

LL. B (3YDC)
JIWAJI UNIVERSITY, GWALIOR
SYLLABUS AND SCHEME OF EXAMINATION

SESSION 2024-27

Internship:

Minimum Period : (a) Each registered student shall have completed minimum of twelve weeks internship for Three Year Course stream during the entire period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies as the University shall stipulate, where law is practiced either in action or in dispute resolution or in management. Provided that internship in any year cannot be for a continuous period of more than Four Weeks and all students shall at least gone through once in the entire academic period with Trial and Appellate Advocates. (b) Each student shall keep Internship diary in such form as may be stipulated by College or the University concerned and the same shall be evaluated by the Guide in Internship and also a Core Faculty member of the staff each time. The total mark shall be assessed in the Final Semester of the course in the 4th Clinical course as stipulated under the Rules in Schedule II.

LL. B (3YDC) I SEMESTER

The candidate shall be examined by the university in the following subject/paper

Paper/ Subjects	Subject/ Name of the Paper	Max. Marks	Min. Marks	Practical Marks	Min. Marks	Aggregate
I	Indian Constitutional Law	100	36	---	---	48
II	Law of Contract	100	36	----	---	48
III	Family Law-I (Hindu Law)	100	36	----	---	48
IV	Law of Tort including and Consumer Protection Laws Act, 2019	100	36	--	---	48
V	Cyber Law, Security and Fundamentals of Computer 80+20=100	80	29	20	07	48
Total		500				240

The Percentage of marks required for Passing in LL. B. (3YDC) I Semester Examination is as follows.

1. 36% ie . 36 in each of the above Fifth subjects/ papers
2. 48% ie . 240 marks in aggregate of all the above subject/ paper



Jiwaji University, Gwalior

LL.B (3YDC) Ist Semester

Paper – Ist Indian Constitutional Law

Note:- This Paper shall be of 100 marks. Candidate is required attempt five question out of ten.

Contents:-

Unit – I

1. The Union and its Territory
2. Citizenship
3. Fundamental Rights
4. Fundamental Duties

Unit –II

1. The Union the Executive
2. Parliament
3. The Union Judiciary
4. General Definition

Unit –III

1. The Executive
2. The state Legislature
3. Legislative power of the Governor
4. The High Courts in the States

Unit- IV

1. The Panchayats
2. The Municipalities
3. Relations between the Union and the states : Legislative Relations
4. Administrative Relations

Unit-V

1. Finance Property, Contracts and suits : Finance
2. Property Contracts Rights Liabilities Obligations and suits
3. Trade Commerce and Intercourse within The Territory of India
4. Services Under the Union and the states : Services
5. Tribunals
6. Elections

Sp
Marks 2
114
100

Unit –VI

1. Special Provisions Relating to Certain Classes
2. Language of the Union
3. Regional Languages
4. Language of the Supreme court High courts etc.
5. Special Directives
6. Emergency Provisions
7. Amendment of the Constitution

Books recommended :-

1. Prof. M.P. Jain – Indian Constitutional Law.
2. D.D. Basu – Shorter Constitutional Law.
3. H.M. Seervai - Constitutional Law.
4. M.P. Singh (ed.), V.N. Shukla Constitution of Law of India.
5. Dr. J.N. Pandey – The Constintion of India.
6. D.B.K. Shrama – Bharat ka Smvidhan.
7. Dr. Jai Pandey – Bharat ka Samvidhan
8. Dr. J.J.R. Upadhya – Bharat Ka Samvidhan.

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Jiwaji University, Gwalior
LL.B (3YDC) Ist Semester
Paper – IInd Law of Contract

Content:-

Unit – I

1. Agreement and Contract
2. Consideration
3. Capacity to Contract
4. Free Consent

Unit – II

1. Legality of Object and Consideration
2. Void Agreements
3. Contingent Contracts
4. Performance of Contract

Unit – III

Discharge of Contract

- i. Discharge by performance
- ii. Discharge by Breach of Contract
- iii. Discharge by impossibility of Performance the doctrine of frustration
- iv. Discharge by Agreement and Novation (Section 62)
- v. Remission of Performance (Section 63)

Unit – IV

Quasi Contracts or certain relations resembling those created by contract

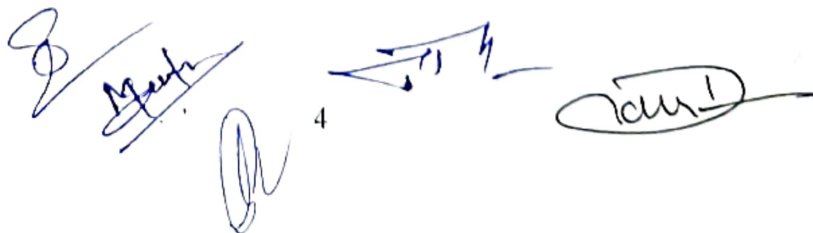
Unit – V

Remedies for Breach of Contract

- i. Damages
- ii. Quantum Meruit

Book Recommended:-

- | | | |
|------------------------|---|---------------------------|
| 1. 1. Avatar Singh | - | Law of Contract |
| 2. Pollack & Mulla | - | Indian Contract Act |
| 3. S.K. Kapoor | - | Contract – 1 |
| 4. Cheshire and Fiject | - | Law of Contract |
| 5. Dutt | - | On Contract |
| 6. Anand and Aiyer | - | Law of Specific Relief |
| 7. S.K. Kapoor | - | Samvida – (L) |
| 8. Avatar Singh | - | Samvida Vidhi |
| 9. B.L. Bawel | - | Bhartiya Smvida Adhinyam. |



Jiwaji University, Gwalior

LL.B (3YDC) Ist Semester

Paper – IIIrd Family Law – I (Hindu Law)

Note:- This Paper shall be of 100 marks. Candidates are required to attempt five questions out of ten.

Content :-

1. Introduction – Introduction, Sources of Hindu Law, Schools of Hindu Law, Hindu Joint Family, Karta, Partition, Debt.

2. Codified Hindu Law-

1. The Hindu Marriage Act. 1955,
2. The Hindu Adoption and Maintenance Act. 1956,
3. The Hindu Minority and Guardianship Act. 1956, and
4. The Hindu Succession Act, 1956,

3. Family Court. Act.

Book Recommended:-

- | | | |
|------------------|---|-----------------------------|
| 1. Mulla | - | Hindu Law |
| 2. J.D.M.Derratt | - | Hindu Law Past & Present |
| 3. R.K. Agrawal | - | Hindu Law |
| 4. U.P.D. Kesari | - | Hindu Law (Hindi & English) |
| 5. Paras Diwan | - | Hindu Law |
| 6. R.R. Morya | - | Hindu Vidhi |
| 7. Mayane | - | Hindu Law and Usage |
| 8. Nagpal | - | Hindu Law (Hindi & English) |



Jiwaji University, Gwalior
LL.B (3YDC) Ist Semester

Paper – IVth Law of Tort Including and Consumer Protection Act. 1986

Note:- This Paper shall be of 100 marks. Candidates are required to attempted five question.

This Paper shall be divided into two parts. Part (A) shall contain 8 questions from Law of Torts. Part (B) shall contain 2 question from Consumer Protection Act. The Candidates are required to attempt at least one question from part (B in all five question are to be attempted.

Content:-

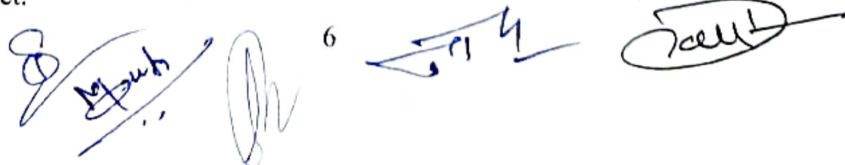
Part (A) Law of Torts

1. Defination, Nature, Scope and Objects.
2. Principles of liability in Torts Extinguishments of liability, Vicarious Liability, Absolute (strict) Liability.
3. Justification in Torts – Volenti non fit injuria, necessity private and public accident, private derfence, statutory authority, judicial and quasijudicial acts, parental and quasi- parental authority.
Standing – who may sue, who may not be sued.
4. Torts against persons and personal relations – assault, battery, mayhem, tabe imprisamment, defamation, malicious prosecution, nervons shock, domestic relation marital relation, master and servant relations.
5. Negligence and Nuisance
6. Tost against the Property – Trespass to land. dispossession movable property trespass to goods detine conversion. Trost against business interest – injurious fal school mistalements.
7. Legal Remedies – Award of damages Simples Special punitive, remoteness of damage foresee ability and directness, injection specific performance and specific instution of per property.

Part (B) – Consumer Protection Act. 1986

Books Recommended:-

1. M.N. Shukla – Law of Tosts (English and Hindi)
2. S.K. Kapoor The Law of Tosts.
3. Bangia – Law of Tosts.
4. Ratan Lal and Dhiraj lal – The Law of Torts.
5. Saraf DN – Law of Consumer Protection.
6. M.N. Shukla – Laws of Torts and Consumer protection.
7. Windfield and Toloniz – On Torts, sweet & Maxwell Landon.
8. H.N. Giri – Consumer Crimes and the Law.
9. Motor Vehicle Act.



Jiwaji University, Gwalior
LL.B. (3YDC) 1st Semester
Paper – Vth
Cyber Law, Security and Fundamentals of Computer

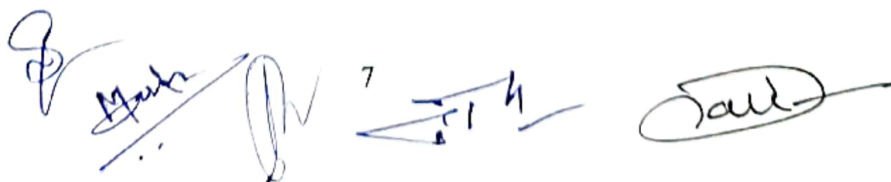
This paper shall be of 80 marks and 20 marks aggregate for Viva-voce.

