

# First Year LLB Honors Degree Program Syllabus

## First Semester

### 1. General English - I

#### A. Grammar and Usage

1. Simple, Complex & Compound Sentences
2. Clauses & Phrases
3. Tense & agreement
4. Basic Transformations
  - (i) Active & Passive
  - (ii) Affirmative & Negative
  - (iii) Direct & Indirect Speech
5. Question Tags and Short Responses
6. Conditionals
7. Some Common Errors

### Detailed Study of a Text

Lord of the Flies — By William Golding

#### B. Vocabulary (Communication Skills)

1. Legal terms (relevant to the subject papers to an L.L.B. student)
2. Use of Legal Terms

#### C. Comprehension Skills

1. Reading Comprehension (Principles and Practice)
2. Listening Comprehension
3. Comprehension Passages

#### D. Composition Skills

1. Paragraph Writing & Essay Writing
2. Normal Correspondence
3. Note-taking & Note-making
4. Report Writing
5. Dialogue Writing

## **RECOMMENDED SOURCE MATERIALS**

1. M.K.Gandhi- The Law and the Lawyer, Navjivan Publications, Ahmedabad, 1962
2. Ishtiaque Adibi -Law and Language, University Publishers, Aligarh 1978..
3. Denning - Due Process of Law
4. M.C.Chagla - Roses in December, Bharatiya Vidya Bhavan, Bombay.
5. Burke Edmund - Impeachment of Warren Hastings, London G. Well.
6. M.C. Setalvad - Common Law in India, Hamlyn Lectures, Stevens and Sons.

## **2. Political Science - I**

### **A. Political Theory**

1. Conception of state and Government.
2. Main Current of Western Political Thought; Medieval Political Thought (Natural Law and natural rights), liberalism, socialism and Marxism.
3. Main currents of Indian political thoughts; classical Hindu and Islamic conceptions of state, political ideologies in Nineteenth Century (growth); Gandhism, Sarvodaya, Marxist thoughts in India.
4. Conceptions of political and legal sovereignty
5. The Totalitarian State

### **B. Political Organization**

1. Organization of government: Unitary /federal/ quasi federal; (one party democracies, military rule, presidential and cabinet forms).
2. The legislature, executive and judiciary; the doctrines of separation power, Parliamentary sovereignty, and independence of the judiciary.
- 3 . Conception of representation, public opinion and participation.

## **RECOMMENDED SOURCE MATERIALS**

1. Loslie Lipson - Great Issues of Politics. An introduction to political science, New York, Prentice Hall, 1954.
2. G.N, Singh- Fundamental of Political Science and Organisation. Allahabad, Kitab Mahal, 1966.
3. K.R.Bombawall - Indian Politics and Government since 1885 Delhi Atmaram and Sons 1951.
4. Hans Morgenthau -Politics Among Nation: The Struggle for Power and Peace, 2nd Ed. New York Knopt 1955.
5. Quincy Wright -Study of International Relations. New York, Appleton Century Crofts 1955
6. D.W. Bowett, International Institutions, London, Methuen 1964

7. Percy's Cohen- Modern Social Theory (Arnold Heinman 1976)
8. Dennis Lloyd- The idea of Law (pelican, 1964)
9. D.D. Raphael- Problem of Political Philosophy (macmilan,19)
10. Roscoe Pound -An Introduction to the Philosophy of Law ( Yale Uni. Press, Roscoe 1954)
11. Upendra Baxi - The Crisis of the Indian Legal System (Vikas,1982)
12. H.L.A Hart- Essay on Punishment and Responsibility (Oxford 1958)
13. S.E. Finer- Comparative Government (pelican, 1970)
14. Rajani Kothari- Democratic Polity and Social Change in India:  
Crisis and Opportunities (Allied Publishers,1976)
16. George Lich Them - A Short History of Socialism (Fontanal Collins, 1970)
17. U.N.Gloshal -A History of Political Ideas (Oxford 1959)
18. K.P. Karunakaran- Modern Indian Political Traditions (Allied, 1962)
19. G.H. Sabine- A History of Political Theory (Fourth Edn. Oxford 1973)  
G. Sawyer- Modern Federalism, London C.A. Watts 1969.
20. S.P.Verma- Modern Political Theory, Vikas, 1980.

### 3. **Sociology**

#### **General Principles**

1. Sociology as a Science
  - a. data concept and theory
  - b. the comparative method
2. Basic Concept in Sociology:
  - a. Structure and function
  - b. Status and role
  - c. Norms and Value
  - d. Institutions
3. Social Institutions
  - a. Marriage, Family and Kinship
  - b. Work and Economical Institutions
  - c. Power and Political Institutions
  - d. Religious Institutions
  - e. Educational Institutions
4. Social Stratification
5. Social Control, order and stability

6. Coercion, Conflict and Change
7. Sociology as a Critique of Society
8. Law and Society, Sociology of Law, Sociology of Legal Profession.

### **Sociology of India**

1. The development of Indian Society
  - a. Unity and Diversity
  - b. Continuity and Change
2. India as a Plural Society: Varieties of
  - a. Customs and ways of Life
  - b. Linguistic, religious and other communities
3. Major Institutions of Indian Society
  - a. Family
  - b. Caste
  - c. Village
4. Tribe and caste in the Traditional order
5. Caste and class in contemporary India
6. Backward Classes
7. Trends of change in Indian Society.
8. Indian Culture values and Development.

### **RECOMMENDED SOURCE MATERIAL**

1. T.B. Bottomore Sociology, A Guide to problems and Literature. (London: Allen and Unwin, 1962)
2. Peter Worsley et al Introducing Sociology.
3. (Harmondsworth: PenguinBooks, 1970)
4. M. Haralambos Sociology: Themes and Perspective.(Delhi: Oxford University)
5. N.K. Bose The structure of Hindu Society.(New Delhi: Orient Longman, 1975)
6. David Mandelmaun Society in India.(Bombay: Popular Prakashan,1972)
7. RomeshThapparTribe, Caste and religion in India.(New Delhi: MacMillan, 1977).
8. Andre Betelle Inequality and Social Change.(Delhi: Oxford University Press, 1972)
9. Andre Betelle, The backward Classes and the New Social Order, Delhi: Oxford university Press, 1981.

#### 4. **HISTORY - I**

The course detailed below is intended to give a broad idea to the student about the main currents of social, political, legal and cultural movements in the course of Indian history, which influenced the legal systems and its institutions. It is expected that the teacher instead of describing mere chronology of events will acquaint the student with the Indian cultural heritage in the above fields so that he may critically appreciate the relevance of the present institutions of Indian democracy which are to be taught in the law courses:

##### a. **Ancient Indian Cultural Heritage :**

Social, political, legal and in the area of religion and philosophy. (The teacher is expected to give special emphasis on study of village republics in Ancient India, the organization of Central Government in Ancient India, experiments in decentralization, ancient law and dispute resolution systems in ancient India - Pre Islamic period); law in relation to culture.

##### b. **The Advent of Islam :**

Interaction between ancient Indian cultural heritage and Islamic culture and emergence of synthetic Indian culture. Innovation by rulers of medieval period in the area of revenue administration, District administration, Court system.

##### c. **Indian Contact With The European :**

Impact of European culture on Indian history and Indian National Movement; impact of European liberal thought on the Indian National Movement and Constitutional Development in India up to 1947. Study of social reform movements in modern India and its impact on legal culture.

##### d. **Economic history of India during the British period.**

#### **RECOMMENDED SOURCE MATERIAL**

1. A.R. Desai - Social background of Indian nationalism, Popular Prakashan, Bombay(1948)
2. R.C Majumdar - History of the freedom movement in India, Calcutta Mukhopadhyaya.
3. V.P. Meneon - The transfer of Power in India Bombay, Orient Longman (1972)
- 4 . B. Shiva Rao - India`s Freedom Movements, New Delhi, Orient Longman, (1972)

5. Pattabhi Sitaramayya - History of the Indian national Congress ,Bombay Padma Publications.
6. Tara Chand - History of Freedom movement in the Indian states
7. V.P. Menon - The Story of Integration of Indian Sates, Calcutta , Orient Longman.

## **Second Semester**

### **Legal Methods**

#### **I. Judgments**

1. Union of India v. Rati Pal Saroj (AIR 1998 SC 1117)
2. Headmistress, Govt. Girls High School V Mahalkshmi (AIR 1998 Madras 86)
3. Zafar Ahmad Khan v. State ( AIR 1963 Allahabad 105)
4. Malan v. State of Bombay ( AIR 1960 Bombay 393)
5. Raunaq International Ltd.V. I.V.R. constructions Ltd (AIR 1999 SC 369)
6. Delhi Municipal corporation v. Susheela Devi
7. K.T. Pavunny v. K.T Mathew ( AIR 1982 Ker. 309)
8. M.P.Ojha v. State of M. R
9. I.T.C. Ltd., Workers Welfare Association v. Management of ITC( AIR 2002 SC 937)
10. Sajjan Raj Surana v. Jaipur Vidyut Nigam Ltd.( AIR 2002 Rajasthan 109)
11. Rajesh Chandulal Gandhi v. State of Gujarat( AIR 2002 SC1412)
12. Adhyatma Bhattar Alwar v. Adhyatma Bhattar Sri Devi ( AIR 2002 SC 88).
13. M. Gowda. V. A. Gowda (AIR2002 SC 215)
14. State of Maharashtra V. Bharat Fakira Dhiwar ( AIR 2002SC 16)
15. State of Maharashtra V. Bharat Fakira Dhiwar ( AIR 2002SC 16)
16. M. C. Mehta V. Union of India (AIR 2002 SC 1696)

#### **II. Lessons**

1. Opinion and Dissenting Opinion in Repouille v U.S.
2. Educating Lawyers for a Changing World by Eerwin N. Grisword
3. Mr. Havlena's Verdict by Karel Capek
4. comparative Law by Rene David amd John E.C. Brierley
5. Five Functions of a Lawyer by ArthurT. Vanderbilt

#### **III. Legal Maxims**

1. Actio personalis moritur cum persona
2. Actus non tacit reum nisi mens sit rea
3. Audi alteram partem
4. Causa proxima et non remota spectatur
5. Caveat emptor
6. De minimis non curat lex
7. Delegatus non potest delegare
8. Ex nudo pacto non oritur actio
9. Exturpi causa non oritur actio
10. Ignorantia tacit excusat, ignorantia juris non excusat
11. Lex non cogit ad impossibilia
12. Nasciturus pro iam nato habetur
13. Nemo debet esse iudex in propria
14. Nemo debet vexari pro uno et eadem causa
15. Nemo dat quod non habet
16. Nemo tenetur seipsum accusare.
17. Novus actus interveniens
18. Pendente lite nihil innovetur
19. In tacito per alium tacito per se
20. Res ipsa loquitur
21. Respondent superior
22. Solus populi suprema lex
23. Ubi ius ibi remedium
24. Vigilantibus, non dormientibus, jura subveniunt
25. Volenti non fit iniuria

#### **IV. Legal Terms**

1. Abandonment, accessory, accomplice, acquittal, act of god, act of state, Actus reus, ad idem, adjournment, adverse witness, affidavit, alibi, alien, Alimony, almenda et thoro, amicus curiae, amnesty, annuity, antecedent debt, Appeal, appurtenant, arbitration, attachment, averment.
2. Bail, bailment, banishment, Bankruptcy, battery, bench, bigamy, burden of proof.
3. Capital punishment, Case law, caveat, Circumstantial evidence, cognizable offence, cohabitation, Common law, compromise, consanguinity, corroboration, crime.
4. Deposition, Dictum, dissolution, divorce, documentary evidence, domicile, due care, Dying declaration.

