

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

Min. Marks : 100

Paper 1.9 (b)

VIVA-VOCE

20 marks

This paper shall consist of following two parts :
(a) Practical written paper
(b) Viva-voce examination
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. Handloom 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 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

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 :

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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(A) Relation between ownership and possession. Importance of Possession: Elements of corporeal possession and problems: Theories of possession: Bailment and Savings for bailment

Person : Nature of personality: kinds, corporate personality and its kinds, theories of corporate personality, problems legal persons and punishment.

Leading Cases : 1. Kesavanand Bhanu v. State of Kerala, AIR 1973 SC 1451; (Per Mathew J) 1974; paras 1617, 1616 (Sovereign) 1585-1698 (Natural Law and Natural Rights); 1726-1729 (Rescose Pound and Sociological Jurisprudence).

- 2. Maharashtra Shree Unaid Mills Ltd. v. Union of India, AIR 1963 SC 953 paras 12, 13, 14 (Per S.K. Das) Concept of Law; Legislative agreement.
- 3. Smt. Indra Nehru Gundi v. Raj Narain, AIR 1975 SC 2299; Para 299, 489 (Per Mathew, J) (Generally as a Property of Law).
- 4. Keshav Singh v. State of U.P., AIR 1965 SC 9 to 17. (Per Sarkar, J). Law making by Judicial and Legislative Comity).
- 5. Bengal Immunity Co. v. State of Bihar, AIR 1955 SC 361. (Precedent).
- 6. Maneka Gandhi v. Union of India, AIR 1978 SC 597.

Suggested Readings : 1. Salmond : Jurisprudence.

- 2. Dias : Jurisprudence.
- 3. Dhyan S.N. : Fundamentals of Jurisprudence.
- 4. Mahajan V. D. : Jurisprudence and Legal theory.
- 5. ब्रह्म वरदा. : तर्क शास्त्र
- 6. अर्थशास्त्र : कर्तव्य शास्त्र के अर्थशास्त्र
- 7. Agarwal & Razada : Some thoughts on Modern Jurisprudence.
- 8. R.D. Yadav : Glimpes of Jurisprudence.

Paper 2.2 Law of Crimes

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 relevant.

- 1. General Principles of Criminal Law.
- 2. The Indian Penal Code, 1860 : Territorial Jurisdiction, Stages of crime : Doctrine of Mens rea, Inchoat crimes—Preparation, attempt, General Explanation, Public Servant, Movable Property, Wrongful gain and wrongful loss, Dishonestly, Fraudulently, Reason to believe, Counterfeit, Valuable Security, Act and Omission, Voluntarily, Injury, Good faith, Illegal Injury.

Offence, Document, Harbour, Judge.

3. General Exceptions :

(A) Mistake of facts and mistake of Law, Judicial act, Accident, Act done without criminal intention and to prevent other harm; Act of person of unsound mind, Act of intoxicated person.

4. General Exceptions :

(B) Acts done with consent, Act done in good faith without consent, Communication made in good faith: act done under compulsion, Act causing slight harm; Right of Private defence.

5. Joint Liability : Common intention, common object, Abettment, Criminal Conspiracy, Constructive Liability.

6. Offences Affecting Public Peace & State Authority : Unlawful assembly, Rioting, Affray, Public Servant, Taking gratification other than legal remuneration in respect of official act, giving evidence, Fabricating false evidence, sedition, Public nuisance.

7. Offences Affecting the Human Body : Culpable homicide, murder, Criminal negligence and rashness, Attempt to commit murder and suicide; miscarriage, hurt, Grievous hurt, Voluntary restraint and wrongful confinement, force and criminal force, Assault, Kidnapping and abduction.

8. Offences Against Property : Theft, Extortion, robbery, Dacoity, Criminal misappropriation of property, Criminal breach of trust; receiving stolen property, Cheating, mischief, criminal trespass, House breaking.

9. Offence Relating to Document : Forgery, Making a false document, Offence relating to Secular Heritage : Rape, Sexual offences, Unnatural offence, Adultery, Bigamy.

