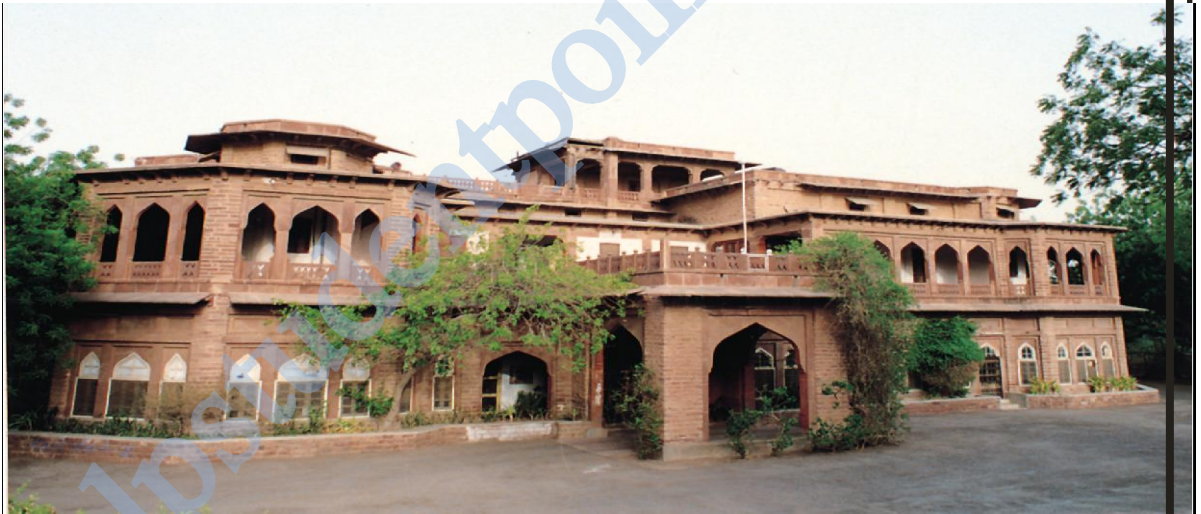


SYLLABUS

**B.A. LL.B./B.B.A. LL.B. (FIDC)
(Five Year Course in Law)
Semester System Examination in Law
(VII Semester)
(2020-21)**



**JAI NARAIN VYAS UNIVERSITY
JODHPUR**

IMPORTANT

With a view to bring about greater reliability, validity and objectivity in the examination system and also for closer integration of teaching, learning and evaluation.

- (i) The syllabus has been divided into units. Questions will be set from each unit with provision for internal choice.
- (ii) In order to ensure that students do not leave out important portion of the syllabus, examiners shall be free to repeat the questions set in the previous examinations.

[Ref. Resolution No. 21 (c) of Academic Council dated 9-2-84]

The examinees be permitted to use their personal transistorised pocket battery operated calculators in the examinations. The calculator to be used by the candidates in the examinations should not have more than 12 digits, 6 functions and 2 memories and should be noiseless and cordless. A calculator belonging to one candidate shall not be allowed to be used by another candidate. The Superintendent of the centre will have complete discretion to disallow the use of a calculator which does not conform to the above specification.

[Ref. Res. No. 6/90 of Academic Council dated 20th July, 1990]

In Engineering and any other examinations where the use of calculators is already permitted, it shall remain undisturbed.

NOTIFICATION

In compliance of decision of the Hon'ble High Court all students are required to fulfil 75% attendance rule in each subject and there must be 75% attendance of the student before he/she could be permitted to appear in the examination.

REGISTRAR
(Academic)

FACULTY OF LAW
LIST OF TEACHING STAFF

S.No.	Name	Designation	Qualification
1.	Prof. (Miss) Chandan Bala	Professor	LL.M., Ph.D.
2.	Dr. Sunil Asopa	Associate Professor	LL.M., Ph.D.
3.	Dr. V.K. Bagoria	Assistant Professor	LL.M., Ph.D.
4.	Dr. S.P. Meena	Assistant Professor	LL.M., DCLL, Ph.D.
5.	Dr. Nidhi Sandal	Assistant Professor	LL.M., Ph.D.
6.	Dr. Dalpat Singh	Assistant Professor	LL.M., DCLL, Ph.D.
7.	Dr. P.K. Musha	Assistant Professor	LL.M., Ph.D.
8.	Dr. Kuchata Ram	Assistant Professor	LL.M., Ph.D.
9.	Dr. Vinod Kumar Meena	Assistant Professor	LL.M., Ph.D.

