

First Year LLB Degree Program Syllabus

First Semester

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. 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 Illegal Agreements, Various Illegal Agreements and Agreements opposing public policy.
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.
- d. 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:

- a. 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

Mulla	: Indian Contract Act
Dessai	: Indian Contract Act
Avtar Singh	: Law of contract
Ponnuswami	: Cases and materials on contract
Anson	: English law of contract
R. K. Bangia	: Law of Contract and Specific Relief Act
Jam M. P.	: Indian Constitutional Law
Shukla V. N.	: The Constitution of India

2. **Criminal Law**

1. General Principles of Crime Law:

Definition of crime, Theories of Crime, Elements of Crime, Stages in the commission of a crime, Difference 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, kidnaping, 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

Ratanlal and Dhirajlal	: Indian Penal Code
Atchuttan Pillai	: Criminal Law
M.P. Tandon	: The Indian Penal Code
Kenny	: Out lines of Criminal Law
Srivastava	: Elements of Criminal Law
Saxena	: Indian Penal Code
Gaur K.D	: Cases and Materials on Criminal Law

3. Law of Torts

1. 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 promises

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 - Including 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 restitutions; extra judicial remedies.

2. Consumer Protection Act 1986

a. Consumer Movements:

Historical Perspective

b. Consumer:

The concept

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

d. Enforcement of consumer rights.

BOOKS RECOMMENDED

Ratanlal and Dhirajlal	: Law of Torts
Salmond Law of tort	: Law of Torts
Winfield	: Law of torts
Bangia R.K.	: Law of torts
Agarwai V.K	: Consumer Protection

Legal Language and Legal Writing

1. Judgements

1. Union of India v. Rati Pal Saroj (AIR 1998 SC 1117)
2. Headmistress, Govt. Girts High School V Mahalkshmi (AIR 1998 Madras 86)
3. Zafar Ahmad Khan v. State (AIR 1963 Aliahabad 105)
4. Malan v. State of Bombay (AIR 1960 Bombay 393)
5. Raunaq Intenational 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.P.
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 (A1R 2002 SC 1412)
- 12.Adhyatma Bhattar Aiwar v. Adhyatma Bhattar Sri Devi (AIR 2002 SC 88)
- 13.M. Gowda. V.A. Gowda (AIR 2002 SC 215)
- 14.State of Maharashtra v. Bharat Fakira Dhiwar (AIR 2002 SC 16)
- 15.Union of India v. Bhagwati Prasad (AIR 2002 SC 1301)

2. 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 and John B.C. Brierley
5. Five Functions of a Lawyer by Arthur T. Vanderbilt

3. Legal Maxims

1. Actio personalis moritur cum persona
2. Actus non facit 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 tacite 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. Qui facit per alium facit per se.
20. Res ipsa loquitur
21. Respondent superior
22. Solus populi suprema lex
23. Ubi ius ibi remedium
24. Vigilantibus, non dormientibus, iura subveniunt.
25. Volenti non fit iniuria

4. Legal Terms

1. Abandonment, accessory, accomplice, acquittal, act of god, act of state, Actus reus, ad idem, adjournment, adverse witness, affidavit, alibi, alien, Alimony, alms and thorn, 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. FIR, 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-congizable offence.
14. Oath, over rule, ownership.
15. Pardon, penalty, pour 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, undue Influence, usage.
21. Vexatious suit, void.
22. Warrant, welfare law, will, thess, wrong.

5. Legal Notice

6. Affidavit

BOOKS RECOMMENDED

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

Second Semester

Contract -II

1. Special Contracts

1. Contracts of indemnity & guarantee.

2. Bailment:

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

3. Pledge

4. Agency:

Kinds of agents, Ratification duties of agent, Rights and duties of agent & duties of principal, Liability of agent and Principal, Termination of agency Indian Partnership Act

1. 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.

2. Partnership at will

3. Rights of partners.

Duties and obligations of partners.

4. Relations of partners to third persons:

Liability of firm for acts of partners Liability of the partners towards third parties

5. Implied authority of a partner. Scope of such Implied authority

6. Doctrine of holding out

7. Minor

8. Incoming partners:

Modes of introduction, liability, Retirement of a partner, Expulsion of a partner

9. Dissolution of firm:

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

10. Registration of firm:

Advantages of registration, Effects of non registration, Registration Subsequent to filing of suit

Sale of Goods Act

1. 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.
2. Implied conditions and Warranties in a contract of sale
 3. 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 of the rule
 4. Performance of Contract:
Kinds of delivery, Rules regarding delivery.
 5. Rights of Unpaid Seller:
Rights to LIEN, Right to stoppage in transit and right to resale
 6. Suits for breach of Contract

Negotiable Instruments Act

1. Definition and essentials of Negotiable Instruments
2. Promissory note:
Definition, Nature and Essentials of Promissory Note
3. Bill of exchange:
Definition and essentials of a bill of exchange. Bills in sets Distinction between Bill of exchange and Promissory Note
4. Cheque:
Definition and essentials of a cheque. Distinction between Cheque and Bill of exchange
5. Negotiation:
Endorsement and its kinds, Definition of holder, and, holder in due course
6. Holder in due course:
Rights and privileges of a holder in due course of a negotiable instrument
7. Payment in due course
8. Parties to negotiable instruments and their liability.
9. Modes of discharge from liability:
payment cancellation, release, non-presentment, etc.
10. Crossing of cheques
11. Dishonour of cheques:
Criminal liability of drawer for issuing cheques without funds
12. Presentment:
Presentment for payment
13. Dishonour:

Non acceptance, non payment, Notice of dishonour

14. Noting and protest

15. Maturity of negotiable Instruments

16. Special rules of evidence, Rules of International law

BOOKS RECOMMENDED

Mulla	: Indian Contract Act
Avtar Singh	: Law of Contract
Arison	: English Law of Contract
Avtar Singh	: Principles of Mercantile Law
Bangla R.K	: Principles of Mercantile Law
Mulla	: Negotiable Instruments Act
Avtar Singh	: Partnership Act, Sale of Goods Act, Negotiable Instruments Act
Bangia R.K.	: Partnership Act, Sale of Goods Act, Negotiable Instruments Act

