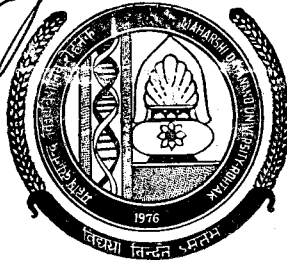


Maharshi Dayanand University Rohtak



Ordinances, Syllabus and Courses of Reading for LL.B. Part-111 Examination

Session—2002-2003

Available from :

Deputy Registrar (Publication)
Maharshi Dayanand University
Rohtak-124 001 (Haryana)

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By Regd. Parcel : Rs. 75/-
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**ORDINANCE : BACHELOR OF LAWS (LL.B. 5-YEAR COURSE)
(ANNUAL SYSTEM)**

1. The duration of the course leading to the degree of the Bachelor of Laws (LL.B.) shall be five academic years and the examinations shall be held in five parts viz. part-I at the end of the course of 1st year, part-II at the end of the course of 2nd year, part-III at the end of the third year, part-IV at the end of the course of 4th year and part-V at the end of the course of 5th year. The examinations shall ordinarily be held in the month of April/May or on such dates as may be fixed by the Vice-Chancellor.

A supplementary examinations shall be held in December on dates fixed by the Vice-Chancellor for these LL.B. (Final Year) candidates who have passed all the papers of LL.B. Part-I, II, III and IV (5 year course)/LL.B. Part-I and Part-II (3 years course) examination and have been permitted to reappear or have failed in paper(s) of part-III/V examination, as the case may be. However, total number of chances will not exceed as given in the Ordinance.

The students who have to appear in the Supplementary examination (September/December) immediately after annual examination will be governed by the old syllabus.

2. The schedule of dates fixed in accordance with Clause-I shall be notified by the Controller of Examinations to the Head of the Deptt. of Law.
3. The last date for the receipt of examination form and fee without late fee as fixed by the Vice-Chancellor, shall be notified to the Head of the Department of Law.
4. A candidate's examination form and fee may be accepted after the last date on payment of Rs. 105/- upto the date notified by the University.
- 5.1 A candidate who fulfils the following conditions shall be eligible to seek admission in the 1st year of LL.B.(5 year) course :-
 - i) has passed pre-medical/pre-Engineering examination with 40% marks in aggregate of this University or of any other University recognised as equivalent thereto; or

(ii)

- ii) has passed B.A./B.Sc./B.Com. part-I examination (old scheme) of this University or of any other University recognised as equivalent thereto with 40% marks in aggregate or
- iii) has passed an examination in 10+2 course of schooling recognised by the educational authority of Central or State Govt. with 40% marks in aggregate; or
- iv) possesses any other equivalent academic qualifications recognised by this University.

Those who have done graduation or post-graduation or have appeared in the final year of graduation or are placed in compartment in the qualifying examination shall not be allowed admission to 1st year of five year law course.

5.2 A candidate who has passed graduation in any discipline or a higher degree from this University or any other University recognised by this University with 40% marks in aggregate shall be eligible for direct admission to 3rd year of 5 years LL.B. course. Such students shall however have to study and pass additional papers of history of courts and History of Legislature of 2nd year. However, those placed in compartment in the qualifying examination shall not be eligible for admission.

5.3 No migration shall be allowed to five years course or to three year course.

6. A person who has passed 1st or 2nd or 3rd or 4th year shall be eligible to join the 2nd or 3rd or 4th or 5th year respectively of the LL.B. Course. This is, however, subject to clauses 13, 14.1 and 14.2 below.

7. The examination of part-I/II/III/IV/V shall be open to a student who :-

- i) has passed requisite examination as laid down above in clause 5 & 6, 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 Head of the Department of Law

