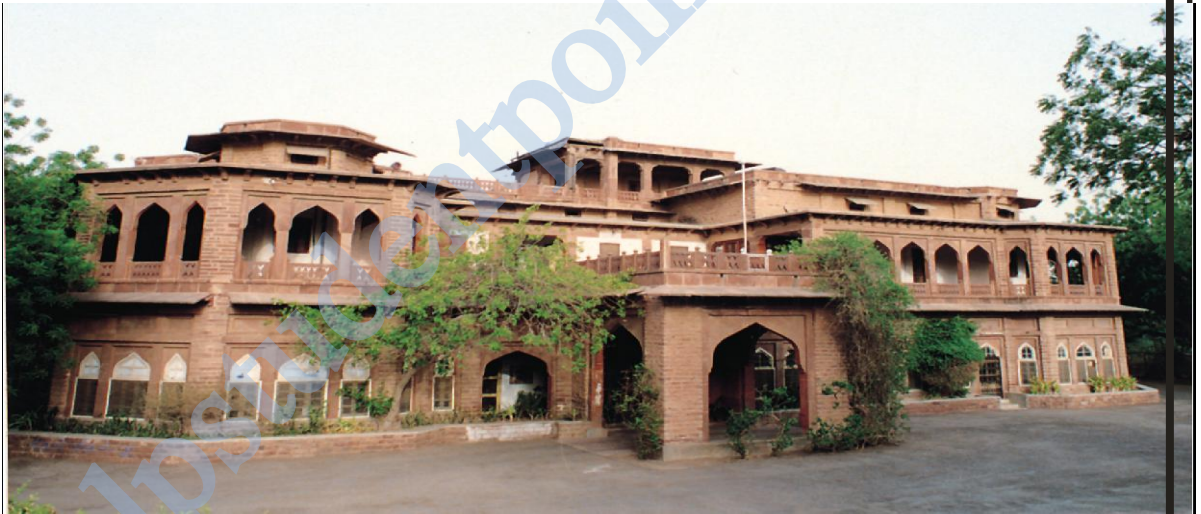


SYLLABUS

**B.A. LL.B./B.B.A. LL.B. (FIDC)
(Five Year Course in Law)
Semester System Examination in Law
(X 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.

Helpstudentpoint.com

**Format of Question Paper
(From Examination 2020-2021)**

B.A.LL.B. and B.B.A. LL.B. - IX & X Semester

Durations 3 Hours

Max. Marks : 50

Section-A

Two questions from each Unit.

10 very small question. Each question carry 1 mark. Answer of each question shall be limited upto 30 words.

- a
- b
- c
- d
- e
- f
- g
- h
- i
- j

Section-B

10 Question (Two questions from each Unit) Students will answer one question from each Unit. Each question will carry 3.5 marks. Answer of each question shall be limited upto 250 words.

- 1 Unit – 1
Question A or B
Unit – 2
- 2 Question A or B
Unit – 3
- 3 Question A or B
Unit – 4
- 4 Question A or B
Unit – 5
- 5 Question A or B

Section-C

This section will include 05 questions (one question from each unit). Student will answer any 03 questions. Each question will carry 7.5 marks. Answer of each question shall be limited upto 500 words.

- 1 One Question from Unit 1
- 2 One Question from Unit 2
- 3 One Question from Unit 3
- 4 One Question from Unit 4
- 5 One Question from Unit 5

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

For a pass, a candidate must obtain :

(a) 40 percent marks in each written, paper, i.e 20 out of 50 and in

(b) 50 percent marks in aggregate in all the subjects. practical/viva voce 40% in aggregate in the paper and.

(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.

Fees: Candidates on being provisionally admitted to the First Semester of Five Year BA LL.B. & BBA LL.B. Degree Course, shall pay a total annual fee of Rs. 38000/- (Tuition Rs. 28000, Admission Rs. 4,000, Library Rs. 4,000 and caution money Rs. 2000, total Rs. 46990) excluding university fee & Examination Fee.

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 15 marks are for each test i.e. $15 \times 2 = 30$ Marks.

(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 Director/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.

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.

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 three 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.

The candidates will be promoted to the next Semester even if he/she is not able to get pass marks in three papers of each Semester. The Maximum number of deficiencies (backlog) shall never be more than fourteen papers during whole course i.e. 10 Semesters.

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 three 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

COURSE CONTENTS

For X-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 Moot Court in all semester. For participation in each Moot Court will be of 20 marks.