2. **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 consience as a soruce of law. (integrated question) -1
9. Schools of Hindu Law. -2
10. Schools of Muslim law-I
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 and critically make suggestion only). -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. Grounds 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 for a 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 manlage (Integrated Question) -1
44. Nullity under Indian Divorce Act:-1-

45. Restitution of conjugal rights. (integrated Question) -1
46. Barto 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. (IntegratedQuestion)-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

Subbarao G.C.V.	: Family Law in India
Usgaocar M.S.	: Family Laws of Goa, Daman & Diu Vol
Paras Diwan	: Hindu Law
Paras Diwan.	: Muslim Law in Modern India
Mulla	: Hindu Law:
Mayne's	: Hindu Law

3. Constitutional Law

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. Fundamental Rights

Concepts of Fundamental rights - Origin and Development, Fundamental Rights in india

- 4.1. Definition of State: Judicial pronouncements on meaning of other authorities
- 4.2. Justiciability of Fundamental Rights Judicial Review Indian and American concept Justiciability of Pre and post constitutional Laws Waiver and fundamental Rights
- 4.3. Right to Equality: Reasonable classification - Basis for classification
- 4.4. Right against discrimination : Special provisions for Women, children and Backward Classes
- 4.5. Equality of Opportunity: Reservations of Posts for Backward Classes 79th and 85th Amendment Acts.
- 4.6. Abolition of Untouchability
- 4.7. Abolition of Titles
- 4.8. Right to Freedom:
 - Freedom of Speech and Expression: Right to know, Freedom of Press Reasonable Restrictions, Test for reasonableness Burden of proving reasonableness of restrictions
 - Freedom of Assembly, Reasonable restrictions
 - Freedom to form Associations, Reasonable restrictions
 - Freedom of Profession, Occupation, trade and Business, Reasonable restrictions
- 4.9. Rights of the Accused Ex-post facto laws. Right against Double Jeopardy, Right against Self-Incrimination
- 4.10. 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.
- 4.11. Protection against Arrest and Detention : Safeguards against Arrest made under the ordinary law, preventive detention, safeguard against detention made under the preventive detention laws.
- 4.12. Right against Exploitation:
 - Right against trafficking in human beings, safeguards against Begging and other forms of forced labour.
- 4.13. 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.

4.14. 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.

4.15. 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

4.16. Right to Constitutional Remedies:

Right to move to the Supreme Court prerogative Remedies, Rule of locus standi, Public Interest Litigation Resjudicata, Delay and Lathes, 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.

5. Directive Principles of State Policy

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

6. Fundamental duties

7. Union Executive

8. Union Legislature (Parliament)

9. The Union Judiciary

10. State Executive

11. State Legislature

12. State Judiciary

13. Relation Between Union and States:

Concept of Federalism, Legislative relations, Administrative Relations, Financial Relations, Cooperative Federalism.

14. Right to Property

15. Freedom of Trade, Commerce and Intercourse

16. Services under the Union and the States

17. Elections

18. Emergency Provisions:

Kinds of Emergencies, Effects of emergency

19. 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.

20. Special Status to Jammu and Kashmir

BOOKS RECOMMENDED

Jain M.P.	: Indian Constitutional Law
Basu D.D.	: Shorter Constitution of India
Kazgi	: Constitutional Law Vol. I & II
Shukla V.N.	: The Constitution of India
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 mortgagor, 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, extinguishment of easement.

BOOKS RECOMMENDED

Mulla	: Transfer of Property
Shah	: Transfer of Property
Jain J.D.	: Transfer of Property
Tripathi	: Transfer of Property

Second Year LLB Degree Program Syllabus

Third Semester

Family Law - II

1. Joint family

1. Mitakshara joint family
2. Mitakshara coparcenary-formation and incidents
3. Property under Mitakshara law-separate property and coparcenary property
4. Dayabhanga coparcenary-formation and incidents
5. Property under Dayabhanga law
6. Karta of the joint family-his position, powers, privileges and obligations
7. Alienation of property-separate and coparcenary
8. Debts-doctrines of pious obligations and antecedent debt
9. Partition and re-union
10. Joint Hindu family as a social security institution and impact of Hindu Gains of Learning Act and various Tax laws on it.
11. Matrilineal joint family

2. Inheritance

1. Hindus
2. Historical perspective of traditional Hindu law as a background to the study of Hindu Succession Act 1956
3. Succession to property of a Hindu male dying intestate under the provision of the Hindu Succession Act 1956
4. Devolution of interest in Mitakshara coparcenary with reference to the provisions of Hindu Succession Act 1956
5. Succession to property of a Hindu female dying intestate under the Hindu Succession Act 1956
6. Disqualification relating to Succession
7. General rules of Succession
8. Marumakkattayam and Aliyasantana laws governing people living in

- Travancore-Cochin and the districts of Malabar and South Kanara
9. Muslims
 10. General rules of Succession and exclusion from Succession
 11. Classification of Heirs under Hanafi and Ithna Ashria schools and their shares and distribution of property.
 12. Christians Parsis and Jews
 13. Heirs and their shares and distribution of property under the Indian Succession Act of 1925.

Settlement of Spousal property

(Need for development of law)

Establishment of Family courts

1. Constitution, powers and functions
2. Administration of gender justice
3. Uniform Civil Code
4. (Need for)
5. Religious Pluralism and its implications
6. Connotations of the directive contained in Article 44 of the Constitution
7. Impediments to the formulation of the uniform Civil Code
8. The idea of optional uniform Civil Code

BOOKS RECOMMENDED

- | | |
|-------------|------------------|
| Paras Diwan | : Family Law |
| Aquil Ahmad | : Mohammedan law |
| Mulla | : Hindu law |

1. 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 recognised by Civilised 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 / People
 - d. MNCs and other private entities
- 6. The Law of Recognition
 - a. Recognition of States
 - b. Recognition of Governments
 - c. Recognition De jure and De facto
 - d. Legal effects of Recognition
 - a. 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
 - f. 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

RECOMMENDED BOOKS

J. G Starke : Introduction to International Law

S.K. Kapoor	: Public International Law
M. P. Tandon	: Public International Law
U. Chandra	: Human Rights
Justice Palok Basu	: Human Rights
Dr. S. K. Awasthi	: Human Rights

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 - Kelson's Pure theory - Hart's Theory - Legal Realism, American Realism and Scandinavian realism - Historical School - Sociological School - Marx's Economic theory

4. The Sources of law :

- a. Legislations 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 :

Concepts 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 -

kinds 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

Salmond Jurisprudence - Twelfth Edition

Dr. B.N. Mani Tripathi, Jurisprudence.