(iii)

and produced the following certificates signed by him :-

- a) of having good character ;
 - b) of having remained on the rolls of the Dept. for the year preceding the examination;
 - c) of having satisfactorily performed the work of his class of having attended not less than 75% of the lectures in each year as also in practical training prescribed in the syllabus to be counted upto to the last day when the classes break up for the preparatory holidays.
8. A candidate on the rolls of the Department of Law or an ex-student shall submit his application for admission to an examination on the prescribed form with the requisite certificates duly countersigned by the head of the Department or a Senior member of the teaching staff authorised by him.
9. The amount of examination fee to be paid by a candidate for each examination shall be as under :-
- | | |
|---------------------|-----------|
| i) Regular Students | Rs. 90/- |
| ii) Ex-Student | Rs. 100/- |
10. The medium of instructions shall be Hindi in case of Hindi and English in case of other subjects. The medium of Examination shall be English/Hindi.
11. Candidate shall be examined according to the scheme of examination and syllabus approved by the Academic Council from time to time.
12. The minimum number of marks required to pass in each paper of LL.B. Part-I & II shall be 36% and it shall be 45% in each paper of LL.B. Part-III, IV and V examination.
13. A candidate who has failed in an examination or having been eligible fails to appear therein, may be allowed on the recommendation of the Head of the Department of Law to appear-reappear in the examination/paper(s), as the case may be in accordance with clause-I. Such a

(iv)

candidate may be exempted from appearing in the paper(s) in which he obtains at least 45% marks in LL.B. 3rd, 4th & 5th year and 36% marks in LL.B. 1st, 2nd year. Provided that a candidate for the LL.B. Degree must pass the whole examination part-I, II, III, IV & V within seven years of his admission to the LL.B. First Year 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.

14.1 A candidate who has appeared and failed in an examination shall be promoted from Part-I to II, Part-II to III, Part-III to IV and Part IV to V subject to the Provision of clause 14.2.

14.2 A candidate who has failed in Part-I and II or II & III or III and IV shall be promoted to Part-IInd, IIIrd, IVth and Vth as the case may be only if he has got exemption in the papers as mentioned below :-

From part-I to part-II If he has passed atleast three papers of part-I

From part-II to part-III If he has passed seven papers of part-I and II including atleast three papers of part-I and three papers of part-II.

From part III to part-IV. If he has passed all the papers of part-I and seven papers of part-II ana III with atleast three papers of part-II and three papers of part-III.

From part-IV to part-V If he has passed all the papers of part-I and II and seyen papers of part-III and IV with atleast three papers of part-III and three papers of IV.

Every student of part-I, II, III and IV who is entitled to be promoted to LL.B. part-II, III, IV and V respectively shall submit an application form on the prescribed form for admission to the part-II, III, IV and V. Any such admission may be refused by the Head, Deptt. of Law on reasonable grounds.

15. The details of the practical training (Legal Method, Moot Court etc.) to be imparted as per syllabus and the dates will be notified by the Head of the Deptt. of Law from time to time.

16. Four weeks after the termination of the examination, or as thereafter as is possible, the Controller of Examinations shall publish the result and issue Detailed Marks Card.

17.1 The successful candidate after passing Part-I, II and III examinations of 5 years LL.B. course will be awarded as 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 part-I, II and III examinations :-

- a) Those who obtain 60% marks or more 1st division
- b) Those who obtain 50% or more marks but less than 60% marks 2nd division
- c) Those who obtain less than 50% marks 3rd division

17.2 Three candidates who successfully complete the five years or three years in case of those who seek direct admission to 3rd year LL.B. Course will be awarded LL.B. Degree. A list of successful candidates shall be prepared in the aggregate marks obtained in part-III, IV and examinations and shall be arranged in divisions as under :-

- a) Those who obtain 60% or more marks 1st division
- b) Those who obtain 45% or more marks but less than 60% marks 2nd division

18. The candidates who have passed the B.A. (law) exam. in the second or third division may be allowed to re-appear in one or more theory paper(s) of the part-I and/or part-II examinations for improvement of division III to II, II to I or for improvement of 45%. However, for improvement of division from III and II to I as well as improvement of score of marks upto 45% only one chance for each part shall be allowed. Such a candidate shall appear for improvement in the paper(s) within a period of two years of his passing B.A. Law exam. a candidate appearing in one or more paper(s) for the purpose of improvement of division shall pay fee as for the whole examination. The higher score in the paper(s) for the purpose of improvement of division shall pay fee as for the whole examination. The higher score in the paper(s) in which the candidates re-appears for improvement will be taken into account towards the final result and the marks already obtained by the candidate in the paper(s) in which he has not opted to improve his result shall be carried forward. In case the candidate does not improve the division, his result shall be declared as previous result stand.

