HANDBOOK FOR
THIRD YEAR B.A. LL.B. 2018-19
(FIVE YEAR LAW COURSE)
Welcome to ILS

- Founded on June 20th, 1924 as the Law College, Poona when the University of Bombay gave its sanction for a college of law in Poona.
- Graded A+ by National Assessment and Accreditation Council (NAAC), Bangalore, in 2004.
- Ranked 2nd in Top Private Law Colleges by the 'Week' in 2018.
- Ranked 4th in Best Colleges List of India by 'India Today' in 2018.
- Ranked 3rd in India's Top Professional Colleges by 'Outlook Magazine' in 2018.
- Awarded 'SILF-MILAT Institutional Excellence Award 2013' by Society of Indian Law Firms and Menon Institute of Legal Advocacy Training, Delhi.
- Awarded 'Best Private Education Institute 2012-13' in the Law School Category by WCRC Leaders Asia.
- Spread over a 195 acres campus in the heart of the city of Pune.
- A faculty comprising of highly qualified & committed people.
- A library rated one amongst the best in India, with over 64,162 books and bound volumes of periodicals along with national and international, journals and magazines.
- A boys' hostel with a capacity of over 190 students.
- Girls' hostel, to accommodate 222 lady students.
- An enormous range of student clubs and societies, particularly the Mooting, Debate and Drama societies, besides the sports, trekking and other extracurricular activities.
- Funded by the Ford Foundation, USA during 1996-2000 to sustain our tradition of innovation in teaching techniques and methods of learning.
- LLM Programme started at ILS in 2010
- Women's Studies Centre established in 2011
- International Collaboration between the VU University, Amsterdam, Netherlands and ILS, comprising of Ph.D. programs and setting up of Law and Policy Action Lab at ILS launched in December 2012.
- Ph. D. (Law) Research Centre affiliated to Savitribai Phule Pune University started in 2014.
- Tie-Up with Maharashtra Rajya Marathi Vishwakosh Nirmitee Mandal to institute a "Dyananandad", A Knowledge Committee, for the field of Law in 2016.
- Received Knowledge Steez Award of Excellence for Contribution in Social Justice and Legal Aid in June 2018.
- Selected by Government of India as one of the Premier Institutions eligible for Central Sector Scholarship Scheme of Top Class Education for Scheduled Tribe (ST) and Scheduled Caste (SC).

The Syllabus of Savitribai Phule Pune University published in this handbook is for instruction purpose only.
HANDBOOK FOR
THIRD YEAR B.A. LL.B.
(FIVE YEAR LAW COURSE)
2018-2019
Our Mission

“कृण्वन्तो विश्वमार्यम्” - Rigveda, Mandala-9, Sukta-63, R.ca-5

We will make the whole world “Aaryam”. The word “Aaryam” refers to moral, cultural and spiritual excellence leading to eternal happiness. It shall be the ideal of this Society, for accomplishment of which, its efforts will always be directed towards an all round elevation of the entire population of this vast country. It should be raised to a level of equality on a higher plane ensuring everlasting peace, prosperity and higher mentality. The Society looks forward to a period of time when as a result of advancement of the people in their morals and outlook on life, the distinctions on the ground of birth will disappear by reason of all reaching a higher level of mental and moral excellence. The prayer of the Society will be to raise the nation to that ideal and its efforts will always be directed with that end in view:

“कृण्वन्तो विश्वमार्यम्।”
Rules

◆ It is mandatory for every student to attend at least 75% of total lectures held in each term in the college, as per Ordinance No. 68 of the Savitribai Phule Pune University.

◆ Strict Disciplinary Action will be taken against students indulging in any kind of Ragging activity (as defined by 'The Maharashtra Prohibition of Ragging Act 1999') inside or outside the college.

◆ Law courses taught in the college are Professional Courses and Students must dress appropriately for the same. Shorts, short tops, short skirts and bermudas are not allowed. Teacher's instructions in this respect shall be followed.

◆ Dress code for Girls
  • Full Jeans / Trousers and Tops
  • Salwar Kameez
  • Sarees

◆ Dress code for Boys
  • Full Jeans / Trousers
  • Shirts / T-Shirts

◆ Students must wear Identity card around their neck.