The break up of marks for award out of 20 marks shall be as follows : 12 marks for presentation, 4 marks for written submission and 4 marks for general etiquettes and dress code (12+4+4 = 20 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 5.10 (Tenth Semester)

In place of Moot Court, the students will submit Project in paper 5.10.3 Trade Law including International Trade Laws, 5.10.4 Law Relating to Child, Women and Gender Justice and 5.10.5 Banking Law Laws. In rest of the papers, they will have to appear in Moot Courts.

In Paper 5.10.3 Trade Law including International Trade Laws project will be of 10 marks only and 10 marks will remain reserved for Court Visit.

There shall be Court Visit and Training under a Lawyer for IX & X Semesters students. The students have to get training in court report it in their diary. This will be of 10 marks.

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

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

- (C) Course Design : A student of IX and X 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 – X

Course Code	Subjects	Maximum Marks	Examination Hours	Period Per Week	T/P Per Week
5.10.1	Property Law and Easement	100	3	4	1
5.10.2	Civil Procedure Code and Law of Limitation	100	3	4	1
5.10.3	Trade Law Including International Trade Laws	100	3	4	1
5.10.4	Law relating to Child, Women and Gender Justice	100	3	4	1
5.10.5	Banking Laws	100	3	4	1
5.10.6	Land Laws including Land Acquisition Act	100	3	4	1

B.A. LL.B/BBA LL.B.-X SEMESTER

5.10.1 PROPERTY LAW AND EASEMENT

Note : - (i) The syllabus has been divided into three parts. **Part-A** shall contain 10 question (one question from each Unit) of 1 mark each Answer of each question shall be limited upto 30 words. **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 3.5 marks. Answer of each question shall be limited upto 250 words. **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 7.5 marks. Answer of each question shall be limited upto 500 words.

(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.

Unit 1 : Ownership by estoppel, feeding the grant by estoppel, Doctrine of Part-performance, Sale of immovable property.

Unit 2 : Mortgage and Charge : Kinds of mortgage, Rights and liabilities of Mortgage and mortgagee, Priority, marshalling, contribution and subrogation

Unit 3 : Exchange, Lease, Gift, Actionable claims

Unit 4: Easements : Essentials of Easements, Imposition, Acquisition, Incidents, Disturbance, Extinction, Suspension

Unit 5 : Revival of Easement, easement and customary rights, Kinds of Easement, Quasi easement, Easement and Prescriptive rights License, Difference between lease and License.

BOOKS RECOMMENDED

The Transfer of Property Act (Act IV of 1882) as amended upto date Mulla :

Transfer of Property Act

Joshi : The Indian Easements Act (Act V of 1882)

Menon, A.D. : The Law of Property

Sarathi, V.P. : Law of Transfer of Property

Shukla, S.N. : Transfer of Property Act

Saxena, LC.: Transfer of Property Act

5.10.2 CIVIL PROCEDURE CODE AND LAW OF LIMITATION

Note : - (i) The syllabus has been divided into three parts. **Part-A** shall contain 10 question (one question from each Unit) of 1 mark each Answer of each question shall be limited upto 30 words. **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 3.5 marks. Answer of each question shall be limited upto 250 words. **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 7.5 marks. Answer of each question shall be limited upto 500 words.

(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.

Unit 1 : Attachment before judgement, Arrest before judgement.

Unit 2: Execution in general : Courts by which decrees may be executed, powers of the court executing the decree.

Unit 3 : Transfer of decrees for Execution and Modes of Execution, Stay of Execution, Suits in particular cases (Orders xxix to xxxiii). Abatement of suits

Unit 4 : Temporary injunction and Appointment of Receiver, Appeals-Appeals against order and appeal against order and decree, Review. Revision and Reference

Unit 5 : The Limitation Act, 1963, Definitions, Relationship between limitation, laches, acquiescence, estoppel and res judicata; Limitation of suits, appeals and applications, disability,, computation of period of limitation

BOOKS RECOMMENDED

Mulla : The Code of Civil Procedure, Student Edition, The Arbitration and Conciliation Act, 1996

Subbarao, GVC. : Law of Specific Relief

5.10.3 TRADE LAW INCLUDING INTERNATIONAL TRADE LAWS

Note : - (i) The syllabus has been divided into three parts. **Part-A** shall contain 10 question (one question from each Unit) of 1 mark each Answer of each question shall be limited upto 30 words. **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 3.5 marks. Answer of each question shall be limited upto 250 words. **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 7.5 marks. Answer of each question shall be limited upto 500 words.

