

PONDICHERRY UNIVERSITY



LL.B. **(Three Years)**

REGULATIONS AND SYLLABUS

2017 – 2018 ONWARDS

[MODIFIED W.E.F. 2019-2020]

**REGULATIONS FOR THREE YEARS LL.B. DEGREE
REGULAR STREAM - SEMESTER PATTERN REVISED**

**2017 – 2018 ONWARDS
[MODIFIED WITH EFFECT FROM 2019-2020]**

THREE YEARS LL.B. DEGREE

Eligibility for admission:

1. 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 who have obtained his/her degree after prosecuting studies in distance or correspondence method shall also be considered as eligible for admission in the three year LL.B. course**

Explanation: The candidates who have obtained graduation through open university system directly without having any basic qualification for prosecuting such studies are not eligible for admission in the course.

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

2. Further, the candidates applying for admission to this programme should have secured 45% of marks in the qualifying examination. However, in case of candidates belonging to OBC, 42% of marks and for SC/ST 40% of marks would suffice.

3. The upper age limit is 30 years as on 1st July of the respective year. However, this is relaxable upto 5 years in case of candidates belonging to SC, ST and Other Backward Communities.

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:

1. The course of Three Years LL.B. Degree, shall be of three year duration comprising of six semesters. No student admitted to this programme will be eligible for award of LL.B. degree unless he or she successfully completes all the six semesters.
2. 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 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.

- (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.

- 3. 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, marks awarded by the institution under the regulations will be forwarded to the University before the commencement of the end semester examinations.

- 4. 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.

- 5. Candidates who join the regular stream of Three Years Course should pass all the papers prescribed for the course within the following time frame prescribed by the Pondicherry University.

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.

At the end of five year, LL.B. degree will be given, provided the student has passed all the papers from First semester to Sixth Semester.

THREE YEARS LL.B. DEGREE

Course of Study and Scheme of Examination Applicable to those who will be admitted during 2017 - 2018

FIRST YEAR

FIRST SEMESTER

	Name of the Papers	Hours	Max. Marks	Min. Marks
Paper – I	English	3	100	45
Paper – II	Jurisprudence	3	100	45
Paper - III	Constitutional Law – I	3	100	45
Paper – IV	Law of Torts	3	100	45
Paper – V	Family Law – I	3	100	45
Paper – VI	General Principles of Law of Contract	3	100	45
			600	

SECOND SEMESTER

	Name of the Papers	Hours	Max. Marks	Min. Marks
Paper – I	Constitutional Law – II	3	100	45
Paper – II	Family Law – II	3	100	45
Paper - III	Special Contract	3	100	45
Paper – IV	Law of Crimes	3	100	45
Paper – V	Law of Evidence	3	100	45
Paper – VI	Labour Law – I	3	100	45
			600	

THIRD SEMESTER

SECOND YEAR

	Name of the Papers	Hours	Max. Marks	Min. Marks
Paper – I	Labour Law – II	3	100	45
Paper – II	Property Law	3	100	45
Paper - III	Company Law	3	100	45
Paper – IV	Alternative Dispute Resolution	3	100	45
Paper – V	Competition Law	3	100	45
Paper – VI	Practical Training – I (External) (Internal)	2	50	23
		-	50	23*
			600	

* Student shall secure at least 45% of marks earmarked in each component.

FOURTH SEMESTER

	Name of the Papers	Hours	Max. Marks	Min. Marks
Paper – I	International Law & Human Rights	3	100	45
Paper – II	Environmental Law	3	100	45
Paper - III	Law of Taxation	3	100	45
Paper – IV	Interpretation of Statutes	3	100	45
Paper – V	Land Laws	3	100	45
Paper – VI	Practical Training – II (Full Internal)	-	100	45*

600

* Student shall secure at least 45% of marks earmarked in each component.

THIRD YEAR

FIFTH SEMESTER

	Name of the Papers	Hours	Max. Marks	Min. Marks
Paper – I	Administrative Law	3	100	45
Paper – II	Civil Procedure Code	3	100	45
Paper - III	Criminal Procedure Code	3	100	45
Paper – IV	Criminology & Penology	3	100	45
Paper – V	Practical Training – III (Full Internal)	-	100	45*

500

* Student shall secure at least 45% of marks earmarked in each component.

SIXTH SEMESTER

	Name of the Papers	Hours	Max. Marks	Min. Marks
Paper – I	Intellectual Property Laws	3	100	45
Paper – II	Practical Training – IV (Full Internal)	-	100	45*

200

* Student shall secure at least 45% of marks earmarked in each component.

PRACTICAL TRAINING – I

PROFESSIONAL ETHICS

(University Exam – 50 marks and Internal -50 marks)

This paper carries 100 marks of which there would be theory paper for 50 marks awarded through University Examination on the syllabus provided for Practical Training – I paper (Professional Ethics) and another 50 marks would be by way of Internal Assessment. All components prescribed here under are compulsory and they should do all of them without fail and secure a minimum of 45% marks earmarked for each component. 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 all the components fresh as and when it is scheduled for examination by the University.

INTERNAL ASSESMENT:

50 marks

1. Case Comments: - 20 marks

The student shall submit the comments on Supreme Court and Bar Council of India decisions on professional misconduct and Contempt of Court – (Four Cases – 5 marks each).

2. Two Research paper on the subject: - 20 marks
To be prepared and submitted by the students on the topics assigned (10 marks each)

3. Viva-Voce: - 10 marks

Viva-Voce will be on the subject syllabus and on the record work submitted by the Student.

Note:

1. If a student secures a minimum of 45% of marks in the internal Assessment but fails to secure 45% of marks or appear in the External Examination it is sufficient that the student appears for the external exam alone. Internal marks would be carried forwarded.
2. If a student secures a minimum of 45% of marks in the external exam but does not secure minimum of 45% of marks in any of the components for internal assessment, it is sufficient that the student appears for Internal assessment alone, External marks would be carried forwarded.

PRACTICAL TRAINING – II
ALTERNATIVE DISPUTE RESOLUTION
(Full Internal)

This paper carries 100 marks which will be awarded by way of internal assessment. The marks will be awarded in respect of the following components. All the components prescribed here under are compulsory. Students should do all the components without fail and secure minimum of 45% of marks earmarked for each components. 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 all the components fresh as and when it is scheduled for examination by the University.

1. Observance of proceeding in the Legal Aid Center - 30 marks
Students shall attend and record the proceedings of the Legal Aid Center over the course of the semester on different dates and submit it in a record. Student shall record 10 cases (3 marks each).
2. Observance of proceeding in the Lok-Adalat - 30 marks
Students shall attend and record the proceedings of the Lok-Adalat over the course of the semester on different dates and submit it in a record. Student shall record 10 cases (3 marks each)
3. Observance of proceeding in the Mediation Centre - 30 marks
Students shall attend and record the proceedings of the Mediation Centre over the course of the semester on different dates and submit it in a record. Student shall record 10 cases (3 marks each)
4. Viva -Voce - 10 Marks
Viva-voce shall be on the above three components recorded by the student.

Note:

1. Students should get minimum 45% marks in respect of the marks earmarked for each of the aforesaid components.
2. Viva-Voce is to be based on the exposure gained by the students while doing the first three of the aforesaid components.

PRACTICAL TRAINING – III

DRAFTING, PLEADING AND CONVEYANCE (Full Internal)

This paper is aimed at exposing the student on drafting various types of Pleading and Conveyance besides the general principles of Drafting. This paper carries 100 marks, which is to be awarded by way of internal assessment. The assessment is to be based on the following components. All the components prescribed here under are compulsory. The students should do all of them without fail and secure not less than 45% marks earmarked for each component. 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 all the components fresh as and when it is scheduled for examination by the University.

1. Drafting of Pleadings: - 45 marks
The student shall do 15 practical exercises in drafting of pleadings (carrying 3 marks each) and submit the same in a record form.
2. Drafting of Conveyance: - 45 marks
The student shall do 15 practical exercises in drafting of conveyancing (carrying 3 marks each) and submit in a record form.
3. Viva –Voce - 10 marks

Note:

1. Students should get minimum 45% marks in respect of the marks earmarked for each of the aforesaid components.
2. Viva-voce will be on the general principles of drafting and on the records submitted by the students.

