

**ALLAHABAD STATE UNIVERSITY**

**B.A.LL.B. (Hons.)**

**Five Year Integrated Course**

**SYLLABUS**

***SEMESTER - I***

**PAPER-I**

**English – I**

**A Vocabulary: Learning the proper use of:**

- 1 Legal Terms
- 2 Idiomatic expressions
- 3 Foreign words and phrases (Important Latin, Greek and English affixes)
- 4 One word substitution
- 5 Words often confused

**B Grammatical Prerequisites**

- 1 Singular and Plural
- 2 Concord
  - a) Subject - verb
  - b) Pronoun – and its antecedents
  - c) Demonstrative Adjective and Noun
- 3 Determiners: a) Pre-determiners by Post-determiners
- 4 Verbs as different parts of speech
- 5 Time and Tense
- 6 Conditionals
- 7 Punctuation and Capitalisation
- 8 Reported Speech
- 9 Transformation

**C Reading Skills**

- A Intensive Reading: The following short stories from R.K. Narayan's **Malgudi Days** (Mysore: Indian Thought Publication, 2006): (1) 'An Astrologer's Day', (2) 'The Missing Mail', (3) 'Gateman's Gift', (4) 'The Blind Dog', (5) 'The Tiger's Claw', (6) 'Forty-five a Month', (7) 'Out of Business', (8) 'Atilla'
- B Extensive Reading: Any two of the following books:



- (a) Agatha Christie, **Witness for the Prosecution**: Harper Collins, London
- (b) Ernest Hemingway, **The Old man and Sea**, Harmondsworth: Penguin
- (c) Galsworthy, **Justice**
- (d) George Orwell, **Animal Farm**

Note: The students have to select any two of the prescribed books in this section as per their own interest. The books will not be taught formally in the class but compulsory questions will be there in the examination.

#### **D Composition skills**

##### **A Paragraph Writing:**

Topic Sentence, Ways to Develop a Paragraph (Inductive Order, Deductive Order, Question to Answer Order, Exposition, Time Order, Comparison and Contrast, Enumeration).

##### **B Letter writing:**

- i) Qualities of a letter
- ii) Format of a letter
- iii) Types of letters

##### **C Note Taking**

#### **E Listening Comprehension and IPA**

- 1
  - A Consonant and vowel sounds in English
  - B Speech Mechanism
  - C /-t /, /-d /, /-id / endings
  - D /-s /, /-z /, /-iz / endings
  - E Consonant clusters
  - F Syllables
  - G Word stress and sentence stress
  - H Intonation
- 2 Listening to pre-recorded standard English cassettes and answering questions.

#### **Text-Books and Reference Materials:**

- i) **Word Power Made Easy**, Norman Lewis (Amsco School Publication, New York)

- ii) **Foreign Expressions Appendix in Twenty-first Century Chambers Dictionary**
- iii) **Essentials of Grammar and Composition**, Glenn Leggett, C. David Mead and William Charvat, Prentice Hall of India, New Delhi
- iv) **Remedial English Grammar**, FT Worod, Macmillan, Delhi
- v) **Improve Your Writing**, VN Arora and Lakshmi Chandra (Delhi:Oxford U P, 1981)
- vi) **A Course in Phonetics and Spoken English**, J Sethi and PV Dhamija (Prentice-Hall of India, New Delhi, 1992)
- vii) **A Text Books of English Phonetics for Indian students**, T Balasubrananian (Macmillan India Ltd, Delhi, 2005)
- viii) **Business Correspondence and Report Writing**, RC Sharma and Krishna Mohan (Tata-McGraw-Hill, New Delhi, 2008)
- ix) **English for Law**, MA Yadugiri and Githa Bhasker, (Foundation Books, New Delhi et al, 2005)
- x) **Professional English in Use, (Law)**, Gillian D. Brown and Sally Rice, (Cambridge U P, New Delhi,2008)
- xi) **Oxford Advanced Learner's Dictionary of Current English**
- xii) **Collins Cobuild Dictionary of English Language**
- xiii) **English Pronouncing Dictionary (ELBS)**

## PAPER-II

### Political Science-I

#### **Political Theory and Political Organisation**

##### **Part-I Political Theory**

1. Definition, Meaning and Nature of Political Science and its relationship with Law.
2. Concept of State:
  - (i) Essentials of state.
  - (ii) Origin of state: Social Contract and Historical Evolutionary Theory.
  - (iii) Liberal, Marxist, Idealist, Classical Hindu and Islamic view of state.
  - (iv) Functions of state: Liberal and Marxist view
3. Sovereignty:
  - (i) Concept and Attributes of sovereignty.

(ii) Different theories of Sovereignty: Monistic, Pluralistic and Philosophical.

4. Concepts: Liberty, Equality, Rights.

5. Political Ideologies: Liberalism, Socialism, Marxism, Fascism and Gandhism

***Part-II Political Organisation***

6. Organisation of Government: Unitary, Federal, Parliamentary and Presidential forms of Government.

7. Organs of Government: Legislature, Executive and Judiciary.

8. Doctrines: Separation of Powers, Rule of Law, Judicial Review and Judicial Activism.

**PAPER-III**

**Philosophy-I**

**History of Philosophy  
(Indian and Western)**

1. Introduction: Characteristics of Indian Philosophy
2. System of Philosophy:
  - (A) Orthodox
    - (i) **Nyaya** – Nyaya theory of four Pramanas: Pratyaksha, Anuman, Upaman and Sabda.
    - (ii) **Sankhya** – The theory of Satkaryavada. The theory of three Gunas. Purusa and Prakriti. Arguments for the existence of Prakriti, Arguments for the existence of Purusa. The plurality of Purusa
    - (iii) **Mimansa** – Knowledge and its cognition, Source of valid knowledge.
  - (B) Heterodox Systems
    - (i) **Buddhism** – Early Buddhism, the doctrine of four noble truths, especially the doctrine of Pratityasamutpad and Nirvan. The Philosophy of change and no-soul theory.
    - (ii) **Jainism** - Anekantvada and the doctrine of Substance. The doctrine of Syadvada and Saptbhanginaya.
3. Characteristics of Western Philosophy
  - (A) Classical –
    - (i) **Plato** – Theory of Knowledge. Dialectic, Doctrine of Ideas, The idea of God.
    - (ii) **Aristotle** – Aristotle's criticism of Plato, theory of four causes, The doctrine of Form and matter.
    - (iii) **Descartes** – The method of doubt. Cogito Ergo Sum. Mind-body relation.

- (iv) **Locke** – Locke’s criticism of Innate Ideas. Locke’s theory of Knowledge, Kinds of Ideas, Limits of Knowledge.
- (v) **Kant** – Kant’s idea of criticism, synthetic a priori judgement.

**Books Referred :**

1. An Introduction to Indian Philosophy – D.M. Datta & S.C. Chatterji
2. A critical survey of Indian Philosophy – C.D. Sharma
3. Outlines of Greek Philosophy – Zeller
4. A History of Philosophy – Thilly & Wood

**PAPER-IV**

**Sociology-I**

**General Sociology**

UNIT I

- (a) Sociology
- (b) Scope and subject, matter of Sociology
- (c) Social structure

UNIT II

- (a) Society and A Society
- (b) Tribal and agrarian Society
- (c) Industrial and post Industrial Society
- (d) Status and role

UNIT III

- (a) Institutions
- (b) Associations
- (c) Social groups, primary and secondary groups
- (d) Reference groups, In and Out groups

UNIT IV

- (a) Community
- (b) Urban Community
- (c) Rural community
- (d) Rural-Urban continuum

UNIT V

- (a) Socialization
- (b) Theories of Socialization
- (c) Culture and its typology
- (d) The relation between personality and culture

## PAPER-V

### Computer

#### **Computer Concepts and Working:**

#### **1. Introduction to Computer**

- 1.1 What is computer?
  - 1. Characteristics of Computers
  - 2. Basic Application of Computer
- 1.2 Components of Computer System
  - 1. Central Processing Unit (CPU)
  - 2. VDU, Keyboard and Mouse
  - 3. Other input/output Devices
  - 4. Computer Memory
  - 5. Concepts of Hardware and Software
- 1.3 Classifications of Computers
- 1.4 Concepts of Data Processing
  - 1. Definition of Information and data
  - 2. Basic data types
  - 3. Introduction to Data Storage Devices

#### **2. Introduction to Windows**

- 2.1 What is an operating system and basics of Windows
- 2.2 The User Interface
  - 1. Using Mouse and Moving Icons on the screen
  - 2. The My Computer Icon
  - 3. The Recycle Bin
  - 4. Status Bar, Start and Menu & Menu-selection
  - 5. Running an Application
  - 6. Windows Explorer Viewing of File, Folder and Directories
  - 7. Creating and Renaming of files and folders
  - 8. Operating and closing of different Windows
- 2.3 Windows Setting
  - 1. Control Panels
  - 2. Wall paper and Screen Savers
  - 3. Setting the date and Sound
  - 4. Concept of menu using Help
- 2.4 Advanced Windows
  - 1. Using right Button of the Mouse
  - 2. Creating Short cuts
  - 3. Basics of Window Setup
  - 4. Notepad
  - 5. Window Accessories

#### **3. Elements of Word Processing**

- 3.1 Word Processing Basic
  - 1. An Introduction to Word Processing
  - 2. Opening Word Processing Package
  - 3. The Menu Bar

- 4. Using the Help
- 5. Using the Icons below menu bar
- 3.2 Opening Documents and Closing documents
  - 1. Opening Documents
  - 2. Save and Save As
  - 3. Page Setup
  - 4. Printing of Documents
  - 5. Display/Hiding of Paragraph Marks and Inter Word Space
- 3.3 Moving Around in a Document
  - 1. Scrolling the Document
  - 2. Scrolling by line/paragraph
  - 3. Fast Scrolling and Moving Pages
- 3.4 Using a Document/Help Wizard
- 3.5 Text Creation and Manipulation
  - 1. Paragraph and Tab Setting
  - 2. Text Selection
  - 3. Cut, copy and paste
  - 4. Font and Size selection
  - 5. Bold, Italic and Underline
  - 6. Alignment of Text: Center, Left, right and justify
- 3.6 Formatting the Text
  - 1. Changing font, Size and Color
  - 2. Paragraph indentation
  - 3. Bullets and Numbering
  - 4. Use of Tab and Tab setting
  - 5. Changing case
- 3.7 Table Manipulation
  - 1. Concept of tables: Rows, Columns and Cells
  - 2. Draw Table
  - 3. Changing cell width and Height
  - 4. Alignment of Text in Cell
  - 5. Copying of cell
  - 6. Delete/insertion of row and columns
  - 7. Borders for Table
- 3.8 Printing
  - 1. Printing
  - 2. Print Preview
  - 3. Print a selected page
- 4. **Spread Sheet**
  - 4.1 Elements of Electronics Spread Sheet
    - 1. Application / usage of Electronic Spread Sheet
    - 2. Opening of Spread Sheet
    - 3. The menu bar
    - 4. Creation of cells and addressing of cells
    - 5. Cell inputting
  - 4.2 Manipulation of cells
    - 1. Enter texts numbers and dates

2. Creation of tables
3. Cell Height and Widths
4. Copying of cells
- 4.3 Providing Formulas
  1. Using basic functions / formalism a cell
  2. Sum function
  3. Average
  4. Percentage
  5. Other basic functions
5. **Computer Communication and Internet**
  - 5.1 Basic of Computer networks
    1. LAN
    2. WAN
  - 5.2 Internet
    1. Concept of Internet
    2. Application of Internet
  - 5.3 Service on Internet
    1. WWW and web-sites
    2. Electronic mails
    3. Communication on Internet
6. **WWW and Web Browsers**
  - 6.1 Web Browsing Software
    1. Internet Explorer
    2. Mozilla Firefox
  - 6.2 Surfing the Internet
    1. Giving the URL address
    2. Search
    3. Moving Around the web-site
    4. Printing or saving portion of web pages
    5. Down loading
  - 6.3 Chatting on Internet
7. **Email**
  - 7.1 Basic of electronic mails
    1. What is an Electronic mail
    2. Email addressing
    3. Mailbox: Inbox and outbox
  - 7.2 Using Emails
    1. Viewing an email
    2. Sending an Email
    3. Saving mails
    4. Sending same mail to various users
  - 7.3 Document handling
    1. Sending soft copy as attachment
    2. Enclosures to email
    3. Sending a Portion of Document as email
8. **Making Small Presentation**
  - 8.1 Basics
    1. Difference between presentation and document

2. Using Power Point
3. Opening a Power Point Presentation
4. Using Wizard for creating a presentation
- 8.2 Creating of Presentation
  1. Title
  2. Text Creation
  3. Font and Sizes
  4. Bullets and indenting
  5. Moving to Next Slide
- 8.3 Presentation of Slides
  1. Selection of type of Slides
  2. Importing text from word documents
  3. Moving to next Slide
  4. The Slide manager
- 8.4 Providing aesthetics
  1. Slide Designs
  2. Background and Text colors
  3. Making your own slide format
  4. Footnotes and slide numbering
- 8.5 Slide Manipulation and Slide Show
- 8.6 Presentation of the Slides
  2. Using the Slide Show
  3. Printing the Slides and Handouts
  4. Slide sorter
  5. Title sorter

**Books Referred:**

1. C.S. French "Data Processing and Information Technology", BPB Publications 1998
2. P.K. Sinha 'Computer Fundamentals' ,BPB Publications, 1992
3. Guy Hart-Davis "The ABCs of Microsoft Office 97 Professional edition", BPB Publication, 1998
4. Karl Schwartz, "Microsoft Windows 98 Training Guide", 1998

**PAPER-VI**

**English- II**

- 1- Development of Equity: Maxims Viz Equity follows the law; where equities are equal, the law shall prevail; He who seeks equity, must do equity; He who comes to equity must come with clean hands; Delay defeats equity; Equality is equity; Equity looks to the intent rather than to the form; Equity acts in personam.
- 2- Development of Legal Vocabulary Legal terms and maxims for example:

*Ab initio, ad interim, alibi, adhoc, audi alteram partem, bonafide, custodia legis, de novo, ejusdem generis, functus officio, habeas corpus, ipso facto, in limine, lis pendens, modus operandi, ratio decidendi, per se, status quo, ultra vires, vis major, etc.*

- 3- Comprehension of Legal Texts—Shahbano case list nine more such cases
- 4- Legal Writing:
  - a) Legal News Writing
  - b) Legal Report Writing
  - c) Legal Essay Writing
- 5- Legal Drafting:
  - a) Notices, Civil Suit & Affidavit.
  - b) Criminal Complaints, FIR
- 6- Transcription of Legal Texts—to be practised.

