

**B.A. LL.B.-IX<sup>th</sup> Semester (5yrs)**  
**Course Code 9.1**  
**LAND LAWS**

**Pattern of Question Paper**

- ❖ The question paper shall consists of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consists of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

**UNIT-I:**

Classification of lands — Ownership of Land — Absolute and limited ownership (tenancy, lease etc.) — Doctrine of Eminent Domain — Doctrine of Escheat - Doctrine of Bona Vacantia — Maintenance of land records and issue of Pattas and

**UNIT--II:**

law reforms before and after independence — zamindarisettlement — ryotwari settlement mahalwari system —intermediaries — constitutional provisions — abolition of zamindaries, jagirs and inams — tenancy laws — conferment ofownership on tenants/ryots.

**UNIT--III:**

The Land Acquisition Act, 1894- Preliminary Investigation-Publication Of preliminary notification,- Payment for damages -Declaration of intended acquisition- Award by the collector; Reference to Court and procedure their on ;. Temporary Occupation of land ; Acquisition of land for Companies ; Things determine during granting compansation

**UNIT--IV:**

**The Maharashtra Regional and Town Planning Act,1966**-Definitions; Provisions Relating to Regional Plan-Establishment of Region and alteration of limits-Constitution, Power and Duties of Regional Planning Board; Regional plan-Survey-Contents of regional Plan-Submission , Procedure and Publication of Regional plan; Developement Plan -Contents of development Plan- Procedure to be followed in Preparing and sanctioning the development plan-Procedure for Preparation of interim development plan; Penalty for Unauthorized development; Preparation and Contents of Town Planning scheme; New Town Development Authority

## **UNIT-V:**

**The Maharashtra Land Revenue Code ,1966-Definitions;Revenue Areas-Historical Perspective of Revenue system-Division of State into Revenue Areas-Constitution of Revenue areas;. Revenue Officers -Their power and duties ; Chief Controlling Authority in revenue matters-Revenue Officers in Divisions- Revenue Officer in District-Survey Officers Combination of officer- Delegation Of power- Temporary Vacancies - Subordination officers- Power and duties of Survey officer; Title of State in all Lands, Public Road ,etc, which are not the property of others- Extinction of right of public on public road; Classes of persons holding land - Disposal of intestate occupancies-Occupancies to be transferable and restriction on transferability;**

## **UNIT-VI**

**The Maharashtra Land Revenue Code ,1966-Procedure for Conversion of use of land from one purpose to another- penalty for using land without permission- Procedure for Construction of Water Course Through othersLand; Removal of encroachment of land vesting in Government-Regularization of encroachment- Summary eviction; Relinquishment- Relinquishment of alienated land- Right of to relinquished land;Penalty for default of payment of land revenue- Process of recovery of arrears- **Arest and Detention of defaulter;Boundry and Boundry Marks** - Fixation and demarcation of Boundaries-Determination of Village boundaries- Determination of field boundaries- Disputes regarding boundaries - Straightening out crooked boundaries;.**Land record**- Record of right-Acquisition of right to be reported- Register of Mutation;.**Rights of Unoccupied land** - .Nistar patrak -Wajib- Ul –Urj;**Appeal ,Revision and Review,Maharashtra Revenue Tribunal****

### **Suggested Readings ;-**

- 1.A. K .Gupte and Dighe , The Maharashtra Land Revenue Code ,1966Hind Law House ,Pune
- 2.Sameer Tendulkar and H. M. Bhatt ,MRTP Act 1966,Noble Law House, Mumbai
- 3 .Bare act ,The Maharashtra Land Revenue Code ,1966
- 4.Bare Act ,MRTP Act 1966
5. Bare Act, The Land Acquisition Act,1894
- 6.R. Choudhari ,The Land Acqasition Act,Orient Law agency ,Allahabad.

## **Course Code 9.2**

# **INTERPRETATION OF STATUTE**

### **Pattern of Question Paper**

- ❖ The question paper shall consists of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consists of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

### **UNIT-I**

General-Meaning, Nature and Scope of Interpretation ;Statute- Definition and Classification  
Need and Purpose of Interpretation- General Principles of Interpretation - Rules of Construction  
under the General Clauses Act, 1897

### **UNIT-II**

General /Primary Principles of Interpretation,Intention of Legislature-Statute must be read as a  
whole-Statute to be workable and effective-Plain Language must be given effect irrespective of  
consequences- Subsidiary Rules of Interpretation -Rule of Last Antecedent-Non Obstante  
Clause-Legal Fiction-Mandatory and Directory Provisions-Conjunctive and Disjunctive words-  
Construction of General Words-*Noscitur A Sociis*, *Ejusdem Generis*,*Words of Rank*,  
*Reddendo Singula Singulis*

#### **Unit-III:**

Grammatical Rule of Interpretation — Golden Rule of Interpretation – Rule of Interpretation to  
avoid mischief.

#### **Unit-IV:**

Interpretation of Penal Statutes and Statutes of Taxation — Beneficial Construction —  
Construction to avoid conflict with other provisions — Doctrine of Harmonious Construction.

#### **Unit-V:**

External Aids to Interpretation — Statement of objects of legislation, Legislative debates,  
identification of purpose sought to be achieved through legislation — Internal Aids to  
Interpretation — Preamble, title, interpretation clause, marginal notes, explanations etc. —  
Presumptions.

