



**Dr. A.P.J. Abdul Kalam University, Indore (M.P)**

**Scheme of Examination**

**LL.B**

**Semester-I**

(w.e.f. July 2019 Onwards)

(Non Grading)

Course Name	Subject	Theory Max. Marks				Practical Max Marks		Total
		Internal		External		Max Marks	Min Marks	
		Max	Min	Max	Min			
LL.B	Constitutional law – I LLB - 101	20	07	80	28	-	-	100
	Law of Torts Including M.V. Accident & Consumer Protection Law LLB-102	20	07	80	28	-	-	100
	Labour and industrial law LLB - 103	20	07	80	28	-	-	100
	Law of Contract- I LLB - 104	20	07	80	28	-	-	100
	Family Law-I (Hindu Law) LLB - 105	20	07	80	28	-	-	100
	Women and criminal law LLB – 106	20	07	80	28	-	-	100
	Total							600



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**FIRST YEAR**  
**Semester – I**

**Course**

**LL.B**

**Subject Title**

**CONSTITUTIONAL LAW - I**

**Subject Code**

**LLB – 101**

**UNIT-II Introduction**

1. Constitution, Meaning, Making of the Constitution
2. Salient Features of Indian Constitution
3. Nature of Indian Constitution .
4. Preamble, union and its territory

**UNIT-II Citizenship, Fundamental Rights**

1. Citizenship
2. State
3. Fundamental Rights – Equality, Freedom and social control, personal liberty, changing dimensions of personal liberty, cultural and educational rights.
4. Right to Constitutional Remedies

**UNIT-III Fundamental duties, Directive Principles**

1. Directive Principles of State policy.
2. Inter relationship between Fundamental rights and Directive Principles.
3. Fundamental Duties.

**UNIT-IV Union Executive, Legislature and Judiciary**

1. Union Executive – The President, Vice President Council of Ministers
2. Union Legislature –Parliament
3. Union Judiciary –Supreme Court.

**UNIT-V State Executive, Legislature and judiciary**

1. State Executive – Governor
2. State Legislature – Vidhan Sabha – Vidhan Parishad
3. State Judiciary – High Court.

**SELECT BIBLIOGRAPHY:**

1. D.D. Basu, Shorter Constitution of India, (1996), Prentice Hall of India, Delhi.
2. D.D. Basu- Introduction to Constitution of India. 2002 (Reprint) Wadhwa.
3. H.M. Seervai, Constitution of India, Vol. 1-3 (1992), Tripathi, Bombay
4. M.P. Singh (ed.), V.N. Shukla, Constitutional Law of India (2000), Oxford
5. Indian Constitution, V.N. Shukla.
6. Constitution of India, V.P. Mahaja



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**FIRST YEAR**

**Semester – I**

**Course**

**LL.B**

**Subject Title**

**LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENT  
AND CONSUMER PROTECTION LAWS**

**Subject Code**

**LL.B 102**

**Unit-I Evolution of Law of Torts**

1. England. - Forms of action, specific remedies from case to case
2. India - principles of justice equity and good conscience-unmodified character-advantages and disadvantages

**Definition, Nature, Scope and Objects of Tort**

1. A wrongful act- violation of duty imposed by law, duty which is owed to people generally (in rem) - damnum sine injuria and injuria sine damnum-doctrine and applicability.
2. Tort distinguished from crime and breach of contract and trusts.
3. The contract of unliquidated damages
4. Changing scope of law of torts: expanding character of duties owed to people generally due to complexities of modern society
5. Objects-prescribing standards of human conduct, redressal of wrongs by Payment of compensation, proscribing unlawful conduct by injunction.

**Unit-II Justification in Tort**

1. Volenti non fit injuria
2. Necessity, private and public
3. Plaintiffs default
4. Act of God
5. Inevitable accident
6. Private defense
7. Statutory authority
8. Judicial and quasi-judicial acts
9. Parental and quasi-parental authority
10. Extinguishment of liability in certain situations

**Unit-III Doctrine of sovereign immunity and its relevance in India**

1. Vicarious Liability
2. Torts against persons and personal relations
3. Defamation
4. Parental relations, master and servant relation

5. Malicious prosecution, wrongful confinement
6. Wrongs affecting property
7. Trespass to land
8. Constitutional torts and Public liability for victim's compensation.

#### **Unit-IV Negligence**

1. Basic concepts
2. Theories of negligence
3. Contributory negligence
4. Special situations of negligence – Lazardous Substance and Machinery product liability liability towards ultimate transferee.

#### **Nuisance**

1. Definition essentials and types
2. Acts of obstructions (view and formation of queues)
3. Absolute and Strict liability
4. Legal remedies
5. Award of damages
6. Injunction
7. Extra-legal remedies

#### **Unit-V Consumer Protection Act**

1. Concept and definition of Consumer and service
2. Unfair trade practices
3. Supply of essential commodities and services
4. Enforcement of consumer rights

#### **Motor Vehicle Act**

1. Types of Accident, At road intersections, collision, involving children, excessive speed, in floods, pedestrian, Running over cyclist and Hit and run case.
2. Compensation and Right to Just Compensation.
3. Claims and Claim Tribunal – Composition, Powers, Procedure and appeal against its orders.
4. Liability – Insurance Company, Third Party, Vicarious Liability Fault and no Fault liability, Right to fixed compensation.

#### **Select bibliography**

1. Salmond and Heuston - On the Law of Torts (2000) Universal Delhi.
2. D.D. Basu, The Law of Torts (1982), Kamal, Calcutta.
3. B.M. Gandhi, Law of Tort (1987), Eastern, Lucknow
4. P.S. Achuthan Pillai, The law of Tort (199t) Eastern, Lucknow.
5. Ratanlal & Dhirajal, The Law of Torts (1997), universal, Delhi.



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**FIRST YEAR**

**Semester – I**

**Course**

**LL.B**

**Subject Title**

**LABOUR & INDUSTRIAL LAW**

**Subject Code**

**LL.B 103**

**UNIT-I General Introduction**

1. Industrial Jurisprudence
2. Labour policy in India
3. Industrial revolution in India, evils of Industrialization, Labour problems.
4. Growth of labour legislation in India.

**UNIT-II Industrial dispute Act, 1947**

1. Short title, definition & authorities
2. Notice of change
3. Reference of certain industrial disputes to grievance settlements Authorities, board, courts, tribunals.
4. Power procedure & duties of authorities.
5. Strike, lock out, lay, Retrenchment.
6. Penalties.

**UNIT-III Trade Union Act, 1926.**

1. Registration of trade union, recognition of trade union
2. Rights & Liabilities of registered trade union.
3. Regulation.
4. Penalties & procedure.

**UNIT-IV Wages**

1. Payment of wages Act 1936
2. Minimum wages Act 1948
3. Introduction & definition
4. Minimum wages : fixation & procedure.
5. Authorities under the Act
6. Fixation of hours of work & wages
7. Claims & their determination
8. Cognizance of offence
9. Maternity Benefit Act
10. Equal Remuneration Act

## **UNIT-V Factories Act 1948 and Insurance**

1. Introduction, definition, registration & licencing
2. The inspecting staff
3. Health
4. Safety
5. Welfare
6. Working hours of adults
7. Females and children not to be employed in hazardous jobs
8. Annual leave with wages
9. Penalties & provisions.
10. Employees State Insurance Act.

## **SELECTED BIBLIOGRAPHY**

1. John Bowers and Simon Honeyball, Textbook on Labour Law (1996), Blackstone, London.
2. Shrivastava K.D. Commentaries on payment of wages Act 1936 (1998), Eastern, Lucknow.
3. Shrivastava K.D. Commentaries on minimum wages Act (1948) (1995), Eastern Allahabad.
4. Rao S.S. Law and Practice on minimum wages (1999), Law Publishing House, Allahabad.
5. Seth D.D. Commentaries on Disputes Act 1947 (1998), Law Publishing House, Allahabad.
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 Indian 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), Universal Delhi.
12. Industrial Adjudication ILI, 2003 New Delhi.
13. Labour and Industrial Laws – Dr. V.G. Goswami
14. Labour and Industrial Laws – S.N. Mishra
15. Labour law – Indrajeet Singh



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**FIRST YEAR**  
**Semester – I**

**Course**

**LL.B**

**Subject Title**

**LAW OF CONTRACT-I**

**Subject Code**

**LL.B 104**

**UNIT-I Introduction**

1. History and nature of contracted obligations
2. Agreement and contract : definitions, elements and kinds of contract.
3. Proposal and acceptance
4. Consideration
5. Theories of Contract

**UNIT-II Capacity to contract**

1. Free consent
2. Undue Influence
3. Misrepresentation
4. Fraud
5. Mistake
6. Unlawful considerations and objects
7. Fraudulent.

**UNIT-III Void and void able agreements**

1. Injurious to person or property
2. Immoral
3. Against public policy
4. Void and void able agreements
5. Contract without consideration
6. Agreements in restraint of marriage, trade etc
7. Contingent contract, Wagering contract and its exception.

**UNIT-IV Contractual obligations**

1. Contractual obligations – remedies, discharge of
2. Damages, remoteness of damages, ascertainment of damages
3. Government Contracts.
4. Quasi Contract - Obligations

**UNIT-V Specific Relief Act**

1. Specific performance of contract and Specific Relief Act
2. Contract that can be specifically enforced & that cant be enforced
3. Persons against whom specific enforcement can be ordered

4. Rescission and cancellation of contracts and documents
5. Injunctions, temporary, perpetual, Mandatory, Obligatory
6. Declaratory Decree
7. Discretion and powers of court

### **Select Bibliography**

1. Beasten (ed.) Anson's Law of Contract (27 ed. 1998).
2. P.S. Atiya, Introduction to the Law of Contract 1992 reprint (Clarendon Law Series).
3. Avtar Singh, Law of Contract (2000) Eastern, Lucknow.
4. G.C. Cheshire, and H.S. Fifoot and M.P. Furmston, Law of Contract (1992) ELBS with Butterworth's.
5. M. Krishnan Nair, Law of Contracts, (1998).
6. G.H. Treitel, Law of Contracts, Sweet & Maxwell (1997 reprint).
7. R.K. Abhichandani, (ed.) Pollock & Mulla on the Indian Contract and the Specific Relief Act (1999) Tripathi.
8. Banerjee, S.C. Law of Specific Relief (1998), Universal.
9. Anson, Law of Contract (1998), Universal.
10. Dutt on Contract (2000), Universal.
11. Anand & Aiyer, Law of Specific Relief (1999), Universal.
12. Kailash Rai, Contract I & Specific Relief Act.





Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**FIRST YEAR**  
**Semester – I**

**Course**

**LL.B**

**Subject Title**

**FAMILY LAW I (HINDU LAW)**

**Subject Code**

**LL.B 105**

**UNIT-I Introduction**

1. Nature of Hindu Law
2. Hinduism, Origin and Development, Definitions.
3. Schools and Sources.

**UNIT-II Marriage and Divorce**

1. Marriage
2. Kinds, nullity of marriage.
3. Hindu marriage Act, 1955.
4. Special marriage Act, 1954.
5. Divorce
6. Judicial separation, Restitution of conjugal rights.
7. Grounds for matrimonial remedies.

**UNIT-III Hindu Undivided Family**

1. Joint family (Hindu undivided family)
2. Coparcenaries, property under *Mitakshara* and *Dayabhag*.
3. Partition and Re-union, women estate, stridhan.

**UNIT-IV Gift, Wills and Adoption**

1. Gifts, wills.
2. Hindu adoption and maintenance Act, 1956.
3. Hindu Minority and Guardian Ship Act, 1956.

**UNIT-V Inheritance**

1. General rules of Succession
2. Disqualification relating to Succession
3. Hindu Succession Act, 1956
4. Religious Endowment.

**SELECTED BIBLIOGRAPHY**

1. Paras Diwan, Law of Intestate and Testamentary Succession (1998), Universal.
2. Basu, N.D. Law of Succession (2000), Universal.
3. Kusum, Marriage and Divorce Law Manual (2000), Universal.
4. Manchanda, S.C. Law and Practice of Divorce in India (2000), Universal.
5. P.V. Kane, History of Dharmasastra Vol. 2 pt. 1 at 624-632 (1974).
6. Kuppaswami (ed.) Mayne's Hindu Law and Usage Ch. 4 (1986).
7. B. Sivaramaya, Inequalities and the law, (1985).
8. K.C. Daiya, "Population control through family planning in India." Indian Journal of Legal Studies, 85 (1979).
9. J.D.M. Derrett, Hindu Law : Past and Present.
10. B.M. Gandhi – Hindu Law



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**FIRST YEAR**  
**Semester – I**

**Course**

**LL.B**

**Subject Title**

**WOMEN AND CRIMINAL LAW**

**Subject Code**

**LL.B 106**

**UNIT-I Introduction**

1. Crimes against women
2. Nature and kinds
3. International commitments.

**UNIT-II Major Hardships to woman and Indian laws**

1. Rape, sexual harassment of working women in workplace
2. Indecent representation of women-meaning, protection under Indian laws.

**UNIT-III Particular and General Offences**

1. Dowry death
2. Assault
3. Unnatural offences – National protections.

**UNIT-IV Special offending act**

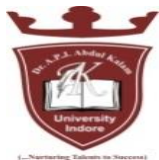
1. Immoral trafficking
2. Female foeticide
3. Kidnapping and abduction – National protections.

**UNIT-V Cruelty and violence**

1. Cruelty and domestic violence against women - National protections.

**SELECTED BIBLIOGRAPHY -**

1. Indian Penal Code- Ralanlal Dhirajlal-Wadhwa
2. SITA (Suppression of Immoral Trafficking in Women)
3. Domestic Violence Act, 2005 – Dr. Preeti Mishra
4. Vishaka's Case, Chandrima Das Case.
5. Indira Jaising – Hand book on law of Domestic Violence.
6. Lawyers collective – Law relating to sexual harassment at work place- Universal Delhi.
7. Krishna Pal Malik – Women & Law – Allahabad Law Agency
8. Manjula Batra – Women and Law - Allahabad Law Agency.



**Dr. A.P.J. Abdul Kalam University, Indore (M.P)**  
**Scheme of Examination**  
**LL.B**  
**Semester-II**  
(w.e.f. July 2019 Onwards)

(Non Grading)

Course Name	Subject	Theory Max. Marks				Practical Max Marks		Total
		Internal		External		Max Marks	Min Marks	
		Max	Min	Max	Min			
LL.B	Constitutional Law – II LLB - 101	20	07	80	28	-	-	100
	Law of contract- II LLB – 202	20	07	80	28	-	-	100
	Law of crimes -1 LLB - 203	20	07	80	28	-	-	100
	Family Law-II (Muslim Law) LLB - 204	20	07	80	28	-	-	100
	Offence against Child and Juvenile offences LLB – 205	20	07	80	28	-	-	100
	Human Rights law and practice LLB - 206	20	07	80	28	-	-	100
	Total							600



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**FIRST YEAR**  
**Semester – II**

**Course**

**LL.B**

**Subject Title**

**CONSTITUTIONAL LAW - II**

**Subject Code**

**LL.B 201**

**UNIT-I Administration of Frinz Area**

1. Administration of Union Territories
2. The Panchayat and Municipalities
3. The schedule and tribal areas

**UNIT-II Legislative and Administrative Relations**

1. Relation between the Union and the State
2. Distribution of legislative power
3. Administrative relations
4. Disputes relating to water.
5. Freedom of trade, commerce and intercourse within territory of India

**UNIT – III Finance and Service**

1. Financial provisions: property, contracts, rights, liabilities obligation and Suit
2. Public service commissions, service under the Union and the States

**UNIT IV Tribunals and Special other matters**

1. Tribunals,
2. Elections,
3. Special provisions-relating to certain classes,
4. Official language

**UNIT-V Emergency provisions and Amendment**

1. Emergency provisions: Proclamation of emergency, effect of emergency, financial emergency
2. Amendment in the Constitutions

**SELECT BIBLIOGRAPHY:**

1. D.D. Basu, Shorter Constitution of India, (1996), Prentice Hall of India, Delhi.
2. D.D. Basu- Introduction to Constitution of India. 2002 (Reprint) Wadhwa.
3. H.M. Seervai, Constitution of India, Vol. 1-3 (1992), Tripathi, Bombay
4. M.P. Singh (ed.), V.N. Shukla, Constitutional Law of India (2000), Oxford
5. Indian Constitution, V.N. Shukla.
6. Constitution of India, V.P. Mahaja



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**FIRST YEAR**  
**Semester – II**

<b>Course</b>		<b>LL.B</b>
<b>Subject Title</b>	<b>LAW OF CONTRACT- II</b>	
<b>Subject Code</b>		<b>LL.B 202</b>

**UNIT-I Indemnity**

1. The Concept
2. Need for indemnity to facilitate commercial transactions
3. Method of creating indemnity obligations
4. Definition of indemnity
5. Nature and extent of liability of the indemnifier
6. Commencement of liability of the indemnifier
7. Situations of various types of indemnity creations
8. Documents agreements of indemnity
9. Nature of indemnity clauses
10. Indemnity in case of International transactions
11. Indemnity by Governments during interstate transactions

**Guarantee**

1. The concepts
2. Definition of guarantee: as distinguished from indemnity
3. Basic essentials for a valid guarantee contract
4. The place of consideration and the criteria for ascertaining the existence of consideration in guarantee contracts
5. Position of minor and validity of guarantee when minor is the principal debtor creditor or surety
6. Continuing guarantee
7. Nature of surety's liability
8. Duration and termination of such liability
9. Illustrative situations of existence of continuing guarantee
10. Creation and. identification of continuing guarantees
11. Letters of credit and bank guarantee as instances of guarantee transactions
12. Right of surety:
13. Position of surety in the eye of law
14. Various judicial interpretations to protect the surety
15. Co-surety and manner of sharing liabilities and rights
16. Extent of surety's liability
17. Discharge of surety's liability

## **Unit-II Bailment**

1. Identification of bailment contracts in day-to-day life
2. Manner of creation of such contracts
3. Commercial utility of bailment contracts
4. Definition of bailment
5. Kinds of bailees
6. Duties of bailor and bailee towards each other
7. Rights of bailor and bailee
8. Finder of goods as a bailee
9. Liability towards the true owner
10. LI. Obligation to keep the goods safe
11. Right to dispose of the goods

## **Pledge**

1. Pledge: comparison with bailment
2. Commercial utility of pledge transactions
3. Definition of pledge under the Indian Contract Act
4. Other statutory regulations (State & Centre) regarding pledge, reasons for the same
5. Rights of the pawner and pawnee
6. Pawnee's right of sale as compared to that of an ordinary bailee
7. Pledge by certain specified persons mentioned in the Indian Contract Act

## **UNIT-III Agency**

1. Identification of different kinds of agency transactions in day-to-day life in the commercial world
2. Kinds of agents and agencies
3. Distinction between agent and servant
4. Essentials of agency transaction
5. Various methods of creation of agency
6. Delegation
7. Duties and rights of agent
8. Dope and extent of agent's authority
9. Liability of the principal for acts of the agent including misconduct and tort of the agent'
10. Liability of the agent towards the principal
11. Personal liability towards the parties
12. Methods of termination of agency contract
13. Liability of the principal and agent before and after such termination

## **Unit-IV Law relating to Partnership**

1. Definition and Nature of Partnership/Firm/Duties
2. Relationship between partners mutual rights duties.
3. Implied Authority of Partners, Emergency.
4. Liability of Partners
5. Doctrine of Holding out.
6. Incoming and outgoing partner – their rights liabilities
7. Dissolution – Kinds, consequences.
8. Registration of firm and Effect of non-registration.



## **UNIT-V Sale of Goods**

1. Concept of sale as a contract
2. Illustrative instances of sale of goods and the nature of such contracts
3. Essentials of contract sale
4. Essential conditions in every contract of sale
5. Implied terms in contract sale
6. The rule of caveat emptor and the exceptions thereto under the sale of Goods Act
7. Changing concepts of caveat emptor
8. Effect and meaning of implied warranties in the sale
9. Transfer of title and passing of risk
10. Delivery of goods: various rules regarding delivery of goods
11. Unpaid seller and his rights
12. Remedies for breach of contract

### **Selected Bibliography**

1. R.K. Abhichandani (ed.) Pollack and Mullah on Contract and Specific Relief Acts (1999) Tripathi, Bombay.
2. Avtar Singh, Compact Act (2000), Eastern Lucknow.
3. Krishnan Nair, Law of Contract, (1999) Orient.
4. Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase (1998), Eastern Lucknow.
5. J.P. Verma (ed), Singh and Gupta, The Law of partnership in India (1999), Orient Law House, New Delhi.
6. A.G. Guest(ed.), Benjamin's Sale of Goods (1992), Sweet & Maxwell.
7. Bhashyam and Adiga, The Negotiable Instruments Act (1995), Bharath, Allahabad
8. MS. Parthasarathy (ed), Ansons' Law of Contract, (1998), Oxford, London
9. Saharaya, H.K. Indian Partnership and sale of Goods Act (2000), Universal
10. Ramaninga, The Sales of Goods Act (1998), Universal.