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**Syllabus**

**SEMESTER-II**

**PAPER-I**

**English- III**

**A Essential of Good Writing**

- a Basic sentence faults:
- i) Sentence fragments
  - ii) Comma Splice
  - iii) Squinting constructions
  - iv) Split infinitives
  - v) Dangling constructions
  - vi) Illogical comparisons
- b Effective sentences:
- i) Subordination
  - ii) Sentence variety
  - iii) Parallelism
  - iv) Emphasis
  - v) Directness
  - vi) Appropriateness

**B Writing skills**

- a Summaries
- b Précis
- c Reports
- d Proposals

**C Reading Comprehension:**

- a Intensive Reading : The Famous Speeches:(Ten)- To be prescribed.
- B Extensive Reading : Any two of the following:
- 1) Sherlock Holmes: The following short stories 'A Scandal Bohemia', 'Silver Blaze', 'The Final Problem', 'The Adventure of Six Napoleons', 'The Adventure of the Devil's Foot' and 'The Adventure of the Illustrious Client'
  - 2) RK Narayan's (Eight stories from **Lawley Road** as appear in **Malgudi Days**)



- 3) **Roses in December**, M.C. Chhagla
- 4) **The Autobiography**, Benjamin Franklin, New York: The Modern Library, 1950
- 5) **Hind Swaraj**, MK Gandhi, Ahmedabad: Navjeevan, 2006

**Note:** The students have to select any two of the prescribed books in this section as per their own interest. The books will not be taught formally in the class but compulsory questions will be there in the examination.

**D Speech Training:**

- a Reading Aloud
- b Making Speeches
- c Group Discussion

**Text-Books and Reference Materials:**

- i) **Word Power Made Easy**, Norman Lewis (Amsco School Publication, New York)
- ii) **Foreign Expressions Appendix in Twenty-first Century Chambers Dictionary**
- iii) **Essentials of Grammar and Composition**, Glenn Leggett, C. David Mead and William Charvat, Prentice Hall of India, New Delhi
- iv) **Remedial English Grammar**, FT Worod, Macmillan, Delhi
- v) **Improve Your Writing**, VN Arora and Lakshmi Chandra (Delhi: Oxford U P, 1981)
- vi) **A Course in Phonetics and Spoken English**, J Sethi and PV Dhamija (Prentice-Hall of India, New Delhi, 1992)
- vii) **A Text Books of English Phonetics for Indian students**, T Balasubrananian (Macmillan India Ltd, Delhi, 2005)
- viii) **Business Correspondence and Report Writing**, RC Sharma and Krishna Mohan (Tata-McGraw-Hill, New Delhi, 2008)
- ix) **English for Law**, MA Yadugiri and Githa Bhasker, (Foundation Books, New Delhi et al, 2005)
- x) **Professional English in Use, (Law)**, Gillian D. Brown and Sally Rice, (Cambridge U P, New Delhi, 2008)
- xi) **Oxford Advanced Learner's Dictionary of Current English**
- xii) **Collins Cobuild Dictionary of English Language**
- xiii) **English Pronouncing Dictionary (ELBS)**

- xiv) Krishna Mohan and NP Singh, **Speaking English Effectively**, Delhi: Macmillan, 2005
- xv) Hari Mohan Prasad and Rajnish Mihan, **How to Prepare for Group Discussion and Interview**, New Delhi: Tata McGraw-Hill, 2005
- xvi) Simon Elliott, **Public Speaking for All Occasions**, London: Business Books, 1971
- xvii) Francis Soundararaj, **Speaking and Writing for Effective Business Communication**, Delhi: Macmillan, 2007

## PAPER-II

### Political Science -II

#### **Foundations of Political Obligation**

- 1- Concepts: Power, Authority, Legitimacy.
- 2- Moral Obligation and Political Obligation.
- 3- Foundations of Political Obligation:
  - (i) Classical View: Hobbes, Locke, Rousseau.
  - (ii) Modern View: Maxweber, Marx, and Emile Durkheim
- 4- Utilitarian Theory of Political Obligation
- 5- Political Obligation versus Civil disobedience: Grandhian and Neo-Gandhian view
- 6- The Problem of Obedience to Unjust Laws: Law versus Justice
- 7- Problem of Punishment: Justness and Justifiability of use of force by the state against the citizens.
- 8- The Contemporary crisis of Legitimation

## PAPER-III

### Philosophy-II

#### **Logic and Epistemology**

- 1. Introduction – Deduction and Induction, Truth Validity and Probability
- 2. Function of Language and definition  
Types of definition
- 3. Fallacies : Informal and Formal
- 4. Categorical Propositions:  
Traditional square of Opposition,  
Inference : Immediate and mediate
- 5. Mill's Methods of causation
- 6. Nature and Sources of knowledge
- 7. Theories of Truth

8. Problem of Induction and its solutions

**Books Referred :**

1. Introduction to Logic – I.M. Copi
2. An Introduction to Philosophical Analysis – J. Hasperse

**PAPER-IV**

**Sociology-II**

**Indian Sociology**

UNIT I

- (a) Hindu marriage, traditional types and forms
- (b) Hindu marriage a sacrament
- (c) Muslim Marriage Traditional types and forms
- (d) Muslim Marriage a contract

UNIT II

- (a) Polygamous system and usages
- (b) Kinship system and usages
- (c) The difference between north and south kinship patterns
- (d) Joint Family

UNIT III

- (a) Caste system
- (b) Dominant castes
- (c) Jajmani system
- (d) Caste in minority groups

UNIT IV

- (a) Sanskritization
- (b) Westernization
- (c) Modernization
- (d) Secularization

UNIT V

- (a) Casteism
- (b) Communalism
- (c) Regionalism
- (d) Terrorism

**PAPER-V**

**Sociology-III**

**Society and Crime**

UNIT I

- (a) Social Disorganization
- (b) Social Anomie
- (c) Social Conformity and Deviance
- (d) Social Pathology

UNIT II

- (a) Crime and similar terms
- (b) Types and forms of crime
- (c) Causes of crime
- (d) Theories of crime

UNIT III

- (a) Punishment and types
- (b) Theories of punishment
- (c) Reforms and Rehabilitations
- (d) Prison-systems

UNIT IV

- (a) Criminalization of politics
- (b) Corruption
- (c) White-collar-crime
- (d) Juvenile-delinquency

UNIT V

- (a) Social Control
- (b) Means and Agencies of social control
- (c) Crime against women and children
- (d) Important social legislations

**PAPER-VI**

**Political Science-III**

**Comparative Politics and Comparative Political Philosophy**

**Part-I Comparative Politics and Government**

1. Meaning, Nature and scope of comparative politics.
2. Approaches to the study of comparative politics: Traditional and Modern approaches.
3. Constitutionalism: Meaning, Nature and kinds of constitutionalism.
4. Democratic Theory:
  - (i) Definition and Meaning of Democracy
  - (ii) Direct Democracy: Referendum, Initiative and Recall (with special reference to Switzerland)
  - (iii) Grassroot Democracy: Rural and Urban local self-government with special reference to 73<sup>rd</sup> and 74<sup>th</sup> Amendment Acts.
5. Political Parties: Meaning, role and functions of political parties in modern state.
6. Pressure Groups: Meaning, Role and Techniques of pressure groups in modern democracy

**Part-II Comparative Political Philosophy**

7. (i) Western Political Philosophy (Ancient and Medieval):  
Political Ideas of Plato, Aristotle and Aquinas.
- (ii) Western Political Philosophy (Modern): Political Ideas of  
Machiavelli, Hegel, Marx and Lenin.
8. (i) Indo-Oriental Political Philosophy (Ancient and Medieval):  
Political Ideas of Manu, Kautilya, Barni and Abul Fazal.
- (ii) Indo-Oriental Political Philosophy (Modern): Political Ideas of  
Mahatma Gandhi, Jawahar Lal Nehru, B.R. Ambedkar and  
Mao-tse-Tung.

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**Syllabus**

**SEMESTER-III**

**PAPER-I**

**Political Science-IV**

**The Constitution of India**

***Part-I* Constitutional Development in India**

1. Factors influencing constitutional development: Colonialism and Nationalism in India; Meaning, Nature and Different Stages.
2. Major Pre-Constitutional Acts: From Regulation Act to the Act of 1935.
3. Making of the Indian Constitution: Organisation, Powers and Functions of constituent Assembly.

***Part-II* The Constitution of India**

4. The Philosophy of the Constitution: The objectives Resolution, Preamble.
5. Salient Features of the constitution.
6. Legislatures: (i) Union Legislature and officers of Parliament.  
(ii) State Legislature.
7. Executive: (i) Union Executive; President, Prime Minister and the Council of Ministers.  
(ii) State Executive: Governor, Chief Minister and the Council of Ministers.
8. Federalism: Nature of Indian federalism, Centre-State Relations.

**PAPER-II**

**Philosophy-III**

**Ethics and Social Philosophy**

1. Introduction - Nature and Scope of ethics  
- Relation between Ethics & Social Philosophy
2. Nature and object of moral judgement

1  


3. Standards of Morality: Utilitarian and Kantian
4. Ethics of Bhagwatgita
5. Problem of political obligation
6. Individual and society
7. Gandhi's Ideal of Sarvodaya and Satyagrah
8. Tradition and Modernity with special reference to Indian Social Institutions

### PAPER-III

#### Law of Tort, M.V. Accident and Consumer Protection Law

1. **Nature:** (i) Definition and Essential Elements of Tort, Scope of Law of Tort. (ii) Difference between Tort and Crime, Tort and Contract, Tort and Quasi-Contract, Tort and Trust, (iii) Fault and No Fault Liability. (iv) Whether it is Law of Torts or Law of Tort?
2. **Basic Maxims:** (i) *Ubi jus ibi remedium* (ii) *Injuria sine damno* (iii) *Damnun sine injuria*.
3. **General Defences:** (i) *Volenti non fit injuria*. (ii) Act of God, Inevitable Accident, Statutory Authority, Act of Necessity.
4. **Remoteness of Damage (Remoteness of Consequences)**
5. **Vicarious Liability:** Nature of Vicarious Liability (i) Master and Servant Relationship (ii) State Liability
6. **Strict Liability and Absolute Liability**
7. **Joint Tort feasers.**
8. **Tort against Person:** (a) Assault (b) Battery (c) False Imprisonment
9. **Malicious Prosecution**
10. **Negligence:** Definition, Essential elements, *Res Ipsa Loquitur*, Product Liability due to negligence of manufacturer, Contributory Negligence, Last Opportunity rule.
11. **Nuisance:** Meaning, Elements, Kinds of Nuisance, Defences.
12. **Defamation:** Meaning, Kinds, Essential Elements and Defences.
13. **Torts against Property:** Trespass, Deceit.
14. **Consumer Protection Act, 1986:**

- (a) **Definition:** (i) Consumer, Services Goods, Defect & Deficiency, Unfair Trade Practices, Restrictive Trade Practices, Manufacturer, Trader, Complaint, Consumer. (ii) Consumers Councils. Their role, Rights of Consumer.
- (b) **Redressal Forums:** District Forum, State Commission and National Commission, Their Constitution and Powers.
15. **Motor Vehicle Act** (with special reference to rights of victim of Motor Vehicle accident and liabilities of Insurance Company).

**REFERENCES:**

- 1- Winfield on the Law of Tort.
- 2- Salmond on the Law of Torts.
- 3- Ramaswamy Iyer's the Law of Torts.
- 4- Ratanlal and Dheeraj Lal on the Law of Tort.
- 5- R.K. Bangia: Law of Torts.
- 6- R.W.M. Dais: Tort Law.
- 7- Weir: Cases and material on the Law of Tort.

