PONDICHERRY UNIVERSITY

LL.B.
(Three Years)

REGULATIONS AND SYLLABUS

2010-2011 ONWARDS
REGULATIONS FOR THREE YEARS LL. B. DEGREE

REGULAR STREAM - SEMESTER PATTERN

REVISED REGULATIONS

WITH EFFECT FROM 2010 - 2011
REGULAR STREAM - SEMESTER PATTERN

REVISED REGULATIONS WITH EFFECT FROM 2010-2011

A. THREE YEARS LL.B DEGREE

Eligibility for admission:

(a). In order to be eligible for admission, a candidate should have passed any Bachelor’s degree from a recognized University or possess such academic qualification which is considered equivalent to bachelor’s degree by the Pondicherry University and the Bar Council of India. A candidate with a Bachelor’s degree (Regular/Correspondence) is eligible to apply for this programme only if he has underwent a regular course of study in a duly recognized school up to Higher Secondary course (+ 2).

In case of candidates possessing Bachelor’s degree as stipulated above and holding post-graduate degrees as well, only the degree at the bachelor level will be considered for the purpose of eligibility for admission.

(b). Further, the candidates applying for admission to this programme should have secured 50% of marks in the qualifying examination. However, in case of candidates belonging to Puducherry Scheduled Caste and Scheduled Tribe, 45% pass in the qualifying examination is enough.

(c). Candidates should not have completed 30 years of age as on 1st July of the respective academic year. However this is relaxable upto 5 years in case of candidates belonging to Puducherry Scheduled Caste and Scheduled Tribes.

II

REGULATIONS COMMON FOR BOTH FIVE YEARS AND THREE YEARS DEGREE PROGRAMME

Admission procedure:
The admission to the above courses shall be made following such procedure as may be prescribed by the Government of Puducherry from time to time.

Reservation:

The rule of reservation set in force by the Government of Puducherry shall be followed.

Examination:

(a). The course in case Five Years LL.B. Degree shall be of five year duration comprising of ten semesters and in case of Three Years LL.B. Degree, it shall be of three year duration comprising of six semesters. No student admitted to either of this programme will be eligible for award of LL.B. degree unless he or she successfully completes all the ten and six semesters respectively.

(b) The Pondicherry University to which this college is affiliated holds examination at the end of each semester and a student will be permitted to appear for the said examinations only if he/ she satisfies the following:

(i) He/she secures not less than not less than 75% of overall attendance arrived at by taking into account the total number of periods engaged in all subjects put together offered by the institution.

However, in case of students securing attendance below the prescribed limit of 75% of overall attendance but above 60%, the head of the institution is empowered to condone the absence for valid reasons provided the number of days in respect of which condonation is granted do not exceed 10. In all other cases, the power of condonation is available with the University.

Attendance computation will be made following the procedure prescribed hereunder. Attendance will be taken every period of every working day. If a student is found absent for all periods of a day (in case classes are held for less than three periods) or absent for three or more periods, he will be marked absent for the whole day. If a student is found absent for two periods of a day, he will be marked absent for half-a-day. In case of a student abstaining from the class only for one period of the day for unavoidable reasons, he will lose attendance for only one period. However, for every six of such absentations, he will be considered absent for one day.

(ii) He/she earns a progress certificate from the head of the institution for having satisfactorily completed the course of study in all subjects of the semester concerned.

(iii) His/ her conduct is found to be satisfactory as certified by the head of the institution and

(iv) Wherever applicable, internal marks is awarded and sent to the University before the commencement of the scheduled examination.

(c). A student appearing for the end semester examination will be declared successful only if he or she obtains not less than 45% of the marks in each of the subjects appeared. All other students shall be deemed to have failed in the examination. However, where a student who is not declared successful in the whole examination of a semester but obtains not less than 45 % in any paper of
the concerned semester examination, will be exempted from re-examination in the said paper.

In case of practical training papers carrying a maximum of 100 marks to be awarded by the institution by way of internal assessment, a minimum of 45% shall be secured by the student. The marks so awarded by the institution under the regulations will be forwarded to the University before the commencement of the end semester examinations.

(d). Candidates who pass the whole examination shall be ranked in the order of proficiency as determined by the total marks obtained by each of them as under:

Candidates securing 60% and above of the total marks in the aggregate shall be placed in the First class and those securing 50% and above but less than 60% of the total marks in the aggregate shall be placed in the Second Class.

All other candidates who pass the whole examination shall be placed in the third class.

(e). Candidates who join the regular stream of both Five Years Integrated Course and Three Years Course should pass all the papers prescribed for the course within the following time frame prescribed by the Pondicherry University.

i. In case of Five Years Integrated Course, it is the duration of the course (i.e. 5 years) and four years thereafter totally nine years from the academic year in which a student joins the first year of the Five Year Integrated Law Course.

ii. In case of Three Years Course, it is the duration of the course (i.e. 3 years) and three years thereafter totally six years from the academic year in which a student joins the first year of the Three Years Law Course.

The revised syllabus also includes the option of lateral exit available to get BAL degree at the end of three year

Note:

Wherever viva is prescribed as one of the components for award of internal assessment in any Practical Training Paper, it is compulsory for the students to attend the same without fail. Where any student fails to attend the said viva, he shall be treated as absent for the said paper and he should be required to undergo the same as and when it becomes due subsequently and only thereafter, the consolidated marks for all the components including the viva prescribed for the said paper shall be forwarded to the university.

This is applicable to all the students on roll with immediate effect.

III

THREE YEARS LL.B. DEGREE

Course of Study and Scheme of Examination

Applicable to those who will be admitted during 2010 - 2011
# FIRST YEAR

**First Semester**

<table>
<thead>
<tr>
<th>Paper</th>
<th>Hours</th>
<th>Max. Marks</th>
<th>Minimum</th>
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<tbody>
<tr>
<td>Paper - I English</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td>Paper - II Jurisprudence</td>
<td>3</td>
<td>100</td>
<td>45</td>
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<tr>
<td>Paper - III Constitutional Law I</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td>Paper - IV Family Law I</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td>Paper - V Law of Contracts I</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td>Paper - VI Law of Crimes</td>
<td>3</td>
<td>100</td>
<td>45</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>600</strong></td>
<td><strong>600</strong></td>
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**Second Semester**

<table>
<thead>
<tr>
<th>Paper</th>
<th>Hours</th>
<th>Max. Marks</th>
<th>Minimum</th>
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</thead>
<tbody>
<tr>
<td>Paper - I Family Law – II</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td>Paper - II Special Contracts</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td>Paper - III Constitutional Law II</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td>Paper - IV Law of Torts including Consumer Protection Law</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td>Paper - V Property Law</td>
<td>3</td>
<td>100</td>
<td>45</td>
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<tr>
<td>Paper - VI Labour Law I(Industrial Relations)</td>
<td>3</td>
<td>100</td>
<td>45</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>600</strong></td>
<td><strong>600</strong></td>
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# SECOND YEAR

