
  2. T. Bhattacharya: The Indian Penal Code (English & Hindi)
  3. Hari Singh: Criminal Law of India
  4. Jaspal Singh: Indian Penal Code.
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**PAPER-2.3: SPECIAL CONTRACTS**

- B. Indian Contract Act, 1872 (Section 75 onwards)  
C. Sales of Goods Act, 1930  
D. Indian Partnership Act, 1932

**A. Indian Contract Act, 1872 (Section 75 onwards)-**

1. Contract of Indemnity and Guarantees: Meaning, Distinction between indemnity and guarantee and Kinds of guarantees, Rights of indemnity holder, Rights of the surety, extent of liability of the surety. Discharge of liability of the surety.
2. Contracts of Bailment and Pledge: Meaning and kinds of contract of Bailment, Bailment without consideration, Rights and duties of bailee and bailor, Termination of contract of Bailment. Position of the finder of goods under law. Contract of pledge-meaning and definition, Pledge by unauthorized persons. Rights and duties of pawner and pawnee.
3. Contract of Agency: Definition, kinds and modes of creation of Agency, Relations between the Principal and agent, The Principal and third party and the agent and the third party. Determination of agent's Authority: By the acts of parties and by operation of Law, Irrevocable authority.

**B. Sales of Goods Act, 1930**

1. Contract of Sale of Goods: Meaning, Definition and Elements of Sale, Agreement to sell, hire-purchase agreements and a contract for work and labour- meaning and distinctions from sale.
2. Goods-existing, future and contingent,
3. Conditions and warranties.
4. Passing of Property and risk from seller to buyer
5. Sale by unauthorized person.
6. Law relating to performance of sale,
7. Rights of unpaid seller.

**C. Indian Partnership Act, 1932**

1. Contract of Partnership: Meaning, definition, formation and the characteristics of contract of partnership.
2. Distinction between:
  - a. Co-ownership and partnership;
  - b. Joint Hindu Family, firm and partnership; and
  - c. Company and partnership;
3. Position of Minor.
4. Relations of partners inter se and relation of partners with third parties
5. Registration of partnership firm.
6. Dissolution of partnership firm.

### Leading Cases:

1. National Bank of India Ltd. v. Sohanlal, AIR 1962 Punj, 534.
2. Antrital Goverdhan Lai v. State Bank of Travancore, AIR 1960 SC1432.
3. Patnaik & Co. v. State of Orissa, AIR 1965 SC 1655.
4. State of Gujarat v. Meman Mohd. AIR 1967 SC1S85.

### Suggested Readings:

1. P.S. Atiyah: An Introduction to the Law of Contract
2. Pollock: Principles of the Law of Contract.
3. Pollock & Mulla: Indian Contract and Specific Relief Act.
4. V.G. Ramchandran: The Law of Contract in India.
5. V. G. Ramchandran: Law of Agency.
6. Avtar Singh: Law of Contract (English & Hindi).
7. Avtar Singh: Law of Partnership (English & Hindi),
8. Kapoor N.D: Mercantile Law

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### Paper-2.4: Family Law-II (Muslim law)

1. **Mohammedan Law:** Origin, development, sources, schools, Application, Interpretation and conversion.
2. **Marriage:** Nature of marriage, essential of marriage Khyar-ul-bulug, Iddat, Khilwat-ul- sahih, Matrimonial stipulations, kinds of marriage and effects of marriage.
3. **Mehar:** Meaning, nature, kinds, objects and subject matter. Wife's right-on non-payment of dower. Dissolution of Marriage: Talaq, Ila, Zihar, Talaq-e-Taftveej, Mubarat, Khula, Lian, Faskh, Section 2 of the Dissolution of Muslim Marriage Act, 1939, Legal effects of Separation of marriage.
4. **Pre-emption:** Meaning, nature and classification of Haqshufa (Preemption), Right of pre-emption, when conflict of law, subject matter and formalities of pre-emption, legal effects of Pre-emption, Devices for evading pre-emption.
5. **Gift (Hiba):** Meaning and requisites of gift (Hiba) Gift of Musha, Conditional and future gifts, Life estate, Life interest, Hiba-bil-ewaz, Hibaa-bilshart-ul-ewaj.
6. **Will (Vasiyat):** Competency of testator and legatee, valid subject of will, testamentary limitations, formalities of a will and abatement of legacy.
7. **Legitimacy and Acknowledgement:** Legitimacy and Legitimation, presumption of legitimacy under Muslim law and section 12 of the Indian Evidence Act, conditions of a valid acknowledgement.
8. **Maintenance :** Persons entitled to maintenance, Principles of maintenance, The Muslim Women (Protection of Rights on Separation of marriage) Act, 1986,
9. **Death Bed Transactions :** Meaning and effect of Marj-ul-maut
10. **Wakf:** Meaning, essentials and kinds, Beneficiaries of wakf. The Wakfvalidating Act, 1913. Formalities for creation of wakf.,wakf of Musha, Muslim religious institutions and officers. Administration of -Wakfs, Mutawali.
11. **Inheritance:** General Principles of Law of inheritance. Doctrine of Aul and Radd under hanafi and shia law.