## PAPER-IV

### **Constitutional Law –I**

- 1 Nature of Constitution of India, Its salient features and pre-amble
- 2 Citizenship
- 3 Union and State Executive
- 4 Parliament and State Legislature-General, Officers of parliament, disqualification of members, powers privileges and immunities of parliament, state legislatures and its members, legislative procedure
- 5 Union and State Judiciary; Appointment of Judges, Jurisdiction, Independence of Judiciary
- 6 Centre-State Relations
- 7 Trade, Commerce clause
- 8 Services under Union and States
- 9 Elections
- 10 Official Language

### **Reference:**

- 1 Constitutional Law of India by M.P.Jain
- 2 Constitutional Law of India by V.N.Shukla
- 3 Constitutional Law of India by H.M. Seervani
- 4 Constitutional Law of India by D.D. Basu
- 5 Constitutional Law of India by J.N. Pandey

## PAPER-V

### **LAW OF CONTRACT-I**

#### **LAW OF CONTRACT ( GENERAL PRINCIPLES): SECTION 1 TO 75 OF THE INDIAN CONTRACT ACT:**

1. **Introduction: Meaning and Kinds of Contract.**
2. **Essential Elements of a Contract.**
3. **Proposal:**
  - (i) Meaning, Elements, Kinds of Proposal (or Offer). Rules relating to Communication of Proposal and Revocation of Proposal, Modes of Revocation of Proposal.
  - (ii) Meaning of Promise, Reciprocal Promise and Agreement.

4. **Acceptance:** Meaning, Elements, Rules regarding Communication and Revocation of Acceptance.
5. **Consideration:** Meaning & Elements, Past Consideration, Doctrine of Privity of Contract.  
What Consideration and Objects are lawful and what not, Exceptions to the rule “an agreement without consideration is void.”
6. **Competence of parties to a Contract** with special reference to minor’s agreement.
7. **Free consent:** Factors vitiating free consent - Coercion, Undue influence, Fraud, Mis-representation, Mistake.
8. **Void Agreements** with special reference to Agreement in Restraint of Trade, Sale of Goodwill, Wagering Agreement: Meaning, Nature
9. **Contingent contract:** Meaning, Nature and circumstances when a contract is Contingent.
10. **Discharge of Contract:** Modes- Specific Performance, Breach of Contract including Anticipatory breach of contract
11. Impossibility of Performance (Doctrine of Frustration of Contract)
12. Novation of Contract, Alteration of Contract.
13. **Quasi Contract:** Meaning and circumstances when there will be Quasi Contract.
14. **Measures and Kinds of Damages.**

**REFERENCES:**

- 1- Law of Contract by Anson.
- 2- Law of Contract by Cheshire and Fifoot.
- 3- Law of Contract by Mulla
- 4- Law of Contract by Avatar Singh
- 5- Law of Contract by T.R. Desai

## PAPER-VI

### FAMILY LAW -I

1. Introduction: Outlines of Hindu and Muslim personal laws: with reference to sources and Schools.
2. Conditions for a valid marriage under the Hindu Law, Muslim Law and the Special marriages Act, 1954 – A comparative study
  - (a) Ceremonies
  - (b) Prohibited Degree of Relationship
  - (c) Sapinda
  - (d) Disabilities under Muslim Law and their effects
3. Kinds of Marriage (in the Hindu Law, Muslim Law and the Special Marriage Act, 1954)
  - (a) Valid
  - (b) Void
  - (c) Voidable
  - (d) Irregular
  - (e) Temporary
4. The Nature and Effect of a marriage vis-a-vis the Child Marriage Restraint Act, 1978.
5. The nature of Marriage under Hindu and Muslim Law.
6. The Divorce under the Hindu Marriage Act, 1955 (Grounds and their Effects).
7. The Divorce under the Dissolution of Muslim Marriage Act, 1939 (Grounds and their Effects).
8. The Divorce under the Special Marriage Act, 1954(Grounds and their Effects).
9. Divorce by mutual consent: 'Khula' and 'Mubaraat' under Muslim Law and Divorce by mutual consent under the Hindu Law.
10. Extra Judicial Divorce (without intervention of the Court) under Muslim Law with special reference to modern Judicial Approach in the area of talak.
11. The conditions and Effects of
  - (a) Talaq
  - (b) Talaq-e-Tafweed

### **REFERENCES:**

- 1- Muslim Law by A.A.A. Fyzee.
- 2- Muslim Law by R.K. Sinha.
- 3- Muslim Law by Tahir Mahmood.
- 4- Muslim Law by D.F. Mulla.
- 5- Muslim Law by Tyabjee.

- 6- Hindu Law by D.F. Mulla
- 7- Hindu Law by Paras Diwan
- 8- Mohammedan Law by Aquil Ahmad

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**ALLAHABAD STATE UNIVERSITY**

**B.A.LL.B. (Hons.)**

**Five Year Integrated Course**

**Syllabus**

**SEMESTER-IV**

**Paper-I**

**Political Science-V**

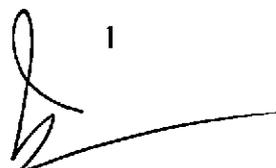
**International Politics: Theory and Practice**

***Part-I* Theory**

1. Meaning, Nature and scope of international Politics.
2. Key concepts: National Power, National Interest, National Security, Terrorism.
3. Alternative Models of International Security: balance of Power, Collective Security, Nuclear Deterrence, Disarmament and Arms control.
4. Foreign Policy and Diplomacy: Concept Determinants and objectives of Foreign Policy and Diplomacy, Diplomacy: Old and New.

***Part-II* Practice**

5. (i) India's Foreign Policy: Determinants, Evolution since 1947, Recent Developments.  
(ii) India's Nuclear Policy: Evolution and Recent Developments.
6. (i) UN and its Role in Peace-Keeping, Peace-Building and Peace-Making.  
(ii) Specialised UN Agencies and Programmes of UN with special Reference to ILO, WHO, IMF and UNHRC.
7. Regional Organisations: EEC, ASEAN, SAARC.
8. Non-Aligned Movement(NAM): Origin, Role and Relevance, India and NAM.

 1

## Paper-II

### Political Science-VI

#### **Public Administration**

##### **Part-I Administrative Theory**

1. Meaning, Scope and Significance of Public Administration.
2. Ecology of Public Administration.
3. New Public Administration.
4. Organisation: Meaning, Types and Bases of Organisation, Theories of Organisation and Principles of Organisation.

##### **Part-II Indian Administration**

5. Structure of Organisation: Central Secretariat, Cabinet Secretariat, PMO.
6. Planning in India: Definition and Concept of Planning, Planning Machinery and Planning Process.
7. Financial Administration: (i) Budget; Formulation, Approval and Execution.  
(ii) Parliamentary Control over Financial Administration.
8. Constitutional Statutory Institutions/Commissions: Financial Commission, Union Public Service Commission, Election Commission, National Human Rights Commission, National Commission for Scheduled Castes, National Commission for Scheduled Tribes, National Commission for Women, National Commission for Minorities, National Backward Classes Commission.

## PAPER-III

### Administrative Law

- 1- Definition, Nature and Scope.
- 2- Reasons for the growth of administrative law and its importance in modern times.
- 3- Doctrine of Separation of powers.
- 4- Rule of Law
- 5- Delegated legislation: Meaning, reasons of its growth, Constitutional limits and control of delegated legislation.
- 6- Administrative Tribunals: Reasons of its growth, its difference from ordinary courts.
- 7- Judicial control of Administrative Discretions and Actions: Constitutional (Doctrines of Legitimate expectation, proportionality and Public Accountability)
- 8- Natural Justice: Rule against bias, Fair hearing, reasoned decisions.
- 9- Ombudsman: Lokpal and Lokayukta.

10- Tortious Liability of State.

**References:**

1. American Administrative Law by Bernard Schwartz
2. English Administrative Law by Wade and Phillips
3. Indian Administrative Law by M.P. Jain and S.N. Jain
4. Indian Administrative Law by I.P. Massey
5. Indian Administrative Law by C.K. Takwani
6. Indian Administrative Law by S.P. Sathe
7. Indian Administrative Law by Prof. U.P.D. Kesari
8. Indian Administrative Law by Prof. J.J.R. Upadhyay

**PAPER-IV**

**Constitutional Law –II**

- 1 Fundamental Rights
- 2 Directive Principles of State Policy
- 3 Fundamental Duties
- 4 Special Provisions relating to certain classes
- 5 Emergency
- 6 Amendment of the Constitution
- 7 Right to property

**References:**

- 1 Constitutional Law of India by M.P.Jain
- 2 Constitutional Law of India by V.N.Shukla
- 3 Constitutional Law of India by H.M. Seervani
- 4 Constitutional Law of India by D.D. Basu
- 5 Constitutional Law of India by J.N.Pandey

**PAPER V**

**LAW OF CONTRACT- II**

**Specific Contracts**

**Contract of Indemnity**

Meaning and Essentials

Indemnifier and indemnity holder – Rights and Duties vis-à-vis

### **Contract of Guarantee**

- Meaning and Essentials
- Distinction between guarantee and Indemnity
- Continuing Guarantee
- Revocation of Continuing Guarantee
- Rights of Surety and discharge of Surety from liability

### **Contract of Bailment**

- Meaning, Essentials and Kinds
- Termination of bailment
- Rights and Duties of bailor and bailee

### **Contract of Pledge:**

- Definition and Essentials, Distinction between bailment and Pledge

### **Contract of Agency**

- Meaning of Agency
- Agent, Distinction from Servant and Independent contractor
- Kinds of Agents
- Creation of agency
- Rights and Duties of an agent
- Termination of agency
- Irrevocable Agency

### **REFERENCES:**

- 1- Law of Contract by Anson.
- 2- Law of Contract by Cheshire and Fifoot.
- 3- Law of Contract by Mulla
- 4- Law of Contract by Avatar Singh
- 5- Law of Contract by T.R. Desai

## **PAPER-VI**

### **FAMILY LAW –II**

#### **1. The woman's special right to property**

- (a) Stridhana
- (b) Woman's Estate
- (c) Effect of /S.14, /S.15 of the Hindu Succession Act, 1956 on the Stridhan and Woman's Estate
- (d) 'mahr' (Dower)
- (e) Lawful agreements in favour of wife e.g. 'Kharchai Pandan' and 'Mewa Khori'

#### **2. The Law of maintenance**

- (a) The Persons entitled for maintenance
- (b) The maintenance of wife under Cr.P.C. 1973
- (c) The maintenance of Hindu wife under the Hindu Adoption and Maintenance Act, 1956

- (d) The maintenance during pendency of suit and permanent alimony under /S.24, /S.25 the Hindu Act, 1955
- (e) The maintenance of the divorced woman under the Muslim Women (Protection of Rights on Divorce) Act, 1986
- (f) The maintenance of the wife under the Special Marriages Act, 1954

3. **The Guardianship and Custody of the Child under the following**

- (a) The Hindu Minority and Guardianship Act, 1956
- (b) The Guardian and Wards Act, 1869

4. **Difference between Custody and guardianship and concept of welfare of the child**

5. **The Adoption**

Conditions of adoption under the Hindu Adoption and Maintenance Act, 1956,  
legal Effects of adoption

6. **The Basis of Succession in Personal Laws the Hindu Law and Muslim Law**

- (a) General Principles
- (b) Exclusion from Inheritance.
- (c) Administration of Estate U/S320, 322-325 of the Indian Succession Act, 1925 and general rules of bequest in Muslim Law.
- (d) Kinds of heirs and distribution of shares
- (e) Survivorship and Succession
- (f) S.6 of the Hindu Succession Act, 1956.
- (g) Adjustment of inheritance in peculiar cases by using the doctrine of 'Increase' and 'Return', in Muslim Law.

**REFERENCES:**

1. Hindu Law and usage by Mayne
2. Principles of Hindu Law in 3 vols. By Srinivasan
3. Law of Marriage & Divorce by Saharay, H.K.
4. Modern Hindu Law by Kesari, U.P.D.
5. Hindu Law by Agarwal, R.K.

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**B.A.LL.B. (Hons.)**  
Five Year Integrated Course

***Syllabus***

**SEMESTER-V**

**PAPER-I**

**Jurisprudence-I**

1. The meaning and nature of Jurisprudence, its purpose and scope.
2. The Definition of Law :
  - a. formal
  - b. in terms of its purpose
  - c. as a social fact.
3. Schools of Jurisprudence
  - a. Positivist School
  - b. Historical School
  - c. Pure Theory of Law
  - e. Sociological School
  - e. Realist School
4. Natural Law : Law as the dictate of reason:
5. Relationship between Law and Morals.

**References:**

1. V.D.Mahajan- Jurisprudence and Legal theory
2. Dr. S.R.Myneni- Jurisprudence (Legal Theory)
3. Dr. Avtar Singh- Introduction to Jurisprudence
4. Dr. N.V. Paranjape- Studies in Jurisprudence and Legal theory
5. G.W.Paton- A text book on Jurisprudence
6. B.N.Mani Tripathi- Jurisprudence- The Legal Theory
7. Prof. Nomita Aggarwal- Jurisprudence- Legal theory



## PAPER-II

### Environmental Law

1. Environment – meaning, Environmental ethics-Indian tradition.
2. Need for Environmental Protection
3. Pollution – meaning, causes of pollution; kinds of pollution.
4. Indian Constitution and Environmental Protection
5. International Conventions on Protection of Environment
6. Environmental Protection Act 1986
7. Control of Noise pollution
8. Control of Water pollution
9. Control of Air pollution
10. Wildlife Protection
11. Law Relating to Hazardous waste Management.

