

Institute of Law
Kurukshetra University, Kurukshetra
 Course of Study for B. A. LL. B. (Hons) 5-Year Integrated Course(2012-13)
Fourth Year

Paper	Semester-VII	Paper	Semester-VIII
Subject Code	Subject	Subject Code	Subject
701	History-I	801	History-II
702	Civil Procedure Code -I	802	Civil Procedure Code and Limitation Act
703	Principle of Taxation Law	803	Indirect Taxation Laws
704	Interpretation of Statutes & Principles of Legislation	804(A)	Intellectual Property Law
705 (A)	Human Rights Law and Practices	804(B)	Investment and Securities Laws
705(B)	International Trade Law	805(A)	Gender Justice and Feminist Jurisprudence
706	Professional Ethics, Accountancy for Lawyers & Bench Bar Relations (Practical-I)	805(B)	Media and Law
		806	Alternative Dispute Resolution and Legal Aid (Practical-II)

The Scheme has already been approved by the Board of Studies in its meeting held on 13.06.2011 vide resolution No. 6 and conveyed to your office vide Endst no. IOL/11/3522-28 dated 14.06.2011

B.A.LL.B. (Hons) 5 Year Integrated Course

VII - Semester

History –I

Paper: 701

Max. Marks: 80

Time: 3 Hours

Note:

- (a) Nine questions shall be set in all. Two questions from each unit I-IV and one compulsory question.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question number 9 in Unit V shall be compulsory
- (d) Each question in Unit I-IV shall carry 15 marks and question number 9 in Unit V shall carry 20 Marks.

UNIT I

History: Meaning, Sources and Importance.

Sources of Law in Ancient India with Special Reference to Manusmriti and Arthashastra.

History and Law: Relationship.

UNIT II

Indus Valley Civilisation: Salient Features and Causes of its Decline.

Tribal Polity in the RigVeda: Sabha and Samiti

The system of Oligarchies and Republics.

UNIT III

The Mauryan Empire: Salient Features of Civil Administration and its Downfall.

Polity in the Post Maurya Period: The Satvahana and the Kushana

The Gupta Empire: Administration and Cultural Developments.

Local Administration and Feudalism.

UNIT IV

Social Institutions in Ancient India:

The Asramas, Gotra and Pravara, Varna and Jati, Manial and Untouchables

Position of Women: Education, Marriage, Rights of Property.

Suggested Readings

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| 1. H.V. Sreenivasa Murthy | History of India : For Law Students
Part -I |
| 2. J. Allan, T.W. Haig
and H.H. Dodwell | The Cambridge Shorter History of India
Part –I- Ancient India, Delhi, 1958. |
| 3. D.N. Jha, | Ancient India: An Introductory Outline,
New Delhi, 1977 |
| 4. J. Filliozat, (tr.) P. Spratt | Political History of India from Earliest
Times to 7 th Century A.D., Calcutta, 1957. |
| 5. R.S. Sharma, | Aspects of Political Ideas and Institutions in
Ancient India, 2 nd Edition, New Delhi, 1968. |
| 6. R.S. Sharma, | Perspectives in Social and Economic
History of Early India, New Delhi, 1983 |
| 7. Romila Thapar, | A History of India, Vol. I, Penguin, 1966. |
| 8. Sir Mortimer Wheeler
and A.L. Bashm, | Oxford History of India (Revised), Part I
Oxford 1958. |

9. E.J. Rapson (ed.) Cambridge History of India, Vol. I, Cambridge, 1922.
10. R.K. Mookerji Chandragupta Maurya and His Times, Banaras, 1960
11. R.C. Majumdar Ancient India
12. A.L. Basham Wonder that was India, Part-I, Delhi, 1971

B.A. LL.B(Hons.) 5 –Year Integrated Course

VII- Semester Civil Procedure Code -I

Paper 702

Max. Marks: 80
Time: 3 hours

Note:

- (a) Nine questions shall be set in all, two questions in each unit I-IV and one compulsory question in unit-V.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- (d) Each question in Unit I-IV shall carry 15 marks and question no. 9 in Unit –V shall carry 20 Marks.

UNIT-I

1. Definitions : Decree, Decree Holder, Foreign Court, Foreign Judgment, Judgment, Judgment Debtor, Legal Representative, Mesne Profits, Order (Sec. 2)
2. Jurisdiction of Civil Courts, Nature of Suits (Sec. 9)
3. Stay of Suits, Resjudicata, Foreign Judgement (Sec. 10)
4. Place of Suing, Transfer of Suits (Secs.15-25)
5. Joinder of Parties, Representative Suits, Splitting of Claims and Relief, Joinder of Cause of Action (Order I & II)

Leading Case: Sinha Romanuja v. Ranga Romanuja, AIR 1961SC 1720

UNIT-II

1. Institution of Suits (Sec. 26 & Order IV)
2. Fundamentals rules of Pleadings (Order VI, VII & VIII)
3. Summons to defendants and witnesses (Secs. 27-32 & Order V & XVI)
4. Appearance of parties, Exparte Decree (Order IX, X)
5. Discovery and Inspection (Order XI)
6. Admission (Order XII)