### Leading Cases:

1. Maina Bibi V. Choudhary Vakil Ahmad, (1924) 52 IA 145.
2. Habibur Rehman v. Altaf (1921) 481A114.
3. Buzul-ul-Raheem v. Luteefoon Nissa, (1861) 3 MIA 379.
4. Abdul Fata v. Russomoy Choudhary, (1894) 22 1 A 76.
5. Mohd. Ahmad Khan v. Shah Bano Begum, AIR 1 985 SC 945.

**Suggested Readings:**

1. Dr. P.C. Jain and P.K. Gupta : Mohammedan Law,
  2. Fyzee : Mohammedan Law.
  3. Mulla : Principles of Mohammedan Law
  4. B.R Verma : Islamic Law,
  5. Aquil Ahmed: Mohammedan Law (English & Hindi)
  6. Amir Ali : Mohammedan Law.
- .....

**Paper-2.5: Constitutional Law of India-II**

1. Fundamental Rights: Origin and Development Against whom Fundamental Rights are available, State, Judicial Pronouncements on Other Authorities:, Doctrine of Eclipse, Doctrine of Severability and Doctrine of Waiver, Suspension of Fundamental Rights,
2. Fundamental Rights: Special Emphasis shall be placed on the Following Rights-
  - A. Right to Equality (Article 14 to 18)
  - B. Right to Freedom (Article 19)
  - C. Right to Life and Personal Liberty (Article 21)
  - D. Right to Education
  - E. Right to Freedom of Religion (Article 25 to 28)
  - F. Minority Rights (Article 29 to 30)
  - G. Right to Constitutional Remedies (Article 32).
3. Directive Principles of State Policy: Importance and Relationship with Fundamental Rights:
4. Judicial Power: Union and State Judiciary-Composition and Jurisdiction, Tribunals under Constitution, Judicial Review and PIL, Writ Jurisdiction.
5. Service under the Union and the State: Constitutional protection to civil servants, Public Service Commission of the Union and States.
6. Amendment of the Constitution: Power and Procedure, Basic Structure of the Constitution,

**Leading Cases:**

1. Minerva Mills v. Union of India AIR 1980 SC 1789,
2. Maneka Gandhi v. Union of India AIR 1 978 SC 597
3. Union of India v. Tulsiram Patel AIR 1985 SC 1416,
4. Keshvanand Bharti v. State of Kerala, AIR 1973 SC 1461.

**Suggested Readings:**

1. Constitution of India as amended up-to-date.
  2. M.P. Jain: constitutional law of India
  3. V.N. Shukla : Constitution of India
  4. D.D.Basu: Introduction of the Constitution of India
  5. G.S. Pandey : Constitutional Law of India
  6. J.N.Panday: (Eng. & Hindi)
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**Paper-2.6: Labour and Industrial law- I**

1. The Trade Union Act, 1926
2. The Payments of Wages Act, 1936
3. The Industrial Dispute Act, 1947
4. Factories Act, 1948
5. The Minimum Wages Act, 1948

1. The Trade Union Act, 1926: Definition, Registration of trade Unions, functions of registrar, cancellation of registration, appeals, incorporation or registered trade union. Funds of trade union, rights and liabilities of registered trade union, including immunities, office bearers, change of names, amalgamation. Dissolution of Trade Unions, Recognition of Trade Unions, Penalties.
2. **The Payments of Wages Act, 1936:** Preliminary, Payment of Wages and Deduction from Wages, Authorities under the Act, Miscellaneous Provisions.
3. The Industrial Dispute Act, 1947: Scope and objects, definitions, works committee, authorities for solving disputes, reference power, lay off retrenchment, closure, strike, lock out, penalties, unfair labour practices.
4. **Factories Act 1948 :** Definitions, inspectors, provisions regarding health, safety, welfare and working hours of workers, provisions relating to hazardous process, employment of young persons, annual leave with wages, penalties.
5. **The Minimum Wages Act, 1948:** Objects, definitions, Concept of minimum wage, fair wage and living wage, fixation of minimum rates of wages, advisory boards, committees, inspectors, payment of minimum rates of wages, overtime claims and miscellaneous provisions in the Act.

