



Progressive Education Society's

Modern Law College,

Ganeshkhind, University Circle, Pune- 411016

Permanently Affiliated to the University of Pune, Recognised by the Government of Maharashtra and Approved by the Bar Council of India, New Delhi

Phone: 020-25638987, 25635396

Email: info.modernlaw@gmail.com website: www.modernlawcollege.org

Syllabus

Ist, IInd & IIIrd Year of LL.B.

(Three Year Course)

(From 2003-2004)

INDEX

| Sr. No. | Content | Page No. |
|-------------|--|-----------|
| I. | LL.B. (Semester – I) | 3 |
| | Paper 1 - Family Law I | 4 |
| | Paper 2 – Law of Crimes | 5 |
| | Paper 3 – Labour Law | 5 |
| | Paper 4 – Optional Law (Any One) | 6 |
| | A. Trust, Equity and Fiduciary Relationships | |
| | B. Criminology and Penology | 8 |
| | C. Women and Law, and Law Relating to the Child | 10 |
| | D. International Economic Law | 11 |
| | Paper 5. Law of Contract I | 15 |
| II. | LL.B. (Semester – II) | |
| | Paper 6 – Family Law II | 17 |
| | Paper 7 – Constitutional Law | 18 |
| | Paper 8 – Law of Torts and Consumer Protection Act | 21 |
| | Paper 9 – Professional Ethics Accountancy for Lawyers and Bar Bench Relations | 22 |
| III. | LL.B. (Semester – III) | 25 |
| | Paper 10- Law of Evidence | 25 |
| | Paper 11 – Environmental Law | 26 |
| | Paper 12 – Human Rights and International Law | 28 |
| | Paper 13 – Arbitration Act | 30 |
| IV. | LL.B. (Semester – IV) | 31 |
| | Paper 14 - Jurisprudence | 31 |

| | | |
|------------|---|-----------|
| | Paper 15 – Property Law Including Transfer of Property Act and Easement Act | 33 |
| | Paper 16 – Public Interest Lawyering, Legal Aid and Para-Legal Services | 33 |
| | Paper 17 – Law of Contract | 35 |
| | Paper 18 – Optional Paper (Any One) I | 35 |
| | a. Comparative Law | 37 |
| | b. Law of Insurance | 39 |
| | c. Conflict of Law | 41 |
| | d. Intellectual Property Law | 45 |
| V. | LL.B. (Semester – V) | 47 |
| | Paper 19 – Code of Civil Procedure and Limitation Act | 47 |
| | Paper 20 – Land Laws Including Ceiling and Other Local Laws | 48 |
| | Paper 21 – Interpretation of Statutes | 48 |
| | Paper 22 - Legal Writing | 49 |
| | Paper 23 – Administrative Law | 51 |
| VI. | LL.B. (Semester –VI) | 52 |
| | Paper 24 – The Code of Criminal Procedure | 52 |
| | Paper 25 – Company Law | 53 |
| | Paper 26 – Practical Training Paper- I Moot Court, Pre-Trial Preparations and Participation in Trial Proceedings | 54 |
| | Paper 27 – Drafting, Pleading and Convincing (Theory paper) | 56 |
| | Paper 28 – Optional Papers (Any one) | 58 |
| | a. Investment and Securities Laws | |
| | b. Law of Taxation | 60 |
| | c. Banking of Laws including Negotiable Instruments Act | 61 |
| | d. Co-operative Law | 61 |

Paper 1 - Family Laws I
(With Latest amendments and case Law)

Family Relations – Hindus , Muslims, Christians and Parsis

1. Nature, Sources and Schools of
 - a) Hindu Law
 - b) Muslim Law
2. Marriage
 - a) Formation
 - b) Duration
 - c) Disruption
3. Marital Relief
 - a) Judicial separation
 - b) Divorce
 - c) Nullity of Marriage
 - d) Restitution of Conjugal Nights
 - e) Dissolution
4. Law of Maintenance (Hindu and Muslim Law)
 - a) Claim of Spouses
 - b) Claim of Parents and Children
 - c) Alimony (Pendente Lite and Permanent)
5. Adoption
6. Minority and Guardianship
7. The special Marriage Act, 1954

Statutes

1. The Hindu Marriage Act, 1955
2. The Hindu Adoptions and Maintenance Act, 1956
3. The Hindu Minority and Guardianship Act, 1956
4. The Christian Marriage Act, 1872
5. The Indian Divorce Act, 1869 (as amended by Amendment Act 49 and 51 of 2001)
6. The Parsi Marriage and Divorce Act, 1936
7. The Special Marriage Act, 1954
8. The Muslim Women's (Protection on Divorce) Act, 1986
9. The Dissolution of Muslim Marriages Act.

Recommended Books And Readings

1. Desai, Kumud Law of Marriage and Divorce

- | | |
|-------------------|-------------------------------|
| 2. Diwan, Paras | Modern Hindu Law |
| 3. Mayne | Hindu Law |
| 4. Diwan, Paras | Family Law |
| 5. Subbarao, T.V. | Family Law In India |
| 6. Mulla | Principles of Mohammedian Law |
| 7. Mahmood, Tahir | Muslim Law |

Paper 2 – Law of Crimes

1. Indian Penal Code 1860 – sections 1 to 511
2. Criminal Jurisprudence – Essentials of a crime and offence, related maxims, theories of punishments with relevant case law

Recommended Books and Readings

- | | |
|---------------------------|--------------------------------------|
| 1. Ratanlal and Dhirajlal | The Indian Penal Code |
| 2. Gaur K.D. | A Text Book on the Indian Penal Code |
| 3. Pillai P.S.A. | Criminal Law |
| 4. Mishra S.N. | Indian Penal Code |
| 5. Bhattacharya T. | The Indian Penal Code |

References

- | | | |
|----|--------------|------------------------------------|
| 1) | Basu | Indian Penal Code Vol. 1 & 2 |
| 2) | Gour | Penal Law of India Vol. 1 To 4 |
| 3) | Gaur, K.D. | Criminal Law – Cases and Materials |
| 4) | Jaspal Singh | Indian Penal Code |
| 5) | Kenny | Outlines of Criminal Law |
| 6) | Nigam, R.C. | Principles of Criminal Law |

Paper 3 – Labour Laws

(With latest amendments and case-law)

1. The Industrial Disputes Act, 1947
2. The Trade Unions Act, 1926
3. The Maharashtra Recognition of Trade Unions and Prevention of Unfair Trade Practices Act, 1971
4. The Factories Act, 1948
5. The Minimum Wages Act, 1948
6. The Workmen's Compensation Act, 1923
7. The Employees' state Insurance Act, 1945

8. The Employees' Provident Fund and Miscellaneous Provisions Act, 1952
9. The Payment of Wages Act, 1936

Recommended Books And Readings

1. Malik, P.C. Labour Law of India
2. Malhotra, O.P. Industrial Disputes Act, 1947
3. Shrivastava, K.D. Commentaries on all Labour Laws
4. Kothari, G.M. A Study of Industrial Law
5. Sachdeva Industrial and Labour Law
6. ---- Reports of the National Commission on Labour
7. --- Recommendation and convention of ILO

Paper 4 – Optional Paper

- (a) Trust, Equity and Fiduciary Relationships
(With latest Amendments and Case-Law)

Division of Marks:--

- | | |
|---------------------------------------|----------|
| 1) The Indian Trusts Act, 1882 | 40 Marks |
| 2) Fiduciary Relations | 10 Marks |
| 3) The Bombay Public Trusts Act, 1950 | 35 Marks |
| 4) Principles of Equity and Maxims | 15 Marks |

A. The Indian Trusts Act, 1882

1. Preliminary
 - a) Definitions – Trust, Author of the Trust, Trustee, Beneficiary, Trust property, Beneficial Interest, Instrument of Trust, Breach of Trust, Cestui que trust
 - b) Comparison of Trust with other relationships
 - i. Private trust and public / charitable trust
 - ii. Trust and debt
 - iii. Trust and ownership
 - iv. Trust and bailment
 - v. Trust and agency
 - vi. Trust and contract
 - vii. Trust and conditions
 - viii. Trust and equitable charge
 - ix. Trust and mortgage
 - x. Trust and administration
2. Kinds of trusts
3. Creation of trusts
4. Appointment of trustees
5. Duties and Liabilities of trustees

6. Rights and Powers of trustees
7. Disabilities of trustees
8. Rights and liabilities of the beneficiary
9. Vacating the office of trustee
10. Extinction of trusts
11. Certain Obligations in the nature of the trusts

B. Fiduciary relations - Concepts and Kinds

C. The Bombay Public Trusts Act, 1950

1. Definitions – public trust, math, person having interest, temple, wakf, trustee
2. Establishments
3. Charitable purposes and validity of certain public trusts
4. Registration of public trust
5. Budget, Accounts and Audit
6. Powers and duties and restrictions on trustees etc.
7. Control, Powers and Functions of Charity Commissioner
8. Other functions and Powers of Charity Commissioner dhormodo, cypress
9. Special provision as respects religious and charitable institution and endowment
10. Public Trusts Administration Fund
11. Offences and penalties
12. Function of Charity Commissioners, Procedure, Jurisdiction and Appeals

D. Principles of equity and maxims

1. Concept and Definition of equity
2. Origin and development
3. Maxims of equity
 - a) Equity will not suffer a wrong to be without a remedy.
 - b) Equity follows the Law
 - c) Where there is equal equity, the law shall prevail.
 - d) Where the equities are equal, the first in the time shall prevail.
 - e) He who seeks equity must do equity.
 - f) He who comes into equity must come with clean hands.
 - g) Delay defeats equity.
 - h) Equality is equity.
 - i) Equity looks to the intent rather than to the form.
 - j) Equity looks on that as done which ought to be done.
 - k) Equity imputes an intention to fulfil an obligation.
 - l) Equity acts in personam

Recommended Books and Readings

- | | |
|-------------------------|-----------------------------------|
| 1) Iyer, Suryanarayanan | The Indian Trust Act |
| 2) Rangacharya, I.V. | The Indian Trust Act |
| 3) Agarwal, O.P. | The Indian Trust Act |
| 4) Tandon, M.P. | The Indian Trust Act |
| 5) Chaudhari, D.H. | The Bombay Public Trust Act, 1950 |
| 6) Shah, K.N. | The Bombay Public Trust Act, 1950 |
| 7) Apte, M.S. | The Bombay Public Trust Act, 1950 |
| 8) Gupte & Dighe | The Bombay Public Trust Act, 1950 |
| 9) ---- | Snell's Principles of Equity |
| 10) Ahmed, Aquil | Equity, Trust and Specific Relief |
| 11) Basu, D.D. | Equity, Trust and Specific Relief |

Paper 4 – Optional Paper (b) Criminology and Penology

1. Criminology
 - A) Definition
 - B) Nature and scope of criminology and penology and the nature extent of crime in India.
 - C) The concept of crime and characteristic of Criminal Law.
 - D) Determination and differential of Crime.
 - E) The criminal – Who is a Criminal ?
 - F) Whether criminology is a science ?
 - G) Objective of criminal justice system
2. Schools of Criminology
 - A) Classical school and neo-classical school
 - B) Cartographic
 - C) Socialist
 - D) Typological
 - E) Lombrosian
 - F) Psychiatric
 - G) Sociological and socio-psychological
3.
 - I. Prevalence of crime
 - II. Study of crime and criminal justice
 - III. Identification of the causes of crime - Theories
 - IV. Approaches to crime problem
 - V. Focus on individual and environment

4. Role and Function of Police

- A) In action
- B) Police goals, objectives and functions
- C) National Police Commission (Recommendations)
- D) Appointment of Police Commissioner
- E) Judicial Powers (Executive)
- F) Organised crimes
- G) Rights of Victims
- H) Protection of the accused

5. A. Imprisonment – History of Prisons

- a) Aims and objectives, and conditions
- b) Types of prisons
- c) I. Success and failure of prisons
II. Discipline and control
- D) Open an instructions
- B. 1. Prison work
- 2. Education
- 3. Prison reform – schools and reformations
- 4. Rights of prisoners (Contribution of the Supreme Court)

6. Presentation of crime and definquency

- A) Punitive approach
- B) Defence approach
- C) Interventionist approach – Prevention policies, recidivism, intervention, mechanical approach, comical approach

7. White Collar Crime

- A) Nature and definition
- B) Types of white collar crime and development
- C) Some Legislation to meet white collar crimes
- D) Judicial trends

Recommended Books And Readings

- | | | |
|----|------------------|---|
| 1. | Siddique, Ahmed | Criminology |
| 2. | Sethna, M.J. | Society and Criminal |
| 3. | Sirohi, P.S. | Criminology and Criminal Administration |
| 4. | Paranjpe, N.V. | Criminology and Penology |
| 5. | Mehta, Rohinton | Crime and Criminology |
| 6. | Sutherland, E.H. | Principles of Criminology |
| 7. | Sutherland, E.H. | White collar crime |
| 8. | Reckless, W.C. | The crime problem |

9. Bhudhan, Vidya Prison System in India
10. Mulla Mulla Committee Report

Paper 4 – Optional Paper

(c) Woman and Law, and Law relating to the Child

Division of marks

- a. Woman and Law – 50 marks
- b. Law relating to the child – 50 marks

A. Woman and Law (50 marks)

- 1. Constitution of India (Provisions regarding women)
 - 1. Constitution of India – Articles 14, 15(1), 15(3), 16 (1), 23 and (2), 39 (d), 51
 - 2. Reservation of seats for women in local bodies – Article 243.

