



Maharaja Surajmal Brij University

Bharatpur (Raj.)

SYLLABUS

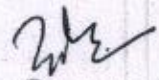
FACULTY OF LAW

LL.B. 3 YEAR COURSE

FIFTH SEMESTER

**Only For Session
2020-21**

Session 2021-22


अकादमिक प्रभारी
महाराजा सुरजमल बृज विश्वविद्यालय
भरतपुर (राज.)

Environmental Law

Paper No. 501

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.

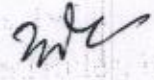
1. The Environment (Protection) Act, 1986: Objects and reasons of the ACT, Definition : General powers of the Central Government to issue directions, Prevention, Control and Abatement of Environmental Pollution; Penalties and Procedure. Standards for emission or discharge of environmental pollutants.
2. The Air (Prevention & Control of Pollution) Act, 1981; Application of the Act; Definitions; the Constitution powers and functions of Central and State Boards for Prevention and control of air pollution. Powers of the State Government, Penalties and Procedures; rules and procedures.
3. Law relating to prevention and control of air, water and noise pollution in Rajasthan.
The Rajasthan Water (Prevention & Control of Pollution) Rules, 1974.
The Rajasthan Water (Prevention & Control of Pollution) Appeal Rules, 1977.
The Rajasthan Air (Prevention & Control of Pollution) Rules, 1983.

Leading Cases :

1. Rural Litigation & Entitlement Kendra, Dehradun vs. State of U.R, AIR 1985 SC 659
2. Mehta, M.C. v. Union of India, AIR 1987 SC. 1086.
3. House of God (Full Gospel) of India v. K.K. R.M.C. Wilfare ASCO AIR 2002 SC 2237
4. A.P. Pollution Control Board v. Prof. M.V. Nayadu AIR 1999 SC 812

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भरतपुर (राज.)

3

Law of Civil Procedure and Limitation

Paper No. 502

Min. Pass Marks : 40

Max. Marks : 100

- 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.

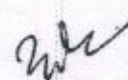
1. Code of Civil Procedure, 1908.
Definitions--suits in general, suits of civil nature, stay of suit, Res Judicata, Res Subjudice, Foreign Judgment, Place of trial, Transfer of suits, Joinder, non-joinder and mis-joinder of parties and causes of action Service of summon and pleadings.
2. Supplemental proceedings, Attachment before judgement, Arrest before judgement, Temporary injunction and Appointment of Receiver
3. Appeals--Appeals against order and appeals against decree, Review, Revision and Reference.
4. 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 limitation.

Leading Cases :

1. Shri Sinha Ramanuja *. Ramanuja, AR 1961 SC 1720.
2. Seth Hukamchand v. Maharaja Bahadur Singh, 60 IA 313.
3. Narain Bhagwantrao v. Gopal Vinayak, AIR 1960 SC 104.
4. Derty Pattabhirama Swamy v. Hanmayya, AIR 1959 SC 57.
5. S.M. Jakati v. B.M. Borker, AIR 1959 SC 282.

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भरतपुर (राज.)

9

L and Law

Paper No. 503

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.

Rajasthan Tenancy Act, 1955

1. Preliminary: Objects and Reasons, Definition, Khudkasht (Sections 1 to 130, Ijredars, Grove Holder (sections 194 to 205): Classes of tenants (Section 14 to 17-A): Conferment of rights on sub-tenants or tenants of Khud Kasht (19). Primary right of tenants (Section 31 to 37): Surrender, Abandonment and Extinction of tenancies of tenancies (Sections 55 to 64). Improvements and Trees (Sections 65 to 87): Declaratory Suits (Ss. 88 to 92): Determination and Modification of Rent (Sc. 93 to 129): Payment and Recovery of Rent (Sc. 130 to 160): grounds for Ejectment of Tenanis, Remedies for wrongful ejectment (Sections 169 to 188)

The Rajasthan Land Revenue Act, 1956 :

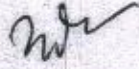
1. The Board of Revenue, Revenue Courts and Officers (Sc4-30) Appeal, Reference, Revision and Review (Sc. 74-87); Land (Sc. 88 to 105; Survey (Sc. 100-112).
2. Rajasthan Rent control Act, 2002

Leading Cases :

1. Prabhhu V. Ramdeo, AIR 1966 SC 172.
2. Kanaimal V. Kanbaiya Lal, 1966 RLW 179.
3. Yasin Shah V. Munir Shah, 1967 RRD 37.
4. Mangi Lal V. Choltu, 1967 RRd 433.

