

**DEENDAYAL UPADHYAYA GORAKHPUR UNIVERSITY  
GORAKHPUR**



**ORDINANCES AND REGULATIONS OF  
LL.B.  
Under CBCS System**

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**DEPARTMENT OF LAW  
DEEN DAYAL UPADHYAYA GORAKHPUR UNIVERSITY, GORAKHPUR**

# **Ordinances**

## **for Admission to LL.B.**

### **About the University:**

Deen Dayal Upadhyaya Gorakhpur University, Gorakhpur, established in 1957 by an enactment of Uttar Pradesh State Legislature, in its long eventful journey has constantly striven to live up to its motto that is "आनो भद्राः क्रतवो यन्तु विश्वतः" (Let the noble thoughts come from all sides) by assimilating diverse ideas, people and beliefs into its academic life.

The geographical location of the University is 26.7480 degrees North (latitude), 83.3812 degrees East (longitude). The University, the first to be established in Uttar Pradesh after Independence and named after the great political thinker, Pandit Deen Dayal Upadhyaya is located in the holy city of Gorakhpur and inherits the spiritual and philosophical legacy of Buddha, Kabir and Guru Gorakhnath.

The University has neat and attractive campus spread over an area of 191.21 acres with well-planned teaching and residential campuses. In the beginning the University was housed in two buildings, the Pant Block (inaugurated by late Pt. G.B. Pant) and the Majithia Block (named after Sir Surendra Singh Majithia, who made a significant donation to the building through his family trust). Several other buildings came up during the following decades: they include the Central Library, the Arts Block, the Administrative Block, the Law Faculty Building, a Student's Union Building, a Gymnasium hall, a Health Centre, a Computer Centre and Research Buildings for Chemistry, Zoology and Botany. Besides, there are separate Buildings for Biotechnology, Defence and Strategic Studies, Electronics, Commerce, Business Management, Education, Home Science, Geography, Psychology, Sociology, Hindi, Ancient History, Fine Arts and Music, Political Science and Adult Education. At present the University houses 06 faculties comprising of 29 departments that have been playing a significant role in imparting holistic education to the people of the Eastern region since its inception.

In the residential zone, the University has more than 125 quarters for teachers and officials of the University and about the same number of the non-teaching staff. There are several hostels - four boys' hostel, two girls' hostel and one International Students Hostel - which have facilities of mess, reading-cum-TV room, games, etc. The students living in the city are attached to the Delegacy which looks after their academic interests and provides facilities in extra-curricular activities.

As a residential-cum-affiliating State University it can boast of a rich academic legacy, illustrious alumni, experienced, qualified and dedicated faculty members, transparent, effective and responsive administrative set up, state-of-the art library, Wi-Fi campus, ample career growth opportunities for its students, advanced research facilities and a vibrant and safe campus.

With its cherished goal of nourishing creative talent and scientific temper among its students and sensitizing them to larger socio-economic and political realities, the University aspires to contribute meaningfully to regional and national development.

### **Admission Ordinance:**

#### **1. Preamble:**

*WHEREAS the Bar Council of India has issued necessary directions to run Three Year LL.B. degree programme;*

*AND WHEREAS it is the demand of the time and region,*

*THE Ordinances and Regulations pertaining to the same are being drafted and approved/passed by relevant bodies/authorities as under:*

#### **2. General Introduction**

Under the powers conferred by the U.P. State Universities Act, 1973 the Deen Dayal Upadhyaya Gorakhpur University, Gorakhpur hereby institutes three year programme of LL.B. degree which shall be a full time course of the D.D.U. Gorakhpur University, Gorakhpur for 300 (three hundred seats). As it is a full time course, no other degree or diploma course can be pursued along with it.

#### **3. Name of the Course:**

**LL.B. (Course Duration: 6 Semester), (Total Credits: 120)**

**4. Faculty:** Faculty of Law

#### **5. Admission to the LL.B.**

(i) Admission to the LL.B. course in the Department of Law shall be made on the basis of merit in the Entrance Test.

(ii) The LL.B. course shall have the status of a regular course of study.

(iii) On his/her selection for admission to LL.B. course, the candidate shall, within the time fixed by the Dean, Faculty of Law deposit the tuition and other fees prescribed for the programme. If the candidate fails to deposit the fees within the stipulated time, his/her selection shall automatically stand cancelled. Such a candidate shall not be admitted to the concerned programme unless a fresh order of selection or extension of date for payment of fees is issued by the Dean, Faculty of Law/Coordinator.

#### **6. Reservation And Weightage**

(a) The reservation policy as prescribed by the State Government and the University regarding admission from time to time shall be adhered to in the admission to the course.

- (b) Rules regarding weightage as prescribed by the University for Admission to various courses shall be followed for the present course also.
- (c) There will be no deduction in the marks obtained by the candidates in the Admission Test on account of gap, if any, in the studies of the candidates concerned.

## **7. Eligibility/Admission Qualification:**

Subject to the guidelines issued by BCI, a person shall be eligible for being a candidate for admission in LL.B. course, only if he/she has passed the graduation or equivalent examination from a recognised college/university/institution with not less than 45% of the total marks in the case of General candidates, 42% of the total marks in the case of OBC candidates and not less than 40% of the total marks in the case of S.C. and S.T. candidates at such examination.

A candidate, who is appearing in the final year/semester examination of graduate course, may also apply for this programme. However, he/she must produce his/her mark-sheet of graduation at the time of admission.

## **8. Admissions Procedure:**

In addition to the minimum eligibility conditions, described above, for admission to LL.B. course, the following documents would also be required, at the time of admission:

(i) Candidates selected for admission to the LL.B. course of study shall submit the following certificates:

(a) Transfer Certificate/Migration certificate from the College/University/Institute last attended indicating that he/she has passed qualifying examination from the University/Institute;

(b) Certificate of Character from the Principal of the College (or appropriate authority of the university/college) last attended.

(ii) If the Dean, Faculty of Law is satisfied that there are genuine difficulties in the production of the above certificates he/she may, at the request of the candidate, give him/her time to submit the above certificates within the time prescribed by the University. In case the candidate is unable to do so, his/her admission shall be cancelled.

## **9. Attendance**

(a) A student is required to have at least 75% attendance which may be condoned up to 10% for specific cogent reasons.

(b) The attendance of a newly admitted candidate shall be counted from the date of his/her admission, or from the date of commencement of classes whichever is later, while in the case of promoted candidates, attendance shall be counted from the date on which respective class begins.

## **10. Duration of Course:**

The duration of the course shall be of 3 Years (6 Semesters).

## **11. Course Structure:**

- a) The course shall be divided into 6 semesters.
- b) Minimum requirement for the completion of the course:

Core Course (Compulsory): 112 credits

Optional Course: 08 credits

- c) Medium of Instruction:

Hindi and English

## **12. Regulations Regarding Examinations**

After completion of each semester, the student will appear at the examination conducted by the Deen Dayal Upadhyaya Gorakhpur University, Gorakhpur as per CBCS system in semester mode.

### **A. Registration:**

As per the University Rules and Regulations.

### **B. Conduct of Examination and Moderation of Results:**

- i. All the six semesters' end Examination shall be conducted by the University.
- ii. Answer sheets shall be coded before sending to the examiners and shall be decoded before tabulation of marks.
- iii. A candidate not securing the qualifying marks shall be declared as fail.
- iv. Final result of each year of LL.B. shall be published on the basis of candidate's performance in all the papers spread over the two semesters of that particular year.
- v. The final result will be published only after the candidate has cleared all the papers securing minimum qualifying marks as approved in the regulations.
- vi. A candidate who has completed the course but has failed to appear at the examination may again be allowed to appear in the next examination on payment of prescribed examination fees without further attending the lecture.

### **C. Result Improvement:**

A student may re-appear in maximum of two theory papers in the immediate succeeding examination of that semester to improve his result. The better of two scores shall be considered for preparation of the final result.

**D. Course of the Study:**

The approved course of study by the academic council will be reviewed from time to time by the board of studies and implemented after the approval of Academic Council

**E. Credit System:**

The Credit System as adopted in other faculties of the University as per UGC guidelines will be adopted.

