

GUIDELINES FOR ADMISSIONS
AND SYLLABUS OF LAW COURSES
FOR THE SESSION
2020 -2021

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DR. BHIMRAO AMBEDKAR LAW UNIVERSITY, JAIPUR, RAJASTHAN
(A STATE GOVT. UNIVERSITY OF RAJASTHAN ESTABLISHED
UNDER THE ACT NO. 6 OF 2019)

FACULTY OF LAW

CURRICULUM OF UNDERGRADUATE / POSTGRADUATE DEGREE
COURSES OF LAW 2020 -21

COURSES OF LAW, ELIGIBILITY FOR ADMISSION, COURSE
COMPONENT, CURRICULUM FOR AFFILIATED LAW COLLEGES
(GOVT./PRIVATE) IN THE STATE OF RAJASTHAN

FOR THE SESSION 2020 -2021
FIVE YEARS B.A. LL.B. (INTEGRATED COURSE)
THREE YEARS LL.B. COURSE - (BACHELOR OF LAWS)
TWO YEARS LL.M. COURSE AND
ONE YEAR POSTGRADUATE DIPLOMA COURSES

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CHAPTER – I

GUIDELINES FOR ADMISSIONS AND SYLLABUS OF LAW COURSES FOR THE SESSION 2020 -2021

THE TERM UNIVERSITY WHEREVER MENTIONED IN THIS DOCUMENT MEANS AND DENOTES HEREINAFTER ‘THE STATE UNIVERSITIES OF RAJASTHAN’.

UNDERGRADUATE / POSTGRADUATE DEGREE COURSES OF LAW

1. UNDERGRADUATE DEGREE COURSES OF LAW:

There shall be two undergraduate degree courses of law leading to Bachelor’s Degree in Law as hereunder:

(I) FIVE YEARS B.A.LL.B. INTEGRATED COURSE (SEMESTER SCHEME):

It shall be Integrated Five Years Course in Arts and Law. The Course shall be divided into ten semesters.

(II) THREE YEARS LL.B. COURSE (ANNUAL SCHEME):

It shall be three years degree course in Law. The course shall be divided into three academic sessions.

THE AFFILIATED COLLEGE MAY CHOOSE BOTH OR ANY OF THE ABOVE UNDERGRADUATE DEGREE COURSES OF LAW SUBJECT TO THE NUMBER OF SEATS AND SECTIONS APPROVED BY THE UNIVERSITY AND THE GOVERNMENT OF RAJASTHAN.

2. POSTGRADUATE DEGREE COURSES OF LAW:

There shall be two postgraduate courses of law as hereunder:

(I) TWO YEARS LL.M. COURSE (ANNUAL SCHEME):

It shall be two years course in Law. The Course shall be divided into two academic sessions leading to the Master’s Degree of Law.

(II) ONE YEAR POSTGRADUATE DIPLOMA COURSES IN LAW (ANNUAL SCHEME):

It shall be one year postgraduate diploma course in Law.

3. OBJECTIVES OF CURRICULUM:

The objectives of curriculum of courses of law are:

(I) To orient legal education by providing sufficient and variable opportunities to the students for extensive as well as intensive study of law.

(II) To well equip the students with (a) knowledge of law, (b) practical application of law, (c) analytical thinking and logical reasoning, (d) effective communication skill.

(III) To meet the needs of contemporary requirements of Bar, Bench and Industry in the economic era of Globalisation.

(IV) To educate them of diverse backgrounds to become effective, ethical and expert personage who are employable in a variety of legal fields.

4. EXTENT AND APPLICATION OF CURRICULUM:

The rules as to eligibility for admission, course component, curriculum for B.A.LL.B., LL.B., LL.M. and P.G. Diploma Courses given herein shall be applicable initially for the First Year of B.A.LL.B., LL.B., LL.M. and P.G. Diploma Courses at the entry point of the courses and shall come into force w.e.f. the academic year 2020 - 2021. The entire programme shall be introduced in a prescribed and phased manner as given below:

PART - A

I. B.A.LL.B. FIVE YEARS INTEGRATED COURSE (SEMESTER SCHEME):

S. NO.	CLASS OF COURSE	YEAR OF APPLICATION
(1)	First Year of B.A.LL.B. (Two Semesters)	2020-2021
(2)	Second Year of B.A.LL.B.(Two Semesters)	2021-2022
(3)	Third Year of B.A.LL.B. (Two Semesters)	2022-2023
(4)	Fourth Year of B.A.LL.B. (Two Semesters)	2023-2024
(5)	Fifth Year of B.A.LL.B. (Two Semesters)	2024-2025

II. LL.B. THREE YEARS COURSE (ANNUAL SCHEME):

S. NO.	CLASS OF COURSE	YEAR OF APPLICATION
(1)	First Year of LL.B.	2020-2021
(2)	Second Year of LL.B.	2021-2022
(3)	Third Year of LL.B.	2022-2023

PART - B

I. LL.M. TWO YEARS COURSE(ANNUAL SCHEME):

S. NO.	CLASS OF COURSE	YEAR OF APPLICATION
(1)	First Year of LL.M.	2020-2021

(2) Second Year of LL.M. 2021-2022

II. POST GRADUATE DIPLOMA ONE YEAR COURSE (ANNUAL SCHEME):

S. NO.	CLASS OF COURSE	YEAR OF APPLICATION
(1)	Post Graduate Diploma (One Year)	2020-2021

THERE SHALL BE THE FOLLOWING THREE POST GRADUATE DIPLOMA COURSES OF ONE YEAR–

1. POST GRADUATE DIPLOMA COURSE IN LABOUR LAW, LABOUR WELFARE AND PERSONNEL MANAGEMENT
2. POST GRADUATE DIPLOMA COURSE IN CRIMINOLOGY AND CRIMINAL ADMINISTRATION
3. POST GRADUATE DIPLOMA COURSE IN FORENSIC SCIENCE AND CRIMINAL INVESTIGATION

PART –I

ELIGIBILITY OF ADMISSION:

I.(i)B.A.LL.B FIVE YEARS INTEGRATED COURSE (SEMESTER SCHEME) /(ii) LL.B. THREE YEARS COURSE (ANNUAL SCHEME)

II. (i) LL.M. TWO YEARS COURSE/(ii) POST GRADUATE DIPLOMA ONE YEAR COURSE (ANNUAL SCHEME)

The following instructions are mandatory and shall be applicable to all the courses of Law (UNDER GRADUATE AND POST GRADUATE COURSES)

- (A) Admission shall be made on the basis of merit and in accordance with the rules made there by the competent authority for this purpose.
- (B) (i) There shall be reservation of seats in Under Graduate and Post Graduate Courses in the courses of Law for S.C. 16% and S.T. 12%; O.B.C. 21%;M.B.C. 5%

(ii)Economically Weaker Section (E.W.S.)10% (Ten Percent)subject to the provisions of Bar Council of India (B.C.I.) such admission shall be made over and above the existing sanctioned and approved seats to the college/Department by the Government of Rajasthan, University and B.C.I.

No relaxation shall be provided in the minimum eligibility prescribed for admission in B.A.LL.B. and LL.B. Courses whereas Five Percent (05)% relaxation in the minimum eligibility shall be provided for the admission in LL.M. Part - I.

(C) MISCELLANEOUS RULES FOR ADMISSION:

- (i) Such minimum qualifying marks shall entitle a person to get admission into an institution or college subject to the fulfilment of other criteria(s) notified by the institution / college concerned or by the University or by the Bar Council of India or by the government concerned from time to time to apply for admission.
- (ii) The eligibility for admission, for any class / year other than first year / class of any law course, of a student migrating / transferring from any other recognized University to this University shall be subject to the rules of this University made from time to time.
- (iii) The rules given herein are for the general understanding of the candidates. However, the admission to (i) First Year of B.A. LL.B. and (ii) First Year of LL.B. shall be subject to the rules made and conditions prescribed, from time to time, by the University, State Government, Bar Council of India, University Grants Commission, or any other authority empowered for it.

Explanation: The candidates for Scheduled Caste, Scheduled Tribes and Other Backward Class or any other reserved classes categories should be those declared as such by the State of Rajasthan.

No student shall be allowed to simultaneously register for a Law degree Programme with any other graduate or postgraduate course run by the same or any other University or an Institute for academic or professional learning.

NO ADMISSION SHALL BE MADE BY ANY AFFILIATED COLLEGE AFTER 30th DECEMBER OF THE YEAR WITHOUT THE APPROVAL OF THE UNIVERSITY IF IT IS REQUIRED.

CONSESSIONS IN ADMISSIONS:

It shall only be considered and provided in the merit list (no relaxation in the minimum eligibility of the admission in all the respective law courses) in accordance to the rule 6.1 to 6.7.11 of Part VI mentioned in Admission Policy of Government of Rajasthan for academic session 2020-21.

1. (I) B.A.LL.B. FIVE YEARS (INTEGRATED COURSE) / (II) LL.B. THREE YEARS COURSE

(I). B.A.LL.B. COURSE:

ELIGIBILITY FOR ADMISSION:

(i) An applicant who has completed Senior Secondary School Course (10+2) or equivalent (such as 11+1, 'A' level in Senior School Leaving Certificate Course) from a recognized University of India or outside or from a Senior Secondary Board or equivalent, constituted or recognized by the Union or by a State Government or from any equivalent institution from a foreign country recognized by the government of that country for the purpose of issue of qualifying certificate, on successful completion of the course, may apply for and be admitted to (i) First Year of B.A.LL.B.

Provided that applicants who have obtained 10+2 Higher Secondary School Certificate or First Degree Certificate after prosecuting studies in distance or correspondence method shall also be considered as eligible for admission to First Year of B.A.LL.B.

Explanation: The applicant who have obtained 10+2 through open Universities system directly, without having any basic qualifications for prosecuting such studies are not eligible for admission in this course.

(ii) Candidate passing Higher Secondary School Certificate Examination (10+2) or its equivalent, as prescribed by the Bar Council of India or the University, with a minimum of 50 % marks shall be eligible to apply for admission to First Year of B.A.LL.B. There shall be a relaxation of 5% marks in case of Scheduled Caste and Scheduled Tribe and 3% for Other Backward Class candidates.

PART – II

COURSE COMPONENTS:

- I. B.A.LL.B. FIVE YEARS (INTEGRATED DEGREE COURSE)**
- II. LL.B. THREE YEARS DEGREE COURSE**
- III. LL.M. TWO YEARS POST GRADUATE DEGREE COURSE**
- IV. POST GRADUATE DIPLOMA ONE YEAR COURSE**

1. I. B.A.LL.B. FIVE YEARS (INTEGRATED COURSE)

SYLLABUS AND COURSE CONTENT OF B.A.LL.B. FIRST SEMESTER –

PAPER 1.1.:	GENERAL ENGLISH
PAPER 1.2. :	POLITICAL SCIENCE - I
PAPER 1.3. :	GENERAL PRINCIPLES OF SOCIOLOGY
PAPER 1.4. :	LAW OF TORTS - I
PAPER 1.5. :	LAW OF CONTRACT [GENERAL PRINCIPLES OF CONTRACT AND SPECIFIC RELIEF ACT, 1963]

SYLLABUS AND COURSE CONTENT OF B.A.LL.B. SECOND SEMESTER –

PAPER 2.1.:	ENGLISH FOR LAW
PAPER 2.2. :	POLITICAL SCIENCE - II
PAPER 2.3. :	THEORITICAL PERSPECTIVES OF SOCIOLOGY
PAPER 2.4. :	LAW OF TORTS - II
PAPER 2.5. :	SPECIAL CONTRACTS [SALE OF GOODS ACT, 1930, INDIAN PARTNERSHIP ACT, 1932, LIMITED LIABILITY PARTNERSHIP ACT, 2008]

PAPER 1.1.

ENGLISH - I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The course aims at enhancing verbal and non-verbal skills of law students with focus on Reading skills. The exposure to close reading of the reference books and journals would enable them to hone their empathetic skills, study skills and writing skills.

UNIT – I

The Joy of Reading (Orient Longman): The following stories-(a) “An Astrologer’s Day” R.K. Narayan (b) “The Child” Premchand “The Gift of the Magi” O. Henry

Language and Grammar: Defining Language, Nature of Language; Linguistic Competence (Introductory);

Grammar and Usage - Sentence Structure- Subject and Predicate; Concord; Tenses; Use of Articles; Accurate Use of Prepositions; Making Questions (Why- and yes-no questions and question tags); Use of Auxiliary Verbs (making requests, suggestions, seeking permission etc.); Some Common Errors

UNIT – II

The Joy of Reading (Orient Longman): The following prose pieces-“Education: Indian and American” Anurag Mathur (1)“Bangle Sellers” Sarojini Naidu (2)“Where the Mind is Without Fear” Rabindranath Tagore

Sentence Transformation:

Active and Passive Voice; Types of Sentences (Statements, interrogative, exclamatory and imperative); Simple, Complex and Compound Sentences; Reported Speech; Syntactic Ambiguity

UNIT – III

The Joy of Reading (Orient Longman): The following poems-

“My Financial Career” Stephen Leacock; The World is Too Much with US” William Wordsworth

Communication Skills:

Communication - Verbal, Non-verbal and Written; Significance of Communication Skills for Lawyers- Listening, Speaking, Reading and Writing (Introductory); Electronic Communication and its Types (Telephone, Facsimile, E-mail, Voicemail, Teleconferencing, Video-conferencing, Word processor, Internet, Social Media); Formal Correspondence; Resume Writing, Difference between Bio-data, Resume and Curriculum-Vitae.

UNIT – IV

The Joy of Reading (Orient Longman): The following Poems-

Speech on Indian Independence Jawaharlal Nehru

(1) Sonnet: “When in disgrace...” William Shakespeare

(2) Success is Counted Sweetest” Emily Dickinson

Transformation of sentences: (a)Active/passive(b)Interrogative

UNIT – V

Tenses; Comprehension; Paragraph Writing; Punctuation; Latin Maxims; Pair of words; One-word substitution, Synonym, Antonym; Comprehension of Legal Texts; Prescribed Leading Cases; Newspaper Reading, Idioms and Phrases.

SUGGESTED READINGS:

- i. Bhatnagar, R.P. and R. Bhargava, Law and language, New Delhi: Macmillan.
- ii. Cambridge Idioms Dictionary. Singapore : Cambridge University Press, 2006.
- iii. Collins Cobuild students Grammar
- iv. Cutts Martin, The Plain English Guide, Oxford University Press, 1995.
- v. Donald, Sydney G. and Pauline E Kneale. Study Skills for Language Students. New York: OUP, 2001.
- vi. Eastwood John, Oxford Practice Grammar Oxford Uni. Publication.
- vii. Gibbons John, (ed.) Language and Law, Longman, 1996 London.
- viii. Green, David. Contemporary English Grammar Structures and Composition. Chennai: Macmillan, 1999.
- ix. Hansen, Randall S and Katherine Hansen. The Complete Idiot's Guide to Study Skills. New Delhi: Penguin Books, 2008.
- x. Hewings, Hartin, Advanced English Grammar, Cambridge University Press

PAPER 1.2.

GENERAL PRINCIPLES OF POLITICAL SCIENCE

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

To establish a relationship between Political Science and Law and in the process bring out the significance of Political Science in strengthening the understanding of Law. The subject will facilitate conceptual clarity and also will provide a theoretical understanding of key themes which are central to the subject of Law. In addition to this, Political Science as an academic discipline will familiarise with ideologies which will play a vital role in moulding the thought process of law students and which will have its effect while dealing with the practical aspect of Law.

UNIT - I

Introduction to the study of Political Science/Politics; Origin, different meanings, definitions; Scope of Politics- Ancient/Greek view, Traditional view and Modern View; Significance of study of Political Science for Law.

Meaning, Scope and Nature of Political Science; Traditional and Contemporary Perspective; Behaviouralism and Post-Behaviouralism; Inter-disciplinary approach in Political Science.

UNIT - II

State: Name, Characteristics; State and Government, Theories of the Origin of State; Social Contract and Evolutionary; Organs of Government and their Functions; Theory of Separation of Powers; State and Nation and State and Society. Theories of the state; Social Contract Theory: Views of Hobbes, Locke and Rousseau: Critical appraisal of the theory; Historical/Evolutionary Theory; Marxist Theory; Sovereignty- Definitions and meaning; Internal and External Sovereignty; Types of Sovereignty; Characteristics of Sovereignty; John Austin's theory of Sovereignty; Pluralist Theory of Sovereignty;

UNIT - III

Forms of Government: Unitary and Federal; Parliamentary and Presidential; Characteristics of Unitary and Federal; parliamentary and Presidential forms of Government; Merits and Demerits of Unitary and Federal; Parliamentary and Presidential forms of Government; Concept: Liberty, Equality, Power, Authority, Law, Justice, Citizenship, Rights and Duties; Constitution and Constitutionalism.

UNIT - IV

Election Commission in India: Role of Election Commission in regulating Political Parties; Pressure Groups – Meaning and significance and functions; Election process – Understanding basic concepts- Electorate - Constituency- Universal Adult Franchise- Representation and its types

UNIT - V

Political Parties and Pressure Groups: Origin and Evolution of Political Parties; Meaning and nature of Political Parties; Structure, Power and functions of Political Parties; Types of Political Party System– Single Party System-Bi-Party System- Multi-Party System; Types of Political Parties – Indian Scenario- Umbrella Party- National Parties-State Parties-Regional Parties.

SUGGESTED READINGS:

- i. S.W. Garner, Political Science and Government
- ii. L.S. Rathore, In Defence of Political Theory
- iii. S.P. Verma, Rajniti Shastra Ke Siddhantha (Hindi)
- iv. Barker, Ernest, Principles of Social and Political Theory, Oxford University

Press, 1978.

- v. Bhargava, Rajeev and Ashok Acharya: Political Theory: An Introduction (New Delhi, Pearson Education, 2008)
- vi. Heywood, Andrew, Political Ideologies: An Introduction(London, Red Globe Press,6thed. 2017)
- vii. Hobbes, Thomas, Leviathan (England, Oxford University Press, edition 2008)
- viii. Johari, J.C. Principles of Modern Political Science (New Delhi, Sterling Publisher, 2005)
- ix. Hoffman John and Paul Graham, Introduction to Political Theory (London, Routledge, 2015).

PAPER 1.3.

GENERAL PRINCIPLES OF SOCIOLOGY

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

To introduce students with the emergence of sociology and basic concepts used in the discipline. The course content will apprise students with the relationship of Sociology and Law. It will familiarize students with the Classical Sociologists, i.e. Karl Marx, Max Weber and Emile Durkheim and to apply the formulation of these thinkers to contemporary issues. The Purpose of study is to know the basic ideas on the emergence of Sociology; Exhibit the understanding on the relationship of Sociology and Law; Express the knowledge on the foundation of sociology like society, culture, group, norms.

UNIT- I

Sociology, its meaning, Emergence of Sociology, Law and Sociology (Social change and Social Control), **Basic Concepts:** Society, Community, Institution, Association, Status, Norms, values, Mores, Customs, Sanctions, Social Structure, Social Mobility, Rural, Urban and Tribal Society (Meaning and Characteristics)

UNIT-II

Inequality, Differentiation, Ranking, Hierarchy, Social Stratification, Dimensions of Social

Stratification: Caste, Class, Race, Ethnicity and Gender. Theoretical Formulations: i) Functional Theory: Davis and Moore ii) Conflict Theory: Karl Marx

UNIT-III

Sociological Thought on Law: Emile Durkheim; Social Facts, Social Solidarity (Mechanical and Organic) Anomie; Karl Marx; law as a part of Super Structure; Max Weber: Verstehen, Ideal Type, Social action and its Types, Bureaucracy.

UNIT-IV

Law and Weaker Section: Constitutional Provisions for Scheduled Castes, Scheduled Tribes and Other Backward Classes; Atrocities against Dalits; Violence against Women.

UNIT-V

Law and Social Problems: Communalism and Communal Violence, Terrorism, Drug Abuse, Juvenile Delinquency, Child Marriage, Dowry, Widow-Remarriage, Divorce, Prostitution

SUGGESTED READINGS:

- i. Ahuja, Ram : Indian Social System, Rawat Publication, Jaipur, 1993
- ii. Baxi, Upendra. (1986). Towards the Sociology of Law. New Delhi: SatwahanPublications.
- iii. Bottomore, T.B. (1972). Sociology, A Guide to Problems and Literature. Bombay: George
- iv. Craib, Ian. (1984). Modern Social Theory. Brighton: Harvester Press.
- v. Dillon Michele. (2014). Introduction to Sociological Theory. Wiley Blackwell
- vi. Giddens, Anthony. (2001). Sociology. Cambridge: Blackwell Publishers.
- vii. Inkeles, Alex. (1987). What is Sociology?. New Delhi: Prentice- Hall of India.
- viii. Maclver, R.M. and Page, C.H. : Society : An Introductory Analysis, New york, Rinehart, 1937
- ix. Morrison, Ken. (2006). Marx, Durkheim, Weber, Formation of Modern Social Thought.
- x. Rawat, H.K. : Sociology : Basic Concepts, Rawat Publications, Jaipur 2007.

PAPER 1.4.

