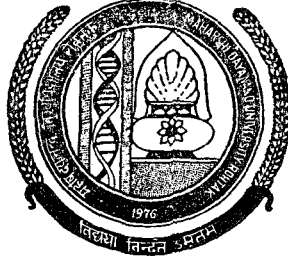


**Maharshi Dayanand University
Rohtak**

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**Ordinances, Syllabus and Courses of
Reading for
LL.B. 6th Semester
Examination**

Session—2002-2003

available from :

Deputy Registrar (Publication)

Maharshi Dayanand University

Rohtak-124 001 (Haryana)

Price :

At the Counter : Rs. 50/-

By Regd. Parcel : Rs. 75/-

By Ordinary Post : Rs. 60/-

**ORDINANCE - BACHELOR OF LAWS (LL.B. 5 YEAR COURSE)
SEMESTER SYSTEM**

1. The duration of the course leading to the degree of Bachelor of Law (LL.B.) shall be of five academic years. Each year shall be divided into two semesters i.e. July to November/December and January to April/May. The examination shall ordinarily be held in the month of December and April/May on such dates as may be fixed by the Vice-Chancellor.
2. The schedule of dates fixed in accordance with Clause-I shall be notified by the Controller of Examinations.
3. The last date by which the examination forms and fee must reach the Controller of Examinations shall be fixed by the Vice-Chancellor.
4. A candidate, who fulfils the following conditions shall be eligible to seek admission in the First Semester of LL.B. (Five Year) Course :-

- i) has passed an examination in 10+2 course of schooling recognised by the educational authority of Central or State Government with 40% marks in aggregate.

OR

- ii) posses any other equivalent academic qualifications recognised by this University. Those who have done graduation or Post-graduation shall not be eligible for Five Year Law Course.

5. A person who has passed the Semester I or II or III or IV or V or VI or VII or VIII and IX shall be eligible to join the Semester II or III or IV or V or VI or VII or VIII or IX or X respectively of the LL.B. Course. This is, however, subject to Clauses-12 and 13 (7.2) below.
6. The examination of Semester I/II/III/IV/V/VI/VII/VIII/IX/X shall be open to a student who :-
 - i) has passed the requisite examination as laid down above in Clause 4 and 5, as the case may be, or is covered under Clause 13 below; and
 - ii) has his name submitted to the Controller of Examinations by the HOD/Director and produces the following certificates signed by him :
 - a) of having good character,

- b) of having remained on the rolls of the Law College for the semester concerned proceeding the examination;
 - c) of having satisfactorily performed the work of his class;
 - d) of having attended not less than 75% of the lectures in each semester as also in practical training (to be counted upto the last day when the classes break up for the preparatory holidays).
7. A candidate on the rolls of the Law College or an Ex-student shall submit his application for admission to an examination on the prescribed form with the requisite certificate duly countersigned by the HOD/Director or a senior member of the teaching staff nominated by him.
 8. The amount of admission fee to be paid by a candidate for each Semester shall be as prescribed by the University from time to time.
 9. The medium of instruction and examination shall be English only.
 10. Candidates shall be examined according to the scheme of examination and syllabus as approved by the Academic Council from time to time.
 11. The minimum number of marks required to pass in each paper of LL.B. I,II,III,IV,V,VI,VII,VIII,IX and X semester Examination shall be 45% and 50% in aggregate of Semester examination.
 12. A candidate who has failed in a semester examination, or having been eligible fails to appear therein, may be allowed on the recommendation of the HOD/Director to appear/re-appear in the examination/paper(s), as the case may be, in accordance with clause-I. Such a candidate may be exempted from appearing in the paper(s) in which he obtains atleast 50% marks.

Provided that a candidate for the LL.B. Degree must pass the whole examination (Semester I,II,III,IV,V,VI,VII, VIII, IX and X within Seven years of his admission to the LL.B. first Semester class failing which he will be deemed to be unfit for the course and shall not be allowed to appear in the same either by attending classes again as a regular student or as an ex-student.

Note : The candidate admitted to LL.B. Course shall not be allowed to switch over to any other course, otherwise his candidature for LL.B. course shall be cancelled forthwith.

