



RAJ RISHI BHARTRIHARI
MATSYA UNIVERSITY,
ALWAR

Syllabus

Faculty of Law

LL.B.

LL.B. (P)/LL.B.(A) First Year Examination

LL.B. (P)/LL.B.(A) Second Year Examination

LL.B. (P) Third Year Examination


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NOTICE

- 1 The Ordinance governing the examinations in the Faculties of Arts, Fine Arts, Social Sciences, Science, Commerce and Law are contained in a separate booklet. The students are advised to refer to the same.
- 2 Changes in Statutes/Ordinances/Rules/Regulations/Syllabi and Books may, from time to time, be made by amendment or re-making, and a candidate shall, except in so far as the University determines otherwise comply with any change that applies to years he has not completed at the time of change.
- 3 All court cases shall be subject to the jurisdiction of the Rajasthan University head quarter at Jaipur only and not any other place.

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EXAMINATIONS-FACULTY OF LAW

Syllabus Faculty of Law

For the degree of LL.B. (P) and LL.B. (A) the following courses shall be taken:

LL.B. (P) LL.B. (A)

1. First Year Examination at the end of the First Year.
 2. Second Year Examination at the end of the Second Year.
 3. Third Year Examination at the end of the Third Year.

Students would be admitted to LL.B.-1 Year Professional Course who would like to take admission in LL.B.-4 Year Course will have to apply separately. Those who do not apply will be deemed to have been admitted to the Professional Course.

Instructions shall be provided in each paper of LL.B. I, II and III. Candidates must be instructed to handwrite the LL.B. classes.

Candidates who have taken the Bachelor's of the Master's Degree in Agriculture or the Degree of Sashtu Acharya of the Degree of Ayurveda Brahaspati of this University or any other degree for the purpose of this University or any other degree, shall be eligible for admission to the LL.B. (P) and LL.B. (A) courses. Candidates who have passed their qualifying examination with full marks in the LL.B. (P) and LL.B. (A) courses shall be eligible for admission to the LL.B. (P) and LL.B. (A) courses.

For the purpose of this Ordinance the marks of only those subjects/ papers shall be taken into account which had been considered for the division at the Bachelor's/ Master's Degree Examination. Candidates who have passed their qualifying examination with full marks in the LL.B. (P) and LL.B. (A) courses shall be eligible for admission to the LL.B. (P) and LL.B. (A) courses.

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Year Course class provided they secure minimum percentage of marks as described above.

(2) Admission shall be made on the basis of merit and in accordance with the rules made there for by the competent authority.

Provided further that the condition of obtaining a minimum of 48% marks in the aggregate at the qualifying examination shall not apply to the Natural Born sons/daughters of parent belonging to Scheduled Caste/Scheduled Tribe O.253 :

A candidate who has completed regular course of study in the University Constituent College or in an affiliated College for First Year will, subject to the other provision of the Act, Statutes, Ordinances, Rules and Regulations be admitted to the First Year Examination of the LL.B. (P) or LL.B. (A) Course depending on the course he has taken.

O.253-A :

A candidate who after passing the examination of the First Year has completed a regular course of study in the University constituent college or an affiliated college for the Second Year of the LL.B. (P) or LL.B. (A) course, Regulations, be admitted to the Second Year Examination of the LL.B. (P) or LL.B. (A) course, as the case may be

O.253-B :

A candidate who after passing the examination of the Second Year has completed a regular course of study in the University constituent college or an affiliated college for the Third Year of the LL.B. (P) course, will subject to the other provisions of the Act, Ordinances, Statutes, Rules and Regulations, be admitted to the Third Year Examination of the LL.B. (P) O.253-C be rewarded as follows :

(i) A Candidate who is declared eligible for appearing at the supplementary examination at LL.B. First Year (P)/(A) class will be allowed provisional admission to LL.B. Second Year (P)/(A) class. Such candidate will be permitted three more attempts for clearing the examination of LL.B. First Year examination. In the event of his failing at three such supplementary examinations, such candidate will have to appear in LL.B. First Year examination as Ex-student in all the papers prescribed for the course

(ii) A candidate who is declared eligible for appearing at the supplementary examination at the LL.B. Second Year (P)/(A) class will be allowed provisional admission to LL.B. Third Year (P) class. Such candidate will be permitted three more attempts for clearing the examination of LL.B. Second Year examination. In the event of his failing at three such supplementary examinations, such candidate will have to appear in LL.B. Second Year examination as an Ex-student in all the papers prescribed for the course.

(iii) A candidate who is declared eligible for appearing at the supplementary examination at LL.B. Third Year (P) class will be permitted to appear in three more attempts for clearing the LL.B. Third Year (P) examination. In the event of his failing at three such supplementary examinations he will have to appear in LL.B. Third Year examination as an Ex-student in all the papers prescribed for the course.

Regulation: 21-A
(1) For a pass, in each of the LL.B. I Year, II Year (Academic/ Professional) Examination and LL.B. III Year (Professional) Examination, a candidate must obtain not less than 36% marks in each paper (Theory and Practical) and 48% marks in aggregate of theory and practical papers prescribed for the examination concerned provided further that :

(1) A candidate who fails at the LL.B. First Year/Second Year or Third Year Examinations and has obtained not less than 36% marks in atleast 5 theory papers and practical or 6 theory papers shall be permitted to reappear in one or two theory papers and practical, or at the most three theory papers of his choice immediately following supplementary examination.

(ii) Actual marks obtained by a candidate in the papers in which he reappears in the supplementary examination will be taken into account alongwith earlier marks of other papers for working out his result.

(2) A candidate who has passed LL.B. I Year, II Year or III Year Examination and desires to improve his performance, may be permitted to reappear in the same examination in the same subject in the immediate following year on the conditions stated in Regulation 159-E.

(3) Of the successful candidates, those who secure 60% or more marks shall be placed in the first division and the rest in the Second Division.

O.254 :

A candidate who has once been awarded the degree of LL.B. (A) by the University and has thereafter appeared at and passed, after having undergone a regular course of study in the Third Year of the LL.B. (P) course, shall be awarded the degree of Bachelor of Laws (Professionally) in supersession of his degree of the Bachelor of Laws (Academic). This fact shall be inserted in the Register of Laws (Professional).

Every candidate for the two year course for the degree of LL.B. (A) shall present himself for the degree of LL.B. (P) shall present himself for the degree of LL.B. (P) in the papers prescribed in the Regulations. O.256 be rewarded as follows :

Theory paper in LL.B. I, II and III Year shall be of 100 marks. The paper in each year of LL.B. I, II and III Year has been divided into two parts. Part A shall be of Practical Written Examination of 80 marks and Part B shall be of Viva-Voce of 20 marks. A candidate shall be required to appear in Part A and Part B in each year of LL.B. I, II and III Year Examinations.