◆ Visit www.unipune.ac.in for examination pattern and rules of passing.
Useful Information

**College Timings**
- Morning Session: 07.15 am onwards
- Day Session: 10.50 am onwards

**College Office**
- Mon to Sat: 9.00 am to 4.00 pm

**Working Hours**
- Lunch Time: 1.00 pm to 1.30 pm

**Library Timings**
- 9.30 am to 9.00 pm

**Computer and Internet Facilities**
- Computer Lab for students
- Dedicated lease line for Internet Connectivity
- Wi-Fi connectivity in the Library, Class Rooms and Girls’ Hostel.
- Internet connectivity in Boys’ and Girls’ Hostels

**E-Resources provided by the Library**
- AIR database including Supreme Court and all High Court Reports
- Supreme Court Weekly
- Criminal Law Journal
- SCC on-line including reports of Supreme Court and High Courts, Privy Council, Constituent Assembly Debates, Law Commission Reports, International Case Laws and Statutory materials.
- Manupatra on-line
- Lexis Nexis on-line covering International Case Laws and Articles from 1106 International Law Reviews and Journals
- Lexis India on-line (e-books) providing access to electronic version of commentaries on various law subjects published by Lexis Nexis
- Corporate Law Adviser (CLA) on-line
- West Law International
- N-LIST Programme of INFLIBNET providing access to more than 9000 e-journals and 57000 e-books.
- Tax Sutra

**Cells established and working with student initiative and participation**
- Legal Aid Centre
- Gender Studies Cell
- Equal Opportunity cum Enabling Cell
- Human Rights Cell
- Hariyali- The Environment Cell
- Corporate Law Cell
- Intellectual Property Rights (IPR) Cell
- Moot Court Society
- Debating Society
- ILS Quiz Club
- Criminal Law Cell
- Centre for International Law Cell
- ILS History Club
- ILS Literary Club
- Centre for Public Law

**Committees working for Students’ Welfare**
- Anti-Ragging Committee
- Grievance Redressal Committee
- Internal Committee for Prevention of Sexual Harassment
- Internal Quality Assurance Cell
- Academic and Research Coordinator
## Fee Structure for III BA LLB (Five Year Law Course) : Academic Year 2018-2019

<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Head of Fees</th>
<th>IIIrd BA LL.B. (BC Students)</th>
<th>IIIrd BA LL.B. (within State)</th>
<th>IIIrd BA LL.B. (out of State)</th>
<th>IIIrd BA LL.B. (NRI-Bhutan, Nepal, Srilanka, Bangladesh)</th>
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### Fee Structure for III BA LLB (Five Year Law Course) : Academic Year 2018-2019

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SAVITRIBAI PHULE PUNE UNIVERSITY
THIRD YEAR OF NEW FIVE YEAR LAW COURSE (BA LL.B. Course)
SYLLABUS

SEMESTER V : JUNE TO OCTOBER

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<th>PAPER NO.</th>
<th>SUBJECT</th>
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<td>b. Criminology and Penology</td>
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<td>c. Woman and Law, Law relating to the Child</td>
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SEMESTER VI : NOVEMBER TO APRIL

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SEMESTER V

PAPER NO. 13 : FAMILY LAWS – I - 100 MARKS

(With latest amendments and case – law)

Family Relations – Hindus, Muslims, Christians and Parsis.

1. Nature Sources and Schools of
   a. Hindu Law
   b. Muslim Law

2. Marriage
   a. Formation
   b. Duration
   c. Disruption

3. Marital Relief and Restitution of Conjugal Rights
   a. Judicial separation
   b. Divorce
   c. Nullity of marriage
   d. Dissolution

4. Law of Maintenance (Hindu and Muslim Law)
   a. Claim of spouses
   b. Claim of parents and children
   c. Alimony (pendente lite and permanent)

5. Adoption

6. Minority and Guardianship

Statutes

1. The Hindu Marriage Act, 1955
2. The Hindu Adoptions and Maintenance Act, 1956
3. The Hindu Minority and Guardianship Act, 1956
4. The Christian Marriage Act, 1872
5. The Indian Divorce Act 1869 (as amended by Amendment Act 49 and 51 of 2001)
6. The Parsi Marriage and Divorce Act, 1936
7. The Special Marriage Act 1954
8. The Muslim Woman (Protection of Rights on Divorce) Act, 1986
9. The Dissolution of Muslim Marriage Act, 1939
Recommended Books and Reading:

1. Desai Kumud - Law of Marriage and Divorce
2. Diwan Paras - Modern Hindu Law
3. Mayne - Hindu Law
4. Diwan Paras - Family Law
5. Subbarao Dr T. V. - Family Law in India
6. Mulla - Principles of Mohammedan Law
7. Mahmood Tahir - Muslim Law
8. B. M. Gandhi - Hindu Law
SEMESTER V

