

# **SYLLABUS**

**B.A. LL.B. / B.B.A. LL.B. (FIDC)**

**(Five Year Course in Law)**

**Semester System Examination in Law**

**(I Semester to X Semester)**

**(From - 2021-22 to 2025-26)**



**JAI NARAIN VYAS UNIVERSITY**  
**JODHPUR**

**FACULTY OF LAW**  
**LIST OF TEACHING STAFF**

| <b>S.No.</b> | <b>Name</b>              | <b>Designation</b>       | <b>Qualification</b> |
|--------------|--------------------------|--------------------------|----------------------|
| 1.           | Prof. (Dr.) Chandan Bala | Professor<br>Head & Dean | LL.M., Ph.D.         |
| 2.           | Prof. (Dr.) Sunil Asopa  | Professor                | LL.M., Ph.D.         |
| 3.           | Dr. V. K. Bagoria        | Assistant Professor      | LL.M., Ph.D.         |
| 4.           | Dr. S. P. Meena          | Assistant Professor      | LL.M., DCLL, Ph.D.   |
| 5.           | Dr. Nidhi Sandal         | Assistant Professor      | LL.M., Ph.D.         |
| 6.           | Dr. Dalpat Singh         | Assistant Professor      | LL.M., DCLL, Ph.D.   |
| 7.           | Dr. P. K. Musha          | Assistant Professor      | LL.M., Ph.D.         |
| 8.           | Dr. Kuchata Ram          | Assistant Professor      | LL.M., Ph.D.         |
| 9.           | Dr. Vinod Kumar Meena    | Assistant Professor      | LL.M., Ph.D.         |

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

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

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

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

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

### **Admission Requirement**

**Eligibility and Admission** (a) A candidate who has passed 10+2 qualifying examination with 50% marks or more may opt either B.A. LL.B. Course or BBA LL.B. Courses.

**Number of Students to be admitted:** There will be two sections of B.A. LL.B. maximum 60 students shall be given admission in the each section and there will be two section of B.B.A. LL.B. maximum 60 students shall be given admission in each section.

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

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

**Division-** The Division shall be awarded to a successful candidate on the basis of marks of all the examinations in respect of all the Semesters and will be given second division if he secures 50% or more marks and who has secured 60% and more marks will be given first division.

### **Course Design**

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

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

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

**Note:** (1) Students will be required to take admission in all respective Semesters by applying in the prescribed admission form of the University. (2) Each student will be required to submit the examination form in each Semester along with the examination fee as prescribed.

**The Promotion:** A candidate will be promoted to the next semester if he/she fails in only two papers in the examination of the semester 1<sup>st</sup> to 6<sup>th</sup> and one paper in 7<sup>th</sup> to 10<sup>th</sup> Semester if he has obtained 50 % marks in aggregate in rest of the papers or in the case of the candidates failing in the aggregate only and secured 50% percent marks in the rest of the papers excluding the paper in which they have secured lowest marks.

Such candidates may be permitted to make-up the deficiency at subsequent but regular and scheduled programmes / examinations only. Subsequent examinations of the respective semesters will be treated as main examination. There shall be no make-up or supplementary examination for making up such deficiency. **Supplementary examination will be conducted to making up deficiency in the papers of 9<sup>th</sup> and 10<sup>th</sup> Semester after examination and result of tenth semester.**

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

have no responsibility to organize and impart teaching in the paper in which the candidate has deficiency.

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

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

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

A candidate failing to pass any of the Semester Examination will be exempted to reappear in that specific paper in which he/she has obtained 60% or more. The consolidated mark sheet of B.A. LL.B. or BBA LL.B. will be issued and the degree will be awarded only after completing all the requirements i.e. passing in aggregate in all the main written examinations of all the Ten Semesters.

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

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

B.A. LL.B. or BBA LL.B. degree will be awarded out of 4600 marks

|                           |               |            |
|---------------------------|---------------|------------|
| B.A. LL.B. / B.B.A. LL.B. | Semester I    | 500 Marks  |
| B.A. LL.B. / B.B.A. LL.B. | Semester II   | 500 Marks  |
| B.A. LL.B. / B.B.A. LL.B. | Semester III  | 500 Marks* |
| B.A. LL.B. / B.B.A. LL.B. | Semester IV   | 500 Marks  |
| B.A. LL.B. / B.B.A. LL.B. | Semester V    | 500 Marks  |
| B.A. LL.B. / B.B.A. LL.B. | Semester VI   | 500 Marks  |
| B.A. LL.B. / B.B.A. LL.B. | Semester VII  | 400 Marks  |
| B.A. LL.B. / B.B.A. LL.B. | Semester VIII | 400 Marks  |
| B.A. LL.B. / B.B.A. LL.B. | Semester XI   | 400 Marks  |
| B.A. LL.B. / B.B.A. LL.B. | Semester X    | 400 Marks  |

**Total** **4600 Marks**

**\*100 marks will be for French language paper, which are not included in these 500 marks. Out of 100 marks, a candidate will have to secure 40% marks for a pass in this paper. These marks will not be included in the total marks for calculation of percentage. A student will have to simply qualify the paper with 40% marks.**

**Five year Integrated Courses**  
**Pattern of Examinations From 2021 to 2025-26**  
**For Semesters I to X (Except Drafting, Pleading & Moot Court Papers)**

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

Note: - Total Marks for Each Paper will be as under **except Professional Ethics (5.2.3), Alternate Dispute Resolution and Legal and Para Legal Services (5.6.2), Drafting, Pleading & Conveyancing (5.8.4), and Moot Court (5.10.4) :-**

| Theory Marks | Project Preparation & Presentation | Total Marks |
|--------------|------------------------------------|-------------|
| 80           | 20                                 | 100         |

Scheme of Examination for **Professional Ethics** i.e. Paper 5.2.3 will be as under:

| Theory Marks | Viva Voce | Total Marks |
|--------------|-----------|-------------|
| 80           | 20        | 100         |

Scheme of Examination for **Alternate Dispute Resolution and Legal and Para Legal Services** (5.6.2) will be as under:

| Theory Marks | Project Preparation & Presentation | Legal Aid Camp | Total Marks |
|--------------|------------------------------------|----------------|-------------|
| 80           | 10                                 | 10             | 100         |

**Scheme of examination for Drafting, Pleading & Conveyancing (5.8.4)**

| Drafting Exercises |                                    | Conveyancing |                                    | Viva Voce | Total Marks |
|--------------------|------------------------------------|--------------|------------------------------------|-----------|-------------|
| 15 Exercises       | 3 marks for each (15x3 = 45 marks) | 15 Exercises | 3 marks for each (15x3 = 45 marks) | 10        | 100         |

#### **Scheme of examination for Moot Court (5.10.4)**

| (A)<br>Participation<br>in Moot Courts<br>(10 x 3) | (B)<br>Observance of<br>Trial<br>(One Civil &<br>one Criminal)<br>(15 x 2) | (C)<br>Interviewing techniques<br>& pre-trial preparation<br>and internship diary<br>Observance of 2<br>interviews of clients at<br>the Lawyer's office<br>(15 x 2) | (D)<br>Viva Voce<br>(Based on<br>A to C) | Total<br>Marks |
|--|--|---|--|----------------|
| 30   | 30   | 30  | 10                                       | 100            |

- (i) The syllabus has been divided into five units.
- (ii) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
- (iii) The question paper will be divided into two part – i.e. Part-A and Part-B.

Part-A consists of five compulsory questions. One question will be asked from each Unit in the order of units. The answer of these questions will be limited upto 200 words. Each question will carry 4 marks.

Part-B : There will be ten questions in which two questions will be asked from each unit with provision of internal choice Carrying 12 marks each. The answer of these questions will be limited upto 500 words.

- (iv) For a pass, a candidate must obtain :
  - (a) 40 percent marks in each theory paper, i.e. 32 out of 80 and 40% marks in aggregate of each paper including internal assessment and theory examination i.e. 40 out of 100. In case of paper Drafting, Pleading & Conveyancing i.e. 5.8.4 and in Moot Court i.e. 5.10.4 the students have to secure 40% marks in aggregate of all the components of the paper.
  - (b) 50 percent marks in aggregate of all the papers including internal marks.

#### **Scheme of Internal Examination (Except Drafting Pleading & Conveyancing and Moot Court) :**

**Students will have to prepare projects and present them to their subject teacher.** The projects will be prepared on the topics assigned to them by their subject teacher.

**20 marks for preparation and presentation of project (10 marks for preparation of Project and 10 marks for presentation).**

**In paper 5.2.3 i.e. Professional Ethics, in place of preparation and presentation of project, the student will have to present himself/herself for viva voce examination which will comprise of 20 marks and in case of Public Interest Litigation, Legal Aid and Para Legal Services i.e. paper 5.6.2, the students will have to attend one Legal Aid camp which will comprise of 10 marks and will have to prepare a project as assigned to him by his teacher which will comprise of 10 marks.**

**Note :-**

- (A) In case of **Professional Ethics i.e. Paper - 5.2.3** there will be **Viva-Voce exam. Instead of Project Preparation & Presentation.**
- (B) In case of **Alternate Dispute Resolution and Legal and Para Legal Services – 5.6.2** students have to attend **Internal / External Legal Aid Camp in place of Project.**

A Candidate has to secure 40% marks in theory paper i.e. 32 out of 80 and 40% in aggregate in each paper to clear that paper, if a student doesn't appear in internal assessment but secures 40% marks of total marks then he will be treated as cleared whole paper i.e. out of 100.

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

**SUBJECTS SCHEME**  
**Five Year Integrated Degree Courses**  
**B.A. LL.B. & B.B.A. LL.B.**

| <b>I SEMESTER (5.1)</b>  |  |   |
|--|--|---|
| <b>Law Subject for Both =</b>                                    | <b>B.A. LL.B.</b>                            | <b>B.B.A. LL.B.</b>                       |
| 5.1.1 General English  | 5.1.4 Political Science (Major)              | 5.1.6 Organization and Management (Major) |
| 5.1.2 Law of Torts, Motor Vehicles Act and Consumer Protection   | 5.1.5 Sociology (Minor) (General Principles) | 5.1.7 Managerial Economics (Minor)        |
| 5.1.3 Law of Contract - I General Principles and Specific Relief |  |   |
| Computer exercise/Net surfing for legal knowlege/Library visit   |  |   |

| <b>II SEMESTER (5.2)</b>   |  |  |
|--|--|--|
| <b>Law Subject for Both =</b>                                    | <b>B.A. LL.B.</b>                            | <b>B.B.A. LL.B.</b>                          |
| 5.2.1 General English  | 5.2.4 Political Science (Major)              | 5.2.6 Functional Areas of Management (Major) |
| 5.2.2 Law of Contract – II (Specific Contracts)                  | 5.2.5 Sociology (Minor) (General Principles) | 5.2.7 International Business (Minor)         |
| 5.2.3 Professional Ethics  |  |  |
| Computer exercise/Net surfing for legal knowledge/Library visit. |  |  |



**\* Students of Semester I & II of B.A. LL.B. / B.B.A. LL.B. will attend Computer Lab. In the class assigned for Computer Education for learning online searching material related to their syllabi.**

| <b>III SEMESTER (5.3)</b>           |  |  |
|-------------------------------------|--|--|
| <b>Law Subject for Both =</b>       | <b>B.A. LL.B.</b>  | <b>B.B.A. LL.B.</b>                      |
| 5.3.1 Family Law-I (Hindu Law)      | 5.3.4 Political Science (Major)                                      | 5.3.7 Organizational Behaviour (Major)   |
| 5.3.2 Constitutional Law of India-I | 5.3.5 Economic Theory –I (Micro Economics) (Minor) (Basic Economics) | 5.3.8 Fundamentals of Accounting (Minor) |
| 5.3.3 French Language               | 5.3.6 Sociology (Minor)  | 5.3.9 Financial Market Operation (Minor) |

| <b>IV SEMESTER (5.4)</b>             |  |                                    |
|--------------------------------------|--|------------------------------------|
| <b>Law Subject for Both =</b>        | <b>B.A. LL.B.</b>                                | <b>B.B.A. LL.B.</b>                |
| 5.4.1 Family Law-II (Mohammedan Law) | 5.4.3 Political Science (Major)                  | 5.4.6 Strategic Management (Major) |
| 5.4.2 Constitutional Law of India-II | 5.4.4 Salient Features of Indian Economy (Minor) | 5.4.7 Financial Accounting (Minor) |
|                                      | 5.4.5 Sociology (Minor)                          | 5.4.8 Financial Management (Minor) |

| <b>V SEMESTER (5.5)</b>                          |  |  |
|--|--|--|
| <b>Law Subject for Both =</b>                    | <b>B.A. LL.B.</b>                                    | <b>B.B.A. LL.B.</b>                          |
| 5.5.1 Public International Law & Human Rights    | 5.5.5 Economic Theory - II (Minor) (Macro Economics) | 5.5.6 Cost and Management Accounting (Minor) |
| 5.5.2 Jurisprudence                              |  |  |
| 5.5.3 Law of Crimes (The Indian Penal Code 1860) |  |  |
| 5.5.4 Law of Evidence                            |  |  |

| <b>VI SEMESTER (5.6)</b>   |  |                        |
|--|--|------------------------|
| <b>Law Subject for Both =</b>  | <b>B.A. LL.B.</b>  | <b>B.B.A. LL.B.</b>    |
| 5.6.1 Criminal Procedure Code, Juvenile Justice and Law of Probation | 5.6.5 Economics of Development & Planning in India (Minor) | 5.6.6 Auditing (Minor) |
| 5.6.2 Alternate Dispute Resolution and Legal and Para Legal Services |  |                        |
| 5.6.3 Cyber Law, Information Technology Act and Space Law            |  |                        |
| 5.6.4 Company Law  |  |                        |

| <b>VII SEMESTER (5.7)</b>                        |                   |                     |
|--|-------------------|---------------------|
| <b>Law Subject for Both =</b>                    | <b>B.A. LL.B.</b> | <b>B.B.A. LL.B.</b> |
| 5.7.1 Civil Procedure Code and Law of Limitation |                   |                     |
| 5.7.2 Labour Laws - I                            |                   |                     |
| 5.7.3 Criminology, Penology & Victimology        |                   |                     |
| 5.7.4 Administrative Law                         |                   |                     |

| <b>VIII SEMESTER (5.8)</b>   |                   |                     |
|--|-------------------|---------------------|
| <b>Law Subject for Both =</b>  | <b>B.A. LL.B.</b> | <b>B.B.A. LL.B.</b> |
| 5.8.1 Labour Laws - II   |                   |                     |
| <b>OPTIONAL (Students will have to choose any one out of these two papers)</b>             |                   |                     |
| 5.8.2 (A) Law relating to Intellectual Property<br>5.8.2 (B) Defence and Strategic Studies |                   |                     |
| 5.8.3 Law of Taxation (Income Tax) and G.S.T.  |                   |                     |
| 5.8.4 Drafting, Pleading and Conveyancing  |                   |                     |

| <b>IX SEMESTER (5.9)</b>                                       |                   |                     |
|--|-------------------|---------------------|
| <b>Law Subject for Both =</b>                                  | <b>B.A. LL.B.</b> | <b>B.B.A. LL.B.</b> |
| 5.9.1 Rajasthan Land Laws and Law Relating to Land Acquisition |                   |                     |
| 5.9.2 Principles of Legislation and Interpretation of Statutes |                   |                     |
| 5.9.3 Environment Protection and Law                           |                   |                     |
| 5.9.4 Transfer of Property Act & Easement                      |                   |                     |

| <b>X SEMESTER (5.10)</b>                       |                   |                     |
|--|-------------------|---------------------|
| <b>Law Subject for Both =</b>                  | <b>B.A. LL.B.</b> | <b>B.B.A. LL.B.</b> |
| 5.10.1 Insurance Law                           |                   |                     |
| 5.10.2 Media and Law                           |                   |                     |
| 5.10.3 Mediation, Arbitration and Conciliation |                   |                     |
| 5.10.4 Moot Court Exercise and Internship      |                   |                     |

**Five year Integrated Courses**  
**Pattern of Examinations From 2021-22**  
**For Clinical Papers Only**

**Professional Ethics (5.2.3.)**

The students will have to appear in theory paper which will comprise of 80 marks and will have to present them for viva voce which will carry 20 marks.

**Drafting, Pleading and Conveyancing (5.8.4)**

**DRAFTING, PLEADING AND CONVEYANCING**

**Part A -** In Class room teachings, the student will be taught following contents, **there will not be any theory examination for this paper :**

- Unit 1 : Pleading : Meaning, Kinds; Fundamental principles of pleading and their exceptions, amendment of pleadings, alternate and inconsistent pleadings  
Doctrine of set-off: Legal set-off and equitable set-off
- Unit 2 : Drafting : - General principles of drafting and relevant substantive rules, Judgment writing
- Unit 3 : Conveyancing : Meaning, General Rules of Conveyancing, Salient parts of conveyancing, rules relating to their drafting
- Unit 4 : Drafting of Deeds : Partnership deed, mortgage by conditional sale, notice for eviction, writing of government contract, Registration Act, Court Fee Act & Law relating to Suit Valuation.
- Unit 5 :
  - (i) Civil: Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit Execution, Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.
  - (ii) Criminal : Complaint, Criminal Miscellaneous petition, Bail Application, memorandum of Appeal and Revision.
  - (iii) Conveyance : Sale Deed, Mortgage Deed, Lease Deed, Gift deed, Promissory Note, Power of Attorney, Will, Trust Deed
  - (iv) Drafting of writ petition and PIL petition

## Part –B

Student will have to prepare following Drafting and Pleadings and will have to present himself/herself for viva voce examination.

| Drafting Exercises<br>45 marks |   | Conveyancing<br>45 marks |   | Viva Voce | Total<br>Marks |
|--------------------------------|---|--------------------------|---|-----------|----------------|
| 15<br>Exercises                | 3 marks<br>for each<br>(15 x 3 =<br>45 marks) | 15<br>Exercises          | 3 marks<br>for each<br>(15 x 3 =<br>45 marks) | 10        | 100            |

Viva Voce will be taken by two examiners, who will be appointed by the Head of the Department. Senior will be convener as well as in-charge of the viva voce examination. The decision of In-charge regarding process and manner of viva voce will be final.

In case of Department of Law, Viva Voce will be taken by two permanent/regular teachers or by one permanent and one local retired teacher or any permanent part time teacher or other part time teacher appointed by the Head of the Department, who fulfills eligibility criteria for teaching as per UGC /Bar Council of India rules.

In case of affiliated college, the convener/in-charge will be appointed by the Head of the Department of Law, J.N. Vyas University from among the teachers/ members of the Department of Law, J.N. Vyas University, Jodhpur.

Second member/examiner will be appointed by the Principal of the College in consultation with the Head of the Department, J.N. Vyas University.

In case of emergency regarding Viva Voce examination, decision of the Head of the Department of Law, J.N. Vyas University will be final.

Files of the drafting and conveyancing exercises prepared and submitted by the students will be treated as answer books and they will be sent to the Registrar, Secrecy Section from where they will be sent to the examiners appointed by the Head of the Department for evaluation. For evaluation of these files, the same remuneration will be paid which is being paid for evaluation of answer scripts of LL.B. examinations.

### Mediation, Arbitration and Conciliation (5.10.3)

The theory paper will comprise of 80 marks and 20 marks will be for preparation and presentation of Project assigned to the students by their teacher.