**Third Semester**

<table>
<thead>
<tr>
<th>Paper</th>
<th>Hours</th>
<th>Max. Marks</th>
<th>Minimum</th>
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<tbody>
<tr>
<td>Paper - I Labour Law II</td>
<td>3</td>
<td>100</td>
<td>45</td>
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<tr>
<td>(Social Security and Labour Welfare)</td>
<td></td>
<td></td>
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<tr>
<td>Paper - II Law of Evidence</td>
<td>3</td>
<td>100</td>
<td>45</td>
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<tr>
<td>Paper - III Human Right and International Law</td>
<td>3</td>
<td>100</td>
<td>45</td>
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<tr>
<td>Paper - IV Law on Intellectual Property</td>
<td>3</td>
<td>100</td>
<td>45</td>
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<tr>
<td>Paper - V Land Laws including Local Laws</td>
<td>3</td>
<td>100</td>
<td>45</td>
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<tr>
<td>Paper - VI Environmental Law</td>
<td>3</td>
<td>100</td>
<td>45</td>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>600</strong></td>
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**Fourth Semester**

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<th>Paper</th>
<th>Hours</th>
<th>Max. Marks</th>
<th>Minimum</th>
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</thead>
<tbody>
<tr>
<td>Paper - I Administrative law</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td>Paper - II Company Law</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td>Paper - III Interpretation of Statutes</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td>Paper - I Alternative Dispute Resolution Law</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td>Paper - V Law of Insurance</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td>Including Motor Vehicle Act</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Paper - VI Criminology and Penology</td>
<td>3</td>
<td>100</td>
<td>45</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>600</strong></td>
<td><strong>600</strong></td>
<td><strong>600</strong></td>
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</tbody>
</table>
THIRD YEAR

Fifth Semester

| Paper - I Civil Procedure Code | 3 | 100 | 45 |
| Paper - II Criminal Procedure Code | 3 | 100 | 45 |
| Paper – III Taxation Laws | |
| Paper - IV Practical Training - I | 100 | 45 |
| [Pleading, Drafting & Conveyancing] | |
| Paper - V Practical Training - II | 100 | 45 |
| [Professional Ethics & Research Methodology] | |

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600

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Sixth Semester

| Paper - I Practical Training –III | 100 | 45 |
| Internal-75 + Viva -25 | |
| Paper - II Practical Training -IV | 100 | 45 |
| Theory -75 + Viva -25 | |

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600

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Components of Practical Training III & IV

PAPER - I: PRACTICAL TRAINING - III

This paper carries 100 marks which is to be awarded by way of internal assessment. The assessment is to be awarded in respect of the following components. All the components prescribed hereunder are compulsory and eventually, the students should do all of them without fail. In case, any student fails to do any particular component, he is to be treated absent for this paper as a whole and he should be required to do the same as and when it is scheduled for examination by the University. The overall passing minimum for this paper is 45 marks.
1. Moot Court [For three problems] ------------ 30 Marks
2. Attendance and observation of legal aid and lok adalt proceedings ------------ 10 Marks
3. Case comments ------------ 15 Marks
4. Observation of trail
   a. Civil case 10 Marks
   b. Criminal case 10 Marks ------------ 20 Marks
5. Viva ------------ 25 Marks

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Total ------------ 100 Marks

Note: 1. Besides the overall passing minimum of 45%, there is no passing minimum in respect of the marks earmarked for each of the aforesaid components.

2. Viva is to be based on the exposure gained by the students while doing the first four of the aforesaid components.

**Moot Court:** The component of moot court carries 30 marks out of 100 marks earmarked for this paper. Three problems will be given to the students and the students will have to do three moot courts. Each moot court carries 10 marks and the break up is as under.

For memorials ------------ 5 Marks (5 x 3 = 15 marks)
For presentation of case before The Judges (examiners) ------------ 5 Marks (5 x 3 = 15 marks)

The said three moot court problems will be given to the students of final year at the commencement of the Ninth Semester preferably in the month of August and they will be given 5 - 6 months for preparation of memorials (both sides).

The memorials shall be submitted for evaluation by the examiners during the third week of January of the next following calendar year.

Finally, the students will be required to present their case before the examiners during the Tenth Semester between the first week and third week of February of the next calendar year.

**PAPER - II: PRACTICAL TRAINING - IV**

This paper is oriented towards exposing the students to vital aspects of practice through rigorous attendance of lawyer's chamber. In association with the lawyer of reasonable standing, students are expected to become familiar with the skills of negotiation, counseling and interviewing with the clients. Besides, students would also get trained in preparing various documents to be filed in courts of law very often in course of their practice.

This is a theory paper carrying 100 marks of which 25 marks are earmarked for viva voce. The aim of the examination is to test the knowledge of the students gained from their active association with the lawyer of their own choice during the course of final year of their studies. Effective evaluation of the performance of the students is to be made on the basis of the examination devoted exclusively to the problems with distinct facts. Areas are specifically identified for the purpose.
For the purpose of gaining exposure with the help of advocates, students would be required to choose an advocate having not less than 10 years practice and on selection, the institution would inform the advocates concerned and solicit their assistance in our effort to train them effectively. This process of selection and intimation is to be made in the second month of the Ninth Semester of the course i.e., the month of July.

Students will be required to attend the lawyer chamber chosen by them regularly for the entire academic year and only on the basis of certificate issued by the lawyer concerned in regard to his attendance of the chamber, they will be permitted to take up the written examination in the Tenth Semester. As part of this requirement, students will also be required to write assignments on the above areas (both civil and criminal law) and the same to be signed by the lawyer concerned and countersigned by the teacher - in - charge. The said assignments will have to be submitted for evaluation by the viva examiner.

<table>
<thead>
<tr>
<th></th>
<th>Duration</th>
<th>Maximum Marks</th>
<th>Minimum</th>
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<tbody>
<tr>
<td>Written Examination</td>
<td>3 hours</td>
<td>75</td>
<td>35</td>
</tr>
<tr>
<td>Viva voce</td>
<td>----</td>
<td>25</td>
<td>------</td>
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<tr>
<td></td>
<td></td>
<td>100</td>
<td>45</td>
</tr>
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Note: Question paper setter for this paper shall be exclusively chosen from among those who are having experience both in teaching and practice. Hence, part time teachers in law who are actively engaged in practice for not less than ten years may be enlisted in the panel of examiners.

Note: Practical Training Papers carrying internal assessment:

In case of any Practical Training Paper carrying 100 marks as internal assessment to be awarded by the institution, all the components prescribed for the said paper for the purpose of awarding internal assessment marks are compulsory and eventually, the students should necessarily do all the components. The passing minimum for the said Practical Training Paper is 45 marks.