#### **Unit-VI:**

Effect of Repeal — Effect of amendments to statutes — Conflict between parent legislation and  
subordinate legislation — Methods of interpreting substantive and procedural laws.

**UNIT-VII Contemporary Issues of Interpretation-** Enactment of Complex and Technical Statutes-Traditional Usage of Latin, French words in the Statutes-Globalization and Unification of Law- A Challenge Ahead -Judicial Review and Interpretation of Statutes-Encroachment on Legislative Powers

***Suggested Readings***

1. Vepa P. Sarathi: Interpretation of Statutes, Eastern Book Co, 4<sup>th</sup> Edition, 1976.
2. Maxwell: Interpretation of Statutes, Butterworths Publications, 1976, 12<sup>th</sup> Edition.
3. Crawford: Interpretation of Statutes, Universal Publishers.
4. Chatterjee: Interpretation of Statutes.
5. G.P. Singh: Principles of Statutory Interpretation, Wadhwa and Company, 8<sup>th</sup> Edn., 2001.
6. Cross, Statutory Interpretation

## **Course Code 9.3**

### **Intellectual Property Law**

#### **Pattern of Question Paper**

- ❖ The question paper shall consists of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consists of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

#### **UNIT-I**

Meaning, Nature, Classification and protection of Intellectual Property — The main forms of Intellectual Property — Copyright, Trademarks, Patents, Designs etc..

#### **UNIT -II**

Introduction to the leading International instruments concerning Intellectual Property Rights The Berne Convention — Universal Copyright Convention — The Paris Union — Patent Cooperation Treaty -- The World Intellectual Property Organization (WIPO) and the UNEESCO, International TradeAgreements concerning IPR — WTO — TRIPS.

#### **UNIT -III**

The Copy Right Act, 1957 - Historical evolution — Meaning of copyright — Copyright in literary,dramatic and musical works, computer programmes and cinematograph films Neighbouring rights —Rights of performers and broadcasters, etc. —Registration of Copy Right Term of Copy Right;Ownership and Assignment of copyright — Author's special rights Notion of infringement —Criteria of infringement — Infringement of copyright in films, literary and dramatic works —Authorities under the Act — Remedies for infringement of copyright.

#### **UNIT -IV**

Intellectual Property in Trademarks and the rationale of their protection - The Trade Marks Act, 1999— Definition of Trademarks — Service Mark, Well known Trade Mark& Certification Marks;Distinction between Trademark and Property Mark - Registration — Passing off Infringement ofTrademark — Criteria of Infringement — Remedies. The Designs Act, 2000 —

Definition and characteristics of Design — Law in India — Protection and rights of design holders — Copyright in design — Registration — Remedies for infringement. Trademark and Domain Name Interface

#### **UNIT –V**

Patents — Concept of Patent — Historical overview of the Patents Law in India — Patentable Inventions — Kinds of Patents — Procedure for obtaining patent — The Patents Act, 1970 Recent amendments- Rights and obligations of a patentee — Term of patent protection — Use and exercise of rights — Exclusive Marketing Rights — Right to Secrecy — The notion of ‘abuse’ of patent rights — Infringement of patent rights and remedies available.

#### **UNIT - VI**

Geographical indication.-Plant varieties-Traditional knowledge.-Bio piracy, Patentability of Biotechnology and micro organize

#### **Suggested Readings :**

- 1) G.B. Reddy – Intellectual property Rights & Law, Gogia Law agency Hyderabad.
  - 2) Comish W.R. 0 Intellectual Property, Patents, Trademarks, Copyrights and Allied Rights.
  - 3) Vikas Vashisht – Law and Practice of intellectual Property, (1999), Bharat Law House Delhi.
  - 4) P. Narayanan – Intellectual Property Law, (1999), (ed), Eastern Law House, Calcutta.
  - 5) Bibeck Debroy – (ed), Intellectual Property Rights, (1998), Rajiv Gandhi Foundation, Delhi.
  - 6) U.I.F. Anderfelt – International Patent Legislation and Developing Countries, (1971).
  - 7) Comish W.R. – Intellectual Property, (3<sup>rd</sup> Edn), (1996), Sweet & Maxwell.
  - 8) W.R. Mann – Transfer of Technology (1982).
  - 9) Mata Din – Law of Passing Off and Infringement Action of Trademarks (1986).
- P.S. Sangal & Kishore Singh – Indian Patent System and Paris Convention – Legal

## Course Code 9.4

### Clinical Paper-I

#### Alternative Dispute Resolution

The course will be taught through classroom instruction in association with the Practicing Lawyers. However there is no end semester theory examination for this Course. Students have to prepare a record covering the topics specified in Unit-I to III of Section -A and assigned to the students. The Student shall required to attend and observe the proceedings of Lok Adalats, Family Courts, Tribunals and other ADR Systems and shall record atleast 10 proceedings in the diary.. The record and Report shall be submitted within the stipulated time to the evaluation Committee Constituted by the College with Full Time Teacher and Practicing Advocates.

