**LL.B. (Professional) 3 Year Course**

**SCHEME OF EXAMINATION**

**2011-12**

**LL.B. (Three year Course)**

Each paper shall be of 100 marks consisting of 80 or theory and 20 marks for internal assessment. Each theory paper shall be of 3 hours duration.

**Semester - I**

**Code Paper Nomenclature**

301 Paper-I Law of Crimes (Penal Code) – I

302 Paper-II Law of Contract – I

303 Paper-III Family Law-I

304 Paper-IV Constitutional Law of India-I

305 Paper-V Law of Torts including MV Accident and

Consumer Protection Law

**Semester - II**

**Code Paper Nomenclature**

306 Paper-VI Law of Crimes (Indian Penal Code) - II

307 Paper-VII Law of Contract - II

308 Paper-VIII Family Law-II

309 Paper-IX Constitutional Law of India-II

310 Paper-X Professional Ethics and Professional

Accountability (Clinical Course I)

**Semester - III**

**Code Paper Nomenclature**

401 Paper-I Jurisprudence

402 Paper-II Environmental Law

403 Paper-III Criminal Procedure

404 Paper-IV Administrative Law

405 Paper-V Human Rights and International Law

**Semester - IV**

**Code Paper Nomenclature**

406 Paper-VI Penology and Victimlogy (Optional Paper – I)

407 Paper-VII Criminal Procedure Code, 1973-2 Including

 Juvenile Justice (Care & Protection) Act, 2000

 And Probation of offenders Act, 1959

408 Paper-VIII Labour and Industrial Laws

409 Paper-IX Optional Paper II

 Intellectual Property Rights Management

410 Paper-X Optional Paper III

 Banking Law including Negotiable Instrument Act

**Semester - V**

**Code Paper Nomenclature**

501 Paper-I Civil Procedure Code, 1908-I

502 Paper-II Law of Evidence

503 Paper-III Company Law

504 Paper-IV Interpretation of Statues

505 Paper-V Optional Paper IV and Law including Tenure & Tenancy System

506 Paper – VI Arbitration, Conciliation and Alternative Dispute

Resolution System (Clinical Course II)

**Semester - VI**

**Code Paper Nomenclature**

507 Paper-VII Civil Procedure Code, 1908-I

508 Paper-VIII Law of Evidence

509 Paper-IX Company Law

510 Paper-X Interpretation of Statues

511 Paper-XI Optional Paper IV and Law including Tenure & Tenancy System

512 Paper – XII Arbitration, Conciliation and Alternative Dispute

Resolution System (Clinical Course II)

Note: The Internal Assessment of 20 marks in each paper shall be as under:

1. Assignment and presentation 6 marks
2. One class test 10 marks
3. Discipline/conduct/Attendance 4 marks
4. The Schedule of class tests and presentation of Assignments etc. will be finalized by the Chairperson in consultation with the teacher concerned and shall be notified to the students accordingly. However internal assessment shall be made by the teacher teaching the subject. A student who fails to appear in the class test or present the assignment on the scheduled date due to some emergency, one more chance may be given to such student to appear in the test or to present the assignment as the case may be by the Chairperson of the department in expositional cases, if justified by sufficient reasons.
5. Every student shall have to obtain minimum pass marks in theory paper as well as internal assessment separately and will be declared successful on the basis of aggregate of theory and internal assessment.
6. The question paper of each course will be divided into Five sections, each of the First Four Sections of the Questions Paper will contain 2 questions respectively from Unit-1 of Unit – 4 of the syllabus. The students will be required to attempt on question from each section. Section 5 of the questions paper shall contain 8 short answer type questions of 3 marks each (without any choice) covering the entire syllabus. As such Section 5 will be compulsory. The examiner will be free to set the questions in problem forms based on case law.

**Semester – I**

**Law of Crimes (Penal Code) – I (Paper – I, Code – 301)**

M.M. 80

**Unit – I**

Crime Definition, Nature, Elements of Crime, Stages of Crime, Territorial Jurisdiction; (Section 1-5), General Explanation (Sections 6-52-A)

Punishments (Sections 53-75), General Exceptions (Section 76-106), Abetment (Section – 107-120)

Unit – II

Criminal Conspiracy (Section 120-A, 120-B)

Offences against the State (Sections 121-124-A)

Offences against the Public Tranquility (Sections – 141-160)

Offences by or relating to Public Servants (Sections 161-171)

Unit – III

Contempts of the Lawful Authority of Public Servants (Sections 172-190)

False Evidence (Sections 191-193), Offences affecting life (Sections 299-311)

Unit - IV

Causing Miscarriage, etc. (Sections 312-318)

Hurt and Grievous hurt (Sections 319-338)

Wrongful Restraint and Wrongful Confinement (Sections 339-341).