Content –

UNIT 1 - Fundamentals of Computer :- Brief history of computer, Components of the computer system, Computer generations, Classification memory – types of memory, primary and secondary memory, RAM, ROM, Storage devices – Hard disk, Floppy, Magnetic tap, CD-ROM. Input/output devices – Printers, types of printers, Visual display unit (VDU) Keyboard, Mouse, Scanner, Light pen.

UNIT 2- Fundamentals of Computer II (MS Office & Introduction to Internet)
Features of good work processor, How can you start the MS Word, Introduction to Parts of a word window – Title bar, Menu bar, Tool bar, Rular, Status bar, Scroll bar, Frames, Creating a new Document file, opening an existing document, Saving a new Document, Deleting a new text, Bold Italic, Underline, Centering, Right, Alignment, Justification of text, Spell checking Printing the document file.

UNIT- 3 Information Technology Law (Cyber Law) :- 1. Evolution of the IT Act, Genesis and Necessity 2. Salient features of the IT Act, 2000; various authorities under IT Act and their powers.; Penalties & Offences, amendments 3. Cyber Space Jurisdiction - Traditional Principals of Jurisdiction, Extra terrestrial Jurisdiction, Case Laws on Cyber Space Jurisdiction 4. E-commerce and Laws in India - Digital/ Electronic Signature in Indian Laws , E-Commerce; Issues and provisions in Indian Law, E-Governance; concept



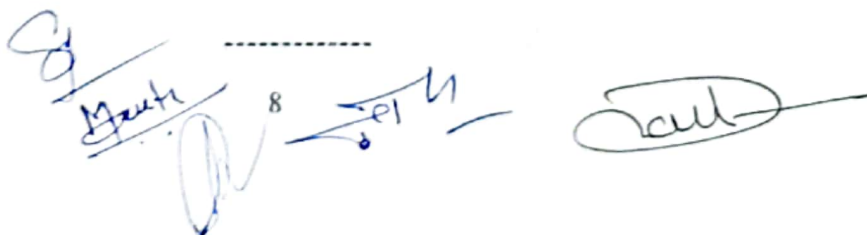
and practicality in India, E-Taxation issues in Cyberspace, E-Contracts and its validity in India, Cyber Tribunal & Appellate Tribunal, Cyber Regulations

UNIT - 4 Cyber & Computer related Crimes - 1. Definition of Cyber Crime & Computer related crimes, Classification Data Theft, Hacking, Spreading Virus & Worms, Phishing, Cyber Stalking/Bullying, Identity Theft & Impersonation, Credit card & Online Banking Frauds , Obscenity, Pornography & Child Pornography, Cyber Defamation, Defacement, Illegal online selling & Gambling, Denial of Service Attacks 1. Cyber terrorism m. Software Piracy & illegal downloading 2. Reasons for Cyber Crimes. 3. Cyber Criminal Mode and Manner of Committing Cyber Crime. 4. Prevention of Cyber Crimes & Frauds Critical analysis & loopholes of The IT Act, 2000 5. Cyber Crimes : freedom of speech in cyber space & human right issues.

UNIT - 5 Computer & Cyber Security - Computer & Cyber Security : Types of Attacks, Network Security, Overview of Security threats, Hacking Techniques, Password cracking, Insecure Network connections, Malicious Code, Concept of Fire Wall Security. Email security : Web Security : web authentication, SSL and SET, Database Security, Operating System Security, E-commerce & M-commerce Security, Advance Computers, Network & Mobile Security Techniques.

Recommended Books :-

1. Law relating to computers, internet & E-Commerce by Nandan Kamath, Universal Law Publishing Co. New Delhi. 2. Cyber Law & Cyber Crimes By Advocate Prashant Mali; Snow White Publications, Mumbai 3. The Indian Cyber Law by Suresh T. Vishwanathan; Bharat Law House New Delhi 4. Guide to Cyber and E- Commerce Laws by P.M. Bukshi and R.K. Suri; Bharat Law House, New Delhi. 5. Introduction to Cyber Security : Guide to the World of Cyber Security by Anand Shinde, Notion Press. 6. Information Technology Law (Cyber Laws) by Dr. S.R. Myneni, Asia Law House. 7. Singhal's Information Technology Law (Cyber Law), Krishna Keshav, Singhal Law Publisher. 8. The Information technology Act, 2000; Bare Act.

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JIWAJI UNIVERSITY, GWALIOR

SYLLABUS AND SCHEME OF EXAMINATION

SESSION 2024-27

LL. B (3YDC) II SEMESTER

The Candidate Shall be examined in the following compulsory subjects through same number and nomenclature of paper -

Paper/ Subjects	Subject/ Name of the Paper	Max. Marks	Min. Marks	Practical Marks	Min. Marks	Aggregate
I	Special Contract & Specific Relief <i>Sale of Goods Act 1930</i>	100	36	---	---	48
II	Family Law-II (Muslim Law)	100	36	----	---	48
III	Legal language and Legal Writing	100	36	----	---	48
IV	Indian Legal and Constitutional History (From 1600 AD.)	100	36	--	---	48
V	(a) Written Paper Professional Ethics and Professional Accomplices System (b) Viva - Voce	80	29	20	07	48
Total		500				240

The Percentage of marks required for Passing in LL. B. (3YDC) II Semester

Examination is as follows.

1. 36% ie . 36 in each of the above Fifth subjects/ papers
2. 48% ie . 240 marks in aggregate of all the above subject/ paper

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Jiwaji University, Gwalior

LL.B (3YDC) II Semester

Paper – Ist Special Contract & Specific Relief

Sale of Goods Act 1930

Note:- This Paper shall be of 100 marks. Candidates are required to attempt five questions.

This Paper shall be divided in four parts (A), (B), (C), and (D). The Candidate is required to attempt at least one question from each part and in all they shall attempt five questions only.

Contents –

Part – A Sections 124 to 238 of Indian Contract Act, 1872 – that is the contract of Indemnity, Guarantee, Bailment, Pledge and Agency.

Part – B Sale of Goods Act, 1930

Part – C The Partnership Act, 1932.

Part – D Negotiable Instruments Act.

Part – E Specific Relief Act.

Books Recommended:-

- | | | |
|---------------------------------|---|----------------------------------|
| 1. Pollock and Mulla Act. | - | On Contracts and Specific Relief |
| 2. Avatar Singh | - | The Law of Contract |
| 3. Avatar Singh | - | The Partnership Act. |
| 4. Avatar Singh | - | The Sale of Goods Act. |
| 5. S.K. Kapur | - | Contract – II |
| 6. J.P. Verma | - | The Law of Partnership |
| 7. M.S. Parthesarthy | - | The Negotiable Instruments Act. |
| 8. Anson | - | Law of Contract |
| 9. Ramnaiga | - | The Sale of Goods Act. |
| 10. Aqil Ahmad & Dr. S.P. Gupta | - | Law of Specific Relief |

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Jiwaji University, Gwalior

LL.B (3YDC) IInd Semester

Paper – IInd Family Law – II (Muslim Law)

Note:- This Paper shall be, of 100 Marks. Candidate shall have to attempt five questions out of ten.

Contents:-

1. Introduction: - History, Sources and Schools of Muslim Law.
2. Marriage :- Evolution, nature, Essentials of Muslim Marriage, Kinds of Marriage, option at Puberty, Presumption of Marriage, Conversion and its effect on Marriage.
3. Matrimonial Relief :- Introduction and Kinds of Matrimonial relief, Talaque introduction, History, definition of Talaque, Kinds of Talaque – Quranic, Traditional and Judicial Talaque, Dissolution of Marriage by wife under “Muslim Women Dissolution of Marriage Act. 1939, Iddat and consequences of Iddat.
4. Dowry/Mehar:- Nature, Definition, Kinds of Mehar, Rights of Women for receiving of Mehar, recovery of Mehar/Dowry as a due Money.
5. Maintenance:- Introduction Maintenance under Muslim Law, Maintenance of Children, aged parents and dependent, Maintenance of Wife, Maintenance of Divorced Muslim Women under Muslim Women (Protection of Rights on Divorce) Act. 1986
6. Child and Family:- Legitimacy of Child, Parentage, Acknowledgement and Guardianship.
7. Hiba :- Definition, Kinds of Hiba, Doctrine of Mussha and its exceptions. Hiba in line of dowry/mehar.

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8. Waqf:- Nature and Meaning, essentials of Will, Doctrine of Consent, Revocation of Will, restrictions of will.
9. Waqf :- Introduction, essentials of Waqf object, Creation of Waqf, Mutawalli appointment qualification, rights, and duties of Mutawalli and removal of Mutawalli.
10. Death bed transactions/Murz-ul-Maut and Right of pre-emption.

Books Recommended:-

- | | | |
|----------------------|---|----------------------------------|
| 1. Aqil Ahmad | - | Muslim Law (Hindi & English) |
| 2. A.M. Bhattacharji | - | Muslim Law and the Constitution. |
| 3. Fyzee | - | Muslim Law (Hindi & English) |
| 4. Tahir Mahmood | - | Muslim Law |
| 5. R.K. Sinha | - | Muslim Law |
| 6. Khalid. Rasid | - | Muslim Law |
| 7. Mulla | - | Muslim Law |

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LL.B (3YDC) II Semester

Paper – IIIrd Legal Language and Legal Writing

M.M. 100

Pass Marks : 36

Aggregate : 48

This Paper will be of 100 marks. Distributions of Marks are shown as follows:-

1. Legal Terminology:-

Meaning of legal terms, latin words and expressions from English to Hindi and Hindi to English = 10+10+20 Marks

2. Fill in the blanks of legal terms in English – 10 Marks

3. Vocabulary :- Synonyms and Antonyms – related words – 10 Marks

4. Translation:-

(I) Translation of a passage from English to Hindi – 10 Marks

(II) Translation of a passage from Hindi to English – 10 Marks

5. Précis writing in English relating to legal matters, - 15 Marks

6. Legal Writing:-

Essay in English on topics of legal interest – 25 Marks

Books recommended:-

Legal Glossory – Govt. of India publication.

