



ILS LAW COLLEGE, PUNE



HANDBOOK FOR
THIRD YEAR B.A. LL.B. 2018-19
(FIVE YEAR LAW COURSE)

Welcome to ILS

- Founded on June 20th, 1924 as the Law College, Poona when the University of Bombay gave its sanction for a college of law in Poona.
- Graded A+ by National Assessment and Accreditation Council (NAAC), Bangalore, in 2004.
- Ranked 2nd in Top Private Law Colleges by the 'Week' in 2018.
- Ranked 4th in Best Colleges List of India by 'India Today' in 2018.
- Ranked 3rd in India's Top Professional Colleges by 'Outlook Magazine' in 2018.
- Ranked 2nd in Top Law School of Eminence Category and Top Law Schools by State (Maharashtra) Category by CSR-GHRDC Law School Survey in 2018.
- Awarded 'SILF-MILAT Institutional Excellence Award 2013' by Society of Indian Law Firms and Menon Institute of Legal Advocacy Training, Delhi.
- Awarded 'Best Private Education Institute 2012-13' in the Law School Category by WCRC Leaders Asia.
- Spread over a 195 acres campus in the heart of the city of Pune.
- A faculty comprising of highly qualified & committed people.
- A library rated one amongst the best in India, with over 64,162 books and bound volumes of periodicals along with national and international, journals and magazines.
- A boys' hostel with a capacity of over 190 students.
- Girls' hostel, to accommodate 222 lady students.
- An enormous range of student clubs and societies, particularly the Mooting, Debate and Drama societies, besides the sports, trekking and other extra curricular clubs.
- Funded by the Ford Foundation, USA during 1996-2000 to sustain our tradition of innovation in teaching techniques and methods of learning.
- 1st volume of ILS Law Review released, March 2008.
- LL.M. Programme started at ILS in 2010
- Women's Studies Centre established in 2011
- International Collaboration between the VU University, Amsterdam, Netherlands and ILS, comprising of Ph.D. programs and setting up of Law and Policy Action Lab at ILS Launched in December 2012.
- Ph. D. (Law) Research Centre affiliated to Savitribai Phule Pune University started in 2014.
- Tie-Up with Maharashtra Rajya Marathi Vishwakosh Nirmitee Mandal to institute a "Dnyanamandal", A Knowledge Committee, for the field of Law in 2016.
- Received Knowledge Steez Award of Excellence for Contribution in Social Justice and Legal Aid in June 2018.
- Selected by Government of India as one of the Premier Institutions eligible for Central Sector Scholarship Scheme of Top Class Education for Scheduled Tribe (ST) and Scheduled Caste (SC).

The Syllabus of Savitribai Phule Pune University published in this handbook is for instruction purpose only.

94 Years of Nation Building - Our Contribution...

- ◆ **Justice P.B. Gajendragadkar**
Chief Justice, Supreme Court of India (1964-66)
- ◆ **Justice Y.V. Chandrachud**
Chief Justice, Supreme Court of India (1977-85)
- ◆ **Justice E.S. Venkataramaiah**
Chief Justice, Supreme Court of India (1987-89)
- ◆ **Shri K. M. Reddy**
Former Governor of Maharashtra
- ◆ **Shri Y.B. Chavan**
Former Deputy Prime Minister of India
- ◆ **Shri Mohan Dharia**
Former Minister of Commerce
- ◆ **Shri Sushilkumar Shinde**
Home Minister, Govt. of India & Former Chief Minister of Maharashtra
- ◆ **Shri Vilasrao Deshmukh**
Former Chief Minister of Maharashtra
- ◆ **Shri Arun Kirloskar**
Industrialist
- ◆ **Dr. Prabha Atre**
Indian Classical Vocalist
- ◆ **Prof. S.P. Sathe**
Former Dir. Institute of Advanced Legal Studies (IALS) and Ex-Principal, ILS Law College
- ◆ **Dr. Alice Jacob**
Former Director of Indian Law Institute and Ex-Member, Law Commission of India
- ◆ **Dr. A.T. Markose**
*First Director of Indian Law Institute
Former Professor, Cochin University*

ILS Law College

Address : Chiplunkar Road (Law College Road),
Pune - 411 004

Information: Tel.: (+) 91-20-25656775, Ext. 121
(+) 91-20-25656775, Ext. 140
Fax : (+) 91-20-25658665
E-mail : ilslaw@ilslaw.in
Website : www.ilslaw.edu

College Office Working Hours:

Monday to Saturday : 9.00 am. - 4.00 pm.

