

LL.B. III Year 2022-23

Paper : 3.1	:	LAW OF EVIDENCE
Paper 3.2	:	LAW RELATING TO CRIMINAL PROCEDURE, JUVENILE JUSTICE AND PROBATION OF OFFENDERS
Paper 3.3.	:	CODE OF CIVIL PROCEDURE AND LIMITATION ACT
Paper 3.4	:	ARBITRATION, CONCILIATION AND ALTERNATE DISPUTE RESOLUTION SYSTEMS
Paper 3.5	:	LAND LAWS
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Paper 3.7	:	ENVIRONMENTAL LAW

OPTIONAL PAPERS

Paper 3.8. (a)	:	CRIMINOLOGY AND PENOLOGY
Paper 3.8. (b)	:	INTELLECTUAL PROPERTY LAW
Paper 3.8. (c)	:	CYBER LAWS
Paper 3.9 (a)	:	DRAFTING, PLEADING AND CONVEYANCING; PRE-TRIAL PREPARATION; PREPARATION IN TRIAL PROCEEDING AND MOOT COURT
Paper 3.9 (b)	:	VIVA-VOCE EXAMINATION

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LL.B. III Year (Three Year Course)

Paper : 3.1.

LAW OF EVIDENCE

Max. Marks: 100

Min. Pass Marks: 36

- Note: (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
(2) Leading cases prescribed under this paper may be read wherever they are relevant.

Indian Evidence Act, 1872

(INCLUDING LATEST AMENDMENTS IF ANY)

1. Preliminary : Application of Indian Evidence Act, Definition : Court, Fact, Fact in Issue and Relevant Fact, Evidence-meaning and its kinds, proved, disproved, not proved, may presume, shall presume, and conclusive proof. Presumptions of fact and law, presumptions regarding documents.
Relevancy of facts : Explaining – Res-gestae, occasion, cause, effect, motive, intention, preparation, previous and subsequent conduct, introductory and explanatory facts, facts otherwise relevant become relevant, accidental and incidental facts.
2. Admission and Confession:
 - (a) Admission : Definition, whose admission is relevant, relevancy of admission in civil cases, admission not conclusive proof but act as an estoppel
 - (b) Confession : Definition, its kinds, confession caused by inducement, threat or promise, Confession to police officer, confession in the custody of police, confession to Magistrate, confession by co-accused.
 - (c) Difference between admission and confession. Relevancy of statements :
 - a) Statements by persons who cannot be called as witness.
 - b) Statement made under special circumstances.
 - c) Relevancy of judgment of a Court of Law
 - d) Opinions of Third Person.
 - e) Opinion of Experts (Relevancy of Polygraph test, Narco analysis, Brain Mapping)
 - f) Relevancy of Character.
3. Evidence :

Oral evidence, Documentary evidence, kinds of documentary evidence, when secondary evidence is relevant, public and private document.

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

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

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

5. Examination of Witnesses: Order of examinations, Kinds of examination, leading questions, impeaching the credit of witness, questions which can and which cannot be asked, refreshing the memory of witness, production of document, judge's power to put questions and to order productions, Effect of improper acceptance or rejection of evidence.
6. Special provisions as to evidence relating to electronic record and its admissibility; Witness Protection Scheme, Evidentiary value of D.N.A. test, Landmark judgments, recent developments in the law of Evidence.

Leading Cases :

1. Nishi Kant Jha v. State of Bihar, AIR 1969 SC 422.
2. Himachal Pradesh Administration v. Om Prakash, AIR 1972 SC 975
3. Satpaul v. Delhi Administration, AIR 1976 SC 294
4. Laxmipat Chorasias v. State of Maharashtra, AIR 1968 SC 938
5. Pakala Narayan Swami v. Emperor AIR 1939 PC 47
6. Bhardwada Bhogin Bhan Heerji Bhai v. State of Gujarat, AIR 1988 SC 753
7. R.M. Malkani v. State of Maharashtra, AIR 1973 SC 157
8. Selvi and others v. State of Karnataka and another AIR 2010 SC
9. State (NCT of Delhi) v. Navjot Sandhu @ Afsan Guru 2005 SC
10. Palvinder Kaur v. State of Punjab AIR 1952 SC
11. Harpal Singh v. State of Punjab 2016 SC

Suggested Readings :

1. Ratan Lal : The Law of Evidence
2. Batukala : Law of Evidence
3. Vepa P. Sarathi : Law of Evidence
4. Avtar Singh : Law of Evidence
5. Raja Ram Yadav : Evidence Law

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Paper 3.2.