### References:

1. P. Leelakrishnan- Environmental Law In India
2. P.B.Sahasranan- Handbook on Environmental law
3. R.B.Singh- Environmental Law In India: Issues & Responses
4. Shyam Divan- Environmental Law & Policy in India
5. Dr. Rinku Gupta- Environmental Law & Policy in India
6. Dr. S.R.Myneni- Environmental Law

## PAPER-III

### Law of Crimes-I

1. Definition and nature of crime
2. Indian Penal Code – a general background
3. Elements of crime
4. Joint liability
5. General Exceptions under Indian Penal Code – Ss. 76 to 106.
  - i. Mistake of fact
  - ii. Judicial Acts
  - iii. Accident
  - iv. Necessity

- v. Infancy
- vi. Insanity
- vii. Intoxication
- viii. Consent Compulsion and Duress
- ix. Trivial Acts
- x. Private defence

**Reference books:**

1. Principles of the Law of Crimes- Shamsul Huda
2. Ratanlal & Dhirajlal- The Indian Penal Code
3. PSA Pillai- Criminal law
4. K.D.Gaur- Textbook on Indian Penal Code
5. Prof. S.N.Misra- Indian Penal Code

**PAPER-IV**

**Property Law-I**

**General Principles Relating to Transfer of Property**

1. Meaning of the Transfer of Property-scope and application of the Transfer of the Property Act, 1882.
2. Definitions- Immovable property, Notice, Attested Actionable claims.
3. Essentials of a valid Transfer. What may be transferred.
4. Conditional Transfers.
5. Vested interest and Contingent interest.
6. Transfer for the benefit of unborn persons.
7. Rule against perpetuity.
8. Direction for accumulation.
9. Doctrine of Election
10. Apportionment.
11. Transfer by unauthorised person.
12. Restrictive Covenants.
13. Doctrine of Lispendens.
14. Fraudulent Transfer.

15. Doctrine of part-performance.

**Reference books-**

1. Mulla- The transfer of Property Act
2. Dr. R.K.Sinha- The transfer of Property Act
3. Dr. Avtar Singh- Textbook on The transfer of Property Act
4. Dr. G.P.Tripathi - The transfer of Property Act

**PAPER-V**

**Human Rights: Law and Practice**

- \* Meaning and Concept of Human Rights, Evolution & development of International Human Rights Law.
- \* Civil & Political Rights, International Instruments & Part III of the Indian Constitution with special emphasis upon:
  1. The right to life, liberty & security of person.
  2. Protection against torture & other forms of cruel, inhuman or degrading treatment or punishment.
  3. Protection against arbitrary Arrest & Detention.
  4. Freedom of Opinion & Expression.

**Social & Economic Rights:**

- \* International Instruments & Part IV of the Indian Constitution with special emphasis upon:
  1. Right to work.
  2. Right to Education.
  3. Right to Adequate food.
  4. Right to culture.
  5. Right to form and join Trade Union.
- \* International Machinery for Protection of Human Rights; Protection of Human Rights in India, with special reference to National Human Rights Commission.

**Reference books-**

1. Indian Human Rights in Constitutional law- D.D.Basu
2. Constitution and Human Rights- Dr. G.P.Poornima
3. Human Rights in India- Sanajy Kr. Baranwal
4. Human Rights- Dr. H. O . Agarwal
5. Human Rights & Literature- P.K.Nayar

## PAPER-VI

### Law of Evidence

- ❖ **Definitions:** Relevant fact, Facts in issue, Evidence, Proved, Disproved, Not proved, May presume, Conclusive proof
- ❖ **Relevancy of facts**
- ❖ **Admission and Confession**
- ❖ **Dying Declaration**
- ❖ **Relevancy of Judgements**
- ❖ **Expert opinion**
- ❖ **Kinds of evidence:** Oral and Documentary Evidence, Hear say evidence, Direct and circumstantial evidence
- ❖ **Presumptions**
- ❖ **Burden of Proof**
- ❖ **Estoppel**
- ❖ **Privileged Communications**
- ❖ **Accomplice**
- ❖ **Examination of Witnesses-** Examination in Chief, Cross Examination, Re-Examination Leading questions, Indecent and scandalous questions
- ❖ **Impeaching credit of Witness**

### **Reference Books:**

1. Ratan Lal Dhiraj Lal– The Law of Evidence
2. Batuk Lal – The Law of Evidence
3. Avtar Singh – Principles of The Law of Evidence
4. Sarkar S.C. – Law of Evidence
5. Justice P.S. Narayana – Law of Evidence
6. Justice M. Monir – Text on The Law of Evidence

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**B.A.LL.B. (Hons.)**  
**Five Year Integrated Course**

***Syllabus***

**SEMESTER-VI**

**PAPER-I**

**Jurisprudence-II**

1. **Sources of Law**
  - a) Custom
  - b) Precedent
  - c) Legislation
  - d) Juristic Writing
  
2. **Rights and Duties :** Introduction; Analysis of Rights, Classification of Rights, Creation and Extinction of Rights
  
3. **Legal Personality :** Nature of Legal Personality, Natural and legal persons; Evolution of the notion of corporate personality; Types of Incorporation, Theories of the nature of corporate personality
  
4. **Possession :** Introduction  
Analysis and Theories of possession  
Mediate and Immediate possession  
Illustrative cases
  
5. **Ownership :** Introduction
  - a) Possession and ownership
  - b) Theories of property
  - c) Acquisition of property (i) inter vivos and (ii) succession

**References:**

1. V.D.Mahajan- Jurisprudence and Legal theory
2. Dr. S.R.Myneni- Jurisprudence (Legal Theory)
3. Dr. Avtar Singh- Introduction to Jurisprudence
4. Dr. N.V. Paranjape- Studies in Jurisprudence and Legal theory



5. G.W.Paton- A text book on Jurisprudence
6. B.N.Mani Tripathi- Jurisprudence- The Legal Theory
7. Prof. Nomita Aggarwal- Jurisprudence- Legal theory

### **PAPER-II**

#### **Legal Philosophy including Theories of Justice**

1. Concept of Law
2. Concept of Justice
3. Theories of Law and Justice with reference to following schools of Philosophy:
  - a) Realist
  - b) Idealist
  - c) Positivist
  - d) Liberal
  - e) Utilitarian
  - f) Marxist
  - g) Pragmatist

#### **Books recommended:**

1. A Hand book in Social Philosophy- Robert N. Beck
2. Political Ideologies – R.N. Berki

### **PAPER-III**

#### **Law of Crimes-II**

1. Abetment
2. Criminal Conspiracy
3. Sedition
4. Unlawful Assembly, Riot and Affray
5. Offences relating to Marriage
6. Culpable Homicide and Murder
7. Criminal force and Assault

8. Wrongful restraint and Wrongful confinement
9. Kidnapping and Abduction
10. Theft and Extortion
11. Robbery and Dacoity
12. Criminal Misappropriation and Criminal Breach of Trust
13. Cheating
14. Mischief
15. Forgery
16. Criminal Attempts

**Reference books:**

1. Principles of the Law of Crimes- Shamsul Huda
2. Ratanlal & Dhirajlal- The Indian Penal Code
3. PSA Pillai- Criminal law
4. K.D.Gaur- Textbook on Indian Penal Code
5. Prof. S.N.Misra- Indian Penal Code

**PAPER-IV**

**Property Law-II and Easement**

**Specific Transfer and The Indian Easements Act, 1982**

- |                   |  |
|-------------------|--|
| <b>Sale-</b>      | <p>Definition, Sale how made, Contract for sale</p> <p>Rights and Liabilities of buyer and seller</p> <p>Marshalling by subsequent purchaser</p>   |
| <b>Mortgage -</b> | <p>Definition and kind of mortgage. Difference between Mortgage and charge</p> <p>Right of Redemption</p> <p>Right to foreclosure or Sale</p> <p>Doctrine of Marshalling</p> <p>Doctrine of contribution</p> |
| <b>Lease -</b>    | <p>Definition Duration of certain leases, Leases how made</p> <p>Rights and liabilities of Lessor and Lessee.</p> <p>Determination of Lease</p> <p>Holding over</p>  |

**Exchange -** Definition, Rights and Liabilities of parties.

**Gift -** Definition, Essentials elements

Revocation of Gift

Onerous Gift

Universal donee

**Actionable Claims – Provisions relating to transfer**

**Easement-** Definition, Nature of Easements

Kinds of Easements, Easement of Necessity and Quasi necessity

Modes of Acquisition of Easements- Grant, Prescription and Custom

Extinction, Suspension, and Revival of Easements

**Licence -** Definition, nature and essential features, Difference between Easement,

Licence and Lease

### Reference books-

1. Mulla- The transfer of Property Act
2. Dr. R.K.Sinha- The transfer of Property Act
3. Dr. Avtar Singh's textbook on The transfer of Property Act
4. Dr. G.P.Tripalati- The transfer of Property Act
5. The Indian Easements Act 2017- N.H.Jhabvala

## PAPER-V

### Interpretation of Statutes and Principles of Legislation

#### ❖ **Basic Principles:**

- i) Methods of Interpretation and Construction
- ii) Intent of the Legislature
- iii) Statute must be read as a whole in its context

#### ❖ **Basic Rules of Interpretation:**

- i) Literal Rule
- ii) Golden Rule
- iii) Mischief Rule

#### ❖ **Internal aids to construction**

- i) Different parts of Statutes and their aid in interpretation with special reference to Preamble, Illustration, Definition or Interpretation clause, Preamble and Schedules
- ii) Notion of A Sociis
  - 1) In general
  - 2) In relation to Unilateral Exclusio Alterius
  - 3) Causa in nissus
  - 4) Sovereignty

❖ **External Aids to Interpretation**

- i) Proceedings of Commissions and Committees
- ii) Proceedings in Parliament
- iii) Statement of Objects and Reasons
- iv) Bills and Debates
- v) Journals
- vi) Text books and Encyclopedias

❖ **Interpretation of Tax and Penal Statutes**

❖ **Interpretation of Remedial Statutes**

❖ **Repeal and Amendment of Statutes**

❖ **Mandatory and Directory Provisions**

❖ **Interpretation of the Constitution**

❖ **Special Aids for Interpretation of Constitution**

- i) Doctrine of Literal Interpretation
- ii) Doctrine of Harmonious Interpretation
- iii) Stare decisis- whether applicable in constitutional matters
- iv) Doctrine of Implied Powers
- v) Doctrine of Occasional Field
- vi) Doctrine of Pith and Substance
- vii) Doctrine of Colourable Legislation
- viii) Theory of Basic Structure of Constitution

❖ **General Principles Article 17**

- i) General Definition
- ii) General Rules of Construction

### Reference Books:

1. Maxwell - Interpretation of Statutes
2. G.P. Singh - Principles of Statutory Interpretation
3. Markandey Parasarthy & S.P. Chaudhik - N.S. Bindra's Interpretation of Statutes
4. Jagdish Swaminathan - Interpretation of Statutes

## PAPER-VI

### Company Law

- ❖ **Meaning of Company, Definition, Incorporation**  
**Effects of Incorporation- Doctrine of Legal Personality and Lifting the Veil**  
**Advantages and Disadvantages of incorporation**  
**Liability for Pre-incorporation Contracts**
- ❖ **Kinds of Companies: Public and Private**
- ❖ **Memorandum of Association: Its meaning and importance, Object clause, Doctrine of ultra vires, Effect of ultravires transaction**
- ❖ **Articles of Association: Meaning and importance, Distinction between Memorandum and Articles, Doctrine of Indoor Management**
- ❖ **Prospectus: Meaning and contents; Civil and Criminal Liability for false statements in prospectus**
- ❖ **Share: Meaning, Nature and kinds, Share Capital, Difference between Share and Debenture**
- ❖ **Directors: Appointment of Directors, Duties of Directors, Position and Power of Directors, Removal of Directors**
- ❖ **Meeting of Companies: Statutory meeting, General meeting and Extra-Ordinary general meeting, requisition of meeting**
- ❖ **Prevention of Oppression and Mismanagement. Meaning, purpose, conditions and remedies**
- ❖ **Winding up of Companies: Meaning, Kinds and consequences of winding up**

### Recommended Books:

1. Company Law - Asok Kumar

2. **Company Law** by Kallala, J. J.
3. **Cases and Material on Company Law** Hicks, Andrew
4. **Company Law** by R. L. Goobria

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**ALLAHABAD STATE UNIVERSITY**

**B.A.LL.B. (Hons.)**

**Five Year Integrated Course**

*Syllabus*

**SEMESTER-VII**

**PAPER-I**

**Public International Law**

- ❖ Nature, Origin and basis of International Law
- ❖ Sources of International Law
- ❖ Relation between International Law and Municipal Law
- ❖ Recognition of States
- ❖ Acquisition and Loss of Territory
- ❖ Extradition
- ❖ Asylum
- ❖ Diplomatic Agents
- ❖ Nationality
- ❖ Law of sea
- ❖ Peaceful Settlement of International Disputes

**Reference Books:**

1. Oppenheim - International Law
2. Starke's - International Law
3. H.O. Agrawal - International Law and Human Rights
4. S.K. Kapoor - International Law
5. S.K. Verma - International Law

**PAPER-II**

**Code of Criminal Procedure**

- ❖ Definitions
- ❖ Constitution and Powers of Criminal Courts
- ❖ Arrest and Rights of arrested person



- ❖ Process to compel Appearance
- ❖ Security for keeping peace and Good Behaviour
- ❖ Maintenance of Wives, Children and Parents
- ❖ Maintenance of Public order and Tranquility
- ❖ Conditional order for removal of Public Nuisance
- ❖ Urgent cases of Nuisance and Apprehended Danger
- ❖ Disputes as to Immovable Property
- ❖ Preventive action of the police
- ❖ Information to the police and powers to investigate
- ❖ Cognizance of offences, Limitation for taking cognizance
- ❖ Complaints to Magistrates and commencement of Proceedings
- ❖ Form and Joinder of charges
- ❖ Trial Before a Court of Session
- ❖ Trial of warrant cases by Magistrates
- ❖ Trial of Summons cases by Magistrates
- ❖ Summary Trials
- ❖ Plea-Bargaining
- ❖ Language and contents of Judgement
- ❖ Appeals, Reference and Revision
- ❖ Bail and bonds

