

PDM UNIVERSITY, BAHADURGARH-124507

Haryana Private Universities Act, 2006 (Haryana Act No.32 of 2006)

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(Est. Under the Haryana Private Universities (Amendment) Act, 2015

(Haryana Act No.1 Of 2016)

FACULTY OF LAW OUTLINES OF TESTS SYLLABI

AND

COURSES OF READING FOR LL.B 3YEARS LAW COURSE

FOR THE SESSION 2018-19

**PDM UNIVERSITY
FACULTY OF LAW
SYLLABUS FOR LL.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-I
PAPER NO: P-I
Course Description**

Module Code-LAWS1101

Module Name-LAW OF CRIMES (PENAL CODE)-I

Theory Paper Marks: 70

Internal/Project Marks: 30

Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVES OF THE COURSE: This module intends to familiarize the students to a new area of law called crimes. Here the students will learn about offences, their elements and the punishment.

Unit-I

Crime Definition, Nature, Elements of Crime, Stages of Crime, General Explanation (Sections 6-52-A), Punishments (Sections 53-75), General Exceptions (Section 76-106),

Abetment (Section 107-120), Criminal Conspiracy (Section 120-A, 120-B), Offences against the Public Tranquility (Sections-141-160)

Unit-II

Offences against Human Body:

Culpable Homicide and Murder, Rash and Negligent Act, Dowry Death, Attempt to Murder, Attempt and Abetment to Suicide, Hurt and Grievous hurt

Wrongful Restraint and Wrongful Confinement

Criminal force and Assault, Kidnapping and Abduction, Sexual offences

Unit-III

Offences against property:

Theft, Extortion

Robbery and Dacoity

Criminal Misappropriation and Criminal Breach of Trust

Cheating

Mischief

Criminal Trespass

Unit-IV

Forgery (Sections 463-465

Forged documents (Sections 470)

Offences relating to marriage (Sections 493-498-A)

Defamation (Sections 499-502), Criminal Intimidation etc. (Sections 503-510)

Attempt (Section 511)

BOOKS RECOMMENDED:

1. Gour, H.S. : The Penal of India

2. Raju, V.B. : Commentaries on the Indian Penal Code.
3. Singh, Jaspal : Indian Penal Code
4. Nelson, Reginald A. : The Indian Penal Code
5. Ratanlal and Dhirajlal : The Indian Penal Code.
6. Bhattacharya, T. : Indian Penal Code.
7. Tripathi, B.N. Mani : Text Book of Criminal Law
8. Tandon, M.P. : Indian Penal Code

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

**PDM UNIVERSITY
FACULTY OF LAW
SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-I
PAPER NO: P-II**

Module Code-LAWS1102
Module Name-CONSTITUTIONAL LAW-I

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100
Duration of Examination: 3 Hrs

Credits: 4

OBJECTIVE OF THE COURSE: Constitution is the foundation of a nation and fountain head of all laws. This module introduces the students to the characteristics of the constitution and the fundamental rights that are enshrined in the constitution.

Unit-I

Preamble
Fundamental Rights in general (Art 12-13)
Right to Equality (Art 14-18)
Right to Freedom (Art -19)

Unit-II

Right to Freedom (Art 20, 21, 22)
Right against Exploitation (Art 23-24)
Right to Freedom of Religion (Art 25-28)
Cultural and Educational Rights (Article 29-30)

Unit-III

Right to Property (Art 300-A,31A-31-B)
Fundamental duties (Art-51A)
Directive Principles of State Policy (Art 36-51)
Writ Jurisdiction (Art 32 & 226)

Prescribed Case:

Unit-IV

Freedom of Trade, Commerce and Inter course (Art 301 to 307)
Services under the Union and the States (Art 309-323)
Emergency Provisions (Art 352-360).

BOOKS RECOMMENDED:

1. Basu, D.D. : Constitution of India.
2. Chander Pal : Centre-State Relations and Co-operative Federation.
3. Chander Pal : State Autonomy in Indian Federation
4. Diwan, Paras : Constitution of India.
5. Gupta, R.K. : Centre-State Fiscal Relations under Indian constitution.
6. Jain, M.P. : Indian Constitutional Law.
7. Seervai, H.M. : Constitutional Law of India.

8. Singh Mahendra(P) V.N. Shukla's Constitution of India.
9. Narinder Kumar: Constitutional

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FACULTY OF LAW
SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-I
PAPER NO: P-III

Module Code-LAWS1103
Module Name-CONTRACT-I

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100
Duration of Examination: 3 Hrs

Credits: 4

OBJECTIVE OF THE COURSE: This is a law that helps establish a legal relationship and regulate the same between two individuals in the public domain. This law is a very important tool of commerce in globalised era. This module will help and prepare the students for understanding the world of contract.

UNIT-I

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

UNIT-II

Capacity to contract- meaning-incapacity arising out of unsound mind; Minor's Agreement-Nature and scope definition of minor; Necessaries supplied to a minor, Minor's Agreement and Estoppel; Agreement beneficial and detrimental to the minor; ratification of minor's Agreement (Sections 10-12, 68), Consent and Free consent – Definition and need of free consent, Voidability of Agreement without free consent (Section 19), factors vitiating free consent (Section –19A), Coercion – Definition – essential elements; doctrine of duress; Coercion and duress (Section-15), Undue influence – Definition – Essential elements, Illustrations of undue influence, Agreement with Pardanashin women (Section-16), Misrepresentation : Definition, misrepresentation of law and of fact their effects and illustration (Section-18), Fraud – Definition – essential elements – when does silence amounts to fraud ? Active concealment of facts – importance of intention. Fraud and misrepresentation (Section-17)., Mistake – Definition – Mistake of fact and mistake of Law – Effect of mistake (Section –20-22)

Consideration – nudumpactum, its need, meaning essential elements; privity of contract with Exceptions, adequacy of consideration, past, executed and fortuitous consideration, Exception to consideration (Section –2(d) and 25)

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

UNIT-III

Void Agreements:-

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

UNIT-IV

Specific Relief – Meaning and General Principles. Specific performance of contracts – Contracts specifically enforceable, parties in relation to specific performance (Sections 9-25); Rectification and cancellation of instruments (Section 26,31-33) Rescission of contracts (Sections 27-30), Preventive Relief (Sections 36,37)

Statutory Material

9. The Indian Contract Act, 1872 (Sections 1-75)

The Specific Relief Act, 1963.

Constitution of India (Art. 299).

BOOKS RECOMMENDED

- | | | |
|--------------------|---|--|
| 1. Anson's | : | Law of Contract |
| 2. Chaturvedi A.N. | : | Lectures on Indian Contract Act |
| 3. Desai, S.T. | : | Indian Contract Act |
| 4. Pollock & Mulla | : | Indian Contract and Specific Relief Acts |
| 5. Avtar Singh | : | Law of Contract |

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SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-I
PAPER NO: P-IV
Course Description

Module Code-LAWS1104
Module Name-FAMILY LAW-I

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: Family is the smallest yet a very important unit of the society. He issues within the family are a concern for law but also of religion, culture and custom. This module acquaints the students with the intricate of family and the law relating to them.

UNIT-I

Concept of Hindu Marriage-Its Evolution and nature, The Hindu Marriage Act, 1955, and its application, Essential Conditions for valid Hindu Marriage, Ceremonies of Marriage, Registration of Hindu Marriages, Remedy of Restitution of Conjugal Rights Void and Voidable Marriages.

Judicial Separation and Divorce, Grounds for Divorce and Judicial Separation, Legitimacy of Children, Jurisdiction, Bars to Matrimonial Remedies, Ancillary Reliefs, Permanent Alimony and Maintenance.

UNIT-II

Hindu Law & Its Sources, Schools of Hindu Law, Hindu Joint Family, Features of Mitakshra and Dayabhaga Joint Families, Coparcenary, Classification of Property.

Karta of Joint Family, Position, Liabilities and Powers of Karta. Karta's powers of Alienation, Coparcener's Power of Alienation, Coparcener's Right to Challenge Improper Alienation, Alienee's Rights and Remedies

UNIT-III

The Hindu Succession Act, 1956, Effects of the Hindu (Succession) Amendment, 2005, Rules of Succession to the Property of Hindu Male, Succession to the Property of Hindu Female, Succession to the Mitakshara Coparcener's Interest, General Rules of Succession,

Partition, Subject Matter of Partition, Persons who have a Right to Partition & Right to Share, Persons who are entitled to Share if Partition takes place, Modes of Partition, How Partition is effected, Partial Partition, Reopening of Partition, Re-Union.

UNIT-IV

The Hindu Minority and Guardianship Act, 1956, Concept of Minority and Guardianship, Natural Guardians and their Powers, Testamentary Guardian, Appointment and Powers, Certified Guardian, De facto Guardian, Guardian By Affinity.