Leading Case:

1. Kehar Singh and others v. The State (Delhi Adm.) 1989 Cr. L.J.I (S.C.)
2. Gyan Kaur V. State of Punjab (1996) 2 SCC 648
3. Shri Bodhistwa Gautam V. Miss Subhra Charkroborty, A.I.R. 1996 SC. 922
4. Lily Thomas v. Union of India, A.I.R. 2000 SC. 1650

**Law of Contract – I (Paper II, Code: 302)**

Unit – I

General features and nature of contractual obligations; Freedom of contract; contracts by Central and state Governments (Art. 299 of the Indian Constitution); Standard and Printed forms of contract – Their nature and unilateral character. Agreement and Contract – Definitions and essential elements, Proposal and Acceptance- Definition, their communication and revocation, postal, telephone and telex Communication (Sections 2-9); Proposal and invitations for proposal; General offer; cross-offer, Standing offer.

Unit – II

Capacity to contract – meaning – incapacity arising out of unsound mind; Minor’s Agreement – Nature and scope definition of minor; Necessaries supplied to a minor, Minor’s Agreement and Estoppel; Agreement beneficial and determental to the minor; ratification of minor’s Agreement (Sections 10-12, 68), Consent and Free consent – Definition and need of free consent, Violability of Agreement without free consent (Section 19), factors vitiating free consent (Section – 19A), Coercion – Definition – essential elements; doctrine of duress; Coercion and duress (Section – 15), Undue influence – Definition – Essential elements, Illustrations of undue influence, Agreement with Pardanashin women (Section – 16), Misrepresentation: Definition, misrepresentation of law and of fact their effects and illustration (Section-18), Fraud – Definition – essential elements – when does silence amounts to fraud? Active concealment of facts – importance of intention. Fraud and misrepresentation (Section – 17)., Mistake – Consideration – nudum pactum, its need, meaning essential elements; privity of contract with Exceptions, adequacy of consideration, past, executed and executor consideration, Exception to consideration (Section – 2(d) and 25).

Unlawful Agreements: Lawful and unlawful considerations and objects: Void, Voidable and unlawful agreements and their effects.

Unit – III

Void Agreements:-

Agreements without consideration (Section – 25), Agreement in restrain of marriage (Section-26), Agreement in restraint of trade with exceptions (Section-27), Agreement in restraint of legal proceedings with exceptions (Section – 28), Uncertain Agreements (Section – 29), Wagering Agreement-Definition and essentials, with exceptions (Section-30), Continengent contract – Definition and Enforcement (Section – 31-36), Performance of Contracts, Joint promises, time and place of performance (Section 37-50), Reciprocal Promises- Their meaning, scope and performance (Section-51-54), Time-when essence of contract-meaning and illustrations (Section-55), Impossibility of performance – meaning and scope; Doctrine of Frustration with illustrations (Section – 56), Appropriation of payments (Section 59-61); Contracts which need not be performed – novation, rescission and alteration of contract, dispensation and remission of performance (Section 62-67). Quasi Contracts or certain relations resembling those created by contract (Sections 68-72). Breach of contract, anticipatory breach and consequences of breach, Damages – remoteness of damage, measures of damages, Kinds of damages, penalty and liquidated damages (Section – 73-75).

Unit – IV

Specific – Relief – Meaning and General Principles. Specific performance of contracts – Contracts specifically enforceable parties in relation to specific performance (Sections 9-25); Rectification and cancellation of instruments (Section 26, 31-33) Rescission of Contracts (Sections 27-30).

Leading Case:

1. Bhagandas Goverdhadas Kedia V. Girdhari Lal Purshotamdas & Co. AIR 1966 SC 543.
2. M.C. Chacko V. State Bank of Travancore, A.I.R. 1970 SC 504.
3. Gujarat Bottling Co. Ltd. V. Coca-Cola Company, A.I.R. 1995 SC 2372.
4. State of West Bengal V. B.K. Mondal & Sons. A.I.R. 1962 SC 779.
5. State of M.P. V. Mangilal Sharma, A.I.R. 1998 SC 743.

Statutory Material:

1. The Indian Contract Ac 1872 (Sections 1-75).
2. The Specific Relief Act, 1963.
3. Constitution of India (Art. 299).

**Family Law –I (Paper III, Code: 303)**

Unit – I

Hindu Law & its Sources, Schools of Hindu Law, Hindu Joint Family, Features of Mitakshra and Dayabhaga Joint Families, Coparcenary, Classification of Property, Karta of Joint Family, Position, Liabilities and Powers of Karta. Karta’s powers of Alienation Coparcener’s Power of Alienation, Coparcener’s Right of Challenge Improper Alienation, Alience’s Rights and Remedies.

Leading Case: Harihar Prasad Vs. Balmika Prasad AIR 1975 SC 733

 K.S. Subhiah Pillai Vs. Commissioner of IT AIR 1999 SC 1220.