The students who are appearing for improvement of marks under this clause will be required to appear according to current syllabus. No separate paper under old syllabi will be set for such students.

19. 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 academic year and nothing in this ordinance shall be deemed to debar the University from amending the Ordinance and the amending ordinance, if any, shall unless specified otherwise, apply to all students whether old or new.

Scheme of Examination

LL.B. 3rd Year

		M. Marks	Time
Paper-I	Constitutional Law of India	100	3 hours
Paper-II	Law of Contract-I (General Principles of Contract and Specific Relief Act)	100	3 hours
Paper-III	Law of Torts and Consumer Protection	100	3 hours
Paper-IV	Law of Crimes	100	3 hours
Paper-V	Family Law	100	3 hours
Paper-VI	Public International Law and Human Rights	100	3 hours
Paper-VII	(Practical Training) Public Interest Lawyering, Legal AID and Para Legal Services	Theory :80 Practical :20	3 hours
Paper-VIII	Any one of the following (A ¹) Legal and Constitutional History of India (A ²) LAW AND MEDICINE	100	3 hours
Paper-IX	Information Technology	100	3 hours

(Every student will have to qualify this paper with 40% marks. But marks of this paper will not be added in the LL.B. Degree. The Candidates of LL.B. 1st year of five-year course who have passed the paper will not be required to pass again in LL.B. 3rd year.)

Note : "The additional paper in 'Legal and Constitutional History of India' shall be offered by the students of 3rd year of three years course (2nd point entry). Since this paper will be a qualifying paper, the pass marks i.e. 36% obtained by the candidate shall not count for the purpose of division.

The students who have already studied and passed in pre-law course shall be exempted to appear in this paper. This paper will be counted for the purpose of promotion to next higher class and will include 50% of the papers required to pass.

Paper-I CONSTITUTIONAL LAW OF INDIA

Max. Marks : 100

Time : 3 hrs.

Note : Ten questions shall be set with two questions from each unit. The student will be required to attempt five questions in all, selecting one question from each unit. All questions shall carry equal marks. The paper setter will also provide Hindi translation of the paper set by him in English.

Unit-I Preamble; Citizenship, Definition of State under Article 12; Rules of interpretation under Articles 13; Right to Equality; Special provisions for weaker sections of the society; Reservation policy; Fundamental freedoms under Article 19; Freedom of press, Leading case : Indira Sawhney V. Union of India A.I.R. 1993 S.C. 477.

Unit-II Protection in respect of conviction of offences under Article 20; Right to life and personal liberty; protection against arrest and detention; Right against exploitation; Freedom of religion; cultural and educational rights; minorities right to constitutional remedies; Directive Principles of State Policy; Fundamental duties.

Leading Case : Maneka Gandhi V. Union of India A.I.R. 1978 S.C. 597.

Unit-III An introduction to parliament and state legislatures; An introduction to union and State Executive; Position and Powers of President and Governor, power to pardon and ordinance making powers of the president and Governor; Parliamentary privileges; judiciary; jurisdiction of the Supreme Court; Independence of judiciary.

Leading Case : Inre Keshav Singh (Art. 143) A.I.R. 1965 S.C. 745.

Unit-IV Relations between the Union and the States; Trade, Commerce and inter course within the territory of India; Emergency provisions.

Leading Case : Automobils Transport Ltd. V. State of Rajasthan A.I.R. 1962 S.C. 1406.

Unit-V Amendment of the Constitution; Theory of the basic structure of the constitution; protection of civil servants; Right to property.

Leading case : Kesavanand Bharti V. State of Kerala A.I.R. 1975 S.C. 1461.

Note : Not more than one question will be set directly from the leading cases.

Books Recommended

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|--------------------------|--|
| 1. Seervai, H.M. | Constitutional Law of India. |
| 2. Hidayatullah, M. (ed) | Constitutional Law of India. |
| 3. Jain, M.P. | Indian Constitutional Law. |
| 4. Dhavan, R & Jacob | Indian Constitutional Trends and Issues. |
| 5. Tope, T. K. | Constitutional Law of India. |
| 6. Shukla, V.N. | Constitutional Law of India. |
| 7. Chandra Pal | Centre-State Relations and Cooperative Federalism |
| 8. Chandra Pal | State Autonomy in indian Federation : Emerging Trends. |

Paper-II LAW OF CONTRACT-I

(General Principles of Contract and Specific Relief Act)

Max. Marks : 100

Time : 3 hrs.