Jain, R.L. – Legal language/writing including general English.

Anirudh Prasad – Legal Language/ writing including general English.

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Jiwaji University, Gwalior

LL.B (3YDC) IInd Semester

Paper – IV Indian Legal and Constitutional History

1. Early Royal Charter:-

Settlement of Company at Surat and Administration of Justice (1600-1687)

- (a) Charter of 1600 – Formation of East India Company
- (b) Charter of 1609 – Monopoly status to East India Company to trade in India.
- (c) Charter of 1615 – Company Authorized and got more powers to punish its servants.
- (d) Charter of 1623 – More Powers to Company.
- (e) Charter of 1661 – More Political and Military powers for Administration of justice and Civil and Criminal powers according to the laws of state.

(I)

1. British Settlement At Bombay and Administration of Justice:-

- (a) Charter of 1668 .
- (b) Charter of 1676.
- (c) Charter of 1683.
- (d) Charter of 1686.

2. British Settlement At Madras (1639-1726):-

- (a) Charter of 1687 – Establishment of Corporation at Madras and administration of Justice.
- (b) Charter of 1693 – Modification of the constitution of the Company.

3. British Settlement At Calcutta and Administration of Justice(1690-1727):-

4. The Mayors Court and The Court of Request in Presidency Towns.

(II)

1. Charter of 1726:-

Establishment of Mayor's Court.

2. Charter of 1753:-

Reformation of Mayor's Court

3. Adalat system in Bengal :-

Grant of Diwani to the Company.

4. Warren Hastings and Adalat System:-

Plan of 1772, Plan of 1774, Plan of Impey.

5. Regulating Act, 1773:-

- (a) Important Provisions of Regulating Act



- (b) Change in the Constitution of the Company
(c) Defects of the Regulating Act.

6. The Supreme Court At Fort William, Calcutta:-

Constitution, Jurisdiction, As an Enquiry Court, As a Criminal Court, as an Ecclesiastical Court, As an Admiralty Court, Power to issue writs.

- Important Cases:- (I) Trial of Raja Nand Kumar
(II) The Patna Case
(III) The Cossijura Case

(III)

1. Act of Settlement, 1781.
2. Reforms of Lord Cornwallis (1787 – 1793).
3. Judicial Reforms of Lord Hastings (1807 – 1828).
4. Reforms of Lord William Bentick (1828 – 1835)
5. Indian High Court Act, 1861.
6. Codification of Laws in India.

(IV)

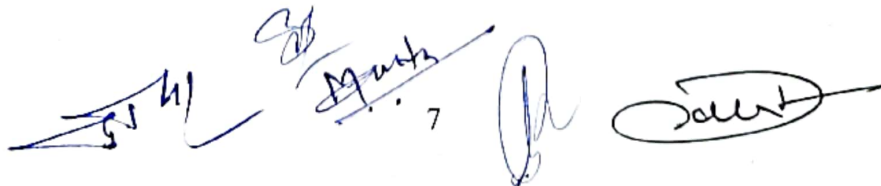
1. The Government of India Act, 1858.
2. The Indian Council Act, 1861.
3. The Govt. of India Act, 1870
4. Emergence of Muslim Communalism.
5. The Birth of Indian National Congress.
6. The Indian Council Act, 1892.
7. The Indian Council Act, 1909 – Minto – Morley Reforms.
8. The Govt. of India Act, 1919 – Montague – Chelmsford reforms.

(V)

1. Simon Commission, 1927.
2. Nehru Report, 1928.
3. Lord Irwin Pact, 1929.
4. Round table Conferences of 1930, 1931, 1932.
5. Poona Pact.
6. The Govt. of India Act, 1935.
7. The Indian Independence Act, 1947.

Books recommended:-

- Jain M.P. – Outlines of Indian Legal History (Hindi & English)
- Kulshreshtha V.D. – Landmarks in Indian Legal and Constitutional History
- Singh M.P. – Legal and Constitutional History
- Mahajan V.D. - Constitutional History of India
- वाबेल एवं शास्त्री – भारतीय विधिक एवं संवैधानिक इतिहास
- पराजपे एन.बी. – भारतीय विधिक एवं संवैधानिक इतिहास



Jiwaji University, Gwalior
LL.B (3YDC) IInd Semester
Paper – Vth Professional Ethics, Accountancy for Law
Years and Bar Bench Relation

This Paper shall consist of two parts that are as follows

1. **Part I** – A Written paper of 80 marks and
2. **Part II** – Viva – Voce of Written paper of 20 marks

Part – I Written paper shall be of 80 marks. Candidates are required to answer five questions out of ten.

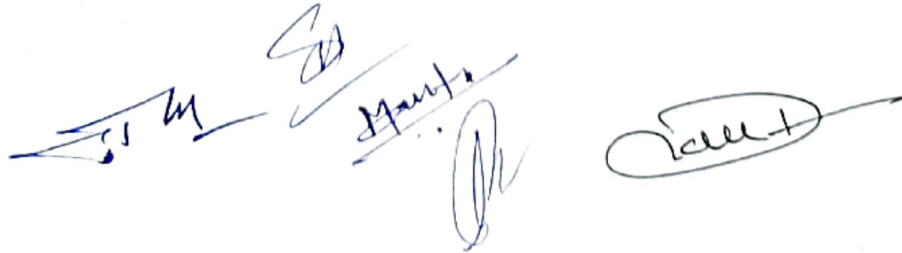
Content:-

1. The Advocate Act, 1961.
2. The Contempt of Court Act, 1971.
3. The Bar Bench relation and Professional Ethics.(Bar Council of India Rules)

Partt – II Viva – Voce examination on the above Mentioned (Part Ist).

Books Recommended :-

1. Professional Ethics Accountancy for Lawyers, etc. S.P. Gupta.
2. Vayavsayik Neeti – S.P. Gupts

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JIWAJI UNIVERSITY, GWALIOR
SYLLABUS AND SCHEME OF EXAMINATION

SESSION 2024 - 27

LL. B (3YDC) IIIrd SEMESTER

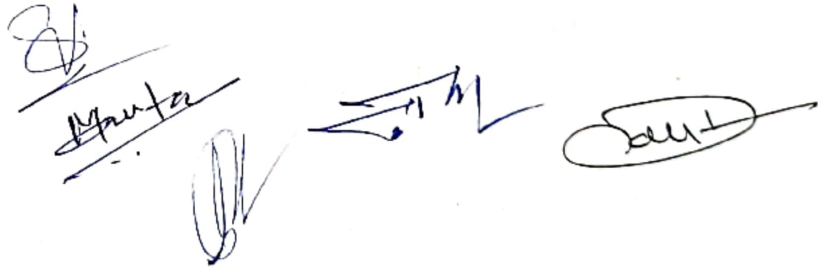
The Candidate Shall be examined in the following compulsory subjects through same number and nomenclature of paper -

Paper/ Subjects	Subject/ Name of the Paper	Max. Marks	Min. Marks	Aggregate
I	Criminal Law –I The Bharatiya Nyaya Sanhita 2023	100	36	48
II	Bharatiya Sakshya Adhinyam 2023	100	36	48
III	Jurisprudence	100	36	48
IV	Administrative Law	100	36	48
V	Equity Trust & Fiduciary Relations	100	36	48
Total		500		240

The Percentage of marks required for Passing in LL. B. (3YDC) III Semester

Examination is as follows.

1. 36% ie . 36 in each of the above Fifth subjects/ papers
2. 48% ie . 240 marks in aggregate of all the above subject/ paper



Jiwaji University, Gwalior

LL.B (3YDC) IIIrd Semester

Paper – Ist Criminal Law – I : The Bharatiya Nyaya Sanhita, 2023

Course Contents

UNIT-I

Lectures-10

Elements of Crime : Actus Reus and Mensrea, General Explanations (S. 3), General Exceptions (SS. 14-33), Right of Private Defence(SS. 34-44)

UNIT-II

Lectures-8

Abetment(SS. 45-60, 107, 108),Criminal Conspiracy(S-61),Attempt(S. 62, 109, 110), Unlawful Assembly (SS. 189-190), Rioting (S. 191), Affray (S. 194)

UNIT-III

Lectures-12

Sexual Offences(SS. 63-73), Criminal Force and Assault against Women (SS.74-79), Dowry Death (S. 80), Bigamy (S. 82), Cruelty (S.86), Defamation(S. 356)

UNIT-IV

Lectures-10

Culpable Homicide (S.100, 105), Murder (SS. 101-104) Causing Death by Negligence (S. 106), Organised Crime (S. 111), Hurt (SS. 114-125), Wrongful Restraint and Wrongful Confinement (SS. 126-127),Kidnapping and Abduction(SS. 137-146)

UNIT-V

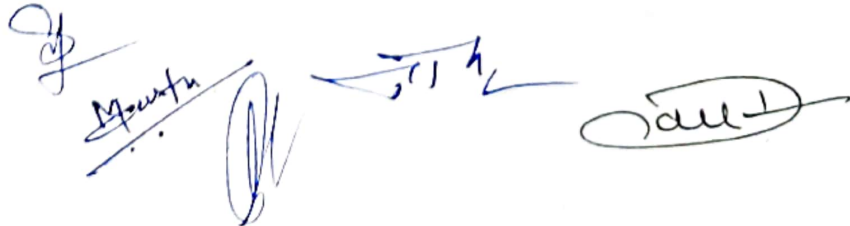
Lectures-10

Theft(SS.303-307), Extortion(S. 308), Robbery and Dacoity (SS. 309-313),Criminal Misappropriation of Property and Criminal Breach of Trust (SS. 314-316),Cheating(SS. 318-319), Mischief(SS.324-328), Criminal Trespass (SS. 329-334).