5. Equity, estoppel, eviction, evidence, exhibit, exparte.
6. F I R, Functous officio.
7. Guarantee, guardian
8. Hearing, homicide.
9. In camera, injunction, inquest, inquisitional procedure, insanity, intention, intestate, intra vires.
10. Jurisdiction.
11. Law reports, legislature, litigation, locus standi.
12. Mens rea, Mesne profits, mortgage.
13. Negligence, negotiable instrument, Non-cognizable offence.
14. Oath, over rule, ownership.
15. Pardon, penalty, perjury, Plaintiff, Possession, preemption, privity, procedure, promisory Note, proof, Prosecution proviso, punishment
16. Quasi judicial, quid proquo, quorum.
17. Ratio decidendi, receiver, remedy, remission, repeal, representative action, res nullis, resjudicata, respondent.
18. Sans recourse, schedule, sentence, show cause, sandard of proof, stare decis, stature law.
19. Testimony treason.
20. Ultra virus, udue Influence, usage.
21. Vexatious suit, void.
22. Warrant, welfare law, will, tness, wrong.

## **V. Legal Notice**

## **VI. Affidavit**

### **BOOKS RECOMMENDED**

Trayner	: Latin Maxims
Agarwal R.K.	: Legal Dictionary
Bhatnagar R.P. & Bhargava	: Law and Language
Hubert Broom	: A selection legal maxims
	: All India Reporters

## **1. General English - II**

### **A. Vocabulary**

1. Foreign words and phrases ( important Latin and English affixes)



2. Idiomatic expressions
3. One word substitution
4. Words often confused

#### B. Comprehension Skills & Compositional Skills

1. Precis-writing and Summarising
2. Drafting of Reports
3. Comprehension passages
4. Essay-writing on topics of legal interest

#### C. Speech Training

1. Reading aloud (knowledge of proper pauses)
2. Key sounds, their discrimination and accent
3. Consulting a Pronouncing Dictionary
4. Rapid reading and Debating exercises

#### D. Detailed Study

1. Advice to a young man interested in going into Law - by Felix Frankfurter
2. The victimisation of witnesses — by Lord Denning
3. Cross-examination of Pigott before the Parnell Commission — by Sir Charles Russell
4. On the entirely reasonable murder of a police constable - by George Bernard Shaw

#### E. Comprehension of Legal Texts (Detailed Study)

1. Why Criminals Are Acquitted—by Justice A.S. Anand
2. Curbing Crime — by Justice R.P. Sethi
3. Consulting a Pronouncing Dictionary
4. Rapid reading and Debating exercises

## **2. Political Science - II**

### **Foundations of Political obligation**

1. Conceptions of power, authority and legitimation
2. How does power become legitimate power or why people ought to obey the State? Examination of classical ( Hobbes, Locke, Rousseau ) and modern ( Max Weber, Marx, Emile Durkheim) approaches to the notion of political obligation.

3. Utilitarianism ( both rule and act utilitarianism) as approaches to political obligation.
4. The problem of civil disobedience and political obligation with particular reference to Gandhian and Neo Gandhian thought.
5. The problem of obedience to unjust laws
6. Why should we honor promises and contracts?  
( Foundations of promissory and contractual liability)
7. The problem of punishment: when is use of force by State against the citizen just and justifiable? ( The basis of criminal sanction.)
8. The contemporary crisis of legitimation.

## **Legal and Constitutional History**

### **Importance of the Subject**

Study of law relating to a particular country is not complete without understanding the history and the development of the laws and legal institutions. India is a country rich in history and traditions. A student of law should be exposed to the ancient social order and religious philosophy as well as to the systems of dispute settlement mechanisms existing in those days. The medieval period had influence in the development of legal system. The advent of the British was an event, which also had its influence. The growth of judicial and legislative institutions after this event has to be taught in order to give an insight and awareness of how the present system had emerged from the ancient and medieval times.

This paper with the above mentioned perspectives will comprises of about 84 units of one hour duration

1. Judicial systems in Ancient India .
  - a. Judicial system in ancient India : Hindu Period
  - b. Ancient Hindu social order and religions philosophy
  - c. Administration of Justice
  - d. Judicial system in medieval India. Muslim period
  - e. The Mughal period: Judicial system
2. Administration of Justice in Bombay, Madras and Calcutta
  - a. Emergence of the East India Company. development of authority under Charters
  - b. Trading body to a territorial power. subsequent Charters
  - c. Administration of Justice in Madras from 1639 to 1726
  - d. Administration of Justice in Bombay 1668-1 726
  - e. Administration of Justice in Calcutta 1619- 1726
3. The Mayors Court

- a. Genesis of the Charter of 1726
  - b. Provisions of the charter
  - c. Working of judicial system
  - d. Charter of 1753
  - e. Defects of judicial systems
4. Adalat System
- a. Grant of Diwani
  - b. Execution of Diwani functions
  - c. Judicial plan of 1772
  - d. Defects of the plan
  - e. New plan of 1774
  - f. Reorganization of adalats in 1780
  - g. Reforms of 1781
  - h. The first civil code
  - i. Reforms in the administrations of criminal justice
5. The Regulating Act, 1773
- a. Charter of 1774 and the Supreme Court of Calcutta
  - b. Some landmark cases:
    - i. Issue of Raja Nandkumar (1775) whether a judicial murder?
    - ii. The Patna case (1777-79)
    - iii. The Cossijurab case (1779-80)
  - c. Act of Settlement, 1781
  - d. Major defects
  - e. Supreme Courts at Calcutta, Madras and Bombay
  - f. Law and administration in the Supreme Court
6. Judicial Reforms
- a. Judicial reforms of Cornwallis
  - b. Problems of judicial reforms (1793-1833)
  - c. Impact of reforms by Cornwallis (1793)
  - d. Reforms of Sir John Shore (1793)
  - e. Reforms of Lord Wellesley (1798)
  - f. Reforms of Lord Cornwallis (1805)
  - g. Reforms of Lord Minto (1807)
  - h. Lord Hastings' administration of justice (1813)
  - i. Judicial reforms of Lord Bentick (1828)

- j. Defects of the systems
- 7. Establishment of the High Courts
  - a. The Indian High Courts Act, 1861
  - b. Charter of Calcutta High Court
  - c. Allahabad High Court
  - d. The Indian High Courts Act, 1911
  - e. The Government of India Act, 1915 : other High Courts
  - f. Government of India Act, 1935 : more high courts created
  - g. Jurisdiction of High Courts
  - h. Posts constitutional developments
- 8. The Federal Court of India
  - a. Foundation of the Federal Court
  - b. Jurisdiction
  - c. Authority of law
  - d. Expansion of Jurisdiction
  - e. Abolition of the Federal Court
  - f. An assessment
- 9. Privy Council
  - a. Jurisdiction
  - b. Appeals from India
  - c. A unique institution
- 10. The Supreme Court of India
  - a. Origin
  - b. Constitution
  - c. Jurisdiction and powers
  - d. Doctrine of precedents and the Supreme Court
  - e. Recent changes
- 11. Development of legislative authorities In India (1861-1935)
- 12. Growth of Criminal Law
- 13. Growth of personal Law of Hindus and Muslims
- 14. Charters Act 1833
- 15. Influence of English Law In India
- 16. Prerogative writs in India
- 17. Racial discrimination
- 18. Growth of justice, equity and good conscience

## **RECOMMENDED BOOKS**

- Courtney Libert : Government of India (1962)
- Courtney Libert : The Mechanics of Law Making (1914)
- M.P. Jain : Constitutional Law of India (1987) Tripathi,  
Bombay
- M.P. Jain : Outlines of Legal History (1998) Tripathi
- M. Rama Jois : Legal and Constitutional History of India (1984)  
(Two volumes)
- A.B. Keith : Constitutional History of India 1600-1936  
(1936)
- Rankin : Background to Indian Law (1946)
- V. D. Kulshreshtha : Landmarks in Indian Legal History (1992)  
(Eastern: Lucknow)
- Eric Stakes : The English Utilitarians and India (1992)  
(Oxford: Delhi)

# Second Year LLB Honors Degree Program Syllabus

## Third Semester

### 1. General Principles of Contract - I

#### I. General Principles of Contract

1. Nature of contract
2. Definition, Essentials for valid Contract
3. Agreement
  - a. Definition of agreement
  - b. Definition of Offer, Essentials, kinds and lapse of offer
  - c. Definition of Acceptance, Essentials of a valid acceptance, Revocation of acceptance.
  - d. Standard Forms of Contracts.
4. Consideration :  
Definition, Essentials of Consideration. Kinds of Consideration, Agreements without Consideration, Exceptions to the rule, Privity of Contract, Indian and English Concept of Privity.
5. Capacity:  
Agreements with Minor, Unsound mind persons and Persons Disqualified by law.
6. Free Consent:  
Voidable contracts: Coercion, undue influence, Misrepresentation, Fraud and Mistake
7. Legality of Object:  
Effect of Illegal Agreements, Various Illegal Agreements and Agreements opposing public policy.
8. Void Agreements:  
Effect of void agreements, various void agreements
9. Contingent Contracts
10. Discharge of Contracts:
  - a. Discharge by performance: reciprocal promises and its performance, Joint promises, nature and liability of Joint promises,
  - b. Discharge by Impossibility: Kinds of Impossibility, Doctrine of frustration, Position in India and Exceptions to Doctrine of Frustration.
  - c. Discharge by Agreement: Novation and Remission of performance.  
Discharge by Breach: Kinds of breach and effect of breach of contract.
11. Remedies for Breach of Contract:
  - a. Kinds of Remedies

b. Damages: Remoteness of Damages, Measure of damages kinds of damages, Quantum Meruit.

12. Quasi Contracts:

Basis for quasi-contractual relations. Kinds of quasi contracts'

## II. **Government Contracts** : -

Essentials of Government Contracts. Contractual Liability of Government.

Application of principles of quasi contracts in Government Contracts.

## III. **Specific Relief Act** :

Definitions, Recovering Possession of Property, Specific performance of contracts Rectification of instruments, Rescission of Contracts, cancellation of Instruments, Declaratory Decrees. Injunction Kinds of Injunctions.

