

LL.B Part II
(FIRST SEMESTER)
PAPER - I
FAMILY LAW - I (HINDU LAW)

M.M. 100

- (1) Hindu Marriage Act 1955.
- (2) Hindu Succession Act 1956.
- (3) Hindu Minority and Guardianship Act 1956.
- (4) Hindu Adoption and Maintenance Act 1956

The above mentioned Acts and the following topics are prescribed for study:-

(1) Marriage and Kinship -

- (a) Evolution of the institution of marriage and family.
- (b) Role of religious rituals and practices in moulding the rules regulating marital regulations.
- (c) Types of family.
- (d) Lineage - Matrilineal (e) Authority structure - Patriarchal and matriarchal
- (f) Number of Conjugal units - nuclear, extended, joint and composite.
- (g) Emerging Concepts : Maitri Sambandh and divided home.

(2) Customary practices and state regulation -

- (a) Polygamy.
- (b) Concubine.
- (c) Child marriage
- (d) Sati.
- (e) Dowry.

(3) Conversion and its effect on family.

- (a) Marriage.
- (b) Adoption.
- (c) Guardianship.
- (d) Succession.

(4) Sources of Hindu Law, Schools of Hindu Law, Hindu joint family.

(5) Family and its changing Patterns -

- (a) New emerging trends.

- (b) Attention of family ties.
 - (c) Working women and their impact on spousal relationship : composition of family status and role of women.
 - (d) Factors affecting the family : demographic, environmental, religious and legislative.
 - (e) Process of social change in India : Sanskritization, Westernization, Secularization, Universalisation, Parochialization, Modernization, Industrialization and Urbanization.
- (6) Manager or Karta of Joint Hindu family.
 - (7) Pious Obligation
 - (8) Partition
 - (9) Women's Estate
 - (10) Stridhan
 - (11) Will
 - (12) Gifts
 - (13) Debts
 - (14) Maintenance
 - (15) Coparcenary
 - (16) Inheritance

Leading Cases -

- (1) Smt. Rukhma Bai Vs. Lala Laxminai-ayan and others AIR (1960) Sc.335
- (2) Luhari Amritlal Nagji Vs Jayantilal Jethalal and others AIR (1960) S.C.964.
- (3) Abhiraj Kunwar Vs Davendra Singh AIR 1962 SC 351
- (4) Mullesappa Bandeppa Desai and another Vs. Desai Mellappa Alias Mallesappa, A.I.R. 1961 S.C. 1268.

Books Recommended -

- (1) Paras Diwan - Hindu Law (1985)
- (2) S.T. Desai - Mulla's Principles of Hindu Law (1998) Butterworths India.
- (3) Paras Diwan - Family Law : Law of marriage and Divorce in India (1984).
- (4) A.M. Bhattachargee Hindu Law : Past and Present.
- (5) Paras Diwan - Law of Adoption, Ministry, Guardianship and custody (2000) Universal.
- (6) J.D.M Derrett - Hindu Law : Past and Present.
- (7) J.D.M Derrett - A critique of modern Hindu Law

LL.B Part II
(FIRST SEMESTER)
PAPER - II
FAMILY LAW - II

**Mohammedan Law with Family Courts Act, The Muslim Women
(Protection of Rights on divorce) Act 1986 and Special Marriage Act 1954.**

M.M. 100

- (1) Muslim Shariyat Act, 1937.
- (2) Dissolution of Muslim Marriage Act 1939.
- (3) Family Courts Act, 1984.
- (4) The Muslim Women (Protection of rights on Divorce) Act 1986
With special study of the case of - Mohd. Ahmad Khan Vs Shah Bano A.IR
1985 S.C.945
- (5) Special Marriage Act 1954.

The above mentioned Acts and the following topics are prescribed for study:-

- (1) Conception, origin and development of Muslim Law.
- (2) Sources of Muslim Law.
- (3) Schools of Muslim Law.
- (4) Conversion to Islam.
- (5) Marriage.
- (6) Dower.
- (7) Divorce.
- (8) Parentage, Legitimacy and Acknowledgement.
- (9) The Law of Minority and Guardianship.
- (10) The Law of maintenance.
- (11) The Law of Gift & Will.
- (12) The Law of Waqf in India.
- (13) Death - Bed transactions.
- (14) Pre - emptio .
- (15) The Law of Succession and administration.
- (16) Inheritance.
- (17) Uniform Civil Code - need for.
 - (a) Religious pluralism and its implications.

- (b) Connotations of the directive contained in Article 44 of the Constitution .
- (c) Impediments to the formulation of the Uniform Civil Code.
- (d) The idea of optional Uniform Civil Code.

Leading Cases -

- (1) Maina Bibi Vs Chowdhari Vakil Ahmad 30 CWN 673 (PC) A.I.R (1925) PC 63.
- (2) Mohd. Aladad Khan Vs Mohd. Ismail Khan. - ILR 10 Alld. 289 (Judgement of Justice Mahmood only).
- (3) Janjira Khatoon Vs. Mohd. Fakrulla, ILR 49. Calcutta 477 AIR 92 Cal. 429.
- (4) Kappor Chand. Vs Kida Nisha Air 1953 5 C 413

Books Recommended -

- (1) A.A.A Fyzee - Outline of Muhammadan Law
- (2) A.M. Bhattachargee - Muslim Law and the Constitution (1994) Eastern Law House, Calcutta.
- (3) Mulla's Mohammadan Law.
- (4) Family Courts Act 1984.
- (5) The Muslim Women (Protection of Rights of Divorce) Act 1986.
- (6) Special Marriage Act 1954.