### Moot court exercise and Internship (5.10.4)

This paper will have four components of 30 marks each i.e. (a) (b) & (c) and a viva voce for 10 marks i.e. (d).

**(a) Moot Court (30 Marks)** : Every student is required to do three moot courts in a semester with 10 marks for each. The moot court work will be on assigned problem and it will be

evaluated for 5 marks for written submissions and 5 marks for oral advocacy for each moot court.

**(b) Observance of Trial in two cases :** one Civil and one Criminal (30 marks):

Students will attend two trials during the Court Visit. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

**(c) Interviewing techniques and Pre-trial preparations and Internship diary (30 marks):**

Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

**(d) The fourth component** of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

#### **NOTE:**

Leading cases prescribed under the syllabus of law subject papers may be read under the respective Unit No. shown against each case.

**Note :- Each Student shall have to complete Internship during the entire period of Legal Studies, duration of internship will be as follows :-**

| SEMESTER | INTERNSHIP PERIOD |
|----------|-------------------|
| I        | NIL               |
| II       | NIL               |
| III      | ONE WEEK          |
| IV       | ONE WEEK          |
| V        | TWO WEEK          |
| VI       | TWO WEEK          |
| VII      | THREE WEEK        |
| VIII     | THREE WEEK        |
| IX       | FOUR WEEK         |
| X        | FOUR WEEK         |

**Minimum Period of Internship : -**

(a) Each registered student will have to Complete minimum of 20 weeks of Internship during the entire period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies, where law is practiced either in action or in dispute resolution or in management.

(b) Each student shall keep Internship diary and the same will be evaluated by the Guide in Internship and also a Core Faculty member of the staff each time. The total mark will be assessed in the Final Semester of the course in the 4th Clinical i.e. Paper - 5.10.4.

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**Format of**  
**Question Paper**  
**(From Examination 2021-2022)**

**B.A.LL.B. & B.B.A. LL.B. – I to X Semester except paper 5.8.4, 5.10.4**

Durations 3 Hours

Max. Marks : 80

**Section-A**

One questions from each Unit. Each question carry 4 marks. Answer of each question shall be limited upto 200 words.

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

**Section-B**

10 Question will be asked (Two questions from each Unit with internal choice). Students will answer one question from each Unit. Each question will carry 12 marks. Answer of each question shall be limited upto 500 words.

1            Unit – 1  
              Question A or B

2            Unit – 2  
              Question A or B

3            Unit – 3  
              Question A or B

4            Unit – 4  
              Question A or B

5            Unit – 5  
              Question A or B



# **SYLLABUS**

**B.A. LL.B./B.B.A. LL.B. (FIDC)  
(Five Year Course in Law)  
Semester System Examination in Law  
(I Semester & II Semester)  
(For - 2021-22)**



**JAI NARAIN VYAS UNIVERSITY  
JODHPUR**

**I - SEMESTER**  
**B.A. LL.B. & B.B.A. LL.B.**  
**COMPULSORY PAPERS**  
**PAPER – 5.1.1**  
**GENERAL ENGLISH**

Unit 1 Synonyms and Antonyms  
One Word Substitutes

Unit 2 Phrasal Verbs  
Idioms  
Tag questions

Unit 3 Tense Aspects, Verb Patterns, Determiners, Modals, Translation from English to Hindi, Hindi to English

Unit 4 Active and Passive Voice, Direct and Indirect Speech, Formal and Informal Letters, Sequential Sentences

Unit 5 Comprehension of a Legal Passage and Answer of Questions

**Note :** Participation in class activity will get extra weightage.

**Book recommended:**

A Book of Legal Essay/Judgements

S.Pit, Corder: An Intermediate English Practice Book (Orient Longman)

John Seely : Writing Report (OUP)

Tickoo and Sasi Kumar : Writing with a Purpose (OUP)

Dr. Ganga Sahai Sharma: Legal Language, Legal Writing and General English.

Dr. Anirudh Prasad: Outlines of Legal Language in India.

R.L. Jain: Legal Language.

**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.1.2**

**PAPER II**

**LAW OF TORTS , MOTOR VEHICLES ACT AND CONSUMER PROTECTION**

Unit 1 : Torts: Definition, Nature, Constituents. - Wrongful Act, Legal Damage, Legal Remedy. Mental Elements in Torts: Malice, Intention and Motive. Distinction between Tort and other Wrongs. Latin Maxims : *Ubi jus ibi remedium*, *Damnum sine injuria*, *injuria sine damno*. Capacity to sue and to be sued.

Unit 2 : General Defences for Torts. Vicarious Liability : Meaning and Elements, How it Arises - by Ratification, by Relation, by Abetment. Master and Servant, Master and Independent Contractor. Vicarious Liability of State, Doctrine of Common Employment.

Absolute Liability: The Rule in *Rylands vs. Fletcher*- Scope of the Rule, Defences, Modern Position of this Rule. Strict Liability regarding Dangerous Animals, Premises and Things.

Unit 3 : Torts to Person : Assault, Battery, False Imprisonment.

Torts to Property : Trespass - Meaning and Kinds, Trespass to Movable and Immovable Property, Trespass *ab-initio*, Remedies for Trespass, Defences for Trespass. Detinue. Conversion.

Negligence: Meaning, Elements, *Res-ipsa-loquitur*, Contributory Negligence, Negligence of Children, Doctrine of Identification. Defamation: Meaning, Kinds and Defences

Unit 4 : Nervous Shock.

Nuisance: Meaning and Kinds, Public and Private Nuisance, who can sue for Nuisance, Who is Liable for Nuisance, Remedies for Nuisance. Deceit or Fraud. Inducing Breach of Contract. Abuse of Legal Procedure: Malicious Prosecution, Conspiracy.

Unit 5 : The Consumer Protection Act, 2019: Objects and Reasons, Definitions, Composition and powers of Central Protection Council and State Protection Council, District Consumer Protection Council. Central Consumer Protection Authority: Composition, Powers and Function. Consumer Disputes Redressal Agencies: District Consumer Dispute Redressal Commission - Composition and powers. State Consumer Dispute Redressal Commission. National Consumer Dispute Redressal Commission. Appeal, offences, Penalties and Procedure.

Motor Vehicles Act, 1988 : Compensation provisions of the Motor Vehicles Act.

Compulsory Insurance, Nature, Commencement and Extent of Insurer's Liability. Claims Tribunal and Award of Compensation.

## **LEADING CASES**

## **Unit No.**

|  |   |
|--|---|
| 1. Rose v. Ford (1937) A.C. 826                              | 1 |
| 2. M.C. Mehta v. Union of India, AIR 1989 S.C. 1987          | 2 |
| 3. State of Rajasthan v. Mst. Vidhyawati, AIR 1962 S.C. 933  | 2 |
| 4. British Coloumbia Rly. Co. Ltd. v. Loach, (1916) A.C. 719 | 3 |
| 5. Donoghue v. Stevenson, (1932) A.C. 562                    | 3 |
| 6. Wagon Mound case, (1861) a.C. 338                         | 3 |
| 7. Derry v. Pek, 14 A.C. 337                                 | 4 |

## **BOOKS RECOMMENDED**

Under Hill : A Summary of the Law of Torts

Ratanlal : The English and the Indian Law of Torts

Weinfield : Law of Torts

Sinha, B.S. : Law of Torts

Karkara, G.S. : Law Relating to Contributory Negligence

Singh, S.P. : Law of Torts

Bangia, R.K. : Law of Torts

Shukla, M.N. : Law of Torts

Basu, D.D. : Law of Torts

Karkara, G.S. : Consumer Protection Law

**B.A. LL.B. & B.B.A. LL.B.**  
**PAPER – 5.1.3**  
**LAW CONTRACT - I**  
**GENERAL PRINCIPLES AND SPECIFIC RELIEF**

**Unit 1 : Formation of Contract**

- (a) General : Definition and characteristics of contract, agreement, promise, kinds of contract-express, implied, void, voidable, illegal, executory, standard form of contract.
- (b) Proposal : Definition, its kinds, characteristics, elements of communication, revocation and termination.
- (c) Acceptance : Definition, modes, characteristics, communication and revocation.
- (d) Consideration : Definition, elements of consideration, agreements without consideration, insufficiency of consideration, illegal consideration, object and concept of stranger to contract.

**Unit 2 : Formation of Contract :**

- (a) Capacity to Contract : Who cannot make a contract, who is minor, nature of minor's contract, estoppel against minor, agreement for necessities : person of unsound mind, nature of contract by a person of unsound mind, persons deprived of the capacity to contract.
- (b) Free Consent : Meaning, elements rendering consent not free-coercion, undue influence, misrepresentation, fraud and mistake

**Unit 3: (a) Void Agreement : Restraint of marriage, trade, legal proceeding, uncertainty, wagering agreements.**

- (b) Contingent Contract : distinction between wagering contract and contingent contract.
- (c) Discharge of Contract by performance : Tender of performance, Joint rights and Joint liabilities of parties; time, place and manner of performance; performance of reciprocal promises, novation, accord and satisfaction.

**Unit 4 : (a) Discharge from liability to perform : Impossibility, Anticipatory Breach of Contract**

- (b) Discharge of contract by Breach : Remedies for breach of contract, compensation, remoteness of damages
- (c) Certain relation resembling contract (Quasi Contract)

**Unit 5 : The Specific Relief Act, 1963 : Recovery of Possession of property, contracts which can and cannot be specifically enforced, rectification of instruments, rescission of contracts cancellation of instruments, declaratory decree and injunctions.**

**Leading Cases**

|  | <b>Unit No.</b> |
|--|-----------------|
| 1. Carlill v. Carbolic Smoke Ball Co., (1883) Q.B. 256         | 1               |
| 2. Maula Bux v Union of India, A.I.R. 1972 S.C. 19545          | 4               |
| 3. Bhagwandas v. Girdhari Lal & Co. Ltd., A.I.R. 1966 S.C. 543 | 1               |
| 4. Motilal Padampur Sugar Mills Co. Ltd. v State of U.P.,      |                 |

|   |   |
|---|---|
| A.I.R. 1979 S.C. 621                                | 1 |
| 5. Lalman Shukla v. Gauri Dutt, (1913) All L.J. 489 | 2 |
| 6. Mohari Bibi v. Dharmodas Ghosh, 1903 (LRJA) 122  | 2 |
| 7. Basara v. State of Mysore, AIR 1977 S.C. 1749    | 4 |

### **Book Recommended**

Anson : Principles of English Law of Contract, Edited by A.G. Guest (22nd ed.)  
 Pollock and Mulla : Law of Contract and Specific Relief  
 Chesire and Fifoot : Law of Contract  
 Subba Rao G.V.C. : Law of Specific Relief  
 Bangia, R.K. : Indian Contract Act  
 Desai, P.R. : Principles of Law of Contract  
 Avtar Singh : Law of Contract

**BA. LL.B.**  
**PAPER – 5.1.4**  
**POLITICAL SCIENCE (MAJOR)**

- Unit 1 Concept of State and Government (classical and modern): Plato's concept of ideal State. Aristotle's Best Practicable State and the classification of States.
- Unit 2 Machiavelli's concept of State, Bentham's idea of State and Representative Government.
- Unit 3 The sphere of State activity Representative Government. The sphere of State activity and governmental functions according to Idealism and individualism, and the functions and sphere of State activity according to the welfare State concept.
- Unit 4 Main tenets of Western liberalism. Old and New liberalism and its main tenets, merits and demerits of socialism; Main feature of Marxism, Is Marxism outdated?
- Unit 5 Main currents of Western Political Thought : The concept of Natural Law in mediaeval political thought (Cicero and St. Thomas Aquinas) : The modernized theory of Natural Law : Althusins, Grotious and Hooker; Concept of Natural Law and Natural Right, Hobbes, Locke and Rousseau

**Suggested Readings :**

Eddy Asirvatham : Political Theory  
A. C. Kapur : Principles of Political Science  
G. H. Sabine : A History of Political Theory  
K. C. Wheare : Modern Constitutions  
Carl Friedrich : Constitutional Government and Democracy  
Herman Finer : The Theory and Practice of Modern Government  
Altekar : The State and Government in Ancient India  
V. P. Verma : Modern Indian Social and Political Thought  
G. N. Singh : Fundamentals of Political Science and Organizations  
Cyker : Recent Political Thought  
Myron Winer : Party Building in a New Nation : The Congress Party of India.  
K.C. Wheare : Legislatures  
Leslie Lipson : Great Issue of Politics : An Introduction of Political Science.  
K. R. Bombwall : Indian Politics and Government  
U.N. Ghosal : A History of Indian Political Tradition  
K. P. Karunakaran : Modern Indian Political Ideas  
G. sawer : Modern Federalism  
Pennock and Smith : Political Science : An Introduction  
Garner : Political Science and Government  
Rajeev Dhavan : The Supreme Court and the Parliamentary Sovereignty.

**BA. LL.B.**  
**PAPER – 5.1.5**  
**SOCIOLOGY (Minor)**  
**(General Principles)**

- Unit 1 Sociology as a Science :
- (a) Scope of Sociology
  - (b) Data, concepts and theory,
  - (c) The comparative method & Sociological perspective

- Unit 2 Basic concepts in Sociology :
- (a) Society, Community & Association
  - (b) Structure and function
  - (c) Status and its role
  - (d) Norms, values, Instruction, Folkways & Mores

- Unit 3 Social Change and Development
- (a) Meaning, Nature and Theories of Social Change
  - (b) Planned Social Change, Development & Progress
  - (c) Social Stratifications
  - (d) Order and Stability
  - (e) Conflict & Change

- Unit 4 India as a plural society: varieties of:
- (a) Customs and ways of life
  - (b) Linguistic, religious and other communities
  - (c) Unity & Diversity
  - (d) Continuity & Change

- Unit 5 Foundations of Indian Society
- Karma, Purushartha, Ashrama, Vyavastha  
Marriage & Family in India  
Indian Cultural Values & Development

**Recommended Source Materials:**

Atal Yoges, Indian, Sociology, Changing Indian Society  
Ahuja Ram, Social Problems in India, Jaipur, Rawat  
Abrahams, Frames and J. N. Morgan, Sociological Thought Comte to Sorkin  
Aron, Raymond, Main Current in Sociological Thoughts (Vol. I & II)  
Desai, A. R., Rural Sociology in India  
Gandhi J. S., Sociology of Legal Profession  
P.N. Prabhu, Hindu Social Organization  
Kapadia, K. M., Marriage Family in India  
Bottomore, T.B. : Sociology, A Guide to Problems and Literature, London, Allen and Unwin, 1962  
Peter, Worsley et al. : Introducing Society, Harmondsworth, penguin Books, 1970  
Haralambos, M. : Sociology, Themes and Perspectives, Delhi, Oxford University Press, 1981  
Bose, N.K. : the Structure of Hindu Society, New Delhi, Orient Longman, 1975  
David, G. Mandelmaum : Society in India, Bombay, Popular Prakashan, 1972  
Ramesh, Thapper (ed) : Caste and Religion in India, New Delhi, Macmillan, 1977  
Andre, Beteille : Inequility and Social Change, Delhi8, Oxford Univesity Press, 1981  
Andre, beteille : The HBackward Classes and the New Social Order, Delhi, Oxford University, 1981.  
Parbhu, P.N. : Hindu Social Organisation  
Srivastava, M.N. : Social Change in Modern India  
Singhvi and N.K. goswami : Samaj Shastra Vivechan  
Andre, Betelilile : Vishamta aur Samajik Parivarian  
Yogendra Singh : Modernisation of Indian Tradition  
Yogendra Singh : Social Stratification and Change in India



**BBA. LL.B.**  
**PAPER – 5.1.6**  
**ORGANIZATION AND MANAGEMENT (MAJOR)**

Unit -1 Meaning, functions, principles, importance and levels of management.

Unit 2 Planning : Meaning, characteristics, types, benefits, objectives, strategies, process, premises, limitations and significance of planning, management by objective (MBO)

Unit 3 Decision Making : Meaning, types of decision, decision making process. Organisation : Meaning and process of organization, structure, principles, departmentation, span of management.

Unit 4 Staffing : Recruitment, selection, training, functions, techniques and importance of direction.

Unit 5 Motivation and Leadership : The nature, process and significance of motivation, theories of motivation, meaning, type and styles of leadership  
Control : Meaning and process, requisites of effective control, control techniques

**Suggested Readings :**

James, A.F. Stoner L Management  
William, H. Newman : The Process of Management  
V.S.P. Rao & P.S. Narayanan : Principles and Practice of Management  
L.M. Prasad : Principles and Practice of Management  
C.B. Gupta : Organisation and Management  
Koontz and O Donnel : Essentials of Management  
George R. Terry : Principles of Management  
Peter F. Drucker : The Practice of Management  
Randall, B. Dunham & John, Pierce : Management

**BBA. LL.B.**  
**PAPER – 5.1.7**  
**MANAGERIAL ECONOMICS (Minor)**

- Unit -1 Definition & scope of Managerial Economics, Utility Analysis Law of Diminishing Marginal Utility, Law of Equal-Marginal Utility and Consumer surplus.
- Unit 2 Demand Analysis : Meaning, Law, Exceptions, Elasticity of Demand, Types of Elasticity Demand, Methods for Measuring Elasticity of Demand, Indifference Curve Analysis, Equilibrium.
- Unit 3 Production Analysis : Production Function, Laws of Returns, Law of Variable Proportions, Ridge Lines, Expansion Path, Economies diseconomies.
- Unit 4 Cost and Revenue : Short run and Long run costs, Fixed and Variable Costs, Average, marginal and Total Cost Curves, Cost Output relationship, Average Marginal and Total Revenue.
- Unit 5 Market Analysis : Theory of price determination : Price and Output determination under Perfect Competition, Monopoly and Monopolistic Completion.

**Suggested Readings :**

Joel Dean : Management Economics

Smail & Savge : Introduction of Managerial Economics

Brisgham & Pappas : Managerial Economics

G. S. Gupta : Managerial Economics

Mathew & Dave Bushiness Economics, Vide Vision Publisher, Jaipur

**B.A. LL.B. & BBA. LL.B.**

**COMPUTER EXERCISE**

Computer exercise/**Net surfing for legal knowledge/Library visit.**

**II – SEMESTER**  
**B.A. LL.B. & B.B.A. LL.B.**  
**PAPER – 5.2.1**  
**GENERAL ENGLISH**

Unit 1 Vocabulary, Synonyms, Antonyms, Phrases, Idioms

Unit 2 Prefix and Suffixes, Transformation of Simple Complex and Compound Sentences, Narration, Conditionals

Unit 3 Degrees, Prepositions, Articles, Corrections

Unit 4 Phonetic Transcription, Stress, Translation of Paragraphs, Precise of Legal Judgments.