The Hindu Adoptions & Maintenance Act, 1956, Nature of Adoption, Essential Conditions for Valid Adoption, Effects of Adoption, Registration of Adoption, Maintenance As Personal Obligation, Maintenance of Dependents, Quantum of Maintenance, Maintenance as a Charge on Property

BOOKS RECOMMENDED:

Mulla	-	Principles of Hindu Law
Dr. Paras Diwan	-	Modern Hindu Law
Mayne's	-	Hindu Law and Usage
Dr. U.P.D.Kesari	-	Modern Hindu Law
Basant Kumar Sharma	-	Modern Hindu Law
E.L. Bhagirath Rao	-	Marriage Laws & Family Courts Act

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SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-I
PAPER NO: P-V
Course Description**

Module Code-LAWS1105

Module Name-LAW OF TORTS INCLUDING

MOTOR VEHICLE ACCIDENTS AND CONSUMER PROTECTION LAWS

Theory Paper Marks: 70

Internal/Project Marks: 30

Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVES OF THE COURSE: There is a twilight zone between Contract and crime where there is only the concept of wrong and not offence and breach. Law of Torts along with other enactment introduces the student to this unique world of wrongs.

Unit I

Definition, nature and development of Tort

General conditions of tortious liability

General conditions negating tortious liability

Unit II

Trespass to person.

Battery, Assault and False Imprisonment

Malicious Prosecution, Defamation

Trespass to goods.

Unit III

Trespass to immovable property

Nuisance

Negligence including contributory negligence

Vicarious Liability

Strict Liability

Remoteness of Damage

Unit IV

Compensation provisions under motor vehicle Act , 1988;

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

Consumer Protection Act, 1986

Meaning Scope and Importance

Consumer Disputes Redressal Agencies (Section 9-25)

Remedies and Penalties (Section 26-27)

BOOKS RECOMMENDED:

1. Aggarwal, V.K. : Consumer Protection Law & Practice
2. Bangia, R.K. : Law of Torts
3. Desai, Kumud : Law of Torts (An outline with Cases)]
4. Garg, O.P. : The Consumer Protection Act, 1986
5. Kapoor, S.K. : Law of Torts
6. Nayak, R.K. : Consumer Protection.
7. Pillai, P.S. Atehuthen Law of Torts
8. Ratanlal&Dhirajlal Law of Torts
9. Salmond&Heuston Law of Torts
10. Sarraf, D.N. : Law of Torts
11. Singh, Avtar : Law of Consumer Protection
12. Vats, R.M. : Consumer & the Law
13. Winfield : Law of Torts
14. Prof. Baxi, Upendra Asian Regional Exchange for nothing to lose But Our Lives. Empowerment to Oppose Industrial Hazards and Transnational World (1988)
15. UpendraBaxi& Mass Disasters & Multinational Liability:
Thomas Paul(ed) :The Bhopal Case (1986)

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SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE(2018-2019)
SEMESTER-II
PAPER NO: P-I
Course Description

Module Code-LAWS1106

Module Name: CONSTITUTIONAL LAW-II

Theory Paper Marks: 70

Internal/Project Marks: 30

Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: In this module the students will be taught intricacies of governance. They will get an insight into Center –State relations and also that of the executive judiciary and the legislature.

UNIT-I

Relations between the Union and the States (Art 245-289)

Legislative Relations (Art 245-255)

Administrative Relations (Art 256-263)

Financial Relations (Art 268-289)

UNIT-II

Independence of the Judiciary

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

High Courts in the States (Art 214-227)

Public Interest Litigation

UNIT-III

PARLIAMENTARY Privileges (Art 105 & 194)

The Union Executive and Parliament

The State Executive and Legislature

Amendment of the Constitution (Art 368)

UNIT-IV

Elections- Superintendence, direction and Control of elections (Art 324 to 329A)

Property, Contracts, Rights, Liabilities Obligations and suits (Art 294 to 300)

Basic structure of the constitution

BOOKS RECOMMENDED:

1. Basu, D.D. : Constitution of India
2. Chander Pal : Centre-State Relations and Co-operative Federation
3. Chander Pal : State Autonomy in Indian Federation
4. Diwan, Paras : Constitution of India
5. Gupta, R.K. : Centre-State Fiscal Relations under Indian constitution
6. Jain, M.P. : Indian Constitutional Law
7. Seervai, H.M. : Constitutional Law of India

8. Singh Mahendra(P) V.N. Shukla's Constitution of India
9. Narinder Kumar : Constitutional Law of India

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

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SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-II
PAPER NO: P-II
Course Description

Module Code-LAWS1107
Module Name: CONTRACT-II

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: In previous semester the students became familiar with general principle of contract. This Course will initiate the students to different kinds of contract and their intricacies.

Unit-I

Contract of Indemnity- Definition and scope; Rights of indemnity-holder (Section 124-125)
Contract of Guarantee-Definition and scope; Essential features; Comparison of contract of guarantee and indemnity; Continuing Guarantee; Extent of surety's liability; Modes of Discharge of surety; Rights of Surety; Rights of surety against the creditor, principal debtor and co sureties.(Sections 126-147)

Agency- Definition and scope; essential features of agency; Kinds of agent; delegation of authority-sub-agent and substituted agent; Modes of creation of agency; Agency by ratification; revocation of authority; Agents duty to Principal; Principal's duty to agent; Effects of Agency on Contracts with third persons; Personal Liability of Agent; Termination of Agency-revocation, renunciation by operation of Law (Sections 182-238).

Unit-II

Bailment- Definition and scope; Essential features of Bailment. Kinds of Bailee -Banker, Factor, Wharfinger, Attorneys, Policy-brokers and Carriers. Duties and rights of Bailor; Duties and rights of Bailee. Finder of lost goods (Sections 148-171).

Bailment and Pledge- Definition and scope; Pawner's right to redeem; Rights of Pawnee. Who can pledge-pledge by mercantile Agent, Pledge-pledge by person in possession under voidable contract; Pledge by Pledgee (Sections 172-181).

Unit-III

Sale of Goods Act- Concept of Sale, formation of contract (Sections 4-10); Sale and Agreement to sell; conditions and warranties including implied conditions and warranties (Sections 11-17); Transfer of Property in goods and title (Sections 18-30), Passing of risk, C.I. F Contracts, F.O.B. contracts and Ex-ship contracts. Performance of the Contracts (Sections 31-44); Rights of unpaid seller against the goods-Right to Lien, Right of stoppage of goods in transit, Right of re-sale (Sections 45-54), Suit for Breach of contract (Sections 55-61);

Unit-IV

Indian Partnership Act- Nature of Partnership; Essentials of Partnership (Sections 4-8), Partnership compared with co-ownership; Company, Joint Hindu Family Business; Relations of Partners to one another (Sections 9-17); Relations of partners to third parties including the principle of "holding

out” minor admitted to the benefits of Partnership (Sections 18-30); Incoming and Outgoing Partners(Sections31-38);Dissolution of Firms-meaning and scope; modes of Dissolution of firm

BOOKS RECOMMENDED:

1. Anson : Law of Contract.
2. Chaturvedi : Lectures of Indian Contract Act.
3. Desai, S.T. : Indian Contract Act.
4. Pallock & Mulla : Indian Contract Act.
5. Chalmer : Sale of Goods.
6. Pallock & Mulla : The Sale of Goods and Partnership Acts.

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

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SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-II
PAPER NO: P-III
Course Description**

Module Code-LAWS1108
Module Name: FAMILY LAW-II

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: In India as the students in the previous semester, the law of family is heavily influenced by religion. In this module the students will be introduced to Family Law influence by Islam.

UNIT – I:

Introduction – Nature, Origin, Philosophy, Concept and Application of Mohammedan Law, Sources of Mohammedan Law Schools of Mohammedan Law

UNIT – II

Marriage

Dower

Talaq

Divorce under the Dissolution of Muslim Marriage Act, 1939

Maintenance: under customary law and under the Muslim Women (Protection of Right on Divorce) Act, 1986 and Section 125 to 128 of the Code of criminal Procedure, 1973.

UNIT –III

Acknowledgement,

Guardianship,

Gift

Wills

Pre –emption

Succession and Inheritance: General Principles, Hanafi and Shia Law

UNIT-IV: The Divorce Act, 1869- Sections 1 to 62

The Indian Succession Act, 1925 – Applicability

Intestate Succession (Section 29 to 56)

Succession Certificate (Section 370 to 390)

BOOKS RECOMMENDED

Tahir Mahmood : Muslim Law of India

Ameer Ali : Principles of Mohammadan Law

Fyzee : Outlines of Mohammedan Law

Wilson : Muslim Law

Mulla's : Principles of Mohammadan Law
Tahir Mahmood : Civil Marriage Law
E.L. Bhagirath Rao : Marriage Laws & Family Courts Act
Mitra, B.B.. : Guardian and Ward Act, 1890

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SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-II
PAPER NO: P-IV
Course Description

Module Code: LAWS1109

Module Name: PUBLIC INTERNATIONAL LAW AND HUMAN RIGHTS

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: The students have so far studied the domestic law and have also been exposed to the fact that neither an individual nor a nation can survive in isolation. The students have learnt of international relations from the point of view of political science. This module will discuss the same from the legal point of view.