PAPER NO. 14 : LAW OF CRIMES - 100 MARKS

1. Indian Penal Code 1860 – Section 1 – 511 80 Marks
2. Criminal Jurisprudence – definition and Essentials of crime, Criminal liability, related maxims, types and theories of punishment with relevant case law 20 Marks

Recommended Books:

1. Ratanlal and Dheerajlal - The Indian Penal Code
2. Gaur K. D. – A Text Book on The Indian Penal Code
3. Pillai P.S.A. - Criminal Law
4. Mishra S. N. - Indian Penal Code
5. Bhattacharya T - The Indian Penal Code

References:

1. Basu - Indian Penal Code. Vol I & II
2. Gaur Dr. S. Singh - Penal Law of India Vol I to IV
4. Jaspal Singh - Indian Penal Code
5. Kenny - Outlines of Criminal Law
6. Nigam R.C. - Principles of Criminal Law
SEMESTER V

PAPER NO. 15: LABOUR LAWS - 100 MARKS

(With Latest amendments and case – law)

1. The Industrial Disputes Act, 1947 30 Marks
2. The Factories Act, 1948 20 Marks
3. The Minimum Wages Act, 1948 10 Marks
4. The Workmen’s Compensation Act, 1923 15 Marks
5. The Employees State Insurance Act, 1948 15 Marks
6. The Payment of Wages Act, 1936 10 Marks

Recommended Books and Reading:

1. Malik P.L. - Handbook of Labour Law and Industrial Law
3. Shrivastava K.D.- Commentaries on all Labour Law
4. Kothari G.M. - A Study of Industrial Law
5. Sachadeva -Industrial Labour Law
6. Reports of the National commission on Labour I / II
7. Taxmann’s Labour Laws
SEMESTER V

PAPER NO. 16 : OPTIONAL PAPER (A)
TRUST EQUITY AND FIDUCIARY RELATIONSHIPS - 100 MARKS

Division of Marks
1. Principles of equity and maxims 15 Marks
2. The Indian Trusts Act 1882 40 Marks
3. The Bombay Public Trusts Act 1950 45 Marks
(With Latest amendments and case – law)

A. The Indian Trusts Act 1882
1. Preliminary
   a. Definitions – Trust, author of the trust, trustee,
      Beneficiary, trust property, beneficial interest, instrument of trust, breach of trust,
      Cestul que trust
   b. Comparison of trust with other relationships
      I. Private trust and public/charitable trust
      II. Trust and debt
      III. Trust and ownership
      IV. Trust and bailment
      V. Trust and agency
      VI. Trust and contract
      VII. Trust and conditions
      VIII. Trust and equitable charge
      IX. Trust and Mortgage
      X. Trust and administration

2. Kinds of trusts
3. Creation of trusts
4. Appointment of trustees
5. Duties and liabilities of trustees
6. Right and powers of trustees
7. Disabilities of trustees
8. Rights and liabilities of the beneficiary
9. Vacating the office of trustee
10. Extinction of trusts
B. Fiduciary relations – concept and kinds.

C. The Bombay Public Trusts Act 1950

1. Definitions - Public trust, math, person having interest, temple, wakf, trustee
2. Establishments
3. Charitable purpose and validity of certain public trusts
4. Registration of public trust
5. Budget accounts and audit
6. Powers duties and restrictions on trustees etc
7. Control, powers and functions of Charity Commissioner, Deputy and Assistant Charity Commissioner
8. Dharmada, Cypress
9. Special provision as respect religious and charitable institution and endowment
10. Public Trusts Administration Fund
11. Offences and penalties
12. Procedure, jurisdiction and appeals

D. Principles of equity and maxims

1. Concept and definition of equity.
2. Origin and development
3. Maxims of equity
   a. Equity will not suffer a wrong to be without a remedy
   b. Equity follows the Law
   c. Where there is equal equity, the law shall prevail.
   d. Where the equities are equal, the first in time shall prevail
   e. He who seeks equity must do equity
   f. He who comes in to equity must come with clan hands
   g. Delay defeats equities
   h. Equality is equity
   i. Equity looks to the intent rather than to the form
   j. Equity looks on that as done which ought to be done
   k. Equity inputs an intention to fulfill an obligation
   l. Equity acts in personam
**Recommended Books and Reading:**

1. Iyer Suryanarayanan - The Indian Trust Act
2. Rangacharya I.V. - The Indian Trust Act.
3. Agarwal O.P. - The Indian Trust Act
4. Tandon M.P. - The Indian Trust Act
7. Apte M.S. - The Bombay Public Trust Act 1950
8. Gupta and Dighe - The Bombay Public Trust Act 1950
9. Snells - Principles of Equity
10. Ahmad Aquil - Equity, Trust and Specific Relief
11. Basu D.D. - Equity, Trust and Specific Relief
SEMESTER V