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5

Labour Law

Paper No. 504

Min. Pass Marks : 40

Max. Marks : 100

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. Definitions of Important terms-Authorities under this Act. Strikes and Lock-outs, Lay-off and Retrenchment

Trade Unions Act, 1926 :

The Philosophy of Trade Unionism, History of Trade Union Trade Union Movement in India-Aims and Object--Extent and Commencement of the Indian Trade Unions Act, 1926_ Definition and Nature of Trade Union, by Registration of Trade Unions-Right and Liabilities of Registered Trade Unions (Recognition of Trade Unions, Regulations, Penalties and Procedure. Dissolution Collective Bargaining and Trade. Disputes-Unfair Labour Practices).

The Factories Act 1948 :

History of Factory Legislation Concept of Welfare Objects and Reasons-Scope and Applicability-Definitions of some important terms.

The Inspecting staff-Health, Safety, Welfare, Working Hours of Adults-Employment of young persons-Annual leave with wages. Special provisions-Penalties and Procedure-New Provisions inserted vide Factories (Amendment) Act of 1987.

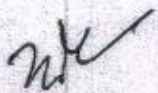
The Minimum Wages Act, 1948 :

Concept of Wages, particularly Minimum Fair and Living Wages, Need based minimum wage-Aims and objects of Minimum Wages Act-Application. Exceptions and Exemptions-Kinds of Wages.

Fixation and revision of minimum rates of wages Adjudication of claims relating to minimum wages and Miscellaneous provisions.

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6

Profession Ethics Accountancy for Lawyers and Bar Bench Relations
Practical Written Paper

Paper No. 505

Max. Marks : 100

Min. Pass Marks : 40

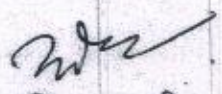
Professional Ethics-Meaning and Scope, Duties of an Advocate towards the Court, his client, other fellow Advocates and the Public.
Bar-Bench Relations-Meaning, necessity; nature and scope. The contempt law and practice Supreme Court pronouncements relating to (a) the Bar-Bench Relations and (b) the contempt of Court. 2.9 (b).

Viva-voce Paper

Maintaining diary on court visits, recording the Bar-Bench relations and Professional Ethics.

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भरतपुर (राज.)

Maharaja Surajmal Brij University
Batch 2017-20

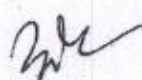
Syllabus of LL.B. 3 Years Course



Sixth Semester

Session 2021-22

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Maharaja Surajmal Brij University

Law of Evidence

Paper No. 601
Max. Marks: 100

Sem.VI
Min.PassMarks: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.

Indian Evidence Act, 1872

1. Preliminary: application of Indian Evidence Act, Definition: court, Fact-fact in issue and relevant fact, evidence meaning and its kinds, proceed, disproved, not proved, may presume, shall presume, and conclusive proof. Presumptions of fact and law, presumptions regarding documents. Relevancy of Facts: Explaining – res-gestae,

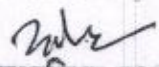
2. Admission and Confession :

- (a) Admission: Definition, whose admission is relevant, relevancy of admission in civil cases, admission is not conclusive proof, admission 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 person 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 Expert.
 - (f) Relevancy; of Character.

3. Evidence : Oral evidence, documentary evidence, Kinds of documentary evidence , when secondary evidences 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 it n th maters of rape.

4. Estoppel : Meaning, essentials, nature an its kinds. Witness : competency of witness, when persons can be compelled to appear as witnesses, privileged communication and documents, accomplice, hostile witness.

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भरतपुर (राज.)

5. Examination of Witnesses : Order of examinations; Kind of examination, leading question, 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 production. Effect of improper acceptance or rejection of evidence.

Leading Cases :

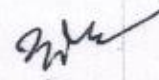
1. Nishi kant Jha v. State of Bihar, AIR 1969 SC 422.
2. Himachal Pradesh Administraton V. Om Prakash , AIR 1972 SC 975.
3. Sat Paul V. Delhi Administraton, AIR 1976 SC 294.
4. Laxmipat Chorasias V. State of Maharashtra, AIR, 1968 SC 938.
5. Pakala Narayan Swami v. Experor AIR 1939 PC 47.
6. Bhardwada Bhogin Bhan Heerji Bhai V. State of Gujrat , AIR 1988 SC 753.
7. R.M. Malkani v. State of Maharashtra, AIR 1973 SC 157.