Note : Ten questions shall be set with two questions from each unit. The student will be required to attempt five questions in all, selecting one question from

each unit. All questions shall carry equal marks. The paper setter will also provide Hindi translation of the paper set by him in English.

Unit-I General Principles of Contract :

The Indian Contract Act, 1872:

Definition of Contract, Agreement, Offer, Acceptance, Consideration, (S. 2).

Communication and Revocation of Offer and Acceptance (Ss. 3-9)

Essentials of contract (S.10)

Competency of Contract (Ss. 11-12)

Leading case : Bhagwandas Khadia Vs. Girdhari Lal and Co., A.I.R. 1966, S.C. 543.

Unit-II Free consent, Consent by coercion, Undue influence, Fraud, Misrepresentation and Mistake (Ss. 14-22).

Legality of object and Consideration (Ss. 23-24).

Void Agreements (Ss. 25-30).

Leading Case : Central Inland Water Transport Corporation Vs. Birojo Nath, A.I.R. 1986 S.C. 1571.

Unit-III Contingent contracts (Ss. 31-36)

Contracts which must be performed (Ss. 37-39)

By whom contracts must be performed (Ss. 40-45)

Time and Place for performance of Contract (Ss. 46-50)

Performance of Reciprocal Promises (Ss. 51-55).

Leading Case : Caltex (India) Ltd. Vs. Bhagwan Devi, A.I.R. 1969 S.C. 405.

Unit-IV Discharge of Contract (Ss. 56-57)

Certain relations resembling to those created by Contract (Ss. 68-72).

Breach of Contract (Ss. 73-75)

Leading Case : Hadley Vs. Bexandale (1854) Ex. 341.

Unit-V The specific Relief Act, 1963.

Specific performance of Contracts (Ss. 9-14).

Persons for/against whom contracts may be specifically enforced (Ss. 15-19).

Powers of the Court (Ss. 20-24).

Rectification and cancelation of instruments (Ss. 26-33).

Injunctions (Ss. 36-42)

Leading Case : Jewan Lal Dage Vs. Nilmani (1927) 55 I.A. 107.

Note : Not more than one question will be set directly from the leading cases.

Books Recommended

1. Dr. Avtar Singh Law of Contract.
2. Dr. R.K. Bangia Indian Contract Act-I.
3. Desai, S.T. The Indian Contract Act.
4. Jain, J.D. Indian Contract Act.
5. Kapoor, S.K. The Law of Contract.
6. The Indian Contract Act, 1872.
7. The Specific Relief Act, 1963.
8. Pollock and Mulla Indian Contract and specific Relief Acts.
9. Mulla, D.F. The Indian contract Act.

Paper-III LAW OF TORTS AND CONSUMER PROTECTION

Max. Marks : 100

Time : 3 hrs.

Note : Ten questions shall be set with two questions from each unit. The student will be required to attempt five questions in all, selecting one question from each unit. All questions shall carry equal marks. The paper setter will also provide Hindi translation of the paper set by him in English.

Unit-I Nature and definition of Tort, Motive, Capacity, Joint Tort feasons, General defences.

Leading Case : Donoghue Vs. Stevenson 1932 A C 562.

Unit-II Vicarious liability, Remedies, Remoteness of Damages, Extinction of liability, Strict liability.

Liability for dangerous chattels, premises and animals; Negligence, Contributory Negligence.

Leading cases : Kasturi lal Vs. State of U.P. A.I.R. 1956 S.C. 1039. M.C. Mehta Vs. Union of India A.I.R. 1987, S.C. 1086.

Leading cases ; Municipal Committee, Delhi Vs. Subhagwant A.I.R. 1966 S.C. 1750.

Unit-III Trespass to land and goods. Detinue and Conversion, Nuisance, Conspiracy.

Leading case : Ratlam Municipal Committee Vs. Vardi Chand A.I.R. 1980 S.C. 1622.