2. Violence against women

A) Domestic Violence

- i. Protection against cruelty
- ii. Harassment for dowry
- iii. Forced prostitution
- iv. State intervention

B) Relevant provisions of

- i. The Indian Penal Code 1890.
- ii. The Criminal Procedure Code 1973.
- iii. The Indian Evidence Act. 1872.
- iv. The Dowry Prohibition Act. 1961.
- v. The Immoral Traffic (Prevention) Act. 1956.

3. Women and Labour laws

Relevant provisions of

- 1. The Equal Remuneration Act. 1976.
- 2. The Maternity Benefits Act. 1961.
- 3. The Factories Act. 1948.
- 4. The Mines Act. 1952.
- 5. The Employee's State Insurance Act. 1948.

4. Other protective legislations

- 1. The National Commission for Women Act. 1990.
- 2. The Indecent Representation of Women (Prohibition) Act.
- 3. The Commission of Sati (Prevention) Act. 1987
- 4. The Medical Termination of Pregnancy Act. 1971.
- 5. The Pre-natal Diagnostics Techniques (Regulation and Prevention of Misuse) Act. 1994.
- 5. Need for gender justice, Uniform Civil Code.

Recommended books and readings

1. Diwan Paras and Divan Peeyushi, Women and Legal Protection (Deep and Deep Publications, New Delhi)
2. Shanmsi Shamsuddin, Women, Law and Social Change (Ashish Publishing House, New Delhi)
3. "Towards Equality", Report on the Commission on Status of Women Empowerment in India, Chapters IV and Sec. IV.
4. The Hindu Widow's Re-marriage (Repeal) Act. 1983.
5. Gangrade K.D. Social Legislation in India. Vols. II and I.
6. Bhattacharjee A.M. Matrimonial Laws and the Constitution.
7. Kant Anjani, Women and Law.
8. Dewan- Offences against Women.
9. Mishra O.P., Law relating to Women and Child.
10. Reddy G. B. Women and the Law.
11. Betra Manjula, Women.
12. The Pre-natal Diagnostics Techniques (Regulation and Prevention of Misuse) Act. 1994.
13. The Medical Termination of Pregnancy Act. 1971.
14. The Muslim Women's (Protection of Rights on Divorce) Act.

B. Law relating to the child (50 marks)

1. Social and legal status of child.
2. Constitutional protection to children under Articles 15 (3), 24, 39(c) and (f), 45 of the Constitution of India.
3. The National Commission for Child.
4. Legal control of employment of child labor under the following enactments.
 - a. The Factories Act. 1948.
 - b. The Apprentices Act. 1961.
 - c. The Bombay Shops and Establishments Act. 1948.
 - d. The Child Labour (Prohibition and Regulation) Act. 1986.
5. Protective legislations for the child.
6. Child under litigation with reference to Civil Procedure Code 1908.

Suggested reading

1. The National Commission for Child.
2. Indian Law Institute, Child and the Law.
3. Upendra Baxi, Law and Poverty.
4. National Law School Seminar Report on the Rights of the Child (1991).

Paper 4 – Optional Paper (d) International Economic Law

1. Nature, development, scope and sources of International Economic

Law.

- a. International Law – is it true law?
 - b. Theories of international law, private international law and public international law.
2. International institutions, their functions and role in International Economic law.
- a. New International Economic Order (NIEO), Charter on Economic Rights and Duties of States (ERDS).
 - b. United Nations Conference on Trade and Development (UNCTAD).
 - c. United Nations Conference on International Trade Law (UNCITRAL).
 - d. World Intellectual Property Organization (WIPRO).
 - e. Paris Convention, Berne Convention.
 - f. International Bank for Reconstruction and Development (BRD).
 - g. International Finance Corporation (IFC).
 - h. International Development Association (IDA).
 - i. United Nations Development Programme (UNDP).
 - j. World Trade Organization (WTO).
 - k. Organization for Economic Co-operation and Development (OECD).
3. Foreign Investment
- a. Types and role of foreign investment.
 - b. Measures to regulate and control foreign investment.
 - c. World Bank guideline.
 - d. Introduction to International Finance.
4. International Trade.
-) Unification of the law of International Sale of Goods.
 -) Uniform Customs and Practice for Documentary Credits and the International Chamber of Commerce.
 -) Conventions for Enforcement of Arbitration Awards. Geneva Protocol and Convention. New York Convention 1958. UNCITRAL model law on International Commercial Arbitration.
 -) International Convention governing Bill of Lading. Brussels Convention
 -) The Hague Draft Convention on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters Recognition and enforcement
5. A. General Agreement on Tariffs and Trade.
-) The legal and institutional aspects of GATT.
 -) Historical evolution of the GATT.

- J Objectives and main principles of GATT.
 - J Procedure of negotiation.
 - J Negotiation Rounds.
 - J The GATT 1994, salient features of the GATT 1994 (Final Act of Uruguay Round).
 - J World Trade Organization (WTO).
- B. Basic principles and core concepts of the GATT/WTO, Most Favoured Nation (MFN) Treatment, National Treatment, Tariffs and Quotas.
- a. GATT 1994 – Articles I-V, VII, XIII, XVII-XXI, XVII (Also GATT 1994 – Articles XXII, XXIII).
 - b. Relevant Cases.
 - c. Dumping and subsidies.
 - d. GATT 1994 Articles VI, XVI.
 - e. WTO agreement Annexure IA.
 - f. WTO agreement Annexure IA.
- C. Exceptions to the GATT/WTO
GATT 1994 Articles XX, XXI, XII, IX, XXIII, XXIV, XXIV, XXXV, XIX
WTO Agreement on Safeguards of GATT 1994.
- D. Agreement of GATT 1994.
Controversial Agreement of GATT 1994
Less controversial agreements of GATT 1994
- E. Implications and Opportunities of GATT 1994 for India with particular reference to Agreement on Agriculture, Agreement on TRIPS, Agreement on Textiles and Clothing GATs, TRIMs.
- F. Trade and Environment
GATT and the Environment with relevant cases
6. Settlement of Disputes in International Economic Law
- a. WTO/GATT System
Article XXIII of GATT, Dispute Settlement.
 - b. International Court of Justice (ICJ)
Constitution, Procedure, Jurisdiction Relevant Cases (as enclosed)
 - c. World bank Inspection Panel
Function, Procedure.
 - d. International Court for settlement of investment Disputes (ICSID), US-Iran Claims Tribunal Function, Procedure.

CASES PANEL REPORTS

- 1.Topic: Basic Principles and Core Concepts of GAAT/WTO: MEN,

National Treatment, Tariffs and Quotas.

- a. Belgium – I Unity Allowances: G/32 adopted on 7 November 1952, IS/39.
 - b. Spain-Tariff Treatment of Unfrosted Coffee from Brazil, L/5:35, adopted on 11 June 1981 288/02.
 - c. United States – Denial of Most Favored Nation Treatment as to Non-rubber Footwear from Brazil, DS/18/R adopted on 19 June 1992, 39S/I28.
 - d. Japan-Tariff on Import of Spruce-Pine-Fir (“Dimension Lumber”) adopted 19 July 1989, 36S/167.
 - e. Thailand-Restrictions on Importation of and Internal Taxes on Cigarettes, BISD 37s/200.
 - f. US-Section 337 of the Tariff Act of 1930, BISD 36s/345.
 - g. Japan-Taxes on Alcoholic Beverages, WT/DSS/AB/R,WTO Panel report issued 11 July 1996, appeal filed by Japan, 8 August 1996.
 - h. Japan- Taxes on Alcoholic Beverage, WT/DS8/R, WTO Appellate Body report circulated 4 October 1996.
 - i. United States- taxes on Petroleum and Certain Imported Substances, BISD 34s/136:27 ILM (1988, pp. 1596-1616) Trade and Environment.
 - j. United States- Prohibition of Import of Tuna and Tuna Products from Canada, Report of the Panel adopted on 22 February 1982, BISD/29s/91.
 - k. United States- Taxes on Petroleum and Certain Imported Substances, Report of the Panel adopted on 17 June 1987, BISD/34S/160.
 - l. Canada- Measures affecting Exports of Unprocessed Herring and Salmon, Report of the Panel adopted on 22 March 1988, BISD/35/98.
 - m. United States- Section 337 of the Tariff Act of 1930. Report of the Panel adopted on 7 November 1989, BISD/36S/345.
 - n. EEC-Regulation on Imports of Parts and Components (Screwdriver Case), Report of the Panel adopted on 16 May 1990, BISD/37S/132.
 - o. Thailand-Restrictions on Importation of and Internal Taxes on Cigarettes, Report of the Panel adopted on 7 November 1990, BISD/37S/200.
 - p. United States-Restrictions on Imports of Tuna from Mexico, Report of the Panel. GATT DOCUMENT ds21/R, 3 September 1991, 30 ILM 91991 1594.
 - q. United States- Standards for Reformulated and Conventional Gasoline. WT/DS2/AB/R, AB-1996-1, 29 April 1996.
2. Topic: ICJ
- a. Anglo-Iranian Oil Co Case, ICJ Reports 1952, P.93: 19ILR 507.
 - b. Monetary Gold Case (Preliminary Question), ICJ Reports, 1954 p.29: 20 IL 441.
 - c. Norwegian Loans Case, ICJ Reports 1957, p.9: 24 ILR 782.
 - d. Barcelona Traction Case, (New Application).

- Preliminary Objection, ICJ Reports 1964, p.4: 46ILR 18
Secondary phase, ICJ Reports 1970, p.3:46 ILR 178.
- e. Electronic Sicula SPA (ELSI) Case, ICJ Reports 1989: 89 ILR 311.
 - f. Certain Phosphates (Nauru v. Australia), ICJ Reports 1982, n 240: 97 ILR 111.

Recommended books and readings.

1. Dr. Rao Myneni Srinivasa "International Economic Law, Pioneer Books, Delhi.
2. Jackson, Davey, Sykes, " Legal Problems of International Economic Relations". West Publishing Co. Minn. United States of America.
3. Trebilcock, Howse, " The Regulation of International Trade" Routledge, London.
4. Jonh Jackson," The World Trading System" The Mit Press, Cambridge.
5. Tondon. " Public International Law" Allahabad Law Agency, Allahabad.
6. P. Narayan. " Intellectual Property Law". Eastern Law House, Delhi.
7. Primary texts and general reference texts for the Trade Section of the Course.
8. The Result of the Uruguay Round of Multilateral Trade Negotiations: The legal texts. GATT Secretariat (1994). WTO Home Page [http:// www.wto.org/Welcom.html](http://www.wto.org/Welcom.html)
9. For Panel Reports – Handbook of GATT Dispute Settlement (loose-leaf), P. Scatore, Davey and Lowented, Kuwer, 1991, Regularly updated loose-leaf reference of GATT and WTO Panel Reports.