#### **Leading Cases:**

1. Workmen of Indian Standard Institution v. Indian Standard Institution, AIR 1976 SC 145.
2. Burmah Shell Co. v. Burmah Shell Management Staff Association, 1970 IFLJ 590 SC; AIR (1971) SC 922.
3. Workmen of Firestone Tyre and Rubber Co. Ltd. v. The Management of Firestone Tyre and Rubber Co. I, Ltd. AIR 1973 SWC.
4. Delhi Cloth and General Mills Co. Ltd. v. Ludh Budh Singh (1970) LLJ 180 AIR 1972 SC 103.
5. Jay Engineering Works v. State of West Bengal, AIR 1968 Cal. 406.
6. Bidi Leaves and Tobacco Merchants Association, Gondia and others, v. State of Bombay, AIR 1962 SC 486.
7. Bangalore Water Supply v. A. Rajappa, AIR 1978 SC
8. Express Newspapers Ltd, v. Union of India and others, AIR 1938 SC 578

#### **Suggested Readings:**

1. Indian Law Institute: Law and Labour Management Relations in India.
2. Rustamjee : The Law of Industrial Disputes,
3. O.P. Malhotra: law of industries disputes Vol.I &II.
4. MJ, Mathew: Labour & Industrial Law.
5. S.N. Dhyani: Trade Unions and the Right to Strike.
6. S.N. Mishra: Labour and Industrial Law (English & Hindi)

### **Paper-2.7: Interpretation of Statutes, Principles of Legislations And Legal Language Legal Writing And General English**

- B. This paper shall be divided into two parts i.e. Part –A & Part–B. five questions shall be asked from part A and Four questions shall be asked from part B. The students have to opt at least two questions from each part.**

#### **Part -A**

##### **A. Interpretation of statutes**

1. Interpretation of statutes: Meaning and Basic principles of Interpretation: The literal or grammatical interpretation, The mischief Rule, The Golden Rule, Harmonious Construction, Construction *ex visceribus*, Construction *ut res magis valeat quam pereat*, Identical

expression, Construction *ejusdem generis*, Construction expression *uniusest exclusion alterius*, Construction *contemporanea exposition est fortissimo in leg*

2. Beneficial and Strict Construction
3. Interpretation of Statutes in *pari material*
4. Intention of Legislature; Mandatory or Directory Enactments, Conjunctive and Disjunctive Enactments
5. Internal Aids to Interpretation: Short Title, Long Title, Preamble, Marginal Note, Headings, Definition or Interpretation Clauses, Proviso, Illustrations, Exceptions and Saving Clauses and Punctuation
6. External Aids to Interpretation: Dictionaries, Text books, Historical background, Legislative History, Practice-Judicial, Convincing, Administrative and Commercial.
7. Presumptions regarding Jurisdiction
8. Maxims of Interpretation
9. Interpretation of the Constitution, Penal and Taxing Statutes

### **B. Principal of Legislations**

10. Principles of Modern Legislation
11. Public Opinion and Legislation

### **Part- B**

#### **C. Legal Language**

##### **(A) Vocabulary:**

1. Use of legal phrases and terms.
2. Pairs of words.
3. One word substitution
4. Latin Maxims

##### **(B) Composition Skills**

1. Brief Writing and drafting notice, letters and applications.
2. Essay writing on topics of legal interest.
3. Translation (from English to Hindi and Hindi to English)

#### **Leading Cases:**

1. Heydon's case (1584) eCo.Rep.7ap.76:ER637.
2. Bengal Immunity Company v. State of Bihar AIR 1955 SC 66 1.
3. Alamgir v. State of Bihar, AIR 1959 SC 436. "
4. Indersingh v. State of Rajasthan AIR 1957 SC 507.

#### **Suggested Readings:**

1. Maxwell : The Interpretation of Statute,
2. Crawford : Statutory Constitution,
3. Craies: Statute Law
4. Swamp: Interpretation of Statutes.
5. Bindra: Interpretation of Statutes.
6. Sarathi: Interpretation of Statutes.
7. T. Bhattacharya : Interpretation of Statutes (English &Hindi)
8. Bentham: Theory of Legislation.
9. DiceyLaw and Public opinion in England.
10. Hindi English Legal Glossary: Vidhi Sahitya Prakashan, Ministry of Law, Govt. of India.
11. Anirudh Prasad : Legal Language & Writing.