College Timings

Morning Session : 7.15 am onwards
Day Session : 10.50 am onwards



ILS LAW COLLEGE, PUNE

**HANDBOOK FOR
THIRD YEAR B.A. LL.B.
(FIVE YEAR LAW COURSE)
2018-2019**

Our Mission

“ कृण्वन्तो विश्वमार्यम् ।” - Rigveda, Mandala-9, Sukta-63, R.ca-5

We will make the whole world “Aaryam”. The word “Aaryam” refers to moral, cultural and spiritual excellence leading to eternal happiness. It shall be the ideal of this Society, for accomplishment of which, its efforts will always be directed towards an all round elevation of the entire population of this vast country. It should be raised to a level of equality on a higher plane ensuring everlasting peace, prosperity and higher mentality. The Society looks forward to a period of time when as a result of advancement of the people in their morals and outlook on life, the distinctions on the ground of birth will disappear by reason of all reaching a higher level of mental and moral excellence. The prayer of the Society will be to raise the nation to that ideal and its efforts will always be directed with that end in view :

“ कृण्वन्तो विश्वमार्यम् ।”

Rules

- ◆ It is mandatory for every student to attend at least 75% of total lectures held in each term in the college, as per Ordinance No. 68 of the Savitribai Phule Pune University.
- ◆ Strict Disciplinary Action will be taken against students indulging in any kind of Ragging activity (as defined by 'The Maharashtra Prohibition of Ragging Act 1999') inside or outside the college.
- ◆ Law courses taught in the college are Professional Courses and Students must dress appropriately for the same. Shorts, short tops, short skirts and bermudas are not allowed. Teacher's instructions in this respect shall be followed.
- ◆ **Dress code for Girls**
 - Full Jeans / Trousers and Tops
 - Salwar Kameez
 - Sarees
- ◆ **Dress code for Boys**
 - Full Jeans / Trousers
 - Shirts / T-Shirts
- ◆ Students must wear Identity card around their neck.
- ◆ Visit www.unipune.ac.in for examination pattern and rules of passing.

Useful Information

College Timings	:	Morning Session	07.15 am onwards
		Day Session	10.50 am onwards
College Office : Working Hours		Mon to Sat	9.00 am to 4.00 pm
		Lunch Time	1.00 pm to 1.30 pm
Library Timings	:	9.30 am to 9.00 pm	

Computer and Internet Facilities :

Computer Lab for students
Dedicated lease line for Internet Connectivity
Wi-Fi connectivity in the Library, Class Rooms and Girls' Hostel.
Internet connectivity in Boys' and Girls' Hostels

E-Resources provided by the Library :

AIR database including Supreme Court and all High Court Reports
Supreme Court Weekly
Criminal Law Journal
SCC on-line including reports of Supreme Court and High Courts, Privy Council, Constituent Assembly Debates, Law Commission Reports, International Case Laws and Statutory materials.
Manupatra on-line
Lexis Nexis on-line covering International Case Laws and Articles from 1106 International Law Reviews and Journals
Lexis India on-line (e-books) providing access to electronic version of commentaries on various law subjects published by Lexis Nexis
Corporate Law Adviser (CLA) on-line
West Law International
N-LIST Programme of INFLIBNET providing access to more than 9000 e-journals and 57000 e-books.
Tax Sutra

Cells established and working with student initiative and participation :

Legal Aid Centre
Gender Studies Cell
Equal Opportunity cum Enabling Cell
Human Rights Cell
Hariyali- The Environment Cell
Corporate Law Cell
Intellectual Property Rights (IPR) Cell
Moot Court Society
Debating Society
ILS Quiz Club
Criminal Law Cell
Centre for International Law Cell
ILS History Club
ILS Literary Club
Centre for Public Law

Committees working for Students' Welfare :

Anti-Ragging Committee
Grievance Redressal Committee
Internal Committee for Prevention of Sexual Harassment
Internal Quality Assurance Cell
Academic and Research Coordinator