**Reference Books:**

1. R.V. Kelkar – The Code of Criminal Procedure
2. S.N. Misra – The Code of Criminal Procedure
3. Lectures on Criminal Procedure by R.V. Kelkar
4. Ratan Lal – Code of Criminal Procedure
5. Batuk Lal – Code of Criminal Procedure
6. Paranjape – The Code of Criminal Procedure

## PAPER-III

### Banking laws including Negotiable Instruments Act

1. Nature And Development Of Banking
2. Relationship Of Banker And Customer
  - ❖ Banks, Banking Business, Meaning Of Customer, Types Of Accounts, Banker As Borrower
  - ❖ Contracts Between Banker And Customer- Rights & Duties
  - ❖ Banker's Lien
  - ❖ Banking Instruments
  - ❖ Banking Services
3. Salient Features Of-
  - ❖ Banking Companies Act, 1949
  - ❖ Reserve Bank Of India Act, 1934
  - ❖ Foreign Exchange Management Act, 1998
4. Negotiable Instruments Act, 1881
  - ❖ Meaning And Kinds Of Negotiable Instruments
  - ❖ Indorsement, Negotiability And Assignability
  - ❖ Holder And Holder In Due Course
  - ❖ Rights And Liabilities Of Paying And Collecting Banker
  - ❖ Dishonour Of Negotiable Instruments Including Criminal Liability Of Drawer And Protection Of Collecting Banker

#### **Reference Books:**

- R.N.Chaudhary- Banking laws
- M.L. Tannan- Banking Law & Practice in India
- S. K. Sarvaria: Law relating to Negotiable Instruments Act
- Khergamvala on the Negotiable Instruments Act.
- Avtar Singh – Negotiable Instruments

## 5. PAPER-IV

### Penology & Victimology

1. Meaning, aim and scope of Penology
2. Tackling the problem of Criminality- Penology.
  - ❖ Concept of Punishment
  - ❖ Theories of Punishment with special reference to the Deterrent and the Reformative theories.
  - ❖ Kinds of Punishment under the Indian Penal Code.
  - ❖ Capital Punishment
3. Alternatives to Punishment
  - ❖ Open Jails
  - ❖ Probation – Meaning and nature, main features of Probation of Offenders Act, 1958 and Sec. 360 of Cr.P.C.
  - ❖ Parole
4. Prison System
  - ❖ Introduction
  - ❖ Evolution of Prison System. The American and British Systems.
  - ❖ Prison reforms in India
  - ❖ Prison objectives and problems
  - ❖ Prisoner's Rights
5. Juvenile delinquency – Nature and Control measures with special reference to the Juvenile Justice (Care and Protection Act) 2000.
6. Meaning and importance of Victimology
  - Recognition and development of victim's rights.
  - Judicial attitude towards rights of victims.
  - Legislative measures for compensation to the Victims of Crime.

### **Reference Books:**

1. Barnes and Teeters – New Horizons of Criminology
2. Sutherland, E.H. – Principles of Criminology
3. Paranjape, N.V. - Criminology and Penology
4. Siddique Ahmad - Criminology and Penology
5. Srivastava S.S. - Criminology and Criminal Administration

## PAPER-V

### Principles of Taxation Law

- ❖ **Tax: Meaning, Types and Purpose of Taxation**
  - Difference between Tax and fee, Tax and Duty
  - Tax evasion, Tax avoidance and Tax-planning
- ❖ **Scheme of Taxation:**
  - No tax without authority of Law (Article-265)
  - Taxes Levied by Union and collected by States (Article-268)
  - Tax Levied and collected by Union, Assigned to States (Article-269)
  - Tax Levied and collected by Union and Distributed between Union and States (Article-270)
  - Taxes for the purpose of Union (Article-271)
  - Taxes Levied and collected by the Union and distributed between Union and States (Article-272)
- ❖ **Income Tax Act, 1961:**
  - Basic Concepts:**
    - Assessment year
    - Previous year
    - Assessee
    - Meaning of Income
    - Gross Total Income
    - Agricultural Income
    - Chargeability
    - Residential Status of a person
    - Residential Status and incidence of Tax
  - Heads of Income**
    - Income from Salaries
    - Income from House property
    - Income from profits and gains from business and profession
    - Income from Capital Gains
    - Income from other Sources
  - Computation of Income**
    - Clubbing of Income

- Set-off and carry-forward of losses
- Deductions
- Relief of Tax

**Income Tax Authorities and their Powers**

**Procedure for Assessment**

**Penalties, Offences and Prosecutions**

**Appeal and Revision**

❖ **Wealth Tax**

- Chargeability
- Valuation Date
- Assets included into Net-Wealth
- Assets exempted from Tax
- Computation of Net-wealth
- Penalty and Prosecution

❖ **Service Tax**

- Chargeability
- Taxable Services
- Exemptions from Service Tax
- Sub-Contract Service
- Prosecution and Penalty

**References**

1. Law of Taxation by Kailash Rai
2. Law of Taxation by Taxman
3. Service Tax by Taxman
4. Income Tax by Palakiwalah, N.A.

**PAPER-VI**

**Land Laws including tenure and tenancy system**

**THE U.P. ZAMINDARI ABOLITION AND LAND REFORMS ACT, 1950**

- ❖ Aims and objects of the U.P.Z.A.
- ❖ Salient features of the U.P.Z.A.
- ❖ Date of vesting and consequence of vesting.
- ❖ Some concepts connected with U.P.Z.A. e.g. Zamindari system, Agricultural year, Asami of Taungya Plantation, Estate, Public utility Land, Land Management Committee etc.

- ❖ Land tenure system under U.P.Z.A.
- ❖ Rights of various tenure holders, including mortgage and lease.
- ❖ Special Rule of transfer for S.C. and S.T. tenure holders.
- ❖ Succession of male tenure holder.
- ❖ Succession of female tenure holder.
- ❖ Wasiyat
- ❖ Ejectment of Trespasser and effect of Non-ejectment.
- ❖ Surrender and abandonment.
- ❖ Right of division.
- ❖ Extinction of interest
- ❖ Revenue and rent
- ❖ Land revenue and procedure for realization of arrears of land revenue.

**The U.P. PANCHAYAT RAJ ACT 1947:**

- ❖ Constitution and function of Gram Sabha
- ❖ Constitution and function of Gram Panchayat

**U.P. LAND REVENUE ACT 1901:**

- ❖ Revenue Officer and revenue court.
- ❖ Board of Revenue.
- ❖ Record of rights, distinction of Khasara and Khatauni, Mutation, Correction proceedings.
- ❖ Boundary marks and Boundary disputes.

**Reference Books:**

1. Justice S.D. Singh- U.P. Zamindari Abolition Act 1947
2. Justice B. Malik- Ceiling and Regulation Act 1976
3. B.P. Srivastava- U.P. Zamindari Abolition Act
4. S.P. Srivastava- Law of Zamindari Abolition
5. Surendra Malik - Panchayati Raj Act 1947
6. S.P. Srivastava- U.P. Land Revenue Act 1901
7. R.R. Maurya- U.P. Land Law

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**ALLAHABAD STATE UNIVERSITY**

**B.A.LL.B. (Hons.)**

**Five Year Integrated Course**

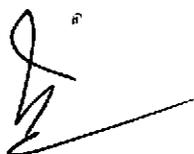
**Syllabus**

**SEMESTER-VIII**

**PAPER-I**

**Intellectual Property Rights**

- ❖ General Introduction
  - a) Meaning & nature of IPR, Evolution and Development of I.P.R at National and International level
  - b) Types of Intellectual Property
- ❖ Trademarks –
  - a) Meaning & concept of Trademarks
  - b) Essential requirements & functions of Trademarks
  - c) Conditions for registration of Trademarks
  - d) Prohibition of registration of Trademarks
  - e) Infringement & passing off
- ❖ Copyrights –
  - a) Meaning & nature of copyright
  - b) Scope & functions of copyright
  - c) General principles of copyright
    - i) Requirements of copyright
    - ii) Copyright in form, not in idea
    - iii) Adaptations
  - d) Subject matter of Copyright
  - e) Term of Copyright
  - f) Author & ownership of copyright
  - g) Rights of Copyright owner
  - h) Assignment of Copyright
  - i) Infringement of Copyright & fair dealing
- ❖ Patents –
  - a) Meaning Patents
  - b) Object of Patent grant system
  - c) Patentable invention
  - d) Rights & obligation of Patentee
  - e) Procedure for grant of a Patent
  - f) Opposition to grant of Patent
  - g) Term of Patent
  - h) Infringement of Patent
- ❖ Brief Survey of the following Acts:
  - a) Geographical Indication of Goods (Registration and Protection) Act, 1999
  - b) Protection of Plant varieties and Farmer's Rights Act, 2001
  - c) Designs Act, 2000
  - d) Biological Diversity Act, 2002



**Reference Books:**

1. Cornish W,R, – Intellectual Property Rights
2. J.P. Misra – Intellectual Property Law
3. Wadehra, B.L. – Law Relation to Patents and Copyrights
4. Narayanan, P. – Intellectual Property Law
5. Bently & Sherman – Intellectual Property Law

**PAPER-II**

**International Organization**

- 1) Evolution of International Organization
- 2) Legal status and functions as subject of international law
- 3) Classification of International Organization
- 4) Privileges and Immunities of International Organization
- 5) United Nations (a) Security Council (b) General Assembly (C) Economic and Social Council (d) Trusteeship System (e) Secretariat
- 6) Pacific Settlement of International Disputes through Security Council.
- 7) Enforcement Action
- 8) Peace keeping operation under United Nations caution.
- 9) **International Labour Organization and other specialized and Related Agencies such as:** (a) Food and Agriculture Organization (FAO) (b) United Nations Educational, Scientific and Cultural Organization (UNESCO) (c) World Health Organization (WHO) (d) International Bank for Reconstruction and Development (IBRD) (e) World Trade Organization (WTO).

**Reference books:**

1. H.O. Agrawal - International Law and Human Rights
2. S.K. Kapoor - International Law
3. S.K. Verma - International Law
4. Dr. Umesh Chandra- International law

**Special Contracts**

**1. Partnership under the Indian Partnership Act, 1932**

- ❖ Definition and Essentials of Partnership
- ❖ Distinction of Partnership with Joint Hindu Family business and Company
- ❖ Kinds of Partnership
- ❖ Kinds of Partners
- ❖ The position of minor in a Partnership firm

- ❖ Registration of the firm
- ❖ Dissolution of the firm
- ❖ **Main features of the Limited Liability Partnership Act 2008**
- 2. **The Sales of Goods Act, 1930**
  - ❖ Definition and Essentials of Sale
  - ❖ Distinction between Sale and agreement to sell
  - ❖ Distinction between Sale and Hire - Purchase
  - ❖ Conditions and warranties, meaning and difference, with special reference to 'Caveat Emptor'
  - ❖ Nemo dat quod non habet
  - ❖ Unpaid seller – meaning and rights with special references to
    - (a) Lien
    - (b) Stoppage of goods in transit
    - (c) Resale
- 3. **Specific Relief Act, 1963**
  - ❖ Definitions
  - ❖ Recovering possession of property
  - ❖ Specific performance of contracts
  - ❖ Rectification of instruments
  - ❖ Rescission of contracts
  - ❖ Cancellation of instruments
  - ❖ Declaratory decrees
  - ❖ Injunctions

#### **REFERENCES:**

1. The Sale Of Goods And The Indian Partnership Act By Mulla
2. The Indian Partnership Act, 1932 With Limited Liability Partnership By R.K Bangia
3. The Indian Partnership Act By Mulla
4. Law Of Contract & Specific Relief By Avatar Singh
5. Law Of Contract & Specific Relief By Justice A.C.Moitra

#### **PAPER-III**

#### **Media & law**

1. Constitutional perspective: Fundamental Rights – Freedom of Speech and Expression and their Limits, Provisions of Declaring Emergency and their Effects on Media, Union and States; and Election Commission and its Machinery.
2. Specified Press Laws: History of Press Laws in India – Contempt of Courts Act 1971 – Civil and Criminal Law of Defamation – Relevant Provisions of Indian Penal Code with Reference of Sedition, Crime Against Women and Children; Laws Dealing with Obscenity; Official Secrets Act, 1923, Right to Information.
3. Press and Registration of Books Act, 1867. Working Journalists and Other Newspaper Employees (Conditions of Service & Miscellaneous Provisions ) Act, 1955; – Cinematograph Act, 1953; Prasar Bharati Act; WTO Agreement And Intellectual Property Right Legislations, Including Copyright Act, Trade Marks Act And Patent Act – Information Technology, Convergence Legislations Including Cyber Laws and Cable Television Act and Media and Public Interest Litigation.

4. Media's Ethical Problems Including Privacy, Right to Reply, Communal Writing and Sensational and Yellow Journalism; Freebies, Bias, Coloured Reports; Ethical Issues Related with Ownership of Media, Role of Press Council of India and its Broad Guidelines for the Press – Codes Suggested for The Press by Press Council and Press Commissions, Accountability and Independence of Media.

**Reference Books :**

1. An Grover: Press and the Law.
2. B Basu: Laws of Press in India.
3. Basu D.D: Press Laws.
4. K S Padhy: Battle for Freedom of Press in India.
5. S K Aggarwal: Media and Ethics.