**Format of Question Paper
(From Examination 2017-2018)**

B.A.LL.B. & B.B.A. LL.B. – I to X Semester

Durations 3 Hours

Max. Marks : 50

Section-A

One questions from each Unit. Each question carry 3 mark. Answer of each question shall be limited upto 200 words.

- 1.
- 2.
- 3.
- 4.
- 5.

Section-B

10 Question will be asked (Two questions from each Unit with internal choice). Students will answer one question from each Unit. Each question will carry 7 marks. Answer of each question shall be limited upto 500 words.

1 Unit – 1
 Question A or B

2 Unit – 2
 Question A or B

3 Unit – 3
 Question A or B

4 Unit – 4
 Question A or B

5 Unit – 5
 Question A or B

New Pattern of Examinations 2017-18

- (i) The syllabus has been divided into five units.
- (ii) 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.
- (iii) The question paper will be divided into two part – i.e. Part-A and Part-B.
Part-A consists of five compulsory questions. One question will be asked from each Unit. The answer of these questions will be limited upto 200 words. Each question will carry 3 marks.
Part-B : There will be ten questions in which two questions will be asked from each unit with provision of internal choice Carrying 7 marks each. The answer of these questions will be limited upto 500 words.
- (iv) Leading cases prescribed under this paper may be read under the respective unit No. shown against each case.

For a pass, a candidate must obtain :

- (a) 40 percent marks in each written, paper, i.e 20 out of 50 and in aggregate 40 percent marks in individual paper.
- (b) 50 percent marks in aggregate in all the papers.

(A) Introduction: Faculty of Law, Jai Narain Vyas University is a mission driven institution. It is among the oldest Law School of North India. Since, its inception as an erstwhile Jaswant Law Centre, it has produced a galaxy of Legal Luminaries including Judges of Supreme Court, High Court, diplomats, eminent politicians and legislators together with top beaurocrates in the Country.

Jai Narin Vyas University has already been accredited with 'B' grade status by (UGC) NAAC. Banking upon its history of quality research along with long and excellent teaching experience, it is going to introduce new five year integrated law course from the academic year 2011-2012 to prepare new generation of Law students who can successfully meet the challenges thrown by fast changing social cultural and legal milieu in a unipolar globalized world.

Apart from producing successful lawyers and legal researchers, it is dedicated to nurturing students in to leadership inculcating in them the intellectual and ethical values that will mould them into socially responsible professionals, proficient in the dynamic domain of Law. Legal education is increasingly becoming multidimensional as it requires not only procedural skill but deep understanding in various epistemologies. For this integrated degree courses like law and management or Law and Social Sciences or Law and Natural Science are becoming popular and assuming much importance in the corporate world. Legal skills are now mixed with management or scientific analytical skills to advance the rational judicial

system, with this backdrop, the new curriculum of five year integrated courses in Law is based upon these paradigms.

This course will run on Self-Finance Basis.

(B) General Instructions for the Five Year BA LL.B. & BBA LL.B. (Professional)

Degree in the Faculty of Law: Whereas the Bar Council of India in exercise of its powers under section 7(b) and (i), 24 & 49(i) of the Advocates Act, 1961 and all other powers enabling it to lay down standards of legal education in the country for the purpose of admission to the Bar, has originally prepared a new scheme for legal education in 1981-82 and has updated/revised it from time to time and directed the universities to implement the same in consonance with the rules framed, and whereas the JN Vyas University which already implemented the scheme in 1983-84 and continued it up to 1991 & then closed it for some extraneous considerations. It has again decided to reintroduce the scheme with modifications / alterations in consonance with the rules and regulations framed for the purpose by BCI.

The Degree of Bachelor of Law: There shall be a Five Year Course of the degree of BA LL.B. & BBA LL.B. (Professional) in the JN Vyas University, Jodhpur. The University shall confer the Degree of BA LL.B./BBA LL.B. (Professional) on such candidates who, being eligible for admission to the five year LL.B. Degree Course, have received regular instructions in the prescribed course of study, undergone required practical training, passed all the prescribed examinations and have fulfilled such other conditions as are laid down under the relevant Act, statutes and Regulations of the University from time to time.