Paper 5 – Law of Contract I (*General Principles of Contract and Specific Relief Act*)

(With latest Amendments and Case-Law)

Division of Marks

| | |
|--------------------------------|----------|
| General Principles of Contract | 80 marks |
| Specific Relief Act | 20 Marks |

I. General Principles of Contract

1. Nature of Contract : Meaning, definition and elements, kinds of agreements and contract

2. Offer & Acceptance: Definition, modes, legal rules as to offer, offer distinguished from invitation to offer, lapse of offer, standard form contracts.
Acceptance : Definition, modes, legal rules as to acceptance, effect of silence on acceptance.
3. Communication of offer, acceptance and revocation – rules regarding communication, contracts through post, contracts by telephone and telex.
4. Intention to create legal relation – Intention, types, social / domestic agreements, commercial / business agreements; when no contract
5. Capacity of Parties – Minor, law relating to minor's agreement, persons of unsound mind, persons disqualified by law.
6. Free Consent – Definition, Ingredients of Free Consent – a) Coercion; b) Undue Influence; c) Fraud; d) Misrepresentation; e) Mistake
7. Consideration – Meaning, Definition, legal rules as to Consideration; " No Consideration : No Contracts " and exceptions : Difference between Indian and English Law
8. Doctrine of Privity, and exceptions
9. Legality of Object and Consideration – Consideration / Object not lawful; Unlawful agreements, Agreements against public policy; Consequences of illegality
10. Other Legal Formalities – Contracts required to be in writing; Contracts required to be registered.
11. Void Agreements - Nature
Agreements declared to be void.
 - a. Agreement in restraint of marriage
 - b. Agreement in restraint of trade
 - c. Agreement in restraint of legal proceedings
 - d. Uncertain agreement
 - e. Wagering agreement
 - f. Agreement to do impossible acts
 - g. Object of Consideration Unlawful in part.
12. Contingent or conditional contracts – definition, essential characteristics of a contingent contract. Rules regarding the contingent contract.
13. Performance of contract – Offer to performance – tender, By whom contracts must be performed, Reciprocal promises. Time and Place of performance; Assignment of rights and liabilities.
14. Discharge of Contracts – Meaning
Modes of Discharge
 1. Discharge by performance
 2. Discharge by mutual consent

3. Discharge by subsequent impossibility – doctrine of frustration
4. Discharge by operation of law
5. Discharge by breach of contract – anticipatory breach of contract
6. Material alteration
15. Remedies for Breach of contract – Consequences of Breach
Different Reliefs:
 - 1) Rescission;
 - 2) Damages – liquidated damages and penalty;
 - 3) Quantum meruit;
 - 4) Specific performance;
 - 5) Injunction;
 - 6) Rectification
 - 7) Cancellation
16. Quasi Contracts – What are – English and Indian law – certain resembling those created by contracts –

II. Specific Relief Act

Specific performance sections 9,10,14-16,19,20,21-24

Rectification – section 26

Rescission – section 27

Cancellation – section 31

Injunctions – section 36 to 42

Principles involved in the grant of above reliefs.

Recommended Books And Readings

- | | |
|--------------------|---|
| 1. Singh, Avtar | Indian Contract Act |
| 2. Mulla | Indian Contract Act |
| 3. Anson | Principles of Contract |
| 4. Desai, P.R. | The Indian Contract Act, 1872 |
| 5. Pollock & Mulla | Indian Contract & Specific Relief Acts |
| 6. Subbarao, G.V. | Law of Contract I & II |
| 7. Anand & Iyer | Specific Relief |
| 8. Kapoor, S.K. | Contract along with Specific Relief Act |

Paper 6 – Family Laws – II

Law relating to succession and property to Hindus, Muslims, Christians and Parsis (including State laws)

A. Hindu Law

1. Hindu Joint Family System
2. Mitakshara Joint Family.
3. Dayabhaga Joint Family
4. Son's pious obligation

5. Partition
 6. Stridhan
 7. The Hindu Succession Act, 1956.
- B. Law relating to Muslims, Christians and Parsis
1. Mohammedan law of succession – principles of inheritance
 2. Wakf
 3. Gift
 4. Pre-emption
 5. Wills
- C. The Indian Succession Act 1925 (Sections 1 to 191)

Recommended books and reading

1. Diwan Paras, Family Law.
2. Mulla, Principles of Mohammedan Law.
3. Mulla, Principles of Hindu Law.
4. Tahir Mahmood, Hindu Law.
5. Mayne, Hindu Law and Usage.
6. Derrett J.D. M., Introduction to Modern Hindu Law
7. Paruck, The Indian Succession Act (latest edition)
8. Tahir Mahmood, Mohammedan Law.
9. Subba Rao G.C.V., Family Law.

Paper 7- Constitutional Law

Note: All inter-related Articles have to be so mentioned the taught accordingly.

To be studied with latest amendments, and up-to-date case-law

- A. Constitution of India- Features, Preamble, Territory, Citizenship, Fundamental Rights and Directive Principles, Legislature, Executive and Judiciary.
1. The nature of the Constitution
 2. Salient features of the Constitution
 3. The Preamble of the Constitution
 4. The Union and its Territory (Articles 1-4)
 5. Citizenship (Articles 5- 11)
 6. Fundamental Rights (also with reference to Emergency Articles 352-360 and Amendment provisions Art 368)

- a. General – Article 12, Definition of State – Article 13
 - b. Right to Equality – Article 14-18.
 -) Equality before Law – Article 14
 -) Prohibition of Discrimination on Grounds of Religion, Race, Caste, Sex or Place of Birth – Article 15.
 -) Equality of Opportunity in matters of Public Employment – Article 16
 -) Abolition of Untouchability – Article 17.
 -) Abolition of Titles – Article 18
 - c. Rights to Freedom- Articles 19-22.
 - Protection of certain Rights regarding Freedom of Speech, etc.
–
Article 19.
 - Protection in respect of Conviction of Offences – Article 20.
 - Protection of Life and Personal Liberty – Article 21.
 - Protection against Arrest and Detection in certain Cases –
Article 22.
 - d. Rights against Exploitation - Article 23-24.
 - Prohibition of Traffic in Human Beings and Forced Labour –
Article 24.
 - Prohibition of Employment of Children in Factories etc. –
Article 24.
 - e. Right to Freedom of Religion – Articles 25-28
 - f. Cultural and Educational Rights – Articles 29-30.
 - g. Right to Constitutional Remedies- Articles 32-35
7. Directive Principles of State Policy – Articles 36-51
Relation between Directive Principles of State Policy and Fundamental Rights.
8. Fundamental Duties- Article 51-A

9. The Union Executive – The President, Vice President, Council of Ministers – Articles 52-78 & 129
10. The Parliament – Articles 79-122
11. The Union Judiciary – Articles 124-147
12. The Comptroller and Auditor General of India – Articles 148-151

B. Centre-State Relations

1. Introduction and Concept of Federalism, Developments of Federation
2. The State Executives – Articles 153-167, 213
3. The State Legislature – Articles 168-212
4. The State Judiciary – Articles 214-237
5. The Panchayats – Articles 243, The Municipalities – Articles 243 P-243 ZG
6. Relations between the Union and States Articles 245-293
 - a. Legislative Relations
 - b. Administrative Relations
 - c. Financial Relations
7. The State Liability Articles 299-300
8. Right to Property – Articles 300 A
9. Freedom of Trade, Commerce and Intercourse – Article 301-307
10. Services under the Union and States – Article 308-323
11. Tribunals – Articles 323A-323B
12. Elections and Emergency (all articles), Amendment and related Articles-Articles 324-329

Recommended books and readings

1. Basu Durga Das, Introduction to the Constitution of India.
2. Basu Durga Das, Shorter Constitution of India.
3. Dr. Pandey J. N. Constitutional Law of India.
4. Jain M.P. Indian Constitutional Law.
5. Seervai H. M. Constitutional of India.
6. Dr. Shukla V. N., The Constitutional of India.
7. Tope T.K., Constitutional Law of India.

Paper 8- Law of Torts and Consumer Protection Act

Division of marks

Law of Torts – 80 marks

Consumer Protection Act 1986 – 20 marks

A. Law of Tort (80 marks)

1. Nature of Tort

History, Definition of tort, Distinction between tort, crime and contract.

2. General Principles

Constituents of tort, *damnum sine injuria*, *sine damno*, *ubi jus ibi remedium*, General elements in tort, act and omission, voluntary act, malice, motive, intention, negligence and recklessness, fault, general principle of liability.

3. Personal Capacity

Convict, Alien enemy, Husband and Wife, Corporation, Trade unions, Insolvent, State and its subordinates, Minor, Lunatic, Foreign sovereign.

4. General Defenses

Act of State, act of God, judicial acts, executive act, Leave and license (consent), necessity, Private Defence, inevitable accident, statutory authority, parental and quasi-parental authority, plaintiff a wrongdoer, acts causing slight harm.

5. Discharge of Torts

Waiver, accord and satisfaction, release, acquiescence, judgment recovered, statutes of limitation.

6. Vicarious Liability – Liability by Relation

- a. Master and servant – principle of liability, vicarious liability of State
- b. Principle and agent
- c. Guardian and ward
- d. Company and director
- e. Employer and independent contractor

7. Remedies

Damages, injunctions, specific restitution of property, extra-judicial remedies

8. Trespass to Person

Assault and battery, false imprisonment, damages, justification.

9. Defamation

Libel and slander essentials of defamation, innuende, defenses, remedies.

10. Trespass to Property

- a. Trespass to immovable property

- Trespass to land trespass by animal, Defence to trespass ab initio
- b. Trespass to movable property
Trespass to goods, by conversion, by detention.
- 11. Negligence
Meaning, essentials, burden of proof, res ipsa loquitur, contributory negligence, strict and absolute liability.
- 12. Nuisance
Kinds of nuisance, public nuisance and private nuisance, essentials, Defence, remedies.
- 13. Malicious Proceedings
Malicious prosecution, malicious civil proceedings.
- 14. Liability for misstatements.
Deceit or fraud, negligent misstatements, innocent misrepresentations
- 15. Death in relation to tort- English law and Indian law

B. Consumer Protection Act 1986 (20 marks)

1. Object, definitions, Consumer Protection Councils, Consumer Dispute Redressal Agencies composition and jurisdiction.
2. Procedure for filing complaint, appeals, enforcement of orders, penalties.

Recommended books and readings

1. Ratanlal and Dhirajlal, The Law of Torts.
2. Winfield on Tort, The Law of Torts.
3. Ramaswamy Iyer, The Law of Torts.
4. Pandey J. N. Law of Torts with Consumer Protection
5. Bangia R. K. Law of Torts
6. Shukla S. N. Law of Torts
7. Tiwari O.P. The Consumer Protection Act
8. Gurjeet Singh, Law of Consumer Protection in India (Deep & Deep Publication, New Delhi).
9. Gurbax Singh, Law of Consumer Protection (Bharat Law Publication, Jaipur)
10. Avtar Singh, Introduction to Law of Torts.

Paper 9- Professional Ethics Accountancy for Lawyers and Bar-Bench Relations Theory paper

- A. 1. Development of legal Profession in India.
2. Concept, need and importance of Professional Ethics.
3. Bar Council of India Rules on standards of professional Conduct And Etiquette.
4. Duties and Obligations of Advocate. (Norms of Prof. Ethics)

- Section I - Duty to the Court
- Section II - Duty to Client
- Section III - Duty to Opponent
- Section IV - Duty to Colleagues
- Duty to Profession
- Duty to Render Legal Aid.
- Restrictions on other employments
- Senior Advocates and Restrictions on Senior Advocates
- Form of Dresses or Robes to be Worn by Advocate
- Vakalatnama

B. Advocate Act, 1961

Chapter I (Sections 1 &2)

Definitions – Advocate, Legal Practitioner, Law Graduate.

Chapter II (Sections 3 to 15) – Bar Councils Functions

Chapter III (Sections 16 to 28) – Admission and Enrolment of Advocates for misconduct.

Chapter IV (Sections 29 to 34) – Right to Practice.

Chapter V (Sections 35 to 44) – Conduct of Advocates.

– Punishment of Advocates for Misconduct.

Chapter V (Sections 45 onwards) – Miscellaneous.

C. Bar- Bench Relations and Contempt of Court.

1. Concept and Role of Bar- Bench Relation with reference to Administrations of Justice.

2. The Contempt of Courts Act, 1971 Sections 1 to 24

D. Accountancy for Lawyers

1. Definition, Object, Importance and Utility of Book Keeping.

2. Principles of Book keeping and Accountancy, Accounting concepts and Accounting conventions.

3. Meaning and Advantages of Double Entry Book Keeping.

4. Classification of Accounts and Rules for debiting and crediting the accounts. Journal entries, Ledger Posting, Subsidiary Books.

5. Types of Cash Book.

I. Simple Cash Book.

II. Cash Book with Cash and Discount columns.

III. Cash Book with Cash, Bank and Discount columns.

6. Bank Reconciliation Statement.

7. Rectification of Errors.

8. Preparation of Trail Balance.

9. Preparation of Trading, Profit and Loss Account and Balance Sheet.
10. Preparation of Income and Expenditure account.
11. Assessment of income and expenditure and payment of taxes by Advocates.