Also, in case of any Practical Training Paper consisting of both theory paper and internal assessment to be awarded by the institution, all the components prescribed for the award of internal assessment are compulsory. However, there is passing minimum only in regard to the marks earmarked for the theory paper and not in regard to the marks to be awarded by the institution by way of internal assessment.
SYLLABUS FOR THREE YEARS LL.B.

Three Years LL.B:
First Year - First Semester
PAPER - I
ENGLISH

Form of Composition.
1. Compensation
2. Precis Writing
3. Letter Writing
4. Note Making
5. Report Writing
6. Narrating & Description
7. Summarizing
8. Telephone conversation & Dialogue Writing
9. Homonyms
10. Foreign – Expressions
11. Word – accent
12. Sentence Stress
13. Phonetic Transcription

**Suggested Books:**
5. Speaking and Writing for Effective Business Communication: Francis Soundaraj, macmillan

5. Sources of Law - Comparative merits and demerits of different sources - Judicial activism - Interpretation of statutes.


7. Legal concepts - Rights, Duties, Obligation, Liabilities - Person - Ownership - Possession - Title - Property.


Books Recommended:

1. Salomond - On Jurisprudence
2. Dias - Jurisprudence
3. G.W. Paton - Jurisprudence
4. V. D. Mahajan - Jurisprudence and Legal Theory
5. Chakravarthi - Jurisprudence and Legal Theory
6. S. P. Sinha - Jurisprudence and Legal Philosophy
7. Lloyd - Introduction to Jurisprudence
8. R. Dhavan - Supreme Court of India.

Three Years LL.B:                         Five      Years
LL.B:                                   Third Year - Fifth
First Year - First Semester            PAPER-II CONSTITUTIONAL LAW-I
Semester
PAPER – III

II CONSTITUTIONAL LAW-I

1. Introductory – Meaning and definition of Constitutional Law – Classification of Constitution – federal principles – Indian constitution's nature – Indian constitution contain a modification of the strict application of federal principle of constitutionalism.


3. The union and its territory (Art 1-4)

5. Fundamental rights (Art 12-35)
   I) Significance of fundamental rights. Definition of state (Art. 12)
   II) Definition of law (Art.13) – Doctrine of judicial review, severs ability, eclipse, waiver of fundamental rights,
   IV) Right to freedom (Art 19).
   V) Protection in respect of conviction for offences (Art 20).
   VI) Protection of life and personal liberty.
   VII) Protection against arrest and detention in certain cases (Art 22).
   VIII) Protection against exploitation (Art 23 & 24).
   IX) Religious freedom.
   X) Protection of Minority rights (Art 29 & 30).
   XI) Right to property prior to the 44th Constitutional Amendment Art 19(1) (F) and 31 and after that (Art 300A)
   XII) Right to constitutional remedies (Art 32-35)

6. Directive principle of state policy (Art 36-51)

7. Fundamental duties (Art 51A)


Book recommended:
   1. V.N. Shukla’s – Constitution of India.
   5. K.C. Whear – Modern Constitution.

5. Legitimacy and guardianship - Guardians and Wards Act 1890 - Guardianship of property and person - Muslim law.

Statutory Materials:

1. Hindu Marriage Act, 1955
2. Hindu Adoption and Maintenance Act, 1956
3. Hindu Minority and Guardianship Act, 1956
4. Guardians and Wards Act, 1954
5. Special Marriage Act, 1954
6. Indian Divorce Act, 1869
7. Indian Majority Act, 1875
8. Dissolution of Muslim Marriage Act, 1939
9. Christian Marriage Act, 1872

Books Recommended:

1. Mulla - Hindu Law
2. Mulla - Mohammedan Laws
3. N. R. Raghavachari - Hindu Law
4. S. N. Gupta - Maintenance and Guardianship

Three Years LL.B:  
First Year - First Semester  
PAPER:V  

Five Years LL.B:  
Second Year - Third Semester  
PAPER:V  

LAW OF CONTRACTS  
[General Principles including Specific Relief]

1. Historical development of law of contract in India - Definition - Essentials of contract - Agreements which are not contracts - Void and voidable contracts.

2. Offer - Essentials - Kinds of offer - Invitation to offer - Lapse of offer.

3. Acceptance - Essentials - Communication of acceptance - Contract through post - Provisional acceptance - Revocation of acceptance.

5. Capacity to contract - Contracts by or with - Minors, lunatics, drunkard, alien enemies, foreign sovereign, insolvants, convicts, barristers.


10. Specific Relief Act, 1963 - Recovery of possession of immovable and moveable property - Specific performance of contract - Injunctions.

Statutory materials:

1. Indian Contract Act, 1872
2. Specific Relief Act, 1963

Books Recommended:

1. Avtar Singh - Law of Contracts
2. Anson - Law of Contracts
3. Pollock & Mulla - Law of Contracts
4. Subba Rao - Specific Relief Act

Three Years LL.B:               Five Years LL.B:
First Year - First Semester                       Second Year - Fourth
Semester                                        Semester
PAPER:VI                                        PAPER:VI

LAW OF CRIMES

Part - I

2. Elements of crime - Actus reus and mens rea - Commission and omissions - stages in the commission of crime.

3. Jurisdiction - Territorial and extra- territorial - Persons exempted from the operation of the Indian Penal Code.

5. General defences - Excusable and justifiable defences.

Part – II

6. Offences against the state - Waging war, treason and sedition - Offences against public tranquility - Unlawful assembly, rioting and affray.

7. Offences against body - Culpable homicide and murder - Hurt and grievous hurt - Abduction and kidnapping - Wrongful restraint and wrongful confinement - Rape and unnatural offences - Criminal force and assault.

8. Offences against property - Theft, extortion, robbery and dacoity - Dishonest misappropriation and criminal breach of trust - Cheating, mischief and forgery - Criminal trespass, house trespass and house breaking.


10. Offences against marriage, election and religion - Offences against women and children.

Statutory materials:

1. Indian Penal Code, 1860

Books Recommended:

1. Kenny - Outlines of Criminal Law
2. Nelson - Indian Penal Code
4. Achuthan Pillai - Law of Crimes
5. H. S. Gour - Indian Penal Code
6. Rattan Lal - Indian Penal Code
7. S. N. Misra - Indian Penal Code

Three Years LL.B:                         Five Years LL.B:

First Year - Second Semester            Third Year-Fifth
Semester

PAPER – I                               PAPER-I

FAMILY LAW - II

1. Testamentary succession - Indian Succession Act, 1925 - Will - Capacity to make will - Privileged and unprivileged will - Conditional and contingent will - Legacies - Kinds of legacies - Ademption and abatement of legacies - Codicil - Probate - Succession certificate - Interpretation of wills - Revocation of will.