The Five year course for the Degree of BA. LL.B. & BBA LL.B. (Professional) on Semester basis shall be introduced w.e.f. the Academic Session 2011-2012.

Explanation: A regular course of study includes the prescribed percentage of attendance by the candidates in the lectures, tutorials, moot courts and practical training and also study in the library, contact with the teachers as may be prescribed from time to time by the Dean, Faculty of Law.

Admission can not be claimed by any candidate as a matter of right. The Dean may refuse admission to any candidate on moral grounds. The admission of a student is liable to be cancelled if he/she at any time violates the provisions of the University Act, Statutes, Regulations, Rules or Orders of the Faculty and the University or if he/she is found to have been convicted of a crime or involved in any criminal activity or if it is discovered that he/she has furnished wrong information or false documents for the purpose of his/her admission.

Admission Requirement

Eligibility and Admission (a) A candidate who has passed 10+2 qualifying examination with 50% marks or more may opt either B.A. LL.B. Course or BBA LL.B. Courses. In both the streams in the First Four Semesters there shall be some core courses and optional courses. Candidates of both the streams i.e. B.A. LL.B. or BBA LL.B. are required to clear common

papers in addition to their optional papers. After passing the first Four Semesters of LL.B. Examination from 5th Semester of LL.B. onwards, the main regular Law papers as prescribed by the Bar Council of India shall be taught.

(b) That in the case of candidates belonging to scheduled castes or scheduled tribes a relaxation up to 5 percent in marks in qualifying examination shall be given. The candidates who have passed in supplementary of the qualifying examination shall not be eligible for admission. Admission shall be made on the basis of merit and in the manner prescribed by the University.

Number of Students to be admitted: Initially 60 students shall be given admission in the First Semester in each stream i.e. B.A. LL.B. & BBA LL.B. of 5 year integrated course in law i.e. total 120 students shall be given admission.

Attendance: In compliance of decision of the Hon'ble High Court all students are required to fulfill 75% attendance rule in each subject and there must be 75% attendance of a student before he/she could be permitted to appear in the examination.

Medium of Instruction and Examination: The medium of instruction and scheme of examination shall be English.

Scheme of Examination: Each paper shall be of 100 marks; however the scheme of examination for 100 marks is divided as under

(a) There shall be two terminal tests 30 marks are for each test. Out of these two performances marks of one best performance will be taken into consideration while preparing the result..

(b) A project report/ moot court on important topic of Law / social sciences and management discipline will be submitted and presented by each student on a date fixed by the Dean Faculty of Law in consultation with Course Coordinator.

/ Marks allotted for Project Report / Moot Courts 20

(c) Marks allotted for final written examination at the end of the semester are 50.

Total Marks $30+20+50=100$ Marks.

A Candidate has to secure 40% marks in theory paper i.e. 20 out of 50 and 40% in aggregate in each paper to clear that paper.

A candidate who has secured minimum 40% marks in aggregate in each paper and 50% in aggregate of all the subjects will be declared passed.

Division- The Division shall be awarded to a successful candidate on the basis of marks of all the examinations in respect of all the Semesters and will be given second division and who has secured 60% and more marks will be given first division.

Course Design

A candidate for the Degree of Bachelor of Law (Professional) shall undertake the following course for which the syllabus in detail is as under :

The Course is divided for students opting either B.A. LL.B. or BBA LL.B, however both categories of students are required to study certain common compulsory subjects with their optional subjects in the Semester of Five Year LL.B. Courses.

COURSE CONTENTS For VII Semester

(A) Scheme of Examination: Each paper shall be of 100 marks, however the scheme of examination for 100 marks is divided as under :

- (i) There shall be two terminal tests of 15 marks each (15x2=30).
- (ii) Every student is required to participate in one Moot Court in one semester. For participation in each Moot Court, a student is entitled to obtain maximum 10 marks.

The break up of marks for award out of 10 marks shall be as follows : 6 marks for presentation, 2 marks for written submission and 2 marks for general etiquettes and dress code (6+2+2 = 10 marks).

- (iii) The cases for Moot Courts shall be selected either from the leading cases prescribed in each paper or any case or cases suggested by the concerned teacher of the concerned subject.