NOTE: The Question Paper will have Five Units. The Examiner is required to set Ten Questions with Two Questions from each Unit. The candidate shall be required to attempt Five Questions ,selecting One Question from each Unit. Each Question carries 20Marks.

TEXTBOOKS

1. H.S.Gour, Penal Law of India, Vols. I to IV
2. Rattan Lal and Dhiraj Lal, Indian Penal Code
3. R.A.Nelson's Indian Penal Code Vols. I to IV Butterworths Delhi
4. S.N.Misra, Indian Penal Code
5. Bharatiya Nyaya Sanhita, 2023 (Bare Act)



Jiwaji University, Gwalior
LL.B (3YDC) IIIrd Semester
Paper – IInd Bharatiya Sakshya Adhiniyam, 2023

COURSE CONTENTS

Unit-I

Lectures-12

Extent, Commencement and Application of Bharatiya Sakshya Adhiniyam, Definitions (S-2), Relevancy of Facts (SS. 3-14), Admission (SS.15-21 & 25)

Unit-II

Lectures-10

Confession (SS. 22-24), Statements by Persons who cannot be called as Witnesses (SS. 26-27), Statement made under special circumstances (SS. 28-32), Relevancy of Judgment (SS. 34-38)

Unit-III

Lectures-10

Relevancy of Opinion of Experts (SS. 39-45), Relevancy of Character (SS. 46-50), Facts which need not be proved (SS. 51-53), Oral Evidence (SS. 54-55)

Unit-IV

Lectures-10

Documentary Evidence (SS.56-77), Presumptions as to Documents (SS. 78-93), Exclusion of Oral Evidence by Documentary Evidence (SS. 94-103), Burden of Proof (SS. 104-114), Presumptions as to Certain Offences (SS.115-120)

UNIT-V

Lectures-08

Estoppel (SS.121-123), Witnesses (SS. 124-137), Accomplice (S.138), Number of Witnesses (S. 139) Rules relating to Examination of Witnesses (SS. 140-168), improper admission and rejection evidence (S. 169)

NOTE: The Question Paper will have Five Units. The Examiner is required to set Ten Questions with Two Questions from each Unit. The candidate shall be required to attempt Five Questions, selecting One Question from each Unit. Each Question carries 20 Marks.

TEXTBOOKS

1. Rattan Lal and Dheeraj Lal
2. Batuk Lal, Law of Evidence
3. Bharatiya Sakshya Adhiniyam, 2023 (Bare Act)
4. Monir, Law of Evidence



Jiwaji University, Gwalior

LL.B (3YDC) IIIrd Semester

Paper – IIIrd Jurisprudence

UNIT – I

Introduction

1. Definition of the term 'Jurisprudence'
2. Definition of Law, Kinds of Law
3. Justice & its kinds

UNIT - II

Schools of Jurisprudence

1. Natural law school
2. Analytical school
3. Historical school
4. Sociological school
5. Realistic school

UNIT – III

Source of Law

1. Legislation
2. Precedents: concept of stare deices
3. Customs
4. Juristic Writings

UNIT – IV

Legal Rights: the Concept

1. Rights: meaning and its kinds
2. Duty: meaning and kinds
3. Relation between right and duty

Personality

1. Nature of personality
2. Status of the unborn, minor, lunatic, drunken and dead persons
3. Corporate Personality
4. Dimension of the modern legal personality: Legal personality of non-human beings

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UNIT – V

Possession and Ownership: the Concept

1. Kinds of possession
2. kinds of ownership
3. Difference between possession and ownership
4. Concept of Property
5. Title

Liability

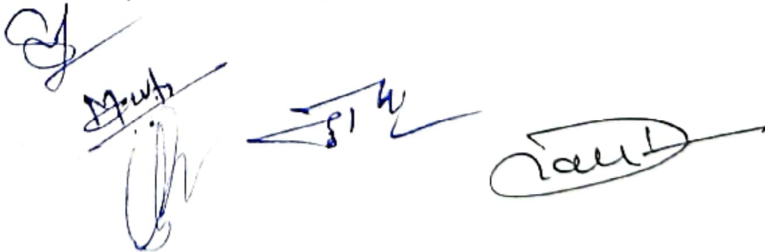
1. Condition for imposing liability
2. Strict liability
3. Vicarious liability

Obligations:

1. Nature and kind

Selected Bibliography

1. Bodenheimer Jurisprudence – The Philosophy and Method of law (1996), Universal, Delhi
2. Fitzgerald, (ed) Salmond on Jurisprudence (1999) Tripathi, Bombay
3. W. Friedmann, Legal Theory (1999) Universal, Delhi
4. V.D. Mahajan, Jurisprudence and Legal Theory (1996reprint), Eastern Lucknow
5. M.D.A. Freeman (ed.), Lloyd's introduction to Jurisprudence, (1994). Sweet and Maxwell
6. Paton G.W. Jurisprudence (1972) Oxford, ELBS
7. H.L.A. Hart, The concepts of Law (1970) Oxford, ELBS
8. Roscoe pond, Introduction to the philosophy of law (1998reprint) Universal Delhi
9. Dias, S.N. Jurisprudence: A Study of Indian Legal Theory (1985) Metropolatin, New Delhi

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Jiwaji University, Gwalior

LL.B (3YDC) IIIrd Semester

Paper – IVth Administrative Law

UNIT – I

Meaning, definitions, nature, historical development, sources, relationship with Constitutional law, Droit administrative, rule of law and separation of powers, classification of administrative function and distinction between them

UNIT – II

Delegated legislation and its kinds, administrative directions and distinction between delegated legislation and administrative directions, control over delegated legislation procedural, judicial and parliamentary control, principles of natural justice

UNIT – III

Administrative discretion and judicial control of discretionary powers, act of State, tortuous and contractual liability of the State

UNIT – IV

Government privileges in legal proceedings, Estoppel and Waiver, official secrets and right to information, lokpal, lokayukt and central Vigilance Commissions, Commission of inquiry

UNIT – V

Administrative Tribunals – merits, demerits, reasons for growth distinction between court and tribunals

Public corporation – classification characteristics, control

Remedies Constitutional and ordinary

Books Recommended:-

Administrative Law – C.K. Takwani

Administrative Law – I.P. Massey

Administrative Law – K.C. Joshi

Administrative Law – Rajneesh Kumar

Administrative Law – Kailash Rai

Administrative Law – Jay Jay Updhaya

प्रशासनिक विधि – यू.पी.डी. केसरी

प्रशासनिक विधि – एस. पी. साठे

प्रशासनिक विधि – डॉ. गंगा सहाय शर्मा

Jiwaji University, Gwalior

LL.B (3YDC) IIIrd Semester

Paper – V Equity Trust & Fiduciary relations

Note:- This Paper shall be of 100 marks. Students are required to answer five questions out of 36.

The course shall comprise of the following :

History, nature and principles of Equity-Emergence of law of trust from Equity—The making of Indian Law of Trust and provisions of law of Trust-Religious Trusts Principles of Equity and Equitable Remedies, Equitable Relief in different branches of law with special reference to property law.

UNIT – I

Equity :- Meaning and definition of Equity, Origin and development of Equity in England India, Relation of Equity with Common Law, Jurisdiction of Equity, Judicature Acts. Maxim Equity, Relations of law of Equity, Different Equitable remedies.

UNIT – II

Essentials of Trust,

Trust and contract, Power, condition, charge and personal obligations—

distinguished, Classification of Trust and its importance, Private Trusts, Public Trusts.


UNIT – III

Appointments, Retirement and removal of Trustee

Rights, Power, Discretion and control of Trustees

Duties of trustee in relation to : i) Trust property; and (ii) Beneficiary

The Administration of Trust

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UNIT – IV

Liability for Breach of Trust

Rights and Remedies of the Beneficiary

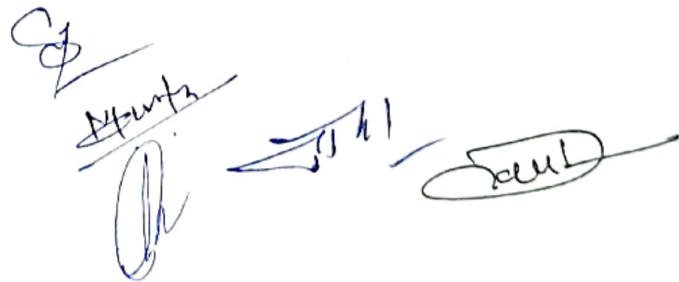
Constructive Trusts.