O.256-B (already omitted). O.256-C and O.256-D be omitted in the new scheme and new O.256-A be inserted, which is as follows :

(1) Wherever any option(s) in any paper has been provided in the syllabus of LL.B. I, II or III Year, the Principal or the Head of the Unit will determine at the beginning of each session the option or the options in which candidates will be provided during the session. The choice of the candidate shall be indicated to the options so provided in instructions.

Candidate has to write additional optional paper at LL.B. III Year Examination, if permitted by the Principal or Head of the Unit For

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Signature
Date

such additional paper no teaching facility will be provided and the candidate will have to appear at the examination in such additional paper at his own risk and the marks obtained therein will not be counted while working out his result but will be shown in the marks-sheet separately. For a pass in such paper the candidate has to secure atleast 50% marks.

5. O. 256-D be reworded as follows and renumbered as O. 256-B :
O. 256-B :

The Vice-Chancellor may, on the recommendation of the Dean, Faculty of Law of the University, permit transfer of a candidate who has passed in any year of the LL.B. (P) or LL.B. (A) Examination of another University under a scheme which in detail is same or similar as the scheme of this University of LL.B. (P) or LL.B. (A) Examination to such year of the LL.B. (P) or LL.B. (A) course and on such terms and conditions as he may lay down.

6. In order to make the transitory provisions for Three-Year LL.B. (P) (Old Scheme) / Two-Year LL.B. (A) (Old Scheme), the following consequential changes be made :

**Bachelor of Laws
(Old Scheme)**

Transitory provisions applicable to the student admitted to Three-Year LL.B. (P) / Two-Year LL.B. (A) Course :

The existing O. 251-A be renumbered as O. 256-C and reworded as follows :

Q. 256-C :

The examination in the old course shall be conducted through Tutorial and class performance during the session and written papers at the end of each year, namely :

Three Year LL.B. (P) Course :

1. LL.B. (P) LL.B. (A) : First Year Examination at the end of the First Year.

2. LL.B. (P) / LL.B. (A) : Second Year Examination at the end of the Second Year.

3. LL.B. (P) : Third Year Examination at the end of the Third Year.

7. O. 252 in the Old Scheme, which has already been retained as such will rewording thereof for the purposes of new courses, will stand deleted for the purposes of old scheme.

8. The existing O. 253, O. 253-A, O. 253-B and O. 253-C, which have been renumbered and retained with their original numbering for the purposes of new scheme, be renumbered as follows for the old scheme (transitory provisions) :

O. 253 be renumbered as O. 256-D
O. 253-A be renumbered as O. 256-E

O. 253-B be renumbered as O. 256-F
O. 253-C be renumbered as O. 256-G

9. O. 254 and O. 255, which have been retained with their original numbering as they are for the new scheme, be renumbered for the old course, as O. 256-H and O. 256-I respectively.

10. O. 256, which has been reworded and retained with its original number for the purpose of new scheme, be renumbered as O. 256-J by retaining the text thereof as it is for the purpose of the old scheme.

11. The existing O. 256-C, which has been reworded and retained with its original number for the purpose of the new scheme, be renumbered as O. 256-K retaining the text thereof for the old scheme.

12. The existing O. 256-C-1 be renumbered as O. 256-L for the purpose of old scheme retaining its text as it is.

13. The existing O. 256-D, which has already been renumbered as O. 256-B for the new scheme and reworded accordingly, be renumbered as O. 256-M for the old scheme retaining the text thereof as it is.

14. The earlier O. 256-E to O. 256-E-5 (2) being obsolete stand omitted.

**Bachelor of Laws
(Five-Year Course)**

15. For making appropriate provisions for the Bachelor of Laws (Five-Year Course), the following amendment be made :

The existing O. 251 be renumbered as O. 256-N and the expression "shall" appearing in the first line of the Ordinance be substituted by the expression "may". The remaining text of the Ordinance be retained as it is.

**Bachelor of Laws
(Honours Course)**

Appropriate provisions for LL.B. Hons. Course, the following amendment be made :
The new O. 256-O be inserted which should provide as follows :

O. 256-O :

(1) There may be a Three Year LL.B. (Hons.) Course, which shall be conducted through written papers as well as Practical, Seminar, Moot Court and Tutorial and Viva-voce Examination at the end of the each year namely :

1. LL.B. I Year at the end of first year.

2. LL.B. II Year at the end of second year.

3. LL.B. III Year at the end of third year.

A candidate having Bachelor's degree with 45% marks is eligible to seek admission in the LL.B. (Hons.) Course. The admission shall be offered by Pre-Law Test. A merit list shall be prepared on the basis of result of

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Pre-Law Test and admission shall be offered accordingly.

(3) There shall be one section of L.L.B. (Honours) Course for not more than 30 students in 1 Year of the L.L.B. (Hons.) Course.

(4) Teaching shall be provided in day class. There shall be exclusively separate classes for Honours-course only. Each subject of the L.L.B. Honours Course may be divided into 2 parts with distribution of marks as given below:

Paper A—Theory Paper	Max. Marks—60
Paper B—Practical, Seminar	—5
Moot Court & Tutorial	—5
Viva-Voce	—5
Total marks	75

(5) The practical test shall be conducted by Two examiners—one external and one internal examiner.

(6) The distribution of papers in each subject in each year of the L.L.B. Hons. Course shall be as under:

L.L.B. 1st Year:		
1. Law of Contract	General Principles Specific Contract	Paper—I Paper—II
2. Constitution of India	Constitutional Admini- strative Law	Paper—I
3. Law of Torts & Easements	General Principles Specific Wrongs Easements	Paper—I Paper—II
4. Family Law	Hindu Law Mohd. Law	Paper—I Paper—II

Optional:
Any three of the following:

1. Labour Law
2. Forest, Environment Protection and Law
3. Intellectual Property Law
4. Law, Women & Child
5. Equity and Trusts
6. Human Rights.