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**SEMESTER WISE COURSE DISTRIBUTION**

**LL.B.**

**SEMESTER I**

<b>Course Code</b>	<b>Courses</b>	<b>Credit</b>
<b>Core course</b>		
LLB- 101	Contract – I	3+1
LLB- 102	Law of Torts And Consumer Protection	3+1
LLB- 103	Constitutional Law – I	3+1
LLB- 104	Family Law - I (Hindu Law)	3+1
LLB- 105	Public International Law	3+1
		<b>20Credit</b>

**SEMESTER II**

<b>Couse Code</b>	<b>Courses</b>	<b>Credit</b>
<b>Core course</b>		
LLB- 106	Contract – II	3+1
LLB- 107	Law of Crimes – I (Indian Penal Code)	3+1
LLB- 108	Constitutional Law – II	3+1
LLB- 109	Family Law-II (Muslim Law)	3+1
LLB- 110	Human Rights Law And Practice	3+1
		<b>20 Credit</b>

**SEMESTER III**

<b>Course Code</b>	<b>Courses</b>	<b>Credit</b>
<b>Core course</b>		
LLB- 201	Jurisprudence	3+1
LLB- 202	Company Law	3+1
LLB- 203	Property Law	3+1
LLB- 204	English & Legal Language	3+1
LLB- 205	Trust & equity	3+1
		<b>20 Credit</b>

**SEMESTER IV**

<b>Couse Code</b>	<b>Courses</b>	<b>Credit</b>
<b>Core course</b>		
LLB- 206	Administrative Law.	3+1
LLB- 207	Environmental Law.	3+1
LLB- 208	Interpretation of Statutes	3+1
LLB- 209	Banking Law	3+1
LLB- 210	Labour Law	3+1
		<b>20 Credit</b>



**SEMESTER V**

<b>Course Code</b>	<b>Courses</b>	<b>Credit</b>
<b>Core course</b>		
LLB- 301	Law Of Crimes – II	3+1
LLB- 302	Law of Evidence	3+1
LLB- 303	Professional Ethics And Professional Accounting System(Practical)	3+1
LLB- 304	Alternative Dispute Resolution (Practical)	3+1
<b>Optional (choose any one)</b>		
LLB- 305	Law Of Intellectual Property	3+1
LLB- 306	The U.P. Urban Building (Regulation of Letting, Rent and Eviction) Act,1972	3+1
LLB- 307	The U.P. Municipalities Act, 1916	3+1
		<b>20 Credit</b>

**SEMESTER VI**

<b>Couse Code</b>	<b>Courses</b>	<b>Credit</b>
<b>Core course</b>		
LLB- 308	Civil Procedure Code & Limitation Act	3+1
LLB- 309	U. P. Revenue Code 2006	3+1
LLB- 310	Drafting, Pleading And Conveyance (Practical)	3+1
LLB- 311	Moot Court Exercise And Internship (Practical)	3+1
<b>Optional (choose any one)</b>		
LLB- 312	Criminology	3+1
LLB- 313	The U.P. Panchyat Raj Act, 1947	3+1
LLB- 314	The U.P. Consolidation of Holding Act,1953	3+1
		<b>20 Credit</b>

**SCHEDULE**  
**LL.B. FIRST SEMESTER**  
**PAPER – I**  
**CONTRACT – I**

**Unit I: Formation of Contract**

- a. Meaning, definition and nature of contract
- b. Proposal /Offer
  - Definition & Kinds
  - Communication
  - Revocation
  - General & Specific offer
  - Invitation to offer
  - Termination of offer
- c. Acceptance
  - Definition
  - Communication
  - Revocation
- d. Standard form contracts

**Unit II: Consideration and Capacity**

- a. Consideration
  - Definition
  - Essentials
  - Exceptions
  - Privity of consideration & contract
- b. Capacity to contract
  - Minor's position
  - Nature / effect of minor's agreements
  - Persons of unsound mind, insolvent & others

**Unit III: Free Consent & Void agreements etc.**

- a. Free Consent
  - Coercion, undue influence, Misrepresentation, Fraud & Mistake
- c. Unlawful consideration and object
- d. Void agreements & contingent contracts
- e. Effect of void & voidable agreements / contracts

**Unit IV: Discharge, Performance, Quasi Contracts and Remedies**

- a. Discharge of Contracts
- b. Breach & Performance
  - Breach - Anticipatory & Present
  - Time and Place of performance
  - Impossibility of performance: Indian & English position
  - Performance under the Specific Relief Act, 1963
- c. Quasi Contracts
- d. Remedies
  - i. Under the Indian Contract Act
  - ii. Under the Specific Relief Act
  - iii. *Quantum Meruit*

**Act:**

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

**Recommended Books:**

1. V.G. Ramchandran - Law of Contract (Publisher – State Mutual Book & Periodical Service Ltd,1989)
2. Anson's Law of Contract ( Publisher – Oxford Press 30<sup>th</sup> Edition)
3. Pollock & Mulla–The Indian Contract and Specific Relief ( Publisher – Lexis Nexis 15<sup>th</sup> Edition)
4. Avtar Singh – Law of Contract and Specific Relief ( Publisher – Eastern Book Company 12<sup>th</sup> Edition)
5. R. C. Srivastava: The Principles of Law of Contract ( Publisher – Bloomsbury India, 2018)

**Paper- II**  
**Law of Torts and Consumer Protection**

**Unit – I: Introduction and Principles of Liability in Tort-I**

- a. Definition, Elements and Nature of Tort
- b. Development of Tort actions in England and India
- c. Essentials of Tort
- d. Mental Elements in Tort: Fault and No-Fault Liability
- e. Joint Tort Feasors

**Unit – II: Principles of liability-II**

- a. Vicarious Liability and Liability of State for Tort
- b. General Exceptions
- c. Strict Liability and Absolute Liability
- d. Remoteness of Damage

**Unit – III: Specific Torts - I**

- a. Negligence and Nervous Shock
- b. Nuisance
- c. Trespass
- d. Assault and battery

**Unit - IV: Specific Torts – II & Consumer Protection**

- a. Defamation
- b. False imprisonment
- c. malicious prosecution
- d. **The Consumer Protection Act, 2019**
  - i. Definitions of Consumer, Goods and Services
  - ii. Rights and Duties of Consumer
  - iii. Consumer Disputes Redressal Agencies
  - iv. Remedies

**Recommended Books:**

1. Tort: Winfield and Jolowicz( Publisher – Sweet & Maxwell 19<sup>th</sup> Edition, 2016)
2. The Law of Torts: Ratanlal&Dhirajlal( Publisher –Badhwa& Co. Nagpur 23rd Edition, 2003)
3. Law of Torts& Consumer Protection Act: R.K. Bangia ( Publisher –Allahabad Law Agency Publications, Allahabad , 2016)
4. Law of Torts: B.M. Gandhi( Publisher – Eastern Book Company, Lucknow 3<sup>rd</sup> Ed., 2006)
5. Law of Torts& Consumer Protection Act: J.N. Panday ( Publisher –Central Law Publications, Allahabad, 2017 )
6. Law of Torts: Salmond&Heuston( Publisher –Universal Law Publication Co. Pvt. Ltd.20<sup>th</sup> Ed. , 2004)

**Paper- III**  
**Constitutional Law – I**

**Unit I: Constitution**

- Meaning and Nature of Constitutional Law
- Preamble and Salient features of Indian Constitution
- Rule of Law
- Separation of Powers

**Unit II: Distribution of Legislative Powers between Union and States**

- Legislative Powers (Procedure and Privileges)
- Federal idea: nature of Indian Polity, co-operative federalism
- Doctrine of Territorial Nexus, Doctrine of Harmonious Construction, Doctrine of Pith and Substance, Doctrine of Repugnancy

**Unit III: Constitutional Organs**

- Parliament: Parliamentary Sovereignty, Parliamentary Privileges, Anti-Defection Law
- Executive Power: Nature of executive in India, Relationship between President and council of ministers
- Judiciary: Organization and jurisdiction of Supreme Court and High Courts, Independence of Judiciary, Public Interest Litigation, Power of Judicial Review

**Unit IV:**

- Emergency Provisions, impact of emergency on Centre-State relations
- Amendment of Constitution
- Doctrine of Basic Structure
- Freedom of inter-state Trade & Commerce.

**Recommended Books:**

1. D.D. Basu, Shorter Constitution of India, ( Publisher –Lexis Nexis 15<sup>TH</sup> Edition, 2017)
2. KaileshRai, Constitution of India, ( Publisher –Allahabad Law Agency, Allahabad Edition, 2014)
3. V.N. Shukla, Constitution of India, ( Publisher –Eastern Book Co.Lucknow 13<sup>th</sup> Edition, 2017)
4. M.P. Jain, Indian Constitutional Law, ( Publisher –Wadhwa& Company,Nagpur,5<sup>th</sup> Edition 2003)
5. J.N. Panday, Constitution of India, ( Publisher –Central Law Agency, Allahabad, 2017)

**Paper- IV**  
**Family Law - I (Hindu Law)**

**UNIT-I**

1. Sources of Hindu Law
2. Marriages amongst Hindus (With reference to Hindu Marriage Act,1955)
  - (i) Nature of Marriage
  - (ii) Kinds of Marriage
  - (iii) Requirements of Marriage
  - (iv) Matrimonial Remedies
    - (a) Restitution of Conjugal Rights
    - (b) Judicial Separation
    - (c) Dissolution of Marriage
    - (d) Decree of Nullity

**UNIT-II**

1. Minority and Guardianship amongst Hindus.
2. Adoption amongst Hindus
3. Maintenance amongst Hindus

**UNIT-III**

- Joint family:
  - (a) Coparcenary
  - (b) Alieneation
  - (c) Debts
  - (d) Partition

**UNIT-IV**

1. Succession: Testate and intestate succession amongst Hindus.
2. Stridhan and Women's Estate.
3. Religious and Charitable Endowments under Hindu Law.