## IV. **Multinational Agreements**

### **BOOKS RECOMMENDED**

- |                |   |
|----------------|---|
| 1. Mulla       | : Indian Contract Act                     |
| 2. Desai       | : Indian Contract Act                     |
| 3. Avtar Singh | : Law of Contract (1972)                  |
| 4. Ponnusawmy  | : Cases and materials on Contract         |
| 5. Anson       | : English Law of Contract                 |
| 6. R.K. Bangia | : Law of Contract and Specific Relief Act |
| 7. Jam M.P.    | : Indian Constitutional Law               |
| 8. Shukla V.N. | : The Constitution of India               |

## 2. **Economics - I**

1. ECONOMICS AS A SCIENCE AND ITS RELEVANCE TO LAW:

- Definitions: Smith's, Robbins' and Marshall's.
- Economics as a Social Science' and its relationship with other Sciences - History, Geography, Political Science. Sociology, Psychology, Statistics, Mathematics etc.
- Interdisciplinary approach
- Economic Laws and their Limitations. Civil Laws and Moral Laws.
- A few Economic Laws - Law of Demand, Law of Supply, Law of Diminishing Marginal Utility, LAW of Diminishing Marginal RETURNS.
- Relevance of Economics to Law.
- Laws are not enacted in a vacuum but against the Stage OF ECONOMIC

Development, Social Justice, Poverty, Child labour etc which are factors that influence Laws

h. Relevance of Law to Economics.

## 2. ECONOMICS AS BASIS OF SOCIAL WELFARE AND SOCIAL JUSTICE:

a. The general economic situation and welfare.

b. Economic Priorities and Welfare.

c. Production, Consumption and welfare.

d. The emergence of the Welfare State, its functions, welfare objectives in India.

e. Welfare considerations in Production. National Income composition, Rationing, Public Expenditure, social security, Market, Socialism and pricing.

f. Components of economic welfare -Factors affecting welfare.

## 3. FREE ENTERPRISE, PLANNED ECONOMICS AND MIXED ECONOMICS:

a. Economic Systems: Definitions: Capitalism, Socialism, Mixed Economy etc.

b. Why study Economic Systems.

c. Functions of Economic Systems.

d. Features, Strengths and weaknesses of different Systems.

e. The rationale behind Mixed Economic System for India.

## 4. CONTROL OF MONOPOLIES AND PREVENTION OF ECONOMIC CONCENTRATION:

a. What is a monopoly and why it has to be prevented.

b. Why competition is better.

c. Causes of concentration of Economic Power.

d. Measures taken to curb concentration of Economic Power in India.

e. Anti-poverty programs.

## 5. BANKING AND FISCAL POLICY:

a. Central and Commercial banking - Functions

b. The role of Banking in India

c. Monetary and Fiscal Policies

d. Principles of Banking

e. The rural Money Markets - problems and solutions

## 6. RESOURCE MOBILISATION AND FISCAL RESOURCES -TAXATION:

a. State resources

b. Domestic and Foreign resources

c. Fiscal and non-fiscal resources -borrowing, internal and external debt, the debt trap.

d. Deficit financing



## 7. TAXATION:

- a. Rationale behind taxation
- b. Reasons for the rise of Public Expenditure
- c. Taxes. Fees and Fines
- d. Direct and Indirect Taxes
- e. Proportional, regressive and progressive taxes
- f. Tax evasion, tax AVOIDANCE AND tax compliance
- g. Effects of taxation on production and distribution.
- h. Prices inclusive OF TAXES AND EXCLUDING subsidies.
- i. Canons of Taxation and Expenditure

## 8. THE ROLE OF CREDIT AND BANKING SYSTEM:

- a. Meaning of credit -its place in a modern society
- b. Multiple Credit Creation
- c. Limitation of the powers of Banks to create credit
- d. Central Bank and credit control
- e. Rural Credit and rural money markets
- f. Short term and long term credit, agricultural credit and industrial credit
- g. Qualitative and Quantitative methods of credit control -Bank rate, open market operations and moral suasion

## 9. INTERNATIONAL FINANCIAL INSTITUTIONS:

- a. The IMF AND Special Drawing Rights
- b. IBDR (INTERNATIONAL Bank for Reconstruction and Development) - World Bank
- c. Their objectives, role and critical evaluation

## 10. TECHNOLOGY AND ECONOMIC GROWTH:

- a. Labour intensive vs. capital intensive technology
- b. Indigenous and imported technology
- c. Transfer of technology -problems and issues.
- d. Impact of technology on employment, quality of goods, standards of living, competition etc.
- e. Dual Technology for India

## **RECOMMENDED BOOKS:**

1. Stonier & Haque The Essentials of Economics. (London: Longman).
2. Riddar Datt and Sundaram Indian Economy, Delhi, S. Chand & Co., 1982.

3. N. Agrawala Indian Economics, New Delhi, Vikas, 1979.
4. Paul Samuelson Economics - An Introductory Analysis
5. Fredrthue Lewis Theory of Economic Growth (Unwin University Books)
6. V. Y. Gupta Working of Stock Exchanges in India, Delhi (Thomson Press, 1972)
7. S. Ghatak Rural Money Markets in India, Delhi (Macmillan 1976)
8. H. Rao & P; C. Joshi Reflections of Economic Development and Social Change Essays in honor of V. K. R. V. Rao (Allied, 1979)
9. P. K. Chaudhari The Indian Economy: Poverty and Development (Vikas, 1978)
10. C. T. Kurien Planning, Poverty and Social Transformation (Allied 1976)
11. M. Dipton Why Poor People Stay Poor Urban Bias in World Development (Heritage Publishers, New Delhi 1980)
12. Myrdal, Gunnar The Challenge of World Poverty (Penguin, 1971)
13. Laxmi Narain Principles and Practice of Public Enterprise Management (S. Chand)
14. Muhbub Ul Haq The Poverty: Certain Choices for the Third World Oxford, 1976)
15. H. W. Singer and J. S. Ansari Rich and Poor Countries (Allen and Unwin, Third (Edn.) 82.
16. L. N. Rangarajan Commodity Conflict: The Political Economy of International Commodity Negotiations (Croom, Helm Ltd., 1978)
17. Gauri Shankar Taming the Giants: (Multinational Corporations in India) Sterling, 1980.
18. I. Livingstone Economic Policy for Development (Penguin 1971)
19. P. C. Joshi Land Reforms in India (Allied, 1976)

### **3. Computer Applications - I**

1. Introduction to Computers
  - a. Using the Personal Computer
  - b. Getting to know the different parts of a computer
  - c. Start and Shut down a PC
2. DOS
  - a. Using the various DOS commands
3. Windows
  - a. Familiarity with WINDOWS operating system
  - b. Using a mouse
  - c. Using utilities like paint, calculator
  - d. Ability to manage records
  - e. Customizing user interface
  - f. Files and folders

- g. Using Help
- 4. M. S. Word
  - a. Create simple documents using Word
  - b. Opening files and saving text
  - c. Using different fonts
  - d. Word Art - special fonts
  - e. Inserting Graphics and Pictures
  - f. Spell check and grammar check
  - g. Using header and footer
  - h. Print preview and printing features
  - i. Creating Tables
- 5. MS Excel
  - a. Creating a spreadsheet
  - b. Entering data
  - c. Editing
  - d. Saving and printing
  - e. Some formulae
  - f. Drawing graphs
  - g. Sharing spreadsheet
  - h. Using charts
    - i. Everyday use functions e.g. Sum, Average, Count Max, Min.
- 6. MS Powerpoint
  - a. Creating a presentation
  - b. Using different view for presentation
  - c. Entering and editing text
  - d. Using Clip Art
- 7. Internet
  - a. What is Internet
  - b. How to access Internet
  - c. Browsing the Internet
  - d. Web Mail
  - e. Web Chat
  - f. Using various Search Engines
  - g. Creating Home Page
  - h. What is E-Commerce

8. E mail

a. Sending and receiving e-mail

#### **4. Political Science - III**

International Relations and Organizations

##### **Part I**

1. The world community; sovereign states, transnational political parties and transnational non official organizations such as the churches, multinational corporations, scientific, cultural and other organizations.
2. Components of national power; population, geography, resources, economic organization, technology and military force. Limitations on national power; international morality, public opinion, international law, fear of violence and destruction, war with conventional and nuclear weapons.
3. Major sources of conflict: East and West, North and South rivalries , territorial claims, resources, populations migrations, international trade, balance of payments and protectionism.
4. Avoidance of war and facilitation of peaceful change: alliances and balance of power approach : collective security and disarmament, diplomacy and peaceful resolution of conflicts by negotiation, mediation, conciliation and recourse to international organization, arbitration and judicial settlement; the cultural approach and the UNESCO; promotion of international cooperation and the functional approach the specialized agencies, the case for and against world government.

##### **Part II**

1. Inter governmental organizations and their constituent instruments; the standard pattern of organization.
2. The annual or periodical plenary conference, the committee or council to take decisions during the period between the plenary conferences, the secretariat.
3. The special features of the I.L.O. and international financial institutions.
4. The United Nations and its principal organs; the relationship between the United Nations and Regional Organizations, specialized agencies and international non governmental organizations.

#### **Fourth Semester**

##### **1. History - II**

1. The advent of Islam:

- a. Interaction between ancient Indian cultural heritage and Islamic culture and emergence of synthetic Indian culture.
- b. Innovation by rulers of medieval period in the area of revenue administration, District administration, Court system.

2. Indian contact with the European:

- a. Impact of European culture on Indian history and Indian National Movement. impact of European liberal thought on the Indian National Movement and Constitutional Development in India up to 1947.
  - b. Study of social reform movements in modern India and its impact on legal culture.
3. Economic history of India during the British period.

### **RECOMMENDED SOURCE MATERIALS**

1. A.R. Desai : Social background of Indian nationalism, Popular Prakashan, Bombay
2. R.C Majumdar : History of the freedom movement in India, Calcutta Mukhopadhyay
3. V.P. Menon : The transfer of Power in India Bombay, Orient longman (1951)
4. B. Shiva rao : India`s Freedom Movements, New Delhi, Orient Longman, (1972)
5. Pattabhi Sitaramayya : History of the Indian national Congress ,Bombay Padma Publication
6. Tara Chand : History of Freedom movement in the Indian states
7. V.P. Menon : The Story of Integration of Indian Sates, Calcutta , Orient Longman

### **2. Economics - II**

1. Introduction to Indian Economy
  - a. trends in population growth
  - b. estimates of national income in India
  - c. post independence economic policies in India
2. Poverty and Income Distribution
  - a. trends and inter regional variations in the incidence of rural poverty
  - b. unemployment trends and employment generation schemes
  - c. labour, productivity and wages
3. The Logic of India's development strategy
  - a. planning process
  - b. priorities between agriculture and industry
  - c. choice of technology
  - d. the role of public, private and joint sectors.
  - e. large, medium and small industries.
4. Problem of controlling economic concentration
  - a. regulation of the private corporate sector ( controls, licences and quotas)
  - b. anti monopolies and restrictive practices, regulations

- c. deficit financing
  - d. pricing
  - e. labour relations
5. Foreign Investments
    - a. international investment
    - b. international aid
    - c. international corporations
    - d. trends in new economic order
  6. Export and Import Policies: Import substitution and export promotion
  7. Agricultural Economics
    - a. basic characteristics of the economy and its transformation since independence
    - b. evolution of agrarian relations, integrated rural development
    - c. commercialization of agriculture
    - d. economics of farm management
    - e. agricultural credit
  8. Role of capital formation, credit and banking system

### **3. Computer Applications - II**

1. Power Point 97: Introduction, creating presentation and using masters
2. Editing and formatting text
3. Drawing objects, drawing lines, arcs etc., modifying colors, adding headers, footers etc.
4. Word 97 - introduction, creating, opening, locating, sorting, saving, editing, inserting, selecting, moving documents.
5. Viewing and formatting documents
6. Using mail merge and tables
7. Micro soft excel 97
8. Formatting worksheets
9. Printing, auditing, worksheets etc.
10. Lists, working with data form, sorting, filtering data etc.