PRACTICAL TRAINING – IV

(Full Internal)

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 all the components fresh as and when it is scheduled for examination by the University.

1. Moot Court (Three problems) - 30
 Marks Memorials (3 x 5 marks) ----15 marks
 Presentation (3 x 5 marks) ---15 marks
2. Client Interviewing Techniques, pre-trial preparations and Internship - 30 Marks
3. Observation of Trial - 30 marks
 - i. Civil Cases - 15 marks
 - ii. Criminal Cases - 15 marks
4. Viva -Voce - 10 marks

Note:

1. Students should get minimum 45% marks in respect of the marks earmarked for each of the aforesaid components.
2. Viva-voce will be on the records submitted by the students.

LL.B. (3YRS) COURSE

FIRST SEMESTER

Paper - 1 ENGLISH

Form of Composition:

1. Comprehension
2. Precise Writing
3. Letter Writing
4. Note Making
5. Report Writing
6. Narrating and Description
7. Summarizing
8. Telephone Conversation and Dialogue Writing
9. Homonyms
10. Foreign-Expression
11. World-Accent
12. Sentence Stress
13. Phonetic Transcription

Suggested Books:

1. Developing Communication Skills: Krishna Mohan Meera Banerjee, McMillan 1990
2. Strengthen Your Writing: V.R. Narayanasamy, Published by Orient Blackswan.
3. Business Communication: K.K. Ramachandran, Lakshmi K.K.K. Karthik, M. Krishna Kumar McMillan Publishers India.
4. Business Communication: Asha Kaul, PHL Learning Pvt. Ltd.
5. Speaking and Writing for Effective business Communication: Francis Soundaraj, McMillan.
6. Strengthen Your English: Baskaran and Hosburg Oxford University Press.
7. Technical Communication: Principles and Practice-Meenakshi Raman, Sangeetha Sharma, Oxford.
8. Business Communication and Communicative English: Swati Samantary, SCS Sultan Chand and Sons Pvt. Ltd.
9. A text Book English phonetics for India Students: T. Balasubramanian McMillan.

Paper -2
JURISPRUDENCE

1. Definition & Meaning of Jurisprudence – Its Scope and Significance – Relation between Jurisprudence and Legal Theory.
2. Definition, Nature and Purpose of Law – Kinds of Law – Classification of Law – Law and Ethics.
3. Sources of Law : Comparative Merits and Demerits of different sources.
4. Schools of Jurisprudence – Comparative Merits and Demerits of different schools.
5. Theories of Law – Different conception of Law – Roman concepts, Utilitarianism, Grand Nom-Theory, Analytical Positivism, Sociological Theories, Legal realism – Critical evaluation of different theories.
6. Administration of Justice – Kinds – Justice in relation to law – Theories of justice – Theories of punishment – Legal system – Procedure and Practice.
7. Legal concepts – Rights, Duties, Obligation, Liabilities – Person – Ownership – Possession – Title – Property.
8. Judicial Process: Judicial Activism and Interpretation of Statutes.
9. Development of Jurisprudential thought – Equality, Liberty and Protective Discrimination .

Books Recommended:

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

Paper - 3

CONSTITUTIONAL LAW- I

1. Introductory – Definition and Meaning of Constitutional Law – Salient feature of Indian Constitution – Indian Constitution’s nature and federal principle; Forms of Government- nature and essential features of parliamentary and presidential system of government
2. Preamble – its significance and importance.
3. The Union and its territory (Arts. 1-4)
4. Citizenship (Arts. 5-11)
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, Doctrine of Severability, Doctrine of Eclipse, Waiver of Fundamental Rights.
 - iii. Right to Equality (Arts. 14-18).
 - iv. Right to freedom (Arts. 19-22).
 - v. Right against exploitation (Arts. 23 & 24).
 - vi. Right to Freedom of Religious (Arts. 25-28)
 - vii. Cultural and Educational Rights (Arts. 29-30).
 - viii. Right to constitutional remedies (Arts. 32-35)
6. Directive Principles of State Policy (Arts. 36-51)
7. Relation between Fundamental Rights and Directive Principles of State Policy- Present Position of Right to Property
8. Fundamental Duties (Art. 51A).
9. Amendment of the Constitution (Art. 368) – Theory of basic structure.

Books Recommended:

1. V.N.Shukla – Constitution of India.
2. Basu - Shorter Constitution of India.
3. M.P. Jain - Constitution of India.
4. H.M. Seervai - Constitution of India.
5. K.C. Whear – Modern Constitution.
6. Granvile Austin – Indian Constitution: The Corner Stone of a Nation.

Paper- 4
LAW OF TORTS
(Including Consumer Protection Law)

1. Evolution- Definition and Nature - Essentials of Torts - Basis of tortious liability - Kinds of torts;
2. Defences in actions for Torts-*Volenti non fit injuria*- Necessity - Private and Public - Plaintiffs default- Act of God - Inevitable Accident - Private defense - Statutory Authority - Judicial and Quasi-Judicial Acts;
3. Strict Liability - The rule in *Rylands v. Fletcher*- Liability for harm caused by inherently dangerous industries – Bophal Gas Tragedy - Development of Law beyond Strict Liability -Absolute Liability - *M. C. Mehta v. UOI* – Public Liability Insurance Act, 1991.
4. Vicarious liability –Express authorization – Ratification - Abetment; Special Relationships - Master and servant –Course of employment – The control test – Hire and Fire test - Independent contractor and servant - Principal and agent- Doctrine of Sovereign Immunity;
5. Negligence - Contributory negligence -*Res ipsa loquitur*- Duty of care and condition - Nuisance - Private and public;
6. Injuries to persons - Assault – Defamation - Malicious prosecution - False Imprisonment –Wrongs affecting property-Trespass to goods;
7. Remedies - Kinds of remedies - Damage - Foreseeability of damage -Remoteness of damage - Constitutional remedies - Extra- Judicial remedies.
8. Evolution of Consumer Protection - Consumer Protection Act, 1986 - Salient features of the Consumer Protection Act, 1986 - Deficiency of service - Defect in products;
9. Consumer Dispute Redressal agencies -Remedies.

Books Recommended:

1. Winfield and Jolowicx - On Tort
2. Salmond - Law of Torts
3. RatanLal and Dhirajilal - Law of Torts
4. R. K. Bangia - Law of Torts
5. P. S. AchuthanPillai - Law of Tort
6. B. M. Gandhi - Law of Tort
7. P. K. Majumdar - Law of Consumer Protection in India.
8. D. V. Sarat - Law of Consumer Protection in India.
9. Avtar Singh- Law of Consumer Protection (principles and practice).

Paper - 5
FAMILY LAW - I

1. Applicability and Sources of Hindu Law

Persons Governed by Hindu Law- Applicability of Hindu Law- Sources of Hindu Law:
Ancient and Modern- Schools of Hindu Law: *Mitakshara* and *Dayabhaga*

2. Nature and Origin of Hindu Law

Evolution of the Institution of Hindu Marriage- Concept of Hindu Marriage- Marriage as a sacrament- Forms of Marriage- Codified and Uncodified Laws.

3. Marriage and Divorce under Hindu Law

Hindu Marriage Act, 1955- Conditions of Hindu Marriage- Doctrine of Factum Valet- Matrimonial Remedies Under the Hindu Marriage Act, 1955 - Restitution of Conjugal Rights - Judicial Separation - Nullity of Marriage - Void Marriage & Voidable Marriage - Grounds of Divorce - Legitimacy of Children - Bars to Matrimonial Relief - Ancillary Relief Under the Hindu Marriage Act, 1955 - Alimony *Pendentelite* - Permanent Alimony and Maintenance - Custody of Children

4. Adoption and Maintenance under Hindu Law

Adoption in Hindu Law- Origin and object of Adoption- Customary adoption- Changes introduced by the Hindu Adoptions and Maintenance Act, 1956- Requisites of a valid Adoption

Maintenance of Wife - Maintenance of Widowed Daughter-in-law - Maintenance of Children and Aged Parents - Amount of Maintenance - Maintenance of Dependents.