**LAW RELATING TO CRIMINAL PROCEDURE, JUVENILE JUSTICE
AND PROBATION OF OFFENDERS**

Max. Marks: 100

Min. Pass Marks: 36

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

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

Code of Criminal Procedure, 1973 (INCLUDING LATEST AMENDMENTS IF ANY)

1. Preliminary:
 - (a) Object, Extent and Definitions
 - (b) Duties of Public:
 - (i) To assist Police and Magistrate
 - (ii) To give information about certain offences.
2. Criminal Courts:
 - (a) Territorial Divisions and Classification
 - (b) Powers
3. Pre-Trial Procedures:
 - i. Process to compel appearance
 - ii. Process to compel Production of things
 - iii. Arrest of Persons
 - iv. Information to the Police and their powers of Investigation
 - v. Bail
 - vi. Jurisdiction of the Courts in inquiries and Trial
 - vii. Maintenance of Public Order and Tranquility
4. Jurisdiction of the Courts in inquiries and Trial
5. Complaints to Magistrates and Cognizance of Offence
6. Charge
7. Kinds of Trials:
 - i. Trial before Court of Session
 - ii. Trial of Summons and Warrant Cases
 - iii. Summary Trials
 - iv. Plea Bargaining
 - iv. Judgment
8. Appeals
Reference and Revision
Miscellaneous Provisions:
 - i. Period of Limitation
 - ii. Irregular Proceedings

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- iii. Autrefois acquit and Autrefois convict
 - iv. Legal Aid to accused at State expenses
 - v. Pardon to an accomplice
 - vi. Saving of inherent Powers of High Court
 - vii. Maintenance of wives, Children and Parents
9. Juvenile Justice (Care and Protection of Children) Act, 2015
 10. Probation of Offenders Act, 1958

Juvenile Justice (Care and Protection of Children) Act, 2015

(INCLUDING LATEST AMENDMENTS IF ANY)

Definitions – Competent Authorities and Institutions for Juveniles, Neglected Juveniles, Delinquent Juveniles, Juvenile Justice Board, Its Powers & Functions, Procedures of competent authorities, Adoption, Offences in respect of Juveniles.

Probation of Offenders Act, 1958

(INCLUDING LATEST AMENDMENTS IF ANY)

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

Leading Cases :

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

Suggested Readings :

1. Ratan Lal – Criminal Procedure Code
2. Ganguly, A.C. – A Guide to Criminal Code Practice
3. Juvenile Justice Act, 1980
4. Probation of Offender Act, 1950
5. Khatri B.D. – Law of Probation in India along with Juvenile Justice Act, 1988
6. Chakravarti, N.K. – Probation System – in the Administration of Criminal Justice.

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CODE OF CIVIL PROCEDURE AND LIMITATION ACT

Max. Marks: 100

Min. Pass Marks: 36

Note: (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
(2) Leading cases prescribed under this paper may be read wherever they are relevant.

(1.) Code of Civil Procedure, 1908 (INCLUDING LATEST AMENDMENTS IF ANY)

- i. Application of the Code, Definitions, Jurisdiction of the Civil Courts, Suits of Civil Nature, Stay of Suit, Res-Judicata, Presumptions as to Foreign Judgment, Place of Suits, Transfer of Suits and Appeal, Institution of Suit, Joinder, Non-joinder and Mis-joinder of parties and Causes of Action, Service of summon, Pleading- Plaintiff and written statement, Appearance of the parties and consequences of non appearance.
- ii. Examination of the Parties, Admissions, Production of documents, Settlements of Issues, Hearing of the Suit and Examination of Witnesses, Judgment and Decree.
- iii. Execution of Decrees and Orders, Courts by which Decrees may be executed, Powers of the Court executing the decrees, Questions to be determined by the Court Executing the decree. Transfer of decrees for execution, Stay of Execution. Modes of Execution- arrest and detention in civil prison, attachment of properties, sale and other modes.
- iv. Death, Marriage and Insolvency of the Parties, Withdrawal and Adjustment of the Suits, Security of Costs, Commission, Suits of Special Nature and Supplemental Proceedings.
- v. Appeals from Original Decrees, Appeals from Appellate Decrees, Appeals from Orders, Appeals before the Supreme Court, Reference, Review and Revision.

(2.) The Limitation Act, 1963 (INCLUDING LATEST AMENDMENTS IF ANY)

- i. The Limitation Act, 1963 (Omitting the Schedule) Purpose, Policy, Nature and Scope of the Act., Definitions : Applicant, bond, defendant, easement, good faith, plaintiff, period of limit at on.
- ii. Relationship between Limitation, Laches, Acquiescence, Estoppels and Res Judicata; Limitation of Suits, Appeals and Applications, Disability, Computation of Period of limitation, acknowledgement and part payment, acquisition of ownership by prescription.

