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**SEMESTER WISE- LL.B. SYLLABUS**

**(Meeting dated 20.01.2018)**

The following shall be the subjects and courses of study for the examination with effect from Academic Year 2017-2018.

**SEMESTER -I**

1. Contract Law (Indian Contract Act)
2. Law of Torts including Motor Vehicle Act
3. Family Law-1 (Hindu Law)
4. Property Law and Easements.
5. Legal System in India
  - (a) Major Legal System of the World.
  - (b) Civil Law system.
  - (c) Common Law system.

**SEMESTER -II**

1. Constitution Law-I
2. Specific Contracts (Law of Partnership, Sale of Goods and Consumer Protection )
3. Family Law – II (Mohammedan law)
4. Legal Language. Legal Writing and General English.
5. Law of Crimes

**SEMESTER –III w.e.f. 2018-19**

1. Constitution Law-II.
2. Company Law
3. Public International Law and Human Right
4. The Code of Criminal Procedure, 1973, Juvenile Justice and Probation of offenders.
5. Jurisprudence

**SEMESTER – IV**

1. Law of Taxation including GST.
2. Interpretation of Statues and Law Drafting
3. Administrative Law.
4. Insurance Banking and NI Act.
5. PIL, Para Legal Services, Legal Aid, Lok Adalat & Moot Court  
Practical (Moot Court & Viva Voce)

-80 Marks

-20 Marks

**SEMESTER –V w.e.f. 2019-20**

1. Environmental Law including Animal/Birds Protection
2. The Code of Civil Procedure, 1908 and Limitation Act



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# Maharaja Surajmal Brij University

## Constitution Law II

Paper No. 301  
Max. Marks: 100

Sem. III  
Min. Pass Marks: 40

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. Distribution of Powers between Centre and States

- a. Legislative Powers
- b. Administrative Powers.
- c. Financial Powers

### 2. Constitutional Organs

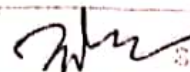
- a. Parliament
  - b. Parliamentary Sovereignty
  - c. Parliamentary Privileges
  - d. Anti defection Law
  - e. Executive Power
  - f. Collective Responsibility of cabinet
  - g. Judiciary - Jurisdiction of Supreme Court and High Courts
  - h. Independence of Judiciary
  - i. Public Interest Litigation
  - j. Power of Judicial review
  - k. Doctrine of Political Question
- ### 3. Emergency Provisions
- Amendment of Constitution  
Doctrine of Basic Structure

### Text book:

1. V.N. Shukla, Constitution of India
2. M.P. Jain - Indian Constitution law
3. Nutshell - Constitutional and Administrative Law.

### Essential Case Law:

1. R. K. Dalmia v. Justice Tendulkar AIR 1958 S.C. 538
2. In Re Article 143, Constitutional of India AIR 1951 S.C. 332
3. Ram Jawaya Kapoor v. state of Punjab AIR 1955 S.C. 549
4. Indira Gandhi v. Raj Narain AIR 1975 S.C. 2299
5. Scora v. U.O.I. 1993 (4) S.C.C.441
6. State of H.P. v. Umed ram Sharma AIR 1986 S.C. 847
7. S.R. Bommai V. Union Of India 1994 (3) S.C.C.
8. A.D.M. Jabalpur v. Shiv Shankar Shukla, 1976 Suppl. S.C.R. 172
9. India Cement Ltd. & Anr v. State of Tamilnadu, 1990 (1) S.C.C. 12
10. A.P. Sampoorna Madhya Nished Samiti & Ors. v. State of A.P. AIR 1997 A.P.
11. U.N. Rao v. Indra Gandhi, AIR 171 S.C. 1002
12. Keshva Nand Bharti v. State of Kerela, 1976 (2) Suppl. S.C.R. 172
13. National Human Rights Commission v. State of Aruna Chal Pradesh
14. Minerla Mills v. Union of India AIR 1980 S.C. 1044
15. Samta Vedike v. State of Karnatka 2003 CRLJ 1003 Kar. N.C.