Unit – II

Concept of Hindu Marriage-Its Evolution and nature, The Hindu Marriage Act, 1955 and its application, Essential Conditions for valid Hindu Marriage, Ceremonies for valid Hindu Marriage, Ceremonies of Marriage, Registration of Hindu Marriages, Remedy of Restitution of Conjugal Rights Void and Voidable Marriages, Judicial Separation and Divorce, Grounds for Divorce and Judicial Separation, Fair Trial Rule, Legitimacy of Children, Jurisdiction, Bars to Matrimonial Remedies, Ancillary Reliefs, Permanent Alimony and Maintenance, Custody etc.

Leading Case: Kailashwati Vs. Ayodhya Parkash AIR 1977 PLR 216

 Naveen Kohli Vs. Neelu Kohli, (2006) 4 SCC 558.

Unit – III

The Hindu Succession Act, 1956, Effects of the Hindu (Succession) Amendment, 2005, Rules of Succession to the Property of Hindu Male, Succession to the Property of Hindu Female, Succession to the Mitakshara Coparcener’s Interest, General Rules of Succession, Partition, Subject Matter of Partition, Persons who have a Right to Partition & Right to Share, Persons who are entitled to Share if Partition takes place, Modes of Partition, How Partition is effected, Partial Partition, Reopening of Partition, Re-Union.

Leading Case: Raghuvamma Vs. Chenchamma AIR 1964 SC 136

 Commissioner of Income Tax Vs. Chandersen, AIR 1986 SC 1753

Unit – IV

The Hindu Minority and Guardianship Act, 1956, Concept of Minority and Guardianship, Natural Guardians and their Powers, Testamentary Guardian, Appointment and Powers, Certified Guardian, Defecto Guardian, Guardian By Affinity, The Hindu Adoptions & Maintenance Act, 1956, Nature of Adoption, Essential Conditions for Valid Adoption, Effects of Adoption, Registration of Adoption, Maintenance As Personal Obligation, Maintenance of Dependents, Quantum of Maintenance, Maintenance as a Charge on Property.

Leading Case: G. Appaswami Chettiar Vs. R. Sarangapani AIR 1978 SC 1051

 Githa Hariharan Vs. Reserve Bank of India (1999) 2 SCC228.

**Constitution Law of India –I (Paper IV, Code: 304)**

Unit – I

Preamble

Fundamental Rights in General (Art 12-13)

Right to Equality (Art 14-18)

Right to Freedom (Art -19)

Unit – II

Right to Freedom (Art 20, 21, 22)

Right against Exploitation (Art 23-24)

Right to Freedom of Religion (Art 25-28)

Cultural and Educational Rights (Article 29-30).

Unit – III

Right to Property (Art 300-A, 31A – 31-B)

Fundamental duties (Art – 51A)

Directive Principles of State Policy (Art 36-51).

Writ Jurisdiction (Art 32 & 226).

Prescribed Case:

Unit – IV

Independence of the Judiciary

Supreme Court of India-Establishment Jurisdiction and Powers (Art 124-145)

High Courts in the State (Art 214-227).

Public Interest LItigation

Leading Case:

1. Indira Sawhney V. Union of India, AIR 1993 SC 477
2. Valsamma Paul V. Cochin University, AIR 1996 SC 1011
3. Gaurav Jain V. Union of India, AIR 1997 SC 3021.
4. Supreme Court Advocates on Record Association V. Union of India AIR 1994 SC 268.

**law of torts including mv accident and consumer protection laws–I (Paper V, Code: 305)**

Unit – I

Definition, nature and development of Tort

General conditions of tortuous liability

General conditions negating tortuous liability

Unit – II

Trespass to person.

Battery, Assault and False Imprisonment

Malicious Prosecution, Defamation

Trespass to goods.

Unit – III

Trespass to immovable property

Nuisance

Negligence including contributory negligence

Vicarious Liability

Strict Liability

Remoteness of Damage

Unit – IV

Compensation provisions under motor Vehicle Act, 1988;

Compulsory Insurance, Nature and Extent of Insurer’s liability, Insurer’s liability for use of the vehicle in public place, claims tribunal.

Consumer Protection Act, 1986

Meaning Scope and Importance

Consumer Disputes Redressal Agencies (Section 9-25)

Remedies and Penalities (Section 26-27).

Leading Case:

1. Lucknow Development Authority V. M.K. Gupta, AIR 1994 S.C. 787
2. Rudul Shah V. State of Bihar, AIR 1983 S.C. 1086.
3. Ratlam Municipality V. Virdhichand, AIR 1980 S.C. 1622.
4. M.C. Mehta V. Union of India, AIR 1987 S.C. 1086
5. K.S.R.T.C. V. Arun, AIR 2004 Kant. 149 (F.B.).
6. Indian Medical Association V. V.P. Shantha & Others, AIR 1996 S.C. 550.