

**UNIVERSITY OF RAJASTHAN, JAIPUR**



# ***SYLLABUS***

**SCHEME OF EXAMINATION AND  
COURSES OF STUDY**

**FACULTY OF LAW**

**LL.B.**

**LL.B. (P)/LL.B. (A) First Year Examination,  
LL.B. (P)/LL.B. (A) Second Year Examination,  
LL.B. (P) Third Year Examination,**

**EXAMINATIONS-FACULTY OF LAW**  
**Bachelor of Laws (Three Year Course)**  
**(New Scheme)**

1. O.251, O.252, O.253, O.253-A, O.253-B and O.253-C be rewarded as follows:

**O.251 :**

There shall be a Three-Year Course for the degree of LL.B. (P) and Two-Year Course for the degree of LL.B. (A) and the teaching shall be conducted through the Lecture method, practicals and class performance during the session and examination shall be conducted through written papers, practicals and viva-voce at the end of each year.

**Three Year LL.B. (P) Course :**

1. LL.B. (P) LL.B.(A) : First Year Examination at the end of the First Year.
2. LL.B. (P)/ LL.B.(A) : Second Year Examination at the end of the Second Year.
3. LL.B. (P) : Third Year Examination at the end of the Third Year.

All students would be admitted to LL.B.-I Year Professional Course only and those who would like to take admission in LL.B.-I Year Academic Course will have to apply separately. Those who do not apply separately, would be deemed to have been admitted to the Professional Course.

The instructions shall be provided in each paper of LL.B. I, II and III Year for 3 hours a week by all institutions running the LL.B. classes.

**O.252**

(1) A candidate who has taken the Bachelor's or the Master's Degree in Arts/ Science/ Commerce/ Medicine/ Management/ Engineering/ Nursing/ Agriculture or the Degree of Shastri/ Acharya of the Degree of Ayurvedacharya/ Ayurveda Brahaspati of this University or any other university recognised for the purpose by the Syndicate with full course prescribed for the degree and secured a minimum of 45% marks (excluding any concessional marks) in the aggregate marks prescribed for the examination for the aforesaid degree shall be eligible for admission to LL.B. First Year Course.

*Explanation*

- (i) For the purpose of this Ordinance the marks of only those subjects/ papers shall be taken into account which had been considered for awarding division at the Bachelor's/ Master's Degree Examination.
- (ii) Candidates who have passed their qualifying examination with full course in one attempt or in parts or as private candid correspondence. will also be eligible for admission to the L

#### 4 ] University of Rajasthan

Year Course class provided they secure minimum percentage of marks as prescribed above.

(2) Admission shall be made on the basis of merit and in accordance with the rules made there for by the competent authority

Provided further that the condition of obtaining a minimum of 48% marks in the aggregate at the qualifying examination shall not apply to the Natural Born sons/daughters of parent belonging to Scheduled Caste/Scheduled Tribes

#### **O.253 :**

A candidate who has completed regular course of study in the University Constituent College or in an affiliated College for First Year will, subject to the other provision of the Act, Statues, Ordinances. Rules and Regulations, be admitted to the First Year Examination of the LL.B. (P) or LL.B. (A) Course depending on the course he has taken.

#### **Q. 253-A :**

A candidate who after passing the examination of the First Year has completed a regular course of study in the University constituent college or in an affiliated college for the Second Year of the LL.B. (P) or LL.B. (A) course Regulations, be admitted to the Second Year Examination of the LL.B. (P) of LL.B. (A) course, as the case may be

#### **Q.253-B :**

A candidate who after passing the examination of the Second Year has completed a regular course of study in the University constituent college or in an affiliated college for the Third Year of the LL.B. (P) course, will subject to the other provisions of the Act, Ordinance, Statues, Rules and Regulations, be admitted to the Third Year Examination of the LL.B. (P)

Ordinance 25 3-C be rewarded as follows :

(i) A Candidate who is declared eligible for appearing at the supplementary examination at LL.B. First Year (P)/(A) class will be allowed provisional admission to LL.B. Second Year (P)/(A) class. Such candidate will be permitted three more attempts for clearing the examination of LL.B. First Year examination. In the event of his failing at three such supplementary examinations, such candidate will have to appear in LL.B. First Year examination as an Ex-student in all the papers prescribed for the course

(ii) A candidate who is declared eligible for appearing at the supplementary examination at the LL.B. Second Year (P)/(A) class will be allowed provisional admission to LL.B. Third Year (P) class. Such candidate will be permitted three more attempts for clearing the examination of LL.B. Second Year examination. In the event of his failing at three such supplementary examinations, such candidate will have to appear in LL.B. Second Year examination as an Ex-student in all the papers prescribed for the course.

(iii) A candidate who is declared eligible for appearing at the supplementary examination at LL.B. Third Year (P) class will be permitted to appear in three more attempts for clearing the LLB Third Year (P) examination. In the event of his failing at three such supplementary examinations he will have to appear in LL.B. Third Year examination as an Ex-student in all the papers prescribed for the course.

#### **Regulation 21-A**

(1) For a pass, in each of the LL.B. I Year, II Year (Academic/ Professional) Examination and LL.B. III Year (Professional) Examination, a candi-

date must obtain not less than 36% marks in each paper (theory and Practical separately) and 48% marks in aggregate of theory and practical papers prescribed for the examination concerned provided further that :

(i) A candidate who fails at the LL.B. First Year/Second Year or Third Year Examinations and has obtained not less than 36% marks in atleast 5 theory papers and practical or 6 theory papers shall be permitted to reappear in one or two theory papers and practical, or at the most three theory papers of his choice at the immediately following supplementary examination.

(ii) Actual marks obtained by a candidate in the papers in which he reappears in the supplementary examination, will be taken into account alongwith earlier marks of other papers for working out his result.

(2) A candidate who has passed LL.B. I Year, II Year or III year Examination and desires to improve his performance, may be permitted to reappear at the same examination in the same subject (s)/Paper(s) in the immediately following year on the conditions mentioned in Ordinance 169-E.

(3) Of the successful candidates, those who secure 60% or more marks shall be placed in the first division and the rest in the Second Division.

**O.254 :**

A candidate who has once been awarded the degree of LL.B. (A) by the University and has thereafter appeared at and passed, after having undergone a regular course of study in the Third Year of the LL.B. (P) course, shall be awarded the degree of Bachelor of Laws (Professional) in supersession of his degree of the Bachelor of Laws (Academic). This fact shall be inserted in the degree of Laws (Professional).

**O.255.**

Every candidate for the two year course for the degree of LL.B. (A) and the three year course for the degree of LL.B. (P) shall present himself for examination in the papers prescribed in the Regulations.

3. O. 256 be rewarded as follows :

**O.256:**

Each theory paper in LL.B. I, II and III Year shall be of 100 marks. The practical paper in each year of LL.B. I, II and III Year has been divided into two parts: Part 'A' shall be of Practical Written Examination of 80 marks and Part 'B' shall be of Viva-Voce of 20 marks. A candidate shall be required to pass separately in Practical written and Viva-Voce Examinations.

4.O.256, O.256-B (already omitted), O.256-C and O. 256-I be omitted for the purposes of new scheme and new O.256-A be inserted, which is as follows:

**O. 256-A:**

(1) Whenever any option(s) in any paper has been provided in the syllabus of LL.B. I, II or III Year, the Principal or the Head of the Unit will determine at the beginning of each session the option or the options in which instructions will be provided during the session. The choice of the candidate will be limited to the options so provided in instructions.

(2) A candidate may opt for one additional optional paper at LL.B. I/II/ III year examination, if permitted by the Principal or Head of the Unit. For

such additional paper no teaching facility will be provided and the candidate will have to appear at the examination in such additional paper at his own risk and the marks obtained therein will not be counted while working out his result but will be shown in the marks-sheet separately. For a pass in such paper the candidate has to secure atleast 36% marks.

5. O. 256-D be reworded as follows and renumbered as O. 256-B :  
**O. 256-B :**

The Vice-Chancellor may, on the recommendation of the Dean, Faculty of Law of the University, permit transfer of a candidate who has passed in any year of the LL.B.(P) or LL.B.(A) Examination of another University under a scheme which in detail is same or similar as the scheme of this University of LL.B. (P) or LL.B. (A) Examination to such year of the LL.B.(P) or LL.B.(A) course and on such terms and conditions as he may lay down.

6. In order to make the transitory provisions for Three-Year LL.B. (P) (Old Scheme) / Two Year LL.B. (A) (Old Scheme), the following consequential changes be made :

**Bachelor of Laws**  
*(Old Scheme)*

**Transitory provisions applicable to the student admitted to Three-Year LL.B. (P) / Two-Year LL.B. (A) Course :**

The existing O. 251-A be renumbered as O. 256-C and reworded as follows :

**Q. 256-C :**

The examination in the old course shall be conducted through Tutorial and class performance during the session and written papers at the end of each year, namely :

**Three Year LL.B. (P) Course :**

1. LL.B. (P) LL.B. (A) : First Year Examination at the end of the First Year.
2. LL.B. (P) / LL.B. (A) : Second Year Examination at the end of the Second Year.
3. LL.B. (P) : Third Year Examination at the end of the Third Year.

7. O. 252 in the Old Scheme, which has already been retained as such will rewording thereof for the purposes of new courses, will stand deleted for the purposes of old scheme.

8. The existing O. 253, O. 253-A, O. 253-B and O. 253-C, which have been renumbered and retained with their original numbering for the purposes of new scheme, be renumbered as follows for the old scheme (transitory provisions) :

O. 253 be renumbered as O. 256-D

O. 253-A be renumbered as O. 256-E

O. 253-B be renumbered as O. 256-F  
O. 253-C be renumbered as O. 256-G

9. O. 254 and O. 255, which have been retained with their original numbering as they are for the new scheme, be renumbered for the old course, as O. 256-H and O. 256-I respectively.
10. O. 256, which has been reworded and retained with its original number for the purpose of new scheme, be renumbered as O. 256-J by retaining the text thereof as it is for the purpose of the old scheme.
11. The existing O. 256-C, which has been reworded and retained with its original number for the purpose of the new scheme, be renumbered as O. 256-K retaining the text thereof for the old scheme.
12. The existing O. 256-C-I be renumbered as O. 256-L for the purpose of old scheme retaining its text as it is.
13. The existing O. 256-D, which has already been renumbered as O. 256-B for the new scheme and reworded accordingly, be renumbered as O. 256-M for the old scheme retaining the text thereof as it is.
14. The earlier O. 256-E to O. 256-E-5 (2) being obsolete stand omitted.

**Bachelor of Laws**  
(Five Year Course)

15. For making appropriate provisions for the Bachelor of Laws (Five-Year Course), the following amendment be made :  
The existing O. 251 be renumbered as O. 256-N and the expression "shall" appearing in the first line of the Ordinance be substituted by the expression "may". The remaining text of the Ordinance be retained as it is.

**Bachelor of Laws**  
(Honours Course)

16. For making appropriate provisions for LL.B. Hons. Course, the following amendments be made :  
The new O. 256-O be inserted which should provide as follows :

**O. 256-O :**

- (1) There may be a Three Year LL.B. (Hons.) Course, which shall be conducted through written papers as well as Practical, Seminar, Moot Court and Tutorial and Viva-voce Examination at the end of the each year namely :
  1. LL.B. I Year at the end of first year.
  2. LL.B. II Year at the end of second year.
  3. LL.B. III Year at the end of third year.
- (2) A candidate having Bachelor's degree with 45% marks is eligible to seek admission in the LL.B. (Hons.) Course. The admission shall be offered by Pre-Law Test. A merit list shall be prepared on the basis of result of

**8 ] University of Rajasthan**

Pre-Law Test and admission shall be offered accordingly.

- (3) There shall be one section of LL.B. (Honours) Course for not more than 30 students in I Year of the LL.B. (Hons.) Course.
- (4) Teaching shall be provided in day class. There shall be exclusively separate classes for Honours course only. Each subject of the LL.B. Honours Course may be divided into 2 parts with distribution of marks as given below :

Paper A— Theory Paper	Max. Marks —60
Paper B— Practical, Seminar	“ “ “ —5
Moot Court & Tutorial	“ “ “ —5
Viva-Voce	“ “ “ —5
<b>Total marks 75</b>	

- (5) The practical test shall be conducted by Two examiners—one external and one internal examiner.
- (6) The distribution of papers in each subject in each year of the LL.B. Hons. Course shall be as under :

**LL.B. Ist Year :**

1. Law of Contract	General Principles	Paper—I
	Specific Contract	Paper—II
2. Constitution of India	Constitution Administrative Law	Paper—I
3. Law of Torts & Easements	General Principles	Paper—I
	Specific Wrongs Easements	Paper—II
4. Family Law	Hindu Law	Paper—I
	Mohd. Law	Paper—II

**Optional :**

Any three of the following :

1. Labour Law
2. Forest, Environment Protection and Law
3. Intellectual Property Law
4. Law, Women & Child
5. Equity and Trust
6. Human Rights.

**LL.B. II Year :**

1. Jurisprudence and Legal History	1. Jurisprudence	Paper—I
	2. Indian Legal and Constitutional History	Paper—II
2. Indian Penal Code	I.P.C.	Paper—I
	I.P.C.	Paper—II
3. Public International Law	Law of Peace	Paper—I
	Law of War and Int. Org.	Paper—II

4. Property Law	Law relating to Transfer of Property and Rent Control	Paper—I
Land Law	Raj. Tenancy Act, 1955, Raj. Land Revenue Act, 1956.	Paper—II

*Optional :***Any three of the following :**

1. Insurance Law
2. Company Law
3. Law of Taxation
4. Disarmament and Peace Strategies
5. Criminology & Criminal Justice
6. Comparative Law

**LL.B. III Year :**

1. Code of Criminal Procedure	Cr. P.C.	Paper—I
	Cr. P.C.	Paper—II
2. C.P.C., Arbitration and specific Relief	C.P.C.	Paper—I
	Arbitration and Specific Relief	Paper—II
3. Practical Training	1. Pleadings & Conveyancing and Legal Language	Paper—I
	2. Practical Training	Paper—II
4. Evidence and Limitation	Evidence	Paper—I
	Evidence & Limitation	Paper—II

*Optional! :***Any three of the following :**

1. Legal Remedies
2. Law of Monopoly
3. Consumer Law
4. Law & Poverty
5. Private International Law
6. Election Law



- (7) Each Compulsory subject shall be of 150 marks, divided into two papers of 75 marks each. Each optional subject shall be of one paper of 75 marks only.