ILS Law College, Pune 411 004

Fee Structure for III BA LLB (Five Year Law Course) : Academic Year 2018-2019

Sr. No.	Head of Fees	IIIrd BA LL.B. (BC Students)	IIIrd BA LL.B. (within State)	IIIrd BA LL.B. (out of State)	IIIrd BA LL.B. (NRI-Bhutan, Nepal, Srilanka, Bangladesh)	IIIrd BA LL.B. (NRI)
1	Tuition Fee	0	1500	3000	3000	4500
2	Admission Fee	0	20	20	40	60
3	Library Fee	0	100	100	200	300
4	Gymkhana Fee	0	100	100	200	300
5	Medical Fee	0	0	0	0	0
6	Student Welfare Fund	0	100	100	200	300
7	Computerization Fee	0	50	50	100	150
8	Pro Rata Contribution for Ashwamegh	0	30	30	60	90
9	Disaster Management	0	20	20	40	60
10	Development Fee	0	250	250	500	750
11	Student Safety Insurance	0	10	10	20	30
12	Student Aid Fund	0	10	10	20	30
13	Registration Fee	0	25	25	50	75
14	Gathering & Prize Distribution Fee	0	200	200	400	600
15	Terminal / Tutorial Fee	0	150	150	300	450
16	Identity Card Charges	0	150	150	300	450
17	Magazine Fee	0	200	200	400	600
18	Eligibility Fee	0	0	0	0	0
19	NSS Fee	0	10	10	20	30
20	Field Work Fee	-----	-----	-----	0	0
	Other Activities Fees				0	0
21	Debating Fee	800	800	800	1600	2400
22	Seminar Fee	1500	1500	1500	3000	4500
23	Moot Court Fee	3500	3500	3500	7000	10500
24	Legal Aid Fee	1000	1000	1000	2000	3000
25	Law Review Fee	500	500	500	1000	1500
26	Physical Fitness (Swimming / Gymnasium)	2500	2500	2500	5000	7500
27	Abhivyakti Law Journal	500	500	500	1000	1500
28	Cultural Activities Fee	2350	2350	2350	4700	7050
29	Maintenance of Equipment	2050	2050	2050	4100	6150
30	Research Activities	655	655	655	1310	1965

ILS Law College, Pune 411 004

Fee Structure for III BA LLB (Five Year Law Course) : Academic Year 2018-2019

31	Training Placement & Skills Development	2000	2000	2000	4000	6000
32	Barcouncil Registration	100	100	100	200	300
33	E-learning Equipments	5000	5000	5000	10000	15000
	1. Computer Lab	0	0	0	0	0
	2. LCD (Classroom)	0	0	0	0	0
	3. Wi-fi access	0	0	0	0	0
34	Print Resources	3500	3500	3500	7000	10500
	1. Text Books	0	0	0	0	0
	2. Reference Book	0	0	0	0	0
	3. Law Reports	0	0	0	0	0
	4. Law Journal	0	0	0	0	0
	5. Govt. Publications (gazettes)	0	0	0	0	0
35	Electronic Resources	4500	4500	4500	9000	13500
	1. E-books	0	0	0	0	0
	2. E-journals	0	0	0	0	0
	3. E-data bases legal	0	0	0	0	0
36	Email facility	1000	1000	1000	2000	3000
37	Games & Recreation	2000	2000	2000	4000	6000
38	Prospectus Fee	0	300	300	300	300
	TOTAL	33455	36680	38180	73060	109440

SAVITRIBAI PHULE PUNE UNIVERSITY
THIRD YEAR OF NEW FIVE YEAR LAW COURSE (BA LL.B. Course)
SYLLABUS

SEMESTER V : JUNE TO OCTOBER

PAPER NO.	SUBJECT	MARKS
13	Family Laws – I	100
14	Law of Crimes	100
15	Labour Laws	100
16	Optional Papers (any one) a. Trust, Equity and Fiduciary Relationships b. Criminology and Penology c. Woman and Law, Law relating to the Child d. International Economic Law	100

SEMESTER VI : NOVEMBER TO APRIL

PAPER NO.	SUBJECT	MARKS
17	Family Laws – II	100
18	Constitutional Law	100
19	Law of Torts and Consumer Protection Act	100
20	Professional Ethics, Accountancy for Lawyers and Bar – Bench Relations	100

SEMESTER V

PAPER NO. 13 : FAMILY LAWS – I - 100 MARKS

(With latest amendments and case – law)

Family Relations – Hindus, Muslims, Christians and Parsis.