### **Paper-2.8: Property Law**

1. Transfer of Property Act, 1882
  2. The Indian Easement Act, 1882
  3. The Indian Trust Act, 1882
  4. The Rajasthan Public Trust Act, 1959
- A. **Transfer of Property Act, 1882:** Definitions, General Principles relating to transfer of property. Specific Transfer; provisions relating to the sale, mortgage, charge, lease, exchange, gift and actionable claims.
- B. **Indian Easement Act, 1882:** Easement in general; imposition and transfer of easements; incident of easements; distribution of easements; extinction, suspension and revival of easements; and license.
- C. **The Indian Trust Act, 1882:** Definition, Creation of Trust, Duties and Liabilities of Trustees, Rights and Power of Trustees, Disabilities of trustees, Rights and Liabilities of the Beneficiary, Vacation the office of Trustees, Extinction of Trustees, Certain obligation in the nature of Trusts.
- D. **The Rajasthan Public Trust Act, 1959:** Definition and validity of certain public trust, Registration of public trust, Management of Public Trust property, Powers of officers in relation to Public Trust, Control of Public Trust, Social provisions in respect to certain trust, Dharmada-Procedure and Penalties.

#### **Leading cases:**

1. Smt. Shantabai v State of Bombay and others, AIR 1 958 SC 532.
2. Rajendrav.Santa Singh, AIR 1973 SC 2537.
3. Kreglinger v. New Patagonia Meat and Cold Storage Comp. Ltd., (1914)
4. Union of India v. Sharda Mills Ltd., AIR 1973 SC 281
5. Nathu Lal v. Phool Chand, AIR 1970 SC 546.
6. Jamma Masjid v. Davish and others, AIR 1962 SC 847.

#### **Suggested reading:**

1. Mulla: Transfer of Property Act.
  2. S. Shah: Lectures on Transfer of Property.
  3. I. C. Saxena: Transfer of Property.
  4. B.B. Mitra: Transfer of Property
  5. S.R. Bhansali and Sharma :Sampatti Antaran Adhinyam.
  6. S.N. Shukla: Sampatti Antaran Adhinyam.
  7. G.P. Tripathi: Sampatti Antatan Adhinyam.
  8. Indian Easement Act, 1882.
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### **Paper-2.9: Company Law**

1. Companies Act, 2013: Introduction, Historical background and Salient features of the Act.
2. Definition and Nature of Company: Classification of companies, formation; promotion and incorporation of companies.
3. Memorandum of Association: Doctrine of ultra-virus, Articles of Association, doctrine of indoor management, prospectus of a company.

4. Share capital issue and allotment of shares, members, dividends, interest and commission,
5. Borrowing powers, charges, mortgages and dentures.
6. Directors, other managerial persons, accounts and audit.
7. Meetings, majority powers and rights of minority shareholders, protection of a company from oppressions and mismanagement, investigation of company's affairs.
8. Reconstruction and amalgamation of company.
9. Winding up-General provisions, illegal Association and Defunct Companies.

**Leading Cases:**

1. AronSoloman v. Soloman and Co., (1897) AC 22.
2. Royal British Bank v.Turquand,(l 856) 119ER 886.
3. Deputy Secretary to Government of India, Ministry of Finance v. S.N. Das Gupta, AIR 1956 Cal, 414,
4. Tata Engg. and Locomotive Co. , Ltd, v. State of Bihar AIR 1 965 SC 40.
5. Shanti Pd. Jain v. Kalinga TubeLtd. AIR 1965 SC 1535.
6. Vasudev Ram Chandra Shetal v. PJ. Shankcr, AIR1974SC1728.
7. Bajaj Auto Ltd. v. N.K, Farodia & Others, AIR 1971 SC 321
8. Bell Houses ltd. v. City Wall Properties Ltd., (1966)2 WLR 1323.
9. Seth Mohan Lal v. Grain Chanbers Ltd., AIR1968 SC777
10. Bharat Commerce and Industries Ltd. v. Registrar of Companies, West Bengal, (1973)43 Co. cases275.

**Suggested Readings:**

1. Indian Companies Act, 1 956 with upto date amendments.
2. Aiyas : The Companies Act, 1956.
3. Shah: Lectures on Company Law.
4. Avtar Singh : Company Law (English & Hindi)
5. Ramayya: A Guide to Company Law
6. N.V.Paranjpe: Company Law (English & Hindi)

**PAPER 2.10- PROFESSIONAL ETHICS AND BAR BENCH RELATIONS**

**This paper shall consist of following two parts:**

	Maximum Marks	Minimum Marks
a. Written Paper	80	2
b. Viva Voce	20	07

**The candidate must secure pass mark in part A & Part B separately**

**A. Written Paper**

1. The Bar Council Code of Ethics: Professional Ethics-Meaning and scope. Duties of an Advocate towards the Court, his client, other fellow Advocates and the Public.
2. Advocates Act, 1961: Bar-bench relations- meaning, necessity, nature and scope.
3. The Contempt of Court Act, 1971: The contempt law and practice, Supreme Court pronouncements in relation to
  - (a) The Bar-bench relations and
  - (b) The contempt of court

**Suggested Readings:**

1. Mrs. Krisnamurthy book on “Advocacy”.
2. Anirudh Prasad : “ Principles of Ethics of legal profession in India (Accountability for lawyers and Bench Bar Relation)
3. T. Bhattacharya : Contempt Law ( English & Hindi)
4. Major judgments of the Supreme Court on misconduct.