E. Cases Prescribed for Study.

- 1) P.D. Khandekar Vs Bar Council of Maharashtra (1984) 2, S.C.C., 556.
- 2) M. Veerabhadra Rao Vs Tek Chand (1984) Supplement S.C.C., 571.
- 3) Prahlad Saran Gupta Vs Bar Council of India (1997) 3, S.C.C., 585.
- 4) V.P. Kumaravelu Vs Bar Council of India (1997) 4, S.C.C., 266.
- 5) Brajendra Nath Bhargava Vs Ramchandra Kaslival (1998) 9, S.C.C., 169.
- 6) Ramon Services Pvt. Ltd. Vs Subash Kapoor (2001) 2, S.C.C., 365
- 7) Shambhu Ram Yadav Vs Hanumandas Khatry AIR 2002 S.C. 548
- 8) D.P. Chadha Vs P.N. Mishra AIR 2001 S.C. 457
- 9) Harish chandra Tiwari Vs Baiju AIR 2002 S.C. 548
- 10) Prem Surana Vs Additional Munsif and Judicial Magistrate AIR 2002 S.C. 2956
- 11) Bhupinder Kumar Sharma Vs Bar Association Pathankot (2002) 1, S.C.C., 470
- 12) Rajendra V Pai Vs Alex Fernades and others (2002) 4, SCC., 212
- 13) Vikas Deshpande Vs Bar Council of India (2003) 1, S.C.C., 384.
- 14) Bar Council of Andhra Pradesh Vs Kurapati Satyanarayanaa (2003) 1, S.C.C., 102
- 15) Bar Council of India Vs High Court of Kerala (2004) 6, SCC,311.
- 16) Suresh Chandra Poddar Vs Dhani Ram and others (2002) 1, S.C.C., 766.
- 17) Arundhati Roy in RE (Contemmer) (2002) 3, S.C.C., 343
- 18) Bijay Kumar Mahanty Vs Jadu Alisis Ram Chandra Sahoo (2003) 1, S.C.C., 644.
- 19) Ex. Capt Harish Uppal Vs Union of India (2003) 2, S.C.C., 45.
- 20) Radha Mohan Lal Vs Rajasthan High Court (2003) 3, SCC, 42.
- 21) Case Relating to V.C. Mishra Chairman, B.C.I.

Recommended books and readings

1. Sanjiva Row's Advocates Act, 1961.
2. Iyer's Law of Contempt of Courts.
3. Bar Council of India Trust Selected Judgments on Professional Ethics.
4. Bar Council of India Rules on Standards of professional conduct and Etiquette.
5. Dr. Kailash Rai – Legal Ethics, Accountancy for Lawyers and Bench – Bar Relations.
6. Dr. S.P. Gupta Professional Ethics, Accountancy for Lawyers and Bench – Bar Relations.

7. M.G. Patkar – Book Keeping and Accountancy.
8. Mrs. Jayshree Kotibhaskar – Book Keeping and Accountancy.
9. Krishnamurti Iyer Advocacy.
10. Shukla and Grewal – Advance Accountancy.
11. R.L. Gupta – Advanced Accountancy.
12. S.N. Maheshwari – Introduction to accountancy.
13. India Bar Review – Journal.
14. M.P. Jain – Outline Indian Legal History – Chapter Development of Legal Profession.
15. V.K.V. Krishna Swami Iyer – Professional Conduct and Advocacy and Chapters 10 to 17.
16. M.R. Mallick – Advocates Act 1961 with Professional Ethics Advocacy and Bar Bench Relationship.
17. P.L. Mehta , Sushma Gupta – Legal Education and Legal Profession in India.
18. Law Reporters – AIR , S.C.C. (Relevant cases).
19. J.P.S. Sirohi – Professional Ethics, Accountancy for Lawyers and Bench – Bar Relations.
20. Agarwal A.N. – Practical Aspects of Higher Accountancy.
21. Anand – Professional Ethics of Bar.
22. Jha Shriram Chandra – Selected Judgements on Prof. Ethics
23. Myneni S.R.- Professional Ethics, Accountancy for Lawyers and Bench – Bar Relations.
24. Reddy G.B. – Practical Advocacy for Lawyers.

Paper 10 – Law of Evidence

The Indian Evidence Act 1872 (with latest amendments and up-to-date case-law)

1. Preliminary (Sec. 1 to 4) (Objects, Application and Definitions)
2. Evidence of facts in issue and relevant facts only (Sec. 5)
3. What facts are relevant (Sec. 6 to 16)
4. Admissions (Sec. 17 to 31)
5. Statement by persons who cannot be called as witnesses (Sec. 32 & 33)
6. Statement made under special circumstances (Sec. 34 to 39)
7. Relevancy of Judgments (Sec. 40 to 44)
8. Relevancy of opinions of third persons (Sec.45 to 51)
9. Relevancy of Character (Sec. 52 to 55)
10. Facts which need not be proved (Sec. 56 to 58)
11. Oral Evidence (Sec. 59 to 60)
12. Documentary Evidence (Sec.61 to 73 A)
13. Public Documents (Sec.74 to 78)

14. Presumptions as to Documents (Sec. 79 to 90-A)
15. Exclusion of oral by documentary evidence (Sec. 91 to 100)
16. Burden of Proof (Sec.101 to 114-A)
17. Estoppels (Sec.115 to 117)
18. Competency of witnesses (Sec.118 to 134)
19. Examination of witnesses (Sec.135 to 166)
20. Improper admission and rejection of Evidence (Sec. 167)

Recommended books and readings

1. Ratanlal and Dhirajlal, The Law of Evidence.
2. Batuklal, The Law of Evidence
3. Avtar Singh, The Law of Evidence
4. Vepa Sarathy, The Law of Evidence
5. Dr. Satish Chandra, Indian Evidence Act.

Paper 11 – Environmental Law (Including laws for protection of wild life and other living creatures and animal welfare)

1. Introduction
 - I. Nature, scope, need and application of environment law
 - II. Environmental pollution – causes and effects
2. Constitutional provision
 - I. Right to life, right of wholesome environment, right to development Directive principle of State policy, Fundamental duties, Constitution and environmental legislations
 - II. Environment Protection and Public Interest Legations
3. International Environment Law and environment Protection
 - I. Sustainable development, Polluter-pays-principle, Precautionary principle
 - II. Salient features and critical study of Stockholm Conference on Human Environment, 1972
 - III. Nairobi Declarations, 1982
 - IV. Rio Conference on Environment and Development, 1992 (Earth Summit
 - Rio Declaration
 - Convention on Biological Diversity: The Indian Biological Diversity Act 2002
 - Convention on Climate Change 1992
4. Environment Pollution and Laws in India
 - I. Framework and analysis of anti-pollution Acts and Rules
 - II. Authorities under the Acts

- III. Penalties and Liabilities under the Acts
- IV. Rules:
 - i. Noise Pollution (Regulation and control) Rules 2000
 - ii. Hazardous Wastes (Management and Handling) Rules 1989
 - iii. Manufacture, Storage and Import of Hazardous Chemical Rules 1989
 - iv. Municipal Solid Wastes (Managements and Handling) Rules 2000
 - v. Coastal Regulation Zone (CRZ) Notification of 1991
- 5. Environment and Development
 - I. Important environmental issues involved in the development projects like big dams
 - Silent Valley Project
 - Tehri Dam Project
 - Narmada Valley Project
 - II. Environmental Clearance
 - Environment Impact Assessment
 - National Environment Appellate Authority Act
- 6. Environmental Policies in India
 - I. Pre-independence policy on environment
 - II. Post-independence policy on environment
- 7. Liability to pay compensation- no- fault liability
 - I. The Public Liability Insurance Act 1991
 - II. The National Environment Tribunal Act 1995
- 8. Protection of Wild Life and Forests
 - I. The Wild Life (Protection) Act 1972
 - II. The Indian Forest Act 1927
 - III. The Forest Conservation Act 1980
 - IV.

Recommended books and reading

- 1. Bell and Bell, Environmental Law
- 2. Resencraz and Dewan, Cases and Materials on Environmental Law and Policy in India
- 3. Baxi Upendra, The Bhopal Case
- 4. Aggarwal Anil, The State of India's Environment
- 5. Lal's Commentaries on Water and Air Pollution and Environment Protection Laws
- 6. Pal Chandra, Environmental Pollution and Development, 1999
- 7. Iyer VR Krishna, Environment Pollution and the Law
- 8. Malaviya, Environment Pollution and its Control under International Law

9. Leelakrishnan, Environmental Law, 1986
10. The Environment Protection Act 1986 and Rules 1987

Paper 12 – Human Rights and International Law

Division of marks:

1. Human Rights – 40 marks
 2. International Law- 60 marks
- A. Human Rights (40 marks)
1. Human Rights, nature, concept, origin and development, importance, classification.
 2. Civil and political rights, International instruments – UN Charter, UDHR International Covenant on Civil and Political Rights, Part III of the Constitution of India.
 3. Social and economic Rights, International instruments including International Covenant on Economic, Social and Cultural Rights, Part IV A of the Constitution of India.
 4. Human Rights and vulnerable groups, rights of women, children, disabled, tribals, aged and minorities, National and international legal developments, Part IV A of the Constitution of India (Fundamental duties)
 5. Enforcement of human rights, international regional and national mechanism (Legislative, executive and judicial) NHRC – Role of legal profession, NGOs and media
- B. International Law (60 marks)
1. Introductory-
 - a. History of International law
 - b. Theories of International Law as to its basis
 - c. Codification in international law
 - d. Nature, Scope and present day position of international law
 2. Sources of International Law
 - a. Treaties
 - b. Customs
 - c. General principles of international law
 - d. United Nation General Assembly resolutions as a source of international law.
 - e. Non-stature, other sources of international law.
 3. Relationship between international law and municipal law (internal law)
 - a. Theories
 - b. State practice, with special reference to Indian practice
 4. Subjects of International Law

- a. State including recognition of states and governments and State succession
 - b. Individuals
 - c. International Organizations and non-State entities
 - d. Multinational companies and other private entities
5. Jurisdiction of states
- a. Territorial Jurisdiction
 - b. Personal Jurisdiction
 - c. Protective Jurisdiction
 - d. Universal Jurisdiction (terrorism, hijacking, narcotics, war-crimes and crimes against peace)
 - e. Diplomatic immunities and privileges
 - f. State immunity
6. Law of State responsibility
- a. Responsibility arising out of
 - i. Acts of State (Direct responsibility)
 - ii. Acts of individuals (indirect responsibility)
 - iii. Act of corporations
 - iv. State responsibility for other of International law
 - b. Consequence of State responsibility
 - c. Calvo clause – exhaustion of local remedies
7. Settlement of International disputes
- a. Peaceful settlement of international disputes
 - b. Coercive settlement of International disputes (with reference to provisions of the UN Charter)
 - c. War and UN Charter
8. International Transaction- Treaties
- a. Significance of Vienna Convention on law of treaties
 - b. Creation of Treaty- Steps involved
 - c. Termination, suspension and invalidation of treaties
 - d. Interpretation of treaties
 - e. Retro-active effect of treaties
9. Individuals and International Law
- a. Extradition
 - b. Asylum
 - c. Nationality
10. International Institutions
- o Basic purposes, Principles and membership of United Nations
 - o Organs of United Nations- with special reference to General Assembly, Security Council and International Court of Justice
11. Legal Control of International Conflicts
- ❖ Prohibition of use of force
 - ❖ Weapons of mass destruction and International Law

❖ International Humanitarian Law

Recommended books and reading

1. Kapoor S K, Human Rights and International Law
2. Agarwal H O, Human Rights and International Law
3. Tandon M P, Human Rights and International Law
4. Gurdip Singh, International Law
5. Starke J G, Introduction to International Law
6. Shaw Malcolm N, International Law
7. Iyer V R Krishna, Human Rights
8. Chandra Upendra Human Rights
9. Diwan Paras, Human Rights and Law
10. Brownlie Ian, Principles of Public International Law
11. O'Connell, International Law
12. Oppenheim, International Law (Vols 1 & 2)
13. Harris, Cases and Materials on International Law
14. Green L C, Cases and Materials on International Law
15. Indian Journal of International Law

Paper 13 – Arbitration, Conciliation and alternative
Disputes Resolution systems

Division of marks:

1. Arbitration and Conciliation – 50 Marks
2. Alternative Dispute Resolution Systems – 50 Marks

A.SYLLABUS OF Arbitration and Conciliation act 1996.

| | |
|--------------|---|
| Preliminary | : Section 1 Short Title, Extent and Commencement |
| PART I | : ARBITRATION |
| Chapter I | : Sections 2 to 6 General Provisions |
| Chapter II | : Sections 7 and 8 Arbitration Agreements : Sections 9 Interim measures by Court |
| Chapter III | : Sections 10 to 15 Composition of Arbitral Tribunal |
| Chapter IV | : Sections 16 to 17 Jurisdiction of Arbitral Tribunals |
| Chapter V | : Sections 18 to 27 Conduct of Arbitral Tribunals |
| Chapter VI | : Sections 28 to 33 Making of Arbitral award and termination of proceedings. |
| Chapter VII | : Sections 34 Recourse Against Arbitral Award |
| Chapter VIII | : Sections 35 and 36 Finality Enforcement of Arbitral award |
| Chapter IX | : Sections 37 Appeals |

Chapter X : Sections 33 to 43 Miscellaneous

PART II: CONCILIATIONS: Sections 61 to 81.

B. ALTERNATIVE MODELS OF DISPUTE SETTLEMENT

1. Models of Dispute Settlement, Litigation versus Arbitration. Models of Alternative Dispute Resolutions. Negotiation, Conciliation, Mediation, Mini-trial, Fast tract Arbitration. Nature Scope, Limitations and necessity of alternative models of disputes resolution.
2. Administration tribunals- Article 323 A and B
3. Family Court under the Family Court Act, 1984.
4. Consumer Council and forums under the Consumer Protection Act, 1986.
5. Settlement of Disputes through Lok Adalat and Lok Nyaylays. Grassroots Justice and Panchayat System for Resolution of dispute.