UNIT – V

Fiduciary Relationship— Concept, kinds vis-a-vis Trusteeship

Select bibliography

- S.Krishnamurthy Aiyar and Harbans Lal Swin, Principles and Digest of Trusts Laws (1998), University Book Agency, Allahabad.
- R.H.Mandsley and E.H.Burn, Trust and Trustees : Cases and Materials (1978) Butterworths, London.
- R.E.Megarry and P.V.Baker, Snell's principles of Equity (1964) ELBS, Sneyd and Maxwell.
- Philip H.Pettit, Equity and Law of Trust (1970)
- Iyer N., Indian Trust Act (1997), Delhi Law House, New Delhi
- Ahmedullah Khan, The Law of Wakf in India (1997) Delhi Law House, Delhi
- Rajarathnam, Natarajan and Thankaraj, Commentary on Charitable Trusts and Religious Institutions (2000) Universal, Delhi
- Mukerjee, Commentary on Indian Trust Act (1999) Universal, Delhi.
- Rao.C.R, The Indian Trust Act and Allied Laws (1999)

The image shows four distinct handwritten signatures or initials in blue ink. From left to right: 1. A stylized signature that appears to be 'S.K.' with a horizontal line underneath. 2. A signature that looks like 'Mandsley' with a horizontal line underneath. 3. A signature that looks like 'Burn' with a horizontal line underneath. 4. A signature that looks like 'Aiyar' with a horizontal line underneath.

JIWAJI UNIVERSITY, GWALIOR

SYLLABUS AND SCHEME OF EXAMINATION

SESSION 2024 - 27

LL. B (3YDC) IVth SEMESTER

The Candidate Shall be examined in the following compulsory subjects through same number and nomenclature of paper -

Paper/ Subjects	Subject/ Name of the Paper	Max. Marks	Min. Marks	Practical Marks	Practical Min. Marks	Aggregate
I	Criminal Law – II : Bharatiya Nagarik Suraksha Sanhita	100	36	----	----	48
II	Local Laws (M.P. Land Revenue Code and M.P. Accommodation Control Act, 1961)	100	36	----	----	48
III	Environmental Laws	100	36	----	---	48
IV	Criminology and Penology	100	36	----	---	48
V	Alternate Dispute Resolution(80+20) (Clinical Course)	80	29	20	7	48
Total		500				240

The Percentage of marks required for Passing in LL. B. (3YDC) IV Semester

Examination is as follows.

1. 36% ie . 36 in each of the above Fifth subjects/ papers
2. 48% ie . 240 marks in aggregate of all the above subject/ paper

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- A signature that appears to be "S. M."
- The initials "S. B."
- A signature that appears to be "M. S."
- A signature that appears to be "S. S."

Jiwaji University, Gwalior

LL.B (3YDC) IVth Semester

Paper – I Paper – V Criminal Law –II: Bharatiya Nagarik Suraksha Sanhita, 2023

COURSE CONTENTS

UNIT-1 12

Lectures-

Definitions (S-2), Constitution of Criminal Courts and Offices(Ss-6-20), Power of Courts(Ss-21-29), Arrest (Ss-35-62)

UNIT-II

Lectures-08

Process to Compel Appearance of Persons (Ss-63-93), Process to Compel Production of Things(Ss-94-110)

UNIT-III

Lectures-12

Security for Keeping Peace and Good Behavior (Ss-125-143), Maintenance of Public Order and Tranquility (Ss-148-167)

UNIT-IV

Lectures-10

Information to the police and their powers to investigate (Ss-173-196), Jurisdiction of Criminal Courts in Inquires and trials(Ss-197-209), Complaints to Magistrates and Commencement of Proceedings before Magistrate(Ss-223-226), Charge and Procedure for framing charge(Ss-234-247)

UNIT-V

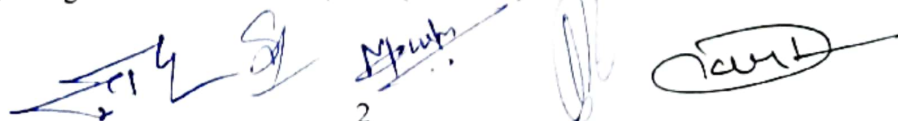
Lectures-08

Session Trial (Ss-248-260), Warrant Trial by Magistrate (Ss-261-273), Trial of Summons Case(Ss-274-281), Summary Trials(Ss-284-288),Plea Bargaining and Provisions(Ss-289-300), Bail (Ss- 478-496)

NOTE: The Question Paper will have Five Units. The Examiner is required to set Ten Questions with Two Questions from each Unit. The candidate shall be required to attempt Five Questions selecting One Question from each Unit. Each Question carries 20 Marks.

TEXTBOOKS:

1. Rattan Lal Dhiraj Lal; the Code of Criminal Procedure (Student edition)
2. R.V. Kelkar's; Criminal Procedure Code.
3. D.D. Basu; Criminal Procedure Code. Vol. I and II.
4. Woodroffe: Commentaries on Code of Criminal Procedure, 2 Volumes.
5. K.N. Chandrashekharan Pillai (ed.) Kelkar; Lectures on Criminal Procedure.
6. S.C. Sarkar: The Law of Criminal Procedure.
7. Bharatiya Nagrik Suraksha Sanhita, 2023 (Bare Act)

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Jiwaji University, Gwalior

LL.B (3YDC) IVth Semester

Paper – II Local Laws (M.P. Land Revenue Code and M.P. Accommodation Control Act, 1961)

Note:- This Paper shall be of 100 marks. Candidates are required to attempt five questions out of ten.

Contents:- The following topics are prescribed for study.

Constitutional Provisions:- Fundamental Rights, Property as Legal Right, Legislative Powers.

M.P. Land revenue Code 1959.

M.P. Accommodation Control Act.1961

Note:- This paper shall be divided in two section. Section (A) shall contains 7 question from M.P. land revenue code. 1959 and section (B) shall contain 3 question from M.P. Accommodation control Act, 1961. The candidates are required to attempt at least two question from section (A) and one question from section (B) In all five question are to be attempted.

Recommended Readings:-

Dwivedi
K.K. Nigam
Jindal
Khare

M.P. Land Revenue Code
M.P. Bhu-Rajaswa Sahita
M.P. Accommodation Control Act.
M.P. Accommodation Control Act.

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Jiwaji University, Gwalior

LL.B (3YDC) IVth Semester

Paper – IIIrd Environmental Laws

UNIT – I

Concept of Environment and Pollution

1. Environment, Meaning and concept
2. Pollution – Meaning, Effects of pollution and its kind
3. Water, Air Pollution Act
4. Indian Tradition & Industrial development
5. Environment Protection Act, 1988

UNIT – II

International Historical Perspective

1. Stockholm conference
2. Rio conference
3. U.N. declaration on right to development
4. Green House effect & Ozone Depletion

UNIT - III

Constitutional Provisions related to Environment

1. Constitution making – development and property oriented approach
2. Directive principles, (Status, role and interrelationship with fundamental rights and fundamental duties)
3. Fundamental Duty
4. Judicial approach
5. Fundamental Rights (Rights to clean and healthy environment, Environmental Vs Development)
6. Enforcing agencies and remedies (Courts, Tribunal, Constitutional, Statutory and judicial remedies)
7. Emerging principles (Polluter pays public liability insurance. Precautionary Principles)
8. Sustainable development

UNIT – IV

Environment Protection Measures Vis a Vis Environment Pollution

1. Protection agencies power and functions
2. Protection : means and sanctions
3. Emerging protection through delegated legislation
4. Hazardous waste and Bio-medical waste
5. Judiciary: Complex problems in administration of environment justice

The bottom of the page features several handwritten signatures and initials in blue ink. On the left, there is a signature that appears to be 'M. S. Gupta'. In the center, there are initials 'M. S.' and 'M. S.' written over a horizontal line. To the right of these, there is a circular stamp or signature. Further right, there is another signature that looks like 'S. S. S.'.

UNIT – V

A Forest and wild Life Protection

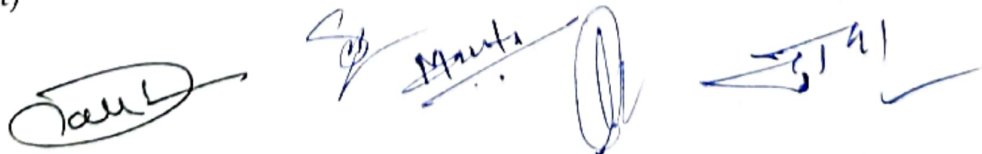
1. Greenery conservation laws
2. Forest conservation
3. Conservation agencies
4. Prior approval and non – forest purpose
5. Symbiotic relationship and tribal people
6. Denudation of forest: judicial approach
7. Wild life
8. Sanctuaries and national parks
9. Licensing of zoos and parks
10. State monopoly in the sale of wild life and wild life article
11. Offences against wild life

B. Bio – Diversity

1. Legal control
2. Control of eco-unfriendly experimentation on animal, plants, seeds and microorganism

Selected bibliography

1. Armin Rosencranze, et. Al. (eds.) Environmental Law and Policy in India (2000),
2. R.B. Singh and Suresh Mishra, Environmental Law in India (1996), Concept Pub. Co, New – Delhi
3. Kailash Thakur, Environmental Protection Law and Policy in India,(1997), Deep and Deep Pub. New Delhi
4. Richard L. Riverze, et. El. (eds.) Environmental Law, The Economy and sustainable Development (2000), Cambridge
5. Christopher D. stone, should Trees Have Standing and other Essays on law, Moral and Environment (1996), Oceana
6. Leelakrishnan, P. et al. (eds.) Law and Environment (1990), Eastern Lucknow
7. Leelakrishnan, P. The Environment Law in India (1999), Butterworths India
8. Department of Science and technology, Government of India, Report of the Committee Recommending Legislative Measures and Administrative Machinery for ensuring environment Protection (1980) (Tiwari Committee Report)



Jiwaji University, Gwalior

LL.B (3YDC) IVth Semester

Paper – IVth Criminology and Penology

Note:- This Paper shall be of 100marks. Candidates are required to attempt five question on ten.