Unit-IV Assault and Battery, False Imprisonment, Nervous Shock, Defamation, Malicious Prosecution, felonious Torts.

Leading cases : Anwar Hussain Vs. Ajay Kumar A.I.R. 1965 S.C. 1651.

Unit-V Evolution of Consumer Law.

The Consumer (Protection) Act, 1986.

Leading cases : IMA Vs. V.P. Shantha, A.I.R. 1996 S.C. 550.

Note : Not more than one question will be set directly from the leading cases.

Books Recommended

1. Rattan Lal Dhiraj Lal Law of Torts.
2. S. Rama Swami Iyer Law of Torts.
3. Winfield Law of Torts.
4. Salmond Law of Torts.
5. Bangia, R.K. Law of Torts.
6. Fleming Law of Torts.

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|-----------------|--|
| 7. Sinha, B.S. | Law of Torts. |
| 8. Basu, D.D. | Law of Torts. |
| 9. Sharman Lal | Apkriya Vidhi. |
| 10. Avtar Singh | Consumer Protection Law and Practice. |
| 11. Bangia K.K. | Consumer Protection Law and Procedure. |

Paper-IV LAW OF CRIMES

Max. Marks : 100

Time : 3 hrs.

Note : Ten questions shall be set with two questions from each unit. The student will be required to attempt five questions in all, selecting one question from each unit. All questions shall carry equal marks. The paper setter will also provide Hindi translation of the paper set by him in English.

Unit I : Mensrea, preparation, attempt, commission, actus Reus, strict liability;

General Explanations (6-52A);

Punishments (53-68, 73-74);

General Exceptions (76-106);

Leading cases : State of Maharashtra Vs. M.H. George
A.I.R. 1965 S.C. 722.

Unit II : Abetment (107-120); Criminal Conspiracy (120 A-120-B);

Offences against the State (121-130);

Offence against the Public tranquility (141-160);

Offences by or Relating to public Servants (161-162, 170);

Contempt of lawful, authority of Public Servant: (172, 177, 181, 182, 183, 189, 190);

False Evidence and offences against public justice (191, 192, 193, 212)

Leading cases : Barender K. Ghosh Vs. King Emperor
1924-25 ILR 40 (PC).

Unit III Offences Affecting the Human Body (299-377).

Leading case : Rex. Vs. Govinda, (1870) I.L.R. 1 Bombay (342).

Unit IV Cases against Property (378-462).

Leading cases : Shyam Bihari Vs. State of U.P. A.I.R. 1957 S.C. 320.

Unit V Forgery (463-65); Offences Relating to Marriage (493-98); Cruelty by Husband or Relative of Husband (498A); Defamation (499-502); Criminal Intimidation Insult and Annoyance (503-510); Attempts to commits Offences (511).

Leading cases : Kedar Nath Vs. STATE OF Bihar, A.I.R. 1962 S.C. 955.

Note : Not more than one question will be set directly from the leading cases.

Books Recommended

1. Bare Act of the Indian Penal Code, 1860 as amended to date.
2. Rattan Lal Dhiraj Lal Indian Penal Code (Studented).
3. Clanville Williams Law of Crimes
4. Gaur, K.D. Cases and Material on Criminal Law
5. Misra, S.N. Indian Penal Code.

Paper-V FAMILY LAW

Max. Marks : 100

Time : 3 hrs.

Note : Ten questions shall be set with two questions from each unit. The candidates will be required to attempt five questions in all, selecting one question from each unit. All questions shall carry equal marks. The paper setter will also provide Hindi translation of the paper set by him in English.

Unit-I Hindu Law

Sources of Hindu Law

Schools of Hindu Law

Application of Hindu Law

The Hindu Marriage Act, 1955.

Leading case : Lachman Vs. Meena A.I.R. 1964 S.C. 40.

Unit-II The Hindu adoption and Maintenance Act, 1956.

The Hindu Minority and Guardianship Act, 1956.

Leading case : A.G. Varadarajulu & Another Vs. State of Tamil Nadu & Other A.I.R. 1998 S.C. 1388.

Unit-III The Hindu Succession Act, 1956

Old Hindu law on Joint Family

Hindu Law as to partition.