LIST OF BOOKS IN ARBITRATION AND CONCILIATION ACT

1. Avtar Singh : Law of Arbitration and Conciliation (E.B.C. Lucknow)
2. Basu N.D. : Arbitration and Conciliation Act (UBT)
3. Johari : Commentary on Arbitration and Conciliation Act (UBT)
4. Krishnamurthys : Law of Arbitration and Conciliation (E.B.C. Lucknow)
5. Kwatra G.K. : New Arbitration and Conciliation Law of India Comparative Study of old and new. (Indian Council of Arbitration, Federation House, Tansen Marg, New Delhi)
6. Mathur G.C. : Arbitration and Conciliation Act, 1996
7. Roy P.C. : Arbitration and Conciliation Act, (UBT)
8. Roy Chaudhari : Arbitration and Conciliation Act
9. Naraya P.S. : Arbitration and Conciliation Act
10. Twari O.P. : Arbitration and Conciliation Act (ALA Allahabad)
11. Rao P.C. : Alternative dispute Resolution What it is and How it is. (UBT)
12. Upendra Baxi : Crisis of the Indian Legal System, (1982)
13. B.S. Patil : The Law of Arbitration and Conciliation
14. S.D. Singh : The Law Arbitration (EBC)

Paper 14 – Jurisprudence

A. Jurisprudence and Legal Theory

1. Nature, scope and utility of jurisprudence.
2. Nature of law-general.
3. Administration of justice, necessity, criminal justice and its

purpose, civil justice and its purpose, primary and sanctioning rights.

4. Sources of law-General.
 - a) Legislation – a source of law, nature, supreme legislation, subordinate legislation, its relation with other sources.
 - b) Precedent – a source of law, meaning, theories, doctrine of stare decisis in India, Power of the Supreme Court under Art 141 of the Constitution, Circumstances destroying or weakening the binding force of precedent, ratio decidendi and obiter dicta, with relevant Indian case-law.
 - c) Custom – a source of law, definition, characteristics of customs.
5. Natural law theory
6. Positive theory of law
 - a. Analytical school and imperative theory
 - b. Pure theory of law
 - c. Law as set of rules – H. L.A Hart
7. Legal realism-
 - a. American
 - b. Scandinavian
8. Historical school of law
9. Sociological school of law

B. Concepts

1. Persons, the concept of legal personality, legal status of lower animals, dead men, unborn persons, corporations and the State
2. Legal definition – wrongs, duties rights, characteristics of legal rights, legal rights in wider sense (Hohfeldian analysis of legal rights). Kinds of legal rights.
3. Ownership, definition, characteristics of ownership, subject-matter, kinds of ownership
4. Possession, idea, kinds, modes of acquiring possession, possession and ownership, possessory remedies.
5. Property, meaning, kinds, theories modes of acquiring property.
6. Liability, nature and kinds, theory of remedial liability, measures of civil and criminal liability.

Recommended books and reading

1. Fitzgerald , P J, Jurisprudence
2. Dias, Jurisprudence
3. Sethna , M J. Jurisprudence

- | | |
|-------------------|---------------|
| 4. Mahajan , V D. | Jurisprudence |
| 5. Tandon , M P. | Jurisprudence |
| 6. Dhyni , S N. | Jurisprudence |
| 7. Paranjpe, | Jurisprudence |

Paper 15 – Property Law including Transfer of Property Act

Division of marks:

1. The Transfer of Property Act 1882 – 80 marks
2. The Indian Easements Act 1882 – 20 marks

A. The Transfer of Property Act 1882

1. Preliminary- object, application, definitions and doctrine of notice (Ss1-4, 102-104)
2. Transfer of property by act of parties (Ss5-53A)
3. Sale of immovable property (Ss 54-57)
4. Mortgages of immovable property (Ss 58-98)
5. Charges (Ss100-101)
6. Leases of immovable property (Ss 105-107)
7. Exchanges (Ss 118-121)
8. Gifts (Ss 122-129)
9. Transfer of actionable claims (Ss 130- 137)

B. The Indian Easements Act 1882

1. Easements (Ss 1-51)
2. Licenses (Ss 52-64)

Recommended books and reading

1. Sarathi, V.P. Law of Transfer of Property
2. Shah, S.M. Transfer of Property Act 1882
3. Mulla on Transfer of Property Act
4. Lahiri, S.M. Transfer of Property Act
5. Mitra, B.B. Transfer of Property Act
6. Shukla, S.N. Transfer of Property Act

Paper 16 – Public Interest Lawyering, Legal Aid and Para-Legal Services

- A. Meaning and Concept of Public Interest Litigation, Development through decided Cases and Limitation, Public Interest Litigation and writs under Article 226 and 32 of the Constitution, with special reference to Environmental Protection, Labour, Under Trial Prisoners, Human Rights, Protection of women, etc.
- B. 1) Concept and Role of Lok - Nyalaya (Lok Adalats) in India for

the Settlement of Disputes.

2) Constitution, Composition and Jurisdiction of Lok Adalat and Appeal.

C. Legal Aid :-

- i. Statutory Provisions relating to Legal Aid :- Article 39 A of the Constitution of India.
- ii. Sec 304 Of the Code of Criminal Procedure, 1973
- iii. Advocates duty to render Legal Aid.
- iv. The legal services Authorities act, 1987.
Chapter I : Preliminary (sections 1 & 2)
Chapter II : The National Legal Services Authority
(Sections 3 to 5)
Chapter III : State Legal Services Authority
(Sections 6 to 11 B)
Chapter IV : Entitlement of Legal Services
(Sections 12 to 13)
Chapter VI : Lok Adalats (Sections 19 to 22)
Chapter VI A : Pre Litigation Conciliation and Settlement
(Sections 22-A to 22-E)
- iv. A The maharashtra State Legal Services Authorities Rules, 1998. Role of the Legal Aid centers in Law Colleges and Law Department of the University in providing free Legal Aid and Advice.
- v. Rules relating to Legal Aid for defending accused.
- vi. Objects of Legal Literacy.

D. Amicus Curiae – Concept and Object.

E. Role of Non – Government Organisation (NGO) – Protection of Human Rights, Consumers Family matters, Negotiations and Counselling.

F. Use of computer in Legal Education.

G. Difference between PIL and representative suits and Public Interests Litigation and Private Interest Litigation

H. Legal Literacy – Awareness measures.

I. Development of Legal System from Panchayat Raj to Legal Aid by Courts.

J. Speedy Justice mechanism

- Rights of litigants
- Adhoc courts
- Malimath Committee Report
- Article 21 of the India Constitution

Recommended books and reading

1. The Legal Services Authority Act, 1987.
2. The Maharashtra State Legal Services Authority Rules, 1998

3. Pande, J.N. – Constitutional Law of India
4. Code of Criminal Procedure 1973
5. Civil Manual
6. Criminal Manual
7. Narayana, P.S. – Public Interest Litigation
8. Rai, Kailash - Public Interest Lawyering, Legal Aid and Para-Legal Services
9. Mulla – The Indian Registration Act 1908
10. The Bar Council of India Rules on standard of Professional conduct and Etiquette.
11. Awasthi – Lok Adalat - Legal Services Authorities, 1987
12. Jain, Sampat - Public Interest Litigation
13. Rao, Manta - Public Interest Litigation, Legal and Lok Adalats
14. Narayan, P.S. – Law Relating to Lok Adalats
15. Sharma, S.S. – Legal Aid to poor
16. Bakshi, P.M. - Public Interest Litigation
17. Sarkar, S.K. - Public Interest Litigation

Paper 17 – Law of Contract –II

A. Indemnity and Guarantee -

Contract of indemnity, contract of guarantee, distinction between contracts of indemnity and guarantee, revocation of

guarantee.

B. Bailment and Pledge

1. Bailment- Definition, Kinds of bailment, distinction between bailment and license, bailment and sale, rights and duties of a bailee, rights and duties of a bailor, rights of a bailee against wrong doer, termination of bailment, finder of lost goods, rights of finder of goods.
2. Pledge – Definition, bailment and pledge, essentials of pledge, rights and duties of pawnor and Pawnee.

C. Agency

-) Appointment and authority of agent, sub-agents, kinds of agency, creation of agency, renunciation of agency and revocation of authority.
-) Duties of principal and agent towards each other, effect of agency on contracts with third persons.
-) Rights and duties of agent, rights and duties of principal, principal's liability for acts of the agent, liability of undisclosed

principal, liability of pretended agent, personal liability of agent to third part, termination of agency.

D. Partnership

- Nature of partnership – Definition firm, mode of determining existence of partnership, distinction between partnership and co-ownership, partnership and joint Hindu family business, partnership and company.
- Relation of partners to one another – Rights of partner, duties and liabilities of partner, property of firm and its application.
- Relation of partners to third parties – Authority of the partner, liability of firm for partner's acts, liability by holding- out, rights of a transferee of a partner's interest, law relating to minors admitted to the benefits of partnership.
- Incoming and outgoing partner – New partner, retirement of the partner, rights and liabilities of an outgoing partner, expulsion of a partner, deceased partner.
- Dissolution of a partnership firm – Mode of dissolution, grounds of dissolution, consequences of dissolution, rights and liabilities of partners after dissolution, rules of settlement of accounts after dissolution.
- Registration of a firm – General provisions of registration, effect of registration, effect of non-registration.

E. Sale of goods

- ❖ Contract of Sale of Goods – Essentials of contract of sale, distinction between sale and agreement to sell, formalities of the contract, contract of sale.
- ❖ Condition and Warranties – Definition of condition and warranty, express and implied condition and warranty, doctrine of Caveat emptor.
- ❖ Effect of Contract of sale – Transfer of property as between seller and buyer, transfer of title on sale.
- ❖ Performance of the contract of Sale – Duties of the seller and buyer, mode of delivery and rules as to delivery of goods.
- ❖ Rights of unpaid seller against the goods – Definition of unpaid seller, unpaid sellers lien, stoppage-in- transit, transfer by buyer and seller.
- ❖ Suits for breach of contract – Remedies for breach of contract repudiation of contract of sale.
- ❖ Sale by Auction

F. Hire- purchase agreement -

Hire-purchase agreement, concept, nature scope

Statutes

1. Indian Contract Act, 1872
2. Indian Partnership Act, 1932
3. The Sale of Goods Act, 1939

Recommended books and readings

1. Avtar Singh, Indian Contract Act.
2. Mulla, Indian Contract Act.
3. Mulla, Sale of Goods Act and Partnership Act
4. Bangia R K, Indian Contract Act
5. Desai P R, Indian Contract Act
6. Pollock and Mulla, Indian Contract Act and Specific Relief
7. Ansons, Law of Contract
8. Pollock and Mulla, Sale of Goods Act and Partnership Act
9. Agarwal, Sale of Goods Act, 1939 and Partnership Act 1932
10. Avtar Singh, Law of Partnership
11. Kapoor S K, Law of Contract

Paper 18- Optional Paper (a) Comparative Law

1. Comparative Law
 - i. Its character, definition found in its objects
 - ii. Different phases used to explain this method of study.
2. Origin and development of comparative law
3. Distinction between comparative law and
 - i. Private International Law
 - ii. Public International Law
 - iii. Legal History
 - iv. Sociology of Law
4. Functions, value and aim of comparative law
Law as a science cannot limit itself within Terri toned limits
(Natural and medical science are international and not remain domestic)

Practical benefits of comparative law

- i. As an aid to the legislator
- ii. as a tool of construction (interpretation of domestic law)

- iii. as a component of legal education by adopting it in curriculum in the universities
 - iv. as a tool for unification of law
5. Types of legal systems
- Different grouping by different jurists
- A.
 - i. Romanistic family
 - ii. Germanic family
 - iii. Nordic family
 - iv. Common law family
 - B.
 - 1) Civil Law system continental system
 - 2) Common law system
 - Factors decisive for classification
 - Historical development
 - Mode of legal thinking
 - Distinctive characters of legal institutions
 - Choice of sources of law
 - Ideology of each legal system
6. Method of studying comparative law
- Comparative law as it is practiced today (process of comparison)
 - Its functionality
 - Imagination and discipline
 - Comparativist must look outside the law
 - Choice of legal system for comparison (depends on the topic of research)
 - Build a system
 - Critical evaluation of what has been discovered
7. Reference of comparison between different legal systems
- Value of judicial decision in civil law system and common law system
 - Statute law and its importance under different legal systems
 - Legal system having mixed features
 - Difference in legal terminology in various legal systems
8. Comparative dimensions of
- i. Contracts – formation of contracts, offer and acceptance, formal requirements, illegality and immorality
 - ii. Torts, in general, vicarious liability, strict liability
 - iii. Invasions against right of personality
 - iv. Judges and courts, training and recruitment of judges
 - v. Method of deciding cases
 - vi. Manner of writing opinions and decisions, jury trial

