

## RAJASTHAN LAND LAWS

Paper : 8.36

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam  
10 Project & Viva)

### Module No.-1

#### **Rajasthan Tenancy Act, 1955**

Preliminary: object and reason, Definition- Agriculture year, Agriculture, Agriculturalist, Crops, Estate, Estate holder, Grove-land, Holding, Improvement, Khudkasht, land, land cultivated personally, Land holder, Pasture land, Rent, Revenue, Sayar, Tenant, Nalbat. Classes of Tenants, Primary Right of Tenant, Surrender, Abandonment and Extinction.

### Module No.-2

#### **Rajasthan Tenancy Act, 1955**

Determination and modification of Rent, Payment and recovery of rent, Ejectment of Tenants, Remedies for Wrongful Ejectment of tenants. Question of proprietary rights in Revenue court, Question of tenancy Right in civil court

### Module No.-3

#### **Rajasthan Revenue Act, 1956**

The Board of Revenue, Revenue Courts and Officers, Appeal, Reference, Revision and Review, Survey, records of right, Maintenance of maps and record, annual register

### Module No.-4

#### **Rajasthan Revenue Act, 1956**

Settlement operation, rent rates, collection of revenue

### Module No.-5

#### **Rajasthan Rent Control Act, 2001**

Preliminary: object and reasons, Definition-Amenities, Landlord, Premises, Tenant. Revision of rent, limited period tenancy, eviction of tenants, right of landlord to recover immediate possession in certain cases, restoration of possession of illegally evicted tenant and procedure there of.

### Module No.-6


#### **Rajasthan Rent Control Act, 2001**

Constitution of tribunals, procedure for revision of rent and eviction, Appeal and Execution Amenities.

### Module No.-7

#### **Land Acquisition Law**

Preliminary: object and reason, Definition: affected family, agriculture land, cost of acquisition, displaced family, infrastructure project, marginal farmer, market value, person interested, public purpose, and resettlement area. Determination of social impact and public purpose, special provision to safeguard food security, Notification and Acquisition, Rehabilitation and Resettlement Award and procedure relating to it. Procedure relating to land acquisition, rehabilitation and resettlement authority, apportionment and payment of compensation.

  
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## ENVIRONMENTAL LAW

Paper : 8.37

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam  
10 Project & Viva)

### Module No.-1

- (1) Constitutional provision in relation with preservation and protection of Environment
- (2) International Law and environment protection; The Stockholm Declaration 1972; Agenda 21; WTO and Environment; The Copenhegan Conference 2009

### Module No.-2

1. Environment (Protection) Act 1986; Its definition and other related terms
2. Power of the Central Government under the Act

### Module No.-3

1. Duties of the persons handling hazardous substances under the Act, 1986
2. Offences under the Act, 1986

### Module No.-4

1. The Water (Prevention and Control of Pollution) Act, 1974; Definitions, Central and State Pollution control Boards-- Powers and Functions
2. Discharge of sewage and trade pollutants; Offences under the Act; Pollution Control Boards under the Act 1986.

### Module No.-5

1. The Air (Prevention and Control of Pollution) Act, 1981; Definitions, Pollution Control Boards
2. Functions and Powers of the Board; Offences under the Act of 1981.

### Module No.-6

1. Environment Protection and Sustainable Development
2. The National Environment Tribunal Act 1995

### Module No.-7

- (1) The Public Liability Insurance Act, 1991

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## ALTERNATIVE DISPUTE RESOLUTION

Paper : 8.38

Total Marks: 100 (80+20)

External Exam: 80

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### **Objectives of the course**

The major concern of law is dispute resolution. Familiarization with the modalities of resolution of conflict is a necessary component in the efforts of developing expertise in juridical exercise. The traditional justice delivery system through adjudication by the court had already given way to a large extent to many alternative modes of dispute resolution in the common law countries. The study of ADR is highly significant in molding the student of law to act as soldiers of justice. The course aims to give the student an insight into the processes of arbitration, conciliation and mediations in areas where the traditional judicial system had its way in the past and in the new areas of conflicts that demand resolution by alternative methods. The course has to be taught with comparative and international prospective with a view to bringing out the essential awareness of the national and international systems of resolving the disputes.

