

MAHATMA GANDHI UNIVERSITY With Effect From 2024-25

# **MAHATMA GANDHI UNIVERSITY**

**B.A., LL.B. 3 YEAR**



ACADEMIC YEAR 2024-2025

**FACULTY OF LAW OSMANIA UNIVERSITY**  
**SYLLABUS OF LL.B. (3-YDC)**

**(w.e.f. the Academic Year (2024-25))**

**LL.B. I -SEMESTER**

**PAPER-I**

**LAW OF CONTRACT-I**

**Unit-I**

Definition and essentials of a valid Contract - Definition and essentials of a valid Offer - Definition and essentials of valid Acceptance - Communication of Offer and Acceptance - Revocation of Offer and Acceptance through various modes including electronic medium - Consideration - salient features - Exception to consideration - Doctrine of Privity of Contract - Exceptions to the privity of contract - Standard form of Contract-E Contracts.

**Unit-II**

Capacity of the parties - Effect of Minor's Agreement - Contracts with insane persons and persons disqualified by law - Concepts of Free Consent - Coercion - Undue influence - Misrepresentation - Fraud - Mistake - Lawful Object - Immoral agreements and various heads of public policy - illegal agreements - Uncertain agreements - Wagering agreements - Contingent contracts - Void and Voidable contracts.

**Unit-III**

Discharge of Contracts - By performance - Appropriation of payments - Performance by joint promisors - Discharge by Novation - Remission - Accord and Satisfaction - Discharge by impossibility of performance (Doctrine of Frustration) Discharge by Breach - Anticipatory Breach - Actual breach.

**Unit-IV**

Quasi Contract - Necessaries supplied to a person who is incapable of entering into a contract - Payment by an interested person - Liability to pay for non-gratuitous acts - Rights of finder of lost goods - Things delivered by mistake or coercion - Quantum meruit - Remedies for breach of contract - Kinds of damages - liquidated and unliquidated damages and penalty - Duty to mitigate.

**Unit-V**

Specific Relief Act including 2018 Amendment- Recovering possession of

property - Specific performance of the contract – As a rule enforced by court  
Rectification of instruments - Rescission of contracts as a rule enforced by court- Cancellation of instruments-Declaratory Decrees-Preventive Relief-  
Injunctions - Generally - Temporary and Perpetual injunctions - Mandatory & Prohibitory injunctions – Injunctions to perform negative agreement- Limited liability partnership (LLP)Special provision for contracts relating to infrastructure projects – Arbitration clause – A & C Arbitration and Conciliation Act. 1996 - Impact of COVID-19 on “specific performance of contracts”.

### **Suggested Readings**

1. Anson: *Law of Contract*, Clarendon Press, Oxford.
2. Krishnan Nair: *Law of Contract*, S.Gogia & Co., Hyderabad.
3. G.C.V. Subba Rao: *Law of Contract*, S.Gogia& Co., Hyderabad.
4. T.S.Venkatesha Iyer: *Law of Contract*, revised by Dr.V.Krishnama Chary, S. Gogia& Co.
5. Avatar Singh: *Law of Contract*, Eastern Book Company, Lucknow.

## **PAPER-II**

### **FAMILY LAW-I (Hindu Law)**

#### **Unit-I**

Sources of Hindu Law – Scope and application of Hindu Law – Schools of Hindu Law - Mitakshara and Dayabhaga Schools – Concept of Joint Family, Coparcenary, Joint Family Property and Coparcenary Property – Institution of Karta- Powers and Functions of Karta - Pious Obligation - Partition – Debts and alienation of property.

#### **Unit-II**

Marriage - Definition - Importance of institution of marriage under Hindu Law –Conditions of Hindu Marriage – Ceremonies and Registration – Monogamy – Polygamy-Recent Trends in the institution of marriage.

#### **Unit-III**

Matrimonial Remedies under the Hindu Marriage Act, 1955 - Restitution of Conjugal Rights – Nullity of marriage – Judicial separation – Divorce – Maintenance *pendente lite* – importance of conciliation- *Role of Family Courts in Resolution of matrimonial disputes.*



#### Unit-IV

Concept of Adoption – *Historical perspectives of adoption in India – In country and inter- country adoptions* - Law of Maintenance - Law of Guardianship – The Hindu Adoption and Maintenance Act, 1956 – The Hindu Minority and Guardianship Act 1956.

#### Unit-V

Succession – Intestate succession – Succession to property of Hindu Male and Female; Dwelling House – Hindu Succession Act, 1956 as amended by Hindu Succession (Andhra Pradesh Amendment) Act, 1986 & the Hindu Succession (Amendment) Act, 2005 – Notional Partition – Classes of heirs – Enlargement of limited estate of women into their absolute estate – *Daughter's right to inherit ancestral property and impact of recent changes in law.*

#### Suggested Readings

1. Paras Diwan: *Modern Hindu Law*, Allahabad Agency, Delhi.
2. Paras Diwan: *Family Law*, Allahabad Agency, Delhi.
3. Mayne: *Hindu Law - Customs and Usages*, Bharat Law House, New Delhi.
4. Sharaf: *Law of Marriage and Divorce*.
5. G.C.V. Subba Rao, *Family Law in India*, S. Gogia & Company, Hyderabad.
6. Mayne's *Treatise on Hindu Law & Usage*, Bharath Law House.
7. Y.F. Jaya Kumar, *Horizons of Family Law in India-Select Essays*(2017), Spandana Publications, Secunderabad

### PAPER-III

#### CONSTITUTIONAL LAW-I

##### Unit-I

Constitution-Meaning and Significance - Evolution of Modern Constitutions - Classification of Constitutions- Indian Constitution - Historical Perspectives - Government of India Act, 1919-Government of India Act, Framing of Indian Constitution - Role of Drafting Committee of the Constituent Assembly

##### Unit-II

Nature and Salient Features of Indian Constitution - Preamble to Indian Constitution - Union and its Territories-Citizenship - General Principles relating to Fundamental Rights (Art.13) - Definition of State – Doctrine of Judicial Review



### Unit-III

Right to Equality (Art.14-18) – Freedoms and Restrictions under Art.19 - Protection against Ex-post facto law - Guarantee against Double Jeopardy - Privilege against Self-incrimination - Right to Life and Personal Liberty - Right to Education – Protection against Arrest and Preventive Detention

### Unit-IV

Rights against Exploitation - Right to Freedom of Religion - Cultural and Educational Rights - Right to Constitutional Remedies - Limitations on Fundamental Rights (Art.31-A, 31-B, 31-C, 335, 358 & 359).

### Unit-V

Directive Principles of State Policy – Significance – Nature – Classification - Application and Judicial Interpretation - Relationship between Fundamental Rights and Directive Principles - Fundamental Duties: Significance, Enforceability and Judicial Interpretation

### Suggested Readings

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa & Co, Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Company, Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia & Co., Hyderabad
6. B.Shiva Rao: *Framing of India's Constitution* (in 5 Volumes), Indian Institute of Public Administration, New Delhi
7. J.N.Pandey, *Constitutional Law of India*, Central Law Agency, Allahabad
8. Sujit Choudhry, Madhav Kholsa and Pratap Bhanu Mehta, *Oxford Handbook of Constitutional Law*, Oxford University Press

### PAPER-IV

#### LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENTS AND CONSUMER PROTECTION LAWS

### Unit-I

Nature of Law of Torts - Definition of Tort - Elements of Tort - Development of

Law of Torts in England and India - Wrongful Act and Legal Damage - *Damnum Sine Injuria* and *Injuria Sine Damno*- Tort distinguished from Crime and Breach of Contract - General Principles of Liability in Torts - Fault - Wrongful intent - Malice - Negligence - Liability without fault - Statutory liability - Parties to proceedings.

## Unit-II

General Defences to an action in Torts – Vicarious Liability - Liability of the State for Torts – Defence of Sovereign Immunity – Joint Liability – Liability of Joint Treaders – Rule of Strict Liability (*Ryland's V Fletcher*) – Rule of Absolute Liability (*MC Mehta vs. Union of India*) – Occupiers liability – Extinction of liability – Waiver and Acquiescence – Release – Accord and Satisfaction - Death.

## Unit-III

Specific Torts - Torts affecting the person - Assault - Battery - False Imprisonment – Malicious Prosecution - Nervous Shock - Torts affecting Immovable Property - Trespass to land - Nuisance - Public Nuisance and Private Nuisance - Torts relating to movable property – Liability arising out of accidents (Relevant provisions of the Motor Vehicles Act).

## Unit-IV

Defamation - Negligence - Torts against Business Relations - Injurious falsehood - Negligent Misstatement - Passing off - Conspiracy - Torts affecting family relations - Remedies – Judicial and Extra-judicial Remedies–Damages – Kinds of Damages – Assessment of Damages – Remoteness of damage - Injunctions - Death in relation to tort - *Action personalis moritur cum persona*.

## Unit-V

Consumer Laws: Common Law and the Consumer - Duty to take care and liability for negligence - Consumerism - Salient features of the Consumer Protection Act, 1986 - Consumer Protection Act, 2019 - Definition of Consumer - Rights of Consumers - Defects in goods and deficiency in services – Restrictive and Unfair Trade Practices- Redressal Machinery under the Consumer Protection Act – Consumer Protection Councils-Central Consumer Protection Authority (CCPA): establishment, composition and powers - Liability of the Service Providers, Manufacturers and Traders under the Act- Product Liability –Remedies – Consumer Disputes Redressal Commissions: Jurisdiction and Powers-Procedure for filing a consumer for dispute– E-filing – Continuous cause of action - Civil & Criminal liability – ADR & consumer - Penalties for misleading advertisement.- Mediation: Empanelment of Mediators,



appointment, duties and settlement of disputes

### Suggested Readings

1. Winfield & Jolowicz : *Law of Tort*, Sweet and Maxwell, London.
2. Salmond and Heuston : *Law of Torts*, edition, 2nd Indian reprint, Universal Book traders, New Delhi.
3. Ramaswamy Iyer: *The Law of Torts*, LexisNexis Butterworths, New Delhi.
4. PSA Pillai's: *Law of Tort*, Eastern Book Company, Lucknow.
5. Durga Das Basu: *The Law of Torts*, Prentice Hall of India, New Delhi.
6. Ratanlal & Dhirajlal: *The Law of Torts*, LexisNexis.
7. R. K. Bangia: *Law of Torts*, Allahabad Law Agency, Allahabad.
8. Vivienne Harpwood: *Law of Torts*, Cavendish Publishing Ltd. London.
9. Hepple & Mathews: *Tort - Cases and Materials*, Butterworth, London.
10. D. N. Saraf: *Law of Consumer Protection in India*, Tripati, Bombay.