UNIT-I

Definition, Nature and Sanctions of International Law, Relationship between International Law and Municipal Law, Sources and subjects of International Law including position of individual

UNIT-II

State Territory, State Jurisdiction, Recognition of States and Governments, Acquisition and loss of State Territory, State Succession, Extradition, Asylum, Settlement of Disputes

UNIT-III

Nature, Definition and Effects of War, Belligerent Occupation, War Crimes, Contraband, Blockade, Prize Counts, Enemy Character, Rules of Warfare

UNIT-IV

Human Rights: Concept of Human Rights, Provisions of U.N. Charter relating to Human Rights, Universal Declaration of Human Rights, 1948 and its legal significance, Covenant on Civil and Political Rights, 1966 and Covenant on Economic, Social and Cultural Rights, National Commission on Human Rights

BOOKS RECOMMENDED

Starke, J.G. : An Introduction to International Law

Aggarwal, H.O. : Public International Law and Human Rights

Kappor, S.K. : International Law

Harris, D.J. : Cases and Material on International Law

Greig, DW : International Law

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

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FACULTY OF LAW
SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-II
PAPER NO: P-V
Course Description**

Module Code: LAWS1110

Module Name: LAW OF CRIMES (PROCEDURE CODE)-II

Theory Paper Marks: 70

Internal/Project Marks: 30

Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: The world of offences is now familiar to the students. However to punish for the offence committed, there is a process which will be taught in this module.

Unit- I –

Object, scope & nature of Criminal Procedure, Definitions (Sec. 2), Constitution of Criminal Courts, Functionaries under the Code.

Arrest- Meaning and purpose of arrest, Arrest with & without warrant, Arrest by a private Person, Arrest how made.

Process to compel appearance & Production of things

Unit – II

Search & Seizure- Search with & without warrant, General provisions relating to searches

Investigation- Meaning and purpose of Investigation, Who can investigate? Information to the police & power to investigate, evidentiary value of statements made to the police.

Bail (Sections 436-439)

Unit – III

Charge - Framing of charge, Form and content of charge, Separate charges for distinct offence, Discharge - pre-charge evidence

Trials -Trial before a court of session, Trial of warrant cases, Procedure for trial in a summons case, Summary trials.

Judgment

Introduction to Probation of Offender's Act, 1958

Unit –IV

Appeal, Reference to High Court, Revision, Transfer of Criminal cases

Maintenance of wives, children and Parents (Sections 125-128)

Introduction to Juvenile Justice Act, 2000

BOOKS RECOMMENDED

S.C. Sarkar	: Law of Criminal Procedure
RatanLalDhirajlal	: The Code of Criminal Procedure
R.V. Kelkar	: Criminal Procedure Code
P.C. Banerjee	: Criminal Trial and Investigation
S.N. Mishra	: The Code of Criminal Procedure
R.V. Kelkar	: Lecturers on Criminal Procedure

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PDM UNIVERSITY
FACULTY OF LAW
SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-III
PAPER NO: P-I

Module Code-LAWS2101
Module Name- JURISPRUDENCE

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: Jurisprudence is a window that gives into the making, mechanics and meaning of law. It also throws light on all intricate factors that go on to make up what is known as law. This module intends to take the students to journey into law and legal concepts.

Unit I Introduction to Jurisprudence

Definition, Scope and Contents of Jurisprudence

Utility of Jurisprudence

Jurisprudence and Other Social Sciences

Meaning, Classification, Purpose and Function of Law, Relation between Law and Morality, Sources of Law: Customs, Precedent, Legislations

UNIT II School of jurisprudence

Natural law theory

Analytical School: Jeremy Bentham, John Austin, H.L.A. Hart, Hans Kelson

Historical School: Montesquieu, F.K. Von Savigny, Sir Henry Maine

Sociological School: Rudolph Von Ihering, Leon Duguit, Roscoe Pound

Unit III Judicial concepts

Property

Ownership

Possession

UNIT IV Judicial concepts

Legal Persons

Legal Rights and Duties

Liability

Suggested Readings:

1. Agarwal Nomita, Jurisprudence, Central Law Publication, Allahabad
2. Edgar Bodenheimer, Jurisprudence, Universal Law Publication, Delhi
3. Dhyani S.N., Foundation of Jurisprudence, Central Law Agency, Allahabad
4. Paranjapee N.V., Studies in Jurisprudence and Legal Theory, Central Law Agency Allahabad
5. W. Frienmann, Legal Theory, Universal Law Publishing Co, Pvt. Ltd
6. H.L.A. HART, The concept of law, Oxford University Press
7. M.D.A. Freeman(Ed), Lloyed' d- Introduction to Jurisprudence, Sweet & Maxwell
8. R.M.V. Dias, Jurisprudence, Butterworths
9. C.K. Allen, Jurisprudence, Oxford University Press
10. G.W. Paton, Text Book of Jurisprudence, Oxford University Press

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

PDM UNIVERSITY
FACULTY OF LAW
SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-III
PAPER NO: P-II
Course Description

Module Code-LAWS2102
Module Name: LAW OF PROPERTY

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: The world of property is a very important part of a national as well as individual life. This module offers a glimpse of the world of property.

UNIT-I Sections 1 to 35

Object and Scope of the Transfer of Property, 1882, Interpretation Clause (Section-3), Definition of Transfer of Property, Subject Matter of Transfer, Persons competent to Transfer, Oral Transfer, Transfer for the benefit of Unborn Person, Rule against Perpetuity, Vested and Contingent Interests, Conditional Transfer, Doctrine of Election.

UNIT-II Sections 36 to 53-A

Apportionment, Transfer of Property by Ostensible Owner(Section-41), Transfer by unauthorized Person who subsequently acquires Interest in Property Transferred, Transfer by One Co-owner, Joint Transfer for consideration, Priority of Rights created by Transfer, Fraudulent Transfer, Doctrine of LIS- Pendens, Doctrine of Part-Performance

UNIT-III

Definition of Sale, Rights and Liabilities of Buyer and Seller, Marshalling by Subsequent Purchaser, Definition of Mortgage and kinds of Mortgage (Section 58-59), Rights and Liabilities of Mortgagor (Section 60 to 66), Rights and Liabilities of Mortgagee (Section 67 to 77), Priority (Section 78 to 80).

UNIT-IV

Charge (Section 100) Definition of Lease, Rights and Liabilities of Lessor and Lessee (Section 105 to 108), Different Modes of Determination of Lease (Section 111), Gift (Section 122 to 129), Easement

BOOKS RECOMMENDED:

D.F. Mulla	-	Transfer of Property Act
Shah S.M.	-	Lecturers of Transfer of Property
Shukla S.N.	-	Transfer of Property
Lahri S.M.	-	Transfer of Property
Sinha S.N.	-	Transfer of Property

Shukla V.N.	-	Transfer of Property
Diwan Paras	-	Transfer of Property
Tripathi G.P.	-	Transfer of Property

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

PDM UNIVERSITY
FACULTY OF LAW
SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-III
PAPER No. III
Course Description

Module Code-LAWS2103
Module Name- ENVIRONMENTAL LAW

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: The Environment in which we live is in danger. In this module the students will learn the laws which are enacted to protect and preserve the environment. U

Unit – I Introduction and Sources of Environmental Pollution

Definition of Environmental Pollution, Causes of Environmental Pollution; Sources and Effects of Water, Air, Noise and Land Pollution.

Emerging Principles:

- a- Polluter Pays
- b- Precautionary Principles
- c- Public Trust Doctrine
- d- Sustainable Development

The Environment (Protection) Act, 1986- Definitions (Section 2), General Powers of Central Government (Sections 3-6), Prevention, Control and Abatement of Environment Pollution (Sections 7-17), Miscellaneous Provisions (Sections 18-26).

Unit – II Specific Acts (Water and Air Pollution)

Water (Prevention and Control of Pollution) Act, 1974-Definition (Section 2), The Central and State Boards for Prevention and Control of Water Pollution (Sections 3-12), Joint Boards (Sections 13-15), Powers and Functions of Boards (Sections 16-18), Prevention and Control of Water Pollution (Sections 19-33A), Funds Accounts and Audit (Sections 34-40), Penalties and Procedures (Sections 41-50), Miscellaneous Provisions (Sections 51-64), Working and Defects of the Act of 1974.

Air (Prevention and Control of Pollution) Act, 1981- Definitions, Sources and Effects of Air Pollution, Central and State Board, (Section 16-18), Prevention and Control of Air Pollution (Sections 19-31A), Funds, Accounts and Audit (Section 32-36), Penalties and Procedures including Miscellaneous Provisions (Sections 37-54)

Unit – III Noise Pollution and Wild Life

Noise Pollution- Concept of Noise Pollution, Sources and Effects of Noise Pollution, Legal and Judicial controls.