PAPER NO. 16 :  OPTIONAL PAPER (B)
CRIMINOLOGY AND PENOLOGY - 100 MARKS

1. Criminology
   a. Definition
   b. Nature and scope of criminology and penology and in India
   c. The concept of crime and characteristic of criminal law, classification of criminals
   d. Determination and differential of crime
   e. The criminal – who is a criminal ?
   f. Whether criminology is a science ?
   g. Objective of criminal justice system

2. School of Criminology
   a. Classical School and neo – classical school
   b. Cartographic
   c. Socialist
   d. Typological
   e. Lombrosian
   f. Psychiatric
   g. Sociological and socio – psychological

3. a. Prevalence of crime
   b. Study of crime and criminal justice
   c. Identification of the causes of crime - theories
   d. Approaches to crime problem
   e. Focus on individual and environment

4. Role and function of police
   a. In action
   b. Police goals, objectives and functions

5. A. History of Prisons in comparison to American Prison System
   a. Aims and objectives and conditions
   b. Type of prisons
   c. i. Success and failure of prisons
      ii. Discipline and control
   d. Open air institutions
B. Prison Jurisprudence
   1. Prison work
   2. Education
   3. Problems in prisons
   4. Prison reform – schools and reformations
   5. Rights of prisoners (Contribution of the Supreme Court) and rights of victims and protection available to an accused person

6. Presentation of crime and delinquency
   a. Punitive approach
   b. Defence approach
   c. Interventionist approach – prevention policies, recidivism, intervention, mechanical approach, clinical approach.

7. White collar crimes/ Organised crimes
   a. Nature and definition
   b. Type of white collar crime and development
   c. Some legislation to meet white collar crime
   d. Judicial trend
   e. Recidivism

8. Recidivism

Recommended Books and Readings:
1. Siddique Ahmed - Criminology
2. Sethna M.J. - Society and Criminal
3. Sirohi J.P.S. - Criminology and criminal Administration
4. Paranjpe N.V. - Criminology and Penology
5. Mehta Rohinton - Crime and Criminology
6. Reports of National Police Commission
7. Sutherland E.H. and Cressy D.R. - Principles of Criminology
8. Sutherland E.H. - White Collar Crime
9. Reckless W.C. - The Crime Problem
10. Bhushan Vidya. - Prison System in India
**SEMESTER V**

**PAPER NO. 16 : OPTIONAL PAPER (C)
WOMAN AND LAW AND LAW RELATING TO THE CHILD
- 100 MARKS**

Division of Marks :

1. Woman and Law  
   50 Marks  

2. Law relating to the child  
   50 Marks  

( With latest amendments and case law )

**A. Woman and Law (50 Marks)**

1. Constitution of India – Provisions regarding woman  
   b. Reservation of seats for woman in local bodies – Article

2. Violence against women.  
   a. Domestic violence  
      i. Protection against cruelty  
      ii. Harassment for dowry  
      iii. Forced prostitution  
      iv. State intervention  
   b. Relevant provisions of  
      i. The Indian Penal Code 1890  
      ii. The Criminal Procedure Code 1973  
      iii. The Indian Evidence Act 1872  
      iv. The Dowry Prohibition Act 1961  
      v. The Immoral Traffic (Prevention) Act 1956

3. Woman and Labour Laws  
   Relevant provisions of  
   i. The Equal Remuneration Act 1976  
   ii. The Maternity Benefits Act 1961  
   iii. The Factories Act 1948  
   iv. The Mines Act 1952  
   v. The Employees State Insurance Act 1948
4. Other Protective legislations
   a. The National Commission for Women Act 1990
   b. The Indecent Representations of Women (Prohibition) Act 1986
   c. The Commission of Sati (Prevention) Act 1987
   d. The Medical Termination of Pregnancy Act 1971
   e. The Prenatal Diagnosis Techniques (Regulation and Prevention of Misuse) Act 1994

5. Need for gender justice, Uniform civil Code

Recommended Books and Readings:
1. Diwan Paras and Diwan Piyushi - Woman and Legal protection (Deep & Deep Publication, New Delhi)
3. Towards equality Report on the Commission on Status of Women in India, Chapters IV & Sec IV
4. The Hindu Widows Remarriage (Repeal) Act 1983
5. Gangrade K.D. - Social Legislation in India Volume I & II
7. Kant Anjani - Women and Law
8. Diwan - Offences against Women
11. Batra Manjula - Women Show
13. The Medical Termination of Pregnancy Act 1971
14. The Muslim Women’s (Protection of Rights on Divorce) Act 1986