2. Intestate succession - Law of inheritance - Personal laws relating to succession - Need for uniform civil code.

3. Inheritance - Schools of inheritance under Hindu and Muslim law.


5. Pre - emption - Wakf - Role of Mutawali and Wakif - Power of Mutawali in the administration of Wakf property - Removal of Mutavali - Gift - Musha -

Statutory materials:

1. Hindu Succession Act, 1955
2. Muslim Personal Law (Shariat) Application Act, 1937
3. Wakf Act, 1995
4. Indian Succession Act, 1925

Books Recommended:

1. Mulla - Hindu Law
2. Mulla - Mohammedan Laws
3. N. R. Raghavachari - Hindu Law
4. S. N. Gupta - Maintenance and Guardianship
5. Henry Maine - Hindu Law
6. Paras Diwan - Modern Hindu Law
7. Fyzee - Outlines of Mohammedan Law
8. Tahir Mohamed. - Muslim Law in India.

Three Years LL.B:                        Five Years LL.B:
First Year - Second Semester             Second Year-Fourth Semester
PAPER – II                                  PAPER- IV

SPECIAL CONTRACTS

1. Indemnity - Definition - Implied indemnity - Rights of indemnity holder- Rights of indemnifier.

2. Guarantee - Definition - Essentials - Continuing guarantee - Rights of Surety against the creditor, against the principal debtor, against co - surety - Surety’s liability - Discharge of surety - Distinction between indemnity and guarantee.


4. Pledge - Definition - Pledge by non - owners - Distinction between bailment and pledge.

5. Contract of Agency - Definition - Distinction between agent and servant - Agency by ratification - Sub- agent and substituted agent - Rights and
6. Sale of goods - Definition of sale and agreement to sell - Distinction between sale and agreement to sell - Conditions and warranties - Sale by non-owner - CIF, FOB, Ex-ship contract - Sale by auction - Rule as to passing of property in goods - Rights of an unpaid seller.

7. Partnership - Definition - Distinction between partnership and co-ownership, Joint Hindu family, limited company - Test to determine partnership - Registration of firm - Rights and duties of the partners - Minor and partnership - Reconstitution of the firm - Dissolution of the firm.

Statutory Materials:

1. Indian Contract Act, 1872
2. Sale of Goods Act, 1930
3. Partnership Act, 1932

Books Recommended:

1. Avtar Singh - The Law of Contracts

Three Years LL.B: Five Years LL.B:
First Year - Second Semester Third Year-Sixth Semester
PAPER – III PAPER-I

CONSTITUTIONAL LAW-II

1. The union Executive (Art 52-78). The nature and extent of executive power – the position, Powers and functions of the president – procedure for the election and impeachment of presidents. Vice President – Power, Function, Election and removal. The position, powers, functions and duties of the council of ministers – the position and power of the prime minister – scope of president’s power regarding the advice given by the council of ministers – attorney general of India.


financial bills – annual financial statements – assents to bills- powers of president to promulgate ordinances during recess of parliament.

4. State legislature (Art 168-213)
Composition and duration of the houses- the legislative procedure and privileges by the house.

5. Union judiciary (Art 124-147).
Position of the supreme court in the constitution system – establishment and constitution of the supreme court – qualification, appointment – removal of judges – original, appellate and advisory jurisdiction of supreme court.

6. State judiciary (Art 214-237)
High court judges appointment- qualification, condition of services- removal and transfer – powers and jurisdiction of high courts, subordinate courts – appointments of district judges – control over subordinate courts

7. Union territory (Art 239-241).

8. Legislative relation between union and state (Art 245-255).


11. Trade commerce and intercourse within the territory of India(Art 301-307).

   Doctrine of pleasure.


14. Tribunals (Art 323-323B)

15. Government liability in contract and torts (Art 299-300)

16. Emergency provision (Art 352 – 360)

17. Certain important constitutional functionaries and bodies
   I. Comptroller and Auditor general (Art 148-153)
   II. Election commission (Art 324).
   III. Finance commission (Art 280).
   IV. Interstate council (Art 263).


BOOK RECOMMENDED:
1. V.N.Shukla- Constitution of India.
4. H.M.Seervai – Constitutional law of India.

Granville Austin – Indian constitution – the cornerstone of nation.
LAW OF TORTS INCLUDING
CONSUMER PROTECTION LAWS.

PART - I

1. Definition and nature - Essentials of torts - Basis of tortuous liability - Kinds of torts.

2. Strict liability - Absolute liability - Vicarious liability - Conditions negating liability.


4. Injuries to persons - Assault – Defamation - Malicious prosecution - False Imprisonment - Trespass to goods and trespass to goods.

5. Remedies - Kinds of remedies - Damage - Forseeability of damage - Remoteness of damage - Constitutional remedies - Extra-legal remedies.

PART – II

Books Recommended:

1. Winfield and Jolowicz - On Tort
2. Salmond - Law of Torts
3. Ratan Lal and Dhirajilal - Law of Torts
4. Bangia - Law of Torts
5. P. S. Achuthan Pillai - Law of Tort
6. B. M. Gandhi - Law of Tort

Three Years LL.B: 
First Year - Second Semester 
PAPER – V 
PROPERTY LAW 
PART - I: General Principles: 

2. The concept of property - Moveable and immovable property - Things attached to earth - Notice - Attestation.

3. Parties to transfer - Transferable property - Formalities of transfer (Ss. 5 - 9) - Illegal restraints (Ss. 10 -12, 17, 18).

4. Future interests (S. 19) - Conditional transfer - Transfer in favour of unborn person (S. 13) - Rule against perpetuity (S. 14).

5. Transfer by ostensible owner (S. 47) - Doctrine of limited owner (S.38) - Doctrine of feeding the grant by estoppel (S. 43) - Fraudulent transfer (S.52) - Doctrine of lis pendens (S. 53) - Part performance (S. 53 - A)

PART – II: Specific Transfers:

8. Lease - Definition - Kinds of lease - Lease how made- Rights and liabilities of lessor and lessee - Termination of lease.


10. Easement - Definition - Characteristics - Kinds - Incidents - Creation, termination and suspension - Distinction with other similar concepts - Licence.

**Statutory Materials:** 1) Transfer of Property Act 1882. 2) Indian Easement Act, 1882.

**Books Recommended:**
1. Mulla - Transfer of Property
2. B. P. Mitra - Transfer of Property
3. Krishna Menon - Transfer of Property
4. Shaw - Lectures on Property Law
5. Tiwari - Transfer of Property
6. H. S. Gour - Transfer of Property Act

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**Three Years LL.B:**
First Year - Second Semester
PAPER – VI

**LABOUR LAW-I**

(Industrial Relation)

**Part A: Industrial Relations.**

Labour movement in India during British rule and later growth of trade union – policy of laisse fair and welfarism origin of labour legislation in India- royal commission and nation on labour- economic liberalisation impact on labour management relation.