Leading cases : State of Maharashtra Vs. Narayan Rao, A.I.R. 1985 S.C. 716:

Unit-IV Muslim Law

Sources of Muslim Law

Application of Muslim Law

The Muslim Personal Law (Shariat) Application Act, 1937

Marriage, Dower, Divorce and

The Dissolution of Muslim Marriage Act, 1939

Leading case : Anis Begam Vs. Mohd. Istafa, A.I.R. 1933 All. 634.

Unit-V Civil Marriage Law

The Special Marriage Act, 1954

Leading case : Aruna Basu Vs. Dorothea Mitra, A.I.R. 1983 S.C. 916, The Family Courts Act, 1984 as amended upto date.

Books Recommended

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|-------------------|----------------------------------|
| 1. D.F. Mulla | Hindu Law |
| 2. J.D.M. Dirrect | Introduction to Modern Hindu Law |
| 3. J.D.M. Derrect | Modern Hindu Law : A critique |
| 4. -do- | Death of Marriage Law |

- | | |
|----------------------------|---|
| 5. -do- | MAHARSHI DAYANAND UNIVERSITY
Religion, Law and the State |
| 6. Paras Diwan | Modern Hindu Law. |
| 7. Asaf A.A. Fyzee | Outlines of Muhamadan Law |
| 8. Tahir Mahmood | Muslim Law of India |
| 9. D.F. Mulla | Principles of Mohammadan Law |
| 10. Hafizul Rahman | Muslim Vidhi (Hindi) |
| 11. V. Bagga | The Hindu Marriage Act, 1955
&
The Special Marriage Act, 1954 |
| 12. Tahir Mahmood | Civil Marriage Act, Perspectives and Prospects (both of I.L.I-Tripathi) |
| 13. D.K. Tiwari & M. Zaidi | The Family Courts Act 1984. |

Paper-VI PUBLIC INTERNATIONAL LAW AND HUMAN RIGHTS

Max. Marks : 100

Time : 3 hrs.

Note : Ten questions shall be set with two questions from each unit. The student will be required to attempt five questions in all, selecting one question from each unit. All questions shall carry equal marks. The paper setter will also provide Hindi translation of the paper set by him in English.

Unit-I Definition, Nature and development of International law; Sanctions of International Law; Relation between International Law and Municipal Law; Sources and Subjects of International Law including the Position of Individual.

Leading case : West R and Gold Mining Co. Vs. R. (1905)
2 K.B. 391.

Unit-II State Territory and jurisdiction, Air and Outer Space; Jurisdiction on the Sea; Recognition of State and Govts. Acquisition & loss of State Territory.

Leading case : Wimbledon Case, P.C.I.J. report series A-1.
Haile Selassi Vs. Cable & Wireless Co. Ltd., (1939) Ch. 12.

Unit-III Extradition, Asylum, State Succession; Diplomatic and Consular Relation Settlement of disputes.

Leading case : Columbian Peruvian Asylum case, ICJ Reports (1951) of 71.

Unit-IV Nature, Definition & Effects of War, Rule of Warfare; Belligerent Occupation : Enemy Character, Neutrality. Contraband, Blockade, War Crimes, Prize, Courts

Leading Case : Daimler Co. Limited Vs. Continental Tyre & Rubber Co. Ltd. (1916) 2 A.C. 307.

Zamora Case (1916) 2 A.C. 77

Unit-V Human Rights :

Concept of Human Rights; Provisions of the U.N. Charter relating to Human rights; Human Rights and domestic jurisdiction; U.N. Commission on Human Rights : Sub-commission on Prevention of discrimination and protection of Minorities; Commission on the status of Women; Universal Declaration of Human Rights, 1948 and its legal significance; International Bill on Human Rights: Composition, Covenant on Civil and Political Rights, 1966, covenant on Economic, Social and Cultural Rights, Measures as to implementation thereof, Protection of Human Rights of Aliens; National Commission on Human Rights : Minorities Commission. Women's Commission.

Note : Not more than one question will be set directly from the leading cases.