5. Origin and Development of Muslim Law

Persons Governed by Muslim Law- Applicability of Muslim Law- Historical Development of Muslim Law- Sources of Muslim Law: Ancient and Modern sources- Schools of Muslim Law: Sunni and Shia Schools of Law- Statutory authority of courts to apply Muslim law

6. Marriage under Muslim Law

Concept of Marriage- Nature of Muslim marriage- Essentials of valid marriage- Formalities in Muslim marriage- Impediments to marriage- Kinds of marriage- Concept of Dower: Kinds of dower- Remission of Dower- Enforcement of right to dower

7. Dissolution of Marriage and Maintenance under Muslim Law

Divorce under Muslim Law- Modes of dissolution of marriage- Types- The Dissolution of Muslim Marriage Act, 1939

Maintenance- Persons entitled to maintenance- Maintenance of divorced women under Muslim Personal Law, Criminal Procedure Code and The Muslim women Act, 1986- Need of Uniform Civil Code.

8. Marriage and Divorce under Christian Law

Who is a Christian? Christian Marriage Act of 1872- Conditions for Marriage- Registration- Special Provisions for Indian Christians- The Indian Divorce Act, 1869- Grounds for Divorce- Recent Amendments.

9. Special Marriage Act, 1954

Conditions- Ceremonies- Effect of Marriage- Registration- Grounds for Divorce- Special Grounds for Women- Divorce by Mutual Consent- Advantages.

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, 1890
5. Special Marriage Act, 1955
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
5. Henry Maine - Hindu Law

GENERAL PRINCIPLES OF LAW OF CONTRACT

(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.
4. Consideration - Definition and essentials - Past, present and future consideration - Privity of contract.
5. Capacity to contract - Contracts by or with - Minors, lunatics, drunkard, alien enemies, foreign sovereign, insolvents, convicts, and barristers.
6. Free consent - Coercion - Duress - Undue influence - Misrepresentation - Fraud - Mistake.
7. Lawful object - Unlawful agreements - Agreements opposed to public policy - Recovery of things given under an illegal agreement - Wagering contract - Contingent contract - Uncertain agreement.
8. Discharge of contract - By performance - By impossibility of performance - By novation - By breach - Remedies for breach - Rules relating to damages.
9. Quasi - contract - Theories - Kinds of quasi- contract.
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

SECOND SEMESTER

Paper - 1

CONSTITUTIONAL LAW- II

1. **The Union Executive (Arts. 52-78):** The nature and extent of executive power – Position, powers and functions of the President – Procedure for the election and impeachment of President. Vice President – Power, Function, Election and removal. The Position, powers, functions and duties of the Council of Ministers – Position and power of the Prime Minister – Attorney General of India. **The State Executive (Arts. 152-167):** Executive power of the State – Constitutional position of Governor – Powers, functions and duties, appointment and removal – Relationship between the Council of Ministers and Governor – Advocate General for the State.
2. **Union Legislature (Art. 79-123):** Union Parliament – Powers of chairman – Deputy Chairman, Speaker and Deputy Speaker – Their removal from office – Salaries and immunities of Parliament and its members - Legislative procedure - Various stages in the enactment of a statute – Sittings of House – Procedure relating to original bills, money bills and other financial bills – Annual financial statements – Assents to bill - Powers of President to promulgate ordinances during recess of Parliament. **State Legislature (Arts.168-213):** Composition and duration of the Houses- Legislative procedure and privileges of the House.
3. **Union judiciary (Arts. 124-147):** Constitution and Composition of the Supreme Court – Qualification, appointment – Removal of judges – Original , appellate and advisory jurisdiction of the Supreme Court. **State judiciary (Art. 214-237):** High court judges’ appointment- Qualification, condition of services- Removal and transfer – Powers and jurisdiction of High Courts, Subordinate Courts – Appointment of district judges – Control over Subordinate Courts.
4. Union territory (Art. 239-241)- Tribunals (Art.323-323B)
5. Relations between the Union and the States (Arts. 245-293): Legislative relations (Arts. 245-255), Administrative relation (Arts. 256-263) and Financial relation (Arts.268-291).
6. Trade, commerce and intercourse within the territory of India (Art. 301-307).
7. Services under the Union and States. (Art. 308-323)- Doctrine of pleasure.
8. Emergency provision (Art. 352 – 360)
9. **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).

Books recommended:

1. V.N.Shukla- Constitution of India.
2. D. D.Basu – Shorter Constitution of India.
3. M.P. Jain – Constitution law.
4. H.M. Seervai – Constitutional law of India.
5. K.C.Wheare – Modern Constitution.
6. Granville Austin – Indian Constitution: The Cornerstone of Nation.

Paper - 2

Family Law- II

1. Hindu Minority and Guardianship Act, 1956

Guardianship Under Hindu Minority and Guardianship Act, 1956- Classification of Guardians- Natural Guardian – Testamentary Guardian – Powers and function of guardians- Guardianship of Minor's Property - Custody of Minor - Consideration for Appointment of Guardian.

2. Joint Family and Coparcenary

Classification of Property - Joint Family Property - Separate or Self-Acquired Property- Alienation of Joint Family Property – Karta of Joint Family: Position- Powers and Privileges.

3. Debts

Three sources of Liability: Liability on separate property- Liability on undivided coparcenary Interest- Liability of Joint Family Property- Pious obligation of son- Immoral (avyavaharika) debt- Antecedent debt- Time barred debt- Suretyship debts- Dayabhag Law of debts- Partition- Reopening and Reunion.

4. The Hindu Succession Act, 1956

Intestate succession- Succession to the Property of a Male Intestate- Succession to property of a Female Intestate- General rules of Succession- Disqualifications- Testamentary Succession

5. Property Rights for Women

Concept of Stridhan- Women's Estate- Women as Coparcenar.

6. Mohemmedan Law of Inheritance And Succession

Rules Governing Sunni and Shia Law of Inheritance- Administration of Estates UnderMohemmedan Law.

7. Gifts (Hiba)

Law Relating to Gifts: Meaning and essentials of a valid gift- Gift of Mushaa- Gift made during Marz-ul-Maut.

8. Religious and Charitable Endowments

Meaning- Kinds and Essentials- Math- Powers and Obligations of Mahant and Shefait- Wakf: Meaning- Kinds- Advantages and Disadvantages- Pre-emption: Origin- Classification- Effects- Constitutional Validity.

9. Indian Succession Act

Domicile- Intestate Succession- Will- Codicil- Interpretation- Revocation of Will- Bequests- Conditional- Contingent or Void Bequest- Legacies- Probate and Letters of Administration- Executor- Administrators- Succession Certificate.

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.

SPECIAL CONTRACT

1. Indemnity- Definition, Implied indemnity, rights of indemnity holder, rights of indemnifier.
2. Guarantee – Definition, essentials, continuing guarantee, rights of surety against the creditor, principal debtor and co-surety, Surety’s liability, Discharge of surety, Distinction between Indemnity and guarantee.
3. Bailment – Definition, Kinds, Rights and duties of bailor and bailee
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, Substituted agent,
6. Rights and duties of agent, Personal liability, Notice to agent is notice to principal, Termination of agency, Irrevocable agency
7. Sale of goods – Definition of sale and agreement to sell, Conditions and warranties, Sale by non-owners – CIF, FOB, Ex-ship contract, Sale by auction, Rules relating to passing of property in goods, Rights of unpaid seller
8. Partnership – Definition, Distinction between partnership and co-partnership, Joint Hindu Family, Limited Company, Test to determine partnership, Registration of firm, Rights and duties of partners, Minor and partnership, Reconstitution of firm, Dissolution of the firm
9. Limited Liability Partnership –Meaning, features and benefits of forming limited liability partnership, Disadvantages of limited liability partnership, Differences between limited liability partnership and traditional partnership firm, Differences between limited liability partnership and Company.