## PAPER-V ENVIRONMENTAL LAW

### Unit-I

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

### Unit-II

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

### Unit-III

The law relating to the preservation, conservation and protection of forests, wild life and endangered species, marine life, coastal ecosystems and lakes etc. - Prevention of cruelty towards animals - The law relating to prevention and control of water pollution - Air Pollution - Law relating to environment protection – Environment (Protection) Act, 1986: Biological Diversity Act, 2002: Hazardous Wastes (Management, Handling and Transboundary) Regulations etc, - Environment pollution control mechanism - National Environmental Tribunal and National Environmental Appellate Authority-



## National Green Tribunal-Their powers and jurisdiction

### Unit-IV

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

### Unit-V

International Environmental Regime - Transactional Pollution - State Liability - Customary International Law - Liability of Multinational corporations/ Companies Stockholm Declaration on Human Environment, 1972 - The role of UNEP for the protection of environment - Ramsar Convention 1971 - Bonn Convention (Migratory Birds) 1992 - Nairobi Convention, 1982 (CFCC) - Biodiversity Convention (Earth Summit), 1992 - Kyoto Protocol 1997, Johannesburg Convention 2002- UN Framework Convention on Climate Change (UNFCCC)- UN Climate Change Conference (COP21) & Paris Agreement 2016

### Suggested Readings

1. Armin Rosencranz and Shyam Divan: *Environmental Law and Policy in India*.
2. Manoj Kumar Sinha (Ed), *Environmental Law and Enforcement: The Contemporary Challenges*, Indian Law Institute, New Delhi, 2016.
3. A. Agarwal (Ed.): *Legal Control of Environmental Pollution*
4. Chetan Singh Mehta: *Environmental Protection and Law*
5. V.K. Krishna Iyyer: *Environment Pollution and Law*
6. Paras Diwan : *Environmental Law and Policy in India*, 1991
7. Dr. N. MaheshwaraSwamy, *Environmental Law*, Asia Law House, Hyderabad.
8. P. Leela Krishnan, *Environmental law in India*, LexisNexis.

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## LL.B. II SEMESTER

### PAPER – I

### LAW OF CONTRACT-II

#### Unit-I

Indemnity and Guarantee - Contract of Indemnity, definition - Rights of Indemnity holder - Liability of the indemnified - Contract of Guarantee - Definition of Guarantee - Essential characteristics of Contract of Guarantee - Distinction between Indemnity and Guarantee - Kinds of Guarantee - Rights and liabilities of Surety - Discharge of surety. Contract of Bailment - Definition of bailment - Essential requisites of bailment - Kinds of bailment - Rights and duties of bailor and bailee - Termination of bailment - Pledge - Definition of pledge - Rights and duties of Pawnor and Pawnee - Pledge by non-owner.

#### Unit-II

Contract of Agency - Definition of Agent - Creation of Agency - Rights and duties of Agent - Delegation of authority - Personal liability of agent - Relations of principal and agent with third parties - Termination of Agency.

#### Unit-III

Contract of Sale of Goods - Formation of contract - Subject matter of sale - Conditions and Warranties - Express and implied conditions and warranties - Pricing - Caveat Emptor - *Hire Purchaser Agreements*.

#### Unit-IV

Property - Possession and Rules relating to passing of property - Sale by non-owner - *Nemo dat quod non habet* - Delivery of goods - Rights and duties of seller and buyer before and after sale - Rights of unpaid seller - Remedies for breach.

#### Unit-V

Contract of Partnership - Definition and nature of partnership - Formation of partnership - Test of partnership - Partnership and other associations - Registration of firm - Effect of non-registration - Relations of partners - Rights and duties of partners - Property of firm - Relation of partners to third parties - Implied authority of partners - Kinds of partners - Minor as partner - Reconstitution of firm - Dissolution of firm - Limited Liability Partnership (LLP)



### Suggested Readings

1. Anson's *Law of Contract*, Oxford University Press, London.
2. Venkatesha Iyyer: *The Law of Contracts and Tenders*, Gogia & Co. Hyderabad.
3. Cheshire & Fifoot: *Law of Contract*, Butterworth, London.
4. Mulla: *The Indian Contract Act*, N.M. Tripathi (P) Ltd. Bombay.
5. G.C.V. Subba Rao: *Law of Contracts*, S. Gogia & Co., Hyderabad.
6. Krishnan Nair: *Law of Contracts*, S. Gogia & Co. Hyderabad.
7. Avatar Singh: *Law of Contracts*, Eastern Book Company, Lucknow.
8. A Ramaiah's *Sale of Goods Act*, The Law Book Co., Allahabad.
9. Benjamin's *Sale of Goods*, Sweet & Maxwell, London.
10. P.S. Atiyah: *Sale of Goods Act*, Universal Book Traders, Delhi.
11. Charles D. Drale: *Law of Partnership*, Sweet & Maxwell, London.
12. Bowstead *On Agency*, Sweet and Maxwell, London.

### PAPER – II

#### FAMILY LAW-II

#### (Muslim Law and Other Personal Laws)

##### Unit-I

Origin and development of Muslim Law - Sources of Muslim Law - Schools of Muslim Law - Difference between the Sunni and Shia Schools – Sub- schools of Sunni Law - Operation and application of Muslim Law - Conversion to Islam - Effects of conversion - Law of Marriage, nature of Muslim Marriage - Essential requirements of valid Marriage - Kinds of Marriages - distinction between void, irregular and valid marriage - Dower (Mahr) - Origin, nature and importance of dower, object of dower and classification of dower – The Muslim Women ( Protection of Rights on Marriage ) Act, 2019.

##### Unit-II

Divorce - Classification of divorce - different modes of Talaq - Legal consequences of divorce - Validity of Triple Talaq: Judicial Interpretation and Legislative Response in India - Dissolution of Muslim Marriages Act, 1939 - Amendment to the Dissolution of Muslim Marriage Act, 1939. Maintenance: Principles of maintenance & persons entitled to maintenance - The Muslim Women (Protection of Rights on Divorce) Act, 1986 - Effect of conversion on maintenance and difference between Shia and Sunni Law.



### Unit-III

Parentage - Maternity and Paternity - Legitimacy and acknowledgment - Guardianship - Meaning - Kinds of guardianship - Removal of guardian - Difference between Shia and Sunni Law. Gift - Definition of Gift - Requisites of valid gift - Gift formalities - Revocation of gift - Kinds of gift. Wills : Meaning , Requisites of valid Will ,Revocation of Will - Distinction between Will and Gift - Difference between Shia and Sunni Law.

### Unit-IV

Waqf \_ Definition - Essentials of Waqf - Kinds of Waqf – Creation of Waqf - - Revocation of Waqf - Salient features of the Waqf Act, 1995 – Recent Changes in Wakf Laws and impact-Mutawalli - Who can be Mutawalli - Powers and duties of Mutawalli - Removal of Mutawalli and Management of Waqf property. Succession - Application of the property of a deceased Muslim - Legal position of heirs as representatives - Administration - Waqf Tribunals and Jurisdiction.

### Unit-V

Special Marriage Act, 1954 - -Salient features of Indian Divorce Act - Domicile - Maintenance to dependents/ Spouses - Intestate succession of Christians under the Indian Succession Act, 1925.

### Suggested Readings

1. Tahir Mahmood: *The Muslim Law of India*, Law Book Company, Allahabad.
2. Aquil Ahmed: *Text Book of Mohammadan Law*, Central Law Agency, Allahabad.
3. G.C.V. Subba Rao: *Family Law in India*, S.Gogia&Company, Hyderabad.
4. Asaf A.A. Fyzee: *Outlines of Mohammadan Law*, Oxford University Press, Delhi.
5. Mulla: *Principles of Mohammedan Law*.
6. Paras Divan: *Family Law (Hindu, Muslim, Christian, Parsi and Others)*, Allahabad Law Agency, Allahabad.
7. M.A. Qureshi: *Text Book on Muslim Law*, Central Law Publications, Allahabad.
8. B.R. Varma, *Mohammedan Law*, Delhi Law House, New Delhi.

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**PAPER-III**  
**CONSTITUTIONAL LAW-II**

**Unit-I**

Legislature under Indian Constitution - Union and State Legislatures - Composition, Powers, Functions and Privileges - Anti-Defection Law - Executive under Indian Constitution - President and Union Council of Ministers Governor and State Council of Ministers - Powers and position of President and Governor

**Unit-II**

Judiciary under Constitution - Supreme Court - Appointment of Judges, Powers and Jurisdiction - High Courts - Appointment and Transfer of Judges - Powers and Jurisdiction - Subordinate Judiciary - Independence of judiciary - Judicial Accountability

**Unit-III**

Centre State Relations - Cooperative and Competitive Federalism - Legislative, Administrative and Financial Relations - Cooperation and Coordination between the Centre and States - Judicial Interpretation of Centre-State Relations - Local Self Government under 73rd and 74th Amendments, 1992.

**Unit-IV**

Liability of State in Torts and Contracts - Freedom of Interstate Trade, Commerce and Inter course - Services under the State - All India Services - Public Service Commissions - Election Commissions.

**Unit-V:**

Emergency - Need of Emergency Powers - Different kinds of Emergency - National, State and Financial emergency - Impact of Emergency on Federalism and Fundamental Rights - Amendment of Indian Constitution and Basic Structure Theory

**Suggested Readings:**

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa & Co, Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Company, Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripati, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia & Co., Hyderabad



6. B. Shiva Rao, *Framing of India's Constitution* (in 5 Volumes), Indian Institute of Public Administration, New Delhi
7. J.N. Pandey, *Constitutional Law of India*, Central Law Agency, Allahabad

## PAPER – IV LAW OF CRIMES

**Entire syllabus is changed as follows.**

### **Unit-I:**

Concept of crime - Meaning of Crime - Distinction between Crime and Tort - Stages of Crime - Intention, Preparation, Attempt and Commission of Crime - Elements of Crime - *Actus Reus and Mens rea* - Codification of Law of Crimes in India - IPC, 1860 - Application of the Bharatiya Nyaya Sanhita, 2023 (Section 1-3 of BNS)- Territorial and Extra-Territorial Application (Section 1 of BNS)- Definition (Section 2 of BNS) - Punishments (Section 4 -13 of BNS)

### **Unit-II:**

General Explanations - General Exceptions under BNS 2023- Abetment - Criminal Conspiracy -Attempt - Offences against Women and Child- (Section 63-87 of BNS)-Sexual Offences -Assault and Criminal Force against Women- Offences relating to Marriage-Kidnapping and Abduction-Causing Miscarriage- Offences against Child-(Section 88-99 of BNS)

### **Unit-III:**

Offences affecting Human Life (Section 100-113 of BNS)-Culpable Homicide and Murder -Causing Death by Negligence- Organised Crime-Petty Organised Crime-Terrorist Act- Offences affecting Human Body (Section 114-144 of BNS )-Hurt and Grievous Hurt - Wrongful restraint and Wrongful confinement - Criminal Force and Assault - Kidnapping and Abduction.