1. Nature Sources and Schools of
 - a. Hindu Law
 - b. Muslim Law
2. Marriage
 - a. Formation
 - b. Duration
 - c. Disruption
3. Marital Relief and Restitution of Conjugal Rights
 - a. Judicial separation
 - b. Divorce
 - c. Nullity of marriage
 - d. Dissolution
4. Law of Maintenance (Hindu and Muslim Law)
 - a. Claim of spouses
 - b. Claim of parents and children
 - c. Alimony (pendente lite and permanent)
5. Adoption
6. Minority and Guardianship

Statutes

1. The Hindu Marriage Act, 1955
2. The Hindu Adoptions and Maintenance Act, 1956
3. The Hindu Minority and Guardianship Act, 1956
4. The Christian Marriage Act, 1872
5. The Indian Divorce Act 1869 (as amended by Amendment Act 49 and 51 of 2001)
6. The Parsi Marriage and Divorce Act, 1936
7. The Special Marriage Act 1954
8. The Muslim Woman (Protection of Rights on Divorce) Act, 1986
9. The Dissolution of Muslim Marriage Act, 1939

Recommended Books and Reading :

1. Desai Kumud - Law of Marriage and Divorce
2. Diwan Paras - Modern Hindu Law
3. Mayne - Hindu Law
4. Diwan Paras - Family Law
5. Subbarao Dr T. V. - Family Law in India
6. Mulla - Principles of Mohammedan Law
7. Mahmood Tahir - Muslim Law
8. B. M. Gandhi - Hindu Law

SEMESTER V

PAPER NO. 14 : LAW OF CRIMES - 100 MARKS

1. Indian Penal Code 1860 – Section 1 – 511 80 Marks
2. Criminal Jurisprudence – definition and Essentials of crime, Criminal liability, related maxims, types and theories of punishment with relevant case law 20 Marks

Recommended Books:

1. Ratanlal and Dheerajlal - The Indian Penal Code
2. Gaur K. D. – A Text Book on The Indian Penal Code
3. Pillai P.S.A. - Criminal Law
4. Mishra S. N. - Indian Penal Code
5. Bhattacharya T - The Indian Penal Code

References:

1. Basu -Indian Penal Code. Vol I & II
2. Gaur Dr. S. Singh - Penal Law of India Vol I to IV
3. Gaur K.D. - Criminal Law – Cases and Materials
4. Jaspal Singh - Indian Penal Code
5. Kenny - Outlines of Criminal Law
6. Nigam R.C. - Principles of Criminal Law

SEMESTER V

PAPER NO. 15 : LABOUR LAWS - 100 MARKS

(With Latest amendments and case – law)

1.	The Industrial Disputes Act, 1947	30 Marks
2.	The Factories Act, 1948	20 Marks
3.	The Minimum Wages Act, 1948	10 Marks
4.	The Workmen's Compensation Act, 1923	15 Marks
5.	The Employees State Insurance Act, 1948	15 Marks
6.	The Payment of Wages Act, 1936	10 Marks

Recommended Books and Reading :

1. Malik P.L. - Handbook of Labour Law and Industrial Law
2. Malhotra O.P. - Industrial Disputes Act 1947
3. Shrivastava K.D.- Commentaries on all Labour Law
4. Kothari G.M. - A Study of Industrial Law
5. Sachadeva -Industrial Labour Law
6. Reports of the National commission on Labour I / II
7. Taxmann's Labour Laws

SEMESTER V

PAPER NO. 16 : OPTIONAL PAPER (A)

TRUST EQUITY AND FIDUCIARY RELATIONSHIPS - 100 MARKS

Division of Marks

- | | | |
|----|--|----------|
| 1. | Principles of equity and maxims | 15 Marks |
| 2. | The Indian Trusts Act 1882 | 40 Marks |
| 3. | The Bombay Public Trusts Act 1950
(With Latest amendments and case – law) | 45 Marks |

A. The Indian Trusts Act 1882

1. Preliminary

- a. Definitions – Trust, author of the trust, trustee, Beneficiary, trust property, beneficial interest, instrument of trust, breach of trust, Cestul que trust

- b. Comparison of trust with other relationships

- | | |
|------|---|
| I | Private trust and public/charitable trust |
| II | Trust and debt |
| III | Trust and ownership |
| IV | Trust and bailment |
| V | Trust and agency |
| VI | Trust and contract |
| VII | Trust and conditions |
| VIII | Trust and equitable charge |
| IX | Trust and Mortgage |
| X | Trust and administration |

2. Kinds of trusts
3. Creation of trusts
4. Appointment of trustees
5. Duties and liabilities of trustees
6. Right and powers of trustees
7. Disabilities of trustees
8. Rights and liabilities of the beneficiary
9. Vacating the office of trustee
10. Extinction of trusts