 **आचार्य प्रमोद**

गणपति नमो भूर्भुवः स्वः ॥

# Maharaja Surajmal Brij University

## Company Law

Paper No. 302  
Max. Marks: 100

Sem. III  
Min. Pass Marks: 40

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. Definition of Company –kinds of company, corporate personality, registration and Incorporation.
2. The Memorandum and Articles of Association.
3. Doctrine of Ultra Vires, Doctrine of Indoor Management
4. Promoters and preliminary Contracts Prospectus, Share –Capital, Share- holders, Meeting of Company, Debentures
5. Directors and Borrowings,
6. Majority powers and Minority rights, Prevention of oppression, Mis- Management,
7. Winding –up and Dissolution. Formation and Powers of NCLT
8. Social Corporate Responsibility

### Leading Cases:

1. Avon Soloman v. Soloman Co. Ltd. (1897) AC 22
2. LaxmiSwamyMudalier v. LIC, AIR 1963 SC 1185
3. Royal British Bank v. TRuquand, (1865) 6 E & B 327
4. Ramkrishna Das Dhanuka v. StayaGharan, AIR 1950 PC 51.
5. Tata Engineering and Locomotive Ltd. v. State of Bihar, AIR 1965 sc 40
6. Bajaj Auto Ltd., Poona, v N.K. Florida, AIR 1971 SC 321

### Suggested Readings:

1. Shah, S.M. : Lectures on Company Law
2. Aytar Singh : Company Law (English & Hindi)
3. Sen, G.M. : Company ( Cases and Materials)
4. Sanghal, P.S. : National and Multinational Companies:  
Some Legal Issues.
5. Dhingra, L.C. : Principle of Company Law
6. Paranjape, N. V. : Company Law (English & Hindi)

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SEMESTER - III<sup>rd</sup>

LRS-303

Paper 25 Public International Law and Human Rights

Max. Marks : 100

Min. Pass Marks 40

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 relevant.

1. Definition, Nature and Basis of International Law. Weakness of International Law, Codification and Development of International Law. Relation between International Law, Municipal Law; Subjects of International Law, Nationality, Extradition and Asylum.
2. States in general : Kinds of States and non-States entities; Acquisition and loss of State territory; Territorial Water, Continental Shelf, Contiguous Zone, Exclusive Economic Zone. Freedom of the High Sea and Piracy. Recognition of States and Governments. Recognition of Insurgency and belligerency, de facto and de jure recognition. State succession; State Jurisdiction; Territorial sovereignty, Criminal Jurisdiction in International Law, Intervention.
3. Diplomatic agents, Counsels, Classification and Function of Diplomatic agents, Privileges and Immunities with reference to Vienna Convention on Diplomatic Relation, 1961, Treaties, Definition, Basis, Classification and formation of treaties, Interpretation and revision of treaties, Principle of jus cogens and pacta sunt servanda, termination of treaties, Vienna Convention on the law of treaties, Pacific and Compulsive means of settlement of International disputes. International Court of Justice: Jurisdiction and Contribution towards development of International Law.
4. War, its legal character and effects, Enemy character, Armed conflicts and other hostile relations. Belligerent occupation, War crimes. Termination of war and doctrine of post liminium and Prize Courts.
5. The Law of Neutrality—Basis of neutrality, Rights and duties of neutral states, quasi-neutrality, neutrality and U.N. Charter, Right of Angary. Contraband, Blockade, Unneutral service, Right of visit and search.
6. International Institution : United Nations, History and formation of United Nations, Organs of United Nations with specific reference to General Assembly, Security Council and International Court of Justice.
7. Human Rights : Meaning, Universal Declaration of Human Rights, 1940. International Covenants on Civil and Political Rights, 1966, International Convention on Economic, Social and Cultural Rights, 1966, Regional Conventions on Human Rights, Rights of Women and Child, Protection of Human Rights Act, 1993.

