

**Second Year**  
**(2021-22)**

**Semester –III**

**Course Code- LL.B/301**  
**Constitutional Law of India-II**

**Unit I: Concept of Fundamental Rights:**

- A. Origin and Development of Fundamental rights,
- B. Against whom Fundamental Rights are available,
- C. State: Meaning and Definition, Judicial Pronouncements on Other Authorities,
- D. Doctrine of Eclipse,
- E. Doctrine of Severability and
- F. Doctrine of Waiver,
- G. Suspension of Fundamental Rights

**Unit II: Fundamental Rights (Part I):**

- A. Right to Equality (Article 14 to 18)
- B. Right to Freedom (Article 19)

**Unit III: Fundamental Rights (Part II):**

- C. Right to Life and Personal Liberty (Article 21)
- A. Right to Education
- B. Right to Freedom of Religion (Article 25 to 28)
- C. Minority Rights (Article 29 to 30)
- D. Right to Constitutional Remedies (Article 32)

**Unit IV: 1. Fundamental Duties**

**2. Directive Principles of State Policy:** Importance and Relationship with Fundamental Rights

**3. Trade, Commerce and Intercourse within the territory of India**

**4. Service under the Union and the State:**

- A. Constitutional protection to civil servants,
- B. Public Service Commission of the Union and States.
- C. Administrative Tribunals

**Unit V: 1. Elections:**

- A. Election Commission of India: Composition, Appointment and Removal, Service Conditions and Powers of Election Commission
- B. Adult Suffrage
- C. Power of Parliament and Legislature of States with respect to Elections
- D. Interference of Courts in Election Matter

## **2. Amendment of the Constitution:**

- A. Power and Procedure,
- B. Basic Structure of the Constitution,

### **Leading Cases:**

1. Maneka Gandhi v. Union of India, AIR 1 978 SC 597
2. Justice K.S. Puttaswamy (retd.) v. Union of India, (2017) 10 SCC 1
2. Union of India v. Tulsi Ram Patel, AIR 1985 SC 1416
3. Keshvanand Bharti v. State of Kerala, AIR 1973 SC 1461
4. Minerva Mills v. Union of India, AIR 1980 SC 1789

### **Suggested Readings:**

1. Constitution of India as amended up-to-date.
2. M. P. Jain: Indian Constitutional law
3. V. N. Shukla : Constitution of India
4. D. D. Basu: Introduction of the Constitution of India
5. J. N. Panday: (Eng. & Hindi)
6. N. Kumar: The Constitutional Law of India

## **Semester –III**

### **Course Code- LL.B/302**

### **Law of Crimes-I (Indian Penal Code)**

#### **Unit 1:**

- A. General Introduction: Nature, scope and definition of crime, Elements and Stages of Crime- Intention ,motive, knowledge and Intention, preparation, attempt and action
- B. Criminal Liability: Doctrine of Mens rea
- C. Extent and operation in case of intra and extra territorial operation, General explanations, punishments and its kinds
- D. General Exceptions: Mistake of Law and mistake of Fact, Judicial Act, Accident, Necessity, Child's Act, Act of person of the unsound mind, Intoxication, trifling act; right of private defense of person and property

#### **Unit 2:**

- A. Joint Liability: Common intention, common object, Abetment, Criminal conspiracy, constructive liability

- B. Offences against public peace and state authorities: Unlawful Assembly; rioting; promoting enmity between different classes, affray; contempt of lawful authority of public servants; False evidence and offences against public justice; Public nuisance, rash driving or riding, sedition
- C. Offences relating to Religion: Injury of defiling place of worship; disturbing religious assembly, trespassing on burial places, uttering words to injure religious feelings

**Unit 3:**

- A. Offences affecting Human body: Culpable homicide, murder, homicide by rash or negligent act, dowry deaths
- B. Hurt simple and grievous, wrongful restraint and wrongful confinement; criminal force and assault
- C. Kidnapping and Abduction

**Unit 4:**

- A. Offences against property: Theft, Extortion, Robbery, Dacoity
- B. Criminal misappropriation of property, Criminal breach of trust, Receiving and Retaining or Concealment of stolen property; Cheating, Mischief
- C. Criminal trespass, House trespass and House breaking