**B. Viva Voce :**

The candidate shall be required to submit in writing the facts arguments and the principles of law laid down in any ten important decisions of the Supreme Sourt disciplinary Committee of Bar Councils. The division of marks will be as under:

- |                                       |          |
|---------------------------------------|----------|
| i. Preparation of File by the student | 10 marks |
| ii. Viva Voce                         | 10 marks |

The viva voce examination shall be conducted by a committee of 3 persons. In this committee there shall be two internal examiners and one external examiner.



**LL.B. – Third Year**  
**Paper-3.1: Law of Evidence**

**Definitions, may presume, shall presume and conclusive proof, presumptions of fact and law, presumptions regarding documents**

**Relevancy of facts: Explaining res-gestate, occasion, cause, effect; motive intention, preparation, previous and subsequent conduct, introductory 'and explanatory facts, facts and otherwise relevant become relevant, accidental and incidental facts. Facts which need not be proved, improper admission and rejection of facts.**

1. Admission and Confession:
  - B. Admission: Definition, whose admission is relevant, relevancy of admission in civil cases, admission is not conclusive proof, admissions an estoppels.
  - C. Confession : Definition., its kinds, confession caused by inducement, threat or promise, confession to police officer, confession in the custody of police confession of Magistrate, confession by co-accused.
  - D. Difference between admission and confession
2. Relevancy of statements
  - A. Statements by persons who cannot be called as witness
  - B. Statement made under special circumstances
  - C. Relevancy of judgment of a court law
  - D. Opinions of third, poison
  - E. Opinion of experts/third person
  - F. Relevancy of character
3. Evidence: Oral evidence, documentary evidence, kinds of documentary when secondary evidence is relevant. Public and private document. Exclusion of oral evidence by documentary evidence: Application of this principle and its exceptions, ambiguous documents, kinds of ambiguity.
4. Burden of Proof: Meaning, general principles of burden of proof in civil and criminal cases and exceptions to it When burden of proof shifts, proof of legitimacy of child, proof in dowry deaths and in the matters of rape.
5. Estoppel: Meaning, essentials, nature and its kinds. Witnesses Competency of witness, when person and be compelled to appear as witnesses, privileged communications and documents, accomplice hostile witness.
6. Examination of Witnesses: Order of examinations, kinds of examinations, leading question, impeaching the credit to witness, questions which can and which cannot be asked, refreshing the memory of witness, production of document Judge's power to put questions and to order production. Effect of acceptance or rejection of improper evidence.

**Leading Cases:**

1. Nishi Kant Jha v. State of Bihar, AIR 1969 SC 422.
2. Himachal Pradesh Administration v. Om Prakash AIR 1972 SC 975,
3. Sat Pal V Delhi Administration, AIR 1976 SC 294.
4. Laxmipat Chorasias v. State of Maharashtra, AIR 1968 SC 938.
5. Pakala Narayan Swami v. Emperor, AIR 1939 PC 47.
6. Bhardwade Bhogui Bhan Herji Bhai v State of Gujrat AIR 1988 SC 753.

7. RM Malkani v. State of Maharashtra, AIR 1973 SC 157.

### **Suggested Readings:**

1. Ratan Lal: The Law of Evidence
2. Batuklal: Law Evidence.
3. V.P. Sarathi: Law of Evidence.
4. Avtar Singh: Law of Evidence.
5. G S. Pande: Law of Evidence (English &Hindi)

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### **Paper-3.2: Law of Crimes-II (CrPC)**

- A. Criminal Procedure Code, 1973
  - B. Probation of Offenders Act, 1958
  - C. Juvenile Justice Act, 2000
- A. Criminal Procedure Code, 1973
- 1. Preliminary-**
    - a. Object, Extent and definitions (Chapter-1)
    - b. Duties of Public-
      - i. To assist police and Magistrate
      - ii. To give information about certain offences (Chapter IV Ss. 37 to 40)
  - 2. Criminal Courts-**
    - a. Territorial divisions and classifications (Chapter II, Ss, 10,14,15,19,22 and 23)
    - b. Powers (Chapter II, ss. 26 to 31)
  - 3. Pre-Trial Procedures-**
    - a. Process 10 compel appearance (Chapter VI)
    - b. Process to compel Production of things (Chapter VII)
    - c. Arrest of Persons Chapter V)
    - d. Information to Police and their powers of Investigation (Chapter XII)
    - e. Bail (Chapter XXXIII)
    - f. Maintenance of Public Order and Tranquility (Chapter X)
  - 4. Jurisdiction of the Courts in the inquiries and Trials** (Chapter XIII)
  - 5. Complaints to Magistrates and Cognizance of Offence** (Chapter-XV and XIV).
  - 6. Charge** Chapter XVII)
  - 7. Types of Trials-**
    - a. Trial before Court of Session (Chapter XVIII)
    - b. Trial of Summons and Warrant Cases (Chapter XIX & XX)
    - c. Summary Trials(Chapter XXVII)
    - d. Judgment,
  - 8. Appeals** (Chapter XXIX) **References and revision** (Chapter XXX)
  - 9. Misc. Provisions-**
    - a. Period of Limitation (Chapter XXXVI)
    - b. Irregular Proceedings (Chapter XXXV)
    - c. Autrefois acquit and Autrefois convict
    - d. Legal Aid to accused at State Expenses (S. 304)
    - e. Pardon to an accomplice