Leading Cases :

1. United Kingdom v. Norway (Anglo-Norwegian Fisheries Case (ICJ Report (1951) 116.

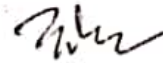
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2. Civil Air Transport Inc. v. Central Air Transport Corporation, Judicial Committee of the Privy Council, (1953) AC 70.
3. Nuremberg Judgment—The International Military Tribunal—Nuremberg, 1946 41 AJL 1947, p. 12.
4. Re—Government of India and Mubarak Ali Ahmed 1952. 1 All ER 1960.
5. South West Africa Case, ICJ Report, 1966.
- u. Right of Passing Over Indian Territory, ICJ Report, 1969 (6).

**Suggested Readings :**

1. Starke : An Introduction to International Law.
2. Oppenheim : International Law, Vol. I and II.
3. Breirly : The Law of Nations.
4. S.K. Kapoor : International Law (English & Hindi).
5. Tandon, M.P. : International Law (English & Hindi).
6. Robertson, A.H. : Human Rights in the World.
7. Khare, S.C. : Human Rights and United Nations.
8. Basu, D.D. : Human Rights in Constitutional Law.
9. Nagendra Singh : Protection of Human Rights.
10. Satish Chandra : International Documents of Human Rights.
11. Daiya, K.C. : Human Rights Jurisprudence.
12. Karkara, G.S. : Commentary on Protection of Human Rights Act.



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Paper-304

Paper 304 Law Relating to Criminal Procedure, Juvenile Justice and Probation of Offenders

SEM-III

Max. Marks : 100

Min. Pass Marks : 40

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. Preliminary :

- (a) Object, Extent and Definitions (Chapter 1).
- (b) Duties of Public :
  - (i) To assist police and Magistrate,
  - (ii) To give information about certain offences (Chapter IV, Ss. 37 to 40)

2. Criminal Courts :

- (a) Territorial Divisions and Classification (Chapter II, Ss. 10, 14, 15, 19, 22 and 23).
- (b) Powers (Chapter III, Ss. 26 to 31).

Pre-Trial Procedures :

- (a) Process to compel appearance (Chapter VI).
  - (b) Process to compel Production of things (Chapter VII).
  - (c) Arrest of Persons (Chapter V).
  - (d) Information to the Police and their powers of Investigation. (Chapter XII).
  - (e) Bail (Chapter XXXIII).
  - (f) Jurisdiction of the Courts in inquiries and trials (Chapter XIII).
  - (g) Maintenance of Public Order and Tranquility (Chapter X).
3. Jurisdiction of the Courts in inquiries and Trials, (Ch. XIII).
4. Complaints to Magistrates and Cognizance of Offence (Chapter XV and XIV).

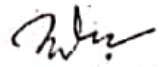
Charge (Chapter XVII).

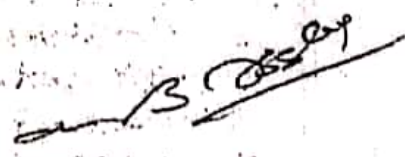
a. Types of Trials :

- (i) Trial before Court of Session (Chapter XVIII).
- (ii) Trial of Summons and Warrant Cases (Chapter XIX and XX).
- (iii) Summary Trials (Chapter XXI).
- (iv) Judgment (Chapter XXVII).

5. (a) Appeals (Chapter XXIX).

Reference and Revision (Chapter XXX).

  
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(b) *Misc. Provisions :*

- (i) Period of Limitation (Chapter XXXVI)
- (ii) Irregular Proceedings (Chapter XXXV).
- (iii) Autrefois acquit and Autrefois convict.
- (iv) Legal Aid to accused at State expenses (S. 304).
- (v) Pardon to an accomplice.
- (vi) Saving of Inherent Powers of High Court.
- (vii) Maintenance of wives, Children and Parents.

Juvenile Justice Act,

Probation of Offenders Act.

**Juvenile Justice Act, 1980**

**Definitions—**Competent authorities and institutions for juveniles, Neglected Juveniles, Delinquent Juveniles, Procedures of competent authorities, special offences in respect of juveniles.