### **Unit-IV:**

Offences against the State- Offences Relating to Army, Navy and Air Force- Offences relating to Election- Offences Relating to Coin, Currency-Notes, Bank-Notes, and Government Stamps-Offences against Public Tranquillity- Offences by or relating to Public Servants - Contempt of Lawful Authorities of Public Servants-False Evidence and Offences against Public Justice-Offences affecting the Public Health, Safety, Convenience, Decency and Morals.

  
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6. B. Shiva Rao, *Framing of India's Constitution* (in 5 Volumes), Indian Institute of Public Administration, New Delhi
7. J.N. Pandey, *Constitutional Law of India*, Central Law Agency, Allahabad

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### Unit-V:

Offences relating to Religion- Offences against Property - Theft - Extortion - Robbery & Dacoity - Cheating - Mischief - Criminal Trespass – Criminal Misappropriation of Property and Criminal Breach of Trust- Receiving Stolen Property - Offences relating to Documents and Property Marks – Criminal Intimidation, Insult, Annoyance, Defamation.

**\*Note: A Comparative Study of IPC, 1860 and BNS, 2023 shall be made wherever Necessary.**

### Suggested Readings:

1. BNS, 2023 Bare Act
2. Ratanlal and Dhiraj Lal: *Indian Penal Code*, Wadhwa & Co.
3. Achutan Pillai: *Criminal Law*, Butterworth co.
4. Gour K.D.: *Criminal Law - Cases and Materials*, Butterworth Co.
5. Kenny's: *Outlines of Criminal Law*, Cambridge University Press.
6. K.N. Chandrasekharan Pillai, General Principles of Criminal Law, Indian Law Institute, New Delhi.
7. K.N. Chandrasekharan Pillai, Essays on Indian Penal Code, Indian Law Institute, New Delhi.

## PAPER-V

### LAW OF EVIDENCE

#### Unit-I:

Bharatiya Sakshya Adhiniyam, 2023 — Salient Features of the Act – Meaning and Kinds of Evidence Interpretation Clause — Documents, May Presume, Shall Presume and Conclusive Proof - Fact, Fact in Issue and Relevant Facts, Proved, Disproved — Distinction Between Relevancy and Admissibility - Doctrine of *Res Gestae*— Motive, Preparation and Conduct — Conspiracy When Facts Not Otherwise Relevant Become Relevant — Right and Custom — Facts Showing the State of Mind Etc.

#### Unit-II:

Admissions & Confessions: General Principles concerning Admissions — Differences between "Admission" and "Confession" — Confessions obtained by inducement, threat or promise – Confessions made to police officer - Statement made in the custody of a police officer leading to the discovery of incriminating material — Admissibility of Confessions made by one accused person against co-accused. Dying Declarations and their evidentiary value — Other Statements by persons who cannot be called as Witnesses — Admissibility of evidence of witnesses in previous judicial proceedings in subsequent judicial proceedings.



### Unit-III:

Relevancy of Judgments — Opinion of witnesses — Expert's opinion — Opinion on Relationship especially proof of marriage — Facts which need not be proved - Oral and Documentary Evidence – General Principles concerning oral evidence and documentary evidence — Primary, electronic or digital record, special provision as to evidence relating to electronic record, admissibility of electronic records and Secondary evidence — Modes of proof of execution of documents — Presumptions as to documents — General Principles regarding Exclusion of Oral by Documentary Evidence – Relevance of social media in the law of evidence.

### Unit-IV:

Rules relating to Burden of Proof - Presumption as to Dowry Death — Estoppels -Kinds of estoppels — Res Judicata, Waiver and Presumption.

### Unit-V:

Competency to testify — Privileged communications - Testimony of Accomplice - Examination in Chief, Cross examination and Re-examination — Leading questions — Lawful questions in cross examination —Compulsion to answer questions put to witness — Hostile witness — Impeaching the credit of witness —Refreshing memory — Questions of corroboration — Improper admission and rejection of evidence.

### Suggested Readings:

1. BatukLal: *The Law of Evidence*, Central Law Agency,Allahabad.
2. M. Monir: *Principles and Digest of the Law of Evidence*, Universal Book Agency, Allahabad.
3. Vepa P. Saradhi: *Law of Evidence* Eastern Book Co., Lucknow.
4. Avatar Singh: *Principles of the Law of Evidence*, Central Law Publications.
5. V. Krishnama Chary: *The Law of Evidence*, S.Gogia& Company
6. V. Nageswara Rao: *The Evidence Act*, LexisNexis.
7. B.M. Prasad and M. Mohan, *Law of Evidence*, Lexis Nexis, 2012
8. M, Munir, *Law of Evidence*, universal law publication, 2013
9. Ram Jethmalani, *Law of Evidence*, Thomsan Reuters, 2016
10. Annual Survey of Indian Law, ILI New Delhi Publication

**NOTE: A Comparative Study of Indian Evidence Act,1872 and Bharatiya Sakshya Adhiniyam, 2023 Shall be made wherever necessary.**



## INTERNSHIP – AFTER SEMESTER-II

Introduction of viva-voce Examination for internship record for 3YDC (General).

Introduction of monitoring the mandatory internship programmed undergone by the students of LL.B 3 YDC (General), after II Semester.

**Mentoring system for internship:** Mentoring system for internship of students (one mentor for 10 intern students shall be introduced to monitor the allotment of internship provider, the progress of internship, certification of internship provider and submission of internship reports).

- a) **Identification of Internship Providers:** Internship Providers can be statutory Bodies, Courts, Judges, Senior Advocate, Commissions, Tribunals, Industries, NGO's, etc. Who can impart practical knowledge and Training to the students.
- b) An Official Letter to be address to the Internship Providers by the Principal of respective college.
- c) The University-appointed examiner shall conduct Viva-Voce Examination for all the students intern immediately after completion of internship shall award the Grades as under.

A----above 80% (Excellent)

B----above 70% upto 79% (Very Good)

C----above 60% upto 69% (Good)

D----above 50% upto 59% (Satisfactory)

E----Less than 50% (not satisfactory)

**\* Note: No impact on Results**

- d) The grades awarded by the examiners appointed by Examination branch on the recommendation of Chairman, Board of Studies in Law, OU shall be submitted in the examination branch of OU to be reflected in the marks memos of III semester of LL.B (3YDC) The concerned colleges should pay suitable honorarium to the Examiners by way of sitting fee.

The internship Viva-Voce Examination should be conducted for the concerned semester students from the Academic year 2024-25.

## LLB III SEMESTER

### PAPER-I: JURISPRUDENCE

#### Unit-I

Meaning and Definition of Jurisprudence — General and Particular Jurisprudence - Elements of Ancient Indian Jurisprudence — Schools of Jurisprudence — Analytical, Historical, Philosophical and Sociological Schools of Jurisprudence. Theories of Law — Meaning and Definition of Law — The Nature and Function of Law — The Purpose of Law — The Classification of Law — Equity, Law and Justice — Theory of Sovereignty.

#### Unit-II

Sources of Law — Legal and Historical Sources — Legislation - Definition of legislation - Classification of legislation- Supreme and Subordinate Legislation - Direct and Indirect Legislation - Principles of Statutory Interpretation. Precedent — Definition of Precedent — Kinds of Precedent — *Stare Decisis*— Original and Declaratory Precedents — Authoritative and Persuasive Precedents. Custom – Definition of Custom – Kinds of Custom – General and Local Custom – Custom and Prescription - Requisites of a valid custom - Relative merits and demerits of Legislation , Precedent and Custom as a source of Law . Codification: Concept, Advantages and disadvantages of codification.

#### Unit-III

Persons — Nature of personality — Legal Status of Lower Animals, Dead Persons and Unborn persons — Legal Persons — Corporations — Purpose of Incorporation — Nature of Corporate Personality Rights and Duties — Definition of Right — Classification of Rights and Duties — Absolute and Relative Rights and Duties — Rights and Cognate concepts like Liberty, Power, Immunity, Privilege etc.

#### Unit-IV

Obligation — Nature of Obligation — Obligation arising out of Contract, Quasi Contract, trust and breach of obligation etc. — Liability — Nature and kinds of liability — Acts — *Men's Rea* — Intention and Motive — Relevance of Motive — Negligence — Strict Liability — Accident — Vicarious Liability — measure of Civil and Criminal Liability.

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## Unit-V

Ownership — Definition and kinds of Ownership - Possession — Elements of Possession — Relation between Ownership and Possession — Possessory Remedies — Property — Meaning — Kinds of Property — Modes of Acquisition of Property — Legal Sanctions - Meaning of Sanction — Classification of Sanctions — Civil and Criminal Justice — Concept of Justice — Theories regarding purpose of Criminal Justice — Deterrent, Preventive, Reformatory and Retributive theories.

## Suggested Readings

1. Salmond: *Jurisprudence*, Universal Publishers.
2. Paton :*Jurisprudence*
3. Allen :*Law in the Making*, Universal Publishers.
4. Mahajan V.D.: *Legal Theory and Jurisprudence*, Eastern Book Company, Lucknow,
5. Dias : *Jurisprudence*, Aditya Books.
6. Rama Jois, *Legal and Constitutional History of India*, Universal Law Publications, Delhi.
7. G.C.V. Subba Rao, *Jurisprudence and Legal Theory*, Eastern Book Company.

## PAPER-II: LAW OF PROPERTY

### Unit-I:

**Meaning** and concept of property — Kinds of property — Transfer of property — Transferable and non-transferable property — Who can transfer — Operation of transfer — Mode of transfer — Conditional transfer — Void and unlawful conditions — Condition precedent and condition subsequent — Vested and contingent interest — Transfer to unborn persons

### Unit-II:

Doctrine of Election — Covenants — Transfer by ostensible owner — Doctrine of Feeding the Grant by Estoppels — Doctrine of *Lis pendens* — Fraudulent Transfers — Doctrine of Part-performance.

### Unit-III:

Sale: Essential features ,Mode of Sale ,Rights and liabilities of parties.- Mortgage: Kinds of Mortgages-Rights and liabilities of mortgagor and mortgagee Marshalling and Contribution —Charges.

  
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**Unit-IV:**

Lease — Essential features — Kinds of leases — Rights and liabilities of lesser and lessee — Termination of lease — forfeiture — Exchange — Gifts — Different types of gifts — Registration of Gifts — Transfer of Actionable Claims.

**Unit-V:**

Easements : Definition of easement , Distinction between Lease and License - Dominant and Servient Tenements.-Acquisition of property through testamentary succession — Will — Codicil — Capacity to execute Will — Nature of bequests — Executors of Will — Rights and Obligations of Legatees.

**Suggested Readings:**

1. Mulla : *Transfer of Property*, Butterworth's Publications.
2. Subba Rao GCV: *Commentaries on the Transfer of Property Act*.
3. Krishna Menon: *Law of Property*.
4. Upadhyaya's *Common Matrix of Transfer of Property*.
5. Avatar Singh, *Textbook on The Transfer of Property Act*, Universal Law Publishing Company.