In Semester 5.7 (Seventh Semester)

1. Two Terminal tests instead of three Terminal Tests.
2. In place of Moot Court, the students will submit Projects in 5.7.4 (B) (Criminology) and 5.7.6 (Professional Ethics), which will be of 20 marks. In rest of the subjects they will have to appear in Moot Court which will be of 20 marks.
3. The paper 5.7.6 (Professional Ethics) will be of 40 marks. Division of marks of 40 marks will be as follows:

Part-A shall contain 10 question of 1 mark each

Part-B shall contain 10 question (two question from each Unit with internal choice) students will have to attempt 5 questions each question will carry 3 marks.

Part-C shall contain 5 questions, 1 from each unit; students will have to attempt any three questions from this part. Each question shall carry 5 marks.

10 marks will remain reserved for Court Visits Practical 5.7.6 (Professional Ethics).

- (B) There shall be Court Visit and Training under a Lawyer of Trial Court for V & VI Semesters students. The students have to get training and required to prepared one case in each subject in each semester. One case will be of 10 marks.

French language paper is added as foreign language which is required for Five Years LL.B. students. Candidates are required to secure passing marks 40%. French language paper will be in V Semester. There shall be three tests of 10 marks each (10x3 = 30). There will also be one project work of 20 marks. Marks allotted for final written examination at the end of the Semester are 50.

Total marks 30 + 20 + 50 = 100 marks

Number of French language paper will not be added in the total marks of the candidates.

For VII & VIII Semesters students, there shall be Court Visit and Training under a Lawyer of Appellate to prepare one case in each subject in each semester. One case will be of 10 marks.

For IX & X Semesters students, there shall be Court Visit and Training under a Lawyer of High Court. The students have to get training and required to prepare one case in each subject in each semester. One case will be of 10 marks.

- (C) Marks allotted for final written theory examination at the end of academic session are 50.

Total marks 30+10+10+50 = 100 marks.

- (D) Course Design : A student of , VII Semester of LL.B. 5 Year Course (Professional) shall undertake the following subjects for which the syllabus in detail is as under :-

B.A. LL.B./B.B.A. LL.B. - Semester – VII

Course Code	Subjects	Maximum Marks	Examination Hours	Period Per Week	T/P Per Week
5.7.1	Family Law II (Mohammedan Law)	100	3	4	1
5.7.2	Company Law	100	3	4	1
5.7.3	Labour & Industrial Law	100	3	4	1
5.7.4 (A) OR 5.7.4 (B)	Law of Taxation (Income Tax & Wealth Tax and Money Laundering OR Criminology, Penology & Victimology)	100	3	4	1
5.7.5	Law relating to Intellectual Property	100	3	4	1
5.7.6	Professional Ethics Advocacy for Lawyers and Bar –Bench Relations, Public Interest Lawering, Legal Aid and Para Legal Services	100	3	4	1

Note: - Total Marks for Each Paper will be as under :-

Theory Marks	Term Test Marks	Project / Moot Court Marks	Total Marks
50	30	20	100

L Stands for Lecture of 55 minutes

T Stands for Tutorials

P Stands for Project

The Five Year Degree Course of B.A. LL.B. / BBA LL.B. will consist of Ten Semesters. One academic session of one year will be divided into two Semesters. Candidates shall be admitted to B.A. LL.B. or BBA LL.B. in First Semester only and thereafter required to qualify all Ten Semesters, consequently to earn the degree of B.A. LL.B. or BBA LL.B. After admission in Semester I, candidate shall be admitted to the next Semester only after having qualified the present Semester as per the criteria laid down in the scheme of examinations.

Note: (1) Students will be required to take admission in all respective Semesters by applying in the prescribed admission form of the University. (2) Each student will be required to submit the examination form in each Semester along with the examination fee as prescribed. (3) Semester examinations will be held in the month of December and May every year.

The Promotion: A candidate will be promoted in the next semester if he/she fails in only three papers in the examination of the semester and obtained 50 % marks in aggregate in rest of the papers or in the case of the candidates failing in the aggregate only and secured 50% percent marks in the the rest of the papers excluding the paper in which they have secured lowest marks.

Such candidates may be permitted to make-up the deficiency at subsequent but regular and scheduled programmes / examinations only. Subsequent examinations of the respective semesters will be treated as main examination. There shall be no make-up or special examination for making up such deficiency.