L.L.B. II Year:

1. Jurisprudence and Legal History	1. Jurisprudence 2. Indian Legal and Constitutional History	Paper—I Paper—II
2. Indian Penal Code	I.P.C.	Paper—I
3. Public International Law	I.P.C. Law of Peace Law of War and Int. Org.	Paper—II Paper—I Paper—I

Property Law	Law relating to Transfer of Property and Rent Control	Paper—I
Land Law	Raj. Tenancy Act, 1955, Raj. Land Revenue Act, 1956.	Paper—II

Optional:
Any three of the following:

1. Insurance Law
2. Company Law
3. Bankruptcy Law
4. Dismissment and Peace Strategies
5. Criminology & Criminal Justice

L.L.B. III Year:		
1. Cr. P.C.	Cr. P.C.	Paper—I
2. C.P.C., Arbitration and Specific Relief	C.P.C. Arbitration, and Specific Relief	Paper—II Paper—I

Practical Training	1. Pleadings & Conveyancing and Legal Language	Paper—I
	2. Practical Training	Paper—II

Evidence and Limitation	Evidence & Limitation	Paper—I
	2. Evidence & Limitation	Paper—II

Optional:
Any three of the following:

1. Legal Remedies
- Law of Intestacy
- Consumer Law
- Law & Poverty
- Private International Law
- Labour Law

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(2) Each Compulsory subject shall be of 150 marks, divided into two papers of 75 marks each. Each optional subject shall be of one paper of 75 marks only.

For each of the First, Second and Final Year Examinations in L.L.B. Honours Course, for a candidate shall be required to obtain atleast 40% marks in each part of the paper and atleast 48% marks in aggregate of all subjects.

A candidate shall be eligible for the Degree of Bachelor of Laws (Honours) after he passes all the aforesaid examinations. A candidate who secures 60% or more marks in the aggregate shall be placed in the First Division while one who obtains less than 60% marks in the aggregate but not less than 48% shall be placed in the Second Division.

(8) Supplementary Examination :

Candidate who fails at the immediately preceding First, Second or Final Year Examination in two subjects only and obtains 48% marks in the aggregate of the remaining five subjects in which he has passed, or in the case of the candidate failing in the aggregate only, obtains 48% marks in the aggregate of the five subjects excluding the subjects in which he has secured the lowest marks, shall be permitted to appear in those subjects in which he has obtained the lowest marks.

In order to be declared successful at the Supplementary Examination, a candidate must obtain atleast 40% marks in the subject/paper and 48% marks in aggregate.

No division shall be awarded to the candidate passing L.L.B. Honours Degree Examination after having appeared at the Supplementary Examination more than once during the entire course.

(9) An ex-student is one :

- (a) Who has appeared at the examination and failed, or
- (b) Who has satisfied all the requirements of the minimum attendance to appear at the examination and has applied for appearing at the examination but does not appear at the examination on account of illness or some other bona fide reason to be determined by the Dean.

17. The existing O. 256-F to O. 256-T be renumbered as follows :

Old Ordinance	New Ordinance
O. 256-F	O. 256-R
O. 256-G	O. 256-Q
O. 256-H	O. 256-R
O. 256-I	O. 256-S

O. 256-J	O. 256-T
O. 256-K	O. 256-U
O. 256-L	O. 256-V
O. 256-M	O. 256-W
O. 256-N	O. 256-X
O. 256-O	O. 256-Y
O. 256-P	O. 256-Z
O. 256-Q	O. 256-1
O. 256-R	O. 256-2
O. 256-S	O. 256-3
O. 256-T	O. 256-4

18. The expression "Old Scheme" in the bracket be inserted against the expression "Regulation 21" :

19. In order to provide the details of papers and scheme of Examination for L.L.B. New Course, Regulation 21-A be inserted before the heading "One Year Postgraduate Diploma Course in Labour Law." This Regulation 21-A be as follows :

Regulation 21-A (New Scheme) :

1. For a pass in each of the L.L.B. I Year, II Year (Academic / Professional) Examination and L.L.B. III Year (Professional) Examination, a candidate must obtain not less than 36% marks in each paper (theory and practical separately) and 48% marks in aggregate of theory and practical papers prescribed for the examination concerned, provided further that :

- (i) A candidate who fails at the L.L.B. First Year / Second Year or Third Year examination and is rebilled for less than 36% marks in atleast 2 theory papers and 1 practical or 6 theory papers shall be permitted to reappear in one or two theory papers and practical, or at the most three theory papers of his choice at the immediately following supplementary examination.
- (ii) Actual marks obtained by a candidate in the papers in which he reappears in the supplementary examination will be taken into account, along with earlier marks of other papers for working out his result.

A candidate who has passed L.L.B. I Year, II Year or III Year Examination and desires to improve his performance, may be permitted to reappear in the examination in the same subject(s) / papers / theory and practical, following year on the conditions mentioned in Ordinance 169-E.

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Compulsory Papers:

- 1.1 Contract – I (General Principles)
- 1.2 Contract – II (Specific Contracts)
- 1.3 Law of Tort and Consumer Protection
- 1.4 Family Law – I (Hindu Law)
- 1.5 Family Law – II (Mohammedan Law)
- 1.6 Constitutional Law – I
- 1.7 Legal Language and Legal Writing including General English
- 1.10 Constitutional Law - II

Optional Paper (Any one):

- 1.8 (a) Legal and Constitutional History of India
- (b) Trusts, Equity and Fiduciary Relationships.
- (c) Bankruptcy Laws

Practical Paper:

- 1.9 Public Interest Lawyering, Legal Aid Para- Legal Services and Moot Court.

This paper shall consist of following two parts:

- (a) Practical, Written Paper – 80 marks.
- (b) Viva – Voce Examination – 20 marks.

LL.B. II Year

Compulsory Paper:

- 2.1 Jurisprudence
- 2.2 Law of Crime
- 2.3 Law Relating to Transfer of Property & Easement
- 2.4 Company Law
- 2.5 Public International Law and Human Rights
- 2.6 Labour Law - I
- 2.7 Administrative Law
- 2.10 Labour Law - II

Optional paper (Any One):

- 2.8 (a) Women and Law; or (b) Insurance Law; or
- (c) Banking Law including Negotiable Instrument Act.

Practical Paper:

- 2.9 Professional Ethics, Bar-Bench Relations and Moot Court.

This paper shall consist of following two parts:

- (a) Practical, Written Paper – 80 marks.
- (b) Viva – Voce Examination – 20 marks


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Compulsory Papers:

- 3.1 Law of Evidence
- 3.2 Law Relating to Criminal Procedure, Juvenile Justice and Probation of Offenders.
- 3.3 Code of Civil Procedure and Limitation Act.
- 3.4 Arbitration, Conciliation and Alternate Dispute Resolution Systems.
- 3.5 Land Laws.
- 3.6 Interpretation of Statutes.
- 3.7 Environmental Law
- 3.10 Taxation Law

Optional Papers(Any One):

- 3.8 (a) Criminology and Penology; or
- (b) Intellectual Property Law; or
- (c) Law and Medicine

Practical Paper:

- 3.9 Drafting, Pleading and Conveyancing; Pre-trial Preparations Preparation in Trial Proceedings and Moot Chart.