Unit 5 Short Essay on a Legal Topics

**Book recommended:**

A Book of Legal Essay/Judgements

S.Pit, Corder: An Intermediate English Practice Book (Orient Longman)

John Seely : Writing Report (OUP)

Tickoo and Sasi Kumar : Writing with a Purpose (OUP)

## **B.A. LL.B. & B.B.A. LL.B.**

### **PAPER – 5.2.2**

#### **LAW OF CONTRACT-II (SPECIFIC CONTRACTS)**

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

- (a) Meaning: Distinction between indemnity and kinds 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

**Unit 2: Contract of Bailment and Pledge:**

- (a) Meaning and kinds of contracts of Bailment-Bailment without consideration
- (b) Rights and duties of bailee and bailor
- (c) Termination of Contract of Bailment
- (d) Position of the finder of goods under law
- (e) Contract of Pledge: Meaning and definition, pledge by unauthorised persons

**Unit 3 : Contract of Agency :**

- (a) Definition, kinds and modes of creation of Agency
- (b) Relations 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

**Unit 4 : Contract of Sale of Goods : The Sale of Goods Act, 1930:**

- (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 and agreement to sell
- (c) Goods-existing, future and contingent
- (d) Conditions and warranties
- (e) Passing of property and risk from seller to buyer
- (f) Sale by unauthorised person
- (g) Law relating to performance of sale
- (h) Rights of Unpaid Seller

**Unit 5: Contract of Partnership: The Partnership Act, 1932:**

- (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) Relation inter se of partners and relation of partners with third parties
- (e) Registration of partnership firm
- (f) Dissolution of partnership firm

## LEADING CASES

|  | Unit No. |
|--|----------|
| 1. National Bank of Lahore v. Sohan Lal, AIR 1962 Punj. 534                  | 2        |
| 2. Amritlal Goverdhan Lal v. State Bank of Travencore,<br>AIR 1968 SC K 1432 | 1        |
| 3. Patnaik & Co. v. State of Orissa,<br>AIR 1965 SC 1655                     | 1        |
| 4. State of Gujarat v. Mamon Mohed., AIR 1967 SC 1885                        | 2        |

## BOOKS RECOMMENDED

Atryah,P,S.: An Introduction to the Law of Contract, Pollock & Mulla: Indian Contract and Specific Relief, VG. Ramchandran: The Law of Contract in India VG. Ramchandran: Law of Agency

Dessi, S .T : The Law of Partnership in India and Pakistan Agarwal, O.P. : The Indian Partnership Act, 1932 Agarwal,O.P. : The Sale of Goods Act, 1930

Kapoor, N.D. : Mercantile Law

Avtar Singh: Law of Contract (English and Hindi) Avtar Singh: Law of Partnership (English and Hindi) Avtar Singh : Principles of the Law of Sale of Goods (English and Hindi)

**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.2.3**

**PROFESSIONAL ETHICS**

**Part-A** will comprise of theory paper which will be of 80 marks. The syllabus is as follows

Unit 1 : Definition of Profession and Business, Difference between Profession and Business Legal Profession & its Scope.

Meaning of Ethics, Morals, Values. Distinguish between Legal Profession & other Professions.

Unit 2 : Legal Profession in its Historical perspective-Position before Legal Practitioners Act, 1879; upto. Indian Bar Council Act, 1926, and history of Legal Profession up to Advocates Act, 1961.

Unit 3 : Professional conduct and Professional ethics-Nature and Scope, Duty to the Profession, Rights and Privileges of an advocate

Unit 4 : Duties towards Courts and clients Duties towards opponent and Duties towards public. Code of professional ethics, punishment for misconduct and procedure, Under the Advocate Act, 1961

Unit 5 : Selected opinions of disciplinary committees and Supreme Court decisions on professional misconduct as reported in the immediate preceding year

**READING MATERIAL**

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

**Part B -**

Students will have to present himself/herself for viva voce examination which will be of 20 marks.

Viva Voce will be taken by two examiners, who will be appointed by the Head of the Department. Senior will be convener as well as in-charge of the viva voce examination. The decision of In-charge regarding process and manner of viva voce will be final.

In case of Department of Law, Viva Voce will be taken by two permanent/regular teachers or by one permanent and one local retired teacher or any permanent part time teacher or other part time teacher appointed by the Head of the Department, who fulfills eligibility criteria for teaching as per UGC /Bar Council of India rules.

In case of affiliated college, the convener/in-charge will be appointed by the Head of the Department of Law, J.N. Vyas University from among the teachers/ members of the Department of Law, J.N. Vyas University, Jodhpur.

Second member/examiner will be appointed by the Principal of the College in consultation with the Head of the Department, J.N. Vyas University.

In case of emergency regarding Viva Voce examination, decision of the Head of the Department of Law, J.N. Vyas University will be final.



**B.A. LL.B.**  
**PAPER – 5.2.4**  
**POLITICAL SCIENCE (MAJOR)**

- Unit 1 Main currents of Indian Political Thought : The Nature and Aims of the State in ancient Indian thought, was the ancient Indian State theocratic ?  
Main religious reform movements in the 19th century; India and the extent to which they promoted nationalism; Factors promoting the growth of liberalism in 19th century India and the methods, objectives and shortcomings of Indian liberalism;
- Unit 2 Concept of Political and Legal sovereignty : The distinction and relationship between the two. Other types of sovereignty. Austin's Theory of Sovereignty and its utility and shortcomings.
- Unit 3 The Totalitarian State : Main feature of a Totalitarian State and its shortcoming; The Fascist conception of State and its criticism.
- Unit 4 The Legislature, Executive and the Judiciary : The doctrine of separation of powers and its application in the modern constitutional system, The doctrine of parliamentary sovereignty and to what extent it is effective in modern democracies, and independence of Judiciary and the doctrine of Judicial Review.
- Unit 5 Meaning and Concept of Democracy : its kinds, the concept of Representation with special reference to the methods of Proportional Representation and the list system and their merits. The meaning of public opinion and agencies which formulate public opinion. Hindrances to a sound public opinion

**Suggested Readings :**

Eddy Asirvatham : Political Theory  
A. C. Kapur : Principles of Political Science  
G. H. Sabine : A History of Political Theory  
K. C. Wheare : Modern Constitutions  
Carl Friedrich : Constitutional Government and Democracy  
Herman Finer : The Theory and Practice of Modern Government  
Altekar : The State and Government in Ancient India  
V. P. Verma : Modern Indian Social and Political Thought  
G. N. Singh : Fundamentals of Political Science and Organizations  
Cyker : Recent Political Thought  
Myron Winer : Party Building in a New Nation : The Congress Party of India.  
K.C. Wheare : Legislatures  
Leslie Lipson : Great Issue of Politics : An Introduction of Political Science.  
K. R. Bombwall : Indian Politics and Government  
U.N. Ghosal : A History of Indian Political Tradition  
K. P. Karunakaran : Modern Indian Political Ideas  
G. sawer : Modern Federalism  
Pennock and Smith : Political Science : An Introduction  
Garner : Political Science and Government  
Rajeev Dhavan : The Supreme Court and the Parliamentary Sovereignty.

**B.A. LL.B.**  
**PAPER – 5.2.5**  
**SOCIOLOGY (MINOR)**  
**(General Principles)**

Unit 1 Social thinkers and intellectuals : August Comte, Karl Marx, Max Weber, Pitrim Sorokin, Gandhi and Emile Durkheim, Gandhi

Unit 2 Sociology as a critique of society; Law and Society, Sociology of Law, Sociology of legal Profession

Unit 3 Social Problems in Rajasthan

- (a) Early Marriage
- (b) Dowry
- (c) Social Deviance, Crime and Corruption
- (d) Juvenile Delinquency
- (e) Slum Dwellers

Unit 4 Social institutions :

- (a) Marriage, family and kinship
- (b) Work and economic institutions
- (c) Power and political institutions
- (d) Religious institutions
- (e) Educational institutions
- (f) Caste based institutions
- (g) Village based institutions

Unit 5 Tribe and caste in the traditional order; Caste and class in contemporary India; The backward classes.

**Recommended Source Materials:**

Atal Yoges, Indian, Sociology, Changing Indian Society  
Ahuja Ram, Social Problems in India, Jaipur, Rawat  
Abrahams, Frames and J. N. Morgan, Sociological Thought Comte to Sorkin  
Aron, Raymond, Main Current in Sociological Thoughts (Vol. I & II)  
Desai, A. R., Rural Sociology in India  
Gandhi J. S., Sociology of Legal Profession  
P.N. Prabhu, Hindu Social Organization  
Kapadia, K. M., Marriage Family in India  
Bottomore, T.B. : Sociology, A Guide to Problems and Literature, London, Allen and Unwin, 1962  
Peter, Worsley et al. : Introducing Society, Harmondsworth, penguin Books, 1970  
Haralambos, M. : Sociology, Themes and Perspectives, Delhi, Oxford University Press, 1981  
Bose, N.K. : the Structure of Hindu Society, New Delhi, Orient Longman, 1975  
David, G. Mandelmaum : Society in India, Bombay, Popular Prakashan, 1972  
Ramesh, Thapper (ed) : Caste and Religion in India, New Delhi, Macmillan, 1977  
Andre, Beteille : Inequility and Social Change, Delhi8, Oxford Univesity Press, 1981  
Andre, beteille : The HBackward Classes and the New Social Order, Delhi, Oxford University, 1981.  
Parbhu, P.N. : Hindu Social Organisation  
Srivastava, M.N. : Social Change in Modern India  
Singhvi and N.K. goswami : Samaj Shastra Vivechan  
Andre, Betelilile : Vishamta aur Samajik Parivarian  
Yogendra Singh : Modernisation of Indian Tradition  
Yogendra Singh : Social Stratification and Change in India

**B.B.A. LL.B.**  
**PAPER – 5.2.6**

**FUNCTIONAL AREAS OF MANAGEMENT (Major)**

- Unit -1 Introducing Business Communication : Basic Forms of communication, Communication Models and processes, Effective Communication, Theories of Communication, Audience Analysis.
- Unit 2 Corporate Communication, Formal and Informal Communication Network, Grapevine Mis-communication )Barriers), Improving Communication Practice in Business Communication, Group discussions, Mock Interviews, Seminar, Effective Listening Exercises, Individual and Group Presentation and Report Writing
- Unit 3 Production : Meaning and Scope, Production, Planning and Control-Objectives, Techniques, Importance, and Advantages of Production Planning and Control, Quality Control and Inspection : Concept and Importance, Plant layout, Plant Location : Meaning, Determinants and Basis of Optimum Plant Location.
- Unit 4 Marketing : Concept, Functions and importance, Marketing Research : Meaning, Scope, Contributions and Limitations of Marketing Research procedure, Types and Techniques.  
Product : Meaning, role, planning, process and Life cycle, pricing, Meaning, role procedure and Management, Channels of Distribution : Meaning, role, Classification and Factors governing choice of channels of distribution.
- Unit 5 Personnel : Meaning, Scope, Functions of personnel Management Introduction to Recruitment, Selection, Evaluation, Methods of job Evaluation, Merit Rating, Meaning, objectives and techniques. Training and Development.

**Suggested Books :**

Bove and Thill : Business Communication Today, Tata McGraw Hill, new Delhi.  
Randall, E. Magors : Business Communication, Harper and Row, New York  
Kaul : Business Communication, Prentice Hall, New Delhi  
Kaul : Effective Business Communication, Prentice Hall, New Delhi  
Robinson, Netrakanti and Snintre : Communicative Competence in Business English, Orient Longman, Hyderabad  
Agarwal, R. D. : Organisation and Management  
Philip Kotler : Marketing Management  
Saxena, S.C. : Business Administration and Management  
Gandhi, J. C. : Marketing : A Managerial Introduction  
Gupta, M. S. : Kriyatmak Prabandh, Modern Publications, Jodhpur  
Upadhyay & Kumbhat : Utpadan Prabandh

**B.B.A. LL.B.**  
**PAPER – 5.2.7**  
**INTERNATIONAL BUSINESS (Minor)**

Unit 1 Introduction : Basic of International Trade. Terms of Trade.

Unit 2 Balance of Payment, Commercial Policy, Regional Economic Grouping : SAARC, NAFTA, OPEC (North American Free Trade Agreement OPEC), GATT (WTO) and UNCATED.

Unit 3 International Economic Co-operation : Foreign Investment, Foreign Aid, Technology Transfer and International Trade. Trade in Service.

Unit 4 India's Foreign Trade : Role, Composition, Directions of Imports and Exports and Export Promotion and incentives.

Unit 5 Government and Foreign Trade : Role of State Trading in India's foreign trade. Free trade. Free trade zone in India, EXIM bank of India.

**Suggested Readings :**

Balagopal : Export Management

Kalpua Das : Export Strategy in India

Walker : Export Practice of Documentations.

I.T.C. Export Financing

M.L. Verma : Foreign Trade Management, Delhi Vikas Publication.

Shri Ram Khanna, : International Trade in Textiles, New Delhi, Saga Publication.

V.S. Mahajan : India's Foreign Trade, Kitab Mahal, Allahabad.

Keegan, : Global Marketing.

Heller : International Trade Theory and Empirical Evidence parvez Pervez Asheghian and Baham

Ebrahimi : International Bushiness, London Harper Collins Publishers.

Peter H. Lindert : International Economics, Illinois, Richard D.

B. Soder Sten : International Economics

Kindelberger : : International Economics

Grrubec : International Economics

Bhagwati : Trade, Tariff & Growth.

Karae (ed). : The Economics of Integration, Gatt Annual. Mathew and Dave International Bushiess and Insurance, Vide Vision Publisher, Jaipur

**B.A. LL.B. & B.B.A. LL.B.**

**COMPUTER EXERCISE**

Computer exercise/**Net surfing for legal knowledge/Library visit.**

# **SYLLABUS**

**B.A. LL.B./B.B.A. LL.B. (FIDC)**

**(Five Year Course in Law)**

**Semester System Examination in Law**

**(III Semester & IV Semester)**

**(For - 2022-23)**



**JAI NARAIN VYAS UNIVERSITY**  
**JODHPUR**

**III – SEMESTER**  
**B.A. LL.B. & B.B.A. LL.B.**  
**COMPULSORY PAPER**  
**PAPER – 5.3.1**  
**FAMILY LAW – I (HINDU LAW)**

- Unit 1: Hindu Law : Sources, schools 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
- Unit 2: The Hindu Marriage Act, 1955 : Conditions of a Hindu marriage, ceremonies for Hindu marriage. Registration of Hindu marriage, Void and voidable marriages. Restitution of conjugal rights, Judicial separation. Legitimacy of children of void and voidable marriages; Divorce. grounds available to spouses, Alternative relief in divorce proceedings, Divorce by mutual consent, and ancillary remedies under the, Act, divorced persons when may marry again, Jurisdiction and procedure
- Unit 3: The Hindu Succession 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
- Unit 4: The Hindu Adoption and Maintenance Act, 1956 : Requisites of valid adoption, Capacity to take in adoption, capacity to give 'in' adoption, persons who may be adopted, other conditions for a valid adoption. Effects of adoption, Miscellaneous provision of adoption.
- Maintenance of wife, children and parents, Maintenance of widowed daughter-in-law, Dependents and their maintenance. Amount of maintenance, Miscellaneous provisions of maintenance.
- Unit 5 : The Hindu Minority and Guardianship Act, 1956: Natural guardians and their powers. Testamentary guardians and their powers, de facto guardian, general provisions of guardianship
- Partition : Meaning, property for partition, persons entitled to claim partition and allotment of shares, partition how effected, Determination of Share, Reopening of partition. Re-union, Debts-Doctrine of pious obligation. Antecedent Debts

**LEADING CASES**

**Unit No.**

- |  |   |
|--|---|
| 1. Shastri YajnaPurushdasji v. Muldas, AIR 1966 SC 1119                | 1 |
| 2. Yamuna bai v. Annant Rao, AIR 1988 SC 644                           | 4 |
| 3. Brij Narayan v. Mangla Prasad, (1924) 511 A 129                     | 5 |
| 4. Bipin Chandra v. Prabhavati, AIR 1957 SC 176                        | 2 |
| 5. Dr. Narayan v Ganesh Dastane v. Sucheta Dastane<br>AIR 1975 SC 1534 | 2 |
| 6. Dharmendra Kumar v. Usha Kumari, AIR 1977 SC 2218                   | 2 |
| 7. Tulsmma v. Sessa Reddi, AIR 1977 SC 1944                            | 3 |
| 8. Ms. Githa Hari Haran v. Reserve Bank of India,<br>AIR 1999 SC 1149  | 5 |

**BOOKS RECOMMENDED**

Mulla : Principles of Hindu Law

Ragh vachariar : Hindu Law-Principles and Precedent

Paras Diwan : Modern Hindu Law

Sharma, K.P. : Hindu Law (Hindi)



**B.A. LL.B. & B.B.A. LL.B.**  
**PAPER – 5.3.2**  
**CONSTITUTIONAL LAW OF INDIA – I**

- Unit-1 Introductory: Salient Features of the Constitution. Nature of the Indian Federalism: Preamble, Citizenship.
- Unit-2 State, Fundamental Rights, Directive Principles of State Policy and Fundamental Duties.
- Unit-3 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, Vidhan Sabha Rajya Sabha, and Vidhan Parishad Composition : Speaker, Chairman; Privileges; Legislative procedure
- Unit-4 Union-State Judiciary : Supreme Court and High Court, Composition and Powers, Writs
- Unit-5 Union-State Legislative Relationship-Distribution of legislative powers, Administrative and financial relationship

**LEADING CASES**

|   | Unit No. |
|---|----------|
| 1. Mohammed Raza v. State of Bombay, AIR 1956 SC 1436                               | 1        |
| 2. Maneka Gandhi v. Union of India, AIR 1978 SC 597                                 | 2        |
| 3. Indira Sahaney v. Union of India, AIR 1994 SC 1918                               | 2        |
| 4. Kehar Singh v. Union of India, AIR 1989 SC 653                                   | 3        |
| 5. Supreme Court Advocate-on-Record Association v. Union of India, AIR, 2016 SC 117 | 4        |
| 6. Sate of Gujrat v. Mr. Justice R.A. Mehta, AIR 2013 SC 693                        | 5        |

**Books Recommended:**

Bare Act of Constitution of India as amended upto date  
Shukla, V.N. : Constitution of India  
Jain, M.P. Constitution Law of India  
Basu, D.D. : Introduction to the Constitution of India.

**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.3.3**

**FRENCH LANGUAGE**

**Unit 1 : Alphabets Vowels and Consonants,**

Genders, Numbers

Article (indefinite)

Pronunciation : Orthographic rules concerning written account marks. Sentence structure, punctuation rules.

Nouns : (Singular and Plural)

Pronouns

Article : (Definite)

Adjective : (Colour and Shapes)

Proposition

**Unit 2 : La personnes : (the persons)**

La choses : (the things)

La Matiere : (the materials)

Basic Verb :

ETRE : (to be) 3 forms

Verb : Avoir (to have)

Ordinal Numbers

Possessive Adjective (Singular and Plural)

Le corps : (the body)

**Unit 4 : Verb - 2<sup>nd</sup> Group**

Le jour – the day

Le mois – the month

L'anne'e – the year

Les saisons – the seasons

Demonstrative Adjectives

Les mesures (the measures)

L'age – (the age)

La maison – (the house)

La famille – (the family)

**Unit 5 : Verb – 3<sup>rd</sup> group**

Tense – Passe' Compose (Past Simple)

Partitive articles

Les repas – (the meals)

**Prescribed Text:**

Course de language it. De civilization Francaises, volume I,

Lesson 26 -50

Modern French course d'usage.

**B.A. LL.B.**  
**PAPER – 5.3.4**  
**POLITICAL SCIENCE (MAJOR)**

Unit 1 Conceptions of power, authority and legitimation. The contemporary crisis of legitimation.