Recommended books and reading

1. Zweigart and Kotz - Introduction to Comparative Law

2. Gutteridge - Comparative Law
3. Rene, David - Major Legal Systems in the World Today, an Introduction to the Comparative Study of Law
4. Baxi and Markensinis - Foreign Law and Comparative Methodology – A Subject and a Thesis

**Paper 18- Optional Paper
(b) Law of Insurance**

Division of marks:

1. General Principles of Insurance – (40 marks)
2. The Insurance Act 1938, Public Liability Insurance Act 1991, Personal Injuries (Compensation Insurance) Act 1963, Insurance regulatory and Development Authority Act 1999, Life Insurance Corporation Act 1956 and General Insurance Business (Nationalization) Act 1972 – (45marks)
3. Insurance under the Motor Vehicles Act 1988 – 15 (Marks)
(With latest amendments and up-to date case law)
1. General Principles of Insurance – (40 Marks)
 - A. Insurance: What is insurance: Functions and benefits of insurance: Double Insurance (See also s 34 of the Marine Insurance Act 1963): Reinsurance: Under-insurance: Classes of insurance-voluntary, commercial, compulsory, social
 - B. Risk: insurable and other risks: handling risks, spreading risks, mathematical value or risk: rating of risks: Extent of risk: loss caused by insured own act, commencement and duration of risk, termination of risk, period of risk and time of loss, peril and proximate cause.
 - C. Insurance Contracts:
 - i. What is a contract of insurance?
 - ii. Subject matter of insurance- physical object, chose-in-action, liability:
 - iii. Types – Life, property, marine, fidelity, employer’s liability, motor accident. Railway accident, miscellaneous
 - iv. Formation of an insurance contract: S 23 to 26 of the Marine Insurance Act 1963, s 64 VB of the Insurance Act.
 - v. Representation and warranties.
 - vi. Duty of disclosure, material facts, duty of insured and insurer, breach of duty, remedy Ss 19 to 22 of the Marine Insurance Act 1963, S 45 of Insurance Act 1938.
 - vii. Documents- proposal, policy, slip cover note, certificate of insurance]
 - viii. Conditions of policy- conditions implied in a contract of insurance, conditions precedent and subsequent to validity of

policy, condition precedent to liability of insurer, effect of breach, waiver of breach

- ix. Indemnity, extent
 - x. Assignment of policy and its effect, S38 of the Insurance Act 1938, s 52, 53 of the Marine Insurance Act 1963
 - xi. Premium, calculation, return: s 33, 54 of the Marine Insurance Act 1963
 - xii. Insurable interest, contractual and statutory, time when it must exist, insurance and wagering agreement: Ss6 to 9, 16, 17 of the Marine Insurance Act 1963
- D. Doctrine of subrogation, limits on the doctrine: rights and remedies of insured, exercise of the right, subrogation and abandonment
- E. Contribution, conditions for exercise of right, methods of contribution
2. The Insurance Act 1938, The Public Liability Insurance Act 1991, The Personal Injuries (Compensation Insurance Act 1963, The Insurance Regulatory and development Authority Act 1999, The Life Insurance Corporation Act 1956 and The General Insurance Business (Nationalization) Act 1972- (45 marks)

1. Insurance Act 1938

- I. Terms and definitions-
 - i. Policy-holder, insurer, Authority
 - ii. Chief agent, insurance agent, principal agent, special agent
 - iii. Insurance company, Indian insurance company, insurance co-operative society.
 - iv. Life insurance business, fire insurance business, general insurance business, marine insurance business, miscellaneous insurance business
- II. Provisions applicable to insurers-Sections 2C, 3, 3B, 4, 5, 6, 6A, 6AA, 10, 29
- III. Assignment or transfer of policies, nominations-Sections 38-39
- IV. Licensing of agents, commission and rebates – Ss 40, 40A, 42, 42A, 42B, 42C, 43, 44.
- V. Special provisions- Ss 45, 46, 47, 4A
- VI. Tariff Advisory Committee and Control of Tariff Rates – Ss 64U, 64UA, 64UC, 64UE, 64UM
- VII. Provident Societies- Ss 65, 65A, 66, 67, 69

2. Public Liability Insurance Act 1991

- I. Objects and Reasons for the statute
- II. Sections 2-18, Schedule

3. Personal Injuries (Compensation Insurance) Act 1963

- I. Objects and Reasons for the statute

- II. Sections 2- employer, partial disablement, total disablement, wages, workman
- III. Compensation payable under the Act-Ss 3, 4, 7
- 4. Insurance Regulatory and Development Authority Act 1999
 - I. Composition of Authority- Ss 4,5,8,10
 - II. Duties, powers and functions of the Authority-S 14.
 - III. Powers of the Authority under the Insurance Act 1938
- 5. Life Insurance Corporation Act 1956
 - I. Functions of the Corporation – S 6
 - II. Exclusive privilege of life insurance business – Ss 30, 30A; opening of life insurance sector to private participants.
 - III. Application of Insurance Act – Section 43 (1)
- 6. General Insurance Business (Nationalization) Act 1972
 - I. Transfer of shares of Indian insurance companies- Section 4,
 - II. General Insurance Corporation of India- Section 9, 10, 10A,
 - III. Functions of the General Insurance Corporation – Section 18
 - IV. Exclusive privilege of carrying on general insurance business – Ss 24, 24 A: opening of insurance sector to private participants.
- 3. Insurance under the Motor Vehicles Act 1988 – (15 marks)
 - 1. Compulsory Insurance of Motor vehicles under the Motor Vehicles Act 1988 public place s 146.
 - 2. Requirement of policy and limits of liability- Section 147,
 - 3. Duty of insurer to satisfy judgment and settlement with insured – Section 149,152,155
 - 4. Information about insurance- Sections 151,158,159,160
 - 5. Certificate of insurance- Sections 156, 157.
 - 6. Liability of insurer in the case of no-fault liability, hit and run motor accidents and for payment of compensation on structured formula basis-Ss 140, 142, 161, 163, 163A.

Recommended books and readings

Srinivasan, M.N.- Principles of Insurance Law (7 th ed 2002, ed Avatar Singh)

Ivamy - General Principles of Insurance Law

Paper 18- Optional Paper (c) Conflict of Laws

a. General Details

1. Introductory Details-

- a. What is Pr. I. L.? Its function, bases
- b. Development and history

- c. Unification Efforts
- d. Modern Theories
- e. Stages in a 'Conflicts of Laws' Case
 - Choice of law
 - Choice of Jurisdiction
 - Recognition and Enforcement of Foreign Judgments/ Awards
- 2. Choice of Jurisdiction (First Stage)
 - A. Meaning, Bases of Jurisdiction, Limitations
 - B. Kinds of Jurisdiction
 - In personam
 - In rem
 - Admiralty Action
 - Stay of Proceedings / Actions
 - Assumed Jurisdictions
- 3. Classification / Characterization
 - a. Necessity for classifications
 - b. Various theories
 - c. Leading cases illustrative of theories
 - i. (Re Cohn, Apt V. Apt, Shehnaz V. Rizwan, Ogden V. Ogden De Nicols V. Curlier. Re Berehtold. Re Maldonade)
- 4. Choice of law- Lex Cases
(Two parts of this stage)
 - I. Connecting factor (First Part)
 - Why connecting factor
 - Selection of lex causes (applicable law)
 - II. Application of lex causes (Second Part)
 - Three meanings of I.C.
 - Renvoi - Partial
 - Renvoi – Total Foreign Court Theory
 - Critical Analysis of Renvoi
 - III. Leading Cases
 - Collier V. Rivaz. Re Duke of Wellington.
 - Bremer V. Freeman. Re. Askev Re Annesly
 - Re Ross. Forege's Case.
- 5. Limitations on application or exclusion of foreign law
- 6. Incidental Question and Time Factor
- 7. Concept of Domicile
 - General Principles
 - Elements of Domicile: Intention & Residence
 - Winavas V. Att. Gen. Ramay V. Liverpool
 - Royal Infirmary

- Kinds of Domicile
- Domicile of Origin
- Domicile of Choice
- Domicile of Dependence
- Domicile of Corporation

8. Status and Universality of Status

Part II – Family Law (Law of Persons)

a. Marriage

- i. Kinds – Monogamous – Hyde V. Hyde, Polygamous
- ii. Questions of formal and essential validity
- iii. All other relevant details – details regarding matrimonial jurisdiction in India and Marriage Laws

b. Matrimonial Causes

In England and in India

Divorce, Nullity, Judicial separation and restitution of conjugal rights. Choice of jurisdiction and choice of Law positions.

c. Legitimacy- Legitimation and adoption

Legitimacy what is legitimacy – Recognition of status of Legitimacy- what Law governs legitimacy – Legitimacy and succession.

d. Legitimation - How it is different from legitimacy, Recognition of this status – Different methods whereby Legitimation may take place – Legitimation and succession.

e. Adoption

Purpose of Adoption – Adoption at Common law and in Indian Law
Recognition of foreign Adoption
Adoption and succession

Part III Law of Property:-

1. Distinction between Movables and Immovable
 - Immovable – Let situs rule – Mocabiquo Rule – exceptions
 - The transfer of tangible movables – theories
 - Lex domicile, lex situs, lex actus, proper law
 - Lex situs prefer Cammell v. Bewell
2. Assignments of Intangible Movables
 -) Kinds of assignments
 -) Theories
 -) Lex domicile, lex situs, lex actus, proper law

) Normal and essential validity

3. Negotiable Instrument
 - 1) Negotiability
 - 2) What law governs
4. Succession
Testate and In testate
 - In testate succession- of movable
 - General Rule – lex domicile governs in exceptional circumstances lex situs
 - In testate succession to immovable – general rule lex situs governs
 - Testate succession – wills- capacity – lex domicile In case of succession to immovable by will, generally lex situs governs
5. Formal Validity
Lex domicile in case of movable and lex situs in case of immovable.
6. A) Essential Validity
B) Same as formal validity

Part IV- Law of Obligation

Contracts-

- ❖ Validity of Contracts
- ❖ Capacity to contract
- ❖ Formal Validity
- ❖ Essential Validity
- ❖ Proper Law of contract – Subjective and objective theories
- ❖ Torts
- ❖ Various theories
- ❖ Lex fori, lex loci, proper law etc.
- ❖ Philips v. Eyre, Boys v. Chaplin

Part V. – Recognition and Enforcement of foreign Judgments theories – **Limitation**

Book recommended this has been R.H. Graveson

Now following books may be prescribed-

- o Private International Law – R.H. Graveson
- o The Conflict of Law – J.H. C. Morris
- o Indian Private Int. Law – S.S. Chavan
- o Private International Law – Nath and Chesive
- o Paras Diwan- Indian Private International Law

Note: - The Syllabus should be taught with necessary reference to Indian Law and Judicial decisions.
Conflict of Laws within Indian Personal Laws with reference to
1. Marriage 2. Property.

Paper 18- Optional Paper (d) Intellectual Property Laws

Division of Marks

- I. The Patents Act 1970 (25 marks)
 - II. The Copyright Act 1957 (25 marks)
 - III. The Trade and Merchandise Marks Act 1958/ The Trade Marks Act 1999 (25 marks)
 - IV. The Designs Act 2000 (25 marks)
 - V. Other types of intellectual property (25 marks)
 - VI. Intellectual Property in general (25 marks)
- (All laws with latest amendments and up-to-date case law)

A. The Patents Act-1970.

- 1. Object of the statute, definitions, invention, patentable inventions, inventor and his rights.
- 2. Procedure for grant of patent from its application to the grant of patent, including who may apply for the patent, specification, opposition to grant of patent: Patent of addition: Product patent and process patent: Effect of grant of patent, Term of patent, Renewal of patent: Lapse of patent and its restoration
- 3. Patentee, his rights and obligations: Limitations on patentee's rights- government use: Compulsory licenses: Government use of Invention and its acquisition: Assignment and license of patent, and avoidance of restrictive conditions.
- 4. Revocation and Surrender of Patents
- 5. Infringement of Patents, and remedies: Threat of Infringement Proceedings
- 6. Exclusive Marketing Rights, Patent Agents: International Arrangements

B. The Copyright Act 1957.

- 1. Nature and purpose of copyright: Works in which copyright subsist: Author and First owner of copyright: Owner of copyright: Broadcast reproduction right and Performer's rights: Term of copyright: Registration of copyright and its effect.