### **Module No.- 1**

- (a) i. Meaning of dispute, Necessity of Dispute Resolution
- ii. Mechanism of Dispute Resolution, ADRs and their impotence
- (b) i. Alternatives to Judicial Process, Negotiation, Mediation, Compromise, Conciliation
- ii. Arbitration, Lok Adalats, Panchayats
- iii. Distinction between ADR & Judicial Dispute Resolution

### **Module No.-2**

- (a) i. Historical background of Arbitration in India
- ii. The Arbitration Act, 1940 & its shortcomings
- (b) i. UNCITRAL Model Law
- ii. Historical Background of Arbitration & Conciliation Act, 1996
- iii. Aims and objects of Arbitration and Conciliation Act, 1996

### **Module No.- 3**

- (a) i. Concept of Arbitration, Kinds of Arbitration, International Commercial Arbitration
- ii. Arbitration Agreement, Essentials, Validity, Reference to Arbitration, Interim Measure by Court
- (b) i. Arbitration Tribunal – Composition, Jurisdiction, Appointment
- ii. Challenge to appointment, Powers
- iii. Procedures and Court Assistance

### **Module No.- 4**

- (a) i. Conduct of arbitral proceedings
- ii. Arbitral award-forms and contents, ground of validity of award
- iii. Corrections and Interpretations, nature and contents of award. Form of award. Grounds of setting aside an award
- (b) i. Finality of arbitral award
- ii. Enforcement of an award
- iii. Appeals and Revision, costs.

### **Module No.- 5**

- (a) i. Foreign Arbitral Award
- ii. Enforcement of Foreign Awards
- (b) i. New York convention, 1958
- ii. Geneva Convention, 1928

### **Module No.- 6**

- (a) i. Conciliation-appointment, Communication, Role of Conciliator
- ii. Termination of Conciliation Proceedings
- iii. Nature of Awards Costs.
- (b) i. Conciliation proceedings in CPC
- ii. Conciliation proceedings under Industrial Dispute Act
- iii. Conciliation in Family Disputes

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Module No.- 7

- (a) i. Legal Services Authorities Act  
ii. Formation of Lok Adalats, Enforcement of Awards  
(b) i. Role of NGOs in Dispute Settlement  
ii. Settlement of International Disputes by Peaceful means.

JUDGMENTS:

1. Bombay Gas Company v. Parmeshwar Mittal, AIR 1998 Bom. 118
2. Tamil Nadu Electricity Board v. Bridge Tunnel Construction, AIR 1997 SC 1376
3. M/s ITI limited Allahabad v. Distt. Allahabad AIR 1998 All. 318
4. Grid Corporation of Orissa ltd. v. Indian Charge Chrome ltd. AIR 1998 SC 1761
5. Kulbir Singh Rattan Sing v. New Delhi Municipal Council, AIR 1998 Del 230
6. M.M.T.C. Ltd v. Sterlite industries Ltd., AIR 1997 SC 605
7. K.K. Modhi v. K.N. Modhi, AIR 1998 SC 1297
8. Indian Oil Corporation Ltd. v. Kiran Construction Co., AIR 2003 Del. 282
9. Oil and Natural Gas Commission v. Saw Pipes, AIR 2002 SC 2629
10. NTPC v. Singer Company, AIR 1993 SC 998

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## LAW OF CRIMES-II

Paper : 8.39

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam  
10 Project & Viva)

### **Aims and objectives :**

Crimes take place in almost all societies. Therefore, almost every country has criminal laws. Criminal law of a country must contain the substantive criminal law, the procedural criminal law and law relating to evidence. The basic core substantive criminal law in India is contained in the Indian Penal Code, 1860. The procedural criminal law is in the form of Code of Criminal Procedure, 1973 and the evidence law has been codified in the Indian Evidence Act, 1872. It is necessary for the students of law to know these laws. The Indian Penal Code, 1860 has been divided under two parts – Criminal Law-I and Criminal Law-II which deal with general principles and specific offences respectively and are part of the syllabus of Seventh and Eight semesters in that order.