**Recommended Books:**

1. Modern Hindu Law – Paras Diwan ( Publisher –Allahabad Law Agency Publications, Allahabad Edition 2018)
2. Modern Hindu Law –U.PD. Kesari ( Publisher – Central Law Publications, Allahabad Edition 2018)
3. Hindu Law - R. K. Agarwal ( Publisher – Central Law Agency, Allahabad Edition 2017)
4. Hindu Law –B.M. Gandhi ( Publisher – Eastern Book Company, Lucknow, Edition 2016)
5. Introduction to Hindu Law –TahirMahmood ( Publisher – Universal Law Publishing Co., New Delhi, Edition 2016)

**Paper- V**  
**Public International Law**

**Unit I:**

- Nature, Definition, Origin and Basis of International Law
- Sources of International Law
- Subjects of International Law
- Relationship between International Law and Municipal Law

**Unit II:**

- Recognition: Definition & salient features, Theories of Recognition, Kinds of Recognition, Legal effect of Recognition, Withdrawal of Recognition.
- State Succession: Definition and Kinds of Succession Consequences of State Succession.
- Extradition: Definition, Purpose of Extradition, Legal Duty, Extradition of Political Offenders, Doctrine of Double Criminality, Rule of Specialty.
- Asylum: Meaning, Right of Asylum, Types of Asylum

**Unit III:**

- Nationality & Statelessness
- State Territory: Concept, Modes of Acquisition, International Rivers & canals.
- Law of sea and outer space
- State Jurisdiction: Territorial Jurisdiction and Its Limitation
- State Responsibility: Kinds and extent of State Responsibility, Consequence of State Responsibility.
- Diplomatic & Consular relations

**Unit IV:**

- U.N.: Origin, Object, Principles and Membership
- Main organs of U.N. : General Assembly, Security Council, Economic and Social Council, Trusteeship Council and Secretariat, International Court of Justice.
- Settlement of International Disputes
- War and use of force in International Law
- Law of Contraband, Blockade and Enemy character

**Recommended Books:**

1. S.K. Kapoor : Public International Law( Publisher – Central Law Publication, Allahabad Ed.2018
2. H.O. Agrawal : International Law and Human Rights ( Publisher – Central Law Publication, Allahabad Ed.2018
3. Prof. T.P. Tripathi- An Introduction to the Study of Human Rights ( Publisher – Allahabad Law Agency Publication, Allahabad Ed.2017)

## **LL.B. SECOND SEMESTER**

### **Paper - VI**

### **CONTRACT - II**

#### **Unit I: Specific Contracts - I**

- Contract of Indemnity
- Contract of Guarantee

#### **Unit II: Specific Contracts - II**

##### (A) Bailment

- Definition and essentials
- Rights and duties of bailor & bailee

##### (B) Pledge

- Definition and essentials
- Rights and duties of pawnor & pawnee

##### (C) Agency

- Definition
- Essentials of Agency
- Kinds of agents
- Creation of Agency
- Relation of Principal and Agent, Sub-agent and Substituted agent
- Ratification
- Termination & revocation of Agency

#### **Unit III: Partnership**

Nature & Definition of Partnership; Partnership at will; Distinction from Company and Joint Family Business; Relationship between partners; Incoming and outgoing partners; Registration of Firm; Implied Authority; Relationship with third party; Liability of partners - holding out; Modes of Retirement of Partners; Dissolution of Firm.

#### **Unit IV: Sale of Goods**

Definition, Essentials of Sale; Sale & agreement to sell; Conditions and Warranties; Implied Conditions and Warranties; *Caveat emptor*; Effect of contract, Passing of Property; *Nemo dat quod non habet*; Rights of Parties and Remedies; Performance of Contract; Rights of Unpaid Seller, Suits for Breach of Contract.

#### **Acts:**

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

#### **Recommended Books:**

1. V.G. Ramchandran - Law of Contract (Publisher – State Mutual Book & Periodical Service Ltd, 1989)
2. Anson's Law of Contract (Publisher – Oxford Press 30<sup>th</sup> Edition)
3. Pollock & Mulla – The Indian Contract and Specific Relief (Publisher – Lexis Nexis 15<sup>th</sup> Edition)
4. Avtar Singh – Law of Contract and Specific Relief (Publisher – Eastern Book Company 12<sup>th</sup> Edition)



**Paper – VII**  
**LAW OF CRIMES – I (INDIAN PENAL CODE)**

**Unit I: Introduction**

- Definition and elements of Crime & Stages of Crime
- Principle of Joint Liability : Common Intention and Common object,
- General exception (Sec. 76-106)

**Unit II:**

- Abetment, Criminal Conspiracy and Attempt
- Offences affecting the Human body –
  - Culpable Homicide, Murder, Death caused by Negligent act, Dowry Death, Hurt and Grievous Hurt
  - Wrongful Restraint and Wrongful Confinement,
  - Criminal Force and Assault
  - Kidnapping and Abduction.

**Unit III:**

- Offences against property
  - Theft and Extortion,
  - Robbery and Dacoity.
  - Criminal misappropriation and Criminal breach of trust,
  - Cheating and Mischief,
  - Criminal Trespass.

**Unit IV:**

- Defamation
- Criminal Intimidation, Preparation
- Offences against State
- Offences against Women and Children

**Acts:**

- The Indian Penal Code, 1860
- The Protection of Children from Sexual Offences Act, 2012

**Recommended Books:**

1. Indian Penal Code – B.M. Gandhi( Publisher –Eastern Book Company, Lucknow Ed. , 2016)
2. Indian Penal Code – S.S. Srivastava( Publisher –University Book House, Jaipur Ed. , 2014)
3. Indian Penal Code – MurlidharChaturvedi( Publisher –Eastern Book Company, Lucknow Ed. ,2017)
4. Indian Penal Code - S.N. Mishra S.N.( Publisher –Allahabad Law Agency Publications, Allahabad Ed. ,2017)
5. Indian Penal Code – N.V. Pranjape( Publisher –Central Law Publications, Allahabad Ed. , 2017)

**Paper – VIII**  
**Constitutional Law – II**

**Unit – I Fundamental Rights – I**

- a. Definition of ‘State’ for enforcement of fundamental rights, Justifiability of fundamental rights – Doctrine of eclipse, severability, waiver. Distinction between pre-constitutional law and post-constitutional law
- b. Right to equality – Concept of Equality; Procedural and substantive equality; Doctrine of Reasonable classification and the principle of absence of arbitrariness
- c. Fundamental freedoms: Freedom of speech and expression, freedom of association, freedom of movement, freedom to reside and settle, freedom of trade, business and profession – expansion by judicial interpretation – reasonable restrictions

**Unit – II: Fundamental Rights – II**

- a. Right to life and personal liberty
- b. Protection in respect of conviction for offences
- c. Preventive detention under the Constitution – Policy and safeguards – Judicial review
- d. Right against exploitation – Forced labour and child employment
- e. Freedom of religion
- f. Cultural and Educational Rights

**Unit – III: Right to Constitutional Remedies**

Right to Constitutional Remedies – Judicial Review – Writs – Habeas Corpus, Mandamus, Certiorari, Prohibition and Quo-warranto – Art 32 and 226

**Unit – IV: Directive Principles, Fundamental Duties and Social Justice**

- a. Directive Principles of State Policy – Nature and justiciability of the Directive Principles – Inter-relationship between Fundamental Rights and Directive Principles – Fundamental Duties
- b. Social justice under the Indian Constitution

**Recommended Books:**

- s1. D.D. Basu, Shorter Constitution of India, (Publisher –Lexis Nexis 15<sup>TH</sup> Edition, 2017)
2. Kailesh Rai, Constitution of India, (Publisher – Allahabad Law Agency, Allahabad Edition, 2014)
3. V.N. Shukla, Constitution of India, (Publisher – Eastern Book Co. Lucknow, 13<sup>th</sup> Edition, 2017)
4. M.P. Jain, Indian Constitutional Law, (Publisher – Lexis Nexis, 8<sup>th</sup> Edition 2018)
5. J.N. Panday, Constitution of India, (Publisher – Central Law Agency, Allahabad, 2017)

**Paper – IX**  
**Family Law-II (Muslim Law)**

**UNIT- I: Sources of Muslim Law and Marriages among Muslims**

1. Sources of Muslim Law
2. Marriages among Muslims in India
  - (i) Nature of Marriage
  - (ii) Kinds of Marriage
  - (iii) Requirements of Marriage (including Dower)

**UNIT-II: Matrimonial Remedies and Guardianship**

1. Matrimonial Remedies
  - (a) Restitution of Conjugal Rights
  - (b) Dissolution of Marriage
2. Guardianship

**UNIT-III: Legitimacy and Maintenance**

1. Legitimacy and parentage
2. Maintenance

**UNIT-IV: Wills, Gifts, Waqf and General Principles of Inheritance**

1. Wills
2. Gifts
3. Waqf
4. General Principles of Inheritance (No specific rules of inheritance are to be taught)

**Recommended Books:**

1. Introduction to Muslim Law – TahirMahmood ( Publisher – Universal Law Publishing Co, New Delhi, Edition 2018)
2. Textbook of Muslim Law- R.K. Singh ( Publisher – Universal Law Publishing Co, New Delhi, Edition 2016)
3. Muslim Law –AquilAhamad( Publisher – Central Law Agency,Allahabad, Edition 2018)
4. Muslim Law –Dr.Sinha( Publisher – Central Law Agency,Allahabad, Edition 2018)
5. Muslim Law – Khalid Rashid ( Publisher – Eastern Book Company, Lucknow, Edition 2018)

**Paper – X**  
**HUMAN RIGHTS LAW AND PRACTICE**

**Unit I:**

- Human Rights: Meaning, Nature, Concept, Origin and Development
- Evolution of Human Rights: Ancient and Natural Law perspective, Natural Rights and Human Rights, Legal right and Human Rights,
- Human Rights: Classification,
- Human Rights: Importance.