(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.

Unit 1 :

1. Historical perspectives

United Nations: GATT, Evolution of New International Economic Order (NIEO), Essential components of NIEO, State acceptance and practice of NIEO principles.

2. Charter of Economic Rights and Duties

Sovereignty over wealth and natural resources, TNCS, Foreign investment, Transfer of technology, Elimination of colonialisation, apartheid, racial discrimination, Extension of tariff preferences, Most favoured nation treatment, North-south gap widened or narrowed.

Unit 2 :

1. Institutions

UNCTAD (United Nations Conference on trade and Development), UNCITRAL, GATT, Objectives, Strengths and weaknesses, Salient features of GATT 1994 (Final Act of Uruguay Round)

2. WTO

Structure, principles and working, Difference between GATT and WTO, Problems : Agriculture, Sanitary and phyto sanitary measures (SPS), Technical barriers of trade (TBT), Textiles and clothing, Anti-dumping, Customs valuation, Services, TRIPS, TRIMS, Disputes settlement, Labour, Transfer of technology, Trade facilitation, E-Commerce, Information and technology agreement, Special permission for developing and less developed countries, Trade and development committee, Balance of payment provisions in WTO, India and WTO.

Unit 3 :

1. Trade in Goods

2. Trade related investment measures (TRIMS)

Relationships with GATT, Inalienable rights of member countries.

3. General Agreements on Trade in Services (GATS)

Principle: non-discrimination, Benefits to India.

4. Trade Related Intellectual Property Rights (TRIPS)

Structure, Principles, Minimum Standards, Copy rights and related rights, Trade marks, Geographical indications, industrial designs, Patents,

Undisclosed information, Anti competitive practice, Enforcement of IPR, Transparency, New issues.

Unit 4 : 1. Dispute settlement

Judicial system: Dispute Settlement Board (DSB), Elements of the system, Prompt settlement, Balancing of rights and obligations, Objective of satisfactory settlements, Outcomes, Withdrawal of the measure – violation of WTO, Continuation of the measure with compensation for the loss suffered by the affected country, Continuation of the measures with retaliation by the affected country to make good the loss suffered by the affected country, Special steps of DSB ad WTO Secretaries for developing countries, Process of settlement by DSB.

2. International Monetary Fund

Structure and functions, Concept of par value systems, Currency convertibility, Breakdown of par value system, Re-structuring of IMF.

Unit 5 : 1. International Bank for Reconstruction and Development

Structure and functions, International financial co-operation, International development association, Lending by World Bank.

2. Regional Development Banks

Structure and functions, Asian Development Bank, Inter American Development Bank, Banking in relation to European Union.

3. Sustainable Development

The concept, Stockholm to Rio: developments of the concept, Right to development, Basic concept, State acceptance and practice, UNCED (UN Commission on Environment and Development) report, Principles, Rio principles related to sustainable developments.

BOOKS RECOMMENDED:

Bandari Surendra, World Trade Organization and Developing Countries (1995), Universal, Delhi
Myneni Srinivasa Rao, International Economic Law (1996), Pioneer Books, New Delhi.
Arun Goyal (ed.), WTO in the new Millennium (2000), Academy of Business Studies, New Delhi-110002
Schwarzenberger, Economic World Order (1970 Manchester University Press.
Jayanta Bagchi, World Trade Organization : An Indian Perspective (2000), Eastern Law House, Calcutta.
J.G. Starke, Introduction to International Law (1989) Butterworths
UNCED, Our Common Future (1986), Oxford.

LAW RELATING TO CHILD, WOMEN AND GENDER JUSTICE

Note : - (i) The syllabus has been divided into three parts. **Part-A** shall contain 10 question (one question from each Unit) of 1 mark each Answer of each question shall be limited upto 30 words. **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 3.5 marks. Answer of each question shall be limited upto 250 words. **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 7.5 marks. Answer of each question shall be limited upto 500 words.

(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.

Unit 1 : 1. International concerns and conventions

3. Women in India

Pre-independence period, Social and legal inequality, Social Reform, Movement in India, Karachi Congress – Fundamental Rights Resolution, Equality of Sexes.

4. Women in post independence India

Preamble of the Constitution : equality provisions in Fundamental Rights and Directive Principles of State Policy, Personal laws – unequal position of women, Uniform Civil Code towards gender justice.