For each of the First, Second and Final Year Examinations in LL.B. Hons. Course, for a pass a candidate shall be required to obtain atleast 40% marks in each part of the paper and atleast 48% marks in aggregate of all subjects.

A candidate shall be eligible for the Degree of Bachelor of Laws (Honours) after he passes all the aforesaid examinations. A candidate who secures 60% or more marks in the aggregate shall be placed in the First Division while one who obtains less than 60% marks in the aggregate but not less than 48% shall be placed in the Second Division.

**(8) Supplementary Examination :**

Candidate who fails at the immediately preceding First, Second or Final Year Examination in two subjects only and obtains 48% marks in the aggregate of the remaining five subjects in which he has passed, or in the case of the candidate failing in the aggregate only, obtains 48% marks in the aggregate of the five subjects excluding the subjects in which he has secured the lowest marks, shall be permitted to appear in those subjects in which he has obtained the lowest marks.

In order to be declared successful at the Supplementary Examination, a candidate must obtain atleast 40% marks in the subject/paper and 48% marks in aggregate.

No division shall be awarded to the candidate passing LL.B. Honours Degree Examination after having appeared at the Supplementary Examination more than once during the entire course.

**(9) An ex-student is one :**

- (a) Who has appeared at the examination and failed, or
- (b) Who has satisfied all the requirements of the minimum attendance to appear at the examination and has applied for appearing at the examination but does not appear at the examination on account of illness or some other bonafide reason to be determined by the Dean.

**17. The existing O. 256-F to O. 256-T be renumbered as follows :**

<b>Old Ordinance</b>	<b>New Ordinance</b>
O. 256-F	O. 256-P
O. 256-G	O. 256-Q
O. 256-H	O. 256-R
O. 256-I	O. 256-S

O. 256-J	O. 256-T
O. 256-K	O. 256-U
O. 256-L	O. 256-V
O. 256-M	O. 256-W
O. 256-N	O. 256-X
O. 256-O	O. 256-Y
O. 256-P	O. 256-Z
O. 256-Q	O. 256-Z-1
O. 256-R	O. 256-Z-2
O. 256-S	O. 256-Z-3
O. 256-T	O. 256-Z-4

18. The expression "Old Scheme" in the bracket be inserted against the expression "Regulation 21".
19. In order to provide the details of papers and scheme of Examination for LL.B. New Course, Regulation 21-A be inserted before the heading "One Year Postgraduate Diploma Course in Labour Law." This Regulation 21-A be as follows :

**Regulation 21-A (New Scheme) :**

- For a pass in each of the LL.B. I Year, II Year (Academic / Professional) Examination and LL.B. III Year (Professional) Examination, a candidate must obtain not less than 36% marks in each paper (theory and practical separately) and 48% marks in aggregate of theory and practical papers prescribed for the examination concerned, provided further that :
  - A candidate who fails at the LL.B. First Year / Second Year or Third Year examination and has obtained not less than 36% marks in atleast 5 theory papers and practical or 6 theory papers shall be permitted to reappear in one or two theory papers and practical, or at the most three theory papers of his choice at the immediately following supplementary examination.
  - Actual marks obtained by a candidate in the papers in which he reappears in the supplementary examination will be taken into account alongwith earlier marks of other papers for working out his result.
- A candidate who has passed LL.B. I Year, II Year or III Year Examination and desires to improve his performance, may be permitted to reappear at the same examination in the same subject(s)/ paper(s) in the immediately following year on the conditions mentioned in Ordinance 169-E.

3. Of the successful candidates, those who secure 60% or more marks shall be placed in the First Division and the rest in the Second Division.
4. The papers (theory/practical) for LL.B. I Year, II Year and III Year (Academic / Professional) Examinations will be as follows :

### LL.B. I Year

#### *Compulsory Papers :*

- 1.1 Contract—I (General Principles)
- 1.2 Contract—II (Specific Contracts)
- 1.3 Law of Tort and Consumer Protection
- 1.4 Family Law—I (Hindu Law)
- 1.5 Family Law—II (Mohammedan Law)
- 1.6 Constitutional Law
- 1.7 Legal Language and Legal Writing including General English

#### *Optional Paper (Any one) :*

- 1.8 (a) Legal and Constitutional History of India.
- (b) Trusts, Equity and Fiduciary Relationships.
- (c) Bankruptcy Laws

#### *Practical Paper :*

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

This paper shall consist of following two parts :

- (a) Practical, Written Paper—80 marks
- (b) Viva-Voce Examination—20 marks

### LL.B. II Year

#### *Compulsory Papers :*

- 2.1 Jurisprudence
- 2.2 Law of Crimes
- 2.3 Law Relating to Transfer of Property & Easement.
- 2.4 Company Law
- 2.5 Public International Law and Human Rights
- 2.6 Labour Law
- 2.7 Administrative Law

#### *Optional Paper (Any one) :*

- 2.8 (a) Taxation Law; or (b) Insurance Law; or
- (c) Banking Law including Negotiable Instrument Act.

#### *Practical Paper :*

- 2.9 Professional Ethics, Bar-Bench Relations and Moot Court.

This paper shall consist of following two parts :

- (a) Practical Written Paper—80 marks
- (b) Viva-Voce Examination—20 marks

**LL.B. III Year***Compulsory Papers :*

- 3.1 Law of Evidence
- 3.2 Law Relating to Criminal Procedure, Juvenile Justice and Probation of Offenders.
- 3.3 Code of Civil Procedure and Limitation Act.
- 3.4 Arbitration, Conciliation and Alternate Dispute Resolution Systems.
- 3.5 Land Laws.
- 3.6 Interpretation of Statutes
- 3.7 Environmental Law

*Compulsory Papers :*

- 3.8 (a) Criminology and Penology; or
- (b) Intellectual Property Law; or
- (c) Law and Medicine.

*Practical Paper :*

- 3.9 Drafting, Pleading and Conveyancing; Pre-trial Preparations Preparation in Trial Proceedings and Moot Chart.

This paper shall consist of following two parts :

- (a) Practical Written Paper—80 marks
- (b) Viva-Voce Examination—20 marks

20. (i) In Regulation 22, the figure 66 wherever it appears, be substituted by the figure 60.
- (ii) The expression "Legal Theory" appearing against Paper I be substituted by the expression "Jurisprudence" in Regulation 22.

**List of Compulsory Papers (21) :**

1. Jurisprudence.
2. Contract—I (General Principle of Contract-Sections-1 to 75 and Specific Relief).
3. Contract—II (Indian Contract Act, Indian Partnership Act, Sale of Goods Act and Other Specific Contracts).
4. Tort and Consumer Protection Laws.
5. Family Law—I.
6. Family Law—II.
7. Law of Crimes.
8. Code of Criminal Procedure, Juvenile Justice Act and Probation of Offenders Act.
9. Constitutional Law.
10. Property Law including Transfer of Property Act and Easement Act.
11. Law of Evidence.
12. Code of Civil Procedure and Limitation Act.

13. Legal Language, Legal Writing including General English.
14. Administrative Law.
15. Company Law.
16. Human Rights and International Law.
17. Arbitration, Conciliation and Alternate Dispute Resolution Systems.
18. Environmental Law.
19. Labour Law.
20. Interpretation of Statutes.
21. Land Laws including Ceiling and any other legal Laws.

**List of Optional Papers (3) :**

1. International Economic Law.
2. Bankruptcy Laws.
3. Taxation Laws.
4. Comparative Law / Legal History.
5. Insurance Law.
6. Conflict of Laws.
7. Banking Laws including Negotiable Instruments Act.
8. Investment and Security Laws.
9. Trusts, Equity and Fiduciary Relations.
10. Criminology and Penology.
11. Air and Space Laws.
12. Law and Medicine
13. Women and Law and Law Relating to Child; Law, Poverty and Development.
14. Intellectual Property Law.
15. Maritime Law

**List of Practical Training Papers (4) :**

- |              |   |
|--------------|---|
| 1. Paper I   | — "Moot Court, Pre-Trial Preparations and Participation in Trial Proceedings. |
| 2. Paper II  | — Drafting, Pleading and Conveyancing.  |
| 3. Paper III | — Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations.       |
| 4. Paper IV  | — Public Interest Lawyering, Legal Aid and Para-Legal Services.               |

From the above list, it would appear that there must be 21 compulsory papers, 3 Optional papers and 4 compulsory practical training papers in the curriculum for the 3 years LL.B. Course. The Committee has looked into all the proposed papers as well as the existing papers in LL.B. 3 year Course of the University of Rajasthan, and have resolved to distribute the papers suggested by the Bar Council of India in 3 years course, as follows :

## LL.B. I Year

### Compulsory Papers :

- 1.1. Contract—I (General Principles).
- 1.2. Contract—II (Specific Contracts).
- 1.3. Law of Tort and Consumer Protection.
- 1.4. Family Law—I (Hindu Law).
- 1.5. Family Law—II (Mohammedan Law).
- 1.6. Constitutional Law.
- 1.7. Legal Language and Legal Writing including General English.

### Optional Paper : (Any one) :

- 1.8. (a) Legal and Constitutional History of India.  
OR
- (b) Trusts, Equity and Fiduciary Relations.  
OR
- (c) Bankruptcy Laws.

### Practical Paper :

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

This paper shall consist of following two parts :

- (a) Practical Written Paper — 80 marks
- (b) Viva-Voce Examination — 20 marks

## LL.B. II Year

### Compulsory Papers :

- 2.1. Jurisprudence.
- 2.2. Law of Crimes
- 2.3. Law Relating to Transfer of Property and Easement.
- 2.4. Company Law.
- 2.5. Public International Law and Human Rights.
- 2.6. Labour Law.
- 2.7. administrative Law.

### Optional Paper : (Any one) :

- 2.8. (a) Taxation Law;  
OR
- (b) Insurance Law;  
OR

Banking Laws including Negotiable Instruments Act.

16] University of Rajasthan

**Practical Paper :**

**2.9 Professional Ethics, Bar-Bench Relations and Moot Court.**

This paper shall consist of following two parts :

- (a) Practical Written Paper — 80 marks  
(b) Viva-Voce Examination —20 marks

**LL.B. III Year**

**Compulsory Papers :**

- 3.1 Law of Evidence.  
3.2 Law Relating to Criminal Procedure, Juvenil Justice and Probation of Offenders.  
3.3 Code of Civil Procedure and Limitation Act.  
3.4 Arbitration, Conciliation and Alternate Dispute Resolution Systems.  
3.5 Land Laws.  
3.6 Interpretation of Statues.  
3.7 Envirbmental<sup>l</sup> aw.

**Optional Paper : (Any one) :**

- 3.8 (a) Criminology and Penology;  
OR  
(b) Intellectual Property Law;  
OR  
(c) Law and Medicine.

**Practical Paper :**

**3.9 Drafting, Pleading and Conveyancing; Pre-Trial Preparation; Preparation in Trial Proceeding and Moot Court :**

This paper shall consist of following two parts :

- (a) Practical Written Paper — 80 marks  
(b) Viva-Voce Examination —20 marks

**LL.B. FIRST YEAR EXAMINATION**

**Paper I.1—**

**Contract—I**

**(General Principles)**

**Max. Marks : 100**

**Min. Pass Marks : 36**

**Note :** (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1 (a) Meaning, elements and characteristics of Contract.

(b) Basis of Contract.

(c) Classification of Contract, including the Standard form Contract.

2. (a) Proposal : Meaning, Elements Characteristics and Kinds of proposal, Distinction between Proposal and Invitation to Proposal.

(b) Acceptance : Meaning, Modes and Characteristics of Acceptance.

(c) Communication, revocation and termination of proposal and acceptance.

3. Consideration :

(a) Meaning, definition and Elements of Consideration.

(b) significance and adequacy of consideration.

(c) Unlawful consideration and object.

(d) Concept of stranger to contract.

4. Capacity to Contract :

(a) Who cannot make a contract: Who is minor: The place of minor under the Law of Contract.

(b) Person of unsound mind, nature of contract by person of unsound mind.

(c) Persons deprived of the capacity to contract.

5. Free consent :

(a) Meaning of consent and free consent;

(b) Factors rendering consent not free and their effect upon the validity of contract.

**Void Agreements :**

(a) Agreements in restraint of marriage; freedom of trade and right to initiate legal proceedings;

(b) Agreements involving uncertainty, wager and impossibility.

**Contingent Contract :**

Certain relations resembling to those created by Contract (Quasi contract).

6. Performance of Contract :

(a) Who is liable to perform? Joint rights and joint liability and performance of reciprocal promises.



- (b) time, place and manner of performance.
- (c) Discharge from liability to perform the contract.

**Breach of Contract :**

- (a) Meaning and kinds;
- (b) Remedies for breach of contract :
  - (i) Damages—Measure of damages and remoteness of damage;
  - (ii) Specific Performance of contract and Injunctions under Specific Relief Act.

**Leading Cases :**

1. Carlill v. Carbolic Smoke Ball Co. (183) 1 QB 256.
2. Bhagwandas v. Girdhari Lal & Co. AIR/ 1966/ SC / SC 543.
3. Motilas Padmpur Sugar Mill co. Ltd. v. Satate of U.P., AIR/ 1979/ SC 621.
4. Lalman Shulkla v. Gauri Dutt, (1913) II All LJ 489.
5. Mohori Bibi v. Dharmodas Ghosh, (1903) 30 I.A. 114.

**Suggested Readings :**

1. Atiyah P.S. : An Introduction to the Law of Contract.
2. Pollock : Principles of the Law of Contract.
3. Pollock & Mulla : Indian contract and Specific Relief act.
4. V.G. Ramchandra : The Law of Contract in India.
5. P.R. Desai : Principles of Law of Contract.
6. Avtar Singh : Law of Contract . (English & Hindi)
7. R.K. Bavegia Contract I (English & Hindi)
8. I.C. Saxena & R.L. Nawalkha : संविदा विधि।
9. S.K. संविदा विधि I
10. शर्मा, सत्येन्द्र कुमार : संविदा विधि प्रथम

**LAW OF CONTRACT—II**

Paper 1.2—

(General Principles)

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

**1. Contract of Indemnity and Guarantee :**

- (a) Meaning. Distinction between indemnity and guarantee and kind of guarantee.
- (b) Rights of Indemnity holder.
- (c) Rights of the Surety, Extent of the Liability of the Surety.
- (d) Discharge of liability of the Surety.