**Women and Criminal Law**

- 1) Women's Rights Jurisprudence :
  - a) Women under International Law
  - b) Empowerment of women, National Policies and Programmes in general
  - c) Women rights and Human Rights
- 2) Women and Constitution of India
  - a) Preamble
  - b) Fundamental Rights with special focus on Article 15(3), 16(1) and 16(2)
  - c) Directive Principles of State Policy and Fundamental Duties
- 3) Crime against women and IPC
  - a) Cruelty
  - b) Rape
  - c) Dowry related offences
- 4) Domestic Violence: Meaning, object and protections provided under Protection of Women from Domestic Violence Act, 2005
- 5) Sexual Harassment of women at Workplace
- 6) Protection of Women accused under Criminal Procedure Code & Evidence Act
- 7) Salient features of MTP Act, PNDPT – The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994, Immoral Traffic (Prevention) Act 1956. The Indecent Representation of Women (Prohibition) Act 1986.

**Reference Books:**

1. Mamta Rao- Law Relating to Women and Children.

2. Dr. Anjani Kant - Law relating to women and children.
3. Dr. S.C. Tripathi- Women and Criminal Law.
4. L.D. Parihar- Women and Law
5. Prof. (Dr.) G.R. Nair- Gender Justice under Indian Criminal Justice System.
6. S.R. Myneni- Women and the Law.
7. Flavia Agnes, women and law in India- an omnibus

#### PAPER-IV

#### Insurance Law

The Course shall comprise of the following:

1. Origin, History, and Development of Insurance Law
2. Nature and definition of Contract of Insurance
  - (a) Definition of Contract of Insurance
  - (b) Contract is 'Aleatory'
  - (c) Contract of utmost good faith
  - (d) Contract of indemnity
  - (e) Contract of Wager
3. Insurable interest:
  - (a) Nature of insurable interest
  - (b) Nature of duration of interest
  - (c) Insurable interest and Life insurance
  - (d) Insurable interest and Fire insurance
4. The Risk:
  - (a) Meaning and Scope of risk
  - (b) Doctrine of Causa-Proxima
  - (c) Application of rule in various classes of insurance
  - (d) The elements of risk
  - (e) The alteration of the risk
5. Life Insurance Definition, Essentials, Nature and Scope; Event Insured; Circumstances Affecting the Risk including suicide.
6. Fire Insurance: Definition, Nature and Scope; Meaning of the term "Fire" and "Loss by Fire"; Categories of Fire Insurance Policies.
7. Motor Vehicle Insurance: Nature and Scope; Third Party or Compulsory Insurance of Motor Vehicles; Constitution, Powers and Function of Claims Tribunal; Insurance Ombudsman.
8. The Insurance Regulatory and Development Authority.
  - (a) Establishment
  - (b) Composition
  - (c) Duties, powers and functions

#### **Prescribed Legislations:**

1. The Insurance Act, 1938
2. The Marine Insurance Act, 1963
3. The Life Insurance Corporation Act, 1956
4. The General Insurance Business (Nationalisation) Act, 1972
5. The Insurance Regulatory and Development Authority Act, 1999

#### **Prescribed Books:**

1. K.S.N. Murthy & K.V.S. Sharma, Modern Law Insurance in India (4th ed., 2002)
2. S.V. Joga Rao, M.N. Srinivasan's Principles of Insurance Law (9th ed., 2009)
3. Kenneth S. Abraham, Insurance Law and Regulation: (Cases and Materials, Foundation Press (2010)
4. Uma Narang, Insurance Industry in India: Features, Reforms and Outlook, (1st ed.) Publisher: New Century Publications (2013)

## INTERNATIONAL TRADE LAW

1. THEORIES RELATED TO INTERNATIONAL TRADE
  - ❖ Mercantilism,
  - ❖ Theory of absolute advantage of Adam Smith,
  - ❖ Theory of comparative advantage of David Ricardo and its developments
  - ❖ Marxist notions affecting International Trade
2. HISTORICAL BACKGROUND, STRUCTURE AND ROLE OF THE WORLD TRADE ORGANISATION (WTO) IN INTERNATIONAL TRADE ALONGWITH DISPUTE SETTLEMENT MECHANISM
  - ❖ Historical background of WTO
  - ❖ WTO Agreement and other Uruguay Round Agreements
  - ❖ Organizational Structure of the WTO
  - ❖ Difference between GATT 1947 and GATT 1994
  - ❖ Role of the WTO in International Trade
  - ❖ Dispute Settlement Mechanism within the WTO
  - ❖ Relationship of WTO with the other two Bretton Woods institutions i.e. IMF and World Bank
3. ELIMINATION OF QUANTITATIVE RESTRICTIONS AND TARIFFS AS PREFERRED MODE FOR REGULATING TRADE IN GOODS
  - ❖ Why tariff is preferred over quantitative restrictions as a tool for regulation of trade in goods?
  - ❖ General Elimination of quantitative restrictions under Article XI of GATT 1994
  - ❖ Exceptions to the rule in Article XI
  - ❖ Exception for Balance of Payment Purposes
  - ❖ Tariff bindings under Article II of GATT 1994
4. NON-DISCRIMINATION
  - ❖ National Treatment: Concept of "Like products" , Difference in treatment of like products and directly competitive and substitutable products, Exceptions to the rule
  - ❖ Most Favoured Nation Treatment: Advantages of the MFN rule ,Exceptions to the rule ,Regional Trade Agreements, Free Trade Areas, etc. ,Growing phenomenon of RTAs and FTAs whether a threat to multilateralism?
5. PROTECTION OF DOMESTIC INDUSTRY
  - ❖ Antidumping Measures under Article VI of GATT 1994 and the Antidumping Agreement
  - ❖ Subsidies and Countervailing Duties under Article VI and XVI of GATT 1994 and Agreement on Subsidies and Countervailing Measures

- ❖ Safeguard Measures under Article XIX of GATT 1994 and the Safeguards Agreement

#### 6. REGULATION OF NON-TARIFF BARRIERS

- ❖ Agreement on Technical Barriers to Trade (TBT)
- ❖ Agreement on Sanitary and Phytosanitary (SPS) Measures
- ❖ Rules of Origin
- ❖ Pre-shipment Inspection
- ❖ Agreement on Import Licensing

#### 7. TRADE BARRIER AS A TOOL FOR DISCIPLINING STATES

- ❖ Trade and Environment
- ❖ Trade and Labour Rights
- ❖ Trade and Human Rights

#### References:

1. Bhala, Raj Modern-GATT Law: A Treatise on the General Agreement on Tariffs and Trade
2. Macrory, Patrick F.J. et al The World Trade Organization: Legal, Economic and Political Analysis (Springer, 2005)
3. Matsushita, Mitsuo et al The World Trade Organization: Law Practice and Policy ( OUP, 2006)
4. Mavroidis, Petros C. The General Agreement on Tariffs and Trade (OUP 2005)
5. Schnitzer, Simone Understanding International Trade Law (Law Matters Publishing, 2006)

#### PAPER-V

##### Information Technology Law

- 1) Introduction: What is Cyber law; need for cyber law; Cyber Space
- 2)
  - a) History and Evolution of Cyber Crime
  - b) Definition and nature of Cyber Crime
  - c) Different kinds of Cyber Crime
  - d) Legal position around the global
  - e) Prevention of Cyber Crime
- 3) Hacking
  - d) Evolution of Hacking
  - e) The Techniques of Hacking
  - f) Reasons of Hacking
  - g) Prevention of Hacking
- 4) Cyber Stalking
  - a) Nature and extent of Cyber Stalking
  - b) Different kinds of Cyber Stalking
  - c) Methods of Cyber Stalking
- 5) Pornography
  - a) Pornography on the Internet
  - b) Obscenity and Pornography

- c) Child Pornography
  - d) Legal position in different countries regarding Cyber Pornography
    - i) In United Kingdom
    - ii) In United States of America
    - iii) In India
- 6) Cyber Crimes in Financial Activities
- a) Kinds of financial Cyber Crime
  - b) Legal position in U.K.,U.S. and India
- 7) Cyber Terrorism
- a) Definition and nature of Cyber Terrorism
  - b) Some incidents of Cyber Attacks
    - i. Cyber attacks between Pakistan and India
    - ii. Cyber attacks by Tamil Tigers
    - iii. Cyber attacks in Middle east
    - iv. Cyber attack on Estonia
  - c) Prevention of Cyber Terrorism
- 8) Law in the cyber space
- a) Introduction
  - b) Challenges in enforcement of Law in cyberspace
  - c) International effects for harmonization
- 9) IPR and Cyber Law
- a) The concept Intellectual Property Right
  - b) Impact of Technology on Copyright and Trade Mark
- 10) E-Commerce
- a) Introduction
  - b) Digital Signature
  - c) E-Contract
  - d) E-Governance
- 11) Privacy in Cyber Space
- a) Right to Privacy
  - b) Activities on Internet which can affect Privacy
  - c) The liabilities of an Internet Service Provider in Cyber Space
- 12) The Information Technology Act 2000 (An overview of the Act)
- 13) Real World Cases:
- a) Orkut Fake Profile cases
  - b) Credit card Fraud
  - c) Tax Evasion and Money Laundering
  - d) Online sale of illegal articles
  - e) Use of Internet and Computers by Terrorists

**Prescribed Books**

- |    |                                |   |              |
|----|--------------------------------|---|--------------|
| 1. | Fundamental of Cyber Law       | - | Rohas Nagpal |
| 2. | E-Commerce                     | - | Rohas Nagpal |
| 3. | An Introduction to Cyber Crime |   |              |

- |    |                                  |   |                            |
|----|----------------------------------|---|----------------------------|
|    | & Cyber Law                      | - | Dr. R.K. Chaubey           |
| 4. | Cyber Crime and Digital Evidence | - | Rohas Nagpal               |
| 5. | Cyber Laws                       | - | Mr. Justice Yatindra Singh |

**PAPER-VI**

**Project-I**

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**ALLAHABAD STATE UNIVERSITY**

**B.A.L.L.B. (Hons.)**  
**Five Year Integrated Course**

***Syllabus***

**SEMESTER-IX**

**PAPER-I**

**Alternate Dispute Resolution**

- ❖ **Alternate Dispute Redressal System:**
  - Necessity
  - Concept and scope of ADR
  - Legal Recognition of ADR : Legal Services Authority Act 1987;  
C.P.C. (Amendment) Act 1999, Malimath Committee Report
- ❖ **Kinds of ADR System : Lok-Adalat, Arbitration under Arbitration, Conciliation, Mediation**
- ❖ **Lok-Adalat under Legal Services Authority Act 1987**
  - Organisation and Jurisdiction of Lok Adalat
  - Powers of Lok Adalat
  - Functioning of Lok Adalat
- ❖ **Arbitration under Arbitration and Conciliation Act 1996**
  - **Definitions:** Arbitration, Arbitration Agreement, Arbitral Award, International Commercial Arbitration
  - Power of the Court to refer to arbitration
  - Appointment of Arbitration
  - Conduct of Arbitral Proceedings
  - Arbitration-award
  - Setting aside of Arbitral award
  - Foreign awards and conditions for enforcement
- ❖ **Conciliation:**
  - Meaning and scope
  - Appointment and Role of Conciliators
  - Conciliation proceedings



- Settlement Agreements: Status and Effect of Settlement agreement

**References:**

1. M.Sridhar- Alternate Dispute Resolution : Negotiation & Mediation
2. Anirban Chakraborty- Law & Practice of ADR in India
3. Dr. S.C. Tripathi- Alternate Dispute Resolution System
4. P.C.Rao- Alternate Dispute Resolution
5. Madhusudan Saharay- Textbook on Arbitration & Conciliation with ADR

**PAPER-II**

**Labour and Industrial Law-I**

**General:**

- Origin and Development of Labour Law
- Position of Status and Contract
- Laissez – Faire, hire and fire.
- From Contract to status
- Role of ILO in growth and development Labour Law
- Effect of Globalization

**Paper-I Social Security Legislations**

- Social justice, social security and social equity

**Employee's Compensations Act, 1923**

- Definition of disablement, dependant, employee employer.
- Conditions for payment of compensation and when compensation is not payable.
- Notional extension of employer's premises.
- Amount of compensation and distribution
- Commissioner his powers and functions and when appeal can be preferred against the order of commissioner.

**Employee's Provident Fund and Miscellaneous Provision Act, 1952**

- Scope, application and constitutionality of Act
- Definition of Factory, Wages, Occupier
- Schemes and Benefits under the Act
- Contribution
- Protection to fund
- Authorities

**Employees State Insurance Act, 1948**

- Scope, object and application
- Corporation & Committees
- Contribution
- Benefits
- Penalties

**Minimum Wages Act, 1948**

- Scope and object of the Act
- Fixation and revision of minimum rates of wages etc.