LAW OF TORTS - I

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

With rapid industrialization, law of tort has taken a dynamic shape and came to be used as an effective remedy against manufacturers and industrial units for their activities injurious to human beings. Product liability is now assuming a new dimension in developed economics. Hence, the basic purpose for introducing this law to the students is to make them understand the constituents of tort and its general principles.

UNIT - I

Meaning, Nature and Definition of Tort:

Development of actions in tort in England and India; Meaning, Nature and definition of tort; Tort distinguished from contract, Quasi-Contract, breach of trust and crime; Foundation of tortious liability; Kinds of Damages; Relevance of Motive in Torts and its Exceptions—wrongful act, damage and remedy; Malfeasance, Misfeasance and Non-Feasance. Joint and Several Tort Feasors; Judicial Responses; Felonious Torts.

UNIT - II

General Defences in Tort:

Volenti Non Fit Injuria, consent, voluntary assumption of risk, exclusion clauses; Vis Major (Act of God); Inevitable accident; Act of third parties; Novus Actus Interveniens; Plaintiff's wrong or default; Self-defence and Defence of Property; Necessity; Statutory Authority; Judicial and quasi-judicial acts; Parental and quasi-parental authorities; Illegality; Mistake of Fact.

UNIT - III

Damages and Remoteness of Damage; Contributory Negligence, Death as creating and extinguishing Liability

Damages: Types- General and special, nominal, contemptuous, aggravated, exemplary, Compensatory damages- Principles of causation, foreseeability, certainty, assessment and calculation of damages- principles, personal injuries, death, loss of property, economic and non-economic losses; Injunction- Permanent and Temporary, Qua-Timet Action; Replevin (Claim and Delivery); Ejectment

Extra - Judicial remedies-

Self-Defence, Re-Entry on Land, Recapture of goods, Abatement, Distress Damage Feasant.

UNIT - IV

Vicarious Liability:

Principle of Vicarious Liability - Nature, Scope and Justification; Concept of Master (Employer) and Servant (Employee) relationship; State Liability; Concept of Sovereign and Non-Sovereign Functions;

UNIT - V

Miscellaneous:

Strict Liability and its Exceptions, Absolute Liability, No-Fault Liability and their Exceptions;

LEADING CASES:

- Donogue v. Stevenson (1932) AC 562
- Indian Medical Association v. V. P. Shantha, AIR (1996) SC 558.

- Municipal Corporation of Delhi v. Smt. Subhagwati, AIR (1966) SC 17.
- N. Nagendra Rao v. State of Andhra Pradesh, AIR (1994) SC 2663.
- Rylands v. Fletcher, (1868) LP. 3 HL 330.

SUGGESTED READINGS:

- i. Avtar Singh and Harpreet Kaur, Introduction to the Law of Torts and Consumer Protection, 3rd ed, 2013, LexisNexis.
- ii. Bangia, R.K.: Law of Torts, Allahabad Law Agency, Faridabad, 2015.
- iii. Basu, D.D.: The Law of Torts, Kamal Law House, Kolkata, 2008.
- iv. Clerk and Lindsell: Torts, Sweet and Maxwell, London, 2008.
- v. Gandhi, B.M.: Law of Torts, Lucknow. Eastern Book Company, 2019.
- vi. Howarth, D. R., Hepple Howarth, and Mathews. Tort: Cases & Materials. London: Oxford University Press, 2005.
- vii. Iyer, Ramaswamy: Law of Torts, New Delhi. Lexis Nexis Butterworth, 2007.
- viii. Kapoor, S.K.: Law of Torts, Allahabad. Central Law Agency, 2018.
- ix. Pandey, J.N. & Pandey, Vijay K.: Law of Torts, Allahabad. Central Law Publications, 2019.
- x. Salmond on the Law of Torts, Sir John William Salmond, R. F. V. Heuston, Sweet & Maxwell, 1977.
- xi. Sir Percy Henry Winfield, Tom Ellis Lewis; Winfield on Tort: A Textbook of the Law of Tort, Sweet & Maxwell, 1954.

PAPER 1.5.

LAW OF CONTRACT

[GENERAL PRINCIPLES OF CONTRACT AND SPECIFIC RELIEF ACT, 1963]

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|--------------------------|---|-----------|
| (a) Written paper | — | 70 marks |
| (b) Internal examination | — | 30 marks |
| | | (15+10+5) |

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

To apply the basic principles in contractual relations, there need to be a clear understanding of the basic sources of law of contract. As the major source of contract law being the principles of English common law, we need to discuss the evolution of law of contract and the similarities and dissimilarities with the English law of contract. Hence, this course is designed to acquaint the students with the conceptual and operational parameters of these various general principles of contractual relations. Specific enforcement of contract is an important aspect of the law of contract. Analysis of the kinds of contracts that can be specifically enforced and the methods of enforcement forms a significant segment of this study. A practical overview of Specific Relief Act which gives a judicial remedy to enforce performance of contract is also included in the study.

UNIT - I

Meaning, elements and characteristics of Contract; Formation and Classification of Contract, including the Standard form of Contract; Proposal: Meaning, Elements Characteristics and Kinds of Proposal; Distinction between Proposal and Invitation to

Proposal; Acceptance: Meaning, Modes and Characteristics of Acceptance;
Communication, Revocation and Termination of Proposal and Acceptance

UNIT - II

Consideration:

Meaning, Definition and Elements of Consideration; Significance and adequacy of consideration; Privity to Contract; Unlawful Consideration and Object Exception to the consideration.

UNIT - III

Valid Contract Capacity to Contract :Free Consent :E-Contracts: Definition, Silent Features, Formation and types, Differences between E- Contract and Traditional Contract, Advantages and Disadvantages of E –Contracts;

Voidable and Void Agreements:

Doctrine of severability; Agreements in restraint of marriage; in restraint of trade; Uncertain agreements; in restraint of legal proceedings; Agreement by way of wager; Contingent Contract

UNIT - IV

Performance of Contract:

Parties to perform the contract, Joint rights and joint liability and performance of reciprocal promises; Time, Place and Manner of Performance; Discharge from liability to perform the contract, doctrine of Impossibility. Certain relations resembling to those created by Contract (Quasi Contract)

UNIT - V

Breach of Contract :

Meaning and Kinds; Remedies for Breach of Contract: (i) Damages—Measure of damages and remoteness of damage;

(ii) Specific Performance of contract and injunctions under Specific Relief Act,1963 and Amendments; Contracts which are specifically enforceable; Contracts which are not specifically enforceable; Injunction; Rescission and Cancellation of Contract; Discretion of Court.

LEADING CASES:

- Carlill v. Carbolic Smoke Ball Co. (1892) Civ. 1 QB 256
- Bhagwandas v. Girdhari Lal & Co. AIR 1966 SC 543
- Motilal Padampat Sugar Mills v. State of U.P. AIR 1979 SC 621
- Mohori Bibi v. Dharmodas Ghose, (1903) 30 I.A. 114
- Satyabrata Ghose v Mugneeram Bangur & Co. and Another AIR 1954 SC 310

SUGGESTED READINGS :

- i. Anson, Law of Contract, Oxford University Press, New York, 2016
- ii. Atiyah P.S.: An Introduction to the Law of Contract, Clarendon Law Series, OUP
- iii. Avtar Singh, Law of Contract, 12th ed., Eastern Book Company, Lucknow, 2019 (Reprint)
- iv. Jill Poole, Textbook on Contract Law, Oxford University Press, New York, 14th ed.2019
- v. Mulla, Indian Contract Act, Lexis Nexis, New Delhi, 15th Ed. 2015
- vi. Neil Andrews, Contract Law, Cambridge University Press, 2011
- vii. P.R. Desai: Principles of Law of Contract
- viii. Pollock & Mulla: Indian Contract and Specific Relief Act
- ix. V.G. Ramchandra: The Law of Contract in India

PAPER 2.1.**ENGLISH FOR LAW****SCHEME OF PAPER:**

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts ;

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The course aims at enhancing verbal and non-verbal skills of law students with focus on Reading skills. The exposure to close reading of different genres included in the textbook would enable them to hone their empathetic skills and study skills and writing skills.

UNIT – I

Concern logical fallacies; Comprehension of Legal Texts; Use of cohesive devices (Legal drafting); Precise-writing, summarizing and briefing; Brief-writing and drafting of reports; Essay writing on topics of legal interests; Varieties of sentence structures and verb pattern; Translation (from English to Hindi and from Hindi to English)

UNIT – II

Composition Skills:

Report Writing; Précis Writing; Notices of General Nature; Essay Writing on recent Socio - Legal Topic(s);

UNIT – III

Understanding the Law:

Defining Law; Meaning of Act, Bill, Custom, Laws, Morality, Ordinance, Precedent, Rule, Statute; Nature of Law; Classification of Laws- Municipal Law and International Law, Public and Private Laws, Civil and Criminal laws; Interpreting Law and Role of Language in Interpretation (Use of definitions, meanings of words, literal meaning and contextual meaning).

UNIT – IV

Meaning of Legal Terms : FIR, Complaint, Written Statement, Plaintiff, Defendant, Appeal, Tribunal, Divorce, Legitimate, Illegitimate, Adoption, Maintenance, Alimony, Valid, Void, Litigation, Monogamy, Bigamy, Polygamy, Crime, Agreement, Contract, Fraud, Minor, Indemnity, Guarantee, Bailment, Pledge, Libel, Slander, Defamation, Homicide, Genocide, Suicide, Executive, Legislature, Judiciary, Constitution, Negligence, Nuisance, Precedent, Prospective, Mortgage, Retrospective, Summons, Ultra-Vires, Will, Warrant, Public, Private

UNIT – V

M.C. Chagla: Roses in December

Legal Eagles: The Story of the Top Seven Indian Lawyers by Indu Bhan

PRESCRIBED LIST OF LEGAL TERMS:

Abet	Appeal	Charge	Contingent
Abate	Acquittal	Chattels	Contraband
Abstain	Articles	Citation	Conviction
Accomplice	Assent	Clause	Convention
Act of God	Attested	Coercion	Corporate
Actionable	Attornment	Code	Custody
Accuse	Averment	Cognizable	Damages
Adjournment	Bail	Confession	Decree
Adjudication	Bailment	Compromise	Defamation
Admission	Blockade	Consent	Defense
Affidavit	Bonafide	Conspiracy	Deposit
Amendment	By-laws	Contempt	Detention

Discretion	Judgment	Pledge	Succession
Distress	Justiciable	Preamble	Summons
Earnest Money	Legislation	Pre-emption	Surety
Enact	Legitimacy	Prescription	Tenant
Enforceable	Liable	Presumption	Testator
Equality	Liberty	Privilege	Testatrix
Escheat	License	Privity	Title
Estoppel	Lieu	Process	Tort
Eviction	Liquidation	Promissory Note	Trade Mark
Executive	Maintenance	Proof	Treason
Ex-parte	Malafide	Proposal	Treaty
Finding	Malfeasance	Prosecution	Trespass
Floating charge	Minor	Procedural	Trial
Franchise	Misfeasance	Proviso	Tribunal
Fraud	Mortgage	Ratify	Trust
Frustration	Murder	Receiver	Ultra vires
Good Faith	Negligence	Redemption	Undue influence
Guardian	Negotiable	Reference	Usage
<i>Habeas Corpus</i>	Instruments	Regulation	Verdict
Hearsay	Neutrality	Remand	Vested
Homicide	Non-feasance	Remedy	Violate
Inheritance	Notification	Repeal	Vis-major
Illegal	Novation	Res Judicata	Void
Indemnity	Nuisance	Respondent	Voidable
Inheritance	Oath	Restitution	Waiver
<i>In limine</i>	Obscene	Rule	Warrant
Insanity	Offender	Ruling	Warranty
Institute	Order	Schedule	Will
Insurance	Ordinance	Section	Writ
Intestate	Overrule	Settlement	
Issue	Partition	Sovereignty	
Judicial	Perjury	Stamp Duty	
Jurisdiction	Petition	Status quo	
Justice	Plaintiff	Statute	

PRESCRIBED LIST OF LATIN MAXIMS:

1. A mensa et thoro (from table and bed)
2. Ab initio (from the beginning)
3. Actio personalis moritur cum persona (Personal right of action dies with the person)
4. Actus curiae neminem gravabit (an act of the Court shall prejudice no one)
5. Actus non facit reum, nisi mens sit rea (the act itself does not constitute guilt unless done with a guilty intent).
6. Actus reus (wrongful act)
7. Ad interim (in the meantime)
8. Ad liteam (for the suit)
9. Ad valorem (according to the value)
10. Adjournment sine die (adjournment without a day for a further meeting or hearing)
11. Alibi (plea of being elsewhere)
12. Allegans Contraria Non Est Audiendus (One making contradictory statements is not to be heard)
13. Amicus curiae (friend of the Court)
14. Animus (intention)
15. Audi alteram partem (hear the other side)
16. Bonus iudex secundum aequum et bonum iudicat et aequitatem stricto juri praefert (A good judge decides according to justice and right and prefers equity to strict law.)
17. Caveat emptor (buyer beware)
18. Consensus ad idem (agreement by the persons upon the same thing in the same sense)
19. Corpus delicti (Body of the crime)
20. Corpus juris civilis (Body of civil law)
21. Dammum sine injuria (damage without injury)
22. De facto (in fact)
23. De jure (in law)
24. Decree nisi (a decree which takes effect after a specified period)
25. Delegates non potest delegare (a delegated power cannot be further delegated)
26. Deminimis non curat lex (the law does not account of the trifles)
27. Denatio martis cause (gift by a person on the death-bed)
28. Doli incapax (incapable in malice)

29. *Ei incumbit probatio qui dicit, non qui negat* (The burden of proof is on the one who declares, not on one who denies)
30. *Ejusdem generis* (of the same category)
31. *Eminent domain* (the supreme rights)
32. *Ex officio* (from the office)
33. *Ex specialis derogat legi generali*- (Specific law takes away from the general law)
34. *Ex turpi causa non oritur actio* (No action arises on an immoral contract.)
35. *Ex parte* (not in the presence of the opposite party)
36. *Ex post facto* (by subsequent act)
37. *Factum valet* (the fact which cannot be altered)
38. *Fait accompli* (an accomplished fact)
39. *Fortior est custodia legis quam hominis* (The custody of the law is stronger than that of man)
40. *Fraus et jus nunquam cohabitant* (Fraud and justice never dwell together.)
41. *Ignorantia legis neminem excusat* (ignorance of law is no excuse)
42. *In pari materia* (in an analogous case, cause or position)
43. *Injuria sine damno* (injury without damage)
44. *Interest re publicate ut sit finis litium* (it in the interest of the republic that there should be an end of law suit)
45. *Interpretare et concordare leges legibus est optimus interpretandi modus* (To interpret and harmonize laws is the best method of interpretation.)
46. *Intra vires* (within the powers)
47. *Judex non potest esse testis in propira causa* - A judge cannot be witness in his own cause.
48. *Jus terti* (the right of a third party)
49. *Justitia nemini neganda est* (Justice is to be denied to no one)
50. *Lex citius tolerare vult privatum damnum quam publicum malum* (The law would rather tolerate a private injury than a public evil.)
51. *Lis pendens* (pending suit)
52. *Mens rea* (guilty mind)
53. *Mesne profits* (the profits received by a person on wrongful possession)
54. *Mors dicitur ultimum supplicium* (Death is called the extreme penalty.)
55. *Nemo dat quod non habet* (no man can transfer better title than he himself has)

56. Nemo Debet Bis Vexari Pro Una Et Eadem Causa (no man can be twice vexed for the same cause)
57. Nemo iudex in causa sua (no one shall be a judge in his own case)
58. Nemo punitur pro alieno delicto - No one is punished for the crime of another.
59. Obiter dicta (an opinion of law not necessary to the decision)
60. Onus probandi (the burden of proof)
61. Pacta sunt servanda (pacts must be respected)
62. Pendente lite (during litigation)
63. Per capita (counting heads)
64. Per incuriam (through inadvertence or carelessness)
65. Post mortem - After death
66. Prima facie - On the face of it
67. Pro bono publico (for the public good)
68. Pro rata - In proportion.

SUGGESTED READINGS:

- i. Garner, Bryan A. ed. Black's Law Dictionary. 10th Edition.
- ii. Gibbons John, (ed.) Language and Law, Longman, 1996 London.
- iii. Law Commission of India. Non-feasibility of Introduction of Hindi as Compulsory Language in the Supreme Court of India. Report No 216, December 2008.
- iv. Leech, Geoffrey. Semantics- The Study of Meaning. Great Britain: Penguin Books, 1981.
- v. Legal Eagles: The Story of the Top Seven Indian Lawyers, Indu Bhan, Random House Publishers India Private Limited, 2015.
- vi. M.C. Chagla: Roses in December
- vii. Madabhushi Sridhar, Legal Language, Asia Law House, Hyderabad.
- viii. Melinkoff, David, The Language of Law, Boston: Little Brown and Co., 1963.
- ix. Mohan, Krishna and Meenakshi Raman. Advanced Communicative English. New Delhi: Tata McGraw Hill, 2010.
- x. Narayanswami, V. R. Strengthen Your Writing. Hyderabad: Orient Longman, 2000.
- xi. P. Ramanatha Aiyer's Law Lexicon. LexisNexis, 2012.
- xii. Riley, Alison, English for Law, London: Macmillan, 1991.
- xiii. Wallace, Michael J: Study Skills in English, Cambridge University Press.

PAPER 2.2.**POLITICAL THEORIES****SCHEME OF PAPER:**

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts ;

(a) Written paper	—	70 marks
(b) Internal examination	—	30marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment:10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

To establish a relationship between Political Science and Law and in the process bring out the significance of Political Science in strengthening the understanding of Law. The subject will facilitate conceptual clarity and also will provide a theoretical understanding of key themes which are central to the subject of Law. In addition to this, Political Science as an academic discipline will familiarise with ideologies which will play a vital role in moulding the thought process of law students and which will have its effect while dealing with the practical aspect of Law.

UNIT - I

Meaning and definition of Political Theory; Significance of Political Theory; Impact of Political Theory on Society and Law; Approaches to the study of Political Theory: Traditional Approaches – Philosophical- Historical- Legal- Institutional, Contemporary Approaches – Positivism, Constructive and Communitarian Political Ideology; Major

Ideologies; Liberalism, Marxism, Idealism, Socialism, Nationalism, Internationalism, Fascism

UNIT - II

Ancient Indian Political Thought: Manu: Manu Smriti; State: Origin, Organs, Functions, King: Character, Powers; Law and Justice Kautilya; Arthashastra- Law and justice, Danda, Foreign Policy.

UNIT - III

Greek Political Thought: Plato; Theory of Justice; Ideal State: Aristotle; Theory of State, Classification of Government; Roman Political Thought: Features; Cicero.

UNIT - IV

Medieval Political Thought: St. Thomas Augustine: State and Church; St. Thomas Aquinas: Law;

Modern Political Thought: Machiavelli; Human Nature, King, Law; J.S. Mill: Liberty, Karl Marx: Dialectical Materialism, Class Struggle, State.

UNIT - V

Modern Indian Political Thought: Features.

Mohandas Karamchand Gandhi: Truth, Non – Violence, Satyagraha, Philosophical Anarchism; Trusteeship

Jawahar Lal Nehru: Democracy, Socialism,

Tilak: Swaraj Veer Sarvarkar– Political Ideas,

J.P. Narayan: Sarvodaya Total Revolution.

SUGGESTED READINGS:

- i. Arneil, Barbara, Politics and Feminism, Oxford, Blackwell, 1999.
- ii. De Crespigny, Anthony, et.al. (Eds.) Contemporary Political Theory, London, Nelson, 1970.
- iii. Dodson, Andrew, Green Political Thought, London, Routledge, 2000, Reprint.
- iv. Dunn, John, The History of Political Theory and Other Essays, Cambridge University Press, 1996.

- v. Jain, P.V. Political Science I (Political Theory), Allahabad: Central Law Publication, 2016.
- vi. Rajeev Bhargava and Ashok Acharaya, Political theory : An Introduction, Pearson Longman, Delhi, 2008.
- vii. V.D. Mahajan, Political Theory, S. Chand & Company, 2000
- viii. A. Appodorai Political Thought of India, 400 BC 1980
- ix. C.L. Wayper, Political Thought, AITBS Publishers
- x. W.T. Jons, Masters of Political Thoughts, Oxford University Press

PAPER 2.3. THEORETICAL PERSPECTIVES OF SOCIOLOGY

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 25 marks out of 70 and 11 marks out of 30 marks.

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The course is aimed at introducing the students with the basic concepts and approaches used for explaining and understanding family, Marriage, Culture and Religion. The course also aims at introducing students about the process of socialization and the importance of Social Interaction. Students will also be acquainted to specific Contemporary Social problems in the Indian context.

To make the students understand, analyse and evaluate the processes and importance of social interaction and socialisation in day to day life; understand and analyse social institutions like family, religion, marriage in the context of changes in these institutions; identify social problems and offer analysis on the core reasons the issue has developed and to identify how social problems and processes interact.