**PAPER-III: ADMINISTRATIVE LAW**

**Unit-I:**

Nature and scope of Administrative Law — Meaning, Definition and Evolution of Administrative Law — Reasons for the growth of Administrative Law — Relationship between Administrative Law and Constitutional Law.

**Unit-II:**

Basic concepts of Administrative Law — Rule of Law — **Interpretation** of Dicey's Principle of Rule of Law — Modern trends - Theory of Separation of Powers — Position in India, UK and USA

**Unit-III:**

Classification of Administrative functions : Legislative, Quasi-judicial, Administrative and Ministerial functions — Delegated Legislation : Meaning, Reasons for the growth and Classification of delegated legislation — Judicial, Legislative, and Procedural Control of Delegated litigation.

**Unit-IV:**

Judicial Control of Administrative Action - Grounds of Judicial Control — Principles of Natural Justice — Administrative discretion and its control - *Wednesbury Principle (Doctrine of Proportionality)* – *Doctrine of Legitimate Expectation*.



**Unit-V:**

Remedies available against the State — Writs — Lokpal and Lokayukta — *Right to Information*- Liability of the State in Torts and Contracts — Rule of Promissory Estoppels — Administrative Tribunals - Commissions of Inquiry — Public Corporations.

**Suggested Readings:**

1. Griffith and Street: *Principles of Administrative Law*.
2. H.W.R.Wade: *Administrative Law*, Oxford Publications, London.
3. De Smith: *Judicial Review of Administrative Action*, Sweet and Maxwell.
4. S.P. Sathe: *Administrative Law*, Butterworths.
5. I.P. Massey: *Administrative Law*, Eastern Book Company.

**PAPER-IV: COMPANY LAW**

**Unit- I:**

Corporate Personality - General Principles of Company Law - Nature and Definition of Company - Private Company and Public Company - One Person Company- Characteristics of a Company - Different kinds of Company - Registration & Incorporation of Company - Lifting the Corporate Veil - Company distinguished from Partnership, HUF and LLP.

**Unit – II**

Promoters - Memorandum of Association - Doctrine of Ultravires - Articles of Association - Doctrine of Indoor Management - Prospectus - Civil and Criminal – Compounding of offences under Sec. 441 - decriminalization - Liability for misstatement in prospectus - Statement in lieu of Prospectus - Pre-incorporation Contracts - Membership in a Company - Borrowing Powers – Debentures & Charges  
– insider trading of company shares.

**Unit- III**

Shares & Stock - Kinds of shares - Statutory restrictions on allotment of shares - Intermediaries – Call on shares for future of shares- Transfer of shares – Transmission of shares – Reduction on transfer of shares - Rectification of register on transfer - Certification and issue of certificate of transfer of shares - Limitation of time for issue of certificates - Object and effect of share certificate.

#### Unit – IV

Directors – women director – Independent director – code for independent directors – Different kinds of Directors - Appointment, position, qualifications and disqualifications- powers of Directors - Rights and Duties of Directors - Meetings and proceedings - kinds of meetings - Statutory meeting- Statutory report - Annual General Meeting - Extraordinary meeting - Power of the Tribunal to order meeting - class meetings - Requisites for a valid meeting - Chairman for meetings - Duties of Chairman - Proxy - Resolutions – Minutes- Shareholders Activism - *Corporate Social Responsibility*.

#### Unit – V

Accounts and Audit - Inspection and Investigation - Compromises, Reconstruction and Amalgamation - Majority rule and Rights of minority shareholders - Prevention of oppression and mismanagement – class action - Revival and rehabilitation of sick industrial companies - Mergers, Amalgamation and Takeover - Dissolution of a company – Winding up of companies- Modes of winding up of companies – consequences of winding up - *The insolvency and Bankruptcy Code, 2016 in relation to winding up of companies* – Authorities under the Act- Department of Company Affairs - NCLAT, NCLT, Company Law Board, Regional Directors, ROC, Public Trustee or Advisory Committee & SFIO - *Their powers and functions* - Jurisdiction of Courts – Corporate governance and certain relaxations in the light of pandemic.

#### Suggested Readings:

1. Shah : *Lectures on Company Law*, N.M. Tripathi, Bombay.
2. Avtar Singh : *Company Law*, Eastern Book Company.
3. Charlesworth: *Company Law*, Sweet and Maxwell.
4. Ramaiah: *Company Law*, Wadhwa & Co.
5. Dutta: *Company Law*, Eastern Law House, Calcutta.
6. The Companies Act, 2013.
7. Executive Programme Study Material on Company Law, The Institute of Company Secretaries of India, New Delhi available at [www.icsi.edu](http://www.icsi.edu).
8. Gower: *Principles of Modern Company Law*
9. J.M. Thomson: *Palmer's Company Law*

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**Paper-V LABOUR LAW-I**  
(Trade Union Laws and Industrial Dispute Act)

**Unit -I**

Concept of Labour through the ages- Trade Unions: History of Trade Union Movement-The Trade unions according to Industrial Relations code, 2020- Definitions- Registration-Rights and Liabilities of Registered Trade Union- Immunities- Amalgamation and Dissolution of unions--Reorganization of Trade Unions.

**Unit-II**

Prevention and Settlement of Industrial Disputes in India-The role of State in Industrial Relations under new Industrial Relations Code 2020- Definition of industry- Industrial Dispute- Individual Dispute- Workmen- special provisions relating Lay Off- Retrenchment- Closure-Award- Strike-Lockout under chapter X of the code.

**Unit-III**

Authorities under the ID Code - Works Committee- Conciliation -Limitation to raise dispute-Court Of inquiry-- Tribunals - Powers and Functions of Authorities - Voluntary Arbitration - Alteration of conditions of service - Management rights of action during pendency of proceedings - Recovery of money due from employer-Unfair labour practices- miscellaneous provisions of the Code

**Unit-IV**

Standing Orders - concept and Nature of Standing Orders- Certification process- its operation and binding effect- modification and Temporary application of Model standing Orders - Interpretation and enforcement of Standing Orders and provisions contained in the Industrial relations Code 2020.

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## Unit-V

Disciplinary proceedings in Industries-Termination of employment, and the notice thereof to be given by employer and workers. - Suspension or dismissal for misconduct, and acts or omissions which constitute misconduct- Means of redress for workers against unfair treatment or wrongful executions by the employer or his agents or servants.

### Suggested Readings:

1. Srivastava: *Law of Trade Unions*, Eastern Book Company, Lucknow
2. Goswami : *Labour and Industrial Law*, Central Law Agency.
3. R.F. Rustomji: *Law of Industrial Disputes* : Asia Publishing House, Mumbai
4. S.N. Misra : *Labour and Industrial Law*, Central Law Agency, Allahabad.
5. J.N. Malik : *Trade Union Law*
6. Khan & Khan : *Labour Law*, Asia Law House, Hyderabad
7. S.C. Srivastava : *Industrial Relations and Labour Law*, Vikas Publishing House.
8. Nick Humphreys, *Trade Union Law and Collective Employment Rights*

  
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## LL.B. IV SEMESTER

### Unit-I:

#### PAPER-I:

### LABOUR LAW-II

The Remunerative Aspects – Wages – Concepts of wages - Minimum, Fair, Living Wages - Wage and Industrial Policies - Whitley Commission Recommendations - Provisions of Code on wages, 2019 – Timely payment of wages - Authorized deductions – Claims - Minimum Wages under the code of wages, 2019 - Definitions - Types of wages - Minimum rates of wages - Procedure for fixing and revising Minimum Wages – Claims -Remedy.

### Unit-II:

Bonus – concept - Right to claim Bonus – Full Bench formula - Bonus Commission - Payment of Bonus under the code on wages, 2019 - Application – Computation of gross profit, available, allocable surplus - Eligibility of Bonus- Disqualification of Bonus - set on – set off of allocable surplus- Minimum and Maximum Bonus-Recovery of Bonus.

### Unit-III:

Employees Security and Welfare aspect - Social Security - Concept and meaning - Social Insurance - Social Assistance Schemes. Social Security Legislations - Law relating to workmen's compensation – The Employee's Compensation Act 1923 – Definitions - Employer's liability for compensation - Nexus between injury and employment - payment of compensation - penalty for default - Employees State Insurance Act 1948 – Application - Benefits under the Act - Adjudication of disputes and claims – ESI Corporation – Legislation in favour of Social Security.

### Unit-IV:

Employees Provident Fund and Miscellaneous Provisions Act 1952 – Contributions-Schemes under the Act-Benefits. The Maternity Benefit including Amendment Act, 2018 - Definitions-Application - Benefits. The Payment of Gratuity Act 1972 – Definitions – application - Payment of gratuity - eligibility – forfeiture – Nomination – Controlling authorities.

### Unit-V:

The Factories Act 1948 - Chapters dealing with Health, Safety and Welfare of Labour. Child Labour - Rights of child and the Indian Constitution - Salient features of the Child Labour (Prohibition and Regulation) Act 1986 – The Equal Remuneration Act, 1976.

### Suggested Readings

1. S.N.Misra, *Labour and Industrial Laws*, Central lawpublication
2. V.G. Goswami, *Labour and Industrial Laws*, Central LawAgency.
3. Khan &Kahan, *Labour Law-Asia Law house*,Hyderabad
4. K.D. Srivastava, *Payment of Bonus Act*, Eastern BookCompany
5. K.D. Srivastava, *Payment of WagesAct*
6. K.D. Srivastava, *Industrial Employment (Standing Orders) Act1947*
7. S.C.Srivastava, *Treatise on SocialSecurity*
8. Sukumar Singh, *Labour Economics*, Deep& Deep, NewDelhi
9. V.J.Rao, *Factories Law*

## PAPER-II: PUBLIC INTERNATIONAL LAW

### Unit-I:

Definition, Nature, Scope and Importance of International Law — Relation of International Law to Municipal Law — Sources of International Law — Codification.

### Unit-II:

State Recognition — State Succession — Responsibility of States for International delinquencies — State Territory — Modes of acquiring State Territory

### Unit-III:

Position of Individual in International Law — Nationality — Extradition —Asylum —Privileges and Immunities of Diplomatic Envoys—Treaties— Formation of Treaties - Modes of Consent, Reservation andtermination.

### Unit-IV:

The Legal Regime of the Seas – Evolution of the Law of the Sea – Freedoms of the High Seas – Common Heritage of Mankind – United Nations Convention on the Law of the Seas – Legal Regime of Airspace – Important Conventions relating to Airspace – Paris, Havana, Warsaw and ChicagoConventions – Five Freedoms of Air – Legal Regime of Outer space – Important Conventions such as Outer space Treaty, Agreement on Rescue and Return of Astronauts, Liability Convention, and Agreement on Registration of Space objects, Moon Treaty - Uni space -Recent development in India's space missions.

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**Unit-V:**

International Organizations — League of Nations and United Nations — International Court of Justice — International Criminal Court - Specialized agencies of the UN — WHO, UNESCO, ILO, IMF and WTO.