Unit 2 Nature of political obligation and its theories, Hobbes, Locke, Rousseau,

Unit 3 Theories of Political obligation, Max Weber, Marx, Emile Durkheim approaches to the notion of political obligation.

Unit 4 Utilitarianism (both rule and act utilitarianism) as approaches to political obligation.

Unit 5 The problem of civil disobedience and political obligation, with particular reference to Gandhian and Neo-Gandhian thoughts.

**Recommended Source Materials :**

- Leslie Lipson : Great Issues of Politics, An Introduction to Political Science, new York, Prentice Hall, 1954  
G.N. Singh : Fundamentals of Political Science and Organisation, Allahabad, Kitab Mahal, 1966.  
K.R. Bombwal : Indian Politics and Government since 1885, Delhi, Atma Ram and Sons, 1951  
Hans Morgenthau : Politics Among nations : The Struggle for Power and Peace, 2nd Ed., New York, Knopf, 1955  
Quincy Wright : Study of International Relations, New York, Applenton Century Crofts, 1955  
D.W. Bowett : International Institutions, London< Methuen, 1964  
Pereys Cohen : Modern Social Theory, Arnold Heinman, 1976  
Denis Lloyd : The Idea of Law, Pelican, 1964  
D.D. Raphael : Problems of Political Philosophy, Macmillan  
Roscoe Pound : an Introduction to the Philosophy of Law, yale University press, 1954  
Upendra Baxi : the Crisis of the Indian Legal System, Vikas, 1982  
H.L.A. Hart : Essay on Punishment and Responsibility, Oxford, 1982  
S.E. Finer : Comparative Government, Pelican, 1970  
Rajani Kothari : Democratic policy and Social Change in India : Crisis and Opportunities, allied Publishers, 1976  
Leorge Lich them : A Short History of Socialism, Fontanal Collins, 1970  
U.N. Ghoshal : A History of Indian Political ideas, Oxford, 1959  
K.P. Karunakaran : Modern Indian Political Traditions, Allied, 1962  
G.H. Sabine : A History of Political Theory, Fourth Ed., Oxford, 1973  
G.Sawer : Modern Federalism, London C.A. Watts, 1969  
S.P. Verma : Modern Political Theory, Vikas, 1980

**B.A. LL.B.**  
**PAPER – 5.3.5**  
**ECONOMICS THEORY - I (Micro Economics) (Minor)**  
**(Basic Economics)**

- Unit -1 What is Economics and its relevance to Law. Central problem of every economy. Basic concepts demand, supply, revenue, cost, relationships between average and marginal.
- Unit 2 Theory of consumer behaviour : cardinal utility approach and indifference curve approach. Law of demand and elasticity of demand.
- Unit 3 Theory of production : Law of variable proportion, returns to scale, cost of production short run and long run cost curves.
- Unit 4 Markets : Price determination under perfect competition, monopoly and monopolistic competition.
- Unit 5 The Factor Market- Marginal Productivity Theory of Distribution. Rent – Ricardian, Theory, Quasi- Rent and Modern Theories. Profit: Dynamic, Risk and Uncertainty Theories.

**Recommended Source Materials**

- Alfred W. Stonier and Douglas C. Hague : The Essentials of Economics, London Longmans, 1955.
- Ruddar Datt and Sunderam : Indian Economy, Delhi, S. Chand and Co., 1982
- A.N. Agrawala : Indian Economics, New Delhi, Vikas, 1979
- Paul Samuelson : Economics An Introductory analysis, International Students Edition, McGraw Hill Book Company, Seventh Edition, 1961
- Fredrthue Lewis: Theory of Economic Growth, unwin University Books, 1954, 9th Impression, 1970
- V.Y. Gupta : Working of Stock Exchanges in India, Delhi, Thomson Press, 1972
- S. Ghatak : Rural money markets in India, Delhi Macmillan, 1976
- C.H. Hanumantia Rao and P.C. Joshi : Reflections of Economic Development and Social Change, Essays in Honour of V.K. R.V. Rao, Allied, 1979
- P.K. Chaudhari : the Indian Economy Poverty and Development, Vikas, 1978
- C.T. Kurien : Poverty and Social Transformation, Allied, 1976
- M.Dipton : Why Poor people Stay Poor Urban Bais in World Development, Heritage Publishers, New Delhi, 1980
- Myrdal, Gunnar : The Challenge of World Poverty, penguin, 1971
- Lakshmi Narian : Principles and Practice of Public Enterprise Management, S. Chand. 1980
- Mahbub-Ul-Haq: the Poverty Certain Choices for the Third World, Oxford, 1976
- H.W. Singer and J.S. Ansari : Rich and :Poor Countries, Allen and Unwin, third edn., 1982
- L.N. rangarajan : Commodity conflict The Political Economy of International Commodity Negotiations, Croom, Heim Ltd., 1978
- V.Gauri Shanker : Taming the Giants, Multinational Corporations in India, Sterling, 1980
- I. Livingstone (ed.) : Economic Policy for Development, Penguin, 1971 P.C. Joshi : Land Reforms in India, Allied, 1976
- P. Ishwar Bhatt : Law & Social Transformation, EBC 2009.
- Samuelson P. : Economics.
- Koutsoyiannis A. : Modern Microeconomics.
- Salvatore D : Micro Economics Theory and Applications.
- Gould J.P. Lazear EP. : Micro Economic Theory
- Jhingan M.L. : Micro Economics

**B.A. LL.B.**  
**PAPER – 5.3.6**  
**SOCIOLOGY (Minor)**

Unit-1 Changing Profile of Indian Population. Population Explosion, Family Planning.

Unit-2 Concept of social organization and disorganization. Causes of disorganization. Family disorganization.

Unit-3 Meaning and nature of Anthropology, its branches, study of human race and its relevance in changing globalised scenario.

Unit-4 Approached of Study of Anthropology, Historical, Comparative, empirical, structural, functional.

Unit-5 Tribal India : Problems of Indian Tribes and its solution. Constitution provision for Scheduled Tribes.

**Suggested Readings:**

Abraham: Social Thinkers

Raymand Arora: Main Currents in Sociological thought, 2 Volumes Karl Marx, Max Weber, Emile Durkheim

Majumdar D.N. & Madan T.N. : An Introduction to Social Anthropology.

Ellio H & Merrill : Social Disorganization.

Madan : Indian Social Problem Vol. I.

Spicer : Human Problems and Technological change.

Mowrer : Social Problems.

**BBA LL.B.**  
**PAPER – 5.3.7**  
**ORGANISATIONAL BEHAVIOUR (MAJOR)**

- Unit 1 Introduction to organizational Behaviour : Definition, Assumptions, Significance, Trends and Prospects, Historical Background for Modern Organisation Behaviour, Research Foundations for Organisation Behaviour, Individual Behaviour in Organisation. Behaviour as Input Output Systems, Nature and Dimensions of Attitudes, Value and Perceptions.
- Unit 2 Motivation : Meaning Importance, Theories of Motivation : Need Hierarchy, Expectancy Theory, Equity Theory, ERG Theory, There need theory, Reinforcement Theory.
- Unit 3 Leadership : Meaning and Importance, Transition in leadership theories, trait theories, behavioural theories, contingency theories, leadership styles and skill, managerial culture and leadership.
- Unit 4 Moral : Definition and Measurement of Moral, Morale and Productivity, Improving Morale, Impacts of Modern Technology work systems and Human Factors, Work stress.  
Group Dynamics Meaning importance, types of Groups, Important Dimensions of Group Behaviour A Brief Sketch, Leadership and conflict in Group, Authority and influence process in group.
- Unit 5 Conflict and Collaboration : Meaning and Nature and changing view of conflict, process of conflict handling behaviour, conflict resolution technique, approaches to conflict management bases and interventions of collaboration organizational dynamics, managing organizational change, force of change, resistance to change, managing planned changes.

**Suggested Readings :**

Fred Luthans : Organisaton Behaviours, Prentice Hall of India, 1993  
Harold Koontz and Heinz Weihrich : Management : A Gloal perspective, McGraw Hill.  
Stephen, P. Robins : Organisational Behaviours, Prentice Hall of India, 1993  
John, R. Schermarhorn, James, G. Hunt, Richard M. Osbom : Managing Organisation Behaviour  
Sochion : Organisational Psychology, Prentice Hall of India Ltd. Wondell, L. French and Cocill, R. Soll : Organisational Development, prentice Hall of India Ltd.  
Parance, R. Hitchell : People in Organisational, McGraw Hill, International Book Co., New York.  
Hicks & Guilet : Organisation : Theory and Behaviour, McGraw Hill, International Book Co., New York.  
Davis and Newstorm : Human Behaviour at Work, McGraw Hill International Book Co., New York.

**B.B.A. LL.B.**  
**PAPER – 5.3.8**  
**FUNDAMENTALS OF ACCOUNTING (Minor)**

- Unit -1 Introduction of Accounting : Meaning, objectives, Basic Accounting terms. Accounting Principles : Meaning and nature, Accounting Concept. Bases of Accounting, Nature of Accounts. Origin of Transactions Source Documents and Vouchers. Accounting Equation, Rules of Debit and Credit. Recording of Transactions : Books of Original entry Journal, special purpose journal. Ledger posting from Journal and Balancing.
- Unit 2 Trial Balance : Meaning, objectives & preparation. Errors : Types of Errors and rectification. Self Balancing and Section Balancing system.
- Unit 3 Financial Statements : Meaning, Capital Expenditure, Revenue expenditure and Deferred Revenue Expenditure.
- Unit 4 i) Accounting for Non-profit organizations : Receipts and Payment Account, Preparation of Income and Expenditure Accounts and Balance Sheet from Receipt and Payment Account will additional information.  
(ii) Accounts from Incomplete records, Ascertain of Profit/loss by statement of Affairs methods, conversion method.
- Unit 5 Accounting for Insurance Claim : Loss of Stock and consequential loss Accounting for Depreciation, Provisions and Reserves.

**Suggested Readings :**

- Gupta, R. L. Radhaswami, M : Company Account, Sultan Chand & Sons, New Delhi.
- Maheshwari, S. N. Corporate Accounting, Vikas Publishing House, New Delhi.
- Mongra, J.R. Ahuja, Girish and Sehgal, Ashok : Financial Accounting, Mayur paper Back, Noida.
- Rjpurohit and Joshi Fundamental & Accounting, Rajasthan Pathya prakashan, Sojati Gate, Jodhpur.
- Maheshwari S.N. Financial Accounts
- Sukla & Grawal Advanced Accounts Income Tax.

**B.B.A. LL.B.**

**PAPER – 5.3.9**

**FINANCIAL MARKET OPERATION (MINOR)**

- Unit 1 An overview of financial market in India, Money Market : India money market's composition and structure; (a) Acceptance houses (b) Discount houses and (c) Call money market; Recent trends in Indian money market.
- Unit 2 Capital market : Security market (a) New Issue market (b) Secondary market : Function and role of stock exchange; Listing procedure and legal requirements; public issue pricing and marketing;
- Unit 3 Investors protection : Grievance concerning stock exchange dealing and their removal : Grievance cells in stock exchange; SEBI; company Law Board, Press, Remedy through courts.
- Unit 4 Functionaries on Stock Exchanges, Brokers, sub-brokers, market makers, jobbers portfolio consultant, institutional investors and NRIs
- Unit 5 Financial Service : Merchant banking-functions and role SEBI guidelines; credit rating-concept, functions and types.

**Suggested Readings :**

Chandler, M.V. and Goldfeld, S.M. : Economics of Money and Banking, Harper and Row, New York.

Gupta, Suraj B. : Monetary Economics, S. Chand and Co., New Delhi.

Gupta, Suraj B. : Monetary Planning in India, Oxford, New Delhi.

Bhole, L.M. : Financial Markets and Institutions, Tata McGraw Hill, New Delhi.

Mathur & Dave : Financial Markets Operations, Vide Vision Publisher, Jaipur.



**IV – SEMESTER**  
**B.A. LL.B. & B.B.A. LL.B.**  
**COMPULSARY PAPER**  
**PAPER – 5.4.1**  
**FAMILY LAW - II (MOHAMMEDAN LAW)**

- Unit 1: Mohammedan Law; Origin, Development, Sources, Schools, Application, Interpretation and Conversion Marriage : Nature of marriage, Essentials of marriage, Khyar-ul-bulug, Iddat, Khilwat-us-sahi, Matrimonial Stipulations, Kinds of marriage and effects of marriage
- Unit 2: Mahar : Meaning and nature of Mahar (dower), kinds, objects and subject matter of dower, wife's rights on non-payment of Mahar, Guardianship : Appointment of guardian, Kinds of guardianship Dissolution of marriage : Talaq, Ila, Zihar, Talaq- tafweez, Mubarat, Khula, Lian, Faskh, Section 2 of the Dissolution of Muslim Marriage Act, 1939; Legal effects of divorce
- Unit 3 : Pre-emption : Meaning and nature of Haq Shufa (Preemption), classification of pre-emption, Right of pre-emption when conflict of law, subject matter and formalities of pre-emption, Legal effect of pre-emption, Devices for evading pre-emption, Gift : Meaning of gift (Hiba), Requisites of gift, Gift of Musha, conditional and future gift, Life Interest Hiba-bil ewaj, Hiba-ba-shart-ul-ewaj
- Unit 4 : Will : Competence of testator and legatee, valid subject of will, testamentary limitation, 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 valid acknowledgment
- 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 Marjulumaut
- Unit 5 : Wakf : Meaning and essential of a Wakf, Beneficiaries of Wakf, the Wakf Validating Act, 1913, Formalities for creation of Wakf of Musha, kinds of Wakf, Muslim religious institutions and offices, Administration of Wakfs
- Inheritance: General Principles of law of inheritance, Doctrines of Aul and Radd under Hanafi and Shia Law

**LEADINGS CASES****Unit No.**

|    |  |   |
|----|--|---|
| 1. | Anisa Begam v. Muhammed Istafa, (1933) 55 All 743                  | 1 |
| 2. | Maina Bibi v. Choudhary Vakil Ahmed, (1923) 52 IA 145              | 2 |
| 3. | Imambadi v. Mustaddi, (1918)45IA 73                                | 3 |
| 4. | HabiburRahmanv.AltafAli(1921)48IA114                               | 4 |
| 5. | Moonshee Buzul-ul-Rehman v. Luteefutain Nissa,<br>(1861) 8 MIA 370 | 2 |
| 6. | Govind Dayal v. Inayatullah (1885) All 775                         | 3 |
| 7. | Abu Fata v. Ressimoy Dhur Chowdhary (1894) 22 IA 76                | 5 |
| 8. | Mohd. Ahmed Khan v. Shah Bano Begum.<br>A IR 1985 SC 945           | 4 |

**BOOKS RECOMMENDED**

Faize : Mohammedan Law

Mulla: Principles of Mohammedan Law

Verma, B.R. : Islamic Law

Aquil Ahmed : Mohammedan Law

**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.4.2**

**CONSTITUTIONAL LAW OF INDIA - II**

- Unit 1 Service under the Union and the State, Constitutional protection to civil servants; Public Service Commission of the Union and the States Art. 300 A Property Rights, Service Tribunals.
- Unit 2 Freedom of Trade, Commerce and Intercourse : State Liability in Contracts and Torts, Suit by and against the State
- Unit 3 (a) Emergency provisions-National, State and Financial  
(b) Elections : Election Commissions, Constitution Powers & Functions, Powers of Parliament and State Legislature with regard to election laws.
- Unit 4 Amendment of the Constitution-Constitutionality of Ordinary Laws and Amendment Laws, Doctrine of Judicial Review and restraints upon it, judicial activism, special rules of constitutional interpretation and constitutionalism, Doctrine of Basic Structure - Major Amendments & their Constitutional Value
- Unit 5 Local self government their constitution functions and powers.

**LEADING CASES**

**Unit No.**

- |  |   |
|--|---|
| 1. Union of India v. Tulsi Ram Patel, AIR 1985 SC 389                | 1 |
| 2. P.C. Wadhwa v. Union of India, AIR 1964 SC 421                    | 1 |
| 3. Automobile Transport Ltd. V. State of Rajasthan, AIR 1962 SC 1406 | 2 |
| 4. A.D.M. Jabalpur v S. Shukla, AIR 1976 SC 1207                     | 3 |
| 1. Minerva Mills v. Union of India, AIR 1980 SC 1789                 | 4 |
| 4. S.R. Bombai v. Union of India, AIR 1994 SC 1918                   | 4 |
| 5. Keshavanada Bharti v. State of Kerala, AIR 1973 SC 1461           | 4 |

**Books Recommended:**

Bare Act of Constitution of India as amended upto date  
Shukla, V.N. : Constitution of India  
Jain, M.P. Constitution Law of India  
Basu, D.D. : Introduction to the Constitution of India.  
Bhansali S.R. Constitution of India (2 Volumes)

**B.A. LL.B.**  
**PAPER – 5.4.3**  
**POLITICAL SCIENCE (MAJOR)**

- Unit 1 The world community; sovereign states, transnational political parties, and transnational non-official organizations such as the churches, multinational corporations, scientific cultural and other organizations.
- Unit 2 Components of national power; population, geography, resources, economic organization, technology and military force.
- Unit 3 Limitations of national power : International morality public opinion, international law.
- Unit 4 Major sources of conflict : East and West and North and South rivalries, territorial claims, resources, population migrations international trade.
- Unit 5 Avoidance of war and facilitation of peaceful change: Alliances and balance of power approach; collective security and disarmament.

**Recommended Source Materials :**

- Leslie Lipson : Great Issues of Politics, An Introduction to Political Science, new York, Prentice Hall, 1954
- G.N. Singh : Fundamentals of Political Science and Organisation, Allahabad, Kitab Mahal, 1966.
- K.R. Bombwal : Indian Politics and Government since 1885, Delhi, Atma Ram and Sons, 1951
- Hans Morgenthau : Politics Among nations : The Struggle for Power and Peace, 2nd Ed., New York, Knopf, 1955
- Quincy Wright : Study of International Relations, New York, Appleton Century Crofts, 1955
- D.W. Bowett : International Institutions, London< Methuen, 1964
- Pereys Cohen : Modern Social Theory, Arnold Heinman, 1976
- Denis Lloyd : The Idea of Law, Pelican, 1964
- D.D. Raphael : Problems of Political Philosophy, Macmillan
- Roscoe Pound : an Introduction to the Philosophy of Law, Yale University press, 1954
- Upendra Baxi : the Crisis of the Indian Legal System, Vikas, 1982
- H.L.A. Hart : Essay on Punishment and Responsibility, Oxford, 1982
- S.E. Finer : Comparative Government, Pelican, 1970
- Rajani Kothari : Democratic policy and Social Change in India : Crisis and Opportunities, allied Publishers, 1976
- Leorge Lich them : A Short History of Socialism, Fontanal Collins, 1970
- U.N. Ghoshal : A History of Indian Political ideas, Oxford, 1959
- K.P. Karunakaran : Modern Indian Political Traditions, Allied, 1962
- G.H. Sabine : A History of Political Theory, Fourth Ed., Oxford, 1973
- G.Sawer : Modern Federalism, London C.A. Watts, 1969
- S.P. Verma : Modern Political Theory, Vikas, 1980

**B.A. LL.B.**

**PAPER – 5.4.4**

**SALIENT FEATURES OF INDIAN ECONOMY (Minor)**

- Unit 1 : Introduction: Characteristics of Indian Economy including problems of poverty and inequality. Population Growth and Population Policy.
- Unit 2 : Main features of Indian agriculture : Factors affecting Cropping Pattern and Productivity in India, Recent Measures for Agricultural Development relating to Irrigation. Green Revolution.
- Unit 3 : Need for Industrialization in India Small scale and Cottage Industries-Problems and Measures for the their Development.
- Unit 4 : Foreign trade of India change in the direction and composition of foreign trade. Role of foreign capital in economic development. International financial institution.
- Unit 5 : Problems of un-employment, Regional inequalities, and inflation in India, Monetary, fiscal and price policy in India.