Leading Case: Babbar Sewing Machine Co. v. Triloki Nath, AIR 1978SC 1436

UNIT-III

1. Production, Impounding and Return of Documents(Order XIII)
2. Settlement of Issues (Order XIV, XV)
3. Adjournment (Order XVII)
4. Hearing of Suits (Order XVIII), Affidavits (Order XIX)
5. Judgment and Decree (Sec. 33 & Order XX)
6. Awarding of interest and Cost (Secs. 34-35B)

Leading Case: Arjun Singh v. Mohijder kumar and others, AIR 1964 SC 993

UNIT-IV

1. Power and Jurisdiction of Executing Court (Secs.36- 47, 49- 50)
2. Procedure in Execution (Secs.51-54 & Order XXI Rules 1 & 2, Rules 10- 25), Stay of Execution (Rules 26-29)
3. Mode of Execution (Rules 30-36), Arrest and detention (Secs.55-59 & Order XXI Rules 37- 40)
4. Attachment of Property and Adjudication of Claims and Objections (Secs.60- 64 & Order XXI Rules 41-59)
5. Sale, Procedure in Sale and Distribution of Assets (Secs.65-73 & Order XXI Rules 64-96)
6. Resistance to Execution (Sec.74 & Order XXI Rules 96-106)

Leading Case: Uma Shanker v. Sarabjeet, AIR 1996 SC 1005

Statutory Material

Code of Civil Procedure, 1908

Suggested Readings

1. Mulla : The Code of Civil Procedure (Student Edition)
2. Thakkar, C.K. : The Code of Civil Procedure
3. Sarkar, Sudipto : The Code of Civil Procedure
4. Saha, A.N. : The Code of Civil Procedure
5. Mulla D.F. : Key to Civil Practice
6. Takwani C.K. : Civil Procedure Code

B.A.LL.B (Hons.) 5-Year Integrated Course

VII - Semester

Paper 703

Principles of Taxation Law

Max. Marks: 80

Time: 3 Hours

Note:

- (a) Nine questions shall be set in all. Two questions from each unit I-IV and one compulsory question.
- (b) The compulsory question shall consist of four parts which shall be set one each from Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all selecting one question each from Unit I-IV and question number 9 in Unit V shall be compulsory.
- (d) Each question in Unit I-IV shall carry 15 marks and question number 9 in Unit V shall carry 20 Marks.

UNIT-I

Tax and Fee; Capital Receipt and Revenue Receipt; 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).

Leading Case: Commissioner, Hindu Religious Edowments v. Sri Lakshmindra Thirtha Swamiar of Sri Shirur Mutt, 1954 SCR 1005.

UNIT-II

Concept & Definition; Income (Section-2(24), Total Income (Section 2 (45), Agriculture Income Section 2 (1A), Assessee (Section-2(7) Assessment Year & Previous Years 2(9), Assessing Officer. Income which do not form part of total income (Section-10-13A), Capital Receipt, Revenue Receipt, Capital Expenditure & Revenue Expenditure.

Leading Case: C.I.T. v. Raja Benoy Kumar Sahas Roy, 32 ITR 466 SC 1957.

UNIT-III

Income: Salary (Sections 15-17), Income from House Property (Sections 22-27), Profits & Gains of Business and Profession (Sections 28 & 32,33,33A, 34, 36-37), Capital Gains (Sections 45-55A), Income from Other Sources (Sections 56, 58).

Leading Case: Pradeep J. Mehta v. CIT; (2002) 256 ITR 647 (Guj.)

UNIT-IV

Set off and Carry forward of Losses (Sections 70-80) ; Income Tax Authorities (Sections 116-138), Appeal Reference & Revision, Collection Recoveries and Refund (Sections 190-234, 237 to 245), Penalties, Offences & Prosecution (S. 271-280).

Leading Case : K.C. Builders and Another v. Asstt. Commissioner Income Tax (2004) 265 ITR 562 (SC)

Suggested Readings

1. Ahuja, Grish, : Income Tax Law and Practice, Bharat Law House 2010.
2. HC Mehrotra : Income Tax Law & Accounts, Shahitya Prakashan
3. Kailash Rai : Taxation Laws, Bharat Law House
4. N.A.Palkhivala : Income Tax Law, Modern Law House
5. Saxena, A.K. : Income Tax Act, 1961
6. SR Myneni : Law of Taxation, Allahabad Law Agency
7. Vinod & Monica Singhania : Income Tax, Taxmann

B. A. LL. B. (Hons) 5-year Integrated Course

VII - Semester

Interpretation of Statutes & Principles of Legislation

Paper 704

Max. Marks: 80

Time: 3 hours

Note:

- (a) Nine questions shall be set in all. Two questions from each unit I-IV and one compulsory question.
- (b) The compulsory question shall consist of four parts which shall be set one each from Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all selecting one question each from Unit I-IV and question number 9 in Unit V shall be compulsory
- (d) Each question in Unit I-IV shall carry 15 marks and question number 9 in Unit V shall carry 20 Marks.