Statutory Materials:

1. Indian Contract Act, 1872
2. Sale of Goods Act, 1930
3. Indian Partnership Act, 1932
4. Limited Liability Partnership Act, 2008

Books Recommended:

1. Anson’s Law of Contract, Oxford University Press.
2. Avtar Singh, the Law of Contracts.
3. Mulla, Sale of Goods Act.
4. Pullock&Mulla, The Indian Partnership Act.
5. R.K. Bangia, Law of Contract
6. SaharayMadhusudan, Textbook on Indian Partnership Act with Limited Liability Partnership Act, 2012.

Paper -4

LAW OF CRIMES

1. Concept of crime - Crime, morality and distinction between crime and tort - Classification of offences - Kinds of punishment. Elements of crime - Actus reus and mens rea - Commission and omissions - Stages of crime - Parties to crime.
2. Jurisdiction - Territorial and extra- territorial - Persons exempted from the operation of the Indian Penal Code.
3. Criminal liability - Vicarious liability - Joint and constructive liability - Corporate criminal liability - Abetment and conspiracy.
4. General defences - Excusable and justifiable defences.
5. Offences against the State - Waging war, Treason and Sedition - Offences against public tranquility - Unlawful assembly, rioting and affray.
6. 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.
7. Offences against property - Theft, extortion, robbery and dacoity – Criminal misappropriation and criminal breach of trust - Cheating, mischief and forgery - Criminal trespass, house trespass and house breaking.
8. Giving and fabricating false evidence - Public nuisance - Obscene acts - Criminal intimidation - Insult and annoyance - Defamation.
9. 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
3. Nigam - Law of Crimes
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
8. K. D. Gaur - Cases and Materials in Criminal Law

Paper - 5

LAW OF EVIDENCE

1. Evidence - Meaning - Evidence and proof - Evidence in civil and criminal proceedings - Kinds of evidence - Best evidence rule - Fact, fact in issue and relevant fact.
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.
3. Admissions and Confessions - Dying declarations.
4. Relevancy of judgments, Opinion of third persons - Relevancy of conduct and character.
5. Documentary evidence - Primary and secondary
6. General rules - Presumption of law and presumption of fact, Exclusion of oral evidence by documentary evidence - Patent and latent ambiguity.
7. Burden of proof - Doctrine of estoppel.
8. Witnesses - Competency and compellability - Child and dumb witness - Privileged communication.
9. 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. Sir Wooddrof and Syed Amirali - Law of Evidence i
9. D. Nokes - Introduction to Evidence
10. Cross - On Evidence

Paper - 6

LABOUR LAW – I

1. **Trade Union:** Evolution of labour movement and labour legislations in India and later growth of trade unions; Definition of ‘trade union’, ‘trade dispute’, ‘workman’ (Section 2(g) and 2(h)); Registration and recognition of trade union (Section 3-13);
2. **Rights and Liabilities of Trade Union:** General fund and political fund (Section 15-16); Immunities from criminal conspiracy (Section 17); Section 120A and 120B of the Indian Penal Code; Immunities from civil suits (Section 18); Office bearer of trade union (Section 22); Collective bargaining
3. **Definition of Industry:** ‘Industry’ under Section 2(j) of the Industrial Disputes Act, 1947; *Bangalore Water Supply and Sewerage Board v. A. Rajappa*; ‘Industrial dispute’ and ‘individual dispute’ under Section 2(k) and Section 2A; ‘workman’ under Section 2(s);
4. **Strike and Lock Out:** Definition, legality and justification of ‘strike’ and ‘lock out’ under the Industrial Disputes Act, 1947 (Section 2(q), 2(l), 2(n) and Section 22-28)
5. **Lay Off, Retrenchment and Closure:** Definition, legality and justification of ‘lay off’, ‘retrenchment’ and ‘closure’ under the Industrial Disputes Act, 1947 (Section 2(cc), 2(kkk), 2(oo); Chapter VA and VB)
6. **Dispute Settlement:** Adjudicatory authorities under the Industrial Disputes Act, 1947; power of Appropriate Government under Section 10; Powers of adjudicatory authorities (Section 11 and 11A); Managerial prerogative and disciplinary action; Restraints on managerial prerogative (Section 33 and 33A)
7. **Welfare of Women and Children:** Salient features of the Maternity Benefit Act, 1961 with latest amendments; Salient features of the Child Labour (Prohibition and Regulation) Act, 1986
8. Industrial Employment (Standing Orders) Act 1946
9. Bonded Labour System (Abolition) Act, 1976; Contract Labour (Regulation and Abolition) Act, 1970

Statutory Materials

Trade Unions Act, 1926

Industrial Disputes Act, 1947

Maternity Benefit Act, 1961

Child Labour (Prohibition and Regulation) Act, 1986

Recommended Books

1. O.P. Malhotra - Industrial Disputes
2. S.N. Mishra - Industrial and Labour Law
3. S.K. Puri - Industrial and Labour Law

THIRD SEMESTER

Paper - 1

LABOUR LAW – II

1. Factories Act, 1948
2. Fatal Accidents Act, 1855; Employers Liability Act 1938;
3. Employee's Compensation Act, 1923
4. Minimum Wage Act, 1948
5. Payment of Wages Act, 1936; and Equal Remuneration Act, 1976
6. Payment of Bonus Act, 1965
7. Payment of Gratuity Act, 1972
8. Employee's States Insurance Act, 1948
9. Unorganised Worker's Social Security Act, 2008

Statutory Materials

Minimum Wages Act, 1948
Payment of Wages Act, 1936
Equal Remuneration Act, 1976
Payment of Bonus Act, 1965
Payment of Gratuity Act, 1972
Contract Labour (Regulation and Abolition) Act, 1970
Employee's Compensation Act, 1923
Employee's State Insurance Act, 1972
Factories Act, 1948
Bonded Labour System (Abolition) Act, 1976
Fatal Accidents Act, 1855
Unorganised Worker's Social Security Act 2008

Recommended Books

4. S.N. Mishra – Industrial and Labour Law
5. S.K. Puri - Industrial and Labour Law
6. Chopra - Minimum Wages Act
7. Chopra - Payment of Wages Act
8. P.L. Malik - Employee State Insurance Act

Paper - 2

PROPERTY LAW

1. The Law of Property in India – Meaning and Definition of Property & Transfer of Property- Interpretation of Movable & Immovable Property- Prior to 1882 -Transfer of Property Act, 1882 -Scope and object of the Act -Transfer *inter vivos*.
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)- Conditional transfer -Transfer in favour of unborn person (S. 13) -Rule against perpetuity (S. 14).
4. 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)
5. Sale -Definition -Mode of transfer by sale -Contract for sale -Rights and liabilities of buyer and seller -Discharge of encumbrance.
6. Mortgage -Definition of concepts -Kinds of mortgage -Rights and liabilities – Redemption and foreclosure -Marshalling and contribution.
7. Lease -Definition -Kinds of lease -Lease how made-Rights and liabilities of lessor and lessee - Termination of lease.
8. Gift and Exchange-Definition -How made and effected -Revocable gifts -Onerous gifts Universal donee- Concept of Exchange- Definition of Actionable Claims
9. Easement – Nature of Easements, Creation of Easements- Characteristics and Extinction- Licenses and related Sections of Indian Easements Act

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
7. Goyal - Law of Easements and Licence.
8. Sanjeeva Row - Easement Act.