UNIT- I

Introduction : Significance and Importance of Theory; Enlightenment - The social, economic and political forces; The French and Industrial Revolutions in the development of

sociological thought; Indian Movements and their contribution for the development of sociology in India

UNIT-II

Schools of Sociological Theory and Content of Theories–Basic Concepts: Significance of Theories and their relationship to Law; Schools of sociological theories - Functionalism, Conflict School, Social Action Perspective;

Social Stratification: Meaning and Characteristics of Social Stratification, Caste and Class; Religion, family and state.

UNIT-III

Sociology of Law; Relationship between Law and Society; Significant Indian Sociological Thinkers: Andre Beteille - Religion and Secularism - Caste - Class - Links between Poverty and inequality - Role of Institutions; M.N. Srinivas - Caste and Caste Systems - Social Stratification; Gail Omvedt - anti-caste movements - environmental movements - farmer's and women's movements

UNIT-IV

Social Welfare: Meaning, Scope and evolution of social welfare; Social Legislation; Contemporary Social Problems: Child Abuse, Elderly abuse, Problems of Youth (drug addiction, unemployment, suicide), Disabled, Workingwomen and Transgender.

UNIT-V

Social Dominance Theory: Psychology of Dominance - Circulation of Oppression - Oppression and co-operation; Theoretical and practical issues of Psychological Dominance in Indian Context

Social Problems: Meaning, Causes and Solution; Theoretical Perspectives: Functionalist, Conflict, Symbolic Interactionism.

SUGGESTED READINGS:

- i. Anna L., Guerrero. (2016) Social Problems: Community, Policy and Social Action, Sage Publications: London.
- ii. Applerouth, Scott & Edles Laura (2011). Sociological Theory in the Contemporary Era; Sage Publications.

- iii. Bellantine, Jeanne H., Roberts Keith A & Korgen Kathleen Odell . (2016) Our Social World, Introduction to Sociology, Sage Publications.
- iv. Bhat, Ishwara,P. (2009). law and Social Transformation, Eastern Book Company, Lucknow.
- v. Encyclopedia of Social Problems, vol.1 and vol2. Sage Publications.
- vi. Kansal, Jairam (2004). Sociology of Social Change. Dominant Publishers and Distributors.
- vii. Krishna, Chakraborty (2002). Family in India, Rawat Publications, Jaipur.
- viii. LePoire A., Beth. (2006). Family Communication Nurturing and Control in a Changing World, Sage Publications: London.
- ix. Maclver & Page (2005). Society: An Introductory Analysis, Rawat Publications: Jaipur
- x. Macmillian & Co. N.D. P. Gisbert. (2010). Fundamental of Sociology Orient Blackswan.

PAPER 2.4.

LAW OF TORTS - II

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

With rapid industrialization, law of tort has taken a dynamic shape and came to be used as an effective remedy against manufacturers and industrial units for their activities injurious to human beings. Product liability is now assuming a new dimension in developed economics. Hence, the basic purpose for introducing this law to the students is to make them understand the constituents of tort and general principles.

UNIT - I

Trespass to Persons :

Assault, Battery, Mayhem; Causing Emotional Distress; Malicious Prosecution and abuse of legal proceedings; False Imprisonment; Deceit and Conspiracy; Particular defences available in each of these types.

Trespass to Property:

Liability for Land and Structure including Occupier's Liability; Private Nuisance: Conversion; Trespass to land, Trespass to personal property, Detention and conversion, Passing off; Injury to trademark, patent and copyrights; Public and Private Nuisance; Particular defences available in each of these types.

UNIT - II

Trespass to Reputation:

Defamation : Libel and slander; Freedom of speech and expression; Defences to defamation; Invasion of privacy and defences.

UNIT - III

Negligence and Miscellaneous

Duty to take care and its breach; Foreseeability, causation; Contributory negligence and other defences to negligence; Occupier's Liability; Res Ipsa Loquitur; Liability for Statements (Deceit); Malicious Prosecution and Civil Proceedings,

UNIT - IV

CONSUMER PROTECTION ACT, 2019

Consumer Protection; Need, Importance, Objectives; Definition, Concept and Third Party Beneficiary; Consumer Protection Councils; Central Consumer Protection Authority; Consumer Disputes Redressal Commission; Mediation; Product Liability; Offences and Penalties.

UNIT - V

MOTOR VEHICLES ACT 1988 (THE MOTOR VEHICLES (AMENDMENT) ACT 2019)

Need, Importance, Objectives; Definition, Concept, Key features of the Amendment, Fault and No-Fault Liability of Driver and Owner; Concepts regarding Third Party; Driving Licenses; National and State Register of Driving Licenses; National Transportation Policy; Offences and Penalties, Powers and Jurisdiction of a Motor Accidents Claims Tribunal and Judicial Responses.

LEADING CASES:

- Donogue v. Stevenson (1932) AC 562
- Indian Medical Association v. V. P. Shantha, AIR (1996) SC 558.
- Municipal Corporation of Delhi v. Smt. Subhagwati, AIR (1966) SC 17.
- N. Nagendra Rao v. State of Andhra Pradesh, AIR (1994) SC 2663.
- Rylands v. Fletcher, (1868) LP. 3 HL 330.

SUGGESTED READINGS:

- i. Avtar Singh and Harpreet Kaur, Introduction to the Law of Torts and Consumer Protection, 3rd ed, 2013, LexisNexis.
- ii. Howarth, D. R., Hepple Howarth, and Mathews. Tort: Cases & Materials. London: Oxford University Press, 2005.
- iii. MOTOR VEHICLES ACT, 1988 AND THE MOTOR VEHICLES (AMENDMENT) ACT, 2019 BARE ACTS
- iv. Ramaswamy Iyers's The Law of Torts, Lakshminath ed, 10th ed, 2007, LexisNexis.
- v. Ratanlal and Dhirajlal, The Law of Torts, Akshay Sapre ed., 27th ed., 2016, LexisNexis.
- vi. Salmond and Heuston on the Law of Torts, R F V Heuston and R A Buckley Ed., 21st ed., Sweet and Maxwell.
- vii. Salmond and Heuston: Law of Torts, Universal Law Publishing, New Delhi, 2004.
- viii. THE CONSUMER PROTECTION ACT, 2019 BARE ACT
- ix. Tony Weir, An Introduction to Tort Law, 2nd ed, 2006, Oxford University Press.
- x. Wienfield and Jolowicz on Tort, W V H Rogers ed., 18th ed., 2010, Sweet and Maxwell.

PAPER 2.5.

SPECIAL CONTRACTS

**[SALE OF GOODS ACT, 1930, INDIAN PARTNERSHIP
ACT, 1932, LIMITED LIABILITY PARTNERSHIP ACT, 2008]**

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

(a) Written paper	—	70 marks
(b) Internal examination	—	30 marks
		(15+10+5)

Mid Semester Test: 15 marks

Project/Assignment: 10 marks

Presentation: 05 marks

- (1) The question paper shall be divided into two (02) Parts viz. Part – A and Part – B.
- (2) Part – A shall consist of five (05) compulsory questions of two (02) marks each whereas Part – B shall consist of seven (07) questions. The Candidate is required to attempt any four (04) questions. All questions carry equal marks.
- (3) The prescribed syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The essence of all commercial transactions is but regulated by the law of contract. The expansion of commercial activities at a global market environment makes the understanding of the law of contract even more critical.

This course follows the pattern about the general principles that apply to all contracts. They deal with general principles that apply to each specific contractual relationship. The study of this course will enable a good understanding of the purposes with which each of these transactions is made, the features of each of these transactions, and the rights and liabilities of the parties to them.

UNIT - I

CONTRACTS OF INDEMNITY AND GUARANTEE:

Meaning, Distinction between Indemnity and Guarantee and Kind of Guarantee; Rights of Indemnity Holder; Rights of the Surety, Extent of the Liability of the Surety; Discharge of liability of the Surety.

CONTRACTS OF BAILMENT AND PLEDGE:

Meaning and Kinds of Contracts of Bailment – Bailment without Consideration; Rights and Duties of Bailee and Bailor; Termination of Contract of Bailment; Contract of Pledge- Meaning and Definition, Pledge by Unauthorized Persons

UNIT - II

CONTRACT OF AGENCY:

Definition, Kinds and Modes of Creation of Agency; Relation between-i) The Principal and Agent ii)The Principal and Third Party, and iii)The Agent and the Third Party
Determination of Agent's authority –i) By Act of Parties; and ii) By Operation of Law – Irrevocable Authority

UNIT - III

CONTRACT OF SALE OF GOODS:

Sale-Meaning, Definition and Distinguish between Agreement to Sell, Hire-Purchase Agreement; Goods-Existing, Future and Contingent; Conditions and Warranties; Passing of Property from Seller to Buyer; Sale by Unauthorized Person; Law relating to Performance of Sale; Rights of Unpaid Seller

UNIT - IV

CONTRACT OF PARTNERSHIP:

Meaning, Definition, Creation and the Characteristics of Contract of Partnership; Kinds of Partner and Partnership; Distinction between: i) Co-ownership and Partnership ii) Joint Hindu Family Firm and Partnership; iii) Company and Partnership iv) Position of Minor; Relations inter-se of partners and relation of Partners with third parties; Registration of Partnership firm; Effect of Non - Registration of Partnership Firm; Dissolution of Firm

UNIT – V

LIMITED LIABILITY PARTNERSHIP ACT, 2008:

Need, Importance, Objectives; Definition, Concept, Key features of the Act and Judicial Responses

LEADING CASES:

- National Bank of India Ltd. v. Sohan Lal AIR 1965 SCR (3) 293
- Amritlal Goverdhan Lallan v. State Bank of Travancore, AIR 1960 SC 1432
- Patnaik & Co. v. State of Orissa AIR 1965 SC 1655
- State of Gujarat v. Mamon Mohd. AIR 1967 SC 1885
- Serious Fraud Investigation Office v. Rahul Modi, 2019 SC 423
- Hindustan Construction Company Limited v. Union of India 2019 SC

SUGGESTED READINGS:

- i. A Ramaiya's Commentary on the Sale of Goods, K Shanmukham and H K Saharay Ed., 5th ed, 2014, Universal Law Publishing.
- ii. Akhilesh Gupta, Law Relating to Special Contracts–Contracts of Bailment, Pledge
- iii. Akhileshwar Pathak, Law of Sale of Goods, 2013, Oxford University Press.
- iv. Avtar Singh : Principal of the Law of Sale of Goods (English and Hindi)
- v. Avtar Singh, Introduction to Law of Partnership (including Limited Liability Partnership) 10th ed., 2011, Eastern Book Company.
- vi. Benjamin's Sale of Goods, Michael Bridge ed, 9th ed, 2016, Sweet and Maxwell.
- vii. D. S. Chopra, A Commentary on Sale of Goods, Partnership and Negotiable Instruments, 2016, Thomson Reuters.
- viii. Mulla's The Sale of Goods Act and the Indian Partnership Act, K Kannan ed., 10th ed, 2012, LexisNexis.
- ix. P S Ramanatha Aiyar, Law of Sale of Goods, Shriniwas Gupta ed., 10th ed, 2016, Universal Law Publishing.
- x. Pollock and Mulla's The Indian Partnership Act, G C Bharuka ed., 7th ed, 2007.

- xi. Pollock and Mulla's The Sale of Goods Act, Akshay Sapre ed., 9th ed, 2014, LexisNexis.

LL.B. THREE YEAR DEGREE COURSE:

1.(II). ELIGIBILITY FOR ADMISSION TO LL.B. COURSE:

(i) A candidate who has taken the bachelor's or the master's degree in Arts/Science/Commerce/Medicine/Management/Engineering/Nursing/Agriculture or the degree of Shastri/Acharya or the degree of Ayurvedacharya /Ayurveda Brihaspati, B.B.A., B.C.A., B.P.E., B.F.A., B.Sc. (Information Science), B.Sc. (Information System) and B.Sc. (Information Technology) of this university or any other university recognised for the purpose by the competent authority of this university with full course prescribed for the degree and secured a **minimum of 45% marks** (excluding any concessional marks) in the aggregate marks prescribed for the examination for the aforesaid degree shall be eligible for admission to LL.B. First Year Course.

Explanation: The applicant who have obtained Graduation or Post graduation degree through open Universities system directly, without having any basic qualifications for prosecuting such studies are not eligible for admission in this course.

(III). MINIMUM MARKS IN QUALIFYING EXAMINATION FOR ADMISSION IN LL.B. COURSE:

A candidate passing Bachelor's degree examination or its equivalent degree recognised by this University, as prescribed by the Bar Council of India or the University, with a minimum of forty five (45) % marks shall be eligible to apply for admission to First Year of LL.B. There shall be relaxation of five (5) % marks in case of Scheduled Caste and Scheduled Tribe and three (3) % for Other Backward Class candidates.

EXPLANATION:

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

SYLLABUS AND COURSE CONTENT OF LL.B. FIRST YEAR –

PAPER 1.1.:	CONSTITUTIONAL LAW
PAPER 1.2. :	LAW OF TORTS AND CONSUMER PROTECTION ACT 2019
PAPER 1.3. :	FAMILY LAW – I (HINDU LAW)
PAPER 1.4. :	FAMILY LAW – II (MOHAMMEDAN LAW)
PAPER 1.5. :	LAW OF CONTRACT [GENERAL PRINCIPLES AND SPECIFIC RELIEF ACT, 1963]
PAPER 1.6. :	SPECIAL CONTRACTS [SALE OF GOODS ACT, 1930, INDIAN PARTNERSHIP ACT, 1932, LIMITED LIABILITY PARTNERSHIP ACT, 2008]
PAPER 1.7. :	LEGAL LANGUAGE, LEGAL WRITING AND GENERAL ENGLISH
PAPER 1.8. :	LEGAL AND CONSTITUTIONAL HISTORY OF INDIA
PAPER 1.9. :	PUBLIC INTEREST LAWYERING, LEGAL AID, PARA-LEGAL SERVICES AND MOOT COURT VIVA-VOCE EXAMINATION

LL.B. I YEAR (THREE YEAR COURSE)

PAPER 1.1.

CONSTITUTIONAL LAW

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

- (1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The Constitution of India is the supreme law of the country. This course provides the description of the necessary fundamental concepts and doctrines of Constitutional Law. The Course is designed to acquaint students with the basic principles of Constitution and Constitutionalism. The Course also has the objective to familiarize the students with the Federal principles of Indian Constitution and the powers, functions and structures of various Constitutional bodies. The course is to be studied in the social, economic and political context in which the constitution operates together with the in-depth study of the latest reshaping of the Article 370 and 35-A and the Reorganization of the Jammu and Kashmir state.

UNIT - I

Date of Commencement of the Indian Constitution; Concepts of Constitutional Law and Constitutionalism; Salient features of the Constitution; Nature of the Indian Federalism, Preamble - Meaning of the Preamble; Object, Purpose and Scope of the Preamble; Contents of the Preamble; Utility of Preamble in interpretation of the Constitution; Whether Preamble is part of the Constitution? Citizenship and State {including relevant provisions of Citizenship Act, 1955 as amended by The Citizenship (Amendment) Act, 2019}(Basic Concepts and Future Effects).

UNIT - II

Fundamental Rights (Part - III), Directive Principles of State Policy and Fundamental Duties- Fundamental Rights; Right to Equality; Right to Freedom; Fundamental Duties; Right to Freedoms; Right against Exploitation; Freedom of Religion

UNIT - III

Legislative Relations between Union and States; Parliament and State Legislatures: Composition, Powers and Functions, Law Making Procedure, Parliamentary Privileges.

Union and State Executive: The President- Powers and Functions, Emergency Provisions; Governor –Powers and Functions

UNIT - IV

Union Judiciary-Supreme Court , Composition, Appointment of Judges and Jurisdiction, and State Judiciary, High Court -Composition, Appointment of Judges and Jurisdiction, Writ Jurisdiction.

UNIT - V

Right to Property; Amendment of the Constitution: Power of the Parliament to amend the Constitution and Theory of Basic Structure.

Temporary provision (Article 370): Reorganization of Articles 370 and 35-A by the Constitution (Application to Jammu and Kashmir) Order 2019 and Re-Organization of Jammu and Kashmir through The Jammu and Kashmir Reorganization Act, 2019. (Basic Concepts and Future Effects).

LEADING CASES :

- 1) Minerva Mills v. Union of India, AIR (1978) SC 1789
- 2) Maneka Gandhi v. Union of India, AIR (1978) SC 597
- 3) Kesavananda Bharthi v. State of Kerala, AIR (1973) SC 1476
- 4) Kehar Singh v. Union of India, AIR (1989) SC 653
- 5) Justice K.S. Puttaswamy v. Union of India and Ors. (Retd.) and Anr. (2017) SC

SUGGESTED READINGS :

- Arvind Datar, Commentary on Constitution of India (3 Vols), LexisNexis (2010).
- Austin, Granville : Working a Democratic Constitution: Indian Experience 2nd Edition, Oxford University Press, 2000
- Bakshi, P.M. : Constitution of India- 8th Edition, Universal Law Pub., 2017.
- Basu, D.D. : Introduction to the Constitution of India (English & Hindi)
- Basu, Durga Das : Shorter Constitution of India, 13th Edition, Wadhwa, 2012.

- Constitution of India as amended up to-date
- Constitution (Application to Jammu and Kashmir) Order 2019
- D.D. Basu, Constitutional Law of India, LexisNexis (2013).
- H. M. Seervi, Constitutional Law of India, N.M. Tripathi.
- Jain, M.P. : Indian Constitutional Law- 5th Edition, Wadhwa, 2015.
- Kashyap Subhash C., Constitutional Law of India, Universal Law Publishing Co. Pvt. Ltd., 2015
- M. P. Jain, Indian Constitutional Law, LexisNexis (2015).
- Paras Diwan : Constitution of India
- Seervai, H.M.: Constitutional Law of India- 4th Edition, Universal Law Publishing Co. Pvt. Ltd., 2012.
- Shukla, V.N.: The Constitution of India- 11th Edition, Eastern Book Company, 2017.
- The Citizenship Act, 1955
- The Citizenship (Amendment) Act, 2019
- The Jammu And Kashmir Reorganisation Act, 2019
- Various Amendments made to the Constitution of India

PAPER 1.2.

LAW OF TORTS AND CONSUMER PROTECTION ACT 2019

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

- (1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

With rapid industrialization, law of tort has taken a dynamic shape and came to be used as an effective remedy against manufacturers and industrial units for their activities injurious to human beings. Product liability is now assuming a new dimension in developed economics. Hence, the basic purpose for introducing this law to the students is to make them understand the constituents of tort and general principles; Provide an in-depth clarity about various defences available against tortious liability together with The Consumer Protection Act, 2019 and Motor Vehicles (Amendment) Act 2019 .

UNIT - I

Meaning, Nature and Definition of Tort:

Development of actions in tort in England and India; Meaning, Nature and definition of tort; Tort distinguished from contract, Quasi-Contract, breach of trust and crime; Foundation of tortious liability; Kinds of Damages; Relevance of Motive in Torts and its Exceptions—wrongful act, damage and remedy; Malfeasance, Misfeasance and Non-Feasance; Felonious Torts.

General Defences in Tort:

Volenti Non Fit Injuria, consent, voluntary assumption of risk, exclusion clauses; Vis Major (Act of God); Inevitable accident; Act of third parties; Novus Actus Interveniens; Plaintiff's wrong or default; Self-defence and Defence of Property; Necessity; Statutory Authority; Judicial and quasi-judicial acts; Parental and quasi-parental authorities; Illegality; Mistake of Fact.

UNIT - II

Damages and Remoteness of Damage; Contributory Negligence, Death as creating and extinguishing Liability

Damages: Types- General and special, nominal, contemptuous, aggravated, exemplary, Compensatory damages- Principles of causation, foreseeability, certainty, assessment and calculation of damages- principles, personal injuries, death, loss of property, economic and non-economic losses; Injunction- Permanent and Temporary, Qua Timet Action; Replevin (Claim and Delivery); Ejectment

Extra - Judicial remedies-

Self-Defence, Re-Entry on Land, Recapture of goods, Abatement, Distress Damage Feasant.

Vicarious Liability:

Principle of Vicarious Liability - Nature, Scope and Justification; Concept of Master (Employer) and Servant (Employee) relationship; State Liability; Concept of Sovereign and Non-Sovereign Functions; Strict Liability and its Exceptions, Absolute Liability, No-Fault Liability and their Exceptions;

Liability for Statements (Deceit); Malicious Prosecution and Civil Proceedings; Joint and Several Tort Feasors; Judicial Responses.

UNIT - III

Trespass to Person :

Assault, Battery, Mayhem; Causing Emotional Distress; False imprisonment

Trespass to Property:

Liability for Land and Structure including Occupier's Liability; Private Nuisance: Conversion; Trespass to land, Trespass to personal property, Detention and conversion, Passing off; Injury to trademark, patent and copyrights; Public and Private Nuisance; Particular defences available in each of these types.

Trespass to Reputation:

Defamation: Libel and Slander; Freedom of speech and expression; Defences to defamation; Invasion of privacy and defences.

UNIT - IV

Negligence:

Duty to take care and its breach; Foreseeability, causation; Contributory negligence and other defences to negligence; Occupier's Liability; Res Ipsa Loquitur.

Miscellaneous:

Liability for Statements (Deceit); Malicious Prosecution and Civil Proceedings; Joint and Several Tort Feasors; Judicial Responses; Conspiracy.