11. Offences Affecting Personal Peace and Reputation : Defamation, Criminal Intimidation, Criminal Insult.

Leading Cases :

- 1. Reg. v. Govinda (1876) ILR 1 Bom. 343.
- 2. Kedar Nath v. State of Bihar, AIR 1962 SC 955. (1962). 2 C, LJ 103 (SC).
- 3. Laxman Kalu v. State of Maharashtra, AIR 1968 SC 1890, 1968 C. LJ 1647.
- 4. T. V. Vadgama v. State of Gujarat, AIR 1973 SC 2213; 1973 Cr. LJ 1542 (SC)
- 5. K.M. Nanavati v. State of Maharashtra, AIR 1962 SC 605 (1962) 2 Cr. LJ 521 (SC).
- 6. Bachan Singh v. State of Punjab, AIR 1980 SC 896.

Suggested Readings :

- 1. Ratan Lal : The Indian Penal Code.
- 2. Kenny : Outlines of Criminal Law (First four chapters).

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1. Nigam, R. C. : Principles of Criminal Law (English & Hindi).
 2. Shantishil Kuda-Principles of Criminal Law.
 3. Ptari Singh Gaur : Penal Law of India.
 4. Bhattacharyya : Indian Penal Code (English & Hindi).
 5. Anur Singh Yadav : Indian Penal Code (Hindi).
 6. Raja Ram Yadav : Indian Penal Code (Hindi).
 7. The Law Relating to Transfer of Property and Easement
- Paper 2, 3
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. Preliminary :** Definition, Essentials of Transfer, Competence of Parties, subject matter of transfer, transfer to unborn person, Registration of transfer, etc. General Rules of Transfer :
- 2. Transfers of alienation absolute or partial, Restraints of free enjoyment, Transfers affecting enjoyment, dwelling on insolvency, Covenants affecting enjoyment, dwelling on insolvency, Future interests, forfeiture of acceleration-Accumulation of Income, Exceptions, Covenants and Transfers, General Rules of Transfer,**
- 3. Conditional transfer :** Condition precedent, Condition subsequent; vested and contingent interest.
- 4. Section, Priority of rights, Notice, Implied transfers by limited owners, transfer of property out of which maintenance claims have to be met, ownership by holding out, ownership by estoppel, feeding the grant by estoppel, Doctrine of part-performance, Sale**
- 5. Mortgage and Charge :** Kinds of mortgage, Rights and liabilities of mortgagee and mortgagor, priority, marshalling, contribution and apportionment.
- 6. Exchange, Lease, Gift, Actionable claims.**
- 7. Easements :** Essentials of Easement, Imposition Acquisition, Incidents, Termination, Extinction, Suspension and Revival of Easement, Licence, Difference between Lease and Licence.
- Legal Cases :**
1. J. Rao v. Vasudevappa, AIR 1956 SC 727.
 2. Jai Das Gopal Dass v. Premnukha Dass, ILR 10-Cal. 1035 (PC).
 3. Jai Kumar Kondoo and others v. John and Maria Mequoen (1872)
 4. Kant LR 46 (PC) XXII A. Vol. Supp. (1872-73).
 5. Moh v. Maheshwar, ILR 31 Cal. 37 (PC).
 6. Jyoti Lal Hotelis of India Ltd. v. R.N. Kapoor, AIR 1959 SC 1262.
 7. M/s Brijrang Bahadur Singh v. Tribhuvan Bakery Kaur, AIR 1953 SC 471.

Suggested Readings :