**Unit II :**

- U. N. Charter and Human Rights, Universal Declaration of Human Rights and its legal Significance.
- Covenants and Conventions: International Covenant on Economic, Social and Cultural Rights, 1966; International Conventions on Civil & Political Rights, 1966 The European Convention on Human Rights, 1950, The American Convention on Human Rights, 1969, African Charter on Human and People's Rights, The Vienna Conference on Human Rights, Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, Rights of the Aged.

**Unit III:**

- Human Rights in India, Human Rights and Indian Constitution, The Protection of Human Rights Act, 1993
- Judicial activism & Protection of Human Rights in India, Role of Non-Governmental Organization in the Promotion and Protection of Human Rights;
- Refugee: Rights and Duties

**Unit IV:**

National Human Rights Commission, National Commission for Minorities, National Commission for Women, National Commission for Backward Classes and National Commission for Schedule Castes and Schedule Tribes.

**Acts**

1. The Charter of UN
2. The Protection of Human Rights Act, 1993
3. The Universal Declaration of Human Rights, 1948

**Recommended Books:**

1. Dr. H.O. Agrawal- Human Rights( Publisher – Central Law Publication, Allahabad Ed.2017
2. Dr. U. Chandra - Human Rights( Publisher – Allahabad Law Agency, Allahabad Ed.2016
3. Prof. T.P. Tripathi-An Introduction to the Study of Human Rights ( Publisher – Allahabad Law Agency Publication, Allahabad Ed.2017)

## **LL.B. THIRD SEMESTER**

### **Paper – XI**

### **Jurisprudence**

#### **Unit – I: Introduction**

- Meaning, Scope and Importance of Jurisprudence.
- Relation between Jurisprudence and Legal Theory, Nature and Kinds of Law and Theories of Justice.
- Sources of Law : Custom, Legislation, Precedent

#### **Unit – II: Schools of Jurisprudence**

- Natural Law
- Analytical Positivism, Pure Theory- Bentham, Austin, Kelsen and Hart
- Historical Jurisprudence- Savigny and Maine
- Sociology Jurisprudence- Dean Roscoe Pound and Dugit
- Economic Approach- Karl Marx
- Realist Movement- American and Scandinavian

#### **Unit – III:**

- Law and State
- Law and Morality
- Law and Religion
- Law and Social Change

#### **Unit – IV: Legal Concepts**

- Rights and Duties
- Personality
- Possession, Ownership and
- Property

#### **Recommended Books:**

1. B.N. Mani Tripathi : Jurisprudence – Legal Theory( Publisher – Allahabad Law Agency, Allahabad Ed.2005)
2. N.R.MadhavaMenon :Holland on Jurisprudence ( Publisher – Universal Law Publishing Co. Pvt.Ltd.,DelhiEd.2004)
3. NomitaAggarwal : Jurisprudence – Legal Theory( Publisher – Central Law Publications, Allahabad Ed.2015)
4. Anirudh Prasad: Fundamental Theory of Jurisprudence ( Publisher – Eastern Book Company,LucknowEd.2015)
6. T.P. Tripathi : Jurisprudence ( Publisher – Allahabad Law Agency Publications, Allahabad Ed.2005)

**Paper – XII**  
**COMPANY LAW**

**Unit I: Formation, Registration and Incorporation of Company**

- Definition and Kinds of Company
- Nature of Company: Theory of Corporate Personality and its exception
- Promoters: Position, Duties and Liabilities
- Incorporation of Company: Memorandum of Association and Articles of Association
- Doctrine of Ultra-vires
- Indoor management and constructive notice

**Unit II: Prospectus, Share, Share Capital and Debenture**

- Prospectus: Issue, contents, Kinds, liabilities for misstatement, Shelf Prospectus and Red herring Prospectus
- Share and Debenture- Kinds, Nature of share, allotment of share and debenture, share, stock and share warrant
- Charge- Floating and Fixed Charge
- Transfer of Shares, Restriction on transfer, Relationship between transferor and transferee.

**Unit III: Administration and Management**

- Directors - Appointment, Tenure, Remuneration, Removal, Kinds, Powers, Duties and legal position
- Managing Director and other Managerial Personnel
- Oppression and Mismanagement
- National Company law Tribunal
- Security and Exchange Board of India (SEBI )
- Protection of Investors

**Unit IV: Reconstruction, Amalgamation and Winding up of Companies**

- Reconstruction and Amalgamation
- Concept, Meaning and kinds of winding up
- Liquidator: Appointment, Powers and Functions
- Consequences of Winding up

**Recommended Books:**

1. Avtar Singh - Company Law ( Publisher – Eastern Book Company, Lucknow 13<sup>th</sup> Ed., 2001)
2. N. V. Paranjape - Company Law( Publisher – Central Law Agency,Allahabad,2017)
3. Gower – Principles of Morden Company Law( Publisher – Sweet & Maxwell, 6<sup>th</sup> Ed., 1997)

**Paper – XIII**  
**Property Law**

**Unit-I: Introduction**

- a. Concept and kinds of Property
- b. Nature and scope of Transfer of Property Act
- c. Important terms and their definitions
- d. Persons competent to transfer
- e. Transferable and Non-Transferable Property
- f. Effect of transfer

**Unit-II: General Principles Governing Transfer of Immoveable Property**

Conditions Restricting Transfer, Transfer to an Unborn Person and Rule against Perpetuity, Direction for accumulation, Vested and Contingent interest, Conditional Transfer, Doctrine of Election, Transfer by ostensible owner, Rule of feeding the grant by estoppels, Improvements made by bonafide holders under defective titles, Doctrine of *Lispendens*, Fraudulent transfer & Part - performance

**Unit – III: Specific Transfers – I**

- a. Sale and exchange
- b. Gift
- c. Mortgage

**Unit – IV: Specific Transfer – II**

- a. Lease and License
- b. Charge
- c. Actionable claim

**Recommended Books:**

1. Mulla D.F. – Transfer of property(Publisher –Lexis Nexis Publication, ,13<sup>TH</sup> Ed. )
2. T.P. Tripathi – Transfer of property(Publisher –Allahabad Law Agency Publication, Ed. 2017 )
3. G.P. Tripathi – Transfer of property Act(Publisher –Central Law Publication, Ed. 2017 )
4. R. K. Sinha - Transfer of property Act(Publisher –Central Law Publication, Ed. 2017 )

**Paper – XIV**  
**ENGLISH & LEGAL LANGUAGE**

**Unit –I: Language of the Law**

- Distinctive Feature of Legal Language, Problems of Language in the Drafting of Statutes, other Legal Documents; Representations and the Language of the Judgements.
- Official Language: The Constitutional Provisions (Articles 343-347)
- Language of the Supreme Court and the High Courts (Art.348); Language of the representations for redress of grievances (Art. 350) and the Development of the Hindi Language (Art.351)

**Unit –II: Essay Writing (in Hindi & English Language)**

Essay using legal expressions on socio legal problems and legal concepts (Democracy, Socialism, Secularism, Social Justice, Human Rights, Environment, Consumer Protection, Uniform Civil Code, Panchayati Raj)

**Unit –III: Translation**

Translation of Passages from legal documents: Law Books, Constitution of India and Acts (Indian Penal Code and Indian Contract Act)

**Unit –IV:**

Legal Maxims, Legal words and Phrases (used in law-teaching, law-courts, legal-documents & enactments)

**Legal Maxims:**

- 1- Actioperpersonalismaritur cum persona
- 2- Actus non facit reum nisi mens sit rea
- 3- Delegatus non potest delegare
- 4- Ex turpicausa non oritur action
- 5- Ignorantia legis neminem excusat
- 6- Jura non remota causas proxima spectator
- 7- Nemo dat quod non habet
- 8- Par in parem imperium non habet
- 9- Ubi jus ibi remedium
- 10- Ut res magis valeat quam pereat
- 11- Volenti non fit injuria

**Legal Terms & Phrases:**

Ab initio, ad idem, ad valorem, alibi, ambiguitas latens, ambiguitas patens, amicus curiae, animus possidendi, audialterampartem, bonafide, caveat emptor, corpus delicti, cypres, de facto, de jure, de novo, ex abundanciautela, ex officio, ex parte, ex post facto, factum valet, fait accompli, felo de se, fiat justitia, functis officio, in lime, in loco parentis, in pari delicto, in parimateria, jus ad rem, letter rogatory, locus standi, mutatis mutandis, nudumpactum, onus probandi, parens patriae, plenum dominium, prima facie, pro bono publico, quid pro quo, res integra, res nullius, sine qua non, ultra vires.