The mode of Assessment is as follows:-

- |  |                 |
|--|-----------------|
| A) Record on Topics from Unit I to III –<br>(Internal marks to be awarded by the evaluation Committee)                                   | <b>40 Marks</b> |
| B) Diary on Lok Adalat, Family Court, Tribunals & other ADR Proceedings<br>( to be awarded by both External & Internal Examiner jointly) | <b>40 Marks</b> |
| C) Viva – Voce<br>( to be awarded by both External & Internal Examiner jointly)  | <b>20 Marks</b> |

**Unit-I:** Alternate Dispute Resolution — Characteristics — Advantages and Disadvantages——  
Unilateral — Bilateral — Triadic (Third Party) Intervention — Techniques and processes  
-- Negotiation — Conciliation — Arbitration — Distinction between Arbitration,  
Conciliation and Negotiation.

**Unit-II:** The Arbitration and Conciliation Act, 1996 — Historical Background and Objectives of  
the Act — Definitions of Arbitration, Arbitrator, Arbitration Agreement -- Appointment  
of Arbitrator — Termination of Arbitrator -- Proceedings in Arbitral Tribunal --  
Termination of Proceedings — Arbitral Award -- Setting aside of Arbitral Award —  
Finality and Enforcement of Award — Appeals – Enforcement of Foreign Awards.  
Conciliation – Appointment of Conciliators – Powers and Functions of Conciliator --  
Procedure – Settlement of disputes through conciliation.

**Unit-III:** Other Alternative Dispute Resolution Systems —Tribunals -- Lokpal and Lokayukta —  
Lok Adalats — Family Courts. Section 89 and Order X, Rules 1A, 1B and 1C of Civil  
Procedure Code.

**Suggested Readings:**

1. O.P. Tiwari : *The Arbitration and Conciliation Act* (2nd Edition): Allahabad Law Agency.
2. Johar's : *Commentary on Arbitration and Conciliation Act, 1996*: Kamal Law House.
3. Acharya N.K.: *Law relating to Arbitration and ADR*, Asia Law House,Hyderabad
4. Tripathi S.C.: *Arbitration, Conciliation and ADR*, Central Law Agency, Allahabad.
5. Avatar Singh: *Arbitration and Conciliation*, Eastern Law Book House, Lucknow.
6. KSR Murthy: *An introduction to ADR Mechanism*, Gogia Law Agency, Hyderabad
7. P.C. Rao : *Alternate Dispute Resolution* , 2001 Edition, Universal Book Traders, New Delhi.
1. S.D. Singh: *Alternate Dispute Resolution*, Universal Book Traders, New Delhi.



## Course Code 9.5

### Clinical Paper-II :

#### Professional ethics & Professional Accounting system

The course will be taught through classroom instruction in association with the Practicing Lawyers. However there is no end semester theory examination for this Course. Students have to prepare a record covering the topics specified in Unit-I to IV of Section -A and assigned to the students & a Report on selected opinions of Disciplinary committee of Bar Council of India and Major judgments of the Supreme Court relating to the Contempt of Court specified in Section -B. The record and Report shall be submitted within the stipulated time to the evaluation Committee Constituted by the College with Full Time Teacher and Practicing Advocates.

The mode of Assessment is as follows:-

- A) Record on Topics from Unit I to IV – **40 Marks**  
(Internal marks to be awarded by the evaluation Committee)
- B) Report on opinions of Disciplinary committee **40 Marks**  
of Bar Council of India & judgments of the Supreme Court  
( to be awarded by both External & Internal Examiner jointly)
- C) Viva – Voce **20 Marks**  
( to be awarded by both External & Internal Examiner jointly)

#### SECTION –A

##### UNIT-I

The legal profession and its responsibilities; The equipment of the lawyer; Conduct in court; Professional conduct in general; Privileges of a lawyer;

##### UNIT-II

Seven lamps of advocacy — Advocates duties towards public, clients, court, and other advocates and legal aid ; Bar Council Code of Ethics.

##### UNIT-III

Disciplinary proceedings — Professional misconduct — Disqualifications — Functions of Bar Council of India/State Bar Councils in dealing with the disciplinary proceedings —Disciplinary Committees -- Powers and functions - Disqualification and removal from rolls.  
Contempt of Court Act, 1972

##### UNIT-IV

Accountancy for lawyers:

Need for maintenance of accounts- Books of accounts that need to be maintained- Cash Book, journal and ledger Elementary aspects of bookkeeping: Meaning, object, journal, double entry system, closing of accounts The cash and bulk transaction- The Cash book- Journal proper especially with reference to client's accounts- Ledger, Trial balance and final accounts- Commercial mathematics.

## **SECTION –B**

### **Selected major judgments of the Supreme Court:**

1. *In the matter of D, An Advocate*, AIR 1956 SC 102.
2. *P.J.Ratnamv.D.Kanikaram*, AIR1964 SC 244.
3. *N.B.Mirzav.The disciplinary committee of Bar Council of Maharashtra andAnother*, AIR 1972 SC 46.
4. *Bar Council Of Maharashtrav.M.V.Dabholkar, etc.*, AIR 1976 SC 242.
5. *V.C.Rangaduraiv.D.Goplan and others*,AIR 1979 SC 201.
6. *Chandra Shekhar Soniv.Bar Council of Rajasthan and Others*,AIR 1983 SC 1012.
7. *In Re an Advocate*, AIR 1989 SC 245.
8. *In Re Vinay Chandra Mishra*, 1995 (Vol-I) IBR 118.
9. *Supreme Court Bar Associationv.Union of India*, AIR 1998 SC 1895.
10. *Ex-Capt. Harish Uppalv.Union of India*, AIR 2003 SC 739.
- 11 Any other recent judgments of Supreme Court selected and given by concerned teacher