**Unit 5:**

- A. Offences relating to documents: Forgery and making a false document
- B. Offences relating to sex and marriage: rape, unlawful sexual intercourse and unnatural offences, Bigamy, adultery, Cruelty by husband or relatives of husband
- C. Defamation, Criminal intimidation and words leading to the insulting the modesty of woman

**Leading Cases:**

1. Reg. v. Govind IR 1876 1 Bom 342.
2. Kedar Nath Singh v. State of Bihar, AIR 1 962 SC 955.
3. T.V. Vadgamma v. State of Gujrat, AIR 1973 SC 2213.
4. Velji Raghav ji v. State of Maharashtra AIR J 965 SC 1433,
5. K.M. Nanavati v. State of Maharashtra, AIR 1962 SC 605.
6. Bachan Singh v. State of Punjab, AIR 1 980 SC 896

**Suggested Readings:**

1. Ratanlal and Dhirajlal: the Indian Penal Code (English &Hindi)
2. T. Bhattacharya: The Indian Penal Code (English &Hindi)

3. Hari Singh: Criminal Law of India
4. Jaspal Singh: Indian Penal Code

**Semester –III**

**Course Code- LL.B/303**  
**Property Law**

**Unit 1 :**

- A. Preliminary: Definition
- B. Essentials of Transfer
- C. General Principles relating to transfer of property
- D. Specific Transfer, Competence of parties, subject matter of transfer
- E. Transfer to unborn child, registration of transfer, etc.
- F. Accumulation of income
- G. exceptions, Conditional transfer
- H. Condition precedent, conditions subsequent
- I. Vested and contingent interest

**Unit 2 :**

- A. Doctrine of Election
- B. Priority of rights, Notice, Implied transfers by limited owners.
- C. transfer of property out of which maintenance claims have to be met.
- D. Ownership by holding out, ownership by estoppel, feeding the grant by estoppel
- E. Doctrine of Part-performance (Ss. 35-53 A)
- F. Sale of immovable property (Ss. 54 to 57)

**Unit 3 :**

- A. Mortgage.
- B. Kinds of mortgage.
- C. Rights and liabilities of Mortgagor and mortgagee.
- D. Rule of marshalling, contribution and subrogation.
- E. Charge.

**Unit 4 :**

- A. Exchange.
- B. Lease.

- C. Gift.
- D. Actionable claims.
- E. Easements Definition, General Rules.
- F. Essentials of Easements, Imposition, Acquisition.
- G. Incidents, Disturbance, Extinction, Suspension and Revival of Easement.
- H. License.
- I. Difference between lease and license

### **Unit 5 :**

- A. The Indian Trust Act, 1882.
- B. Definition, Creation of Trust.
- C. Duties and Liabilities of Trustees.
- D. Rights and Power of Trustees.
- E. Disabilities of trustees, Rights and Liabilities of the Beneficiary.
- F. Vacation the office of Trustees, Extinction of Trustees.
- G. Certain obligation in the nature of Trusts.
- H. The Rajasthan Public Trust Act, 1959.
- I. Definition and validity of certain public trust.
- J. Registration of public trust.
- K. Management of Public Trust property.
- L. Powers of officers in relation to Public Trust.
- M. Control of Public Trust, Social provisions in respect to certain trust.
- N. Dharmada-Procedure and Penalties.

### **Leading cases:**

1. Smt. Shanta Bai v State of Bombay and others, AIR 1958 SC 532.
2. Kreglinger v. New Patagonia Meat and Cold Storage Comp. Ltd., (1914)
3. Union of India v. Sharda Mills Ltd., AIR 1973 SC 281.
4. Nathu Lal v. Phool Chand, AIR 1970 SC 546.
5. Jamma Masjid v. Davish and others, AIR 1962 SC 84

### **Bare Acts:**

1. Transfer of Property Act, 1882
2. Indian Easements Act, 1882
3. The Indian Trust Act, 1882
4. The Rajasthan Public Trust Act, 1959