Leading Cases :

1. Bhanu Kumar Jain v. Archana Kumar, AIR 2005 SC 626
2. C.T. Nikam v. Municipal Corporation of Ahmedabad, AIR 2002 SC 997
3. Md. Sirajuddin v. Md. Abdul Khaliq, AIR 2005 Gauhati 40
4. Shri Sinha Ramanju v. Ramanuja, AIR 1961 SC 1720
5. Narain Bhagwantrao v. Gopal Vinayak, AIR 1960 SC 104

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6. Garilapati Veerava v. N. Subhia Choudhary, AIR 1957 SC 540
7. Deoki Nandan v. Murlidhar, AIR 1957 SC 133
8. Dety Pattabhirama Swamy v. Hanmayya, AIR 1959 SC 57
9. S.M. Jakati v. B.M. Borker, AIR 1959 SC 282

Suggested Reading :

1. Takwani, C.K. – The Code of Civil Procedure
2. Mulla – Civil Procedure Code
3. Singh, S.N. – Civil Procedure Code
4. Gupta, R.R. – Civil Procedure Code (Hindi)
5. Tandon, M.P. – Civil Procedure Code (Hindi)
6. Mridul Srivastava – Civil Procedure Code (Hindi)
7. A.N. Pandey – Civil Procedure Code (Hindi)

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**ARBITRATION, CONCILIATION AND
ALTERNATE DISPUTE RESOLUTION SYSTEMS**

Max. Marks: 100

Min. Pass Marks: 36

- Note: (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
(2) Leading cases prescribed under this paper may be read wherever they are relevant.

1. **ADR (Alternate Dispute Resolution System)**

Introduction, Concept of ADR , History and Reasons for the growth of ADR , Advantages of ADR , Legislative and Judicial Sanction for ADR, Important forms of ADR, Mechanism of Alternative Dispute Resolution, ADRs and their Importance, Alternatives to Judicial Process, Negotiation , Mediation , Compromise, Conciliation , Arbitration, Ombudsman, Lok Pal and Lokayukta, Lok-Adalat, Distinction between ADR & Judicial Dispute Resolution.

2. **The Arbitration and Conciliation Act, 1996 as amended in 2015:**

(INCLUDING LATEST AMENDMENTS IF ANY)

- (a) General provisions – Arbitration Agreement – Arbitral Tribunals (Composition and jurisdiction) – Conduct of Arbitral Proceedings – Arbitral Awards – Termination of Proceedings – Setting aside of arbitral award – Enforcement of arbitral awards. Enforcement of Foreign Awards – New York Convention – Awards, Geneva Convention Awards.
- (b) Conciliation – Conciliators – Procedure of Conciliation Relationship of Conciliator with Parties – Settlement-Agreement – Termination of Conciliation Proceedings – Resort to Arbitral or Judicial Proceedings-Costs and Deposits.

3. **Lok Adalats –**

Objects, Role of Committee for Implementation of Legal Aid Schemes (CILAS) Permanent Conciliatory Centres in Gujarat – **The Legal Services Authorities Act, 1987, (INCLUDING LATEST AMENDMENTS IF ANY)** Functions of National Legal Services Authority, State Legal Services Authority and District Legal Services Authority; Organization of Lok Adalat, Jurisdiction and Powers of Lok Adalats, Procedure for determination of Dispute before the Lok Adalat.

Leading Cases :

1. State of Bihar v. Kamleshwar Singh, AIR 1952 SC 252
2. Vallabhdas Meghji v. Cowosji Franceji, AIR 1925 Bom. 409

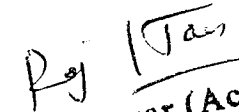
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3. Firm Madanlal Roshanlal Mahajan v. Humum Chand Mills Ltd., AIR 1967 SC 1030
4. State Electricity Board, Tamil Nadu v. Sree Meenakshi Mills Ltd., AIR 1975 Mad. 139
5. Food Corporation of India v. M/s Thakur Shipping Co., AIR 1975 SC 465
6. The Bay of Bengal Maritime Boundary Arbitration between the People's Republic of Bangladesh and The Republic of India (Bangladesh v India), Award of the Arbitral Tribunal, Permanent Court of Arbitration, dated 07 July 2014.
7. White Industries Australia Ltd. v Republic of India, UNCITRAL Final Award, 30 November 2011. Saipem S.P.A. v The People's Republic of Bangladesh, ICSID Case no. ARB/05/07, Decision on jurisdiction and recommendation on provisional measures dated 21 March 2007.
8. Asian Agricultural Products Ltd. v Republic of Sri Lanka, ICSID Case No. ARB/87/3, Final Award, dated 21 June 1990
9. Shri Lal Mahal Ltd. v. Progetto Grano Spa, 3 Civil Appeal No. 5085 of 2013 arising from SLP (C) No. 13721 of 2012, Judgment of the Supreme Court of India, dated 03 July 2013.
10. Aerial Incident of 10 August 1999 (Pakistan v India), Jurisdiction of the Court, Judgment [2000] ICJ Rep 12.

Suggested Readings :

1. Sunil Deshta Lok Adalats in India – Genesis & Functioning
2. Bakshi, P.M. - Arbitration Law
3. Paruck, P.L. – Indian Arbitration Act
4. Avtar Singh – Law of Arbitration and Conciliation
5. Robert J. Niemic, Donna Stienstra and Randall E. Ravitz, Guide to Judicial Management of Cases in ADR, Federal Judicial Centre, 2001
6. Abraham P. Ordoover and Andrea Doneff, Alternatives to Litigation: Mediation, Arbitration, and the Art of Dispute Resolution, Notre Dame: National Institute for Trial Advocacy, 2002
7. J. G. Merrills, International Dispute Settlement. U.K : Cambridge University Press, 2005 (Fifth Edn.)