1. The Transfers of Property Act (Act IV of 1882) as amended up-to-date.
 2. Mulla : Transfers of Property Act (Act IV of 1882) as amended up-to-date.
 3. Meall : Transfers of Property Act.
 4. Menon, A.K. : The Indian Easements Act (Act V of 1882).
 5. Sarthi, V.P. : The Law of Property.
 6. Shukla, S.N. : Law of Transfer of Property.
 7. Saxena, I.C. : Transfer of Property Act.
 8. Bhansali, I.C. : Transfer of Property Act.
 9. Kulkarni & Sharma : Transfer of Property Act (Hindi).
 10. Tripathi, J.N. : Transfer of Property Act (Hindi).
 11. Gupta, R.R. : Transfer of Property Act (Hindi).
- Paper 2, 4
Max. Marks : 100
Company Law
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. Definition of company, corporate personality, Association of Company-kinds of company, Memorandum and Articles of Association.**
- 2. Promoters and Preliminary Contracts Prospectus, Share-capital, Shares, Majority and share-holders, Debentures, Directors and Borrowing.**
- 3. Prevention of oppression and minority rights, reconstruction of oppression, M/s Management, amalgamation and Formation, Meetings of company, winding-up and Dissolution.**
- Legal Cases :**
1. Avon Soloman v. Soloman Co. Ltd. (1897) AC 22.
 2. Laxmi Swamy v. Soloman Co. Ltd. (1897) AC 22.
 3. Royal British Bank v. Turquand, (1856) 6 E & B 327.
 4. Ramchandra Bank v. Turquand, (1856) 6 E & B 327.
 5. The English and American Bank v. Sarda Gharan, AIR 1950 PC 51.
 6. Brij Lal and Co. v. State of Bihar, AIR 1965 SC 40.
- Suggested Readings :**
1. Shah, S.M.
 2. Avtar Singh
 3. Sen, O.M.
 4. Sanghal, P.S.
 5. Dillon, L.C.
 6. Paranjape, N.V.
- Lectures on Company Law.
..... Company Law (English & Hindi).
..... Company Law (Cases and Materials)
..... Company Law (Multinational Companies)
..... National and International Companies
..... Some Legal Issues.
..... Principles of Company Law.
..... Company Law (English & Hindi)

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Paper 2.5 Public International Law and Human Rights
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 relevant.

1. Definition, Nature and Basis of International Law, Weaknesses of International Law, Codification and Development of International Law, Relation between International Law, Municipal Law; Subjects of International Law, Nationality, Extradition and Asylum.
 2. States in general : Kinds of States and non-States entities; Acquisition and loss of State territory; Territorial Water, Continental Shelf, Contiguous Zone, Exclusive Economic Zone, Freedom of the High Sea and Piracy. Recognition of States and Governments. Recognition of Insurgency and belligerency, de facto and de jure recognition, State succession, State Jurisdiction, Territorial sovereignty, Criminal Jurisdiction in International Law, Intervention.
 3. Diplomatic agent, Counsel, Classification and Function of Diplomatic agents, Privileges and Immunities with reference to Vienna Convention on Diplomatic Relation, 1961, Treaties, Defaultion, Basis, Classification and formation of treaties, Interpretation and revision of treaties, Principle of jus cogens and pacta sunt servanda, termination of treaties, Vienna Convention on the law of treaties, Pacific and Compulsive means of settlement of International disputes, International Court of Justice, Jurisdiction and Contribution towards development of International Law.
 4. War, its legal character and effects, Enemy character, Armed conflicts and other hostile relations, Belligerent occupation, War crimes, Termination of war and doctrine of post liminium and Prize Courts.
 5. The Law of Neutrality—Basis of neutrality, Rights and duties of neutral states, quasi-neutrality, neutrality and U.N. Charter, Right of Angary, Contraband, Blockade, Unneutral service, Right of visit and search.
 6. International Institution : United Nations, History and formation of United Nations, Organs of United Nations with specific reference to General Assembly, Security Council and International Court of Justice.
 7. Human Rights : Meaning, Universal Declaration of Human Rights, 1948, International Covenant on Civil and Political Rights, 1966, 1966, Regional Conventions on Economic, Social and Cultural Rights, Child, Protection of Human Rights Act, 1993.
- Leading Cases :
1. United Kingdom v. Norway (Anglo-Norwegian Fisheries Case) (ICJ Report (1951) 116

2. Civil Air Transport Inc. v. Central Air Transport Corporation, Judicial Committee of the Privy Council, (1953) AC 70.
3. Nuremberg Judgement—The International Military Tribunal—Nuremberg, 1946 41 AJL 1947, p. 12.
4. Re—Government of India and Mubarak Ali Ahmed 1952, 1 All ER 1960.
5. South West Africa Case, ICJ Report, 1966.
6. Right of Passing Over Indian Territory, ICJ Report, 1969 76).