LL.B Part II
(FIRST SEMESTER)
PAPER - III

INDIAN LEGAL & CONSTITUTIONAL HISTORY

M.M. 100

(A) Indian Legal History

- (1) (a) Charter of 1726 (b) Charter of 1753 (The Mayors Court)
- (2) Grant of Diwani.
- (3) The Regulating Act 1773.
- (4) The Act of settlement 1781.
- (5) Charter of 1774 and Establishment of Supreme Court at Calcutta, Bombay, and Madras.
- (6) Some Landmark Cases -
 - (a) Issue of Raja Nand Kumar (1775):
 - (b) The Patna Case (1777-79).
 - (c) The Cossijurah Case (1779-80)
- (7) Judicial Reforms -
 - (a) Judicial Reforms of Warren Hasting.
 - (b) Judicial reforms of Cornwallis.
 - (c) Reforms of Sir John Shore.
 - (d) Reforms of Lord welllesley.
 - (e) Reforms of Lord Minto.
 - (f) Reforms of Lord William Bentick.
 - (g) Judicial Reform of Amherst.
- (8) Charter Act 1833; Codification of Laws; Law Commission.
- (9) Charter of 1853.

- (10) Growth of Criminal Law.
- (11) Growth of Personal Law of Hindus & Muslims.
- (12) Influence of English Law in India.
- (13) Prerogative writs in India.
- (14) Racial discrimination.
- (15) History of the Doctrine of Justice equity and good conscience, Gentoo Code.
- (16) Establishment of High Courts -
 - (a) The Indian High Court Act 1861.
 - (b) Government of India Act 1935: more High Courts created.
 - (c) Government powers & Jurisdiction of High Courts.
 - (d) Post constitutional developments.
- (17) The federal Court of India.
- (18) Privy Council
 - (a) History.
 - (b) Jurisdiction.
 - (c) Appeals from India.
 - (d) A unique institution.
- (19) Modern or present Judicial System of India -
 - (a) Supreme Court
 - (b) High Courts
 - (c) Subordinate Courts, Labour Courts. (With special reference of Chhattisgarh)

(B) Constitutional History Of India.

Constitutional development since 1858 to 1947 with special reference to the following topics -

- (1) The Govt. of India Act 1858.

- (2) The Indian Councils Act of 1861.
- (3) The Indian Councils Act of 1892.
- (4) Morley-Minto reforms, 1909/ Indian Council Act 1909.
- (5) Montague - Chemsford reforms, 1919.
- (6) The Simon Commission. Nehru Report. First, Second and Third round table Conference.
- (7) Government of India Act 1935 - Federal system of government.
- (8) The Cripps mission, 1942; Cabinet Mission. 1946; Lord Wavell Plan, Mountbatten Plan.
- (9) Formation of the Interim Government, Constituent Assembly of India.
- (10) The Indian Independence Act, 1947.

Books Recommended -

- (1) M.P. Jain - Outlines of Legal History (1998) Tripathi.
- (2) M.Rama Jois - Legal and Constitutional History of India (1984) Two Volumes.
- (3) V.D Kulshrestha's Landmarks in Indian Legal History (1992), Eastern Lucknow.
- (4) A.B. Keith - Constitutional History of India (1600 - 1936).
- (5) Dr. N.V.Paranjape - Constitutional History of India.

LL.B Part II
(FIRST SEMESTER)
PAPER - IV
LABOUR & INDUSTRIAL LAW - II

M.M. 100

The Following Acts are prescribed for Study -

- (1) Factory Act, 1948.
- (2) Payment of wages Act. 1936
- (3) Workman Compensation Act 1923
- (4) The child labour (Prohibition & Regulation Act.) 1986

Leading Cases -

- (1) Bala S.R. V/S B.C.Patil and other 1948 SC 518.
- (2) Indian Oil Corporation Ltd. V/S Chief Industrial Inspector (1958) SCC 738

Books Recommended -

- (1) R.C.Saxena Labour Problems & Social Welfare
- (2) S.C Shriwastava Social Security & labour laws 1985
- (3) Labour Laws & by Goswami
- (4) श्रमिक विधियां – डॉ. गंगा सहाय शर्मा
- (5) श्रमिक विधि – डॉ. इन्द्रजीत सिंह

LL.B. Part - II
(FIRST SEMESTER)
PAPER - V
PRACTICAL TRAINING (SESSIONAL)

M.M. 100

(ALTERNATE DISPUTE RESOLUTION)

Outline of the course

- I Negotiation skills to be learned with simulated program .**
- II Conciliation skills.**
- III Arbitration law and practice including International arbitration and arbitration rules .**

The course is required to be conducted by senior legal practitioners through simulation and case studies. Evaluation may also be conducted in practical exercise at least for a significant part of evaluation.

LL.B .Part -II
(SECOND SEMESTER)
PAPER - I
ADMINISTRATIVE LAW
WITH THE RIGHT TO INFORMATION ACT. 2005

M.M. 100

A: (1) Evolution, Nature and Scope of Administrative Law.