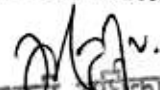
This paper shall consist of following two parts:

- (a) Practical, Written Paper – 80 marks.
- (b) Viva – Voce Examination – 20 marks

20. (i) In Regulation 22, the figure 66 wherever it appears, be substitutes by the figure 60.
- (ii) The expression “Legal Theory” appearing against Paper I be substituted by the expression “Jurisprudence” in Regulation 22.

List of Compulsory Papers (21):

1. Jurisprudence.
2. Contract – I (General Principle of Contract-Sections-1 to 75 and Specific Relief).
3. Contract – II(Indian Contract Act, Indian Partnership Act, Sale of Good Act and Other Specific Contracts).
4. Tort and Consumer Protection Laws
5. Family Law – I
6. Family Law – II
7. Law of Crimes.
8. Code of Criminal Procedure Juvenile Justice Act and Probation of Offenders Act.
9. Constitutional Law.
10. Property law including Transfer of Property Act and Easement Act.
11. Law of Evidence.
12. Code of Civil Procedure and Limitation Act.


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13. Legal Language, Legal Writing including General English.
14. Administrative Law.
15. Company Law.
16. Human Rights and International Law.
17. Arbitration, Conciliation and Alternative Dispute Resolution Systems.
18. Environmental Law.
19. Labour Law.
20. Interpretation of Statutes.
21. Land Laws including Ceiling and any other legal laws.

List of Optional Papers (3) :

1. International Economic Law.
2. Bankruptcy Laws.
3. Taxation Laws.
4. Comparative Law / Legal History.
5. Insurance Law.
6. Conflict of Laws.
7. Banking Laws including Negotiable Instruments Act.
8. Investment and Security Laws.
9. Trusts, Equity and Fiduciary Relations.
10. Criminology and Penology.
11. Air and Space Laws.
12. Law and Medicine.
13. Women and Law and Law Relating to Child: Law, Poverty and Development.
14. Intellectual Property Law.
15. Maritime Law.

List of Practical Training Papers (4) :

1. Paper I
 - Mock Court, Pre-Trial Preparations and Participation in Trial Proceedings.
2. Paper II
 - Drafting, Pleading and Conveyancing.
3. Paper III
 - Professional Ethics, Accountability for Lawyers and Bar Bench Relations.
 - Public Interest Litigation, Legal Aid and Para-Legal Services.
4. Paper IV

From the above list, it would appear that there must be 21 compulsory papers, 3 optional papers and 4 compulsory practical training papers in the curriculum for the 3 year LL.B. Course. The Committee has identified into all the proposed papers as well as the existing papers in LL.B. 3 year Course of the University of Rajasthan, and have resolved to distribute the papers as specified in the Bar Council of India's 3 years course as follows:

LL.B. FIRST YEAR EXAMINATION

Topic: Contract

Contract - I

Max. Marks: 100

(General Principles)

Min. Pass Marks: 36

Note: (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

(2) Leading cases prescribed under this paper may be read wherever they are relevant.

- 1 (a) Meaning, elements and characteristics of Contract
- (b) Basis of Contract.
- (c) Classification of Contract, including the Standard form Contract.
- 2 (a) Proposal: Meaning, Elements Characteristics and Kinds of proposal, Distinction between Proposal and Invitation to Proposal.
- (b) Acceptance: Meaning, Modes and Characteristics of Acceptance.
- (c) Communication, revocation and termination of proposal and acceptance.

3. Consideration:

- (a) Meaning, definition and Elements of Consideration.
- (b) Significance and legal effect of consideration.
- (c) Unlawful consideration and object.
- (d) Concept of stranger to contract.

4. Capacity to Contract:

- (a) Who cannot make a contract: Who is minor: The place of minor under the Law of Contract.
- (b) Person of unsound mind, nature of contract by person of unsound mind.

5. Persons deprived of the capacity to contract.

- (a) Infants.
- (b) Meaning of consent and free consent.
- (c) Factors rendering consent not free and their effect upon the validity of contract.

6. Consent:

- (a) Agreement in restraint of marriage; freedom of trade and right to trade in legal proceedings.
- (b) Agreements involving uncertainty, wager and impossibility.

7. The Contract:

Agreements in restraint of marriage; freedom of trade and right to trade in legal proceedings.

8. Performance of Contract:

When it is binding, its performance, joint rights and joint liability and performance of reciprocal contracts.

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- (b) time, place and manner of performance.
- (c) Discharge from liability to perform the contract.

- (a) Meaning and kinds:
- (b) Remedies for breach of contract:

- (i) Damages—Measure of damages and remoteness of damage;
- (ii) Specific Performance of contract and Injunctions under Specific Relief Act

Leading Cases :

1. Carlill v. Carbolic Smoke Ball Co. (1893) 1 QB 256.
2. Bhagwandas v. Girdhar Lal & Co. AIR / 1966 / SC / 3543.
3. Moolas Padampur Sugar Mill Co. Ltd. v. State of U.P. AIR / 1979 / SC 621.
4. Lalman Shukla v. Gauri Dutt. (1913) II ALL LJ 489.
5. Mohori Bibi v. Dharmodas Ghosh, (1903) 30 I.A. 114.

Suggested Readings :

1. Aiyub P.S. : An Introduction to the Law of Contract.
2. Pollock : Principles of the Law of Contract.
3. Pollock & Mulla : Indian contract and Specific Relief act.
4. V.G. Ramchandra : The Law of Contract in India.
5. P.R. Desai : Principles of Law of Contract.
6. Awar Singh : Law of Contract. (English & Hindi)
7. R.K. Baveja Contract (English & Hindi)
8. I.C. Saxena & R.L. Nawalsha : हिंदी में हिंदी
9. S.K. त्रिपाठी हिंदी
10. शाह, शर्मा, शर्मा : हिंदी में हिंदी

LAW OF CONTRACT—II

Paper 1.2—

Max. Marks : 100

(General Principles)
Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, candidates shall be free to repeat the questions set in the previous examination.

(2) Leading cases prescribed under this paper may be read wherever they are relevant.

- 1. Contract of Indemnity and Guarantee :
 - (a) Meaning. Distinction between Indemnity and guarantee and kind of guarantee.
 - (b) Rights of Indemnity holder.
 - (c) Rights of the Surety, Extent of the Liability of the Surety.
 - (d) Discharge of Liability of the Surety.

