

BALLB 5 YEARS INTEGRATED SYLLABUS

Tenth Semester

Academic Year

2019-20



MSB Global Law Institute

Maharaja Surajmal Brij University, Bharatpur
(Raj.)

~~Session-2021-2022 & Onwards~~

SESSION-2022-23

अकादमिक प्रभारी
महाराजा सूरजमल बृज विश्वविद्यालय
भरतपुर (राज.)

MSB Global Law Institute, Bharatpur
B.A.LL.B, X Semester
Subject : Civil Procedure Code and Law of Limitation II
Subject Code : 1001

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)

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)

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)

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)

Statutory Material Code of Civil Procedure, 1908 Indian Limitation Act, 1963

Session 2021-2022 & Onwards

SESSION-2022-23

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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

Leading Cases:

1. Amar Nath Dogra v. Union of India, AIR 1963 SC 424
2. Leading Case: Chunilal V. Mehta v. Century spinning & Manufacturing Co. Ltd., AIR 1962 SC 1314
3. Leading Case: Major S.S. Khanna v. Brig. F. J. Dillion, AIR 1964 SC 497
4. Leading Case: Ram Lal v. Rewa Coal Fields Ltd., AIR 1962 SC 361

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Session 2021-2022 & Onwards

SESSION-2022-23

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B.A.LL.B, X Semester

Subject : Criminal Procedure Code- II (Including Probation of Offenders Act)

Subject Code : 1002

Unit-I

Introduction to Trial Procedures (Lectures – 09) a. The charge i. Form of charges ii. Joinder of charges
 b. Evidence in inquiries and trials c. General provisions as to inquiries and trials d. Provisions as to
 accused persons of unsound mind.

Unit-II

Trials and Execution Proceedings (Lectures – 09) a. Trial before a court of session b. Trial of warrant
 cases by magistrates c. Trial of summons – cases by Magistrates d. Summary Trials e. Judgement f.
 Submission of death sentences for confirmation g. Execution, suspension, remission and commutation of
 sentences

Unit-III

Review Procedures (Lectures – 09) a. Appeals b. Reference and Revisions

Unit-IV

Miscellaneous (Lectures – 09) a. Maintenance of wives, children and parents b. Transfer of criminal
 cases c. Irregular proceedings d. Limitations for taking cognizance

Probation of Offenders Act, 1958:

Definitions-Power of Court to release certain offenders after admonition, on probation of good conduct,
 Power of Court to require offenders to pay compensation under twenty one year of age, Variations of
 Conditions of Probation in case of 'Offender' failing to observe conditions of bond, Provision as to
 sureties, Probation Officers, Duties of Probation Officers.

Suggested Readings

1. Rattan Lal & Dhirajlal – Code of Criminal Procedure
2. R.V. Kelkar – Code of Criminal Procedure
3. Probation of Offenders Act. 1950.
4. Khatri B.D.- Law of Probation in India along with Juvenile Justice Act, 1988
5. Chakravati , N.K. Probation System- In the Administration of criminal Justice
6. S.N. Mishra – Code of Criminal Procedure
7. Ganguly – Criminal Court, Practice and Procedure

Session 2021-2022 & Onwards

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SESSION-2022-23

134

MSB Global Law Institute, Bharatpur
B.A.LL.B, X Semester
Subject: Media and Broadcasting Law
Subject Code: 1003

UNIT I

Different forms of Media, History of Legislative Efforts

Forms-Print media; Broadcast media; Social media.
Legislative efforts in India.

UNIT II

Media, Free Speech and the Constitution

Freedom of speech and expression under Article 19 (1) (a) and the Reasonable restrictions under Article 19 (2); Derivative rights - right to know, right to broadcast; Hate Speech.

UNIT III

Privacy, defamation and the sting operations

How far does public access to information go; Is there a right to gather news or attend meetings; Fairness doctrine and access to the media; Compelling journalist to disclose information related to crime and source.

UNIT IV

Trial by media and fair trial

Pre-trial publicity; Cameras in Courtroom; Restrictive Orders.

UNIT V

Contempt of Court

Scandalising, vilification of institution of Court; Unverified reporting; Fair comment and criticism.

Department-Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice, the Contempt of Courts (Amendment) Bill, 2004 (Twelfth Report)

Paras 3.8.1 and 7.4, Report of the National Commission for the Review of the Working of the Constitution.

UNIT VI

Media & Its Regulation (7 Lectures)

Regulation can occur at the Central, State, local or self-regulatory level.

Regulation of the print media

Ref: Press Council of India Act.