UNIT-1

Interpretation of Statutes – Meaning of Interpretation and Construction; General Principles of Interpretation –Rule of Literal Construction, Mischief Rule, Golden Rule, Harmonious Construction, *Noscitur - A Sociis; Ejusdem Generis, Contemporanea Expositio est Optima Et fortissima in lege, Statute should be read as a whole, Statutes in Pari materia.*

Leading Case: Sarswati Sugar Mills v. Haryana State Board AIR 1992 SC 224

UNIT-II

Internal Aids to Construction- Title, Preamble, Marginal Notes, Headings, Section and Subsection, Definitions, Interpretation Clauses, Provisos, Illustrations, Exceptions and Saving Clauses, Explanations, Schedules and Punctuation Marks and non obstante clause.

External Aids to Construction- Dictionaries, Use of foreign decisions, Text Books, Historical Background, Legislative History, Administrative Conveyancing and Commercial Practice.

Leading Case: R.S. Nayak v. A. R. Antulay AIR 1984 SC 684

UNIT-III

Construction of Taxing Statutes and Evasion of Statutes; Remedial and Penal Statutes – Distinction between the two; Liberal Construction Of Remedial Statutes; Strict Construction of Penal Statutes; *Mens Rea* in Statutory Offences, Vicarious responsibility in Statutory Offences, Interpretation of Constitution, Mandatory and Directory Statutes.

Leading Case: K.S. Paripoornon v. State of Kerala, AIR 1995 SC 1012

UNIT-IV

Commencement, Operation and Repeal of Statute; Prospective and Retrospective Operation of Statutes. Relation between Law and Public Opinion; Bentham's Principle of Utility; Delegated Legislation.

Leading Case: Avinder Singh V. State of Punjab, AIR 1979 SC 321

Statutory Material

General Clauses Act, 1897

Suggested Readings

1. P.St. J. Langan : **Maxwell on the Interpretation of Statutes**
2. G.P. Singh : **Principles of Statutory Interpretation**
3. V.P. Sarathi : **Interpretation of Statutes**
4. Jagdish Swarup : **Legislation and Interpretation**
5. Maxwell : **Interpretation of Statutes**
6. Bindra : **Interpretation of Statutes**
7. T. Bhattacharya : **The Interpretation of statutes**
8. D.N. Mathur : **Interpretation of Statute**
9. K.P. Chakravarty : **Interpretation of Statute**
10. Ruthnaswamy : **Legislative Principles and Practice**
11. N.K Chakrabarti : **Principles of Legislation and legislative drafting**
12. Dicey : **Law and Public opinion**
13. Bentham : **Theory of Legislation**

B. A. LL. B. (Hons) 5 Year Integrated Course

VII - Semester

Human Rights Law and Practices

Paper -705(A)

Max. Marks: 80

Time : 3

Hours

Note:

- (a) Nine questions shall be set in all. Two questions from each unit I-IV and one compulsory question.
- (b) The compulsory question shall consist of four parts which shall be set one each from Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all selecting one question each from Unit I-IV and question number 9 in Unit V shall be compulsory
- (d) Each question in Unit I-IV shall carry 15 marks and question number 9 in Unit V shall carry 20 Marks.**

UNIT –I

Nature and scope of human rights, Evolution of Universal Human Rights, League of Nations and Human Rights, U.N. Charter and Human Rights, The Universal Declaration of Human Rights and its legal significance, Covenants of Human Rights :

- I. International Covenant on Economic, Social and Cultural Rights, 1966.
- II. International Covenant on Civil and Political Rights, 1966.

Leading case : People's Union for Civil Liberties v. Union of India and Anr.,(1997)3 SCC 433

UNIT-II

Terrorism and Human Rights, Human Rights of Minorities, Human Rights of Disabled, International Humanitarian Law and Four Geneva Conventions of 1949 relating to :

- I. Amelioration of the conditions of Wounded and Sick in Armed Forces.
- II. Amelioration of the conditions of Wounded, Sick and Shipwrecked members of Armed Forces at Sea.
- III. Treatment of Prisoners of War.
- IV. Protection of Civilian Persons during War.

Leading case : Lilly Kurian v. St. Lewina, AIR 1979 SC 52.

UNIT-III

Human Rights in India including Constitutional Guarantee of Fundamental Rights, Judicial activism and the protection of Human Rights in India, Role of Non-Governmental Organizations in the Promotion and Protection of Human Rights, Human Rights of Accused person, Human Rights and Environment protection, Human Rights of Women, Human Rights of Children.

Leading case : Sunil Batra v.Delhi Administration (II), AIR 1980 SC 1579.

UNIT-IV

The Protection of Human Rights Act, 1993- Nature and Scope; Human Rights-Definition and Scope; National Human Rights Commission - Composition and appointment ; Inquiry into complaints and its procedure ; Functions and Powers of National Human Rights Commission ; State Human Rights Commission - Composition and appointment; Human Rights Courts - Constitution.

Leading case: National Human Rights Commission v. State of Arunachal Pradesh and Anr., 1996 SCC (1) 742.