### **Module No.- 1**

#### **Miscellaneous**

1. Waging, or attempting to wage war or abetting waging of war, against the Govt. of India (Section 121)
2. Conspiracy to commit offences punishable by Section 121 (Section 121-A)
3. Sedition (Section 124-A)
4. Giving false evidence (Section 191)
5. Fabricating false evidence (Section 192)
6. Threatening any person to give false evidence (Section 195-A)
7. Causing disappearance of evidence of offence, or giving false information to screen offender (Section 201)
8. Disclosure of identity of the victim of certain offences, etc. (Section 228-A)
9. Failure by person released on bail or bond to appear in court (Section 229-A)
10. Definitions of Coin & Indian Coin (Section 230)
11. Counterfeiting Coin and Indian Coin (Sections 231,232)
12. Public Nuisance (Section 268)
13. Keeping lottery office (Section 294-A)
14. Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs (Section 295-A)

### **Module No.- 2**

1. Culpable homicide (Section 299)
2. Murder (Section 300)
3. Difference between culpable homicide not amounting to murder and murder

### **Module No.- 3**

1. Culpable homicide by causing death of person other than person whose death was intended (Section 301)
2. Punishment for murder (Section 302)
3. Punishment for murder by life convict (Section 303)
4. Constitutionality of Section 303
5. Punishment for culpable homicide not amounting to murder (Section 304)
6. Causing death by negligence (Section 304-A)

### **Module No.- 4**

1. Dowry death (Section 304-B)
2. Husband or relatives of husband of a woman subjecting her to cruelty (Section 498-A)
3. Assault or Criminal force to woman with intent to outrage her modesty (Section 354)
4. Word, gesture or act intended to insult the modesty of a woman (Section 509)
5. Rape (Section 375)
6. Punishment for rape (Section 376)
7. Intercourse by a man with his wife during separation (Section 376-A)
8. Intercourse by public servant with woman in his custody (Section 376-B)
9. Intercourse by superintendent of jail, remand home etc. (Section 376-C)
10. Intercourse by any member of the management or staff of a hospital with woman in that hospital (Section 376-D)
11. Bigamy (Section 494)
12. Adultery (Section 497)

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**Module No.- 5**

1. Thug (Section 310)
2. Causing miscarriage (Section 312)
3. Hurt (Section 319)
4. Grievous Hurt (Section 320)
5. Wrongful restraint (Section 339)
6. Wrongful confinement (Section 340)
7. Force (Section 349)
8. Criminal Force (Section 350)
9. Assault (Section 351)
10. Kidnapping from India (Section 360)
11. Kidnapping from lawful guardianship (Section 361)
12. Difference between kidnapping from lawful guardianship and abduction

**Module No.- 6**

1. Theft (Section 378)
2. Extortion (Section 383)
3. Difference between theft and extortion
4. Robbery (Section 383)
5. Dacoity (Section 391)
6. Difference between robbery and dacoity
7. Dishonest Misappropriations of Property (Section 403)
8. Difference between theft and dishonest misappropriation of property
9. Dishonest misappropriation of property possessed by deceased person at the time of his death (Section 404)
10. Criminal breach of Trust (Section 405)
11. Difference between criminal misappropriation and criminal break of trust
12. Stolen property (Section 410)

**Module No.- 7**

1. Cheating (Section 415)
2. Cheating by personation (Section 416)
3. Mischief (Section 425)
4. Criminal Trespass (Section 441)
5. House Trespass (Section 442)
6. Lurking house trespass (Section 443)
7. Lurking house trespass by night (Section 444)
8. House breaking (Section 445)
9. House breaking by night (Section 446)
10. Forgery (Section 463)
11. Making a false document (Section 464)
12. Defamation (Section 499)
13. Criminal intimidation (Section 503)
14. Difference between criminal intimidation and extortion