- (a) From a Laissez - faire to a social welfare state.
- (b) State as regulator of private interest.
- (c) Other functions of modern state: relief, welfare.
- (d) Evolution of administration as the fourth branch of government – necessity for delegation of powers of administration.
- (e) Evolution of agencies and procedures for settlement of dispute between individual and administration.
- (f) Definition and scope of administrative law.
- (g) Relationship between Constitutional law and administrative law.
- (h) Separation of powers.
- (i) Rule of Law.

(2) Legislature Powers of Administration -

- (a) Necessity for delegation of legislative power.
- (b) Constitutionality of delegated legislation powers of exclusion and inclusion and power to modify statute.
- (c) Requirements for the validity of delegated legislation.
- (d) Publication of delegated legislation.
- (e) Legislative control of delegated legislation
- (f) Laying procedures and their efficiency.
- (g) Committees on delegated legislation - Their Constitution, Function and effectiveness.

- (h) Hearing before legislative Committees.
- (i) Judicial control of delegated legislation.
- (j) Sub - delegation of legislative powers.

(3) Judicial Powers of Administration -

- (a) Need for devolution of adjudicatory authority on administration.
- (b) Administrative tribunals and other adjudicating authorities : their ad hoc character.
- (c) Tribunals - need, nature, constitution, jurisdiction and procedure.
- (d) Jurisdiction of administrative tribunals and other authorities.
- (e) Distinction between quasi -judicial and administrative functions.
- (f) Natural Justice and its Implementations.
- (g) The right of hearing - essentials of hearing process.
- (h) No man shall be judge in his own cause.
- (i) No man shall be condemned unheard.
- (j) The right to Counsel.
- (k) Institutional decisions.
- (l) Administrative appeals.

(4) Judicial control of Administrative Action -

- (a) Exhaustion of administrative remedies.
- (b) Standing : standing for Public Interest litigation (Social action litigation) Collusion, bias.
- (c) Laches.
- (d) Resjudicata.
- (e) Grounds.
- (f) Jurisdictional error / ultra vires.
- (g) Abuse and non exercise of jurisdiction.
- (h) Error apparent on the face of the record.
- (i) Violation of principles of natural justice.
- (j) Remedies in Judicial Review.
- (k) Statutory appeals.
- (l) Mandamus.

- (m) Certiorari.
- (n) Prohibition.
- (o) Quo – warranto
- (p) (p) Habeas corpus.
- (q) Declaratory judgments and injunctions.
- (r) Specific performance and civil suits for Compensation.

(5) Administrative Discretion -

- (a) Need for Administrative Discretion.
- (b) Administrative Discretion and rule of law.
- (c) Limitations on exercises of discretion.
- (d) Modifide exercises of discretion.
- (e) Constitutional imperatives and use of discretionary authority.
- (f) Non - exercise of discretionary power.

(6) Liability for wrongs (Tortious and contractual)

- (a) Tortious Liability : Sovereign and nonsovereign functions.
- (b) Statutory immunity.
- (c) Act of state.
- (d) Contractual liability of Government.
- (e) Government privilege in legal proceeding state secrets, and right to interest.
- (f) Transparency and right to information.
- (g) Estoppel and waiver.

(7) Corporations and public undertakings -

- (a) State monopoly - remedies against arbitrary action or for acting against public policy.
- (b) Liability of public and private Corporations - departmental undertakings.
- (c) Legislative and Governmental Control.
- (d) Legal remedies.
- (e) Accountability - Committee on public undertaking, Estimates Committee etc.

(8) Informal Methods of Settlement of Disputes and Grievance Redressal Procedure -

- (a) Public inquiries and commissions of inquiry.
- (b) Ombudsman : Lok Pal, Lok Ayukta.
- (c) Vigilance Commission.

B : The Right to Information Act. 2005 (Section 1 to 20 Only)

Leading Cases -

- (1) Bharat Bank Ltd Vs Employees of Bharat Bank Ltd AIR (1950) SC. 188
- (2) A.K. Kripak and others Vs Union of India and others - AIR (1970) SC 150.
- (3) Bhagat Raja Vs Union of India AIR (1967) SC 1606.
- (4) Harishankar Bagla Vs state of M.P. AIR (1954) SC 465.

Books Recommended -

- (1) Peter Cane - An Introduction to Administrative Law (1996) Oxford..
- (2) Wade - Administrative Law (1989), Butterworth ed. (B.L.Jones).
- (3) J.C.Garner - Administrative Law (1989), Butterworth ed (B.L.Jones).
- (4) Jain & Jain - Principles of Administrative law (1997) Universal, Delhi.
- (5) M.P. Jain - Cases and Materials on Indian Administrative law Vol I and II 1996.
- (6) S.P. Same - Administrative Law (1998) Butterworths - India, Delhi.
- (7) De Smith - Judicial Review of Administrative Action (1995 Sweet and Maxwell with supplement.
- (8) D.D.Basu - Comparative Administrative law (1998).
- (9) M.A.Fazal - Judicial Control of Administrative Action In India, Pakistan & Bangladesh.
- (10) The Right to Information Act. 2005.