- f. Saving to Inherent powers of High Court
  - g. Maintenance of Wives, Children and Parents
  - h. Plea Bargaining (S. 265 A to L)
- B. Probation of Offenders Act, 1958
- C. Juvenile Justice Act, 2000

**Leading Cases:**

1. Tehsildar Singh v. State of Delhi, AIR 1955 SC
2. State of U.P. v. Singhara Singh, AIR 1964 SC 359
3. Nisar Ali v. State of UP, AIR 1957 SC 336
4. Purshottam Das Dalmia v. State of West Bengal, AIR 1968 SC 1989
5. State of Andhra Pradesh v. Ganeshwara Rao, AIR 1968 SC 1050
6. Satwant Singh v. State of Punjab, AIR 1956 SC 415

**Suggested Readings:**

1. Ratan Lal: Criminal Procedure Code (English & Hindi)
2. A.C. Ganguli: A Guide to Criminal Code Practice
3. Juvenile Justice Act, 2000
4. Probation of Offenders Act, 1958
5. B.D. Khatri: Law of Probation in India along with Juvenile Justice Act, 2000
6. N.K. Chakravarti: Probation System in the Administration of Criminal Justice.

**Paper-3.3: Civil Procedure Code and Limitations**

1. Code of Civil Procedure, 1908: Definitions, suits in general suit of civil nature, stay of suit, res-judicata, Res-subjudice, Foreign Judgment, Place of trial, Transfer of suits, Joinder non-joinder and mis-joinder of parties and causes of action. Service of summon and pleadings.
2. Execution in general; Courts which decrees may be executed, Powers of the Court executing the decrees, transfer of decrees for execution and modes of execution. Stay of execution, Suits in particular cases (Orders XXIX to XXIII). Abatement of suits.
3. Supplemental proceedings. Attachment before judgment, Arrest before judgment, Temporary injunction and Appointment of Receiver.
4. Appeals: Appeals against order and appeals against decree, Review, Revision and Reference.
5. The Limitation Act 1963 (Omitting the Schedule). Purpose, policy, nature and scope of the Act, Definitions: Applicant, bond, defendant, easement, good faith, plaintiff, period of limitation, relationship between limitations, laches, acquiescence, estoppel and rejudicate; Limitation of suits, appeals and applications, disability, computation of period of limitation acknowledgement and part payment, acquisition of ownership by prescription.

**Leading Cases:**

1. Shri Sinha Ramanuja v. Ramanuja, AIR 1961 SC 1720.
2. Seth Hukumchand v. Maharaja Bahadur Singh, 60 IA 313.
3. Narain Bhagwant Rao v. Gopal Vinayak, AIR 1960 SC 104.
4. Garikapati Veeravav. N. Subhia Chaudhary, AIR 1957 SC 540.
5. Deoki Nandanv. Murlidhar, AIR 1957 SC 133.
6. Deity Pattabhirama Swamy v. Hanmayya, AIR SC 57.
7. S.N. Jakati v. B.M. Borker, AIR 1959 SC 281.

**Suggested Readings:**

1. Mulla: Civil Procedure Code
2. S.N. Singh: Civil Procedure Code
3. Sahai on Civil Procedure Code (English & Hindi)
4. M.P. Tandon: Civil Procedure (English & Hindi)
5. C.K. Takwani: Civil Procedure Code