- 13.1 A candidate who has appeared and failed in a semester Examination shall be promoted from I to II,III, to IV and V to

VI,VII to VIII and IX to X Semester, subject to the provision of Clause 13.2.

The Vice-Chancellor may, in very exceptional cases and where he is satisfied that there are unavoidable circumstances e.g. serious illness, serious calamity like death of father or mother etc., allow a candidate who having been eligible failed to appear in the I/III/V/VII/IX semester Examination on, to study for the II/IV/VI/VIII/X semester Examination, as the case may be, provided that an intimation to this effect accompanied by a documentary proof thereof is received in the office of the Controller of Examinations through the H.O.D./Director within 10 days of the expiry of the concerned examination.

- 13.2 A candidate who has failed in the Semester I & II or III & IV or V & VI or VII & VIII shall be promoted to the III,V,VII, IX Semesters, as the case may be, only if he has got exemption in the papers as mentioned below :

From Semester I & II to Semester III If he has passed at least six papers of Semester I & II

From Semester III & IV to Semester V If he has passed at least 15 papers of Semester -I to IV including six papers of Semester I & II and six papers of Semesters III&IV

From Semester V & VI to Semester VII If he has passed all the papers of Semester - I & II, 15 papers of Semester III to VI including six papers of Semesters III & IV and six papers of Semesters V & VI

From Semester VII and VIII to Semester IX If he has passed all the papers of Semester - I & IV, 15 papers of Semester V & VIII including six papers of Semesters V & VI and six papers of Semesters VII & VIII.

Every student of Semester I,II,III,IV,V,VI,VII,VIII and IX who is entitled to be promoted to LL.B. Semester II,III,IV,V,VI,VII,VIII,IX and X respectively, shall submit an application on the prescribed form for fresh admission to the Semester II,III,IV,V,VI,VII,VIII,IX and X. Any such admission may be refused by the HOD/Director on reasonable grounds.

14. The details of the practical training (Legal Method, Moot Courts etc.) to be imparted as per syllabus and the dates will be notified by the HOD/Director from time to time.
15. Four weeks after the termination of the examination or as soon thereafter as is possible, the Controller of Examinations shall publish the result and issue Detailed Marks Cards.
- 16.1 The successful candidates after passing 1st, 2nd, 3rd, 4th, 5th, and 6th Semester examination of Five Year LL.B. Course will be awarded a graduate degree of B.A. (Law). such Candidates will not be entitled to practice.

Classification of division for the successful candidates of B.A.(Law), shall be arranged as under on the aggregate marks of I,II,III,IV,V and VI Semester Examinations :

- (a) Those who obtain 60% or more mark First Division
 - (b) Those who obtain 50% marks or more marks but less than 60% marks. Second Division
- 16.2 The candidate who successfully complete the five years (Semester I to X) of LL.B. Course will be awarded LL.B. Degree :

A list of successful candidates shall be prepared on the aggregate marks obtained in Semester V,VI,VII,VIII,IX and X examination and shall be arranged in division as under :

- (a) Those who obtain 60% or more mark First Division
 - (b) Those who obtain 50% marks or more marks but less than 60% marks. Second Division
17. Notwithstanding the integrated nature of this course, which is spread over more than one academic year, the ordinance in force at the time a student joins the course shall hold good only for the examination held during or at the end of the academic year and nothing in this ordinance shall be deemed to debar the University from amending the ordinance and the amended ordinance, if any, shall unless specified otherwise, apply to all students whether old or new.

Maharshi Dayanand University, Rohtak

Scheme of Examination LL.B. VI Semester (2002-2003)

Name of paper	Paper	Written	Internal	Total Marks	Time
Principles of Legislation and Interpretation	I	80	20	100	3 hrs.
Transfer of Property Act and Easement Act	II	80	20	100	3 hrs.
Law of Crimes-II	III	80	20	100	3 hrs.
Drafting, Pleading and Conveyancing	IV	80	20	100	3 hrs.
Corporate Law-II	V	80	20	100	3 hrs.

Note:

The internal assessment will be evaluated by the teacher teaching the subject on the basis of assignment and presentation of assignments will be subject to the questions from the teacher and the classmates and the assessment will be based on overall performance of the student in writing assignment, presentation of assignment and questions put to hem/her by the teachers and students during presentation.