B. Law Relating to the Child 50 Marks
1. Social and legal status of child
2. Constitutional protection to children under Articles 15(3), 24, 39(c) & (f), 45 of the Constitution of India
3. The National Commission for Child
4. Legal Control of employment of child labour under the following enactments.
   a. The Factories Act, 1948
b. The Apprentice Act, 1961  
c. The Bombay Shops and Establishments Act, 1948  
d. The Child Labour (Prohibition and Regulation) Act, 1986

5. Protective legislations for the child  
   a. The Juvenile Justice (Care and Protection of Children) Act, 2000  
   b. The Protection of Human Right Act, 1993  
   c. The Child Marriage Restraint Act, 1929

6. Child under litigation with reference to Civil Procedure Code, 1908

**Suggested Reading:**

1. The National Commission for Child  
2. Indian Law Institute - Child and the Law  
3. Upendra Baxi - Law and Poverty  
SEMESTER V

PAPER NO. 16 : OPTIONAL PAPER (D)
INTERNATIONAL ECONOMIC LAW – 100 MARKS

1. A. Nature, Development, scope and sources of International Economic Law
   B. International Law – Is it true law?
      Theories of International Law, Private and Public International Law

2. International Institutions, their function and role in International Economic Law.
   - New International Economic Order (N.I.E.O.)
   - Charter on Economic Rights and Duties of States (E.R.D.S.)
   - World Intellectual Property Organization (W.I.P.O.) Paris Convention, Bern Convention Trade Marks
   - International Bank for Reconstruction and development (I.B.R.D.)
   - International Finance Corporation (I.F.C.)
   - International Development Association (I.D.A.)
   - United National Development Programme (U.N.D.P.)
   - International Monetary Fund (I.M.F.)
   - World Trade Organization (W.T.O.)
   - Organization for Economic Co-operation and Development (O.E.C.D)

3. Foreign Investment
   - Type and Role of Foreign Investment
   - Majors to regulate and control Foreign Investment
   - World Bank Guidelines
   - Introduction to International Finance

4. International Trade
   I. Unification of the law of International Sale of Goods
   II. Uniform Customs and Practice for Documentary Credits and the International Chamber of Commerce.
   III. Convention for Enforcement of Arbitration Awards.
   - Geneva Protocol and Convention
   - New York Convention 1958
IV  International Convention governing the Bill of Lading
   The Brussels Convention
   The UNCITRAL Convention

V  The Hague Draft Convention on the Recognition and enforcement of Foreign
   Judgments in Civil and Commercial Matters
   Recognition and Enforcement

5. General Agreement on Tariffs and Trade.
   I  The Legal and Institution aspect of GATT
      - Historical Evolution of the GATT
      - Objective and main principals GATT
      - The Procedure of Negotiation
      - Negotiation Rounds
      - The GATT 1994 – Salient features of the GATT 1994
      - World Trade Organization (W.T.O)

   II Basic Principles and Core concepts of the GATT / WTO. Most Favoured
      Nation Treatment (M.F.N.), National Treatment, Tantis and Quotes
        XXII, XXIII)
      - Relevant Cases ( list enclosed)
      - Dumping and Subsidies GATT 1994 Articles VI, XVI WTO Agreement Annex 1A.

   III Exception to the GATT / WTO
      GATT 1994 Articles, XX, XXI, XII, IX, XXV, XXIII, XXIV, XXXV, XXIV,XIX.
      WTO on Safeguards of GATT 1994

   IV Agreement of GATT 1994
      Controversial Agreements of GATT 1994
      Less Controversial Agreements of GATT 1994

   V Implications and Opportunities of GATT 1994 for India with particular
      references to
      Agreement on Agriculture, Agreement on TRIPS
      Agreement on Textiles and Clothing GATTs and TRIM

   VI Trade and Environment
      GATT and the Environment with relevant cases
6. Settlement of Disputes in International Economic Law

I  WTO /GATT System
   Article XXIII GATT, Disputes Settlement Understanding

II International Court of Justice (ICJ)

III World Bank Inspection Panel
   Function procedure

IV International Centre for Settlement of Investment Disputes (ICSID). US –
   train Claims Tribunal Function procedure

CASES PANEL REPORTS

Topics: Basic Principles and Core concepts of the GATT / WTO, MFN, National
   Treatment, Tariffs and Quotas.