**Suggested Readings:**

1. J.G. Starke: *Introduction to International Law*, Aditya Books, 10th Edition, 1989.
2. J.I. Brierly: *The Law of Nations*, Oxford Publishers, London.
3. Ian Brownlie: *Principles of Public International Law*, Oxford Publishers, London.
4. S.K. Kapoor, *Public International Law*, Central Law Agencies, Allahabad.
5. H.O. Agarwal, *International Law and Human Rights*, Central Law Publications, Allahabad.
- 6 S.K. Verma, *An Introduction to Public International Law*, Prentice Hall of India.

**PAPER-III: INTERPRETATION OF STATUTES**

**Unit-I:**

Meaning and Definition of Statutes — Classification of Statutes — Meaning and Definition of Interpretation — General Principles of Interpretation — Rules of Construction under the General Clauses Act, 1897.

**Unit-II:**

Grammatical Rule of Interpretation — Golden Rule of Interpretation — Rule of Interpretation to avoid mischief — 60<sup>th</sup> Report of Law Commission of India, 1974 and 183<sup>rd</sup> Report of Law Commission of India, 2002 on General Clauses Act, 1892.

**Unit-III:**

Interpretation of Penal Statutes and Statutes of Taxation — Beneficial Construction — Construction to avoid conflict with other provisions — Doctrine of Harmonious Construction.

**Unit-IV:**

External Aids to Interpretation — Statement of objects of legislation, Legislative debates, identification of purpose sought to be achieved through legislation — Internal Aids to Interpretation — Preamble, title, interpretation clause, marginal notes, explanations etc. — Presumptions.

  
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**Unit-V:**

Effect of Repeal — Effect of amendments to statutes — Conflict between parent legislation and subordinate legislation — Methods of interpreting substantive and procedural laws.

**Suggested Readings:**

1. Vepa P. Sarathi: *Interpretation of Statutes*, Eastern Book Co.
2. Maxwell: *Interpretation of Statutes*, Butterworths Publications
3. Crawford: *Interpretation of Statutes*, Universal Publishers. 4 Chatterjee: *Interpretation of Statutes*.
5. G.P. Singh: *Principles of Statutory Interpretation*, Wadhwa and Company,
6. Cross, *Statutory Interpretation*, Lexis Nexis

**PAPER-IV:  
LANDLAWS**

**Unit-I:**

Classification of lands — Ownership of Land — Absolute and limited ownership (tenancy, lease etc.) — Doctrine of Eminent Domain — Doctrine of Escheat - Doctrine of Bona Vacantia — Maintenance of land records and issue of Pattas and Title Deeds etc – The Telangana Rights in Land and Pattadar Pass Books Act 2020 and the Recent Changes- Land Titling (Torrens Systems) : Title Guarantee, Conclusive Title, and Title Insurance.

**Unit-II:**

Law Reforms before and after independence — Zamindari Settlement — Ryotwari Settlement — Mahalwari System — Intermediaries — Constitutional Provisions — Abolition of Zamindaries, Jagirs and Inams -Tenancy Laws — Conferment of ownership on tenants/ryots.

**Unit-III:**

Laws relating to acquisition of property — The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013-Salient Features-Procedure for Land Acquisition : Issue of notification , Social Impact Assessment -Consent of landowners- Award enquiry, Payment of compensation & Reference to civil courts etc

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#### Unit-IV:

Laws relating to Ceiling on Land Holdings — The Telangana Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 — Effect of inclusion in the IX Schedule of the Constitution — Interpretation of Directive Principles of State Policy in relation to land (Articles 38 and 39) — Law relating to survey of land and sub-division — Land Rights under the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

#### Unit-V:

Laws relating to alienation — Scheduled Areas Land Transfer Regulation — The Telangana Assigned Lands (Prohibition of Transfers) Act 1977 - Resumption of Lands to the Transferor/Government — Role of Special Tribunals and Courts in Resolution of land disputes.

#### Suggested Readings:

1. P. Rama Reddi and P. Srinivasa Reddy : *Land Reform Laws in A.P.*, Asia Law House, Hyderabad.
2. P.S. Narayana: *Manual of Revenue Laws in A.P.*, Gogia Law Agency, Hyderabad.
3. *Land Grabbing Laws in A.P.*, Asia Law House, Hyderabad.
4. G.B. Reddy: *Land Laws in A.P.*, Gogia Law Agency, Hyderabad
5. N. Maheshwara Swamy, Lectures on Land Laws, Asia Law House, Hyderabad

### PAPER-V: INTELLECTUAL PROPERTY LAW

#### Unit-I:

**Intellectual Property**-Meaning, Nature and Classification –Significance and need of protection of Intellectual Property — Main forms of Intellectual Property : Patents, Trademarks, Industrial designs, Geographical Indications of Goods, Copyright and Neighbouring Rights-New forms of Intellectual Property: Plant Varieties Protection and Biotechnology, GRTK, Layout Designs, Computer Programmes, Artificial Intelligence and Intellectual Property.

#### Unit-II:

Evolution of International Protection of IPRs-Introduction to the leading International instruments concerning Intellectual Property Rights –General Principles of Protection- The Paris Convention, 1883- WCT 1996  
-The Berne Convention, 1886 –The Madrid Agreement, 1891 and Protocol 1989 - The Patent Co-operation Treaty, 1970 – The World Intellectual Property Organization (WIPO) Conventions- TRIPS Agreement, 1994 and its impact.

### Unit-III :

Copyright: Meaning, Nature, historical evolution and significance- The Copyright Act, 1957 – Salient Features-Idea-Expression Dichotomy-Subject matter of Copyright Protection- Neighboring rights - Ownership of Copyright –Rights of Authors and owners -Assignment of copyright –Collective management of copyright- infringement of copyright and Criteria –Exceptions to infringement– Doctrine of Fair Use - Authorities under the Act — Remedies for infringement of copyright.

### Unit-IV:

Intellectual Property in Trademarks and the rationale of their protection - The Trade Marks Act, 1999 — Definition of Trademarks — and Trade description - Kinds of Trade Marks I conventional and non converntional – Trademarks and Internet Domain Names – Registration of trademarks – Rights of trademark owners- Passing off — Infringement of Trademark - Remedies-Concept of Industrial designs- The Designs Act, 2000 — Definition and characteristics of Design Registration of Design –rights of design holders—Copyright in design— Registration Remedies for infringement.

### Unit-V:

Patents — Concept of Patent — Historical overview of the Patent Law in India - The Patents Act, 1970 and its salient features — — Patentable Inventions — Kinds of Patents—Procedure for obtaining patent in India and in other countries- PCT procedure- Rights and obligations of a patentee —Limitations on patent rights: compulsory licensing, acquisition by government and secrecy directions- Infringement of patent rights and remedies available.

### Suggested Readings:

1. P. Narayanan: *Intellectual Patent Rights*, Eastern Law House ,1995.
2. Roy Chowdhary, *Law of Trademark, Copyrights, Patents and Designs*, Kamal LawHouse
3. G.B. Reddy, *Intellectual Property Rights and the Law* Gogia Law Agenc,Hyderabad
4. John Holyoak and Paul Torremans: *Intellectual Property Law*.
5. B.L. Wadhwa: *Intellectual Property Law*, Universal Publishers.
6. W.R. Cornish: *Intellectual Property Law*, Universal Publishers .7.V.K.Ahuja, Law Relating to Intellectual Property Rights ,LexisNexis
8. Elizabeth Verkey, *Intellectual Property Rights*, Eastern Book Company
- 9.Elizabeth Verkey,*Law of Patents* ,Eastern Book Company



### INTERNSHIP – AFTER SEMESTER-IV

Introduction of viva-voce Examination for internship record for 3YDC (General and Honours), 5YDC (B.A LL.B, B.COM LL.B, BBA LL.B).

Introduction of monitoring the mandatory internship programmed undergone by the students of LL.B 3 YDC (General and Honours), after II and IV semester of 3 YDC and VI and VIII semester of 5YDC (B.A LL.B, B.COM LL.B, BBA LL.B).

- e) **Mentoring system for internship:** Mentoring system for internship of students (one mentor for 10 intern students shall be introduced to monitor the allotment of internship provider, the progress of internship, certification of internship provider and submission of internship reports).
- f) **Identification of Internship Providers:** Internship Providers can be statutory Bodies, Courts, Judges, Senior Advocate, Commissions, Tribunals, Industries, NGO's, etc. Who can impart practical knowledge and Training to the students.
- g) An Official Letter to be address to the Internship Providers by the Principal of respective college.
- h) The University-appointed examiner shall conduct Viva-Voce Examination for all the students intern immediately after completion of internship shall award the Grades as under.

A----above 80% (Excellent)

B----above 70% upto 79% (Very Good)

C----above 60% upto 69% (Good)

D----above 50% upto 59% (Satisfactory)

E----Less than 50% (not satisfactory)

**\* Note: No impact on Results**

- i) The grades awarded by the examiners appointed by Examination branch on the recommendation of Chairman, Board of Studies in Law, OU shall be submitted in the examination branch of OU to be reflected in the marks memos of III and V semester of LL.B (3YDC) and VII and IX semester of LL.B (5YDC). The concerned colleges should pay suitable honorarium to the Examiners by way of sitting fee.

The internship Viva-Voce Examination should be conducted for the concerned semester students from the Academic year 2024-25.

**LLB V SEMESTER**  
**PAPER-I:**  
**CIVIL PROCEDURE CODE AND LAW OF LIMITATION**

**Unit-I:**

Codification of Civil Procedure and Introduction to CPC — Principal features of the Civil Procedure Code — Suits — Parties to Suit — Framing of Suit — Institution of Suits — Bars of Suit - Doctrines of *Sub Judice* and *Res Judicata* — Place of Suing — Transfer of suits — Territorial Jurisdiction — 'Cause of Action' and Jurisdictional Bars — Summons — Service of Foreign summons.

**Unit-II:**

Pleadings — Contents of pleadings — Forms of Pleading — Striking out / Amendment of Pleadings - Complaint— Essentials of Complaint - Return of Complaint-Rejection of Complaint—Production and marking of Documents-Written Statement — Counter claim — Set off — Application of Sec. 89 - Framing of issues.

**Unit-III:**

Appearance and Examination of parties & Adjournments — *Ex-parte* Procedure — Summoning and Attendance of Witnesses — Examination — Admissions — Production, Impounding, Return of Documents — Hearing — Affidavit — Judgment and Decree — Concepts of Judgment, Decree, and Interim Orders and Stay — Injunctions — Appointment of Receivers and Commissions — Costs - Execution — Concept of Execution — General Principles of Execution — Power of Execution — Power of Executing Courts — Procedure for Execution — Modes of Execution -- Arrest and detention — Attachment and Sale.