Statutory Material

The Protection of Human Rights Act, 1993

Suggested Readings

1. Ramajois : Human Rights in Ancient India
2. U.Baxi : The Rights to be Human
3. F.Kazmi : Human Rights
4. J.Sawrup : Human Rights and Fundamental Freedom.
5. Nagendra Singh : Human Rights and International Cooperation
6. S.C.Khare : Human Rights and United Nations
7. A.B.Kailash : Human Rights in International Law.
8. J.Menon : Human Rights in International Law
9. B.P.Singh Sehgal : Human Rights in India
10. A.B.Robertson : Human Rights in National and International Law
11. E.Lauterpact : International Law and Human Rights
12. A.N.Sen : Human Rights.
13. H.O. Aggarwal : International Law and Human Rights
14. S.K. Kapoor : Human Rights under International Law and Indian Law
15. Paras Diwan : Human Rights and Law
16. Mahendra Gaur : Terrorism and Human Rights

B. A. LL. B. (Hons) 5-year Integrated Course

VII - Semester

Paper 705 (B)

International Trade Law

Max. Marks: 80

Time: 3 hours

Note:

- (a) Nine questions shall be set in all, two questions in each unit I-IV and one compulsory question in unit-V.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- (d) Each question in Unit I-IV shall carry 15 marks and question no. 9 in Unit –V shall carry 20 Marks.

UNIT-I

Meaning of International Trade Law, Overview of Public International Law relating to Trade, WTO, IMF and World Bank, Private Law relating IT, Agencies for Promoting Unification of Trade Law- UNICITRAL, UNIDROIT, UNCTAD, ICC & IMO

UNIT-II

Export Trade Transaction and International Commercial Contract, Types of International Contract and Law Governing Formation and Enforcement of International Contract, Rights and Liabilities of Parties to Contract, Unification of International Commercial Law, Vienna Convention on International Sale of Goods.

UNIT-III

Subsidies in I.T., Subsidies under GATT, Tokyo Round and Regional Trade Agreements and Customs Unions under GATT, GATT and New Issues e.g. Trade, Environment and Human Rights under the GATT dispensation.

UNIT-IV

Brief review of General Agreement on Trade in Services and TRIPS, Technical Barriers to Trade, Dispute Settlement Process under GATT and WTO, Legal Obligations under WTO Dispute Settlement.

Suggested Readings

1. Jackson : Jurisprudence of GATT and WTO
2. A Lowenfield : Law of International Trade
3. Arun Goyal : WTO in New Millennium
4. Jayanta Bagchi : World Trade Organisation
5. A.K. Kaul : Cases and Materials on I.T.
6. Leo D' Arey : The Law & Practice of IT

B. A. LL. B. (Hons) 5-year Integrated Course

VII- Semester

Professional Ethics, Accountancy for Lawyers & Bench Bar Relations (Practical-1)

Paper 706

Max. Marks: 60

Time: 3 hours

Note:

- (a) Nine questions shall be set in all, two questions in each unit I-IV and one compulsory question in unit-V.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- (d) Each question in Unit I-V shall carry 12 marks.

UNIT - I

Historical Introduction to Legal Profession in India-Barristers, Vakils, High Court Pleaders, Advocates etc. The All India Bar Committee 1951 and the Passing of Indian Advocates Act, 1961. The Advocates Act 1961: Definitions (Section 2), Constitution and Function of State Bar Councils, Bar Council of India, Terms of Office, Various Sub-committees Including Disciplinary Committee and the Qualification for their Membership. Power to Make Rules. Sections 3 to 15.

UNIT - II

The Advocate Act, 1961

Admission and Enrolment of Advocate-Senior and other Advocates; Common role of Advocates; Qualifications and Disqualifications for Enrolment and Procedure thereof; Sections 16 to 28.

Professional and Other Misconduct; Principles for Determining Misconduct; Disciplinary Committees for Misconduct; Selected opinions of the Disciplinary Committee of the Bar Councils; Appeals to the Supreme Court, sections 35 to 44.

UNIT - III

Nature of Legal Profession, Need for an Ethical Code Rights, Privileges and Duties of Advocates, Preparation of a Case and Fees of an Advocate, Bar Against Soliciting Work and Advertisement, Bar against Touting, Refusal of Briefs, Accountability to the Client, Confidentiality between an Advocate to Compromise, Study of Code of Ethics Prepared by the Bar Council of India.

Contempt of Courts Act, 1971

What is Contempt Civil and Criminal Contempt, Punishment for Contempt; Procedures in Contempt Cases; Supreme Court Rules to Regulate Contempt Proceedings.

UNIT - IV

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.

Statutory Material

Advocates Act, 1961

Contempt of Courts Act, 1971

Suggested Readings

1. Rao, Sanjeev : Indian Advocates Act, 1961.
2. Jain, M. P. : India Legal History (Chap. On Legal Profession).
3. Iyer, Krishna Murthy : Book on Advocacy.
4. Journal of Bar Council of India.
5. Bar Council Code of Ethics.

NOTE: There shall be an internal assessment carrying 40 marks as follows:

(i) The subject teacher will assign minimum two case-studies of 10 marks each to the students: - 20 Marks

(ii) The students are required to attend the Chamber of an Advocate for one week and maintain the Court Diary.