Contents:-

(I)

Introduction:- Early concept of Crime, Nature and extent of Crime in India, Definition Crime and its characteristics. Difference from Sin, Scope of Criminology, Relation between Criminology, Penology and Criminal law. Possibility of criminology as a Science.

(II)

Causes of Criminal Behavior :- The Schools of Criminology Classical School, Positive School – Lombroso and others (heredity and mental retardation as causes of crime) Sociology Theories. Sutherland's Theory of Criminal behavior and differential association , Multi Causation theory, Economic theories and their relevance, Environment – home and combination influence, Urban and Rural Crimes, Effect of media broken homes – Motion Pictures – T.V. Video, Press- Narcotics and alcohol, Emotional disturbance and other Psychological factors.

(III)

Dimensions of Crime in India :- Nature and extent of Crime in India, Crime of Power Organised Crimes, White – Collar Crimes, Socio – economic Crimes – adulteration of food and fraudulent trade practices, Crimes in the Professions – Medical, legal, Engineering, Crime related Crimes, Criminality of women.

(IV)

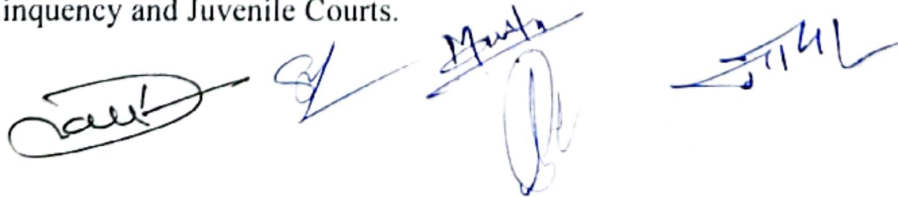
Police and the Criminal Justice:- The Police System in India, Organization of Police, P and duties of Police, The role of Police, Functions of Police in Crime Prevention, Custom violence and liability of Police, Corruption in Police.

Punishment of Offenders:- Modes of Punishment, Capital Punishment, The Prison System reforms in Prison Open Prisons Prison labour,

(V)

Theories of Punishment.

Juvenile delinquency and Juvenile Courts.



Jiwaji University, Gwalior

LL.B (3YDC) IVth Semester

Paper – Vth Alternate Dispute Resolution (Clinical Course)

UNIT-I

1. **Arbitration: meaning scope and types**
2. Arbitration Agreement- Essentials, Kinds
3. Who can enter into arbitration agreement?
4. Validity
5. Reference to arbitration
6. Interim measures by court

UNIT-II

1. Arbitration Tribunal, Appointment, Jurisdiction of arbitral tribunal, Grounds of challenge, Powers, Procedure, Court assistance
2. Award, Rules of guidance, Form and content, Correction and interpretation
3. Grounds of setting aside an award- Want of proper notice and hearing, Contravention of composition and procedure
4. Impartiality of the arbitrator
5. Bar of limitations, res judicata
6. Consent of parties
7. Enforcement

UNIT-III

1. **Appeal and revision**
2. Enforcement of foreign awards, New York convention Award, Geneva Convention Awards

UNIT-IV

Conciliation

1. Distinction between “conciliation”, “negotiation”, “mediation”, and “arbitration”,
2. Appointment of conciliator
3. Interaction between conciliator and parties
4. Communication, disclosure and confidentiality
5. Suggestions by parties
6. Resort to judicial proceedings, legal effect
7. Costs and deposit repeal



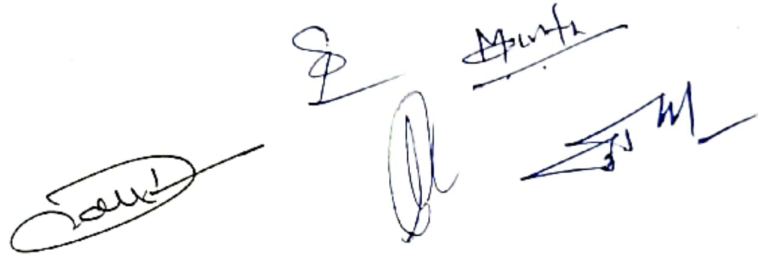
UNIT-V

Rule making Power:-

Legal Services Authorities Act
Lok Adalat
Legal camp

Books Recommended

- | | | |
|----------------|---|--------------------------------------|
| 1. Avtar Singh | : | Arbitration and Conciliation |
| 2. Goyal | : | Arbitration and Conciliation Act |
| 3. अवतार सिंह | : | माध्यसमि एवं सुलह अधिनियम |
| 3. Shukla | : | Legal remedies |
| 4. Jhabvala | : | Law of Arbitration and Concilliation |

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JIWAJI UNIVERSITY, GWALIOR

SYLLABUS AND SCHEME OF EXAMINATION

SESSION 2024 - 27

LL. B (3YDC) V SEMESTER

The Candidate shall be examined in the following compulsory subjects through same number and nomenclature of paper -

Paper/ Subjects	Subject/ Name of the Paper	Max. Marks	Min. Marks	Practical Marks	Min. Marks	Aggregate
I	The Code of Civil Procedure and Limitation Act.	100	36	---		48
II	Property Law (Transfer of Property Act, 1882)	100	36	---		48
III	Company Law	100	36	---		48
IV	Industrial and Labour Laws	100	36	--		48
V	Drafting of Pleading and Conveyancing (Clinical Course) (80+20=100)	80	29	20	07	48
Total		500				240

The Percentage of marks required for Passing in LL. B. (3YDC) V Semester

Examination is as follows.

1. 36% ie . 36 in each of the above Fifth subjects/ papers
2. 48% ie . 240 marks in aggregate of all the above subject/ paper

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Jiwaji University, Gwalior

LL.B (3YDC) Vth Semester

Paper – Ist The Code of Civil Procedure and Limitation Act

UNIT – I

Introduction

Concepts

1. Affidavit, order, judgment, decree, plaint, restitution, execution, decree – holder, judgment – debtor, mense profits, written statement
2. Distinction between decree and judgment and between decree and order

Jurisdiction

1. Kinds
2. Hierarchy of courts
3. Suit of civil nature – scope and limits
4. Res subjudice and resjudicata
5. Foreign judgment – enforcement
6. Place of suing
7. Institution of suit
8. Parties to suit: joinder mis – joinder or non – joinder of parties: representative suit
9. Frame of suit: cause of action
10. Alternative disputes resolution (ADR)
11. Summons

UNIT – II

Pleading

1. Rules of pleading, signing and verification
2. Alternative pleading
3. Construction of pleadings
4. Plaint: Particulars
5. Admission, return and rejunction
6. Written statement : particulars, rules of Evidence
7. Set off and counter claim: distinction
8. Discovery, inspection and production of documents
9. Interrogatories
10. Privileged documents
11. Affidavits

UNIT – III

Appearance, Examination and Trial

1. Appearance
2. Ex-prate procedure
3. Summary and attendance of witnesses

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4. Trial
5. Adjournments
6. Interim orders: commission, arrest or attachment before judgment, injunction and appointment of receiver
7. Interests of costs
8. Execution
9. The concept
10. General Principles
11. Power for execution of decreets
12. Procedure for execution (section 52-54)
13. Enforcement, arrest and detection (Ss 55-56)
14. Attachment (Ss 65-97)
15. Sale (Ss 65-97)
16. Delivery of property
17. Stay of execution

UNIT – IV

Suits in Particular Cases

1. By or against government (Ss. 79- 82)
2. By aliens and by or against foreign rules or ambassadors (Ss. 83- 87A)
3. Public nuisance (Ss. 91-93)
4. Suits by or against firm
5. Mortgage
6. Interpleaded suits
7. Suits relating to public charities

UNIT – V

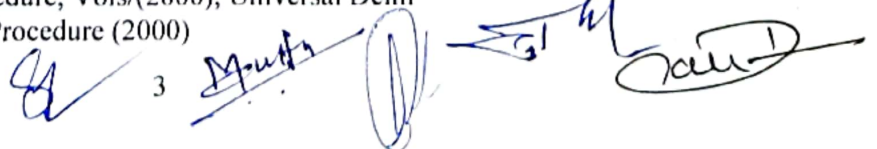
Appeals review, reference and revision

1. Appeals from decree and order general provisions relating to appeal
2. Transfer of cases
3. Restitution
4. Caveat
5. Inherent Powers of Courts
6. Law reform : Law Commission on Civil Procedure
7. Amendments
8. Law of Limitation
9. The concept – the Law assists the vigilant and not those who sleep over the rights

Selected Bibliography

1. Mulla, Code of Civil Procedure (1999), Universal Delhi
2. C.K. Thacker, Code of Civil Procedure (1999), Universal Delhi
3. M.R. Mallick (ed.), B.B. Mitra on Limitation Act (1998), Eastern Lucknow
4. Majumdar P.K. and Kataria R.P. Commentary on the Code of Civil Procedure, 1908 (1998), Universal Delhi
5. Saha A.N. The Code of Civil Procedure, (2000), Universal Delhi
6. Sarkar's Law of Civil Procedure, Vols/(2000), Universal Delhi
7. Universal's Code of Civil Procedure (2000)

3



Jiwaji University, Gwalior

LL.B (3YDC) Vth Semester

Paper – II Property Law (Transfer of Property Act, 1882)

UNIT – I

Introduction:-

Concept and meaning of property. various definitions given under transfer of property act, kinds of property – movable and immovable property – tangible and intangible property – intellectual property – copyright – patents and designs – trademarks

UNIT – II

Law relating to Transfer of Property under Transfer of Property Act, 1882

1. General Principles of transfer of Property whether movable or immovable (Sec. 5 to 37)

UNIT – III

1. General Principles of transfer of immovable property sale, mortgage, (Sec. 38 to 53 "A")

UNIT – IV

1. Gift, Leases, exchange Actionable claims

UNIT – V

Easement

1. Nature, Characteristics, definition and essentials creation of easements, kinds Riparian rights, Extinction, Suspension and revival of easements, Licenses