**The Question Paper Structure:**

The question paper will have eight questions in four sections. Section- A will have two questions out of which the examinee will have to answer only one question. All the questions from sections B, C and D will have to be answered. Questions no. 3 to 8 will be compulsory. In all SEVEN questions will have to be answered. The scheme of questions will be as follows:

**Section A: 10 Marks (for one question)**

Two questions will be asked from unit 1<sup>st</sup> of the course of study. The examinee will answer only one question out of these two questions.

**Section B: 30 Marks (for two question)**

Two essays of 15 marks each and in about 200 words each, one in Hindi language and another in English language from the topics prescribed in unit 2<sup>nd</sup> of the course of study. The examiner will give three topics each for Hindi and English essays.

**Section C: 20 Marks (for two question of 10 and 10 marks respectively)**

Two passages of not more than 100 words, each will have to be translated - One from Hindi into English, and another from English to Hindi. Each translation will carry 10 marks. The passages will be asked in accordance with unit 3<sup>rd</sup> of the course.

**Section E: 20 Marks (for two question of 10 and 10 marks respectively)**

Question 07: Explanation of 5 maxims from unit 4<sup>th</sup> of the course. **Each carrying Two marks.**

Question 08: Explanation of 10 legal words and phrases from unit 4<sup>th</sup> of the course. **Each carrying One mark.**

**Recommended Books:**

1. Prof. A. Prasad: Outlines of Legal Language( Publisher – Central Law Publication Allahabad Ed.2018)
2. R. L. Jain: Legal Language( Publisher – Central Law Agency, Allahabad Ed.2014)

**Paper – XV**  
**TRUST & EQUITY**

**Unit-I: Trust**

- (a) Definition and classification
  - (i) Definition of Trust, Trustees, Beneficiary, Trust Property and semi Trust institutions, Instrument of Trust
  - (ii) Classification and kinds of Trust
  - (iii) Creation of trust
  - (iv) Trustees: Appointment and Removal of trustees
- (b) Duties and Liabilities of trustees
- (c) Rights and Powers of trustees
- (d) Extinction of Trusts.

**Unit-II: Public and Charitable trusts.**

- (a) Public and Charitable trusts. (English Law)
  - (i) Definition of Charity
  - (ii) Charitable Purposes
- (b) Charitable Trusts under Mohammedan Law
- (c) Charitable Trusts Under Hindu Law

**Unit-III: Equity**

- (a) Origin and development of Equity in England.
- (b) Concept and definition of Equity
- (c) Equity under Roman, English and India legal systems.
- (d) Equity: Relation with the Common Law.

**Unit-IV: Maxims of Equity**

- (a) Equity will not suffer a wrong to be without a remedy
- (b) Equity follows the Law
- (c) He who seeks Equity must do Equity
- (d) He who comes to Equity must -come with clean hands.
- (e) Delay defeats Equity
- (f) Equality is Equity
- (g) Equity looks to the intent rather to the form.
- (h) Equity looks on that a done which ought to have been done.
- (i) Equity imputes an intention to fulfil an obligation.
- (j) Equity acts in Personam.
- (k) Where the Equities are equal, the first in time shall Prevail.
- (l) Where there is equal Equity, the law shall prevail.

**Recommended Books:**

1. Dr. G. P. Singh- Equity, Trust and Fiduciary Relations ( Publisher – Central Law Agency, Allahabad Ed.2018
2. AquilAhamad- Equity, Trust , Mortgage & Specific Relief ( Publisher – Central Law Agency, Allahabad Ed.2018
3. B. M. Gandhi – Equity, Trust & Specific Relief ( Publisher – Eastern Book Company, Lucknow Ed.2016)

4. M.P. Tandon - Equity, Trust & Specific Relief ( Publisher – Allahabad Law Agency Publication,Allahabad Ed.2015)
5. S.R. Myneni- Equity, Trust and Fiduciary Relations ( Publisher – Asia Law House, Hyderabad Ed.2016

## **LL.B. FOURTH SEMESTER**

### **LL.B. FOURTH SEMESTER**

#### **Paper – XVI**

#### **Administrative Law**

#### **Unit – I: Evolution and Scope of Administrative Law**

- a. Meaning, Nature and Growth of Administrative Law
- b. Administrative Law & Constitutional Law, Relation between the two
- c. Rule of law and Administrative Law
- d. Doctrine of Separation of powers and Administrative Law

#### **Unit – II: Legislative Powers of Administrative Agencies; Liabilities and Privileges of the State & Government**

- a. Meaning & Kinds of Delegated Legislation, Causes for Growth of Delegated Legislation & extent of delegation of Legislative Powers
- b. Control of Delegated Legislation
  - i. Legislative
  - ii. Judicial
- c. Publication of Delegated Legislation
- d. (i) Liabilities of and suits against Union of India, State & other Public Authorities in  
Torts and Contracts  
(ii) Privileges enjoyed by the Government & Public Authorities in relation to legal proceedings

#### **Unit-III: Power of Adjudication of Administrative Agencies**

- a. Need for devolution of adjudicatory authority on administration, Difference between Administrative adjudication & adjudication by Traditional Courts
- b. Administrative Tribunals (in general)
- c. Practice & Procedure of Administrative Tribunals & Agencies:
  - (i) General
  - (ii) The Twin Principles of Natural Justice
  - (iii) Right to Counsel
  - (iv) Reasoned Decision
  - (v) Institutional Decision
  - (vi) Hearing Officers Report
  - (vii) Finality of Decisions
- d. Law of Government Services in India as provided in the Constitution of India with special reference to Service Tribunals.
- e. Ombusman

#### **Unit – IV:**

##### **A. Administrative Action, Discretion and Direction**

- a. Administrative Action and quasi-judicial action
- b. Discretion, its meaning, advantages and disadvantages of conferring discretionary powers, Judicial Control of Administrative Action
- c. Administrative Discretion, its nature, distinction between direction and rule
- d. Doctrine of legitimate expectations

##### **B. Control of Administrative Action**

- i. Introduction
- ii. Court as the final authority to determine the legality of administrative action
- iii. Method of Judicial Review
  - (a) Extra ordinary remedies
  - (b) Equitable remedies

- (c) other statutory appeals
- iv. Locus standi
- v. Laches
- vi. Res judicata

C. Public Corporation

**Recommended Books:**

1. J.J.R. Upadhaya - Administrative Law ( Publisher – Central Law Agency, Allahabad Ed.2015)
2. S.P. Shate - Administrative Law ( Publisher – Allahabad Law AgencyPublication, Allahabad Ed.2000)
3. C.K. Takwani – Equity- Administrative Law( Publisher – Eastern BookCompany, Lucknow Ed.2005)
4. I.P. Massey - Administrative Law ( Publisher – Eastern BookCompany,Lucknow 7<sup>th</sup> Ed.2007)
5. U.P.D. Kesari - Administrative Law ( Publisher – Central Law Publications, Allahabad Ed.2013)

**Paper – XVII**  
**Environmental Law**

**UNIT – I:**

- a. Introduction
  - i. Environment – Meaning and Definition
  - ii. Environmental Pollution – Meaning and Issues
- b. Environment Protection: The International Efforts
- c. International Legal Norms
  - i. Concept of Sustainable Development
  - ii. Precautionary Principle
  - iii. Polluter pays Principle
  - iv. Public Trust Doctrine

**UNIT – II:**

- a. Environment Protection & the Constitution of India
  - i. Relevant Provisions – Arts. 14, 19 (1) (g), 21, 48-A, 51-A(g)
  - ii. Right to Wholesome Environment – Evolution and Application
  - iii. Environment Protection through Public Interest Litigation
- b. Other Laws
  - i. Environment Protection & Law of Torts
  - ii. Environment Protection & Law of Crimes
  - iii. Environment Protection & Other Legislations

**UNIT – III:**

- a. The Environmental (Protection) Act, 1986
- a. The Water (Prevention and Control of Pollution) Act, 1974
- b. The Air (Prevention and Control of Pollution) Act, 1981

**UNIT – IV:**

- a. The Wild Life (Protection) Act, 1972
  - i. Authorities to be appointed and constituted under the Act
  - ii. Hunting of Wild Animals
  - iii. Protection of Specified Plants
  - iv. Protected Areas
  - v. Trade or Commerce in wild animals, animal articles and trophies
- b. The National Green Tribunal Act, 2010

**Recommended Books:**

1. Gurdip Singh - Environmental Law ( Publisher – Eastern Book Company, Lucknow 2<sup>nd</sup> Ed. 2016)
2. J.J.R. Upadhaya - Environmental Law ( Publisher – Central Law Agency, Allahabad Ed. 2015)
3. P.S. Jaswal - Environmental Law ( Publisher – Allahabad Law Agency, Faridabad, Haryana Ed. 2008)
4. Anirudh Prasad - Environmental Law ( Publisher – Central Law Agency, Allahabad Ed. 2015)
5. C.P. Singh - Environmental Law ( Publisher – Allahabad Law Agency Publications, Allahabad Ed. 2010)

**Paper – XVIII**  
**Interpretation of Statutes**

**Unit – I: Introduction**

- a. Meaning of Interpretation and construction
- b. Need for Interpretation
- c. Act, Enactment, Statutes, Ordinances, Rules, etc.
- d. Nature of Judicial Process: Judges as Law Makers