Suggested Readings :

1. Sturke : An Introduction to International Law.
2. Oppenheim : International Law, Vol. I and II.
3. Brierly : The Law of Nations.
4. S.K. Kapoor : International Law (English & Hindi).
5. Tandon, M.P. : International Law (English & Hindi)
6. Robertsoe, A.H. : Human Rights in the World.
7. Khare, S.C. : Human Rights and United Nations.
8. Basu, D.D. : Human Rights in Constitutional Law.
9. Negendra Singh : Protection of Human Rights.
10. Satish Chandra : International Documents of Human Rights.
11. Datta, K.C. : Human Rights Jurisprudence.
12. Kartara, G.S. : Commentary on Protection of Human Rights Act.

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अध्यक्ष, दिल्ली

(24)

**RAJ RISHI BHARTRIHARI MATSYA UNIVERSITY,
ALWAR**

LL.B.II Year
Paper VI - Labour Law I

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.

Industrial Dispute Act, 1947

Historical Development of Industrial Disputes, Legislation in India: Various modes of Settlement of disputes, Object and Reasons, Scope, Definitions of Important terms – Authorities under this Act, voluntary Arbitration and Compulsory Adjudication. Reference of Disputes to Boards, Courts or Tribunals; Procedure, Powers and Duties of Authorities, Implementation of Awards, with-holding of Awards, Appeals to Supreme Court and writs to HCs. Strikes and Lock-outs, Lay-off and Retrenchment, Special provisions Relating to Lay-off, Retrenchment and closure in certain establishments, Compensation in transfer of under-trading, Section 33, 33-A, 33-B, 33-C and other miscellaneous provisions, Penalties, Unfair Labour Practice etc.

Trade Unions Act, 1926

The Philosophy of Trade Unionism, History of Trade Union, Trade Union Movement: in India – Aims and Objects – Extent and Commencement of the Indian Trade Unions Act, 1926 – Definition and Nature of Trade Union.

Registration of Trade Unions – Right and Liabilities of Registered Trade Unions – (Recognition of Trade Unions, Regulations, penalties and Procedure, Dissolution Collective Bargaining and Trade Disputes – Unfair Labour Practices).

The Contract Labour (Regulation and Abolition) Act, 1970

Definitions, advisory boards, registration of establishments employing contract labour, licensing of contractors, welfare and health of contract labour, penalties and procedure, Miscellaneous-inspecting staff, registers and other records to be maintained, power to exempt in special cases, protection of action taken under this Act.

The Bonded Labour System (Abolition) Act, 1976

Definitions, abolition of bonded labour system, extinguishments of liability to pay bonded debt, implementing authorities, vigilance committees, offences and procedure for trial, Miscellaneous - Protection of action taken in good faith, Jurisdiction of civil courts barred, Power to make rules, Repeal and saving.

Leading Cases:

1. Workman of Indian Standard Institutions vs Indian Standard Institution AIR 1976 SC 145.
2. Delhi Cloth and General Mills Co.Ltd vs Ludh Budh Singh, 1976 ILLJ 180 (SC) AIR 1972 SC 103.
3. Jay Engineering Works vs State of West Bangal, AIR 1968, Cal 406.


प्रधान अतिरिक्त
अध्यक्ष-पत्रा

Paper 2.7

Administrative 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 repeat the questions set in the previous examination.

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

Definition, Nature, Scope, Rule of Law, Separation of powers, Relationship between Administrative Law and Constitutional Law, Sources of Administrative Law, Government, Administrative Authorities and Bodies, Statutory Corporations including their control, the extent of executive power, Administrative Finality and the Court review.

Delegated Legislation—Nature, Scope, Forms, Necessity, Control, including judicial Parliamentary and Legislative, Conditional legislation and Sub-delegation.

Henry VIII Clause

Administrative Process—Administrative Action, Administrative Discretion and Quasi-Judicial Elements in Administrative Procedure.

Principles of Natural Justice and their Control, Doctrine of Bias, Audi Alteram Partem, rights to Consult, Reasoned Decision.

Administrative Adjudication—Reasons for growth, Structure and Procedure of Administrative Bodies, like Tribunals; Finality of the Tribunal, Decisions, Administrative Tribunals Act, 1985.