Resolution for a Media Council, Press Council of India, 2012.

Regulation of the Broadcasting sector (Public and Private)

Ref: Prasar Bharti Act 1990; Report of the Prasar Bharati's Expert Committee, 2013; Cinematography Act 1952; Cable T.V. Networks (Regulation) Act of 1995

Consultation Paper on the Proposed Draft of the Broadcasting Services Regulation, MI&B,

Self Regulatory Measures-BCCC Guidelines on Self Regulation; BCCC Report to the MI&B; BCCC Orders and Advisories; NBSA Regulations; NBA Code of Ethics.

Session 2021-2022 & Onwards

SESSION-2022-23

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Regulation of the Social Media

Sections 6,7, 8 and other relevant provisions of Information Technology Act, 2001

Ref: Section 66A, Information Technology Act of 2001

- 52nd Report of the Parliamentary Standing Committee on Information Technology
- 31st Report of the Parliamentary Standing Committee on Subordinate Legislation, 2012-13
- Advisory on Implementation of Section 66-A of the Information Technology Act, 2000, Department of Electronics and Information Technology, 9 January, 2013
- Convergence Bill; Regulatory commissions of new media; Indian Telegraph Act of 1885

Unit VII

Media, Advertisement & the Law

1.1. Commercial speech: Commercial Speech Doctrine and protection provided under Art 19(1) (a); Regulating what is false or misleading / may regulate even truthful advertising.

1.2. Government advertisements and the media: broadcasting political messages

Ref: Advertisement Act of 1954

Indecent Representation (Prohibition) Act, 1986

The Drugs and Magic Remedies (Objectionable) Advertisements Act of 1954

Unit VIII

2. Media, Censorship and the Gag Orders

Pre- and Post Restraint; Cinema and censorship; Variable obscenity - differing standards for obscenity - adults/minors; Gag orders, print/broadcasting/social media; restraint on reporting of judicial proceedings; Reporting on Women/ Juveniles.

Ref: The Dramatic Performances Act, 1876

Section 5D of the Cinematograph Act relating to the establishment and functioning of Film Certification Appellate Tribunal.

Section 228 A, Indian Penal Code, 1860; Sections 4 and 7, Contempt of Courts Act.

Section 151, Civil Procedure Code; Section 14, Official Secrets Act, 1923 Section 22, Hindu Marriage Act, 1955; Section 53, Indian Divorce Act, 1869

Section 33, Special Marriages Act, 1954; Section 33, Parsi Marriage and Divorce Act.

3. Reporting of Legislative Proceedings (1 Lecture)

Ref: Article 361 A, Constitution of India

Parliamentary Proceedings (Protection of Publication) Act, 1977

Unit VIII

SESSION-2022-23

4. Media and other contemporary issues (5 Lectures)

4.1. Paid news

Session 2021-2022 & onwards

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Ref: Report on Paid News, PCI, 2010

Report of the Committee on Electoral Reforms, MoL&J, 2010

47TH Report of the Parliamentary Standing Committee on Information Technology,

Issues Related to Paid News

4.2. Poll surveys

Ref: Guidelines on Pre-Poll and Exit Poll, PCI, 1996

4.3. Cross ownership: diversification of ownership

Ref: Recommendations on Issues relating to Media Ownership, TRAI, 12 August 2014

Recommendations on Cross Media Holdings, TRAI, 25 February 2009

TRAI Consultation Paper on Cross Media Ownership, 15 March 2013

Report of the Administrative Staff College of India, July, 2009 (MI&B)

4.4. Competition issues

4.5. Licensing issues; responsibility of licensee

4.6. Copyright issues

Suggested Readings:

1. Basu, Dr. Durga Das, Law of The Press, 5th Ed, Lexis Nexis, 2010
2. Bloy, Duncan & Hadwin, Sara, Law and the Media, 2nd Ed., Sweet & Maxwell, 2013 Divan, Madhavi Goradia, Facets of Media Law, Eastern Book Company, 2010
3. Paul, Sebastian, Ethics and The Media, 3rd Ed., Lexis Nexis, 2015 Prasad, Kiran, Media Law in India, Kluwer Law International, 2011
4. Shukla, V.N., Constitution of India, 11th Ed., Eastern Book Company, 2011
5. Sorabjee, Soli J., "Constitution, Courts and Freedom of the Press and the Media", B.N. Tirpak et al (eds.), Supreme But Not Infallible : Essays In Honour Of The Supreme Court Of India, 2000

Leading Cases :