**Unit-IV:**

Suits in Particular Cases — Suits by or against Government — Suits relating to public matters;— Suits by or against minors, persons with unsound mind, - Suits by indigent persons -- Interpleaded suits — Incidental and supplementary proceedings - Appeals, Reference, Review and Revision — Appeals from Original Decrees — Appeals from Appellate Decrees — Appeals from Orders — General Provisions Relating to Appeals.

**Unit-V:**

Law of Limitation — Concept of Limitation — Object of limitation - General Principles of Limitation — Extension — Condonation of delay — Sufficient Cause — Computation of limitation -- Acknowledgment and Part -payment- Legal Disability — Provisions of the Limitation Act, 1963 (Excluding Schedule)



**Suggested Readings:**

1. Mulla, *The Code of Civil Procedure*, LexisNexis, Butterworths, Wadhwa.
2. C.K. Takwani: *Civil Procedure*, Eastern Book Co., Lucknow.
3. Sarkar's *Civil Court Practice and Procedure*, LexisNexis.
4. B.B. Mitra: *Limitation Act*, Eastern Law House, Calcutta, Allahabad.
5. Sanjiva Row: *Limitation Act*, (in 2 Vols), Law Book Co., Allahabad.
6. Sanjiva Row: *Code of Civil Procedure*, (in 4 Vols), Law Book Co., Allahabad.
8. AIR *Commentaries on Limitation Act*, W.W. Chitaley, AIR Ltd., Nagpur.

**PAPER-II:**

Entire syllabus is replaced with new Criminal Procedure, 2023 along with Juvenile Justice Act and Probation of Offenders.

**BHARATIYA NAGARIK SURAKSHA SANHITHA, LAW OF JUVENILE JUSTICE AND PROBATION OF OFFENDERS ACT.**

**UNIT-I**

BNSS- Object and Importance - Comparison with Cr.P.C, 1973 - Definitions, Difference between Cognizable and Non Cognizable Offences - Bailable and Non Bailable Offences- Investigation-Inquiry and Trial-Classification of Criminal Courts, Jurisdiction and Powers of the Criminal Courts, Directorate of Prosecution- role of Prosecutors under BNSS- Role of Defence Lawyer-Role of Public-Role of Prisons and Correctional Methods- Indian Constitution and BNSS.

**UNIT -II**

**Maintenance-** Maintenance of Wife, Children and Parents (Sec. 144 To 147) - Security for Keeping Peace and Good Behaviour (Sec. 125 To 143) - **Cognizance by police-** Role of Police under BNSS- Investigation and - Preventive Action of Police- Maintenance of Public Order and Tranquillity-Unlawful Assembly- Public Nuisance - Urgent Cases of Nuisance-Preventive Action of the Police (Sec. 148 To 172) Information to Police-FIR (Section 173 To 196) -Arrest of Persons- (Sec. 35 To 62) - Arrest- With Warrant or Without Warrant- Rights of Arrested Person- Proclamation and Attachment of Property (Section 63 To 93) Process to Compel The Production of Things (Section 94 -110)

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### UNIT – III

**Trial, Charge, Inquiries and Bail** – Complaints to Magistrates, Process to Compel Appearance – Cognizance of Offences by Magistrate- Irregular Proceedings- General Principles of Fair Trial, Jurisdiction of Criminal Courts in Inquiries & Trial (Section 197- 222) – Trial (Sec. 223-233)- Charge, Joinder of Charges (Sec. 234-247) – Trial Before Court of Session (Sec.248-260) – Trial of Warrant – Case by Magistrate (Sec.261-273) – Trial of Summons- Cases by Magistrates (Sec.274-282)- Summary Trials (Sect. 283-288) - Plea Bargaining (Sec. 289 To 300)- Provisions as to Bails And Bonds (Sec. 478 to 496)- General Provisions as Inquiries & Trial (Sec.337-378).

### UNIT –IV

**Administration of Criminal Justice:** Provision as to Offences affecting the Administration of Justice (Sec. 379 -391)- The Judgement (Sec. 392- 406) – Submission of Death Sentence for Confirmation (Sec. 407 To 412)- Appeal, Revision, Reference (Section 413 To 435) – Execution, Suspension, Remission and Commutation of Sentence (Sec. 453 To 477)- Inherent Powers of the Court- Transfer of Criminal Cases.

### UNIT-V

**The Juvenile Justice (Care And Protection Of Children) Act, 2015 And Probation of Offenders Act:** -Preliminary and General Provisions of Care and Protection of Children – Salient Features of the Act – Procedure Under Juvenile Justice Act- Treatment and Rehabilitation of Juveniles – Protection of Juvenile offenders –Legislative and Judicial Role –Probation and Parole- Authority Granting Parole- Supervision-Conditional Release – Suspension of Sentence- Procedure Under Probation of Offenders Act –Salient Features of the Act.

#### Suggested Readings:

1. Taxman's Bare Act: Bharatiya Nagarik Suraksha Sanhita, 2023.
2. Chandrasekharan Pillai (Ed), Kelkar Lectures on Criminal Procedure, Eastern Book Co. Lucknow.
3. Kelkar R.V: Criminal Procedure, Eastern Book Co, 2022.
4. Ratanlal and Dhirajlal: The code of Criminal Procedure, 1973, Lexis Nexis, 2020.
5. S.N. Misra: The Code of Criminal Procedure, Central Law Publications.
6. M.P.Tandon: Criminal Procedure Code, Allahabad Law Agency, 2012.
7. Shoorvir Tyagi: The Code of Criminal Procedure, Allahabad Law Agency.
8. K. Thakkar, Criminal Procedure code, Eastern Book Co.



**PAPER- III:**  
**LAW OF BANKING AND NEGOTIABLE INSTRUMENTS**

**Unit-I:**

History of the Banking Regulation Act — Salient features of Banking Regulation Act 1949— Banking Business and its importance in modern times – Different kinds of Banking – impact of Information Technology on Banking.

**Unit-II:**

Relationship between Banker and Customer — Debtor and Creditor Relationship — Fiduciary Relationship — Trustee and Beneficiary — Principal and Agent — Bail and Bailee — Guarantor.

**Unit-III:**

Cheques — Crossed Cheques — Account Payee — Banker's Drafts — Dividend Warrants, etc. — Negotiable instruments and deemed negotiable instruments — Salient features of The Negotiable Instruments Act – The Negotiable Instruments (Amendment) Act. 2018.

**Unit-IV:** The Paying Banker — Statutory protection to Bankers — Collecting Banker – Statutory protection – Rights and obligations of paying and collecting bankers..

**Unit-V:** Banker's lien and set off -- Advances - Pledge - Land - Stocks - Shares - Life Policies - Document of title to Goods - Bank Guarantees - Letters of Credit – Recovery of Bank loans and position under the SARFAESI Act, 2002 – Jurisdiction and powers of Debt Recovery Tribunal.

**Suggested Readings:**

1. Tannan: *Banking Law & Practice in India*, Orient Law House, New Delhi.
2. Avtar Singh: *Negotiable Instruments*, Eastern Book Company, Lucknow.
3. P.N. Varshney: *Banking Law & Practice*, Sultan Chand & Sons, New Delhi.
4. Taxman: *Law of Banking*, India Law House
5. B.R. Sharma and Dr. R.P. Nainta: *Principles of Banking Law and Negotiable Instruments Act*, Allahabad Law Agency.
6. Mukherjee's *Banking Law and Practice*, Premier Publications Company.
7. Bashyam and Adiga: *Negotiable Instruments Act*, Bharat Law House.
8. S.R. Myneni, *Law of Banking*, Asia Law House.

**PAPER-IV:  
ALTERNATE DISPUTE RESOLUTION**

The written examination of this paper will be for 50 marks and the remaining 50 marks for record and *viva voce*. There shall be classroom instruction on the following topics:

**Unit-I:**

Alternate Dispute Resolution — Characteristics — Advantages and Disadvantages — Unilateral — Bilateral — Triadic (Third Party) Intervention — Techniques and processes -- Negotiation — Conciliation -Mediation- Arbitration - Distinction between Arbitration, Conciliation and Negotiation – ADR under different laws in India

**Unit-II:**

The Arbitration and Conciliation Act, 1996 — Historical Background and Objectives of the Act — Arbitration and Conciliation (Amendment) Acts, 2015 – Arbitration and Conciliation Amendment Act, 2019 and 2019–Definitions of Arbitration, Arbitrator, Arbitration Agreement -- Appointment of Arbitrator — Termination of Arbitrator – Proceedings in Arbitral Tribunal—Termination of Proceedings— Arbitral Award -- Setting aside of Arbitral Award — Finality and Enforcement of Award — Appeals – Conciliation – Appointment of Conciliators – Powers and Functions of Conciliator -- Procedure – Settlement of disputes through conciliation Arbitration Council of India (ACI)– International Commercial Arbitration UNCITRAL Model Law on International Commercial Arbitration, 1985 – Geneva Convention, 1927 – New York Convention, 1958 – Recognition and Enforcement of Foreign Award – UNCITRAL Model Law on International Commercial Mediation and International Settlement Agreements Resulting from Mediation, 2018 – Singapore Convention on Mediation, 2019 – Online Dispute Resolution

**Unit-III:**

Other Alternative Dispute Resolution Systems —Tribunals -- Lokpal and Lokayukta — Lok Adalats — Family Courts– Commercial Courts - Section 89 and Order X, Rules 1A, 1B and 1C of Civil Procedure Code – ADR and Mediation Rules – Pre-litigation Mediation in India- Mediation Act, 2023

**Practical Exercises (30 marks)**

a). The students are required to participate in 5 (five) simulation proceedings relating to Arbitration, Conciliation, Mediation and Negotiation.

Participation in each such simulation proceeding shall be evaluated for a maximum of 4



(four) marks (Total 5x4=20marks).

b). Students are required to attend and observe the proceedings of Lok Adalats, Family Courts, Tribunals and other ADR Systems. Each student shall record the above observations in the diary which will be assessed. Record submitted by the student shall be evaluated for 10 marks by the teacher concerned. The Records of the students duly certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University before the commencement of the theory examinations

### **Viva- voce (20marks):**

There shall be viva-voce examination on the above components. The Viva- voce Board consisting of (i) Principal of the College/the teacher concerned (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law, and (iii) an advocate with 10 years experience at the Bar shall evaluate the student in the Viva. The proceedings of the viva-voce shall be recorded.

**Note:** Attendance of the students in all the four components of the paper (written examination, participation in simulation proceedings, submission of record and attendance in viva) shall be compulsory.