**Probation of Offenders Act, 1958 :**

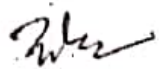
**Definitions—**Power of Court to release certain offenders after admonition, on probation of good conduct—Power of Court to require released offenders to pay compensation under twenty one years of age, Variations of conditions of probation, Probation in case of 'Offender' failing to observe conditions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

**Leading Cases :**

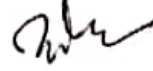
1. *Tahsildar Singh v. State of Delhi*, AIR 1955 SC 196.
2. *State of U.P. v. Singhara Singh*, AIR 1964 SC 359.
3. *Nisar Ali v. State of U.P.*, AIR 1957 SC 336
4. *Purshottam Das Dalmia v. State of West Bengal*, AIR 1968 SC 1589.
5. *State of Andhra Pradesh v. Ganeshwara Rao*, AIR 1968 SC 1050.
6. *Satwant 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 Offenders Act, 1950.

  
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5. Khatri B.D.—Law of Probation in India alongwith Juvenile Justice Act, 1988.
6. Chakravarti, N.K. --Probation System—in the Administration of Criminal Justice.
7. तिवारी, आई.के. : दण्ड प्रक्रिया संहिता
8. जैन, पी.सी. : दण्ड प्रक्रिया संहिता



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SEM-II

Paper LBS-305

Jurisprudence.

Max. Marks : 100

Min. Pass Marks : 40

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.

Contents :

Jurisprudence :

Definition Nature and Scope.

- (i) Importance of Jurisprudence.
- (ii) Schools of Jurisprudence; Analytical, Historical and Sociological including American Realism and Natural Law School.

Nature of Law :

Definition—Austin, Salmond, Holland, Gray, Hart.

Sources of Law :

- (A) Meaning, Custom, Kinds, Tests of particular legal custom; Importance of custom; Theories of customary law.
- (B) Precedents, kinds, Ratio decidendi obiter dicta; Declaratory theory of precedent; judge-made law theory.
- (C) Legislation; kinds, comparison between legislation and other sources of law.

Concepts of Law :

Rights and Duties : Nature of Rights and Duties; Corelation of Rights and Duties; Kinds of Rights and Duties; Property; Definition and kinds; Negligence; Criminal liability.

Ownership and Possession :

- (A) Meaning of Ownership; Kinds, Definition of ownership by Austin and Salmond

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(B) Relation between ownership and possession. Importance of Possession; Elements of corporeal possession and problems; Theories of possession; Salmond and Savigny).

Person :

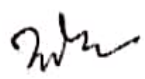
Nature of personality; kinds, corporate personality and its kinds, theories of corporate personality; problems legal persons and punishment.

Leading Cases :

1. Kesavananda Bharti v. State of Kerala, AIR 1973 SC 1451; (Per Mathew J) 1974; paras 1617; 1616 (Sovereignty) 1685—1698 (Natural Law and Natural Rights); 1726—1729 (Rescoe Pound and Sociological Jurisprudence).
2. Maharaja Shree Umaid Mills Ltd. v. Union of India, AIR 1963 SC 953 paras 12, 13, 14 (Per S.K. Das) Concept of Law; Legislative agreements.
3. Smt. Indira Nehru Gandhi v. Raj Narain, AIR 1975 SC 2299; Paras 299, 489 (Per Mathew, J). (Generality as a Property of Law).
4. Keshav Singh v. State of U.P.; AIR 1965 SC 9 to 17, (Per Sarkar, J). Law making by Judicial and Legislative Comity).
5. Bengal Immunity Co. v. State of Bihar, AIR 1955 SC 561, (Precedent).
6. Maneka Gandhi v. Union of India, AIR 1978 SC 597.

Suggested Readings :

1. Salmond : Jurisprudence.
2. Dias : Jurisprudence.
3. Dhyani S.N. : Fundamentals of Jurisprudence.
4. Mahajan V.D. : Jurisprudence and Legal theory.
5. परांजपे एन.वी. : विधि शास्त्र
6. अनिरुद्ध प्रसाद : विधि शास्त्र के मूल सिद्धान्त
7. Agarwal & Raizada : Some thoughts on Modern Jurisprudence.
8. R.D. Yadav : Glimpses of Jurisprudence..

  
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