3. Administrative Law

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 :

a. Development, restraint on delegation.

b. 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, Articles, 136 and 226.
 - b. Statutory Judicial Remedies: Civil Suits and Appeals
 - c. Equitable Remedies: injunctions and Declaratory Actions
- 8. Estoppel and Waiver :
 - Government promise and estoppel in U.S.A. and England, Promissory estoppel in $\frac{3}{4}$ 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

RECOMMENDED BOOKS

- | | |
|-----------------|------------------------------------|
| Sathe | : Administrative Law |
| Jani M.P. | : Principles of Administrative Law |
| Massey I.P. | : Administrative Law |
| Philip and Wade | : Administrative Law |

Fourth 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

RECOMMENDED BOOKS

Indian Company Law : Avtar Singh

Guide to Companies Act : Rammiaya

Company Law : Palmer

Gower : Principles of Modern Company 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 principles4undamentai duty-judicial approach- public interest litigation-right to information-doctrines of environmental pollution

7. Water and Air pollution

Meaning and standards. offences and penalties, judicial approach
Authorities under the enactments their powers and functions
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
15. Guidelines For Beach Resorts - Role Of Judiciary
16. Forest And Greenery
17. Greenery Conservation Laws-Role of Judiciary-Authorities
18. Protection Of Wild Life
19. Role of Judiciary-Offences-Authorities
20. International regime
21. Stockholm conference, green house effect and ozone depletion-Rio conference-UN Declarations

RECOMMENDED BOOKS

Rosencranz	: Environmental law and policy in India
Kailash Thakur	: Environmental protection law and policy in India
Leelakrishnan	: The Environmental Law in India
Gandhi	: Environmental law
Karkera	: Environmental law

3. 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

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

RECOMMENDED BOOKS

Ratan Lal & Dheeraj Lal	: Law of Evidence
Avtar Singh	: Principles of Law of Evidence
Krishnamachari	: Law of Evidence
Sarcar	: Law of Evidence

4. Banking Law and Consumer Protection (Optional)

1. Introduction :

Emergence of banking institutions

2. Bank and Customer :

Definition of Banker & Customer General relation between Banker and Customer Special relation between Banker and Customer, Rights and obligations of the Banks, Garnishee Order, Bankers lien

3. Accounts

Kinds of accounts

4. Over drafting
5. Special types of customers
6. Safe custody deposit
7. Pass book
8. Letters of credit
9. Purchase and discount of bills
10. Nationalisation of Banks
11. Law relating to negotiable instruments :
Definition and Kinds, Holder and holder in due course, endorsement, Crossing of cheques, kinds of cheques, Marking of cheques, Material alteration, Paying banker and statutory protection, Collecting banker and statutory protection, Notice of dishonour, Criminal Liability of the drawer of the cheque
12. Reserve Bank of India Act, 1934
13. Banking Regulation Act, 1949

Consumer Protection

1. Evolution of consumerism
2. Salient features of Consumer Protection Act, 1986
3. Definitions
Consumer, Service and unfair trade practice
4. Medical profession and consumer protection Act
5. Consumer protection councils
6. Consumer dispute Redressal agencies

RECOMMENDED BOOKS

Tandon	: Law of Banking
Dr. Subramanyam	: Law of Banking
Agarwal	: Consumer Protection Act
Saraf	: Consumer Protection Act
Gurjeet Singh	: Consumer Protection Act

4. Law of Insurance (Optional)

General principles of insurance law

1. Basic insurance :

Introduction, insurance scheme and its benefits, insurance and loss prevention

2. State control of Insurance Business :

Insurance Act, 1938, Life Insurance Act, 1956, General insurance Business (Nationalisation) Act, 1972, insurance Regulatory and Development Authority Act, 1999.

3. Law relating to Insurance Contracts :

Sources, basic legal concepts, def of contract of insurance.

4. Formation, Performance and Discharge of Contract :

Competence of parties, free consent, wagering agreements, void and voidable agreements, Discharge of contracts.

5. Proposal and policy :

Proposal covers note, the slip, the policy, and construction of policy.

6. Terms and conditions and exceptions of policy :

Condition precedents and subsequent, effect of breach, waiver of breach, assignment of policy, premium.

7. Utmost good faith :

Duty of disclosure, insured's and insurer's duty, extent of the duty, illustrative cases.

8. Insurable interest :

Contractual and statutory, illustrative cases.

9. Indemnity, Subrogation and Contribution.

10. The risk

11. Proximate cause

12. Reinsurance :

Marine Insurance

13. Insurable Interest

14. Disclosure and representation

15. The marine policy

- 16.The voyage
- 17.The insured perils
- 18.Loss and abandonment
- 19.Partial loss and average loss. Fire insurance
- 20.Non-disclosure and misrepresentation
- 21.Standard fire policy
- 22.Proximate cause
- 23.Subrogation, Double Insurance Contribution and Average :
 - Accident and Motor Insurance
 - Life insurance
 - Marine Insurance

RECOMMENDED BOOKS

- K.V.S.N Sharma : Law of insurance
Dr Avtar Singh : Law of insurance
M.N.Srinivasan's : Principles of insurance Jaw

Third Year LLB Degree Program

Syllabus

Third Semester

1. Arbitration and Conciliation Act, 1996

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 at 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 of arbitral award.