### **Suggested Readings:**

1. O.P. Tiwari : *The Arbitration and Conciliation Act* ,Allahabad LawAgency.
2. Johar's : *Commentary on Arbitration and Conciliation Act, 1996*, Kamal LawHouse.
3. Tripathi S.C.: *Arbitration, Conciliation and ADR*, Central Law Agency, Allahabad.
4. Avatar Singh: *Arbitration and Conciliation*, Eastern Law Book House, Lucknow.
5. P.C. Rao : *Alternate Dispute Resolution* , 2001 Edition, Universal Book Traders, NewDelhi.
6. S.D. Singh: *Alternate Dispute Resolution*, Universal Book Traders, NewDelhi.
7. Sriram Panchu: *Mediation -Practice And Law (The Path To Successful Dispute Resolution)*, 2015, Lexis Nexis.
8. Anirban Chakraborty: *Law & Practice Of Alternative Dispute Resolution In India-A Detailed Analysis*, 2015, Lexis Nexis.
9. Madhusudan Saharay: *Textbook on Arbitration & Conciliation with Alternative Dispute Resolution [ADR]*, Universal Law Publishing
10. Margaret L. Moses: *The Principles and Practice of International Commercial Arbitration*, 2012, Cambridge University Press

11. Harsh Sethi and ArpanKr Gupta: *International Commercial Arbitration & it's Indian Perspective*, 2011 Universal Law Publishing

PAPER-V:

**PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM**

The written examination of this paper will be for 50 marks and the remaining 50 marks for record and *viva voce*. There shall be classroom instruction on the following topics:

**Unit-I:**

Development of Legal Profession in India — The Advocates Act, 1961 — Right to Practice — a right or privilege? - Constitutional guarantee under Article 19(1) (g) and its scope — Enrolment and Practice — Regulation governing enrolment and practice — Latest BCI Rules - Practice of Law -All India Bar Examination (AIBE)— Advocates and Solicitors' firm — Elements of Advocacy.

**Unit-II :**

Seven lamps of advocacy— Advocate's duties towards public, clients, court, and other advocates and legal aid ; Bar Council of India's Code of Ethics.

**Unit-III:**

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

**Unit-IV:**

Professional Accounting- Accountancy for Lawyers — Nature and functions of accounting — Important branches of accounting — Accounting and Law – Bar Bench Relations.

**Record (30 marks):** Each student shall write 50 selected opinions of the Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court of India in the Record. The Record shall be evaluated for 30marks by the teacher concerned. The Records of the students duly certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University before the commencement of the theory examinations.

**Viva- voce (20marks):** There shall be viva-voce examination on the above components.




The Viva-voce Board consisting of (i) Principal of the College/the teacher concerned (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law, and (iii) an advocate with 10 years experience at the Bar shall evaluate the student in the Viva. The proceedings of the viva-voce shall be recorded.

**Note:** All the three components of the paper (written examination, submission of record and attendance in viva) shall be compulsory.

**Suggested Readings :**

- (1) Sirohi: Professional Ethics, Central Law Publications, Allahabad.
- (2) G.B.Reddy, Practical Advocacy of Law, Gogia Law Agency, Hyderabad
- (3) Myneni S.R.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
- (4) Gupta S.P.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
- (5) Kailash Rai: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Allahabad Law Agency.  
Selected Judgments on Professional Ethics (in 2 volumes), Bar Council of India Trust, New Delhi.

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## LL.B.VI SEMESTER

### PAPER-I: LAW OF TAXATION

#### Unit-I :

Constitutional basis of power of taxation — Article 265 of Constitution of India - Basic concept of Income Tax — Outlines of Income Tax Law - Definition of Income and Agricultural Income under Income Tax Act — Residential Status - Previous Year — Assessment Year — Computation of Income.

#### Unit-II:

Heads of Income and Computation — Income from Salary, Income from House Property. Profits and Gains of Business or Profession, Capital Gains and Income from other sources — The Taxation Law (Amendment) Act. 2019.

#### Unit-III:

Law and Procedure — P.A.N. — Filing of Returns — Payment of Advance Tax -- Deduction of Tax at Source (TDS) -- Double Tax Relief — Law and Procedure for Assessment, Penalties, Prosecution, Appeals and Grievances -- Authorities.

#### Unit-IV :

**GST ACT, 2017** – Goods and Services Tax Act, 2017: Introduction –Background  
-- Basic Concepts – salient features of the Act – Kinds of GST - CGST, SGST & IGST – Administration officers under this Act – Levy and collection of tax – scope of supply – Tax liability on composite and mixed supplies – Input tax credit – Eligibility and conditions for taking input tax credit.

#### Unit-V:

**GST ACT, 2017:-** Registration – persons liable for registration – persons not liable for registration – procedure for registration – returns – furnishing details of outward and inward supplies – furnishing of returns – payment of tax, interest, penalty and other amounts – tax deducted at source – collection of tax at source – Demand and Recovery – Advance Ruling – Definitions for Advance Ruling – Appeals and revision – Appeals to Appellate Authority – Powers of revisional authority - Constitution of Appellate Tribunal and benches thereof – offences and penalties.



### Suggested Readings:

1. VinodK.Singhania: *Student Guide to Income Tax*, Taxman, AlliedService Pvt.Limited.
2. VinodK.Singhania: *Direct Taxes Law & Practice*, Taxman Allied ServicePvt.Limited.
3. Myneni S.R.: *Law of Taxation*, Allahabad LawSeries.
4. KailashRai: *Taxation Laws*, Allahabad LawAgency.
5. Gurish Ahuja: *Systematic Approach to Income Tax*, Bharat Law HousePvtLtd
- 6.V.S. Datey : GST ReadyRecknor, Taxman Publications.
7. GST Acts with Rules & Forms (Bare Act) , TaxmanPublications.
8. GST – A Practical Approach,TaxmanPublications.
9. Sweta Jain, GST Law and Practice – A Section wise commentary on GST,Taxmann Publications.
10. Shann V Patkar, GST Law Guide, TaxmannPublication.

### PAPER-II: INFORMATION TECHNOLOGY LAW

#### Unit-I:

Concept of Information Technology and Cyber Space- Interface of Technology and Law - Jurisdiction in Cyber Space and Jurisdiction in traditional sense - Internet Jurisdiction - Indian Context of Jurisdiction -Enforcement agencies - International position of Internet Jurisdiction - Cases in Cyber Jurisdiction

#### Unit-II:

**Information Technology Act, 2000** - Aims and Objects — Overview of the Act – Jurisdiction –Electronic Governance – Legal Recognition of Electronic Records and Electronic Evidence -Digital Signature Certificates - Securing Electronic records and secure digital signatures - Duties of Subscribers - Role of Certifying Authorities-RegulatorsundertheAct-TheCyberRegulationsAppellateTribunal  
- Internet Service Providers and their Liability– Powers of Police under the Act – Impact of the Act on other Laws.

#### Unit-III:

**E-Commerce** - UNCITRAL Model Law - Legal aspects of E-Commerce - Digital Signatures - Technical and Legal issues - E-Commerce, Trends and Prospects - E-taxation, E-banking, online publishing and online credit card payment - Employment Contracts - Contractor Agreements, Sales, Re-Seller and Distributor Agreements, Non-Disclosure Agreements- Shrink Wrap Contract ,Source Code, Escrow Agreements etc. .





#### Unit-IV

**Cyber Law and IPRs-Understanding Copyright in Information Technology** - Software – Copyrights vs Patents debate - Authorship and Assignment Issues - Copyright in Internet - Multimedia and Copyright issues - Software Piracy – **Patents** - Understanding Patents - European Position on Computer related Patents(- Legal position of U.S. on Computer related Patents - Indian Position on Computer related Patents – **Trademarks** - Trademarks in Internet - Domain name registration - Domain Name Disputes & WIPO -Databases in Information Technology - Protection of databases - Position in USA,EU and India

#### Unit-V

**Cyber Crimes** -Meaning of Cyber Crimes –Different Kinds of Cyber crimes – Cyber crimes under BNS, BNSS and BSA 2023- Cyber crimes under the Information Technology Act, 2000 - Cyber crimes under International Law –Hacking, Child Pornography, Cyber Stalking, Denial of service Attack, Virus Dissemination, Software Piracy, Internet Relay Chat (IRC) Crime, Credit Card Fraud, Net Extortion, Phishing etc - Cyber Terrorism - Violation of Privacy on Internet - Data Protection and Privacy.

#### Suggested Readings:

1. Kamlesh N. & Murali D. Tiwari (Ed), *IT and Indian Legal System*, Macmillan India Ltd, New Delhi
2. K.L. James, *The Internet: A User's Guide*, Prentice Hall of India, New Delhi
3. Chris Reed, *Internet Law-Text and Materials*, Universal Law Publishing Co., New Delhi
4. Vakul Sharma, *Hand book of Cyber Laws*, Macmillan India Ltd, New Delhi
5. S.V. Joga Rao, *Computer Contract & IT Laws* (in 2 Volumes), Prolific Law Publications, New Delhi
6. T. Ramappa, *Legal Issues in Electronic Commerce*, Macmillan India Ltd, New Delhi
7. Indian Law Institute, *Legal Dimensions of Cyber Space*, New Delhi
8. Pankaj Jain & Sangeet Rai Pandey, *Copyright and Trademark Laws relating to Computers*, Eastern Book Co, New Delhi
9. Farouq Ahmed, *Cyber Law in India*
10. S.V. Joga Rao, *Law of Cyber Crimes and Information Technology Law*, Wadhwa & Co, Nagpur

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PAPER-III:  
OPTIONAL

(Any one of the following subjects)

**LAW RELATING TO WOMEN**

**Unit-I :**

Historical background and status of women in ancient India — Constitutional Provisions and gender justice — Provisions relating to women in fundamental Rights, Directive Principles of State Policy and Fundamental Duties etc under the Indian Constitution. Equal right of women to worship.

**Unit-II:**

Laws relating to marriage, divorce, succession and maintenance under the relevant personal laws with special emphasis on women — Special Marriage Act — Maintenance of women under Cr. P.C, 1973 BNSS 2023 and other laws — NRI Marriages — Live-in-relationships — Uniform Civil Code and gender justice — The Personal Laws (Amendment) Act. 2019.

**Unit-III :**

Special provisions relating to women under the BSA 2023— Offences against women under BNS 2023- outraging the modesty of women – Acid Attacks, sexual harassment – rape – bigamy - mock and fraudulent marriages – adultery and its decriminalization - causing miscarriage - insulting women – Impact of the New Criminal Laws 2023.

**Unit-IV:**

Socio-Legal position of women and the law — Dowry Prohibition Act, 1961, Medical Termination of Pregnancy Act — Law relating to misuse of Pre-natal Diagnostic Techniques and Sex selection — Law relating to Immoral Trafficking - Law relating to Domestic Violence — Law relating to Sexual Harassment at workplace – **Honour Killings.**

**Unit-V :**

Position of women under the Maternity Benefit Act, and other Labour & Industrial Laws, and Codes — Position of Women under International instruments — Salient features of Convention for Elimination of all forms of Discrimination Against Women (CEDAW); International Covenant on Civil and Political Rights — International Covenant on Social, Cultural and Economic Rights.