Judicial Control of Administrative Action—Habeas Corpus, Mandamus, Certiorari, Prohibition and Quo warranto writs, Redressal of Citizens Grievances, Central Vigilance Commission, Commission of Enquiry Act, Ombudsman, Lokpal; Lokayuktas of the State of Rajasthan.

Government liability in Torts and Contracts, Suits against the Government and Public Authorities.

Leading Cases :

1. A.K. Kripak v Union of India, AIR 1970 SC 150 (1969) 2 SCC 262.
2. In Re-Delhi Laws Act, etc. AIR 1951 SC 332.
3. Raj Narain v. Chairman, Patna Administration AIR 1954 SC 569.
4. Syed Yakoob v. Radha Krishna, AIR 1964 SC 477.
5. Rohas Industries Pvt Ltd. v S.D. Agarwal. AIR 1969 SC 707.
6. State of Karnataka v. Union of India, (AIR 1978 SC 68.

Suggested Readings :

1. Indian Law Institute—Delegated (Legislation in India).
2. Griffith J.A.O. and Street, H.—Principles of Administrative Law.
3. Kagzi, M.C.J.—Administrative Law in India.
4. Kagzi, M.C.J.—A Case Book in Administrative law.
5. Dr. Jain, M.P. & Dr. Jain, S.N.—Principles of Indian Administrative Law.
6. Kesari, U.P.D.—Administrative Law.
7. कसरी यू.पी.डी. : प्रशासनिक विधि
8. उपाध्याय जे.जे. : प्रशासनिक विधि
9. Sathe, S.P.—Administrative Law

प्रभारी अधिकारी
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LL.B.II Year
Paper X- Labour Law II

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.

The Factories Act 1948:

History of Factory Legislation – Concept of Welfare Objects and Reasons – Scope and Applicability – Definitions of some important terms.

The Inspecting Staff – Health, Safety, Welfare, Working Hours of Adults – Employment of young persons – Annual leave with wages. Special Provisions – Penalties and Procedure – New provisions inserted vide Factories(Amendment) Act of 1987.

The Minimum Wages Act, 1948:

Concept of Wages, particularly Minimum Fair and Living Wages, Need Based minimum Wage – Aims and objects of Minimum Wages Act – Application, Exceptions and Exemptions – Kinds of Wages.

Fixation and revision of minimum rates of wages Adjudication of claims relating to minimum wages and Miscellaneous provisions.

CHILD LABOUR (PROHIBITION AND REGULATION) ACT, 1986

THE PAYMENT OF GRATUITY ACT, 1972

MATERNITY BENEFIT ACT, 1961

THE PAYMENT OF BONUS ACT, 1965

EMPLOYEE’S COMPENSATION ACT, 1923

Leading Cases:

1. V.P. Gopala Rao vs Public Prosecutor, Andhra Pradesh, AIR 1970 SC 65
2. PUDR and others vs Union of India, 1982 IPLLJ 454 SC.
3. Express News paper Ltd and Other vs Union of India and others, AIR 1958 SC 578

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LL.B. II Year
Optional Paper
Paper –VIII

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.

(a) Women and Law

1. STATUS OF WOMEN IN CONTEMPORARY INDIAN SOCIETY

- (i) Poverty, Illiteracy, Lack of Independence, Oppressive Social Customs and Gender Bias.
- (ii) Violence against and abuse of women in Public and Private domains.

2. THE CONSTITUTION OF INDIA AND STATUS OF WOMEN

- (i) Fundamental Rights and Directive principles and fundamnt duties under the Constitution.
- (ii) Special provisions for the protection of women: Article 15(3), Article 39(d) & (e), Article 42, Article 243-D & 243-T.

3. SPECIAL LAWS AND POLICIES FOR PROTECTION OF WOMEN

- (i) Special Laws: Suppression of Immoral Traffic Act, 1956, Indecent Representation of Women (Prohibition) Act, 1986, Commission of Sati (Prevention) Act, 1987, Medical Termination of Pregnancy Act, 1971, Maternity Benefit Act 1961, Equal Remuneration Act, 1976, Dowry Prohibition Act, 1961; Other Laws having a direct bearing on protection of women.