2. Contracts of Bailment and Pledge

- (a) Meaning and kinds of contracts of bailment—Bailment without and with deposit.
- (b) Rights and duties of bailor and bailee.
- (c) Termination of Contract of Bailment.
- (d) Contract of Pledge—meaning and definition. Pledge by unauthorised persons.

Contract of Agency

- (a) Definition, kinds and modes of creation of Agency.
- (b) Relation of Agent and Principal.
- (c) The Principal and agent.
- (d) Rights and duties of Principal and third party.
- (e) The agent and the third party.
- (f) Termination of agent's authority—
 - (i) By act of parties; and
 - (ii) By operation of Law—Implied and authority.

Contract of Sale of Goods

- (a) Definition, Definition and formation of contract for sale—Offer, Acceptance, Agreement, and a contract for sale.
- (b) Goods—existing, future and contingent.
- (c) Condition and warranties.
- (d) Passing of property and from seller to buyer.
- (e) Sale by unauthorised person.
- (f) Law relating to performance of sale.
- (g) Rights of unpaid seller.

Contract of Partnership

- (a) Meaning, definition, formation and the characteristics of contract of partnership.
- (b) Distinction between partnership and co-partnership.
- (c) Co-partnership and co-ownership.
- (d) Joint Hindu Family Firm and Partnership; and
- (e) Company and Partnership.
- (f) Position of Minor.
- (g) Obligations towards partners and relations of Partners with third parties.
- (h) Registration of Partnership firm.

Leading Cases : (a) *Pratt v. Matthews*, 1824 10 B.R. 1022; (b) *Pratt v. Matthews*, 1824 10 B.R. 1022; (c) *Pratt v. Matthews*, 1824 10 B.R. 1022; (d) *Pratt v. Matthews*, 1824 10 B.R. 1022; (e) *Pratt v. Matthews*, 1824 10 B.R. 1022; (f) *Pratt v. Matthews*, 1824 10 B.R. 1022; (g) *Pratt v. Matthews*, 1824 10 B.R. 1022; (h) *Pratt v. Matthews*, 1824 10 B.R. 1022.

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Guardian, general provisions of guardianship.
 6. Partition under Hindu Law—Meaning, Property for partition, persons entitled to sue for partition and allotment of shares, partition how effected, Determination of shares, Re-opening of partition, Reunion Duhis—Doctrine of pious obligation; Antecedent Duhis.

Leading Cases :

1. Shashin Yajna Purusdasji v Muldas, AIR 1966 SC 1119.
2. Hanumanth Prasad v. Mussammi Baihoos Murrji Koonwar, (1856) 6 MIA 395.
3. Riji Narayan v. Mangla Prasad, (1924) 51 IA 129.
4. Bipin Chandra v. Prabhavati, AIR (1957) SC 176.
5. Dr. Narayan Ganesh Dastane v. Sudeha Dastane AIR (1975) SC 1534.
6. Dharmendra Kumar v. Usha Kumar, AIR (1977) SC 2218.
7. Tulsamma v. Sesha Reddi, AIR (1977) SC 1944.

Suggested Readings :

1. Mulla : Principles of Hindu Law.
 2. Raghavachariar : Hindu Law—Principles and Precedents.
 3. Paras Diwan : Modern Hindu Law.
 4. Talur Mehmood : Hindu Law.
 5. सार्वभौम : संस्कृत हिन्दू धर्मशास्त्र
 6. कर्णी, वृ. श्री. : हिन्दू धर्मशास्त्र
- Paper 1.5. Family Law—II
 (Mohammedan Law)
 Max. Marks : 100
 Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to rephrase the questions set in the previous examination.

(2) Leading cases prescribed under this paper may be read wherever they are available.

1. Mohammedan Law : Origin, development, sources, Schools, Application, Interpretation and conversion.
2. Marriage : Nature of marriage, essentials of marriage, Khyat-bulugh, Iddat, Khalwat-us-sahba, Matrimonial stipulation, Mahr, polygamy, marriage and effects of marriage.
 Mahr : Meaning, nature, kinds, object and subject-matter, wife's rights on non-payment of dower.
 Dissolution of marriage : Talag Ila, Zihar, Talag & Talag-e-Mawarat, Khula, Lian, Faskh—Section 2 of the dissolution of Marriage Act, 1939; Legal effects of divorce.
3. Guardianship—Appointment of guardian, kinds of guardianship, Pre-emption : Meaning, nature and classification of Esq. Mahr (Pre-emption); Rights of pre-emption, when conflict of laws, subject matter and formalities of pre-emption, legal effects of pre-emption, Devices for evading pre-emption

will (Wasiyat) Competence of testator and legatee, Valid subjects of will : Testamentary limitations, Formalities of a will and abatement of will.

Legacy:

Legitimacy and acknowledgement : Legitimacy and legitimation, Presumption of legitimacy under Muslim Law and Section 112 of the Indian Evidence Act, conditions of a valid acknowledgement.
 Maintenance : Persons entitled to maintenance, Principles of maintenance; The Muslim Women (Protection of Rights on Divorce) Act, 1986.

Wakf : Meaning, essentials and kinds, Beneficiaries of wakf; The Wakf Validation Act, 1913; Formalities for creation of Wakf; Wakf of Musha; Muslim religious institution and officers; Administration of Wakf; Wakf-ul-Awqaf.

Wakf-ul-Awqaf : Principles of Law of Inheritance, Doctrines of Avul and Akhar under Hanafi and Shia Law.

Leading Cases :

1. Maina Bibi v. Choudhary Wakil Ahmed, (1923) 52 IA 145.
2. Habibur Rahman v. Araf Ali (1921) 42 IA 114.
3. Moonstee Buzul-ul-Rahem v. Luiseefulla Nissa, (1061) 8 M.L.A. 379.
4. Abu Fala Mohd. v. Ruseenraj Eshar Choudhary (1894) 22 IA 76.
5. Mohd. Ahmed Khan v. Shah Bano Begum, AIR (1985) SC 945.

Suggested Reading :

1. Fyzee : Mohammedan Law
2. Mulla : Principles of Mohammedan Law.
3. Verma, B.R. : Islamic Law.
4. Agil Ahmed : Mohammedan Law.
5. Amir Ali : Mohammedan Law.
6. कर्णी वृ. श्री. : हिन्दू धर्मशास्त्र
7. सार्वभौम : संस्कृत हिन्दू धर्मशास्त्र
8. कर्णी वृ. श्री. : हिन्दू धर्मशास्त्र

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LL.B. I Year

Paper –VI

Max Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

(2) Leading cases prescribed under this paper may be read wherever they are relevant.