The Wild Life (Protection) Act, 1972- Definitions (Section 2), Authorities under the Act (Sections 3-8), Hunting of Wild Animals (Sections 9-12), Protections of Specified Plants (Sections 17A – 17H), Sanctuaries, National Park and Closed Areas (Sections 18-38), Central Zoo Authority and Recognition of Zoos (Sections 38A-38J), Trade of Commerce in Wild Animals, Animal Articles and Trophies (Sections 39-49), Prohibition of Trade or Commerce in Trophies, etc. (Sections 49A-49C), Prevention and Detection of Offences (Sections 50-58).

Unit – IV Remedies

Constitutional Provisions: Public Interest Litigations and Judicial Activism,
National Green Tribunal Act, 2010- Establishment of Tribunal, Jurisdiction, powers and proceeding of Tribunal

Suggested Readings:

1. Thakur, Kailash: Environmental Protection, Law and Policy in India (Deep and Deep, Delhi)
2. Diwan, Paras: Environmental Administration – Law and judicial Attitude, Vols. I & II.
3. Aggarwal, S.: Legal Control of Environmental Pollution
4. Chaturvedi, R.G.: Law on Protection of Environment and Prevention of Pollution.
5. Shastri, Environmental Law

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

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SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-III
PAPER No. IV
Course Description

Module Code-LAWS2104
Module Name- ADMINISTRATIVE LAW

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100
Duration of Examination: 3 Hrs

Credits: 4

OBJECTIVE OF THE COURSE: This module will expose the students to administrative law and the rules that ensure a fair deal when a person is working. It has a close relationship with constitution help that students understand the importance of fairness.

Unit-I

Introductory- Nature and Scope of Administrative Law, Rule of Law, Doctrine of Separation of powers

Delegated Legislation: Necessity, Scope, Legal forms, Reasons for growth and Constitutional limits of Delegated Legislation, Judicial, Parliamentary and other Controls over delegated legislation, Sub Delegation.

Unit-II

The Concept of Natural Justice: The Rule against Bias-Personal bias, Pecuniary bias, Institutional bias, Tests of Bias, Exceptions to the Rule, Right of Fair Hearing –applicability, general contents of fair hearing, exceptions to the Rule, Exclusion of Judicial Review, Reasoned Decision, The Doctrine of Legitimate Expectation, The Doctrine of Proportionality, Fair Hearing in Service matters, Relationship between Reasonableness and proportionality

Unit-III

Discretionary powers- failure to exercise a discretionary power, Prevention of Abuse of Discretion, Reason for growth of Administrative Tribunals, Judicial Control over Administrative Tribunals, Judicial Review of Administrative Actions Through Writs, Writ of Habeas Corpus, Writ of mandamus, Writ of Prohibition, Writ of Certiorari, Writ of quo warranto, High Court Powers of Superintendent

Unit-IV

Liability of the State and Public Authorities in Tort, Misfeasance in public office, Contractual liability of the State, Promissory Estoppel, Government Privileges in legal proceedings, Public Undertakings: Types, Control (Parliamentary Judicial & Governmental), Ombudsman-Lokpal and Lokayukta, Central vigilance commission, Powers of Investigation and Enquiry

BOOKS RECOMMENDED:

1. Jain and Jain : Principles of Administrative Law.
2. Joshi, K.C. : Administrative Law
3. Massey, I.P. : Administrative Law
4. Sathe, S.P. : Administrative Law
5. Thakkar, C.K. : Administrative Law

6. Wade, H.W.R. : Administrative Law
7. Garner : Administrative Law
8. Griffith and Street : Principles of Administrative Law ,a case
book of Administrative Law.
9. De Smith : Judicial Review of Administrative Actions.

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

PDM UNIVERSITY
FACULTY OF LAW
SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-III
PAPER No. V
Course Description

Module Code-LAWS2105

Module Name- PROFESSIONAL ETHICS AND
PROFESSIONAL ACCOUNTABILITY (CLINICAL COURSE I)

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: The lawyers, like other professionals have a code of conduct and basic knowledge of professional accounting. This module deals with them.

UNIT-I

Nature of Legal Profession & Meaning of Professional Ethics, Historical Development of Legal Profession, Role of Lawyers in National Movement of Independence, All India Bar Committee of 1951 and the passing of Advocates Act, 1961.

UNIT-II

Advocate Act 1961 Chapter V & VI (Section 34, 35-45), Bar Council of India Rules (Part VI & VII about Duties), Rights, Privileges of Advocates, Study of Code of Ethics prepared by Bar Council of India

UNIT-III

Contempt of Courts Act, 1971, Constitutional Provisions regarding Power of Supreme Court, High Courts for their contempt, Bar Bench Relations

UNIT-IV

50 Selected Opinions of the Disciplinary Committees of Bar Councils

The following 10 Judgments of the Supreme Court would be discussed and analyzed:

1. Supreme Court Bar Association v. Union of India & others, AIR 1998 SC 1895.
2. Re Ajay Kumar Pandey Advocate, AIR 1998 SC 3299.
3. Dr. I. P. Mishra v. State of U.P., AIR 1998 SC 3337.
4. Kashi Nath Kher and other v. Dinesh Kumar Bhagat and others, AIR 1998 SC 374.
5. P. D. Gupta v. Ram Murti, AIR 1998 SC 283.
6. Sadhvi Ritumbhara v. Digvijay Singh & others, (1997) 4 SCJ 64.
7. Delhi Judicial Service Association, Tis Hazari Court Delhi v. State of Gujarat and others, AIR 1991 SC 2176.
8. M. B. Sanghi v. High Court of Punjab & Haryana and others, AIR 1991 SC 1834.
9. Amrit Nahata v. Union of India, AIR 1986 SC 791.
10. State of Bihar v. Kripalu Shankar, AIR 1987 SC 1554.

BOOKS RECOMMENDED

- P.RamanthaIyer : Legal & Professional Ethics
Mr. Krishnamurthy Iyer : Advocacy
Dr.KailashRai : Legal Ethics, Accountability for Lawyers and Bench Bar
Relations (Central Law Publications)
Majumdar : Professional Ethics

Dr. S.P. Gupta : Professional Ethics, Accountancy for Lawyers and Bench-Bar Relations.
Dr. S.S. Shilwant : Legal & Constitutional History of India
Bhagwati, P.N. : Challenges to the Legal Profession-Law and Investment in
Developing Countries
J.B. Gandhi : Sociology of Legal Profession and Legal System (1987)
The Advocates Act, 1961
The contempt of Courts Act, 1971
The Legal Services Authorities Act, 1987
The Bar Council Code of Ethics
Constitution of India
The Criminal Procedure Code, 1973

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

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SYLLABUS FOR LL.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-IV
PAPER No. I
Course Description

Module Code-LAWS2106

Module Name- LABOUR AND INDUSTRIAL LAW- I

Theory Paper Marks: 70

Internal/Project Marks: 30

Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: Economy of a country is dependent on its industry and agriculture. One of the most important factors of both agricultural and industrial production is labour. In this module the students will be introduced to these factors.

UNIT-I: THE INDUSTRIAL DISPUTE ACT, 1947

Object and main features of the Act, Definitions Appropriate Government, Employer, Industry, Industrial dispute, Workmen, Public utility service, industrial establishment or undertaking, Authorities under the Act (Section 3-9 and 11-15), notice of change (Section 9-A), reference of disputes to boards, court and tribunal (section 10), voluntary reference of disputes to arbitration (section 10-A), power of labour court and tribunal to give relief in case of discharge or dismissal of workmen (section 11-A), awards and settlements (section 2, 16-21)

UNIT-II: THE INDUSTRIAL DISPUTE ACT 1947

Definition of strike and lockout (section-2), the other statutory provisions of ID act, 1947 relating to strikes and lockouts (section 22-28), layoff and retrenchment (section 2, 25A-26E and 25F-25H), compensation to workmen in case of transfer of undertaking (section 25 FF), 60 days' notice to be given of intention to close down the undertaking (section 25 FFA), compensation to workmen in case of closing down of undertaking (section 25 FFF), special provisions relating to lay off, retrenchment and closure in certain establishments (section 25K-25S), unfair labour practice (section 251-25U), scope of section 33 and 36 of ID Act, 1947

UNIT-III: THE TRADE UNION ACT, 1926

Development of trade law in India, Definition-Executive Registrar, trade union, registration of trade union, registration of trade union (section 3-9), In Cancellation of registration (section-10), appeals (section-II), incorporation of registered trade union (Section 13), right and liabilities of registered trade union (section 15-18), rights to inspect books of trade union (section 20), right of minor to be membership of trade union (section 21), disqualification of office bearers of trade unions (section-21a), proportion of office bearers to be connected with an industry (section 22), change of name and amalgamation of trade Union (section 23 to 26) dissolution and returns (section 27 & 28)

UNIT-IV: THE FACOTRIES ACT, 1948

Definitions adult, adolescent, child hazardous process, manufacturing process, workers factory, approval of licensing and registration of factories (section 6), notice by occupier and duties of occupier (section 7 and 7), inspector and certifying surgeons (section 8 to 10), statutory provisions relating to health and safety (section 11 to 41), welfare (section 42 to 50), working hours of adult (51 to 66), employment of young persons (section 67 to 77), annual leave with wages (section 78 to 84)

BOOKS RECOMMENDED

1. Malhotra O.P. : Industrial Dispute Act, 1947.
2. Mishra, S.N. : Labour and Industrial Laws.
3. Varandani, G. : Social Security for Industrial Worker in India.
4. Puri, S.K. : Labour and Industrial Laws
5. Goswami, V.G. : Labour and Industrial Laws.
6. Varandani, G. : Child Labour and Women Worker.