2. Contracts of Bailment and Pledge :
  - (a) Meaning and kinds of contracts of Bailment—Bailment without consideration.
  - (b) Rights and duties of bailee and bailer.
  - (c) Termination of Contract of Bailment.
  - (d) Contract of Pledge—meaning and definition, Pledge by unauthorised persons.
3. Contract of Agency :
  - (a) Definition, kinds and modes of creation of Agency.
  - (b) Relation between :
    - (i) The Principal and agent.
    - (ii) The Principal and third party, and
    - (iii) The agent and the third party.
  - (c) Determination of agent's authority—
    - (i) By act of parties; and
    - (ii) By operation of Law—Irrevocable authority.
4. Contract of Sale of Goods :
  - (a) Sale—Meaning, Definition and Elements.
  - (b) Agreement to sell, hire-purchase, agreement and a contract for work and labour—meaning and distinction from sale.
  - (c) Goods—existing, future and contingent.
  - (d) Condition and warranties.
  - (e) Passing of property and from seller to buyer.
  - (f) Sale by unauthorised person.
  - (g) Law relating to performance of sale.
  - (h) Rights of unpaid seller.
5. Contract of Partnership :
  - (a) Meaning, definition, formation and the characteristics of contract of partnership.
  - (b) Distinction between :
    - (i) Co-ownership and partnership;
    - (ii) Joint Hindu Family Firm and Partnership; and
    - (iii) Company and Partnership.
  - (c) Position of Minor.
  - (d) Relations inter se of partners and relation of Partners with third parties.
  - (e) Registration of Partnership firm.

#### Leading Cases :

1. National Bank of India Ltd. v. Sohan Lal, AIR (1962) Punj. 534.
2. Amritlal Goverdhan Lallan v. State Bank of Travancore, AIR (1960) SC 1432.
3. Patnaik & Co. v. State of Orissa, AIR (1965) SC 1.
4. State of Gujarat v. Mamon Mohd, AIR (1967) SC 1882.

**Suggested Readings :**

1. Atiyah P.S. : An Introduction to the Law of Contract.
2. Pollock & Mulla : Indian Contract and Specific Relief act.
3. V.G. Ramchandra : The Law of Contract in India.
4. V.G. Ramchandra : Law of Agency.
5. R.K. Bangia : Contract II
6. Agarwal, O.P. : The Indian Partnership Act, 1932.
7. Agarwal, O.P. : The Sale of Goods Act, 1930.
8. Kapoor, N.D. : Mercantile Law.
9. Avtar Singh : Law of Contract (English and Hindi).
10. Avtar Singh : Law of Partnership (English and Hindi).
11. Avtar Singh : Principal of the Law of Sale of goods (English and Hindi).
12. Saxena & Nawalkha :
13. Kapoor : संविदा विधि II
14. R.L. Rathi : संविदा विधि II

**Paper I.3. Tort and Consumer Protection Law**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave our important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. Definition, Nature, Scope, Objects and Elements of Tort, Maxims, Extinction or discharge of Tortious Liability, Joint Tort-feasors.
2. General Defences of Tortious Liability.
3. Vicarious Liability, Doctrine of Common employment, State Liability, Absolute of Strict Liability.
4. Remedies, Kinds and measure of damages. Remoteness of damage.
5. Torts to person- Assault, Battery and False Imprisonment
6. Torts to person and property including Negligence, Nuisance, Nervous shock, interference with contract or business, Intimidation, Conspiracy, deceit or fraud, malicious prosecution, Defamation.
7. Consumer Protection Act, 1986, Definitions—consumer Protection Councils, Consumer Disputed, Redressal Agencies—Establishment, Jurisdiction, Procedure, Orders.

**Leading Cases :**

1. Ushaben v. Bhagya Laxmi Chitra Mandir, AIR (1978) Guj. 13.
2. N. Nagendra Rao v. State of Andhra Pradesh, AIR (1994) SC 2663.
3. Municipal Corporation of Delhi v. Smt. Subhagwati, AIR (1966) SC 17.
4. Rylands v. Fletcher, (1868) LP. 3 HL 330.
5. Indian Medical Association v. V.P. Shantha, AIR (1996) SC 558.

**Suggested Readings :**

1. Winfield Law of Tort.

2. Ramswami Iyer : Law of Torts.
3. B.S. Sinha : Law of Torts.
4. Salmond : Law of Torts.
5. Street : Law of Torts.
6. G.S. Karkara : Contributory Negligence.
7. पाण्डे, जयनारायण : अपकृत्य विधि :
8. अग्रवाल शर्मनलाल : अपकृत्य विधि :
9. चाँगिया, आर. के. : अपकृत्य विधि एवं उपभोक्ता संरक्षण अधिनियम
10. शुक्ला, एम.एन. : अपकृत्य विधि ।
11. Gurbax Singh : Law of Consumer Protection.
12. P. Leelakrishan : Consumer Protection & Legal Control.
13. के. दीक्षित - अपकृत्य विधि उपभोक्ता संरक्षण कानून
14. Avtar Singh : Law of Consumer Protection (Principles and Practice).

**Paper 1.4.**

**Family Law-I**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. Hindu Law : Sources, school and application, Coparcenary, Joint family property and Self-acquired property; Karta and his powers and obligation, Religious and Charitable endowments—Essentials of an endowment, kinds, shebait and Mahant.
2. The Hindu Marriage Act, 1955 : conditions of a Hindu Marriage. Its ceremonies and registration, Void and voidable marriage : Restitution of conjugal rights; Judicial Separation, Legitimacy of children of void and voidable marriage; Divorce; Alternative relief in divorce proceedings, Divorce by mutual consent, One year bar to divorce; divorced persons when may marry again; Jurisdiction and procedure.
3. The Hindu Secession Act, 1956 : Succession to the property of a Hindu male; Succession to interest in Coparcenary property, property of a Hindu female; Succession to the property of a Hindu female; General rules and disqualifications of succession, Escheat.
4. The Hindu Adoption and Maintenance Act, 1956 : Requisites of a valid adoption; Capacity to take in adoption; Capacity to give in adoption, Effects of Adoption; Miscellaneous provisions of adoptions; Maintenance of wife, children and parents; Maintenance of widowed daughter-in-law; Dependants and their maintenance; Amount of Maintenance.
5. The Hindu Minority and Guardianship Act. 1956 : Natural Guardians and their powers; Testamentary guardian and their powers, de facto

guardian, general provisions of guardianship.

6. Partition under Hindu Law—Meaning. Property for partition, persons entitled to sue for partition and allotment of shares, partition how effected, Determination of shares, Re-opening of partition, Reunion, Debts—Doctrine of pious obligation; Antecedent Debts.

#### Leading Cases :

1. Shastri Yajna Purusdasji v. Muldas, AIR 1966 SC 1119.
2. Hanooman Prasad v. Mussamat Babooes Munraj Koonware, (1856) 6 MIA 395.
3. Brij Narayan v. Mangla Prasad, (1924) 51 IA 129.
4. Bipin Chandra v. Prabhavati, AIR (1957) SC 176.
5. Dr. Narayan Ganesh Dastane v. Sucheta Dastane AIR (1975) SC 1534.
6. Dharmendra Kumar v. Usha Kumar, AIR (1977) SC 2218.
7. Tulsamma v. Sesha Reddi, AIR (1977) Sc 1944.

#### Suggested Readings :

1. Mulla : Principles of Hindu Law.
2. Raghavachariar : Hindu Law—Principles and Precedents.
3. Paras Diwan : Modern Hindu Law.
4. Tahir Mehmood : Hindu Law.
5. पारस दीवान : आधुनिक हिन्दू विधि।
6. केसरी, यू.पी.डी. : हिन्दू विधि।

Paper 1.5. Family Law—II

(Mohammedan Law)

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. Mohammedan Law : Origin, development, sources, Schools, Application. Interpretation and conversion.

2. Marriage : Nature of marriage, essentials of marriage; Khvar-bulugh, Iddat, Khalwat-us-sahiha, Matrimonial stipulation, kinds of marriage and effects of marriage.

Mahr : Meaning, nature, kinds, object and subject-matter. Wife's rights on non-payment of dower.

Dissolution of marriage : Talaq Ila, Zihar, Talaq-e-Tweez, Mubarat, Khula, Lian, Faskh—Section 2 of the dissolution of Muslim Marriage Act, 1939; Legal effects of divorce.

Guardianship—Appointment of guardian, kinds of guardianship.

3. Pre-emption : Meaning, nature and classification of Haq shufa (Pre-emption); Rights of pre-emption, when conflict of laws, subject matter and formalities of pre-emption, legal effects of pre-emption, Devices for evading pre-emption.

Gift : Meaning and requisites of gift (Hiba); Gift of Musha, Conditional and future gifts, Life estate, Life interest, Hiba-bil-iwaj, Hiba-ul-iwaj.

4. Will (Wasayat) Competence of testator and legatee, Valid subjects of will : Testamentary limitations, Formalities of a will and abatement of Legacy.

Legitimacy and acknowledgement : Legitimacy and legitimation, Presumption of legitimacy under Muslim Law and Section 112 of the Indian Evidence Act, conditions of a valid acknowledgement.

Maintenance : Persons entitled to maintenance, Principles of maintenance; The Muslim Women (Protection of Rights on Divorce) Act, 1986.

Death Bed Transactions : Meaning and effect of Marj-ul-maut.

5. Wakf : Meaning, essentials and kinds, Beneficiaries of wakf; The Wakf Validating Act, 1913; Formalities for creation of Wakf; Wakf of Musha; Muslim religious institution and officers; Administration of Wakf; Mutawalli.

Inheritance : General Principles of Law of inheritance, Doctrines of Aul and Radd under Hanafi and Shia Law.

#### Leading Cases :

1. Maina Bibi v. Choudhary Vakil Ahmed, (1923) 52 IA 145.
2. Habibur Rahman v. Altaf Ali (1921) 42 IA 114.
3. Moonshee Buzul-ul-Raheem v. Luteefauia Nissa, (1061) 8 MLA 379.
4. Abu Fata Mohd. v. Russomoy Dhar Chowdhary (1894) 22 IA 76.
5. Mohd. Ahmed Khan v. Shah Bano Begum, AIR (1985) SC 945.

#### Suggested Reading :

1. Fyzee : Mohammedan Law
2. Mulla : Principles of Mohammedan Law.
3. Verma, B.R. : Islamic Law.
4. Aqil Ahmed : Mohammedan Law.
5. Amir Ali : Mohammedan Law.
6. शर्मा के.पी. : मुस्लिम विधि।
7. हफीजुर्रहमान : मुस्लिम विधि।
8. वर्मा, बी.एल. : मुस्लिम विधि।

#### Paper 1.6. Constitutional Law of India

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. Introductory : Salient features of the Constitution; Nature of the Indian Federalism : Preamble, Citizenship and State; Fundamental Rights,

## 24- ] University of Rajasthan

### Directive Principles and Fundamental Duties.

2. Union and State Executive : President, Governor-Election, appointment, Powers, Position, Council of Ministers, Prime Minister, Parliamentary System of Government; Union and State Legislature; Lok Sabha; Rajya Sabha, Vidhan Sabha and Vidhan Parishad-Composition. Speaker, Chairman, privileges, Legislative Procedure.
3. Union and State Judiciary-Supreme Court and High Court, Composition and powers, Writs.  
Union State Legislative Relationship-Distribution of Legislative power, Administrative and Financial relationship.
4. Services under the Union and State; Constitutional protection to civil servants; Public Service Commissions of the Union and States. Article 300-D-A-Property Rights :  
Freedom of Trade, Commerce and Inter-course; State liability in Contracts and Torts, Suit by and against the State.
5. (a) Emergency provisions : National, State & Financial.  
(b) Amendment of the Constitution-Constitutionality of ordinary Laws and Constitutional Amendment., Judicial Review of Amendment and the Doctrine of Basic Structure-Major Amendments and their Constitutional Values.

### Leading Cases :

1. Minerva Mills V. Union of India, AIR (1978) SC 1789.
2. Maneka Gandhi V. Union of India, AIR (1978) SC 597.
3. Union of India V. Tulsiram Patel, AIR (1985) SC 1416.
4. Kesavananda Bharthi V. State of Kerala, AIR (1973) SC.1476.
5. Kehar Singh V. Union of India, AIR (1989) SC 653.

### Suggested Readings :

1. Constitution of India as amended upto-date.
2. Shukla, V.N. : Constitution of India.
3. Jain, M.P. : Constitutional Law of India (English & Hindi).
4. Basu, D.D. : Introduction to the Constitution of India (English & Hindi).
5. Paras Diwan : Constitution of India.
6. M.C.J., Kagzi : Constitution of India (English & Hindi).
7. गंगा सहाय शर्मा : भारत का संविधान ।
8. जय नारायण पाण्डे : भारत की संवैधानिक विधि ।

### Paper 1.7 Legal Language/ Legal D, Writing including General English

Max. Marks : 100

Min. Pass Marks : 36

#### (A) Vocabulary :

1. Use of legal phrases and terms (list of legal terms given below).
2. Pair of words.
3. One word substitution.
4. Latin Maxims (Listed below).

**(B) Comprehensive Skills :**

1. Common Logical Fallacies.
  - (a) Valid Rules of Syllogism.
  - (b) Syllogistic fallacies.
  - (c) Other types of Material or Verbal Fallacies.
2. Comprehension of Legal Texts : Reading materials.  
The prescribed leading cases.

**(C) Composition Skills :**

1. Use of Cohesive devices (Legal drafting).
2. Precise Writing.
3. Brief writing and drafting of reports; letters and applications.
4. Essay writing and topics of legal interest.
5. Varieties of sentence structures and verb patterns.
6. Translation (from English to Hindi and Hindi to English).