**Recommended Source Materials:**

**REQUIRED READINGS**

- Dutt, Ruddar and Sundharam, KPM: Indian Economy, (Latest eds.)  
(Hear after referred as text Ch. 1, Ch. 4 and Ch. 20)  
Text : Ch., 26, 28, 31, 32, 33  
Alfred W. Stonier and Douglas C. Hague : The Essentials of Economics, London Longmans, 1955.  
Ruddar Datt and Sunderam : Indian Economy, Delhi, S. Chand and Co., 1982  
A.N. Agrawala : Indian Economics, New Delhi, Vikas, 1979  
Paul Samuelson : Economics An Introductory analysis, International Students Edition, McGraw Hill Book Company, Seventh Edition, 1961  
Fredrthue Lewis: Theory of Economic Growth, unwin University Books, 1954, 9th Impression, 1970  
V.Y. Gupta : Working of Stock Exchanges in India, Delhi, Thomson Press, 1972  
S. Ghatak : Rural money markets in India, Delhi Macmillan, 1976  
C.H. Hanumantiae Rao and P.C. Joshi : Reflections of Economic Development and Social Change, Essays in Honour of V.K. R.V. Rao, Allied, 1979  
P.K. Chaudhari : the Indian Economy Powerty and Development, Vikas, 1978  
C.T. Kurien : Poverty and Social Transformation, Allied, 1976  
M.Dipton : Why Poor people Stay PoorUrban Bais in World Development, Heritage Publishers, New Delhi, 1980  
Myrdal, Gunnar : The Challenge of World Poverty, penguin, 1971  
Lakshmi Narian : Principles and Practice of Public Enterprise Management, S. Chand. 1980  
Mahbub-Ul-Haq: the PowertyCertain Choices for the Third World, Oxford, 1976  
H.W. Singer and J.S. Ansari : Rich and :Poor Countries, Allen and Unwin, third edn., 1982  
L.N. rangarajan : Commodity conflict The Political Economy of International Commodity Negotiations, Croom, Heim Ltd., 1978  
V.Gauri Shanker : Taming the Giants, Multinational Corporations in India, Sterling, 1980  
I. Livingstone (ed.) : Economic Policy for Development, Penguin, 1971 P.C. Joshi : Land Reforms in India, Allied, 1976  
Datt & Sundharam : Indian Economy  
Agrawala A.N. : Indian Economy.  
Misra & Puri : Indian Economy.  
Government of India : Economic Survey (Latest)

**B.A. LL.B.**  
**PAPER – 5.4.5**  
**SOCIOLOGY (Minor)**

Unit-1 Indian Society Characteristics, Units and Diversity. National Integration.

Unit-2 Social Movements and their influence and development of Law.

Unit-3 Process of social change sanskritization, westernization, secularization, urbanization, Globalization and value system.

Unit-4 Tradition and modernity planned social change, Paradigm of social change.

Unit-5 Status of women in India. Indication of women status. Violence and discrimination and legal protection. Women Empowerment.

**Suggested Readings:**

Karve-I : Hindu society An Introduction.

Atal Yogesh : Changing Indian Society.

Atal Yogesh : Indian Society

Singh Yogendra : Modernization of Indian Tradition.

Sriniwas, M.N. : Social Change in Modern India.

**BBA. LL.B.**

**PAPER – 5.4.6**

**STRATEGIC MANAGEMENT (Major)**

- Unit 1 An overview of strategic Management : Defining Strategy, levels at which strategy operates : Approaches to strategic decision making : strategic intent, vision, Mission, Business definition, objectives and goals, Environmental analysis and Diagnosis : concept of environment and its components; Environment scanning and appraisal, Organization appraisal, Strategic advantage analysis and diagnosis.
- Unit 2 Corporate-level strategies : Grand, Stability,. Expansion, Retrenchment, combination strategies, corporate Restructuring. Business-level/strategies : Generic and tactics for business strategies.
- Unit 3 Strategic Analysis and choice : Process of strategic choice, corporate and business level strategic analysis, Subjective factor in strategic choice, contingency strategies and strategic plan.
- Unit 4 Activating Strategies: Interrelationship between formulation and implementation. Aspects of strategy Implementation, Project and Procedural Implementation. Resource allocation, Structural and Behavioural Implementation.
- Unit 5 Functional and Operational Implementation : Financial, Marketing, operations/ production, Personnel plans and policies, information, Integration of functional plans and policies, Strategic evolution and control : Techniques of strategic evaluation and control.

**Suggested Readings :**

- Azhar Kazmi : Business Policy and Strategic Management, Tata McGraw Hill New, Delhi, 2005
- Jain, P.C. : Strategic Management, 2005
- Bhattacharry, S. K. and N. Venkataramin : Meaning Business Enterprises : Strategies, Structure and System, Vikas Publishing House, New Delhi, 2004.

**B.B.A. LL.B.**  
**PAPER – 5.4.7**  
**FINANCIAL ACCOUNTING (Minor)**

Unit 1 Accounting for Hire-Purchase and Installment payment system, Voyage A/c

Unit 2 Branch Accounting and Departmental Accounting

Unit 3 Partnership Accounts : Partners' Capital Accounts, Profit and Loss Appropriation Account, Adjustment in closed Books of Accounts, Reconstitution of Partnership : Charges in Profit Sharing Ratio, Admission of a Partner.

Unit 4 Retirement of a Partner, Death of a Partner, Empty Container A/c

Unit 5 Dissolution of Partnership Firm : Modes of dissolution of firms' Insolvency of Partners, piecemeal distribution of each, Sale of Business, Amalgamation of Business

**Suggested Readings :**

Gupta R. L. & Radhaswamy, M : Financial Accounting, Sultan Chand & Sons, New Delhi.

Shukla M. C. Grewal T. S. and Gupta S.C.L. :

Advanced Accounts, S. Chand & Co. New Delhi

Matheshwari S. N. : Financial Accounting, Vikas Publishing House, New Delhi.

Rajpurohit & Joshi : Financial Accounting, Rajasthan Pathy Prakashan Jaipur.



**B.B.A. LL.B.**  
**PAPER – 5.4.8**

**FINANCIAL MANAGEMENT (Minor)**

Unit -1 Financial Management : Financial goals; profit vs. Wealth maximization; Financial Functions-investment, financing and dividend decision; Financial planning. Capital Budgeting : Nature of investment decision, investment evaluation criteria, payback period accounting rate of return net present value, internal rate of return, profitability index; NPV and IPR comparison.

Unit 2 Cost of Capital : Significance of cost of capital; Calculating cost of debt; Preference shares, equity capital and retained earnings; Combined (weighed) cost of Capital.

Operating and Financial Leverage : Their measure; Effects on profit, analyzing alternate financial plant, combined financial and operating leverage.

Unit 3 Capital Structure : Feature of sound capital structures EBIT, EPS, analysis, Limitation of EPS, Capital Gearing.

Unit 4 Management of Working capital Nature, Concept significance. Recommendations of Chore & Tandon Committees. Determinants and estimation of working capital Management of receivables.

Unit 5 Management of cash and liquidity. Management of Industry; Dividend police Issue in dividend policies, Walter's Model, Gordon's Model, M.M. Hypothesis, Forms and Determinants of dividends.

**Suggested Readings :**

Van Home, J.C. : Financial management and Policy, Prentice Hall of India, New Delhi.

Van Horne, J.C. : Fundamentals of Financial Management, Prentice Hall of India, New Delhi.

Van Horne, J.C. : Fundamentals of Financial Management, Text and problems, Tata McGraw Hill, New Delhi.

Prasanna Chandra : Financial management Theory and Practice, Tata McGraw Hill, New Delhi

Pandey, I. M. : Financial Management, Vikas Publishing House, New Delhi.

Brigham, E.F., Gapenski L.C. and Ehrhardt, M.C. : Financial Management-Theory and Practice, Harcourt College Publisher, Singapore.

Bhalla, V.K. : Modern Working Capital Management, Ammol Pub, Delhi.

# **SYLLABUS**

**B.A. LL.B./B.B.A. LL.B. (FIDC)**

**(Five Year Course in Law)**

**Semester System Examination in Law**

**(V Semester & VI Semester)**

**(For - 2023-24)**



**JAI NARAIN VYAS UNIVERSITY**  
**JODHPUR**

**V – SEMESTER**  
**B.A. LL.B. & B.B.A. LL.B.**  
**COMPULSORY PAPER**  
**PAPER – 5.5.1**  
**PUBLIC INTERNATIONAL LAW AND HUMAN RIGHTS**

- Unit 1: Definition, Nature and Basis of International Law, is International Law a true Law? Weaknesses of International Law, Codification and development of International Law, Relation between International Law and State Law, Sources of International Law, Subjects of International Law, Place of individual in International Law, Nationality, Extradition and Asylum
- Unit 2: States in general, Kinds of States and Non-State entities, Acquisition and loss of State Territory, Territorial water, Continental Shelf, Contiguous zone and 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, state Responsibility, Intervention
- Unit 3 : Diplomatic agents, Counsels. Classification and Functions of diplomatic agents, Privileges and Immunities of diplomatic agents with reference to Vienna Convention on Diplomatic Relation, 1961. Treaties : Definition, Basis, classification and formation of treaties. Interpretation and revision of treaties, principles 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 Institution : League of Nations, 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, New International Economic Order and Disarmament
- Unit 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 postliminium, Prize courts.  
  
The law of Neutrality-Basis of neutrality, Rights and duties of neutral state and belligerent States. Quasi neutrality and U.N. Charter. Right of Angary, Contraband, Blockade, unneutral Service, Right of Visit and Search.
- Unit 5 : Human Rights : Introduction, Meaning, Definition & Brief History. The Protection of Human Rights Act 1993 National Human Rights Commission, Human Rights Commission of Rajasthan, Role of Judiciary in Promotion and Protection of Human Rights.  
  
Universal Declaration of Human Rights, 1948, Covenant on Civil and Political Rights 1966 and covenant on Economic Social and Cultural Rights, 1966

## LEADING CASES

## Unit No.

|  |   |
|--|---|
| 1. North Sea Continental Shelf Case, ICJ Reports, 1968, P.3                            | 2 |
| 2. Kutch ward, Foreign Affairs Reports, Vol. XXVII (27) 68                             | 3 |
| 3. Right to Passage over Indian Territory, ICJ Reports, 1950 P.6                       | 2 |
| 4. South West Africa case, 1966 ICJ Reports, P.6                                       | 4 |
| 5. United Kingdom v. Norway (AngloNorwegian Fisheries Cases) ICJ Reports, 1951, P. 116 | 2 |
| 6. The Corfu Channel Cases (Preliminary Objections) ICJ Report, 1948 P. 15             | 2 |
| 7. Nicaragua v. The U.S.A., ICJ Reports, 1948, P. 169                                  | 2 |

## BOOKS RECOMMENDED

Starke : An Introduction of Internatinoal Law

Briggs: Law of Nations

Kapoor, S.K. : International Law

Tandon, M.P. : Public International Law

Ian Browall : Basic Documents on Human Rights

H. Lauterpatch : International Law and Human Rights (1950)

The United Nations and Human Rights: Office of Public Information United Nations (1973)

Frede Castberg : The European Convention on Human Rights (1974) C.J. Jenks : Human Rights and International Labour Standards (1960)

**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.5.2**

**JURISPRUDENCE**

Unit 1 : Jurisprudence: Definition, Nature and Scope: (i) Importance of Jurisprudence (ii) Schools of Jurisprudence : Analytical School-Austin, Kelsen and Hart

Unit 2: Historical School: Savigny and Henry Maine, Sociological School : Ihering, Duguit, Roscoe Pound, American Realism: Holmes, Llewellyn. Frank Natural Law School : Kant and New Kantian theories, Relation between Law & Morality

Unit 3 : Nature, definition and sources of Law : Source of Law, Custom; Importance of custom, Theories of customary law; Precedent: kinds, ratio decidendi; obiter dicta, Declaratory theory of precedent, Judge made law-theory; Legislation : kinds, comparison between Legislation and other sources of law

Unit 4: Ownership and possession: Meaning of ownership; kinds, Definition of ownership by Austin and Salmond; relation between ownership and possession, Importance of Possession, Elements of corporeal possession; problems; Theories of possession-Salmond, Savigny etc.

Person: Nature of personality, kinds; corporate personality; and its kinds; theories of corporate personality; problems; who are legal persons and who are not?

Unit 5 : Liability : Nature of Liability, Elements-Motive; Intention (Mens rea), Negligence : subjective and objective theories of Negligence

Administration of Justice; Theories of punishment, Capital punishment  
Rights and Duties: Nature of Rights and Duties; Correlation of Rights and Duties, Kinds of Rights and Duties

**BOOKS RECOMMENDED**

Salmond : Jurisprudence Dias : Jurisprudence

Dhyani, S.N. : Jurisprudence-A Study in Indian Legal Theory Mahajan,

V.D. : Jurisprudence and Legal Theory

Agarwal, Nomita : Jurisprudence Dr. Paranjape : Vidhi Shastra Singh Inderjeet : Vidhi Shastra Tripathi, V.N. : Vidhi Shastra

## **B.A. LL.B. & B.B.A. LL.B.**

### **PAPER – 5.5.3**

#### **LAW OF CRIMES (The Indian Penal Code, 1860)**

Unit 1 :General concepts : Definition of Crime, Constituent of Crime, Territorial jurisdiction of I.P.C. (Ss. 1-5). Stages of Crime : Doctrine of Mens rea, Preparation and Attempt; General Explanation : Public servant, movable property, wrongful gain and wrongful loss. Dishonestly Fraudulently, Reasons to believe, Counterfeit, Valuable Security, 'act' and 'omission' voluntarily, Good faith, illegal, injury, offence, Document, Harbour, Judge

Unit 2 :General Exceptions (A) : Mistake of facts, Mistake of law, Accident, act done without criminal intention and to prevent other harm, act of child, act of person of unsound mind, act of intoxicated person

General Exceptions (B) : Judicial acts, acts done with consent, and done in good faith without consent, communication made in good faith, acts done under compulsion, act causing slight harm; Right of private defence, commencement and continuance of right of private defence

Unit 3: Joint and constructive liability : Common intention, common object, Abetment, Criminal conspiracy : Offences affecting Public peace and State authorities, unlawful assembly, Riot, affray, giving false evidence, fabricating false evidence Sedition (S. 124 A). Public nuisance (S.268)

Unit4: Offences affecting the Human Body; Culpable homicide, Murder, Criminal negligence and rashness, Attempt to commit murder and suicide, Miscarriage, Hurt, Grievous hurt, Voluntarily causing hurt and grievous hurt Wrongful restraint and wrongful confinement, Force and Criminal force, Assault, Kidnapping and Abduction

Unit 5: (a) Offences against property: Theft, Extortion, Robbery, Dacoity, criminal misappropriation of property, criminal breach of trust, stolen property, cheating, mischief, criminal trespass, lurking house trespass, House breaking  
(b) Offence relating to document: Forgery, Making a false document  
(c) Offence relating to Sex and Marriage: Rape. Unnatural Offences, Adultery, Bigamy,  
(d) Offence affecting personal peace and reputation: Defamation, Criminal intimidation, Criminal insult

#### **LEADING CASES**

#### **Unit No.**

|    |  |   |
|----|--|---|
| 1. | K.N. Mehra v. State of Rajasthan, AIR 1957 SC 369    | 5 |
| 2. | Karnail Singh v. State of Rajasthan. AIR 1955 SC 204 | 4 |
| 3. | Bachhan Singh v. State of Punjab, AIR 1980 SC 898    | 4 |
| 4. | Amazad v. State, AIR 1953 SC 165                     | 2 |
| 5. | Reg. v. Govinda, (1876) ILR I Bombay, 342            | 4 |
| 6. | K.M. Nanavati v. State of Bombay, AIR 1962 SC 605    | 4 |
| 7. | Tapti Prasad v. Emperor. AIR 1918 A11429             | 4 |
| 8. | R.V Mec Naughten,(1843)4St.Tr.N.S.84710 CI           |   |

|   |   |
|---|---|
| and F. 200, 204, Oxford (1840) 8 C and P 525                          | 2 |
| 9. Mahboob Shah v. King Emperor (1946) 721.A. 148:<br>AIR 1943 PC 118 | 3 |
| 10. Emp. v. Vinayk Savarkar (1910) 13 Bombay, LR 296                  | 1 |

### **BOOKS RECOMMENDED**

Ratanlal : The Indian Penal Code (Students edition)  
Gaur, K.D. : Criminal Law, Cases and Material  
Bhattacharya T. : The Indian Penal Code  
Gour, H.S. : The Penal Law of India  
Singh, Jaipal : The Indian Penal Code  
Saxena, R.N. : The Indian Penal Code

**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.5.4**

**LAW OF EVIDENCE**

Unit 1: Preliminary: Application of the Indian Evidence Act, 1872 Definitions : fact in issue and relevant fact. evidence - meaning and its kinds, proved, disproved, not proved, may presume, shall presume and conclusive proof. Presumptions regarding documents

Relevancy of facts : Explaining Res-gestae, occasion, cause, effect, motive, intention, preparation, previous and subsequent conduct, introductory and explanatory facts, facts not otherwise relevant when become relevant, accidental and intentional facts

Unit 2: Admission and Confession:

- (a) Admission: Definition, whose admission is relevant, relevancy of admission in civil and criminal 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
- (d) Relevancy of statements :
  - (i) Statements by persons who cannot be called as witness
  - (ii) Statements made under special circumstances
- (e) Relevance to judgment of Courts of Law
- (f) Opinions of third person, and
- (g) Relevancy of character of parties

Unit 3: Facts which need not be proved, Evidence : Oral evidence, documentary evidence, kinds of documentary evidence, when secondary evidence is relevant, public and private documents.