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

PDM UNIVERSITY
FACULTY OF LAW
SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-19)
SEMESTER-IV
PAPER NO: P-II

Module Code- :LAWS2107
Module Name-: Law of Evidence

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100
Duration of Examination: 3 Hrs

Credits: 4

OBJECTIVE OF THE COURSE: The students are by now familiar with the procedures but trail is incomplete unless proper evidence is adduced and appreciated. This module will introduce the students to the world of evidence.

UNIT- I

Definitions – Evidence, Relevancy, Fact, Fact in Issue, proved, disproved, not proved, Court, May presume, shall presume and conclusive proof, Relevant Facts (Sec. 5-16)

UNIT- II

Admissions, Confessions, Evidentiary value of admission and Confession, Statements made by persons who cannot be called as witnesses, Statements made under special circumstances, Relevancy of judgments of court, Character when relevant

UNIT- III

Expert opinion, Presumptions regarding Documents, Oral and Documentary Evidence, Exclusion of oral by documentary Evidence, Facts needn't be proved, Burden of Proof, Estoppel, Privileged Communication

UNIT- IV

Presumptions regarding Offences, Evidence by accomplice, Examination of Witnesses Examination-in-Chief, cross-examination, leading questions, Hostile witness, Impeaching the credit of a witness, Refreshing of memory

Suggested Readings:

1. Avtaar Singh, Principles of Law of Evidence
2. G S Pandey: Indian Evidence Act
3. Rattan Lal DheerajLal: Law of Evidence
4. Batuk Lal: Law of Evidence

Note: The question paper will have Nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

**PDM UNIVERSITY
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SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-IV
PAPER NO: P-III**

Module Code- LAWS2108

Module Name-ALTERNATE DISPUTE RESOLUTION SYSTEM (CLINICAL COURSE-II)

Theory Paper Marks: 70

Internal/Project Marks: 30

Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: This paper helps students learn techniques of dispute resolution and make them aware of various Dispute Resolution Techniques used at International and National level. It further helps students understand differences between different dispute resolution methods.

UNIT-I

Meaning of ADR, Evolution of ADR, Advantages & disadvantages of ADR, ADR procedures-Negotiation, Mediation, Conciliation, Arbitration, ADR in family disputes, Conciliation under CPC

UNIT-II

Concept, Meaning & Growth and organization of LokAdalats, LokAdalats under Legal Services Authorities Act, 1987, awards of LokAdalats and its other Powers

Legal Aid- Legal Aid under the Constitution of India, Legal Aid Schemes under Legal Services Authorities Act

UNIT-III

Arbitration & Conciliation Act

Definition of Arbitration, International Commercial Arbitration, Objectives of the Act, Arbitration Agreement, Composition and jurisdiction of Arbitral Tribunal, Conduct of Arbitral Proceedings, Making of Arbitral Awards and Termination of Proceedings, Recourse Against Arbitral Award, Finality and Endorsement of Arbitral Award, Appealable orders, Lien on Arbitral Awards and Deposits as to costs, Effect on Arbitration Agreement of Death and of parties insolvency.

UNIT-IV

Definition and Enforcement of Certain Foreign Awards, New York Convention Awards, Geneva Convention Awards, Convention on Recognition and Enforcement of Foreign Arbitral Awards, Protocol on Arbitration Clauses, Convention on Execution of Foreign Arbitral Awards under Schedule I, Schedule II and Schedule III of the Arbitration and Conciliation Act, 1996 respectively

BOOKS RECOMMENDED

AnupamKurlwal: An Introduction to Alternative Dispute System

S.C. Tripathi: Arbitration and Conciliation Act, 1996

Avtar Singh: Law of Arbitration and conciliation

Ashwinie Kumar Bansal : International Commercial Arbitration Practice and Procedure

G.K. Kwatra: Arbitration and conciliation Law of India

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 10 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

Internal Assessment:

All the students will be assigned by the subject teacher at least two case studies of ten marks each on arbitral cases, proceedings of LokAdalat and Conciliation Proceedings. The students will maintain a record of case studies in the form of project report and the same will be submitted to the subject teacher by the date fixed by him /her. A viva voce examination on the assigned case studies will be conducted which will carry 20 marks. Hence, internal assessment will be of 40 marks in total.

PDM UNIVERSITY
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SEMESTER-IV
PAPER NO: P-IV
Course Description

Module Code-LAWS2201

Module Name: OPTIONAL PAPER-I (INTELLECTUAL PROPERTY LAW)

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: Creativity is a natural virtue of human being that must be protected and preserved and for which the credit should always go to the creator. The realm of intellectual property ensures that this happens.

UNIT-I

Concept of Property vis-a-vis Intellectual Property, Basic concepts of Intellectual Property Law, Nature of Intellectual Property, Origin and Development of Intellectual Property - Copy Right, Trade Mark & Patent, Enforcement of Rights and Remedies Against Infringement, International Character of Intellectual Property, International Protection of Intellectual Property – overview of International Conventions -Berne Convention – WIPO Treaties 1996, Paris Conventions, TRIPS Agreements etc. India’s Position vis-a-vis International Conventions and Agreements.

UNIT-II

The Copy Right Act, 1970

Meaning and Basis of Copy Right, Copy Right Office and Copy Right Board, Subject Matter of Copy Right, Ownership, Assignment and Infringement of Copy Right, Remedies for Infringement, Abridgement of the Work and Term of Copy Right, Rights of Broadcasting Authorities

UNIT-III

The Patents Act 1970, & the Patents (Amendment) Act, 2002

Object of Patent Law, Value of Patent System, Inventions-Patentable and Non-Patentable, Process Patent and Product Patent, Procedure for obtaining a Patent, Rights and Obligations of a Patentee, Revocation and Surrender of Patents, Infringement of Patent.

UNIT-IV

The Trade Marks Act, 1999

What is a Trade Mark, Functions of a Trade Mark, Trade Mark Registry and Register of Trade Mark, Registration of Trade Marks, Effects of Registration, Assignment and Transmission of Trade Marks, Rectification and Correction of Register, Passing Off and Infringement Action

BOOKS RECOMMENDED

- | | | |
|--------------|---|--|
| P. Narayanan | - | Law of Copy Right and Industrial Designs |
| P. Narayanan | - | Intellectual Property Law |
| Copinger’s | - | Law of Copy Right |

Iyenger	-	Law of Copy Right
P. Narayanan	-	Patent Law
Dr. FaizenMustaga	-	Copy Right Law (A Comparative Study)

Note: The question paper will have Nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting atleast one question from each unit.

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SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-IV
PAPER NO: P-V**

Module Code-LAWS2202

Module Name- OPTIONAL PAPER-II (INTERPRETATION OF STATUTES)

Theory Paper Marks: 70

Internal/Project Marks: 30

Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: Legislation is a major source of Law. Legislators create law after much deliberation. This process takes into account the present and future need of the nation. Interpretation of statute is a method by which the judiciary explores the intention of the legislators behind the statute. This involves a method which will be taught in this module.

UNIT 1

Statute: Meaning and Classification

Meaning of Interpretation and Basic Principles of Interpretation: The rule of literal Construction, Golden Rule and the Mischief Rule, Rule of Ejusdem Generis, Rule of Noscitur-a-sociis, Rule of PariMateria, Rule of Stare Decisis, ContemporaneaExpositio eat optima et Fortissima in Lege

UNIT 2

Internal Aids to Interpretation: Title, Preamble, Marginal Note, Heading, Definition or Interpretation Clause, Illustration, Exception, Proviso, Explanation, Saving Clause, Schedule and Punctuation

External Aids to Interpretation: Dictionaries, Foreign Decisions, Text Books, Historical Background, Legislative History, Statement of Objects and Reasons, Legislative Debates, Committee Reports, Law Commission Reports

UNIT 3

Interpretation of Indian Constitution

Interpretation of Mandatory and Directory Provisions

Interpretation of Penal and Taxing Statutes

UNIT 4

Commencement, Operation and Repeal of Statute, Prospective and Retrospective operation of Statutes, Revival of Statutes, Relation between Law and Public opinion, Bentham's Principle of Utility, Delegated Legislation

RECOMMENDED READINGS:

1. G.P. Singh, Principles of Statutory Interpretation, Wadhwa & Co.
2. P. St. Langan (Ed), Maxwell on Interpretation of Statute, N.M. Tripathy
3. K.Shanmukham, N.S. Bindras, Interpretation of Statue, The Law Book Co.
4. V. Sarathi, Interpretation of Statue, Eastern Law Book Co.