Paper- 3 COMPANY LAW

1. **Corporate Personality:** Definition of Company, Kind of Company, Formation of Company, Certificate of incorporation, Advantages and Disadvantages of incorporation.
2. **Memorandum of Association & Articles of Association:** Contents, Alteration, Binding force of memorandum and articles, Doctrine of constructive notice and indoor management.
3. **Prospectus:** Definition, Contents, Liability for misrepresentation or untrue statement in prospectus, Statement in lieu of prospectus, Role of promoter, Pre-incorporation contracts
4. **Shares and Debentures:** Allotment, Restriction on allotment, Share certificate, Transfer of shares, Forged transfer, Issue of shares on premium and discount, Call on shares, forfeiture of shares, surrender of shares, Lien on shares, Dividend on shares; Meaning and Kinds of Debentures
5. **Members:** Modes of membership, who may be member, Ceasing of membership, Register of members, Inspection and closing of register, Rectification of register, Annual returns.
6. **Directors:** Appointment, Qualification, Vacant of office, Removal, Powers, Position and Duties, Corporate Social Responsibility.
7. **Meetings:** Kinds, Notice, Quorum, Voting, Kinds of resolutions.
8. **Prevention of oppressing and mismanagement:** Majority powers and Minority rights (Rule in *Foss v. Harbottl*), Prevention of oppression and mismanagement (Sections: 241-246).
9. **Winding up of Company:** 1) Winding up by Tribunal (Grounds, Who can apply, Powers of Tribunal, Commencement of winding up, Consequences of winding up order, Dissolution of company); 2) Voluntary Winding up (By ordinary & special resolution, Declaration of solvency, Meeting of creditors, Appointment, powers & duties of company liquidator, Final meeting and dissolution).

Statutory Materials

1. Companies Act, 2013

RECOMMENDED BOOKS

- | | |
|-------------|------------------------------------|
| Gower | – Principles of Modern Company Law |
| Ramayya | – Guide to the Companies Act |
| Avtar Singh | – Company Law |

Paper - 4

ALTERNATE DISPUTE RESOLUTION

Page | 30

1. Introduction – Forums for resolution of disputes - Courts, Tribunals and Lok Adalat - Crisis of delay in justice delivery system *vis-a-vis* huge pendency of cases – Reasons for pendency – Attitude of the State as Sovereign power - Policy initiatives and implementation
2. Litigation policy of the State - State as a major litigant - Compulsive litigant vs. Responsible and efficient litigant – State as a model litigant - Prevention and control of avoidable litigations by the State - Object of pre – suit notice under Section 80 of C.P.C, 1908 - Review of its performance and scope for its retention – Control and management of litigation – Limitation and delays in preferring appeals by the State - National Litigation Policy, 2010 - Salient features of the Policy
3. Litigation management through ADR – Re-introduction of Section 89 of C.P.C. 1908 - Scope and object - Alternate modes of resolution – Arbitration, Mediation, Conciliation and Lok Adalat – Difference between various modes
4. Overview of arbitration – Types of arbitration - Institutional and *ad hoc* arbitration – Advantages and disadvantages of Institutional and *ad hoc* arbitrations – Scenario of arbitral practice in India since 1940
5. Arbitration and Conciliation Act, 1996 - Object and scope of the Act – Characteristics and scope of domestic and international commercial arbitration - Requisites of valid arbitration agreement – Appointment of arbitrators – Revocation of mandate of arbitrators - Grounds and challenge procedure – Jurisdiction of arbitral tribunal – Conduct of arbitral proceedings - Procedure and laws applicable to arbitral proceedings - Arbitration awards - Recourse against arbitration awards – Finality and enforcement of awards
6. Foreign awards – Enforcement – New York Convention Awards and Geneva Convention Awards
7. Conciliation - Appointment and removal of conciliators – Powers and functions – Procedure – Settlement - Enforcement
8. Mediation – Concept - Types of mediation – Mediation process – Mediation Rules of Madras High Court
9. Lok Adalat – Working of Lok Adalat before and after the Legal Services Authorities Act, 1987 - Settlement of litigations – prior to institution of suits - Settlement of disputes involving the state and its agencies through Lok Adalat- Theory and practice

Statutory Materials:

1. Arbitration and Conciliation Act, 1996
2. Legal Services Authorities Act, 1987 (Provisions relating to Lok Adalat only)
3. Mediation Rules of Madras High Court

Books Recommended:

1. Avtar Singh – Law of Arbitration and Conciliation
2. Basu – Law of Arbitration and Conciliation

Paper- 5

COMPETITION LAW

1. Introduction to Competition law: Evolution & Growth of competition law, Concept of market, Open market, Regulated market, Salient features of the Competition Act, 2002.

2. Anti-competitive Agreements: Concept, forms and Treatment of anti- competitive agreements, Rules to determine Effects of Anti-Competitive Agreements, Agreements which do not cause adverse effects on Competition.

3. Abuse of dominant position: Concept, forms and treatment in India, Essential facilities doctrine, Refusal, Pricing strategies and abuse of dominant position.

4. Combinations: Concept under the Competition Act, 2002, Regulation of Combinations- Relevant product Market, Relevant Geographical Market, Regulation of Cross-border combinations.

5. Competition Commission of India: Composition of CCI, Selection Committee for Chairperson and Members of Commission, Duties of CCI.

6. Powers and functions: Meeting of Commission, Procedure for Inquiry on Complaint u/s 19.

7. CCI Procedures: Procedure for investigation of Combination, Powers of Commission to regulate its own procedure.

8. Orders of Commission: Review, Rectification and Execution.

9. Competition Appellate Tribunal and Penalties: Composition of Tribunal, Procedure for filing Appeal, Procedure and Powers of Appellate Tribunal, Appeal to Supreme Court, Competition Advocacy.

Statutory material: The Competition Act, 2002.

Books recommended:

1. Avtar Singh, Competition Law.
2. T Ramappa-Competition Law in India: Policy, Issues, and Developments.
3. S. C. Tripathi, Competition Law.
4. Vinod Dhall, Competition Law Today-Concepts, Issues and the Law in Practice.
5. T. ramappa- lectures on Competition Law
5. S.M. Dugar- Competition Law

Paper - 6

Practical Training – I

(Professional Ethics)

This paper is divided into two parts. First part is University Examination for 50 marks and the Second part Internal Assessment for 50 marks.

Professional Ethics (University Exam)

(Two hours – 50 marks)

1. 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.
2. Professional Conduct of a lawyer – Need for etiquette and professional ethics - Duties of a lawyer towards Courts, Clients, Opponents and Society - Rules Regarding Maintenance of Accounts and Books – Bar-Bench Relation.
3. Professional misconduct – Powers and Functions of the Bar Council to deal with disciplinary proceedings.
4. Judicial decisions on Professional Misconduct.
5. 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. Mr. Krishnamurthy Iyer's – On Advocacy.

INTERNAL ASSESSMENT

(50 marks)

- | | | |
|------|---|----------|
| i) | Case Comments | 20 marks |
| | Supreme Court and Bar Council of India decisions on Professional Misconduct and Contempt of Court. (Four cases – 05 marks each) | |
| ii) | Research paper | 20 marks |
| | Two Research papers on the above syllabus (10 marks each) | |
| iii) | Viva | 10 marks |

All components are compulsory and the students should get minimum 45% marks in each component for pass in the Internal assessment

FOURTH SEMESTER

Paper – 1

INTERNATIONAL LAW AND HUMAN RIGHTS

1. Development of International Law - Definition of International Law –Theories as to the basis of international Law-Positivists and Naturalist.
2. International law - Sources and schools - Subjects of international law- individuals and international institutions.
3. State –Sovereignty, independence and equality of states - Modes of acquiring territorial sovereignty - State territory - Land, water - Air and space.
4. Individuals-Nationality-Modes of acquiring and losing nationality - Importance of nationality in international law.
5. Institutions - United Nations - Organs - Functions and powers of each organ- Settlement of the international dispute.
6. The development of Human Rights -Nature and content of Human Rights - Universal Declaration of Human Rights - International Convention on Civil and Political Rights - International Convention on Social, Economic and Cultural Rights - Optional protocol-Universalism & Cultural Relativism of the Human Rights.
7. Constitutional provisions relating to Human Rights, Protection of Human Rights Act, 1993 – objectives and framework, National Human Rights Commission, State Human Rights Commission, Human Rights Courts.
8. Later developments in International Human Rights Law - Right to Development and other Third Generation rights,Human Rights of vulnerable group.
9. International Humanitarian Law-Geneva Conventions- internal armed conflict-Contemporary issues.