**List of Legal terms which are relevant for LL.B. students :**

Abet	Abstain	Accomplice
Act of God	Actionable	Accused
Adjournment	Adjudication	Admission
Affidavit	Amendment	Appeal
Acquittal	Articles	Assent
Attested	Attornment	Averment
Bail	Bailment	Citation
Clause	Coercion	Code
Cognizable	Confession	Compromise
Consent	Conspiracy	Contempt
Contingent	Contraband	Conviction
Convention	Corporate	Custody
Damages	Decree	Defamation
Defence	Escheat	Estoppel
Eviction	Executive	Ex parte
Finding	Floating charge	Forma Pauperis
Franchise	Fraud	Frustration
Good Faith	Guardian	Habeas Corpus
Hearsay	Homicide	Hypothecation
Illegal	Indemnity	Inheritance
Bench	Bill	Bill of attainder
Bill of Rights	Blockade	Bonafide
By-laws	Capital Punishment	Charge
Chattles	Justiciable	Legislation
Legitimacy	Liability	Liberty
Licence	Lieu	Liquidation
Maintenance	Malafide	Malfeasance
Minor	Misfeasance	Mortgage



Murder	Negligence	Negotiable Instruments
Notification	Neutrality	Non-feasance
Oath	Novation	Nuisance
Order	Obscene	Offender
De facto	Ordinance	Overrule
Detention	De Jure	Deposit
Earnest Money	Discretion	Distress
Equality	Enact	Enforceable
Petition	Partition	Perjury
Preamble	Plaintiff	Pledge
Presumption	Pre-emption	Prescription
Prize	Privilege	Privity
Proof	Process	Promissory Note
Proviso	Proposal	Prosecution
Redemption	Ratify	Receiver
Remand	Reference	Regulation
Repeal	Remedy	Rent
In limine	Res Judicata	Respondent
Insurance	Insanity	Institute
judgement	Intestate	Issue
Justice	judicial	Jurisdiction
Ruling	Restitution	Rule
Settlement	Schedule	Section
Stamp duty	Sovereignty	Specific Performance
Stay of execution	Status quo	Statute
Surety	Succession	Summons
Testatrix	Tenant	Testator
Trade Mark	Title	Tort
Trespass	Treason	Treaty
Trust	Trial	Tribunal
Usage	Ultra vires	Undue influence
Vested	Valid	Verdict
Void	Violate	Vismajor
Waiver	Voidable	Warranty
Will	Warrant	Wrong
	Writ	

**List of Latin Maxims :**

1. Ab initio (from the beginning)
2. action personal is moritur cum persona (Personal right of action dies with the person).
3. actus curae neminem gravabit (an act of the Court shall prejudice no one).
4. actus non facit reum, nisi mens sit rea (the act itself does not constitute guilt unless done with a guilty intent).

5. actus reus (wrongful act).
6. ad interim (in the meantime).
7. ad litem (for the suit).
8. ad valorem (according to the value).
9. alibi (plea of being elsewhere)
10. Amicus curiae (friend of the Court).
11. animus (intention).
12. audi alteram partem (hear the other side).
13. caveat emptor (buyer beware).
14. consensus ad idem (agreement by two persons upon the same thing in the same sense).
15. damnum sine injuria (damage without injury).
16. de facto (in fact).
17. de jure (in law.)
18. de minimis non curat lex (the law does not account of the trifles).
19. decree nisi (a decree which takes effect after a specified period).
20. delegatus non potest delegare (a delegated power cannot be further delegated).
21. doli incapax (incapable in malice).
22. denatio martis cause (gift by a person on the death-bed).
23. ejusdem generis (of the same category).
24. eminent domain (the supreme rights).
25. ex officio (by subsequent act).
26. experte (not in the presence of the opposite party)
27. ex post facto (by subsequent act).
28. factum valet (the fact which cannot be altered).
29. fait accompli (an accomplished fact).
30. ignorantia legis neminem excusat (ignorance of law is no excuse).
31. in pari materia (in an analogous case, cause or position).
32. injuria sine damno (injury without damage).
33. interest re publicate ut sit finis litium (it in the interest of the republic that there should be an end of law suit).
34. intra vires (within the powers)
35. jus terti (the right of a third party).
36. Lis pendens (pending suit) :
37. mens rea (guilty mind).
38. mesne profits (the profits received by a person on wrongful possession).
39. nemo dat quod non habet (no man can transfer better title than he himself has).
40. nemo degat bis vexari pro una et eadem causa (no man be twice vexed for the same cause).
41. nemo in propria causa judex esse debet (no one ought to be a judge in his own cause).

42. nile prosequi (to be unwilling to prosecute).
43. Obiter dicta (an opinion of law not necessary to the decision).
44. onus probandi (the burden of proof).
45. pacta sunt servanda (pacts must be respected).
46. pendente lite (during litigation).
47. per capita (counting heads).
48. per incuriam (through inadvertance or carelessness).
49. per stripes (by stocks).
50. planum dominium (full stocks).
51. pro bono publico (for the public good).
52. ratio decidendi (grounds for decision, principle of the case).
53. res gestae (connected facts forming the part of the same transaction).
54. res ipsa loquitur (the thing speaks for itself).
55. res judicata (a matter already adjudicated upon)
56. res nallius (an ownerless thing).
57. rule nisi (a rule or order upon condition that is to become absolute  
cause is shown to the contrary).
58. status quo (existing position).
59. sub judice (in course of adjudication).
60. sui juris (on one's own right).
61. suo motu (of ones own accord).
62. ubi jus ibi remedium (where there is a right, there is a remedy).
63. ultra vires (beyond the powers of).
64. volenti non fit injuria (Risk taken voluntarijy is not actionable).

**Leading Cases :**

1. State of Rajasthan v. Smt Kalbi & another.  
AIR 1981 SC 1980.
2. Kuljeet Singh alias Ranga v. Union of India,  
AIR 1981 SC 1572.
3. State of Maharashtra v. Champalal Punjaji Shah,  
AIR 1981 SC 1675.
4. Nand Lal Bajaj v. State of Punjab and another  
AIR 1981 SC 2041.
5. Smt. Jewanti Pandey v. Kishan Chandra Pandey,  
(1980) SCC 517.

**Suggested Readings :**

1. Glanville Williams : Learning the Law.
2. Wren & Martin : English Grammar
3. Ganga Sahai Sharma : Fundamentals of Legal Writing.
4. Hindi-English Legal Glossory : Vidhi Sahitya Prakashan, Ministry of Law, Government of India, New Delhi.
5. David Green : Contemporary English Grammar, Sturcture and Composition.

6. Ishtiaque Abidi : Law and Language.
7. Law Lexicon & Legal Maxims by Venkataramaiya.
8. Richard C. Wydick : Plain English for Lawyers.
9. Surendra yadav - Legal Language.

### OPTIONAL PAPER

Paper 1.8. (a) Legal and Constitutional History of India

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. Administration of Justice in Madras, Bombay and Calcutta before 1726.
2. Importance and necessity of legal history; Charter of 1726 and Establishment of Mayor's Court; Charter of 1753; The Madras, Act of Settlement, 1781; Nand Kumar Trial, Patna Case, Cossijurah case.
3. The beginning of the Adalat System; The Judicial Plans of 1772 and 1774 introduced by Warren Hastings. Judicial Reforms of Cornwallis and William Bentinck.
4. The High Court : Dual Judicature before 1861; Indian High Court Act, 1861; Indian Council Act, 1861 Privy Council; Federal Court; Development of Law in Mofussil (Justice, Equity and Good Conscience) Development of Criminal Law.

Charter Act of 1833 :

Condification of Law; Law Commission, Legislative Council, First Second and Third Law Commissions; The Le Loci Report.

5. Government of India Act, 1858 and 1892 :

6. Simmon Commission, Round Table Conference :

Federalism—Nature and Characteristics under Government of India Act, 1935; Provincial Autonomy, Cabinet Mission; Crips Mission Indian Independence Act, 1947; Abolition of Jurisdiction of Privy Council; Constituent Assembly—Its formation, working and contributions.

Leading Cases :

1. Trial of Raja Nand Kumar, 1775
2. Patna Case, 1777-79.
3. Cossijurah Case, 1789-90.
4. Kamaluddin Case, 1775.
5. Gorachand Dutt v. Hosea.

Suggested Readings :

1. Jain M.P.—Outlines of Indian Legal History (English and Hindi).
2. Keith, A.B.—Constitutional History of India.  
Chapters VII, VIII, X, XI and XII only.
3. Banerjee, A.C.—The Making of the Indian Constitution.
4. Mahajan, V.D.—Constitutional History of India.

5. Singh M.P.—Legal and Constitutional History of India.
6. Kulshrestha, V.D.—Landmarks in Indian Legal and Constitutional History (English & Hindi).
7. Bhansali, S.R.—Legal System in India.
8. बाबेल एवं शास्त्री : भारतीय विधिक एवं संवैधानिक इतिहास
9. परांजणे, एन. बी. : भारतीय विधिक एवं संवैधानिक इतिहास

**Paper 1.8 (b)— Trusts, Equity and Fiduciary Relations**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. *Equity* : Concept of equity—Origin and Growth of Equity in England—Maxims of equity—Equitable rights—Equitable remedies.
2. *Indian Trusts Act, 1882* : Definition—Creation of Trusts—Duties and Liabilities of Trustees—Rights and Powers of Trustees—Disabilities of Trustees—Rights and Liabilities of the Beneficiary—Vacating the office of Trustees Extinction of Trustees—Certain obligations in the nature of Trusts.
3. *Rajasthan Public Trusts Act, 1959* : Definition and validity of certain public trusts—Registration of Public Trusts—Management of Public Trust Property—Powers of Officers in relation to Public Trusts—Control of Public Trusts—Social provisions in respect to certain trusts—Dharmada—Procedure and Penalties.

**Leading Cases :**

1. *Hindu Religious Endowments, Madras v. Shri Lakshmindar Thiratha Swamiar of Shri Shirur Mutt*, AIR 1954 SC 282.
2. *Durgah Committee, Ajmer v. Syad Hussain Ali*,
3. *Surajmal Singhvi v. State of Rajasthan*, 1966 RLW 566.
4. *Tilkayat Shri Govindlalji v. State of Rajasthan*, AIR 1963 SC 1630.

**Suggested Readings :**

1. Upadhyaya, J.J.R. : *Equity, Trusts with Fiduciary Relations and Specific Relief*.
2. Gandhi, B.M. : *Equity, Trusts and Specific Relief*.
3. Varadachari, V.K. : *Law of Hindu Religious and Charitable Endowments*.
4. Varadachari, V.K. : *Public Trusts and Taxation*.
5. सिंह जी.पी. : साम्य न्याय एवं विशिष्ट साहाम्य अधिनियम
6. बाबेल : साम्य न्याय एवं विशिष्ट अनुतोष अधिनियम

**Paper 1.8(c)— Bankruptcy Law**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the Syllabus, Examiners shall be free to repeat the questions set in the previous examinations.

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

**Acts for Study :**

1. The Provincial Insolvency Act, 1920.
2. The Presidency Towns Insolvency Act, 1909.
3. The Rajasthan Insolvency Rules.

**Contents :**

- Definitions.
- Origin and History of Bankruptcy Law.
- Constitution and Power of Court.
- Proceedings from act of insolvency to discharge.
- Order of adjudication.
- Proceedings consequent on order of adjudication.
- Discharge
- Annulment of Adjudication.
- Administration of Property.
- Realisation of Property.
- Distribution of Property.
- Appeal to Court against receiver.
- Penalties.
- Summary Administration.
- Appeals.
- Miscellaneous.

**Leading Cases :**

1. Official Assignee v. Tehmina Dinshaw Tehrani, AIR 1971 Mad. 187.
2. Addul Shukoor v. Arji Papa Lao, AIR 1967 SC 1150.
3. Gandhi v. Gitanjali, (1972) 1 MLJ 234.
4. Mahomed Siddiqui v. The Official Assignee (1943) 70 IA 93.
5. Khetmal v. Chagganraj, AIR 1968 Raj. 123.

**Suggested Readings :**

1. Mulla—The Law of Insolvency in India.
2. Williams on Bankruptcy.
3. Rameshwar Dyal : Commentary on the Provincial Insolvency Act, 1920.
4. Mulla & Blagwati—The Law of Insolvency in India.

## PRACTICAL PAPER

### Paper 1.9— Public Interest Lawyering ;

#### Legal Aid, Para-legal Services and Moot Court.

Max. Marks : 100

Min. Pass Marks : 36

This paper shall consist of following two parts :

- |                             |           |
|-----------------------------|-----------|
| (a) Practical written paper | —80 marks |
| (b) Viva-voce examination   | —20 marks |

The candidate must pass in part (a) and (b) separately. For pass, he shall be required to obtain 36 percent marks in each part, i.e. 29 marks out of 80 and 7 marks out of 20 marks.

#### (a) Practical Written Paper :

- (1) Meaning, nature, scope and object of Public Interest Litigation (PIL). PIL against the State and other Public bodies. Difference between Public Interest Litigation and Private Interest Litigation;—Meaning of Social Action Litigation, Concept of Locus standi.

#### (2) Legal Aid under the—

- (i) Constitution;
- (ii) Code of Criminal Procedure; and
- (iii) Code of Civil Procedure.

The Legal Services Authorities Act, 1987. Legal Aid and Law Schools, Legal Aid and Voluntary Organisations. Legal Aid and Legal Profession; District Legal Aid Committee.

- (3) Lok Adalats—Their jurisdiction, working and Powers under the Legal Services Authorities Act, 1987.

#### (4) Writing of PIL petitions.

Writing of applications for Legal Aid.

#### Leading Cases :

1. Bandhua Mukti Morcha v. Union of India, (1984) 3 SCC 161.
2. Olga Tellis v. Bombay Municipal Corporation, (1985) 3 SCC 545.
3. Sukhdas v. Union Territory of Arunachal Pradesh, AIR 1986 SC 928.
4. Sheela Barse v. State of Maharashtra, AIR 1988 SC 378.

#### Suggested Readings :

1. P.N. Bhagwati—Legal Aid as a Human Right.
2. Sujan Singh—Legal Aid—Human Right to Equality.
3. Sunil Deshta—Lok Adalats in India—Genesis and Functioning.
4. L.M. Singhvi—Law and—Law and Poverty—Cases and Material.
5. Awadh Prasad—Lok Adalat (Lterling Publishers, New Delhi).
6. S.S. Sharma—PIL, Legal Aid, Para Legal Services Moot Court.
7. P.N. Bajpayee—Legal Aid and the Bar Council.
8. Kalash Rai—PIL, Legal Aid & Para Legal Services (Eng. & Hindi)
9. मित्तल हरिमोहन-लोकहित मुकदमा, विधिक सहायता एवं विधिक सेवायें

Paper 1.9 (b)

VIVA-VOCE

20 marks

Maintaining Diary on Court visits; Legal Aid and Lok Adalat Proceedings, Moot Court, Performance done on the basis of prescribed leading cases in LL.B. I year paper under the supervision of the concerned teacher. The teacher(s) shall conduct at least two 'Moot Courts' during the session and it will be compulsory for the candidates to participate in atleast fifty per cent of such Moot Courts. The teachers can also conduct Moot Court on the basis of the cases other than the prescribed leading cases. The Viva-voce examination shall be conducted by a Committee of three persons. In this Committee, there shall be two Internal examiners and one External examiner. The Committee shall award marks on the basis of Court diary and performance at the Moot Court and viva-voce examination.