**Paper-3.4: Labour and Industrial Laws –II**

1. **The Employees’ Compensation Act, 1923:** Definitions, Employers liability for compensation, Amount of Compensation, Method of Calculating wages, Commutation of payments, Commissioners- appointment, powers & procedure of commissioners.
2. **The Employees’ State Insurance Act, 1948:** Definitions, Establishment of Employees state insurance corporations, standing committee & medical benefit council.
3. **The Employees’ Provident Funds and Miscellaneous Provisions Act, 1952:** Definitions, Employees provident funds scheme & authorities, penalties.
4. **The Bonded Labour System (Abolition) Act, 1976:** Aim object & operation, Definitions, abolition of bonded labour system, implementing authorities, Vigilance Committee, Offences and procedure for Trial.
5. **The Contract Labour (Regulation and Abolition) Act, 1970.:** Object & Scope, Definitions, Advisory Board, Registration of establishment employing contract labour, Licensing of contractor, Welfare health of contract labour, penalties & procedures.
6. **The Child Labour (prohibition and Regulation) Act, 1986:** Object & Scope, definition, prohibition of employment of children in certain occupations and process, Regulation of conditions of Work of Children.

**Suggested Reading :**

1. S.N. Mishra: Labour and Industrial Laws

**Paper-3.5: Penology, Victimology and Forensic Science**

**Penology:** Meaning and scope of Penology, Relationship between Criminology and Penology, Definition of Punishment, origin and evaluation of Punishment, Theories of Punishment, kinds of Punishment, Penal system in India, Capital punishment, parole and pardon, Prison system and Juvenile House in India.

**Victimology:** Need for compensation, compensation and rehabilitation, compensation as a mode of punishment and constitutional perspective of compensation.

**Forensic Science:** Meaning of forensic science, Elements and methods of criminal investigation.

**Leading Cases:**

1. Francis Coralie Mullinv. Union Territory Delhi, AIR (1981) SC 746
2. R.K. Garg v. unionofIndia (1981) 133ITR239.

3. Mitthuv State of Punjab, AIR1983.SC 473

### **Suggested Readings:**

1. Korm, R.R. and Me Gorble, LW- Criminology & Penology
  2. Grunhut- Penal Reforms
  3. Garden Rose-The Struggle for Penal reform
  4. I.L.I. -Essays on Indian Penal Code
  5. Ben; Penology -Old and New -Tagore Law Lectures
  6. Elton-Conflicting Penal Theories m Statutory Criminal Law.
  7. Cillin- Criminology and Penology
  8. R Beccaria-Crime and Punishment
  9. The Criminal Procedure Code
  10. The Constitution of India
  11. Sutherland and Gisey: Criminology
  12. Ahmed Sidelique – Criminology
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### **Paper-3.6:Principles of Taxation Law**

#### **A. Direct Taxes -**

1. Income Tax Act 1961
2. Wealth Tax Act, 1951
3. Gift Tax Act, 1958

#### **B. Indirect Taxes- Goods & Service Tax**

1. **Income Tax Act 1961:** Meaning and Kinds of Income, Exemption, Tax on Agriculture Income. Corporate Income Tax, Tax on agriculture Income.
2. **Wealth Tax Act, 1951:** Meaning of Wealth, Valuation of wealth and Calculation of wealth tax.
3. **Gift Tax Act, 1958:** Meaning of Gifts, charges on gift tax, Gift tax on transfer, exemption.
4. **Goods & Service Tax:** Introduction, Meaning of goods & services, Tax slabs, calculation of GST, Exemptions.

### **Suggested Readings:**

1. Income Tax Act, 1961.
  2. R,K, Lakhotia: Law and Practice of Income Tax in India,
  3. A. K.Saxena : Law of Income Tax in India
  4. S.L. Jain: Ayakar Vidhi
  5. Bhagwati Prasad: Ayakar Vidhi.
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### **Paper-3.7: Land Laws including Tenure and Tenancy System**

1. Rajasthan Tenancy Act, 1955: Objects and reasons, definitions, Khuda khasht Section 1 to 13, Ijraiders grove holder (sections 194 to 205), Classes of tenants (Section 14 to 17A), conferment of rights of subtenants or tenants Khud Khasht (Section 19), Primary rights of tenants sections(31 to 37), Surrender, abandonment and extinction of tenancies (sections 55 to 64),Improvement Trees (Sec. 65 to 87) declaratory suit (Sec 88 to 92) Determination and modification of Rent (sections 93 to 129). Payment and Recovery of Rent, Remedies for wrongful ejection (section 216 to 221). Provision for injunction and appointment of receiver (sec, 212) Appeal, review, revision (section 222 to 232). Reference, Questions of proprietary rights in revenue courts (section 239) Question of Tenancy Rights in civil court (section 242) conflict of Jurisdiction (section 243)
2. Rajasthan Land Revenue Act, 1956; The Board of Revenue; Revenue courts and officers (section 4 to 30) Appeal, Reference, Revision and Review (Ss 74-87) Land (Ss 88 to 105) Survey (Ss. 100-112). Record of Rights. Maintenance of maps and record, Annual Registers (Ss 113-137). Settlement Operation: Rent Ratio; determination of rent, term of settlement. (Ss. 142 -177). Collection of revenue (Ss. 224 to 257) of tenants, grounds, restriction on eviction, restitution of possession, waiver on default Power & Jurisdiction of Rent Tribunals.