4. INSTITUTIONAL MECHANISM FOR PROTECTION OF THE WOMEN

- (i) Constitutional Mechanisms: Legislature, Executive and Judiciary (special contribution of judiciary)
- (ii) Statutory mechanism: National Commission for Women, National Human Rights Commission, State Commissions.
- (iii) Role of Education.


प्रभारी अधिकारी
अकादमिक-प्रथम

Paper : 2-8-b
Max. Marks : 100

Insurance Law

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) Evolution and development of the concept of Insurance, Role and importance of Insurance.
- (b) General principles of the contract of Insurance, nature of contract of Insurance.
- (c) Classification of policies, Selection and measurement of risk, Treatment of sub-standard risk, calculation of premium

(d) Licensing of Insurance agents, Duties and powers of Controller of Insurance under the Insurance Act, 1938.

(e) Status and legal position of the nominee under the Insurance Act, 1938.

2. (a) Establishment of Life Insurance Corporation of India.

(b) Investment provisions and Rights of the Policy holders under the Life Insurance Corporation Act, 1956; Marine Insurance and Fire Insurance.

(c) Motor Insurance, Live-stock-Insurance against deterioration of stocks, loss of profit Insurance, Contractor's All Risk Insurance and Credit Guarantee.

3. Public Liability Insurance Act, 1992

Definitions, Criminal liability based on no fault, Verification and publication of accidents by Collector, Application for claim for relief-Environmental Relief Fund-Claim of Compensation under other laws; Powers of the Central Government or its authorised officers under the Act-Penalties- liability of Companies or Government Departments.

Leading Cases :

- 1. New India Assurance Co. v. Radhey Shyam Motilal Khandelwal, AIR 1974 Bom. 228.
- 2. Prudential Insurance Co. v. Inland Revenue Commissioners, (1904) 2 KB 658.
- 3. Mills v. Smith (1963) 2 All. ER 1072.
- 4. Digby v. General Accident (1943) AC 121, 138.
- 5. Glickman v. Lancashire and General Assurance Co. Ltd., (1978) AC 139 (HL).

Suggested Readings :

- 1. Mishra, M.N.-Insurance-Principles and Practices.
- 2. Rao, C.K.-Treatise on the Law of Insurance.
- 3. The Insurance Act, 1938.
- 4. The Life Insurance Corporation Act, 1957.
- 5. Karkara, G.S.-Commentary on Public Liability Insurance Act.
- 6. Murby & Sharma-Modern Law of Insurance in India.
- 7. Surendra Yadav-Insurance Law (In Hindi).