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LAND LAWS

Max. Marks: 100

Min. Pass Marks: 36

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Acts of Study : (INCLUDING LATEST AMENDMENTS IF ANY)

1. Rajasthan Tenancy Act, 1955
2. Rajasthan Land Revenue Act, 1956
3. Rajasthan Rent Control Act, 2001

Rajasthan Tenancy Act, 1955:

1. Preliminary : Objects and Reasons, Definition, Khudkasht , Ijredars, Grove Holder : Classes of tenants: Conferment of rights on sub-tenants of Khud Kasht, Primary Right of Tenants : Surrender, Abandonment and Extinction of tenancies; Improvements and Trees : Declaratory Suits : Determination and Modification of Rent: Payment and Recovery of Rent : Grounds for Ejectment of Tenants, Remedies for Wrongful Ejectment
2. Procedure and Jurisdiction of Court, Provisions for injunction and appointment of Receiver; Appeal, Review, Revision: Reference, Question of Proprietary Rights in Revenue Courts: Question of Tenancy right in Civil Court, Conflict of Jurisdiction

The Rajasthan Land Revenue Act, 1956:

3. The Board of Revenue, Revenue Courts and Officers; Appeal, Reference, Revision and Review; Land; Survey.
4. Record of Rights, Maintenance of maps and record, Annual Registers; Settlement operations; Rent Ratio, Determination of rent, Term of Settlement; Collection or Revenue

Rajasthan Rent Control Act, 2001:

5. Preliminary: Object and Reasons, Definition-Amenities, Landlord, Premises, Tenant. Revision of Rent, limited period tenancy, eviction of tenants, right of landlord to recover immediate possession in certain cases, restoration of possession of illegally evicted tenant and procedure thereof. Constitution of tribunals, procedure for revision of rent and eviction, Appeal and Execution Amenities.
6. Land Acquisition Law- The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013- Preliminary: object and reason, Definition: affected family, agriculture land, cost of acquisition, displaced family, infrastructure project, marginal farmer, market value, person interested, public purpose, and resettlement area, Procedure of land Acquisition, Notification, Determination of social impact Consent of Land Owners – Award Inquiry and public purpose, special provision to

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safeguard food security, Rehabilitation and Resettlement Award and procedure relating to it. Procedure relating to land acquisition, rehabilitation and resettlement authority, apportionment and payment of compensation, Reference to civil courts etc.

7. **RERA Act 2016:** Salient Features, Definitions. Real Estate Regulatory Authority, Registration with the Regulatory Authority, Carpet Area, 70% of realisation from allottees in a separate bank account, Acceptance or refusal of registration, Revocation or lapse of registration, Website of the Regulatory Authority, Advertisement or prospectus issued by the promoter, Limit on receipt of advance payment, Restriction on addition and alteration in the plans, Structural defect, Restriction on transfer and assignment, Refund of amount in case of delay in handing over possession, Other relevant provisions, Real Estate Appellate Tribunal, Adjudicating Officer, Offences and Penalty, Overriding effect.

Leading Cases :

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

Suggested Reading:

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

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INTERPRETATION OF STATUTES

Max. Marks: 100

Min. Pass Marks: 36

Note: (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
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1. **General Concepts:** Interpretation of Statute: Meaning, Object and Scope; Importance, Advantages, Disadvantages; Interpretation and Construction, Differences between them; Intention of Legislature, Limits of Interpretation. Statutes: Nature and Classification; Structure of Statute.
2. **Rules of Interpretation:** Primary (Basic Rules) Secondary (subsidiary) Rules; Literal Rule; Golden Rule; Mischief Rule; Harmonious Construction
3. **Maxims and Presumptions: Maxims of Statutory Interpretation:** Ejusdem Generis; Noscitur a Sociis; Expressio Unius Exclusio Alterius; Ut Res Magis Valeat Quam Pereat; Delegatus Non Potest Delegare; Contemporanea Expositio Est Optima Et Fortissima in Lege; Construction Expressio Unius Est Exclusio Alterius; Reddendo Singula Singulis
4. **Aids to Interpretation:** Internal Aids: Title; Preamble; Headings; Marginal Notes; Interpretation Clauses; Proviso; Explanation; Exception & Saving Clause. External Aids: Parliamentary and Constitutional history; Historical facts and Surrounding Circumstances; Social, Political and Economic Developments and Scientific Inventions; Stare Decisis (Judicial Precedents); Dictionaries; Literature; Reference to other Statutes (Pari Materia).
5. **Interpretation with reference to the Subject Matter and Purpose of Statutes:** Interpretation of Penal Statutes (Strict Construction); Interpretation of Taxing Statutes; Interpretation of the Constitution: Principle of Pith and Substance; Principle of Colourable Legislation; Principle of Severability; Principle of Eclipse.