<b>SECOND YEAR LL.B. (A/P) EXAMINATION</b>
--

Paper 2.1

Jurisprudence

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

**Contents :****Jurisprudence :**

Definition Nature and Scope.

- (i) Importance of Jurisprudence.
- (ii) Schools of Jurisprudence; Analytical, Historical and Sociological including American Realism and Natural Law School.

**Nature of Law :**

Definition—Austin, Salmond, Holland, Gray, Hart.

**Sources of Law :**

- (A) Meaning, Custom, Kinds, Tests of particular legal custom; Importance of custom; Theories of customary law,
- (B) Precedents, kinds, Ratio decidendi obiter dicta; Declaratory theory of precedent; judge-made law theory,
- (C) Legislation; kinds, comparison between legislation and other sources of law.

**Concepts of Law :**

Rights and Duties : Nature of Rights and Duties; Correlation of Rights and Duties; Kinds of Rights and Duties; Property; Definition and kinds; Negligence; Criminal liability.

**Ownership and Possession :**

- (A) Meaning of Ownership; Kinds, Definition of ownership by Austin and Salmond



(B) Relation between ownership and possession. Importance of Possession; Elements of corporeal possession and problems; Theories of possession; Salmond and Savigny, *et al.*

**Person :**

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

**Leading Cases :**

1. Kesavananda Bharti v. State of Kerala, AIR 1973 SC 1451; (Per Mathew J) 1974; paras 1617; 1616 (Sovereignty) 1685—1698 (Natural Law and Natural Rights); 1726—1729 (Rescoe Pound and Sociological Jurisprudence).
2. Maharaja Shree Umaid Mills Ltd. v. Union of India, AIR 1963 SC 953 paras 12, 13, 14 (Per S.K. Das) Concept of Law; Legislative agreements.
3. Smt. Indra Nehru Gandhi v. Raj Narain, AIR 1975 SC 2299; Paras 299, 489 (Per Mathew, J). (Generality as a Property of Law).
4. Keshav Singh v. State of U.P.; AIR 1965 SC 9 to 17, (Per Sarkar, J). Law making by Judicial and Legislative Comity).
5. Bengal Immunity Co. v. State of Bihar, AIR 1955 SC 561, (Precedent).
6. Maneka Gandhi v. Union of India, AIR 1978 SC 597.

**Suggested Readings :**

1. Salmond : Jurisprudence.
2. Dias : Jurisprudence.
3. Dhyani S.N. : Fundamentals of Jurisprudence.
4. Mahajan V.D. : Jurisprudence and Legal theory.
5. पराजपे एन.वी. : विधि शास्त्र
6. अनिरुद्ध प्रसाद : विधि शास्त्र के मूल सिद्धान्त
7. Agarwal & Raizada : Some thoughts on Modern Jurisprudence.
8. R.D. Yadav : Glimpses of Jurisprudence.

**Paper 2.2**

**Law of Crimes**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

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

Offence, Document, Harbour. Judge.

3. *General Exceptions* :

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

4. *General Exceptions* :

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

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

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

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

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

9. *Offence Relating to Document* : Forgery, Making a false document.

10. *Offences relating to Sex and Marriage* : Rape, Sexual offences, Unnatural offence, Adultery, Bigamy.

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

**Leading Cases :**

1. Reg. v. Govinda (1876) ILR I Bom. 342.

2. Kedar Nath v. State of Bihar, AIR 1962 SC 955, (1962), 2 Cr. LJ 103 (SC).

3. Laxman Kalu v. State of Maharashtra, AIR 1968 SC 1890, 1968 Cr. LJ 1647.

4. T.V. Vadgama v. State of Gujarat, AIR 1973 SC 2213; 1972 Cr. LJ 1542 (SC).

5. K.M. Nanavati v. State of Maharashtra, AIR 1962 SC 605 (1965) 2 Cr. LJ 521 (SC).

6. Bachan Singh v. State of Punjab, AIR 1980 SC 896.

**Suggested Readings :**

1. Ratan Lal : The Indian Penal Code.

2. Kenny : Outlines of Criminal Law (First four chapters).

3. Nigam, R.C. : Principles of Criminal Law (English & Hindi).
4. Shamsul Huda-Principles of Criminal Law.
5. Hari Singh Gaur : Penal Law of India.
6. T. Bhattacharyya : Indian Penal Code (English & Hindi).
7. Amar Singh Yadav : Indian Penal Code (Hindi).
8. Raja Ram Yadav : Indian Penal Code (Hindi).

**Paper 2.3 The Law Relating to Transfer of Property and Easement**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. *Preliminary* : Definition, Essentials of Transfer, Competence of Parties, Subject matter of transfer, transfer to unborn person, Registration of Transfer, etc. General Rules of Transfer :
  - (a) Restraints of alienation absolute or partial, Restraints of free enjoyment, Covenants affecting enjoyment, divesting on insolvency, Covenants affecting enjoyment, divesting on insolvency, perpetuities, Future estates, Doctrine of acceleration—Accumulation of income. Exceptions, Covenants and Transfers, General Rules of Transfer.
  - (b) Conditional transfer : Condition precedent, Condition subsequent; Vested and contingent interest.
2. Election, Priority of rights, Notice, Implied transfers by limited owners, transfer of property out of which maintenance claims have to be met, ownership by holding out, ownership by estoppel, feeding the grant by estoppel, Doctrine of part-performance, Sale.
3. *Mortgage and Charge* : Kinds of mortgage, Rights and liabilities of Mortgage and mortgagee, priority, marshalling, contribution and subrogation.
4. Exchange, Lease, Gift, Actionable claims.
5. *Easements* : Essentials of Easements, Imposition Acquisition, Incidents, Disturbance, Extinction. Suspension and Revival of Easement, Licence. Difference between Lease and Licence.

**Leading Cases :**

1. J.B. Rao v. Vassarayappa, AIR 1956 SC 727.
2. Gokal Das Gopal Dass v. Premsukha Dass, ILR 10-Cal. 1035 (PC).
3. Ram Kumar Koondoo and others v. John and Maria Mequeen (1872) 1 Beng LR 46 (PC) XXII A. Vol. Supp. (1872-73).
4. Webb v. Macpherson, ILR 31 Cal. 57 (PC).
5. Associated Hostels of India Ltd. v. R.N. Kapoor, AIR 1959 SC 1262.
6. Raja Bajrang Bahadur Singh v. Thukurani Bakhraj Kaur, AIR 1953 SC 7.

**Suggested Readings :**

1. The Transfer of Property Act (Act IV of 1882) as amended upto-date.
2. Mulla : Transfer of Property Act.
3. Joshi : The Indian Easements Act (Act V of 1882).
4. Menon, A.K. : The Law of Property.
5. Sarthi, V.P. : Law of Transfer of Property.
6. Shukla, S.N. : Transfer of Property Act.
7. Saxena, I.C. : Transfer of Property Act.
8. Bhansali & Sharma : Transfer of Property Act (Hindi).
9. Kulshrestha, J.N. : Transfer of Property Act (Hindi).
10. Tripathi, J.P. : Transfer of Property Act (Hindi).
11. Gupta, R.R. : Transfer of Property Act (Hindi).

**Paper 2.4**

**Company Law**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. Definition of Company—kinds of company, corporate personality, Registration and Incorporation. The Memorandum and Articles of Association.
2. Promoters and Preliminary Contracts Prospectus, Share-capital, Shares, members and share-holders, Debentures, Directors and Borrowings, Majority powers and minority rights.
3. Prevention of oppression, Mis Management, amalgamation and reconstruction. Meetings of company, winding-up and Dissolution. Formation and Powers of Company Law Board.

**Leading Cases :**

1. Avon Soloman v. Soloman Co. Ltd. (1897) AC 22.
2. Laxmi Swamy Mudaliar v. LIC, AIR 1963 SC 1185.
3. Royal british Bank v. Turquand, (1856) 6 E & B 327.
4. Ramkrishna Das Dhanuka v. Satya Gharan, AIR 1950 PC 51.
5. Tata Engineering and Locomotive Ltd. v. State of Bihar, AIR 1965 SC 40.
6. Bajaj Auto Ltd., Poona, v. N.K. Florida, AIR 1971 SC 321.

**Suggested Readings :**

1. Shah, S.M. : Lectures on Company Law.
2. Avtar Singh : Company Law (English & Hindi).
3. Sen, G.M. : Company Law (Cases and Meterials)
4. Sanghal, P.S. : National and Multinational Companies: Some Legal Issues.
5. Dhingra, L.C. : Principles of Company Law.
6. Paranjape, N.V. : Company Law (English & Hindi)

**Paper 2.5 Public International Law and Human Rights**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. Definition, Nature and Basis of International Law. Weakness of International Law, Codification and Development of International Law. Relation between International Law, Municipal Law; Subjects of International Law, Nationality, Extradition and Asylum.
2. States in general : Kinds of States and non-States entities; Acquisition and loss of State territory; Territorial Water, Continental Shelf, Contiguous Zone, Exclusive Economic Zone. Freedom of the High Sea and Piracy. Recognition of States and Governments. Recognition of Insurgency and belligerency, de facto and de jure recognition. State succession; State Jurisdiction; Territorial sovereignty, Criminal Jurisdiction in International Law, Intervention.
3. Diplomatic agents, Counsels, Classification and Function of Diplomatic agents, Privileges and Immunities with reference to Vienna Convention on Diplomatic Relation, 1961, Treaties, Definition, Basis, Classification and formation of treaties, Interpretation and revision of treaties, Principle of jus cogens and pacta sunt servanda, termination of treaties, Vienna Convention on the law of treaties, Pacific and Compulsive means of settlement of International disputes. International Court of Justice—Jurisdiction and Contribution towards development of International Law.
4. War, its legal character and effects, Enemy character, Armed conflicts and other hostile relations. Belligerent occupation, War crimes. Termination of war and doctrine of post liminium and Prize Courts.
5. The Law of Neutrality—Basis of neutrality, Rights and duties of neutral states, quasi-neutrality, neutrality and U.N. Charter, Right of Angary. Contraband, Blockade, Unneutral service, Right of visit and search.
6. *International Institution* : United Nations, History and formation of United Nations, Organs of United Nations with specific reference to General Assembly, Security Council and International Court of Justice.
7. *Human Rights* : Meaning, Universal Declaration of Human Rights, 1940. International Covenants on Civil and Political Rights, 1966, International Convention on Economic, Social and Cultural Rights, 1966, Regional Conventions on Human Rights, Rights of Women and Child, Protection of Human Rights Act, 1993.

**Leading Cases :**

1. United Kingdom v. Norway (Anglo-Norwegian Fisheries Case (ICJ Report (1951) 116.

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

#### Suggested Readings :

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

#### Paper 2.6

#### Labour Law

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

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

#### Trade Unions Act, 1926 :

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

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

#### **The Factories Act 1948 :**

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

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

#### **The Minimum Wages Act, 1948 :**

Concept of Wages, particularly Minimum Fair and Living Wages, Need based minimum wage—Aims and objects of Minimum Wages Act—Application, Exceptions and Exemptions—Kinds of Wages.

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

#### **Leading Cases :**

1. Workmen of Indian Standards Institution v. Indian Standard Institution, AIR 1976 SC 145.
2. Delhi Cloth and General Mills Co. Ltd. v. Ludh Budh Singh, 1970 ILLJ 180 (SC) AIR 1972 SC 103.
3. Jay Engineering works v. State of West Bengal, AIR 1968 Cal 406.
4. V.P. Gopala Rao v. Public Prosecutor, Andhra Pradesh, AIR 1970 SC 65.
5. PUDR and others v. Union of India, 1982 II LLJ 454 SC.
6. Express News Paper Ltd. and other v. Union of India and other. AIR 1958 SC 578

#### **Suggested Readings :**

1. Indian Law Institute : Law and Labour Management Relations in India.
2. Rustamajee : Law of Industrial Disputes.
3. Mishra, S.N. : Labour & Industrial Law (Eng. & Hindi).
4. Srivastava, K.D. : Commentary on Factories Act, 1949.
5. Srivastava, K.D. : Commentary on Industrial Disputes Act, 1947.
6. Srivastava, K.D. : Commentary on minimum Wages Act, 1948.
7. Myres, Charles : Industrial Relations in India.
8. Malhotra, O.P. : Law of Industrial Disputes, Vol. I.
9. Darwell & Karr : Law of Service in Industry, Vol. 2, 1956.
10. Srivastava, K.D. : Commentary on Trade Union Act, 1926.
11. Dr. Ganga Sahai Sharma :

**Paper 2.7**

**Administrative Law**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

Definition, Nature, Scope, Rule of Law, Separation of powers. Relationship between Administrative Law and Constitutional Law, Sources of Administrative Law, Government, Administrative Authorities and Bodies.

Statutory Corporations including their control, the extent of executive power, Administrative Finality and the Court review.

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

**Henry III Clause**

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

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

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

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

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

**Leading Cases :**

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

**Suggested Readings :**

1. Indian Law Institute—Delegated (Legislation in India).
2. Griffith J.A.G. and Street, H.—Principles of Administrative Law.
3. Kagzi, M.C.J.—Administrative Law in India.
4. Kagzi, M.C.J.—A Case Book in Administrative law.
5. Dr. Jain, M.P. & Dr. Jain, S.N.—Principles of Indian Administrative Law.



6. Kesari, U.P.D.—Administrative Law.
7. केसरी यू.पी.डी. : प्रशासनिक विधि
8. उपाध्याय जे.जे. : प्रशासनिक विधि
9. Sathe, S.P.—Administrative Law

## OPTIONAL PAPER

Paper 2.8(a)

Law of Taxation

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. Indian Income Tax Act, 1961.
2. Central Sales Tax Act, 1956.
3. Rajasthan Sales Tax Act, 1994.
1. *Income Tax Act* : (1) Definitions—Assessment year, Previous year, Agriculture, Income Assessment, Capital Asset, Dividend, Income, Casual Income, Total income, Gross Total Income; Maximum and Minimum marginal rate, Person, resident—non-resident, Transfer.
2. Basis of Charge—Charges of Income-tax; Scope of total income, Residence in India, Income deemed to be received, Divided income, Income deemed to accrue or arise in India.
3. Income which do not form part of total income.
4. Computation of total income—Head of Income—Salaries, Interest on securities, Income from House Property, Profit & Gains of business or Profession, capital gains, Income from other sources.
5. Income of other persons included in assessee's total income.
6. Deductions to be made in computing total Income.
7. Relief in respect of income-tax.
8. Determination of tax in certain specific cases.
9. Income tax authorities—Appointment and Control; Jurisdiction, Powers, Procedure for Assessment, Liability in special cases, Collection and recovery of tax, Appeals, Revision and Referene.