Selected Bibliography

Mulla	Transfer of Property Act
V.P. Sarthy	Transfer of Property
R.K. Sinha	Law of Transfer of Property
N.K. Jhabwala	The Indian Easement Act

Jiwaji University, Gwalior
LL.B (3YDC) Vth Semester
Paper – IIIrd Company Law

UNIT – I

Meaning of Corporation

1. Theories of corporate Personality
2. Creation and extinction of corporations

UNIT – II

Forms of Corporate and non-corporate organization

1. Corporations, Partnership and other association of persons, state corporations Government companies, small scale, co- operative, corporate and joint sectors

UNIT – III

Law Relating to Companies – Public and Private – Companies Act, 2013

1. Promoters – Position – duties and Liabilities
2. Need of company for development, formation of a company, registration and incorporation
3. Memorandum of association – various clauses – alteration - therein – doctrine of ultra virus
4. Articles of association – binding force – alteration - its relation with memorandum of association – doctrine of constructive notice and indoor management – exceptions
5. Prospectus – issue – contents – liability for misstatements - statement in lieu of prospectus
6. Shares – general Principles of allotment, statutory restrictions transfer of shares – relationship between transferor and transferee
7. Shareholder – who can be And who cannot be shareholder – modes of becoming shareholder – calls on shares – forfeiture and surrender of shares – lien on shares
8. Share capital – kinds – alteration and reduction of share capital – further issue of capital – conversion of loan and debentures into capital – duties of courts to protect the interests of creditors and share holders



UNIT – IV

1. Directors – Position – appointment – qualification – vacation of office – removal resignation – powers and duties of directors – meeting, registers, loans – remuneration of directors – role of nominee directors – compensation for loss of office – managing directors and other managerial personnel
2. Meetings – kinds - procedure – voting
3. Dividends - payment – capitalization – profit
4. Audit and accounts
5. Borrowing powers – powers – effect of unauthorized borrowing – charges and mortgages – investments
6. Debentures – meaning – fixed and floating charges – kinds of debentures share holder and debenture holder remedies of debenture holders
7. Protection of minority rights
8. Protection of oppression and mismanagement – who can apply? Powers of the company, court and of the central Government
9. Investigations – Powers
10. Private companies – nature and advantages – government companies holding and subsidiary companies
11. Winding up – types –by court – reason – ground – who can apply – procedure –powers of liquidator – powers of court – consequences of winding up order voluntary winding u subject to supervisions of courts liability of past members – payment of liability preferential payment, unclaimed dividends – winding up of unregistered company

UNIT – V

Corporate Liability

1. Legal liability of companies – civil and criminal
2. Remedies against the civil, criminal and tortuous – specific relief Act, writs liability under special statues

Selected Bibliography

1. Avtar Singh Indian Company Law (1999), eastern Lucknow
2. L.C.B. Gower, Principles of Modern Company Law (1997), Sweet and Maxwell, London
3. Palmer Palmer's Company Law (1987), Stevans, London
4. R.R. Pennington, Company Law (1990), Butterworths
5. A. Ramiya, Guide to the Companies Act, (1998), Wadhwa
6. S.M. Shah Lectures on Company Law (1998), Trijpathi, Bombay

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Jiwaji University, Gwalior

LL.B (3YDC) Vth Semester

Paper – IVth Industrial and Labour Laws

UNIT – I

General Introduction,
Industrial Jurisprudence,
Labour Policy in India,
Industrial Revolution in India, Evils of Industrialization. Labour Problems.
Growth of Labour Legislation in India.

UNIT – II

Industrial Dispute Act, 1947
Short title, definition & authorities
Notice of change
Reference of certain industrial dispute to grievance settlements authorities, board, courts,
tribunals
Power Procedure & duties of authorities
Strike, lock out lay, Retrenchment
Penalties

UNIT – III

Trade Union Act, 1926
Registration of trade union
Rights & liabilities of registered trade union
Regulation
Penalties & Procedure

UNIT – IV

Minimum Wages Act, 1948
Introduction & definition
Minimum wages; fixation & procedure
Authorities under the Act
Fixation of hours of work & wages
Claims & their determination
Cognizance of offence



UNIT –V

- ✓ Factories Act, 1948
- Introduction, definition, registration & licensing
- The inspecting staff
- Health
- Safety
- Working hours of adult
- Annual leave with wages
- Penalties & Provisions

Selected Bibliography

1. John Bowers and Simon Honeyball, Text book on Labour Law (1996)
2. Srivastava K.D. Commentaries on payment of wages Act 1936 (1998), Eastern Lucknow
3. Srivastava K.D. Commentaries on minimum wages Act 1948 (1995), Eastern Lucknow
4. Rao S.S. Law and Practice on Minimum wages (1999) Law Publishing House, Allahabds
5. Seth D.D. Commentaries on Disputes Act 1947 (1998), Law Publishing House, Allahabds
6. Shrivastava K.D. Commentaries on factories Act 1948 (2000), Eastern Lucknow
7. R.C. Saxena Labour problems and social welfare
8. V.V. Giri Labour problems in India Industries
9. O.P. Malhotra, The Law of Industrial Disputes (1998) Universal Delhi
10. S.C. Srivastava, Social Securities and Labour laws pts. 5 and 6 (1985), Universal Delhi
11. S.C. Srivastava, Commentary on the Factories Act 1948 (1999) Universal Delhi

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Jiwaji University, Gwalior

LL.B (3YDC) Vth Semester

Paper – Vth Drafting of Pleading and Conveyancing

Drafting

General Principles of Drafting and relevant substantive rules shall be taught

Pleadings

Civil : Complaint, W/s; Interlocutory application; Original petition; Affidavit; Execution petition; Memorandum of appeal and Revision; petition under Article 226 and 32 of the constitution of India

Criminal

Complaints; Misc, petition; Bail application; Memorandum of appeal and revision
Conveyancing

Sale deed; Mortgage deed; Lease deed; Gift deed; Promissory Note; Power of Attorney; and Will – The remaining 10 marks will be given in a Viva – Vocie which will test the understanding of Legal Practice in relation to Drafting Pleading and Conveyancing

Clinical Course

This paper shall consist of theory (80 marks) and Viva (20 marks)
In Practical : the student will prepare Civil/Criminal Clint – (10 marks)
Viva – (10 marks)

Books Recommended:-

Drafting Pleading and Conveyancing - Mogha s Indian Conveyancer

Drafting Pleading and Conveyancing - The Advocacy Dr. Jayant L. Aparajit
– Udayan Law Publishes Nagpur

Drafting Pleading and Conveyancing - R.K. Chaturvedi

प्रारूपण अभिवचन तथा अभिहस्तान्तरण लेखन – डॉ. वाई एस. शर्मा

प्रारूपण अभिवचन तथा अभिहस्तान्तरण लेखन – एस.सी. दीक्षित

प्रारूपण अभिवचन तथा अभिहस्तान्तरण लेखन – ए.एन. पाण्डेय

JIWAJI UNIVERSITY, GWALIOR

SYLLABUS AND SCHEME OF EXAMINATION

SESSION 2024 - 27

LL. B (3YDC) VI SEMESTER

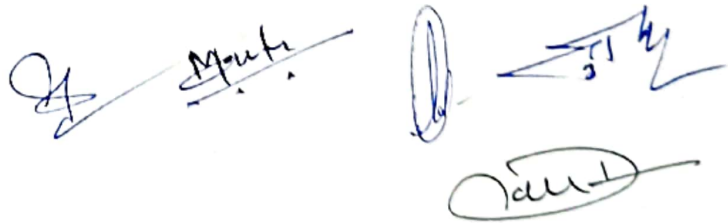
The Candidate Shall be examined in the following compulsory subjects through same number and nomenclature of paper -

Paper/ Subjects	Subject/ Name of the Paper	Max. Marks	Min. Marks	Aggregate
I	Public International Law and Human Rights	100	36	48
II	Interpretation of statutes	100	36	48
III	Taxation Laws	100	36	48
IV	Intellectual Property Law	100	36	48
V	Practical (Viva- voce)	100	36	48
Total		500		240

The Percentage of marks required for Passing in LL. B. (3YDC) VI Semester

Examination is as follows.