5. M.P. Singh (Ed), V.N. Shukla's Constitution of India, Eastern Law Book Co.
6. M.P. Jain, Constitution Law of India, Wadhwa & Co.

Note: The question paper will have Nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

PDM UNIVERSITY
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SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-V
PAPER NO: P-I

Module Code- LAWS 3101

Module Name- CIVIL PROCEDURE CODE AND LIMITATION ACT

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE : All substantive law find expression in procedure. This module teaches the procedure for trial in civil cases.

Unit-I

Definitions, Jurisdiction of civil courts, Nature of Suits covered under CPC, Res-sub-judice, Res-judicata, Place of suing, Parties to Suits, Framing of Suits, Institution of Suits, transfer of suits, Pleadings: Meaning, Object, General rules, Amendment of Pleadings, Complaint and Written Statement

Unit-II

Appearance and Non-Appearance of Parties, Hearing of suits, Judgment & Decree,

Execution- Basic provisions, Death, Marriage and insolvency of parties, Commissions, suits against the govt., suit in the case of minor

Unit-III

Restitution, caveat, Inherent powers of courts, Suits by Indigent persons, Inter-pleader Suits, Summary Procedure, Temporary Injunctions, Receiver

Appeal- Appeals from Original Decree, Appeals from Appellate Decrees, General Provisions relating to Appeals

Unit – IV

Reference, Review and Revision, Reference to High Court

Limitation Act: Limitation of Suits, Appeals and Applications, Exclusion of Time, Effects of Death, Fraud Acknowledgment, Payment etc. of Limitation

Text Books:

1. Dinshaw Fardauzi Mulla, Mulla's Code of Civil Procedure
2. Sudipto Sarkar & V.R. Manohar, Sarkar's Code of Civil Procedure
3. C.K. Takwani, Code of Civil Procedure
4. M.P. Tandon, Code of Civil Procedure

References

1. Universal's Code of Civil Procedure, 1908 (Bare Act)

Note: The question paper will have Nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

**PDM UNIVERSITY
FACULTY OF LAW
SYLLABUS FOR LL.B.3 YEAR REGULAR COURSE (2018-19)
SEMESTER-V
PAPER NO: P-II
Course Description**

**Module Code-LAWS3102
Module Name-COMPANY LAW**

**Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100**

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: Company is legal person who is as important for a nation as an individual is. This module talks about formation and managing a company.

UNIT-I

Historical background of company law
Meaning, Definition and characteristics of company, Kinds of Companies
Formation of Company, Effects of Registration
Theory of 'Corporate Personality'
Promoters: status, position, function and remuneration

UNIT-II

Memorandum of Association and Articles of Association:
Importance of Registration, Effect, Binding Nature, Clauses in Memorandum of Association, Alteration of Memorandum of Association and Articles of Association.
Doctrine of Ultra vires
Doctrine of Indoor Management
Doctrine of constructive notice

UNIT-III

Appointment and duties of directors,
Removal, Resignation and vacation of office of directors,
Managing Director and other managerial personnel
Prospectus:
Meetings-meaning, kinds, resolutions, quorum and voting
Protection of Minority Shareholders: Prevention of Oppression and Mismanagement
Shares: meaning, kinds and statutory restrictions
Debentures: meaning and kinds

UNIT-IV

Modes of Winding up
Grounds, Procedure & consequences of winding up
Liability of past members and preferential payments,
Winding up of unregistered company
National Company Law Tribunal: Constitution, Powers, Jurisdiction, Procedure
Corporate Social Responsibility

BOOKS RECOMMENDED

1. Avtar Singh : Indian Company Law
2. N.D. Kapoor : Company Law
3. Taxmann, Companies Act 2013
4. Taxmann, A Comparative Study of Companies Act 2013 and Companies Act 1956
5. KailashRai : Principles of Company Law

Note: The question paper will have Nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

PDM UNIVERSITY
FACULTY OF LAW
SYLLABUS FOR LL.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-V
PAPER No. III
Course Description

Module Code-LAWS3103

Module Name- LABOUR AND INDUSTRIAL LAW- II

Theory Paper Marks: 70

Internal/Project Marks: 30

Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: The students are already familiar with labour and the law that relate to them. This is another aspect of the same law.

UNIT-I

The workmen's compensation Act, 1923 main features of the Act, Definitions compensation, dependent, employer, workman, partial disablement, total disablement, employer's liability for compensation(section-8), notice and claims of the accident (section-10), Commissioner (Section 19 to 29), appeals (section 30), Medical Examination (Section 11)

UNIT-II

The Minimum Wages Act, 1948: Objects and constitutional validity of the Act, salient features, definitions: Employers cost of living index, scheduled employment, wages, minimum wages, fair wage and living wage, fixation and revision of minimum rates of wages, working hours determination of wages and claims (section 3-20 and 21), Payment of wages Act, 1936: Def: Employer, Industrial and other establishment wages payment and deduction from wages (section 3-13), inspector (section 14), authority to hear claims (section 15) , appeal (section-17)

UNIT-III

The Industrial Employment (standing Orders) Act, 1946, Procedure for Certification & Adoption of standing orders. Certifying Officer (section 2(3) 3-10, 13-A 2©, 11). The Employees' State Insurance Act, 1948-Employees State Insurance Corporation, Standing Committee, Medical Benefit Council, Contributions, Benefits, Employees Insurance Court

UNIT-IV

The Equal Remuneration Act, 1976-Def. Sec. 2 (d) (1) (h) Payment of remuneration at equal rates (section 4 to 7) sec. 8, 0 and 5, 11. The payment of Bonus Act, 1965 – Eligibility Disqualification for Bonus (section 8,9) minimum & Maximum Bonus (5,10,11); Proportionate reduction (5, 13) Recovery of Bonus due (5, 21) Customary Bonus Productivity Bonus. The Payment of Gratuity Act, 1972. Definitions, Eligibility, Payment, Determination, recovery and Protection of gratuity, Sec. 2-A, 4, 7, 8, and 13.

BOOKS RECOMMENDED

1. Malhotra O.P. : Industrial Dispute Act, 1947.
2. Mishra, S.N. : Labour and Industrial Laws.
3. Varandani, G. : Social Security for Industrial Worker in India.
4. Puri, S.K. : Labour and Industrial Laws
5. Goswami, V.G. : Labour and Industrial Laws.
6. Varandani, G. : Child Labour and Women Worker.

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

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SYLLABUS FOR LL.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-V
PAPER NO: P-IV
Course Description

Module Code-LAWS3201

Module Name-OPTIONAL PAPER-III (PENOLOGY AND VICTIMOLOGY)

Theory Paper Marks: 70

Internal/Project Marks: 30

Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: Criminology is the scientific study of crime, it tries to find out the reason that why people have criminal tendencies and why they engage in criminal behavior.

UNIT-I

Concept of Criminology: Definition, Nature and Scope, Schools of Criminology: Pre-Classical School, Classical School, Neo-Classical School, Positive School, Sociological School and Multifactor School

UNIT-II

Organized Crimes, Cyber Crime, Trafficking, Money Laundering, Juvenile Delinquency, White Collar Crime, Alcoholism, Drug Addiction and Crime, terrorism, Recidivism

UNIT-III

Theories of Punishment – Retribution, Deterrence, Reform and Prevention, The Police System, Forms of Punishments, Capital Punishment and its Relevance , Prison System, Reforms in Prison System, Open Prisons

UNIT-IV

Concept of Parole and Probation of offenders, Victimology: Meaning, Definition and Historical Perspective, Compensation and Rehabilitation of Victims of crimes; Statutory Provisions and Judicial Decisions on Compensation and Rehabilitation of Victims in India

BOOKS RECOMMENDED

N.V. Paranjape :, Criminology and Penology

S.S. Srivastava : Criminology, Penology and Victimology

Sutherland,E&Crees: Principles of Criminology

Ahmad Siddique : Criminology: Problems and Perspectives

P.S.Sirohi,,: Criminology and Penology

S.M. Sethna : Society and Criminology

M.Pannanan : Criminology and Penology

Note: The question paper will have Nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

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SYLLABUS FOR LL.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-V
PAPER NO: P-V**

Module Code-LAWS3202

Module Name-OPTIONAL PAPER-IV (LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM)

Theory Paper Marks: 70

Internal/Project Marks: 30

Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE - Land laws aims to achieve certain objective relating to the security and distribution of land rights, land use and land management and access to land including the forms of tenure under which it is held.