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**FIRST YEAR**  
**Semester – II**

**Course**

**LL.B**

**Subject Title**

**LAW OF CRIMES-I (PENAL CODE)**

**Subject Code**

**LL.B 203**

**UNIT-I General**

1. Concept of crime
2. Distinction between crime and other wrongs
3. McCauley's draft based essentially on British notions
4. Salient features of the I.P.C.
5. IPC: a reflection of different social and moral values
6. Applicability of I.P.C.- territorial and personal

**UNIT-II Element of Criminal Liability**

1. Person definition - natural and legal person
2. Mens rea- evil intention
3. Recent trends to fix liability without mens rea in certain socio- economic offences
4. Act in furtherance of guilty intent- common object
5. Factors negating guilty intention
6. Definition of specific terms

**UNIT-III Group liability**

1. Common Intention
2. Abetment
3. Instigation, aiding and conspiracy
4. Mere act of abetment punishable
5. Unlawful assembly
6. Basis of liability

7. Criminal conspiracy
8. Rioting as a specific offence

**General Exceptions:**

9. Mental incapacity
10. Minority
11. Insanity
12. Medical and legal insanity
13. Intoxication
14. Private defence-justification and limits
15. When private defence extends to causing of death to protect body and property
16. Necessity
17. Mistake of fact
18. Offence relating to state
19. Against Tranquility
20. Contempt of Lawful Authority

**UNIT-IV Offences against human body**

1. Culpable homicide
2. Murder
3. Culpable homicide amounting to murder
4. Grave and sudden provocation
5. Exceeding right to private defence
6. Hurt - grievous and simple
7. Assault and criminal force
8. Wrongful restraint and wrongful confinement- kidnapping- from lawful guardianship, outside India
9. Abduction

## **Offences Relating to Marriage**

1. Theft
2. Robbery, Dacoity
3. Cheating
4. Extortion
5. Mischief
6. Criminal misrepresentation and criminal breach of trust
7. Offences relating to Documents and properties.

## **Unit-V Types of Punishment**

1. Death
2. Social relevance of capital punishment
3. Imprisonment- for life, with hard labour, simple imprisonment
4. Forfeiture of property
5. Fine
6. Discretion of court in awarding punishment
7. Minimum punishment in respect of certain offences

## **SELECT BIBLIOGRAPHY**

1. K.D. Gaur, Criminal Law: Cases and Materials (1999), Butterworths, India
2. Ratanlal-Dhirajlal, Indian Penal Code (1994 reprint)
3. K.D. Gaur, A Text Book on the Indian Penal Code (1998), Universal Delhi
4. P.S. Achuthan Pillai, Criminal Law (1995) Eastern, Lucknow
5. Hidaythulla, M., et.al. Ratanlal and Dhirajlal, The Indian Penal Code (1994 reprint),  
Wadhwa & Co. Nagpur
6. B.M. Gandhi, Indian Penal Code (1996), Eastern Nagpur



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**FIRST YEAR**  
**Semester – II**

<b>Course</b>		<b>LL.B</b>
<b>Subject Title</b>	<b>FAMILY LAW II (MUSLIM LAW)</b>	
<b>Subject Code</b>		<b>LL.B 204</b>

**UNIT-I Muslim Law**

1. Origin and development of Muslim Law,
2. Who is Muslim,
3. Conversion to Islam,
4. Nature and history of Mohammedan law.
5. Schools of Muslim law and sources of Muslim law

**UNIT-II Marriage**

1. Kind of Marriage, (Nikah) (Muta Marriage)
2. Option of puberty,
3. Divorce,
4. Dissolution of Marriage,
5. Marriage Act 1939,
6. Meher (Dowry).

**UNIT – III Guardianship**

1. Guardianship – elements, types
2. Maintenance-liability

**UNIT-IV Will, Gift and Wakf**

1. Wills,
2. Gift.
3. Doctrine of musha and pre-emption,
4. Wakf

**UNIT-V Parentage and inheritance**

1. Parentage and acknowledgement
2. Succession and Death bed transaction

**SELECT BIBLIOGRAPHY -**

- |                    |                                |
|--------------------|--------------------------------|
| 1. Mulla           | Mohammedan Law                 |
| 2. Dr. Paras Diwan | Muslim Law in Modern India     |
| 3. Aquil Ahmed     | Mohammedan Law                 |
| 4. Fyzee           | Introduction to Mohammedan Law |
| 5. Schat           | Mohammedan Jurisprudence       |
| 6. Coulson         | Principles of Mohammedan Law   |
| 7 Jhabvala         | Principles of Mohammedan law   |



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**FIRST YEAR**  
**Semester – II**

Course

**LL.B**

Subject Title

**OFFENCE AGAINST CHILD & JUVENILE**

Subject Code

**LL.B 205**

**UNIT-I Concept of Child and Juvenile**

1. Definition and concepts of term child and Juvenile.
2. Causes of offence against child.
3. International protection to child and convention

**UNIT –II Offences against Child**

1. Child abuse
2. Child labour and forced labour
3. Kidnapping, abduction
4. Abetment of suicide of child
5. Sale of obscene objects to young.

**UNIT – III Social relations and child**

1. Child marriage (Child Marriage Restraint Act)
2. Abandonment of child
3. Custody of Child during matrimonial suit.
4. Obligations to supply necessities to children

**UNIT–IV Protection of Child and Juveniles**

1. Under the provisions of constitution (fundamental rights and directive-principles)
2. Under IPC, 1860.
3. Under CRPC, 1973.
4. Under Contract Act, 1872
5. Under Juvenile Justice Act, 2001

**Unit-V Juvenile Delinquency**

1. Juvenile delinquency – Nature, causes,
2. Juvenile Court System,
3. Treatment and rehabilitation of juveniles
4. Legislative and judicial protection of juvenile offender,
5. Juvenile Justice Act, 2001.

## **SELECT BIBLIOGRAPHY:**

1. Paras Diwan Children & Legal Protection
2. Savitri Goonesekar Children Law and Justice
3. O.P. Mishra Law Relating to women & child



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**FIRST YEAR**  
**Semester – II**

**Course**

**LL.B**

**Subject Title**

**HUMAN RIGHTS LAW & PRACTICE**

**Subject Code**

**LL.B 206**

**UNIT – I Concept**

1. Historical Development and concept of Human Right
2. Human Right in India ancient, medieval and modern concept of rights
3. Human Right in Western tradition
4. Concept of natural law and natural rights
5. Human Right in legal tradition: International Law and National Law
6. UN and Human Rights
7. Universal Declaration of Human Rights (1980) - individual and group rights
8. Covenant on political and Civil Rights (1966)

**UNIT - II Conventions**

1. Convention on economic social and cultural Rights 1966
2. Convention on the elimination of all forms of discrimination against women
3. Convention on the rights of the child

**UNIT – III Impact and Implementation**

1. Impact and Implementation of International Human Rights Norms in India
2. Human rights norms reflected in fundamental rights in the constitution
3. Directive principles: legislative and administrative implementation of international human rights norms through judicial process

**UNIT –IV Disadvantaged Groups**

1. Human Rights and disadvantaged Groups – women, prisoners, child, Dalits, Aid victims, and Minorities
2. Enforcement of Human Right in India

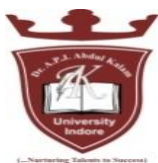
**UNIT- V Remedies**

1. Role of courts: the Supreme Court, High Courts and other courts
2. Statutory commissions- human rights, women, minority and backward class



## **SELECT BIBLIOGRAPHY**

1. S.K. Awasthi and R.P. Kataria. Law Relating to Human Rights, Orient New Delhi.
2. Human Rights Watch women's Rights Project, The Human Rights Watch Global Report on women's Human Rights (2000) Oxford.
3. Ermacora, Nowak and Tretter. International Human Rights (1993), Sweet & Maxwell.
4. Wallace, International Human Rights: Text & Materials (1996), Sweet & Maxwell.
5. Human Rights and Global Diversify (2001), Frank Cass, London.
6. Nirmal. B.C., The Right to Self-determination in International (1995). Deep & Deep.
7. P.R. Gandhi. International Human Rights documents (1999) Universal, Delhi.



**Dr. A.P.J. Abdul Kalam University, Indore (M.P)**

**Scheme of Examination**

**LL.B**

**Semester-III**

(w.e.f. July 2019 Onwards)

(Non Grading)

Course Name	Subject	Theory Max. Marks				Practical Max Marks		Total
		Internal		External		Max Marks	Min Marks	
		Max	Min	Max	Min			
LL.B	Law of crimes-II ( Code of Criminal Procedure) LLB - 301	20	07	80	28	-	-	100
	Jurisprudence (Legal Method, Indian Legal system And Basic Theory) LLB - 302	20	07	80	28	-	-	100
	Administrative Law LLB - 303	20	07	80	28	-	-	100
	Health Law LLB - 304	20	07	80	28	-	-	100
	Professional ethics and professional accounting system LLB - 305	20	07	80	28	-	-	100
	Local self-Government including Panchayat administration LLB - 306	20	07	80	28	-	-	100
	Total							600



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**SECOND YEAR**  
**Semester – III**

<b>Course</b>	<b>LL.B</b>
<b>Subject Title</b>	<b>LAW OF CRIMES -II (CRIMINAL PROCEDURE CODE)</b>
<b>Subject Code</b>	<b>LL.B 301</b>

**UNIT-I Introduction**

1. The rationale of criminal procedure: the importance of fair trial, the constitutional perspectives
2. Pre trial Process: Arrest
3. The distinction between cognizable and non cognizable offences: relevance and adequacy problems
4. Steps to ensure accused's presence at trial: warrant and summons
5. Arrest with and without warrant (Section 70-73 and 41)
6. The absconder status (section 82, 83, and 85)
7. Right of the arrested person Right to know ground of arrest (section 50(1), 55,75)
8. Right to be taken to magistrate without delay (section 56,,57)
9. Right to not being detained for more than twenty- four hours (section 57): Vis-a-vis Article 22 (2) of the constitution of India
10. Right to consult legal practitioner. legal aid and the right to be informed about rights to bail.
11. Right to be examined by a medical practitioner (section 54)