Spain – Tariff Treatment of Unroasted Coffee from Brazil L/5: 35, adopted on 11 June 1981
   28S/02.

United Stages – Denial of Most Favoured Nation Treatment as to non – rubber Footwear

   36S/167

Thailand – Restriction on Importation of and Internal Taxes on Cigarettes BISD 37s/200

US – Section 337 of the Tariff Act 1930 BISD 36s/345

   appeal field by Japan, 8 Aug 1996

Japan – Taxes on Alcoholic Beverages, WT/DS8/R. WTO Appellate Body report circulated 4
   Oct 1996

US – Taxes on Petroleum and Certain Imported Substances, BISD 34s/136; 27 ILM

US – Prohibition of Import of Tuna and Tuna Products from Canada
   Report of the panel Adapted on 22 Feb 1982, BISD/ 29s /91

   on 17 June 1987. BISD/34s/160

Canada – Measures affecting Exports of Unprocessed Herring and Salmon, Report of the
   Panel adopted on 22 March 1988, BISD/35/98

   BISD/36S/345


**Topic**: ICJ

Anglo – Iranian Oil Co Case, ICJ Reports 1952, p.93, 19 ILR 507

Monetary Gold Case (Preliminary Question), ICJ Reports, 1954 p. 29; 20 IL 441

Norvagian Loans Case, ICJ Reports 1957, p.9; 24 ILR 782.

Barcelona Traction Case (New Application)

- Preliminary Objection, Icj Reports 1964, p.6, 46 ILR 18

- Secondary phase, ICJ Reports 1970, p.3; 46 ILR 178

- Electronica Sicula SPA (ELSI) Case, ICJ Reports 1980; 89 ILR 311

Certain Phosphates (Narur V. Australia), ICJ Reports 1982, n 240; 97 ILR 111

**Books**:

1. Dr. Rao Myneni Shrinivasa - International Economic Law (Pioneer Books, Delhi)


3. Trebilcock, Howse - The Regulation of International Trade (Routledge London)


5. Tandon - Public International Law (Allahabad Law Agency, Allahabad)


7. Primary text and general reference text for the Trade Section of the Course.


SEMESTER VI

PAPER NO. 17 : FAMILY LAWS – II - 100 MARKS

Law relating to succession and property to Hindus, Muslims, Christians and Parsis
( Including State Laws )
( With latest amendment and up – to – date case law )

A. Hindu Law
1. Hindu Joint Family system
2. Mitakshara Joint Family
3. Dayabhaga Joint Family
4. Sons pious obligation
5. Partition
6. Streedhan
7. The Hindu Succession Act 1956

B. Law relating to Muslims, Christians and Parsis
1. Mohammedan Law of Succession – Principles of Inheritance
2. Wakf
3. Gift
4. Pre – emption
5. Wills

C. The Indian Succession Act 1925 ( Secs 1 to 191 )

Recommended Books and Readings :
1. Diwan Paras - Family Law
2. Mulla - Principles of Mohammedan Law
3. Mulla - Principles of Hindu Law
4. Tahir Mahmood - Hindu Law.
6. Derrett J.D.M. - Introduction to Modern Hindu Law
7. Paruck - The Indian Succession Act ( Latest edition )
8. Tahir Mahmood - Mohammedan Law.
   
   1. The Nature of the Constitution.
   2. Salient features of the Constitution.
   3. The Preamble of the Constitution

   
   a. General – Article 12 – Definition of State – Article 13
   
   b. Right to Equality – Article 14 to 18
      
      i. Equality before Law – Article 14
      
      ii. Prohibition of Discrimination on Grounds of Religion, Race, Cast, Sex, or Place of Birth – Article 15.
      
      iii. Equality of opportunity in matters of Public Employment – Article 16
      
      iv. Abolition of Untouchability – Article 17
      
      v. Abolition of Titles – Article 18
   
   c. Right to Freedom – Article 19 to 22
      
      i. Protection of certain Rights regarding Freedom of Speech, etc – Article 19
      
      ii. Protection in respect of Conviction of Offences – Article 20
      
      iii. Protection of Life and Personal liberty – Article 21
      
      iv. Protection against Arrest and Detection in certain cases - Article 22
   
   d. Rights against Exploitation – Article 23 to 24
      
      i. Prohibition of Traffic in Human Beings and Forced Labour – Article 23
      
      ii. Prohibition of Employment of Children in Factories etc. – Article 24
   
   e. Right to Freedom of Religion – Article 25 to 28
   
   f. Cultural and Educational Rights – Article 29 to 30
   
   g. Right to Constitutional Remedies – Article 32 to 35, Article 226, 136
5. Directive Principles of State Policy – Article 36 to 51
   Relation between Directive Principles of State Policy and Fundamental Rights
6. Fundamental Duties – Article 51 – A
7. The Union Executive – The President, Vice-President
   Council of Minister – Article 52 to 78 and 129
8. The Parliament – Article 79 to 122
9. The Union Judiciary – Article 124 to 147
10. Controller and Auditor General of India – Article 148 to 151