LL.B Part II
(SECOND SEMESTER)
PAPER - II
Contract - II

**(Sections 124 to 238 of Contract Act, 1872 Sale of Goods Act
1930 And Partnership Act, 1932)**

M.M. 100

A. Indian Contract Act 1872 (Sections 124 to 238):

(1) Indemnity -

- (a) Need for indemnity to facilitate commercial transactions.
- (b) Methods of creating indemnity obligations.
- (c) Definition of indemnity.
- (d) Nature and extent of liability of the indemnifier.
- (e) Situations of various types of indemnity creations.
- (f) Documents/ agreements of indemnity.
- (g) Indemnity in cases of international transactions.
- (h) Indemnity by government during interstate transactions.

(2) Guarantee -

- (a) Definition of guarantee: as distinguished from indemnity.
- (b) Basic essentials of a Valid guarantee contract.
- (c) Position of minor and validity of guarantee when is the principal debtor, creditor and surety.
- (d) Continuing guarantee.
- (e) Nature of surety's liability.
- (f) Illustrative situations of existence of continuing guarantee.
- (g) Creation and identification or continuing guarantee.
- (h) Right of surety.
- (i) Position of surety in the eye of law.
- (j) Various judicial interpretations to protect the surety.

- (k) Co-surety and manner of shaving liabilities and rights.
 - (l) Extent of surety's liability.
 - (m) Discharge of surety's liability.
 - (3) **Bailment -**
 - (4) **Pledge.**
 - (5) **Agency.**
- B. Sale of Goods Act 1930 with the special reference of the following -**
 Concept of Sale as a contract. Nature and Subject Matter.
 Essentials of contract of Sale, Transfer of Property or Goods between buyer and seller. Caveat Emptor, Transfer of Title, Delivery of goods. Unpaid seller, Performance of Contract, Breach of Contract.
- C. Partnership Act. 1932 with the special reference of the following:**
 Definition, Nature and legal aspects. Relationship among partners. Relation of Partners/Partner with others. Authority of partner, Duty of Partner, Incoming & outgoing partner. Death of the Partner, Registration of partnership firm. Dissolution of firm.
- Leading Cases:**
1. Commissioner of Income Tax Vs. M/s. Omprakash Premchandra Company, Indore (1996), MPLJ 876.
 2. Smt. Phuljhari Devi Vs. Mithai Lal and others. AIR 1971 Allahabad 494.
 3. Bhuwanilal Vs. Bhoor Singh. MPWN (1986) (11) 50.
- Books Recommended :**
1. Indian Contract Act by Mulla (Student Edition).
 2. Sale of Goods Act, 1930.
 3. Partnership Act., 1932.

LL.B Part II
(SECOND SEMESTER)
PAPER - III
Environmental Laws
(Laws for the protection of Wild life and Welfare of other
living creatures and Animals)

M.M. 100

- 1. Concept of environment and pollution :**
 - a. Environment: Meaning and contents
 - b. Pollution : Meaning, Kinds of pollution. Effects of pollution.
- 2. Constitutional Perspectives:**
 - a. Directive Principles.
 - b. Fundamental Duty.
 - c. Fundamental Right.
 - d. Right to clean & healthy environment.
- 3. Environment Protection :**
 - a. Protection Agencies : Powers and Function.
 - b. Protection : Means and Sanctions.
- 4. The Environment Protection Act 1986.**
- 5. Water (Prevention and Control of Pollution) Act. 1974 and Air (Prevention and Control of Pollution) Act. 1981. With special reference to:**
 - a. Meaning and Standards.
 - b. Culprits and victims.
 - c. Offences and Penalties.
 - d. Judicial Approach.
- 6. Noise Pollution :**
 - a. Legal Control.
 - b. Court's of Balancing : Permissible and impermissible Noise.

7. Wild Life (Protection) Act, 1972. With special reference to :

- a. Wild Life.
- b. Sanctuaries and national Parks.
- c. Licensing of Zoos and Parks.
- d. State Monopoly in the sale of Wild life and Wild life articles.
- e. Offences against wild life.

8. The Prevention of Cruelty to Animals Act, 1960.

Leading Cases:

1. M.C. Mehta Vs. Union of India AIR SC 382.
2. Mandu Distilleries Pvt. Ltd. Vs. Pradooshan Niwaran Mandal AIR 1995 M.P. 57.
3. Moorena Mandal Sahkari Sakhar Karkhana and other Vs. M.P. Board for Prevention and Control of Water Pollution Bhopal 1993 MPLJ 487.
4. Santosh Kumar Gupta Vs. Secretary Ministry of Environment New Delhi 1997 (2) 602 AIR 1998 (M.P) 43.

Books Recommended:

- (1) The Environment Protection Act, 1986.
- (2) The Air (Prevention and Control of Pollution) Act, 1981.
- (3) Water (Prevention and Control of Pollution) Act. 1974.
- (4) The Wild-Life Animal (Protection) Act. 1972.
- (5) Prevention of cruelty to Animal Act 1960.
- (6) R.B. Singh & Suresh Misra, Environmental Law in India (1996), Concept Publishing Co., New Delhi.
- (7) Kailash Thakur, Environmental Protection Law and Policy in India (1997), Deep & Deep Publications, New Delhi.
- (8) Indian Journal of Public Administration, Special Number of Environment and Administration, July-September 1988. Vol. XXXV, No. 3, pp. 353-801.