UNIT - V

CONSUMER PROTECTION ACT, 2019:

Consumer Protection; Need, Importance, Objectives; Definition, Concept and Third Party Beneficiary; Consumer Protection Councils; Central Consumer Protection Authority; Consumer Disputes Redressal Commission; Mediation; Product Liability; Offences and Penalties

MOTOR VEHICLES ACT 1988 (THE MOTOR VEHICLES (AMENDMENT) ACT 2019):

Need, Importance, Objectives; Definition, Concept, Key features of the Amendment, Fault and No-Fault Liability of Driver and Owner; Concepts regarding Third Party; Driving Licenses; National and State Register of Driving Licenses; National Transportation Policy; Offences and Penalties, Powers and Jurisdiction of a Motor Accidents Claims Tribunal, Judicial Responses.

LEADING CASES:

- 1) Donogue v. Stevenson (1932)
- 2) Indian Medical Association v. V. P. Shantha, AIR (1996) SC 558.
- 3) Municipal Corporation of Delhi v. Smt. Subhagwati, AIR (1966) SC 17.
- 4) N. Nagendra Rao v. State of Andhra Pradesh, AIR (1994) SC 2663.
- 5) Rylands v. Fletcher, (1868) LP. 3 HL 330.

SUGGESTED READINGS:

- Motor Vehicles Act, 1988 Including The Motor Vehicles (Amendment) Act, 2019
- Ramaswamy Iyers's The Law of Torts, Lakshminath ed, 10th ed, 2007, LexisNexis.
- Ratanlal and Dhirajlal, The Law of Torts, Akshay Sapre ed., 27th ed., 2016, LexisNexis.
- Salmond and Heuston on the Law of Torts, R F V Heuston and R A Buckley Eds, 21st ed, Sweet and Maxwell.
- The Consumer Protection Act, 2019
- Wienfield and Jolowicz on Tort, W V H Rogers ed, 18th ed, 2010, Sweet and Maxwell.

PAPER 1.3.

FAMILY LAW – I

(HINDU LAW)

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

(1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.

(2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

This course involves the student with the introduction of Hindu law as it affects property relations. It primarily covers the concept of Undivided Family of the Hindu law, the provisions relating to intestate and testamentary succession applicable to persons of all denominations and other provisions relating to marriage, succession etc. in Hindu law. The study of the course will attempt to view Hindu law not merely as a separate system of personal laws based upon religions but as the one cutting across the religious lines and eventually enabling us to fulfil the constitutional directive of uniform civil code.

UNIT - I

Hindu Law:

Sources, School and Application, Coparcenary, Joint Family Property and Self-acquired property; Karta and his powers and obligations, Religious and Charitable Endowments – Essentials of an Endowment Kinds, Shebait and Mahant

UNIT - II

The Hindu Marriage Act, 1955:

Conditions of a valid Hindu Marriage; Its ceremonies and registration, Void and Voidable Marriage : Restitution of Conjugal Rights; Judicial Separation, Legitimacy of Children of Void and Voidable Marriage; Divorce and its grounds; Alternative relief in divorce proceedings, Divorce by Mutual Consent, One year bar to Divorce; Divorced persons when may marry again; Jurisdiction and Procedure. The Prohibition of Child Marriage Act, 2006. Validity of Child Marriage; Judicial Responses.

UNIT - III

The Hindu Succession Act, 1956:

Succession to the property of a Hindu male; Succession to interest in Coparcenary property, Property of a Female Hindu to be her absolute Property; Succession to the property of a Hindu female; General rules and disqualifications of succession, Escheat; Judicial Responses.

UNIT - IV

The Hindu Adoption and Maintenance Act, 1956:

Requisites of a valid adoption; Capacity to take in adoption; Capacity to give in Adoption, Effects of Adoption; Miscellaneous provisions of adoptions; Maintenance of wife, children and parents; Maintenance of widowed daughter-in-law; Dependants and their maintenance; Amount of Maintenance; Judicial Responses.

UNIT - V

The Hindu Minority and Guardianship Act, 1956:

Natural Guardians and their powers; Testamentary guardian and their powers, De Facto Guardian, General Provisions of Guardianship; Judicial Responses.

Partition under Hindu Law – Meaning, Property for Partition, person entitled to sue for partition and allotment of shares, Partition, and allotment of shares, how effected, Determination of shares, Re-opening of Partition, Reunion, Debts – Doctrine of Pious Obligation; Antecedent Debts; Judicial Responses.

LEADING CASES :

- 1) Shastri Yajna Purusdasji v. Muldas, AIR 1966 SC 1119
- 2) Bipin Chandra v. Prabhavati, AIR (1957) SC 176.
- 3) Dr. Narayan Ganesh Dastane v. Sucheta Dastane AIR (1975) SC 1534
- 4) Dharmendra Kumar v. Usha Kumar, AIR (1977) SC 2218
- 5) Tulsamma v. Sesha Reddi, AIR (1977) SC 1944

SUGGESTED READINGS :

- Kusum, Family Law Lectures : Family Law I, LexisNexis, New Delhi.
- Mulla : Principles of Hindu Law

- Paras Diwan : Modern Hindu Law
- Paras Diwan, Law of Marriage and Divorce (5th Edn. 2008)
- Professor Kusum, Family Law Lectures- Family Law-I, Lexis Nexis Publications, (3rd Ed. 2011)
- Raghavachariar : Hindu Law – Principles and Precedents
- Ranganath Misra (Rev.), Mayne’s Treatise on Hindu Law & Usage (16th Ed.2008)
- Satyajeet A Desai, Mulla’s, Hindu Law, LexisNexis, New Delhi.
- Tahir Mahmood, Principles of Hindu Law, Universal Law Publishing, New Delhi.

PAPER 1.4.

FAMILY LAW – II **(MOHAMMEDAN LAW)**

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

- (1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The subject of family law is important to understand those rights and obligations, to regulate the family matters through the law and thus to minimize conflicts within the family this subject is also important to understand the various reliefs in family disputes. This course involves the student with the introduction of Muslim law as it affects property relations. It primarily covers the concept of Marriage, Divorce Pre-emption, Will etc., the provisions relating to intestate and testamentary succession applicable to persons of all denominations and other provisions relating to Wakf etc. in the law with latest amendments.

UNIT - I

Mohammedan Law:

History and Origin, Development, Sources, Schools, Application, Interpretation and Conversion

UNIT - II

Marriage:

Definitions, Nature of Marriage, Essentials of Marriage; Prohibitions of Marriage, Khyar-ul-bulugh, Matrimonial Stipulation, Kinds of Marriage and Effects of Marriage.

Mahr: Meaning, Nature, Kinds, Object and Subject-Matter. Wife's rights on non-payment of dower; Judicial Responses.

Dissolution of marriage: By Death of either party, By Act of either parties, By Mutual Consent, By Court – Section 2 of the dissolution of Muslim Marriage Act, 1939 (including amendments if any); Legal effects of divorce, Iddat, Hiba-e-Muddat, Legal Status of Triple Talaq, Concept of Halala; Judicial Responses.

Muslim Women (Protection of Rights on Marriage) Act, 2019:

Need, Importance, Objectives; Definition, Concept, Key features of the Act; Judicial Responses.

UNIT - III

Pre-emption:

Meaning, Nature and Classification of Haq Shufa (Pre-emption); Rights of pre-emption, when Conflict of Laws, Subject matter and Formalities of Pre-emption, legal effects of pre-emption, Devices for evading pre-emption; Judicial Responses.

Gift : Meaning and requisites to gift (Hiba); Gift of Musha, Conditional and Future Gifts, Life Estate, Life Interest, (Hiba-bil-Ewaj, Hiba-ba-Shartul-Ewaj); Judicial Responses.

UNIT - IV

Will (Vasiyat) Competence of Testator and Legatee, Valid subjects of Will:

Testamentary Limitations, Formalities of a Will and Abatement of Legacy; Judicial Responses.

Legitimacy and Acknowledgement:

Legitimacy and Legitimation, Presumption of Legitimacy under Muslim Law and Section 112 of the Indian Evidence Act, 1872 Conditions of a Valid Acknowledgement; Judicial Responses.

Maintenance:

Persons entitled to Maintenance, Principles of Maintenance;

The Muslim Women (Protection of Rights on Divorce) Act, 1986; Need, Importance, Objectives; Definition, Concept, Key features of the Act; Judicial Responses.

Death Bed Transactions :

Meaning and Effect of Marz-ul-Maut

UNIT - V

Wakf:

Meaning, Essentials and Kinds, Beneficiaries of Wakf; The Mussalman Wakf Validating Act, 1913, The Wakf Act, 1955; Need, Importance, Objectives; Definition, Concept, Key features of the Acts; Judicial Responses.

Formalities for Creation of Wakf; Wakf of Musha; Muslim religious institution and officers; Administration of Wakf; Mutawalli.; The Wakf (Amendment) Act, 2013- Need, Importance, Objectives; Definition, Concept, Key features of the Amendment; Judicial Responses.

Inheritance:

General Principles, Doctrines of Aul and Radd under Hanafi and Shia Law.

LEADING CASES:

- 1) Danial Latifi v. Union of India (2001) 1 SC 740
- 2) Habibur Rahman v. Altaf Ali (1921) 42 IA 114
- 3) M/s Shabnam Hashmi v. Union of India AIR 2014 SC 1281
- 4) Maina Bibi v. Choudhary Vakil Ahmed, (1923) 52 IA 145
- 5) Mohd. Ahmed Khan v. Shah Bano Begum, AIR (1985) SC 945
- 6) Moonshee Buzul-uI-Rahim v. Lateefunnisa, (1861) 8, MIA 379.
- 7) Shabana Bano v. Imran Khan, AIR (2010) SC 305
- 8) Shayara Bano v. Union of India and Ors., (2017) 9 SCC 1

SUGGESTED READING :

- Amer Ali, Mohammedan Law, Vol. I and II, Eastern Book Company, Luknow.
- Aqil Ahmed : Mohammedan Law
- Asaf A A Fyzee, Outline of Muhammadon Law, Oxford University Press, New Delhi.
- Fyzee : Mohammedan Law
- Mulla, Principles of Mohammedan Law, LexisNexis, Nagpur
- Muslim Women (Protection of Rights on Marriage) Act, 2019
- Poonam Pradhan Saxena, Family Law Lectures: Family Law II, LexisNexis, New Delhi.
- Tahir Mahmood, Principles of Hindu Law, Universal Law Publishing, New Delhi.
- The Mussalman Wakf Validating Act, 1913
- The Wakf Act, 1955
- The Wakf (Amendment) Act, 2013.

PAPER 1.5.

LAW OF CONTRACT

[GENERAL PRINCIPLES OF CONTRACT AND SPECIFIC RELIEF ACT, 1963]

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

(1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.

(2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

To apply the basic principles in contractual relations, there need to be a clear understanding of the basic sources of law of contract. As the major source of contract law being the principles of English common law, we need to discuss the evolution of law of contract and the similarities and dissimilarities with the English law of contract. Hence, this course is designed to acquaint the students with the conceptual and operational parameters of these various general principles of contractual relations. Specific enforcement of contract is an important aspect of the law of contract. Analysis of the kinds of contracts that can be specifically enforced and the methods of enforcement forms a significant segment of this study. A practical overview of Specific Relief Act which gives a judicial remedy to enforce performance of contract is also included in the study.

UNIT - I

Meaning, elements and characteristics of Contract; Formation and Classification of Contract, including the Standard form of Contract; Proposal: Meaning, Elements Characteristics and Kinds of Proposal; Distinction between Proposal and Invitation to Proposal; Acceptance: Meaning, Modes and Characteristics of Acceptance; Communication, Revocation and Termination of Proposal and Acceptance

UNIT - II

Consideration:

Meaning, Definition and Elements of Consideration; Significance and adequacy of consideration; Privity to Contract; Unlawful Consideration and Object

Valid Contract

Capacity to Contract :

Parties competent to contract; Position of minor; Person of unsound mind, nature of contract by person of unsound mind; Persons deprived of the Capacity to Contract.

Free Consent :

Meaning of Consent and Free Consent; Factors rendering consent not free and their effect upon the validity of Contract; E- Contracts: Definition, Silent Features, Formation and types, Differences between E- Contract and Traditional Contract, Advantages and Disadvantages of E -Contracts

UNIT - III

Voidable and Void Agreements:

Doctrine of severability; Agreements in restraint of marriage; in restraint of trade; Uncertain agreements; in restraint of legal proceedings; Agreement by way of wager; Contingent Contract; Certain relations resembling to those created by Contract (Quasi Contract)

UNIT - IV

Performance of Contract:

Parties to perform the contract Joint rights and joint liability and performance of reciprocal promises; Time, Place and Manner of Performance; Discharge from liability to perform the contract.

UNIT - V

Breach of Contract :

Meaning and Kinds; Remedies for Breach of Contract:(i)Damages—Measure of damages and remoteness of damage;
(ii) Specific Performance of contract and injunctions under Specific Relief Act,1963 and Amendments.

LEADING CASES :

- Carlill v. Carbolic Smoke Ball Co. (183) 1 QB 256
- Bhagwandas v. Girdhari Lal & Co. AIR 1966 SC 543
- Motilal Padampat Sugar Mills v. State of U.P. AIR 1979 SC 621
- Mohori Bibi v. Dharmodas Ghose, (1903) 30 I.A. 114

- Satyabrata Ghose v. Mugneeram Bangur & Co. and Another AIR 1954 SC 310

SUGGESTED READINGS :

- Anson, Law of Contract, Oxford University Press, New York, 2016
- Atiyah P.S.: An Introduction to the Law of Contract
- Avtar Singh, Law of Contract, 12th ed., Eastern Book Company, Lucknow, 2019 (Reprint)
- Avtar Singh: Law of Contract, (English & Hindi)
- Jill Poole, Textbook on Contract Law, Oxford University Press, New York, 14th ed.2019
- Mulla, Indian Contract Act, Lexis Nexis, New Delhi, 15th Ed 2015
- Neil Andrews, Contract Law, Cambridge University Press, 2011
- P.R. Desai: Principles of Law of Contract.
- Pollock & Mulla: Indian contract and Specific Relief Act.
- V.G. Ramchandra: The Law of Contract in India

PAPER 1.6.

SPECIAL CONTRACTS

**[SALE OF GOODS ACT, 1930, INDIAN PARTNERSHIP
ACT, 1932, LIMITED LIABILITY PARTNERSHIP ACT, 2008]**

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

- (1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

Essentially all the commercial transactions are regulated by the law of contract. The expansion of commercial activities at a global market environment makes the understanding of the law of contract even more critical.

This course follows the pattern about the general principles that apply to all contracts. They deal with general principles that apply to each specific contractual relationship. The study of this course will enable a good understanding of the purposes with which each of these transactions is made, the features of each of these transactions, and the rights and liabilities of the parties to them.

UNIT - I

CONTRACTS OF INDEMNITY AND GUARANTEE:

Meaning, Distinction between Indemnity and Guarantee and Kind of Guarantee; Rights of Indemnity Holder; Rights of the Surety, Extent of the Liability of the Surety; Discharge of liability of the Surety

CONTRACTS OF BAILMENT AND PLEDGE:

Meaning and Kinds of Contracts of Bailment – Bailment without Consideration; Rights and Duties of Bailee and Bailer; Termination of Contract of Bailment; Contract of Pledge- Meaning and Definition, Pledge by Unauthorized Persons

UNIT - II

CONTRACT OF AGENCY:

Definition, Kinds and Modes of Creation of Agency; Relation between-i) The Principal and Agent ii) The Principal and Third Party, and iii)The Agent and the Third Party

Determination of Agent's authority –i) By Act of Parties; and ii) By Operation of Law – Irrevocable Authority

UNIT - III

CONTRACT OF SALE OF GOODS:

Sale-Meaning, Definition and Distinguish between Agreement to Sell, Hire-Purchase Agreement; Goods-Existing, Future and Contingent; Conditions and Warranties; Passing of Property from Seller to Buyer; Sale by Unauthorized Person; Law relating to Performance of Sale; Rights of Unpaid Seller

UNIT - IV

CONTRACT OF PARTNERSHIP:

Meaning, Definition, Creation and the Characteristics of Contract of Partnership; Kinds of Partner and Partnership; Distinction between: i) Co-ownership and Partnership ii) Joint Hindu Family Firm and Partnership; iii) Company and Partnership iv) Limited Liability Partnership and Partnership;

Position of Minor; Relations inter-se of partners and relation of Partners with third parties; Registration of Partnership firm; Effect of Non - Registration of Partnership Firm; Dissolution of Firm

UNIT – V

LIMITED LIABILITY PARTNERSHIP ACT, 2008:

Need, Importance, Objectives; Definition, Concept, Key features of the Act and Judicial Responses

LEADING CASES:

- 1) Amritlal Goverdhan Lallan v. State Bank of Travancore, AIR (1960) SC 1432
- 2) Hindustan Construction Company Limited v. Union of India 2019 SC
- 3) National Bank of India Ltd. v. Sohan Lal AIR 1965 SCR (3) 293
- 4) Patnaik & Co. v. State of Orissa AIR (1965) SC 1655
- 5) Serious Fraud Investigation Office v. Rahul Modi, 2019 SC 423
- 6) State of Gujarat v. Mamon Mohd. AIR (1967) SC 1885

SUGGESTED READINGS:

- A. Ramaiya's Commentary on the Sale of Goods, K Shanmukham and H K Saharay eds, 5th ed, 2014, Universal Law Publishing.
- Akhilesh Gupta, Law Relating to Special Contracts—Contracts of Bailment, Pledge
- Akhileshwar Pathak, Law of Sale of Goods, 2013, Oxford University Press.
- Avtar Singh : Principal of the Law of Sale of Goods (English and Hindi)
- Avtar Singh, Introduction to Law of Partnership (including Limited Liability Partnership) 10th ed., 2011, Eastern Book Company.
- Benjamin's Sale of Goods, Michael Bridge ed, 9th ed, 2016, Sweet and Maxwell.
- D. S. Chopra, A Commentary on Sale of Goods, Partnership and Negotiable Instruments, 2016, Thomson Reuters.
- Mulla's The Sale of Goods Act and the Indian Partnership Act, K Kannan ed., 10th Ed., 2012, LexisNexis.
- P S Ramanatha Aiyar, Law of Sale of Goods, Shriniwas Gupta ed., 10th ed, 2016, Universal Law Publishing.
- Pollock and Mulla's The Indian Partnership Act, G. C. Bharuka ed., 7th ed, 2007
- Pollock and Mulla's The Sale of Goods Act, Akshay Sapre ed., 9th ed, 2014, LexisNexis.

PAPER 1.7.

LEGAL LANGUAGE, LEGAL WRITING AND GENERAL ENGLISH

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

- (1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

This course is designed to scientifically relate the Law and English Language as the means and methods for development of effective reading, writing, communication and presentation skills. The objective of this course is to introduce students to the nuances of legal language and writing, and its use and application through the study of judicial opinions, common legal maxims and legal terminology. It also seeks to familiarize students with the principles governing legal drafting, and equip them with the ability to draft simple legal documents and with academic legal writing assuming increasing significance in this day and age, both for students and practitioners, emphasis has also been placed on developing and honing students' research and writing skills through the study of the works of eminent jurists, as also practical writing exercises.

UNIT - I

Legal Language:

Introduction to Language and Communication; Use of Legal Phrases and Terms List of Legal Terms; Latin Maxims; Pair of words; One-word substitution.

UNIT - II

Reading and Comprehension Skills:

Comprehension of Legal Texts; Prescribed Leading Cases; Newspaper Reading.

UNIT - III

Legal Writing:

Fundamental Principles of Legal Writing; General Guidelines Relating to Legal Writing; How to write a case comment; Precise Writing; Brief Writing and Drafting

of reports; letters and applications; Essay writing and topics of legal interest; Translation (from English to Hindi and Hindi to English); Resume; Writing for Employment-Designing Cover letters; Difference between Bio-Data, Resume and Curriculum-Vitae.

UNIT - IV

Communication & Presentation Skills:

Importance of communication skills for a legal professional; Verbal, Non-verbal and Paralinguistic Communication; Brevity, Clarity, Simplicity, Accuracy and Appropriateness; Barriers to good communication and how to avoid them; Etiquettes and Manners for Law Professionals; Body Language; Group Discussion; How to Face an Interview; Presentation techniques.