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

Unit 4 : Burden of Proof : Meaning, general principles of burden of proof in civil and criminal cases and exceptions to them, when burden of proof shifts, Proof of legitimacy of child

Estoppel : Meaning, essentials, nature and its kinds,

witnesses : Competency of witness; when persons can be compelled to appear as witness; privileged communication and documents, accomplice, hostile witness

Unit 5 : Examination of witnesses : Order of examinations, kinds of examinations, leading question, impeaching the credit of witness, question which can and which cannot be asked, refreshing the memory of witness, production of document, Judges' power to put question or to order of documents, improper admission and rejection of facts



## LEADING CASES

|   | Unit No. |
|---|----------|
| 1. Pakala Narayan Swami v. Emperor, AIR 1939 P.C.47                       | 2        |
| 2. Lalchand Marwari v. Mahant Ramrup Giri and other<br>AIR 1926 P.C.9     | 3<br>4   |
| 3. Venkateshwarlu v. Venkatanarayanan, A.I.R. 1954<br>S.C. 1976           | 3        |
| 4. State of Punjab v. Sukhdeo Singh, AIR 1961 S.C. 493                    | 4        |
| 5. State of Uttar Pradesh v. Demoen Upadhyay, AIR 1960<br>S.C. 1125       | 2        |
| 6. Nishikant Jha v. State of Bihar, AIR 1969 SC 422                       | 2        |
| 7. Sarat Chand Dey v. Gopal Chand Laha, 1891 (2)<br>IA-203 (30 \Cal. 296) | 4        |

## BOOKS RECOMMENDED

Ratan Lal Dhiraj Lal : The Law of Evidence  
M. Monir : Law of Evidence  
Batuk Lal : Law of Evidence  
Avtar Singh : Law of Evidence

**B.A. LL.B.**  
**PAPER – 5.5.5**  
**ECONOMIC THEORY–II (Minor)**  
**(Macro Economics)**

- Unit 1 : Introduction to Macro Economics: Meaning, Scope, Importance, Limitations; Difference between Macro and Micro Economics, National Income: concepts relating National Product/National Income, Measurement of National Income.
- Unit 2 : Consumption Function; Factors affecting Consumption Function. Investment Function: Meaning, Determination of level of Investment ; Equality between Saving and Investment.
- Unit 3 : Money and Prices : concept of Money supply, Value of Money and its Measurement. Commercial Banking : Principles of Commercial Banking Functions of Commercial Bank.
- Unit 4 : International Trade: Meaning, Difference between International and Domestic Trade. Balance of Trade and Balance of Payments Foreign Exchange: Determination of Exchange Rate.
- Unit 5 : Public Finance : Meaning, Difference between Private and Public Finance : Public Revenue and its Sources : Tax and Non- Tax, Types and Role of Public Expenditure.

**RECOMMENDED READINGS**

Samuelson & Nordhaus : Economics (H&E)  
Chandler, L.V. Economics of Money and Banking .  
Hansen, A. : Guide to keynes.  
Dernburg and McDougall: Macro Economics.  
Ellsworth, P.T. and Leith, J.L. : The International Economy  
**REQUIRED READINGS**  
Seth M.L. : Mudra evam Banking (H&T)  
Sethi, T.T. : Macro Economics (Hindi)  
Vaishya, M.C. : Macro Economics (Hindi)

**B.B.A. LL.B.**  
**PAPER – 5.5.6**  
**COST AND MANAGEMENT ACCOUNTING (Minor)**

- Unit -1 Concept cost, methods, types, distinction between Financial and Cost Accounting, Elements of Cost, Purchasing, receiving and storage of material, pricing of material issues, material control.
- Unit 2 Recording Labour Cost, system of wage payments, Incentive Plans, Direct Expenses, Meaning of overhead, classifications allocation and apportionment of overheads, methods of absorption of overheads.
- Unit 3 Unit of single output costing, cost sheet and cost statement Tender quotations and production account, Reconciliation between profits shown by cost and financial statement.
- Unit 4 Job, Batch and contract costing. Operating Costing.
- Unit 5 Process Costing : Treatment of Normal and Abnormal Losses and Effectiveness, By-Product and Joint Products.

**Suggested Readings :**

Arora M. N. Cost Accounting Principles and Practice, Vikas, New Delhi.  
Jain, S.P. and Narang, K. L. : Cost Accounting, Kalyani, New Delhi.  
Horngren, Charles, Foster and Datar : Cost Accounting A : Managerial Emphasis, Prentice Hall of India, New Delhi.  
Tulsian, P. C. Practical Costing, Vikas, New Delhi.  
Maheshwari, S. N. : Advance problems and Solutions in Cost Accounting, Sultan Chand, New Delhi.  
Agarwal, M. L. : Cost Accounting : Sahitya Bhawan, Agar.  
Maheshwari & Mittal : Lagal Lekhankan, Mahaveer Prakashan, New Delhi  
Oswal, Rajpurohit & Maheshwari : Cost Accounting Ramesh Book Dept, Jaipur

**VI - SEMESTER**  
**B.A. LL.B. & B.B.A. LLB.**  
**PAPER – 5.6.1**  
**CRIMINAL PROCEDURE CODE JUVENILE**  
**JUSTICE AND LAW OF PROBATION**

**Unit 1: The Criminal Procedure Code**

Bailable offence, Non-bailable offence, Charge, Cognizable offence, Non-cognizable offence, Complaint, High Court, Enquiry, Investigation and Judicial proceeding (trial), local jurisdiction metropolitan area, Offence, Officer, incharge of Police Station, Police report, public prosecutor, Summons case and Warrant case

**GENERAL :**

- (a) Territorial division and classification (Chapter II, Omitting Ss. 10, 14, 15, 19, 22 and 23)
- (b) Powers (Chapter III, Ss. 26 to 31)
- (c) Process to compel appearance (Chapter VI)
- (d) Process to compel production of things (Chapter VII, ; 91 to 101)
- (e) Arrest of persons (Chapter V)
- (f) Information to the Police and their powers of investigation (Chapter XII)

**Unit 2:**

- (a) Bail (Chapter XXXIII)
- (b) Security for keeping peace and for Good behaviour (Chapter VIII), and
- (c) Maintenance of Public Order and Tranquility (Chapter X) Jurisdiction of the Criminal Courts in inquiries and trial (Chapter XIII), Complaints to Magistrates and Cognizance of offence (Chapter XV and XVI)

**Unit 3:**

- (a) Charge (Chapter XVII)
- (b) Maintenance of Wives, Children and Parents (Chapter IX)
- (c) Types of Trials:
  - (i) Trial before Court of Session (Chapter XVIII)
  - (ii) Trial of Warrant Cases by Magistrates (Chapter XIX)
  - (iii) Trial of Summons Cases by Magistrates (Chapter XX)
  - (iv) Summary Trials (Chapter XXI)

**Unit 4:**

- (a) Judgement (Chapter XXVII)
- (b) Appeal (Chapter XXIX)
- (c) References and Revision (Chapter XXX)
- (d) Miscellaneous Provisions:
  - (i) Period of Limitation (Chapter XXXVI)
  - (ii) Irregular Proceedings (Chapter XXXV)
  - (iii) Autrefois acquit and Autrefois convict (S.300)
  - (iv) Pardon to an accomplice (Ss. 306, 307, 308), and
  - (v) Savings and inherent powers of High Court (s. 482)

**Unit 5: (a) The Juvenile Justice (Care & Protection of children) Act 2015.**

Definition: Juvenile Justice Board, Juvenile Justice Committee-Composition and functions. Appeal and revision, Rehabilitation of child,

(b) The probation of Offenders Act, 1958: Definitions Powers of Courts,  
Sureties, Duties of Probation Officers

**LEADING CASES**

**Unit No.**

|    |  |   |
|----|--|---|
| 1. | Soma Bhai V. State of Gujarat, AIR 1975 SC 1453                            | 2 |
| 2. | Balwant Singh v. The State, AIR 1976 SC 230                                | 3 |
| 3. | Gurucharan Singh v. State of Delhi, AIR 1978 SC 179                        | 2 |
| 4. | Sanjay Gandhi and others v. Union of India and others,<br>AIR 1978 SC 5192 | 2 |
| 5. | Amarnath v. State of Haryana, AIR 1971 SC 2185                             | 2 |
| 6. | Bal Chand Jain v. State of M. P., AIR 1977 SC 356                          | 2 |
| 7. | Vijay ManoharArbot v. Keshav Rao, AIR 1987 SC 1100                         |   |
| 8. | D.K. Basu v. State of W.B. AIR 1997 SC 610                                 | 4 |
| 9. | Hussain Ara Khatoon v. Home Secretary<br>State of Bihar, AIR 1997 SC 1369  | 4 |

**BOOKS RECOMMENDED**

Ratanlal : Code of Criminal Procedure  
Sexena R.N. : Criminal Procedure Code,  
Kelker R.V. : Outlines of Criminal Procedure Code

**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.6.2**

**ALTERNATE DISPUTE RESOLUTION AND LEGAL AND PARA LEGAL SERVICES**

Part A- Theory paper will be of 80 marks. Syllabus for which is as follows:

Unit 1: Alternative Means of Settlement of Disputes : advantages, importance, Legal Aid- Meaning, Nature, Scope and Development

Unit2: (a) Legal Aid and Constitution of India  
(b) Legal Aid to accused at State expenses (303-304 of the Cr. P.C.)  
(c) Legal Aid under C.P.C.

Unit 3: Legal Services Authorities Act-Objectives, Establishment of Authorities and their powers, Eligibility for Legal Aid.

Unit 4: (a) Public Interest Litigation-Meaning, Scope, Necessity, Locus-Standi  
(b) Lok Adalats and their working  
(c) Permanent Lok Adalat – Meaning, Concept, Functioning and Powers

Unit 5: (a) Para-Legal Counseling Meaning, Necessity, Scope, Training for Para-legal services  
(b) One leading case of the Supreme Court on PIL

**BOOKS RECOMMENDED : -**

1. N. V. Pranjape – Public Interest, Litigation, Legal Aid & Services, Lok Adalats and Para – Legal Services.
2. S. S. Srivastava – Legal Services, Public Interest Litigation and Para – Legal Services.

Part B – The students will have to prepare project

- i) 10 marks for attending Legal Aid Camps
- ii) 10 marks for preparation of Project and presenting Project Report by the students on the basis of empirical/factual study of socio-economic problems of general nature

**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.6.3**

**CYBER LAW, INFORMATION TECHNOLOGY ACT AND SPACE LAW**

**Unit 1 : International Prospective of Cyber Law**

United States Cyber Law  
Australian Cyber Law  
Japanese Cyber Law  
U.K. Computer Act  
French Computer Crime  
Marinitius Cyber Law  
SriLanka's Cyber Crime Law  
Pakistan Cyber Law  
Bangladesh Cyber Law  
Cyber Crimes – Definition  
Reasons for Cyber Crimes  
Classification of Cyber Crimes  
Viruses, Hacking, E-mail Spoofing, Computer Vandalism,  
Cyber Terrorism, Cyber Ponography, Cyber defamation  
E-mail frauds (Spam), Money Laundering, Data-diddling

**Unit 2: Preliminary**

Digital Signatures  
Electronic Governance  
Attribution, Acknowledgment and Dispatch of Electronic Records

**Unit 3 : Secure Electronic Records and Secure Digital Signatures**

Regulation of Certifying Authorities.  
Digital Signature Certificates,  
Duties of Subscribers

**Unit 4 : Penalties and Adjudication**

The Cyber Regulations Appellate Tribunal  
Offences  
Cyber Crimes- Definitions, Classifications and types  
Network Service Providers not to be liable in certain cases  
Miscellaneous – e-mail frauds, money laundering, data hiding

**Unit 5 : Space Law**

Definition, nature, sope and development  
Sources  
UN and Outer Space  
International co-operation for peaceful use  
Development by General Assembly resolutions  
UN space treaties : strengths and needs  
Development of law by treaties  
The space treaty 1967  
The rescue Agreement 1968  
The Liability Convention 1972  
The Registration Convention 1975

The Moon Treaty 1979  
Partial Test Ban Treaty 1963  
Weather Modification Convention 1977  
Environmental protection  
IPR rights  
India and Space Law  
Space policy  
Need for the law in the country

## **BOOKS RECOMMENDED**

Azbeyratne, RIR., Legal and Regulatory Issues in International Aviation (1996), Transnational Publishers, NY.  
Bhatt S., The New Aviation Policy of India : Liberalization and Deregulation, (1997), Lancers Books, N. Delhi.  
Bhatt S. Et. Al. (Ed.), Air Law and Policy in India (1994), Lancers Books, N. Delhi  
Blackloack, Mark. (Ed.), International Civil Aviation Organization: 50 Years Global Celebrations 1944-1994. (1995), International Systems and Communication Ltd., London  
Blackshaw, Carole, Aviation Law and Regulation-A Framework for Civil Aviation Industry (1992), Pitman Publishing, London  
Button, Kennath, (ed.), Airline Deregulation : International Experience (1991), Fulton Publishers, London  
Groenewege, A.D., Compendium of International Civil Aviation (1996), International Civil Aviation Corprn., Montreal  
Mani V.S., Et. Al., (Eds.), Recent Trends in International Space and Policy, (1997), Lancers Books, N. Delhi.  
Wassenbergh, H.A. Principales and Practices in Air Transport Regulations (1993), ITA Press, Paris



## **B.A. LL.B. & B.B.A. LL.B.**

### **PAPER – 5.6.4**

#### **COMPANY LAW**

- Unit 1 : Definition of company, kinds of company, Corporate personality formation of company, Lifting the corporate veil
- Unit 2 : The Memorandum of Association and Article of Association, Objective clause, doctrine of Ultra Vires and Doctrine of Indoor Management
- Unit 3: Promoters and preliminary Contract, Prospectus, Share Capital, shares, Members and shareholders, Debentures, Directors and borrowings
- Unit4 : Majority power and minority rights:  
Prevention of Oppression and Mismanagement, Amalgamation and reconstruction, Meetings of company
- Unit 5 : Winding up and Dissolution :Types of winding up, winding up by Court, voluntary winding up, compulsory winding up Negotiable Instrument Act, 1881: essential features Promissory note, Bill of Exchange Inchoate stamped, cheque, Dishonour of cheque.

#### **LEADINGS CASES**

- |    |   |   |
|----|---|---|
| 1. | Avon Soloman v. Soloman Co. Ltd., (1897) AC 22                              | 1 |
| 2. | Laxmi Swami Mudaliar v. LIC, AIR 1963 SC 1185                               | 1 |
| 3. | Royal British Bank v. Turquand (1856) 6 E & B 327                           | 1 |
| 4. | Ramkrishna Dass Dhanuka v. Satya Charan, AIR 1950 PC 51                     | 2 |
| 5. | Tata Engineering and Locomotive Co. Ltd. v. State of Bihar, AIR, 1965 SC 10 | 1 |
| 6. | Bajaj Auto Ltd., Poona v. N.K. Firodia, AIR 1971 SC 321                     | 2 |

#### **BOOKS RECOMMENDED**

Shah S.M. : Lectures on Company Law

Avtar Singh : Company Law

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

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

**B.A. LL.B.**

**PAPER – 5.6.5**

**ECONOMICS OF DEVELOPMENT AND PLANNING IN INDIA (Minor)**

- Unit 1 Economic Development: meaning and Measurement, Meaning of Vicious circle, Capital Formation.
- Unit 2 Theories of Development : Rostow's Theory of Historical Stages of Growth, Balanced and unbalanced Growth, Choice of Technique : Capital intensive and Labour Intensive.
- Unit 3 Economic Planning: Meaning, Need, objective and its relevance. Planning under mixed Economy, Prerequisites of effective planning.
- Unit 4 The Indian Planning System, Niti Ayog: Objectives and difference between Planning Commission and Niti ayog.
- Unit 5 Environment and Development, Sustainable economic development, Problems of environment. National efforts to reduce pollution.

**REQUIRED READINGS**

Thirlwall, A.F. (2004)- Growth & Development, Wiled Palgrave McMillan Chs 1.2.3  
Todaro, M.P. Smith, S.C. (2004)-Economic Development (8th ed)Pearson Education LPE  
Cha 2,4  
Jhingan, M.L. : vikas evam Niyojan ka Arthashastra, Vrinda Publications, New Delhi  
Seth, M. L. : thory and Practice of economics Planning,S. Chand & Co. New Delhi  
Meir & Baldwin : Economic Development Theory, History &v policy  
Dominick Salvatore & Edward Dowling:Development Economics (Schaum`s outline series)  
Planning Commission, Government of India: current five plan  
Government of Rajasthan : Current five year plan of Rajasthan  
Sanskar, U : Environmental Economics, Oxford University press  
Raghuvanshi , A. & Raghuvanshi C.L. Paryavaran & Pradushan, Madhya Pradesh Hindi Granth Academy, Bhopal.

**B.B.A. LL.B.**  
**PAPER – 5.6.6**  
**AUDITING (Minor)**

Unit 1 Auditing: Meaning, Objectives, Frauds, Errors, Accounting & Auditing, Types of Audit.

International control, Internal Check & Internal Audit, Evaluation of Internal control system, Internal control system regarding purchases, sales, Salaries and wages.

Unit 2 Audit procedure : Planning & procedure of audits, Audit Programme, Audit working papers and evidences, Routine checking & Test checking vouching : Meaning, importance, vouching of cash and trading transactions.

Unit 3 Verification & valuation of assets & Liabilities Auditor's Report : Clean & qualified report.

Unit 4 Audit of limited companies Company Auditor: Appointment, Powers, duties & Liabilities Audit of Computerized Accounts

Unit 5 Special points in the audit of banking companies, General Insurance Companies, educational institutions & clubs Investigation : Meaning, Objectives, Procedure, various kind of investigation.

**Suggested Readings :**

Gupta, Kamal: Contemporary Auditing, Tata McGraw Hill, N. Delhi.  
Spicer & Pegler : practical Auditing, W.W.Bigg., Indian Editing by S.V. Gratalia, Allied publishers  
Tandon, B.N. : Principles of Auditing, S. Chand & Co., New Delhi.  
Pagare, Dinkar : Principles of auditing. S. Chand & Co., New Delhi  
Pagare, Dinkar : Principles & Practice of Auditing. Sultan. Chand, New Delhi  
Sharma, T.R.: Auditing Principles & Problems, Sahitya Bhawan, Agra  
Jain, Khandelwal & Pareek : Auditing, Ramesh Book Deport, Jaipur

# **SYLLABUS**

**B.A. LL.B./B.B.A. LL.B. (FIDC)**

**(Five Year Course in Law)**

**Semester System Examination in Law**

**(VII Semester & VIII Semester)**

**(For - 2024-25)**



**JAI NARAIN VYAS UNIVERSITY**  
**JODHPUR**

**VII – SEMESTER**  
**B.A. LL.B. & B.B.A. LL.B.**  
**PAPER – 5.7.1**  
**CIVIL PROCEDURE CODE AND LAW OF LIMITATION**

- Unit 1 : Definitions, suits in general, suits of civil nature, Res judicata, Res subjudice, Foreign Judgment
- Unit 2 : Place of trial, Transfer of suits, Joinder, non-joinder and mis-joinder of parties and causes of action, Service of Summon, Attachment before judgment, Arrest before Judgment.
- Unit 3 : Execution 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 xxxiii). Abatement of suits
- Unit 4 : Temporary injunction and Appointment of Receiver, Appeals-Appeals against order and appeal against decree, Review. Revision and Reference
- Unit 5 : The Limitation Act, 1963 (Omitting the Schedule) Definitions : Applicant, bond, Defendant, easement, goodfaith, plaintiff, period of limitation
- Relationship between limitation, laches, acquiescence, estoppel and res judicata; Limitation of suits, appeals and applications, disability, computation of period of limitation, acknowledgement and part payment, acquisition of ownership by prescription

**LEADING CASES**

**Unit No.**

- |  |   |
|--|---|
| 1. Sulochana Amma v. Narayanan, Nair AIR 1994 SC 15                              | 1 |
| 2. Vidhyacharan Shukla v. Khubchand, AIR 1964 SC 1099                            | 5 |
| 3. Cihanshyamdas v. Anant Kumar, AIR 1991 SC 2251                                | 3 |
| 4. Lakshmiratan Engg. Works v. Asstt. Commissioner of Sales Tax .AIR 1968 SC 488 | 1 |

**BOOKS RECOMMENDED**

Mulla : The Code of Civil Procedure, Student Edition, The Arbitration and Conciliation Act, 1996  
 Subbarao, GVC. : Law of Specific Relief

**B.A. LL.B. & B.B.A. LL.B.**  
**PAPER – 5.7.2 Labour Laws - I**

**Industrial Relation**

**UNIT-I :** Historical Development of Industrial Disputes legislation in India; Preliminary, Definitions of important terms, Bi-Partite Forums, Trade Union, Standing Orders, Notice to Change in condition of service. Voluntary Reference to Arbitration, Mechanism for Resolution of Industrial Disputes.