**Decided Important Cases:**

1. Reg. v. Govinda (1876) 1 Bom. 342
2. Laxman Kalu v. State of Maharashtra, AIR 1968 SC 1390
3. Dalip Singh v. State AIR 1993 SC 2119
4. Virsa Singh v. State of Punjab AIR 1958 SC 465
5. Prabhudayal v. State AIR 1993 SC 2164
6. Bachan Singh v. State of Punjab AIR 1980 SC 898
7. Mithu Singh v. State AIR 1983 SC 473
8. Reema Agarwal v. Annpam 2004 CrLJ 892 (SC)
9. ICICI Bank Ltd. v. Prakash Kaur AIR 2007 SC 1349
10. GV Rao v. LHV Prasad 2002 CrLJ 3487 (SC)

**Suggested Readings:**

1. Hari Singh Gour : Penal Law of India
2. Ratan Lal & Dhiraj Lal : The Indian Penal Code
3. Prof. T. Bhattacharyya : The Indian Penal Code
4. Prof. S.N. Misra : The Indian Penal Code
5. P.S. Pillai : Criminal Law
6. K.N.C. Pillai : General Principles of Criminal Law
7. K.D. Gaur : A Text Book on the Penal Code

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## INTERPRETATION OF STATUTES & PRINCIPLES OF LEGISLATION

Paper : 8.40

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam  
10 Project & Viva)

### Module No.- 1

- (i) Different Parts of Statutes
- (ii) Classification of Statutes
- (iii) Interpretation and Construction
- (iv) Literal Interpretation
- (v) Mischief Rule of Interpretation
- (vi) The Golden Rule of Interpretation
- (vii) Harmonious Construction

### Module No.- 2

- (i) The Statute should be read as a hole
- (ii) Construction ut res magis valeat quam pereat
- (iii) Identical expressions to have same meaning
- (iv) Construction noscitur a sociis
- (v) Construction ejusdem generis

### Module No.- 3

- (i) Construction expressio unius est exclusio alterius
- (ii) Construction contemporanea expositio est fortissima in lege
- (iii) Beneficial construction
- (iv) Strict construction of penal statutes
- (v) Strict constructions of taxing (fiscal) statutes

### Module No.- 4

- (i) Interpretation of statutes in pari materia
- (ii) Interpretation of amending statutes
- (iii) Interpretation of consolidating statutes
- (iv) Interpretation of codifying statutes
- (v) Mandatory and directory enactments
- (vi) Conjunctive and disjunctive enactments

### Module No.-5

- (i) Internal aids to interpretation
- (ii) External aids to interpretation
- (iii) Presumptions regarding jurisdiction
- (iv) Commencement of legislation
- (v) Repeal of legislation
- (vi) Revival of legislation
- (vii) Retrospective operation statutes

### Module No.- 6

#### Interpretation of the Constitution

- (i) Principle of implied powers
- (ii) Principle of incidental and ancillary powers
- (iii) Principle of implied prohibition
- (iv) Principle of occupied field
- (v) Principle of pith and substance
- (vi) Principle of colourable legislation
- (vii) Principle of territorial nexus
- (viii) Principle of severability
- (ix) Principle of prospective over ruling
- (x) Principle of eclipse

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**Module No.- 7**

**(i) Principles of legislation**

- Principle of utility (Chapter-I)
- The Ascetic Principle (Chapter-II)
- The Arbitrary Principle (or the principle of sympathy and antipathy) (Chapter-III)
- Different kinds of Pleasures and Pains (Chapter-VI)

**(ii) Principles of the Civil Code – Objects of the Civil Law**

- Rights and obligations (chapter-I)
- Ends of Civil Law (Chapter-II)

**(iii) Principles of the Penal Code**

- Classification of offences : subdivision of offences and some other divisions (Chapter-II &II)
- Punishments which ought not to be inflicted (Chapter-I)
- Proportion between offences and punishments (Chapter-II)
- The kinds of punishments (Chapter-VII)

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