UNIT - V

Academic Legal Writing:

Sources of Legal Material, Literature review, Writing an Abstract, Formulating Research Question, Methodology, Formal Writing Style, Plagiarism, Citation Methods (Footnotes), Examination Strategies, Written communication including emails and formal letters

PRESCRIBED LIST OF LEGAL TERMS:

Abet	Appeal	Charge	Contingent
Abate	Acquittal	Chattels	Contraband
Abstain	Articles	Citation	Conviction
Accomplice	Assent	Clause	Convention
Act of God	Attested	Coercion	Corporate
Actionable	Attornment	Code	Custody
Accuse	Averment	Cognizable	Damages
Adjournment	Bail	Confession	Decree
Adjudication	Bailment	Compromise	Defamation
Admission	Blockade	Consent	Defense
Affidavit	Bonafide	Conspiracy	Deposit
Amendment	By-laws	Contempt	Detention

Discretion	Justice	Petition	Stamp Duty
Distress	Judgment	Plaintiff	Status quo
Earnest Money	Justiciable	Pledge	Statute
Enact	Legislation	Preamble	Succession
Enforceable	Legitimacy	Pre-emption	Summons
Equality	Liable	Prescription	Surety
Escheat	Liberty	Presumption	Tenant
Estoppel	License	Privilege	Testator
Eviction	Lieu	Privity	Testatrix
Executive	Liquidation	Process	Title
Ex-parte	Maintenance	Promissory Note	Tort
Finding	Malafide	Proof	Trade Mark
Floating charge	Malfeasance	Proposal	Treason
Franchise	Minor	Prosecution	Treaty
Fraud	Misfeasance	Procedural	Trespass
Frustration	Mortgage	Proviso	Trial
Good Faith	Murder	Ratify	Tribunal
Guardian	Negligence	Receiver	Trust
<i>Habeas Corpus</i>	Negotiable	Redemption	Ultra vires
Hearsay	Instruments	Reference	Undue influence
Homicide	Neutrality	Regulation	Usage
Inheritance	Non-feasance	Remand	Verdict
Illegal	Notification	Remedy	Vested
Indemnity	Novation	Repeal	Violate
Inheritance	Nuisance	Res Judicata	Vis-major
<i>In limine</i>	Oath	Respondent	Void
Insanity	Obscene	Restitution	Voidable
Institute	Offender	Rule	Waiver
Insurance	Order	Ruling	Warrant
Intestate	Ordinance	Schedule	Warranty
Issue	Overrule	Section	Will
Judicial	Partition	Settlement	Writ
Jurisdiction	Perjury	Sovereignty	Wrong

PRESCRIBED LIST OF LATIN MAXIMS:

1. A mensa et thoro (from table and bed)
2. Ab initio (from the beginning)
3. Actio personalis moritur cum persona (Personal right of action dies with the person)
4. Actus curiae neminem gravabit (an act of the Court shall prejudice no one)
5. Actus non facit reum, nisi mens sit rea (the act itself does not constitute guilt unless done with a guilty intent).
6. Actus reus (wrongful act)
7. Ad interim (in the meantime)
8. Ad liteam (for the suit)
9. Ad valorem (according to the value)
10. Adjournment sine die (adjournment without a day for a further meeting or hearing)
11. Alibi (plea of being elsewhere)
12. Allegans Contraria Non Est Audiendus (One making contradictory statements is not to be heard)
13. Amicus curiae (friend of the Court)
14. Animus (intention)
15. Audi alteram partem (hear the other side)
16. Bonus iudex secundum aequum et bonum iudicat et aequitatem stricto iuri praefert (A good judge decides according to justice and right and prefers equity to strict law.)
17. Caveat emptor (buyer beware)
18. Consensus ad idem (agreement by the persons upon the same thing in the same sense)
19. Corpus delicti (Body of the crime)
20. Corpus juris civilis (Body of civil law)
21. Dammum sine injuria (damage without injury)
22. De facto (in fact)
23. De jure (in law)
24. Decree nisi (a decree which takes effect after a specified period)
25. Delegates non potest delegare (a delegated power cannot be further delegated)
26. Deminimis non curat lex (the law does not account of the trifles)
27. Denatio martis cause (gift by a person on the death-bed)
28. Doli incapax (incapable in malice)
29. Ei incumbit probatio qui dicit, non qui negat (The burden of proof is on the one who declares, not on one who denies)
30. Eiusdem generis (of the same category)
31. Eminent domain (the supreme rights)
32. Ex officio (from the office)
33. Ex specialis derogat legi generali (Specific law takes away from the general law)

34. *Ex turpi causa non oritur actio* (No action arises on an immoral contract.)
35. *Ex parte* (not in the presence of the opposite party)
36. *Ex post facto* (by subsequent act)
37. *Factum valet* (the fact which cannot be altered)
38. *Fait accompli* (an accomplished fact)
39. *Fortior est custodia legis quam hominis* (The custody of the law is stronger than that of man)
40. *Fraus et jus nunquam cohabitant* (Fraud and justice never dwell together.)
41. *Ignorantia legis neminem excusat* (ignorance of law is no excuse)
42. *In pari materia* (in an analogous case, cause or position)
43. *Injuria sine damno* (injury without damage)
44. *Interest re publicate ut sit finis litium* (it in the interest of the republic that there should be an end of law suit)
45. *Interpretare et concordare leges legibus est optimus interpretandi modus* (To interpret and harmonize laws is the best method of interpretation.)
46. *Intra vires* (within the powers)
47. *Judex non potest esse testis in propira causa* - A judge cannot be witness in his own cause.
48. *Jus terti* (the right of a third party)
49. *Justitia nemini neganda est* (Justice is to be denied to no one)
50. *Lex citius tolerare vult privatum damnum quam publicum malum* (The law would rather tolerate a private injury than a public evil.)
51. *Lis pendens* (pending suit)
52. *Mens rea* (guilty mind)
53. *Mesne profits* (the profits received by a person on wrongful possession)
54. *Mors dicitur ultimum supplicium* (Death is called the extreme penalty.)
55. *Nemo dat quod non habet* (no man can transfer better title than he himself has)
56. *Nemo Debet Bis Vexari Pro Una Et Eadem Causa* (no man can be twice vexed for the same cause)
57. *Nemo judex in causa sua* (no one shall be a judge in his own case)
58. *Nemo punitur pro alieno delicto* - No one is punished for the crime of another.
59. *Obiter dicta* (an opinion of law not necessary to the decision)
60. *Onus probandi* (the burden of proof)
61. *Pacta sunt servanda* (pacts must be respected)
62. *Pendent elite* (during litigation)
63. *Per capita* (counting heads)
64. *Per incuriam* (though inadvertence or carelessness)
65. *Post mortem* - After death
66. *Prima facie* - On the face of it

67. Pro bono publico (for the public good)
68. Pro rata - In proportion.
69. Quoties in verbis nulla est ambiguitas, ibi nulla expositio contra verba expressa fienda est - When there is no ambiguity in words, then no exposition contrary to the expressed words is to be made.
70. Ratio decidendi -Reason for the decision
71. Ratio est legis anima, mutata legis ratione mutatur et lex - Reason is the soul of the law; when the reason of the law changes the law also is changed.
72. Res gestae (connected facts forming the part of the same transaction)
73. Res ipsa loquitur (the thing speaks for itself)
74. Res judicata (a matter already adjudicated upon)
75. Res nallius (an ownerless thing)
76. Respondeat superior -let the master answer
77. Rule nisi (a rule or order upon condition that is to become absolute case is shown to the contrary)
78. Status quo (existing position)
79. Sub judice (in course of adjudication)
80. Sui juris (on one's own right).
81. Suo motu (of ones own accord)
82. Ubi jus ibi remedium (where there is a right, there is a remedy)
83. ultra vires (beyond the powers of)
84. Vigilantibus non dormientibus aequitas subvenit -Equity aids the vigilant, not the sleeping
85. Volenti non fit Injuria (Risk taken voluntarily is not actionable)

SUGGESTED READINGS:

- B. M. Gandhi, Legal Language, Legal Writing and General English, Eastern Book Company, 2010.
- Blacks' Law Dictionary, Universal Publishing Ltd., 2000.
- Broom's Legal Maxims. 11th ed. New Delhi: Universal Publishing Ltd., 2011.
- Dr. A. Prasad, Outlines of Legal Language in India, Central Law Publications, 6th ed., 2011
- Dr. S.C. Tripathi, Legal language, Legal Writing and General English, Central Law Publications, 6th ed.,
- Glanville Williams: Learning the Law
- Mogha G. C. Mogha's Law of Pleadings in India with Precedents. 17th ed. Lucknow: Eastern Book Company, 2006 (2009).
- P. Ramanatha Aiyar's The Law Lexicon, Dr. Shakil Ahmad Khan, LexisNexis, 3rd ed., 2012
- Paul Rylance: Legal Writing and Drafting
- S.P. Aggarwal, Drafting and Conveyancing (Student Series), LexisNexis, 5th ed., 2013.
- Wren and Martin: English Grammar and Composition

PAPER 1.8.

LEGAL AND CONSTITUTIONAL
HISTORY OF INDIA

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

- (1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The roots of the present lies buried in the past. The objective of the course is to familiarize the students with the origin of common law system in India. This course traces the legislative history back to 1600 and its evolution through different periods under different Governor Generals. The main objective is to enlighten the students about the historical background of legislations in civil, criminal and constitutional Law and relate it to contemporary period. It also focuses the court system during colonial period and the cases heard by it. The learning of the Court system and how it has been revamped in different times to the needs of the society will help the students to find out its importance in present day judicial system.

UNIT - I

Early Administration of Justice in Presidency Towns:

European Settlement in India; The East India Company : Development of authority; Organisational setup of the English Company's Factories or settlements in India; Madras Settlement and Administration of Justice; Administration of Justice in Bombay; Administration of Justice in Calcutta

Mayor's Courts and the Courts of Requests:

Early Mayor's Court in Madras; Provisions of the Charter of 1726; Consequences of the Charter of 1726; Critical estimate of the working of the Mayor's Court from 1726 to 1753; The Charter of 1753: Reforms introduced; Criticism of the Charter; Abolition of the Mayor's Court; Appraisal of the Mayor's Court under the Charter of 1726 and 1753; The Courts of Request (Small Cause Courts)

UNIT - II

Adalat System in Moffusil Area:

Courts in Bengal under the Mughals; Dual Government in Bengal and its consequences; The Company as Diwan; Warren Hasting's Plan of 1772; Defect of the Plan; New Plan of 1774; Reorganisation of Adalats in 1780; Defects of the reorganization Plan; Reforms of 1781: Initiative of Impey and Warren Hastings; Reforms in the Administration of Criminal Justice

The Regulating Act of 1773:

Circumstances prior to the Act of 1773; Salient features of the Regulating Act, 1773; Legislative power under the Act, 1773; Charter of 1774 and the Supreme Court of Calcutta; Critical estimate of the Provisions of the Regulating Act, 1773 and the Charter of 1774; Trial of Raja Nand Kumar (1775); "Kamaluddin" Case (1775); "Patna" Case (1777-1779); "Cossijurah" Case (1779-1780); Salient features of the Settlement Act, 1781; Major defects of the Settlement Act, 1781; Supreme Court at Calcutta; Supreme Court at Madras and Bombay; Laws administered in the Supreme Court

UNIT - III

Judicial Measures of Cornwallis:

Company's Government before Cornwallis; Important provisions of the Pitt's Act, 1784; Judicial reform of Cornwallis; a) Judicial Plan of 1787 b) Re-organisation of the Criminal Judicature c) Scheme of Criminal Judicature, 1790; Judicial Plan of 1793; Appraisal of the System of 1793.

Establishment of High Courts:

The Indian High Courts Act, 1861; Letters patent establishing High Courts; The Indian High Courts Act, 1865 and of 1911; The Government of India Act, 1915; The Government of India Act, 1935; High Courts established during 1947 to 1950.

UNIT - IV

Privy Council - Highest Court of Appeal:

The Origin of Privy Council; Appeal to the Privy Council (1726-1860); Appeal to the Privy Council (1861-1949); Precedential value of the Privy Council decisions;

Federal Court of India :

Foundation of the Federal Court; Jurisdiction of the Federal Court - a) Original Jurisdiction
b) Appellate Jurisdiction c) Advisory Jurisdiction

Authority of law laid down by Federal Court; Abolition of Federal Court.

UNIT - V

Evolution of Law through Legislation and Judicial Decisions in Colonial Period:

Process of Codification in India - (a) The Charter Act of 1833, (b) The First Law Commission, (c) The Second Law Commission, (d) The Third Law Commission, and (e) The Fourth Law Commission

Constitutional History:

Morley-Minto Reforms and the Indian Council Act, 1909; Montagu-Chelmsford Report and the Government of India Act, 1919; a) Main features of the system introduced by the Act of 1919
b) Shortcomings of the Act of 1919

The Simon Commission Report; The Nehru Report, 1928; Communal Award and Poona Pact
The Civil Disobedience Movement; The Government of India Act, 1935- Main features, opposition to the Act; defects of the Act.

LEADING CASES:

- 1) Bhagwandeon Doobey v. Myna Bae, (1866-1867) 11 MIA 487
- 2) Gokul Chand v. Hukum Chand Nath Mal, (1920-1921) 48 IA 162
- 3) Gopeekrist Gosain v. Gungapersaud Gosain, (1854-1857) 6 MIA 53
- 4) Manzur Hasan v. Muhammad Zaman, (1924- 1925) 52 IA 61
- 5) Miter Sen Singh v. Maqbul Hasan Khan, (1929-1930) 57 IA 313
- 6) Nawab Khwaja Muhammad Khan v. Nawab Husaini Begam, (1909-1910) 37 IA 152

SUGGESTED READINGS:

- Debates of Constitutional Assembly.
- Gandhi, B. M.: V. D. Kulashreshta's Landmarks in Indian Legal and Constitutional History; Eastern Book Company, 1989
- Granville Austin, The Indian Constitution - Cornerstone of a Nation, 5 Edition, Oxford University Press, New Delhi,(2002).

- Ilbert, Courtney Sr. The Government of India, 2nd ed. London: Oxford University Press, 1907.
- Jain, M.P., Outlines of Indian Legal History, Lexis Nexis (2014).
- Jois, Rama M., Legal And Constitutional History of India, Universal Law Publications Ltd.
- Keith A. B. A Constitutional History of India, 1600-1935, 2nd ed. Allahabad: Central Depot, 1961.
- Pylee, M. V. Constitutional History of India (1600-1950). Bombay: Asia 1967.
- Rama Jois, Legal and Constitutional History of India, Universal Law Publishing, (2016)
- S.B. Shiva Rao, The Framing of the Indian Constitution, Vols. I and V, the Indian Institute
- Speeches and Documents on the Indian Constitution 1945 -1947 (2 Vols.) London OUP, 1957.

PRACTICAL PAPER

PAPER 1.9. (a)

PUBLIC INTEREST LAWYERING

LEGAL AID, PARA-LEGAL SERVICES AND MOOT COURT

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 36

This paper shall consist of following two parts:

- | | | |
|-----------------------------|---|----------|
| (a) Practical written paper | — | 80 marks |
| (b) Viva voce examination | — | 20 marks |

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 36 percent marks in each part, i.e. 29 marks out of 80 and 7 marks out of 20 marks.

- (1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The object of the course is to familiarize the students with an exposure to the socio-legal aspects and sensitize them to the problems of the downtrodden and weaker sections of the society, and to inculcate social responsibilities in the students. This course will also have a purpose to discuss the different standings on which PIL's are admitted and will be able to explain the differences between the adversarial and inquisitorial procedures and to critically analyze the objects of Legal Services Authorities Act and the provisions of the Act, which seek to realize these objects and finally to make the student serve the society with their legal knowledge.

(a) Practical Written Paper:

- (1) Meaning, nature, scope and object of Public Interest Litigation (PIL); PIL against the State and other Public bodies; Difference between Public Interest Litigation and Private Interest Litigation; Judicial Responses—Meaning of Social Action Litigation, Concept of Locus Standi.

Liberalisation of locus standi, suo motu intervention by the court; Epistolary jurisdiction, creeping jurisdiction; Adversarial and inquisitorial procedures; Research in support of Public Interest Litigation.

(2) Legal Aid under the :

(i) Constitution; (ii) Code of Criminal Procedure; and (iii) Code of Civil Procedure.

The Legal Services Authorities Act, 1987- Legal Aid and Law Schools; Legal Aid and Voluntary Organizations legal Aid and Legal Profession; District Legal Aid Committee.

(3) Lok Adalats —Their jurisdiction. working and Powers under the Legal Services Authorities Act, 1987.

(4) Writing of Pubic Interest Litigation.

Writing of applications for Legal Aid.The students shall take part in extension programmes like Lok Adalats, Legal Aid Camps, Legal Literacy Camps, etc., under the guidance of the Course Teacher. Each student shall maintain a diary containing the details of his/her participation in the extension programmes.

LEADING CASES:

- 1) Bandhua Mukti Morcha v. Union of India, (1984) 3 SCC 161.
- 2) Olga Tellis v. Bombay Muncipal Corporation, (1985) 3 SCC 545.
- 3) Sheela Barse v. State of Maharashtra, AIR 1988 SC 378.
- 4) Sukhdas v. Union Territory of Arunachal Pradesh, AIR 1986 SC 928.
- 5) Vishakha v. State of Rajasthan AIR 1997 SC 3011.

SUGGESTED READINGS:

- Agarwala, S. K. Public Interest Litigation in India, Bombay: N. M. Tripathi, 2000.
- Kailash Rai—PIL, Legal Aid & Para Legal Services (English & Hindi)
- L.M. Singhvi— Law and Poverty — Cases and Material.
- Law Relating to Public Interest Litigation, R. Chakraborty (Laymanns) ,2015
- Menon, N. R. Madhava, Clinical Legal Education.
- Public Interest Litigation (with Model PIL Formats), Dr. B.L. Wadhwa, 2014
- Public Interest Litigation(PIL) & How to file PIL,CA Virendra Pamecha, 2014
- R. N. Bajpayee—Legal Aid and the Bar Council.
- RN. Bhagwati—Legal Aid as a Human Right

PAPER 1.9. (b)

VIVA—VOCE EXAMINATION

20 Marks

Candidate shall maintain a Diary on Court visits; Legal Aid and Lok Adalat Proceedings. Moot Court may be conducted under the supervision of the concerned teacher on the prescribed leading cases in LLB-first year papers. The teacher(s) shall conduct at least two 'Moot Courts' during the session and it will be compulsory for the candidates to participate in at least half of the Moot Courts conducted by the college in the session. The concerned teacher may also conduct Moot Court on the decided cases other than the prescribed leading cases. The Viva-voce examination shall be conducted by a Committee of three persons. In this Committee, there shall be two internal examiners and one External examiner. The Committee shall award marks on the basis of Court diary and performance at the Moot Court and viva-voce examination. In case of discrepancy in the awards, the awards given by external examiner shall be final.

PART - B

2. I. LL.M. TWO YEAR POSTGRADUATE DEGREE
COURSE (ANNUAL SCHEME)

ELIGIBILITY FOR ADMISSION TO LL.M. COURSE:

1. The Degree of Master of Laws shall consist of two Parts- Part I and II and there will be an examination at the end of each academic year viz. LL.M. Part I Examination at the end of the First Year and LL.M. Part II Examination at the end of the Second Year.
2. A candidate who has passed the B.A.LL.B. Five Years or LL.B. Three Years Course or any other law degree examination of the State Universities of Rajasthan or an examination of some other University recognized by the Board of Management of the University as equivalent thereto securing a minimum of 55% marks in the aggregate or a candidate who holds B.A.LL.B. Five Years or LL.B. Three Years Degree or who has passed any of the Post Graduate Diploma courses of University in the Faculty of Law with 55% of marks in the aggregate at the Diploma Examination and pursued a regular course of study in an affiliated college for one academic year shall be eligible for admission to the LL.M. Part I Course.
3. A candidate passing the B.A.LL.B. Five Years or LL.B. Three Year Course with a minimum of 55 % marks shall be eligible to apply for admission to LL.M. Part I Course. There shall be a relaxation of 5% marks in case of Scheduled Caste and Scheduled Tribe, 5% for Other Backward Class candidates and 5% for E.W.S. Candidates.

LL.M. TWO YEAR POSTGRADUATE DEGREE COURSE

SYLLABUS AND COURSE CONTENT OF LL.M. FIRST YEAR –

PAPER 1.1.:	LAW AND SOCIAL TRANSFORMATION IN INDIA
PAPER 1.2. :	CONSTITUTIONAL LAW OF INDIA AND NEW CHALLENGES
PAPER 1.3. :	JUDICIAL PROCESS
PAPER 1.4. :	LEGAL THEORY AND HUMAN RIGHTS PHILOSOPHY
PAPER 1.5. :	LEGAL EDUCATION AND RESEARCH METHODOLOGY

PAPER 1.1.

LAW AND SOCIAL TRANSFORMATION IN INDIA

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

This course is designed to offer the teacher and the taught with (a) awareness of Indian approaches to social and economic problems in the context of law as a means of social control and change; and (b) a spirit of inquiry to explore and exploit law and legal institutions as a means to achieve development within the framework of law. The endeavour is to make the students aware of the role the law has played and has to play in the contemporary Indian Society.

UNIT - I

Law and Social Change: A Theoretical Perspective:

Relationship of Law with social change; Law as an instrument of social change; Law as the product of traditions & culture: Evaluation in the light of colonization & common law system; Impact of Social movements on social change.

Religion and the Law:

Religion: Meaning, relationship with law; Religion as an integrative or divisive factor; Secularism: meaning and its contribution in Indian society, Freedom of religion and non-discrimination on the basis of religion; Religious minorities and the law.

UNIT - II

Languages and the Law:

Formation of linguistic States and its impact on policy in governance; Constitutional guarantees to linguistic minorities; Language policy and the Constitution: Official languages, multi language system; Non-discrimination on the ground of language.