### **4. Law of Torts**

#### **I. Law of Torts**

1. Nature and Definition of Tort

various definitions of tort, nature of tort, essentials of tort, mental elements in tortious liability.

2. General Defences

3. Capacity

Minor, Corporation, Convict, Husband and Wife, Sovereigns, Joint tortfeasors and independent tortfeasors.

4. Vicarious Liability

Master-Servant; Principal -Agent; Vicarious Liability of the State-position in India

5. Remoteness of Damage

test of directness, test of reasonable foresight

6. Trespass to the person

Assault, Battery and False imprisonment and Remedies

7. Trespass to Land

meaning, trespass ab initio and remedies

8. Trespass to goods

meaning, conversion of goods-meaning, kinds of conversion; detinue

9. Negligence

Essentials of negligence; Contributory Negligence

10. Nervous Shock

11. Rule of Strict Liability

rule and exceptions; The Rule of absolute liability

12. Liability for dangerous animals

Scienter rule, cattle trespass and ordinary liability

13. Liability for dangerous chattels

liability towards immediate transferee, towards ultimate transferee.

14. Liability for dangerous premises

obligation towards lawful visitors, trespassers and children

15. Nuisance

. Kinds of nuisance, Essentials, Defences

16. Defamation

kinds, essentials, defences

17. Abuse of legal procedure

18. Interference with contract, business -inducing breach of contract, Intimidation, conspiracy, malicious falsehood, passing off

19. Deceit

20. Discharge of tortious liability

21. Death in relation to tort

effect of death on a subsisting cause of action, causing of death as being actionable as a tort.

22. Remedies

damages, injunctions, specific restitution; extra judicial remedies.

**II. Consumer Protection Act 1986**

1. Consumer Movements : Historical Perspective

2. Consumer: the concept

3. Consumer of goods and services; service, commercial service and consumer safety; unfair trade practices;

4. Enforcement of consumer rights.

**RECOMMENDED BOOKS**

1. Ratanlal and Dhirajlal : Law of Torts

2. Saimond Law of torts : Law of Torts

3. Winfield : Law of Torts (1972)

4. Bangia R.K : Law of TortsMovements, New Delhi, Orient Longman, (1972)

5. Agarwal. v.k. : Consumer Protection



# Third Year LLB Honors Degree Program Syllabus

## Fifth Semester

### 1. Constitutional Law-1

#### 1. Introduction:

Definition of Constitution - Need for Constitution, Classification of Constitutions, Constitutionalism and Indian Constitution, Framing of Indian Constitution.

#### 2. Salient features of the Indian Constitution

#### 3. Preamble

#### 4. The Union and its territories

#### 5. Citizenship under the Constitution and Citizenship Act

#### 6. Fundamental Rights

Concept of Fundamental rights -Origin and Development, Fundamental Rights in India.

#### 6.1 Definition of State: Judicial pronouncements on meaning of other authorities.

#### 6.2 Justiciability of Fundamental Rights: Judicial Review Indian and American concept, Justiciability of Pre and post constitutional Laws Waiver and fundamental Rights.

#### 6.3 Right to Equality: Reasonable classification -Basis for classification.

#### 6.4 Right against discrimination: Special provisions for Women, children and Backward Classes.

#### 6.5 Equality of Opportunity: Reservations of Posts for Backward Classes 79th and 85th Amendment Acts.

#### 6.6 Abolition of Untouchability.

#### 6.7 Abolition of Titles

#### 6.8 Right to Freedom:

a. Freedom of Speech and Expression : Right to Know, Freedom of Press Reasonable Restrictions, Test for reasonableness Burden of proving reasonableness of restrictions.

b. Freedom of Assembly. Reasonable restrictions

c. Freedom to form Associations, Reasonable restrictions.

d. Freedom of Profession, Occupation, trade and Business, Reasonable restrictions.

#### 6.9 Rights of the Accused: Ex-post facto laws, Right against Double Jeopardy, Right against Self-incrimination.

#### 6.10 Right to Life and Personal Liberty: Meaning and Scope, American and Indian concept of Right to life and personal liberty, Various facets of Right to Life, Prisoners Rights.

#### 6.11 Protection against Arrest and Detention:

Safeguards against Arrest made under the ordinary Law, Preventive detention,

Safeguards against Detention made under the preventive detention laws.

6.12 Right against Exploitation: Right against trafficking in human beings, Safeguards against Begar and other forms of forced labour.

6.13 Secularism:

Right to Freedom of Religion, Reasonable restrictions, Right to establish and maintain Religious Denominations, Freedom from payment of Taxes, Prohibition of religious instructions in Educational Institutions.

6.14 Cultural and Educational Rights:

Right to conserve language script or culture, Right to admission to Educational Institutions, Right of Minorities to Establish and Administer Educational Institutions, No discrimination in granting aid.

6.15 Saving of certain laws:

Acquisition of Estates etc., Validation of certain Act and Regulations, Saving of laws giving effect to certain Directive Principle of State policy.

6.16 Right to Constitutional Remedies:

Right to move to the Supreme Court, Prerogative Remedies, Rule of locus standi, Public Interest Litigation Resjudicata, Delay and Laches, Alternative Remedy, Suspension of Fundamental Rights, Effect of Emergency on fundamental rights, Members of Armed Forces and Fundamental rights, Martial LAW, Legislation to give effect to provisions of Part III.

7. Directive Principles of State Policy:

Object and purpose, Classification, Relation between Fundamental rights and Directive Principles of State Policy.

8. Fundamental duties.

9. Amendment of the Constitution :

Kinds of amendments, Methods of amendments under Indian Constitution, Scope of amending power of the Parliament, Amendment of Fundamental Rights, Doctrine of Basic Structure.

## **BOOKS RECOMMENDED**

1. Jain M.P. : Indian Constitutional Law
2. Basu D.D. : Shorter Constitution of India
3. Kazgi : Constitutional Law Vol. I & II
4. Shukla V.N. : The Constitution of India
5. Tope T.K. : Constitutional Law of India

## **2. Law of Crimes**

1. General Principles of Criminal Law:

Definition of crime, Theories of Crime, Elements of Crime, Stages in the commission of a crime, Differences between Crime, Tort and Contract.

2. Administration of Criminal Law:

### **Indian Penal Code, 1860**

3. Introduction:  
Inter and Extra territorial Operations.
4. Definitions:  
Good faith, dishonesty, illegal, fraudulently, offence etc.
5. Group liability:  
Common intention and common object.
6. Punishment:  
Kinds of punishments capital punishment.
7. General exceptions:  
Mistake of fact, mistake of law, accident, infancy, insanity, consent, trifling acts, private defense.
8. Abetment -conspiracy- Offences against State.
9. Offences relating to Defense Services, Public Servant and elections.
10. Offences against public tranquility-Unlawful Assembly, Rioting and Affray.
11. Contempt of lawful authority of public servants.
12. False evidence, Fabricating false evidence and offences against public justice.
13. Offences relating to coin and Government stamps and weights and measures.
14. Offences affecting public health, safety, convenience, decency and morals  
Public Nuisance, Obscenity etc.
15. Offences relating to religion.
16. Offences affecting Human body:  
murder, suicide, hurt, kidnapping, rape etc.
17. Offences against property:  
Documents and property marks-theft, extortion, robbery, dacoity, forgery, false document etc.
18. Criminal breach of contract of service.
19. Offences relating to marriage  
Cruelty on wife-Bigamy, Adultery etc.
20. Defamation, criminal intimidation, insult and annoyance.
21. Attempt to commit offences
22. New kinds of offences like terrorism, pollution etc.  
Prevention of Terrorism Act

### **BOOKS RECOMMENDED**

1. Ratanlal and Dhirajlal : Indran Penal Code

- |                     |                                       |
|---------------------|---------------------------------------|
| 2. Atchuttan Pillai | : Criminal Law                        |
| 3. M.P.Tandon       | : The Indian Penal Code               |
| 4. Kenny            | : Out lines of Criminal Law           |
| 5. Srivastava       | : Elements of Criminal Law            |
| 6. Saxena           | : Indian Penal Code                   |
| 7. Gaur K.D.        | : Cases and Materials on Criminal Law |

### **3. Contract - II**

#### 1. Special Contracts

a. Contracts of Indemnity & guarantee.

b. Bailment:

Bailor's duty, Rights & duties of bailee, Position of finder of goods.

c. Pledge.

d. Agency:

Kinds of agents, Ratification duties of agent, Rights and duties of agent and duties of principal, Liability of agent and Principal, Termination of agency

#### 2. Indian Partnership Act:

a. Introduction:

Meaning and definition of partnership, Basic essentials of partnership, Mode of determining existence of partnership Comparison between partnership and co-ownership, Comparison between partnership and joint family business, Comparison between partnership and company.

b. Partnership at will.

c. Rights of partners:

Duties and obligations of partners.

d. Relations of partners to third persons:

liability of firm for acts of partners, Liability of the partners towards third parties.

e. Implied authority of a partner. Scope of such implied authority.

f. Doctrine of holding out.

g. Minor.

h. Incoming partners:

modes of introduction, liability, Retirement of a partner, Expulsion of a partner.

i. Dissolution of firm:

Liability, accounts, public notice, Rights, payment of debts, Restraint of trade, good will.

j. Registration of firm:

Advantages of registration, Effects of non registration, Registration subsequent to

filing of suit.

### 3. Sale of Goods Act:

#### a. Introduction:

Definition and essentials of sale, Define Goods and Different kinds of goods.  
Difference between contract of sale and agreement to sell. Differentiate between hire -purchase and contract of sale.

#### b. Implied conditions and Warranties in a contract of sale.

#### c. Transfer of property and Title: Transfer of property in Specific Goods, and Unascertained goods.

Transfer of title: Rule of Nemo det quod non habet, Exceptions to the rule.

#### d. Performance of Contract:

Kinds of delivery, Rules regarding delivery.

#### e. Rights of Unpaid Seller:

Right to LIEN, Right to stopage in transit and right to resale.