In theory there will be eight questions in four units. Two questions will be set from each unit. Candidate will be required to attempt 5 questions selecting at least one question from each unit. The examiner will be free to set the questions in problem forms based on cases law.

Every student will have to obtain minimum pass marks in theory paper and he will be declared successful on the basis of aggregate of theory and assessment.

PAPER-III**LAW OF CRIMES-II****(Cr. P.C., J.J. Act & Probation of Offenders Act)**

Max. Marks. 80

Time: 3 hrs.

Note:- Two questions will be set from each unit. Candidates will be required to attempt 5 questions selecting at least one question from each unit. All questions carry equal marks.

Cr.P.C. 197

Unit I

Preliminary (1-5), Constitution of Criminal Courts & Offices (6-25), Power of Courts (26-35), Arrest of Persons (41-60), Remand of Accused (167), Provision as to Bail & Bonds (436-450), Search and Seizure (91-105, 145-166), Maintenance of wives, children and parents (125-128), Information to Police and their power (154-176)

Unit-II

Jurisdiction of Courts in Enquiries and Trials, Cognizance of Offences by the Magistrates (177-190), Complaint to Magistrates & Commencement of Proceedings before Magistrate (200-210), Charge (211-224).

Unit-III

Trial before sessions Court (225-237), Trial of Warrant Cases (238-250), Trial of Summon Cases (251-259), Summary Trial (260-265), Judgement (353-356), Appeals (372-394), Reference & Revision (395-405).

Unit-IV

Probation of Offenders Act, 1958 (1-5, 12-14), The Juvenile Justice Act, 1986 (1-12, 18, 22-24, 40)

Leading Cases:

Gurban Singh Sibia v. State of Punjab

AIR 1980 SC 1632

Narayan Das Bhagwan Das v. State of Bengal

AIR 1959 SC 1118

Banwari Lal v. U.O.I. AIR 1963 SC 1620

Amar Nath v. State of Haryana

AIR 1977 SC 2185

Masarullas v. State of Tamil Nadu

AIR 1983 SC 654

Books:

- | | |
|-------------------------|---|
| 1. Ratan Lal Dhiraj Lal | Code of Criminal Procedure |
| 2. R.V. Kelkar | Lectures on Criminal Law. |
| 3. R.V. Kelkar | Code of Criminal Procedure |
| 4. Bare Acts | Code of Criminal Procedure,
Probation of Offenders Act
1958, The Juvenile Justice
Act. |

PAPER-IV**DRAFTING, PLEADING & CONVEYANCING**

Max. Marks. 80

Time: 3 hrs.

Note:- Two questions will be set from each unit. Candidates will be required to attempt 5 questions selecting at least one question from each unit. All questions carry equal marks.

Unit I

General principles of Drafting, fundamental rules of pleading (civil), plaint, written statement, interlocutory application, amendment of pleadings.

of chargee, Loans to companies. INVESTMENT:- Investment in other companies, Register of investments , Inter corporate loans.

Unit-III

DEBENTURES:- Definition, Kinds of debentures, Register of debenture holders, Floating charges, fixed charge, Crystallization of charge. PUBLIC DEPOSITS:- Meaning , Invitation & acceptance of deposits, Register of deposits, Breakage on deposits, Advertisement for inviting deposits. DIVIDENDS:- Meaning, Profits & divisible profits, Sources out of which dividend may be paid, Declaration of dividends-on-Preforeuce and equity shares, Interim dividends, payment of dividends, unpaid and uncle imbed dividend, payment of dividend out of capital, payment of interest out of capital.

Unit-IV

Securities Contract (Regulation) Act 1956 recognized stock exchange, listing of securities by public companies.

SEBI Act 1992- Formulation of securities and exchange board, functions of SEBI, power of SEBI, Securities Appellate Tribunal (SAT), Legal position of SEBI guidelines, SEBI guidelines for issue of securities, SEBI control over intermediaries, control of SEBI over other market players, SEBI guidelines in preferential allotment, bonus shares, insider trading, takeover bids, discloser by companies, depository scheme, fraudulent and unfair trade practices relating to securities market, securities lending scheme, negotiated deal, regulations for buy back.