**Unit – II: Internal Aids to Interpretation**

- a. Title
- b. Preamble
- c. Heading
- d. Marginal Note
- e. Section
- f. Sub-section
- g. Punctuation
- h. Illustration
- i. Exception
- j. Proviso
- k. Explanation
- l. Saving Clause
- m. Schedule

**Unit – III: External aids of construction etc.**

- a. Constituent Assembly Debates for Constitutional Interpretation
- b. Legislative History: Legislative Intention
- c. Statement of Objects and Reasons
- d. Legislative Debates
- e. Committee Reports, Law Commission Reports
- f. Decisions of foreign courts
- g. Dictionary and Text Books

**Unit – IV: Rules of Interpretation**

- (1)
  - a. Literal Rule
  - b. Golden Rule
  - c. Mischief Rule
  - d. Rule of Harmonious Construction
  - Doctrines-
  - e. *Ejusdem generis*
  - f. *Noscitur a sociis*
  - g. *Generaliaspecialibus non derogant*
  - h. *Reddendosingulasingulis*
- (2)
  - a. Effect and operation of Statutes:
    - i. Repeal of Statutes
    - ii. Retrospective operation of statutes
    - iii. Effect of statutes on state
  - b. Construction of Penal & Tax Statutes

**Recommended Books:**

- 1. B.M. Gandhi - Interpretation of Statutes ( Publisher – Eastern BookCompany, Lucknow 2<sup>nd</sup>Ed.2006)

2. Anirudh Prasad - Interpretation of Statutes( Publisher – Central Law Publications, Allahabad Ed.2015)
- 3.T. Bhattacharyya - Interpretation of Statutes ( Publisher – Central Law Agency, Allahabad 7<sup>th</sup> Ed.2009)
- 4.D.N. Mishra -Interpretation of Statutes(Publisher –Allahabad Law Agency, Publication Allahabad Ed.2010)
- 5.J.G. Chandra -Interpretation of Statutes(Publisher –Shakti Publication,Allahabad Ed.2006)



**Paper – XIX**  
**BANKING LAW**

**Unit I: Banking Regulation Act, 1949**

Concept of Bank and Banker, Functions of Bank, Classification of Banks, Relationship between Bank and Customer, Control by Government and its agencies, Management of Banking companies on account and audit, Reconstruction, amalgamation and merger of banking companies, Suspension and winding up of business of banking companies, Social control over banking, Banking Ombudsman, Recent Trends in Banking: Automated Teller Machine (ATM) and Internet Banking, Smart Cards, Credit Cards and Debit Cards.

**Unit II: Reserve Bank of India Act, 1934**

Incorporation, Capital Management and Business of Banking Company, Central Banking function of Reserve Bank of India, collection and furnishing of Credit Information, Control of Reserve Bank of India over banking, Non-banking Institutions and other Financial Institutions, Credit Control by Reserve Bank of India, General provisions and penalties.

**Unit III: Negotiable Instrument Act, 1881 (Part – I)**

Definition and characteristic of Negotiable Instruments, Types of Negotiable Instruments, Definition and Essentials Promissory Note, Bill of exchange and cheque, Liabilities and capacity of Parties of Negotiable Instrument, Holder and Holder in due Course, Transfer and Negotiation of Negotiable Instrument, Payment in due course and maturity of the instrument.

**Unit IV: Negotiable Instrument Act, 1881 (Part – II)**

Crossing of Cheques and payment, Dishonor of Cheques, Presentment and Payment, Noting and Protest of Negotiable Instrument;  
Endorsement: Definition, Essential of a valid endorsement and its kinds, Rules of evidence and compensation.

**Recommended Books:**

1. Dr. Avtar Singh – Laws of Banking Negotiable Instrument ( Publisher – Eastern Book Company, Lucknow 1<sup>st</sup> Ed. 2007)
2. Indrajit Singh & Kamlesh Shukla – Banking Law ( Publisher – Central Law Agency, Allahabad 2<sup>nd</sup> Ed. 2008)
3. Dr. H.P. Gupta – Banking Law ( Publisher – Central Law Publications, Allahabad Ed. 2002)
4. Prof. Ram Naresh Choudhary – Banking Law ( Publisher – Allahabad Law Agency, Publication, Allahabad Ed. 2016)

**Paper – XX**  
**LABOUR LAW**

**Unit-I: Industrial Dispute Act, 1947**

- Scope and object. of Industry
- Workmen, Employees, Industry, Industrial disputes.
- Authorities under the Industrial dispute.
- Reference of Disputes to Boards, Courts or tribunals.
- Procedure, Power and duties of Authorities.

**Unit-II: Industrial Dispute Act, 1947 (continued)**

- Strike, Lock-out
- Lay off and Retrenchment
- Penalties
- Miscellaneous Provisions

**Unit-III Employees Compensation Act, 1923**

- Definitions, Aims and Object
- Liability of Employer
- Notional Extension and Defences, Determination of Amount of Compensation, Compensation when due, Penalty for default, Contracting out (Sec.17), Appointment and powers of Commissioner(Sec 19-31)

**Unit-IV: - Other Legislations**

- (a) **The Trade Union Act 1926:** History and development of Trade Union, Definition, Registration of Trade Union, Rights and Liabilities of Registered Trade Union, Penalties and Procedure.
- (b) **Minimum Wages Act, 1948:** Object of the Act, Definition and Revision of rates of Wages, Working hours and Determination of Wages and Claims etc., Authority, Appointment and Powers of the Authority.

**Recommended Books:**

1. S. N. Mishra: Labour & Industrial Law (Publisher –Central Law Publication,Allahabad, 24<sup>TH</sup> Ed.2008 )
2. P.L. Malik: Labour & Industrial Law(Publisher –EBC18<sup>TH</sup> Ed.2018 )
3. S. C. Srivastava: Industrial Relations & Labour Laws(Publisher –Vikas Publishing House 6<sup>th</sup> Ed.2014 )
4. V. G. Goswami: Labour & Industrial Law (Publisher – Central Law Agency ,Allahabad, 7<sup>th</sup> Ed. 1999 )
5. J.P. Sharma : Labour Laws (Publisher – Bharat Law House Pvt. Ltd, New Delhi, 2018)

## **LL.B. FIFTH SEMESTER**

### **Paper – XXI**

#### **LAW OF CRIMES – II**

##### **The Code of Criminal Procedure**

###### **Unit I : Introduction**

- a- Meaning & Definition of terms used in the code
- b- Constitution of Criminal Courts and their powers
- c- Provisions for investigation:
  - Arrest and Bail Provisions
  - Information to Police and their Power to Investigate
- d- Processes to Compel Appearance and Production of things:
  - Summons for Appearance
  - Warrant of arrest
  - Proclamation and Attachment
  - Other rules regarding processes
  - Summons procedure
  - Search Warrants
  - General provisions as to search
  - Miscellaneous

###### **Unit II : Proceedings before Magistrate**

- a- Jurisdiction of Criminal Court
- b- Conditions requisite for initiation of proceedings
- c- Complaint to Magistrate
- d- Commencement of Proceeding before Magistrate
- e- Security for keeping Peace and maintaining good behavior
- f- Public order and tranquility

###### **Unit III : Trial & Execution procedure**

- a- General provisions as to Inquiries and Trials
- b- The Charge:
  - Forms of Charges
  - Joinder of Charges
- c- Trial
  - Sessions Trial
  - Warrant Trial
  - Summon Trial
  - Summary Trial
- d- Judgement
- e- Submission of Death sentence for confirmation
- f- Execution, Suspension, Remission and Commutation of Sentence
- g- Provisions as to accused person of unsound mind

###### **Unit IV :**

- a- Appeal, Revision and Reference
- b- Inherent Power of the High Court
- c- Miscellaneous:
  - Maintenance of wife, children and parents

- Transfer of Criminal Cases
- Irregular Proceedings
- Limitation for taking Cognizance of certain offences

**Recommended Books:**

1. RatanLal&DheerajLal, Cr.P.C. (Publisher –Bhatar Law House, New Delhi,25<sup>th</sup> Ed. 2006)
2. BatukLalCriminal Procedure Code(Publisher –Central Law Publication,Allahabad, 2016 )
3. V.N. Paranjape, Criminal Procedure Code(Publisher –Central Law Publication,Allahabad, 2017 )
4. S.N. Mishra, Criminal Procedure Code(Publisher –Central Law Publication,Allahabad, 2017 )
5. MuralidharChaturvedi, Criminal Procedure Code (Publisher – Allahabad Law Agency, Allahabad, 2016)

**Paper- XXII**  
**Law of Evidence**

**Unit – I: Introduction and Relevancy**

- a. Evidence and its relationship with the substantive and procedural laws
- b. Definitions – Facts, facts in issue, relevant facts, evidence proved, disproved, not proved, oral and documentary evidence
- c. Relevancy and admissibility
- d. Proof of Conspiracy

**Unit – II: Statements – Admissions / Confessions and Dying Declarations**

- a. Admissions
- b. Confessions
- c. Dying Declarations

**Unit – III: Method of proof of facts**

- a. Presumptions
- b. Presumption as to Abetment of Suicide and as to Dowry Death
- c. Expert opinion
- d. Evidence as to Character
- e. Admissibility of - oral and documentary evidence, primary and secondary evidence
- f. Law relating to Burden of proof
- g. Privileged Communications