#### f. Suits for breach of Contract.

### 4. Negotiable Instruments Act:

#### a. Definition and essentials of Negotiable Instruments.

#### b. Promissory note:

Definition, Nature and Essentials of Promissory Note.

#### c. Bill of exchange:

Definition and essentials of a bill of exchange, Bills in sets Distinction between Bill of exchange and Promissory Note.

#### d. Cheque:

Definition and essentials of a cheque. Distinction between Cheque and Bill of exchange.

#### e. Negotiation:

Indorsement and its kinds, Definition of holder, and, holder in due course.

#### f. Holder In due course:

Rights and privileges of a holder in due course of a negotiable instrument.

#### g. Payment In due course.

#### h. Parties to negotiable instruments and their liability.

#### i. Modes of discharge from liability:

payment, cancellation, release, non-presentment, etc.

#### j. Crossing of cheques.

#### k. Dishonour of cheques:

Criminal liability of drawer for issuing cheques without funds.

#### l. Presentment:

- Presentment for payment.
- m. Dishonour:  
 Non acceptance, non payment, Notice of dishonour.
- n. Noting and protest.
- o. Maturity of negotiable instruments.
- p. Special rules of evidence, Rules of International law.

### **BOOKS RECOMMENDED**

- |                |   |
|----------------|---|
| 1. Mulla       | : Indian Contract Act   |
| 2. Avtar Singh | : Law of Contract   |
| 3. Anson       | : English Law of Contract   |
| 4. Avtar Singh | : Principles of Mercantile Law  |
| 5. Bangia R.K. | : Principles of Mercantile Law  |
| 6. Mulla       | : Negotiable Instruments Act  |
| 7. Avtar Singh | : Partnership Act, Sale of Goods Act,<br>: Negotiable instruments Act |
| 8. Bangia R.K. | : Partnership Act, Sale of Goods Act,<br>: Negotiable instruments Act |

## **4. Family Law- I**

### **Family Laws- Concepts and Ideas**

1. Ancient Sources of Hindu Law.-5.
2. Modern sources of Hindu Law-3.
3. Sources of Muslim law-2.
4. Custom as a source of law (Integrated Question).
5. Legislation as source of Family laws of India.  
 (To show how legislation has developed various Family laws of India, by briefly outlining the various legislations in India) (Integrated Question) -2.
6. Legislation and reforms in Family laws of India.  
 (To show how legislation has brought about reforms in the various family laws.) (Integrated Question) - 1.
7. Precedent as source of family laws.  
 (To show how precedent has played apart in developing family laws in India) (Integrated Question) - 2.
8. Equity, justice and good conscience as a source of law.  
 (integrated Question) - 1.

9. Schools of Hindu Law - 2.
10. Schools of Muslim law - 1.
11. Concept of marriage as Sacrament or contract (Integrated Question) - 1.
12. Ceremonies of marriage (Integrated Question) - 1.
13. Registration of marriage (integrated Question) - 1.
14. Capacity to marry (Hindu Law ) - 1.
15. Capacity to marry in Muslim law - 1.
16. Valid, Voidable, and void marriages under Muslim law - 2.
17. Valid, Voidable and void marriages under Hindu law - 2.
18. Valid, voidable and void marriages under Family laws of Goa - 2.
19. Essentials of marriage In Family laws of Goa - 1.
20. Impediment to marriage In family laws of Goa - 1.
21. Matrimonial Regimes (Family laws of Goa) - 1.
22. Regime of general Community of Property (Family law of Goa) - 1.
23. Effects of Conversion in family laws (Hindu and Muslim) (integrated Question) - 1.
24. Child Marriage -Critical analysis (Student is expected to refer to various provisions and critically make suggestions only)- 1.
25. Dowry-Critical analysis (Student is expected to refer to various provisions & critically make suggestion) - 1.
26. Dower under Muslim law - 1.
27. Sati (Student is expected to discuss the problem of Sati and critically make suggestions) -1.
28. Bigamy and Polyandry (Student is to critically discuss the subject) - 1.
29. Theories of divorce.(Guilt theory, Consent theory, Irretrievable breakdown theory) -1.
30. Grounds for Divorce under Hindu Law - 3.
31. Divorce for men under Muslim Law - 1.
32. Grounds for divorce for Muslim women - 1.
33. Ground for divorce under Special marriage Act - 1.
34. Grounds for Divorce under family laws of Goa - 1.
35. Grounds for Divorce under Indian Divorce Act-1.
36. Comparative analysis of grounds of divorce (Student is expected to critically analyze the grounds for divorce.) (Integrated Question) - 1.
37. Grounds for divorce for a Model Code. (Students are expected to make suggestions for grounds for divorce to model code) - 1.
38. Cruelty as a ground for divorce (Illustrated with case law)(Integrated Question) - 1.
39. Desertion as ground for divorce (integrated Question) - 1.

40. Adultery as a ground for divorce (Integrated Question) - 1.
41. Option of puberty - 1.
42. Judicial Separation (Integrated Question) - 1.
43. Nullity of marriage (Integrated Question) - 1.
44. Nullity under Indian Divorce Act : 1.
45. Restitution of conjugal rights. (Integrated Question) - 1.
46. Bar to matrimonial relief. (Hindu Law) - 1.
47. Maintenance of neglected wives, divorced wives, minor children, disabled children, and parents who are unable to support themselves provisions under the Code of Criminal Procedure 1973.-2.
48. Alimony and maintenance under different personal laws a review with suggestions for reforms - 1.
49. Maintenance of divorced Muslim women-A critical review (Students critically to review the subject.) -1.
50. Adoption under Hindu law - 2.
51. Legitimacy. (Integrated Question) - 1.
52. Custody, maintenance. (integrated Question) - 1.
53. Guardianship. (Integrated Question) - 2.
54. Family and changing patterns Working women ,composition of family, etc - 1.

**Note** The teaching pattern has to be an integrated approach where the principles of Hindu Law and Muslim Law along with the Christian Law and Goa Civil Law to be discussed wherever possible.

### **BOOKS RECOMMENDED**

- |                    |   |
|--------------------|---|
| 1. Subbarao G.C.V. | : Family Law in India                   |
| 2. Usgaocar M.S.   | : Famiyy Laws of Goa, Daman & Diu Vol-I |
| 3. Pras Diwan      | : Hindu Law                             |
| 4. Pras Diwan      | : Muslim Law in Modern India            |
| 5. Mulla           | : Hindu Law                             |
| 6. Mayne's         | : Hindu Law                             |

### **Sixth Semester**

#### **1. Family Law - II**

1. Joint family
  - a. Mitakshara joint family.
  - b. Mitakshara coparcenary -formation and incidents.



- c. Property under Mitakshara law -separate property and coparcenary property.
  - d. Dayabhaga coparcenary -formation and incidents.
  - e. Property under Dayabhaga law.
  - f. Karta of the joint family -his position, powers, privileges and obligations.
  - g. Alienation of property -separate and coparcenary.
  - h. Debts -doctrines of pious obligations and antecedent debt.
  - i. Partition and re-union.
  - j. Joint Hindu family as a social security institution and impact of Hindu Gains of Learning Act and various tax laws on it.
  - k. Matrilineal joint family.
2. Inheritance
- a. Hindus.
    - b. Historical perspective of traditional Hindu law as a background to the study of Hindu Succession Act 1956
    - c. Succession to property of a Hindu male dying intestate under the provisions of the Hindu Succession Act 1956.
    - d. Devolution of interest in Mitakshara coparcenary with reference to the provisions of Hindu Succession Act 1956.
    - e. Succession to property of Hindu female dying intestate under the Hindu Succession Act 1956.
    - f. Disqualification relating to succession.
    - g. General rules of succession
    - h. Marumakkattayam and Aliyasantana laws governing people living in Travancore - Cochin and the districts of Malabar and South Kanara
    - i. Muslims
      - j. General rules of succession and exclusion from succession
    - k. Classification of heirs under Hanafi and Ithna Ashria schools and their shares and distribution of property.
    - l. Christians, Parsis and Jews.
  - m. Heirs and their shares and distribution of property under the Indian Succession Act of 1925.
3. Settlement of spousal property).  
(Need for development of law).
4. Establishment of Family courts
- a. Constitution, powers and functions.
  - b. Administration of gender justice.
  - c. Uniform Civil Code.
  - d. (Need for).
  - e. Religious pluralism and its implications.

- f. Connotations of the directive contained in Article 44 of the Constitution.
- g. Impediments to the formulation of the uniform Civil Code.
- h. The idea of optional uniform Civil Code.

### **RECOMMENDED BOOKS**

- 1. Paras Diwan : Family Law
- 2. Aquil Ahmad : Mohammedan law
- 3. Mulla : Hindu law

## **2. Jurisprudence**

### 1. Preliminaries:

The purpose of Legal Theory-Law and fact- The territorial nature of law.

### 2. Constitutional law- International Law.

### 3. Theories/Schools:

Natural Law Theory -Imperative Theory -Keison's Pure theory -Han's Theory- Legal Realism, American Realism and Scandinavian realism —Historical School- Sociological School -Marx's Economic theory.

### 4. The Sources of law:

- a. Legislation as a source of law- Types of legislations -Relation of legislation to other sources of law. -Codification- Interpretation of enacted law (in general).
- b. Precedent -Authority of precedent -Circumstances destroying or weakening precedent -Ratio decidendi -Obiter dicta.
- c. Custom -Importance of customary law, Kinds of customs:-Essentials of custom.

### **Legal concepts**

### 5. Legal Rights:

Concept of Rights -Characteristics of legal Rights -Legal Rights in wider sense of the term -Kinds of Legal Rights.

### 6. Ownership:

Idea of ownership -The subject matter of ownership -Classification of ownership.

### 7. Possession:

idea of possession- possession in fact and possession in law. Kind's of possession -Acquisition of possession -Possession and ownership -Possessory remedies.

### 8. Persons:

Nature of personality -Legal status of lower animals, dead man, unborn person. Legal persons-Corporations-unincorporated associations -corporate personality.

### 9. Titles:

Vestive Facts -Acts in Law -Agreements -Classes of agreements -Void and voidable agreements.

### 10. The Law of Property:

Meaning of property -Kinds of property. Modes of acquisition of property.

11.The Law of obligations:

Nature of obligations-Solidary obligations -Source of obligations.

### **RECOMMENDED BOOKS**

- |                            |                                  |
|----------------------------|----------------------------------|
| 1. Salmond                 | : Jurisprudence -Twelfth Edition |
| 2. Dr. B.N. Mani Tripathi, | : Jurisprudence.                 |
| 3. Dias                    | : Jurisprudence                  |
| 4. Lloyd                   | : Jurisprudence                  |

### **3.Constitutional Law - II**

1. Union Executive.
2. Union Legislature (Parliament).
3. The Union Judiciary.
4. State Executive.
5. State Legislature.
6. State Judiciary.
7. Relation Between Union and states:  
Concept of Federalism, Legislative relations, Administrative Relations, Financial Relations, Cooperative federalism.
8. State Liability.
9. Right to Property.
10. Freedom of Trade, commerce and Intercourse.
11. Services under the Union and the states.
12. Elections.
13. Emergency Provisions:  
Kinds of Emergencies, Effects of emergency.
14. Amendment of the Constitution:  
Kinds of amendments, Methods of amendments under Indian Constitution, Scope of amending power of the Parliament, Amendment of Fundamental Rights, Doctrine of Basic Structure.
15. Special Status to Jammu & Kashmir.