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Books Recommended:

2. Henry J. Steiner, Philip Alston -International Human Rights in Context: Law, Politics & Morals - Oxford University Press.
3. S.K Kapoor- International Law and Human Rights
4. H.O Agarwal- International Law and Human Rights
5. D.D. Basu- Human Rights in Constitutional Law –Wadhwa Nagpur.
6. Asha Bajpai, Child Rights in India: Law, Policy & Practice- Oxford Publishers, NewDelhi.
7. Flavia Agnes, Sudhir Chandra, Women & law in India- Oxford University Press, New Delhi.
8. Christopher C. Joyner, United Nations and International Law -Cambridge University Press, 1997.
9. Malcolm Nathan Shaw, International Law- Cambridge University Press.
10. Ian Brownlie- Principles of Public International Law.
11. A.H. Robertson, J.G. Merrills - Human Rights in the World.

Paper -2

ENVIRONMENTAL LAW

1. Meaning of environment- Development of international environmental law and policy, Development of environmental principles- Principles of absolute liability, Precautionary Principle, Polluter Pays Principle, Principles of sustainable development- Public Trust Doctrine, Principle of common but differential responsibilities.
2. Constitutional provisions and the environment protection in India- Fundamental Rights, Directive Principles and Fundamental Duty- Right to healthy environment as a facet of right to life- Judicial interpretations, impact of international environmental norms on Indian legal system, environment and the law of public nuisance.
3. Environment Protection- Salient features of the Environment (Protection) Act, 1986- Powers of Central Government to make measures to protect and improve the environment- Power to make rules- Power of entry and inspection- Power to take sample- environmental laboratories.
4. Prevention and Control of Water Pollution- Sources and effect of water pollution, Salient features of the water (Prevention and control of Pollution) Act, 1974-Powers and functions of Central and State Boards- Power to make rules- Penalties and procedures.
5. Prevention and Control of Air Pollution- Sources and effect of air pollution, Salient features of the Air (Prevention and control of Pollution) Act, 1981-Powers and functions of Central and State Boards- Penalties and procedures.
6. Wild life protection- Conservation of wild life and its importance-Salient Features of The Wild Life (Protection) Act, 1972- Constitution and Functions of National Board and State Boards-Hunting of Wild animals, Protected areas- Trade and Commerce in wild animals, animal articles and trophies- Penalties.
7. Forest Conservation- Need to conserve forest, Causes and effects of deforestation- Salient features of The Indian Forest Act, 1927 and The Forest (Conservation) Act, 1980- Forest Conservation and Judicial trends.
8. Urban Development and environmental conservation- Biotechnology and environment- climate change and depletion of ozone layer-Legal control. Noise pollution- Sources of noise pollution, Effects of noise pollution, Legislative control mechanism, Judicial trends.

9. Judicial activism and protection of environment-Public Interest Litigation and liberalization of rules of *Locus Standi* in protection against environmental pollution cases, Landmark Judgments.

Books Recommended:

1. P. S. Jaswal- Environmental Law
2. Leela Krishnan- Law and Environment
3. Justice V. R. Krishna Iyer- Environmental Pollution and Law
4. J.J.R. Upadhyay- Environmental Law
5. Indian Law Institute- Legal Control of Environmental Pollution
6. Shyam Divan and Arman Rosencranz- Environmental Law and Policy in India- Cases, Materials and Statutes

Paper -3

LAW OF TAXATION

1: Introduction: Concept of Tax, Nature and its characteristics, Direct and Indirect tax, Difference between tax and fee; tax and cess. Powers of taxation under the constitution, Fundamental Rights and powers of taxation, Scope of taxing power of the Union, Delegation of powers to levy tax to state legislatures and local bodies.

2: Income Tax Act, 1961: Definitions, Scope of total income, Person, Residential Status of an assessee, Charge of income tax, Dividend Income, Income deemed to accrue or arise in India.

3: Incomes which do not form part of the total income: Incomes not included in the total income of the assessee, Special provisions related to free trade zones and hundred percent export-oriented undertakings, Income from property held for charitable or religious purpose, Income of trusts or institutions from contributions, Income of political parties.

4: Heads of Income: Salary, Income from House Property, Profits and gains from business or profession, Capital Gains, Income from other sources.

5: Deemed Income and Tax Authorities: Income of other persons included in assessee's total income, Income tax authorities.

6: Concept of Goods and Service Tax (GST): The Constitution (122nd) Amendment Act, 2017 and the Central Goods and Service Tax Act, 2017. Dual GST Model, GST Council, Central GST, Application of GST on sales, transfer, purchase, barter, lease, or import of goods and/or services.

7: Goods and Service Tax: GST on Imports and Exports, Impact of GST on GDP of India and inflation, GST benefits to trade, e-commerce, industry and services sector, Goods and Services Tax Network Portal, Tax invoice, Dispute Settlement Mechanism under GST.

8: Integrated goods and service tax (IGST); State goods and service tax (SGST) and Union Territory Goods and Services Tax (UTGST): Integrated goods and service tax (IGST) levied by Central Government, State goods and service law, Central government, powers to tax inter-state transactions, Securities Transaction Tax (STT) and exemption on sale and purchase of securities, Union Territory Goods and Services Tax law.

9: Customs Law: Background of Customs Act, 1962, Powers and functions of authorities under the Act, Collection of customs and duties, SEZ units.

Statutory material:

1. Income Tax Act, 1961
2. Goods and Services Tax, 2017.
3. Customs Act, 1962.

Books Recommended:

- 1.. Singhania, Student Guide to Income Tax, Taxmann (Latest Edition).
2. Sumit Dutt Majumder, GST in India, Centax Publications, 2nd edition, 2016.

Paper - 4

INTERPRETATION OF STATUTES

1. Legislation - Merits and demerits - Kinds of statutes.
2. Interpretation and construction - Meaning - Significance of interpretation - Need for interpretation.
3. General principles of interpretation – Literal Rule, Golden Rule, Mischief Rule.
4. Subsidiary rules of construction- *Ut res magis valeat quam pereat*, *Noscitur a sociis*, *Ejusdem generis*, *Expressio unius est exclusion alterius*, *Contemporanea exposition est fortissima in lege*. Methods of construction-Construction of general words - Beneficial and restrictive construction, Harmonious construction.
5. Internal aids and external aids to construction.
6. Construction of penal statutes and taxing statutes - Rules of construction of Imperative and directory enactments- Interpretation of statutes in *parimateria*.
7. Interpretation of Constitution- Doctrine of severability, Doctrine of eclipse, Doctrine of prospective overruling, Doctrine of implied power, Doctrine of incidental and ancillary powers, Doctrine of implied prohibition, Doctrine of pith and substance, Doctrine of colourable legislation, Doctrine of territorial nexus.
8. Commencement, operation, repeal and revival of statutes.
9. General Clauses Act, 1897.

Statutory Materials:

1. General Clauses Act, 1897

Books Recommended:

1. Maxwell - Interpretation of Statutes
2. P. Singh - Interpretation of Statutes
3. Vepa P. Sarathi - Interpretation of Statutes
4. T. Bhattacharya- Interpretation of Statutes
5. Avtar Singh & Harpreet kaur- Introduction to Interpretation of Statutes
6. Bindra - Interpretation of Statutes

Paper - 5

**LAND LAWS
(Including Local Laws)**

Students are required to answer questions from Part 'B' or 'C' along with Part 'A'.