LL.B Part II
(SECOND SEMESTER)
PAPER-IV
LAND LAWS

(C.G. Land Revenue Code 1959 And Indian Registration Act 1908).

M.M. 100

- (1) Chhattisgarh Land Revenue Code 1959.
- (2) Indian Registration Act, 1908.

Leading Cases -

- (1) Harprasad B. Horelal Vs Board of Revenue (1964) M.P.L.J. 370.
- (2) Nandoo Vs Babu and others (1965) M.P.L.J. 178.
- (3) ManMohan Lal Shukia Vs Board of Revenue (1964) M.P.L.J. 32.
- (4) Santosh Jayaswal and others Vs state of M.P and others J.LJ 1966 S.C.152.

Books Prescribed -

- (1) Chhattisgarh Land Revenue Code 1959.
- (2) Indian Registration Act 1908.
- (3) Chhattisgarh Land Revenue Code -
H.K. Mishra & Aashutosh Divedi (India Publishing Co.)

L.L.B.PART –III
(FIRST SEMESTER)
PAPER -1

LEGAL LANGUAGE AND GENERAL ENGLISH

M.M. 100

- 1. Legal Language: 10 Marks**
Legal terminology. Legal terms - meaning.
Explanation of the following Latin Glossary/Maxims either in English or Hindi-Ab-initio, Ad hoc, Ad-interim, Ad-litem guardian, Actus non-faciet reum nisi mens sit rea, Abuse of process, Injuria sine Damnum, Damnum sine injuria, Novus actus interveniens, Respondent superior, Res Ipsa loquitur, Restitution in integrum, Caveat emptor, Res- judicata, Prima facie, Malafides, Bonafides, Expost facto, Ex-parte, Ex-gratia, Tresspass-ab-initio, Sine-die, Non-compos mentis, Nemo-dat-quod-non habeat.
- 2. Abbreviation of Law Magazines & Journals: 10 Marks**
The following Abbreviations are prescribed for study.
AIR, S.C.C., M.P.L.J., J.L.J., M.P.W.N., Cal. LR, S.C.R, S.C.W.R., AL.I.L.J., Cal. L.J., O.LR, Cr. L.J., All L.J., I.B. Rev., I.L.R., AI. Cr. C., S.C.J., I.T.R., I.T.J., Bomb. L.R., An. L.T.
- 3. Translation of the Hindi passage into English : 10 Marks**
- 4. Proficiency in regional language : Translation of the English passage into Hindi. 10 Marks**
- 5. Precise writing. 10 Marks**
- 6. Essay writing on the following topics of legal interest : 30 Marks**
Marriage under Hindu Law, Marriage and Divorce under Mohmmedan Law, Essentials of a valid contract, Master's liability under the law of Tort, Right of private defense under Criminal Law, Fundamental Rights under the Indian Constitution, Emergency provisions, Theories of punishment, Independence of Judiciary.
- 7. General English: 20 Marks**
Gender, Number (Singular, Plural), Article, Tenses, Active and Passive voice, Preposition, Narration, One word Substitution, Antonyms and synonyms, Correction of Common Errors.

L.L.B.PART –III
(FIRST SEMESTER)
Paper-II
CIVIL PROCEDURE CODE AND LIMITATION ACT

M.M. 100

1. Introduction:

Concepts.

Decree - holder, judgment - debtor, Mesne profits, Plaint,

Written statement. Affidavit, Judgment, Decree, Order,

Execution , Restitution.

Distinction between decree and judgment and between decree and order.

2. Jurisdiction:

Kinds - Hierarchy of courts, Suit of civil nature - scope and limits.

Ressubjudice and Resjudicata. Foreign judgment - enforcement.

Place of suing.

Institution of suit- Parties to suit: Joinder, mis-joinder or non-joinder of parties-representative suit. Frame of suit: Cause of action.

Alternative disputes resolution (ADR). Summons. Transfer of suits.

3. Pleadings:

Rules of pleading, signing and verification. Alternative pleadings.

Construction of pleading, Plaint: particulars. Admission, return and rejection. Settlement of Issues. Written statement/particulars, rules of evidence. Set off and counter claim : Distinction, Discovery, inspection and production of documents. Interrogatories. Privileged documents. Affidavits.

4. Appearance, examination and trial :

Appearance: Ex-parte procedure. Summary and attendance of witnesses.

Trial. Adjournments. Interim orders: commission arrest or attachment before judgment, injunction and appointment of receiver, Interests and costs, Judgment & Decrees.

5. Execution:

The concept, General principles. Power for execution of decrees, Procedure for execution (ss. 52-54). Enforcement, arrest and detention (ss. 55-59). Attachment (ss. 60-64). Sale (ss. 65-97). Delivery of property, Stay of execution.

6. Suits in particular cases:

By or against government (ss. 79-82). By aliens and by or against foreign rulers or ambassadors (ss.83-87A). Public nuisance (ss. 91- 93). Suits by or against firm. Suits in forma pauperis. Mortgages. Inter pleader suits. Suits relating to public charities.

7. Appeals :

Appeals from original decree, Appeals from appellate decree, Appeals from orders, General provisions relating to appeal, Appeal to the Supreme Court.

8. Review, Reference and revision , Temporary injunction.

9. Miscellaneous:

Transfer of cases, Restitution, Caveat, Inherent powers of courts.