Constitutional Law of India – I

- 1. Introductory: Salient feature of the Constitution; Nature of the Indian, Federalism: Preamble, Citizenship and State,
- 2. Fundamental Rights, Directive Principles and Fundamental Duties.
- 3. Amendment of the Constitutions – Constitutionality of ordinary Laws and Constitutional Amendment, Judicial Review of Amendment and the Doctrine of Basic Structure – Major Amendments and their Constitutional Values.

Leading Cases:

- 1. Minerva Mills Vs. Union of India, AIR (1978) SC 1789,
- 2. Maneka Gandhi Vs. Union of India, AIR (1978) SC 597.
- 3. Kehar Singh Vs. Union of India, AIR (1989) SC 653.

Paper –VII

Max Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

(2) Leading cases prescribed under this paper may be read wherever they are relevant.

English Language and Legal Writing Including General English

- (A) Vocabulary:
 - Use of Legal phrases and terms (list of legal terms given below).
 - Pair of words.
 - One word substitution
 - Latin Maxims (listed below).


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(B) Comprehensive Skills :

1. Common Logical Fallacies.
 - (a) Valid Rules of Syllogism.
 - (b) Syllogistic fallacies.
 - (c) Other types of Material or Verbal Fallacies.
2. Comprehension of Legal Texts : Reading materials.
The prescribed leading cases.

(C) Composition Skills :

1. Use of Cohesive devices (Legal drafting).
2. Precise Writing.
3. Brief writing and drafting of reports; letters and applications.
4. Essay writing and topics of legal interest.
5. Varieties of sentence structures and verb patterns.
6. Translation (from English to Hindi and Hindi to English).

List of Legal terms which are relevant for LL.B. students :

Abet	Abstain	Accomplice
Act of God	Actionable	Accused
Adjournment	Adjudication	Admission
Affidavit	Amendment	Appeal
Acquittal	Articles	Assent
Attested	Attornment	Averment
Bail	Ballment	Citation
Clause	Coercion	Code
Cognizable	Confession	Compromise
Consent	Conspiracy	Contempt
Contingent	Contraband	Conviction
Convention	Corporate	Custody
Damages	Decree	Defamation
Defence	Escheat	Estoppel
Eviction	Executive	Ex parte
Finding	Floating charge	Forma Pauperis
Franchise	Fraud	Frustration
Good Faith	Guardian	Habeas Corpus
Hearsay	Homicide	Hypothecation
Illegal	Indemnity	Inheritance
Bench	Bill	Bill of remainder
Bill of Rights	Blockade	Bonafide
By-laws	Capital Punishment	Charge
Chattels	Justiciable	Legislation
Legitimacy	Liability	Liberty
Licence	Lieu	Liquidation
Maintenance	Malafide	Malfesance
Minor	Misfeasance	Mortgage


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Murder	Negligence	Negotiable Instrument
Notification	Neurology	Non-Feasance
Oboli	Obese	Nuisance
Order	Ordinance	Offender
De facio	De Jure	Overture
Detention	Discretion	Deposit
Earnest Money	Emet	Distress
Equality	Partition	Enforceable
Peuton	Plaintiff	Perjury
Pre-emption	Pre-emption	Pledge
Prize	Privilege	Prescription
Proof	Process	Privily
Proviso	Proposal	Promissory Note
Redemption	Ratify	Prosecution
Remand	Reference	Recalver
Repeal	Remedy	Regulation
In limine	Res Judicata	Rent
Insurance	Insanity	Respondent
Judgement	Intestate	Instituto
Judice	Judicial	Issue
Ruling	Restoration	Jurisdiction
Settlement	Schedule	Rule
Stamp duty	Sovereignty	Section
Sury of execution	Status quo	Specific Performance
Tesatrix	Tenant	Statute
Trade Mark	Tide	Summons
Trespass	Treason	Tutor
Trust	Thal	Tort
Usage	Ultra vires	Treaty
Veiled	Valid	Tribunal
Waiver	Violate	Undue Influence
Will	Voidable	Verdict
	Warrant	Vismajor
	Whi	Warranty
		Wrong

List of Latin Maxims :

1. Ab initio (from the beginning)
2. action personal is mortur cum personis (Personal right of action dies with the person).
3. actus curae neminem gravabit (act of the Court shall perjure no one).
4. actus non facit reum, nisi mens sit rea (the act itself does not constitute guilt unless done with a guilty intent).

5. actus reus (wrongful act).
6. ad injuriam (in the meantime).
7. ad litem (for the suit).
8. ad valorem (according to the value).
9. alibi (place of being elsewhere).
10. Amicus curiae (friend of the Court).
11. animus (intention).
12. audi alteram partem (hear the other side).
13. caveat emptor (Buyer beware).
14. consensus ad idem (agreement by two persons upon the same thing in the same sense).
15. damnum sine injuria (damage without injury).
16. de facio (in fact).
17. de jure (in law).
18. de iuribus non curat lex (the law does not account of the trifles).
19. decree nisi (a decree which takes effect after a specified period).
20. delegatus non potest delegare (a delegated power cannot be further delegated).
21. doll incapax (incapable in malice).
22. denatio mariti cause (gift by a person on the death-bed).
23. ejusdem generis (of the same category).
24. eminent domain (the supreme right).
25. ex officio (by subsequent act).
26. experts (not in the presence of the opposite party)
27. export facto (by subsequent act).
28. factum valet (the fact which cannot be altered).
29. facti accompli (an accomplished fact).
30. ignorantia legis neminem excusat (ignorance of law is no excuse).
31. in pari materia (in an analogous case, cause or position).
32. injuria sine damno (injury without damage).
33. Interest re publicae ut sit finite lictum (It is the interest of the republic that there should be an end of law suit).
34. litem vires (within the powers)
35. jus tertii (the right of a third party).
36. Litem pendens (pending suit):
37. mens rea (guilty mind).
38. mensura probis (the profits received by a person on wrongful possession).
39. nemo dat quod non habet (no man can transfer better title than he himself has).
40. nemo delegat bis vexari pro una et eadem causa (no man be twice vexed for the same cause).
41. nemo in propria causa judex esse debet (no one ought to be a judge in his own cause).