Paper 2.8 (c) Banking Law Including Negotiable Instruments Act

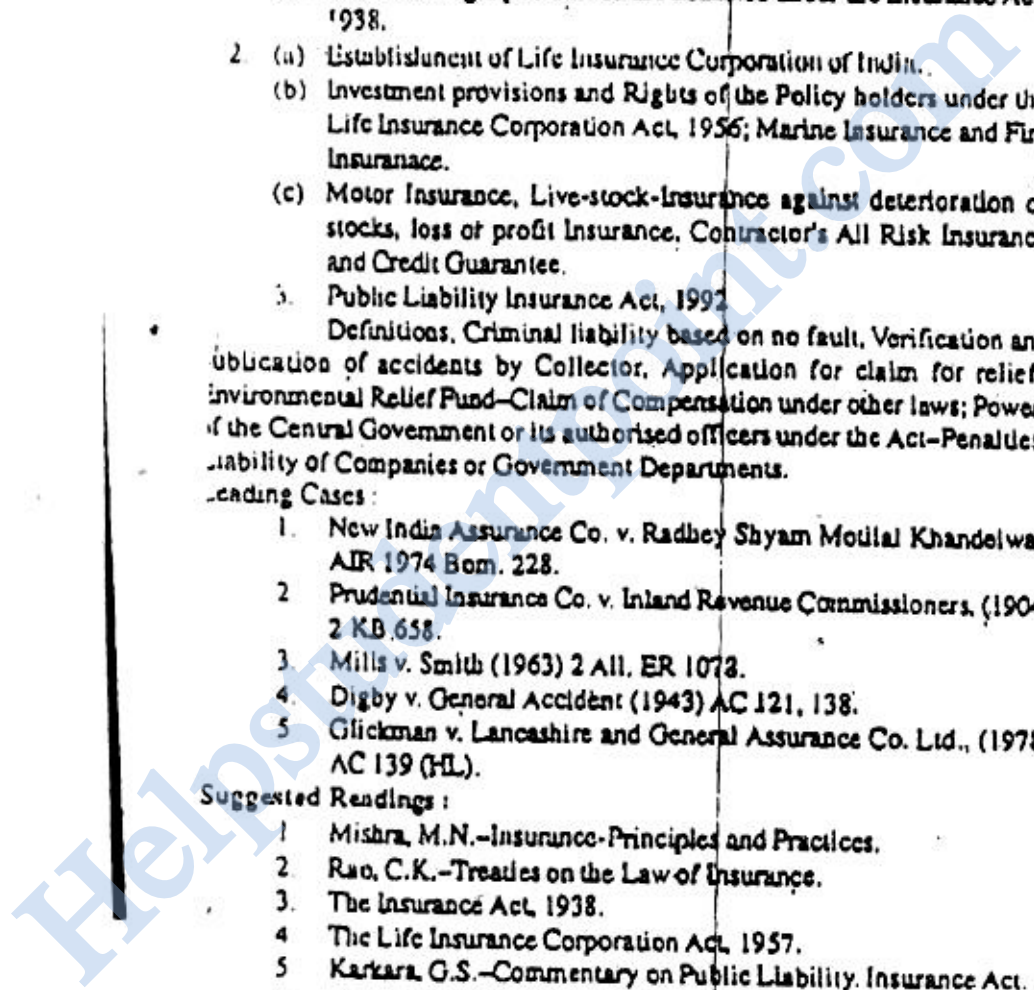
Max. Marks : 100

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. Banking Regulation Act, 1949 : Business of Banking Companies, control over management; prohibition of certain activities in relation to banking



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companies, Acquisition of the undertaking of Banking Companies in certain cases Suspension of Business and winding up of Banking Companies. Special provisions for speedy disposal of winding up proceedings. Miscellaneous, Application of the Act to the co-operative societies.

2. State Bank of India Act, 1955 : Definitions, Incorporation and share capital of State Bank, Shares, Management, Business and Miscellaneous, State Bank of India (Subsidiary Banks Act, 1959—Definitions, Constitution of New Banks and change of name of any subsidiary Bank, Compensation, Shares, Management, Business, Inspection).
3. Regional Rural Banks Act, 1976, Definitions, Incorporation and capital of Regional Rural Banks. Management, Business. Powers of Central Government, National Bank for Agriculture and Rural Development Act, 1981; Definitions, Establishment of NABARD, Management, Transfer of business, Borrowing, Credit and other function, Funds, Protection of action, indemnity of directors and penalties.
4. Banking Companies (Acquisition and Transfer of Undertaking) Act, 1970.

Definitions, Transfers of the Undertaking of existing Banks, Payment of Compensation, Management of corresponding New Banks, Indemnity, Dissolution.

The Industrial Reconstruction Bank of India Act, 1934. Definitions, Establishment, Acquisition and Transfer of the undertaking of the Industrial Reconstruction Corporation of India Limited, Management of Reconstruction Bank; special powers of the Reconstruction Bank.


5. Negotiable Instruments Act, 1981 : Object, Definitions, parties to notes, Bills and cheques; Negotiations, of Instruments; Presentment, Discharge from liability on Notices, Bills and cheques. Dishonour and Notice of dishonour, Reasonable time for Notice, noting and protest, Acceptance and payment for honour and reference; compensation: Rules of Evidence; Provisions regarding crossed cheques, Bills in sets; International Law governing Instruments.

Leading Cases :

1. Bhawanipore Banking Corpn. Ltd. v. Gaur: Shunker Sharma, AIR (1950) SC 6.
2. The Bharat Bank Ltd. Delhi v. The Employees of Bharat Bank Ltd. and the Bharat Bank Employee's Union, AIR 1950 SC 188.
3. V. Ramaswami Aiyangar & others v. T.N.V. Kailasa Thevar, AIR 1951 SC 185.
4. Mahaveer Prasad Bubna v. Union Bank of India, AIR (1992) Cal. 270.
5. Narayandas Bhagwandas Patni v. Union of India, 1993 Mah. LJ 1229.