10 Law of Limitation :

Indian Limitation Act 1963 (Section 1 to 24 only).

Books Recommended:

1. Mulla, Code of Civil Procedure (1999), Universal, Delhi.
2. C.K. Thacker, Code of Civil Procedure (2000), Universal, Delhi.
3. M.R. Mallick (ed.), B.B.Mitra on Limitation Act (1998), Eastern, Lucknow.
4. P.K. Majumdar and R.P. Kataria, Commentary on the Code of Civil Procedure, 1908(1998), Universal, Delhi.
5. A.N. Saha, The Code of Civil Procedure (2000), Universal, Delhi.
6. Sarkar's Law of Civil Procedure, Vols.(2000), Universal, Delhi.
7. Universal's Code of Civil Procedure(2000).

Leading Cases:

1. Pir Gouda Hangouda Patil Vs. Kalgauda Sidha Gound and others. AIR - 1957. S.C. 363.
2. Tek Bahadur Bhujil Vs. Devi Singh & Others. AIR 1966. S.C.292,
3. Kiran Singh & Others Vs. Chaman Paswan & Others. AIR 1954 S.C. 340.
4. M.P. Shrivastava Vs. Beena . AIR 1967 S.C. 1193.

L.L.B.PART –III
(FIRST SEMESTER)
PAPER-III

TRANSFER OF PROPERTY ACT & INDIAN EASEMENT ACT

M.M. 100

1. Transfer of Property Act. 1882.
2. Indian Easement Act. 1882.

Book Recommended :

1. Transfer of Property Act. by Mitra.
2. . Transfer of Property Act. by Mulla.
3. Law of Easement by T.S. Dessai.
4. संपत्ति अंतरण विधि – जी.पी. त्रिपाठी

Leading Cases:

1. Nain Sukh Das Steonarayan Vs. Goverdhan Das. AIR 1948. Nag.110
2. Associated Hotel of India Vs. R.N. Kapoor. AIR 1959. S.C.1262.
3. Jama Masjid Vs. Roiamaniandra Devish other. AIR 1962. S.C.847.
4. Murarilal Vs. Deokaran. AIR 1965 S.C. 225.

L.L.B.PART –III
(FIRST SEMESTER)

PAPER-IV
TAXATION LAWS

(Indian Income Tax Act. 1961 and Chhattisgarh Value Added Tax Act 2005)

M.M. 100

A. Indian Income Tax Act, 1961 (as amended). The following chapters are prescribed :

- Chapters - I, II, III, IV, V and VI.
 - Chapter - VI (A) (Section 80 A to 80 G and 80 G to 80 Q only).
 - Chapters - XIII and XIV
 - Chapter - XV (Section 159 to 162,170,175 only).
 - Chapter - XVI.
 - Chapter - XVII (Section 220 only).
 - Chapter - XX (Section 246 to 269 only).
 - Chapter - XXI.
 - Chapter - XXII (Sections 275 to 280 only).
- Excluding quantum of Punishment.

B. The Chhattisgarh Value Added Tax Act, 2005 :

(Sections 01 to 64 only)

Excluding Sections 17, 39 to 47 and Schedules.

Leading Cases:

1. Commissioner of I.T. (W.B.)Vs. Anwar Ali. AIR 1970 S.C. 1782.
2. Gowli Budanna Vs. Commissioner I.T. (Mysore). AIR. 1966 S.C. 1523.
3. Kyalsa Sara Bhai Vs. Commissioner I.T. (Hyderabad). AIR. 1996. S.C. 1141.

Book Recommended:

1. Indian Income Tax Act. 1861 (As amended up to date).
2. C.G. VAT 2005.

L.L.B.PART –III
(FIRST SEMESTER)
PAPER-V
PRACTICAL TRAINING (SESSIONAL)
DRAFTING, PLEADING AND CONVEYANCING

100 Marks

This course will be taught through class instructions and simulation Exercises, preferably with assistance of practicing lawyer, retired judges, Apart from teaching the relevant provisions of law, the course will include 15 exercise in drafting carrying a total 45 marks and 15 exercises in conveyancing carrying another 45 marks (3 marks for each exercise)

Note:

1. Drafting:

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

2. Pleading:

Civil, Plaint, Written Statement, Interlocutory Application, Execution Petition and Memorandum of Appeal and Revision. Petitions under Articles 226 and 32 of the Constitution of India.

Criminal:

Complaints, Criminal Miscellaneous Petition, Bail application, Memorandum of Appeal and Revision.

3. Convincing:

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

The remaining 10 marks will be given in a viva-voice examination which will test the understanding of legal practice in relation to drafting, pleading and convincing.

Book Recommended :

1. Moghas Pleading
2. Moghas Conveyancing.
3. अभिवचन एवं प्रलेखन शास्त्र—बसंतीलाल बावेल
4. दस्तावेज लेखन विधि—राजाराम यादव

L.L.B.PART –III
(SECOND SEMESTER)

PAPER - I

**JURISPRUDENCE, LEGAL THEORY AND
COMPARATIVE LAW**

M.M. 100

1. Introduction:

Meaning of the term 'Jurisprudence'. Scope of Jurisprudence. Nature and definition of Law.