### **BOOKS RECOMMENDED**

- |              |                                 |
|--------------|---------------------------------|
| 1. Jain M.P. | : Indian Constitutional Law     |
| 2. Basu D.D. | : Shorter Constitution of India |

3. Kazgi : Constitutional Law Vol. I & II
4. Shukla V.N. : The Constitution of India
5. Tope T.K. : Constitutional Law of India

#### **4. Property Law**

##### 1. Introduction:

Interpretation clause.

##### 2. Transfer of property by act of parties:

Whether movable or immovable, Election, apportionment, transfer of immovable property.

##### 3. Sale of Immovable property.

##### 4. Mortgages of Immovable property and charges:

Rights and liabilities of mortgager, Priority. Marshalling and contribution, suits for foreclosure, Sale or Redemption, anomalous Mortgages, Charges, Notice and tender.

##### 5. Lease of Immovable Property.

##### 6. Exchanges.

##### 7. Gift.

##### 8. Transfer of actionable Claim.

##### 9. Indian Easement act.

Easement, acquisition of easement, kinds, extinguishments of easement.

#### **BOOKS RECOMMENDED**

1. Mulla : Transfer of Property
2. Shah : Transfer of Property
3. Jain J.D. : Transfer of Property
4. Tripathi : Transfer of Property  
: Easements Act

# Fourth Year LLB Honors Degree Program

## Syllabus

### Seventh Semester

#### 1. Company Law

##### 1. Introduction

Definition, Nature, Advantages and Disadvantages of a company.

##### 2. Registration and Incorporation

##### 3. Memorandum of Association

Various clauses of Memorandum of Association

##### 4. Articles of Association

Constructive Notice and Doctrine of Indoor Management and Limitations

##### 5. Prospectus

Definition, Contents of Prospectus, Remedies for Misrepresentation

##### 6. Promoters

Definition, Duties, Liability and Position

##### 7. Shares

Allotment, Statutory Restrictions, General Principles, Transfer of Shares

##### 8. Shareholders and Members

Definition, How to become a member, who may be a member, calls on shares

##### 9. Share Capital

Kinds of share capital, Share Warrants

##### 10. Directors

Position, Appointment of Directors, Qualifications of Directors, Powers of Directors, Duties of Directors, Meetings of Directors

##### 11. Other Managerial Personnel

##### 12. Meetings

Kinds of Meetings, Voting

##### 13. Dividends, Audit and Accounts

##### 14. Borrowing, Lending, Investments and Contracts

##### 15. Debentures

Definition, Features and Kinds of debentures, Charge

##### 16. Majority Powers and Minority Rights

Rule in Foss v. Harbottle and exceptions

17. Prevention of Oppression and Mismanagement
18. Investigations
19. Kinds of Company
20. Reconstruction and Amalgamation
21. Defunct Companies
22. Winding up  
Types of winding up, Consequences of winding up, Powers of Liquidator
23. Conduct of Winding up

### **BOOKS RECOMMENDED**

1. Indian Company Law : Avtar Singh Law
2. Guide to Companies Act : Rammiaya
3. Company Law : Palmer
4. Gower : Principles of Modern Company Law

## **2. Labour Law**

1. Industrial Disputes Act, 1947.
  - a. Define concept and scope of industrial dispute.
  - b. Concept of industrial dispute, ambit and basic conditions
  - c. Concept of Workmen, Employer, and Wages under the Industrial Disputes Act.
  - d. Various authorities under the Act, scope of their powers, functions and dispute settlement procedures.
  - e. Define appropriate government, reference mechanism and powers of appropriate government
  - f. Retrenchment, meaning, concept, implications and procedures
  - g. Layoff, meaning, concept, implications and procedures
  - h. Strike and lockout - definition and effectively
  - i. Collective Bargaining, techniques and procedures
  - j. Unfair labour practice and its obligations
  - k. Protection to striking workman under the Act
  - l. Domestic inquiry, various subjects and procedures
  - m. Workman compensation Act — definition, meaning of dependents, kinds of disabilities of workmen and wages
  - n. Eligibility to claim compensation, condition precedent, scope of application of law, extension of the course of employment
  - o. Occupational disease, class, department and extent of disablement

- p. Authorities under the Act, their powers, function and procedures
  - q. Procedure for seeking relief under the Act.
2. Industrial Disputes (Standing Orders) Act, 1946
- a. Procedure for certificate of standing orders
  - b. Matters that should be contained in the standing orders
  - c. Certifying officer and his powers
3. Trade Union Act, 1926
- a. The concept of trade unionism and the need for legislation.
  - b. Procedure for registration of a trade union.
  - c. Matters to be provided in the bylaws of a registered trade union.
  - d. The purpose for which general funds of Trade Union could be spent.
  - e. The idea of political fund, purpose and manner of collection and its use.
  - f. Immunities available to a trade union.
  - g. Procedure for amalgamation of a trade union.
4. Minimum Wages Act, 1948
- a. Historical basis of minimum wages Act
  - b. Definition of employer and employee
  - c. Definition of wages, distinguish it with ID Act, WC Act, Payment of Wages Act.
  - d. Various concepts of wages.
  - e. Procedure for fixing and revising of minimum wages.
5. Payment of Wages Act, 1936
- a. Definition of wages and concept of wages
  - b. Responsibility for payment of wages, fixation, time and manner of payment
  - c. Deductions allowed under the Act, the idea and the conditions.
  - d. Specific deductions and the manner and extent.
  - e. Fine as deduction, procedure for its imposition and levy.
  - f. Deduction for absence and damage to property: imposition and levy
  - g. Power of the inspector and facilities to be afforded to the inspector.
6. Workmen's Compensation Act, 1923
- a. Meaning of dependant for the purpose of Workmen's Compensation Act.
  - b. Meaning and implications of disability, partial disablement and total disablement.
  - c. Meaning of workmen and wages for the purpose of Workmen's Compensation Act.
  - d. Meaning of accident and personal injury and cases relating there unto.

- e. The extent and importance of the concept “Arising out of and in the course of employment”.
- f. Doctrine of notional extension of course of employment and employers premises.
- g. Doctrine of added peril and the consequences thereof for injured workmen.
- h. Conditions necessary to enable the workmen to claim compensation under the Act.
- i. The scheme and rate of compensation u/s 4; calculation of wages for the purpose of compensation.
- j. The concept and classification of occupational disease and the determination of the extent of disablement.
- k. The scheme of distribution of compensation, procedure for claiming compensation u/s 8, 9,10 and 12.
- l. Appointment and qualifications of commissioner under WC Act: procedure and other requirements thereof.
- m. Powers and functions of Commissioner under the WC Act.
- n. Rights of appearance before the Commissioner, procedure for recording of evidence and registration of contracts.
- o. Provision for appeal against the order of the commissioner, competent appellate authority and procedure thereof.

### **BOOKS RECOMMENDED**

- 1. Mishra S.N. : Labour Law Law
- 2. Mallik : Industrial Law
- 3. Srivastava S.C. : Labour Law and Industrial Relations
- 4. Malhotra O.P : Industrial Disputes Act

### **3. International Law and Human Rights**

- 1. Historical and theoretical foundation of International law
- 2. Basic Principles of international Law
  - a. Sovereign equality of States
  - b. Non intervention
  - c. Non use of force
  - d. International cooperation
  - e. Peaceful settlement of disputes
- 3. Sources of International Law
  - a. Treaties
  - b. Customs



- c. General Principles of Law recognized by Civilized Nations
- d. Judicial & Arbitral decisions and Juristic Opinions
- e. UN General Assembly Resolutions
- 4. Relationship between International and Internal Law
  - a. Theories
  - b. State practice with special reference to India and United Kingdom
- 5. Subjects of International Law
  - a. State
  - b. International organizations
  - c. Individuals/ Peoples
  - d. MNCs and other Private Entities
- 6. The Law of Recognition
  - a. Recognition of States
  - b. Recognition of Governments
  - c. Recognition Dejure and Defacto
  - d. Legal effects of Recognition
  - e. Stimson's doctrine of non-recognition
- 7. Jurisdiction of States
  - a. Territorial jurisdiction
  - b. Personal jurisdiction
  - c. Protective jurisdiction
  - d. Universal jurisdiction (terrorism, hijacking, narcotics, war crime and crimes against peace)
  - e. Diplomatic immunities and privileges
  - f. State immunity
- 8. Law of State Responsibility
  - a. Nature and kinds of responsibility
  - b. Responsibility for breach of treaty and expropriation of property including the Calvo clause and the law relating to debts
  - c. Responsibility for international delinquencies
  - d. Treatment of aliens
  - e. Law relating to claims and damages
  - f. Obligations Erga Omnes
  - g. Abuse of rights
- 9. The Law relating to the acquisition and loss of Nationality
  - a. International importance of nationality

- b. Nationality of corporations and un-incorporated associations
- c. The law relating to extradition, rendition and asylum
- 10. Human Rights and fundamental freedoms
  - a. The UN Charter provisions
  - b. Universal Declaration of Human Rights
  - c. International Covenants of 1966 and Other related Conventions
  - d. Regional Conventions and Treaties
  - e. The Constitution of India and International Human Rights Law
- 11. Peaceful Settlement of International Disputes (with reference to Article 33 of UN Charter)
- 12. The Law relating to International Institutions
  - a. The UN General Assembly
  - b. The Security Council
  - c. The Economic and Social Council
  - d. The development of International Law through the International Court of Justice
  - e. The UN Secretariat
- 13. Private International Law with special reference to Goa.

### **BOOKS RECOMMENDED**

1. J. G. Starke : Introduction to International Law
2. S. K. Kapoor : Public International law
3. M. P. Tandon : Public International law
4. U. Chandra : Human Rights.
5. Justice Palok : Human Rights  
Basu
6. Dr. S. K. Awasthi : Human Rights

### **4. Interpretation of Statutes**

1. Basic Principles:
  - Meaning of interpretation, construction, Intention of legislature
2. General Principles of Interpretations:
  - Literal interpretation, golden rule, the mischief rule, construction re magis valeat quam pareat, regard to consequences, statute to read as a whole
3. Internal Aids to Construction
4. External Aids to Construction
5. Other Principles of Construction:

Treatment of general words, beneficial construction, construction in Bona Partem, restrictive construction, harmonious construction, construction in pan materia, construction to prevent evasion or abuse, equitable construction.