Leading Cases:

- Ramavatar v. Assistant Sales Tax Officer (1961 SC)
- Motipur Zamindari Co. Pvt. Ltd. v. State of Bihar (1962 SC)
- Ranjit Udeshi v. State of Maharashtra (1965 SC)
- Bengal Immunity Company v. State of Bihar 1955 SC

- Mangoo Singh v. Election Tribunal 1957 SC
- Alamgir v. State of Bihar 1959 SC
- Smith v. Hughes 1960
- Heydon's Case
- Lily Thomas v. Union of India 2000 SC
- K.. M. Nanavati v. State of Bombay 1961 SC
- U.P. State Electricity Board v. Harishanker 1979 SC
- Nandini Satpathi v. P.L. Dani (1978 SC)

Books:

- P. St. J. Langan, Maxwell on the Interpretation of Statutes (12th ed., 1969)
- Vepa P. Sarathi, Interpretation of Statutes (4th ed., 2003)
- G.P. Singh, Principles of Statutory Interpretation (11th ed., 2008)
- S.G.G. Edgar, Craies on Statute Law (1999)
- Swarup Jagdish, Legislation and Interpretation
- P. St. Langan (Ed.). Maxwell on The Interpretation of Statutes (1976) N.M.Tripathi, Bombay
- K.Shanmukham, N.S.Bindras's Interpretation of Statutes, (1997) The Law Book Co. Allahabad.
- V.Sarathi, Interpretation of Statutes, (1984) Eastern, Lucknow
- M.P.Jain, Constitutional Law of India, (1994) Wadhwa & Co.
- M.P.Singh, (Ed.) V.N.Sukla's Constitution of India, (1994) Eastern, Lucknow.
- U.Baxi, Introduction to Justice K.K.Mathew's, Democracy Equality and Freedom (1978) Eastern, Lucknow

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ENVIRONMENTAL LAW

Max. Marks: 100

Min. Pass Marks: 36

Note: (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
(2) Leading cases prescribed under this paper may be read wherever they are relevant.

1. Meaning and contents of Environment and Environment Pollution, History and Development of Environmental Legislation in India, Constitutional and Other statutory provisions related to Environment, Doctrine of Sustainable Development, Polluter Pays Principles, Precautionary Principles, Public Trust, Other Common laws and statutory remedies, Judicial Activism Pertaining to Environmental Pollution, International Environment Law.
2. **The Environment (Protection) Act, 1986: (INCLUDING LATEST AMENDMENTS IF ANY)**
Objects, Definition, General powers of the Central Government, Prevention, Control and Abatement of Environmental Pollution; Penalties and Procedure, Power to make Rules
National Green Tribunal Act, 2010: (INCLUDING LATEST AMENDMENTS IF ANY)
Object, Definitions, Establishment of Tribunal, Jurisdiction, Powers, Proceedings and Penalty
3. **The Wild Life (Protection) Act 1972: (INCLUDING LATEST AMENDMENTS IF ANY)**
Need to conserve Wild Life, Definitions, Authorities under the Act, Hunting of Wild Life Animals, Protection of Specified Plants; Sanctuaries, National Parks and Closed Areas; Central Zoo Authority and Recognition of Zoos; Trade or Commerce in Wild Animals, Animal Articles and Trophies and its Prohibition; Prevention and Detection of Offences; Power to Make Rules.
4. **The Water (Prevention and Control of Pollution) Act, 1974: (INCLUDING LATEST AMENDMENTS IF ANY)**
Object and Application of the Act; Definitions; Constitution, Powers and Functions of Central, State and Joint Boards, Prevention and Control of Water Pollution, Water Laboratories, Funds Accounts and Audits, Penalties and Procedure, Power of Government to Supersede and make rules.
5. **The Air (Preventions & Control of Pollution) Act, 1981: (INCLUDING LATEST AMENDMENTS IF ANY)**
Object and Application of the Act; Definitions; the Constitution, Powers and Functions of Central and State Boards, Prevention and Control of Air Pollution, Funds Accounts and

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Audits, Penalties and Procedures; Powers of the Government to supersede and Dissolution of the State Board and its effects, Powers of Government to Make Rules.
The Rajasthan Noise Control Act, 1963 (Basic Concepts) (INCLUDING LATEST AMENDMENTS IF ANY)

Leading Cases:

1. Charan Lal Sahu v. Union of India, AIR 1990 SC 1480.
2. Rural Litigation & Entitlement Kendra, Dehradun v. State of U.P., AIR 1985 SC 659
3. Mehta, M.C. v. Union of India, AIR 1987 SC 1086
4. Mehta, M.C. v. Union of India, AIR 1988 SC 1115
5. House of God (Full Gospel) of India v. K.K. R.M.C. Welfare Association & Others AIR 2002 SC 2237.
6. A.P. Pollution Control Board v. Prof. M.V. Nayadu, AIR 1999 SC 812
7. Vellore Citizen's Welfare Forum v. U.O.I. AIR 1996 SC 2715

Suggested Reading :

1. Shanta Kumar S. : Environmental Law
2. Karkara G.S. : Environmental Law
3. Singh C. P.: Environment Law (Hindi)
4. Rathi R. L.: Environment Law (Hindi)
5. Jain, Suresh & Jain Vimla : Environmental Law in India.
6. Gurbax Singh : Environmental Law in India
7. Shastri, Satish : Environmental Law in India (2004)
8. Divan Shyam & Arvin Rosencronze : Environmental Law & Policy in India (2002)

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OPTIONAL PAPERS

Paper 3.8. (a)

CRIMINOLOGY AND PENOLOGY

Max. Marks: 100

Min. Pass Marks: 36

Note: (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
(2) Leading cases prescribed under this paper may be read wherever they are relevant.