Statutes to be taught:
B. Trade Unions Act 1926.
C. Industrial employment (standing orders) Act 1946.

**Part B: Labour Welfare.**


Statutes to be taught:
A. Minimum Wages Act 1948.
B. Payments of Wages Act 1936.
C. Factories Act 1948.
D. Payment of Bonus Act 1965.

Books recommended:
1. Industrial Disputes – Malhothra, O.P Vol.1 & 2
2. Labour Problems in India – V.V.Giri.
3. Industrial Law – Malik P.L.

Three Years LL.B: Five Years LL.B:
Second Year – Third Semester Third Year-Sixth Semester
PAPER – I PAPER-II

LABOUR LAW-II (Social Security and Labour Welfare)


A. Employer’s Liability Act.
B. Workmen’s Compensation Act 1923.
C. Employee’s State Insurance Act 1948.

Books Recommended:
Journals Recommended:
1. Labour law journals
2. Factories and labour report
3. Journals of the Indian law institute

Labour and industrial cases.

Three Years LL.B:
Second Year – Third Semester
PAPER – II

LAW OF EVIDENCE


2. Relevant facts - Res gestae, facts relating to occasion, cause and effect, facts showing motive, preparations and conduct - Facts not otherwise relevant - Facts which need not be proved.


6. Witnesses - Competency and compellability - Child and dumb witness - Privileged communication.

7. Examination of witnesses - Types of examination - Leading questions - Impeaching credit of witness - Hostile witness - Refreshing memory - Court questions.

Statutory Materials:

1. Indian Evidence Act, 1872
Books Recommended:

1. P. S. Achuthan Pillai - Law of Evidence
2. Krishnamachari - Law of Evidence
3. Dr. Avtar Singh - Principles of Law of Evidence
4. Vepa P. Sarathy - Elements of Law of Evidence
5. Batukalal - Law of Evidence in India
6. Ratanlal and Dhirajlal - Law of Evidence
7. Sarkar Evidence
8. Law of Evidence - Sir Wooddrof and Syed Amirali
9. G. D. Nokes - Introduction to Evidence

Three Years LL.B:  
Second Year – Third Semester

PAPER – III

HUMAN RIGHTS AND INTERNATIONAL LAW

2. Later developments in International Human Rights Law - Right to Development and other third generation rights.
3. International law - Sources and schools - Positivists and Naturalist - Subjects of international law - States, individuals and international institutions.
5. Individuals - Nationality - Modes of acquiring and losing nationality - Importance of nationality in international law.

Statutory Materials:

1. Universal Declaration of Human Rights, 1945
2. International Covenant on Civil and Political Rights
Trade Marks:

1. Definition of trade mark - Distinction between trade mark and patents - Registered and registration of trademarks - Part A and Part B Registration - Basic principles of registration - Duration and renewal of registration - Defensive registration - Certification of trademarks - Powers of Registrar under the Trade and Merchandise Mark Act. 1958.

2. Deceptive similarity - Definition - Factors relevant for consideration - Phonetic and visual similarities - Word marks - Device marks.

3. Assignment and transmission - Assignment of unregistered trademarks - Goodwill - Licensing of trademarks and registered users - Rights conferred on registered users - Control by registered proprietor - How far licensing possible.


5. Passing off action - General principle of law of passing off - Distinction between infringement and passing off - Defense in passing off action - Relief available in passing off action - Offences and penalties - Defense available to the accused in criminal proceedings.

Patent:

6. Definition of patent - Basic principles underlying patent law in India - Procedure to obtain patent - Terms of patent - Patent of addition.

8. Compulsory licenses - License of rights and revocation of non working - Government use of invention.


10. Specification - Provisional and complete specification - Amendment of specification.

Copy Rights:

11. Definition of copy rights - Subject matters of copy right - Terms of copy rights - Rights conferred by copy rights - Rights of broadcasting authorities.


13. International copy rights - Registration of copy rights - Copy rights Board.

Industrial Designs:

14. Subject matter of designs - Novelty and originality - Publication - Registration of designs - Rights conferred by registration.

15. Infringement of copy rights in a design - Civil remedies against piracy - Defence - Suits for injunction and recovery of damages - Actions for groundless threats.

Confidential information:


Statutory Materials:

1. Trade and Merchandise Marks Act, 1958
3. The Copy Rights Act, 1857
4. The Designs Act, 1911

Books Recommended:

1. Lal - Law of Copy Rights
2. P. Narayanan - Law of Copy Rights
3. P. Narayanan - Trade Mark and Passing Off
4. W. R. Cornish - Intellectual Property
5. P. Narayanan - Intellectual Property
7. International Agreements and Materials of W. I. P. O.

Three Years LL.B:                                      Five Years LL.B:
Second Year – Third Semester                               Third Year-Sixth
Semester                         Semester
PAPER – V                              PAPER-III

LAND LAWS INCLUDING LOCAL LAWS

PART - I


PART – II

2. Central enactment - Land Acquisition Act, 1894 - Salient features - Pondicherry Amendment, Section 3 [As Section 3 (CCC) - Acquisition for public purpose - Investigation, notification, declaration and powers of authorities - Compensation - Form of awards - Costs, apportionment, depositing in court.

PART – III


6. The Pondicherry Cultivating Tenants Protection Act, 1970 - Rights of the tenants - Rights of the members of armed forces.


Statutory Materials:

1. The Pondicherry Building (Lease and Rent Control) Act, 1969
2. The Pondicherry Settlement Act, 1970
3. The Pondicherry Land Encroachment Act, 1970
4. The Pondicherry Cultivating Tenants Protection Act, 1970
5. The Pondicherry Cultivating Tenants (Payment of Fair Rent) Act, 1970

Books Recommended:

1. Prof. A. Chandrasegar - Tamizagha Nila Sattangal.
2. Pondicherry Code Vol. II.

Three Years LL.B:                      Five      Years
LL.B:                                    Year-
Second Year – Fourth Semester      Fourth Year-
Seventh Semester                   PAPER – VI    PAPER-III

ENVIRONMENTAL LAW


5. Urban development and environmental conservation - Biotechnology and environment - Climate change and depletion of ozone layer - Legal control - Public participation in environmental decision making - Environmental impact assessment.