#### 6. Imperative And Directive Statutes

#### 7. Codifying And Consolidating Statutes

#### 8. Presumptions

- a. Presumption against ousting established jurisdiction
- b. Presumption against exceeding territorial nexus
- c. Presumption against ouster of jurisdiction of courts.
- d. Presumption against changes in common law.
- e. Presumption against including what is inconvenient or unreasonable.
- f. Presumption against intending injustice or absurdity.
- g. Presumption against retrospective operation of Law
- h. Presumption against violation of international law
- i. Presumption on favour of constitutionality of a statute.

#### 9. Maxims And Principles

- a. Casus omissus
- b. Contemporanea expositio
- c. Nosutura a sochiis
- d. Rule of ejusdem generis
- e. Ut res magis valeat quam pareat
- f. Gerralia specialibus non derogant
- g. Ex visceribus actus
- h. Acts in pan material rodendo singula singulis
- i. Expressio unius est exclusio alterius.

#### 10. General Clauses Act

- a. Definitions Sec. 3
- b. Commencement of Acts
- c. Repeal
- d. Commencement and Termination of time
- e. Computation of time
- f. Measurement of distances
- g. Duty to be done on pro-rata
- h. Gender & number

- i. Powers conferred
- j. Power to appoint

### **BOOKS RECOMMENDED**

- 1. G. P. : Interpretation of Statutes  
Singh
- 2. Maxwell: Interpretation of Statutes
- 3. Avtar : Interpretation of Statutes  
Singh
- 4. Bare : General Clauses Act  
Act

### **Eighth Semester**

#### **1. Administrative**

##### 1. Introduction:

Definition, Nature and scope of administrative law, reasons for the growth of administrative law, rule of law in England America and India, separation of powers and development in the united states and India

##### 2. Delegated legislation:

Development, restraint on delegation, Control over delegated legislation: Judicial control, Legislative Control, Parliamentary control

##### 3. Classification of Administrative Action:

Legislative, Judicial, Quasi judicial and Administrative Actions

##### 4. Principles of Natural Justice:

a. Rule against Bias, Kinds of Bias

b. Rule of Fair Hearing: Contents

c. Effect of failure of natural justice, Exceptions to the Principles of natural Justice

##### 5. Administrative Adjudication:

Reasons for the Growth, Structure and Procedure of Adjudicatory Bodies, Kinds of Tribunals

##### 6. Administrative Discretion:

Failure to exercise discretion, Excess or Abuse of discretion

##### 7. Judicial Control of Administrative Action:

a. Prerogative Remedies, Laches and delay, Resjudicata

b. Articles.136 and 226.

c. Statutory Judicial Remedies: Civil Suits and Appeals

d. Equitable Remedies: Injunctions and Declaratory Actions

8. Estoppel and Waiver:  
Government promise and estoppel in U.S.A. and England, Promissory estoppel in India
9. Government Liability:  
Government Contracts, Government Tortious Liability
10. Ombudsman and Central vigilance Commission
11. Public Undertakings:  
Reasons for the growth, Features, Control over Public undertakings
12. Government privileges in legal proceedings
13. Official Secrets and Right to Information

### **BOOKS RECOMMENDED**

1. Sathe : Administrative Law
2. Jani M.P. : Principles of Administrative Law
3. Massey I.P. : Administrative Law
4. Philip and Wade : Administrative Law

## **2. Environmental Law**

### **Concept of Environment and Pollution**

1. Environment—meaning and contents
2. Pollution—meaning, kinds and effects of pollution  
Legal control and historical perspective
3. Environmental jurisprudence
4. Criminal law and environment
5. Common law and environment
6. Constitutional perspectives  
Fundamental rights—directive principles—fundamental duty—judicial approach—public interest litigation—right to information—doctrines of environmental pollution
7. Water and Air pollution
  - a. Meaning and standards, offences and penalties, judicial approach
  - b. Authorities under the enactments their powers and functions
  - c. Remedies in case of water and air pollution
8. Noise pollution
9. Legal control-judicial approach

10. Environmental protection
11. EP Act, 1986—objectives, loopholes, judicial approach
12. Environmental Impact assessment
13. Bio-medical waste and hazardous waste
14. Coastal Regulation zone, 1991  
guidelines for beach resorts —role of judiciary
15. Forest and greenery
16. Greenery conservation laws—role of judiciary-authorities
17. Protection of wild life
18. Role of judiciary-offences-authorities
19. International regime
20. Stockholm conference, green house effect and ozone depletion-Rio conference-UN  
Declarations

### **BOOKS RECOMMENDED**

- |                   |  |
|-------------------|--|
| 1. Rosencranz     | : Environmental law and policy in India            |
| 2. Kailash Thakur | : Environmental protection law and policy in India |
| 3. Leelakrishnan  | : The Environmental Law in India                   |
| 4. Gandhi         | : Environmental law                                |
| 5. Karkera        | : Environmental law                                |

### **3. Land Laws**

1. The Goa Agricultural Tenancy Act, 1964
2. The Goa Daman & Diu Buildings (Lease, rent, eviction) Control Act, 1968
3. Land Revenue Code, 1968
4. The Mundkar (Protection from Eviction) act 1975
5. Mamlatdar's Court Act, 1966

### **BOOKS RECOMMENDED**

1. Bare acts
2. Goa Law Times

## **4. Women Poverty and Development Laws**

### **Chapter —I**

The Constitution of India and women

- a. The Preamble, Fundamental Rights, Women Reservations, Women Reservations in elections to Local Bodies, Right against exploitation, Directive Principles — Women, Right of Women to economic development, Sexual Harassment of Women

## **Chapter —II**

### Personal Laws and Women

#### A. Marriage

- a. Hindu Women and Marriage
- b. Muslim Women and Marriage
- c. Christian Women and Marriage
- d. Matrimonial Causes -Rights of Women

#### B. Dissolution of Marriage (Divorce)

- a. Muslim Women -Dissolution of Marriage
- b. Christian women and Divorce

#### C. Succession

- a. Hindu Women and Succession
- b. Muslim women and Succession
- c. Succession among Christian women 54

#### D. Maintenance

- a. Hindu Women and Maintenance
- b. Maintenance of Muslim Women
- c. Maintenance under Criminal Procedure Code. 62

## **Chapter—III**

### Uniform Civil Code and Gender Justice

- a. Introduction
- b. Personal Laws and Discrimination against women
- c. Uniform Civil Code and Indian Constitution
- d. Judicial behaviour and Uniform Civil Code

## **Chapter—IV**

### Women and Criminal Law

- a. Introduction
- b. Offences affecting human body
- c. Offences relating to Marriage
- d. Cruelty by husband or his relatives for dowry
- e. Insulting the modesty of women

## **Chapter-V**

### Law Relating to Dowry Prohibition

- a. The Dowry Prohibition Act, 1961
- b. Dowry Death and Dowry Suicide
- c. Cruelty by :Husband or Relatives for Dowry

#### **Chapter-VI**

Industrial Law -Employment of Women

- a. Equal remuneration for Men and Women
- b. Maternity Benefit
- c. Other provisions for welfare and safety of women in Industrial laws

#### **Chapter-VII**

Sex Determination Tests and Female Foeticide

- a. Sex Determination Tests 128
- b. Termination of Pregnancy 132

#### **Chapter-VIII**

Prevention of Immoral Traffic and Women

- a. Introduction
- b. Indian Legislation on Immoral Traffic 136
- c. Scheme of Legislation
- d. Purpose of Legislation
- e. Important Definitions
- f. Salient features
- g. Rehabilitative and Remedial Provisions
- h. Suggested measures
- i. Rescue and Rehabilitation of Prostitutes and their children

#### **Part—II**

1. Relevant Provisions of The Indian Evidence Act, 1872
2. The Dowry Prohibition Act, 1961
3. The Medical Termination of Pregnancy Act, 1971
4. Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994
5. Relevant Provisions of The Factories Act, 1948.
6. Relevant Provisions of The Mines Act,1952.
7. Relevant Provisions of The Employees' State Insurance Act, 1948.
8. The Maternity Benefit Act, 1961
9. The Indecent Representation of Women {Prohibition) Act, 1986
- 10.The Immoral Traffic {Prevention) Act, 1956.
- 11.The Muslim Women {Protection of Rights on Divorce) Act, 1986.
- 12.Relevant Provisions of The Special Marriage Act, 1954.



13. The Family Courts Act, 1984
14. The National Commission for Women Act, 1990.
15. The Commission of Sati (Prevention) Act, 1987.
16. The Human Rights Act, 1993.
17. The Hindu Women's Rights To Property Act, 1937

**BOOKS RECOMMENDED**

1. Reddy G.B. : Women and The Law
2. Jain M.P. : Constitutional Law
3. Paras Diwan : Hindu Law
4. Paras Diwan : Muslim Law
5. Mishra : Labour Law
6. Ratanlal : Indian Penal Code
7. Avtar Singh : Law of Evidence

# **Fifth Year LLB Honors Degree Program Syllabus**

## **Nineth Semester**

### **1. Criminal Procedure Code**

1. Definitions- Bail able and Non-Bail able offences, Cognizable and Non-Cognizable, Summons and Warrant case, etc.
2. Constitution of criminal courts and offices
3. Powers of court
4. Powers of superior officers of police
5. Aid to the magistrates and the police
6. Arrest of persons
7. Process to compel appearance
8. Process to compel production of things.
9. Procedure for attachment and forfeiture
10. Security for keeping the peace and for good behaviour.
11. Order for maintenance of wives, children and parents.
12. Maintenance of public order and tranquility.
13. Preventive action of police.
14. Information to police and their powers to investigate.
15. Jurisdiction of criminal courts and enquiry and trial.
16. Conditions requisite for initiation of proceedings.
17. Complaints to magistrates.
18. Commencement of proceedings before magistrates.
19. The Charge.
20. Trial before Court of Session.
21. Trial of warrant cases and summons cases by magistrate.
22. Summary trial.
23. Attendance of persons confined or detained in prison.
24. Evidence and inquires and trails
25. General provision as to enquiry and trial.
26. Provisions as to accused persons of unsound mind.
27. Provisions as to affecting the administration of justice.
28. The judgment.
29. Submission of death sentence for confirmation.
30. Appeals, Reference, Revision and transfer of cases

31. Execution Suspension, Remission and commutation of sentences.
32. Provisions as to bail and bond.
33. Disposal of properties.
34. Irregular proceedings.
35. Limitations for taking cognizance of certain offences.
36. Miscellaneous.