17. Appeals
18. Miscellaneous
19. Enforcements of foreign awards
20. New York convention awards
21. Geneva convention awards
22. Conciliation

BOOKS RECOMMENDED

- | | |
|--------------|---|
| Avatar Singh | : Arbitration and Conciliation Act,
1996 |
| Bachawat J | : Arbitration and Conciliation Act,
1996 |

2. Law of Taxation

1. General principles regarding tax:
2. Definition of tax and fee
3. Canon of tax and fee
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

- Singhani : Income Tax
- Nani Palkhiwala : Income tax
- Paras Diwan : Income Tax
- : Bare Acts

3. 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 trail.
- 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

R.V Kelkar	: Lectures on Criminal Procedure
Sarkar	: Criminal Procedure
Ratanlal and Dhirajlal	: Tthe Code of Criminal Procedure

4. Civil Procedure Code & 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 0. 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. Recognized agents and pleaders.
17. Issue and service of summons.
18. Pleadings generally.
19. Plaint.
20. Written statement, Set off and Counter Claim.
21. Appearance of parties and consequence of 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 indigent persons, suits relating to mortgages of immoveable property.
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

- | | |
|--------------|---------------------------|
| C.K Takawani | : Code Of Civil Procedure |
| Mulla | : Code Of Civil Procedure |
| M.P Tondon | : Code of Civil Procedure |
| J.D Jain | : Limitation Act |

Sixth Semester

1. Labour Law

Industrial Disputes Act, 1947.

1. Define concept and scope of industrial dispute.
2. Concept of industrial dispute, ambit and basic conditions.
3. Concept of Workmen, Employer, and Wages under the Industrial Disputes Act.

4. Various authorities under the Act, scope of their powers, functions and dispute settlement procedures.
5. Define appropriate government, reference mechanism and powers of appropriate government.
6. Retrenchment, meaning, concept, implications and procedures.
7. Layoff, meaning, concept, implications and procedures.
8. Strike and lockout - definition and effectively.
9. Collective Bargaining, techniques and procedures.
10. Unfair labour practice and its obligations.
11. Protection to striking workman under the Act.
12. Domestic inquiry, various subjects and procedures.
13. Workman compensation Act — definition, meaning of dependents, kinds of disabilities of workmen and wages.
14. Eligibility to claim compensation, condition precedent, scope of application of law, extension of the course of employment.
15. Occupational disease, class, department and extent of disablement.
16. Authorities under the Act, their powers, function and procedures.
17. Procedure for seeking relief under the Act.

Industrial Disputes (Standing Orders) Act, 1946.

1. Procedure for certificate of standing orders.
2. Matters that should be contained in the standing orders.
3. Certifying officer and his powers.

Trade Union Act, 1926.

1. The concept of trade unionism and the need for legislation.
2. Procedure for registration of a trade union.
3. Matters to be provided in the bylaws of a registered trade union.
4. The purpose for which general funds of Trade Union could be spent.
5. The idea of political fund, purpose and manner of collection and its use.
6. Immunities available to a trade union.
7. Procedure for amalgamation of a trade union.

Minimum Wages Act, 1948.

1. Historical basis of minimum wages Act.
2. Definition of employer and employee.
3. Definition of wages, distinguish it with ID Act, WC Act, Payment of Wages Act.
4. Various concepts of wages.
5. Procedure for fixing and revising of minimum wages.

Payment of Wages Act, 1936.

1. Definition of wages and concept of wages.
2. Responsibility for payment of wages, fixation, time and manner of payment.
3. Deductions allowed under the Act, the Idea and the conditions.
4. Specific deductions and the manner and extent.
5. Fine as deduction, procedure for its imposition and levy.
6. Deduction for absence and damage to property: imposition and levy
7. Power of the inspector and facilities to be afforded to the inspector.

Workmen's Compensation Act, 1923.

1. Meaning of dependant for the purpose of Workmen's Compensation Act.
2. Meaning and implications of disability, partial disablement and total disablement.
3. Meaning of workmen and wages for the purpose of Workmen's Compensation Act.
4. Meaning of accident and personal Injury and cases relating there unto.
5. The extent and importance of the concept "Arising out of and in the course of employment".
6. Doctrine of notional extension of course of employment and employers premises.
7. Doctrine of added peril and the consequences there of for injured workmen.
8. Conditions necessary to enable the workmen to claim compensation under the Act.
9. The scheme and rate of compensation u/s 4; calculation of wages for the purpose of compensation.
10. The concept and classification of occupational disease and the

- determination of the extent of disablement.
11. The scheme of distribution of compensation, procedure for claiming compensation u/s 8,9,10 and 12.
 12. Appointment and qualifications of commissioner under WC Act: procedure and other requirements thereof.
 13. Powers and functions of Commissioner under the WC Act.
 14. Rights of appearance before the Commissioner, procedure for recording of evidence and registration of contracts.
 15. Provision for appeal against the order of the commissioner, competent appellate authority and procedure thereof.

BOOKS RECOMMENDED

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

2. 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

Bare acts

Goa Law Times

Interpretation of
Statutes

1. Basic Principles:
Meaning of interpretation, construction, Intention of legislature.
2. General Principles of Interpretations:
3. Internal Aids to Construction
4. External Aids to Construction

Literal interpretation, golden rule, the mischief rule, construction *re magis valeat quam pareat*, regard to consequences, statute to read as a whole.

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 sociis*
- 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

- G.P.Singh : Interpretation of Statutes
- Maxwell : Interpretation of Statutes
- Avtar Singh : Interpretation of Statutes
- Bare Act : General Clauses Act

3. Intellectual property law (Optional)

Chapter—I

- 1. Concept of property vis-à-vis Intellectual property
- 2. Nature of property
- 3. Development of Intellectual property
- 4. Role of WTO

Chapter—II

PATENTS

- 1. Introduction, how to obtain patent, specification, opposition to grant of patent.
- 2. Registrar of patents and patent office
- 3. Rights and obligations of patents
- 4. Transfer of patent rights
- 5. Compulsory licenses, licenses of right and revocation for non working
- 6. Government use of inventions
- 7. Revocation and surrender of patents
- 8. Infringement of patents

9. Threat of infringement proceedings
10. Offences and penalties and miscellaneous matters

Chapter—III

TRADEMARKS

1. Introduction
2. Trade marks registry and register of trademarks
3. Property in trademark and registration of trademark
4. Deceptive similarity
5. Assignment and transmission
6. Licensing of trademark and registered users
7. Rectification of register
8. Infringement, threat and trade libel
9. Good will, passing off
10. Offences and penalties
11. Miscellaneous matters

Chapter—IV

COPYRIGHT

1. Introduction
2. Nature of copyright
3. Subject matter of copyrights
4. Term of copyrights
5. Author and ownership of copyright
6. Rights conferred by copyright
7. Assignment, transmission and relinquishment of copyrights
8. Licenses
9. Publication and public
10. Infringement of copyrights
11. Remedies against infringement of copyrights
12. International copyrights
13. Copyright office, copyright board, registration of copyrights and appeals
14. Confidential information, breach of confidence and know how

BOOKS RECOMMENDED

Narayanan. P : Intellectual property law

Wadhera : Intellectual property law
Cornish : Intellectual property law
GB Reddy : Intellectual Property rights and law

4. **Criminology (optional)**

1. Introduction:

Definition of criminology, Is it a science relation with Criminal law and Evidence, Definition of Penology and its importance.