1. Bennett Coleman & Co. v. Union of India, AIR 1973 SC 106
2. Prabha Dutt v. Union of India, 1982 SCR (1) 1184
3. Secy., Ministry of Broadcasting v. Cricket Association of Bengal, (1995) 2 SCC 161
4. ABP Pvt Ltd. v. Union of India, (2014) 3 SCC 327
5. Shreya Singhal v. Union of India, (2015) 5 SCC 1
6. Rajagopal v. State of Tamil Nadu, 1994 SCC (6) 632
7. Swatanter Kumar v. The Indian Express Ltd, 207 (2014) DLT 221
8. R.K.Anand v. Registrar, Delhi High Court, (2009) 8 SCC 106
9. Rajat Prasad v. CBI, (2014) 6 SCC 495
10. CPIO, Supreme Court of India v. Subhash Chandra Aggarwal, AIR 2010 Delhi 159
11. M P Lohia v. State of West Bengal, (2005) 2 SCC 686
12. Naveen Jindal v. Zee Media Corporation Ltd, (2014) 2 SCC 1
13. In re S. Mulgaokar v. Unknown, 1978 SCR (3) 162
14. Rajendra Sail v. Madhya Pradesh Bar Association, (2005)6 SCC109
15. Sanjoy Narayan Editor-in- Chief Hindustan v. Hon. High Court of Allahabad through R.G., 2011 (9) SCALE 532

SESSION-2022-23

Session 2021-2022 onwards

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16. Rajeev Dhawan v. Gulshan Kumar Mahajan, (2014) 41 SCD 785, Contempt P. (CrI.)2/1994
17. In Destruction of Public and Private Properties, (2009) 5 SCC 119
18. Ajay Goswami v. Union of India, AIR 2007 SC 493
19. Common Cause v. Union of India, (2015) 42 SCD 686
20. Odyssey Communications Pvt Ltd. v Lokvidayan Sanghatana, 1988 SCR Supp. (1) 486
21. S. Rangarajan v. P.Jagjivan Ram, 1989 SCR (2) 204
22. Bobby Art International v. Om Pal Singh Hoon, (1996) 4 SCC 1
23. Union of India v. Motion Picture Association, AIR 1999 SC 2334
24. Devidas Ramachandra Tuljapurkar v. State of Maharashtra, 14 May 2015 (Criminal Appeal No. 1149 of 2010) Shreya Singhal v Union of India, 24 March 2015 (whether it would be asserted again-need for such power)
25. Reliance Petrochemicals Ltd v. Proprietors of Indian Express Newspapers, Bombay Pvt Ltd., 1988 SCR Supp. (3) 212
26. Sahara India Real Estate Corp. Ltd. v. Securities & Exchange Board of India, (2012) 10 SCC 603
27. Jatish Chandra v. Hari Sadhan, AIR 1951 SC 613
28. MSM Sharma v. Krishna Sinha, AIR 1959 SC 395
29. C K Dapthary v. O P Gupta, (1971) 1 SCC 626
30. Jawaharlal Darda v. M G Kapsikar, (1998) 4 SCC 112
31. Ashok Shankarrao Chavan v. Madhavrao Kinhalakar,

Session 2021-2022 & Onwards

SESSION-2022-23


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137

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B.A.LL.B, X Semester

Subject : Principles of Land Law & Registration of Ownership

Subject Code : 1004

UNIT I

Rajasthan Tenancy Act, 195

Preliminary object and reason, Definition- Agriculture year, Agriculture, Agriculturalist, Crops, Estate, Estate holder, Groveland, Holding, Improvement, Khudkasht, land, and cultivated personally, land holder, Pasture and, Rent, Revenue, Sayar, Tenant, Nalbat. Classes of Tenants, Primary Right of Tenant, Surrender Abandonment and Extinction.

UNIT II

Rajasthan Tenancy Act, 1955

Determination and modification of Rent, Payment and recovery of rent Ejectment of Tenants Remedies for Wrongful Ejectment of tenants. Question of proprietary rights in Revenue court, Question of tenancy Right in civil court.

UNIT III

Rajasthan Revenue Act, 1956

The Board of Revenue, Revenue Courts and Officers Appeal, Reference Revision and Review, Survey, records of right Maintenance of maps and record annual register.

UNIT IV

Rajasthan Revenue Act, 1956

Settlement operation, rent rates, collection of revenue.

UNIT V

Rajasthan Rent Control Act, 2001

Preliminary object and reasons. Definition- Amenities Landlord Premises Tenant Revision of rent, limited period tenancy, eviction of tenants, right landlord to recovers immediate possession in certain cases, restoration of possession of illegally evicted tenant and procedure there.