Statutory Materials:

1. Water Act, 1974
2. Air Act, 1981
3. Environment (Protection ) Act, 1986
4. Indian Forest Act, 1927
5. Forest (Conservation) Act, 1980

Books Recommended:
1. Dr. Leela - Krishnan Law and Environment
2. Justice V. R. Krishna Iyer - Environmental Pollution and Law
3. Shaw - Environmental Law
4. Environmental Law - Rodgers Environmental Law
5. Indian Law Institute - Legal Control of Environmental Pollution
6. Armen Rosencrany Shyam Divan - Environmental Law and Policy in India
7. Lal's - Commentaries on Water, Air Pollution and Environment Protection Laws
8. Rozer Findley - Environmental Law in a Nut Shell
10. David Hughes - Environmental Law.

Three Years LL.B:
Second Year – Fourth Semester
PAPER – I

ADMINISTRATIVE LAW

1. Introduction - Definition, nature and scope of Administrative Law - Causes for the growth of Administrative law - Difference between Constitutional Law and Administrative Law - Droit Administratif.


3. Theory of separation of powers and its impact on the growth of administrative law.

4. Delegated Legislation - Factors leading to the growth of delegated legislation - Constitutionality of delegated legislation - Essential and non-essential legislative functions - Control of delegated legislation - Judicial control, parliamentary and procedural control.

5. Administrative directions - Distinction between direction and rule - Enforceability of direction.

6. Principles of natural justice - Audi alteram partem and rule against bias.

7. Administrative powers and discretion - Restraints on the conferment of administrative discretion and fundamental rights - Judicial control of administrative action.


9. Liability of the administration - Contractual liability - Tortious liability - Statutory remedies - Injunction - Declaration - Damages - Promissory estoppels.

Five Years LL.B:
Fourth Year-Eighth Semester
PAPER-I
10. Privileges and immunities of administration - Notice under Section 80 of the Code of Civil Procedure - Privilege to withhold documents - Immunity from Statute operation - Other privileges.

11. Public corporation - Classification - Control of public corporations - Parliamentary control, governmental control, judicial control and public control.


Statutory Materials

1. Administrative Tribunals Act, 1986

Books Recommended:

1. H. W. R. Wade - Administrative Law
2. S. A. De Smith - Judicial Review of Administrative Action
3. Dr. A. T. Markose - Judicial Review of Administrative Action
4. Indian Law Institute - Delegated Legislation
5. M. P. Jain & S. N. Jain - Principles of Administrative Law
6. I. P. Massey - Administrative Law
8. Dr. S. P. Sathe - Administrative Law.
COMPANY LAW

1. Evolution of the concept - Company and ‘Joint Stock Company’ - The nature and advantages of incorporation - Doctrine of lifting the corporate veil and lifting the curtain.


4. Prospectus and its contents - Remedies for misrepresentation - Liability for untrue statement in the prospectus - Criminal and civil liability - Statement in lieu of prospectus - The role of promoter - Duties and liability for pre-incorporation contracts.

5. Share and share holder - Allotment of shares - Kinds of shares - Transfer of shares - Restrictions on the transfer of shares - Forfeiture of shares - Surrender of shares - Share capital - Ordinary and preference share holder - Alteration of share capital - Reduction of capital - Further issue of capital - Right shares - Share warrant.


8. Borrowing power of company - Consequences of unauthorized borrowings - Charge - Fixed and floating charge - Registration of charge - Kinds of debentures - Debenture holder and share holder.

9. Rights of minority share holders against majority share powers - Rule in Foss Vs Harbottle and its exceptions - Oppression and mismanagement in companies - Power of court and the Central Government to intervene - Investigation.

10. Winding up of company - Modes of winding up - Who can apply for winding up - Grounds of winding up - Consequences - Powers of court, Official Liquidator, contributories and nature of their liability.

Books Recommended:

1. Gover - Principles of Modern Company Law
2. Ramayya - Company Law

Three Years LL.B:  
Second Year – Fourth Semester
PAPER – III  
INTERPRETATION OF STATUTES

1. Legislation - Merits and demerits - Kinds of statutes.
2. Interpretation and construction - Meaning - Significance of interpretation - Need for interpretation.
5. Beneficial and restrictive construction.
6. Internal aids and external aids to construction.
8. Interpretation of Constitution.
9. Commencement, operation, repeal and revival of statutes.
10. General Clauses Act, 1897.

Statutory Materials:

1. General Clauses Act, 1897

Books Recommended:

1. Maxwell - Interpretation of Statutes
2. G. P. Singh - Interpretation of Statutes
3. Vepa P. Sarathi - Interpretation of Statutes
4. Cross - Interpretation of Statutes
5. Craires - Statutory Interpretation
ALTERNATE DISPUTE RESOLUTION LAW

1. Introduction - Huge pendency of cases and crisis of delay in justice delivery system - Reasons - Attitude of the State as sovereign and as a major litigant - Object and utility of pre-suit notice under Section 80 of the Code of Civil Procedure, 1908 - Review of its performance and the scope for its retention - Need for out of court settlement -Litigation management through ADR - Reinduction of Section 89 of the Code of Civil Procedure, 1908 - Scope and object.


Statutory Materials:

2. Legal Services Authorities Act, 1987 (Relevant provisions)

Books Recommended:

PART - I: General Principles
1. Introduction - Nature of insurance - Definition - Classification of contracts of Insurance - Nature of insurance contract.

2. Insurable interest - Nature of insurable interest - Presence and duration of insurable interest in life, fire and marine insurance contracts.


4. Risk - Meaning and scope - Causa proxima - Rules relating to its application in various classes of insurance - Duties of the insured.


PART – II
6. Life insurance - Definition - Kinds of life insurance - Salient features of life insurance contracts - Difference between life and other insurance contracts.

7. Fire insurance - Definition - Nature - Fire insurance contract and its scope - Amount payable under the contract - Special doctrines - Reinstatement, subrogation and contribution.


9. Liability insurance - Concept of tortious liability under negligence – Insurance of Motor Vehicle against third party risk (Chapter XI Sec. 145-164)- Claims Tribunals (Chapter XII Sec. 165-176).


Books Recommended:
1. E .R. Hardy Ivany - General Principle of Insurance Law
2. Collinvaux - Insurance
3. M. N. Srinivasan - Principles of Insurance Law
4. Riegel and Miller - Insurance Principles and Practice
5. Porter - Law of Insurance
7. Mewilly - Insurance Law.
CRIMINOLOGY AND PENOLOGY


2. Schools of criminology - Classical, neo-classical and positive school.


5. Punishment - Theories – Alternatives to imprisonment - Indeterminate sentence.


Statutory Materials:

1. Indian Penal Code, 1960
2. Indian Evidence Act, 1872
4. Juvenile Justice (Care and Protection of Children) Act, 2000
5. Probation of Offenders Act, 1958

Books Recommended:

1. Sutherland - Criminology
2. Siddique - Criminology Problems and Perspectives
3. Gillin - Criminology and Penology
4. Vold - Theoretical Criminology
5. Paranjipe - Criminology and Criminal Administration
7. Sethna - Society and the Criminal.
CIVIL PROCEDURE CODE

1. Definition - Decree - Preliminary and final - Judgment - Order - Distinction between decree and order - Legal Representative - Mesne Profit.