Also a candidates appearing at an examination to make up the deficiency shall have to appear at such examination based on the Course of Studies in force at the time, unless the paper itself no longer forms the part of the course of the studies. In such eventuality the course of the study soon before the deletion shall be deemed to be relevant. However, the department shall have no responsibility to organize and impart teaching in the paper in which the candidate has deficiency.

Those candidates who appeared at the subsequent examination for clearing the deficiency shall be awarded actual marks obtained.

The candidate who fails at main written examination and re-appears as ex-student shall not be required to clear the written tests / Project Report / Moot Courts / Practical Training/ Legal Aid Camps respectively. If he/she was already completed the above referred requirements and passed.

In such cases the marks obtained in the previous examination shall be carried forward.

A candidate failing to pass any of the Semester Examination will be exempted to reappear in that specific paper in which he/she has obtained 60% or more. The consolidated mark sheet of B.A. LL.B. or BBA LL.B. will be issued and the degree will be awarded only after completing all the requirements i.e. passing in aggregate in all the main written examinations of all the Ten Semester, and passing the three written tests in each Semester along with Project Report / Moot Courts / Practical Training / Legal Aid Camps respectively. Thus to clear a semester a candidate is required to get minimum 50% marks in aggregate inclusive of marks obtained in the written tests, Project Report / Moot Courts / Practical Training / Legal Aid Camps respectively. However a minimum of 40% marks is required in each individual subject.

Note 1: For grace-marks and revaluation the rules and regulations declared by the University from time to time will be applicable.

Note 2: All candidates will have to complete all the requirements of the B.A. LL.B./BBA LL.B. within 10 Semesters.

B.A. LL.B. or BBA LL.B. degree will be awarded out of 6800 marks

B.A. LL.B. / B.B.A. LL.B.	Semester I	800 Marks
B.A. LL.B. / B.B.A. LL.B.	Semester II	800 Marks
B.A. LL.B. / B.B.A. LL.B.	Semester III	800 Marks
B.A. LL.B. / B.B.A. LL.B.	Semester IV	800 Marks
B.A. LL.B. / B.B.A. LL.B.	Semester V	600 Marks
B.A. LL.B. / B.B.A. LL.B.	Semester VI	600 Marks
B.A. LL.B. / B.B.A. LL.B.	Semester VII	600 Marks
B.A. LL.B. / B.B.A. LL.B.	Semester VIII	600 Marks
B.A. LL.B. / B.B.A. LL.B.	Semester XI	600 Marks
B.A. LL.B. / B.B.A. LL.B.	Semester X	600 Marks

Total 6800 Marks

B.A. LL.B./B.B.A. LL.B. Five Year VII Semester
5.7.1 FAMILY LAW II (MOHAMMEDAN LAW)

Note :-

- (i) The syllabus has been divided into five units.
- (ii) 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.
- (iii) The question paper will be divided into two part – i.e. Part-A and Part-B.
Part-A consists of five compulsory questions. One question will be asked from each Unit. The answer of these questions will be limited upto 200 words. Each question will carry 3 marks.
Part-B : There will be ten questions in which two questions will be asked from each unit with provision of internal choice Carrying 7 marks each. The answer of these questions will be limited upto 500 words.
- (iv) Leading cases prescribed under this paper may be read under the respective unit No. shown against each case.

- Unit 1: Origin, Development, Sources, Schools, Application, Interpretation and Conversion Marriage: Nature of marriage, Essentials of marriage ,Khyar-ul-bulug, Iddat, Khilwat-us-sahi,
- Unit 2: Matrimonial Stipulations, Kinds of marriage and effects of marriage Mehar : Meaning and nature of Mehar (dower), kinds, objects and subject matter of dower, wife's rights on non-payment of Mehar.
- Unit 3 : Guardianship Appointment of guardian, Kinds of guardianship Dissolution of marriage : Talaq, Ila, Zihar, Talaq-tafweez, Mubarat, Khula, Lian, Faskh, Section 2 of the Dissolution of Muslim Marriage Act, 1939; Legal effects of divorce.
- Unit 4 : Pre-emption : Meaning and nature of Haq Shufa (Preemption), classification of pre-emption, Right of pre-emption when conflict of law, subject matter and formalities of pre-emption, Legal effect of pre-emption, Devices for evading pre-emption
- Unit5 Legal effect of pre-emption, Devices for evading pre-emption, Gift : Meaning of gift (Hiba), Requisites of gift, Gift of Musha, conditional and future gift, Life Interest Hiba-bil ewaj, Hiba-shart-ul-ewaj