**Part-A: Central Laws
(Compulsory for all)**

1. Land - Immovable property - Right to hold land - Constitutional scheme - Land reforms – Right to Property – Article 31A, 31B, 31C and Article 300 A of the Constitution of India - Scope and implication - Directive Principles.
2. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013- Salient features – Public Purpose – Social Impact Assessment – Notification and Acquisition - Rehabilitation and Resettlement – Apportionment of Compensation

**Part-B: Local Laws of Puducherry
(For students of Puducherry)**

3. The Pondicherry Building (Lease and Rent Control) Act, 1969 - Definition - Landlord, Tenant, Buildings, Fair Rent and Authorities - Salient features of the Act - Rights and duties of landlord and tenant.
4. The Pondicherry Settlement Act, 1970 - Salient features of the Act.
5. The Pondicherry Land Encroachment Act, 1970 - Salient features of the Act.
6. The Pondicherry Cultivating Tenants Protection Act, 1970 - Rights of the tenants - Rights of the members of armed forces.
7. The Pondicherry Cultivating Tenants (Payment of Fair Rent) Act, 1970 - Definition - Cultivating tenant, fair rent - Rights and liabilities of tenants.
8. The Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 – Standard Hectare – Fixation of Ceiling Area on Land Holdings – Cultivating Tenant Ceiling Area – Land Tribunals – Salient Features of the Act.
9. The Pondicherry Occupants of Kudiyruppu (Conferment of Ownership) Act, 1973 – Salient Features, Agricultural Labour, Agricultural land, Kudiyruppu – Alternative Site – Salient Features of the Act.

**Part-C: Local Laws of Andaman and Nicobar Islands
(For students of Andaman and Nicobar Islands)**

3. Land, Land Records and Land Revenue including its realization in Andaman and Nicobar Islands.
4. Revenue Officers and Revenue Court-their powers-Appeal, Revision and Review in Andaman and Nicobar Islands.
5. Revenue Survey and Settlement in non-urban areas in Andaman and Nicobar Islands.
6. Assessment and Reassessment of land in urban areas in Andaman and Nicobar Islands.
7. Tenure Holders and disposal of unoccupied land in Andaman and Nicobar Islands.
8. Co-operative firm in Andaman and Nicobar Islands.
9. Rights in Abadi and unoccupied land in Andaman and Nicobar Islands.

Statutory Materials:

1. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.
2. The Pondicherry Building (Lease and Rent Control) Act, 1969.
3. The Pondicherry Settlement Act, 1970.
4. The Pondicherry Land Encroachment Act, 1970.
5. The Pondicherry Cultivating Tenants Protection Act, 1970.
6. The Pondicherry Cultivating Tenants (Payment of Fair Rent) Act, 1970.
7. The Pondicherry Land Reforms (Fixation of Ceiling on Land) Act, 1973
8. The Pondicherry Occupants of Kudiyiruppu (Conferment of Ownership) Act, 1973
9. The Andaman and Nicobar Islands Land Revenue and land Reforms Regulation, 1966
10. The Andaman and Nicobar Islands Land Revenue and land Reforms Regulation, 1968

Note: Item No. 1 in Statutory Material is applicable to Part-A.

Item No. 2 to 8 in Statutory Material is applicable to Part-B.

Item No. 9 and 10 in Statutory Material is applicable to Part-C.

Books Recommended:

1. Prof. A. Chandrasegar - Land Laws of Tamil Nadu
2. Pondicherry Code Vol. II and Vol. IV

Paper-6

Practical Training – II

Alternate Dispute Resolution (Full Internal)

(Full Internal)

- | | | | |
|----|--|---|----------|
| 1. | Observance of proceeding in the Legal Aid center
(10 cases - 3 marks each) | - | 30 marks |
| 2. | Observance of proceedings in the Lok Adalat
(10 cases - 3 marks each) | - | 30 marks |
| 3. | Observance of proceedings in the Mediation Centre
(10 cases – 3 marks each) | - | 30 marks |
| 4. | Viva - Voce | - | 10 marks |

All components are compulsory and the students should get minimum 45% marks in each component for passing the paper.

FIFTH SEMESTER

Paper - 1 ADMINISTRATIVE LAW

1. **Nature and Scope:** Definition, Nature and Scope of Administrative Law; Difference between Administrative Law and Constitutional Law; Rule of law – Dicey’s Rule of Law; Doctrine of Separation of Powers
2. **Delegated Legislation:** Necessity, Merits and Demerits of Delegated Legislation; Constitutionality of Delegated Legislation; Legislative Control; Judicial Control; Procedural Control (pre and post-publication, consultation of affected interests, General Clauses Act, 1897 sections 20-24)
3. **Administrative Discretion:** Meaning of Administrative Discretion; restraint on the conferment of Administrative Discretion; Abuse of discretionary powers; Grounds of Judicial Review (i) Abuse of discretion (ii) Non Application of Mind, and (iii) violation of the principles of natural justice
4. **Power of Judicial Review:** Nature and Scope of Judicial Review; Writ Jurisdiction under Article 32 and 226 (Habeas Corpus, Mandamus, Prohibition, Certiorari, Quo-Warranto); Special Leave Petition under Article 136; High Court’s Power of Superintendence under Article 227
5. **Principles of Natural Justice:** (i) *Nemo iudex in causa sua* (Rule Against Bias), and (ii) *Audi alteram partem* (Rule of Fair Hearing); Reasoned Decision (Speaking Orders); Difference between administrative and quasi-judicial function; Effects of non-observation of the principles of natural justice
6. **Tribunals and Regulatory Bodies:** Advantages of justice by administrative tribunals; Constitution of India (Article 323A and 323B); Overview of Administrative Tribunals Act, 1985;
7. **Commission of Inquiry and Central Vigilance Commission:** Commission of Inquiry Act, 1952 (“to inquire into any definite matter of public importance”); Power of Central and State Government to appoint a Commission of Inquiry; powers and procedure of the Commission of Inquiry; Overview of Central Vigilance Commission Act, 2003
8. **Administrative Liability:** Tortious liability and contractual liability; Promissory Estoppel; and Exclusion of Jurisdiction of Court.
9. **Right to Information:** Transparency and accountability of the administration; right to information under the Indian Constitution; Right to Information Act, 2005 (object and scope of the act, obligation of public authorities under the act, and grounds of refusal to disclose information)

RECOMMENDED BOOKS:

- | | |
|---------------------|-----------------------------------|
| MP Jain and SN Jain | – Principle of Administrative Law |
| IP Massey | – Administrative Law |
| SP Sathe | – Administrative Law |
| S P Sathe | – The Tribunal System in India |

Paper - 2
CIVIL PROCEDURE CODE

1. **Nature and Scope:** Substantive and procedural law; Nature and scheme of the Code; Definitions of decree, order, judgement, legal representative, *mesne* profits; Difference between decree, order and judgement
2. **Suit in General:** Meaning and essentials of suit; Jurisdiction of courts to try suits of civil nature unless barred; Stay of suit; *Res Judicata*; Difference between *Res Judicata*, *Res Subjudice*, and *Estoppel*; Conclusiveness of Foreign Judgements; Place of suing
3. **Framing of Suit:** Institution of suit; Amendment of pleadings, including plaint and written statement (Order I, II, IV, VI, VII, and VIII); Affidavits
4. **Summons:** Issue and service of summons to defendants and witnesses; Service of foreign summons; Dismissal of suit for default; *Ex-parte* proceedings and setting aside of *ex-parte* decree
5. **Special Suits:** Suits by or against Government or public officers; Suits by or against minors and persons of unsound mind; Suits by indigent persons; Interpleader suits
6. **Other Proceedings:** Appeals from decrees and orders; Reference, Review and Revision; Commissions; Caveat; Inherent powers of court; Arrest and attachment before judgement; Temporary injunction and interlocutory orders; Appointment of Receiver
7. **Execution (Order XXI):** Courts competent to execute decrees; Precepts (Section 46); Questions to be determined by executing courts (Section 47); Stay of execution (Order XXI, Rule 26-29);
8. **Procedures for Execution:** Modes of execution (Section 51-54); Arrest and detention (Section 55-59; Order XXI-Rule 37-40); Attachment and sale of property (Section 60-64; Order XXI-Rule 48-59, 64-69, 72-73); Setting aside and confirmation of sale (Order XXI-Rule 89-94)
9. **Law of Limitation:** Definition, scope and object; Limitation of Suits, Appeals and Applications; Computation of period of limitation;

Statutory Material

Code of Civil Procedure, 1908
Limitation Act, 1963

Recommended Books

1. Mulla – The Code of Civil Procedure
2. C.K.Takwani –Civil Procedure with Limitation Act
3. T.P.Tripathy – The Code of Civil Procedure
4. Mitra – Law of Limitations