### **Suggested Readings:**

1. Mulla: Transfer of Property Act
2. S. Shah: Lectures on Transfer of Property
3. I. C.Saxena: Transfer of Property
4. B.B. Mitra: Transfer of Property
5. S.R. Bhansali and Sharna :Sampatti Antaran Adhinyam
6. S.N. Shukla: Sampatti Antaran Adhinyam
7. G.P. Tripathi: Sampatti Antaran Adhinyam
8. Indian Easement Act, 1882
9. J.P. Singh: Equity and trust

### **Semester –III**

#### **Course Code- LL.B/304**

#### **Cyber Law and Information Technology Act 2000**

#### **Unit I: Introduction to Cyber Law**

- A. Introduction, Meaning, Definition of Cyber Law
- B. Cyberspace, Search Engines, Internet, World Wide Web
- C. Origin and Historical Background of Cyber Crime,
- D. Overview of Computer and Web Technology Need for Cyber Law, jurisdiction of cyber crime, Jurisdiction under IT Act, 2000
- E. Introduction to UNICITRAL Model, Law on E-Commerce Cyber Jurisprudence at International and Indian Level
- F. Legal framework of Cyber crimes, Cyber Crime Vs. Conventional Crimes, Causes of Cyber Crime

#### **Unit II: Digital Signature & Electronic Signature**

- A. Digital Signature, Concept of public key and private key, Certification authorities and their role, Creation and authentication of digital signature, Concept of electronic signature certificates
- B. Electronic Governance: Concept of electronic records and electronic signatures, Rules for attribution, acknowledgement and dispatch of such records

#### **Unit III: Offences under Information Technology Act**

- A. Classification of Cyber Crimes: Cyber Crimes against Individuals, Institution and State, Hacking Digital Forgery, Cyber Stalking/Harassment Cyber Pornography, Child Pornography, Identity Theft, & Fraud Cyber Terrorism, Cyber Defamation, Salami attacks- Web Jacking, Denial of service attack, Crime against organizations
- B. Right to Privacy and Data Protection on Internet: Concept of privacy: Threat to privacy on internet, Ingredients to decide confidentiality of information, Breach of sensitive personal information and confidentiality under IT Act and penalties
- C. Right of Interception under IT Act, Different offences under IT Act, 2000 including Social Networking Offences in India

#### **Unit IV: E Contracting**

- A. E - Contracting: Salient features of E-contract, Formation of E-contract and types,
- B. E-mail Contracting, E Concept: E-contracts., E-Commerce, E-Governance, E-Signatures, E-Consumers

#### **Unit V: Cyber Security & Mobile Phone Security**

- A. Installation of Firewalls, Encryption Techniques, Antivirus, Scanners, Protection of Data etc.
- B. Role of various Authorities in Combating Cyber Crime: National Nodal Agencies, Indian Computer Emergency Response Team
- C. Cyber regulations Advisory Committee & Role of Judiciary in Combating Cyber Crime

#### **Leading Cases:**

1. Avinash Bajaj Vs. State (N.C.T) of Delhi (2005) 3 Comp LJ 364 (Del)
2. Shafi Mohammad Vs. State of Himachal Pradesh SLP (Crl). No. 2302 of 2017
3. Rajesh Talwar and Another Vs. Central Bureau of Investigation, 2013 (82) ACC 303
5. Right to Privacy Case- Justice K.S Puttaswami Vs. Union of India, (2017)
6. Shreya Singhal Vs. Union of India, (2013) 12 SCC, 73

#### **References:**

1. Rinku Gangwani, (2020) Law Relating to Cyber forensics & Social Networking Offences in India, University Book House, Jaipur

2. Karnika Seth, Computers, Internet and New Technology Laws, Lexis Nexis Butterworths Wadhwa Nagpur, (2013)
3. Nandan Kamath, Law Relating to Computer Network and E-commerce, Universal Law Publisher,(2012)
4. Apar Gupta, Commentary on Information Technology Act, 2000, Lexis Nexis, (2015)
5. Chris Reed & John Angel, Computer Law, OUP, New York, (2007)
6. Justice Yatindra Singh, Cyber Laws, Universal Law Publishing Co, New Delhi, (2012)
7. Verma S, K, Mittal Raman, Legal Dimensions of Cyber Space, Indian Law Institute, New Delhi, (2004) 10 SCC 1