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

Criminal Behaviour:

(i) Explanations

(ii) Psychological Theories – Alcoholisms and Drugs

Crime and Social Processes: Economic Motivation, Socio-cultural Movements, Crime and Community, Female Offender, Juvenile Delinquency, Influence of Mass-Media.

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

1. Ancient School

(a) Demonological

(b) School of Free-will

2. Classical School

3. Cartographic or Ecological school

4. Socialistic School

5. Typological School

(a) Italian or Positive School (b) Mental Testers School

(c) Psychiativists School.

6. Sociological School

7. Multi-factor School

Control of Crime: Police and Law Courts : Prison System-Re-socialisation of the offender, Rehabilitation of discharged prisoners in the administration of Criminal Justice, Prevention of Crime Delinquency.

3. Definition of Punishment, Relationship between Criminology and Penology; Theories of Punishment, Expiatory, Preventive and Reformative Theories and Purposes of Punishment.

Penal Science in India : History of Punishment, Pre-classical school-classical school, Neo-classical Positive school, The Reformer, Clinical School and Multiple Causation approach.

4. **Kinds of Punishment** : Modes of treatment of offenders, Corporeal punishment, Transportation of Criminals, Capital Punishment, Imprisonment, Reactional, Treatment, Probation, Parole, Compensation, Admonition, Treatment of Habitual Juvenile, Sex and

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Adolescent Offenders, Indevaminita Sentences, Borastal School, Criminal Procedural Jurisprudence.

5. **Constitutional Guarantees** – Principle of Natural Justice as applicable to Procedural Law, Protection to Arrested Persons, Under-trials, Detenue and Convicted Persons. Double Jeopardy and Self-Incrimination, Rights to Life and Legal Aid.
6. **Victimology:**
 - (a) Compensation, Restitution, Assistance and Rehabilitation
 - (b) Compensation as a mode of Punishment
 - (c) Constitutional Perspective for Compensation

Leading Cases:

1. Guru Singh v. State of Rajasthan, 1984 Cr. LJ 1423 (1428)
2. Bandhua Mukti Morcha v. Union of India, AIR (1984) SC 802
3. Francis Coralie Mullin v. Union Terrifory Delhi, AIR 1981 SC 746
4. R.K. Garg v. Union of India, (1981) 133 ITR 239
5. Mithu v. State of Punjab, AIR 1983 SC473.

Suggested Readings:

1. Barnes, H.B. and Tectors – New Horizons in Criminology
2. Vold, G.S. – Theoretical Criminology
3. Edwin H. Sutherland and Donald R. Grussey – Principles of Criminology
4. Hon, Barren, Mays – Crime and the Social Structure
5. Ahmed Siddiqui – Criminology – Problems & Perspectives
6. Lord Pakenham – Causes of Crime
7. S. Venugopala Rao – Facts of Crime in India
8. Korm, R.R. And Mc Gorble, LW – Criminology and Penology
9. Grunhut – Penal Reforms
10. Mandholm – Criminal Justice and Reconstruction
11. I.L.I. – Essays on Indian Penal Code.
12. Ben – Penology – Old and News –Tagore Law Lectures
13. Shamsul Huda – Tagore Law Lectures on Criminal Law
14. Lawburse – Crime, Its Causes and Remedies.
15. Dequires - Modern Theories of Criminology
16. Deccaria— Crime and Punishment.
17. N.V. Puranjape-अपराधशास्त्र एवं दण्ड प्रशासन
18. MS. Chauhan— अपराधशास्त्र एवं अपराधिक विज्ञान सिद्धान्त
19. Sky Thakur - Victim Compensation in India Criminal Justice System

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INTELLECTUAL PROPERTY LAW

Max. Marks: 100

Min. Pass Marks: 36

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

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

INTRODUCTION: Introduction to Intellectual Property; Kinds of Intellectual Property Rights: **(Basic Overview)** Copyright and Related Rights, Patents, Trademarks, Plant Varieties, Farmer's Rights, Traditional Knowledge, Traditional Knowledge Digital Library, Convention on Biological Diversity, Trade Secrets, The Semiconductor Integrated Circuits Layout-Design; International Institutions and Basic International Conventions related to Intellectual Property: **(Basic Overview)** Paris Convention for the Protection of Industrial Property, 1883; The Berne Convention for the Protection of Literary and Artistic Works, 1886; W.T.O. & T.R.I.P.S. Agreement, 1995; W.I.P.O.