3. Place of suing - Court of first instance - Suits relating to moveable and immovable property - Suits for compensation for wrongs to person or movables - Other suits - Objection to jurisdiction.

4. Institution of suits and amendment of pleadings - General principles and rules relating to pleadings as contained in Orders I, II, IV, VI, VII and VIII. - Affidavits

1. Summons and discovery - Summons to defendants and witness - Service of foreign summonses - Power of court to order discovery - Penalty for default.

2. Judgment and decree - Cost and interest.

3. Execution - Courts competent to execute decrees - Percepts - Questions to be determined by the executing court - Procedure in execution - Arrest and detention, attachment and sale.

4. Incidental Proceedings - Commissions - Power of the court to issue commissions - Commission to another court - Commission issued by the foreign courts.

5. Suits in particular cases - Suits by or against the Government or public officers - Interpleader suits.

6. Suits by or against minors and persons of unsound mind - Suits by indigent persons.


8. Appeals from original and appellate decrees - Appeals from Orders - Reference, Review and revision.

9. Exemption from appearance and arrest under civil process - Application for restitution - Right to lodge Caveat - Saving of inherent powers of courts.


Books Recommended:

Three Years LL.B:  
Third Year – Fifth Semester  
PAPER – II

Five Years LL.B:  
Fifth Year-Ninth Semester  
PAPER-II

CRIMINAL PROCEDURE CODE.

PART – I: Criminal Procedure Code, 1973

1. Jurisdiction and hierarchy of criminal courts - Executive and judicial Magistrates - Other authorities under the code - Process to compel appearance.

2. Cognizable and non-cognizable offences - Investigation - Arrest with and without warrant - Inquest and report to courts.


4. Charge - Definition, content, joinder and alteration of charges.

5. Trial - Fair trial - Place of trial - Kinds of trial.


Books Recommended:

1. Ratan Lal - Code of Criminal Procedure
2. Sarkar - Code of Criminal Procedure
3. Outlines of Criminal Procedure - R. V. Kelkar
5. Sohonis’ - Code of Criminal Procedure (4 Volumes)
6. Dr. Nandhials’ - Code of Criminal Procedure (3 Volumes )
8. Law Commission Reports - 14th, 37th and 41st.
TAXATION LAWS

Part A:

1. Constitutional back ground of the term taxation: Tax fees – Different between
   A. Direct taxes and indirect taxes
   B. Tax and fee
   C. No tax shall be levied or collected except by an authority of law (Vide Act .265)
2. Essential feature of the term income ‘Income and tax’ “Total income” (see sec 4)
   types of residential status.
3. List of income, which do not form the total income of assessor (see Sec
   10,11,12,12A and 13 as well ).
4. Sources of income
   i. Salary.
   ii. Interest on securities.
   iii. Income from house property.
   iv. Profit and gain arising of business or profession
   v. Capital gain
   vi. Residual head of income (Sec 4/5 56.)
5. Provision relating to income of other person included in assesses total income
   (Sec 60 to 65)
6. Rules pertinent to
   A. Computation of aggregation of income.
   B. Set of for carry forward of loss.
7. Deduction in general and deduction of followings
   A. In respect of certain payments
   B. In respect of certain incomes
   C. Other deductions.
8. Provision relating to double taxation agreements.
9. The concept assessment and kinds of the same.
10. Special provision relating to assessment of firms.
11. Powers and function of income tax authorities.
   A. Appeals to A.A.C.
   B. Appeals to appellate tribunal
   C. Appeals to S.C.
   D. Reference to H.C.
   E. Revision by commissioner.

Part B: Wealth tax.
1. Introduction to scheme of the Act – nature and scope of the term “net wealth”
3. Provision relating to :
   A. Valuation date
   B. Valuation officer and
   C. Registered valuer.

Part C: Gift Tax:
1. Introduction to scheme of the act – definition of the term ‘gift’ under Act and its difference with that of T.P.Act
3. Assessment procedure of ‘gift; an enshrined under the Act.

Part D: Sales Tax Law with special reference to P G S T and T N G S T Act
1. Introduction to scheme of the act.
2. Definition of the term, such as – sale- goods- dealer- turnover- taxable turnover Etc.
4. Distinction between
   A. Casual dealer and
   B. Registered dealer
5. Provision relating to procedure for registration.
6. Different types of assessments.
7. Position of taxing authorities.
8. Importance and provision relating to check post

Part E: Central sales tax Act.
1. Constitutional background and scheme of the act.
2. Rules pertinent to :
   A. When a sale or purchase of goods said to take place in the course of interstate trade or commerce.
   B. When a sales or purchase of goods said to take place in course of outside a state.
   C. When a sales or purchase of goods said to take place in course of import or export.
3. Provision relating to liability for tax on interstate sales
4. Provision relating to goods of special importance in interstate trade or commerce.
5. Important term : 1)Appropriate state. 2)Place of business. 3)Dealer. 4)Sales price. 5)Turnovers.

Books Prescribed:
1. Indian income tax- law and practice – Sukumar Bhattacharya.
2. Income tax law and practice or three direct taxes- R.R.Gupta
3. Sales tax law in tamilnadu – M.V.B.Baskaran
4. Central sales tax act – Chathurvedi

Books recommended:
1. Income tax-palkhiwala N.A.
3. All India sales tax manual Vol. I & II – nabhi.

Three Years LL.B:
Third Year – Fifth Semester
PAPER – IV

Fifth Years LL.B:
Fifth Year-Ninth Semester
PAPER-III

PRACTICAL TRAINING – I
(Drafting Pleading and Conveyancing)

This course will be taught through class instructions preferably with the assistance of practicing lawyers/ retired person..

A. Drafting: General Principles of drafting and relevant substantive rules shall be taught.

B. Pleading: Civil:
   1. Plaintiff
   2. Written statement
   3. Interlocutory application
   4. Original petition
   5. Affidavit
   6. Execution petition
   7. Memorandum of appeal and revision
   8. Petition under article 226 and 32 of the Constitution of India

Criminal:
   1. Complaints
   2. Criminal miscellaneous petitions
   3. Bail procedure
   4. Memorandum of appeal and revision

C. Conveyancing:
   1. Classification of deeds – different parts of Deeds
   2. Forms
      1. Sale and contract for sale
      2. Exchange
      3. Mortgage
      4. Gift
      5. Lease
      6. Release
      7. Special and general power of attorney
      8. Wills and codicils, Deed of revocation of Will.
      9. Partnership
      10. Partitions

Books Recommended:
   1. De-Souza's conveyancing
   2. Hargopal – The Indian draftsman: A practical guide to legal drafting
   3. P.S.Narayana’s – Pleadings and practice (civil and criminal)
4. A.B.Majumder – Plaints
5. K.S.Gopalkrishnan – Pleading and practices

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<tr>
<th>Three Years LL.B:</th>
<th>Five Years LL.B:</th>
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<td>Third Year – Fifth Semester</td>
<td>Fifth Year-Ninth Semester</td>
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<td>PAPER – V</td>
<td>PAPER-IV</td>
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**PART - I**

**Professional Ethics**

2. History of legal profession in England and India - Essential characteristics of lawyer’s profession - Role and functions of a lawyer in a democracy - Art of advocacy.