Central Sales Tax Act, 1956

1. Sale or Purchase of goods in the course of Inter-State Trade or outside a State or in the course of import or export.
2. Liability to tax on inter-state sales, burden of proof,
3. Registration of dealers.
4. Determination of turnover. levy & Collection of tax.
5. Penalty and offences.
6. Restrictions and conditions in regard to tax on sale or purchase of declared goods within a State.

Dr. Koolwal

# Rajasthan Value Added Tax Act, 2003

Syllabus : Faculty of Law [ 43

## Rajasthan Sales Tax Act, 1994 :

1. Incidence and levy of tax, registration of dealers. Payment of tax, filing of returns and assessment.
2. Tax liability recovery and refund-
3. Interest, Composition and Prosecution.
4. Inspection, Search and seizure, anti-evasion provisions.
5. Appeals & Revisions-Officers, Powers and immunities.

## Leading Cases :

1. Commissioner of Income-Tax v. Raja Beney Kumar Sahas Roy, (1957) 32 ITR 466 (SC).
2. Commissioner of Income-Tax v. Gangadhar Baijnath. (1972) 86 ITR (SC).
3. Surjit Lal Chhabda v. Commissioner of Income-Tax (1975) 10 J ITR 76 (SC).
4. Agarwal & Co. v. Commissioner of Income Tax, 197388 ITR 336 Bom. (SC).
5. P. Krishna Menon v. Commissioner of Income-Tax (1959) 35 ITR 48 (SC).
6. Commissioner of Income-Tax v. Nar Prasad and Co. (P) Ltd. (1975) 99 ITR 118 (SC).
7. State of Bihar v. Tata Engineering & Locomotive Co. Ltd., (1969) 27 STC 127 (SC).

## Suggested Readings :

1. Gupta, RR.-Income Tax and Practice.
2. Kanga & Palkiwala-The Law and Practice of Income tax.
3. Agarwal, S.E.-Law and Practice Relating to Central Sales Tax Act, 1956.
4. Pokharna, N.L.-The Law relating to Sales-Purchase Tax, Rajasthan.
5. Income Tax Act-A.K. Saxena (English & Hindi).
6. Singh, S.D.-Law of Central Sales Tax.
7. Mahesh Koolwal-Rajasthan Sales Tax Act & Rules.
8. Jain, S.L.-Income Tax Act. (Hindi)
9. Jain S.L.-C.S.T. & RST (Hindi)

Rajasthan VAT & CST

Dr. Koolwal

Paper 2 - 2.8(b) Insurance Law

Max. Marks : 100

Min. Pass Marks : 36

- Note : (1). In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
- (2) Leading cases prescribed under this paper may be read wherever they are relevant.
1. (a) Evolution and development of the concept of Insurance, Role and importance of Insurance.
  - (b) General principles of the contract of Insurance, nature of contract of Insurance.
  - (c) Classification of policies, Selection and measurement of risk, Treatment of sub-standard risk, calculation of premium.

Dr. Koolwal

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

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

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

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

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

3. Public Liability Insurance Act, 1992

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

Leading Cases :

1. New India Assurance Co. v. Radhey Shyam Motilal Khandelwal, AIR 1974 Bom. 228.

2. Prudential Insurance Co. v. Inland Revenue Commissioners, (1904) 2 KB 658.

3. Mills v. Smith (1963) 2 All. ER 1078.

4. Digby v. General Accident (1943) AC 121, 138.

5. Glickman v. Lancashire and General Assurance Co. Ltd., (1978) AC 139 (HL).

Suggested Readings :

1. Mishra, M.N.-Insurance-Principles and Practices.

2. Rao, C.K.-Treaties on the Law of Insurance.

3. The Insurance Act, 1938.

4. The Life Insurance Corporation Act, 1957.

5. Karkara, G.S.-Commentary on Public Liability. Insurance Act.

6. Murthy & Sharma-Modern Law of Insurance in India.

7. Surendra Yadav-Insurance Law (in Hindi).

Paper 2.8 (c) Banking Law Including Negotiable Instruments Act

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

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

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

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

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

The Industrial Reconstruction Bank of India Act, 1984. Definitions, Establishment, Acquisition and Transfer of the undertaking of the Industrial Reconstruction Corporation of India Limited, Management of Reconstruction Bank; special powers of the Reconstruction Bank.

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

#### Leading Cases :

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

#### Suggested Readings :

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

3. Tokhi, M.R. & Sharma, D.P.—Rural Banking in India, 1975.
4. Maheshwari, S.N.—Banking Law and Practice.
5. State Bank of India Act, 1955.
6. State Bank of India (Subsidiary Bank) Act, 1959.
7. Regional Rural Banks Act, 1976.
8. National Bank for Agriculture & Rural Development Act, 1981.
9. Rajasthan Co-operative Societies Act, 1965.
10. Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and 1980.
11. Industrial reconstruction Bank of India Act, 1964.
12. Kulshrestha, V.D.—Government Regulation of Financial Management of Private Corporate Sector in India.
13. Khegamvala, T.S.—The Negotiable Instruments Act, 1981.

**Paper 2.9 Professional Ethics, Bar-Bench Relations and the Moot Court**

Max. Marks : 100

Min. Pass Marks : 36

This paper shall consist of following two parts.

(a) Practical Written paper—80 marks

(b) Viva-voce Examination—20 marks

The candidate must pass in part (a) and (b) separately. For pass, he shall be required to obtain 36% marks in each paper, i.e. 29 marks out of 80 and 7 marks out of 20 marks.

**2.9 (a) Practical Written Paper**

**Professional Ethics—Meaning and Scope, Duties of an Advocate towards the Court, his client, other fellow Advocates and the Public.**

**Bar-Bench Relations—Meaning, necessity, nature and scope. The contempt law and practice. Supreme Court pronouncements relating to (a) the Bar-Bench Relations and (b) the contempt of Court.**

**2.9 (b) Viva-voce Paper :**

**Maintaining diary on court visits, recording the Bar-Bench relations and Professional Ethics.**

Moot Court Performance done on the basis of prescribed leading cases in LL.B. II year under the supervision of the concerned teacher. The teacher shall conduct at least two Moot Courts and it will be compulsory for the candidates to participate in at-least fifty per cent of such Moot Courts. The teacher can also conduct Moot Court on the basis of cases other than the prescribed leading cases. The viva-voce examination shall be conducted by a Committee of three persons. In this Committee there shall be two Internal Examiners and one External Examiner, The Committee shall award marks on the basis of Court diary, and performance at the Moot Court and viva-voce examinations.

**Suggested Readings :**

1. The Bar Council Code of Ethics.
2. The Contempt of Court Act.
3. Mr. Krishnamurthy Lyer's book on 'Advocacy'.

<b>LL.B. THIRD YEAR EXAMINATION</b>
-------------------------------------

**Paper 3.1****Law of Evidence**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

**Indian Evidence Act, 1872**

1. **Preliminary : Application of Indian Evidence Act, Definition : Court, fact-fact in issue and relevant fact, evidence-meaning and its kinds, proved, disproved, not proved, may presume, shall presume, and conclusive proof. Presumptions of fact and law, presumptions regarding documents.**

**Relevancy of facts :** Explaining—Res-gestae, occasion, cause, effect, motive, intention, preparation, previous and subsequent conduct, introductory and explanatory facts, facts and otherwise relevant become relevant, accidental and incidental facts.

Facts which need not be proved, improper admission and rejection of facts.

2. **Admission and Confession :**
  - (a) Admission : Definition, whose admission is relevant, relevancy of admission in civil cases, admission is not conclusive proof, admission as an estoppel.
  - (b) Confession : Definition, its kinds, confession caused by inducement, threat or promise, confession to police officer, confession in the custody of police, confession to Magistrate, confession by co-accused.
  - (c) Difference between admission and confession. Relevancy of statements:
    - (a) Statements by persons who cannot be called as witness.
    - (b) Statement made under special circumstances.
    - (c) Relevancy of judgment of a Court of Law.
    - (d) Opinions of third person.
    - (e) Opinion of experts.
    - (f) Relevancy of character.
3. **Evidence :** Oral evidence, documentary evidence, kinds of documentary evidence, when secondary evidence is relevant, public and private document.

Exclusion of oral evidence; by documentary evidence; Application of this principle, its exceptions, ambiguous documents, kinds of ambiguity.

**Burden of Proof** : Meaning, general principles of burden of proof in civil and criminal cases and exceptions to it. When burden of proof shifts, proof of legitimacy of child, proof in dowry deaths and in the matters of rape.

4. **Estoppel** : Meaning, essentials, nature and its kinds.

**Witness** : Competency of witness, when persons can be compelled to appear as witnesses, privileged communications and documents, accomplice, hostile witness.

5. **Examination of Witnesses** : Order of examinations, Kind of examination, leading question, impeaching the credit of witness, questions which can and which cannot be asked, refreshing the memory of witness, production of document, Judge's power to put questions and to order production. Effect of improper acceptance or rejection of evidence.

#### Leading Cases :

1. Nishi Kant Jha v. State of Bihar, AIR 1969 SC 422.
2. Himachal Pradesh Administration v. Om Prakash, AIR 1972 SC 975.
3. Sat Paul v. Delhi Administration, AIR 1976 SC 294.
4. Laxmipat Chorasias v. State of Maharashtra, AIR, 1968 Sc 938.
5. Pakala Narayan Swami v. Emperor AIR 1939 PC 47.
6. Bhardwada Bhogin Bhan Heerji Bhai v. State of Gujarat, AIR 1988 SC 753.
7. R.M. Malkani v. State of Maharashtra, AIR 1973 Sc 157.

#### Suggested Readings :

1. Ratan Lal : The Law of Evidence.
2. Batuklal : Law of Evidence.
3. Vepa P. Sarathi : Law of Evidence.

#### Paper 3.2 Law Relating to Criminal Procedure, Juvenile Justice and Probation of Offenders

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. Preliminary :

- (a) Object, Extent and Definitions (Chapter 1).
- (b) Duties of Public :
  - (i) To assist police and Magistrate,
  - (ii) To give information about certain offences  
(Chapter IV, Ss. 37 to 40)

2. Criminal Courts :

- (a) Territorial Divisions and Classification  
(Chapter II, Ss. 10, 14, 15, 19, 22 and 23).
- (b) Powers (Chapter III, Ss. 26 to 31).

**Pre-Trial Procedures :**

- (a) Process to compel appearance (Chapter VI).
  - (b) Process to compel Production of things  
(Chapter VII).
  - (c) Arrest of Persons (Chapter V).
  - (d) Information to the Police and their powers of Investigation. (Chapter XII).
  - (e) Bail (Chapter XXXIII).
  - (f) Jurisdiction of the Courts in inquiries and trials (Chapter XIII).
  - (g) Maintenance of Public Order and Tranquility (Chapter X).
3. Jurisdiction of the Courts in inquiries and Trials, (Ch. XIII).
4. Complaints to Magistrates and Cognizance of Offence (Chapter XV and XIV).

Charge (Chapter XVII).

a. Types of Trials :

- (i) Trial before Court of Session (Chapter XVIII).
- (ii) Trial of Summons and Warrant Cases  
(Chapter XIX and XX).
- (iii) Summary Trials (Chapter XXI).
- (iv) Judgment (Chapter XXVII).

5. (a) Appeals (Chapter XXIX).

Reference and Revision

(Chapter XXX).



(b) *Misc. Provisions :*

- (i) Period of Limitation (Chapter XXXVI)
- (ii) Irregular Proceedings (Chapter XXXV).
- (iii) Autrefois acquit and Autrefois convict.
- (iv) Legal Aid to accused at State expenses (S. 304).
- (v) Pardon to an accomplice.
- (vi) Saving of Inherent Powers of High Court.
- (vii) Maintenance of wives, Children and Parents.

Juvenile Justice Act.

Probation of Offenders Act.

**Juvenile Justice Act, 2000**

**Definitions**—Competent authorities and institutions for juveniles, Neglected Juveniles, Delinquent Juveniles, Procedures of competent authorities, special offences in respect of juveniles.

**Probation of Offenders Act, 1958 :**

**Definitions**—Power of Court to release certain offenders after admonition, on probation of good conduct—Power of Court to require released offenders to pay compensation under twenty one years of age, Variations of conditions of probation, Probation in case of 'Offender' failing to observe conditions of bond, Provision as to sureties, Probation Officers, Duties of Probation Officers.

**Leading Cases :**

1. Tahsildar Singh v. State of Delhi, AIR 1955 SC 196.
2. State of U.P. v. Singhara Singh, AIR 1964 SC 359.
3. Nisar Ali v. State of U.P., AIR 1957 SC 336
4. Purshottam Das Dalmia v. State of West Bengal, AIR 1968 SC 1589.
5. State of Andhra Pradesh v. Ganeshwara Rao, AIR 1968 SC 1050.
6. Satwant Singh v. State of Punjab, AIR 1956 SC 286.
7. Pritam Singh v. State of Punjab, AIR 1956 SC 415.

**Suggested Readings :**

1. Ratan Lal—Criminal Procedure Code.
2. Ganguly, A.C.—A Guide to Criminal Code Practice.
3. Juvenile Justice Act, 1980.
4. Probation of Offenders Act, 1950.

5. Khatri B.D.—Law of Probation in India alongwith Juvenile Justice Act, 1988.
6. Chakravarti, N.K. —Probation System—in the Administration of Criminal Justice.
7. तिवाड़ी, वाई.के. : दण्ड प्रक्रिया संहिता
8. जैन, पी.सी. : दण्ड प्रक्रिया संहिता

### Paper 3.3 Law of Civil Procedure and Limitation

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

#### 1. Code of Civil Procedure, 1908.

Definitions—suits in general, suits of civil nature, stay of suit, Res Judicata, Res Subjudice, Foreign Judgment, Place of trial, Transfer of suits, Joinder, non-joinder and mis-joinder of parties and causes of action Service of summon and pleadings.

#### 2. Executive in general—Courts by which decrees may be executed, powers of the Court executing the decrees. Transfer of decrees for execution and modes of execution, Stay of execution, Suits in particular cases (Orders XXIX to XXIII). Abatement of suits.