(ii) Viva-voce examination* -20 Marks

**Viva-voce examination will be conducted by a Committee consisting of Director/Principal, One External Subject Expert and the teacher teaching the subject on the date and time fixed by the Director/Principal. The Quorum will be two.*

B.A.LL.B. (Hons) 5 Year Integrated Course

VIII - Semester

History –II

Paper 801

Max. Marks: 80

Time: 3 Hours

Note:

- (a) Nine questions shall be set in all. Two questions from each unit I-IV and one compulsory question.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question number 9 in Unit V shall be compulsory
- (d) Each question in Unit I-IV shall carry 15 marks and question number 9 in Unit V shall carry 20 Marks.

UNIT-I

Muslim Law: Sources and Characteristics.

Delhi Sultanate: Nature of State, Theory of Kingship, Power and Functions of Sultan.

Central, Provincial and Local Administration.

Iqta System during the Delhi Sultanate.

UNIT-II

Judicial System during the Delhi Sultanate.

Economic Reforms and Agrarian Policy of Alauddin Khalji.

Position of Women with special reference to their Legal Status and Property Rights.

UNIT-III

Judicial System under the Mughals.

Revenue Reforms of Akbar.

Mansabdari and Jagirdari System.

Islamic Criminal Law and Punishment: Central, Provincial and Local Courts.

UNIT -IV

Status of Women under the Mughals.

Social Reform Movements: Brahmo Samaj, Arya Samaj and Theosophical Society.

Modern Education and Abolition of Sati and Infanticide.

Suggested Readings

1. H.V. Sreenivasa Murthy :History of India : For Law Students
Part –I and Part II
2. Bipin Chandra, Amales Tripathi :Freedom Struggle
And Baru De
3. Ishwari Prasad :History of Medieval India
4. Satish Chandra (ed.) :Religion, State and Society in Medieval India:
Collected Works of S Nurul Hasan
5. S.A.A. Rizvi :Wonder that was India, Part-II
6. Tapan Raychaudhuri and :Cambridge Economic History of India
Irfan Habib (eds.) Vol. I 1200-1750
7. Alam Muzaffar and :The Mughal State
Subramanyam, Sanjay (ed.)
8. Satish Chandra :Medieval India: From Sultanate to Mughals, Vol I –
II
9. J.S. Grewal (ed.) :State and Society in Medieval India
10. Hermann Kulke :The State in India (AD 1000-1700)

B.A. LL.B(Hons.) 5 –Year Integrated Course

VIII- Semester Civil Procedure Code –II and Limitation Act

Paper 802

**Max. Marks: 80
Time: 3 hours**

Note:

- (a) Nine questions shall be set in all, two questions in each unit I-IV and one compulsory question in unit-V.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- (d) Each question in Unit I-IV shall carry 15 marks and question no. 9 in Unit –V shall carry 20 Marks.

UNIT-I

1. Death, Marriage and Insolvency of Parties (Order XXII)
2. Withdrawal and Adjustment of Suits (Order XXIII)
3. Commissions (Secs. 75- 78, Order XXVI), Suit against Government (Secs.79-82)
4. Suit in case of Minors, Indigent Persons (Order XXXII, XXXIII)
5. Interpleader Suits (Sec.88 & Order XXXV), Settlement of Disputes outside the Court (Sec.89)

Leading Case: Amar Nath Dogra v. Union of India, AIR1963SC 424

UNIT-II

1. Public Nuisances and Other Wrongful acts Affecting the Public (Secs.91-93)
2. Supplemental Proceedings- Arrest and Attachment before judgment, Temporary Injunction, Interlocutory Orders, Appointment of Receivers (Secs. 94-95 & Order XXXVIII to XL)
3. Appeals from Original Decrees, Procedure in Appeals and Powers of Appellate Court (Secs. 96-99A, 107-108 & Order XLI)
4. Appeals from Appellate Decrees (Secs. 100-103 & Order XLII)
5. Appeals to the Supreme Court (Sec.109)

**Leading Case: Chunilal V. Mehta v. Century spinning & Manufacturing Co. Ltd.,
AIR 1962 SC 1314**

UNIT-III

1. Reference to High Court (Sec.113,Order XLVI)
2. Review (Sec.114 & Order XLVII)
3. Revision (Sec.115)
4. Exemption of certain women and other persons from Personal Appearance and Arrest (Secs. 132-135A), Application for Restitution (Sec.144), Right to lodge Caveat (Sec.148A)
5. Inherent Powers of the Court (Secs. 151-153B)

Leading Case: Major S.S. Khanna v. Brig. F. J. Dillion, AIR 1964 SC 497

UNIT-IV

1. Salient features of the Limitation Act
2. Limitation of Suits, Appeals and Application (Secs.3-11)
3. Exclusion of Time (Secs.12-15)
4. Effect of Death, Fraud, Acknowledgement, Payments etc. on Limitation (Secs. 16-22)
5. Acquisition of Ownership by Possession (Secs. 25- 27)