2. Schools of criminology:

Kinds of schools and exponents of various schools.

3. Theories of Criminology:

Kinds of theories, Causes of crime.

4. Organized crimes

5. White collar crimes

6. Sexual offences

7. Theories and kinds of punishments

8. Capital Punishment and Role of Judiciary

9. Police system

10. Prison Administration

11. Parole & Probation

12. Juvenile Delinquency and Correctional Home

13. Crime Prevention.

BOOKS RECOMMENDED

Paranjape N.V : Criminology and Penology

Ahamad Siddiqui : Criminology and Penology

Sethna : Society and Criminology

Goswamy : Critical Studies of
Criminology

Practical Papers - LLB Degree Program

In addition to the taught theory papers, each student has to complete four practical papers, carrying 100 marks each. All the students are expected to undertake the compulsory practical papers right from the First Year itself, as per the scheme followed by the College. The practical work has to be recorded in the journal for the practical from time to time. These journals will be reviewed at least once in every semester. Marks will be allotted only during the Sixth Semester during the Viva, which will be duly notified.

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 LLB. 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.

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

The students are expected to attend a senior lawyers office or a lawyer having substantial number of years of practice and work as a trainee for a minimum period of 0 working days. They should record in their journal the work done by them and the observations they have made. The lawyer concerned should duly certify the same. Those students, who do not intend to enter the profession but would seek employment in a field related to law, may undergo such training in any industry or large trading house for a period of 30 days. They are expected to study the legal process involved in the establishment of such an undertaking and its day to day working. They should work in such establishment for 30 days and submit a report in their journal in the form of a project. Details as to how this has to be carried out will be provided in the class during normal teaching hours.

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.

The students are expected to undertake legal aid work right from the First Year itself. The bifurcation of marks for the purpose of evaluation of their work shall be as follows :

- First Year LL.B. 20 marks
- Second Year LL.B. 30 marks
- Third Year LL.B. 50 marks

Students are expected to obtain endorsement on their journal from the Principal at the end of each semester to ascertain the amount of work done during a particular semester.

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.

THIRD LL.B.

FIFTH SEMESTER

LABOUR LAW I

Industrial Disputes Act 1947

UNITS: 35

1. Definition concept and scope of industrial dispute
2. Concept of Industrial dispute ambit and basic conditions
3. Concept of workmen, Employer, and Wages under Industrial Disputes Act
4. Various authorities under the Act, scope of their powers, functions and dispute settlement procedures
5. Define appropriate government , reference mechanism and powers of appropriate government
6. Retrenchment, meaning concept implications and procedures
7. Lay off, meaning concept implications and procedures
8. Strike and lock out
9. Collective Bargaining , techniques and procedure
10. Unfair practice and its obligations
11. Protection to striking workmen under the Act
12. Domestic enquiry, various subjects and procedures

Trade Union Act 1926

UNITS: 15

1. Trade union movement in India
2. The concept of trade unionism and the need for legislation
3. Procedure for registration of a trade union
4. Matters to be provided in the bylaws of a registered trade union
5. The purpose for which general funds of Trade Union could be spent
6. The Idea of political fund, purpose and manner of collection and its use
7. Immunities available to a trade union
8. Procedure for amalgamation of a trade union.

Industrial Employment (Standing Orders) Act 1946

UNITS: 10

1. Procedure for certificate of standing orders
2. Matters that should be contained in the standing orders
3. Certifying officers and his powers

Factories Act 1948

UNITS: 15

1. Definitions
2. Approval Licensing and registration of factories –inspecting staff
3. Health and cleanliness
4. The precautions relating to safety in the installation and operating of Machines
5. Provisions relating to Hazardous processes
6. The welfare of workers
7. The working hours of adult workers
8. The employment of children and adolescents
9. The annual leave with wages to workers

Note: The units mentioned above include internal assessment hours.

Recommended Books

Malhotra O.P. ---- Industrial Disputes Act

Srivastava S.C. --- Labour Law and Industrial Relations

Mallik –Industrial Law

Mishra S.N. ----- Labour Law

N.D.Kapoor --- Industrial Law

S.K.Puri—Labour and Industrial Law

K.M .Pillai--- Labour and Industrial Law

CIVIL PROCEDURE CODE

Civil Procedure Code and Limitation Act

- | | |
|--|-----------|
| 1. Definitions | UNITS: 01 |
| 2. decree, Order, Mesne profits, Foreign Judgment, etc. | UNITS: 02 |
| 3. Suits in general | UNITS: 02 |
| 4. Jurisdiction of courts, Res Judicata, Place of suing, Institution of Suits, Summons and discovery, Judgment and Decree, Interest, Costs. | UNITS: 03 |
| 5. Execution(sections and 0. 21) | UNITS: 01 |
| 6. Court by which a Decrees may be executed, Transferees and Legal Representative, procedure in execution, Arrest and detention, attachment, Sale, Distribution of Assets. | UNITS: 04 |
| 7. Commissions. | UNITS: 01 |
| 8. Suits in particular cases | UNITS: 02 |
| 9. by or against Government or Public Offices, by alien and by or against Foreign Rulers or Ambassadors, interpleader. | UNITS: 02 |
| 10. Special proceedings | UNITS: 01 |
| 11. Arbitration, Special Case, Public nuisance. | UNITS: 01 |
| 12. Supplemental proceedings | UNITS: 01 |
| 13. Appeals | UNITS: 01 |
| 14. from Original Decree, from Appellate Decree, from Orders, appeal to Supreme Court. | UNITS: 02 |
| 15. Reference, Review, Revision. | UNITS: 01 |
| 16. Special provisions relating to the High Court. | UNITS: 02 |
| 17. Rules | UNITS: 01 |
| 18. Miscellaneous -Caveat, Inherent powers etc | UNITS: 02 |
| 19. Party to suits | UNITS: 01 |
| 20. Frame of suits | UNITS: 01 |
| 21. Recognized agents and pleaders. | UNITS: 01 |
| 22. Institutions of suits. | UNITS: 01 |