2. Centre – State Relation
   1. Introduction and concept of Federalism, Developments of federation
   2. The State Executives – Article 153 to 167, 213
   3. The State Legislature – Article 168 to 212
   4. The State Judiciary – Article 214 to 237
   5. The Panchayats – Article 243, The Municipalities – Article 243 P-243ZG
   6. Relation between the Union and State Articles – 245 to 293
      a. Legislative Relations
      b. Administrative Relations
      c. Financial Relations
   7. Freedom of Trade, Commerce and Intercourse – Article 301 to 307
   8. Elections – Articles 324 to 329
   9. Emergency Provisions – Article 352 to 360
   10. Amendment Provisions – Article 368

**Recommended Books and Readings:**

1. Basu Durga Das - Introduction to the Constitution of India
2. Basu Durga Das - Shorter Constitution of India
3. Dr. Pandey J. N. -Constitutional Law of India
4. Jain M. P. - Indian Constitutional Law
5. Seervai H. M. - Constitutional Law of India
6. Dr. Shukla V. N. - The Constitution of India
7. Tope T. K. - Constitutional Law of India
SEMESTER VI

PAPER NO. 19 : LAW OF TORTS AND CONSUMER PROTECTION ACT
- 100 MARKS

Division of Marks :

1. Law of Torts 80 Marks
2. Consumer Protection Act 1986 20 Marks
   (With latest amendments and case law)

A. Law of Tort (80 Marks)

1. Nature of Tort
   History, Definition of Tort, Distinction between Tort, Crime and Contract

2. General Principles
   Constituents of Tort, Act and Omission, Voluntary Act, Malice, Motive, Intention,
   Negligence and Recklessness, Fault, General Principle of Liability

3. Personal Capacity
   Convict, Alien Enemy, Husband and Wife, Corporation, Trade Union, Insolvent, State
   and its Subordinates, Minor, Lunatic, Foreign Sovereign

4. General Defences
   Act of State, Act of God, Judicial Acts, Executive Acts, Leave and License (Consent),
   Necessity, Private Defence, Inevitable Accident, Statutory Authority, Parental and
   Qausi Parental Authority, Plaintiff a Wrongdoer, Acts causing Slight Harm.

5. Discharge of Torts.
   Waiver, Accord and Satisfaction, Release, Acquiescence, Judgment recovered,
   Status of Limitation

   a. Master and servant – Principles of liability, Vicarious Liability of State
   b. Principal and Agent
   c. Guardian and Ward
   d. Company and Director
   e. Employer and Independent Contractor
   f. Firm and Partner

7. Remedies
   Damages, Injunctions, Specific restitution of Property, Extra – Judicial remedies

8. Trespass to Person
   Assault and battery, False imprisonment, Damages, Justifications
9. Defamation
Libel and slander, Essentials of defamation, Innuendo, Defences, Remedies

10. Trespass to Property
a. Trespass to immovable property
   Trespass to land, Trespass by animal, defences to Trespass, Remedies,
   Trespass ab initio
b. Trespass to movable property
   Trespass to goods, by conversion

11. Negligence
   Meaning, Essential, Burden of Proof, Res ipsa loquitur, Contributory negligence,
   strict and absolute liability

12. Nuisance
   Kinds of Nuisance, public nuisance and private nuisance, Essentials, Defences,
   Remedies

13. Malicious Proceedings
   Malicious Prosecution, Malicious Civil proceedings

14. Liability for Misstatements
   Deceit of Fraud, Negligent misstatements, Innocent Misrepresentations

B) The Consumer Protection Act 1986 (20 Marks)
1. Object, Definitions, Consumer Protection Councils, Consumer Dispute
   Redressal Agencies, Composition, Jurisdiction and powers
2. Procedure for filling complaint, Appeals, Enforcement of orders, Penalties