Unit 2 : 1. Sex Inequality in inheritance Rights

Feudal institution of joint family – women's inheritance position, Hindu Law, Muslim Law, Matrimonial property, Movement towards Uniform Civil Code.

Unit 3 : 1. Women participation in democratic government

Parliament, State Legislation, Local bodies

2. Women and Employment

Law relating to exploitation and harassment in work places

3. Protection and enforcement agencies

Courts, Family courts, Commission for women, NGOs.

4. Social Constitutional and International Legal Status of Child

Magnitude of the problem, Special Status of Child – national policies, Constitutional concern – Article 15(3), Article 24 and Article 45, International concern and endeavour for the welfare of the children, Minimum Age conventions, Child rights conventions, U.N. Declaration of the rights of the child 1924, 1959.

Unit 4 : 1 Legal Control of Child Labour

Regulation of the employment: protection of the health and well-being, International conventions and recommendations of the ILO, Recommendations of the National Commission of Labour, Legislation relating to factories, plantation labour, mines, merchant shipping, motor transport workers, apprentices, shop & establishments and child labour.

2. Family Relations and Child

The status of a child in matters of marriage, legitimacy, guardianship, adoption, maintenance and custody, Provisions in the statutes relating to Hindu marriages, restraint on child marriage, guardians and wards, Hindu minority and guardianship, Hindu adoptions and maintenance and in the Indian Evidence Act 1872.

Unit 5 : 1. Child and Criminal Liability

Protection of Children against sexual offences (POCSO) Act 2013

2. Discrimination Against Female Children

Amniocentesis, Deferred infanticide through based nutritional discrimination, Termination of pregnancy. Pre-conception and pre-natal diagnosis techniques (Prohibition of sex selection)

BOOKS RECOMMENDED

Gandhi to the Women (ed. Hingorani) 1941, Position of Women, 12 Tear Down the Purdah p. 213, Young India 1918.

Jawaharlal Nehru thoughts on women-economic bondage of Indian women (Produced Memorial and Library)

7th Plan. Ch. 14 Socio economic programmes for women.

Relevant case Law

Revasia & Revasia, Women Social Justice & Human Rights (1998) PP.H. Publishing, New Delhi

Ajnes, Flavia, Law as Gender inequality, N. Delhi, Oxford (1999)

Sumithra Vashnu V. Union of India 1985 SC 1618

42nd Report Law Commission, the Dissenting Note of Justice Anna Chandy on provision of adultery, p. 366.

Towards Equality – Report of the Committee on the Status of Women (Govt. of India), Chapters IV & Section IV General Conclusions & Recommendations.

Balram – Women workers the labour legislation in India 1984 (2) I.L.J. 1527.

Lotika Sarkar, The Law Commission of India (1988)

Indian Law Institute, Child and the Law (1979, S.N. Jain ed.)

U.Baxi, Law and Poverty : Critical Essay (1988), Eastern, Lucknow.

5.10.5 BANKING LAW

Note : - (i) The syllabus has been divided into three parts. **Part-A** shall contain 10 question (one question from each Unit) of 1 mark each Answer of each question shall be limited upto 30 words. **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 3.5 marks. Answer of each question shall be limited upto 250 words. **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 7.5 marks. Answer of each question shall be limited upto 500 words.

(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.

Unit 1 : 1. Introduction :

Banking: definition-common law and statutory, Commercial banks: functions, Essential functions, Agency services, General utility services, International trading service, Information services, Emergence of multi functional dimensions, Systems of Banking : Unit banking, branch banking, group banking and chain banking, Banking companies in India.

Unit 2 : 1. Banks and Customers :

Customer: Meaning, Legal character of banker-customer relationship, Rights and obligations of banks, Right of set-off, Banker's lien, Right to charge interest and commission, Obligation to honour customers' cheques, Duty of confidentiality, Nature and justification of the duty, Exceptions to the duty, Garnishee orders, Accounts of customers, Current Accounts, Deposit Accounts, Joint Accounts, Trust Accounts, special types of customers:-Lunatics, minors, agents, administrators and executors, partnership firms and companies.

2. Control over Banks

Control by Government and its agencies, Need for – elimination of systemic risk, avoidance money laundering, consumer protection, promotion of fair competition on management, On account and audit, On money lending, Reorganization and reconstruction, On suspension and winding up, Control by Ombudsman, RBI.