23. Issue and service of summons. UNITS: 02
24. Pleadings generally. UNITS: 01
25. Plaint. UNITS: 02
26. Written statement, Set off and Counter Claim. UNITS: 02
27. Appearance of parties and consequence at non-appearance. UNITS: 01
28. Examination of parties by the court. UNITS: 01
29. Discovery and inspection UNITS: 01
30. Admissions UNITS: 01
31. Production, impounding and return of documents UNITS: 01
32. Settlement of issues and determination of suits on issues of law UNITS: 01
33. Disposal of suits at the first hearing. UNITS: 01
34. Summoning and attendance of witnesses. UNITS: 02
35. Attendance of witnesses UNITS: 01
36. Adjournments. UNITS: 01
37. Hearing of the suit and examination of witnesses. UNITS: 01
38. Affidavits UNITS: 01
39. Judgment and Decree. UNITS: 02
40. Death, Marriage and insolvency of parties. UNITS: 01
41. Withdrawal and Adjustment of suits. UNITS: 01
42. Payment into Court. UNITS: 01
43. Security for costs. UNITS: 01
44. Commissions. UNITS: 01
45. Suits by or against Minors and persons of unsound mind etc. UNITS: 01
46. Suits by or against Minors and persons of unsound mind etc. UNITS: 01
47. Interpleader Suit UNITS: 01
48. Special case. UNITS: 01
49. Summary procedure. UNITS: 01
50. Arrest and attachment before judgment UNITS: 01

51. Temporary Injunction and interlocutory order UNITS: 02

52. Appointment of Receivers. UNITS: 01

Indian Limitation Act UNITS:05

Definitions.

Limitation of suits appeals and application

Computation of period of limitation

Acquisition of ownership by possession

Miscellaneous

**Note: The units mentioned above include
internal assessment hours.**

BOOKS RECOMMENDED

C.K.Takawani : Code of Civil Procedure

Mulla : Code of Civil Procedure

M.P.Tondon : Code of Civil Procedure

J.D. Jain : Limitation Act

LAND LAW

- | | |
|--|-----------|
| 1. The Goa Agricultural Tenancy Act, 1964 | UNITS: 15 |
| 2. The Goa Daman & Diu Buildings (Lease, rent, eviction) Control Act, 1968 | UNITS: 15 |
| 3. Land Revenue Code, 1968 | UNITS: 15 |
| 4. The Mundkar (Protection from Eviction) act 1975 | UNITS: 15 |
| 5. Mamlatdar's Court Act, 1966 | UNITS: 15 |

Note: The units mentioned above include internal assessment hours.

BOOKS RECOMMENDED

1. Bare acts
2. Goa Law Times

MARITIME LAW (OPTIONAL)

1. Concept of Law - Civil, Criminal Law, Public Law, Private law, Public and private International Law
UNITS: 05
2. Indian contract Act with reference to following :
Agreement, Offer and Acceptance, consideration, consent, capacity to contract, valid void and voidable contracts, quasi contract, breach of contract, remedies for breach, discharge of contract, agency bailment.
UNITS: 03
3. Scope of Maritime Law - Sources, Subjects and objects. Continental Shelf, Exclusive Economic Zone, sea Bed, Admiralty Jurisdiction International, aspects of Registration Ship building contracts and mortgage.
UNITS: 11
Nationality of ships, flags of convenience & flag discrimination.
4. International Maritime Organisation - Its Structure, Objects, & Functions.
UNITS: 11
5. Indian Merchant Shipping Act. 1958 in general with special reference to:
UNITS: 12
(IDE) (a) Definitions, Section 3.
(b) Registration of Indian Ships. Sections 20 to 74.
6. Indian Merchant Shipping Act. Sections 88 to 218.
UNITS: 12
(a) General aspects of Carriage of Goods by Sea Act. 1925.
(b) The Indian Multi modal Transport of Goods Act. 1993.
(c) Hague Visby Rules; Hamburg Rules.
(d) Charter Party- Various Clauses and their Interpretations.
7. Marine Insurance Act. - Insurable interest in a policy, difference between marine insurance Policies and other policies. Different types of marine insurance Policies, perils of sea, claims. Settlement of claims.
UNITS: 11
8. Legal remedies maritime liens, at common law, general legal remedies as given in specific relief act. Writs injunction Indian Arbitration and Conciliation Act. 1996.
UNITS: 10

Note: The units mentioned above include internal assessment hours.

Books for Reference

1. Merchant Shipping Act, 1958 Govt. of India
2. The Indian Multi modal Transport of Goods Act. 1993 - Govt. of India.
3. Carriage of Goods by sea Act., 1925 Govt. of India
4. Marine Insurance Act, 1963 Govt. of India
5. The Arbitration and Conciliation Act, 1996 Govt. of India
6. S.T.C.W. Convention, 1978 I.M.O.
7. The Indian Contract Act, 1879 I.M.O.
8. Relevant Shipping Manuals, Conventions & Rules I.M.O.
9. Hague I Visby Rules. Hamburg Rules
10. Charter Parties Scrutton
11. Indian Contract Act Actar Singh

12. Maritime Law of India Gopalan Nair, Editor
13. Shipping Law Charley & Giles
14. Legal Regime of Merchant Shipping Dr.Nagendra Singh
15. Limitation of Liability of ShipownersKhodie Narmada
16. Maritime Liens. Dr. Thomas
17. Carriage of Goods by sea Mitra
18. Business & Law for the Shipmaster F.N.Hopkins
19. Shipping Law Grime R.
20. Law of Carriage of Goods Avatar Singh
21. Law of Arbitration Avatar Singh

AIR AND SPACE LAW (OPTIONAL)