Unit-I: Punjab land Revenue Act 1887

History, Scope, object, Applicability, Administration record
Revenue officer, Village officer, Annual record

Unit-2: Land Acquisition Act, 1894

Preliminary, Essential features of the Act, Concept of Land Acquisition
Acquisition Preliminary investigation, Declaration of Intended acquisition
Award & Claim, Possession Power of Govt
Court Procedures, Penalty
Appeal

Unit-III: THE PUNJAB TENANCY ACT -1887 Definition, Law relating to Rent, Law relating to Occupancy of Tenant, Law of Ejectment of Tenants

HARYANA CEILING OF LAND HOLDING ACT 1972

Preliminary, Concept of Permissible Area and Surplus Area, Ceiling on Land Acquisition and Disposal of Surplus Area, Appeal

HARYANA RENT CONTROL ACT, 1973 Preliminary, Rights & Duties of Tenants, Rights and Duties of Landlords, Grounds of Ejectment of Tenants.

Unit-IV: Haryana Panchayati Raj Act, 1994

Definition, Constitution of Gram Sabha and Gram Panchayat, Gram Panchayat's Duties, Functions and Powers, Finance and Taxation, Control of Gram Panchayat, Sources of Income and Expenditure of Gram Panchayat

TEXT BOOKS:

1. O P Aggarwal on The Punjab Tenancy Act 1887
2. O P Aggarwal on Commentary on Land Acquisition Act
3. – Same - on Land Revenue Act 1887
4. Neetykaul on Land laws in Punjab & Haryana
5. D P Narula on Punjab & Haryana Land laws
6. Jaiswal & Chawala on A commentary on Haryana Panchayati Raj Act, 1994
7. Harshali chowdhry on Punjab & Haryana land laws
8. Dr. Badrudin Badar on Punjab & Haryana land laws
9. Chawala Publication on Land Laws in Punjab & Haryana

10. P S Khurana on Treatise on land law in Punjab & Haryana

REFERENCES:

1. Commentary on the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Haryana Amendment) Act, 2017
2. Punjab land Revenue (Haryana Amendment) Act 2017

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

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SYLLABUS FOR LL.B. 3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-V
PAPER NO: P-VI

Module Code-COAP0101

Module Name- INTRODUCTION TO COMPUTER APPLICATIONS

Theory Paper Marks: 50

Internal/Project Marks: 25

Total Marks: 75

Credits: 2

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: These days it is very important to have knowledge of computers, as it is very accurate, fast and accomplish many tasks simultaneously. In this fast moving world knowledge of computers is very important for lawyers, as they have to do so many tasks for e.g. they have to keep record of various documents, to do rigorous research work to keep them updated and this can be easily possible with the help of computer.

Unit I: Evolution of Computers:

Historical evolution of computers, computer system concepts, capabilities and limitations. Types of computer: Analog, digital, hybrid, general purpose, special purpose, micro, mini, mainframe, super. Generations of computers. Type of PCs: Desktop, Laptop, Palmtop etc. their characteristics.

Unit II: Basic components of computer system:

CPU, input/output and memory, their functions and characteristics. Memory: RAM, ROM, EPROM, PROM and other type of memory, keyboard, mouse, digitizing tablets, scanners, digital cameras, MICR, OCR, OMR, bar code reader, voice recognition, light pen, touch screen, input/output devices.

Unit III: Monitors & Printers:

Analog, digital and characteristics-size, resolution, video standard-VGA, SVGA, XGA etc. Printers: Dot matrix, inkjet, laser, line printer, plotter, sound card and speakers.

Unit IV: Storage Devices:

Various storage devices: Magnetic tape, magnetic disk, cartridge tape, hard disk device, floppy disk, optical disk-CD, VCD, CD-R, CDRW, DVD, zip drive.

Unit V: Windows:

Introduction to MS-windows, concept of GUI, desktop and its elements, windows explorer, control panel, accessories, running application under MS windows. Advantages and limitation of windows. Various versions of windows like (Win 95, 98, Win ME, 2000 XP). Hardware requirement for Windows XP.

Unit VI: Working with Software Packages:

Basic concept of MS word processor, MS excel, MS power point, features of word processing packages, MS excel packages, power point package. Internet: World Wide Web (WWW), concept, web browsing and electronic mail, concept of networking.

RECOMMENDED BOOKS:

1. Introduction to Computer Application and Concepts Spiral-bound – 2014 by Misty E. Vermaat, Patrick Carey Gary B. Shally (Author).
2. “Computer Fundamentals” by Sinha P. K., BPB
3. “Introduction to Computers and Basic Programming” by Xavier, C New age International.

Note: The Question paper will comprise of seven questions distributed over three sections A, B and C. Section A comprises of very short answer type questions and is compulsory. Section B and Section C Comprise of short answer type and Long answer type questions and will have internal choices.

**PDM UNIVERSITY
FACULTY OF LAW
SYLLABUS FOR LL.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-V
PAPER NO: P-VII**

Module Code-COAP0102

Module Name- INTRODUCTION TO COMPUTER APPLICATIONS LAB

Theory Paper Marks: 25

Internal/Project Marks: 25

Total Marks: 50

Credits: 01

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: These days it is very important to have knowledge of computers, as it is very accurate, fast and accomplish many tasks simultaneously. In this fast moving world knowledge of computers is very important for lawyers, as they have to do so many tasks for e.g. they have to keep record of various documents, to do rigorous research work to keep them updated and this can be easily possible with the help of computer. In this paper practical knowledge will be imparted.

Computer Components: Study of computer components, booting of computer and its shut down.

Practicing windows operating system: Use of mouse and keyboard, title bar, start menu, minimum, maximum and close buttons, scroll bars, menus and tool bars. Setting time and date, starting and shutting down of Window, windows explorer, creating file and folders, copy and paste functions.

MS-word: Introduction to MS word, creating a document, saving and editing, word proofing tools - using spelling checker, working with grammar checker, using thesaurus, working with auto text feature in word, using auto correct feature, word count, text formatting, document formatting (page formatting), alignment of text, creating tables, merging of cells, column and row width and chart in word, working with mail merge, graphics and web pages in word.

MS power point: Introduction to MS power point, power point slide creation, slide show, editing, animation, adding a picture, adding graphics, formatting, customizing, printing and other inbuilt additional function.

MS excel: Introduction to MS excel, creating a spread sheet, editing and saving. Working with toolbars, formatting, formulas, data management, graphs and chart, macros, goal seek pivot table, financial functions and other inbuilt additional function. Data analysis using inbuilt tool packs, correlation and regression.

Internet Browsing: Browsing a web page and creating of E-mail ID.

Note: At the end of semester, course faculty will submit an evaluation / review report.

**PDM UNIVERSITY
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SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-VI
PAPER NO: P-I**

Module Code-LAWS3104
Module Name-PRINCIPLES OF TAXATION

Theory Paper Marks: 70
Internal/Project Marks: 30
Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: Taxation is a very important aspect of law and one of the largest contribution to a nation's economy. This module teaches about the law which regulates and controls imposition, avoidance and evasion of tax.

Unit -I: Basic Concept of Taxes and Distinction between Direct and Indirect tax , Definition of Certain Terms: Persons, Assessee , Assessment Year & Previous year , Capital Receipt and Revenue Receipt , Capital expenditure , Capital gains, Agricultural Income

Unit -II: Residential Status, Chargeability , Meaning and Rules for Determining Residential status of an Assessee , Charge of Income Tax and Scope of Total Income , Income Exempted from Tax and Deduction under Income Tax Law , Heads of Income and its Justification , Tax Treatment to Salary, Perquisites etc

Unit -III: Scope of Tax Laws; Distribution of Tax Resources between Union and the States (Article 268-279); Surcharge; Grant-in-Aid; Constitution of Finance Commission and Functions; Principles Governing the Share of Income Tax; Inter-Government Tax Immunities (Article 285-289).

Unit – IV: Set off and Carry Forward of Losses , Deductions, Refund and Tax Authorities , Search and Seizure , Appeal Reference & Revision, Collection Recoveries and Refund , Penalties, Offences & Prosecution

Text Books: 1. VinodSinghania&KapilSinghania, Direct Taxes Law and Practice

2. Chaturvedi&Pithisaria, Income Tax Act with Relevant Tax Allied Acts, 2013

3. Ahuja, Grish, : Income Tax Law and Practice

4. KailashRai : Taxation Laws

5. SR Myneni : Law of Taxation

6. N.A.Palkhivala : Income Tax Law

7. HC Mehrotra : Income Tax Law & Accounts

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

PDM UNIVERSITY
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SYLLABUS FOR L.L.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-VI
PAPER NO: P-II

Module Code-DRAFTING, PLEADINGS AND CONVEYANCING (CLINICAL COURSE- III)

Module Name-LAWS3105

Credits: 4
Total Marks: 100

Written Submissions' Marks: 90
Viva-voce Exam. Marks: 10
Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: Draftsman ship is one compulsory skill for every lawyer. This module is intended to teach drafting to the students.