**UNIT-II :** Strike and Lock-out, Lay-Off, Retrenchment and Closure, Special provision relating to Lay Off, Retrenchment and Closure in certain establishment, Workers Re-skilling Fund, Unfair Labour Practices, Offences and Penalties, Miscellaneous

**Social Security**

**UNIT-III :** Preliminary, Definition of Important Term, Social security Organisation, Employees Provident fund, Employees State Insurance Corporation, Gratuity, Maternity benefits,

**UNIT-IV :** Employees Compensation, Social security and Cess in respect of Building and Other construction workers, Social security for Unorganised Workers, GIG Workers and Platform Workers.

**UNIT-V :** Finance and Accounts, Authority Assessment Compliance and Recovery, Offences and Penalty. Employment Information and Monitoring and Miscellaneous.

**Leading Cases:-**

**UNIT**

|  |   |
|--|---|
| 1. Bangalore Water Supply v. A. Rajappa AIR 1978 SC 548  | 1 |
| 2. Jay Engineering Works v. State of West Bengal, AIR 1990 Cal 406   | 2 |
| 3. Workmen of Firestone Tyre and Rubber Co. Ltd. v. The Management of Firestone Tyre and Rubber Co. Ltd AIR 1972 SC 1227.          | 2 |
| 4. B. Shah V. Labour Court, Koyambatur, L.L.J. 29 (SC)   | 3 |
| 5. Chintamani Rao V. State of M.P. AIR 1958 SC 388   | 4 |
| 6. Regional Provident Fund Commissioner, Madras V. Snap Tap Machine Accessories India (Pvt) Ltd., Madras, (2010) 1 L.L.J. 644 (SC) | 5 |

**BOOKS RECOMMENDED -**

1. O.P Malhotra: Law of Industrial Disputes
2. S.C. Srivastava: Social Security and labour laws

3. V.V. Giri: Labour problems in Indian industry
4. R.C. Saxena: Labour problems and social welfare
5. S.N. Mishra: Labour and Industrial Laws
6. Anil Sachdeva: Industrial and Labour Laws
7. K.N. Pillai : Labour and Industrial Laws
8. Ganga Sahai Sharma: Shram Vidhi
9. N.D.Sharma : Shram Vidhi
10. Gopi Krishan Arora: Shram Vidhi

**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.7.3**

**CRIMINOLOGY, PENOLOGY AND VICTIMOLOGY**

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

Unit 2 : Schools of Criminological Thoughts:

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

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

Unit4: Definition of punishment. Relationship between criminology and penology, History of punishment. Kinds of Punishment, White collar criminals, Female offenders, Juvenile Delinquent and adolescent offenders

Unit5: Victimology :

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

**SUGGESTED READINGS**

Barnes, H.B. and Tectors : New Horizons in Criminology  
Vold, G.S. : Theoretical Criminology  
Pillai, K.S. : Criminology  
R. Teft, Donald: Criminology  
Edwin, H. Sutherland and Donald R. Grussey : Principles of Criminology  
Horman Mannheim : Pioneers in Crimmology  
Hon-Barren, Mays: Crime and the Social Structures  
Ahmed Siddiqui : Criminology-Problems and Perspectives  
Lord Pakenham : Causes of Crime  
S. Venugopala Rao : Facts of Crime in India  
Komm, R.R. and Mogorble : Law-Criminology and Penology Grunhut : Criminal Justice and Reconstruction  
Madolm : Criminal Justice and Reconstruction  
Gorden Rose: The Struggle for Penal Reform



LL.T. : Essays on Indian Penal Code  
Ben-Penology: Old and New-Tagore Law Lectures  
Clift : Conflicting Penal Theories in Statutory Criminal Law  
Shamsul Huda : Tagore Law Lectures on Criminal Law  
Lawbuse : Crime, Its Causes and Remedies  
Dequires : Modern Theories of Criminology  
Gillin : Criminology and Penology  
Beccaria : Crime and Punishment  
The Criminal Procedure Code  
The Constitution of India

**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.7.4**

**ADMINISTRATIVE LAW**

Unit 1 : 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, the Extent of Executive power, Administrative Finality and the Court Review

Unit 2: Delegated Legislation : Nature, Scope, Forms, Necessity, Control including Judicial, Parliamentary and Legislative. Conditional Legislation and Subdelegation, Henry VIII Clause

Unit 3: Principles of Natural Justice and their Control, Doctrine of Bias, Audi Alteram Partem, Right to Consult, Reasoned Decision

Administrative Adjudication : Reasons for growth, Structure and procedure of Administrative Bodies like Tribunals; Finality of the Tribunal decision

Unit 4: Judicial Control of Administrative Action : Habeas Corpus, Mandamus, Certiorari, Prohibition and QuoWarranto writs. Redressal of Citizens Grievances, Central Vigilance Commission, Commission of Enquiry Act; The Right to Information Act, 2005

Unit 5 : Government Liability in Torts and Contract, suits against the Government and Public Authorities-Ombudsman, Lokpal, Lokayukta of the State of Rajasthan, Public Corporation and undertakings including their parliamentary and judicial control

**LEADING CASES**

**Unit No.**

- |   |   |
|---|---|
| 1. Ram Jawaya v. State of Punjab. AIR 1955 SC 539                         | 1 |
| 2. Ratlam Municipality v. Varadhi Chand. AIR 1980 SC 1622                 | 4 |
| 3. G. Nageshwara Rao v. A, P. Road Tr. Com. AIR 1959 SC 308               | 3 |
| 4. Gwalior Rayon v. Assistant Commissioner of Sales Tax. AIR 1974 SC 1660 | 2 |
| 5. Shyam Sunder v. State of Rajasthan. AIR 1974 SC 890                    |   |
| 6. Bhikraj Jaipuria v. Union of India, AIR 1962 SC 133                    | 5 |

**BOOKS RECOMMENDED**

Joshi, K.C. : Administrative Law  
Kagzi & Jain, M.C. : The Administrative Law  
Massey : Administrative Law  
Jain & Jain : Administrative Law  
Kesari, U.P.D. : Administrative Law .

**VIII - SEMESTER**  
**B.A. LL.B. & B.B.A. LL.B.**  
**PAPER – 5.8.1**

**LABOUR LAWS – II**

**Wages,**

**UNIT-I**

Preliminary, Definition of Important Terms, Minimum Wages, Payment of Wages, Payment of Bonus, Advisory Board, Payment of Dues, Claims, and Audit, Inspector Cum facilitator. Offences and Pennalties, Misscellanous.

**Occupational safety**

**UNIT-II**

Preliminary and definition of Important terms, Registration of Establisment, Duties of Employer and Employees etc, Occupational Safety and health, Health Safety and Working Condition, welfare provisions.

**UNIT-III**

Hours of work, and Annual Leave With Wages, Maintenance of register, records and Returns, Inspector- Cum Facilitator and Other Authorities,

**UNIT-IV**

Special Provision Relating to Employment of Women, Special provision for Contract labour and Inter – State migrant Workers etc ( Part 1 To 4),

**UNIT-V**

Special provision for Contract labour and Inter – State migrant Workers etc (Part 5 To 8), Offences and Penalties, Social security Fund, miscellaneous,

**Leading Cases:-**

|   | <b>Unit</b> |
|---|-------------|
| 1.Workmen of Indian Standard Institutions v. Indian Standard Institution AIR 1976 SC 145.             | 1           |
| 2.Burmah Shell Co v. Burmah Shell Management Staff Association 1970 I FLL J. 590 SC, AIR 1971 SC 922. | 2           |
| 2. V.P.Gopal Rao V. Public Prosecutor ,A.P. AIR 1970 SC 66  | 2           |
| 3.Alembic Chemical Works V. Its Workmen AIR 1961 SC 647   | 3           |
| 4. M/s. Mackinnon Mackenzie and Co.Ltd.V. Andrey D' Costa and Others (1987) 1 L.L.J. 536 (SC)         | 4           |
| 5. Labourers Working in Salal Hydro Projects V. State of J&K and Others Vol. 2 (1983) 1 F.J.P. 323    | 5           |

**BOOKS RECOMMENDED -**

1. O.P Malhotra: Law of Industrial Disputes
2. S.C. Srivastava: Social Security and labour laws
3. V.V. Giri: Labour problems in Indian industry

4. R.C. Saxena: Labour problems and social welfare
5. S.N. Mishra: Labour and Industrial Laws
6. Anil Sachdeva: Industrial and Labour Laws
7. K.N. Pillai :Labour and Industrial Laws
8. Ganga Sahai Sharma: Shram Vidhi
9. N.D.Sharma : Shram Vidhi
10. Gopi Krishan Arora: Shram Vidhi

## **B.A. LL.B. & B.B.A. LL.B.**

### **PAPER – 5.8.2 (A)**

#### **LAWS RELATING TO INTELLECTUAL PROPERTY**

- Unit 1 : Concept, Nature and Scope of Intellectual Property Rights (IPR) International Regime of IPR with special reference to world Trade Organization (WTO), Trade Related Intellectual Property Rights (TRIPS)
- Unit 2: The Copyrights Act 1957 as amended from time to time:
- (i) Nature, meaning, object and works in which copyrights subsists.
  - (ii) Copyrights Authorities: Powers and functions.
  - (iii) Ownership of copyrights, Rights of owner, assignment, term of copyrights, license compulsory license.
  - (iv) Copyright societies, international copyrights.
  - (v) Rights of broadcasting organization and of performers.
  - (vi) Registration infringement, remedies and appeals.
- Unit 3 : The Patent Act, 1970 as amended from time to time.
- (i) Inventions patentable and non-patentable
  - (ii) Rights of inventor/patentee
  - (iii) Procedure for obtaining patent, opposition, grant, sealing.
  - (iv) Patent office, controller, his functions and powers.
  - (v) Working of patents, compulsory licenses, Revocation, Acquisition of patent by Central Government.
  - (vi) Infringement, remedies, offences and penalties.
  - (vii) Patenting life forms and animal variety.
- Unit 4 : Trade Marks Act, 1999 as amended for time to time.
- (i) Meaning of Trade Marks, Kinds of Trade Marks Registration of Trade Marks, procedure, duration, renewal and effect of registration.
  - (ii) Infringement of Trade Marks and remedies.
  - (iii) Transfer and transmission of trade Marks.
  - (iv) Use and registered user of trade marks.
  - (v) Certification of trade Marks, Textile goods and Trade marks.
  - (vi) Offence and Penalties.
- Unit 5 : Law relating to protection of Plant Breeders Rights Geographical Indications of Goods. Bio-diversity Act. Trade in Intellectual Property.

#### **LEADING CASES**

1. Bishwanath prasad Radhey Shyam v. Hindustan Metal Industries, AIR 1982 SC 1444, Unit-3
2. R.G. Anand v. M/s. Deluxe Films, AIR 1978 SC 1613, Unit-2
3. S.M. Dyechem Ltd. v. Cadbury (India) Ltd. (2400) 5 SCC 573
4. Nav Sahitya Prakashan v. Anand Kumar, AIR 1981 All
5. R.C. Anand v. Manager, Deluxe Films, AIR 1978 SC 1513

#### **SUGGESTED READINGS**

B.L. Wadhera : Law Relating to Patents, Trade Marks, :Copyrights Designs & Geographical Indications, 1999  
GB. Reddy's Intellectual Property Rights Law, Steward, G.M. : International Copy Right and Neighbouring Rights Steward, GM.: Indian Copy Right Act, 1957  
Steward, GM.: Borne Convention Implementation Act, 1988 Vikas Vashistha : Law and Practice of Intellectual Property Vikas Vashistha: The Trade and Merchandise Marks Act, 1959 S. P. Narayan : Patent Law (1985 ed.)

**B.A. LL.B. & B.B.A. LL.B.**  
**PAPER – 5.8.2 (B)**  
**DEFENCE AND STRATEGIC STUDIES**

**UNIT – I**

Defence and Strategic Studies : Aims , Objectives, Nature and Scope. Its Relation with other Subjects like Political Science, Economics, Geography, History, Science and Technology, Law. Utility of Defence and Strategic Studies in Present Scenario.

**UNIT - II**

Powers of the President in Relation to the Defence and Armed forces. Parliament and Armed Forces. Defence Committee of the Cabinet /Political Affair Committee. Ministry of Defence. National Security Council. Illegal Migration and Border Management.

**UNIT -III**

The Defence of India Act, 1962: Aims, Objective and Definitions. Emergency Powers and Civil Defence Services. Special Tribunals. Requisition and Acquisition of Immovable Property. Armed Forces Tribunal : Power, Procedure and Penalties. Court - Martial : Power, Procedure and Penalties.

**UNIT-IV**

India's National Security : National Security - Meaning, Objectives, Scope and Elements. India's Defence Policy. Problems of India's Internal Security: Socio - Economic Problems in India- Population, Poverty & Unemployment. Terrorism and Naxalite Movements. Political Problems : Corruption and Crime. Insurgency and Border related Problems of India.

**UNIT-V**

Economic Defence: Economic Cause of War. Needs and Importance of Cyber Security. Global Issues in Cyber Security. Social Media and its impact on National Security. Impact of Science and Technology on Defence Strategies.

**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.8.3**

**LAW OF TAXATION (INCOME TAX) AND G.S.T.**

**INCOME TAX ACT**

- Unit 1: Basic concept : Assessment year, Previous year, Person, Assessee, Income , Agricultural Income, Casual Income, Capital Asset, Charitable purpose, Total Income, Gross Total Income, step system and slab system
- Unit 2: Basic concept of Capital and Revenue, Avoidance of tax and tax evasion, Income tax authorities. Residential; status and Tax Incidence - Exemptions and deductions of Income
- Unit 3 : Income under the Head 'Salaries' Income from House Property, Income of other persons included in Assessee's Total income
- Unit 4: Profits and Gains of Business or Profession, Depreciation allowance, Capital Gains, Income from other sources, Set off and carry forward of losses
- Unit 5: Return of Income, Assessment and Re-assessment, Assessment of Firms and Partners and Penalties offences and prosecution under this Act, Appeal and revision, the Prevention of Money Laundering Act 2005. Basic knowledge of GST; aims, objects and salient features of GST.

**BOOKS RECOMMENDED**

Bhattacharyan, S.: Income Tax Act Acts amended up-to-date Lakhotia, R.N. : Indian Income Tax Law and Practice and Practice of Income Tax in India  
Saxena, A.K. : Law on Income Tax in India  
Gaur, K.D. : Tax Offences, Black Money and Law  
Prevention of Money Laundering Act 2005  
Vinod Singhanian : Direct Taxes  
Kailash Rai : Taxation Laws  
Bhattacharyan, S.: Income Tax Act Acts amended up-to-date Lakhotia, R.N. : Indian Income Tax Law and Practice and Practice of Income Tax in India  
Saxena, A.K. : Law on Income Tax in India

**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.8.4**

**DRAFTING, PLEADING AND CONVEYANCING**

**Part A** - In Class room teachings, the student will be taught following contents, **there will not be any theory examination for this paper :**

- Unit 1 : Pleading : Meaning, Kinds; Fundamental principles of pleading and their exceptions, amendment of pleadings, alternate and inconsistent pleadings  
Doctrine of set-off: Legal set-off and equitable set-off
- Unit 2 : Drafting : - General principles of drafting and relevant substantive rules, Judgment writing
- Unit 3 : Conveyancing : Meaning, General Rules of Conveyancing, Salient parts of conveyancing, rules relating to their drafting
- Unit 4 : Drafting of Deeds : Partnership deed, mortgage by conditional sale, notice for eviction, writing of government contract, Registration Act, Court Fee Act & Law relating to Suit Valuation.
- Unit 5 : (i) Civil: Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit Execution, Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.  
(ii) Criminal : Complaint, Criminal Miscellaneous petition, Bail Application, memorandum of Appeal and Revision.  
(iii) Conveyance : Sale Deed, Mortgage Deed, Lease Deed, Gift deed, Promissory Note, Power of Attorney, Will, Trust Deed  
(iv) Drafting of writ petition and PIL petition

**Part –B**

Students will have to prepare following Drafting and Pleadings and will have to present himself/herself for viva voce examination.

| Drafting Exercises<br>45 marks |   | Conveyancing<br>45 marks |   | Viva Voce | Total<br>Marks |
|--------------------------------|---|--------------------------|---|-----------|----------------|
| 15<br>Exercises                | 3 marks<br>for each<br>(15 x 3 =<br>45 marks) | 15<br>Exercises          | 3 marks<br>for each<br>(15 x 3 =<br>45 marks) | 10        | 100            |

Viva Voce will be taken by two examiners, who will be appointed by the Head of the Department. Senior will be convener as well as in-charge of the viva voce examination. The decision of In-charge regarding process and manner of viva voce will be final.



In case of Department of Law, Viva Voce will be taken by two permanent/regular teachers or by one permanent and one local retired teacher or any permanent part time teacher or other part time teacher appointed by the Head of the Department, who fulfills eligibility criteria for teaching as per UGC /Bar Council of India rules.

In case of affiliated college, the convener/in-charge will be appointed by the Head of the Department of Law, J.N. Vyas University from among the teachers/ members of the Department of Law, J.N. Vyas University, Jodhpur.

Second member/examiner will be appointed by the Principal of the College in consultation with the Head of the Department, J.N. Vyas University.

In case of emergency regarding Viva Voce examination, decision of the Head of the Department of Law, J.N. Vyas University will be final.

**Books Recommended –**

1. K. K. Srivastava – The Law of Pleading, Drafting and Conveyancing.
2. R. D. Srivastava – The Law of Pleading, Drafting and Conveyancing.

# **SYLLABUS**

**B.A. LL.B./B.B.A. LL.B. (FIDC)**

**(Five Year Course in Law)**

**Semester System Examination in Law**

**(IX Semester & X Semester)**

**(For - 2025-26)**



**JAI NARAIN VYAS UNIVERSITY**  
**JODHPUR**

## **IX – SEMESTER**

### **B.A. LL.B. & B.B.A. LLB.**

#### **PAPER – 5.9.1**

### **RAJASTHAN LAND LAWS AND LAW RELATING TO LAND ACQUISITION**

#### **THE RAJASTHAN TENANCY ACT, 1955**

Unit 1: Preliminary Objects and Reasons : Definitions (S.5) : Agriculture, Bisvedar, Estate, Estate Holder, Jagirdar, Jagir Land, Holding, Grove Land, Improvement, Khudkash, Land, Land Holder, Land Owner, Malik, Pasture Land, Rent, Revenue, Tenant, Sub-Tenant, Jamindar, Trasspasser, Nalbut, Khatedari Rights upon resumption & Abolition of Jagirs,(Section 13), Classes of Tenants (S. 14), Khatedar Tenant (S.15), Gair Khatedar Tenants (S. 17), Maliks (S.17(A)), Land on which Khatedari Rights donot accrue (S.16).