**References :**

1. H.L.Kumar- Labour and Industrial laws
2. Avtar Singh And Harpreet Kaur-Introduction To Labour And Industrial Law
3. S.N. Misra- Labour and Industrial laws
4. S.C.Srivastava- Industrial Relations And Labour Laws
5. B.D.Singh- Industrial Relations And Labour Laws

**PAPER-III**

**International Criminal law**

1. Introduction : International Criminal Law
2. Individual Responsibility: Historical Development
  - ❖ Treaty of Versailles,
  - ❖ Nuremberg & Tokyo Trials
  - ❖ Genocide Convention, 1948,
  - ❖ Geneva Convention, 1949,
  - ❖ ILC Draft Code of Crimes against the Peace and Security of Mankind
3. State Sovereignty and International Criminal Law
4. General Principles of International Criminal Law
5. Crimes and Elements of Crimes
  - ❖ Prosecutor V. Akayesu (ICTR 1998);
  - ❖ Prosecutor v. Krstic ( ICTY2004)
6. Modes of Criminal Responsibility and Defences,
  - ❖ Prosecutor v Samuel Hinga Norman
  - ❖ Prosecutor V. Blaskic
7. International Criminal Court and Tribunals
  - ❖ International Criminal Court
  - ❖ ICC Jurisdiction over the Nationals of Non-States parties
  - ❖ International Criminal Tribunal for Yugoslavia (ICTY)
  - ❖ International Criminal Tribunal for Rwanda (ICTR)

**References**

1. Cassese, Antonio, *International Criminal Law* (Oxford University Press, London, 2008) ed.2<sup>nd</sup>
2. Schabas, William A., *An Introduction to the International Criminal Court*, ( Cambridge University Press, Cambridge, 2001)

**Bio-diversity Protection Law**

1. Meaning and importance of Biodiversity
2. A. An overview of Antarctic Treaty, Bonn Convention on Migratory species, UNESCO Convention, Ramsar Convention on Wetlands and The Convention on International Trade in Endangered Species, 1973 (CITES)  
B. International Convention on Biological Diversity (CBD), 1992  
\* Salient features  
\* COP-Conference of Parties
3. Principle of Sustainable Development and Biological diversity
4. The Biological Diversity Act, 2002  
A. Meaning of Benefit claimers, Biological Resources  
B. The National Biodiversity Authority- Composition, Power and Functions  
C. The State Biodiversity Authority- Composition, Power and Functions  
D. Biodiversity Management Committees  
E. Powers and Duties of the Central Government and State Government  
F. Local Biodiversity Fund  
G. Regulation of Access to Biological Diversity
5. The Relationship between IPR and the relevant provisions of TRIPS and the CBD, 1992
6. Legal Protection of Traditional Knowledge

#### Paper-IV

#### International Human rights

1. United Nations and Human Rights
  - ❖ UN Charter
  - ❖ United Nations Commission on Human Rights (Human Rights Council)
  - ❖ Sub commission on Prevention of Discrimination and Protection of Minorities
  - ❖ Commission on Status of Women
  - ❖ UN Centre for Human Rights & UN Commissioner for Human Rights
  - ❖ Office of UN High Commissioner for Human Rights
  - ❖ UN High Commissioner for Refugees
  - ❖ Role of UN in Protection and Promotion of Human Rights
2. International Human Rights Instruments
  - ❖ International Bill of Human Rights
  - ❖ Universal Declaration of Human Rights, 1948 – Influence – Legal Significance
  - ❖ International Covenant on Civil and Political Rights, 1966
  - ❖ First Optional Protocol
  - ❖ Second Optional Protocol to ICCPR
  - ❖ International Covenant on Economic, Social and Cultural Rights, 1966
  - ❖ Optional Protocols to ICESCR

3. Implementation of Human Rights
  - ❖ UN Commission on Human Rights (Human Rights Council)
  - ❖ The Human Rights Committee (CCPR) under ICCPR
  - ❖ The Committee on Economic, Social and Cultural Rights (CESCR) under ICESCR
  - ❖ Treaty Bodies and Other Bodies
4. Regional System for Protection of Human Rights
  - ❖ The European Convention on Human Rights, 1950
  - ❖ The American Convention on Human Rights, 1969
  - ❖ African Charter on Human and Peoples Rights, 1981
  - ❖ Arab Charter, 2004
  - ❖ Asian Human Rights Charter, 1998
5. Human Rights of Vulnerable Groups
  - ❖  Women
  - ❖  Children
  - ❖  Minorities
  - ❖  Disabled person

#### References

1. Alston, Phillip- *The United Nations and Human Rights*
2. SK Kapoor- Human Rights under International and Indian Law
3. HO Agarwal, Human Rights
4. Mamata Rao- *Law Relating to Woman and Children*

### Forensic Science

#### **Unit-I : Introduction to forensic science**

1. Definition
2. Need
3. Functions & Roles
4. Principles

#### **Unit-II : Forensic science in Justice Delivery.**

1. Standards of admissibility of forensic evidence
2. Provisions under Constitution of India
3. Provisions under Cr.P.C.
4. Provisions under Indian Evidence Act
5. Third degree methods, stock witness, trap evidence testimonial compulsion
6. Important cases

#### **Unit-III : Medico-Legal cases/Medical jurisprudence**

1. Medico-Legal aspects of death, death from asphyxia, strangulation, drowning etc.
2. Postmortem examination
3. Human Rights issues
4. Medico-legal aspects of wounds

**Unit-IV : Fingerprints & DNA Fingerprinting**

**Unit-V : Narco analysis & Polygraph test**

**Unit-VI : Questioned documents, trackmarks, Scene of occurrence**

**References:**

1. B.R. Sharma- Forensic Science In Criminal Investigations And Trials
2. Dr. Gupta & Agarwal- Forensic Science In Criminal Investigations And Trials (Prosecution & Defence)
3. H.J.Walls- Forensic Science: An Introduction to Scientific Crime Detection
4. Depak Rattan and Mohd. H. Zaidi- Forensic Science in India & the World
5. Krishna Vij- Textbook of Forensic Medicine and Toxicology- Principles & Practice
6. J.P.Modi- Medical Jurisprudence & Toxicology
7. HWV Cox -Medical Jurisprudence & Toxicology
8. Dr. Nishant Singh- Forensic Science- Principles and Application
9. Dr. C.K. Parikh- Parikh's Textbook of Medical Jurisprudence, Forensic Medicine & Toxicology
10. Alber S. Osborn- Questioned Documents
11. B.S. Nabar- Forensic Science in Crime Investigation
12. V.N. Shukla- Constitution of India
13. M.P Jain- Indian Constitutional law
14. Dr. Avtar Singh- Principles Of The Law Of Evidence
15. Ratanlal and Dhirajlal- The Law Of Evidence

**PAPER-V**

**Corporate Governance**

1. Conceptual framework of corporate Governance
  - ❖ Evolution of Corporate Governance – Ancient and Modern Concept
  - ❖ Concept of Corporate Governance, Generation of Value from Performance
  - ❖ Importance of Corporate Governance, Different system of Corporate Governance, Impact of Legal Traditions and the Rule of Law on Corporate Governance
  - ❖ Economics of Organization and Information, Theories of the Corporation that have a shaping influence upon Corporate Governance practices
  - ❖ Beneficiaries of Corporate Governance; Shareholder Activism and changing role of Institutional Investors
  - ❖ Business Ethics vis-à-vis Corporate Governance
  - ❖ Corporate Governance in various organizations

- ❖ Impact of Information Technology and Non-stop Media Coverage giving unbridled access to company information and violating privacy rights
2. Legal And Regulatory Framework Of Corporate Governance
    - ❖ Need for legislation on Corporate governance
    - ❖ Legislative Provisions of Corporate Governance in Companies Act 1956, Securities (Contracts and Regulations) Act, 1956 (SCRA), Depositories Act 1996, Securities and Exchange Board of India Act 1992, Listing Agreement, Banking Regulation Act, 1949 and Other Corporate Laws
    - ❖ Reports of the various Committees on Corporate Governance
    - ❖ Legal provisions relating to investor protection
    - ❖ Legislative Framework of Corporate Governance in US, UK and other developed countries including Common Wealth Association for Corporate Governance (CACG), Organization for Economic Cooperation and Development (OECD) etc.
    - ❖ Listing Requirements- Indian and International perspective
    - ❖ Management Information System (MIS) and Corporate Disclosure Requirements covering Accounting Standards and Secretarial Standards also.
    - ❖ Statutory standards and procedures – National and international
    - ❖ Legal Reforms on Corporate Governance in India
    - ❖ Securities and Exchange Board of India's (SEBI) Electronic Data Information Filing and Retrieval System (EDIFAR)
  3. Corporate Social and Environmental Responsibility

### **References**

1. Saleem Sheikh & William Rees- Corporate Governance & Corporate Control
2. Taxmann- Companies Act 2013

### **Right to Information Law**

1. Right to Information – A General overview
  - Origin and History Right to Information.
  - RTI and International Covenants.
  - RTI in other countries: UK, USA, European Union and others.
2. RTI – Jurisprudential Aspects: Concepts of Freedom, Justice and Legal Rights.
3. RTI Act, 2005: Salient Features: Preliminary; RTI and Public Authorities; Central Information Commission; State Information Commission; Powers and Functions of ICs; Appeals and Penalties; and Miscellaneous Provisions.
4. RTI and Judicial Activism: Judicial Activism, RTI and HCs, RTI and SC, and RTI v. Judiciary.

5. RTI and other Laws (Only Sections Relevant to RTI): IT Act, 2000; Official Secrets Act, 1923, Atomic Energy Act, 1962; Contempt of Courts Act, 1971; and Acts related to IP.
6. RTI – Emerging Trends: Media and RTI; RTI Art.19 (1), and Art.21: Interconnections; Stretching RTI to unreasonable limits; and RTI; A Right without Duty?

#### **References-**

1. Dr. Niraj Kumar- Handbook on RTI, 2005
2. Dr. R.K.Verma- Taxmann's RTI: Law & Practice
3. P.K.Das- Handbook on RTI Act
4. Sudhir Naib- The Right to Information in India
5. N.V.Paranjape- RTI law in India
6. Dr. Anshu Jain- A treatise on the Right to Information in India
7. S.R.Myneni- Right to Information law

### **Paper-VI**

#### **Competition Law**

##### **1. An Introduction**

- ❖ Definition of Competition
- ❖ Definition of Competition Law
- ❖ Objectives of Competition Law

##### **2. History of Competition Law**

- ❖ (USA, UK, Europe)
- ❖ Relevant provisions of Sherman's Act
- ❖ Indian scenario with an overview of MRTP Act, 1969
- ❖ *Raghavan* Committee Report

##### **3. International co-operation for competition**

- ❖ WTO agreements and the Act

##### **4. Anti-competitive Agreement**

- ❖ Appreciable adverse effect
- ❖ Horizontal and Vertical agreements
- ❖ Effects doctrine

##### **5. Prohibition of anti-competitive agreements**

- ❖ Concerted practices and parallel behaviour
- ❖ Cartel and Cartelisation
- ❖ Bid rigging and collusive bidding
- ❖ Tie-in-arrangements

- ❖ Exclusive supply agreement
- ❖ Resale price maintenance agreement
- 6. Abuse of Dominant Position**
  - ❖ Relevant market
  - ❖ Predatory behaviour
  - ❖ Predatory pricing
  - ❖ Discriminatory practices
  - ❖ Relevant market
- 7. Combination**
  - ❖ Value of Assets
  - ❖ Turnover
  - ❖ Acquisition
  - ❖ Conglomeration
  - ❖ Joint Venture
  - ❖ Merger and Amalgamation
  - ❖ Notification
- 8. Competition Commission of India**
  - ❖ Establishment and composition
  - ❖ Duties
  - ❖ Procedure for inquiry
  - ❖ Powers
  - ❖ Competition fund
- 9. Competition Advocacy**
  - ❖ Competition Policy

**References:**

1. Dhall .Vinod- *Competition Law Today: Concept Issues and Law in Practice*
2. Mittal D.P.- *Taxmann's Competition Law and Practice*
3. *Universal Guide to Competition Law in India*
4. Ramappa. T.-*Competition Law in India- Policy, Issues and Development*
5. Aditi P Talati, Nahar. S. Mahala- *Competition Act, 2002: Law, Practice and Procedure.*

**Private International Law**

1. Introduction: (a) Definition, Nature, Scope and Importance of Private International Law; (b) Conflict of Law or Private International Law; (c) Distinction between Private International Law and Public International Law.
2. The Process of Classification/Characterization: Theories of Classification and its Necessity.
3. Doctrine of Renvoi: Partial Renvoi, Total Renvoi and its application.
4. The concept of Connecting Factor: (i) Domicile: Meaning and its Kinds; (ii) Nationality (iii) Residence.
5. Matters related to Substance & Procedure of Law.
6. Choice of Jurisdiction (i) Meaning and Bases jurisdiction; (ii) Position in England and India (iii) Staying of Action (iv) Forum Shopping.

7. The Law of Contractual Obligations; (i) Creation of Contractual Obligations and General Principles of Contract (ii) The Proper Law of Contract (iii) The Rome Convention, 1982.
8. Foreign Tort: (i) The Traditional Theories (ii) Present Position in English Law and Indian Law.
9. Law relating to Marriage and Matrimonial Causes.
10. Recognition & Enforcement of Foreign Judgements.
11. Law relating to Sovereign and Diplomatic Immunity.