UNIT VI

Rajasthan Rent Control Act, 2001

Constitution of tribunals, procedure for revision of rent and eviction, Appeal and Execution Amenities.

UNIT VII

Land Acquisition Lay

Preliminary object and reason Definition-affected family, agriculture and cost of acquisition, displaced family infrastructure project marginal farmer, market value person interested, Public purpose. and resettlement area. Determination of Social impact and public Purpose special provision 10 safeguard food security, Notification and Acquisition, Rehabilitation and Resettlement A ward and procedure relating to it land acquisition, rehabilitation and resettlement authority, apportionment and payment of compensation.

SESSION-2022-23

Session 2021-2022 & Onwards

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440
139

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B.A.LL.B, X Semester

Subject : Law of NI & Banking

Subject Code : 1005

UNIT-1

Nature and Development of Banking; Historical Background of Banking Institutions in India; Relationship of Banker and Customer; Nationalization of Banks; Social Control on Banks. The Banking Regulation Act, 1949; Objects of the Act; Business of Banking Companies; Control Over Management; Suspension of Business and Winding Up of Banking Companies.

Banking Ombudsman- Banking Ombudsman Scheme, 1995.

Unit-II

Reserve Bank of India Act, 1934 Organization of RBI; RBI and Its Role; Legal Status of RBI; Powers and Functions of RBI ; RBI and Its Promotional Role; RBI and Commercial Banks. Computer banking, E- banking, internet banking in India and banking solution ATM banking through mobiles.

Unit-III

The State Bank of India Act, 1955 Incorporation and share capital of State Bank (Sections 3-5); Transfer of undertaking of the Imperial Bank (Sections 6-9); Shares (Sections 10-15); Management (Sections 16-31A); Business of the State Bank (Sections 32-35A)

Recovery of Debt Due to Banks and Financial Institutions Act, 1993 Object and Scope of the Act, Constitution, Powers, Procedure and Functions of the Debt Recovery Tribunal; Execution of the Decree/ Orders of Debt Recovery Tribunal; Attachment before Judgement and Appeal.

Unit IV

The Negotiable Instrument Act, 1881 The Meaning of Negotiable Instruments- Its Kinds and Essential Features; Promissory Note, Bill of Exchange, Cheque; Definition of Drawer, Drawee and Payee; Holder in Due Course, Payment in Due Course; Endorsement "in blank" and "in full"; Parties to Notes, Bills and Cheques; Discharge from Liability On Notes, Bills and Cheques; Dishonour of Cheque for Insufficiency, etc., of Funds in the Account (Section- 138).

Statutory Material

The Banking Regulation Act, 1949 2. Banking Ombudsman Scheme, 1995. 3. Recovery of Debt Due to Banks and Financial Institutions Act, 1993. 4. State Bank of India Act, 1955. 5. Reserve Bank of India Act, 1934.

Session 2021-2022 & Onwards

SESSION-2022-23

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Suggested Readings:

1. Sethi, R.B. : Banking Regulation Act, 1949.
2. Perry, R.E. : Law and Practice Relating to Banking, Vol. I.
3. Ramaiya, A. : The Reserve Bank of India Act, 1934
4. Dawar : Mercantile Law.
5. Bhisham and Adiga : The Negotiable Instruments Act.
6. Goyle, L.C. : Law of Banking and Bankers.
7. Tannan's : Banking Law and Practice in India.
8. Maheshwari : Banking Law & Practice
9. Varshney, P.N. : Banking Law & Practice.
10. R.N. Chaudhary : Banking Laws

Leading cases:

1. K. Pushpangadan v. Federal Bank Ltd. (2000) 101 Comp. Case 197 (Kar.)
2. RBI v. Harisidh Co- Operative Bank Ltd., AIR 1988 Guj. 107.
3. Industrial Credit and Investment Corporation of India Ltd. v. Grapco Industries Ltd. And others
AIR 1999 SC 1975.
4. Bank of Baroda v. Punjab National Bank AIR 1944 PC 58.

Session 2021-2022 & onwards

SESSION-2022-23

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B.A.LL.B, X Semester

Subject: Legal Writing & Research

Subject Code: 1006

(Seminar and Research Paper) Internal

In this paper the students will be required to write a Research Paper on any current topic of legal importance as may be decided by the School Research Committee. Each student will have to work under the supervision of respective supervisors.

Session 2021-2022 & Onwards

SESSION-2022-23

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