B. Fiduciary relations – concept and kinds.

C. The Bombay Public Trusts Act 1950

1. Definitions - Public trust, math, person having interest, temple, wakf, trustee
2. Establishments
3. Charitable purpose and validity of certain public trusts
4. Registration of public trust
5. Budget accounts and audit
6. Powers duties and restrictions on trustees etc
7. Control, powers and functions of Charity Commissioner, Deputy and Assistant Charity Commissioner
8. Dharmada, Cypress
9. Special provision as respect religious and charitable institution and endowment
10. Public Trusts Administration Fund
11. Offences and penalties
12. Procedure, jurisdiction and appeals

D. Principles of equity and maxims

1. Concept and definition of equity.
2. Origin and development
3. Maxims of equity
 - a. Equity will not suffer a wrong to be without a remedy
 - b. Equity follows the Law
 - c. Where there is equal equity, the law shall prevail.
 - d. Where the equities are equal, the first in time shall prevail
 - e. He who seeks equity must do equity
 - f. He who comes in to equity must come with clean hands
 - g. Delay defeats equities
 - h. Equality is equity
 - i. Equity looks to the intent rather than to the form
 - j. Equity looks on that as done which ought to be done
 - k. Equity imports an intention to fulfill an obligation
 - l. Equity acts in personam

Recommended Books and Reading :

1. Iyer Suryanarayanan - The Indian Trust Act
2. Rangacharya I.V. - The Indian Trust Act.
3. Agarwal O.P. - The Indian Trust Act
4. Tandon M.P. - The Indian Trust Act
5. Chaudhari D.H. - The Bombay Public Trust Act 1950
6. Shah K.N. - The Bombay Public Trust Act 1950
7. Apte M.S. - The Bombay Public Trust Act 1950
8. Gupta and Dighe - The Bombay Public Trust Act 1950
9. Snells - Principles of Equity
10. Ahmad Aquil - Equity, Trust and Specific Relief
11. Basu D.D. - Equity, Trust and Specific Relief

SEMESTER V

PAPER NO. 16 : OPTIONAL PAPER (B) CRIMINOLOGY AND PENOLOGY - 100 MARKS

1. Criminology
 - a. Definition
 - b. Nature and scope of criminology and penology and in India
 - c. The concept of crime and characteristic of criminal law, classification of criminals
 - d. Determination and differential of crime
 - e. The criminal – who is a criminal ?
 - f. Whether criminology is a science ?
 - g. Objective of criminal justice system

2. School of Criminology
 - a. Classical School and neo – classical school
 - b. Cartographic
 - c. Socialist
 - d. Typological
 - e. Lombrosian
 - f. Psychiatric
 - g. Sociological and socio – psychological

3.
 - a. Prevalence of crime
 - b. Study of crime and criminal justice
 - c. Identification of the causes of crime - theories
 - d. Approaches to crime problem
 - e. Focus on individual and environment

4. Role and function of police
 - a. In action
 - b. Police goals, objectives and functions

5. A. History of Prisons in comparison to American Prison System
 - a. Aims and objectives and conditions
 - b. Type of prisons
 - c.
 - i. Success and failure of prisons
 - ii. Discipline and control
 - d. Open air institutions

B. Prison Jurisprudence

1. Prison work
2. Education
3. Problems in prisons
4. Prison reform – schools and reformations
5. Rights of prisoners (Contribution of the Supreme Court) and rights of victims and protection available to an accused person

6. Presentation of crime and delinquency

- a. Punitive approach
- b. Defence approach
- c. Interventionist approach – prevention policies, recidivism, intervention, mechanical approach, clinical approach.

7. White collar crimes/ Organised crimes

- a. Nature and definition
- b. Type of white collar crime and development
- c. Some legislation to meet white collar crime
- d. Judicial trend
- e. Recidivism

8. Recidivism

Recommended Books and Readings :

1. Siddique Ahmed - Criminology
2. Sethna M.J. - Society and Criminal
3. Sirohi J.P.S. - Criminology and criminal Administration
4. Paranjpe N.V. - Criminology and Penology
5. Mehta Rohinton - Crime and Criminology
6. Reports of National Police Commission
7. Sutherland E.H. and Cressy D.R. - Principles of Criminology
8. Sutherland E.H. - White Collar Crime
9. Reckless W.C. - The Crime Problem
10. Bhushan Vidya. - Prison System in India
11. Mulla Committee Report.