**Unit – IV: Presumptions regarding discharge of burden of proof**

- a. Evidence by accomplice
- b. Judicial notice
- c. Presumption as to Certain Offences
- d. Improper admission and rejection of evidence
- e. Examination-in-chief, cross examination and re-examination
- f. Estoppel

**Recommended Books:**

1. M. Monir – The Law of Evidence (Publisher –Universal Law Publishing Co., G.T. Karnal Road, Delhi, 2017)
2. Muralidhar Chaturvedi – Evidence Act (Publisher – Eastern Book Company, Lucknow)
3. Raja Ram Yadav – Indian Evidence Act (Publisher – Central Law Agency, Allahabad, 2017)
4. Batuk Lal –The Law of Evidence (Publisher – Central Law Agency, Allahabad, 2017)
5. Raghunath Prasad Verma - Indian Evidence Act (Publisher – Allahabad Law Agency, Allahabad, 2017)
6. Avtar Singh – Indian Evidence Act (Publisher – Central Law Publications, Allahabad, 2017)

## Paper- XXIII

### **PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM (CLINICAL COURSE/PROJECT WORK - 1)**

(50 marks for written paper and 50 marks for viva-voce)

#### **Unit I:**

- History and Development of Legal Profession in India
- Nature, Need and Importance of Legal Profession
- Constitution, Function, Powers and Jurisdiction of State Bar Council and Bar Council of India
- Efforts towards unification of the Bar of in India
- Admission and Enrolment of Advocates
- Accounting for Lawyers

#### **Unit II: Professional ethics and Advocacy**

- Standards of Professional Conduct and Etiquette
- Conflict between interest and duty
- Lawyers' Duty to court, to client, to opponent, to colleagues, towards society and obligation to render legal aid

#### **Unit III: Bench-Bar Relationship**

- Reciprocity as partners in the administration of Justice
- Code of conduct for Lawyers & Professional Misconduct
- Rights and Privileges of Advocates

#### **Unit IV: Contempt of Court Act, 1971**

- Historical Development of the Contempt of Court Act in India,
- Object and Scope of the Contempt of Court Act
- Definition & Kinds of Contempt
- Contempt by Judges, Magistrates, Lawyers and other persons
- Cognizance, Procedure, Appellate provisions regarding Contempt,
- Defences, Punishment and Remedies.

#### **Acts**

1. The Advocate Act, 1961
2. Contempt of Court Act. 1971
3. The Advocates Welfare Fund Act, 2001

#### **Rule**

**The Bar council of India Rules, 1961**

#### **Recommended Books:**

1. Holland Avrom Shree - Advocacy, (Publication- Universal Law Agency, Delhi, 1994)
2. Keith Eva -. The Golden Rules of Adovacy (Publication- Universal Law Agency, Delhi, 1994)
3. RajuRamchandran –Professional Ethics(Publication- Lexis Nexis,New Delhi, Ed.2004)
4. KaileshRai –Legal EthicsAccountancy for Lawyers & Bench (Publication- Central Law Publications, Allahabad Ed.2014)

**Paper - XXIV**  
**ALTERNATIVE DISPUTE RESOLUTION**  
**(CLINICAL COURSE/PROJECT WORK - 2)**  
(50 marks for written paper and 50 marks for viva-voce)

**Unit-I: Concept of ADR**

- a. Meaning, Nature and Genesis of Alternative Dispute Resolution
- b. Forms of ADR Mechanism
- c. Legal Framework: Legal Services Authorities Act, 1987
- d. Legal Aid

**Unit-II: Negotiation and Mediation**

- a. Negotiation
- b. Theories, Development and its types
- c. Qualities of Negotiator and Process for Negotiation
- d. International Negotiation
- e. Mediation
- f. Good Offices

**Unit-III: Arbitration and Conciliation**

- a. Arbitration Agreement, Essentials, Rule of Severability
- b. Composition of Arbitral Tribunal, Extent of Judicial Intervention, Interim Measures, Power of Court to refer Parties to Arbitration
- c. Jurisdiction of Arbitral Tribunal, Competence of Arbitral Tribunal, Conduct of Arbitral Proceedings, Place of Arbitration
- d. Arbitral Award, Termination, Enforcement
- e. Conciliation and its Mechanism

**UNIT-IV: International Perspective**

- a. International Commercial Arbitration
- b. New-York and Geneva Convention
- c. UNCITRAL Model Law, Treaties etc.
- d. Enforcement of Foreign Award and Jurisdictional Issues

**Recommended Books:**

1. A.K. Dubey, *Law of Arbitration and Conciliation & Alternative Dispute Resolution* (Central Law Publications, Allahabad, Ed. 2016)
2. Avtar Singh, *Law of Arbitration and Conciliation & Alternative Dispute Resolution Laws* (Publication-Eastern Book Company, Lucknow Ed. 2016)
3. V.N. Pranjape, *Law of Arbitration and Conciliation & Alternative Dispute Resolution Laws* (Publication-Central Law Agency, Allahabad, Ed. 2016)

## Paper- XXV

### LAW OF INTELLECTUAL PROPERTY

#### Unit-I:

- (A) Introduction to Intellectual Property: -
- (a) Concept and Meaning of Intellectual Property
  - (b) Nature and Characteristics of Intellectual Property
  - (c) Origin and Development of Intellectual Property
  - (d) Kinds of Intellectual Property
- (B) International Institutions and Basic International Conventions: -
- (a) Paris Convention for the Protection of Industrial Property, 1883
  - (b) The Berne Convention, 1886
  - (c) TRIPS Agreement, 1994
  - (d) International Institutions Concerned with Intellectual Property.

#### Unit-II: LAW OF COPYRIGHT

- (a) Introduction
  - Nature, Evolution and Scope of Copyright
- (b) Subject Matters of Copyright
  - Work in which Copyright subsists
  - Authorship vis-a- vis Ownership
  - Copyright: Economic and Moral Rights
  - Duration of Copyright
  - Assignment, Transmission & Licensing
- (c) Limitations, Infringement & Enforcement of Copyright
  - Limitations and Exceptions of Copyright
  - Infringement
  - Enforcement of Copyright & Remedies

#### Unit-III: LAW OF PATENTS

- (a) Introduction
  - Evolution of Patents in India
  - International Treaties on Patents.
- (b) Patentability and Procedures for Grants of Patents.
- (c) Assignment, Transmission and Licensing of Patent
- (d) Limitations, Exceptions & Infringements.
- (e) Patent Authorities, Patent Agents & Emerging Issues.
- (f) Enforcement & Remedies

#### Unit-IV: LAW OF TRADEMARK

- (a) Introduction
  - Evolution of Trademark in India
  - Kinds of Trademarks
- (b) Registration of Trademarks
- (c) Commercial Exploitation of Trademarks
  - Rights of Proprietor
  - Assignment, Licensing and Transmission of Trademark
- (d) Infringement and Passing off



(e) Enforcement & Remedies

**Recommended Books:**

1. V. K. Ahuja :Law Relating to Intellectual Property Rights( Publisher – Lexis Nexies, Nagpur Ed.2012)
2. B. L. Wadehra: :Law Relating to Patents, Trade Marks, Copyright, Designs & Geographical Indications( Publisher – Universal Law Publishing Co. Ed.2012)
3. S. K. Singh: Intellectual Property Rights( Publisher – Central Law AgencyAllahabad Ed.2018)
4. R.K. Nagarajun : Intellectual Property Law ( Publisher – Allahabad Law AgencyAllahabad Ed.2017)
5. Rodney D Ryder : Intellectual Property Law ( Publisher – Macmillan India Ltd,New Delhi1st Ed.2005)

## **Paper – XXVI**

### **The U.P. Urban Building (Regulation of Letting, Rent and Eviction) Act, 1972**

- Unit I:** Introduction and object of the Act, Definition, Exemption from operation of the Act, Constitution Rent control Tribunal.
- Unit II:** Regulation of Rent etc., Standard Rent, Rent Payable in case of old buildings, Effect of Improvement of Rent, Prohibition for taking Premium, Liability to Pay taxes, Dispute as to standard rent, Revision of Rent of commercial buildings let out by Public Religious Institution, Appeal etc.
- Unit III:** Regulation of Letting, prohibition of Letting, Allotment order, Deemed vacancy of Building in certain cases, Allotment and release of vacant building, Condition for Making allotment order, Appeal against an order of allotment/Re-allotment in the event of Landlord abusing the release order.
- Unit IV:** Regulation of Eviction, obligations and Penalties, Grounds of Eviction, Bar of suit for eviction of tenant, Grounds of Eviction, Proceeding for release of building, Enforcement of eviction order, option of re-entry of tenant obligations of land lord & tenants, Summary, Trial of certain application, Penalty and Procedure.