Suggested Readins :

1. Ratan Lal : The Law of Evidence.
2. Batuklal : Law of Evidence.
3. Vepa P. Sarathi : Law of Evidence.

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(6)

Maharaja Surajmal Brij University
Arbitration, Conciliation and alternate Dispute Resolution system

Paper No. 602
Max. Marks: 100

Sem. VI
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. The arbitration and Conciliation Act, 1996.
 - (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 foreign awards- New York convention Awards, Geneva convention Awards
 - (b) Conciliation- conciliators- Procedure of Conciliation Relationship of Conciliator with parties- Settlement-agreement- Termination of conciliating Proceedings- resort to arbitral or Judicial Proceedings- costs and Deposits.
2. Lok Adalats-
Objects, role of committee for implementation of Legal Aid Schemes (CILAS) Permanent Conciliatory Centres in Gujrat- Functions of National Legal Services Authority, State Legal Services Authority and District Legal Services Authority; Organisation of Lok Adalat, Jurisdiction and powers of Lok Adalats, Procedure for determination of Dispute before the Lok Adalat.

Leading Cases :

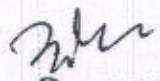
1. State of Bihar V. Kameshwar Singh , AIR 1952 SC 252.
2. Vallabhdas meghji V. Cowosji Francji AIR 1925 Bom. 409.
3. Firm Mananlal Roshanlal Mahajan V. Humum Chand Mills Ltd. AIR 1967 SC 1030.
4. State Electricity Board, Tamil Nadu V. Sree Meenakshi Mills Ltd. AIR 1975 Mad 139.
5. Food Corporation of India V. M/S Thakur Shipping Co. AIR 1975 SC 469.

Suggested Readings :

1. The Arbitration and Conciliation Act, 1996.
2. The Legal Services Authorities Act, 1987
3. Snil Dshta- Lok Adalats in India-Genesis & Functioning.
4. Bakshi, P.M.- Arbitration Law.
5. Paruck, P.L.- Indian Arbitration Act.
6. Avtar Singh- Law of Arbitration and Conciliation.

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(11)

Maharaja Surajmal Brij University
Criminology and Penology

Paper No. 603
Max. Marks: 100

Sem.V
Min. PassMarks: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. Criminology: Definition, nature and scope, methods of Studying, importance and classification of Crime.
Criminal behaviour:
(1) Explanations.
(2) Psychological theories- Alcoholism and Drugs.
Crime and social processes: Economic Motivation, socio-cultural movements, community, influences, white-collar crime 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.
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.

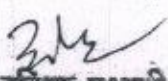
3. Definition of Punishment, Relationship between criminology and penology: Theories of Punishment, Expiatory, Preventive and reformative and purposes of punishment.
Penal science in India : History of Punishment, pre-classical school- classical school, Neo-classical Positive school, The reformers, clinical school and multiple causation approach.

Leading Cases :

1. Gura 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 Territory Delhi, AIR(1981) SC 746.
4. R.K. Garg V. Union of India (1981) 133 IT 239.
5. Mithu V. State of Punjab, AIR 1983 SC 473.

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भरतपुर (राज.)

12

P 201
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Maharaja Surajmal Brij University
Drafting, Pleading, conveyancing, pre-trial preparations,
Participation in Trial proceeding and Moot court

Paper No. **604**
Max. Marks: 100

Sem. VI
Min. Pass Marks: 40

This Paper shall consist of following two parts:

Practical written Paper - 80 Marks
Viva-Voce Examination - 20 Marks

The candidate must pass in paper (a) and (b) separately, i.e. 29 Marks out of 0 and 7 marks out of 20 marks.

PRACTICAL WRITTEN PAPER

Drafting & Pleading;

General principles of Drafting and relevant substantive rules of pleading and their exceptions; amendment of Pleadings; alternative an Inconsistent Pleadings.

Drafting Exercise on Pleadings:

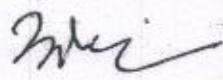
- (A) (i) Civil- (i) Plaints, (ii) Write statement; (iii) Interlocutory application, (iv) original petition (v) affidavit, (vi) Notice, (vii) Execution Petition; (viii) Memorandum of appeal and revision, (ix) writ petition and its appeal
(ii) Criminal- (i) complaints, (ii) Bail application, (iii) Accused's reply; (iv) criminal Miscellaneous Petition, (v) Memorandum of appeal, Reference and Revision.

(B) 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 (x) Will.

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भारतपुर (स.प्र.)

Paper- V

Moot court/Internship

Paper No. 605
Max.Marks: 100

Paper-V

Moot court/Internship

Paper No. 605
Max.Marks: 100

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