2. Rights conferred by copyright, Broadcast reproduction right and Performer's right: Assignment, transmission and relinquishment of copyright: Licenses of copyright – voluntary and compulsory:
3. Infringement of copyright: Remedies for infringement: Offences and criminal proceedings: Acts not constituting infringement: Groundless threat of legal proceedings:
4. Copyright Societies: International copyright

C. The Trade and Merchandise Marks Act 1958 / The Trade Marks Act 1999*

(* The Act of 1999 will be taught after it has come into force, but it shall not be part of an examination unless it is brought into force at least three months before the examination)

1. Object and purpose of the Act: Definitions: Mark: Trade Mark: Certification Mark: Associated Trade Marks: Collective Marks: Deceptive similarity: Well – known marks
2. Procedure and duration of registration, including classification of goods, refusal of registration, Limitations: which marks can be registered: Registration of trade marks, certification marks and associated marks, and its effect and advantages: Rights conferred by registration: Consequences of non-registration: Renewal, removal and restoration of registration: Effect of non-use:
3. Rights of a proprietor of a trade mark, Assignment and Transaction of various types of trade marks: Restrictions on assignment: Use of trade marks and Registered Users.
4. Rectification and correction of register:
5. Infringement and Passing off: jurisdiction of Courts: Groundless threat of legal proceedings: Remedies: Appellate Board, its jurisdiction and procedure (under the Act of 1999): Offences and penalties: Marking of goods

D. The Designs Act 2000

1. Object and Purpose of the Act : Definitions
2. Design: Registrable design
3. Procedure for registration of design: copyright in design : Term of a registered design: Making of goods and its effect.
4. Rights of a proprietor of a registered design: Assignment and transmission and avoidance of restrictive conditions
5. Piracy of registered design: remedies and procedure: groundless threat of legal proceedings:

E. Other types of intellectual property

(* These will be taught after the respective statutes concerning them have come into force, but these shall not be part of an examination unless the

relevant statute is brought into force at least three months before the examination)

Concept, definition, nature of these rights, including when these are Registrable, and when they cannot be registered, in respect of the following types of intellectual property

- a. Geographical indications
- b. Semi-conductor integrated Circuits Layout Design
- c. Plant varieties

F. Intellectual Property in general:

A special type of property, its nature and characteristics., Comparison of types of intellectual property. The object and purpose of protection of each of them: International nature of intellectual property.

Text Books:

1. Intellectual Property Law – P Narayanan
2. Patents, Trade Marks, Copyright, Designs and Geographical Indications – B L Wadhera
3. Management of Intellectual Property – Satyawrat Ponkshe.

Reference books :

1. Patent Law – P Narayanan
2. Copyright and Industrial Designs- P Narayanan
3. Trade Marks an Passing Off- P Narayanan
4. Iyengar’s Copyright Act – R G Chaturvedi
5. Intellectual Property – W R Cornish
6. Cases and Materials on Intellectual Property – W R Cornish
7. Intellectual Property Rights – Unleashing the Knowledge Economy – Prabuddha Ganguli.

Paper 19 – Code of Civil Procedure and Limitation Act

Division of Marks :

1. Code of Civil Procedure 1908/ (As amend mended up to date) (80 Marks)
2. The Limitation Act, 1963. (20 Marks)

Recommended books and readings

1. Mulla – The Code of Civil Procedure.
2. Takwani, C. K. – The Code of Civil Procedure.

3. Civil Manuat- Issued by the High Court Bombay.
4. Ganguly, A. C.- Civil Court Practice and Procedure.
5. Mitra, B. R. – Limitation Act.
6. Taxman's – The Code of Civil Procedure 1908.
7. Rao, Sanjiwa - Civil Procedure Code.
8. THakkar (Takwani), C. K.- Code of civil and procedure.
9. Nyneri, S. R.- Code of Civil and Procedure and Limitation.

Paper 20 –Land Laws including ceiling and other local laws

1. The Maharashtra Rent Control Act, 1999 (30 Marks)
2. The Maharashtra Land Revenue Code 1966 (30 Marks)
3. The Bombay Tenancy and Agricultural Lands Act 1948 (30 Marks)
4. The Maharashtra Agricultural Land on Holdings ceiling Act 1961 (10 Marks)

Recommended books and readings

- a. Barolekar, D. V. - The Bombay Tenancy and Agricultural Land Act, 1948.
- b. Choudhary, D. H. - The Maharashtra Land Revenue Code, 1966.
- c. Govt Publication- Agricultural Land Ceiling Act, 1961.
- d. Gupte, A. K. and Dighe, S. D. – Maharashtra Land Revenue Code, 1966.
- e. Gupte, K.S.- Bombay Tenancy and Agricultural Land Act, 1948.
- f. The Maharashtra Rent Control Act, 1999.

Paper 21 –Interpretation of Statutes

1. Introduction:
Meaning and objects of Interpretation, General Clauses Act.
2. General Principles of Interpretation
Literal Rule, Golden Rule, Mischief Rule, Statute must be read as a whole, Stature to be constructed to make it effective and workable, omissions not to be inferred. Every word in a statute to be given a meaning.
3. Internal Aid to Construction
Preamble, Definition, Sections, Heading, Marginal Notes, Punctuation, Illustrations, Provisions, Explanation and Schedule.
4. External Aid to Construction

Parliamentary History, Historical Facts and Surrounding circumstances, sociopolitical and economic developments, reference to other statutes, contemporaneous exposition and other external aids.

5. Subsidiary Rules

Same word same meaning, use of different words, Rule of Last Antecedent, Not Obstinate Clause, Legal Fiction, Mandatory and Directory Provisions, Conductive and Disjunctive words 'or/' 'and', construction of general words- Noscitur A Socis Rule of ejusdem generis, words of rank, Redendo Singula Singulis etc.

6. Interpretation of Statute affecting Jurisdiction of Courts-

General Principles, the extent of exclusion of Jurisdiction of superior Courts

7. Interpretation of Penal and Taxing Statutes

Rule of Strict Interpretation, General Principle, Limits of the Rule of Strict Construction, Mens Rea in statutory offences and Indian Penal code, Vicarious responsibility in statutory offences.

8. Interpretation of Remedial Statutes

Distinction between Remedial and Penal Statutes. Liberal construction of remedial statutes.

9. Commencement, Operation, Expiry and Repeal of Statutes

Commencement, Effect of Expiry of Temporary Statutes, Express or Implied Repeal, Consolidating and codifying Statutes.

10. Interpretation of constitutional Documents

Rules of Interpretation of constitutional documents as developed by the Courts of India.

Recommended books and readings

1. Rupert Cross: Statutory Interpretation (London Butterworths)
2. Singh, G.P.: Interpretation of Statute (Eastern Book Company)
3. Maxwell: Interpretation of statute (Sweet and Maxwell)
4. Sarathivepa, P: Interpretation of Statute
5. Bindra N. S.: Interpretation

Paper 22 Legal Writing

The object of the paper is to lay the foundation of legal language and legal drafting. The course intends to encourage the students to handle both Hindi/ Marathi and English with fluency, accuracy and precision. Moreover it is expected that it will help to develop argumentative skills (Legal reasoning) amongst the students. Exposure to specimens of legal writing and active practice in handling language are the desired effects.

1. Introduction to Legal writing

- a. Words, phrases and abbreviations in common use in legal language
- b. How to use thesaurus and legal encyclopedias

- c. Selected legal terms (50)
2. Legal reasoning and Judicial Process
 - a. Meaning of Judicial Process
 - b. Judicial discretion how do judges exercise it
 - c. Legal reasoning
 - d.]Doctrine of Precedent and rules of Precedent.
3. Comprehension
4. Essay on the topic related with Law.
5. Drafting a legal notice, statutory notice and replies.
6. Critical Analysis of decided cases as mentioned below.

Reference Books:-

1. Ishtiaq Abidi- Law and Language.
2. R. P. Bhanthnagar and Rajual Bhargava- Law and Language, M C Macmillan
3. Avhad S. E. - Draftsman.
4. Mac Cormik- Legal Reasoning and Legal Theory.
5. Paul Rylance- Legal Writing and Drafting.
6. Mishra- Legal Language and Legal Writing, Pioneer Publications.
7. Dr. Sen Amit- Legal Language, legal writing and Legal Drafting, Kar5nal Law House, Calcutta
8. Tandon M. P. – Legal Language and Legal Writing.

CASES:-

1. Sarbati Devi v. Usha Devi, AIR 1984 SC 346
Succession and Nomination
2. R. D. Saxena v. Balaram Prasad Sharma, AIR 2000 SC 2912
Advocate's right to retain documents
3. Sarita Sharma v. Sushil Sharma, AIR 2000 SC 1019
Custody of child: Orders of foreign Court
4. Ratan Cond v. State of Bihar, AIR 1959 SC 18
Extra judicial confession.
5. Paniben v. State of Fujarat, AIR 1992 SC 1817
Dying declaration

6. Dr. Surajmani Stella Kujur v. Durga Charan Hansdah, AIR 2001 SC 938
Applicability of Hindu Marriage Act to Scheduled Tribes, and Offence of Bigamy.
7. Gautam Paul v. Debi Rani Paul, AIR 2001 SC 61
Right of cosharer, obligation to sell to other sharer
8. Balaji Raghvan v. Union of India, AIR 1996 SC 770
Abolition of titles under Constitution of India
9. Chairman Railway Board v. Chandrima Das, AIR 2000 SC 988
Compensation to victim of rape.
10. Daniel Latifi v. Union of India, AIR 2001 SC 3958
Term 'Provision' under the Muslim Women (Protection of Rights on Divorce) Act.

POINTS:

1. Provisions of law involved.
2. Principles of law involved.
3. Finding the facts and arguments for both the sides
4. Drawing issues involved and answers to the issues.
5. How the case reached the Supreme Court, history of the litigation.
6. Drawing the ratio, if any.
7. Various views about the questions arisen.
8. Criticism of the judgment
9. Debate on the decision
10. Relevance of the law settled by the Supreme Court today.

Paper 23 Administrative Law

Nature and Scope of administrative Law.

1. Necessity of Administrative Law in Modern State
2. Rule of Law and Separation of Powers.
3. Delegated Legislation:
 - a. Nature Meaning and Growth.
 - b. Constitutional Validity.
 - c. Judicial Control, doctrine of ultravires, legislative control (Parliamentary Control) Sub Delegation.
4. Administrative tribunals:
 - a. Nature, growth and need.
 - b. Judicial control on administrative Tribunals Doctrine of Ultravires lack of Jurisdiction delinking Jurisdiction.
 - c. Principles of Natural Justice bias. Audi alteram partem Hearing, Administrative discretion
 - i. Judicial review of administrative discretion
 - ii. Judicial control of exercise of administrative discretion.
5. Commission of Inquiry:
 - a. Nature, Scope, need and functions.

- b. Procedure and legal status.
- 6. Judicial control of administrative action through writs:
- 7. Public Corporations:
 - i. Growth need, rights and liabilities of Public Corporations.
 - ii. Parliamentary control.
- 9. Suits against the govt. in torts and contract, Court Privileges in Legal Proceeding.
- 10. The ombudsman: the necessity of ombudusman, judicial control of administrative action.
Onbudsman in India- The Lokpal and Lokyukta

Text Books:-

1. Administrative Law-S.P. Sathe
2. Principles of Administrative Law- M.P. Jain and S. N. jain
3. Lectures by Thakwani K. C. on Administrative Law
4. Administrative Law by Massey.

Recommended Reference Books:-

1. Comparative Administrative Law: - D.D. Basu
2. Indian Administrative Law – M. C. Jain

Paper 24: Code of Criminal Procedure, Juvenile Justice (Care and Protection of Children) Act and Probation of Offenders Act

1. Code of Criminal Procedure, 1973 (as amended upto date) 80 Marks
2. The Juvenile Justice Act (Care and Protection of Children) Act, 2000 10 Marks
3. The Probation of offenders Act, 1958 10 Marks

All the above acts with latest amendments are required to be studied

Recommended Books:-

1. Rantlal and Dhiraj Lal-The code of Criminal Procedure.
2. Kelkar R. V. – Outline on Criminal Procedure Code.
3. Kelkar R. V.- The Lectures on Criminal Procedure Code.
4. Vedkumari- Juvenile Justice Act.
5. Pareanjape- The Law Relating to Probation of Offenders in India.
6. K.S. Varma- The Juvenile Justice Act (Care and Protection of Children) Act, 2000
7. R. B. Sethi- Probation of offenders Act.
8. BASU'S Code of criminal Procedure Vol.1 and Vol. 2.