#### 3. Supplemental proceedings, Attachment before judgement, Arrest before judgement, Temporary injunction and Appointment of Receiver.

#### 4. Appeals—Appeals against order and appeals against decree, Review, Revision and Reference.

#### 5. The Limitation Act, 1963 (Omitting the Schedule).

Purpose, policy, nature and scope of the Act.

Definitions : Applicant, bond, defendant, easement, good faith, plaintiff, period of limitation.

Relationship between limitation, laches, acquiescence, estoppel and res judicate; Limitation of suits, appeals and applications, disability, computation of period of limitation, acknowledgement and part payment, acquisition of ownership by prescription.

#### Leading Cases :

1. Shri Sinha Ramanuja v. Ramanuja, AIR 1961 SC 1720.

2. Seth Hukamchand v. Maharaja Bahadur Singh, 60 IA 313.

3. Narain Bhagwantrao v. Gopal Vinayak, AIR 1960 SC 104.
4. Garikapati Veerava v. N. Subhia Chaudhary, AIR 1957 SC 540.
5. Deoki Nandan v. Murlidhar, AIR 1957 SC 133.
6. Deity Pattabhirama Swamy v. Hanmayya, AIR 1959 SC 57.
7. S.M. Jakati v. B.M. Borker, AIR 1959 SC 282.

### Suggested Readings :

1. Mulla—Civil Procedure Code.
2. Singh, S.N.—Civil Procedure Code.
3. Sahai—On Civil Procedure.
4. Tandon, M.P.—Civil Procedure (English & Hindi).
5. Mridul Srivastava—Civil Procedure Code (Hindi).
6. A.N. Pandey—Civil Procedure Code (Hindi).

### Paper 3.4 Arbitration, Conciliation and Alternate Dispute Resolution System

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

#### 1. *The arbitration and Conciliation Act, 1996 :*

- (a) General provisions—Arbitration agreement—Arbitral Tribunals (Composition and Jurisdiction)—Conduct of arbitral proceedings—Arbitral awards—Termination of Proceedings—Setting aside of arbitral award—Enforcement of arbitral awards.

Enforcement of foreign awards—New York Convention—Awards, Geneva Convention Awards.

- (b) *Conciliation*—Conciliators—Procedure of Conciliation Relationship of conciliator with parties—Settlement agreement—Termination of Conciliation Proceedings—Resort to Arbitral or Judicial proceedings—Costs and Deposits.

#### 2. *Lok Adalats—*

Objects, role of Committee for implementation of Legal Aid Schemes (CILAS) Permanent Conciliatory Centres in Gujarat—The Legal Services Authorities Act, 1987 Functions of National Legal Services Authority, State Legal Services Authority and District Legal Services Authority; Organisation of Lok Adalat, Jurisdiction and powers of Lok Adalats, Procedure for determination of Dispute before the Lok Adalat.

Alternate Dispute Settlement System for Multinational corporations :

**Leading Cases :**

1. State of Bihar v. Kameshwar Singh, AIR 1952 SC 252.
2. Vallabhdas meghji v. Cowosji Franeji AIR 1925 Bom. 409.
3. Firm Madanlal Roshanlal Mahajan v. Hukum Chand Mills Ltd. AIR 1967 Sc 1030.
4. State Electricity Board, Tamil Nadu v. Sree Meenakshi Mills Ltd., AIR 1975 mad. 139.
5. Food Corporation of India v. M/s Thakur Shipping Co., AIR 1975 Sc 469.

**Suggested Readings :**

1. The Arbitration and Conciliation Act, 1996.
2. Sunil Deshta-Lok Adalats in India-Genesis & Functioning.
3. Bakshi, P.M.-Arbitration Law.
4. Paruck, P.L.-Indian Arbitration Act.
5. Avtar Singh-Law of Arbitration and Conciliation.

**Paper 3.5**

**Land Law**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

**Acts of Study :**

1. Rajasthan Tenancy Act, 1955.
2. Rajasthan Land Revenue Act, 1956.
3. Rajasthan Rent Control, 2002.

**Rajasthan Tenancy Act, 1955 :**

1. Preliminary : Objects and Reasons, Definition, Khudkasht (Sections 1 to 130, Ijredars, Grove Holder (sections 194 to 205) : Classes of tenants (Section 14 to 17-A) : Conferment of rights on sub-tenants or tenants of Khud Kasht (19), Primary right of tenants (Section 31 to 37) : Surrender, Abandonment and Extinction of tenancies of tenancies (Sections 55 to 64). Improvements and Trees (Sections 65 to 87) : Declaratory Suits (Ss. 88 to 92) : Determination and Modification of Rent (Sc. 93 to 129): Payment and Recovery of Rent (Sc. 130 to 160) : grounds for Ejectment of Tenants, Remedies for wrongful ejectment (Sections 169 to 188).

2. Procedure and Jurisdiction of Courts (Sc. 216 to 221). Provision for injunction and appointment of Receiver (Section 212). Appeal, Review, Revision (Sc. 222-232) : Reference, Question of Proprietary Rights in Revenue Courts (S. 239) : Question of Tenancy Right in Civil Court (S. 242), Conflict of Jurisdiction (Sec. 243).

**The Rajasthan Land Revenue Act, 1956 :**

3. The Board of Revenue, Revenue Courts and Officers (Sc 4-30) Appeal, Reference, Revision and Review (Sc. 74-87); Land (Sc. 88 to 105; Survey (Sc. 100-112).
4. Record of Rights, Maintenance of maps and record, Annual Registers (Ss. 113-137); Settlement operations; Rent Ratio, Determination of rent, Term of Settlement-(Ss. 142-177); Collection or Revenue (Ss. 224 to 257).

Rajasthan Rent control Act, 2002

**Leading Cases :**

1. Prabhu V. Ramdeo, AIR 1966 SC 172.
2. Kanaimal V. Kanhaiya Lal, 1966 RLW 179.
3. Bohra V. Ganesh, 1966 RRD 71 (FB) 1966 RLW.
4. Yasin Shah V. Munir Shah, 1967 RRD 37.
5. Mangi Lal V. Chottu, 1967 RRD 433.
6. Smt. Mulashi V. Ram Lal, 1976 RRD 88.

**Suggested Readings :**

1. Shyam Lal Gupta - The Rajasthan Tenancy Act.
2. Dutt, S.K. - Tenancy Law in Rajasthan.
3. Dutt, S.K. - Rajasthan Land Revenue Act.
4. Suresh Chand - Law of Tenancy in Rajasthan.  
H, Mathur
5. Datta, S.K. - Rent Control in Rajasthan.
6. Karkara, G.S. - Rajasthan Land Laws  
(English & Hindi).
7. Babel, B.L. - Rajasthan Land Laws (Hindi).

**Paper 3.6**

**Interpretation of Statutes**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

Meaning of Interpretation—Basic principles of interpretation—Intention of the Legislature, Statute be read as a whole. Plain meaning rule, Harmonious Construction, Golden and Mischief Rule—*Utresemagic quam valeat parcat.*

Aids to Interpretation : External—Parliamentary—Legislative debates, Statement of objects and reasons. Dictionary, Statute in *Peri-materia*. *Contemporanea*, *Expositio*, Internal : Title, Preamble, heading, Marginal Notes, Proviso and function.

Principle of Interpretation of Constitution and Penal and Fiscal Statutes.

*Delegatus non potest delegare*, *Ejusdem Generies*, Pith and Substance Rule. Expression—*Unine exclusio*, *Alterios Non-obstante* clause, Mandatory and Directory provision. *Noscitur A Soclis*, *Reddendo Singula Singulis*, Operation, Expiry and Repeal of Statutes.

#### Leading Cases :

1. Haydon's Case (15840 3 Co. Rep. 7a, p. 76 : ER 637.
2. Bengal Immunity Company v. State of Bihar, AIR 1955 SC 661.
3. Alamgir v. State of Bihar, AIR 1959 SC 436.
4. Inder Singh v State of Rajasthan, AIR 1957 Sc 510.
5. Ram Avatar v. Assistant Sales Tax Officer.

#### Suggested Readings :

- |                     |  |
|---------------------|--|
| 1. Maxwell          | — The Interpretation of Statute,                   |
| 2. Grawford         | — Statutory Constitution.                          |
| 3. Craies           | — Statute Law.                                     |
| 4. Swarup           | — Interpretation of Statutes.                      |
| 5. Bindra           | — Interpretation of Statutes.                      |
| 6. Sarathi          | — Interpretation of Statutes.                      |
| 7. Bhattacharyya. T | — Interpretation of Statutes<br>(English & Hindi). |

#### Paper 3.7

#### Environmental Law

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. The Environment (Protection) Act, 1986 : Objects and reasons of the Act, Definition : General powers of the Central Government to issue directions, Prevention, Control and Abatement of Environmental

- Pollution; Penalties and Procedure. Standards for emission or discharge of environmental pollutants.
2. The Air (Prevention & Control of Pollution) Act, 1981; Application of the Act; Definitions; the Constitution powers and functions of Central and State Boards for Prevention and control of air pollution. Powers of the State Government, Penalties and Procedures; rules and procedures.
  3. The Water (Prevention and Control of Pollution) Act, 1974-Application of the Act Definitions; Constitution, Powers and functions of Central and State Boards. Joint Boards for Prevention and control of water pollution; Power of State Governments; Penalties and Procedures.
  4. Law relating to prevention and control of air, water and noise pollution in Rajasthan.  
The Rajasthan Water (Prevention & Control of Pollution) Rules, 1974.  
The Rajasthan Water (Prevention & Control of Pollution) Appeal Rules, 1977.  
The Rajasthan Air (Prevention & Control of Pollution) Rules, 1983.  
The Rajasthan Noise Control Act, 1963-Judicial activism to protect environmental pollution.

**Leading Cases :**

1. Charan Lal Sahu v. Union of India, AIR 1990 SC 1480.
2. Rural Litigation & Entitlement Kendra, Dehradun vs. State of U.R., AIR 1985 SC 659
3. Mehta, M.C. v. Union of India, AIR 1987 SC. 1086.
4. Mehta, M.C. v. Union of India, AIR 1988 SC. 1115.
5. House of God (Full Gospel) of India v. K.K. R.M.C. Wilfare ASCO AIR 2002 SC 2237
6. A.P. Pollution Control Board v. Prof. M.V. Nayadu AIR 1999 SC 812

**Suggested Readings:**

1. The Water (Prevention & Control of Pollution) Act, 1974 as amended up-to-date.
2. The Air (Prevention & Control of Pollution) Act. 1981 as amended up-to-date.
3. Shanta Kumar S.—Environmental Law.
4. Karkara G.S. Environmental Law.
5. The Rajasthan Noise Act, 1963.
6. सिंह, सी.पी. : पर्यावरण विधि
7. शास्त्री, सतीश: ध्वनि प्रदूषण (1990)
8. Jain, Suresh & Jain Vimla-Environmental Law in India.
9. Gurbax Singh Environmental Law in India.
10. Shastri, Satish: Environmental Law in India (2004)
11. Divan Shyam & Arvin Rosencronz-Environmental Law & Policy in India 2002

**Paper 3.8 (a) Criminology and Penology**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. Criminology : Definition, nature and scope, methods of Studying, importance and classification of crime.

Criminal behaviour :

(1) Explanations.

(2) Psychological theories—Alcoholisms and Drugs.

Crime and social processes : Economic Motivation, Socio-cultural motivations, crime and community influences, white-collar crime. Female offender, Juvenile Delinquency, Influence of mass-media.

2. Schools of Criminological Thought (Factors in causation of Criminal Behaviour).

1. Ancient School

(a) Demonological

(b) School of Free-will.

2. Classical School.

3. Cartographic or ecological school.

4. Socialistic School.

5. Typological School

(a) Italian or Positive School.

(b) Mental testers School.

(c) Psychiatrists School.

6. Sociological School.

7. Multi-factor School.

Control of crime : Police and Law Courts; Prison system-Re-socialisation of the offender, Rehabilitation of discharged prisoners in the administration of Criminal justice, prevention of crime delinquency.

3. Definition of Punishment, Relationship between Criminology and Penology; Theories of Punishment, Expiatory, Preventive and reformatory and purposes of punishment.

Penal Science in India : History of Punishment, Pre-classical school—classical school, Neo-classical Positive school, The reformers, Clinical school and multiple Causation approach.

4. Kinds of Punishment : Modes of treatment of offenders, Corporeal punishment, Transportation of Criminals, Capital Punishment,



imprisonment, reactionary, treatment, probation, parole, compensation, admonition, treatment of habitual juvenile, sex and adolescent offenders, indeterminate sentences, Borstal School, Criminal Procedural Jurisprudence.

5. Constitutional Guarantees -- Principle of natural justice as applicable to procedural law, Protection to arrested persons, Under-trials, detenué and convicted persons.

Double jeopardy and self-incrimination, rights to life and legal aid.

#### Leading Cases :

1. Gura Singh v. State of Rajasthan, 1984 Cr. LJ 1423 (1428).
2. Bandhua Mukti Morcha v. Union of India, AIR (1984) SC 802.
3. Francis Coralie Mullin v. Union Territory Delhi, AIR (1981) Sc 746.
4. R.K. Garg v. Union of India (1981) 133 ITR 239.
5. Mithu v. State of Punjab, AIR 1983 SC 473.

#### Suggested Readings ;

1. Barnes, H.B. and Tecters—New Horizons in Criminology.
2. Vold, G.S.—Theoretical Criminology.
3. Pillai, K.S.—Criminology.
4. R. Taft, Donald—Criminology.
5. Edwin H. Sutherland and Donald R. Grussey—Principles of Criminology.
6. Horman, Mannheim—Pioneers in Criminology.
7. Hon, Barren, Mays—Crime and the Social Structure.
8. Ahmed Siddiqui—Criminology-Problems & Perspectives.
9. Lord Pakenham—Causes of Crime.
10. S. Venugopala Rao—Facts of Crime in India.
11. Korm, R.R. and McGorble, LW—Criminology and Penology.
12. Grunhut—Penal Reforms.
13. Mandholm—Criminal Justice and Reconstruction.
14. Gorden Rose—The Struggle for Penal Reform.
15. I.L.I.—Essays on Indian Penal Code.
16. Ben—Penology-Old and News-Tagore Law Lectures.
17. Elliott—Conflicting Penal Theories in Statutory Criminal Law.
18. Shamsul Huda—Tagore Law Lectures on Criminal Law.
19. Lawburse—Crime, Its Causes and Remedies.
20. Dequires—Modern Theories of Criminology.