### **Selected opinions of the Bar council of India**

1. DC Appeal No. 16/93 1998 (Vol.1) IBR 135
2. BCI Tr. Case No.40/91 1998 (Vol.1) IBR139
- 3 DC Appeal No.43/96 1997 (Vol. 3 &4) IBR 207
- 4 DC Appeal No.18/91 1997 (Vol. 1 & 2) IBR 271
- 5 DC Appeal No.24/90 1996 (Vol.1) IBR 135
- 6 DC Appeal No.19/93 1996 (Vol.1) IBR 152
- 7BCI Tr. Case No.104/90 1996 (Vol.1) IBR 155
- 8 BCI Tr. Case No.52/89 1994 (Vol.1) IBR 187
- 9BCI Tr. Case No.101/88 1989 (Vol. 3 &4) IBR 524
- 10 DC Appeal No.23/88 1989 (Vol. 3 &4) IBR 532
- 11 BCI Tr. Case No.43/82 1988 (Vol. 3 &4) IBR 364
- 12 DC Appeal No.28/86 1988 (Vol.3& 4) IBR 374
- 13 Any other recent opinion/decision of Disciplinary committee of BCI, selected and given by concerned teacher

### **Prescribed Books:**

- 1) K.V.Krishnaswamy Iyer- Professional Conduct and Advocacy.
- 2) B.S.Raman- Accountancy.
- 3) N. R. Madhava Menon- Clinical Legal Education.
- 4) Dr. B. Malik- Art of Lawyer (New Delhi, Universal Book Agency, 1999) – Relevant articles
- 5) Contempt of Court Act, 1971
- 6) Myneni S.R.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
- 7) Gupta S.P.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.

# OPTIONAL PAPER-I

## Course Code 9.6.1

### CRIMINOLOGY

#### Pattern of Question Paper

- ❖ The question paper shall consist of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consist of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

#### UNIT-I

##### Dimension of Crime in India

##### 1.1 Nature and extent of Crime in India

##### 1.2 Concept, Nature, Definition and Characteristics of crime

##### 1.3 Theories of Crime

##### 1.4 Crimes of the powerful

##### 1.4.1 Organised crime - smuggling, traffic in narcotics

##### 1.4.2 White collar crime - corruption in public life

##### 1.4.3 Crimes in the professions - medical, legal and engineering

##### 1.5 The situational offenders

##### 1.5.1 Criminality in woman

##### 1.5.2 Young offenders

##### 1.5.3 Criminal gangs

#### UNIT-II

##### Causes of Criminal behaviour

##### 2.1 Heredity and crime

##### 2.2 Mental disorder and criminality

##### 2.3 Bio-physical factors and criminality, theory by Lombroso

##### 2.4 Sociological theory of crime with the theory of Different Association by Sutherland

##### 2.5 Economic theory and their relevance

2.6 Multiple factors responsible for crime causation

2.7 Caste and community tensions: caste wars and communal riots- their causes and demoralising effects; atrocities against Scheduled castes.

### **UNIT-III**

#### **Punishment of offenders**

3.1 Some discarded modes of punishment like whipping, mutilation, branding, public execution, transportation etc.

3.2 Types of punishment

3.3 Concept of Fine

3.4 The Prison System

3.4.1 Administrative organisation of prisons

3.4.2 The Jail Manual

3.4.3 Powers of prison officials

3.4.4 Classification of prisoners

- male, female, juvenile and adults, undertrial and convicted prisoners

3.4.5 Prison Reforms

3.4.6 Open Prison

3.4.7 Prison Labour

3.4.8 Violation of prison code and its consequences

### **UNIT-IV Police and Criminal Justice**

4.1 The Police System

4.2 Preparatory Police Training Programme

4.3 The Role of police

4.4 Legal functions of police

-patrolling, surveillance, preventive functions, search and seizure etc

4.5 Third Degree Methods and liability of police for custodial violence

4.6 Corruption in police

4.7 Police public relation

4.8 Malimath Committee Report on police functioning

4.9 INTERPOLE

## **UNIT-V Treatment for correction of offenders**

- 5.1 The need for rehabilitation and reformation of prisoners
  - 5.2 The role of Psychiatrist, Psychoanalysts and social workers in prison
  - 5.3 Vocational and religious education and apprenticeship programmes for the offenders
  - 5.4 Group counselling and resocialisation programmes
  - 5.5 Participation of inmates in community services

## **UNIT-VI Re-socialisation Process**

- 6.1 Parole
  - 6.1.1 Nature of parole
  - 6.1.2 Authority for granting parole
  - 6.1.3 Supervision on Parolees
  - 6.1.4 Parole and Conditional Release
- 6.2 Probation
- 6.3 Difference between Parole and Probation
- 6.4 Problems of released offenders

## **UNIT-VII Victimology**

- 7.1 The concept of Victimology
  - 7.2 Rights and Protection to victims under Criminal Law
  - 7.3 Role of victim
  - 7.4 Compensation under various laws
    - 7.4.1 Sec. 357 of Cr.P.C.
    - 7.4.2 Motor Vehical Acts
    - 7.4.3 Sexual harrasment and assault
    - 7.4.4 Medical negligence
    - 7.4.5 State liability to pay compensation
  - 7.5 Justice to victims
  - 7.6 Malimath Committee Report on victims