Paper 25 Company Law

1. Introductory:
Definition and characteristics of company, lifting of corporate veil, company and partnership firm, classes of companies.
2. Formation of company:
Registration, documents to be filed with the registrar, promoter, preincorporation contract
3. Memorandum of association:
Meaning, purpose, form, contents, alterations, doctrine of ultra virus.
4. Articles of Association
Meaning, purpose, form, contents, alteration, doctrine of indoor management, relation between Memorandum and Articles.
5. Prospectus:
Definition, contents, registration, effects of misstatement, penalty statement in lieu of prospectus.
6. Membership in a Company:-
Members and share holders, qualifications, modes of becoming member, cessation of membership rights and liabilities, registrar of members index of members.
7. Share Capital:-
Meaning Kinds alterations reductions voting rights buy back of shares.
8. Shares:-
Definition nature types issues allotment of share, share transfer, surrender, Forfeiture, transmission of shares, share certificate, share warrant dividends.
9. Borrowing Powers:-
Debentures: - kinds of debentures, creation of charges, fixed and floating charges, effects of winding up on floating charge.
10. Management and Administration:-
Directors numbers appointments restrictions on their appointments position of directors disqualification's. their duties and liabilities, board of directors:
Meaning and powers.
11. Meetings:
Meaning, Kinds of Meeting, Notice of Meeting, Contents of notice, conduct of meetings, quorum, minutes, proxies, voting and poll resolutions kinds of resolutions appointment of auditor, powers rights and liabilities of auditor
12. Majority rule and minority rights:
Foss V/s Harbottle case.
13. Prevention of Oppression and mismanagement:-

Meaning who can apply to company law board, powers of company law board and central government.

14. Compromises and arrangements reconstruction and amalgamation.

15. Winding up:

Meaning types of Winding up petition for winding up commencement of winding up Liquidator: his rights duties and liabilities Contributors, consequences of winding up dissolution of company.

The Companies Amendment Act, 2001 and 2002

Books Recommended:-

1. The companies act 1956 as amended up to the date
2. S.M. Shah: Lectures on Company Law
3. Avtar Sing : Company Law
4. Dutta on Company Law
5. N.D. Kapoor on Company Law

Note:- Those Students who have been exempted in company law in second LL.B. 3 Year new course should opt for Law of Evidence.

Paper 26: Practical Training- Paper I (100 Marks)

Moot court, Pre Trial Preparations and Participation in Trial Proceedings

This paper will have three components of 30 Marks each and a viva for 10 marks

1. Moot Court

Every Student should participate in at least three Moot Courts in a year. The Moot Court work will be on assigned problems

2. Observance of trial

It is expected that students should observe trial at least in two cases, one civil and one criminal. A student will maintain a Journal for the year's work and the all written submissions and assignments will be written in the journal provided by the college. A student will maintain a

record of all steps observed in the trials (Including the facts of the case, the arguments and findings of the Court)

3. Interviewing techniques and pretrial preparations

Each student should observe two interviewing sessions of clients at the lawyer's office/ legal aid office and record the proceedings in the journal. Each student will further observe the preparation of documents and court papers by an Advocate and the Procedure for the suit/ petition. This will be recorded in the Journal.

4. Viva-voce

The fourth component of this paper will be viva- voce on the basis of above mentioned topics.

Distribution of Marks:-

| | | |
|------|--|-----------------|
| I. | Moot Court Pre Trial, preparation and participation in trial. | |
| II. | Proceeding (10 Marks for each Moot court, 5 Marks for written submissions, 5 Marks for oral submissions) | Marks 30 |
| III. | Observance of trial in two cases | 30 |
| | Interview Techniques And Pre Trial Preparations | 30 |
| IV. | Viva-Voce | 10 |
| | Total | <hr/> 100 Marks |

{ Note :- The Marks for the Journal will be awarded by the college after evaluating the journal. }

Reference Books :

1. Gupta, S.P. – Moot Court, Pre Trial Preparation and Participation in trial proceeding.
2. Liberhan, M.S. - Moot Court for Interactive education (NALSAR Law University Hyderabad)
3. Rai, Kailash - Moot Court, Pre Trial Preparation and Participation in trial proceeding.
4. Tewari, O.P. - Moot Court Pre Trial Preparation and Viva – Voce.

5. Sirohi, J.P.S.- Moot Court, Pre Trial Preparation and Participation in trial proceeding.
6. Tewari, O.P.- Moot Court, Pre Trial Preparation and Participation in trial proceeding.
7. Dhanda, Amit - Moot Court for Interactive Legal education

Paper 27: Drafting, Pleadings, and Conveyancing

I. CIVIL

1. Plaint.

- 1) Specific performance of a contract.
- 2) Recovery of money on the basis of a promissory note.
- 3) Recovery of money for price of goods sold or work done.
- 4) Partition of Joint Hindu Family property.
- 5) Suit for dissolution of partnership and accounts.
- 6) Permanent injunction (Public nuisance).
- 7) Damages for Defamation.
- 8) Suit for possession against a trespasser.
- 9) Mesne profits.
- 10) Suit for Cancellation of sale deed.
- 11) Suit for possession by Landlord against tenant lender the Maharashtra Rent Control Act, 1999.

1.(a) Affidavit

2. Execution Petition : i.e Darkhast on the basis of civil court.

3. Matrimonial :-

(Original Petition)

Petition under the Hindu marriage Act, 1955 and the Special Marriage Act, 1954.

- a) Restitution of conjugal rights.
- b) Judicial separation.
- c) Divorce.
- d) Divorce by mutual consent.

4. Petition for

- Succession certificate.
- Probate on the basis of will.

5. Petition under Article 32 and 226 of the Constitution of India :

- 1) Habeas Corpus
- 2) Mandamus
- 3) Prohibition
- 4) Certiorari
- 5) Quo warranto

6. Application for compensation before the motor accidents claims Tribunal under the Motor vehicles Act, 1988.
7. Complaint under the Consumer Protection Act, 1986.
8. Interlocutory Application (Interim Relief)
9. Memorandum of Appeal, revision and review.
10. Application under the code of Civil Procedure 1908
 - i) Taking adjournment
 - ii) Substituted Service
 - iii) Amendment of the plaint or written statement
 - iv) Granting leave to deliver Interrogatories on record
 - v) Bringing legal heirs and representative on record
 - vi) Setting aside and abatement of the suits.
 - vii) Appointment of a commission
 - viii) Attachment of the property of the defendant before judgement
 - ix) Appointment of receiver
 - x) Permission to sue as Indigent person
 - xi) Caveat application

II. CRIMINAL :

- 1) A Private Criminal complaint in court relating to
 - A) Criminal Trespass, hurt, abuses and Threatening
 - B) Cheating
 - C) Defamation
 - D) Bigamous marriage
 - E) Under Section 498 A
 - F) Complaint under section 138 of the negotiable Instrument Act.
- 2) (i) Application for maintenance or written statement to the same.
- (ii) Application for execution of maintenance order already passed in favour of a wife.
- (iii) Application for enhancement of maintenance
- 3) Memorandum of Appeal and revision.
- 4) Application for
 - a) Bail before a magistrate
 - b) Bail before a session court
 - c) Anticipatory Bail
 - d) Bail before the court convicting an accused who intends to present an appeal
 - e) Application for cancellation of bail
 - f) Cancellation of warrant issued against the accused
 - g) Calling and recalling of witness
 - h) Disposal of property under section 451, 452 of Cr.P.C.

III. CONVEYANCING

- I. Sale Deed
- II. Mortgage Deed
- III. Lease Deed
- IV. Gift Deed
- V. Promissory Note
- VI. Power of Attorney
- VII. Will Deed
- VIII. Legal Notices, License
- IX. Assignments, Deed Of Exchange
- X. Adoption Deed
- XI. Deed Of Dissolution Of Partnership
- XII. Deed of Public Trust.
- XIII. Partition Deed
- XIV. Partnership Deed
- XV. Leave and License

List of Books for Reference

1. Banerjee, B. N. – Criminal Pleading.
2. Batuklal - Law of Evidence
3. Bindra, N. S. – Conveyancing Draftsman Interpretation Deed.
4. Chaturvedi, A.N.- Law of pleadings Conveyancing.
5. D'Souza – Conveyancing.
6. G.M. Kothari- Drafting, Conveyancing and Pleading.
7. Gupte and Dighe - Civil Manual
8. Gupte and Dighe - Criminal Manual
9. Mitra, B.B. - Law of Limitation.
10. Mogha P.C. – Indian Conveyancing.
11. Mogha's Law of Pleading.
12. Shiva Gopal- Conveyancing Precedent and Favras
13. Stone and Iyer- Pleading.
14. Taxman's- The Code of Civil Procedure, 1908
15. Taxman's- The Code of Criminal Procedure, 1973.
16. Tijoriwala, M. T. – Law and Practice of Conveyancing.
17. Divekar, G.M. - Conveyancing
18. Retwade – Legal Drafting (Paper book)
19. Mukherjee - Law of Civil Appeals, Revisions, References and 13
Revisions and Law of Criminal Appeals, Revisions
20. Banerjee & Awasthi - Guide to Drafting
21. Retwade – Drafting, Pleading and Conveyancing.

Paper 28 - Optional Paper (a) Investment and Securities Laws

- I. (A) Historical evolution of securities laws.
 - a) International perspective
 - b) Indian perspective
 - I. Pre – Independence period.
 - II. Post Independence period.
 - III. History of capital markets in India.
- (B) Need for securities legislation and investor protection.
- II. Statutory provisions regarding securities.
 - a) Classification of securities :
Ownership instruments, Shares , Stocks.
 - b) Debt instruments :
Debentures and Bonds.
- III. Offer documents.
Prospectus.

Norms of disclosure under :

- (i) The companies Act, 1956.
- (ii) The Securities Contract Regulation Act, 1957.
- (iii) The Securities Exchange Board of India Act, 1988.

IV. Concept of Securities Market.

Primary Market :

- A) Scheme of Primary Market -
Advantages and Dis-advantages to companies and investors.
- B) Players in Primary Market -
Underwriters, Brokers to an issue, Managers to the issue,
Bankers to the issue and Registrar to the issue.

Secondary Market :

Players in Secondary Market – Brokers, Over the Country
Exchange of India { OCTEL }

V. Stock Exchange and Listing of Shares.

- a) Trading
- b) Spot delivery contract
- c) Badla contract
- d) Future contracts
- e) Options
- f) Derivatives
- g) Listing of Shares

Relevant Provisions of :

- 1) The companies Act, 1956.
- 2) The Securities Exchange Board of India Act, 1988.
- 3) The Securities Contract Regulation Act, 1957.

4) The Stock Exchange Act.

VI. Investors Protection.

Role and functions of SEBI Tribunal.

Depositories Act.

Dematerialization.

Advantages and Dis-advantages

VII. A) Investment in Mutual Funds.

B) Investment by :

1. Financial Institutions.
2. Foreign Financial Institutions.

Note :- In addition to the Acts mentioned above, relevant provisions of the following Acts must be studied in the appropriate places:

1. Law regarding Foreign Exchange
2. Public Debt Act
3. Reserve Bank of India Act

In addition to above in order to get the latest information regarding this law students can go through the following website.

[http // www.sebi.com](http://www.sebi.com)

Paper 28 - Optional Paper
(b) Law of Taxation

For this paper the following Statutes are Prescribed :

- i. The Income Tax Act, 1961 { Up-to-date } 60 Marks
- ii. The Wealth Tax Act, 1958 { Up-to-date } 15 Marks
- iii. The Central Excise Act, 1944 { Up-to-date } 25 Marks

Books Recommended :-

1. V.K. Singhania Student guide to Direct Taxes
2. Nani Palkhiwala Income Tax Law & Practice
3. Taxman Taxation Law

Paper 28 - Optional Paper
(c) Banking Laws including Negotiable Instruments Act

For this paper the following Statutes are Prescribed :

1. The Reserve Bank of India Act, 1934 35 Marks
2. The Banking Regulations Act, 1949 30 Marks
3. The Negotiable Instruments Act, 1981 35 Marks

Books Recommended :-

- | | |
|---|---|
| 1. K.B. Dawra and Alok Mishra | Banking Laws [Vinod Laws Publications, Lucknow] |
| 2. Seth's Commentaries on Banking Regulation Act - 1949 | (Law Publishers India Pvt. Ltd) |
| 3. Bhashyam and Adiga | Negotiable Instrument Act, 1881 |
| 4. Khergamvala | Negotiable Instrument Act, 1881 |
| 5. Bangia, R.K. | Negotiable Instrument Act, 1881 |
| 6. Avtar Singh | Negotiable Instrument Act, 1881 |

Paper 28 - Optional Paper
(d) Co-operative Law

- i. Theory and Definition of Co-operation
- ii. Principles of Co-operation
- iii. History and Growth of Co-operative movement in India
 - A) Before independence
 - B) After independence through five year plans

15 Marks
- iv. History of Co-operative Legislation.
This topic consists of the study of –
[A] The Maharashtra Co-operative Societies Act, 1960 and Rules 1961. 60 Marks
[B] (a) The Maharashtra Ownership Flats { Regulation, Promotion, Construction and Sale } Management and Transfer Act, 1963.
(b) The Maharashtra Apartment Ownership Act, 1970.

25 Marks

Recommended Reference Books :-

1. A.D. Chaudhari & D.H. Chaudhari Co-operative Societies Act, 1960 with Rules of 1961.
2. K.S. Gupta Co-operative Societies Act, 1960