1. 36% ie . 36 in each of the above Fifth subjects/ papers
2. 48% ie . 240 marks in aggregate of all the above subject/ paper



Jiwaji University, Gwalior

LL.B (3YDC) VIth Semester

Paper – Ist Public International Law and Human Rights

Definition and concept of international Law
Source of International Law
Historical development of International Law
Relationship of International Law and Municipal Laws
Subject of International Law, place of individuals in International Law
States, recognition
States, succession
Acquisition and loss of state territory
Responsibilities of state CBBT
Nationality aliens, Asylum extradition, diplomatic agents treaties
International organizations – U.N.O., including in its organs and International criminal court
Settlement of Disputes
International terrorism, disarmament

Books recommended

S.K. Kapoor	International Law
R.P. Anand	Salient Documents in International Law
S.C.H. Warzenberger	A Manual of International Law
J.G. Starke	Introduction to International Law
Gurdeep Singh	International Law
D.W. Bowett	International Institutions
Oppenheim	International Law
Breirly	Law of Nations

GP *Marks* *OR* *MI*
Paul

Jiwaji University, Gwalior

LL.B (JYDC) VIth Semester

Paper – IInd Interpretation of statutes

UNIT – I

Interpretation of Statues

1. Meaning of the term 'statues'
2. Commencement, operation and repeal of statues
3. Purpose of interpretation of statues

UNIT – II

Aids to Interpretation

1. Internal aids

1. Titles
2. Preamble
3. Heading and marginal notes
4. Sections and sub-sections
5. Punctuation marks
6. Illustrative, exceptions, provisos and saving clauses
7. Schedules
8. Non obstante clause

2. External aids

1. Dictionaries
2. Translations
3. Travaux preparatoires
4. Statues in pari material
5. Contemporanea Exposito
6. Debates, inquiry commission reports and Law commission reports

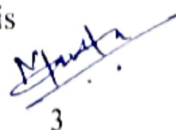
UNIT – III

Rules of Statutory Interpretation

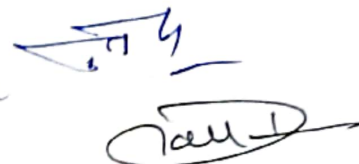
1. Primary rules
2. Literal rule
3. Golden rule
4. Mischief rule (rule in the Heydon's case)

UNIT –IV

1. Rule of harmonious construction
2. Noscitur a sociis
3. Ejusdem generis
4. Reddendo singula singulis



3



UNIT –V

Interpretation with reference to the subject matter and purpose

1. Restrictive and beneficial construction
2. Taxing statutes
3. Penal statutes
4. Welfare legislation


UNIT – VI

Principal of Constitutional Interpretation

1. Harmonious constructions
2. Doctrine of pith and substance
3. Colourable legislation
4. Ancillary powers
5. Residuary power
6. "Occupied field"
7. Doctrine of repugnancy

Selected Bibliography

1. G.P. Singh, Principal of Statutory Interpretation,(7th ed.) 1999, Wadhwa Nagpur
2. P.St. Langan (ed.) Maxwell on The Interpretation of Statues (19760, N.M. Tripathi. Bombay
3. K. Shanmukham, N.S. Bindra's Interpretation of Statues (1997) The Law Book Co.
4. V. Sarathi, Interpretation of Statues, (19894), Easern& co.
5. M.P. Jain, Constitutional Law of India, (1994) Wadhwa & co.
6. M.P. Singh, (ed.) V.N. Shukla's Constitution of India (1994) Eastern Luchnow
7. U. Baxi, INtroduction to Justice K.K.Mathews, Democracy Equality and Freedom (19780 Eastern Lucknow

The image shows several handwritten signatures and initials in blue ink. On the left, there is a stylized signature that appears to be 'g'. To its right is a signature that looks like 'Mant'. Further right is a circular stamp or signature. To the right of that is another signature that looks like 'Sri'. At the bottom right, there is a signature that looks like 'Bant'.

Jiwaji University, Gwalior

LL.B (3YDC) VIth Semester

Paper – IIIrd Taxation Laws

UNIT- I

Income Tax Act

Basic concepts- basic of charges of tax: Definitions: residential status of assesses – its impact on tax liability

UNIT- II

Heads of income – general concepts – chargeability to tax – admissible & inadmissible deductions, exclusions and deductions from income, set off and carry forward of losses

UNIT- III

Income tax authorities- powers & functions, assessment allotment of permanent account number, economic criteria scheme

UNIT- IV

Rectification, revision, appeal, reference

UNIT- V

Penalties and prosecutions under income tax act, 1961 for non- compliance, contravention, avoidance and evasion of tax

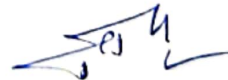
Books Recommended:-

Principles of taxation – Atal Kumar

Principles of taxation – Kailash Rai

Principles of taxation – S.R. myncni

Principles of taxation - U.P.D. Kasali



Jiwaji University, Gwalior

LL.B (3YDC) VIth Semester

Paper – IVth Intellectual Property Law

INTELLECTUAL PROPERTY LAW,


Syllabus

1. Introductory

- The meaning of intellectual property
- 1.2 Competing rationales of the legal regimes for the protection of intellectual property
- 1.3 The main forms of intellectual property : copyright trademarks, patents, designs
- 1.4 The competing rationales for protection of rights in
 - 1.4.1 Copyright
 - 1.4.2 Trade marks
 - 1.4.3 Patents
 - 1.4.4 Designs
 - 1.4.5 Trade secrets
 - 1.4.6 Other new forms such as plant varieties and geographical Indians
- 1.5 Introduction to the leading international instruments concerning intellectual property rights : the Berne Convention, Universal Copyright Convention, the Paris Union TRIPS the World Intellectual Property Rights Organisation (WIPO) and the UNESCO.

2 Select aspects of the law of copyright in India

- 2.1 Historical evolution of the law
- 2.2 Meaning of copyright
- 2.3 Copyright in literary, dramatic and musical works
- 2.4 Copyright in sound records and cinematograph films
- 2.5 Copyright in computer programme
- 2.6 Ownership of copyright
- 2.7 Assignment of copyright
- 2.8 Author's special rights
- 2.9 Notion of infringement
- 2.10 Criteria of infringement
- 2.11 Infringement of copyright by films of literary and dramatic works.
- 2.12 Importation and infringement
- 2.13 Fair use provisions
- 2.14 Piracy in internet
- 2.15 Aspects of copyright justice
- 2.16 Remedies, especially, the possibility of Anton pillar injunctive relief in India.



3 Intellectual Property in Trademarks

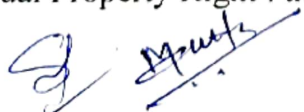
- 3.1 The rationale of Protection of trademarks as (a) an aspect of commercial and (b) of consumer rights.
- 3.2 Definition and concept of trademarks
- 3.3 Registration
- 3.4 Distinction between trademark and property mark
- 3.5 The doctrine of honest Current User
- 3.6 Protection of well-known marks
- 3.7 The doctrine of deceptive similarity
- 3.8 Passing off and infringement
- 3.9 Criteria of infringement
- 3.10 Standards of proof in passing off action
- 3.11 Remedies

4 The law of Intellectual property : Patents

- 4.1 Concept of Patent
- 4.2 Historical view of the patents law in India
- 4.3 Patentable inventions with special reference to biotechnology products entailing creation of new forms of life.
- 4.4 Patent protection for computer programme
- 4.5 Process of obtaining a patent : application, examination, opposition and sealing of patents : general introduction
- 4.6 Procedure for filing patents. Patent co-operation treaty
- 4.7 Some grounds for opposition
 - 4.7.1 The problem of limited locus standi to oppose, specially in relation to inventions having potential of ecological and mss disasters
 - 4.7.2 Wrongfully obtaining the invention
 - 4.7.3 Prior publication or anticipation
 - 4.7.4 Obviousness and the lack of inventive step
 - 4.7.5 Insufficient description
- 4.8 Rights and obligations of a patentee
 - 4.8.1 Patents as chose in action
 - 4.8.2 Duration of patents : law and policy considerations
 - 4.8.3 Use and exercise rights
 - 4.8.4 Right to secrecy
 - 4.8.5 The notion of "abuse" of patent rights
 - 4.8.6 Compulsory licenses
- 4.9 Special Categories

Books Recommended & Select Bibliography

- Intellectual Property Right : the Emerging Issues – Prof. Siddharth Shastri
- Intellectual Property Right : the Emerging Issues – N.S. Sranivasule
- Intellectual Property Right : the Emerging Issues - J.P.Mishra
- Intellectual Property Right : the Emerging Issues – M.K. Bhandani



7





Intellectual Property Right : the Emerging Issues – S.K.Singh
Intellectual Property Right – डॉ. संजय कुलश्रेष्ठ
भारत में बौद्धिक सम्पदा अधिकार एवं विधि – डॉ. वाई. एस. शर्मा

Cornish W.R., Intellectual Property, Patents, Trade Marks, Copy Rights and Allied Rights (1999) Asia Law House, Hyderabad.

Vikas Vashishth, Law and Practice of Intellectual Property (1999), Bharat Law House, Delhi.

P. Narayanan, Intellectual Property Law (1999), (ed) Eastern Law House, Calcutta.

Bibeck Debroy (ed.) Intellectual Property Rights (1998) Rajiv Gandhi Foundation, Delhi.

U.I.F. Anderfelt, International Patent Legislation and Developing Countries (1971) .

W.R. Cornish, Intellectual Property (3rd ed.) (1996) Sweet and Maxwell.

W.R. Mann, Transfer of Technology (1982)

Mata Din, Law of Passing off and Infringement Action of Trade Marks (1986).

P.S. Sangal and Kishore Singh, Indian Patent System and Paris Convention : Legal Perspectives (1987).

K. Thairani, Copyright: The Indian Experience (1987)

W.R. Cornish, Para and Materials on Intellectual Property (1999), Sweet & Maxwell



Jiwaji University, Gwalior

LL.B (3YDC) VIth Semester

Paper – Vth

PRACTICAL

This Practical will carry 100 marks. It will consist of the observation of the students by actual participation in two civil and two criminal cases in the court under an assigned advocate of at least ten years standing at Bar and preparation of the records of the proceeding of these cases, learning of pretrial preparation by attending the office of the assigned advocate and preparation of record there of, Attend and participate in two Moot Courts to be organized by the department and preparation of record there of. Participation in para Legal Services (Legal Aid&Legal Literacy) Organised by the Legal aid clinic. Two civil and two criminal cases shall be verified and signed by the assigned advocate.

This record shall be valued by a panel of one external examiner to be appointed by the Examination committee. This valuation shall be undertaken at the college center itself. With the help of internal Examiner appointed by Principle/Head of the Deptt. of the Institution Students shall come with their record on the date of such valuation for formal viva – Voce to ensure that they actually participated in the above proceedings No candidate will be allowed to appear in this practical examination without having record duly signed by Advocate assigned.

Marks will be awarded on the over all performance.