BOOKS RECOMMENDED

Faize : Mohammedan Law
Mulla: Principles of Mohammedan Law
Verma, B.R. : Islamic Law
Aquil Ahmed : Mohammedan Law

5.7.2 COMPANY LAW AND NEGOTIABLE INSTRUMENT ACT

Note :-

- (i) The syllabus has been divided into five units.
- (ii) 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.
- (iii) The question paper will be divided into two part – i.e. Part-A and Part-B.
Part-A consists of five compulsory questions. One question will be asked from each Unit. The answer of these questions will be limited upto 200 words. Each question will carry 3 marks.
Part-B : There will be ten questions in which two questions will be asked from each unit with provision of internal choice Carrying 7 marks each. The answer of these questions will be limited upto 500 words.
- (iv) Leading cases prescribed under this paper may be read under the respective unit No. shown against each case.

Unit 1 : Definition of company, kinds of company, Corporate personality, formation of company,

Unit 2 : Lifting the corporate veil, The Memorandum of Association and Article of Association, Binding effects,

Unit 3: Doctrine of Ultra Vires and Doctrine of Indoor Management, Promoters and preliminary Contract.

Unit 4: Prospectus, Share Capital, shares, Members and shareholders,

Unit 5: Debentures, Directors and borrowings, Managing directors

BOOKS RECOMMENDED

Shah S.M. : Lectures on Company Law

Avtar Singh : Company Law

Sen, G.M. : Company Law. Cases and Materials Indian Partnership Act, 1932

Sanghal P.S. : National and Multinational Companies : Some Legal Issues.

5.7.3 LABOUR & INDUSTRIAL LAWS

Note :-

- (i) The syllabus has been divided into five units.
- (ii) 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.
- (iii) The question paper will be divided into two part – i.e. Part-A and Part-B.
Part-A consists of five compulsory questions. One question will be asked from each Unit. The answer of these questions will be limited upto 200 words. Each question will carry 3 marks.
Part-B : There will be ten questions in which two questions will be asked from each unit with provision of internal choice Carrying 7 marks each. The answer of these questions will be limited upto 500 words.
- (iv) Leading cases prescribed under this paper may be read under the respective unit No. shown against each case.

ACTS FOR STUDY

1. The Industrial Disputes Act, 1947,
2. The Trade Unions Act, 1926,

Unit 1 :Historical Development of Industrial Disputes legislation in India; Objects and Reason, Various modes of settlement of disputes.

Unit2: Scope and Definitions of important terms, Authorities under this Act
Reference of Disputes to Boards, Courts or Tribunals, Procedure, powers and Duties of Authorities.

Unit 3: Strike and Lock-out, Lay-off and Retrenchment, Special Provision Relating to Lay-off, Retrenchment and Closure in certain establishments.

Unit 4: Change in condition of service during pendency of dispute, unfair labour practices.

Unit5 : Trade Union Movement in India-Aims and Object-Extent and commencement of the Trade Unions Act, 1926.

BOOKS RECOMMENDED

Indian Law Institute : Law and Labour Management Relations in India

Giri, V.V.: Labour Problems in Industry

Malik, P.L. : Industrial Law (6th Ed.)

Dhingra, L.C. : Labour Law

Goswami, VG.: Labour and Industrial Law

OPTIONAL PAPER
5.7.4 (A) LAW OF TAXATION (INCOME TAX)
AND MONEY LAUNDERING ACT

Note :-

- (i) The syllabus has been divided into five units.
- (ii) 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.
- (iii) The question paper will be divided into two part – i.e. Part-A and Part-B.
Part-A consists of five compulsory questions. One question will be asked from each Unit. The answer of these questions will be limited upto 200 words. Each question will carry 3 marks.
Part-B : There will be ten questions in which two questions will be asked from each unit with provision of internal choice Carrying 7 marks each. The answer of these questions will be limited upto 500 words.
- (iv) Leading cases prescribed under this paper may be read under the respective unit No. shown against each case.