**Paper – XXVII**  
**The U.P. Municipalities Act, 1916**

- Unit I:** Introduction, Object of the Act, Definition, Composition of Municipality, Constitution and Composition of Ward, Duties of Municipality, Term of Municipality, Dissolution of Municipality and its effect, Property vested in Municipality, Compulsory acquisition of land.
- Unit II:** Provisions relating to Members etc., Election of Members, Qualification for election, Disqualification of Membership, Jurisdiction of Courts, Objection as election corrupt practice, Election term of President, Removal of President.
- Unit III:** Provisions relating to disciplining action, Power of Appellate Authority, Suspension Penalty on Member/President acquiring interest in contract etc.
- Unit IV:** Provisions relating to Tax etc., Levy of Tax, Restriction on the imposition of other taxes, Water tax, Power of state, Government to require, Municipality to impose taxes, consolidation of Taxes, Surcharge.

## LL.B. SIXTH SEMESTER

### Paper – XXVIII

#### CIVIL PROCEDURE CODE & LIMITATION ACT

##### **Unit I: Introduction**

- a- Important terms & Definition under the Code of Civil Procedure
- b- Important concepts:
  - Mesne Profits
  - Suit of Civil Nature
  - Res Sub Judice
  - Res judicata
  - Restitution
  - Caveat
  - Inherent Power of The Courts

##### **Unit II: Initial steps in Suit**

- a- Jurisdiction and place of suing and transfer of suits
- b- Institution of suits, Summons and Discovery, inspection and production of documents
- c- Pleading: Meaning, Object, General rules, Amendment of pleadings
- d- Plaint, Written Statement, Framing of issues & Rejection of Plaints
- e- Judgement & Decree
- f- Interest and Costs

##### **Unit III:**

- a- Incidental Proceeding:
  - Commission
  - Power of the court to issue Commission
- b- Suits in particular cases:
  - Suits by or against Government
  - Inter-pleader Suits
  - Pauper Suit
- c- Special Proceeding: Suits Relating to-
  - Public Matters
  - Public Nuisance
  - Public Charities
- d- Supplemental Proceedings:
  - Arrest before Judgment
  - Attachment before Judgment
  - Temporary Injunction
  - Interlocutory Order
  - Compensation for Wrongful Arrest and Attachment
- e- Execution:
  - Procedure in Execution
  - Arrest and Detention
  - Attachment and Sale
  - Distribution of Assets (rateable distribution)

##### **Unit IV:**

- a- Appeals:
  - Appeals from Order
  - General Provisions relating to Appeals

- Appeals to the Supreme Court
- b- Review, Reference & Revision
- c- Limitation Act, 1963

**Recommended Books:**

1. C.K. Takwani - Code of Civil Procedure (Publication-Eastern Book Company,Lucknow 5<sup>th</sup> Ed. 2005)
2. M.P. Tandan - Code of Civil Procedure (Publication-Allahabad Law Agency Publications, Allahabad Ed. 2013)
3. T.P. Tripathi - Code of Civil Procedure (Publication-Allahabad Law Agency Publications, Allahabad Ed. 2017)
4. A.N. Panday - Code of Civil Procedure (Publication-Central Law Agency, Allahabad Ed. 2013)

## **Paper – XXIX**

### **U. P. Revenue Code 2006**

#### **Unit-I**

- Introduction & Salient Features of the Code
- Definitions of important terms
- Board and Revenue Officers
- Boundaries and Boundary Marks
- Maintenance of Village Records

#### **Unit-II**

- Management of Land and Other Properties by Gram Panchayat or other Local Authorities
- Classes of Tenure holder and their rights -
  - Transfer
  - Division
  - Surrender
  - Abandonment

#### **Unit-III**

- Lease of Land by Gram Panchayat
- Ejectment
- Rent
- Declaratory Suits.

#### **Unit-IV**

- Assessment of Collection of Land Revenue
- Attachment and sale of immovable Properties
- Jurisdiction and Procedure of Revenue Courts (Jurisdiction of Civil & Revenue Courts, first appeal, second appeal, power to review, notice, limitation)
- Miscellaneous- delegation, power to enter upon land, lodging of caveat, power of an assistant collector first and second class, damages or destruction of boundary marks, power to make rules and regulations

#### **Recommended Books:**

- Prof. R.N. Chaudhary - U.P. Revenue Code 2006 (Publication-Eastern Book Company,Lucknow 1<sup>st</sup> Ed. 2017)

**Paper – XXX**  
**DRAFTING, PLEADING AND CONVEYANCE**  
**(CLINICAL COURSE/PROJECT WORK - 3)**

(45 Marks for Drafting & Pleading, 45 Marks for Conveyance and 10 Marks for Viva-Voce)

**Outline of the Course:**

1. Drafting: General Principles of Drafting and relevant substantive Rules shall be taught.
2. Pleadings:
  - (i) **Civil:** Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.
  - (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 with 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 (3marks for each) and 15 exercises in conveyance carrying another 45 marks (3 marks for each exercise). Remaining 10 marks will be given for viva-voce.*

**Recommended Books:**

1. R. D. Srivastava – The Law of Pleading, Drafting and Conveyancing (Publication- Central Law Agency , Allahabad 12<sup>th</sup> Ed. 2008)
2. S. C. Dixit - Pleading, Drafting and Conveyancing (Publication-Central Law Publications , Allahabad Ed. 2012)
3. S.P. Agrawal – Pleadings (Publication- Lexis Nexis, New Delhi Ed. 2010)

## Paper – XXXI

### MOOT COURT EXERCISE AND INTERNSHIP (CLINICAL COURSE/PROJECT WORK - 4)

(30 Marks for Moot Court, 30 Marks for Observation of Trial, 30 Marks for Internship and 10 Marks for Viva-Voce)

#### Outline of Course:

- 1. Moot Court (30 Marks):** Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for Written Submission and 5 marks for Oral Advocacy.
- 2. Observation of Trial in two cases - One Civil & one Criminal (30 Marks):** Students may be required to attend two trials during the course of LL.B. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.
- 3. Interviewing Techniques and Pre-trial Preparations and Internship Diary (30 Marks):** Each 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 filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.
- 4. Viva-Voce Examination (10 Marks):** The fourth Component of this paper will be Viva-Voce on the above three aspects. This will carry 10 marks.

#### Recommended Books:

1. S. P. Gupta - Moot Court (Publication-Central Law Agency , Allahabad Ed. 2004)
2. KailashRai - Moot Court (Central Law Publications ,Allahabad, Ed. 2016)

#### Mode of Assessment in Clinical Course/Project Work

The Assessment in all the Components of each CLINICAL COURSE/PROJECT WORK in V<sup>th</sup> and VI<sup>th</sup> Semesters shall be done by a Board Consisting of the following:

- (i) Convener:** A Teacher of the University Law Department
- (ii) External Examiner:** Who shall either be a Lawyer of not less than 10 Years standing at the Bar or a Retired/Sitting Judicial Officer.
- (iii) Clinical Course/Project Work Teacher:** The Teacher concerned of the University/ College.



## **Paper – XXXII**

### **Criminology**

#### **Unit – I: Understanding Crime**

- a. Crime: Definition and Concept
- b. Causal approaches to explanations and difficulties of applications of casual analysis to human behaviour
- c. Specific Theories: Bio-physical explanations, Psychodynamic approaches, Social learning theories of Crime causation, Social learning through sub-cultures of deviance, Social disorganization theories, and Economic approaches

#### **Unit – II: Deviations**

- a. Legislation
  - b. Treatment
  - c. Judicial Approach
- Socio-Economic Crimes
- a. White Collar Crimes
  - b. Drug Abuse

#### **Unit – III: Punishment**

- a. Theories of Punishment: Deterrent, Retributive, Preventive and Reformative
- b. Alternatives to imprisonment: Probation, Open jail, Parole etc.
- c. Prison reform and the Judicial Response
- d. Capital Punishment

#### **Unit – IV: Victimology**

- a. Compensation, Restitution, Assistance and Rehabilitation
- b. Compensation as a mode of punishment
- c. Constitutional perspective of compensation

#### **Text books:**

1. Sutherland and Cressey – Criminology
2. Ahmed Siddique – Criminology
3. Prof. Ved Kumari – Juvenile Justice

**Paper – XXXIII**

**The U.P. Panchayat Raj Act, 1947**

- Unit I:** Preliminary, Definition, Establishment and Constitution of Gram Sabha, Disqualification of Members of Gram Panchayat
- Unit II:** Meeting of Gramsabha, Gram Panchayat, Power, Duties, Functions and administration of Gram Panchayat
- Unit III:** Acquisition of Land, Goon Fund and property, Property vested in Gram Panchayat, Nyaya Panchayat
- Unit IV:** Extreme Control, Penalties and Procedure

## **Paper – XXXIV**

### **The U.P. Consolidation of Holding Act, 1953**

- Unit I:** First step of Consolidation – Definition, Declaration of Notification, Effect of Declaration, Cancellation of Declaration, Commencement and Termination of Consolidation operation
- Unit II:** Second step of Consolidation – Preparation of statement of Principles, Disposal of Objections on the statement of principles, Preparation and Maintenance of revised annual Registers.
- Unit III:** Third step of Consolidation – Preparation of Consolidation scheme, conditions to be fulfilled by a consolidation scheme, Preparation of Provisional Consolidation scheme, Publication of Provisional consolidation scheme and objection thereon, Disposal of objection, confirmation of provisional consolidation scheme.
- Unit IV:** Fourth step of Consolidation – Enforcement of the scheme, Miscellaneous.