### **BOOKS RECOMMENDED**

1. R.V Kelkar : Lectures on Criminal Procedure
2. Sarkar : Criminal Procedure
3. Ratanlal and Dhirajlal : The Code of Criminal Procedure

## **2. Civil Procedure Code and Limitation Act**

1. Definitions  
decree, Order, Mesne profits, Foreign Judgment, etc.
2. Suits in general  
Jurisdiction of courts, Res Judicata, Place of suing, Institution of Suits, Summons and discovery, Judgment and Decree, Interest, Costs.
3. Execution (sections and O. 21)  
Court by which a Decrees may be executed, Transferees and Legal Representative, procedure in execution, Arrest and detention, attachment, Sale, Distribution of Assets.
4. Commissions.
5. Suits in particular cases  
by or against Government or Public Offices, by alien and by or against Foreign Rulers or Ambassadors, interpleader.
6. Special proceedings  
Arbitration, Special Case, Public nuisance.
7. Supplemental proceedings
8. Appeals  
from Original Decree, from Appellate Decree, from Orders, appeal to Supreme Court.
9. Reference, Review, Revision.
10. Special provisions relating to the High Court.
11. Rules
12. Miscellaneous -Caveat, Inherent powers etc

13. Party to suits
14. Frame of suits
15. Recognized agents and pleaders.
16. Institutions of suits.
17. Issue and service of summons.
18. Pleadings generally.
19. Complaint.
20. Written statement, Set off and Counter Claim.
21. Appearance of parties and consequence at non-appearance.
22. Examination of parties by the court.
23. Discovery and inspection
24. Admissions
25. Production, impounding and return of documents
26. Settlement of issues and determination of suits on issues of law
27. Disposal of suits at the first hearing.
28. Summoning and attendance of witnesses.
29. Attendance of witnesses
30. Adjournments.
31. Hearing of the suit and examination of witnesses.
32. Affidavits
33. Judgment and Decree.
34. Death, Marriage and insolvency of parties.
35. Withdrawal and Adjustment of suits.
36. Payment into Court.
37. Security for costs.
38. Commissions.
39. Suits by or against Minors and persons of unsound mind etc.
40. Suits by or against Minors and persons of unsound mind etc.
41. Interpleader Suit
42. Special case.
43. Summary procedure.
44. Arrest and attachment before judgment
45. Temporary Injunction and interlocutory order
46. Appointment of Receivers.

## **Indian Limitation Act**

- 47. Definitions.
- 48. Limitation of suits appeals and application
- 49. Computation of period of limitation
- 50. Acquisition of ownership by possession
- 51. Miscellaneous

## **BOOKS RECOMMENDED**

- 1. C.K. Takawani : Code of Civil Procedure
- 2. Mulla : Code of Civil Procedure
- 3. M.P. Tandon : Code of Civil Procedure
- 4. J.D. Jain : Limitation Act

## **PRACTICAL PAPER - I**

## **PRACTICAL PAPER - II (DETAILS IN THE MAIN PROSPECTUS)**

## **Tenth Semester**

### **1. Law of Evidence**

- 1. Introduction:  
definition, kinds of evidence, Fact, Facts in issue, proved, not proved, disproved, relevant.
- 2. Presumptions: kinds of Presumptions
- 3. Relevancy of Facts:  
Section 5 to 16, Admissions and Confessions, Statements by persons who cannot be called as witnesses Statements made under Special circumstances, Facts of public nature, Relevancy of judgements, Opinion of third persons when relevant, Character when relevant.
- 4. Proof:  
Facts which need not be proved.
- 5. Modes of proof  
Reasons for the Growth, Structure and Procedure of Adjudicatory Bodies, Kinds of Tribunals
- 6. Documentary Evidence:  
presumption of documents

7. Exclusion of oral by documentary evidence
8. Ambiguous documents
9. Burden of Proof
10. Estoppel
11. Witness
12. Privileged Communications
13. Examination of witness
14. Improper admission or rejection of evidence

### **BOOKS RECOMMENDED**

1. Ratan Lal & Dheeraj Lal : Law of Evidence
2. Avtar Singh : Principles of Law of Evidence
3. Krishnamachari : Law of Evidence
4. Sarcar : Law of Evidence

### **2. ARBITRATION AND CONCILIATION ACT, 1996(OPTIONAL)**

1. The concepts of ADR's  
Negotiation, Mediation, Conciliation and Arbitration. The need for ADR's. Defects of existing dispute resolution system.
2. Arbitration Agreement
3. Power of parties to refer the matter for arbitration
4. Interim measures by court and arbitrator
5. Composition of arbitral tribunal  
number of arbitrator, appointment of arbitrator.
6. Grounds for challenge of appointment  
challenge procedure, failure to act, termination of mandate, and substitution of arbitrator.
7. Jurisdiction of Arbitral Tribunal  
competence of arbitral tribunal to rule its own jurisdiction.
8. Conduct of arbitral proceedings  
place of arbitration, commencement of arbitral proceedings, fixing of language of arbitral proceedings, procedure for making claim and defence, effect of default by a party
9. Other important powers of arbitrator  
equal treatment of parties, determination of rules of procedure
10. Other important powers of arbitrator  
appointment of expert by arbitral tribunal, court assistance in

- taking evidence.
11. Rules applicable to substance of dispute.
  12. Making of arbitral award and termination of proceedings  
decision making by panel of arbitrators, form and contents of arbitral award, termination of proceedings
  13. Correction and interpretation of arbitral award; additional award.
  14. Settlement  
duties of arbitrator, advantages of settlement.
  15. Recourse against arbitral award  
setting aside arbitral award.
  16. Finality and enforcement for arbitral award.
  17. Appeals
  18. Miscellaneous
  19. Enforcements of foreign awards
  20. New York convention awards
  21. Geneva convention awards
  22. Conciliation

### **BOOKS RECOMMENDED**

1. Avatar Singh : Arbitration and Conciliation Act, 1996
2. Bachawat J : Arbitration and Conciliation Act, 1996

### **3. Law of Taxation (Optional)**

1. General principles regarding tax:
2. Definition of tax and fee
3. Canons of tax law
4. Constitutional provisions and tax law

### **INCOME TAX ACT**

5. Definitions—previous year, assessee, assessment year, person etc.
6. Capital and Revenue receipts
7. Total income of an assessee
8. Incomes accrued and arise in India
9. Residential Status and tax incidence
10. Incomes exempted under Sec. 10
11. Income of Political party and charitable trust

12. Income under the head Salary
13. Income under the head business and profession
14. Income from capital gains
15. Income from house property
16. Income from other sources
17. Incomes exempted under Sec. 88
18. Set off and carry forward of losses
19. Clubbing of income
20. Double taxation relief
21. Agricultural Income
22. Returns of income and Assessment
23. Income tax authorities and their powers
24. Central Sales Tax Act
25. Definitions—dealer—registration of dealer—authorities
26. Import—export—inter State and Intra State sale
27. Goa Sales Tax Act
28. Definitions—dealer—registration of dealer—authorities

### **BOOKS RECOMMENDED**

1. Singhani : Income Tax
2. Nani Palkhiwala : Income tax
3. Paras Diwan : Income tax
4. Bare Acts

### **PRACTICAL PAPER - III**

### **PRACTICAL PAPER - IV (DETAILS IN THE MAIN PROSPECTUS)**



## **Practical Papers - LLB Honors Degree Program**

In addition to the taught theory papers, each student has to complete four practical papers, carrying 100 marks each.

### **Practical Paper I**

Moot Court, Pre-trial Preparations and participation in pre trial proceedings, detailed as below:

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

- a. Moot Court ( 30 marks )  
Every student will do at least 3 moot courts in a year with 10 marks for each. The moot court work will be on assigned problems and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.
- b. Observance of trial in two cases, one civil and one criminal (30 marks)  
Students will attend two trials in the course of the last 2 or 3 years of L.L.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the Court assignment. This scheme will carry 30 marks.
- c. Interviewing techniques and Pre trial preparations (30 marks)  
Each student will observe two interviewing sessions of clients at the Lawyer's Office / Legal aid Office and record the proceedings in a diary which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit / petition. This will be recorded in the diary, which will carry 15 marks.
- d. The fourth component of this paper will be Viva Voce examination on all the above 3 aspects. This will carry 10 marks.

### **Practical Paper II**

#### **Drafting, Pleading and Conveyancing.**

This course will be taught through class instructions and simulation exercises preferably with assistance of practicing lawyers/retired judges. Apart from teaching the relevant provisions of law, the course will include 15 exercise in Drafting carrying a total of 45 marks and 15

exercises in Conveyancing Carrying another 45 marks (3 marks for each exercise)

a. Drafting:-

General principles of drafting and relevant substantive rules shall be taught.

b. Pleadings:

1. Civil

- (i) Complaint
- (ii) Written Statement
- (iii) Interlocutory Application
- (iv) Original Petition
- (v) Affidavit
- (vi) Execution Petition and
- (vii) Memorandum of Appeal and revision
- (viii) Petition under Article 226 and 32 of the Constitution of India.

2. Criminal

- (i) Complaint
- (ii) Criminal Miscellaneous petition
- (iii) Bail Application and
- (iv) Memorandum of Appeal and Revision

c. Conveyancing:

- (i) Sale Deed
- (ii) Mortgage Deeds
- (iii) Lease Deeds
- (iv) Gift Deed
- (v) Promissory Note
- (vi) Power of Attorney
- (vii) Will

The remaining 10 marks will be given in a viva voce examination which will test the understanding of legal practice in relation to Drafting, Pleading and Conveyancing.

### **Practical Paper III**

Professional Ethics, Accountancy for Lawyers and Bar Bench Relations

This course will be taught in association with practicing lawyers on the basis of the following material:

- a. Mr. Krishnamurthy Iyer's Book on Advocacy
- b. The Contempt law and practice
- c. The Bar Council Code of Ethics
- d. 50 selected opinions of the Disciplinary Committee of the Bar councils and 10 major Judgments of the Supreme Court on the subject.

As part of this practical paper, the students are required to attend a lawyer's office for 30 working days as a trainee and submit a detailed report of the work done or observation made in their journal, which should be duly, certified by the lawyer whose office they have attended. Those students who do not intend to enter the profession but would like to take up employment in the fields relating to law may opt to undertake the training with any of the industries or large trading houses wherein they are expected to study the legal process involved in the establishment of such an organization and their day to day working in terms of the legal aspects and issues. Their observations and findings should be recorded in the journal in the form of a project report.

In lieu of the written examination, Colleges may be encouraged wherever appropriate to give seminars and projects where they are expected to research and write persuasive memoranda on topics identified in the above subjects.

### **Practical Paper IV**

Public Interest Lawyering, Legal Aid and Para Legal

Services.

This course carrying 100 marks will have to be designed and evaluated according to local conditions by the College in consultation with the Universities and State bar Councils. It can be taught partly through classroom instruction including simulation exercises and partly through extension programs like Lok Adalat, Legal Aid Camp, Legal Literacy and Para Legal training. The course should also contain lessons on negotiations and counseling, use of Computer in legal work, legal research in support of Public Interest Litigation, writing of case comments, editing of Law journals and law office Management. The marks may be appropriately divided to the different programs that each University might evolve for introduction in the Colleges under its control.

### **Note**

In order to give the students adequate training, the teaching programme for the practical papers will be carried out simultaneously along with the teaching program for the theory papers. Students are expected to maintain a journal for each of the practical paper separately and keep a proper record of their activities, attendance at courts, office of the lawyer, legal aid cells, public interest work undertaken in the respective journals. These journals have to be certified and endorsed from time to time by the faculty member in charge as notified by the College. These journals have to be submitted for assessment and viva before the end of the last semester as per the time schedule notified by the College/University.