INCOME TAX ACT

Unit 1: Basic concept : Assessment year, Previous year, Person, Assessee, Income , Agricultural Income, Casual Income, Capital Asset, Charitable purpose, Total Income, Gross Total Income, step system and slab system

Unit 2: Basic concept of Capital and Revenue, Avoidance of tax and tax evasion, Income tax authorities. Residential; status and Tax Incidence - Exemptions and deductions of Income

Unit 3 : Income under the Head 'Salaries' Income from House Property, Income of other persons included in Assessee's Total income

Unit 4: Profits and Gains of Business or Profession, Depreciation allowance, Capital Gains, Income from other sources, Set off and carry forward of losses

Unit 5: Return of Income, Assessment and Re-assessment, Assessment of Firms and Partners and Penalties offences and prosecution under this Act, Appeal and revision, the Prevention of Money Laundering Act 2005

BOOKS RECOMMENDED

Bhattacharyan, S.: Income Tax Act Acts amended up-to-date Lakhota, R.N. : Indian Income Tax Law and Practice and Practice of Income Tax in India

Saxena,A.K. : Law on Income Tax in India

Gaur, K.D. : Tax Offences, Black Money and Law

Prevention of Money Laundering Act 2005

Vinod Singhania : Direct Taxes

Kailash Rai : Taxation Laws

Bhattacharyan, S.: Income Tax Act Acts amended up-to-date Lakhota, R.N. : Indian Income Tax Law and Practice and Practice of Income Tax in India

Saxena, A.K. : Law on Income Tax in India

OPTIONAL PAPER

5.7.4 (B) CRIMINOLOGY, PENOLOGY AND VICTIMOLOGY

Note :-

- (i) The syllabus has been divided into five units.
- (ii) 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.
- (iii) The question paper will be divided into two part – i.e. Part-A and Part-B.
Part-A consists of five compulsory questions. One question will be asked from each Unit. The answer of these questions will be limited upto 200 words. Each question will carry 3 marks.
Part-B : There will be ten questions in which two questions will be asked from each unit with provision of internal choice Carrying 7 marks each. The answer of these questions will be limited upto 500 words.
- (iv) Leading cases prescribed under this paper may be read under the respective unit No. shown against each case.

Unit 1: Criminology : Definition, Nature and Scope, Methods of studying criminal behaviour, Importance of Criminology Crime : Definition and Nature, classification of crime, organised and professional crime

Unit 2 : Schools of Criminological Thoughts:

1. Ancient School
2. Classical School
3. Cartographical or Ecological School
4. Socialistic School
5. Typological School
6. Sociological School
7. Multifactor School

Unit 3 : Control of Crime : Police and Law Courts, Prison system, Resocialisation of the offender, Prevention of crime delinquency, Alcoholism and Drugs. Influence of mass media

Unit 4: Definition of punishment. Relationship between criminology and penology, History of punishment. Kinds of Punishment, White collar criminals, Female offenders, Juvenile Delinquent and adolescent offenders

Unit5: Victimology :

- (i) Definition and types of the victim.
- (ii) Persons vulnerable to victimization 1.Elderly, 2. Children, 3. Female.
- (iii) Compensation to victims.
- (iv) Judicial activism and victims.
- (ii) Devictimization and UN charter.

SUGGESTED READINGS

Barnes, H.B. and Tectors : New Horizons in Criminology

Vold, G.S. : Theoretical Criminology

Pillai, K.S. : Criminology

R. Teft, Donald: Criminology

Edwin, H. Sutherland and Donald R. Grussey : Principles of Criminology

Horman Mannheim : Pioneers in Crimmology

Hon-Barren, Mays: Crime and the Social Structures

Ahmed Siddiqui : Criminology-Problems and Perspectives

Lord Pakenham : Causes of Crime

S. Venugopala Rao : Facts of Crime in India

Komm, R.R. and Mogorble : Law-Criminology and Penology Grunhut : Criminal Justice and Reconstruction, Madolm : Criminal Justice and Reconstruction,

Gorden Rose: The Struggle for Penal Reform , LL.T. : Essays on Indian Penal Code, Ben-Penology: Old and New-Tagore Law Lectures

Clict : Conflicting Penal Theories in Statutory Criminal Law , Shamsul Huda : Tagore Law Lectures on Criminal Law, Lawburse : Crime, Its Causes and Remedies, Dequires : Modern Theories of Criminology

Gillin : Criminology and Penology, Beccaria : Crime and Punishment, The Criminal Procedure Code

5.7.5 LAWS RELATING TO INTELLECTUAL PROPERTY

Note :-

- (i) The syllabus has been divided into five units.
- (ii) 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.
- (iii) The question paper will be divided into two part – i.e. Part-A and Part-B.
Part-A consists of five compulsory questions. One question will be asked from each Unit. The answer of these questions will be limited upto 200 words. Each question will carry 3 marks.
Part-B : There will be ten questions in which two questions will be asked from each unit with provision of internal choice Carrying 7 marks each. The answer of these questions will be limited upto 500 words.
- (iv) Leading cases prescribed under this paper may be read under the respective unit No. shown against each case.