Leading Case: Ram Lal v. Rewa Coal Fields Ltd., AIR 1962 SC 361

Statutory Material

Code of Civil Procedure, 1908
Indian Limitation Act, 1963

Suggested Readings

1. Mulla : The Code of Civil Procedure (Student Edition)
2. Thakkar, C.K. : The Code of Civil Procedure
3. Sarkar, Sudipto : The Code of Civil Procedure
4. Saha, A.N. : The Code of Civil Procedure
5. Mulla D.F. : Key to Civil Practice
6. Takwani C.K. : Civil Procedure Code
7. Mitra, B.B. : H.C. Mitra's Indian Limitation Act
8. Dayal, R.D. : Limitation Act
9. Row, Sanjiva : Limitation Act

B.A.LL.B (Hons.) 5-Year Integrated Course

VIII- Semester

Paper 803

Indirect Taxation Laws

Max. Marks: 80

Time: 3 Hours

Note:

- (a) Nine questions shall be set in all, two questions in each unit I-IV and one compulsory question in unit-V.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- (d) Each question in Unit I-IV shall carry 15 marks and question no. 9 in Unit -V shall carry 20 Marks.

UNIT - I

Service Tax

Historical background and Salient Features of Service Tax [viz., Application of Service Tax, Administration of Service Tax, Uniform Service Tax Rate and Exemptions]; Meaning and importance of Service Tax; Number of Taxable Services and Charge and Valuation of Taxable Service [Section 66 and 67].

Leading Case: Karamchand Thapar & Bros. (Coal Sale) Ltd. v. UOI (2011) 9taxmann.com160=30 STT 442 (Cal)

UNIT - II

Service Tax

Payment of Service tax [Section 68]; Registration [Section 69];Return [Sections 70]; Procedure of Assessment [Section 73]; Appeal [Sections 85 and 86]; Revision [Section 84]; Penalty [Sections 76,77,78 & 80].

Leading Case: UOI v. Ind-Swift (2011) 9 taxmann.com 282 (SC)

UNIT - III

Central Sales Tax Act, 1956

Definitions & Inter State Trade (Sections 2 & 3), Sale in the Course of Import or Export Dealer, Goods, Sale, Sale Price & Turnover, Liability to Tax on Inter-State Sales, Registration of Dealer;

Leading Case: Consolidated Coffee Board v. Coffee Board Banglore, AIR 1980 SC 1468.

UNIT - IV

State VAT

VAT at State level; State Sale Tax VAT; Concession for Small Dealers; Non-Availability of input credit in Certain cases; Procedural provisions in VAT; Record of input Tax credit; Provisions of Assessment and audit; Disadvantages and pitfalls in VAT.

Leading Case: Larsen and Turbo v. State of Haryana(2010) 37 VST 428 (P&H HC (DB)

Statutory Material

Income Tax Act

Wealth Tax Act

Haryana Value Added Tax Act, 2003

Suggested Readings

1. Ahuja, Grish, : Direct Taxes Law and Practice, Bharat's Law House, 2010.
2. Gabawala, Sunil.B, : Treatise on Service Tax, Bharat's Law House Pvt. Ltd. 2010.
3. Jyoti Rattan, : WT, ST, CST, VAT, GST, Bharat's Law House Pvt. Ltd. 2010
4. Kailash Rai, : Taxation Laws, Bharat's Law House Pvt. Ltd. 2010.
5. N.A.Palkhivala : Income Tax Law, Modern Law House
6. Vinod K. Sighania : Law and Practice of Income Tax, Taxmann Pub. (Pvt.) Ltd.
7. V.S. Datey : Indirect Taxes Law and Practice (Taxmann's)

B. A. LL. B. (Hons) 5-year Integrated Course

VIII - Semester Intellectual Property Law

Paper 804 (A)

**Max. Marks: 80
Time: 3 hours**

Note:

- (a) Nine questions shall be set in all. Two questions from each unit I-IV and one compulsory question.
- (b) The compulsory question shall consist of four parts which shall be set one each from Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all selecting one question each from Unit I-IV and question number 9 in Unit V shall be compulsory
- (d) Each question in Unit I-IV shall carry 15 marks and question number 9 in Unit V shall carry 20 Marks.

UNIT-I

International Law on Intellectual Property –

1. Concept of Intellectual Property,
2. The World Intellectual Property Organization (WIPO) convention, 1967.
3. TRIPS Agreement of World Trade
4. Phonogram Treaty

Leading Case: R.G. Anand v. Delux Films, AIR 1978 SC 1673.

UNIT-II

Law of Copyright -

1. Meaning, Nature and Scope of Copyright
2. Author and Ownership of Copyright and Rights Conferred by Copyright
3. Term of Copyright
4. Licenses
5. Registration of Copyright
6. Infringement of Copyright and Remedies

Leading Case : State of Tamil Nadu v. Thiru Murugan Brothers AIR 1988 SC 336

UNIT-III

Law of Trade Mark -

1. Definition and Kinds of Trade Mark
2. Registration of Trade Marks – Conditions, Procedure, Duration and Effect
3. Certification of Trade Marks
4. Infringement of Trade Mark and Remedies.