**Search and Seizure (Pretrial Process)**

1. Search warrant (section 83, 94, 97, 98) and search without warrant
2. Police search during investigation (section 165, 166, 153)
3. General principles of search (section 100)
4. Seizure (section 102)
5. Constitutional aspects of validity of search and seizure proceedings

**UNIT-II Pre-trial Process F.I.R.**

1. F.I.R. (section 154)
2. Evidentiary value of F.I.R. (see section 145 and 157 of Evidence Act)

**Pre-trial Process: Magisterial Powers to Take Cognizance**

1. Commencement of proceedings- (section 200, 201, 202)
2. Dismissal of complaints (section 203, 204)
3. Bail: concept, purpose: constitutional overtones
4. Bailable and non- bailable offences (section 436, 437, 438)
5. Cancellation of bail (section 437 (5)).
6. Anticipatory bail (section 438)

7. Appellate bail powers (section 389 (1), 395 (1), 437 (5))
8. General principles concerning bond (section 441 - 450)

### **UNIT-III Fair Trial**

1. Conception of fair trial
2. Presumption of innocence
3. Venue of trial
4. Right of the accused to know the accusation (section 221- 224) and accusation be held in the accused's presence
5. Right of cross- examination and offering evidence in defence: the accused statement
6. Right to speedy trial

### **Charge**

1. Framing of charge
2. Form and content of charge (section 211, 212, 216)
3. Separate charge for distinct offence (section 218, 219, 220, 221, 223)
4. Discharge – pre- charge evidence

### **Preliminary Pleas to Bar the Trial**

1. Jurisdiction (section 26, 177- 189, 461, 462, 479)
2. Time limitations: Rationale and scope (section 468 - 473)
3. Pleas of autrefois acquit and autrefois convict (section 300, and Art 22d)
4. Estoppel
5. Compounding of offences
6. Trial before a Court of Sessions: Procedural Steps and Substantive Rights
7. Summary Trial (Sec 260-265)

### **UNIT-IV Judgment**

1. Form and content (section 354)
2. Post conviction orders in lieu of punishment(section 360, 361, 31): emerging penal policy (Plea Bargaining)
3. Compensation and cost (section 357,358)
4. Modes of providing judgement (section 353, 362, 363)

### **Appeal, Review, Revision**

1. No appeal in certain cases (section 372. 375. , 376)
2. The rationale of appeals, review, revision
3. The multiple ranges of appellate remedies
4. Appeal before Supreme Court of India and High Courts (section 374, 379) and (Article 31,132, 134, 136 of constitution of India)
5. Appeal to Sessions Court (section 374)
6. Special right to appeal (section 380)
7. Government appeal against sentencing (section 377, 378)
8. Judicial power in disposal of appeal (section 368)
9. Legal aid in appeals
10. Revisional jurisdiction (section 397- 405)
11. Transfer of cases (section 406, 407)

## **UNIT-V Juvenile Delinquency**

1. Nature and magnitude of the problem
2. Causes
3. Juvenile court system
4. Treatment and rehabilitation of juveniles
5. Juvenile and adult crime
6. Legislative and judicial protection of juvenile offender
7. Juvenile justice (Protection and Care) Act 2000

### **SELECT BIBLIOGRAPHY**

1. Ratanlal Dhirajlal, Criminal Procedure Code (1999), Universal, Delhi
2. Chandrasekharan Pillai, ed., Kelkar Lectures on Criminal Procedure (2001), Eastern Lucknow
3. Principles and commentaries on the Code of Criminal Procedure. 2 Vol. (2000) Universal.
4. Woodroffe: Commentaries on Code of criminal Procedure, 2. vol. (2000) Universal



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**SECOND YEAR**  
**Semester – III**

<b>Course</b>	<b>LL.B</b>
<b>Subject Title</b>	<b>JURISPRUDENCE (LEGAL METHOD, INDIAN LEGAL SYSTEM AND BASIC THEORY)</b>
<b>Subject Code</b>	<b>LL.B 302</b>

**UNIT-I Introduction**

1. Definition of the term Jurisprudence
2. Definition of Law, kinds of law
3. Justice and its kinds
4. Sources of Law (Elementary study)

**UNIT-II Schools of Jurisprudence**

1. Natural law school
2. Analytical school, Imperative Theory of law, Pure Theory of law
3. Historical school
4. Sociological school
5. Realistic school
6. The ancient: The concept of 'DHARMA'
7. Feminist – Schools of Jurisprudence

**UNIT III Sources of Law**

1. Legislation
2. Precedents: concept of stare decisis
3. Customs

**UNIT- IV Legal Rights: the Concept**

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

**PERSONS**

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

## **UNIT-V Possession and Ownership: the Concept**

1. Kinds of possession, Theories of Possession
2. Kinds of ownership, Theories of Ownership
3. Difference between possession and ownership
4. Title

## **LIABILITY**

1. Condition of imposing liability (Wrongful Acts)
2. Strict liability
3. Vicarious liability

## **OBLIGATION:**

1. Nature and kind
2. Difference between : Being obliged and having obligation (HLA Hart)

## **SELECT 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 (1995) Universal. Delhi.
4. V.D. Mahajan, Jurisprudence and Legal Theory (1996 reprint), 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 Pound, Introduction to the Philosophy of Law (1998 reprint) Universal Delhi
9. Dias, S.N. Jurisprudence: A Study of Indian Legal Theory (1985), Metropolitan New Delhi.



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**SECOND YEAR**  
**Semester – III**

**Course**

**LL.B**

**Subject Title**

**ADMINISTRATIVE LAW**

**Subject Code**

**LL.B 303**

**UNIT-I Introduction**

1. Meaning,
2. Administrative Law – The Concept definitions, nature, historical development, sources, relationship with Constitutional law),
3. rule of law and separation of powers,
4. classification of administrative functions and distinction between them.
5. Droit administrative,

**UNIT –II Delegated Legislation**

1. Meaning and its kinds,
2. Administrative directions
3. Distinction between delegated legislation and administrative directions.
4. Control over delegated legislation procedural, judicial and parliamentary control,
5. Principles of natural justice,
6. Civil services in India.

**UNIT – III Administrative discretion**

1. Judicial control of discretionary powers,
2. Act of State,
3. Tortious liability of the State.
4. Contractual liability of the State

**UNIT –IV Government privileges in legal proceedings.**

1. Meaning and kinds, Estoppel and Waiver
2. official secrets
3. right to information
4. lokpal and lokayukt
5. Central Vigilance Commissions
6. Commission of inquiry.



## **UNIT-V Administrative Tribunals-**

1. Definition of Administrative Tribunals
2. Merits, demerits,
3. Reasons of growth
4. Distinction between courts and Tribunals
5. Public corporation - classification characteristics, controls, formation
6. Remedies - Constitutional and ordinary.

## **SELECT BIBLIOGRAPHY**

1. C.K. Allen, Law and Orders (1985).
2. D.D. Basu, Comparative Administrative Law (1998).
3. M.A. Fazal, Judicial Control of Administrative Action in India, Pakistan and Bangladesh (2000), Butterworths – India
4. Franks, Report of the Committee on Administrative Tribunals and Inquiries, HMSO, 1959.
5. Peter Cane, An Introduction to Administrative Law (1996) Oxford.
6. Wade, Administrative Law (Seventh Edition, Indian print 1997), Universal, Delhi.
7. J.C. Garner, Administrative Law (1989), Butterworths (ed.B.L.Jones).
8. M.P. Jain, Cases and Materials on Indian Administrative Law, Vol I and II (1996), Universal, Delhi.
- 9 Jain & Jain, Principles of Administrative Law (1997), Universal, Delhi.
10. S.P. Sathe, Administrative Law (1998) Butterworths, India, Delhi.



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**SECOND YEAR**  
**Semester – III**

**Course**

**LL.B**

**Subject Title**

**HEALTH LAW**

**Subject Code**

**LL.B 304**

**UNIT-I Concept**

1. Concept & Definition of Health.
2. Right to health
3. International law & health.
4. Indigenous and Allopathic health system

**UNIT-II Constitution of India**

1. Constitutional protection – Fundamental Right & Directive principle.

**UNIT-III Public health offences and Law**

1. Offence affecting the Public Health, (Chapter XIV of IPC)
2. Nuisance, Miscarriage, (312.3.313 IPC), relevant provision of CrPC.

**UNIT-IV Special critical problems**

1. Immoral trafficking,
2. Female foeticides
3. Kidnapping and abduction – National protections.

**UNIT-V Health and Legal Protection**

1. Health and Legal protection – Environments law, J.J. Act, prenatal diagnostic technique, regulation & prevention of misuses,
2. Factory Act, Mental Health Act 1987, Maternity Benefit Act.

## **UNIT-V Jurisprudence of health services**

1. Health law & Judiciary.
2. Types of health insurance
3. Public service related situations – Negligence (Private eye sterilization camp etc.)
4. Disposal of medical and surgical waste
5. Health Care Units (Public/Private) Liabilities

## **SELECT BIBLIOGRAPHY**

1. Right to life and Right to Death : A study – The ICFAI University Press.
2. HIV/Aids – Health Care and Human rights approach – The ICFAI University Press.
3. Public Health : Enforcement and Law - The ICFAI University Press.
4. Clinical Trials : Law and Regulations- The ICFAI University Press.
5. Right to Public Health and Impact of Patents - The ICFAI University Press.



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**SECOND YEAR**  
**Semester – III**

**Course**

**LL.B**

**Subject Title**

**PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING  
SYSTEM**

**Subject Code**

**LL.B 305**

**Unit –I Admission, Enrolment & Rights of Advocate**

1. Importance of Legal Profession.
2. Persons who may be admitted as advocate on a State roll.
3. Disqualification for enrolment
4. Rights of Advocates
5. State Bar Councils
  - (i) Establishment and Organisation
  - (ii) Powers and Functions
6. Bar Council of India
  - (i) Organisation
  - (ii) Powers and Functions

**Unit – II Ethics of Legal Profession**

1. Meaning, Nature and Need
2. Duty to the Client

**Unit – III Punishment for Professional or Other Misconduct**

1. Professional or other Misconduct- Meaning and Scope
2. The Body or Authority empowered to punish for professional or other misconduct.
  - (i) State Bar Council and its disciplinary committee
  - (ii) Bar Council of India- and its disciplinary committee
3. Complaint against advocates and procedure to be followed by the Disciplinary Committee.
4. Remedies against the order of punishment.