SEMESTER V

PAPER NO. 16 : OPTIONAL PAPER (C) WOMAN AND LAW AND LAW RELATING TO THE CHILD - 100 MARKS

Division of Marks :

- | | |
|------------------------------|----------|
| 1. Woman and Law | 50 Marks |
| 2. Law relating to the child | 50 Marks |

(With latest amendments and case law)

A. Woman and Law (50 Marks)

1. Constitution of India – Provisions regarding woman
 - a. Constitution of India – Articles 14, 15(1), 15(3), 16(1), 23 and (2), 39(d), 51.
 - b. Reservation of seats for woman in local bodies – Article

2. Violence against women.
 - a. Domestic violence
 - i. Protection against cruelty
 - ii. Harassment for dowry
 - iii. Forced prostitution
 - iv. State intervention
 - b. Relevant provisions of
 - i. The Indian Penal Code 1890
 - ii. The Criminal Procedure Code 1973
 - iii. The Indian Evidence Act 1872
 - iv. The Dowry Prohibition Act 1961
 - v. The Immoral Traffic (Prevention) Act 1956

3. Woman and Labour Laws
Relevant provisions of
 - i. The Equal Remuneration Act 1976
 - ii. The Maternity Benefits Act 1961
 - iii. The Factories Act 1948
 - iv. The Mines Act 1952
 - v. The Employees State Insurance Act 1948

4. Other Protective legislations
 - a. The National Commission for Women Act 1990
 - b. The Indecent Representations of Women (Prohibition) Act 1986
 - c. The Commission of Sati (Prevention) Act 1987
 - d. The Medical Termination of Pregnancy Act 1971
 - e. The Prenatal Diagnosis Techniques (Regulation and Prevention of Misuse) Act 1994
5. Need for gender justice, Uniform civil Code

Recommended Books and Readings :

1. Diwan Paras and Diwan Piyushi - Woman and Legal protection (Deep & Deep Publication, New Delhi)
2. Shyamsi Shammuddin – Woman, Law and Social Change (Ashish Publication House, New Delhi)
3. Towards equality Report on the Commission on Status of Women in India, Chapters IV & Sec IV
4. The Hindu Widows Remarriage (Repeal) Act 1983
5. Gangrade K.D. - Social Legislation in India Volume I & II
6. Bhattacharjee A.M. - Matrimonial Laws and the Constitution.
7. Kant Anjani - Women and Law
8. Diwan - Offences against Women
9. Mishra O.P. - Law relating Women and Child
10. Reddy G.B. - Women and the Law
11. Batra Manjula - Women Show
12. The Prenatal Diagnostics Techniques (Regulation and Prevention of Misuse) Act 1994
13. The Medical Termination of Pregnancy Act 1971
14. The Muslim Women's (Protection of Rights on Divorce) Act 1986

B. Law Relating to the Child

50 Marks

1. Social and legal status of child
2. Constitutional protection to children under Articles 15(3), 24, 39(c) & (f), 45 of the Constitution of India
3. The National Commission for Child
4. Legal Control of employment of child labour under the following enactments.
 - a. The Factories Act, 1948

- b. The Apprentice Act, 1961
 - c. The Bombay Shops and Establishments Act, 1948
 - d. The Child Labour (Prohibition and Regulation) Act, 1986
5. Protective legislations for the child
- a. The Juvenile Justice (Care and Protection of Children) Act, 2000
 - b. The Protection of Human Right Act, 1993
 - c. The Child Marriage Restraint Act, 1929
6. Child under litigation with reference to Civil Procedure Code, 1908

Suggested Reading :

- 1. The National Commission for Child
- 2. Indian Law Institute - Child and the Law
- 3. Upendra Baxi - Law and Poverty
- 4. National Law School Seminar Report on the Rights of the Child (1991)

SEMESTER V

PAPER NO. 16 : OPTIONAL PAPER (D) INTERNATIONAL ECONOMIC LAW – 100 MARKS

1. A. Nature, Development, scope and sources of International Economic Law
 B. International Law – Is it true law?
 Theories of International Law, Private and Public International Law

2. International Institutions, their function and role in International Economic Law.
 - New International Economic Order (N.I.E.O.)
 Charter on Economic Rights and Duties of States (E.R.D.S.)
 - United Nations Conference on Trade and Development. (U.N.C.T.A.D.)
 - United Nations Conference on International Trade Law (U.N.C.I.T.R.A.L)
 - World Intellectual Property Organization (W.I.P.O.) Paris Convention, Bern Convention Trade Marks
 - International Bank for Reconstruction and development (I.B.R.D.)
 - International Finance Corporation (I.F.C.)
 - International Development Association (I.D.A.)
 - United National Development Programme (U.N.D.P.)
 - International Monetary Fund (I.M.F.)
 - World Trade Organization (W.T.O.)
 - Organization for Economic Co-operation and Development (O.E.C.D)

3. Foreign Investment
 - Type and Role of Foreign Investment
 - Majors to regulate and control Foreign Investment
 - World Bank Guidelines
 - Introduction to International Finance

4. International Trade
 - I. Unification of the law of International Sale of Goods
 - II. Uniform Customs and Practice for Documentary Credits and the International Chamber of Commerce.
 - III. Convention for Enforcement of Arbitration Awards.
 - Geneva Protocol and Convention
 - New York Convention 1958
 - UNCITRAL Model Law on International Commercial Arbitration.