Community and the Law:

Caste System in Indian Society; Caste: Socio-Cultural reality as a divisive and integrative factor; Non-discrimination on the ground of caste; Acceptance of caste as a factor to undo past injustices: An Analysis; Protective discrimination: Scheduled Castes, Tribes and Backward Classes; Reservation Policy: Statutory Commission Statutory Provision

UNIT - III

Regionalism and the Law:

Regionalism: A Divisive or an integrative factor; Concept of India as one Unit; Freedom of movement, residence and business, impermissibility of state or regional barriers; Equality in matters of employment: the slogan 'son of the soil' and its practice; Admission to educational institutions: preference to residents of a State;

UNIT - IV

Modernization and the Law:

Modernization as a value : Constitutional perspective reflected in Fundamental Duties; Modernization of Social Institution through Law; Reform of Family Law; Agrarian Reform; Industrial Reforms: Free Enterprise v. State Regulation, industrialization v environmental protection; Reform of Court Processes- i. Criminal Law : Plea Bargaining, Compounding & Payment of Compensation to Victim ii. Civil Law: (ADR) Confrontation iii. Consensus, Mediation & Conciliation, Lok Adalats.

Women, Children and the Law:

Status of Women in Indian Society; Crimes against Women; Gender injustice: forms, causes and remedies; Women's Commission; Empowerment of Women: Constitutional and other legal provisions; Child Labour; Sexual Exploitation; Adoption, maintenance and related problems; Child and Education

UNIT - V

Alternative approaches to Law:

Jurisprudence of Sarvodaya, Gandhiji, Vinoba Bhave, Jai Prakash Narain; Socialist thought on Law & Justice: An enquiry through Constitutional debates on the right to property; Indian Marxist Critique of Law & Justice; Naxalite movement: Causes & Cure.

SUGGESTED READINGS:

- I. Agnes, Flavia, Law and Gender Inequality: The Politics of Women's Rights in India (1999), Oxford.
- II. D.D. Basu, Shorter Constitution of India (1996), Prentice – Hall of India(P) Ltd., New Delhi.
- III. H.M.Seervai, Constitutional Law of India (1996), Tripathi.
- IV. India Law Institute, Law and Social Change: Indo-American Reflections, Tripathi (1988)
- V. J.B.Kripalani, Gandhi: His life and Thought, (1970) Ministry of Information and Broadcasting,
- VI. M.P. Jain, Outlines of Indian Legal History, (1993), Tripathi, Bombay
- VII. Manushi, A Journal about Women and Society.
- VIII. Marc Galanter (ed.), Law and Society in Modern India (1997) Oxford.
- IX. Robert Lingat, The Classical Law of India (1988), Oxford.
- X. Sunil Deshta and Kiran Deshta, Law and Menace of Child Labour (1997),Sage.
- XI. U.Baxi (ed.), Law and Poverty Critical Essays (1988), Tripathi, Bombay.
- XII. U.Baxi, The Crisis of the Indian Legal System (1982), New Delhi.

PAPER 1.2.

CONSTITUTIONAL LAW OF INDIA AND NEW CHALLENGES

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The Constitution of India is the supreme law of the country. This course provides the description of the necessary fundamental concepts and doctrines of Constitutional Law. This Course is designed to acquaint students with the basic principles of Constitution and Constitutionalism. The Course also has the objective to familiarize the students with the Federal principles of Indian Constitution and the powers, functions and structures of various Constitutional bodies. The course is to be studied in the social, economic and political context in which the constitution operates together with the in-depth study of the latest reorganization of the Article 370 and 35-A and the Reorganization of the Jammu and Kashmir state.

UNIT - I

Making of the Constitution :Demand for a Constitution framed by a Constituent Assembly; The Cripps' offer of 1942; The Wavell Plan of 1945; The Cabinet Mission Plan, 1946; The Mountbatten Plan, 1947; The Indian Independence Act, 1947; Constituent Assembly in India and framing of the Constitution; Formation of the Constituent Assembly of India; The issues before the Constituent Assembly; Passing of the Constitution; Dr. B. R. Ambedkar's contribution in the making of the Constitution; Date of Commencement of the Indian Constitution; Concepts of Constitutional Law and Constitutionalism; Forms and characters of various models of Constitution; Salient features of the Constitution of India.

UNIT - II

Preamble - Meaning of the Preamble; Object, Purpose and Scope of the Preamble; Contents of the Preamble; Utility of Preamble in interpretation of the Constitution; Whether Preamble is part of the Constitution?

Citizenship (Articles 5-11) including relevant provisions of Citizenship Act, 1955(Sections 3 – 10); Union & State Executive (Articles 52-78 & 152-167); Union Judiciary, State Judiciary & Subordinate Judiciary (Articles 124-147 & 214-237); Writs (Article 32); Union and its Territory (Articles 1-4); Union & State Legislature (Article 79-123 & 168-213).

UNIT - III

Legislative Relations between Union and States (Articles 245-255); State: Creation and Demand of new states; Need for widening the definition of State in the wake of liberalization; Accountability of State: Joint Parliamentary Committee & Public Account Committee; Emergency Provisions (Articles 352-360); Amendment of the Constitution (Article 368) with special reference to the Basic Structure Theory.

Temporary provision (Article 370): Reorganization of Articles 370 and 35-A by the Constitution (Application to Jammu and Kashmir) Order 2019 and Re-Organization of Jammu and Kashmir through The Jammu And Kashmir Reorganization Act, 2019. (Basic Concepts and Future Effects)

UNIT - IV

Fundamental Rights; General (Articles 12 & 13); Right to Equality (Articles 14-18); Right to Freedom (Article 19); Fundamental Duties (Article 51A); Right to Freedoms (Articles 20-22)

Right against Exploitation (Articles 23 & 24); Freedom of Religion (Articles 25-28);

Democratic Process-Grass Root Democracy: Democratic Decentralization and Local Self Government; Election: Mechanism and Procedure; Election Commission: Constitution and Status; Electoral Reforms: Transparency, Free, fair and fearless election; Coalition Government, Stability, Durability; Corrupt Practice; Nexus of politics with criminals and the business.

UNIT - V

Cultural and Educational Rights (Articles 29 & 30); Right to property as constitutional right (Articles 31A-31D & 300A); Right to Constitutional Remedies (Articles 32- 35A); Directive Principles of State Policy (Articles 36-51); Trade, Commerce and Intercourse within the Territory of India (Articles 301-307); Safeguards to Civil Servants (Articles 309-311); Public Service Commission's (Article 315-323); Election Commission (Articles 324-329)

SUGGESTED READINGS :

- I. Bakshi, P.M. : Constitution of India- 8th Edition, Universal Law Pub., 2017.
- II. Basu, D.D. : Introduction to the Constitution of India (English & Hindi)
- III. Basu, Durga Das : Shorter Constitution of India, 13th Edition, Wadhwa, 2012.
- IV. Constitution of India as amended up to-date
- V. Constitution (Application To Jammu And Kashmir) Order 2019
- VI. Granville Austin, Working of a Democratic Constitution- The Indian Experience, Oxford University Press.
- VII. H. M. Seervi, Constitutional Law of India, N.M. Tripathi.
- VIII. H.R. Khanna, Making of India's Constitution, Eastern Book Co., Lucknow Harper Collins Publication, India. 2019.
- IX. Jain, M.P. : Indian Constitutional Law- 5th Edition, Wadhwa, 2015.
- X. Kashyap Subhash C., Constitutional Law of India, Universal Law Publishing Co. Pvt. Ltd., 2015
- XI. M.P. Singh, V.N. Shukla's Constitution of India, Eastern Book Company, (2013).
- XII. Seervai, H.M. : Constitutional Law of India- 4th Edition, Universal Law Publishing Co. Pvt. Ltd., 2012.
- XIII. The Jammu and Kashmir Reorganisation Act, 2019
- XIV. Various Amendments made to the Constitution of India

PAPER 1.3.

JUDICIAL PROCESS

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

A Lawyer, whether academic or professional, is expected to be competent to analyze and evaluate the legal process from a broader juristic perspective. Hence a compulsory paper on judicial process is essential in the LL.M. curriculum. The objective of this paper is to study the nature of judicial process as an instrument of social ordering. It is intended to highlight the role of court as policy maker participant in the power process and as an instrument of social change. This paper further intends to expose the intricacies of judicial creativity and the judicial tools and techniques. Since the ultimate aim of any legal process or system is pursuit of justice, a systematic study of the concept of justice and its various theoretical foundations is required. This paper, therefore, intends to familiarize the students with various theories different aspects and alternative ways of attaining justice.

UNIT - I

Nature of Judicial Process:

Judicial process as an instrument of social ordering; Judicial process and creativity in Law: Common law model, legal Reasoning and growth of law, change and stability; The tools and techniques of judicial creativity and precedent; Legal development and creativity through legal reasoning under statutory and codified system.

UNIT - II

Special dimensions of Judicial Process in Constitutional Adjudication:

Notion of Judicial Review; Role in constitutional adjudication: various theories of judicial role; Tools and techniques in policy making and creativity in constitutional adjudication; Varieties of judicial and juristic activism; Problems of accountability & Judicial Law making.

UNIT - III

Judicial Process in India:

Indian debate on the role of judges and on the notion of judicial review; The “independence” of judiciary and the “political” nature of judicial process; Judicial activism and creativity of the Supreme Court: the tools and techniques of creativity- Judicial process in pursuit of constitutional goals and values: New dimensions of judicial activism and structural challenges; Institutional liability of courts its scope and limits.

UNIT - IV

The Concept of Justice:

The concept of justice and Dharma in Indian thought; Dharma as the foundation of legal ordering in Indian thought; The concept and various theories of justice in the western thought; Various theoretical bases of justice: The liberal contractual tradition, the liberal utilitarian tradition and the liberal moral tradition.

UNIT - V

Relation between Law and Justice:

Equivalence Theories – Justice as nothing more than the positive law of the stronger class; Dependence theories: for its realization, Justice depends on law, but justice is not the same as law; The independence theories of justice as a means to an end, the relationship in the context of the Indian Constitutional ordering; Analysis of selected cases of Supreme Court where the Judicial Process can be seen as influenced by theories of Justice.

SUGGESTED READINGS :

- I. A. S. Anand, Judicial Review – Judicial Activism–Need for Caution, Journal of Indian Law Institute P. 149 (2000).
- II. Amartya Sen, ‘Idea of Justice’, Allen Lane & Harvard University Press, 2009

- III. Cordozo 'The Nature of Judicial Process (1995). Universal Law Publishing Co., New Delhi
- IV. Henry J. Abraham, The Judicial Process (1998), Oxford University Press
- V. J. Stone. Legal System and Lawyer's Reasoning (1999), Universal Law Publishing Co., New Delhi
- VI. J.Stone, Precedent and the Law: Dynamics of Common Law Growth(1985), Butterworths.
- VII. Julius Stone. The Province and Function of LawCh.1, PP 8-16, (2000) Universal Law Publishing Co., New Delhi
- VIII. Rajeev Dhavan. The Supreme Court of India – A Socio-Legal Critique of its Juristic Techniques (1977), Tripathi – Bombay.
- IX. S. P.Sathe, Judicial Activism in India: Transgressing borders and Enforcing Limits, Oxford New Delhi. (2002
- X. Upendra Baxi, "On how not to Judge the Judges" 25 Journal of the Indian Law Institute, P. 211 (1983).
- XI. Upendra Baxi, The Indian Supreme Court and Politics. (1980) , Eastern Book Co., Lucknow.
- XII. Virendra Kumar, Basic Structure of the Indian Constitution: Doctrine of Constitutionally controlled Governance, Journal of the Indian Law Institute, PP 365-395, (2007).

PAPER 1.4.

LEGAL THEORY AND HUMAN RIGHTS PHILOSOPHY

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

The course aims at developing an analytical approach to understand the nature of law and the development of legal system. Legal theory seeks to answer fundamental questions about law. The concerns of Legal theory are an inescapable feature of the law and legal system. Legal theory has generous frontiers. It accommodates copious subjects of intellectual enquiry.

This course identifies and elucidates several of the major preoccupations of legal theory. The following syllabus prepared with this perspective will be spread over a period of one year.

UNIT - I

Positivism - Relation between Law and Morality, Analytical Positivism, Imperative Theory of Law, Pure theory of Law, the concept of Law.

UNIT - II

Historical and Sociological approach to Law - Theory of Volkgeist, Anthropological approach to law, purpose theory, living law theory, social engineering.

UNIT - III

Post sociological approach realism, Justice Cardozo - Judicial process, Justice Holmes, critical legal studies, Feminist Philosophy.

UNIT - IV

Justificatory theories in shaping the concept of Human Rights, Theology, Natural law and natural rights, Utilitarianism - Right based theory and collective rights.

UNIT - V

Modern theories of Human Rights, Rawls Theory of justice - Nozick - Ronald Dworkin, Right to Solidarity, Global Justice - meaning and application.

SUGGESTED READINGS :

- I. Bodenheimer – Jurisprudence : The Philosophy and Method of Law
- II. Dennis Lloyd - Jurisprudence
- III. Dias – Jurisprudence
- IV. Friedman – Legal Theory
- V. G.W.Paton – Jurisprudence
- VI. Rawls- Theory of Justice
- VII. Robert Nozick – Anarchy, State and Utopia
- VIII. Ronald Dworkin – Taking Rights Seriously
- IX. S.C. Kashyap, Human Rights and Parliament (1978)
- X. Salmond – Jurisprudence
- XI. U.Baxi, The Crisis of the Indian Legal System (1982), Vikas Publishing House, New Delhi.
- XII. Upendra Baxi, "Law, Democracy and Human Rights"- 5 Lokayan Bulletin 4 (1987)
- XIII. V.D. Mahajan – Jurisprudence

PAPER 1.5.

**LEGAL EDUCATION AND
RESEARCH METHODOLOGY**

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

This paper shall consist of following two parts ;

- | | | |
|---|---|--------------------|
| (a) Written Paper | — | 80 marks |
| (b) Non-Doctrinal Research and
Viva-voce examination (Practical) | — | 20 marks [10 + 10] |

The candidate must pass in part (a) and (b) separately. For passing, he shall be required to obtain 40 percent marks in each part, i.e. 32 marks out of 80 and 8 marks out of 20 marks.

- (1) There shall be ten questions in the examination paper, two questions from each unit. The candidate is required to attempt five questions, one question from each unit is compulsory. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

OBJECTIVES OF THE COURSE:

A Post-graduate student of Law should get an insight into the objectives of legal education. He should have an exposure to programmes like organizations of seminars, publication of Law Journals and holding of legal aid clinics.

Law is taught in different ways in different countries. The LL.M. course, being intended also to produce lawyers with better competence and expertise, it is imperative that the student should familiarize himself along with the different systems of legal education. The lecture method both at LL.B. level and LL.M. level has many demerits. The existing lacunae can be eliminated by following other methods of learning such as case methods, discussion method, problem seminar method and combination of all methods.

The student has to be exposed to those methods so as to develop his skills. Growth of legal science in India depends on the nature and career of legal research. The syllabus is also designed to develop skills in research and writing in a systematic manner.

PAPER 1.5.(a)

UNIT - I

Legal Education: Methods & Objective:

Lecture Method of Teaching: Merits and Demerits; The problem method; Discussion method and its suitability at postgraduate level teaching; The seminar method of teaching; Examination system and problems in evaluation external and internal assessment; Student participation in law school programmes, organizations of seminars, publication of journal and assessment of teachers; Clinical legal education – legal aid, legal literacy, legal survey and law reform.

UNIT - II

Research Method:

Socio-Legal Research; Doctrinal and non-doctrinal research; Relevance of empirical research; Induction and deduction; Identification problem of research – what is a research problem; Survey of available literature and preparation of bibliography; Legislative materials including subordinate legislation, notification and policy statements.

UNIT - III

Research Materials:

Decisional materials including foreign decisions; methods of discovering the “rule of the case”; Juristic writings: A Survey of juristic literature, its relevance in selection of problems in India and foreign periodicals; Compilation of list of reports or special studies conducted relevant to the problems; Formulation of the Research Problem, hypothesis; Devising tools and techniques for collection of data; Methods for the collection of statutory and case material and juristic literature; Use of historical and comparative research material; Use of observation studies; Use of the Case Studies; Use of questionnaires/interview; Sampling procedures, design of sample, types of sampling to be adopted; Use of scaling techniques; Jurimetrics.

UNIT - IV

Data Collection:

Computerized Research: A study of legal research programmes such as lexis and West law coding; Classification and Tabulation of Data: use of cards for data collection, Rules for tabulation, Explanation of tabulated data; Analysis of Data – Qualitative and Quantitative

UNIT - V

Report Writing; Research report & techniques of writing research work; Citation rules and modes of legal writing, Case Analysis, Impact of Decisions of the Court.

PAPER 1.5.(b)

NON-DOCTRINAL RESEARCH AND VIVA-VOCE EXAMINATION (PRACTICAL) (20 marks)

Here the students are asked to go out of the class room and library and make an empirical study of a problem which has social, economic, moral or political dimension. Field data can be collected through any model of data collection. The results are to be assessed internally by a designated faculty member who are engaging LL.M. Classes regularly.

SUGGESTED READINGS:

- I. High Brayal, Nigel Dunean and Richard Crimes, Clinical Legal Education: Active Learning in your Law School, (1998) Blackstone Press Limited, London.
- II. S. K. Agrawal (Ed.), Legal Education in India (1973), Tripathi, Bombay.
- III. M.O. Price, H.Bitner and Bysiewiez, Effective Legal Research (1978)
- IV. William J. Grade and Paul K.Hatt, Methods in Social Research, Mc Graw-Hill Book Company, London
- VI. H. M. Hyman, Interviewing in Social Research (1965)
- VII. Payne, The Art of Asking Questions (1965)
- VIII. Erwin C. Surrency, B. Fielf and J. Crea, A Guide to Legal Research (1959)
- IX. Morris L. Cohan, Legal Research in Nutshell, (1996), West Publishing Co.
- X. Havard Law Review Association, Uniform System of Citations.
- XI. I.L.I. Publication, Legal Research and Methodology.

2. II. THERE SHALL BE FOLLOWING THREE POST GRADUATE DIPLOMA COURSES:

- (1) DIPLOMA COURSE IN LABOUR LAW, LABOUR WELFARE AND PERSONNEL MANAGEMENT
- (2) DIPLOMA COURSE IN CRIMINOLOGY AND CRIMINAL ADMINISTRATION
- (3) DIPLOMA COURSE IN FORENSIC SCIENCE AND CRIMINAL INVESTIGATION

2.II.(1) ONE YEAR POST GRADUATE DIPLOMA COURSE IN LABOUR LAW, LABOUR WELFARE AND PERSONNEL MANAGEMENT

ELIGIBILITY FOR ADMISSION:

- (i) A candidate who after having passed in any one of the following examinations of the State Universities of Rajasthan or any other University recognized for the purpose by the Board of Management viz.(i) the examination of B.A.LL.B. or LL.B. or (ii) M.A. in Sociology/Economics/Social Work/Psychology/Public Administration with a minimum of 48% marks in the aggregate and with a Paper relating to Labour Law as a part of their examination or (iii) M.Com. Examination Economic Administration/Financial Management/Business Administration or M.B.A. examination with a minimum of 48% marks in the aggregate and with a paper relating to Labour Law as a part of their M.Com./M.B.A. course shall be eligible to appear at the examination for the Post-Graduate Diploma Course in Labour Law, Labour Welfare & Personnel Management subject to his having pursued for one academic year, a regular course of study for the said Diploma course at a college affiliated to the University.

NOTES:

1. A candidate holding the LL.B.(Academic) Degree shall not be eligible for the course.

2. For determining 48% marks in the aggregate at the M.A./M.Com./M/B.A. Examination referred to above the total marks obtained at both the Previous and the Final Examinations or at all the Semester examination as the case may be, will be taken into account.

3. Candidate passing the M.A./M.Com. Degree in the subject mentioned above or the M.B.A. Degree with less than 48% marks in the aggregate not exceeding two in number, could be admitted to the post-graduate Diploma Course, provided that they have put in five year's continuous service in the Labour Department of the State Government and are nominated by the Government for whom two seats shall be reserved.

4. A candidate who has passed the B.A.LL.B. Five Years or LL.B degree Examination of the State Universities of Rajasthan or an examination of some other University recognized by the Board of Management as equivalent thereto securing a minimum of 55% marks in the aggregate or a candidate who holds B.A.LL.B. Five Years or LL.B. Degree and has also passed any of the Diploma courses of the State Universities of Rajasthan in the Faculty of Law with 55% marks in the aggregate at the Diploma Examination and pursued a regular course of study in an affiliated college for one academic year shall be eligible for admission to the LL.M. Part I Examination.

THERE SHALL BE A TOTAL OF SIX PAPERS IN THIS ONE YEAR DIPLOMA COURSE.