Books Recommended

1. Starke, J.G. : An Introduction to International Law.
2. Von Glahn : Law Among Nations.

3. Harris, D.J. : Cases and Material on International Law
4. Greig, D.W. : International Law.
5. Kapoor, S.K. : International Law.
6. Tondon : Public International Law
7. Aggarwal, H.O. : Public International Law
8. Dr. Kapoor, S.K. : Human Rights under International law and Indian Law.

**Paper-VII (PRACTICAL TRAINING) PUBLIC INTEREST
LAWYERING, LEGAL AID AND PARA LEGAL
SERVICES.**

Part-I

Max. Marks : 80

Time : 3 hrs.

Note : The examiner will set 8 questions in all selecting 2 questions from each unit. The examinees will be required to attempt 4 questions selecting one question from each unit. All questions carry equal marks.

Unit-I Public Interest Lawyering.

Concept, nature and scope of public interest lawyering. Some essays of social and legal nature. Clinical methods and clinical theories regarding public interest lawyering.

Unit-II Legal essays on the following topics :

- (i) Consumer Court
- (ii) Legal Aid
- (iii) Lok Adalat
- (iv) Dowry Prohibition
- (v) Right to education

Unit-III Leading Cases :

1. Centre for Legal Research V. State of Kerala, AIR 1986 SC 1322.
2. S.P. Gupta V. Union of India, AIR 1982 SC 149

3. Unni Krishnan V. State of A.P., AIR 1993 SC 2178
4. Sarla Mudgil V. Union of India, AIR 1995 SC 1531
5. X V, Z Hospital AIR 1999 SC 495.

Unit-IV Public Interest Litigation

Concept, nature and scope of public interest Litigation, procedure and drafting of public interest litigation cases, writing, of case law. Editing of Law Journals and methods of research etc.

Books Recommended

1. Juneja, P.C. "Equal Access to Justice".
2. Sonia, Hurra, "Public Interest Litigation".
3. The Legal Services Authorities Act, 1987.
4. The Consumer (Protection) Act, 1986.
5. The Dowry (Prohibition) Act, 1961

Part-II

Max. Marks : 20

This part is of practical nature. The performance of the students shall be evaluated by a committee consisting of three teachers of the Dept. of Law appointed by the Board of Studies in law every year. The students shall maintain the diary of the work done under the directions of the teacher incharge of the concerned class.

Paper-VIII (A¹) LEGAL AND CONSTITUTIONAL HISTORY OF INDIA

Max. Marks : 100

Time : 3 hrs.

Note : Ten questions shall be set with two questions from each unit. The student will be required to attempt five questions in all, selecting one question from each unit. All questions shall carry equal marks. The paper setter will also provide Hindi translation of the paper set by him in English.

Unit-I Administration of Justice in the Presidency Towns (1600-1773) and the development of Courts and Judicial Institutions under the East India Company. Charter of 1726 and 1753; Establishment of Major's Courts in 1726.

Unit-II Regulating Act of 1773 Supreme Court at Calcutta : its composition, powers and functions Failure of the Court Act of 1781.

Leading cases : (i) Raja Nand Kumar Trial,
(ii) Patna Case,
(iii) Cossijurah Case.

Unit-III Warren Hastings Plan of 1772, 1774 and 1780. Judicial Measures of Cornwallis, 1787, 1790, 1793. Progress of Adalat System under Sir John Shore. Progress of Adalat System under Wellsley, Amherest and Bentick.

Unit-IV Conflicts arising out of the dual judicial system. tendency for amalgamation of the two system of courts. The Indian High Courts Act, 1861. The Indian High Courts, 1911 : The Govt. of India Act, 1915, High Courts under the Govt. of India Act, 1935. High Courts under the Indian Constitution. History of writ jurisdiction. Growth of personal laws in india.

Judicial Committee of Privy Council as a court of appeal and its jurisdiction to hear appeals from Indian decisions abolition of the jurisdiction of the Privy Council to hear appeals from Indian decisions.

Court System generally under the Constitution of India. Codification of Law Act of 1833 Establishment of a Legislature of an All India Character in 1834.

Unit-V The Indian Council Act 1861, 1892. Govt. of India Act, 1909, govt. of India Act, 1919, Govt. of India Act, 1935.

Transfer of power and Indian Independence Act, 1947.