- IV International Convention governing the Bill of Lading
 - The Brussels Convention
 - The UNCITRAL Convention
- V The Hague Draft Convention on the Recognition and enforcement of Foreign Judgments in Civil and Commercial Matters
 - Recognition and Enforcement

- 5. General Agreement on Tariffs and Trade.
 - I The Legal and Institution aspect of GATT
 - Historical Evolution of the GATT
 - Objective and main principals GATT
 - The Procedure of Negotiation
 - Negotiation Rounds
 - The GATT 1994 – Salient features of the GATT 1994
 - World Trade Organization (W.T.O)
 - II Basic Principles and Core concepts of the GATT / WTO. Most Favoured Nation Treatment (M.F.N.), National Treatment, Tantis and Quotes
 - GATT 1994 Art – I – V, VII, XIII, XVII – XXI, XXVII (also GATT 1994, Articles XXII, XXIII)
 - Relevant Cases (list enclosed)
 - Dumping and Subsidies GATT 1994 Articles VI, XVI WTO Agreement Annex 1A.
 - III Exception to the GATT / WTO
 - GATT 1994 Articles, XX, XXI, XII, IX, XXV, XXIII, XXIV, XXXV, XXIV,XIX.
 - WTO on Safeguards of GATT 1994
 - IV Agreement of GATT 1994
 - Controversial Agreements of GATT 1994
 - Less Controversial Agreements of GATT 1994
 - V Implications and Opportunities of GATT 1994 for India with particular references to
 - Agreement on Agriculture, Agreement on TRIPS
 - Agreement on Textiles and Clothing GATTs and TRIM
 - VI Trade and Environment
 - GATT and the Environment with relevant cases

6. Settlement of Disputes in International Economic Law
 - I WTO /GATT System
Article XXIII GATT, Disputes Settlement Understanding
 - II International Court of Justice (ICJ)
 - III World Bank Inspection Panel
Function procedure
 - IV International Centre for Settlement of Investment Disputes (ICSID). US –
train Claims Tribunal Function procedure

CASES PANEL REPORTS

Topics : Basic Principles and Core concepts of the GATT / WTO, MFN, National Treatment, Tariffs and Quotas.

Belgium – I unity Allowances. G/32 adopted on 7th Nov 1952, IS/39.

Spain – Tariff Treatment of Unroasted Coffee from Brazil L/5: 35, adopted on 11 June 1981 28S/02.

United States – Denial of Most Favoured Nation Treatment as to non – rubber Footwear from Brazil DS/18/R adopted on 19 June 1992. 39S/128.

Japan – Tariff on Import of Spruce - Pine – Fir (“Dimension Lumber”) adopted 19 July 1989 36S/167

Thailand – Restriction on Importation of and Internal Taxes on Cigarettes BISD 37s/200

US – Section 337 of the Tariff Act 1930 BISD 36s/345

Japan – Taxes on Alcoholic Beverages, WT/DS8/R. WTO Panel Report issued 11 July 1996, appeal filed by Japan, 8 Aug 1996

Japan – Taxes on Alcoholic Beverages, WT/DS8/R. WTO Appellate Body report circulated 4 Oct 1996

US – Taxes on Petroleum and Certain Imported Substances, BISD 34s/136; 27 ILM (1988pp. 1596 – 1616) Trade and Environment.

US – Prohibition of Import of Tuna and Tuna Products from Canada
Report of the panel Adopted on 22 Feb 1982, BISD/ 29s / 91

US – Taxes on Petroleum and Certain Imported Substances, Report of the Panel adopted on 17 June 1987. BISD/34s/160

Canada – Measures affecting Exports of Unprocessed Herring and Salmon, Report of the Panel adopted on 22 March 1988, BISD/35/98

US – Section 337 of the Tariff Act of 1930. Report of the Panel adopted on 7 Nov 1989 BISD/36S/345

EEC – Regulation on Imports of Parts and Component (Screwdriver Case), Report of the Panel adopted on 16 May 1990, BISD/37S/132.