### **Leading Casts:**

1. Khemchand v. State and Others, 1999 DNJ Raj. 239,
2. Saria Ahuja v. United Ins. Co. Ltd., AIR 1999 SC100.
3. Nathu singh v. Laxman Singh, 1995 RRD 124.
4. Panne Singh v. Guman Singh, 1964 RRD 101.
5. Bhonra v. Ganesh 1996 RRD 71
6. Shiv Shankar v. Murli Sri Bade Muthuresthan, 1996 RRD 316

### **Suggested Readings :**

1. S.K. Dutta : Rajasthan Tenancy Law, Rajasthan Land Revenue Act, Rent
2. Mathur & Mathur: Land Laws in Rajasthan.
3. Dr. G.S. Karkara :Land Laws in Rajasthan (English & Hindi)
4. Dr. Anil kaushik: Rajasthan Bhumi Vidhiyan

## **Paper-3.8: Information Technology**

### **The Information Technology Act, 2000:**

Preliminary, Digital Signature, Electronic governance, Attribution acknowledgement and dispatch of electronic record. Secure electronic records and secure digital signatures, regulation of certifying authorities. Digital signature certificates, Duties of subscribers, Penalties and adjudications. The Cyber regulations appellate tribunal, Offences; Network, Service providers not to be liable in certain cases, Miscellaneous.

### **Suggested Readings:**

1. S.R. Bhansali–The Information Technology Act, 2000.
2. Vakul Sharma : Law & Practice, Information Technology.
3. Nandan Kamath : Law relating to Computer, Internet and E. Commerce.

4. M.N. Doja: Fundamentals of Computer and Intonation Technology.
5. M.M. Mayand; E. Commerce.

**Paper-3.9: Right to Information and Legislative Drafting**

**b. Right to Information**

1. Right to Information: Concept, Origin and Development
2. Right to Information Act, 2005: Salient features and Definitions.
3. Obligations of Public Authorities
4. Central Information Commission: Constitution, Term of Office and Condition of Service, Removal of Central Chief information Commissioner and Information Commissioner,
5. State Information Commission: Constitution, Term of Office and Condition of Service, Removal of State Chief information Commissioner and Information Commissioner,
6. Power and Functions of The Commission, Appeal and Penalties
7. Miscellaneous Provision of the Right to Information Act, 2005.

**c. Legislative Drafting**

1. Legislation: Meaning and Objects of Legislation
2. Process of Making Law
3. Subordinate Legislation
4. Principles and techniques of Legislative drafting
5. Legislative drafting in India

**Suggested Readings:**

1. Bhansali, S.R.; the Right to Information Act, 2005.
2. Jain, P.; Suchna ka adhikar: Vidhiavam Vyavahar (Hindi)  
Segal, Mark; Legislative Drafting; Principles and Materials

**Paper-3.10: Moot Court, Exercise and Internship Clinical Course - (practical paper)**

**This paper shall consist of following four parts**

	<b>Max. Marks</b>	<b>Min. Marks</b>
A. Two Case study and presentation in moot court	25	09
B. Observance of Court Trial in two cases	25	09
C. Pre-trial preparations and Internship	25	09
D. Viva in Voice	25	09

The candidates must have to carry passing marks in all parts separately.

- A. **Two Case study and presentation in moot court:** Under this head students have to study any two case laws and present through oral advocacy. The students have to submit case preparation in written form also at the time of moot court, conducted in college in the presence of senior faculty member. The cases may be assigned in payer of two students by the convener of moot court and it will be evaluated for 10 marks for written submissions of two case study and 15 marks for oral advocacy.
- B. **Observance of Court Trial in two cases:** under this head students have to observe Court trail in two cases one civil and one Criminal. A diary has to be maintained by the student with date for the observations of the various steps of the Court proceedings.
- C. **Pre-trial preparations and Internship:** under this head students have to join any lawyer's office of his own choice and do the internship for At least 3 months to observe the preparation of documents

and court papers by the Advocate and the procedure for the filing of the suit/petition. All the work done under internship will be recorded in a diary with date and duly signed by the Lawyer under which Internship has been done. The students are also required to give the details of the Lawyer under whom he is going to join internship before such joining to the convener.

- D. **The Viva-in voice:** Under this head students have to face a viva in voice conducted by Two internal and One External (having 5 yr. teaching experience or Ph.D. or an advocate having 10 yrs. practice experience in civil and criminal courts) Examiners on the contents of dairies of aforesaid three heads.

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