Recommended Books and Readings:
1. Ratanlal and Dhirajlal - The Law of Torts
2. Winfield on Torts - The Law of Torts
3. Ramaswamy Iyer - The Law of Torts
7. Tiwari O.P. - The Consumer Protection Act
8. Gurujeet Singh - Law of Consumer Protection in India (Deep & Deep,
   New Delhi)
   Jaipur)
10. Awtar Singh - Introduction to Law of Torts
A) 1) Development of Legal Profession in India.
2) Concept, need and importance of Professional Ethics.
3) Bar Council of India rules on Standard of Professional Conduct and Etiquette.
4) Duties and Obligations of Advocate. (Norms of Professional Ethics)
    Session I - Duty to the Court.
    Session II - Duty to the Client
    Session III - Duty to the Opponent.
    Session IV - Duty to the Colleagues
        - Duty to Profession
        - Duty to Render Legal Aid
        - Restrictions on other employments.
        - Senior Advocates and Restrictions on Senior Advocates.
        - Form of Dresses or Robes to be worn by Advocate.
        - Vakalatnama.

B) Advocate Act, 1961
Chapter 1 (Section 1 and 2)
Definitions- Advocate, Legal Practitioner, Law Graduate
Chapter II (Section 3 to 15) - Bar Councils Functions
Chapter III (Section 16 to 28) - Admission and Enrolment of Advocate
Chapter IV (Section 29 to 34) - Right to Practice
Chapter V (Section 35 to 44) - Conduct of Advocates
        - Punishment of Advocates for misconduct
Chapter VI (Section 45 onward) - Miscellaneous

C) Bar-Bench Relations and Contempt of Court
1. Concept and Role of Bar – Bench Relation with reference to Administrations of Justice
2. The Contempt of Courts Act, 1971 sections 1 to 24
D) **Accountancy for Lawyers**

1. Definition, object, importance and Utility of Book keeping.
2. Principles of Book-keeping and Accountancy, Accounting concept and Accounting conventions.
4. Classification of accounts and Rules for debiting and crediting the accounts, journal entries, Ledger Posting, Subsidiary books.
5. Types of Cash book.
   b. Cash book with Cash and Discount columns
   c. Cash book with Cash, Bank and Discount columns
8. Preparation of Trial Balance.
11. Assessment of income and expenditure and payment of taxes by Advocates.

E) **Cases Prescribed for Study.**

4. V. P. Kumaravelu Vs. Bar Council of India (1997) 4 S.C.C. 266
21. Case relating to V.C. Mishra Chairman, B.C.I.

Recommended Books:

1. Sanjiva Row's Advocates Act, 1961
2. Iyer’s Law of Contempt of Courts
3. Bar Council of India Trust - Selected Judgment on Professional Ethics
4. Bar Council of India - Rules on Standard of Professional conduct and Etiquette
5. Dr. Kailash Rai – Legal Ethics, Accountancy for Lawyer and Bench-Bar Relations
6. Dr. S. P. Gupta - Professional Ethics, Accountancy for Lawyers and Bench Bar Relations
7. M.G. Patkar – Book Keeping and Accountancy
8. Mrs. Jayashree Kotibhaskar – Book Keeping and Accountancy
9. Krishnamutri Iyer - Advocacy
10. Shukla and Grewal – Advanced Accountancy
11. R L Gupta – Advanced Accountancy
12. S N Malleshwari – Introduction to Accountancy
13. India Bar Review Journal
14. M. P. Jain - Outline Indian Legal History – chapter Development of Legal Profession
15. V. K. V. Krishna Swami Iyer – Professional conduct and Advocacy chapters 10 to 17
17. P. L. Mehta, Sushma Gupta – Legal Education and Legal Profession in India
19. J. P. S. Sirohi – Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations
21. Anand – Professional Ethics of Bar
22. Jha Shriram Chandra – Selected Judgment on Professional Ethics
23. Mynen S.R. – Professional Ethics, Accountancy for Lawyers and Bench Bar Relations
विविध शिक्षकृती योजना

1. भारत सरकार मंत्रीकोटर शिक्षकृती योजना
2. राज्य शासनाची शिक्षण पी, परीक्षा पी, प्रतिपूर्ती योजना
3. अल्पसंख्यक शिक्षकृती
4. उच्च शिक्षण विभागातील राजबिय्यात येणाऱ्या शिक्षकृती
5. राजर्षी छत्रपती शाहू महाराज शिक्षण शूल्क शिक्षकृती योजना
6. पंडीत दीनदयाळ उपाध्याय स्वयंसंगणना – अनु. जमातीसाठी)
7. Central Sector Scheme of Top Class Education of SC students.
8. अपांग शिक्षकृती
9. डॉ. बाबासाहेब आंबेडकर स्वजनाचा योजना

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