Unit 3 : Control Banking Theory and the RBI

Evolution of Central Banks, Characteristics and functions of central banks, Central bank as banker and adviser of the State, Central bank as banker's bank, the Reserve Bank of India as central bank in India, Objectives and organizational structure, Functions, Regulations of the monetary system, Monopoly of note issue, Credit control, Determination of bank rate policy, Open market operations, Banker to government, Control over Non-banking financial institutions, economic and statistical research, Staff training, Control and supervision of other banks.

Unit 4 : Lending by Banks

Principles of good lending, Securities for bank advances, pledge, mortgage, charge, goods or documents of title to goods, life insurance policies as security, debentures as security, guarantees as security, contract of guarantee and contract of indemnity, kinds of guarantees: specific & continuing, surety's rights and liabilities, Repayment, Interest: Rule against penalties, Default and Recovery, Recovery of Debts Due to Banks and Financial Institutions Act 1993, Establishment of; debt recovery tribunals-constitution and functioning.

Unit 5 : 1. Merchant Banking

Merchant Banking in India, SEBI (Merchant Bankers) Regulations, 1992.

2. Letter of Credit and Demand Guarantee

Letter of Credit, Basic features, Parties to a letter of credit, Fundamental principles, Demand Guarantee, Legal character, Distinction between irrevocable letter of credit and demand guarantees.

BOOKS RECOMMENDED:

M.S. Parthasarathy (Ed.), *Kherganvala on the Negotiable Instruments Act (1998)* Buterworth, New Delhi.

M.L. Tannen, *Tannen's Banking law and Practice in India, (2000)* India Law House, New Delhi.

S.N. Gupta, *The Banking Law in Theory and Practice, (1999)* Universal, New Delhi.

G.S.N. Tripathi (Ed.) *Sethi's Commentaries on Banking Regulation Act 1949 and Allied Banking Laws (2000)* Law Publishers, Allahabad.

Bashyam and Adiga, *The Negotiable Instruments Act (1997)* Bharath Law House, New Delhi

S.N. Gupta, *Banks and the Consumer Protection Law (2000)* Universal, Delhi.

Mukherjee. T.K., *Banking Law and Practice (1999)*, Universal, Delhi.

5.10.6 LAND LAWS INCLUDING LAND ACQUISITION ACT

Note : - (i) The syllabus has been divided into three parts. **Part-A** shall contain 10 question (one question from each Unit) of 1 mark each Answer of each question shall be limited upto 30 words. **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 3.5 marks. Answer of each question shall be limited upto 250 words. **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 7.5 marks. Answer of each question shall be limited upto 500 words.

(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.

THE RAJASTHAN LAND REVENUE ACT, 1956

Unit 1: The Board of Revenue (Ss. 4 to 14), Revenue Courts and Officers (Ss. 15 to 36), Appeal, Reference, Revision and Review (Ss. 74 to 87);

Unit 2: Land : use of land, use of Agricultural Land for Non-Agricultural purposes (s. 90-A), unauthorised Occupation of Land (S. 91), Allotment of Land for Agricultural purpose (S. 101), Survey and Record operations: General (Ss. 106 to 109) Boundary Marks (Ss. 110 to 111) Maps and Field Books (S.112)

Unit 3: Record of Rights (Ss. 113 to 121) Mutations (Ss. 122 to 137). Settlement operation: General (Ss.142 to 146), Economic Survey (S.148) Formation of Assessment Circles (S. 149), Soil classification (S.150), Evolution and Modification of rent rates, preparation of rent rate reports. its submission and finalisation (Ss. 151 1 to 167),

Unit 4: Tenants option to refuse rent determined and its effect (Ss. 168 to 172), Preparation of Dastoor Ganwai (Ss. 173 to 174), Term of settlement (Ss. 175 to 177), Processes for Recovery of Revenue (S. 228), Writ of demand and citation to appear (Ss. 229 and 229-A), Attachment and Sale of movable property (S. 230), Attachment of the Land (Ss. 231 to 233), Sale of defaulters specific Area, Path or estate (Ss. 235 to 253)

Unit 5: (1) The Rajasthan Rent Control Act, 2001 : Definition, Application, Revision of rent, Determination of rent, eviction of tenant, right of land lord, restriction of possession to illegally evicted tenant, constitution, powers, Jurisdiction of Rent Tribunal, Appellate Rent Tribunal, Amenities.

(2) Land Acquisition Act.

BOOKS RECOMMENDED

S.K. Dutt : Rajasthan Land Revenue Act

S.K. Dutt: Rent Control in Rajasthan