NAME OF THE PAPERS AND COURSE CONTENT

PAPER 1.1.:	INDUSTRIAL RELATIONS AND THE LAW
PAPER 1.2. :	WAGES AND CODE ON SOCIAL SECURITY 2020
PAPER 1.3. :	LABOUR WELFARE AND OCCUPATIONAL SAFETY, HEALTH AND WORKING CONDITIONS CODE 2020
PAPER 1.4. :	PERSONNEL MANAGEMENT AND INDUSTRIAL PSYCHOLOGY
PAPER 1.5. :	LABOUR JURISPRUDENCE AND THE INTERNATIONAL LABOUR ORGANIZATION (I.L.O.)
PAPER 1.6. :	LABOUR ECONOMICS, LABOUR STATISTICS AND LABOUR ORGANIZATIONS (ORGANIZED AND UNORGANIZED)

PAPER –1.1.

INDUSTRIAL RELATIONS AND THE LAW

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

Industrial Relations – Genesis, Concept and Emerging Issues and Judicial Responses

THE INDUSTRIAL RELATIONS CODE, 2020:

Need, Importance, Objectives; Definition, Concept, Key features for Enactment of the Code and Repeal of Laws and Judicial Responses.

Bi-partite Forums; Trade Unions; Standing Orders; Notice of Change; Voluntary Reference of Disputes to Arbitration; Mechanism for Resolution of Industrial Disputes; Strikes and Lock-Outs; Lay-Off, Retrenchment and Closure; Special Provisions Relating to Lay-Off, Retrenchment and Closure in certain establishments; Worker Re-Skilling Fund; Offences And Penalties; Miscellaneous.

LEADING CASES:

1. Balmer Lawrie Workers Union Bombay v. Balmer Lawrie & Co. Ltd. 1984 I. L.L. J. 314 (S.C.)
2. Jay Engineering Work Ltd. V. State of West Bengal A.I.R. 1968 Cal. 406.
3. L.I.C. of India v. D.T. Bahadur 1981 I L.L.J. I (S.C.)
4. R.S. Ruikar v. Emperor A.I.R. 1935 Nag. 149.
5. Rohtas Industries v. Its. Union A.I.R. 1967 S.C. 425.

BOOKS RECOMMENDED:

- ★ The Industrial Relations Code, 2020.
- ★ John T. Dulop : Industrial Relations System.
- ★ J. Henry Richardson : An Introduction of the Study of Industrial Relations.
- ★ S.N. Mishra : An Introduction of Labour and Industrial Law.

- ★ I.L.O. : Freedom of associations USA, UK, USSR.
- ★ Sarma, A.M. (2011) Industrial Jurisprudence and Labour Legislation, Himalaya Publishing House, Mumbai.
- ★ Taxmann (2009) Labour Laws”, Taxmann Allied Services Pvt. Ltd.

PAPER – 1.2.

WAGES AND CODE ON SOCIAL SECURITY 2020

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

National Wage Policy; Genesis of West Regulations; Concepts of Minimum Fair, Living and Need based Minimum Wages and Judicial Responses.

THE CODE ON WAGES, 2019:

Need, Importance, Objectives; Definition, Concept, Key features for Enactment of the Code and Repeal of Laws;

Minimum wages; Payment of Wages; Payment of Bonus; Advisory Board; Payment of Dues, Claims and Audit; Inspector-cum-facilitator; Offences and Penalties; Miscellaneous; Judicial Responses

THE CODE ON SOCIAL SECURITY, 2020:

Need, Importance, Objectives; Definition, Concept, Key features for Enactment of the Code and Repeal of Laws;

Social Security Organisations; Employees’ Provident Fund; Employees State Insurance Corporation; Gratuity; Maternity Benefit; Employee's Compensation; Social Security and Cess in respect of Building and other Construction Workers; Social Security for Unorganised Workers, Gig Workers and Platform Workers; Finance and Accounts; Authorities, Assessment, Compliance and Recovery; Offences and Penalties; Employment Information and Monitoring; Miscellaneous; Judicial Responses.

LEADING CASES:

1. Air India v. Nargesh Meerza, A. I. R. 1981 SC 1830.
2. B. E. S. T. Undertaking Bombay v. Mrs. Agens AIR 1964 SC 193.
3. D. S. Nakara v. Union of India A. I. R. 1983 SC 130.
4. Express Newspaper Ltd. & others v. Union of India & others. AIR 1958 SC 578.
5. Royal Talkies Hyderabad v. E.S.I. Corporation AIR 1978 SC 19.

BOOKS RECOMMENDED :

- ★ K.N. Vaid : Labour Welfare in India.
- ★ M.V. Moorty : Principles of Labour Welfare.
- ★ Government of India : Report of the Committee on Labour Welfare, 1970.
- ★ The Code On Social Security, 2020
- ★ The Code On Wages, 2019.

PAPER – 1.3.

LABOUR WELFARE AND OCCUPATIONAL SAFETY, HEALTH AND WORKING CONDITIONS CODE 2020

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

Theories of Labour Welfare – Genesis, Concept and Emerging Issues; Role of Labour Welfare: Officers, Labour Welfare in India Legislative and Judicial Perspectives.

Industrial Sociology: Meaning, Scope and Development, Industrialisation and Social Change and Social Problems of Industrial Relations.

Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013; Need, Importance, Objectives; Definition, Concept, Key features of the Act and Judicial Responses;

Employment of Children Act, 1938; Need, Importance, Objectives; Definition, Concept, Key features of the Act and Judicial Responses;

OCCUPATIONAL SAFETY, HEALTH AND WORKING CONDITIONS CODE 2020:

Need, Importance, Objectives; Definition, Concept, Key features for Enactment of the Code and Repeal of Laws; Judicial Responses

Registration; Duties of employer and employees, etc.; Occupational safety and health; Health, safety and working conditions; Welfare provisions; Hours of work and annual leave with wages; Maintenance of registers, records and returns; Inspector-cum-facilitators and other authority; Special provision relating to employment of women;

Special Provisions for Contract Labour and Inter-State Migrant Worker, etc.-

Contract Labour; Inter-State Migrant Workers; Audio-Visual Workers; Mines; Beedi and Cigar Workers; Building or other construction workers; Factories; Plantation;

Offences and Penalties; Social Security Fund; Miscellaneous.

LEADING CASES :

1. Alembic Chemical Works v. Its workman, A.I.R. 1961, S.C. 647.
2. Labour working in Salal Hydel Project v. State J.K. A. I. R. 1983 S. C. 177.
3. Rural Litigation and Entitlement Kendra Dehradun v. State of U.P. A. I. R. 1985 S.C. 652.
4. V.P. Gopala Rao. v. Public Prosecutor A. P. A. I. R. 1970 S. C. 66.
5. Workmen of F.C. I. v. F. C. I. AIR 1985 SC 670.

BOOKS RECOMMENDED :

- ★ Employment of Children Act, 1938
- ★ Government of India : Report of the Committee on Labour Welfare, 1970.
- ★ Govt. of India : Report of National Commission on Labour
- ★ K.N. Vaid : Labour Welfare in India.
- ★ M.V. Moorthy : Principles of Labour Welfare.
- ★ Occupational Safety, Health and Working Conditions Code 2020
- ★ Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013

PAPER 1.4.

PERSONNEL MANAGEMENT AND INDUSTRIAL PSYCHOLOGY

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) The question paper shall be divided into two parts i.e. Part I and II. The paper shall contain eight questions from Part I and two questions from Part II. The Students shall be required to attempt at least one question from Part II.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

PART I- PERSONNEL MANAGEMENT

Concept of Personnel Management and Personnel Policies; Man Power Planning, Recruitment, Selection, Training and Job; Placement including Worker's Education as envisaged by the Central Board of Worker's Education; Job Analysis and Evolution and Performance Appraisal. Management of discipline, Domestic Enquiry and Grievance Procedure; Role and Functions of Personnel manager; Scientific and Technical Advances Vis-a-Vis Personnel Management.

PART II- INDUSTRIAL PSYCHOLOGY

Industrial Psychology- Nature, Scope and Functions; Motivation and Mural, Leadership Styles & Dynamics; Psychology of Attitudes. Hawthorne Experiments and their relevance in India; Individual Behaviour in formal and Informal Groups. Interpersonal and Inter-group relationship in organization and their Impact on Organization.

LEADING CASES:

1. North Brook Jute Co. Ltd. v. Their Workman A. I. R. 1960.
2. Monogram Mills Ltd. v. State of Gujarat 1976 II L.L.J. 174 (S.C.)
3. Workman of Williamson Magor & Co. Ltd. v. williamson Magor & Co. Ltd. 1982. L.L.J. 83 (S.C.)
4. Union of India v. Tulsi Ram Patel A. I. R. 1958 S. C. 1416.

BOOKS RECOMMENDED:

- ★ C. K. Johari : Indian Tripartite System.
- ★ David Miller : Social Justice.

- ★ Rideout : Principles of Labour Law.
- ★ S. K. Agarwal : K. M. Munshi Lectures on Public Interest Legislation in India.
- ★ S. R. Samant : Industrial Jurisprudence.
- ★ S.N. Dhyani : I. L. O. and India : In Pursuit of Social Justice.

PAPER – 1.5.

**LABOUR JURISPRUDENCE AND THE
INTERNATIONAL LABOUR ORGANIZATION (I.L.O.)**

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

Concept and Growth of Labour Jurisprudence; Concept of Social Justice, Natural Justice and the Labour; Constitution of India, 1950 [Articles related to Labour Welfare]; Labour and Judicial Process and Public Interest Legislation; Tripartism: Voluntarism in Labour Relations and Code of Discipline in Industry

I. L. O. - Genesis, Aims and Objectives, Constitutions; Conventions and Recommendation: Procedure for Ratify; I. L. O. Conventions and Recommendations and Problems in their Rectification; I. L. O. & Regional Conferences;

International Labour Standards and Labour Legislations in India;

I. L. O. Problems and Prospects.

I.L.O. and Human Rights in India- Perspectives.

LEADING CASES:

1. Bandhua Mukti Morcha v. Union of India A. I. R. 1984 S. C. 802.
2. Excel Wear v. Union of India 1978, L.C.J. 527 (SC)
3. National Textiles Workers Union v. Ram Krishna AIR 1983 S. C. 759.

4. People Union for Democratic Rights & others. v. Union of India. 1982 II L.L.J. 454 S.C.
5. Som Prakash v. Union of India. A.I.R. 1981 S.C. 212.
6. The Delhi Cloth & General Mills Ltd. v. Sambhunath Mukerjee. 1935 I.L.J. 36 S.C.

BOOKS RECOMMENDED:

- ★ David Miller : Social Justice.
- ★ G. K. Johri : Indian Tripartite System.
- ★ Govt. of India : Report of National Commission of Labour.
- ★ Govt. of India : Tripartite Consultations.
- ★ Kamal Mathur and N. R. Seth : Tripartitism in Labour Policy
- ★ Mahesh Chandra : Industrial Jurisprudence.
- ★ N. Vaidyanathan : International Labour Standards.
- ★ R. G. Chaturvedi : Natural and Social Justice.
- ★ S. K. Agrawal : K. N. Mushi Lectures on Public Interest Litigation in India.

PAPER – 1.6.

LABOUR ECONOMICS, LABOUR STATISTICS AND
LABOUR ORGANIZATIONS
(ORGANIZED AND UNORGANIZED)

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

Labour Force in Organized and Unorganized Sectors-Sources. Composition, Characteristics etc.; Employment, Un-employment and Under-employment-conceptual and Development Aspects; Labour Turn over and Absenteeism; Unemployment Guarantee Scheme; Unorganized Labour- Magnitude. Problems and Public Policy on Unorganized Labour; Integrated Rural Development Programmes and Labour.

Labour in Five- Year Plans- A Brief Study.

Industrial Policy Resolutions and Development in Private and Public Sector.

Industrial development- Heavy, Large, Small-scale and Cottage Industry.

Location, Finance, Planning and Problems.

Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013:

Need, Importance, Objectives; Definition, Concept, Key features of the Act and Judicial Responses

LABOUR STATISTICS:

Meaning Objects and Structure

Growth of Labour Statistics in India.

The Collection of Statistics Act, 2008:

Need, Importance, Objectives; Definition, Concept, Key features of the Act; Labour Statistics relating to Disputes, Wages, Strikes; Lockouts, Man days, Labour Safety, Health and Welfare Cost of Living etc. and Judicial Responses.

BOOKS RECOMMENDED:

- ★ B. N. Asthana : Applied Statistics of India.
- ★ Government of India : Report of National Commission of Labour.
- ★ J. L. Dholakia : Industrial Labour and Economics Development in India.
- ★ J. N. Mongia : Readings in Indian Labour.
- ★ L. G. Reynolds : Labour Economics.
- ★ P. Sharma and Desai : The Rural Economy of India.
- ★ Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013
- ★ R. Desai : The Rural Sociology of India.
- ★ R. Mukerjee : Labour Planning.
- ★ The Collection of Statistics Act, 2008

**2.II.(2) ONE YEAR POST GRADUATE DIPLOMA COURSE IN CRIMINOLOGY AND
CRIMINAL ADMINISTRATION**

ELIGIBILITY FOR ADMISSION:

A candidate who has passed the B.A.LL.B. Five Years Course or LL.B Three Year Degree Examination with a minimum of 48% of the State Universities of Rajasthan or an examination of some other University recognized by the Board of Management of the University as equivalent thereto shall be permitted for the admission in the post graduate diploma in Criminology and Criminal Administration.

NOTES :

1. A candidate holding the LL.B. (Academic) Degree shall not be eligible for admission to the course.
2. Not more than three (3) seats shall be reserved for nominees of the State Government who are otherwise eligible for admission have put in at least 5 years continuous service in the Jail/Police/Social Welfare Department of the State Government.

Every candidate for the post-graduate Diploma Course in Criminology and Criminal Administration shall be permitted to appear at the examination subject to his having pursued a regular course of study for one academic year at a college affiliated to this University.

Every candidate for the post-graduate Diploma Course in Criminology and Criminal Administration shall be examined in the following Paper each of 100 marks and of 3 hours duration.

NAME OF THE PAPERS AND COURSE CONTENT

PAPER 2.1. :	GENERAL PRINCIPLES OF CRIMINAL LAW
PAPER 2.2. :	CRIMINOLOGY
PAPER 2.3. :	PENOLOGY
PAPER 2.4. :	FORENSIC SCIENCE AND CRIMINAL INVESTIGATION– THE ROLE OF FORENSIC SCIENCE IN CRIMINALAND CIVIL CASES
PAPER 2.5. :	FORENSIC MEDICINE AND TOXICOLOGY
PAPER 2.6. :	ELEMENTS OF CRIMINAL PROCEDURE AND PROOF IN CRIMINAL TRIALS

PAPER – 2.1.

GENERAL PRINCIPLES OF CRIMINAL LAW

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

Indian Penal Code, 1860 - Need, Importance, Objectives; Definition, Concept, Key features of the Code and Judicial Responses.

Prevention of Food Adulteration Act, 1954 - Need, Importance, Objectives; Definition, Concept, Key features of the Act and Judicial Responses;

Arms Act, 1959 {The Arms (Amendment) Act, 2019} - Need, Importance, Objectives; Definition, Concept, Key features of the Act/Amendment and Judicial Responses;

Suppression of Immoral Traffic in Women and Girls Act, 1956 -Need, Importance, Objectives; Definition, Concept, Key features of the Act and Judicial Responses;

Prevention of Corruption Act, 1988{The Prevention of Corruption (Amendment) Act, 2018} - Need, Importance, Objectives; Definition, Concept, Key features of the Act and Judicial Responses.

BOOKS RECOMMENDED:

- ★ Arms Act, 1959 {The Arms (Amendment) Act, 2019}
- ★ Indian Penal Code, 1860
- ★ Prevention of Corruption Act, 1988{The Prevention of Corruption (Amendment) Act, 2018}
- ★ Prevention of Food Adulteration Act, 1954
- ★ Suppression of Immoral Traffic in Women and Girls Act, 1956

PAPER – 2.2.

CRIMINOLOGY

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

Meaning and Scope of Criminology; Introduction: Criminology, Crime - Definitions - Historical perspectives - Nature origin and scope - Criminology as a Social Science; Theoretical approaches to the study of Crime: Schools of Criminology - Classical, Neo –Classical, Cartographic and Biological Schools; Contribution of Sutherland; Juvenile delinquency; Recidivism; Causes of Crime; Social Forces and Crime; Recent Trends in Crime including the problems of organised crime, black-marketing corporate crimes, hidden-crimes and effects of crime; Types of criminals; Study of Criminal Behaviour of some tribes in India. Criminal Justice: Structure of Criminal Justice System in India

Criminal Typology: Adult and Juvenile - Habitual offenders - Professional offenders - Violent offenders.

Crime Typology: Crimes against person and Crimes against Property - Conventional Crimes, White Collar Crimes - Organised Crime and Victimless Crime - Cyber Crime, Cyber Terrorism.

BOOKS RECOMMENDED:

- ★ Barnes and Tetter - New Horizons in Criminology.
- ★ Bonger- Criminology.
- ★ Garofolo : Criminology Part I, II and III (Latest Edition).
- ★ Gillin : Criminology and Penology Part I to Part V (Latest Edition).
- ★ Pillai: Principles of Criminology lectures 2, 3, 4, 5, 6, 9,11 and 12.
- ★ Sutherland : Principles of Criminology (Latest Edition).
- ★ Taft : Criminology (Latest Edition)

PAPER – 2.3.

PENOLOGY

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

Origin and Evolution of Punishment: Meaning, objective and philosophy; Punishment in Ancient, Medieval and Modern India; Theories of Punishment; Recent approaches to Punishment, Corrections in India: Role of Central and State Government; Forms of punishment with special reference to capital punishment; Judicial Responses; Penal institutions. Prison system and its reforms in India with special reference to recent experiments; Correctional Institutions: Work houses and houses of correction Juvenile training school/ Men's and women's reformatories: Borstal Institutions in India; Parole & Indeterminate sentence; Pardon.

BOOKS RECOMMENDED:

- ★ Cavan : Criminology Part I - Omitting Ch. 2 Part II- Full.
- ★ Crime, Courts and Probation.
- ★ Different Reports: Published Governments of India from time to time.
- ★ Lombroso Cesare : Crime, its Cause and Remedies.
- ★ Oppenheimer - Rationale of Punishment.
- ★ P. K. Sen- From Punishment to Prevention.
- ★ P. K. Sen- Penology - Old and New.
- ★ Pioneers in Criminology edited Mannbein.
- ★ Radzinowicz and Turner- Moral Approaches to Criminal Law.
- ★ Siddique M- Criminology.

PAPER – 2.4.

FORENSIC SCIENCE AND CRIMINAL INVESTIGATION

THE ROLE OF FORENSIC SCIENCE IN CRIMINAL AND CIVIL CASES

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

The basic question in investigation- qui bono; the science of crime: discovery of traces of physical evidence, classification and reference to classified record; systematization and classification of physical evidence and comparison with suspected material; the principles of exchange; the principles of heredity, taxonomy etc.

The Establishment of Identity of Individuals. Branding, tattooing, Mutilating, Scars and Moles, Bantillon system: photography : fingerprints : ridge characteristics: Proscopy.

The Establishment of Partial Identity of Individuals; Footprints: Hair skin: blood grouping : physical peculiarities.

The Establishment of the Identity of Physical Objects by Shape and Size Identifying marks and impressions made by the physical objects :shoe prints tyre and trade markers: die and tool marks rupture of fracture marks.

The Establishment of the Identity of Physical objects by Physical and Chemical Analysis Prints: Coloured objects: Metals Alloys: Chain & the Earthen Wares: Cements: Plaster Bricks Dust: Soil: Minerals: Plastics.

Questioned Documents and the Identification of Handwritings: Paper, Its types and identification: links: pencils and writings tools, handwriting habit & flow, disguised writing comparison and Points of identity: samples: various type of forgery and their detection: Additions, Erasures: Alterations: Scales; Rubber Stamps: Type Writing: Printings Blocks.

The Identification of Fire-Arms and Cartridges and Related Problems Types of Fire-arms and their use; time and range of firing; identification of a fire-arm with a cartridges case and bullet; miscellaneous fire-arm, problems like origin or direction of fire.

Injuries to Persons: Evidentiary value of details of injuries, traces left by the weapon used; its range and direction; danger to clothing worn by the victim and related problems; the flow of blood from injuries; the shape and directions of blood drops and their evidentiary value, the discovery of blood and semen stains on various objects; accidental deaths and suicides.

Miscellaneous Forensic Science Methods: Restoration of numbers: examination of the walking picture of footprints; clothing; copper wire, piece of wood etc.

Evidentiary value of Physical Evidences by a Forensic Science Laboratory viz. Evidence: Fallibility of eye witnesses. The probative value of such evidence. Findings of scientific methods of investigation; their probative value. Assessment of value from actual cases. Value to be assigned to the different types of exhibits.

BOOKS RECOMMENDED :

- ★ Arrigo, Bruce, A. 2000, Introduction to Forensic Psychology, Academic Press.
Association for Correction and Forensic Psychology Sage Publications.
- ★ Criminal Justice and Behaviour : An international journal – International
Edition, Lexis Nexis Butterworths Publications.
- ★ Mess Allen K and Weiner, Iroing B, 1999. The Handbook of Forensic Psychology, 2nd
Edition, John Wiley and Sons, Inc.
- ★ Nickolas L.C, 1956, The Scientific Investigation of Crime. Butterworth and Co.
- ★ Parikh C.K, Parikh's Text Book of Medical Jurisprudence, Forensic Medicine and
Publishers, Ltd.
- ★ Siegel Jay A , 2007, Forensic Science, the babies, Taylor and Francis group.