#### Unit – IV Bench Bar Relation

1. Role of Judge on Maintaining Rule of Law
2. Mutual Respect
3. Maintenance of orderly society
4. Invaluable aid of advocates to Judges
5. Privilege of Advocates
6. Duty to avoid interruption of Council
7. Administration of Justice clean & Pure
8. Uncourteous conduct, Misconduct of lawyers and Insulting Language.

#### Unit – V Meaning and Categories of Contempt of Court

1. Contempt of Court- Its meaning and Nature
2. Kinds of Contempt
  - (i) Criminal Contempt
  - (ii) Civil Contempt
3. Contempt by Lawyers
4. Contempt by Judges, Magistrates or other persons acting judicially
5. Contempt by State, Corporate bodies & other officers

#### Selected Bibliography

1. J.P.S. Sirohi : Professional Ethics, Lawyer's Accountability, Bench-Bar Relationship.
2. Kailash Rai : Legal Ethics, Accountability, for Lawyer's, Bar-Bench Relation.



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**SECOND YEAR**  
**Semester – III**

**Course**

**LL.B**

**Subject Title**

**LOCAL SELF GOVERNMENT-INCLUDING PANCHAYAT  
ADMINISTRATION**

**Subject Code**

**LL.B 306**

**UNIT-I Concept**

- a. Local self-Government- meaning, evolution.
- b. Nature
- c. Doctrine of distribution of power.

**UNIT-II Constitutional Provisions**

1. Constitutional Provisions-Directive principles,
2. 73<sup>rd</sup> and 74<sup>th</sup> Amendment;
3. Panchayats Constitution. and Composition.,
4. Powers and responsibilities.
5. Election, (Article 243. 243A-O) and 12<sup>th</sup> schedule.

**UNIT-III Municipalities**

1. The Municipalities- Constitution and Composition,
2. Reservation of seats,
3. Powers and responsibilities Election.
4. Wards Committees Finance Commission (relating to Municipalities) (Article 243 P, ZG and 280)

**UNIT -IV**

1. Panchayati Raj Act 1993.

**UNIT-V**

1. Nagar Palika Adhiniyam,

**SELECTED BIBLIOGRAPHY**

- |                   |                           |
|-------------------|---------------------------|
| Dr. J.N. Pandey   | Constitution Law of India |
| V. N. Shukla      | Constitution Law of India |
| M.P. Jain         | Indian Constitution       |
| Basanti Lal Babel | Constitution of India     |



**Dr. A.P.J. Abdul Kalam University, Indore (M.P)**  
**Scheme of Examination**  
**LL.B**  
**Semester-IV**  
(w.e.f. July 2019 Onwards)

(Non Grading)

Course Name	Subject	Theory Max. Marks				Practical Max Marks		Total
		Internal		External		Max Marks	Min Marks	
		Max	Min	Max	Min			
LL.B	Altenate dispute resolution LLB - 401	20	07	80	28	-	-	100
	Environmanetal law LLB - 402	20	07	80	28	-	-	100
	Principle of Taxation Law, LLB - 403	20	07	80	28	-	-	100
	Compny law LLB - 404	20	07	80	28	-	-	100
	Public International Law LLB - 405	20	07	80	28	-	-	100
	Media and law LLB - 406	20	07	80	28	-	-	100
	Total							600



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**SECOND YEAR**  
**Semester – IV**

**Course**

**LL.B**

**Subject Title**

**ALTERNATE DISPUTE RESOLUTION**

**Subject Code**

**LL.B 401**

**Unit-I Concept**

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 Arbitration Tribunal**

1. Composition
2. Jurisdiction
3. Grounds of challenge
4. Powers
5. Procedure
6. Court assistance
7. Award, Rules of guidance, Form and content, Correction and interpretation
8. Grounds of setting aside an award-Want of proper notice and hearing, Contravention of composition and procedure.
9. Impartiality of the arbitrator
10. Bar of limitations, res judicata
11. Consent of parties
12. Enforcement
13. Appeals

**Unit-III Conciliation**

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



**Unit-IV International Arbitration**

1. Enforcement of Foreign Award
2. New York convention Award
3. Geneva Convention Award

**Unit-V Rule making Power**

1. Legal Service Authorities Act, 1987
2. Lok Adalat
3. Legal Litreacy and Legal Aid Camp.

**Select bibliography**

1. Avtar Singh : Arbitration and Conciliation
2. Goyal : Arbitration and Conciliation Act
3. Shukla : Legal remedies
4. Jhabvala : Law of Arbitration and Conciliation



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**SECOND YEAR**  
**Semester – IV**

**Course**

**LL.B**

**Subject Title**

**ENVIRONMENTAL LAW**

**Subject Code**

**LL.B 401**

**UNIT-I Concept of Environment and Pollution**

1. Environment. Meaning and Concept
2. Pollution- Meaning and Effects of pollution
3. Environmental Pollution (Water, Air and Noise Pollution)
4. Meaning and standards, Culprits and victims , Offences and penalties

**UNIT-II International Historical Perspective**

1. Stockholm conference
2. Rio conference
3. U.N. declaration on right to development
4. Greenhouse effect and ozone depletion

**Unit-III Constitutional Provisions related to Environment**

1. Constitution in making- development and property oriented approach
2. Directive Principles, - Status, role and interrelationship with fundamental rights and fundamental duties
3. Fundamental Duties
4. Judicial approach
5. Fundamental Rights (Rights to clean and healthy environment, Environment 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: means and sanctions
2. Protection agencies: power and functions
3. Emerging protection through delegated legislation
4. Hazardous waste
5. Bio- medical waste
6. Judiciary: complex problems in administration of environment justice

## **UNIT-V Forest and wildlife Protection**

1. Greenery conservation laws
2. Forest conservation laws
3. Conservation agencies
4. Prior approval and non-forest purpose
5. Symbiotic relationship and tribal people
6. Judicial approach Deforestation
7. Wild life - Sanctuaries and national parks
8. State monopoly in the sale of wild life and wild life articles - Licensing of zoos and parks
9. Offences against wild life

## **BIO- DIVERSITY**

1. Legal control
2. Control of eco-unfriendly experimentation on animals, plants. seeds and micro-organisms

## **SELECTED BIBLIOGRAPHY**

1. Armin Rosencranze, et. Al. (eds.) Environmental Law and Policy in India (2000), Oxford
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. Riverz et. al. (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)



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**SECOND YEAR**  
**Semester – IV**

**Course**

**LL.B**

**Subject Title**

**PRINCIPLE OF TAXATION LAW**

**Subject Code**

**LL.B 403**

**UNIT- I Income Tax Act**

- 1 Basic concepts- basis of charges of tax
- 2 Definitions
- 3 Residential status of assesses – its impact on tax liability.

**UNIT-II Heads of Income -**

1. General concepts-
2. Chargeability to tax- admissible & inadmissible deductions, exclusions and deductions from income,
3. Set off and carry forward of losses.
4. Salaries
5. Income from House Property
6. Income from Profits of Profession and business
7. Capital Gains
8. Income from other sources
9. Clubbing of income

**UNIT- III Income tax Authorities-**

1. Powers & functions,
2. Assessment
3. Allotment of permanent account number,
4. Economic criteria scheme.

**UNIT- IV Appeal, Revision and Reference**

1. Appeal,
2. Revision,
3. Reference
4. Rectification, (Sec.269N, 269 UJ)

## **UNIT-V Prosecution and Penalties**

1. Prosecutions under Income Tax Act, 1961
2. Non- compliance,
3. Contravention,
4. Avoidance
5. Evasion of tax.
6. Penalties

## **SELECTED BIBLIOGRAPHY**

1. Taxman : Tax Planning and Management, (1998), Taxman
2. Agarwal, A.N. : Indian Economics (Selected Chapters) (1997) Wishwa Prakashini, N.Delhi.
3. N.K. Palkhivala & B.A. Palkhivala (eds) : Kanga and Palkhivala's Income Tax Law and Practice (7th ed. 1976).
4. Agrawal, V.S. : Taxation of Salaries with Tax Planning (1990), Professional Book Publishers, New Delhi.
5. V.S. Sunderam : Law of Income Tax in India (11th ed. 1978).
6. A.C. Sampat Iyengar : Three Taxes (6th ed. 1987).
7. K. Chaturvedi and S.M. Pithisaria : Income Tax Law (3rd ed. 1981).
8. V.P. Gandhi : Some Aspects of Indian Tax Structure : An Economic Analysis (1970)
9. T. Mathew : Tax Policy (1975).
10. H.M. Seervai : Constitutional Law of India (3rd ed. 1984)
11. I.P.S. Siddhu : Company Taxation Cases.
12. M.P. Jain : Indian Constitutional Law. (4th ed. 1994).
13. Bhagwati Prasad : Direct Taxes : Law and Practice (1996) Wishwa Prakashan, New Delhi.



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**SECOND YEAR**  
**Semester – IV**

**Course**

**LL.B**

**Subject Title**

**COMPANY LAW**

**Subject Code**

**LL.B 404**

**UNIT-I Meaning of Company**

1. Theories of corporate personality
2. Creation and exemption of corporations
3. Lifting the corporate veil

**UNIT-II Forms of corporate and non-corporate organization**

1. Corporations
2. Partnership and other association of persons,
3. State corporations
4. Government companies, small scale, cooperative, corporate and joint sectors

**UNIT-III Law relating to Companies - Public and Private**

2. Promoters and its position
3. Need of company for development, formation of a company, registration and incorporation
4. Memorandum of association - various clauses - alteration therein - doctrine of ultra vires
5. Articles of association-binding force-alteration-its relation with memorandum of association-doctrine of constructive notice and indoor management- exceptions
6. Prospectus- issue - contents- liability for misstatements in lieu of prospectus
7. Shares-general principles of allotment, statutory restrictions, transfer of shares, relationship between transferor and transferee
8. Shareholder-who can be? And who cannot be shareholder- modes of becoming shareholder- calls on shares- forfeiture and surrender of shares lien on shares
9. 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 Management of corporate structure**

1. Directors - position- appointment-qualifications-vacation of office-removal-resignation- powers and duties of directors - meeting, registers, loans - remuneration of directors - role of nominee directors - companies 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, effect of unauthorized borrowing - charges and mortgages – investments
6. Debentures - meaning - fixed and floating charges - kinds of debentures, share holder and debenture holder, remedies for 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

### **UNIT – V winding up and corporate liability**

1. Winding up -types – Concept (Dissolution and liquidation)
  - (i) by court - reason - ground who can apply - procedure - powers of liquidator - powers of court - consequences of winding up order
  - (ii) voluntary winding up
  - (iii) subject to supervisions of courts
  - (iv) liability of past members - payment of liability preferential payment, unclaimed dividends
  - (v) winding up of unregistered company.
2. Legal liability of companies-civil and criminal
3. Remedies against civil, criminal and tortuous - specific relief Act, writs, liability under special statutes

### **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 Palmers 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), Tripathi, Bombay



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**SECOND YEAR**  
**Semester – IV**

**Course**

**LL.B**

**Subject Title**

**Public International law**

**Subject Code**

**LL.B 405**

**UNIT- I. Introduction:**

1. Definition and concept of International law,
2. Nature of International law
3. Sources of International law
4. Relationship-between Municipal and International law.