THE COPYRIGHT ACT, 1957: History, Enactment and Implementation etc. ; Interpretation Clause ; Copyright Office and Copyright Board; Copyright; Ownership of Copyright and the Rights of the Owner; Term of Copyright, Licences; Rights of Broadcasting Organization and of Performers; Registration of Copyright; Infringement of Copyright; Landmark Cases; Recent Developments in the Law (with Amendments, if any)

THE DESIGNS ACT, 2000: History, Enactment and Implementation etc.; Interpretation Clause; Registration of Designs; Copyright in Registered Designs; Legal Proceedings; Landmark Cases; Recent Developments in the Law (with Amendments, if any)

THE GEOGRAPHICAL INDICATION OF GOODS (REGISTRATION AND PROTECTION) ACT, 1999: History, Enactment and Implementation etc.; Interpretation Clause; The Register and Conditions for Registration; Procedure for and Duration of Registration; Effect of Registration; Special Provisions relating to Trademarks; Landmark Cases; Recent Developments in the Law (with Amendments, if any)

THE PATENTS ACT, 1970: History, Enactment and Implementation etc.; Interpretation Clause; Inventions Not Patentable; Applications for Patents; Publication and Examination of Applications; Opposition and Anticipation; Grant of Patents and Rights Conferred Thereby; Restoration, Surrender and Revocation of Patents; Register of Patents; Patent Office and Its Establishment; Working of Patents, Compulsory Licenses and Revocation; Landmark Cases; Recent Developments in the Law (with Amendments, if any)

THE TRADEMARKS ACT, 1999: History, Enactment and Implementation etc.; Interpretation Clause; Kinds of Trademarks; The Register and Conditions for Registration; Procedure for and Duration of Registration; Effect of Registration; Use of Trademarks and Registered Users;

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Collective Marks and Certification Trademarks; Landmark Cases; Recent Developments in the Law (with Amendments, if any)

Suggested Readings:

1. A. K. Bansal, Law of Trademark in India, Thomson & Reuters, 2014
2. Ashwani Kumar Bansal, Design Law, Universal Law Publishing Company, 2012
3. Dr. Wadhwa, B.L., Law relating to IPR, Universal Publication, (5th Edition, 2011)
4. Elizabeth Verkey, Law of Patents, Eastern Book Company, 2nd Edition, 2012
5. Kankanala, Kalyan C., Indian Patent Law and Practice, (2010), India, Oxford University Press
6. Lionel Bently & Brad Sherman, Intellectual Property Law, Oxford University Press, 3rd Edition, 2008
7. P. Narayanan, Copyright and Industrial Designs, Third Edition, Eastern Law House, New Delhi, 2007
8. V. K. Ahuja, Law relating to Intellectual Property rights, 2nd Edition, (2013) LexisNexis.
9. W. R. Cornish, Intellectual Property: Patents Copyright Trademarks and allied rights, Sweet & Maxwell, London, 2010.

Leading Cases: (Not an Exhaustive List)

1. Biocon Ltd. & Mylan Pharmaceuticals Pvt. Ltd. v. F. Hoffmann-La Roche AG & Ors.
2. Eastern Book Company & Ors v. D.B. Modak & Anr.
3. Indian Performing Right Society Ltd v/s. Eastern India Motion Picture Association
4. Monsanto Technology LLC & Ors. v. Nuziveedu Seeds Ltd. & Ors.
5. Natco Pharma Ltd. v. Bayer Corporation
6. Novartis A.G. v. Union of India 2013 SC
7. R.G Anand v. M/S. Delux Films & Ors.
8. Tea Board India v. ITC Limited Kolkata HC
9. The Coca-Cola Company v. Bisleri International Pvt. Ltd. [Manu/DE/2698/2009]
10. The Chancellor, Masters & Scholars of the University of Oxford & Ors. v. Rameshwari Photocopy Services & Ors.
11. Yahoo! Inc. v. Akash Arora & Anr 1999 PTC 201 (Delhi H.C.)

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CYBER LAWS

Maximum Marks: 100

Minimum Passing Marks: 36

1. Introduction: Cyber Law- Genesis & Scope; Cyberspace and its components; Evolution of Internet and WWW; Defining computer, computer network, computer system, computer resource; Cyber Jurisprudence at International and National Level: UNCITRAL Model Law on Electronic Commerce 1996; Council Of Europe - Budapest Convention On Cybercrime; Role of ICANN; National Cyber Security Policy 2013

2. Information Technology Act and Amendments: (INCLUDING LATEST AMENDMENTS IF ANY)

Salient features of the IT Act, 2000 (as amended in 2008); Impact on other related Acts (Amendments) : Amendments to Indian Penal Code, Indian Evidence Act, Bankers Book Evidence Act, Reserve Bank of India Act.

Various authorities under IT Act and their powers: Controller of Certifying Authorities, Appellate Tribunal, Appropriate Authority – Central & State Government.