2. Schools of Jurisprudence:

3. Various theories of Law, Thinkers and Jurists.

4. Purpose of Law:

Justice. Meaning and kinds, Justice and law: approaches of different schools, Power of Supreme Court of India to do complete justice in a case : Article 142.

5. Administration of Justice:

6. Sources of Law:

Legislation, Precedents: concept of stare decisis, Customs.

7. Legal rights :

The concept: Rights: kinds, Right duty correlation.

8. Persons: Nature of Personality, Status of unborn, minor lunatic and dead persons. Corporate personality.

9. Possession : The concept: Kinds of Possession.

10. Ownership: The concept: Kinds of Ownership. Deference between possession and ownership.

11 Title.

12. Property :

The concept: Kinds of Property

13. Liability:

Conditions for imposing liability, Wrongful Act, Damnum sine injuria, Mensrea, intention, Negligence, Strict Liability, Vicarious Liability.

14. Obligation.

15. Procedure:

Substantive and procedural laws: difference. Evidence: Nature and kinds.

16 Comparative Law :

The nature and scope of comparative law. The importance and utility of comparative law. Historical Development.

17. World's Major Legal System :

An overview : Hindu Law, Islamic Law, Roman Law.

Books Recommended:

1. R.W.M. Dias - Jurisprudence.
2. Pation - Jurisprudence.
3. Hart - The Concept of Law.
4. Salmond - Jurisprudence.
5. एन.व्ही. परांजपे – विधिशास्त्र एवं विधि के सिद्धांत
6. विधिशास्त्र – मंजूपूरिया (हिन्दी ग्रंथ अकादमी)
7. V.D. Mahajan - Jurisprudence & Legal Theory.

L.L.B.PART –III
(SECOND SEMESTER)
PAPER -II
INTERPRETATION OF STATUTES AND GENERAL
CLAUSES ACT 1897

M.M. 100

1. Interpretation of Statutes:

Meaning of the term statutes, Commencement, operation and repeal of statutes, Purpose of interpretation of statutes.

2. Aids of Interpretation:

Internal aids : Title Preamble, Headings and marginal notes. Sections and sub-sections, Punctuation marks, Illustrations. Exceptions, Provisos and saving clauses, Schedules, Non-obstante clause.

External aids : Dictionaries, Translations, Travaux preparatoires, Statutes in pari materia, Contemporanea expositio, Debates, inquiry commission reports, and Law Commission reports.

3. Rules of Statutory Interpretation:

Primary rules-Literal rule, Golden rule, Mischief rule (rule in the Heydon's case), Rule of harmonious construction, Secondary rules, Noscitur a sociis, Ejusdem generis, Reddendo singula singulis.

4. Presumptions in statutory interpretation.

Statutes are valid, Presumption as to jurisdiction, Presumption against what is inconvenient or absurd, Presumption against intending injustice, Presumption against impairing obligations or permitting from ones own wrong, Prospective operation of statutes.

5. Maxims of Statutory Interpretation:

Delegatus non potest delegate., Expressio unius exclusio alterius, Generalia specialibus non derogant, In pari delicto potior est conditio possidentis, Utresvaletpotiorquam pareat, Expressum tacit cessare taciturn, Jure Nature sunt immutabilia.

6. Interpretation with reference to the subject matter and purpose:

Restrictive and beneficial construction. Welfare legislation. Interpretation of Directory and mandatory provisions, Interpretation of enabling statutes.

7. Principles of Constitutional Interpretation:

Harmonious Construction, Doctrine of pith and substance.

Colourable legislation, Ancillary powers, Residuary power, Doctrine of repugnancy, Doctrine of eclipse, Doctrine of severability.

8. General Clauses Act 1897 (Excluding section 2,5A, 13A, 30A&31).

Books Recommended.

1. G P.Singh .Principles of Statutory Interpretation (7th Edition)1999, Wadhwa. Nagpur,
2. P. St. Langan (ed.) Maxwell on the Interpretation of Statutes (1976), N.M.Tripathi, Bombay.
3. K. Shanmukham, N.S. Bindra's Interpretation of Statutes (1997), The Law Book Co, Allahabad.
4. V. Sarathi, Interpretation of Statutes (1984), Eastern Lucknow.
5. M.P. Jain Constitutional Law of India (1994) .Wadhwa & Co.
6. M.P. Singh, (ed) V.N. Shukla's Constitution of India (1994) Eastern Lucknow.
7. U.Baxi Introduction to justice K.K. Mathew's Democracy Equality and Freedom (1978), Eastern, Lucknow.
8. General Clauses Act. 1897.
9. कानूनों का निर्वचन – दान सिंह चौधरी
10. संविधियों की व्याख्या – एम.पी. टण्डन.

L.L.B.PART –III
(SECOND SEMESTER)
PAPER -III
COMPANY LAW

M.M. 100

1. Meaning of Corporation:

Theories of corporate personality, Creation and extinction of corporations.

2. Forms of Corporate and Non-Corporate Organisations:

Corporations, partnership and other associations of persons, state corporations, government Companies and Small - scale, Co-operative, Corporate and Joint sector.

3. Law relating to companies-Public and private-Companies Act, 1956

Need of company for development, formation of a Company, Registration and Incorporation.

Memorandum of association - various clauses - Alteration therein -doctrine of ultravires.