PAPER – 2.5.

FORENSIC MEDICINE AND TOXICOLOGY

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

INJURIES : (HURT):

Definitions in Law : Simple and hurt grievous hurt (SS. 319 and 320 IPC); Classification;
Cardinal fractures of different types of injuries; Age of injuries.

BURNS & SCARS:

Classification of burns (Depurants); Causes of death after burns; Simple and grievous burns;
Area of the body surface in burns and its relationships; Ante-mortem and post-mortem burns.

ASHPYXIA AND DROWING:

Cause of asphyxia, post-mortem appearances; Various types of violent asphyxia deaths like hanging. Strangulation, throttling and traumatic asphyxia, and the post mortem appearances commonly seen in these conditions.

Drowning- Cardinal post-mortem signs-Cadaveric apasm of hands; Signs in the air passages;

Stomach contents; Signs in the lungs; Demonstration of diatoms in the viscera.

SEXUAL OFFENCE:

Rape :Definition (See 375 I. P. C.); Examination of victim- Anatomy of hymen; Positive signs of rape; Examination of the accused; Medico-legal aspects;

Sodomy:

Examination of the victim; Signs in the habitual passive agent; Examination of the accused.

AUTOPSY:

Procedure- Aims & Objects- Difficulties;

Problems: Time since death- Description of post-mortem changes. Estimation of time since death from rigor post-mortem staining, putrefaction, adipocere formation nummification changes in the eyes, skin, primary and secondary relaxation. In drowning cases from floatation of the body. In dead bodies after burial. From the degree of digestion of stomach contents. From the change in the cerebro spinal fluid and the narrow cells of the sternum.

Cause and manner of a death; Ante mortem or post-mortem injuries; Examination of human remains skeletal and mutilated remains; Establishment of age, Sex and Stature for the purpose of identity; Infanticide : Definition dead born, still-born viable foetus, criteria for separate existence; Exhumation : Rules and Procedure.

EXAMINATION OF BLOOD STAINS:

Physical, Chemical & Serological. Blood grouping and its basic principles.

INSANITY:

Definition (See 84 IPC): Concept - Classification- Legal test of insanity. Observation of an alleged lunatic- Restraint of the insane. Civil and criminal responsibility of a lunatic.

Testamentary capacity, Reception order on petition.

POISONS:

Classification of poisons. Diagnosis of poisoning. Examination of poisoning case. Brief Toxicology of the following common poisons- Opium. Dhatura barbivates. Cannabis India. Arsenic Copper Sulphate, Lead. Strychnine, Cocaine, Alcohol. Organo Phosphorus Compounds. Carbonmonoxide, Hydrocyanic Acid, Pot, Cyanide, Phosphorus, Snake bite.

INTOXICATION:

Definition (See 85 I.P.C.) regarding alcoholic intoxication. Alcohol, ganja, bhang, dhatura, opium, morphine.

BOOKS RECOMMENDED :

- ★ Criminal Investigation : Cr. A and cross. (Published by Sweet & Maxwell. Limited London).
- ★ Criminal Investigation : Paul L. Kirk, Ph. D. (Published by Inter Science Publishers, Inc. New York)
- ★ Lucas A: Forensic Chemistry and Scientific Criminal Investigation.
- ★ Modern Criminal Investigation: Harry Soderman and John J. O'Connell (Published by Funk & Wagnalls Co. Inc. New York).
- ★ Nodi, J. P: Medical Jurisprudence and Toxicology.

PAPER 2.6.

ELEMENTS OF CRIMINAL PROCEDURE AND PROOF IN CRIMINAL TRIALS

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

CODE OF CRIMINAL PROCEDURE, 1973:

Constitutional guarantees and protection of human rights in criminal cases rule of law; Investigation in criminal cases - Arrest, bail proceedings, search, interrogation, identification – Statements to police judicial control of abuse of power; Preventive provisions under the Cr. P.C. Prosecution – Organisation, working and withdrawal; Criminal Courts, District, State and Union, Jurisdictions and Powers; Types of Trials: Summary, Summons and Warrant trials; Appeal, Revision and Review; Complaint & F. I. R. case: Investigation Procedure : Framing of Charges : Trial Procedure; Security for Keeping Peace and Good Behaviour and Judicial Responses.

INDIAN EVIDENCE ACT , 1872:

Sections - 118 - 128; The Oaths Act, 1969 and its relation with the Law of Evidence, 1872; Sections - 132, 133 & 134; Harmony between Section 133 and Section 114 Illustration (b).;

Difference between the terms Accomplice, Approver, Co-Accused and Hostile Witness with regard to Section 133 (together with relevant Sections of Cr. P.C., 1973.

Of the examination of witnesses [Sections - 135 - 165]; Special provisions as to evidence relating to electronic record and its admissibility; Witness Protection Scheme, Evidentiary value of D.N.A. test, Landmark Judgments, recent developments in the Law of Evidence.

BOOKS RECOMMENDED:

- ★ Dutta, L.K., 1979, Treatise on Criminal Law, See Chapters II,III,V,VII,VIII to XII, XVIII
- ★ Gaur, K.D., 1985, Criminal Law, (Cases and Materials) Second Edition, N.M. Tripathi,
- ★ Huda, Syed Shamshull, 1982, The Principles of the Law of Crimes, See Supplementary,
- ★ Introduction to Criminal Justice, Goodyear Publishing Company. Inc.
- ★ Justice Malimath Committee on Criminal Justice Reforms, Universal Law
- ★ Law of Evidence (Set of 04 Volumes) Author: Woodroffe & Amir Ali
(Revised by B M Prasad & Manish Mohan) 20th Edition 2017 Lexis Nexis
- ★ The Law of Evidence - Including the Criminal Law (Amendment) Ordinance, 2018
- ★ Textbook on The Law of Evidence, Chief Justice M Monir, Edition: 11th, 2018, Universal Law Publishing

2.II.(3) POST-GRADUATE DIPLOMA COURSE IN
LEGAL AND FORENSIC SCIENCE

ELIGIBILITY FOR ADMISSION:

A candidate who after having passed the examination of B.A.LL.B. Five Years or LL.B. Three Years Course with at least 48% marks in the aggregate or M.Sc. or B.Sc. with at least 50% marks in the aggregate of this University or of any other Indian University recognized for the purpose by the Board of Management shall be permitted to appear at the examination in the Diploma course in Legal and Forensic Science after having pursued a regular course of study in the university for one academic year.

The Candidate shall be admitted as per following ratio:

- | | |
|--------------------------|-----------|
| (a) For LL.B Students | 60% seats |
| (b) For M.Sc. Students | 20% seats |
| (c) For B.Sc. I Division | 20% seats |

A candidate who has passed the B.A.LL.B. Five Years or LL.B. Three Years Degree Course with a minimum of 48% of the State Universities of Rajasthan or an examination of some other University recognized by the Board of Management of the University as equivalent thereto shall be permitted for the admission in the post graduate diploma in Legal and Forensic Science.

Note : A candidate holding the LL.B.(Academic) Degree shall not be eligible for admission to the Course.

Every candidate for the Post-graduate Diploma Course in Legal and Forensic science shall be permitted to appear at the examination subject to having pursued a regular course of study for one academic year in any affiliated college of the State Universities of Rajasthan.

Every candidate for the Diploma Course in Legal and Forensic Science shall be examined in the following six papers in theory and practical examination separately. The theory paper shall be of three hours duration and practical paper shall be of five hours (one day).

Every candidate for Post-graduate Diploma Course in Legal and Forensic Science shall be examined in the following Paper of 100 marks each and Papers I to VI shall be of three hours duration each.

NAME OF THE PAPERS AND COURSE CONTENT

PAPER 3.1. :	CRIMINAL JURISPRUDENCE AND EVIDENCE LAW
PAPER 3.2.(A) :	THEORY- IDENTIFICATION OF INDIVIDUALS
PAPER 3.2.(B):	PRACTICAL
PAPER 3.3.(A) :	THEORY- IDENTIFICATION OF FINGER PRINTS
PAPER 3.3.(B):	PRACTICAL
PAPER 3.4.(A) :	THEORY- IDENTIFICATION OF OBJECTS
PAPER 3.4.(B):	PRACTICAL
PAPER 3.5.(A) :	THEORY- IDENTIFICATION OF HAND WRITING
PAPER 3.5.(B):	PRACTICAL
PAPER 3.6. :	MEDICAL JURISPRUDENCE AND FORENSIC SCIENCE

PAPER 3.1.

CRIMINAL JURISPRUDENCE AND EVIDENCE LAW

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

The nature of crime, principles of criminal jurisprudence with special reference to Article 21 Current Causal Theories Relating to Criminal Behaviour; Common link and cohesion between Legal Professional and behavioural Scientists :

Effectiveness of various alternative, Social and legal devices in controlling deviant behaviour in handling of delinquents, including Juvenile, Approaches and Methods of Crime Detection, Social Rote and Police Behaviour.

Tactical and Practical application of Criminal Law techniques of trying criminal case investigation discovery and trial preparation F.I.R. its legal value investigation into cognizable

and non- cognizable offences, inspection of the scene of occurrence and collection of material from the place of occurrence. Police Diaries and Registers.

Qualification of an expert, Admissibility of Expert evidence, Examination of Expert, Admissibility of non-Expert Evidence, Comparison of Admitted writings with the Disputed writings its Evidentiary value, Legality of Conviction based on Expert Evidence, Value and Credibility of Expert opinion Duty of Court to examine expert, onus of proof Expert as a witness. Fundamental Principles of Investigation, Powers Duties and Functions of Investigators, Police Personnel, Prevention of Crime, Preconceived Theories, Essential qualities of an investigator interrogation of witness and accused.

General Procedure in an Investigation, Investigation in Death cases. Investigation in sex offences. Apprehension of the Fugitive; Surveillance Interrogation, Techniques, Professional and Habitual offenders, racket investigations, International Crime - Interpol, Search and Seizure.

BOOKS RECOMMENDED:

- ★ Law of Evidence (Set of 04 Volumes) Author: Woodroffe & Amir Ali
(Revised by B M Prasad & Manish Mohan) 20th Edition 2017 Lexis Nexis
- ★ Indian Evidence Act Author: Dr V Nageswara Rao Edition: 2nd Edition, 2015 Lexis Nexis
- ★ Textbook on The Law of Evidence, Chief Justice M Monir, Edition: 11th, 2018, Universal Law Publishing
- ★ V. P. Sarathi Law of Evidence, By Abhinandan Malik 07th Edition, 2017, Reprinted 2018 Eastern Book Company
- ★ Avtar Singh, Principles of the Law of Evidence, 23rd Ed. 2018 Central Law Publishers
- ★ Ded, R L Criminology, Criminal Law And Investigation
- ★ Gupta, R.L. : Law Relation To Identification And Expert Opinion.
- ★ Hall : Studies in Jurisprudence and Criminals
- ★ Hans Gross, John Adam and j. Collya Adam : Criminal Investigation.
- ★ Hardless and shrivastava : Case Law on Export Evidence Col. Maurice Fitzgrad : Hand Book of Criminal Investigation.
- ★ Harry Soderman : Modern Criminal Investigation
- ★ Keller, R.V. : Outlines Of Criminal Procedure (1984 ed.)
- ★ Ratan Lal : Criminal Procedure Code, 1973

- ★ Ratan Lal : Indian Evidence Act. 1872
- ★ Richard L Jackson : Criminal Investigation.

PAPER 3.2.

(A) THEORY- IDENTIFICATION OF INDIVIDUALS

SCHEME OF PAPER:

MAX. MARKS: 80

MIN. PASS MARKS: 32

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

Identification of Race, Sex, Age, Classification, Hair, Anthropometry, Foot Prints, dactylography, Scars, Tatum, Marks, Hand writing, Occupation Marks, Gait etc

Examination of body fluids and others to secure incrimination evidence from within the body of the accused such as :(a) A. Blood stain, B. Seminal stain, C. Vomit D. Urine, E. Stool, F. Saliva, G. C.S.F., (Cerebrospinal Fluid) (b) A. Skin, B. Hair C. Nail, Taking of photographs removing incrimination evidence from outside the body of the accused.

(A) Identification of Weapons and Firearm ammunitions in relation to injuries. Fluoroscopic examination of the body and extraction of foreign objects.

(B) Salient features of injury report and post mortem report, Medical certificate.

Examination to determine insanity: A. Delusion B. Hallucination C. Elusion D. Impulse E. Obsession F. Lucid interval G. Pain and true insanity H. Restraint of the insane I. Physiological and psychological test.

(a) Identification and salient features of common poisons (b) Preservation of Viscera and other material and (c) The Identification of Prisoners Act. 1920 and the Prisoners Act, 1984.

BOOK RECOMMENDED:

- ★ Gupta R.L. : Law Relating to Identification and Expert Evidence.
- ★ Mitter : Law of Identification and Discovery
- ★ Wilder, W.W. and Wenworth, B : Personal Identification
- ★ Tripathi : Self-incrimination : Physical and Medical Examination of the Accused.

- ★ Osterburg, James, N.:Crime Laboratory
- ★ Harry Soderman : Modern Criminal Investigation
- ★ Nigel Morlaud : An outline of Scientific Criminology
- ★ Jhala, R.M. : Criminal Investigation and Medical Science

PAPER 3.2.

(B) PRACTICAL - IDENTIFICATION OF INDIVIDUALS

SCHEME OF PAPER:

Max. Marks : 20

Min. Marks : 08

Duration of Practical Examination

5 Hours (one day)

The Candidate must pass in theory and practical examinations separately

- | | |
|--|----------|
| 1. Practical exercise and specimen from the prescribed syllabus in relation to Identification of Individuals | 10 Marks |
| 2. Practical Record book | 05 Marks |
| 3. Viva-Voce | 05 Marks |

PAPER 3.3.

(A) THEORY- IDENTIFICATION OF FINGER PRINTS

SCHEME OF PAPER:

MAX. MARKS: 80

MIN. PASS MARKS: 32

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

History of Finger Prints; Ridge Formation - Ridge, Destruction and Types of Finger print patterns-pattern interpretation.

Ridge characteristics-Ridge counting, Ridge tracing; The Finger print outfit-Recording finger prints, and Functions of the Finger Print card-Special circumstances.

Latent Finger Print Crime Scene procedure; Primary Classification; Sub-Classification: Unlettered loop; Whorl Lettered Loop.

Latent finger Print; Combinations and approximating patterns; Preparing Finger Prints for court, and F.B.L. Examination to the Henry System

The Finger print witness in court case histories; Identification of Palm and Foot Print, and Bureau, Operation and Records.

BOOKS RECOMMENDED :

- ★ Brewater, F : Finger Prints, Eastern Law House, Calcutta
- ★ Chatterjee S.K. : Finger, Palm and sole Prints.
- ★ Collins, G.S. : Finger Print Clause (H.M.S.O.)
- ★ Fidd Ania T. : Finger Print Hand Book
- ★ Finger Prints and Bslitis (1960), Eastern Book Co. Luckow.
- ★ Gatton, S : Finger Prints.
- ★ Gregory R.A. : Identification of Disputed Documents
- ★ Harry Soderman : Modern Criminal Investigation
- ★ Henry, E : Classification and Use of Finger Prints.
- ★ Medico Legal Society vol. XXIV
- ★ Nigel Morland : An Outline of Scientific Criminology
- ★ Osterburg, James, W : Crime Laboratory
- ★ Smith Henry : The Forgery of Finger Print, Transaction

PAPER 3.3.

(B) PRACTICAL - IDENTIFICATION OF FINGER PRINTS

SCHEME OF PAPER:

Max. Marks : 20

Min. Marks : 08

Duration of Practical Examination

5 Hours (one day)

The Candidate must pass in theory and practical examinations separately:

The distribution of marks for practical examination shall be as under :

1. Five practical exercises from the prescribed syllabus relating to Identification of Finger Print 10 Marks
2. Practical Record Work 05 Marks
3. Viva-Voce 05 Marks

PAPER 3.4.

(A) THEORY- IDENTIFICATION OF OBJECTS

SCHEME OF PAPER:

MAX. MARKS: 80

MIN. PASS MARKS: 32

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

Identification of type writing, fibre identification paints, varnishes, glass, wood and paper identifications.

Identification of ballistics, dust, dirt, debris, ashes soil and powers.

Identification of liquids and chemicals, identification of poison, explosives, clothes, fire arms and bullets, weapons, tools, instruments and metals.

Identification of Vehicular colour detection in accident cases, imprints on object other than fingers poison effects and death while lightening and electricity.

The Provisions of food Adulteration Act, the Arms Act and the Fire Arms and Explosive Act relating to identification of objects.

BOOKS RECOMMENDED :

- ★ Ajyar : Law and Practice of Arms, Ammunition and Explosives (1985 Ed.)
- ★ Firearms in Criminal Investigation and Trial
- ★ Gregory, R.A.: Identification of disputed documents. Finger Prints and Ballistics (1960), Eastern Book Co., Lucknow.
- ★ Gupta, R.L. Law Relating to Identification and Expert opinion and Firearm injuries
- ★ Harry Soderman : Modern criminal Investigation
- ★ Malik, Vijay : The Explosives Act. 1984 and Explosives Substance Act. 1908
- ★ Nigel Morland : An Outline of Scientific Criminology
- ★ Osterdurg, James, K.S. : Crime Laboratory

PAPER 3.4.

(B) PRACTICAL- IDENTIFICATION OF OBJECTS

SCHEME OF PAPER:

Max. Marks : 20

Min. Marks : 08

Duration of Practical Examination

5 Hours (one day)

The Candidate must pass in theory and practical examinations separately:

The distribution of marks for practical examination shall be as under :

- | | |
|---|----------|
| 1. Five practical exercises from the prescribed syllabus relating to Identification of Finger Print | 10 Marks |
| 2. Practical Record Work | 05 Marks |
| 3. Viva-Voce | 05 Marks |

PAPER 3.5.

(A) THEORY- IDENTIFICATION OF HANDWRITING

SCHEME OF PAPER:

MAX. MARKS: 80

MIN. PASS MARKS: 32

(1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.

(2) The syllabus includes latest amendments in the subject wherever applicable.

Languages and dialects of India; Standards of Comparison Identification of hand writing, whether a science, general characteristics of hand writing; Writing habits, comparison of different hand writings personal characteristics.

Forgery, disguised writing different inks, additions alterations, erasures and sequence of strokes.

Examination of documents including currency notes and valuable securities in doubt, past hand writing of accused hand writing by left and right hand comparison of different curves in present and past hand writing.

BOOKS RECOMMENDED :

- ★ Blackburn, D and Codel. C.W. : Detection of Forgery
- ★ Gregory, R.A. : Identification of Disputed Documents, Finger Prints and Ballistics.
- ★ Smith Henry : The Forgery of Finger Print-Transaction

PAPER 3.5.

(B) PRACTICAL- IDENTIFICATION OF HANDWRITING

SCHEME OF PAPER:

Max. Marks : 20

Min. Marks : 08

Duration of Practical Examination

5 Hours (one day)

The Candidate must pass in theory and practical examinations separately:

The distribution of marks for practical examination shall be as under :

1. Five practical exercises from the prescribed syllabus relating to Identification of Finger Print 10 Marks
2. Practical Record Work 05 Marks
3. Viva-Voce 05 Marks

PAPER 3.6.

MEDICAL JURISPRUDENCE AND FORENSIC SCIENCE

SCHEME OF PAPER:

MAX. MARKS: 100

MIN. PASS MARKS: 40

- (1) There shall be ten questions in the examination paper. The candidate is required to attempt any five questions. All questions carry equal marks.
- (2) The syllabus includes latest amendments in the subject wherever applicable.

Post mortem examination; Examination of mutilated bodies; Examination of bones and Exhumation.

Death - Definition, Modes

Signs of death - Changes in eye; Changes in skin; Cooling of body; Post-Mortem staining;

Changes in muscles; Purification; Depicare and Mummification

Death from Asphyxia and other types :

(A)(a) Hanging(b) strangulation (c) Suffocation(d) Drowning

(B)(a) Starvation

Injuries : Medico-legal Aspects of injuries, burns. Lightening, electricity and mechanical violence, Suicidal, Homicidal and Accidental injuries.

Virginity; Pregnancy; Legitimacy; Sexual offences, examination of victim and accused; Sodomy - Examination of the active and passive agent; Miscarriage and Infanticide; Child born alive and still born causes of infanticide, Law in relation to medical men and Duties of physician, professional negligence and responsibility.

BOOKS RECOMMENDED:

- ★ Dougals, J.A. Ken : Forensic Medicines
- ★ Jhala, R.M. and Raju, V.B. : Medical Jurisprudence.
- ★ Lyons : Medical Jurisprudence for India
- ★ Millik, C.C. : Hand Book of Medical Jurisprudence.
- ★ Modi, N.J. : Modi's Medical Jurisprudence
- ★ Prakh, C. K. : A Simplified Text Book of Medical Jurisprudence and Toxicology
- ★ Singhal, L.J. : Forensic Medicines
- ★ Taylor : Principles and practice of Medical Jurisprudence, Vol. I. & II.