National nodal agency: In-CERT; Liability of Intermediaries; Examiner of Electronic Evidence

3. Cyber Space Jurisdiction: Jurisdiction issues under IT Act, 2000; Traditional principles of Jurisdiction; Extra-terrestrial Jurisdiction; Case Laws on Cyber Space Jurisdiction

4. Electronic Commerce and Electronic Governance: E-Commerce; Issues and provisions in Indian Law, Salient Features, advantages and challenges posed, Models of E-commerce like B2B, B2C & C2C, E-Contracts; E-taxation, E-banking.

E-Governance; concept and practical aspects in India; Concept of electronic records and electronic signatures; Rules for attribution, acknowledgement and dispatch of such records.

5. Cyber Crimes & Indian Legal Framework: Understanding Cyber Crimes -difference between traditional crime and cyber crimes; Classification of Cyber Crimes -against person, against property, against government; Penalties, Compensation and Adjudication; Offences under IT Act, 2000; Cyber Crimes under Indian Penal Code, 1860.

6. Intellectual Property Issues in Cyber Space: Interface with Copyright Law; Interface with Patent Law; Trademarks & Domain Names Related issues and Other Contemporary Issues.

Suggested Readings:

1. Information Technology Act, 2000 and amendments
2. UNCITRAL Model Law on Electronic Commerce, 1996
3. Council Of Europe - Budapest Convention On Cybercrime, 2001
4. National Cyber Security Policy, 2013
5. J. P. Mishra, An Introduction to Cyber Laws ,Central Law Publications
6. Karnika Seth, Computers, Internet and New Technology Laws, Lexis Nexis Butterworths Wadhwa
7. S. K. Verma & Raman Mittal, Legal Dimensions of Cyber Space, Indian Law Institute
8. Pavan Duggal, Textbook On Cyber Law Paperback, Universal Law Publishing
9. Anirudh Rastogi, Law of Information Technology and Internet, Lexis Nexis
10. Garima Tiwari, Understanding Cyber Laws & Cyber Crimes, Lexis Nexis
11. Debarati Halder & K. Jaishankar, Cybercrime against women in India, Sage Publishing

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12. Prashant Mali, Cyber Law & Cyber Crimes Simplified, Cyber Infomedia
13. Talat Fatima, Cyber Crimes, Eastern Book Company
14. देवबारी हालदर, के .जयशंकर, भारत में महिलाओं के विरुद्ध साइबर अपराध ,सेज पब्लिशिंग
15. जय प्रकाश मिश्र, साइबर विधि ,सेंट्रल लॉ पब्लिकेशन
16. तलत फातिमा, इंटरनेट विधि एवं साइबर अपराध ,ईस्टर्न बुक कंपनी
17. प्रशांत माली ,साइबर कानून एवं साइबर अपराध ,साइबर इन्फोनीडिया

Leading Cases:

1. Shreya Singhal v. Union of India AIR 2015 SC
2. P.U.C.L. v. Union of India AIR 2019 SC
3. Avnish Bajaj v. State (NCT of Delhi) (Bazee.com) 2008 Delhi HC
4. Sharat Babu Digumarti v. Govt. of N.C.T. of Delhi AIR 2017 SC
5. Harpal Singh v. State of Punjab 2016 SC

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**DRAFTING, PLEADING AND CONVEYANCING; PRE-TRIAL
PREPARATION; PREPARATION IN TRIAL PROCEEDING AND MOOT
COURT**

Max. Marks : 100

Min. Pass Marks : 36

This paper shall consist of following two parts ;

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

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

(1.) Written Paper

(i) **Drafting & Pleading :** General principles of Drafting and relevant substantive rules of pleading and their exceptions: Amendments of Pleading ;Alternative and Inconsistent Pleadings.

(ii.) Drafting Exercise on Pleadings :

- (a) Civil - (i) Plaints (ii) Written Statement : (iii) Interlocutory application, (iv) Original petition, (v) Affidavit (vi) Notice (vii) Execution petition (viii) Memorandum of Appeal and Revision, (ix) Writ petitions.
- (b) Criminal- (i) Complaints ; (ii) Bail Applications; (iii) Reply by Accused ; (iv) Criminal Miscellaneous Petition, (v) Appeal, Reference and Revision (c) Conveyancing - Drafting exercise on conveyancing (i) Sale Deed; (ii) Mortgage Deed; (iii) Gift Deed; (iv) Lease Deed; (v) Rent Deed; (vi) Partnership Deed; (vii) Power of Attorney; (viii) Promissory Note and (ix) Will.

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- (i) Pre-trial Preparation :Each student will observe two interviewing session of clients at the advocate office / legal office and record the proceedings in a diary.
- (ii) Participation in Trial Proceedings : Each student will attend two trials during the session and maintain a record and enter the various steps observed during in a diary.
- (iii) Moot Court : Each student will participate in two Moot courts
- (iv) Viva-voce : The Viva-voce examination shall be conducted by a committee of two persons. In this committee, there shall be one Internal and one External Examiner. The committee shall award marks on the basis of Court diary, performance at the Moot court and Viva-voce Examination. The division of marks will be as under

- (1) Record maintained by the student (5 marks)
- (2) Participation in Moot court (5 marks)
- (3) Viva-voce (10 marks)

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