Suggested Readings :

1. Jagdishlal—Banking Regulation Act, 1949.
2. Sethi, R.B.—Banking Regulation Act, 1949.


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1. Iyer, M.K. & Sharma, V.R.—Kural Banking in India, 1975.
 2. Mughshwan, S.N.—Banking Law and Practice.
 3. State Bank of India Act, 1955.
 4. State Bank of India (Subsidiary Bank) Act, 1959.
 5. Regional Rural Banks Act, 1976.
 6. National Bank for Agriculture & Rural Development Act, 1981.
 7. Rajasthan Co-operative Societies Act, 1965.
 8. Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and 1980.
 9. Industrial reconstruction Bank of India Act, 1964.
 10. Kulkreshtha, V.D.—Governmental Regulation of Financial Management of Private Corporate Sector in India.
 11. Khogahvala, T.S.—The Negotiable Instruments Act, 1981.
- Paper 2.9. Professional Ethics, Bar-Bench Relations and the Mool Court
 Max. Marks : 100
 Min. Pass Marks : 36
- This paper shall consist of following two parts.
 (a) Practical Written paper—80 marks
 (b) Viva-voce Examination—20 marks
- The candidate must pass in part (a) and (b) separately. For pass, he shall be required to obtain 36% marks in each paper, i.e. 29 marks out of 80 and 7 marks out of 20 marks.
- 2.9 (a) **Practical Written Paper**
Professional Ethics—Meaning and Scope, Duties of an Advocate towards the Court, his client, other fellow Advocates and the Public.
Bar-Bench Relations—Meaning, necessity, nature and scope. The contempt law and practice. Supreme Court pronouncements relating to (a) the Bar-Bench Relations and (b) the contempt of Court.
- 2.9 (b) **Viva-voce Paper :**
 Maintaining diary on court visits, recording the Bar-Bench relations and Professional Ethics.
- Mool Court Performance done on the basis of prescribed leading cases in L.L.B. II year under the supervision of the concerned teacher. The teacher shall conduct at least two Mool Courts and it will be compulsory for the candidates to participate in at least fifty per cent of such Mool Courts. The teacher can also conduct Mool Court on the basis of 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 Mool Court and viva-voce examinations.**
- Suggested Readings :**
1. The Bar Council Code of Ethics.
 2. The Contempt of Court Act
 3. Mr. Krishnamurthy Lyaer's book on 'Advocacy'.

LL.B. THIRD YEAR EXAMINATION

Paper 3.1
Law of Evidence

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.

Indian Evidence Act, 1872

1. **Preliminary :** Application of Indian Evidence Act. Definition : Court, fact-fact in issue and relevant fact, evidence-meaning and its kinds, proved, disproved, not proved, my presume, shall presume, and conclusive proof. Presumptions of fact and law, presumptions regarding documents.
- Relevancy of facts :** Explaining—Ret-gerise, occasion, cause, effect, motive, intention, preparation, previous and subsequent conduct, introductory and explanatory fact, facts and otherwise relevant become relevant, accidental and incidental facts.
- Facts which need not be proved, inquir admission and rejection of facts.**
2. **Admission and Confession :**
 - (a) **Admission :** Definition, whose admission is relevant, relevancy of admission in civil cases, admission is not conclusive proof, admission as an estoppel.
 - (b) **Confession :** Definition, its kinds, confession caused by inducement, threat or promise, 'confession to police officer', confession in the custody of police, confession to Magistrate, confession by co-accused.
 - (c) **Difference between admission and confession, Relevancy of statements:**
 - (a) Statements by persons who cannot be called as witness.
 - (b) Statement made under special circumstances.
 - (c) Relevancy of judgment of a Court of Law.
 - (d) Opinions of third person.
 - (e) Opinion of experts.
 - (f) Relevancy of character.
 3. **Evidence :** Oral evidence, documentary evidence, kinds of documentary evidence, when secondary evidence is relevant, public and private document.

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