3. Professional conduct of a lawyer - Need for etiquette and professional ethics - Duty of lawyer to maintain accounts - Need for maintaining good relations between bench and bar.

4. Professional misconduct - Power and jurisdiction of the Bar Council to deal with disciplinary proceedings.

5. Judicial decisions on disciplinary matters.

6. Contempt of court - Meaning and purpose - Criminal and civil contempt - Court’s attitude towards contempt proceedings.

**Statutory Materials:**

1. Advocates Act, 1961

**Books Recommended:**

1. On Advocacy - Mr. Krishnamurthy Iyer’s
Three Year LL.B

B:
Third Year – Sixth Semester

PAPER – I

PRACTICAL TRAINING - III

This paper carries 100 marks which is to be awarded by way of internal assessment. The assessment is to be awarded in respect of the following components. All the components prescribed hereunder are compulsory and eventually, the students should do all of them without fail. In case, any student fails to do any particular component, he is to be treated absent for this paper as a whole and he should be required to Redo the same in the next Academic year. The overall passing minimum for this paper is 45 marks.

1. Moot Court [For three problems] ------------ 30 Marks
2. Attendance and observation of legal aid and lok adalt proceedings ------------ 10 Marks
3. Case comments ------------ 15 Marks
4. Observation of trail
   a. Civil case 10 Marks
   b. Criminal case 10 Marks ------------ 20 Marks
5. Viva ------------ 25 Marks

Total ------------ 100 Marks

Note: 1. Besides the overall passing minimum of 45%, there is no passing minimum in respect of the marks earmarked for each of the aforesaid components.

7. Viva is to be based on the exposure gained by the students while doing the first four of the aforesaid components.

Moot Court:
The component of moot court carries 30 marks out of 100 marks earmarked for this paper. Three problems will be given to the students and the students will have to do three moot courts. Each moot court carries 10 marks and the break up is as under.

For memorials 5 Marks (5 x 3 = 15 marks)
For presentation of case before the Judges (examiners) 5 Marks (5 x 3 = 15 marks)

The said three moot court problems will be given to the students of final year at the commencement of the Ninth Semester* in the month of August and they will be given 5 - 6 months for preparation of memorials (both sides).

The memorials shall be submitted for evaluation by the examiners during the third week of January of the next following calendar year.
Finally, the students will be required to present their case before the examiners during the Tenth Semester* be between the first week and third week of February of the next calendar year.

* In case of Three Years LL. B. Degree, it is Fifth Semester and Sixth Semester.

Five Years LL. B.: Three
Year LL.B:
Fifth Year – Tenth Semester Third Year – Sixth
Semester
PAPER – II PAPER-II

PRACTICAL TRAINING - IV

This paper is oriented towards exposing the students to vital aspects of practice through rigorous attendance of lawyer’s chamber. In association with the lawyer of reasonable standing, students are expected to become familiar with the skills of negotiation, counseling and interviewing with the clients. Besides, students would also get trained in preparing various documents to be filed in courts of law very often in course of their practice.

This is a theory paper carrying 100 marks of which 25 marks are earmarked for viva voce. The aim of the examination is to test the knowledge of the students gained from their active association with the lawyer of their own choice during the course of final year of their studies. Effective evaluation of the performance of the students is to be made on the basis of the examination devoted exclusively to the problems with distinct facts. Areas identified for the purpose are as under.

PART - I

(a). Civil law

1. Notice
2. Reply notice
3. Framing of issues
4. Decree and judgment

(b). Criminal law

5. Private complaint
6. Bail application with memo of appearance and surety forms.
7. Framing of charge
8. Judgment

PART - II

Applications/ Petitions and other proceedings:

(a). Civil law - Civil Procedure Code, 1908

1. Amendment of pleadings ---- Order VI Rule 16 and 17
2. Setting aside an exparte decree ---- Order IX Rule 13
3. Adjournment of case ---- Order XVII Rule 1
4. Recalling and examination of witness ---- Order XVIII Rule 17
5. Appointment of commissioner to make local investigation ---- Order XXVI Rule 9
6. Attachment before judgment ---- Order XXXVIII Rule 5
7. Injunction ---- Order XXXIX Rule 1
8. Execution petition ---- Order XXI Rule 11(2)
9. Transfer of cases ---- Section 24
10. Appointment of receiver ---- Order XXXX Rule 1

(b). Criminal law - Criminal Procedure Code, 1973

1. Maintenance petition under Section 125
2. Adjournment petition under Section 309
3. Recalling and examination of witness under Section 311
4. Dispensing with personal appearance of the accused under Section 317
5. Compounding petition under Section 320
6. Suspension of sentence under Section 389 (1) and (3)
7. Anticipatory bail with affidavit under Section 438
8. Return of property under Section 451 and 452
9. Quash petition before the High Court under Section 482
10. Transfer of cases under Section 407.

For the purpose of gaining exposure with the help of advocates, students would be required to choose an advocate having not less than 10 years practice and on selection, the institution would inform the advocates concerned and solicit their assistance in our effort to train them effectively. This process of selection and intimation is to be made in the second month of the Ninth Semester* of the course i.e., the month of July.

Students will be required to attend the lawyer chamber chosen by them regularly for the entire academic year and only on the basis of certificate issued by the lawyer concerned in regard to his attendance of the chamber, they will be permitted to take up the written examination in the Tenth Semester*. As part of this requirement, students will also be required to write assignments on the above topics (both civil and criminal law) and the same to be signed by the lawyer concerned and countersigned by the teacher - in - charge. The said assignments will have to be submitted for evaluation by the viva examiner.

<table>
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<tr>
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<th>Duration</th>
<th>Maximum Marks</th>
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<tr>
<td>Written Examination</td>
<td>3 hours</td>
<td>75</td>
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<tr>
<td>Viva voce</td>
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* In case of Three Years LL. B. Degree, it is Fifth Semester and Sixth Semester

Note:
Question paper setter for this paper shall be exclusively chosen from among those who are having experience both in teaching and practice. Hence, part time teachers in law who are actively engaged in practice for not less than ten years may be enlisted in the panel of examiners.