Leading Case : Vishnu Dass v. Sultan Tobacco Co. Ltd. Hyderabad AIR 1996 SC 2275

UNIT-IV

Law of Patent In India (Patent Act 1970 as amended by Patent Act, 2005) -

1. Patentable and Non-Patentable Invention
2. Patent Office and its Establishment
3. Procedure for obtaining Patent

4. Rights of Patentee
5. Infringement of Patent and Remedies

Leading Case : M/s S.M. Dye Chemical Ltd. v. M/s Cadbury (India) AIR 2000 SC 2114

Suggested Readings

- | | | |
|-------------------|---|---|
| 1. Narayanan, P | : | Patent law, Trademarks and Passing off |
| 2. Puri, K.K. | : | Law of Patent System in India |
| 3. Lyenger | : | Copyright Act |
| 4. Mustafa Faizan | : | Copyright Law: A Comparative study |
| 5. Lal's | : | The Copyright Act |
| 6. Nagrajan RK | : | Intellectual Property Law |
| 7. Narayan P | : | Intellectual Property Law |
| 8. Mittal DP | : | Indian Patent's Law and Procedure |
| 9. Cornish W | : | Intellectual Property |
| 10. Wadera BL | : | Patents, Trade Marks, Copy Right, Designs and Geographical Indications |
| 11. Reddy G.B. | : | Intellectual Property Rights and the Law |

**B.A.LL.B. (Hons) 5-Year Integrated Course
VIII - Semester**

Paper-804(B)

Investment and Securities Laws

Max.Marks: 80

Time : 3 Hours

Note:

- (a) Nine questions shall be set in all, two questions in each unit I-IV and one compulsory question in unit-V.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- (d) Each question in Unit I-IV shall carry 15 marks and question no. 9 in Unit –V shall carry 20 Marks.

UNIT-I

Nature and Scope of SEBI, Establishment; Powers and Functions of the Board; Registration Certificates, Adjudication and Penalties. Establishment, Jurisdiction, Authority and Procedure of Appellate Tribunal.

UNIT-II

Bonds and Convertible Securities, Features of Equities, Investment. Valuation theories of Bonds and Equities, Procedure for issuance of Shares and Debentures; Prospectus; Book Building.

UNIT-III

Securities Laws Act 1999 : Definitions; Recognized Stock Exchanges; Contracts and Options in Securities; Listing of Securities; Listing Agreement; Penalties and Procedure.

UNIT-IV

Nature and Scope of Depositories Act; Constitution; Role and Functions of Depository; Rights and Obligations of Depositories; Depository participant; Issuers and Registrars.

Suggested Readings

V.K.Bhalla : **Investment Management- Security Analysis and Portfolio Management**

SEBI Mumbai : SEBI Annual Report, SEBI Monthly Bulletin

Taxman : **SEBI and Corporate Laws**

N.Gopaldaswamy : **Inside Capital Market, Securities Laws Act, 1999 & Depositories A**

B. A. LL. B. (Hons) 5-Year Integrated Course

VIII - Semester

Gender Justice and Feminist Jurisprudence

Paper 805(A)

Max. Marks: 80
Time: 3 hours

Note:

- (a) Nine questions shall be set in all. Two questions from each unit I-IV and one compulsory question.
- (b) The compulsory question shall consist of four parts which shall be set one each from Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all selecting one question each from Unit I-IV and question number 9 in Unit V shall be compulsory
- (d) Each question in Unit I-IV shall carry 15 marks and question number 9 in Unit V shall carry 20 Marks.

UNIT-I

Concept of Gender Justice and Feminist Jurisprudence; United Nations and Human Rights of Women, Universal Declaration of Human Rights, 1948; Convention on Elimination of All forms of Discrimination Against Women, 1979; Declaration on Elimination of Violence Against Women, 1993.

Leading Case : Vishakha v. State of Rajasthan AIR 1997 SC 3011

UNIT-II

Constitutional Safeguards for the Protection of Women – Right to equality, Right to life and personal liberty, Right against exploitation, Directive Principles of State Policy, Protection of Women from Sexual Harassment at Workplace, National Commission for Women- Composition, Powers and Functions.

Leading Case : Air India v. Nargesh Mirza AIR 1981 SC 1929

UNIT-III

The Dowry Prohibition Act, 1961- Definition of Dowry, Penalty for giving, taking and demanding dowry; Ban on advertisement; Dowry for the benefit of the wife or her heirs; Cognizance of offences; Dowry prohibition officers; Dowry Prohibition (Maintenance of Lists of Presents to the Bride and Bridegroom) Rules, 1985;

The Protection of Women from Domestic Violence Act, 2005 – Definition of Domestic Violence, Powers and duties of Protection Officers, Service Provider etc.; Procedure for obtaining orders of reliefs.

Leading Case :S.R. Batra v. Taruna Batra, AIR 2007 SC 1118.

UNIT-IV

The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994- Preliminary regulation of genetic counseling centers, Genetic laboratories and genetic clinics; Regulation of pre-natal diagnostic techniques; Central Supervisory Board; Appropriate authority and Advisory Committee; Offences and Penalties.

Protection of Women under Immoral Traffic (Prevention) Act 1956 – an Overview

Leading Case: Centre for Enquiry into Health and Allied Themes (CEHAT) and others v. Union of India and others, (2001) 5 SCC 2007.