Primary Rights of tenants (Ss. 31 to 37), Devolution of tenancies (S.38 to 40), Transfer of tenancies (S.41 to 47), Exchange of tenancies (S. 48 to 52), Division of Holdings (S. 53), Surrender (S. 55 to 59), Abandonment (S. 61 & 62), extinction of tenancies (S. 63 & 64), Rights of Khatedar to make improvements (S. 66), Restrictions on Improvement (S. 67), trees (S. 79 to 86), Declaratory Suits (S. 88 to 92 (A)).

Unit 2 : Grounds for Ejectment of tenants and Remedies for Wrongful ejectment (Ss. 169 to 188), Provision for injunction and appointment of Receiver (S. 212).

Procedure and Jurisdiction of Courts (Ss. 206 to 211 & 213 to 221), Appeals (S.222 to 228)

Review (S. 229), Revision (S. 230), Reference (S. 231 & 232), Question of tenancy right in Civil Courts (S. 242), Conflict of Jurisdiction (S. 243), Rights of way and other private easement (S. 251), Laying of Underground Pipeline or opening a new way through another Khatedar's holding or enlarging the existing way (S. 251-A).

#### **THE RAJASTHAN LAND REVENUE ACT, 1956**

Unit 3: Preliminary Objects and Reasons, The Board of Revenue (Ss. 4 to 14), Revenue Courts and Officers (Ss. 15 to 36), Appeal (S. 74 to S. 81), Reference (S. 82), Revision (S. 83 to 84 (A)) Review (S. 86), Application of Limitation Act, 1963 (S. 87).

Land : use of land (S. 88, S.90), use of Agricultural Land for Non-Agricultural purposes (s. 90-A), unauthorised Occupation of Land (S. 91), Allotment of Land for Agricultural purpose (S. 101), Survey and Record operations: General (Ss. 106 to 109), Boundary Marks (Ss. 110 to 111) Maps and Field Books (S.112)

Unit 4: Record of Rights (Ss. 113 to 127), Maintenance of Maps and Records (S. 128 & 131), Annual Registers (S. 132), Mutations (Ss. 133 to 135), Correction of

Entries (S. 136), Settlement operations: General (Ss.142 to 146), Economic Survey (S.148), Formation of Assessment Circles (S. 149), Soil classification (S.150), Evolution and Modification of rent rates, preparation of rent rate reports. its submission and finalisation (Ss. 151 to 167),

Tenants option to refuse rent determined and its effect (Ss. 168 to 172), Preparation of Dastoor Ganwai (Ss. 173 to 174), Term of settlement (Ss. 175 to 177), Processes for Recovery of Revenue (S. 228), Writ of demand and citation to appear (Ss. 229 and 229-A), Attachment and Sale of movable property (S. 230), Attachment of the Land (Ss. 231 to 233), Process of Sale (S. 234 to 253).

- Unit 5:
- (1) The Rajasthan Rent Control Act, 2001 : Definition (S. 2), Application (S. 3,4, 5), Revision of rent (S. 5,6, 7), Limited Period Tenancy (S. 8), Eviction of Tenants (S. 9), right of land lord (S. 10), restoration of possession to illegally evicted tenant (S. 11 & 12), constitution, powers, Jurisdiction of Rent Tribunal, Appellate Rent Tribunal (S. 13 to 21), Appointment of Rent Authority (S. 22-A), Tenancy Agreements (S. 22-B), Period of Tenancy (S. 22-C), Revision of Rent, Security Deposit, Depositing of Rent, etc., (S. 22-D to 22-G), Amenities (S. 23 & 24)
  - (2) Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 : Aims and Objects
    - (b) The National Highways Act, 1956 S. 3A to 3J) – Procedure for acquisition of Land for National Highway.

#### **BOOKS RECOMMENDED**

Suresh Chand H. Mathur : Law of Tenancy in Rajasthan

Shivlal Gupta : The Rajasthan Tenancy Act

S.K. Dutt : Tenancy Law in Rajasthan

S.K. Dutt : Rajasthan Land Revenue Act

S.K. Dutt: Rent Control in Rajasthan

S.C.H. Mathur & Mathur – Land Revenue Law in Rajasthan

The Rajasthan Rent Control Act, 2001.

Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

The National Highway Act, 1956

**PRINCIPLES OF LEGISLATION AND INTERPRETATION OF  
STATUTES**

**Unit 1 : Principles of Legislation**

Law-making - the legislature, executive and the judiciary, Legislation as a source of law, Relation of legislation to other sources of law, Advantages of legislation over precedent and precedent over legislation and Distinction between morals and legislation.

**Interpretation of Statutes**

Meaning of the term ‘statutes’, Commencement, operation and repeal of statutes, and Purpose of interpretation of statutes.

**Unit 2 : Aids to Interpretation**

Internal aids, Title, Preamble, Headings and marginal notes, Punctuation marks, Illustrations, exceptions, provisos and saving clauses, Schedules, Non-obstante clause, External aids, Dictionaries, Statutes in pari materia, Contemporanea Exposito, Debates, inquiry commission reports and Law Commission reports

**Unit 3 : Rules of Statutory Interpretation**

Primary Rules, Literal rule, Golden rule, Mischief rule (rule in the Heydon’s case), Rule of harmonious construction, Secondary Rules, Noscitur a sociis, Ejusdem generis, riddendo singula singulis Presumptions in statutory interpretations Statutes are territorial in operation, Presumption as to jurisdiction, Presumption against what is inconvenient or absurd, Presumption against intending injustice, , Presumption against impairing obligations or permitting advantage from one’s own wrong, Prospective operation of statutes.

**Unit 4 :** Maxims of Statutory Interpretation: *Delegatus non protest delegare, Expressio unius est exclusio alterius, Generalia specialibus non derogant, In pari delicto potior est conditio possidentis, Ut res magis valeat quam pareat, Expressum facit cessare tacitum, In bonam partem.*

Interpretation with reference to the subject matter and purpose . Restrictive and beneficial construction, Taxing statutes, Penal statutes, Welfare legislation.

**Unit 5 :** Interpretation with reference to the subject matter and purpose

Interpretation of substantive and adjunctival statutes, Interpretation of directory and mandatory provisions, Interpretation of enabling statutes, Interpretation of codifying and consolidating statutes.

**Principles of Constitutional Interpretation**

Doctrine of pith and substance, Colourable legislation, Ancillary powers, “Occupied Field”. Principle of Severability, Principle of Eclipse.

**BOOKS RECOMMENDED:**

G.P. Singh, Principles of Statutory Interpretation, (7th Edition) 1999, Wadhwa, Nagput.

P.St. Langan (Ed.). Maxwell on The Interpretation of Statutes (1976) N.M. Tripathi, Bombay.

K.Shanmukham, N.S. Bindras’s Interpretation of Statutes, (1997) The Law Book Co. Allahabad.

V. Sarathi, Interpretation of Statutes, (1984) Eastern, Lucknow.

M.P. Jain, Constitutional Law of India, (1994) Wadhwa & Co.

M.P. Singh, (Ed.) V.N. Sukha’s Consitution of India, (1994) Eastern, Lucknow.

U.Baxi, Introduction to Justice K.K. Mathew’s, Democracy Equality and Freedom (1978) Eastern, Lucknow

## **B.A. LL.B. & B.B.A. LL.B.**

### **PAPER – 5.9.3**

#### **ENVIRONMENT PROTECTION AND LAW**

- Unit 1: Environmental Pollution-Meaning, definition and kinds, sources and causes of environmental pollution, Effects of environment degradation, Historical background of environmental legislation, Environmental education, management policy and programme
- Unit 2 : General Law applicable to environmental violations:  
(a) Civil Law-The Constitutional Law of India-Preamble, Articles 21, 48-A and 51-A(g), The Code of Civil Procedure- Section 9 and Order 39, Rule 1 to 5 Law relating to nuisance, trespass, negligence, strict liability reparation rights and prior appropriation.  
(b) Penal Law-The Indian Penal Code, 1860-Sections 268, 277, 278, 304A, 336, 338, 425-428 and 430-432, The Code of Criminal Procedure, 1973, Sections 133 and 144; The Police Act-Sections 30, 32, 34 and 363
- Unit 3 : The Water (Prevention and Control of Pollution) Act, 1974 The Air (Prevention and Control of Pollution) Act, 1981
- Unit 4 : The Environment (Protection) Act, 1986  
Aims and Objects; Definition; General Powers of the Central Government  
Prevention, Control and abatement of Environmental Pollution; Standards for Commission or discharge of pollutants
- Unit 5 : Protection of Natural Resources  
The Wild Life (Protection) Act, 1972 and The Forest Conservation Act, 1984  
Public Interest Litigation judicial activism pertaining to environmental pollution

#### **LEADING CASES**

#### **Unit No.**

- |  |   |
|--|---|
| 1. Rural Litigation and Entitlement Kendra<br>Dehradun v. State of U.P., AIR 1985 SC 652 | 5 |
| 2. M.C. Mehta v. Union of India (1986) 2 SCC 176   | 3 |
| 3. M.C. Mehta v. Union of India AIR 1988 SC 1115   | 3 |

#### **BOOKS RECOMMENDED**

VR. Krishna Iyer : Environmental Pollution and the Law  
Lall's Commentaries on Water and Air Pollution Laws  
Suresh Jain and Vimal Jain : Environmental Laws in India  
Citizen Report, Published by the Centre for Science and Environment, New Delhi  
Marudhar Mridul : Public Interest Litigation-A Profile  
The Water (Prevention and Control of Pollution) Act, 1974.  
The Air(Prevention and Control of Pollution)Act, 1981  
The Environment (Protection)Act, 1986  
The Wild Life (Protection) Act, 1972 ThePolice Act, 1861  
The Insecticide Act, 1961  
The Motor Vehicles Act, 1988 The Income Tax Act, 1961  
The Public Liability Insurance Act, 1968  
The Forest Conservation Act, 1980  
Paras Diwan : Law and Environment  
ILI Publication Editor Dr. S.N. Jain : Seminar Proceedings of Environment Protection Law  
Rahimatulla Khan: Law, Science and Environment  
M.C.J., Kagzi (Editor) : Environmental Pollution and Law, Published by University Studies in Law, Jaipur  
The Code of Civil Procedure, 1908  
The Code of Criminal Procedure, 1973  
The Indian Penal Code, 1980

## **B.A. LL.B. & B.B.A. LL.B.**

### **PAPER – 5.9.4**

#### **TRANSFER OF PROPERTY ACT AND EASEMENT**

Unit 1 : Preliminary: Definition, Essentials of Transfer, Competence of parties, subject matter of transfer, transfer to unborn child, registration of transfer, etc., General Rules of Transfer: (a) Restraints on alienation absolute or partial, Restraints on free enjoyment, 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

Unit 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 (Ss. 35-53 A) Sale of immovable property (Ss. 54 to 57)

Unit 3 : Mortgage and Charge : Kinds of mortgage, Rights and liabilities of Mortgagor and mortgagee, Priority, marshalling, contribution and subrogation

Unit 4 : Exchange, Lease, Gift, Actionable claims

Unit 5: Easements : Essentials of Easements, Imposition, Acquisition, Incidents, Disturbance, Extinction, Suspension and Revival of Easement, License, Difference between lease and license

#### **LEADING CASES**

|   | <b>Unit No.</b> |
|---|-----------------|
| 1. J.N. Rao v. Vassavarrappa, AIR 1956 SC 727   | 2               |
| 2. Gokal Dass Gopal Dass v. Prem Sukha Dass, ILR 10 Cal 1035 (PC)   | 3               |
| 3. Ram Kumar Koondoo and others v. John and Maria Mequeen, (1872) II Bang, LR 46 (PC) XXII A Vol. Supp 40 (1872-73) | 4               |
| 4. Webb v. Macpherson, ILR 31 Cal 57 (PC)   | 3               |
| 5. Associated Hostels of India Ltd. v. R.N. Kapoor AIR 1956 SC 1262   | 3               |
| 6. Raja Bajrang Bahadur Singh v. Thukurani Bakhraj Kuer, AIR 1953 SC 7  | 1               |
| 7. Chunchun Jha v. Sekh Ebadat Ali and other, AIR 1954 SC 345   | 3               |
| 8. Mohammed Sher Khan v. Raja Seth Swami Dayal ILR 44A11. 185   | 3               |

#### **BOOKS RECOMMENDED**

The Transfer of Property Act (Act IV of 1882) as amended upto date Mulla : Transfer of Property Act  
Joshi : The Indian Easements Act (Act V of 1882)  
Menon, A.D. : The Law of Property  
Sarathi, V.P. : Law of Transfer of Property  
Shukla, S.N. : Transfer of Property Act  
Saxena, L.C. : Transfer of Property Act

**X - SEMESTER**  
**B.A. LL.B & B.B.A LL.B.**  
**PAPER – 5.10.1**  
**INSURANCE LAW**

- Unit I : (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.
- Unit 2 : (a) Licencing of Insurance Agents, Duties and Powers of Controller of Insurance Under the Insurance Act, 1938.  
(b) Status, and legal position of the nominee under the Insurance Act, 1938.
- Unit 3 : (a) Establishment of Life Insurance Corporation of India.  
(b) Investment provisions and Rights of the Policy holders under the Life Insurance Corporation Act, 1956.
- Unit 4: Marine Insurance and Fire Insurance:  
Motor Insurance, Live-stock Insurance, Insurance against deterioration of stocks, loss or profit Insurance, Contractor's all Risk Insurance and Credit Guarantee.
- Unit 5: Public Liability Insurance Act, 1992:  
Definitions; Criminal liability based on no fault, Verification and publication of accidents by Collector, Application for claim for relief-Environment Relief Fund; Claim of Compensation under other laws; Powers of the General 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 Bombay, 228
2. Prudential Insurance Co. v. Inland Revenue Commissioner, (104) 2KB658
3. Mills v. Smith (1963) 2 All ER 1078
4. Diby v. General Accident, (1943) ACER 121, 138
5. Glickman v. Lancashire and General Assurance Co. Ltd., (1978) AC 139(HL)

**BOOKS RECOMMENDED**

- Mishra, M.N. : Insurance-Principles and Practices  
Rao, C.K. : Treaties on the Law of Insurance The Insurance Act, 1938 The Life Insurance Corporation Act, 1956  
Karkara, G.S. : Commentary on Public Liability Insurance Act Murthy and Sharma: Modern Law of Insurance in India



**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.10.2**

**Media and Law**

**Unit - I - Media & Public Policy**

**I. Disseminating the facets of Media**

Understanding the concept of Media History of Media Theories of Media Evolution of Media

**II. History of Media Legislation**

Media Legislation - British experience Media Legislation in U.S. Media Legislation in Indian Context

**III. Media in the Constitutional Framework**

Freedom of Expression in Indian Constitution Interpretation of Media freedom Issues of Privacy Right to Information Case studies on Media and Free expression

**Unit - II - Media - Regulatory Framework**

**I. Legal Dimensions of Media**

Media & Criminal Law (Defamation / Obscenity/Sedition) Media & Tort Law (Defamation & Negligence) Media & Legislature – Privileges of the Legislature Media & Judiciary – Contempt of Court Media & Executive – Official Secrets Act Media & Journalists – Working Journalists (Conditions of Service) Act & Press Council Act

**II. Self Regulation & Other Issues**

Media and Ethics Self-Regulation Vs Legal regulation Media & Human Rights Issues relating to entry of Foreign Print Media

**Unit – III - Convergence & New Media**

**I. Understanding Broadcast Sector**

Evolution of Broadcast Sector Airwaves and Government control Open Skies policy Licensing issues in Broadcast Sector

**II. Legislative efforts on Broadcast sector**

Prashar Bharti Act 1990 Broadcasting Bill Cinematography Act 1952 Cable T.V.Networks (regulation) Act of 1995

**Unit - IV - Opening of Airwaves**

**I. Public policy issues on Airwaves Community Radio Advocacy Telegraph Act and Broadcast interface**

**II. The New Media of Internet**

Evolution of Internet as New Media Regulating the Internet IT Act of 2000 and media Convergence Bill (to be enacted) Regulatory commissions of new media Indian Telegraph Act of 1885

**Unit - V - Media – Advertisement & Law**

Concept of Advertisement, Advertisement & Ethics, Advertisement Act of 1954, Indecent Representation (prohibition) Act, 1986, The Drugs and Magic Remedies (objectionable) Advertisements Act of 1954, Issues of Consumer Protection Competition Bill and impact on Advertisements

**B.A. LL.B. & B.B.A. LL.B.**

**PAPER – 5.10.3**

**MEDIATION, ARBITRATION AND CONCILIATION**

Unit1 : Mediation: Meaning and Concept. Restrictions on Mediator, Enforcement of Mediator's Settlement, Difference Between Mediation and Conciliation. Basic rules of mediation, Advantages of Mediation.

Unit 2: Arbitration and Conciliation Act, 1996 : General Provisions, Arbitration Agreement. Arbitral Tribunal : Composition and Jurisdiction. Conduct of Arbitral Proceedings.

Unit 3: Arbitral Awards: Termination of Proceedings. Setting Aside the Arbitral Award. Enforcement of Arbitral Awards. Appeals. Code of Ethics for Arbitrators. Indian Council of Arbitration and Recognition of its Arbitration Services.

Unit 4: Settlement system for Multinational Corporations, Enforcement of Foreign-awards; Geneva Convention, International arbitration institutions.

Unit 5: Conciliation : Conciliators, Procedure of Conciliation, Role of conciliator. Settlement Agreement. Termination of Conciliation Proceedings. Negotiation and Conciliation Skills.

**SUGGESTED READINGS**

The Arbitration and Conciliation Act, 1996

Baxi, P.M. : Arbitration Law

Avtar Singh : Law of Arbitration and Conciliation Publication of Indian Arbitration, New Delhi

**B.A. LL.B. & B.B.A. LL.B.**  
**PAPER – 5.10.4**  
**MOOT COURT EXERCISE AND INTERNSHIP**

Moot court exercise and Internship :-

This paper will have three components of 30 marks each and a viva for 10 marks.

(a) Moot Court (30 Marks). Every student is required to do three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

(b) Observance of Trial in two cases, one Civil and one Criminal (30 marks):

Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

(c) Interviewing techniques and Pre-trial preparations and Internship diary (30 marks) : Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

(d) The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

Viva Voce will be taken by two examiners, who will be appointed by the Head of the Department. Senior will be convener as well as in-charge of the viva voce examination. The decision of In-charge regarding process and manner of viva voce will be final.

In case of Department of Law, Viva Voce will be taken by two permanent/regular teachers or by one permanent and one local retired teacher or any permanent part time teacher or other part time teacher appointed by the Head of the Department, who fulfills eligibility criteria for teaching as per UGC /Bar Council of India rules.

In case of affiliated college, the convener/in-charge will be appointed by the Head of the Department of Law, J.N. Vyas University from among the teachers/ members of the Department of Law, J.N. Vyas University, Jodhpur.

Second member/examiner will be appointed by the Principal of the College in consultation with the Head of the Department, J.N. Vyas University.

In case of emergency regarding Viva Voce examination, decision of the Head of the Department of Law, J.N. Vyas University will be final.