21. Gillin--Criminology and Penology.
22. Deccaria--Crime and Punishment.
23. N.V. Puranjape--अपराधशास्त्र एवं दण्ड प्रशासन
24. M.S. Chauhan--अपराधशास्त्र एवं अपराधिक विज्ञान सिद्धान्त
25. B.L. Babel अपराधशास्त्र
26. The Criminal Procedure Code.
27. The Constitution of India.

**Paper 3.8 (b) Intellectual Property Law**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

1. Law relating to Copy-right :

Preliminary, Copyright Office and Board; Ownership of Copyright and the right of owners; Form of copyright; Licences, Performing rights Societies; Rights of Broadcasting Authorities, Registration of Copyright, Civil Remedies; Offences, Appeals.

2. Law relating to Patents.

**Leading Cases :**

1. Manu Bhandari v. Kalankas Pictures Pvt. Ltd., AIR (1987) Del. 13.
2. Nav Sahitya Prakash v. Anand Kumar, AIR 1981 All. 200 at p. 203.
3. Brundaban Sahu v. B. Rajendra Subudhi, AIR 1986 Orissa 210 at p. 211.
4. R.G. Anand v. Messers Deluxe Films, AIR 1978 SC 1513 p. 1627.

**Suggested Readings :**

1. Designs and Patents Act, 1988.
2. International Copy-right and Neighbouring Rights—S.M. Stewart.
3. Indian Copy-right Act, 1957.
4. Borne Convention Implementation Act, 1988.

**Paper 3.8 (c)**

**Law & Medicine**

Max. Marks : 100

Min. Pass Marks : 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.

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

**Medical Jurisprudence :**

Introduction and Legal Procedure, Identification of Person; Medical Aspect of Death, Death from Asphyxia, Starvation, Cold and Head Injuries, Sexual offences, Infanticide, Abortion.

**Forensic Science :**

Examination of Biological Fluids, Stains and other materials; Introduction and law relating to poison, Drug Addition, Sedatives.

**Suggested Readings :**

1. Patikh's Text Book of Medical Jurisprudence and Toxicology, by Dr. C.K. Parikh.
2. Medical Jurisprudence and Toxicology by Jai Singh S. Modi.
3. Forensic Chemistry and Scientific Criminal Investigation, by Lucas, A.

**Leading Cases :**

1. Sada Shiv Mohan Chandra V. State of Kerala, AIR 1994 SC 565.
2. Keru Singh v. State of Rajasthan, 1994 Cr. LJ 187 SC. 1843, 8 E.R. 718.
3. Jose v. State of Kerala. 1994 S CC (Cr.) 1659 SC.
4. Miss Narayanamma v. State of Karnataka, 1994 SCC 1573.
5. Hem Chandra v. State of Haryana, AIR 1995 SC 120.

**PRACTICAL PAPER**

**Paper 3.9 Drafting, Pleading, Conveyancing, Pre-trial Preparations, Participation in Trial Proceeding and Moot Court**

Max. Marks : 100

Min. Pass Marks : 36

This paper shall consist of following two parts :

Practical Written Paper —80 Marks

Viva-voce Examination —20 Marks

The candidate must pass in paper (a) and (b) separately, i.e. 29 marks out of 80 and 7 marks out of 20 marks :

## PRACTICAL WRITTEN PAPER

### Drafting & Pleading ;

General principles of Drafting and relevant substantive rules of pleading and their exceptions; Amendment of Pleadings; Alternative and Inconsistent Pleadings.

### Drafting Exercise on Pleadings :

(A) (i) Civil—(i) Plaints, (ii) Writenstatement; (iii) Interlocutory application, (iv) original petition; (v) Affidavit, (vi) Notice, (vii) Execution Petition; (viii) Memorandum of Appeal and Revision, (ix) Writ petition and its appeal.

(ii) Criminal—(i) Complaints, (ii) Bail Application, (iii) Accused's reply; (iv) Criminal Miscellaneous Petition, (v) Memoradnum of Appeal, Reference and Revision.

(B) Conveyancing :

Drafting exercise on Conveyancing—(i) Sale Deed; (ii) Mortgage Deed; (iii) Gift Deed; (iv) Lease Deed; (v) Rent Deed; (vi) Partnership Deed; (vii) Power of Attorney; (viii) Promissory Note and (x) Will.

(C) Pre-Trial Preparations :

Each student will observe, two interviewing sessions of clients at the Advocate's Office/Legal Office and record the proceedings in a diary.

(D) Participation in Trial Proceedings :

Each student will attend two trials in the Final Year Course and maintain a record and enter the various steps observed during his/her attendance in a diary.

(E) Moot Court :

Each student will do at least two Moot Courts in the Final year.

### Paper 3.9 (b)

### Viva-Voce Paper

Maintaining diary on Court visit, recording pre-trial preparation and participations in trial proceedings.

Moot Court performances done on the basis of prescribed leading cases in LL.B. III year under the Supervision of concerned teacher. The teacher shall conduct at least two Moot Courts and it will be compulsory for the candidates to participate in at least fifty percent of such Moot Courts. The teacher can also conduct Moot Corut on the basis of cases, other than the prescribed leading cases. The viva-voce examination shall be conducted by a Committee of three persons. In this Committee, there shall be two Internal Examiners and one External Examiner. The Committee shall award marks on

the basis of Court diary and performance at the Moot Court and viva-voce Examinations.

In order to frame the scheme of examination for the LL.B. Course, the Committee has looked into the provisions of the Act, Statutes, Ordinances and Regulations, and has also discussed at length the necessity of suggesting changes in the scheme of examinations.

According to Section 8(2) of the University of Rajasthan Act, the courses of studies and curriculae to be followed in the University, or its affiliated colleges may be prescribed by the Statutes and Ordinances and subject thereto by the regulations.

According to Ordinance 48, the following subjects have been assigned to the Faculty in place of these subjects. The Committee suggests that names of the subjects stated in Column 1. may be substituted, as suggested in Column 2 :

Col 1	Col 2
(1) Substantive Private Law in force in India, Law of Contracts, Transfer of Property, Trusts, Specific Relief, Torts and Easements. Hindu Law, Mohammedan Law and Company Law.	(1) Contract, Law of Torts and Consumer Protection. Family Law, Constitutional Law, Legal Writing including General English, Legal and Constitutional History of India, Trust, Equity and Fiduciary Relationship, Public Interest Lawyering, Legal Aid Para-Legal Services and Moot Courts.
(2) Adjective Private Law in force in India, Law of Evidence, Civil procedure and Limitation.	(2) Jurisprudence. Law of Crimes, Law relating to Transfer of Property and Easement, Company Law Public International Law and Human Rights, Labour Law. Administrative Law, Taxation Law, Insurance Law, Banking Law. Including Negotiable Instruments Act, Professional Ethics, Bar-Bench Relations.
(3) Public Law of India, Constitutional Law, Revenue Law, Income Tax Law, Criminal	(3) Law of Evidence, Law relating to Criminal Procedure— Juvenile Offenders, Civil

Law and Procedure.

Procedure and Limitation, Arbitration, Conciliation and Alternate Dispute Resolution System, Land Laws, Interpretation of Statutes, Environmental Law, Criminology and Penology; Intellectual Property Law, Law & Medicine, Drafting, Pleading & Conveyancing, Trial Proceedings.

(4) Legal Theory, Principles of English Common Law & Equity; Jurisprudence & Principles of Legislation International Law and Conflict of Law.

(4) Substantive Private Law, Adjective Private Law & Public Law in India; Principles of Legislation, Conflict of Laws, Legislative Research and Philosophy of Law.

Ordinance 251 provides for new scheme of LL.B. (Professional) Five Years Course. Ord. 251-A provides for the transitory provisions applicable to the students admitted to three year LL.B. (P) and two years LL.B.(A) Course.

Before coming to any conclusion on the main recommendations of this Committee, it would be proper to suggest as follows :

1. Ordinance 48 may be amended as suggested above.
2. The term new scheme above the Ordinance 251 may be deleted.
3. The following words appearing above Ordinance 251-A may also be deleted.

“Old Scheme—transitory provisions applicable to students admitted to three year LL.B.(P)/two years LL.B. (A) Course.”

In order to frame the scheme of examinations for the proposed course of LL.B. three years, the Committee has resolved to recommend, that the following basic principles may first be accepted by the BOS and the Faculty of Law and thereafter necessary scheme should be prepared—

- (1) All students would be admitted in LL.B. I year professional Course only and those who would like to take admission in LL.B. I Year Academic Course will have to apply separately. Those who do not apply separately would be deemed to have been admitted to Professional Course.
- (2) The teaching shall be conducted through the lectur-method, practicals and class performance during the Session and examination shall be conducted through written papers. practicals and viva-voce at the end of each year.

- (3) The instructions shall be provided in each paper of LL.B. I, II and III year for 3 hours a week by all the institutions running the LL.B. Classes.
- (4) Each theory paper in LL.B. I, II and III year shall be of 100 marks—the practical paper in each year of LL.B. I, II and III year has been divided into two parts : Part 'A' shall be of Practical Written Examination of 80 marks and Part 'B' shall be of viva-voce of 20 marks. A candidate shall be required to pass separately in Practical written and viva-voce examinations.
- (5) For a pass, in each of the LL.B. I year, II year or III year Examination, a candidate will be required to obtain not less than 48% marks in aggregate of theory and practical papers prescribed for the examination concerned, provided further that :
- (i) A candidate who fails at the LL.B. First Year/Second Year or Third Year Examinations and has obtained not less than 36% marks in atleast 5 theory papers and practical or 6 theory papers shall be permitted to reappear in one or two theory papers and practical, or at the most three theory papers of his choice at the three successive subsequent examinations.
  - (ii) If a candidate fails to clear the LL.B. First Year or Second Year or Third Year Examination, as the case may be, in the aforesaid manner, he will be required to reappear in all the papers afresh as an ex-student, subject to the provisions of Clause (ii) or Ord. 163.
- N.B.* : Actual marks obtained by a candidate in the papers in which he reappears will be taken into account and the earlier marks of other papers will be carried forward for working out his result. In carrying forward the earlier marks of other papers, the marks obtained by the candidate in each paper in the last of the attempts made by him will be taken into account.
- 6) A candidate who has passed LL.B. I year, II year or III year examination and desires to improve his performance may be permitted to re-appear at the same examination in the same subject(s)/Papers in the immediately following year on the conditions mentioned in Ordinance 169-E.

# UNIVERSITY OF RAJASTHAN JAIPUR

## RULES FOR THE AWARD OF GRACE MARKS

- A. UNDER GRADUATE/POST GRADUATE (MAIN/SUPPLEMENTARY) EXAMINATIONS UNDER THE FACULTIES OF ARTS, FINE ARTS, SCIENCE, COMMERCE, SOCIAL SCIENCE, EDUCATION, MANAGEMENT, HOMOEOPATHY, LAW, AYURVEDA AND ENGINEERING & TECHNOLOGY.**

Grace marks to the extent of 1% of the aggregate marks prescribed for an examination will be awarded to a candidate failing in not more than 25% of the total number of theory papers, practicals, sessionals, dissertation, viva-voce and the aggregate, as the case may be, in which minimum pass marks have been prescribed; provided the candidate passes the examination by the award of such Grace Marks. For the purpose of determining the number of 25% of the papers, only such theory papers, practicals, dissertation, viva-voce etc. would be considered, of which, the examination is conducted by the University.

**N. B. :** If 1% of the aggregate marks or 25% of the papers works out in fraction, the same will be raised to the next whole number. For example, if the aggregate marks prescribed for the examination are 450, grace marks to the extent of 5 will be awarded to the candidate, similarly, if 25% of the total papers is 3.2, the same will be raised to 4 papers in which grace marks can be given.



## **B. DIPLOMA IN PHARMACY, BACHELOR OF PHARMACY, B.Sc. (NURSING) AND B.D.S. EXAMINATIONS**

1. A Student who obtains the required minimum pass marks in the total aggregate but fails to obtain the minimum pass marks in (i) two subjects, (ii) in one subject and in one practical or (iii) in two practicals, as the case may be, will be given grace marks according to the following scale, provided the candidate passes the examination by the award of such grace marks.

For 1 to 6 marks above  
the min. aggregate : 2 grace marks

For 7 to 12 marks above  
the min. aggregate : 3 grace marks

For 14 to 18 marks above  
the min. aggregate : 4 grace marks

For 19 and above the min. aggregate : 5 grace marks

(i) The theoretical and practical tests (wherever held) in a subject will count as 2 subjects.

(ii) In case it is necessary to secure minimum pass marks in one part of a subject the above rule will be applicable as follows.

“If a candidate fails in the compulsory part of the subject as well as in the whole subject, he will be deemed to have passed in the subject if the greater of the two deficiencies or where the two deficiencies are equal, one of them is covered by the grace marks to which he is entitled under the rules.

2. No grace marks would be awarded to a candidate who appears in part/supplementary examination.

### **C. M.B.B.S AND B.A.S.L.P. (BACHELOR OF AUDIOLOGY, SPEECH AND LANGUAGE PATHOLOGY) EXAMINATIONS**

1. The grace marks upto a maximum of 5 marks will be awarded to a student who has failed only in one subject (Theory and/or practical) but has passed in all other subject.
2. No grace marks would be awarded to a candidate who appears in part/supplementary examination.

#### **General**

1. A candidate who passes in a paper/practical or the aggregate by the award of grace marks will be deemed to have obtained the necessary minimum for a pass in that paper/practical or in the aggregate and shown in the marks sheet to have passed by grace. Grace marks will not be added to the marks obtained by a candidate from the examiners nor will the marks obtained by the candidate be subject to any deduction due to award of grace marks in any other paper/practical or aggregate.
2. If a candidate passes the examination but misses First or Second Division by one mark, his aggregate will be raised by one marks so as to entile him for the first or second division, as the case may be. This one mark will be added to the paper in which he gets the least marks and also in the aggregate by showing +1 in the tabulation register below the marks actually obtained by the candidate. The marks

entered in the marks-sheet will be inclusive of one grace mark and it will not be shown separately.

3. Non appearance of a candidate in any paper will make him ineligible for grace marks. The place of a passed candidate in the examination list will, however, be determined by the aggregate marks he secures from the examiners, and he will not, by the award of grace marks, become entitled to a higher division.
4. Distinction won in any subject at the examination is not to be forfeited on the score that a candidate has secured grace marks to pass the examination.

**Note :** The grace marks will be awarded only if the candidate appears in all the registered papers prescribed for the examination.