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42. nite ptesqui (to be unwilling to prosecute).
43. Obiter dicta (an opinion of law not necessary to the decision).
44. onus probandi (the burden of proof).
45. pacta sunt servanda (pacts must be respected).
46. pendente lite (during litigation).
47. per capita (counting heads).
48. per incuriam (through inadvertance or carelessness).
49. per stripes (by stocks).
50. plannum dominium (full stocks).
51. pro bono publico (for the public good).
52. ratio decidendi (grounds for decision, principle of the case).
53. res gestae (connected facts forming the part of the same transaction)
54. res ipsa loquitur (the thing speaks for itself).
55. res judicata (a matter already adjudicated upon)
56. res nullius (an ownerless thing).
57. rule nisi (a rule or order upon condition that is to become absolute if cause is shown to the contrary).
58. status quo (existing position).
59. sub judice (in course of adjudication).
60. sui juris (on one's own right).
61. suo motu (of ones own accord).
62. ubi jus ibi remedium (where there is a right, there is a remedy).
63. ultra vires (beyond the powers of).
64. volenti non fit injuria (Risk taken voluntarily is not actionable).

Leading Cases :

1. State of Rajasthan v. Smt Kalbj & another.
AIR 1981 SC 1980.
2. Kuljeet Singh alias Ranga v. Union of India,
AIR 1981 SC 1572.
3. State of Maharashtra v. Champalal Punjaji Shab,
AIR 1981 SC 1675.
4. Nand Lal Bajaj v State of Punjab and another
AIR 1981 SC 2041
5. Smt Jewanti Pandey v. Kishan Chandra Pandey,
(1980) SCC 517.

Suggested Readings :

1. Glanville Williams : Learning the Law.
2. Wren & Martin : English Grammar
3. Ganga Sahai Sharma : Fundamentals of Legal Writing.
4. Hindi-English Legal Glossary : Vidhi Sahitya Prakashan, Ministry of Law, Government of India, New Delhi.
5. David Green : Contemporary English Grammar, Structure and Composition.

6. IshUaque Abidi : Law and Language.
7. Law Lexicon & Legal Maxims by Venkataramaiya.
8. Richard C. Wydick : Plain English for Lawyers.
9. Surendra yadav - Legal Language.


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LL.B. I Year
Compulsory paper
Paper –X

Max Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

(2) Leading cases prescribed under this paper may be read wherever they are relevant.

Constitutional Law of India – II

1. Union and State Executive: President, Governor-Election, appointment, Powers, Position, Council of Ministers, Prime Minister, Parliamentary; System of Government; Union and State Legislature: Lok Sabha; Rajya Sabha ; Vidhan Sabha and Vidhan Parishad – Composition, Speaker, Chairman, privileges, Legislative Procedure.
2. Union and State Judiciary – Supreme Court and High Court, Composition and powers, Writs.
Union State Legislative Relationship – Distribution of Legislative power, Administrative and Financial relationship.
3. Services under the Union and State, Constitutional protection to civil servants, Public Service Commission's of the Union and State, Article 300 – D-A-Property Rights: Freedom of Trade, Commerce and Inter-course; State liability in Contracts and Torts, Suit by and against the State.
4. Emergency provisions: National, State and Financial.

Leading Cases:

1. Union of India Vs. Tulsiram Patel, AIR (1985) SC 1416.
2. Kesavananda Bharti Vs. State of Kerala, AIR (1973) SC 1476.


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OPTIONAL PAPER

Paper 1.8. (a) Legal and Constitutional History of India

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

(2) Leading cases prescribed under this paper may be read wherever they are relevant.

1. Administration of Justice in Madras, Bombay and Calcutta before 1726.
2. Importance and necessity of legal history; Charter of 1726 and Establishment of Mayor's Court; Charter of 1753; The Madras, Act of Settlement, 1781; Nand Kumar Trial; Patna Case, Cossijurah case.
3. The beginning of the Adalat System; The Judicial Plans of 1772 and 1774 introduced by Warren Hastings. Judicial Reforms of Cornwallis and William Bentinck.
4. The High Court : Dual Judicature before 1861; Indian High Court Act, 1861; Indian Council Act, 1861 Privy Council; Federal Court; Development of Law in Mofussil (Justice, Equity and Good Conscience) Development of Criminal Law. Charter Act of 1833 :
Codification of Law; Law Commission, Legislative Council, First Second and Third Law Commissions; The Le Locl Report.
5. Government of India Act, 1858 and 1892 :
6. Simon Commission, Round Table Conference :
Federalism—Nature and Characteristics under Government of India Act, 1935; Provincial Autonomy, Cabinet Mission; Crips Mission Indian Independence Act, 1947; Abolition of Jurisdiction of Privy Council; Constituent Assembly—its formation, working and contributions.

Leading Cases :

- | | |
|-----------------------------------|---------------------------|
| 1. Trial of Raja Nand Kumar, 1775 | 2. Patna Case, 1777-79. |
| 3. Cossijurah Case, 1789-90. | 4. Kamaluddin Case, 1775. |
| 5. Gorachand Dutt v. Hosea | |

Suggested Readings :

1. Jain M.P.—Outlines of Indian Legal History (English and Hindi).
2. Keith, A.B.—Constitutional History of India. Chapters VII, VIII, X, XI and XII only.
3. Banerjee, A.C.—The Making of the Indian Constitution.
4. Mahajan, V.D.—Constitutional History of India.

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5. Singh M.P.—Legal and Constitutional History of India.
 Kulsivastava, V.D.—Laws and Customs in Indian Legal and Constitutional History, (English & Hindi).

7. Narasimha, S.R.—Legal System in India.
 8. उद्योग विभाग : उद्योग विभाग के विभिन्न विभाग
 9. उद्योग, वि. वि. : उद्योग विभाग के विभिन्न विभाग

Paper 1.8 (B)—Trusts, Equity and Fiduciary Relations
 Max. Marks : 100 Min. Pass Marks : 35

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

(2) Leading cases prescribed under this paper may be read wherever they are relevant.

1. Equity—Concept of equity—Origin and Growth of Equity in England—Maxims of equity—Equitable rights—Equitable remedies.
2. Indian Trusts Act, 1882 : Definition—Creation of Trusts—Duties and Liabilities of Trustees—Rights and Powers of Trustees—Disabilities of Trustees—Rights and Liabilities of the Beneficiary—Vacating the office of Trustees Extinction of Trustees—Certain obligations in the nature of Trusts.
3. Rajasthan Public Trusts Act, 1959 : Definition and validity of certain public trusts—Registration of Public Trusts—Management of Public Trust Property—Powers of Officers in relation to Public Trusts—Control of Public Trusts—Social provisions in respect to certain trusts—Dissolution—Procedure and Penalties.

Leading Cases :

1. Hindu Religious Endowments, Madras v. Shri Lakshminarayanan Thiruvatha Swamikal of Shri Suttur Math, AIR 1954 SC 292.
2. Durgah Committee, Alder v. Syad Husain Ali.
3. Sunjanal Singh v. State of Rajasthan, 1966 R.L.W. 566.
4. Tilakraj Shri Govindlalji v. State of Rajasthan, AIR 1963 SC 1630.