Paper - 3

CRIMINAL PROCEDURE CODE, JUVENILE JUSTICE ACT AND PROBATION OF OFFENDERS ACT

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.
3. Bailable and non - bailable offences - Bail and anticipatory bail - Rights of accused.
4. Process to compel Appearance – Summons – Service of Summons – Proclamation and Attachment – Bond for appearance
5. Charge - Definition, Content, Joinder and Alteration of Charges.
6. Trial - Fair Trial - Place of Trial - Kinds of Trial.
7. Judgment - Appeal, Reference, Revision - Inherent Powers of High Court.
8. Juvenile Justice (Care and Protection) Act, 2000.
9. The Probation of Offenders Act, 1958

Statutory Materials:

1. Criminal Procedure Code, 1973

Books Recommended:

1. Ratan Lal - Code of Criminal Procedure
2. Sarkar - Code of Criminal Procedure
3. Outlines of Criminal Procedure - R. V. Kelkar
4. Basu - Code of Criminal Procedure 1973
5. Sohoni's - Code of Criminal Procedure (4 Volumes)
6. Dr. Nandhial's - Code of Criminal Procedure (3 Volumes)
7. P. Ramanathan Iyer's - Code of Criminal Procedure
8. Law Commission Reports - 14th, 37th and 41st.

Paper - 4

CRIMINOLOGY AND PENOLOGY

1. Concept of crime and criminals- Classification of crime and criminals- Nature and scope of Criminology.
2. Schools of Criminology- Classical, Neo-classical, positive Neo-positive and sociological-Typological school.
3. Theories -Differential Association theory, Feudian theory, Theory of Determinism Economic theory, Multiple factor theory- Causation of crime-Hereditry and crime. Born Criminal Theory, Family Crime, Mass Media & Crime, Drug Addiction & Crime.
4. White collar crime-classification-Sutherland's view on white collar crime- white collar crime in India- judicial response-Remedial measures.
5. Organised crimes- definition- characteristics-Theories of collective violence-communal violence- terrorism and related organised international crimes.
6. Theories of Punishment- Deterrent, Retributive, Preventive and Reformative theories- Alternatives of punishment-indeterminate sentence, Capital punishment-Constitutionality- Judicial approach to delayed execution-Law Commission's recommendations.
7. Prison Administration Orgin & Development – in India/USA/UK -Prison Labour, Open Air Prison, Prison Reforms.
8. Criminal Justice Administration in India- Impact of *Maneka Gandhi* case on fair trial, speedy trial, handcuffing, custodial violence, prison administration and legal aid.
9. Victimology- Impact of victimization-Restorative justice to victim-Compensatory relief to victim-Justice Malimath Committee Recommendations.

Books Recommended:

1. Sutherland- Criminology
2. Paranjape- criminology and Penology
3. Siddique- Criminology problems and perspectives
4. Barnes & teeter's- New Horizons in Criminology
5. Sethna- Society and the Criminal

Practical Training – III

Drafting Pleading & Conveyance (Full Internal)

Outline of the course:

1. Drafting:- General Principles of Drafting and Relevant Substantive Rules shall be taught
2. Pleadings:-
 - i. Civil: Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition Under Article 226 and 32 of the Constitution of India, including Public Interest Litigation.
 - ii. **Criminal:** Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision
 - iii. Conveyancing: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed, Partition deed, Partnership deed.

Students shall do 15 practical exercises in drafting of pleading carrying total of 45 marks (3 marks for each exercise). 15 exercises on conveyancing carrying another 45 marks (3 marks for each exercise) remaining 10 marks will be given for viva voice.

All components are compulsory and the students should get minimum 45% marks in each component for passing the paper.

SIXTH SEMESTER

Paper -1 INTELLECTUAL PROPERTY LAWS

Introduction to Intellectual Property

1. Nature and Concept of Intellectual Property Rights; Paris Convention on the Protection of Industrial Property, 1883; Berne Convention on the Protection of Literary and Artistic Works, 1886; Trade Related Aspects of Intellectual Property Rights (TRIPs), 1994; World Intellectual Property Organisation (WIPO); World Trade Organisation (WTO)

Trade Marks (Trade Marks Act, 1999)

2. **Definitions and Registration:** 'Mark' Sec. 2(1)(m); 'Trade Mark' Sec. 2(1)(zb); 'Well Known Trade Mark' Sec. 2(1)(zg); Registered and Unregistered Trade Marks; Procedure for Registration of Trade Marks (Sec. 18-23); Absolute Grounds for Refusal of Registration (Sec. 9); Relative Grounds for Refusal of Registration (Sec. 11); Prior or Vested Rights (Sec. 12, and Sec. 33-35); Rectification of Register (Sec. 57)
3. **Passing Off, Infringement and Licencing:** Difference between Passing Off and Infringement; Passing of Same, Similar or Different Goods; Enlargement of Infringement Protection (Sec. 29); Exceptions to infringement Action (Sec. 30); Licencing of Trade Marks (Section 48 to 53); Permission of Central Government not Required under the present Act; Necessity of Actual Quality Control; Supremacy of Licencing Agreement

Patents (The Patent Act, 1970)

4. Definition of Patent; Principles underlying patent law in India; Patentable and non-Patentable inventions; Procedure to Obtain Patent; Terms of Patent; Register of Patent and Patent Office; Rights and Obligations of patentee; Transfer of Patent Rights, Assignment and License
5. Compulsory License; License of Rights and Revocation for non-working; Government use of Invention; Grounds for Revocation of Patent; Surrender of Patents; Specification and Amendment of Specification

Copyrights (The Copyright Act, 1957)

6. Definition of Copyright; Subject Matter of Copyrights; Terms of Copyright; Rights Conferred by Copyright; Rights of Broadcasting Authorities;
7. Registration of Copy Rights; Copyright Board; International Copyrights; Assignment, Transmission and Relinquishment of Copyrights; License of Copyrights; Infringement of Copyrights and Remedies for Infringement

Industrial Designs (The Designs Act, 2000)

8. 'Design' Sec. 2(d); 'Original' Sec. 2(g); 'Copyright' Sec. 2(c); Copyright in Design (Sec. 11); Registration of Design (Sec. 3-9); Cancellation of Design (Sec. 19); Infringement of Copyright in Designs and Remedies (Sec. 22); Overlap of Design, Copyright and Trade Marks

Geographical Indications (Geographical Indications of Goods (Registration and Protection) Act, 1999)

9. 'Geographical Indication' Sec. 2(e); 'Indication' Sec. 2(g); 'Goods' Sec. 2(f); 'Producer' Sec. 2(k); Procedure for Registration GI (Sec. 3-8 and Sec. 11-17); Grounds for Refusal of Registration of GI (Sec. 9); Duration of Protection and Renewal (Sec. 18-19); Infringement and Remedies (Sec. 20-23, Sec. 37-54, and Sec. 66-67); Conflict of GIs and Trade Marks (Sec. 25-26)

RECOMMENDED BOOKS

- P Narayanan – Law of Trade Marks and Passing Offs
P Narayanan – Copyright and Industrial Designs
P Narayanan – Intellectual Property Law
WR Cornish – Intellectual Property
VK Ahuja – Law Relating to Intellectual Property Rights
Kailasam – Law of Trade Marks and Geographical Indications
WIPO – Background Reading Materials on Intellectual Property

Paper - 2
Practical Training IV
Moot Court Exercise and Internship
(Full Internal)

This paper may have three components of 30 marks each and a viva 10 marks.

1. Moot Court (30 Marks). Every student is required to do three moot courts with 10 marks for each. The Moot Court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.
2. Observance of Trial in two cases, one Civil and one Criminal (30 marks): Students are may be required to attend two trials. 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.
3. Interviewing Techniques and Pre-trial Preparations and Internship Diary (30 marks): Each Students will observe interviewing sessions of clients at the Lawyer's Office and record the proceedings, 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. Which should be recorded by the students which will carry (15marks).
4. The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

All components are compulsory and the students should get minimum 45% marks in each component for passing the paper.