Articles of association - binding force - alternation - its relation with memorandum of association - doctrine of constructive notice and indoor management - exceptions.

Prospectus - issue - contents - liability for misstatements-statement in lieu of prospectus.

Promoters-Position-duties and liabilities

Shares- General principles of allotment statutory restrictions-share certificate its objects and effects"- transfer of shares-restrictions on transfer - procedure for transfer - refusal of transfer-role of public finance institutions, relationship between transferor and transferee - issue of shares at premium and discount - depository receipts-dematerialized shares (DEMAT)

Shareholder - who can be and who cannot be a shareholder – modes of becoming a shareholder -calls on shares- forfeiture and surrender of shares - lie on shares.

Share capital - Kinds - alteration and reduction of share capital - further issue of capital - conversion of loans and debentures into capital- duties of courts to protect the interests of creditors and share holders.

Directors -Position - appointment - qualifications - vacation of office-removal - resignation - powers and duties @f directors - meeting, registers, loans - remuneration of directors - role of nominee directors –compensation

for loss of office - managing directors - compensation for loss of office managing directors and other managerial personnel.

Meetings - Kinds - Procedure - voting.

Dividends - payments - capitalization - profit.

Audit and accounts

Borrowing powers - powers - effect of unauthorised borrowing charges and mortgages- loans to other companies – investments contracts by companies.

Debentures- meaning - fixed and floating charge – kinds debentures - Share holder and debenture holder-remedies of debenture holders.

Protection of minority rights.

Protection of oppression and mismanagement - who can apply ? Powers of the company. Court and the central government Investigation - powers.

Private companies - nature and advantages- government companies holding and subsidiary companies.

Regulation and amalgamation.

Winding up types by court reasons - grounds who can apply procedure powers of Liquidator - powers of court - consequences of winding up order - voluntary winding up by members - payment of liabilities - preferential payment, unclaimed dividends - Winding up of unregistered company.

4. Corporate Liability :

Legal Liability of companies civil and criminal.

Remedies against them civil, Criminal and tortious - Specific Relief Acts. Writs, Liability under special status.

Book Recommended :

1. AvtarSingh, Indian Company Law (1999), Eastern Lucknow.
2. L.C.B. Gower, Principles of Modern Company Law (1997) Sweet and Maxwell, London.
3. Palmer, Palmer's Company Law (1987), Stevens. London.
4. R.R. Pennington, Company Law (1990). Butterworths.
5. A. Ramaiyya, Guide to the Companies, Act, (1998), Wadha.
6. S.M. Shah. Lectures on Company Law (1988), Tripathi, Bombay.

L.L.B.PART –III
(SECOND SEMESTER)
PAPER- IV
INTERNATIONAL LAW AND HUMAN RIGHTS

M.M. 100

1. Sources of International Law.
2. Development of International Law.
3. Status of individual in International Law.
4. Recognition of states and its consequences
5. Terrorism and Intervention.
6. Asylum, Extradition, Blockade, Nationality, Neutrality, Treaties.
7. U.N.O and Its Organs.
8. Diplomatic Agents.
9. Health Care, U.N.I. C.E.F.
10. Law of Sea, Continental shelf, jurisdiction of Territorial waters, Sea piracy
11. Human Rights .Indian Traditional concept of Natural rights.
12. Human Rights in Indian law and International Law (Specially in the Indian Constitution.)
13. Human Rights Act. 1993.

Leading Cases:

1. ManekaGandhi Vs. Union of India AIR 1978 S.C. 597.
2. Wikram Deo Singh Tomer Vs. State of Bihar. AIR 1988 S.C. 1782.
3. Anglo Norwegian Fisheries Case 19511.C.J. Reb. 166.
4. Cable & Wireless Co. Ltd. Vs Haitelesassie. 54 AIR 629.

Books Recommended :

1. Public International Law by S.K. Kapoor.
2. International law of Human Rights (O.U. P.) by Sieghart Paul.
3. Human rights in State of Emergency in International Law (O.U.P.) by Orra Jaime.
4. International Law & Fact finding in the field of human rights by Ramchandran. B.C.(Ed).
5. Human Rights in India. (Amnesty International)
6. अंतर्राष्ट्रीय विधि – इंद्रजीत सिंह
7. मानव अधिकार संरक्षण अधिनियम–बसंतीलाल बावेल
8. अंतर्राष्ट्रीय विधि – एस.के. कपूर

L.L.B. PART –III
(SECOND SEMESTER)
PAPER-V
PRACTICAL TRAINING (SESSIONAL)
MOOOT COURT EXERCISES AND INTERNSHIP

100 Marks

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

(a) Moot Court (30 marks)

Every student will do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problems. It will be evaluated for 5 marks for written submission and shall be in the form of the written test organized by the college. The duration of the test will be one and half hours (90 Minutes)

(b) Observance of Trial in two cases, one Civil and one Criminal (30 marks) :

Students will attend two trials. They will maintain a record and enter the various steps observed during their attendance of different days in the court assignment. This scheme will carry 30 marks. (20 mark for diary and 10 Marks for written test.)

(c) Interviewing techniques and Pre- Trail Preparation (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 on the procedure for the filling of the suit/petition. This will be in the form of written test.

(d) The fourth component or this paper will be Viva Voce examination of all the above three aspects. This will carry 10 marks.