I : Introduction Definition of Air Law Nature, Scope and Source Development of Air Law (Paris Convention, 1910; Paris Convention, 1919; Madrid Convention, 1926; Havana Convention, 1928; Warsaw Convention and Chicago Convention, 1944) Regulation Freedom of the Air and Sovereignty in the Air Membership and Organs of ICAO Legislative, Administrative and Judicial function. Economic and Technical regulations	UNITS: 08
II: Bilateralism and Multi-literalism Concept of bilateralism Views on multi-literalism Merits and demerits Regionalism in civil aviation India and bilateral agreement	UNITS: 07
III: Safety and security in civil aviation The Concept, Aviation terrorism International Norms-conventions, protocols and regulations Regulation in India : Air safety provisions , Air Traffic management, Legal regime of Air Space and Outer Space, Problem of application of Air, Space and telecommunication laws State obligation to provide Air Navigation services, Sovereign rights of States	UNITS: 10
IV : New Development in India Technology development and problem in civil aviation Airports-leasing and privatization-legal issues Liability in International civil aviation Manufacturers, operators, operators agents and maintenance contractors Third party liability for surface damage	UNITS: 10
V Changing Global Trend Globalization, de-regulation and liberalisation in international civil aviation-Infra-structural problems of air port Private involvement in ownership operation and management of air ports, international regulatory framework Rights and Privileges of Air Passengers Consumer protection in Civil Aviation, Liability for death, injury and delay	UNITS: 10
VI Air Cargo	UNITS: 10

International Conventions and Regulations

Aviation related Environmental problems

Aircraft financing and leasing, Aviation Insurance, Settlement of Aviation Related Disputes,

General Principles Role of ICAO and ICJ, Arbitration, Settlement under Municipal Law

VII

UNITS: 10

Space Law

Definition, nature, scope and development

Sources : UN and Outer Space

Space Technology-establishment of COPUOS, International Co-operation for peaceful use

UN Space Treaties, Development of Law by Treaties: The Space Treaty, 1967; The Rescue

Agreement, 1968; The Liability Convention, 1972; The Registration Convention, 1975; The

Moon Treaty, 1979; Partial Test Ban Treaty, 1963; Weather Modification Convention, 1977

VIII

UNITS: 10

International and inter-governmental organizations, Bilateral Agreement in Space Activity,

Satellite Broadcasting and Tele-communications

Use of Space Technology: peaceful and non-peaceful, remote sensing, Disaster prediction, warning and mitigation, management of earth resources, Satellite navigation and location, Space communication

Commercialization of Space Activities: Public and private sector activities, industry-government partnership, IPR Rights, Organisation of Space Activities-DOS, ISRO, Space policy.

Note: The units mentioned above include internal assessment hours.

Books

1. Azbeyratne, RIR, Legal and Regulatory Issues in International Aviation (1996)

2. S. Bhatt, The New Aviation Policy in India (1977)

3. Carole Blackshaw, Aviation Law and Regulation

4. V.S.Mani, Recent Trends in International Space and Policy (1966)

PRACTICAL PAPER I – (DPC)

Drafting of 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 II (PROFESSIONAL ETHICS, ACCOUNTING AND BAR BENCH RELATIONS)

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.

SIXTH SEMESTER

Labour Law II

1. *Minimum Wages Act 1948*

UNITS: 15

- a. Historical basis of Minimum wages Act
- b. Definition of employer and employee
- c. Definition of wages ,distinguish it with Industrial Disputes Act, Workmen's Compensation Act ,Payment of Wages Act.
- d. Various concepts of Wages
- e. Procedure for fixing and revising of minimum wages
- f. The authorities appointed under the Act
- g. The mode of payment of minimum rates of wages
- h. Calims and procedures for presenting calims

2. *Payment of Wages Act 1936*

UNITS:15

- a. Definition 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. Power of the inspector and facilities to be afforded to the inspector.
- f. Authorities under the Act

3. *Employees' Compensation Act 1923*

UNITS: 25

- a. Scope, object of the Act
- b. Liability of the employer to pay compensation , right of workmen to receive compensation conditions

Personal injury – accident- occupational disease – arising out of and in the course of employment –notional extension – doctrine of added peril--meaning and kinds of disablement- dependent – meaning of workmen and wages -- Defenses for employer

- c. Scheme and rate of compensation-
- d. Scheme of distribution of compensation
- e. Appointment and qualifications of commissioner under WC Act , powers and functions of commissioner.

4. *Employees State Insurance Act 1948*

UNITS: 20

- a. Object , application, seasonal factory
- b. Definitions—dependent, employment injury, employee, manufacturing process, employer
- c. ESI Corporation- constitution, powers, standing committee, medical benefit council, officers ,powers , duties
- d. ESI funds , payment of contribution
- e. Benefits under the Act—Sickness ,meternity, medical , disablement , dependents, funeral benefits
- f. Adjudication of disputes

Note: The units mentioned above include internal assessment hours.

Recommended Books

Srivastava S.C. --- Social Security

Mallik –Industrial Law

Mishra S.N. ----- Labour Law

N.D.Kapoor --- Industrial Law

S.K.Puri—Labour and Industrial Law

K.M .Pillai--- Labour and Industrial Law

CRIMINAL PROCEDURE CODE

1. Definitions- Bail able and Non-Bail able offences, Cognizable and Non-Cognizable, Summons and Warrant case, etc.UNITS: 02
2. Constitution of criminal courts and offices UNITS: 02
3. Powers of court UNITS: 02
4. Powers of superior officers of police UNITS: 01
5. Aid to the magistrates and the policeUNITS: 02
6. Arrest of persons UNITS: 02
7. Process to compel appearance UNITS: 02
8. Process to compel production of things.UNITS: 02
9. Procedure for attachment and forfeiture UNITS: 02
10. Security for keeping the peace and for good behaviour.UNITS: 02
11. Order for maintenance of wives, children and parents. UNITS: 02
12. Maintenance of public order and tranquility. UNITS: 03
13. Preventive action of police.UNITS: 03
14. Information to police and their powers to investigate. UNITS: 02
15. Jurisdiction of criminal courts and enquiry and trial. UNITS: 02
16. Conditions requisite for initiation of proceedings. UNITS: 02
17. Complaints to magistrates. UNITS: 02
18. Commencement of proceedings before magistrates. UNITS: 02
19. The Charge. UNITS: 03
20. Trial before Court of Session. UNITS: 02
21. Trial of warrant cases and summons cases by magistrate. UNITS: 02
22. Summary trial. UNITS: 02
23. Attendance of persons confined or detained in prison. UNITS: 02
24. Evidence and inquires and trails UNITS: 02
25. General provision as to enquiry and trial.UNITS: 02
26. Provisions as to accused persons of unsound mindUNITS: 02

- 27. Provisions as to affecting the administration of justice. UNITS:01
- 28. The judgment. UNITS: 02
- 29. Submission of death sentence for confirmation. UNITS: 02
- 30. Appeals, Reference, Revision and transfer of cases UNITS:02
- 31. Execution Suspension, Remission and commutation of sentences. UNITS: 02
- 32. Provisions as to bail and bond. UNITS: 03
- 33. Disposal of properties. UNITS: 02
- 34. Irregular proceedings. UNITS: 02
- 35. Limitations for taking cognizance of certain offences. UNITS: 03
- 36. Miscellaneous. UNITS: 02

Note: The units mentioned above include internal assessment hours.