Growth of Legal Profession :

(a) Growth before 1926, (b) Indian Bar Committee, 1923, (c) Indian Bar Council Act, 1926, (d) All India Bar Committee Act, 1951, (e) The Advocates Act, 1961.

History of Law Reporting in India.

Note : Not more than one question will be set directly from the leading cases.

Books Recommended

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|-----------------------|--|
| 1. Jain, M.P. | Outlines of Indian Legal History. |
| 2. Shilwant, SS. | Legal and Constitutional History of India. |
| 3. Mittal, J.K. | Indian Legal History. |
| 4. Kulshreshtha, V.D. | Land marks in Indian Legal and Constitutional History. |
| 5. Puri, S.K. | Indian Legal and Constitutional History; |
| 6. Singh, M.P. | Outlines of Indian Legal and constitutional History. |

Paper-VIII (A²) LAW AND MEDICINE

Max. Marks : 100

Time : 3 hrs.

Note : Ten questions shall be set with two questions from each unit. The student will be required to attempt five questions in all, selecting one question from each unit. All questions shall carry equal marks. The paper setter will also provide Hindi translation of the paper set by him in English.

Unit-I Medical Profession and Ethics;

Constitution, Powers and Functions of Medical Council of India; Constitution, Powers and Functions of Central Council of Indian Medicine; Role of Judiciary in preventing Quackery.

Leading cases : Poonam Verma Vs. Ashwin Patel & Others
A.I.R. 1966 S.C. 2111.

Unit-II Legal regulation of transplantation of human organs; Legal regulation of Prenatal diagnostic techniques.

Unit-III Medical Termination of Pregnancy; Artificial insemination, surrogate motherhood and medical experimentation on humans.

Unit-IV The Drugs Technical Advisory Board, the Central Drugs Laboratory and Drugs Consultative Committee (Sec-5 to 7A of Drug Control Act, 1940), Import of drugs and Cosmetics (Sec. 8-15 of the Drugs Control Act, 1940).

Unit-V Manufacture, sale and distribution of drugs and cosmetics (Sec. 16 to 33A, The Drugs Control Act, 1940).

Books Recommended

1. Vijay Malik The Drugs and Cosmetics Act, 1940.
2. Jaspal Singh Handbook of Socio-economic Offences.
3. Raizada R.K. & Abortion Law of India : Post and present.
Singh, S.K.
4. The Indian Medical Council Act, 1956.
5. The Indian Medicine Control Council Act, 1970.
6. Medical Termination of Pregnancy Act, 1971.
7. Transplantation of Human Organs Act, 1994.
8. Pre-natal Diagnostic Techniques (Regulation and Prevention of misuse) Act. 1994.
9. Delhi artificial Insemination (human) Act, 1995.
10. Mahalwar, K.P.S. Medical Negligence and the Law.

Paper-IX Information Technology

Max. Marks : 100

Time : 3 hrs.

Note : Eight questions shall be set covering the whole syllabus and the student will be required to

attempt five questions in all. All questions shall carry equal marks.

Information concepts and processing, Evolution of information processing data, information language and communication.

Elements of a computer processing system; Hardware-CPU, storage devices and media, VDU, Input-output devices, data communication equipment, Software system software, application software.

Programming languages : classification, machine mode, assembly language higher level languages, forth generation language.

Operating systems : Concept as resource manager and co-ordinator of processor, devices and memory, Concept of priorities, protection and parallelism, Command Interpreter - Typical commands of DOS/UNIX/Netware, GUI-Windows.

Computers and communication : Single user, multi-user, workstation, client server systems, computer networks, network protocols, LAN, WAN, Internet facilities through WWW, Mosale Gopher, html

Information integrity definition, Ensuring integrity, Computer Security : Pervers Software, Concepts and components of security, preventive measure and treatment.

Range of application : Scientific, word processing, spread sheets, e-commerce, business, education, industrial, national level whether forecasting, remote sensing, planning, multilingual applications.

Reference :

1. Rajaraman V. : "Fundamentals of Computers" (3rd edition). Prentice Hall of India, New Delhi, 1999.
2. Sander D.H. : "Computers Today" Mc. Graw Hill, 1988.
3. Trainer T..... etal : "Computers" (4th edition) Mc Graw Hill, 1994.