## Reference Books

- 1) Katherine S. Williams, "Textbook on Criminology" 2002
- 2) Ahmad Siddique, "Criminology problems and perspective" 2005
- 3) K.D.Gaur, "Criminal law- Cases and materials" 2005
- 4) Prof N .V .Paranjape, "Criminology and penology" 2006
- 5) Katherine S. Williams, "Text book on Criminology" (1997), Blackstone,London
- 6) Hall, J. Law, "Social Science and criminal Theory"(1982).
- 7) Manheim,H."Comparative Criminology:A Text book" (1965).
- 8) Ross, H (Lawrence Ed.) Law and Deviance(1981).
- 9) Sutherland, E. and Cressy, Principles of Criminology
- 10) S. Rao,"Crimes in Our Society" , (1983).
- 11) J. M. Sethna,"Society and the Criminal" (1980).
- 12) S. Kaldate,"Society, Delinquent and Juvenile Courts" (1982).
- 13) D. C. Pandey, "Habitual Offenders and the law" .
- 14) Krishna Iyer Report on Female Prisoners (1986).
- 15) Mulla Committee Report, (1983).
- 16) P.Rajgopal,"Violence and Response:A Critique of indian Criminal Justice System" (1988).

# OPTIONAL PAPER-II

## Course Code 9.6.2

### Right to Information

#### Pattern of Question Paper

- ❖ The question paper shall consist of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consist of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

#### UNIT-I

Right to Information before Right to Information Act, 2005-Significance of RTI in democracy  
-Constitutional basis for RTI-Supreme Court on right to information.

#### UNIT-II

Public Authority-Definition- Criteria for Determination-Public Authority- Main function -Record Management-Identification and designation of PIOs/APIOs-Size and level of PIOs-Appellate Authority-Information Commission-Role of Appellate Authority-Dissemination of information-Determination of fees-Inspection of work/record/taking sample-Accounting procedure for the fees collected-Publication of details of PIOs and Appellate Authority-GUIDELINES FOR Information Officers-Non – Applicability of the Act to certain State Organisations

#### Unit –III

Public Information Officer- Duties and responsibilities-Onus on the PIOs-Procedure and steps involved-Dealings with the APIOs and other Department- Right of the Citizen-Types of help to be extended to the citizen-Time Frame-Exemptions- Third Party Information-Special Skills of PIOs

#### UNIT –IV

**Information Commission-Powers and Functions-** The Role and Responsibilities of the Information Commissions.- The relevant provisions in the RTI Act dealing with Complaints to the Information - Commission and the specifications thereof- The "Second Appeal" process and the Commissions' mandate for the same- The power of Information Commissions with regard to enforcing compliance of public authorities with the provisions of the RTI Act- Imposing penalty / recommending disciplinary action against erring PIOs etc.

#### UNIT -V

RTI and Good Governance- Role of Civil Society Organisations and Media- Records Management for Effective Information Management -The importance of records management.Best practices- A

study of decisions rendered by state commissions and central Commission in the following areas of – Police, Revenue, PWD, Irrigation, Secretariat, BSNL, Posts and Telegraphs, Scheduled Banks, CPWD, Income Tax Department, Central Excise Department, Local Authorities. The broad issues relating to the keeping, maintaining, managing and destructing.

**Reference Books:-**

- 1) N.K. Jain, Right to Information – Concept, Law ,Practice, Regal Publication, New Delhi
- 2) Raj Kumar Pruthi, Manual of Right to Information Act, Pentagon Press, New Delhi
- 3) Prof(Dr) S. V. Joga Rao, Law Relating to Right to Information, Pentagon Press, New Delhi
- 4) N.K. Acharya, Right to Information Act, 2005,Edi 5<sup>th</sup>, Asia Law House, Hydrabad,
- 5) Dr. J. N. Barowalia, Commentry on Right to Information Act, 1<sup>st</sup> Edi 2006,Universal Law Publication , New Delhi
- 6) Right to Information Act, Bare Act



**B.A. LL.B.-Xth Semester (5yrs)**  
**Course Code 10.1**  
**ADMINISTRATIVE LAW**

**Pattern of Question Paper**

- ❖ The question paper shall consists of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consists of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

**UNIT-I**

Nature and scope of Administrative Law — Meaning, Definition and Evolution of Administrative Law—Reasons for the growth of Administrative Law — Relationship between Administrative Law and Constitutional Law.

**UNIT -II**

Basic concepts of Administrative Law — Rule of Law — **Interpretation** of Dicey's Principle of Rule of Law — Modern trends - Theory of Separation of Powers — Position in India, UK and USA

**UNIT -III**

Classification of Administrative functions — Legislative, Quasi-judicial, Administrative and Ministerial functions — Delegated Legislation — Meaning, Reasons for the growth and Classification of delegated legislation— Judicial and Legislative Control of Delegated litigation.

**UNIT -IV**

Judicial Control of Administrative Action - Grounds of Judicial Control — Principles of Natural Justice — Administrative discretion and its control.