Suggested Readings

1. Paras Diwan : Law relating to Dowry, Dowry Death, Bride Burning, Rape and Related Offences.
2. J.N. Pandey : Constitutional Law of India
3. V.N. Shukla : Constitution of India
4. Tripathi and Arora : Law Relating to Women & Children
5. Devender Singh: Human Rights, Women and Law
6. Shobha Sexena: Crimes against Women and Protective Laws
7. Indira Jaisingh: Handbook on Law of Domestic Violence
8. Indira Jaisingh: Pre-conception & Pre-Natal Diagnostic Techniques Act: Users Guide to the Law
9. Anjani Kant : Law relating to Women and Children
10. Mamta Rao : Law Relating to Women and Children
11. A.S. Anand : Justice for Women: Concerns and Expressions.

B. A. LL. B. (Hons) 5-year Integrated Course

VIII - Semester

Paper 805 (B)

Media and Law

Max. Marks: 80

Time: 3 hours

Note:

- (a) Nine questions shall be set in all, two questions in each unit I-IV and one compulsory question in Unit-V.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- (d) Each question in Unit I-IV shall carry 15 marks and question no. 9 in Unit –V shall carry 20 Marks.

UNIT – I

Press Law – Concept and Need
History of Indian Media Law
Freedom of Expression in Indian Constitution
Interpretation of Media freedom
Issues of Privacy
Right to Information
Emergency Provisions Media Censorship: Indian Experience

UNIT – II

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

UNIT – III

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

UNIT – IV

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

Suggested Readings

1. Dr. Jan R. Hakemulder, Dr. Fay AC de Fange,
P.P. Singh : Media Ethics and Law
2. Y.K. D'souza, : Principles and Ethics of Journalism
and Mass Communication
3. Dr. Durga Das Basu : Law of the Press
4. Prof. Nandkishor Trikha : Press Vidhi (Hindi)

B.A.LL.B (Hons.) 5-Year Integrated Course
VIII- Semester
Alternative Dispute Resolution and Legal Aid
(Practical-II)

Paper 806

Max. Marks: 60
Time: 3 Hours

Note:

- (a) Nine questions shall be set in all, two questions in each unit I-IV and one compulsory question in unit-V.
- (b) The compulsory question in unit-V shall consist of four parts, one from each Unit I-IV.
- (c) The Candidate shall be required to attempt five questions in all, selecting one question from each Unit I-IV and question no. 9 in Unit- V shall be compulsory.
- (d) Each question in Unit I-V shall carry 12 marks.

UNIT - I

Meaning of Alternate Dispute Resolution (ADR); Various procedures of ADR-Negotiation, Mediation, Conciliation, Arbitration; Advantages of ADR; Arbitration Agreement; Composition of Arbitral Tribunal; Jurisdiction of Arbitral Tribunal.

Leading Case: International Airport Authority of India v. K.D. Bali AIR 1988 SC 1099.

UNIT - II

Conduct of Arbitral Proceedings; Making of Arbitral Awards and Termination of Proceedings; Setting Aside an Award; Enforcement of Award; Enforcement of Foreign Awards; International Arbitration; New York Convention Award and Geneva Convention Awards.

Leading Case: Allen Berry & Co (P) Ltd v. Union of India, AIR 1971 SC 696.

UNIT - III

Conciliation; Appointment of Conciliators; Stages of Conciliation proceedings; Settlement Agreement in Conciliation, Termination of Conciliation Proceedings, Resort to Arbitral or Judicial Proceedings.

Leading Case: Haresh Dayaram Thakur v. State of Maharashtra, AIR 2000 SC 2281.

UNIT - IV

Lok Adalats- Concept, Meaning and Growth of Lok Adalats, Positions of Lok Adalats under Legal Services Authority Act 1987, Organisation of Lok Adalats, Cognizance of Cases by Lok Adalats, Award of Lok Adalats, Power of Lok Adalats, Analysis of Working of Lok Adalats in India, Legal Aid- Legal Aid under the Constitution of India, Legal Aid Schemes.

Leading Case: Guru Nanak Foundation v. Rattan Singh and Sons, AIR 1981 SC 2075.

Suggested Readings

- 1 Chitkara, M.G. : Lok Adalat and the Poor- A Socio-Constitutional Study.
2. Deshta, Sunil : Lok Adalat in India
- 3 Kwatra G.K : The New Law of Arbitration & Conciliation
4. NV Paranjape : Arbitration and Alternative Dispute Resolution
5. Rao, P.C : Alternative Dispute Resolution
6. SC Tripathi : Arbitration and Conciliation Act, 1996
7. Tewari, O.P : The Arbitration & Conciliation Act

NOTE: There shall be an internal Assessment of 40 Marks as follows:

(i) The subject teacher will assign minimum two case-studies of 10 marks each to the

students on the following:

- 20 Marks

(a) Arbitral Cases

(b) Proceedings of Lok Adalat

(c) Conciliation Proceedings

(ii) The students will maintain a proper file of case studies and will submit to the subject

teacher by the date fixed by him/her.

(iii) Viva-voce examination *

- 20 Marks

**Viva-voce examination will be conducted by a Committee consisting of Director/Principal, One External Subject Expert and the teacher teaching the subject on the date and time fixed by the Director/Principal. The Quorum will be two.*