Suggested Readings :

1. Upadhyaya, J.J.R. : Equity, Trusts with Fiduciary Relations and Specific Relief.
2. Ganda, B.M. : Equity, Trusts and Specific Relief.
3. Varadachari, V.K. : Law of Hindu Religious and Charitable Endowments.
4. Varadachari, V.K. : Public Trusts and Taxation.
5. फी वी सी. : एक्विटी, ट्रस्ट्स और फिडुसियरी रिलेशन्स
6. एक्विटी, ट्रस्ट्स और फिडुसियरी रिलेशन्स

Paper 1.8(c)—

Bankruptcy Law

Max. Marks : 100

Min. Pass Marks : 35

Note : (1) In order to ensure that students do not leave out important portions of the Syllabus, Examiners shall be free to repeat the questions set in the previous examinations.

(2) Leading cases prescribed under this paper may be read wherever they are relevant.

Acts for Study :

1. The Provincial Insolvency Act, 1920.
2. The Presidency Towns Insolvency Act, 1909.
3. The Rajasthan Insolvency Rules.

Contents :

- Definitions.
- Origin and History of Bankruptcy Law.
- Constitution and Power of Court.
- Proceedings from act of insolvency to discharge.
- Order of adjudication.
- Proceedings consequent on order of adjudication.
- Discharge
- Annulment of Adjudication.
- Administration of Property.
- Realisation of Property.
- Distribution of Property.
- Appeal to Court against receiver.
- Penalties.
- Summary Administration.
- Appeals.
- Miscellaneous.

Leading Cases :

1. Official Assignee v. Tehmina Dinshaw Tehrani, AIR 1971 Mad. 187.
2. Addul Shukoor v. Aji Papa Rao, AIR 1967 SC 1150.
3. Gandhi v. Ghanjali, (1972) 1 MLJ 234.
4. Mahomed Siddiqi v. The Official Assignee (1943) 70 LA 93.
5. Khemal v. Chaggamal, AIR 1968 Raj. 123.

Suggested Readings :

1. Mullis—The Law of Insolvency in India.
2. Williams on Bankruptcy.
3. Ramnathar Dyal : Commentary on the Provincial Insolvency Act, 1920.
4. Mullis & Bhatnagar—The Law of Insolvency in India.

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Paper 1.9—Public Interest Lawyering :
Legal Aid, Para-Legal Services and Moot Court.

Max. Marks : 100
Min. Pass Marks : 36

This paper shall consist of following two parts :

- (a) Practical written paper
- (b) Viva-voce examination

—80 marks
—20 marks
The candidate must pass in part (a) and (b) separately. For pass, he shall be required to obtain 36 percent marks in each part, i.e. 29 marks out of 80 and 7 marks out of 20 marks.

(a) Practical Written Paper :

- (1) Meaning, nature, scope and object of Public Interest Litigation (PIL). PIL against the State and other Public Bodies. Difference between Public Interest Litigation and Private Interest Litigation.—Meaning of Social Action Litigation, Concept of Locus standi.

(2) Legal Aid under the—

- (i) Constitution;
- (ii) Code of Criminal Procedure; and
- (iii) Code of Civil Procedure.

The Legal Services Authorities Act, 1987. Legal Aid and Law Schools, Legal Aid and Voluntary Organisations, Legal Aid and Legal Professions; District Legal Aid Committee.

- (3) Lok Adalats—Their jurisdiction, working and Powers under the Legal Services Authorities Act, 1987.
- (4) Writing of applications for Legal Aid.

Leading Cases :

- 1 Hanuman Mukti Morcha v Union of India, (1984) 3 SCC 161.
- 2 Olga Tellis v Bombay Municipal Corporation, (1985) 3 SCC 545.
- 3 Sukdas v Union Territory of Arunachal Pradesh, AIR 1986 SC 928.
- 4 Shreeji Bhuve v State of Maharashtra, AIR 1988 SC 378.

Suggested Readings :

- 1 P.N. Bhagwati—Legal Aid as a Human Right.
- 2 Sujan Singh—Legal Aid—Human Right to Equality.
- 3 Sunil Desai—Lok Adalats in India—Cases and Functioning.
- 4 L.M. Singhvi—Law and Poverty—Cases and Materials.
- 5 Award Prasad—Lok Adalat (Quoting Publishers, New Delhi).
- 6 S.S. Sharma—PL, Legal Aid, Para Legal Services Moot Court.
- 7 P.N. Bajpayee—Legal Aid and the Bar Council.
- 8 Kalash Rai—PL, Legal Aid & Para Legal Services (Eng. & Hindi)
- 9 फॉर एरिबोर-सोनेरि सुकरा, फॉर फॉर एरिबोर सुकरा

Paper 1.9 (b)

VIVA-VOCE

20 marks

Maintaining Diary on Court visits; Legal Aid and Lok Adalat Proceedings, Moot Court, Performance done on the basis of prescribed leading cases in LL.B. 1 year paper under the supervision of the concerned teacher. The teacher(s) shall conduct at least two 'Moot Courts' during the session and it will be compulsory for the candidates to participate in atleast fifty per cent of such Moot Courts. The teacher can also conduct Moot Court on the basis of the cases other than the prescribed leading cases. The Viva-voce examination shall be conducted by a Committee of three persons. In this Committee, there shall be two Internal examiners and one External examiner. The Committee shall award marks on the basis of Court diary and performance at the Moot Court and viva-voce examination.

SECOND YEAR LL.B. (APP) EXAMINATION

Paper 2.1

Jurisprudence

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

- (2) Leading cases prescribed under this paper may be read wherever they are relevant.

Contents :

Jurisprudence :

Definition Nature and Scope.

- (i) Importance of Jurisprudence.

(ii) Schools of Jurisprudence: Analytical, Historical and Sociological including American Realism and Natural Law School.

Nature of Law :

Definition—Austin, Salmond, Holland, Gray, Hart.

Sources of Law :

- (A) Meaning, Custom, Kinds, Tests of particular legal custom; Importance of custom; Theories of customary law.

- (B) Precedents, kinds, Ratio decidendi obiter dicta; Declaratory theory of precedent; Judge-made law theory.

- (C) Legislation; kinds, comparison between legislation and other sources of law.

Concept of Law :

Rights and Duties : Nature of Rights and Duties; Correlation of Rights and Duties; Kinds of Rights and Duties; Property; Definition and Kinds; Negligence; Criminal liability.

Ownership and Possession :

(A) Meaning of Ownership; Kinds, Definition of ownership by Austin and Salmond

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