A. **DRAFTING:-** General principles of drafting and relevant substantive rules should be taught along with the simulation exercises on the below mentioned topics

B. **PLEADINGS:** Marks -45(15 Practical exercises in Drafting of 3 marks each)

Civil:-Plaint, Written Statements, Affidavit, Execution Petition, Interlocutory application, Original Petition, Memorandum of Appeal and Revision, Petitions under Articles 32 & 226 of the Constitution of India, PIL Petition.

Criminal: Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and revision

C. **CONVEYANCING:** Marks -45(15 Practical exercises in Drafting of 3 marks each)

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

D. **VIVA VOCE** of 10 Marks on Written Submissions of all the above mentioned Exercises

BOOKS RECOMMENDED:

- Moga P.C. : The Law of Pleading in India
Chaturvedi R.N. : Pleading, Drafting and Conveyancing (Central Law Publications)
Caturvedi A.N. : Drafting, Pleading and Conveyancing

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SEMESTER-VI
PAPER NO: P-III

Module Code-MOOT COURT EXERCISE AND INTERNSHIP (CLINICAL COURSE -IV)
Module Name-LAWS3106

Duration of Examination: 3 Hrs
Credits: 4
Total Marks: 100

Written Submissions' Marks: 90
Viva-voce Exam. Marks: 10

OBJECTIVE OF THE COURSE: This module gives a chance to the students to have practical experience of the real practice of in the courts of law and other institutions.

UNIT – I (MOOT COURT)

Every student will do at least three Moot Courts on assigned problem. It will include preparation of memorials & presentation of arguments

Note: This unit will carry 30 marks in total, 10 marks for each moot court (5 marks for written submissions and 5 marks for oral advocacy)

UNIT– II: (Observance of Trials)

Every student will record in their diary at least one Civil Trial and one Criminal Trial during their attendance on different days in the court assignment.

Note: This unit will carry 30 marks in total (15 marks for the record of each trial)

UNIT- III (Interviewing Technique)

Every student will observe two Interviewing sessions in a Lawyer's office or legal aid office and record the proceedings in a diary.

Every student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the pleadings. This will be recorded in a diary by the students

To be recorded in a diary

Note: This unit will carry 30 marks in total (15 marks for observance of two Interviewing sessions and 15 marks for observance of Preparation of documents and court papers)

UNIT– IV (Viva Voce)

Every student will face viva voce on all the above aspects

Note: This unit will carry 10 marks

NOTE: Students will have to put in 12 weeks of internship in total (four weeks of internship every year). The students must maintain a diary. They will be evaluated in the last Semester along with Moot Court Exercise and Internship (Clinical Course). The internship should be in the following Institutions or Organizations:

Trial and Appellate Advocates (compulsory), Judiciary, Legal Regulatory Authorities, Legislatures and Parliament, Law Firms, NGO or any other body approved by the Faculty/University.

BOOKS RECOMMENDED:

J.P.S. Sirohi : Moot Court

Ujjwala Sakhalkar : Developing Skills through Moot court & Mock Trial

Kailash Rai : Moot Court Pre-Trial Preparation and Participation in Trial Proceedings

Tewari : Moot Court, Pre-trial Preparation

**PDM UNIVERSITY
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SYLLABUS FOR LL.B.3 YEAR REGULAR COURSE (2018-2019)
SEMESTER-VI
PAPER NO: P-IV**

Module Code-LAWS3203

Module Name-OPTIONAL PAPER-V (COMPETITION LAW)

Theory Paper Marks: 70

Internal/Project Marks: 30

Total Marks: 100

Credits: 4

Duration of Examination: 3 Hrs

OBJECTIVE OF THE COURSE: The principal objective of competition law is to maintain and encourage competition as a vehicle to promote economic efficiency and maximize consumer welfare. Competition law is a form of regulation which involves laws that promote or maintain market competition by regulating anti-competitive conduct.

UNIT-I: COMPETITION LAW IN INDIA

History and Development of Competition law

Competition Act,2002- Background & Silent Feature of competition Act,

Competition Commission of India- Role, Power and function, Appellate tribunal

Evolution of Competition law in india

UNIT-II: SECURITIES LAWS IN INDIA

Historical perspective of Securities laws

SEBI Act, 1992- its Power and Function , Depositories Act, 1996

Security Interest Act, 2002, its backgrounds and importance

Evolution of Securities laws in india

UNIT-III: REGULATORY FRAMEWORK FOR FOREIGN TRADE

Development of foreign trade policy and its Scope

Foreign Trade (Development Regulation) Act, 1992- its main objectives,importance,

Rules and regulation,export,importpolicy,New foreign trade policy (exim policy)

UNIT-IV: FOREIGN EXCHANGE MANAGEMENT ACT, 1999

Objective of FEMA, Shifting of FERA to FEMA, Importance of FEMA

Background, Policies, Authoritie

BOOKS REFERENCES :

Dr. Avtar Singh :Competition law

Abhir Roy : Competition Law in India

VERSHA VAHINI : Indian Competition Law

T. RAMAPPA : Competition Law in India

Siddharth Bawa : Law of Competition in India

Dr. Souvik Chatterji : Competition Law in India

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.

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SEMESTER-VI
PAPER NO: P-V
Course Description

Module Code-LAWS3204

Module Name-OPTIONAL PAPER-VI (BANKING & INSURANCE, NEGOTIABLE INSTRUMENTS)

Duration of Examination: 3 Hrs

Credits: 4

Theory Paper Marks: 70

Internal/Project Marks: 30

Total Marks: 100

OBJECTIVE OF THE COURSE: This paper will help students in understanding Organisation of RBI and other Banking Institutions, Debt Recovery Tribunal, various Negotiable Instruments and different insurance contracts.

UNIT I

Definition, Nature and Concept of Insurance Contract

General Principle of Insurance: Insurable interest, Premium, Risk, Doctrine of Subrogation and Contribution, Principle of Good Faith-Non Disclosure

Insurance Regulatory and Development Authority Act, 1999: Establishment, Role and Function of Insurance Regulatory and Development Authority

Formation of Life Insurance Contract, Event Insured against Life Insurance Contract, Circumstances affecting the Risk

UNIT II

The Banking Regulation Act, 1949: Business of banking companies, suspension of business and winding up of banking Companies, Banking Ombudsman Scheme, 2006

Reserve Bank of India Act, 1934: Organization, Powers and Functions of RBI

Recovery of Debt due to Banks and Financial Institutions Act, 1993: Constitution, Powers, Procedure and functions of the debt recovery Tribunal,

UNIT-III

Meaning and Kinds of Negotiable instruments, Promissory Note, Bill of Exchange, Cheque – Definition and Nature (N.I. Act, sections 4-7, 13) Definition of Holder and Holder in Due Course

Transfer of Negotiable Instruments:

Modes - Negotiation (N.I. Act, sections 14, 46, 47, 48, 57); Assignment (The Transfer of

Property Act, 1882, sections 130-132); Meaning of Indorsement - Who can indorse (N.I. Act, sections 15 and 51); Kinds of Indorsement – Indorsement in Blank and Full (N.I. Act, sections 16 and 54), Conditional Indorsement (N.I. Act, section 52), Restrictive Indorsement (N.I. Act, section 50), Sans Recourse Indorsement (N.I. Act, section 52); Partial Indorsement (N.I. Act, section 56)

UNIT-IV

Liability of Parties and Discharge of Parties from Liability on Promissory Note, bill of exchange and Cheque: Liability of Maker, Drawer, Drawee and Indorser (N.I. Act, sections 30, 31, 32, 35 and 36) Modes – Cancellation [N.I. Act, section 82 (a)]; Release [N.I. Act, section 82 (b)]; Payment [N.I. Act, section 82(c)]; Material Alteration (N.I. Act, sections 87-89)

Crossing of Cheques: Object of crossing; Kinds of crossing – general, special, not-negotiable & account payee crossing; who may cross; Rights and duties of paying banker; Protection of collecting banker

(N.I. Act, sections 123-131-A) Dishonour of Cheque of insufficiency of funds in the Account (Section 138)

BOOKS RECOMMENDED

M.L. Tannen : Banking Law and Practice in India
S.N. Gupta : The Banking Law and Practice in India
M.S. Parthasarathy : Negotiable Instrument Act
AvtarSingh : Negotiable Instrument Act
R.K. Bangia : Negotiable Instrument Act
M.N. Mishra : Principles of Insurance and Practices
K.S.N. Murthy : Modern Law of Insurance in India
M.N. Srinivasan : Law and the Life Insurance Contract

Note: The question paper will have nine questions in all. First question will be compulsory and shall carry 20 marks and will be of conceptual nature covering the entire syllabus. There will be eight more questions, two from each unit and shall carry 12.5 Marks for each question. The candidate will be required to attempt four questions, selecting at least one question from each unit.