Unit 1 : Concept, Nature and Scope of Intellectual Property Rights (IPR) International Regime of IPR with special reference to world Trade Organization (WTO),

Unit 2 Trade Related Intellectual Property Rights (TRIPS),The Copyrights Act 1957 as amended from time to time: Nature, meaning, object and works in which copyrights subsists. Copyrights Authorities: Powers and functions.

Unit 3: Ownership of copyrights, Rights of owner, assignment, term of copyrights, license compulsory license. Copyrights societies, international copyrights.

Unit 4: Rights of broadcasting organization and of performers. Registration infringement, remedies and appeals.

Unit 5: The Patent Act, 1970 as amended from time to time.

- (i) Inventions patentable and non-patentable
- (ii) Rights of inventor/patentee
- (iii) Procedure for obtaining patent, opposition, grant, sealing

SUGGESTED READINGS

B.L. Wadhwa : Law Relating to Patents, Trade Marks, :Copyrights Designs & Geographical Indications, 1999

GB. Reddy's Intellectual Property Rights Law, Steward, G.M. : International Copy Right and Neighbouring Rights Steward, GM.: Indian Copy Right Act,1957

Steward, GM.: Borne Convention Implementation Act, 1988 Vikas Vashistha : Law and Practice of Intellectual Property Vikas Vashistha: The Trade and Merchandise Marks Act,1959 S. P. Narayan : Patent Law (1985 ed.)

5.7.6 PROFESSIONAL ETHICS, ADVOCACY FOR LAWYERS AND BAR-BENCH RELATIONS, PUBLIC INTEREST LAWYERING, LEGAL AID AND PARA LEGAL SERVICES

Note :-

- (i) The syllabus has been divided into five units.
- (ii) 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.
- (iii) The question paper will be divided into two part – i.e. Part-A and Part-B.
Part-A consists of five compulsory questions. One question will be asked from each Unit. The answer of these questions will be limited upto 200 words. Each question will carry 3 marks.
Part-B : There will be ten questions in which two questions will be asked from each unit with provision of internal choice Carrying 7 marks each. The answer of these questions will be limited upto 500 words.
- (iv) Leading cases prescribed under this paper may be read under the respective unit No. shown against each case.

Unit 1: Legal Profession in its Historical perspective-Position before Legal Practitioners Act, 1879; upto. Indian Bar Council Act, 1926, and history of Legal Profession up to Advocates Act, 1961. Professional conduct and Professional ethics-Nature and Scope, Duty to the Profession, Rights and Privileges of an advocate

Unit 2 : Duties towards Courts and clients Duties towards opponent and Duties towards public. Code of professional ethics, punishment for misconduct and procedure, Under the Advocate Act, 1961

Unit 3: Selected opinions of disciplinary committees and Supreme Court decisions on professional misconduct as reported in the immediate preceding year

Unit 4: Legal Aid-Meaning, Nature, Scope and Development.

- (a) Legal Aid and Constitution of India
- (b) Legal Services Authorities Act-Objectives, Establishment of Authorities and their powers, Eligibility for Legal Aid.
- (c) Legal Aid to accused at State expenses (303-304 of the Cr. P.C.)

Unit 5 : (a) Public Interest Litigation-Meaning, Scope, Necessity, Locus-Standi
(b) Lok Adalats and their working
(c) Para-Legal Counselling Meaning, Necessity, Scope, Training for Para-legal services
(d) One leading case of the Supreme Court on PIL

READING MATERIAL

1. M. Krishna Murthy Iyer's Book on Advocacy
2. The Contempt Law of Practice
3. The Bar Council Code of Ethics
4. SQ selected opinions of the Disciplinary Committee of Bar Council and 10 major judgements of the Supreme Court on the subject, in the immediate preceding year