**UNIT-V**

Remedies available against the State — Writs — Lokpal and Lok Ayukta — Liability of the State in Torts and Contracts — Rule of Promissory Estoppel —Administrative Tribunals - Commissions of Inquiry - Conciliation & Mediation through social action groups- Central Vigilance Commission— Public Corporations.;

**Books suggested for reading:**

1. M.P. Jain and S.N. Jain, Principals of Administrative Law, Wadhwa and Company, Nagpur.
2. Dr. S. P. Sathe , Administrative Law, Butterworths, New Delhi.
3. Durga Das Basu and A.K.Nandi, Administrative Law, Kamal Law House,Calcutta.
4. H.W.R. Wade and Christopher Forsyth, Administrative Law, Clarendon Press,Oxford
5. A. K. Shrivastav, Administrative Law (2 Vols.), Delhi Kamal Prakashan
6. Indian Law Institute, Cases and Materials on Administrative Law in India
7. J.C. Garner, Administrative Law,Butterworths,New Delhi

## Course Code 10.2

### BANKING LAW

#### Pattern of Question Paper

- ❖ The question paper shall consists of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consists of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

#### **Unit I: Banking Regulation Act, 1949**

Concept of Bank and Banker, Functions of Commercial Banks, Classification of Banks, Relationship between Bank and Customer, Rights & Obligations of the Banks- Control by government and its agencies, Management of Banking companies, account and audit, Reconstruction and reorganization of banking companies, Suspension and winding up of business of banking companies, Social control over banking, Banking Ombudsman, Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart Credit Cards, Banking Frauds.

#### **Unit II: Reserve Bank of India Act, 1934**

Incorporation, Capital, Management and Business of Banking Company, Central Banking function of Reserve Bank of India, Collection and furnishing of Credit Information, Control of Reserve Bank of India over Non-banking Institutions and Financial Institutions, Credit Control by Reserve Bank of India, General provisions and penalties.

#### **Unit III: Negotiable Instrument Act, 1881**

Definition and characteristic of Negotiable Instruments, Types of Negotiable Instruments, Definition and Essentials of Promissory Note, Bill of Exchange and Cheque, Liabilities and Capacity of Parties of Negotiable Instrument, Holder and Holder in due course, Transfer and Negotiation of Negotiable Instrument. Penal provisions under NI Act

#### **Unit IV:**

Crossing of Cheques and payment, Dishonour of Cheques, Presentment and Payment, Dishonour, Noting and Protest of Negotiable Instrument, Endorsement: Definition, Essential of a valid endorsement and its kinds, Rules of evidence and compensation.

**Prescribed Books:**

1. M. L. Tannan- Law of Banking.
2. M. S. Parthasarathy (Ed.), Khergamvala - Negotiable Instruments Act.
3. Taxman: *Law of Banking*, India Law House
4. R.N. Chaudhary, Banking Laws, Central Law Publications, Allahabad.
5. Avtar Singh – Negotiable Instruments Act.
6. Basu - Review of Current Banking: Theory and Practice.
7. Paget- Law of Banking.
8. L. C. Goyle- The Law of Banking and Bankers.
9. Relevant provisions of Information Technology Act, 2000

## Course Code 10.3

### Law of Taxation

#### ❖ Pattern of Question Paper

- ❖ The question paper shall consists of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, students have to attempt **EIGHT** questions in all , out of which required to answer **SIX Questions From Section A( Unit I to IV) & TWO questions from Section B.( Unit V & VI)**
- ❖ **Question No. 1 is compulsory.**
- ❖ All Questions carry Equal Marks.

- Unit-I :** Constitutional basis of power of taxation — Article 265 of Constitution of India — History of Income Tax — Outlines of Income Tax Law -- Definitions- Residential Status of an Assessee
- Unit-II:** Incomes which do not form part of Total Income; Heads of Income and Computation — Income from Salary, Income from House Property- Profits and Gains of Business or Profession-Capital Gains and Income from other sources.
- UNIT-III:** Clubbing of Income; Set off and Carry Forward of Losses; Deductions to be made in computing Total Income
- Unit-IV:** Law and Procedure — PAN& TAN — Filing of Returns — Payment of Advance Tax -- Deduction of Tax at Source (TDS) - Double Tax Relief — Law and Procedure for Assessment - Kinds of Assessment, Penalties, Prosecution, Appeals and Grievances - Authorities.
- Unit-V :** Wealth Tax — Charge of Wealth Tax — Persons liable to Wealth Tax — Persons exempted from Wealth Tax — Assessment — Deemed Assessment — Debts — Assessment year -- Previous Year -- Valuation Date -- Rate of Wealth Tax — Wealth Tax Procedure — Filing of Returns — Statement of net wealth, Computation of Wealth Tax, Valuation rules for immovable property, Business Assets, Jewelry.
- Unit-VI:** Sales Tax ( CST & BST) - Value Added Tax — Relevant important provisions of Maharashtra Value Added Tax Act-2002 - Assessment — Procedure -Practice of Sales Tax and VAT – Authorities - Powers and Jurisdiction. - Service Tax – Definitions- Salient features- Constitutional validity- Registration – Penalties & other important provisions.