**Suggested Readings:**

1. S.P. Sathe: *Towards Gender Justice*.
2. Vijay Sharma: *Protection to woman in Matrimonial home*
3. Sarojini Saxena: *Femijuris* (Law relating to Women in India)
4. Archana Parsher: *Women and Social Reform*
5. Paras Diwan: *Dowry and protection to married women*
6. Mary Wollstonecraft: *A Vindication of the rights of women*.
7. G.B.Reddy: *Women & Law including Law Relating to Children*, Gogia Law Agency, Hyderabad.

**HUMAN RIGHTS LAW**

**Unit-I**

Meaning and definition of Human Rights - Evolution of Human Rights - Human Rights and Domestic Jurisdiction – classification of Human Rights – Third World Perspectives of Human Rights.

**Unit-II**

Adoption of Human Rights by the UN Charter - U.N. Commission on Human Rights – Universal Declaration of Human Rights - International Covenants on Human Rights (Civil and Political; Economic, Social and Cultural).

**Unit-III:**

Regional Conventions on Human Rights - European Convention on Human Rights - American Convention on Human Rights - African Charter on Human Rights (Banjul).

**Unit-IV:**

International Conventions on Human Rights - Genocide Convention, Convention against Torture, CEDAW, Child Rights Convention, Convention on Statelessness, Convention against Slavery, Convention on Refugees - International Conference on Human Rights (1968) - World Conference on Human Rights (1993).

**Unit-V:**

Human Rights Protection in India - Human Rights Commissions - Protection of Human Rights Act - National Human Rights Commission (NHRC) - State Human Rights Commissions - Human Rights Courts in Districts.

**Suggested Readings:**

1. P.R. Gandhi (ed): *Blackstone's International Human Rights Documents*, Universal Law Publishing Co. Delhi.
2. Richard B. Lillich and Frank C. Newman: *International Human Rights – Problems of Law and Policy*, Little Brown and Company, Boston and Toronto.
3. Frederick Quinn: *Human Rights and You*, OSCE/ ODIHR, Warsaw, Poland
4. T.S. Batra: *Human Rights – A Critique*, Metropolitan Book Company Pvt. Ltd.
5. Dr. U. Chandra: *Human Rights*, Allahabad Law Agency Publications, Allahabad.

**(B) LAW OF INVESTMENTS AND SECURITIES**

**Unit-I:**

Administration of Company Law in relation to issue of prospectus and shares -- membership and share capital -- Kinds of shares -- public issue of shares -- procedure for issue of shares -- allotment of shares -- transfer and transmission of shares.

**Unit-II:**

Debentures - Kinds of Debentures and Charges -- Dividend -- Inter-Corporate Loans and Investments.

**Unit-III:**

Basic features of the Security Contracts (Regulation) Act, 1956 — Recognition of Stock Exchanges -- Regulation of Contracts and option in securities — Listing of securities -- Guidelines for listing of shares / debentures.

**Unit-IV:**

Basic features of the Security and Exchange Board of India Act, 1992 — Basic features of the Act — Establishment of SEBI -- Functions and Powers of SEBI -- Powers of the Central Government under the Act -- Guidelines for disclosure -- Investors Protection - SEBI Appellate Tribunal -- Appeals.

**Unit-V:**

Non-Banking Financial Institutions - Classification and Law Relating to NFBCs - Protection of Depositors Act -- Foreign Exchange Management Act.


**Suggested Readings:**

1. Avatar Singh: *Company Law*, Eastern Book Company.
2. Ramaiah, *A Guide to Companies Act*, Wadhwa Publications.
3. Navneet Jyothi and Rajesh Gupta, *Practical Manual to Non Banking Financial Companies*, Taxman's Publications.
4. Ananta Raman: *Lectures on Company Law*, Wadhwa and Company.
5. Tandon M.P.: *Company Law*, Allahabad Law Agency, Allahabad.
6. Kailash Rai: *Company Law*, Allahabad Law Agency.

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7. Majumdar: *Company Law*, Taxman Publications.
8. A.P. *Protection of Depositors Act, 1999*, Asia Law House Publications.

  
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PAPER-IV:  
**DRAFTING, PLEADINGS AND CONVEYANCING**

Class-room instruction and simulation exercises on the following items shall be extended.

**Unit-I:**

**Drafting:** Drafting and documentation in civil, criminal and constitutional cases - General Principles of Drafting and relevant Substantive Rules – Distinction between pleadings and conveyancing

**Unit-II:**

**Pleadings: Essentials and drafting of pleadings :** (i) Civil—Plaint, Written Statement, Memo - Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision.(ii) Petition under Article 226 and 32 of the Constitution of India - Drafting of Writ Petition and PIL Petition.(iii) Criminal—Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision.

**Unit-III:**

**Conveyancing: Essentials and drafting of** Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will and Trust Deed.

**Practical Exercises:** Pleadings carrying a total of 45 marks (3 marks for each) and 15 (fifteen) exercises in Conveyancing carrying another 45 marks (3 marks for each exercise) and remaining 10 marks for viva-voce. These 30 exercises shall be recorded. Each student shall be served with different problems for the purpose of exercise. These exercises shall be assessed and marks may be allotted. These exercises shall be evaluated by a common committee consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, O.U.; and (iii) an Advocate with 10 years experience at the Bar. The same committee will also conduct viva-voce on the above concepts. The proceedings of the viva-voce shall be recorded.

**Note:**

1. Attendance of the students for viva-voce shall be compulsory.
2. The above records certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University for Further Verification

**Suggested Readings:**

1. R.N. Chaturvedi : *Pleadings and Conveyancing*, Central Law Publications.

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

PAPER-V:  
**MOOT COURTS, OBSERVATION OF TRIAL,  
PRE-TRIAL PREPARATIONS AND INTERNSHIP**

This paper has three components of 30 marks each and viva-voce for 10 marks.

**(A) Moot Court (30 marks):** Every student is required to participate in at least three moot courts in the VI Semester with 10 marks for each. The moot court work will be on an assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy. Marks will be given on the basis of written submission and oral advocacy. Written submissions shall include brief summary of facts, issues involved, provisions of laws and arguments, citation, prayer, etc. Marks for oral advocacy may be awarded for communication skills, presentations, language, provisions of law; authorities quoted, court manners, etc. Written Memorials submitted by the students shall be kept by the College for Further Verification. The performance of student in the moot court shall be evaluated by a committee consisting of (i) Principal of the College (ii) an Advocate with 10 years experience at the Bar; and (iii) the teacher concerned.

**(B) Observance of Trial in two cases, one Civil and one Criminal (30 marks):** Students are required to attend courts to observe at least one civil and one criminal case. They shall maintain a record and enter the various steps observed during their attendance on different days in the court assignment. The Court Observation Record submitted by the students should be evaluated by a committee consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, O.U.; and (iii) an Advocate with 10 years experience at the Bar and average be taken. Court attendance shall be compulsory and attendance has to be recorded in a register kept therefore. This may be carried under the



supervision of a teacher of the college. This scheme will carry 30 marks.

**(C) Interviewing Techniques and Pre-Trial Preparations and Internship Diary : (30 marks):** Each student should observe two 'interview sessions' of clients either in the Lawyer's Office or in the Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student has to further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit / petition. ***The Internship shall be for a period of minimum of 15 days and it shall be mandatory.*** This shall be recorded in the diary which will carry 15 marks. The diary shall clearly indicate the dates on which the above observations are made and they shall be authenticated by the advocate concerned. Evaluation of the above diary shall be made by the committee consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, O.U.; and (iii) an Advocate with 10 years experience at the Bar and average be taken.

**(D) Viva-voce (10 marks):** There shall be viva-voce examination on all the above three components. The Viva voce Board consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law; and (iii) an advocate with 10 years experience at the Bar shall evaluate the student in the Viva. The proceedings of the viva-voce shall be recorded.

**Note:**

1. Attendance of the students in all the four components of the paper shall be compulsory.
2. The above records, diary certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University for further verification.

**Suggested Readings:**

1. Dr. Kailash Rai: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law Publication.
2. Amita Danda: *Moot Court for Interactive Legal Education*, Asia Law House, Hyderabad.
3. Blackstone's: *Books of Moots*, Oxford University Press.
4. Mishra: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law, Allahabad
5. G.B.Reddy, *Practical Advocacy of Law*, Gogia Law Agency, Hyderabad



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### Scheme of the Syllabus of LL.B.(3-YDC)– 2024-2025

I Year - I Semester	II Year - III Semester	III Year - V Semester
P-I: LAW OF CONTRACT-I	P-I: JURISPRUDENCE	P-I: CIVIL PROCEDURE CODE AND LAW OF LIMITATION
P-II: FAMILY LAW-I  (Hindu Law)	P-II: LAW OF PROPERTY	P-II: BHARATIYA NAGARIK SURAKSHA SANHITA, LAW OF JUVENILE JUSTICE AND PROBATION OF OFFENDERS ACT *
P-III: CONSTITUTIONAL LAW-I	P-III: ADMINISTRATIVE LAW	P-III: LAW OF BANKING AND NEGOTIABLE INSTRUMENTS
P-IV: LAW OF TORTS INCLUDING M. V. ACCIDENTS & CONSUMER PROTECTION LAWS	P-IV: COMPANY LAW	P-IV: ALTERNATE DISPUTE RESOLUTION
P-V: ENVIRONMENTAL LAW	P-V: LABOUR LAW -I	P-V: PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM
I Year - II Semester	II Year - IV Semester	III Year - VI Semester
P-I: LAW OF CONTRACT-II	P-I: LABOUR LAW-II	P-I: LAW OF TAXATION
P-II: FAMILY LAW-II (Muslim Law and Other Personal Laws)	P-II: PUBLIC INTERNATIONAL LAW	P-II: INFORMATION TECHNOLOGY LAW
P-III: CONSTITUTIONAL LAW-II	P-III: INTERPRETATION OF STATUTES	P-III: OPTIONAL (A) LAW RELATING TO WOMEN (or) (B) HUMAN RIGHTS LAW (or) (C) LAW OF INVESTMENTS AND SECURITIES
P-IV: LAW OF CRIMES	P-IV: LAND LAWS	P-IV: DRAFTING, PLEADINGS AND CONVEYANCING
P-V: LAW OF EVIDENCE	P-V: INTELLECTUAL PROPERTY LAW	P-V: MOOT COURTS, OBSERVATION OF TRIAL, PRE-TRIAL PREPARATIONS AND INTERNSHIP



[w.e.f.2024-2025]

**LL.B. (3-YDC)**

**Duration of the Course:**

**03Years**

**No. of Semesters:**

**06**

**Duration of each Semester:**

**15weeks**

**No. of Periods per Week in each paper:**

**06**

**Distribution of Marks:**

**Total 100**

**Marks (Except for Practical subjects**

**Internal Examinations (for 2):**

**20 Marks**

**End-Semester Examination:**

**80 Marks**

**No. of Credits for Each paper:**

**Total No. of Credits for the entire LL.B.(3-YDC):**

  
CHAIRPERSON

Board of Studies in.....  
Mahatma Gandhi University,  
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