**References:**

1. K.B.Agarwal & Vandana Singh- Private International law in India
2. Rakesh Kumar Singh- Textbook on Private International law

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**ALLAHABAD STATE UNIVERSITY**

**B.A.L.L.B. (Hons.)**

**Five Year Integrated Course**

**Syllabus**

**SEMESTER-X**

**PAPER-I**

**Civil Procedure Code and Limitation Act**

- ❖ **General Introduction:** Object, scope, application and rules of interpretation of the Code  
Framework of the Code
- ❖ **Definitions:** Decree, Order, Preliminary decree, Final decree, Mesne profit
- ❖ **Jurisdiction of Civil Courts:**
  - Kinds of Jurisdiction
  - Suits of Civil nature
  - Res Sub-judice
  - Res judicata
  - Bar to further Suits
  - Foreign Judgements
- ❖ **Place of Suing**
- ❖ **Institution of Suits**
  - Suit: Meaning, Essentials, Presentation
  - Parties of suit: General, Joinder of parties, non-joinder and mis-joinder of parties
  - Representative suit
- ❖ **Pleadings:** Definition and object, Basic rules of pleadings, Amendment of pleadings
- ❖ **Plaint and Written Statement, Set-off, Counter claim**
- ❖ **Interim-Orders**
  - Arrest before judgement



- Attachment before judgement
- Temporary Injunctions
- Inter-locutory Orders
- ❖ **Special Suits:**
  - Interpleader Suits
  - Suits by indigent persons
- ❖ **Execution of Decree**
  - Powers of Execution-Court
  - Modes of Execution- Arrest, Attachment, Delivery of property
- ❖ **Inherent Powers of the Court and its limitations**
- ❖ **Caveat:**
  - Meaning, nature and object
  - Where caveat does not lie
- ❖ **Appeal with special reference to Second Appeal**
- ❖ **Reference, Review and Revision**

**Recommended Books:**

1. Civil Procedure Code by Mulla
2. Civil Procedure Code by C.K. Takwani
3. Civil Procedure Code by S.N. Singh
4. Civil Procedure Code by T.P. Tripathi

**PAPER-II**

**Labour & Industrial Law II**

1. **The Industrial Employment (Standing Orders) Act 1946**
  - i. Scope and application of the Act and nature of certified standing order
  - ii. Standing order
  - iii. Procedure of Certification of Standing order
  - iv. Powers of Certifying officer regarding certificate.
  - v. Duration & modification of standing orders
2. **The Trade Unions Act 1926**
  - Aims and object of the Act

- Trade Union Law Visa-vis law of Tort, Contract and Constitutional Law.
- Definition of Trade Union and Trade dispute.
- Procedure of registration of Trade Union, Cancellation and withdrawal of certificate of registration.
- General objects for which Trade Union Fund may be utilized.
- Political Fund of Trade Unions.
- Privileges of a Registered Trade Union.
- Position of minor vis-a-vis Trade Union & Amalgamation of Trade Unions.

### **3. The Industrial Disputes Act 1947**

- Def. of Industry, Industrial dispute
- Def. of strike and lock out and provisions relating to a valid strike & lock out.
- Def. of lay off and retrenchment and provisions relating to valid lay off and retrenchment.
- Settlement of disputes compulsory & voluntary and nature of award and its operation.

#### **References :**

1. H.L.Kumar- Labour and Industrial laws
2. Avtar Singh And Harpreet Kaur-Introduction To Labour And Industrial Law
3. S.N. Misra- Labour and Industrial laws
4. S.C.Srivastava- Industrial Relations And Labour Laws
5. B.D.Singh- Industrial Relations And Labour Laws

### **PAPER-III**

#### **Moot Court Exercise and Internship**

- ❖ **Moot court (30 Marks).** Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on

assigned problem and it will be evaluated for 5 marks for written submission and 5 marks for oral advocacy.

- ❖ **Observance of Trial in two cases, one Civil and one Criminal (30 marks):**  
Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. **This scheme will carry 30 marks.**
- ❖ **Interviewing techniques and Pre-trial preparations and Internship diary (30 marks):**  
Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.
- ❖ The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

#### PAPER-IV

##### Drafting, Pleading and Conveyancing

1. **Pleading :**
  - a) Meaning, importance and objects of pleadings, difference between pleading and proof.
  - b) Fundamental rules of pleading
  - c) Amendment of pleadings
  - d) Frame of suit, Cause of action, Joinder of causes of action, Misjoinder of causes of action
2. **Plaint:** Essential parts of plaint, Presentation and Rejection of Plaint.
3. **Written Statement:**  
Essentials of Written Statement, Rules and exceptions as to denials, Set-off and counter claims, Consequences of Non-filing of a Written Statement
- 4- **Drafting:** General principles of drafting and relevant substantive rules.  
Drafting Exercises in civil and criminal cases

**Civil:** Complaint, Written Statement, Interlocutory application, Memorandum of Appeal and Revision, Writ petitions.

**Criminal:** Complaints, Bail application, Memorandum of Appeal and Revision.

5- **Conveyancing:**

Parts of a deed; Drafting exercises in Sale deed, Mortgage deed, Lease deed, Gift-deed, Power of Attorney, Will.

**Recommended Books:**

1. Pleading, Drafting and Conveyancing by R.N. Chaturevedi
2. The Law of Pleading, Drafting and Conveyancing by R.D. Srivastava
3. Mogha's Law of Pleading
4. Pleadings & Conveyancing by K.K. Srivastava
5. Art of Conveyancing & Pleadings By Manohar, Murli
6. Drafting & Conveyancing By S.P. Aggarwal
7. Pleadings by S.P. Aggarwal

**PAPER-V**

**Professional Ethics and Professional Accounting System**

**Professional Ethics:**

- History, importance and contribution of legal profession.
- Enrollment of advocates and establishment of Bar Councils.
- Meaning, Nature and need of ethics of legal profession.

**Duties of an advocate:**

- Duties of advocate to the court.
- Duties of advocate to the clients.
- Duties of advocate to the society.
- Duties of advocate to the colleagues.

**Punishment for professional or other misconduct:**

(a) Meaning of professional or other misconduct. (b) Nature and extent of punishment (c) Remedies against the order of punishment. (d) Remedies against the order of punishment.

**Leading Cases:**

- (a) Prahlad Saran Gupta v. Bar Council of India
- (b) Hikmat Ali v. Ishwar Prasad Arya and others
- (c) P.D. Gupta v. Ram Murit and others.

**Meaning and categories of contempt of court:**

- Object and importance of contempt law, Civil and Criminal Contempt.
- Contempt jurisdiction of the subordinate courts.
- Nature and extent of punishment for contempt of court.
- Defence open to the contemnor in criminal contempt.
- Defence open to the contemnor in civil contempt.
- Remedies against the punishment for contempt of court.

**Important cases on contempt of court:**

(a) Delhi judicial services association v. State of Gujarat (AIR 1995 SC 2176) (b) Mohd. Aslam v. Union of India (AIR 1995 SC 548) (c) In re Vinay Chandra Mishra (AIR 1995 SC 2348) (d) Supreme Court Bar Association v. Union of India (AIR 1998 SC 1895) (e) State of Rajasthan v. Prakash Chand (AIR) 1998 SC 1344).

**Recommended Books:**

1. Professional Ethics, Accountancy for Lawyers and Bench-Bar Relations by Dr. S.P. Gupta
2. Legal and Professional Ethics by P. Ramanatha Aiyer
3. Professional Ethics by Raju Ramachandran
4. Legal Ethics, Accountability for lawyer & Bench- Bar Relations by Kailash Rai.
5. Professional Ethics by Sirohi

**PAPER-VI**

**Project-II**

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[Part III]

**ORDINANCES FOR THE EXAMINATION AND PROMOTION AND  
AWARD OF DEGREE TO THE STUDENTS IN THE B. A. LL. B. (HONS):  
FIVE YEAR INTEGRATED COURSE**

- 1- Degree of Bachelor of Laws in B. A. LL. B. (Hons) 5 Years Integrated Course, may be awarded to a candidate who after taking admission in the course, has received instructions regularly, passed the examinations and successfully completed the Course of Study under the provisions of Ordinances of the University and is otherwise suitable by virtue of his character for the award of such Degree
- 2- A student shall be required to put in the minimum of 75% attendance in lecture classes in each subject and also at the moot courts and practical training, seminar and other courses as prescribed by the University and Bar Council of India by its Rules framed under Advocates Act, 1961/Faculty of Law, for being eligible to appear in the examination. However, the Board may in exceptional circumstances permit a student to appear in the examination who has to his credit up to 66% attendance as above.
- 3- In order to pass in each semester examination, a candidate must obtain a minimum of 40% of the marks in each subject of study prescribed for the semester and a minimum of 45% of marks in the aggregate.  
Provided that the division to a candidate shall be awarded at the end of X<sup>th</sup> Semester Examination. Those successful candidates who obtain marks in the aggregate 45% or above but below 60% shall be placed in the **Second Division** and those who obtain 60% or above but below 75% marks shall be placed in the **First Division** and those who obtain 75% or above marks shall be placed in **First Division with distinction**.
- 4- Subject to the Ordinances provided herein for the promotion of students from one semester to the next higher semester a candidate who has passed B. A. LL. B. (Hons) First semester examination of this University may be promoted to B. A. LL. B. (Hons) second semester and similarly up to B. A. LL. B. (Hons) X<sup>th</sup> semester.

- 5- Examination in each subject of study in each semester shall consist of two parts:
  - (i) An **Internal assessments** of student which shall comprise assessments in (a) at least three assignments [or a project]<sup>6</sup> given to him in each subject in the semester and (b) his performance in the two mid term Tests of which one shall be announced and other an unannounced Test and (c) the marks obtained by him for attendance over and above 75% in each of the subjects. The teacher concerned may provide one more chance to a student who, for genuine reasons, could not appear in the mid term tests.
  - (ii) An **end Semester examination** in each subject of study for the Semester, which shall ordinarily be held in the month of **November/April, of the Academic Session**.  
  
A student shall not be eligible to appear in the end Semester examination unless he has completed the required attendance in accordance with Ordinance 2 hereinabove.  
  
The result of a candidate in each Semester shall be declared on the basis of the mathematical total of the marks obtained by him in the internal assessment and the end semester examination in each subject of study prescribed for that Semester.
- 6- The students who have in each subject passed and secured not less than the **aggregate of 45%** marks in all the subjects and **Viva-Voce/Project (if any)** shall be promoted to the next higher semester.
- 7- The students who have failed in one of subjects of study for the Semester but have secured 45% or more marks in the aggregate in the remaining subjects shall be required to pass the **Second Examination** in the subject they have failed. The **Second Examination** shall ordinarily be held within fifteen days of the declaration of the result of that semester. Such students shall be eligible to be promoted to the next semester only when they have passed and are eligible for promotion under Ordinances 6 hereinabove.
- 8- The students who have passed in all the individual subjects of the course of study for that Semester but have failed to secure

the required aggregate of 45% of marks, may be permitted to appear in any one subject of their choice in the second examination to be held under ordinance 7 and such students shall be eligible to be promoted to the next higher semester only if they pass and are eligible for promotion under Ordinance 6 hereinabove.

9- The students who have passed in the Semester examination under **Ordinance 3** and **want to go for improvement of marks** may be permitted to appear **only in any one** of the subjects of the Semester in the **Second examination** to be held under **Ordinance 7** hereinabove. Such students shall be eligible to be promoted to the next semester only when they pass in the aforesaid subject in the Second examination. The marks obtained by them in the Second examination shall be final. However, if a candidate applies for appearing in the Second Examination but fails to appear in it, he shall retain the marks obtained by him in the Main Examination.

10- The students who have failed in two or more subjects of study in any one Semester or have failed to appear in the examination or have appeared in the Second examination under **Ordinances 7, 8 or 9** and have failed in such **Second examination**, shall be treated as failed and they will be required to pay the prescribed charges and **re-register** themselves along with the students of the next session of that Semester and shall be required to attend the classes, appear in and pass the examination with them. Such students shall not be promoted to the next higher Semester unless they become eligible for promotion under the preceding **Ordinance 6**.

11- The students shall be given only one chance for **re-registration** with respect to the respective Semester which they have failed to pass under the preceding **Ordinances 9 and 10**.

12- At the end of each semester a Result-sheet shall be provided to every student indicating subject-wise marks and Result.

13- (i)- A Candidate who obtains a minimum of 45 percent marks in the aggregate in any Semester of B.A. LL.B.(Hons) Five Year Integrated Course but fails by not more than two (02) marks in any one subject of study for that Semester may be declared successful by award of grace marks not exceeding two with reference to such subject of study.

(ii)- A candidate who obtains a minimum of 40 percent marks in each subject of study in the examination of any Semester of this Course but fails by not more than two (02) marks in the aggregate, may be declared successful by award of grace-marks not exceeding two with reference to such aggregate.

Provided that the grace marks awarded under para (i) or (ii) above, shall not be counted towards the minimum aggregate required at the end of the last Semester and shall also not affect the order of merit in the examination.

14- Subject to these rules the Ordinances of the University with respect to use of unfair means in the examinations shall apply to the students of this Course.

#### Part IV Transitory Ordinances

1- If any student admitted to the B.A.LL.B.(Hons):Five Year Integrated Course in accordance with the Ordinances of the University and the Rules of Bar Council of India immediately preceding the Bar Council of India Rules of Legal Education 2008, falls in Semester I or II of the First Year of the course or is ineligible to be promoted to the III Semester for any reason whatsoever may be re-admitted to the First Semester along with the new batch of students and shall be required to complete the course with them.

2- If any student of the III Semester onwards fails or is ineligible to be promoted to the next higher Semester for any reason whatsoever, he will be given the facility to appear as ex-student in the examination of the subsequent session after depositing the prescribed fee. The result of such ex-student shall be declared on the basis of his marks of internal assessment when he was a regular student and the marks obtained by him as ex-student in the End Semester Examination of the subsequent session. Only one such chance shall be given to such students in the subsequent academic session.

3- The Examination Committee shall have power to remove difficulties that may come in the way of enforcement of these ordinances.

4- These transitory provisions of the Ordinances contained in Part IV shall automatically expire after academic session 2017-18 |