### **Suggested Readings :**

1. Dr. Vinod K. Singhania: *Student Guide to Income Tax*, Taxman, Allied Service Pvt. Limited.
2. Dr. Vinod K. Singhania: *Direct Taxes Law & Practice*, Taxman Allied Service Pvt. Limited.
3. Myneni S.R.: *Law of Taxation*, Allahabad Law Series.
4. Kailash Rai: *Taxation Laws*, Allahabad Law Agency.
5. Dr. Gurish Ahuja: *Systematic Approach to Income Tax*, Bharat Law House Pvt. Limited.
6. V.S. Datey : *Law and Practice Central Sales Tax Act, 2003*, Taxman Publications.
7. Nani Palkivala: *Income Tax*, Butterworths Publications.

## **Course Code 10.4 Clinical Paper -III**

### **DRAFTING, PLEADINGS AND CONVEYANCING**

Class-room instruction and simulation exercises on the following items shall be extended. However there is no end semester theory examination for this course.

#### **UNIT-I**

**Drafting:** General Principles of Drafting and relevant Substantive Rules shall be taught.

#### **UNIT -II**

##### **Pleadings:**

(i) Civil—Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision.

(ii) Petition under Article 226 and 32 of the Constitution of India - Drafting of Writ Petition and PIL Petition.

(iii) Criminal— Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision.

#### **UNIT -III**

**Conveyancing:** Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed

##### **Practical Exercises**

Apart from teaching the relevant law, the course includes not less than 15 (fifteen) practical exercises in drafting of pleadings carrying a total of 45 marks (3 marks for each) and 15 (fifteen) exercises in conveyancing carrying another 45 marks (3 marks for each exercise) and remaining 10 marks for viva-voce.

These 30 exercises shall be recorded. Each student shall be served with different problems for the purpose of exercise. These exercises shall be assessed and marks may be allotted.

These exercises shall be evaluated by a common committee consisting of (i) Principal of the College/the concerned teacher as Internal Examiner (ii) External Examiner appointed by the University (iii) an Advocate with 10 years experience at the Bar. The same committee will also conduct viva-voce on the above concepts.

**Note: Attendance of the students for viva-voce shall be compulsory.**

**Suggested Readings:**

1. R.N. Chaturvedi : *Pleadings and Conveyancing*, Central Law Publications.
2. De Souza : *Conveyancing*, Eastern Law House.
3. Tiwari : *Drafting, Pleading and Conveyancing*, Central Law Agency.
4. Mogha: *Indian Conveyancer*, Eastern Law House.
5. Mogha: *Law of Pleadings in India*, Eastern Law House.
6. Shiv Gopal: *Conveyancing, Precedents and Forms*, Eastern Book Company
7. Narayana P.S.: *Civil Pleadings and Practice*, Asia Law House.
8. Narayana P.S.: *Criminal Pleadings and Practice*, Asia Law House.
9. Noshirvan H.Jhabvala: *Drafting, Pleadings, Conveyancing & Professional Ethics*. Jamhadar & Companes.
10. R.D.Srivastava: *The Law of Pleadings, Drafting and Conveyancing*, Central Law Agency



**Course Code 10.5**  
**Clinical Paper -IV :**

**Moot court & Internship**

This paper has three components of 30 marks each and viva-voce for 10 marks.

**(A) Moot Court (30 marks):** Every student is required to participate in at least three moot courts in the VI Semester with 10 marks for each. The moot court work will be on an assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

Marks will be given on the basis of written submission and oral advocacy. Written submissions shall include brief summary of facts, issues involved, provisions of laws and arguments, citation, prayer, etc. Marks for oral advocacy may be awarded for communication skills, presentations, language, provisions of law; authorities quoted, court manners, etc. Written Memorials submitted by the students shall be kept by the College for Further Verification.

The performance of student in the moot court shall be evaluated by a committee consisting of (i) Principal of the College (ii) an Advocate with 10 years experience at the Bar; and (iii) the teacher concerned.

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

Students are required to attend courts to observe at least one civil and one criminal case. They shall maintain a record and enter the various steps observed during their attendance on different days in the court assignment. The Court Observation Record submitted by the students should be evaluated by a committee consisting of (i) Principal of the College/the concerned teacher (ii) External Examiner appointed by the University and (iii) an Advocate with 10 years experience at the Bar. Court attendance shall be compulsory and details shall be recorded in a Record Book kept therefor. This may be carried under the supervision of a teacher of the college. This scheme will carry 30 marks.

**(C) Interviewing Techniques and Pre-Trial Preparations and Internship/Court Visit Diary (30 marks):**

Each student should observe two 'interview sessions' of clients either in the Lawyer's Office or in the Legal Aid Office and record the proceedings in a diary, which will carry 15 marks.

Each student has to further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit / petition. This shall be recorded in the diary which will carry 15 marks.

The diary shall clearly indicate the dates on which the above observations are made and they shall be authenticated by the advocate concerned.

Evaluation of the above diary shall be made by the committee consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, O.U.; and (iii) an Advocate with 10 years experience at the Bar and average be taken.

**(D)Viva-voce (10 marks):** There shall be viva-voce examination on all the above three components. The Viva-voce Board consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law; and (iii)an advocate with 10 years experience at the Bar shall evaluate the student in the Viva. The proceedings of the viva-voce shall be recorded.

**Note:**

- 1. Attendance of the students in all the four components of the paper shall be compulsory.**
- 2. The above records, diary certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University for Further Verification.**

**Suggested Readings:**

1. Dr. Kailash Rai: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law Publication.
2. Amita Danda: *Moot Court for Interactive Legal Education*, Gogia Law Agency, Hyderabad.
3. Blackstone's: *Books of Moots*, Oxford University Press.
4. Mishra: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law, Allahabad.