**UNIT- II. Subject of International law.**

1. State, Kind of States.
2. Recognition , state territory Acquisition and loss of state territory.
3. Succession .
4. State territory Acquisition and loss of state territory.
5. Intervention treaties.

**UNIT- III. Place of Individuals in International law**

1. Rights and duties
2. Nationality, aliens.
3. Asylum.
4. extradition

**UNIT- IV Concepts in International law**

1. Neutrality, Disarmament
2. Settlement of disputes
3. Intervention.
4. treaties.

**UNIT- V International organizations**

1. U.N.O. : Organisation, Function, Powers of different organs of U.N.O. and the contribution towards world peace.
2. Agencies of U.N.O Environmental Pollution
4. International Terrorism, Human rights
5. Diplomatic Agents.



## **SELECT BIBLIOGRAPHY**

1. Public International law : H.O. Agrawal
2. Public International law : S.K. Kapoor



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**SECOND YEAR**  
**Semester – IV**

**Course**

**LL.B**

**Subject Title**

**MEDIA AND LAW**

**Subject Code**

**LL.B 406**

**UNIT- I. Mass Media- Types of- Press Films, Radio Television**

1. Ownership Patterns: - Press - private-public  
A - Films, Private  
B - Radio & Television -
2. Differences between visual and non - visual Media - Impact on people's minds

**UNIT - II Press-Freedom of Speech and Expression — Article 19 (1) (a)**

1. Includes Freedom of the Press
2. Laws of defamation, obscenity, blasphemy and sedition
3. Law relating to employees wages and service conditions of media, The working journalists and other newspaper employee (condition of service) and Misc. Provisions Act, 1955, The working journalist (Fixation of Rates of wages) Act, 1958.
4. Price and pages Schedule Regulation
5. Newsprint Control order
6. Advertisement- is it included within freedom of speech and expression?
7. Press and the monopolies and Restrictive trade practices Act.
8. The working Journalist (Fixation of Rates of wages) Act, 1958.

**UNIT - III Films - It included in freedom of speech and expressions?**

1. Censorship of films - constitutionality
2. The Abbas case
3. Differences between films and press - why pre-censorship valid for films but not for the press
4. Censorship under the cinematograph Act

**UNIT-IV Radio and television- Government Policy:**

1. The Press Council Act, 1978
2. Regulatory Code of Conduct
3. Report of the Chadha committee
4. Government policy
5. Commercial advertisement
6. Internal scrutiny of serials etc

## **UNIT - V Constitutional Restrictions**

1. Radio and television subject to law of defamation and obscenity
2. Power of legislature- Article 246 read with the seventh schedule
3. Power of impose tax - licensing and licence fee
4. Contempts of Court Act.

## **SELECT BIBLIOGRAPHY**

3. M.P. Jain, Constitutional Law of India (1994) Warcetha
4. H.M. Seervai, Constitutional Law of India Vol. (1991) Tripathi, Bombay
5. John B. Haward, "The Social Accountability of Public Enterprises" in Law and community contn in New Development Strategies (International Center for law in Development 1980)
6. Bruce Michael Boyd, "Film Censorship in India: A Reasonable Restriction on freedom of speech and expression" 14 J.I.L.I. 501 (1972)
7. Rajeev Dhavan" On the Law of the Press in India" 26 J.I.L.1. 288 (1984)
8. Rajeev Dhavan, "Legitimizing. Government Rhetoric; Reflections on some Aspects of Social press Commission" 26 J.I.L.I. 391 (1984)
9. Soli Sorabjee, Law of press Censorship in India (1976)
10. Justice E.S. Venkatramiah, freedom of press: Some Recent trends (1984)
11. D.D. Basu, The Law of Press of India (1980)
12. Students should consult relevant volumes of the Annual Survey of Indian Law Published by Indian Law Institute. (Constitutional Law 1 & 11 Administrative Law and Public Interest Litigation.
13. V.N. Shukla Constitutional Law of India.
14. Vidisha Bohra, Press and Law Media Manual.



**Dr. A.P.J. Abdul Kalam University, Indore (M.P)**

**Scheme of Examination**

**LL.B**

**Semester-V**

(w.e.f. July 2019 Onwards)

(Non Grading)

Course Name	Subject	Theory Max. Marks				Practical Max Marks		Total
		Internal		External		Max Marks	Min Marks	
		Max	Min	Max	Min			
LL.B	Intellectual Property law LLB - 501	20	07	80	28	-	-	100
	Law of evidence LLB - 502	20	07	80	28	-	-	100
	Civil procedure code and limitation act LLB - 503	20	07	80	28	-	-	100
	Property law LLB - 504	20	07	80	28	-	-	100
	Interpretation of statutes and principles of legislation LLB - 505	20	07	80	28	-	-	100
	Drafting pleading and conveyance LLB - 506	20	07	80	28	-	-	100
	Total							600



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**THIRD YEAR**  
**Semester – V**

**Course**

**LL.B**

**Subject Title**

**INTELLECTUAL PROPERTY LAW**

**Subject Code**

**LL.B 501**

**UNIT-I Introduction**

1. The meaning of intellectual property
2. Forms of intellectual property: copyright, trademarks, patents and designs
3. New forms as plant varieties and geographical indications
4. Introduction to the leading international instruments concerning intellectual property rights: the Berne Convention, Universal Copyright, Convention, the Paris Convention, Trips, the World Intellectual Property Rights Organization (WIPO) and the UNESCO

**UNIT-II Selected aspects of the Law of copyright in India**

1. Historical evolution of the copyright law
2. Meaning of copyright
3. Copyright in literacy, dramatic and musical works
4. Copyright in sound records and cinematograph films
5. Ownership of copyright
6. Assignment and licence
7. Copyright authorities
8. Infringement of Copy right and remedies including Anton Pillor injunctive relief in India

**UNIT-III Trademarks**

1. The rationale of protection of trademarks as an aspect of commercial and of consumer rights
2. Definition and concept of trademarks
3. Registration of trademark- authorities under the trademark Act
4. Passing off and infringement
5. Remedies

## **UNIT-IV**

### **Patents**

1. Concepts and Historical view of the patents
2. Process of obtaining a patent, authorities
3. Procedure for filling patents: patent co-operation treaty
4. Prior publication or anticipation
5. Rights and obligations of a patentee
6. Compulsory licences
7. Infringement - defences
8. Injunctions and related remedies

## **UNIT-V**

1. Geographical indication Act
2. New plant culture and breeds Act

## **SELECTED BIBLIOGRAPHY**

1. Cormish W.R. Intellectual Property, Patents, Trade Marks, Copy Right and Allied Right (1999), Asia Law House, Hyderabad.
2. Vikas Vashishth, Law and practice of Intellectual Property 1999 Bharat Law House Delhi.
3. P. Narayanan, Intellectual Property Law (1999), (ed) Eastern Law House, Calcutta
4. Bibeck Debroy (ed). Intellectual Property Right (1998), Rajiv Gandhi Foundation, Delhi
5. U.I.F. Anderfelt, International Patent Legislation and Developing Countries (1971)
6. W.R. Cornish, Intellectual Property (3rd ed) (1996) Sweet and Maxwell
7. K. Thairani, copyright: The Indian Experience (1987)
8. W.R. Cornish, Para and Materials on Intellectual Property (1999) Sweet and Maxwell.



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**THIRD YEAR**  
**Semester – V**

**Course**

**LL.B**

**Subject Title**

**LAW OF EVIDENCE**

**Subject Code**

**LL.B 502**

**UNIT-I Introductory**

1. The main features of the Indian Evidence Act 1861
2. Applicability of Evidence Act
3. Administrative Tribunals
4. Industrial Tribunals
5. Commissions of enquiry
6. Court- Martial

**Central Conceptions in Law of Evidence**

1. Facts: section 3 definition: distinction - relevant facts/facts in issue
2. Evidence: oral and documentary
3. Circumstantial evidence and Direct evidence
4. Presumption
5. “Proving” “not proving” and “disproving”
6. Witness
7. Appreciation of evidence

**Unit-II Facts: Relevancy**

1. The Doctrine of res gestae
2. The problems of relevancy of “otherwise” irrelevant facts (section ii)
3. Facts concerning bodies and mental state

**Admission and Confessions**

1. General principles concerning admission
2. Differences between “admission” and “confession”
3. Non- admissibility of confessions caused by “any inducement, threat or promise”
4. Inadmissibility of confession made before a police officer
5. Admissibility of custodial confessions
6. Admissibility of “information” received from accused person in custody; with special reference to discovery based on “joint statement”
7. Confession by co-accused
8. The problems with the judicial action based on a “retracted confession”

### **UNIT-III Dying Declarations**

1. The justification for relevance of dying declarations
2. The judicial standards for appreciation of evidentiary value of dying declarations
3. Conclusive Evidence

### **Relevance of Judgments**

1. Admissibility of judgments in civil and criminal matters
2. "Fraud" and "Collusion".

### **Expert Testimony**

1. Who is an expert? : types of expert evidence
2. Opinion on relationship especially proof of marriage
3. Judicial defence to expert testimony

### **UNIT IV Oral Documentary Evidence**

1. General principles concerning oral evidence, Primary / Secondary evidence.
2. General principles concerning documentary evidence.
3. General principles regarding exclusion of oral by documentary evidence, public & private documents.
4. Special problems: re-hearing evidence
5. Estoppel

### **Witness Examination and cross Examinations**

1. Competency to testify
2. State privilege
3. Professional privilege
4. Approval testimony
5. General principles of examination and Cross examination
6. Leading questions
7. Lawful questions in Cross-examination
8. Reexamination
9. Compulsion to answer questions put to witness
10. Hostile witness
11. Impeaching of the standing or credit of witness