BOOKS RECOMMENDED

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

LAW OF TAXATION

I UNITS: 15

History of Tax Law in India, Constitutional provisions relating to Taxation Nature and Scope of Tax, Definition: Persons, Assesses, Tax Pays, Previous year, Assessment years, Financial year, Income, Gross Taxable Income, Taxable Income, Agricultural Income, Tax Evasion and Tax Avoidance

II: Direct Tax UNITS: 20

Income Tax, Residential Status: Rules (Sec.6), Tax Liability
Exemption (Sec. 10), Deduction (Sec.80), related to individual, Expenses & Income, Rebate (Sec.88 & 88 B), Deemed income and clubbing of income, Carried Forward and Set of losses.

III: Income Tax UNITS: 20

Heads of Income: Income from Salary, House property, Business and Profession, Capital Gain and other sources
Calculation of Gross Total and Taxable income, Tax rebate and Computation of Tax Liability, Tax Collection at source and Advance Tax

IV UNITS: 20

Assessment Procedure, Types of Assessment
Income Tax Authority: Their function, Duties and Powers, Appeal, Offences, Fines and Penalties, Settlement of grievances and Prosecution, Income Tax Act, 1961, Income Tax Rules

BOOKS RECOMMENDED:

1. Ramesh Sharma, Supreme Court on Direct Taxes, (1998)
2. SampatIyengar, Law of Income Tax, (1998)
3. Kanga and Palkiwala, The Law and Practice of Income Tax

INTELLECTUAL PROPERTY LAW

Chapter—I

Units: 11

1. Concept of property vis-à-vis Intellectual property
2. Nature of property
3. Development of Intellectual property
4. Role of WTO

Chapter—II

Units: 20

PATENTS

1. Introduction, how to obtain patent, specification, opposition to grant of patent.
2. Registrar of patents and patent office
3. Rights and obligations of patents
4. Transfer of patent rights
5. Compulsory licenses, licenses of right and revocation for non working
6. Government use of inventions
7. Revocation and surrender of patents
8. Infringement of patents
9. Threat of infringement proceedings
10. Offences and penalties and miscellaneous matters

Chapter—III

Units: 20

TRADEMARKS

1. Introduction
2. Trade marks registry and register of trademarks
3. Property in trademark and registration of trademark
4. Deceptive similarity
5. Assignment and transmission

- 6.Licensing of trademark and registered users
- 7.Rectification of register
- 8.Infringement, threat and trade libel
- 9.Good will, passing off
- 10.Offences and penalties
- 11.Miscellaneous matters

Chapter—IV

Units: 24

COPYRIGHT

- 1.Introduction
- 2.Nature of copyright
- 3.Subject matter of copyrights
- 4.Term of copyrights
- 5.Author and ownership of copyright
- 6.Rights conferred by copyright
- 7.Assignment, transmission and relinquishment of copyrights
- 8.Licenses
- 9.Publication and public
- 10.Infringement of copyrights
- 11.Remedies against infringement of copyrights
- 12.International copyrights
- 13.Copyright office, copyright board, registration of copyrights and appeals
- 14.Confidential information, breach of confidence and know how

BOOKS RECOMMENDED

Narayanan. P : Intellectual property law

Wadhera : Intellectual property law

Cornish : Intellectual property law

GB Reddy : Intellectual Property rights and law

ARBITRATION AND CONCILIATION ACT, 1996

1.The concepts of ADR's	Units: 4
Negotiation, Mediation, Conciliation and Arbitration.The need for ADR's.Detects of existing dispute resolution system.	
2.Arbitration Agreement	Units: 3
3.Power at parties to refer the matter for arbitration	Units:2
4.Interim measures by court and arbitrator	Units:2
5.Composition of arbitral tribunal	Units:4
Number of arbitrator, appointment of arbitrator,	
6.Grounds for challenge of appointment	Units:6
Challenge procedure, failure to act, termination of mandate, and substitution of arbitrator.	
7.Jurisdiction of Arbitral Tribunal	Units:6
Competence of arbitral tribunal to rule its own jurisdiction.	
8.Conduct of arbitral proceedings	Units:4
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	Units:2
Equal treatment of parties, determination of rules of procedure	
10.Other important powers of arbitrator	Units:2
Appointment of expert by arbitral tribunal, court assistance in taking evidence	
11.Rules applicable to substance of dispute.	Units:2
12.Making of arbitral award and termination of proceedings	Units:6
Decision making by panel of arbitrators, form and contents of arbitral award, termination of proceedings	
13.Correction and interpretation of arbitral award; additional award.	Units:3
14.Settlement	Units:3
Duties of arbitrator, advantages of settlement.	
15.Recourse against arbitral award	Units:6
Setting aside arbitral award.	
16.Finality and enforcement of arbitral award.	Units:2

17.Appeals	Units:2
18.Miscellaneous	Units:2
19.Enforcements of foreign awards	Units:2
20.New York convention awards	Units:3
21.Geneva convention awards	Units:3
22.Conciliation	Units:6

BOOKS RECOMMENDED

Avatar Singh : Arbitration and Conciliation Act, 1996

Bachawat J : Arbitration and Conciliation Act, 1996

PRACTICAL PAPER III – ALTERNATIVE DISPUTE RESOLUTION

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 LokAdalat, 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.

PRACTICAL PAPER IV – MOOT COURT.

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 LL.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.