### **Semester –III**

#### **Course Code- LL.B./305**

#### **Professional Ethics, Professional Accountability and Bar- Bench Relations** **(Clinical Course)**

#### **Unit 1:**

- A. Historical Perspective of Legal Profession, Regulation of Legal Profession
- B. Structure, powers and Functions of Bar Council of India
- C. Structure, powers and Functions of State Bar Council
- D. Admission of Advocates, Enrolment of Advocates, Conduct of Advocates: Qualifications, Types of Advocates-Senior and other Advocates Roll of Advocates, Right of Pre-Audience, Right to practice

#### **Unit 2:**

- A. Nature and Characteristics of Ethics of Legal Profession, Legal Profession, Extent of Professionalization of Legal Profession, Disqualification, Professional Misconduct and its Control
- B. Duties of Advocates, Bar-Bench Relations, Accountability of Lawyers, Duty towards Court, Clients, Others-Opposite party, Colleagues and Society
- C. Strike by the Lawyers, Disciplinary proceeding (Authorities and Stages), Powers of Disciplinary Committee
- D. Entry of foreign lawyers, , Code of Ethics for Lawyers- Need



- E. Advertisements by Advocates- Name-plates, News, Photographs, Sign boards, Web-site
- F. Role of Law and Legal Profession in Social Transformation

**Unit 3:**

- A. Contempt of Court: Meaning and Scope, Historical development of law of contempt of court in India
- B. Civil Contempt
- C. Criminal Contempt
- D. Defenses for Contempt
- E. Punishment for Contempt

**Unit 4:**

- A. Constitutional Validity of Contempt Law
- B. Contempt by Lawyers, Judges, Magistrates, State, Corporate Bodies and others
- C. Remedies, Apology, Appeal, Review
- D. Contempt of Supreme Court, High Court and Subordinate Court
- E. Comparison with Order 39 Rule 2A of Civil Procedure Code, 1908

**Unit 5:**

- A. 50 selected opinions of the Disciplinary Committees of Bar Council of India and State (List of opinions will be given in the class separately)
- B. 10 major judgments of the Supreme Court on the subject (List of opinions will be given in the class separately)

**Leading Cases:**

1. Rajendra V Pai v Alex Fernandes AIR 2002 SC 1808.
2. In re; A an advocate AIR 1962 SC 1337.
3. In re; Mr. G a Senior Advocate of SC AIR 1954 SC 557.
4. In re; Lalit Mohan Das AIR 1957 SC 250.
5. Shiv Narain Jafa v Hon'ble Judges of High Court of Judicature Allahabad AIR 1953 SC 368.
6. P. J. Ratnam v D. Kanika Ram &Ors. AIR 1964 SC 244

### **Suggested Readings:**

1. Gupta S.P., Professional Ethics, Accountancy for Lawyers & Bench Bar Relations
2. Rai Kailash, Professional Ethics, Accountancy for Lawyers & Bench Bar Relations
3. Sirohi (Dr.), Professional Ethics, Accountancy for Lawyers & Bench Bar Relations
4. Prasad Anirudh: Professional Ethics
5. Bhagwati P.N.: Legal Aid as a Human Right
6. Singh Sujana: Legal Aid – Human Right of Equality
7. Sharma S.S.: Legal Assistance to Poor
8. Bajpayee P.N.: Legal Aid & the Bar Council
9. Mr. Krishnamurthy Iyer's book on "Advocacy"
10. The Contempt Law and Practice
11. The Bar Council Code of Ethics

### **Semester –IV**

#### **Course Code- LL.B./401**

#### **Public International Law and International Human Rights**

#### **Unit-1 Introduction**

- A. Definition
- B. Distinction between Public International law and Private International law
- C. Nature and Basis of International law
- D. Sources of International Law
- E. Relationship between International law and Municipal law
- F. Codification of International law
- G. Subjects of International law

#### **Unit-2 State**