**OPTIONAL PAPER-I**  
**Course Code 10.6.1**  
**INTERNATIONAL TRADE LAW.**

**Pattern of Question Paper**

- ❖ The question paper shall consist of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consist of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

**UNIT-I**

International Sale of Goods :Special trade terms in export sales - Definitions, kinds, Differences between Rights and duties of buyers and sellers.; Standardisation of terms in International Sales : Uniform Conditions of Export Sales - Role of UNCITRAL, International Chamber of Commerce Publications, Standard contract forms applied to specified international transactions .Offer and acceptance . Performance of contract.;Rights of unpaid seller; Countertrade.; Frustration of contract; Conflict of laws; Unification of the Law of International Sales.

**UNIT-II**

Financing and Payment in International Trade.-Meaning, types and control of foreign investment; Bill of Exchange – Meaning; Letters of Credit - Characteristics and kinds.; Bank guarantees and other contract guarantees.

**UNIT-III**

Transportation of Exports.- Carriage of Goods by Sea- Unimodal and Multimodal Transport, Contract of Carriage by Sea, Bills of Lading, Charterparty Liability of shipowner for loss or damage to goods.; Container transport - Course of business in container Transport, Legal problems of container transport.; Carriage of Goods by Air, Carriage of Goods by Land.

**UNIT-IV**

Insurance of Exports - Marine and Aviation Insurance.

**UNIT-V**

Dispute Settlement Non-judicial dispute settlement : Arbitration and Conciliation .

**Reference Books:**

1. Carr and Kidner - Statutes and Conventions on International Trade Law, 1993.
2. Jason Chuah - International Trade Law, Cavendish Publishing Ltd, London, 1995.
3. Motiwal and Awasthi International Trade, 1st edn, 1995. Bhowmik and co; New Delhi.
4. Clive M. Schmitthoff, Schmitthoff's, Export Trade, 8th Edn, 1986, Stevens and Sons, London.
5. Law of International Trade Transactions - ed. Rahmatullah Khan, Tripathi Pvt, Ltd, Bombay, 1973.
6. UNCITRAL Year Book, 1970-1995, United Nations, New York .
7. Dicey, Conflict of Laws.
8. Justice Kochu Thomen.- Bill of Lading.
9. Payne and Ivamy - Carriage of goods , 12th Edn., Butterworth.
10. M.C. Vaish, Sudama Singh : International Economic Law , 4th Edn., Oxford and IBH Publishing Co.
11. New Directions in International Trade Law , Vol I & II, Oceana Publications Inc.
12. B.C. Mitra - Law Relating to Bills of Lading and Charter party ( Air , Land and Sea) 1998.
13. Avtar Singh Law of Carriage ( Road , Rail , Air and Sea) 3rd Edn., Eastern Book Co.

**OPTIONAL PAPER-II**  
**Course Code 10.6.2**  
**WOMEN & LAW**

**Pattern of Question Paper**

- ❖ The question paper shall consists of **80 marks**.
- ❖ It consists of **TWELVE QUESTIONS**, out of which Students are required to answer **EIGHT** Questions in all .
- ❖ **Question No. 1 is compulsory** and it shall consists of **TEN Objective/Multiple Choice Questions**.
- ❖ All Questions carry Equal Marks.

**UNIT-I :**

Historical background and status of women in ancient India — Constitutional Provisions and gender justice — Relevant provisions relating to women in Directive Principles of State Policy and Fundamental Duties etc. under the Indian Constitution.

**UNIT -II:**

Laws relating to marriage, divorce and succession and maintenance under the relevant personal laws with special emphasis on discrimination of women — Special Marriage Act — Maintenance under Cr. P.C.

**UNIT -III :**

Special provisions relating to women under the Indian Evidence Act, 1872 — Offences against women under Indian Penal Code - outraging the modesty of women -sexual harassment – rape – bigamy - mock and fraudulent marriages – adultery - causing miscarriage - insulting women etc.

**UNIT -IV:**

Socio-Legal position of women and the law — Dowry Prohibition Act, 1961, Medical Termination of Pregnancy Act — Law relating to the Pre Natal Diagnostic Techniques (Regulation and Prevention of Misuse) and Sex selection — Immoral Traffic (Prevention) Act –

Law relating to domestic violence.

**UNIT -V :**

Relevant provisions relating to women under Maternity Benefit Act, 1961, Factories Act and other Labour & Industrial Laws — Position of Women under International instruments —

Salient features of Convention for Elimination of all forms of Discrimination Against Women

(CEDAW)

**Suggested Readings :**

1. S.P. Sathe: *Towards Gender Justice*.
2. Dr. Vijay Sharma: *Protection to woman in Matrimonial home*
3. Dr. Sarojini Saxena: *Femijuris* (Law relating to Women in India)
4. Dr. Archana Parsher: *Women and Social Reform*
5. Dr. Paras Diwan: *Dowry and protection to married women*
6. Mary Wollstonecraft: *A Vindication of the rights of women*.
7. Dr. G.B.Reddy: *Women and Law*, 2nd Edn. Gogia Law Agency, Hyderabad, 1998.
8. Dr. Anjali Hastak, *Empowerment of women through Property Rights in Hindu Law*, SPARC Publ, Chandrapur