## **UNIT V Burden of Proof**

1. General principles conception of onus-probans and onus-probandi
2. General and special exceptions to onus probandi
3. The justification of presumption and of the doctrine of judicial notice
4. Justification as to presumption as to certain offences
5. Presumption as to dowry
6. The scope of the doctrine of judicial notice

### **Estoppel**

1. Why estoppel? The rationale
2. Tenomacy Estoppel
3. Estoppel, res-judicial and waiver and presumption
4. Question of corroboration
5. Improper admission and of witness in civil and criminal cases

### **SELECTED BIBLIOGRAPHY**

1. Sarkar and Manohar, Sarkar on evidence (1999), Wadhwa & Co. Nagpur
2. Indian Evidence Act, (Amendment up to date)
3. Ratanlal, Dhirajlal: Law of Evidence (1994), Wadhwa Nagpur
4. Polein Murphy, Evidence (51h Reprint 2000), Universal Delhi
5. Albert S. Osbom, The Problem Proof (First Indian Reprint 1998). Universal Delhi
6. Avtar Singh, Principles of Law of evidence (1992), Central Law Agency, New Delhi



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**THIRD YEAR**  
**Semester – V**

**Course**

**LL.B**

**Subject Title**

**Civil procedure code and limitation act**

**Subject Code**

**LL.B 503**

**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 rejection
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



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**THIRD YEAR**  
**Semester – V**

**Course**

**LL.B**

**Subject Title**

**Property law**

**Subject Code**

**LL.B 504**

**UNIT-I Introduction**

1. Concept and meaning of property,
2. Various definitions given under Transfer of Property Act,
3. Kinds of property
  - (i) movable and immovable property
  - (ii) tangible and intangible property
4. 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  
What may be transferred
2. Competence, operation, conditions of restraining, alienation and repugnant to interest
3. Other Conditions – determinable on insolvency, transfer to unborn person, Rule against perpetuity, accumulation, transfer for benefit of Public in perpetuity
4. Conditional transfers – Condition precedent and subsequent, Vested and Contingent interest, Void condition, Election – Doctrine and Apportionment

**UNIT-III Transfers of Immovable Properties and Movable Properties**

1. Sale
2. Mortgage
3. Gift
4. Leases
5. Exchanges
6. Actionable claims

**UNIT-IV M.P. Accommodation Control Act 1961**

1. Preamble, Definitions and Provisions Regarding Rent
2. Control of Evictions of Tenants
3. Eviction on grounds of bonafide Requirement
4. Deposit of Rents

## **UNIT-V Rent Controlling Authority**

1. Appointment
2. Powers and Functions of Rent Controlling Authority
3. Procedure
4. Appeals
5. Special obligations and penalties of Land Lords
6. Miscellaneous provisions

## **SELECTED BIBLIOGRAPHY**

- Mulla : Transfer of Property Act  
V.P. Sarthy : Transfer of Property  
R.K. Sinha : Law of Transfer of Property

## **Unit-III Appearance, Examination, Trial and Suit in particular cases**

1. Appearance
2. Ex-parte procedure
3. Summary and attendance of witnesses
4. Trial
5. Adjournments
6. Interim orders: commission. arrest or attachment before judgment, injunction and appointment of receiver.
7. Interests or costs
8. Execution - concept General principles
9. Power for execution of decrees
10. Procedure for execution (section 52-54)
11. Enforcement, arrest and detention (ss 55-56)
12. Attachment (ss 65-64)
13. Sale (ss 65-97)
14. Delivery of property
15. Stay of execution

## **Suits in Particular Cases -**

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

## **UNIT-IV 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 - Amendments

### **Unit-V Limitation**

1. The concept- the law assists the vigilant and not those who sleep over the rights.
2. object of the law of Limitation
3. Distinction with laches, acquiescence, prescription.
4. Extension and suspension of limitation
5. Sufficient cause for not filing the proceedings.
6. Illness.
7. Mistaken legal advise.
8. Mistaken view of law.
9. Poverty, minority and purdha.
10. Imprisonment
11. Defective vakalatnama
12. Legal liabilities
13. Acknowledgement- essential requisites
14. Continuing tort and continuing breach of contract
15. Foreign rule of limitation : contract entered into under a foreign law

### **SELECTED BIBLIOGRAPHY**

1. MuIla, Code of Civil procedure (1999), Universal Delhi
2. C.K. Thakker, 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 Law of Civil Procedure Vols. (2000) Universal Delhi.
7. Universal's Code of Civil Procedure (2000).



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**THIRD YEAR**  
**Semester – V**

**Course**

**LL.B**

**Subject Title**

**Interpretation of statutes and principles of legislation**

**Subject Code**

**LL.B 505**

**UNIT-I Interpretation of Statutes**

1. Meaning of the term statute, Kinds of statutes
2. Commencement, operation, repeal of statutes
3. Purpose of interpretation of statutes
4. Meaning of construction and interpretation – their difference

**UNIT-II Aids to Interpretation**

**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

**External aids**

1. Dictionaries
2. Translations
3. Travaux preparatoires
4. Statutes in pari materia
5. Contemporanea Exposition
6. Debates, inquiry commission reports and Law commission reports
7. General Clauses Act

**Unit-III Principles and Rules of Statutory Interpretation**

1. Primary rules
2. Literal rule
3. Golden rule
4. Mischief rule (rule in the Heydon's case)
5. Rule of harmonious construction
6. Noscitur a sociis
7. Ejusdem generis

8. Reddendo singula singulis

#### **UNIT-IV Interpretation with reference to the subject matter and purpose**

1. Restrictive and beneficial construction
2. Taxing statutes
3. Penal statutes
4. Welfare legislation and principles of legislation
5. Presumption

#### **Unit-V Principle of Constitutional Interpretation**

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

#### **SELECT BIBLIOGRAPHY**

1. G.P. Singh, Principle of Statutory Interpretation, (7<sup>th</sup> ed.), 1999 Wadhwa Nagpur.
2. P.S. Langan (ed.), Maxwell on The interpretation of Statutes (1976, N.M. Tripathi, Bombay
3. K. Shanmukham, N.S. Bindras' Interpretation of Statutes (1997) The Law Book Co. Allahabad.
4. V. Sarathi, Interpretation of Statutes (1984), Eastern & 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 Lucknow
7. U. Baxi, Introduction to Justice K.K. Mathews, Democracy Equality and Freedom (1978) Eastern Lucknow.
8. Theories of Legislation by Jeremy Bentham, Tripathi Publication



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**THIRD YEAR**  
**Semester – V**

**Course**

**LL.B**

**Subject Title**

**DRAFTING, PLEADING AND CONVEYANCE**

**Subject Code**

**LL.B 506**

- Note:
1. This paper shall have Diary of 90 (45+45) marks and viva- voce of 10 marks.
  2. (a) Drafting : General principles of drafting and relevant substantive rules shall be taught
  - (b) Pleadings :-
    - (i) Civil : Complaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.
    - (ii) Criminal : Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision.
    - (iii) Conveyance : Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed
    - (iv) Drafting of writ petition and PIL petition

The course will be taught through class instructions and simulation exercises, preferably with assistance of practicing lawyers/retired judges.

Apart from teaching the relevant provisions of law, the course may include not less than 15 practical exercises in drafting carrying a total of 45 marks (3 marks for each) and 15 exercises in conveyancing carrying another 45 marks (3 marks for each exercise) remaining 10 marks will be given for viva voice.

**Select Bibliography**

1. R.N. Chaturvedi : Pleading, Drafting and Conveyancing,
2. Manohar Murli : The art of Conveyancing and Pleading.





Dr. A.P.J. Abdul Kalam University, Indore (M.P)

Scheme of Examination

LL.B

Semester-VI

(w.e.f. July 2019 Onwards)

(Non Grading)

Course Name	Subject	Theory Max. Marks				Practical Max Marks		Total
		Internal		External		Max Marks	Min Marks	
		Max	Min	Max	Min			
LL.B	Information technology law LLB – 601	20	07	80	28	-	-	100
	Insurance Law LLB - 602	20	07	80	28	-	-	100
	Banking Law LLB - 603	20	07	80	28	-	-	100
	Penology and Victimology LLB - 604	20	07	80	28	-	-	100
	Land laws LLB - 605	20	07	80	28	-	-	100
	Moot Court (Clinical Course) LLB - 606	20	07	80	28	-	-	100
	Total							600



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**THIRD YEAR**  
**Semester – VI**

**Course**

**LL.B**

**Subject Title**

**INFORMATION TECHNOLOGY LAW**

**Subject Code**

**LL.B 601**

**UNIT-I Introduction**

1. Concept and Definition – Computer, Digital Signature, Key Pair, Subscriber, Verification
2. Globalisation and ECommerce – U.S./U.K.
3. I.T. Act 2000 – Aim and object, E-mail, Torts & contract on Internet, Offences and Cyber Crimes, Stalking, Hacking, tempering, Junk Spaming –publication of obscene material, offences of computer, worms & virus Defamation and internet
4. Loop holes in I.T. Act.

**UNIT-II Adjudication and penalties**

1. Powers of Police Officers
2. The Cyber Regulations Appellate Tribunal
3. Appeal to High Court
4. Compounding of contravention and Recovery of penalty

**UNIT-III Protection of Consumers and Victims**

1. Protection of consumer & unfair Terms
2. Protection of person when person is not consumer
3. Proposed Amendments
4. R.B.I. Guideline for A.T.M. Transactions

**UNIT-IV International sphere of Global Regime**

1. Civil Jurisdictions
2. Minimum contact Doctrine in U.S.A.
3. E mail on Internet
4. Danger for computer software failure

**UNIT-V Right of Privacy (on Internet) Media Law**

1. Right to Privacy – Breach of (Defamation, Tresspass, Nuisance)
2. Breaching confidence and harassment
3. Privacy on Internet
4. Real Victims of Virtual Crime

**SELECT BIBLIOGRAPHY**

1. I.T. Tech. Law: Gupta & Agrawal – Premier Publication, Allahabad



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**THIRD YEAR**  
**Semester – VI**

**Course**

**LL.B**

**Subject Title**

**Insurance Law**

**Subject Code**

**LL.B 602**

**Unit – I Introduction**

1. Definition nature and history of insurance
2. Concept of insurance and law of contract and law of torts future of insurance in globalized economy.
3. History and development of insurance in India.
4. Insurance Regulatory Authority - role and functions.

**Unit- II General Principles of law of Insurance**

1. Contract of Insurance - classification of contract of insurance, nature of various Insurance contracts parties thereto
2. Principle of good faith, non-disclosure, misrepresentation in insurance contracts
3. Insurable interest
4. The risk
5. The policy, classification of policies-its form and contents, its commencement, duration, cancellation, alteration, rectification, renewal, assignment, construction
6. Conditions of the policy
7. Alteration of the risk
8. Assignment of the subject matter

**Unit-III Insurance**

1. Nature and scope of life insurance, definition kinds of life insurances, the policy and formation of a life insurance contract
2. Event insured against life insurance contract
3. Circumstances affecting the risk
4. Amounts recoverable under life policy
5. Persons entitled to payment
6. Settlement of claim and payment of money

#### **Unit-IV Marine Insurance**

1. Nature and scope
2. Classification of marine policies
3. The Marine Insurance Act 1963
4. Insurable interest, insurable value
5. Marine insurance policy-conditions, express-warranties, construction of terms of policy
6. Voyage - deviation
7. Perils of the sea
8. Partial loss of ship and of freight, salvage, general average, particular charges
9. Measure of indemnity, total valuation, liability to third parties.

#### **Unit-V Social Insurance in India**

1. Important elements in social insurance, its need.
2. Commercial insurance and social insurance
3. Workmen's compensation- scope, risks covered, industrial accidents, occupational diseases, cash benefits, incapacity, amount of compensation, nature of injuries, dependents, schedule
4. Sickness insurance, Adarkar scheme, Stack and Rao scheme for wage earners and others, risks covered, maturity and other benefits
5. Old age, premature death and invalidity insurance or pension insurance, public provident fund.
6. Fire Insurance
7. Social insurance for people like seamen, circus workers and agricultural, workers
8. Public Liability Insurance
9. The scheme
10. Authorities

#### **SELECT BIBLIOGRAPHY**

1. Singh, Bridge Anand, New Insurance Law (2000) Union Book Publishers, Allahabad.
2. Ivamy, Case Book on Insurance Law(1984), Butterworths.
3. Jvamy, General Principles of insurance Laws (1993), Butterworths
4. John Birds, Modern Insurance Law(1988), Sweet and Maxwell
5. Sreenivasan. M.N., Principles of insurance Law (1 997), Ramaniya Publishers, Bangalore.
6. M.N. Mishra – Law of Insurance – Central Law Agency, Allahabad.



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**THIRD YEAR**  
**Semester – VI**

**Course**

**LL.B**

**Subject Title**

**Banking Law**

**Subject Code**

**LL.B 603**

**UNIT-I - Introduction**

1. Evolution of Banking institution in India, banking definition, banking company in India, banking legislation in India- common law and statutory,
2. System and Classification of banks – essential functions and special functions
3. Agency services
4. E Banking and recent trends in banking

**UNIT-II Banker and Customers**

1. Customer, Banker – definition and nature
2. Legal character of banker - customer relationship
3. Special types of customers: Lunatics, minors, agents administrators and executors. partnership firms and companies
4. Duties and liabilities of banks and customers

**UNIT – III Negotiable Instrument**

1. Cheque- Meaning and characteristics, Duties and liabilities of banks payment of cheques by bank, liabilities of the banker in case of dishonour, protection of paying banker - forged cheques, alteration of cheque, collection of cheques and drafts- protection of collecting banker.
2. Crossing of cheques
3. Bill of exchange, promissory note – Meaning and characteristics and types of hundi, notary public noting protest, acceptance for honour, payment for honour
4. Holder and holder in due course- Definition and distinction between a holder and holder in due course,
5. Endorsement and its kinds, Acceptance, Presentment and Payment
6. Dishonour and discharge of negotiable instrument

**UNIT-IV Central Banking Theory and RBI**

1. Characteristics and function of central banks
2. The Reserve Bank of India as central bank of India
3. Objectives and organizational structure of RBI
4. Functions, Regulations of the monetary system, Monopoly of note issue
5. Credit control, Determination of bank rate policy, Open market operations, Banker's Bank, Banker of Government, Control over non- banking financial institutions, Economic and statistical research, Staff training, Control and supervisions of other banks.

## **UNIT-V Merchant Banking**

1. Merchant banking in India.
2. SEBI (Merchant Bankers) Regulations. 1992.
3. Recovery of Debts Due to Bank and Financial institutions Act. 1993

## **SELECTED BIBLIOGRAPHY**

1. M.S. Parthasarthy (ed.) Kherganvala on the Negotiable Instruments Act (1998), Butterworth, New- Delhi
2. M.L. Tannon, Tannon's Banking Law and Practice in India, (2000) India Law House, New Delhi.
3. S.N. Gupta, The Banking Law in Theory and Practice, (1999), Universal New Delhi.
4. G.S.N. Tripathi (ed.), Sethi's Commentaries on Banking Regulation Act 1949 and Allied Banking Laws (2000), Law Pub. Allahabad.



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**THIRD YEAR**  
**Semester – VI**

**Course**

**LL.B**

**Subject Title**

**PENOLOGY AND VICTIMOLOGY**

**Subject Code**

**LL.B 604**

**UNIT-I Evolution and nature of punishment**

1. Kinds of punishment
2. Corporeal punishment
3. Capital Punishment
  - (i) Death Penalty by Public hanging
  - (ii) Capital punishment in India
  - (iii) Death Penalty or life imprisonment
  - (iv) Rarest of the rare cases
  - (v) Constitutionality and grounds of capital punishment
  - (vi) Minority judgement of justice Bhagwati

**UNIT-II Imprisonment**

1. Simple Imprisonment
2. Rigorous Imprisonment
3. Solitary confinement
4. Imprisonment for life
5. Monetary Punishment
  - (i) Fines
  - (ii) Forfeiture of Property

**Unit-III Prison Administration**

1. Prisons in India
2. Indian Jail Reforms Committee Report 1919-20 (Recommendations)
3. Plea for setting up Prison Panel
4. Role of Prisons in Modern Penology
5. The problem of Overcrowding in prisons
6. The problem of prison Discipline
7. The problem of Prisoners' Health
8. The problem of Criminality in Prisons
9. Self-Government in Prisons
10. Prison Labour
11. The Prison Community
12. Classification of Prisoners and Jail Reform Committee's Report (1980-83), Views on classification of prisoners
13. The Problem of Undertrial Prisoners

14. Prison Reforms
15. Custodial torture in Prisons
16. Open Prisons in India

#### **Unit-IV Victimology**

1. Nature and Development, categories
2. Compensation
3. Compensation to persons groundlessly arrested
4. Exgratia payment
5. Application of articles 21 and 301A - Comparison
6. National Police commission 1977-80

#### **Unit-V White Collar Crimes**

1. Historical Background, Definition
2. Contributing factors
3. White collar crime in India
4. Hoarding, Black marketing and adulteration.
5. Tax evasion
6. White collar crime in certain profession – medical, engineering, legal, educational, Business deal
7. Disposal by anti-corruption and vigilance departments of state & UTs under Prevention of corruption Act 1983 and related sections of I.P.C.

#### **SELECT BIBLIOGRAPHY**

1. E. Sutherland, White collar Crime (1949).
2. Prof. N.V. Paranjape Criminology and penology.
3. Dr. Yamuna Shankar Sharma penology.
4. Om Prakash Shrivastava Principles of Criminal Law





Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**THIRD YEAR**  
**Semester – VI**

Course

LL.B

Subject Title

**LAND LAWS INCLUDING TENURE AND TENANCY S**

Subject Code

**LLB – 605**

**Unit – I Concept**

1. Objects and Reasons and Basic features of enacting Madhya Pradesh Land Revenue Code, 1959.
2. Definitions : Abadi, Agriculture, Agriculture and Revenue years, Board, Bonafide Agriculturist, Co-operative Society, Government Forest, Government Lesees, Holding, Improvement, Land, Landless Person, Land Records, Mango grove, Orchard, Plot number, Rents, Revenue Officer.
3. Tenant, Tenure-holder,

**Unit – II Revenue Board and Revenue officer**

1. Constitution and Conditions of service of members.
2. Jurisdiction of Board and Powers of Board.
3. Revenue Officers, Their Classes and Powers and Procedure of Revenue Officer and revenue courts.
4. Powers of State Government to alter the limits
5. Powers of State Government of appointing Revenue Officers
6. Sub-Divisional Officers
7. Powers to transfer Cases
8. Conferral of Status of Courts, Inherent Powers and other Powers of Revenue Courts
9. Appeal, Revision and Review
10. Appellate, Authorities and their powers and limitation for appeals,
11. Revision
12. Review of orders
13. Stay of execution of orders

**Land and Land Revenue**

1. State ownership in all lands, Liability of land to pay land revenue, land exempted from payment of land revenue, and variation of land revenue
2. Assessment, Reassessment,
3. Revenue Survey and Settlement in Non-Urban Area.
4. Appointment and Powers of Settlement Officers,
5. Revenue Survey,
6. Settlement of Rent,
7. Assessment and Re-Assessment of Land in Urban Area,
8. Land Records

9. Formation of circles and appointment of Patwari and Revenue Inspectors,
10. Land Records, Field Map, Record of rights,
11. Realisation of Land Revenue

### **Unit – III Tenure Holders**

1. Bhuswami
2. Right of Transfer, Forfeiture, lease, set aside of transfer, Reversion of land of members of aboriginal tribes, Diversion of land, Relinquishment, abandonment, disposal and partition of holding,
3. Occupancy Tenants,

### **Unit – IV Government leasee and service land rights and liabilities of Government leasee**

1. Government lease - Appointment, Termination of lease, Service Land
2. Alluvion and Deluvion
3. Consolidation of Holding
4. Village Officers
5. Patels
6. Kotwars

### **Unit – V Rights in Abadi and unoccupied Land**

1. Gram Sabha
2. Wajib-ul-arz
3. Nistar Patrak
4. Rights in forest Easement
5. Exclusive Jurisdiction of Revenue Courts
6. Miscellaneous Provisions

### **SELECT BIBLIOGRAPHY**

1. M.P. Land Revenue Code – 1959 (Jindal) 2008 Ed.
2. Basantilal Babel (Diglot) Vedpal Law in India 2007



Department of Law  
College of Professional Studies  
Dr. A.P.J. Abdul Kalam University, Indore  
**BACHELOR OF LAW**  
**THIRD YEAR**  
**Semester – VI**

**Course**

**LL.B**

**Subject Title**

**Moot Court Exercise and Internship**

**Subject Code**

**LLB – 606**

**Note: 1. Three components of 30 marks each (30+30+30) and viva for 10 marks shall be conducted by the department.**

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