Thailand – Restrictions on Importation of and Internal Taxes on Cigarettes, Report of the Panel adopted on 7 Nov 1990 BISD/37S/200.

US – Restriction on Imports of Tuna from Mexico, Report of the Panel, GATT DOCUMENTS 21/R, 3 Sept 1991, 30 ILM 91991 1594

US – Standards for Reformulation and Conventional Gasoline. WT/DS2/AB/R, AB–1996 – 1, 29 April 1996

Topic : ICJ

Anglo – Iranian Oil Co Case, ICJ Reports 1952, p.93, 19 ILR 507

Monetary Gold Case (Preliminary Question), ICJ Reports, 1954 p. 29; 20 IL 441

Norwegian Loans Case, ICJ Reports 1957, p.9;24 ILR 782.

Barcelona Traction Case (New Application)

- Preliminary Objection, ICJ Reports 1964, p.6, 46 ILR 18
- Secondary phase , ICJ Reports 1970, p.3; 46 ILR 178
- Electronica Sicula SPA (ELSI) Case, ICJ Reports 1980; 89 ILR 311

Certain Phosphates (Narur V. Australia), ICJ Reports 1982, n 240; 97 ILR 111

Books :

1. Dr. Rao Myneni Shrinivasa - International Economic Law (Pioneer Books, Delhi)
2. Jackson, Devey, Sykes - Legal Problems of International Economic Relations (West Publishing Co. Minn. U.S.A.)
3. Trebilcock, Howse - The Regulation of International Trade (Routledge London)
4. John Jackson - The World Trading System (The Mit Press, Cambridge)
5. Tandon - Public International Law (Allahabad Law Agency, Allahabad)
6. P. Narayan - Intellectual Property Law (Eastern Law House Delhi)
7. Primary text and general reference text for the Trade Section of the Course.
8. The Result of the Uruguay Round of Multilateral Trade Negotiations : the Legal Texts, GATT Secretariat (1994). The full text of GATT 1947 and the Multi lateral agreements resulting from the Uruguay Round
9. WTO Home Page <http://www.wto.org/Welcome.html>

10. For Panel Report – Handbook of GATT Dispute Settlement (loose – left). P. Scatter, Davey and Lowented, Kluwer 1991, regularly updated loose – leaf reference of GATT and WTO Panel Reports

SEMESTER VI

PAPER NO. 17 : FAMILY LAWS – II - 100 MARKS

Law relating to succession and property to Hindus, Muslims, Christians and Parsis

(Including State Laws)

(With latest amendment and up – to – date case law)

A. Hindu Law

1. Hindu Joint Family system
2. Mitakshara Joint Family
3. Dayabhaga Joint Family
4. Sons pious obligation
5. Partition
6. Streedhan
7. The Hindu Succession Act 1956

B. Law relating to Muslims, Christians and Parsis

1. Mohammedan Law of Succession – Principles of Inheritance
2. Wakf
3. Gift
4. Pre – emption
5. Wills

C. The Indian Succession Act 1925 (Secs 1 to 191)

Recommended Books and Readings :

1. Diwan Paras - Family Law
2. Mulla - Principles of Mohammedan Law
3. Mulla - Principles of Hindu Law
4. Tahir Mahmood - Hindu Law.
5. Mayne - Hindu Law and Usage.
6. Derrett J.D.M. - Introduction to Modern Hindu Law
7. Paruck - The Indian Succession Act (Latest edition)
8. Tahir Mahmood - Mohammedan Law.
9. Subba Rao G.C.V. - Family Law.

SEMESTER VI

PAPER NO. 18 : CONSTITUTIONAL LAW - 100 MARKS

Note : All interrelated Articles have to be so mentioned and taught accordingly.

To be studied with latest amendments and up-to-date case law.

1. Constitution of India – Features, Preamble, Territory, Citizenship, Fundamental Rights and Directive Principles, Legislature, Executive and Judiciary

1. The Nature of the Constitution.
2. Salient features of the Constitution.
3. The Preamble of the Constitution
4. Fundamental Rights.
 - a. General – Article 12 – Definition of State – Article 13
 - b. Right to Equality – Article 14 to 18
 - i. Equality before Law – Article 14
 - ii. Prohibition of Discrimination on Grounds of Religion, Race, Cast, Sex, or Place of Birth – Article 15.
 - iii. Equality of opportunity in matters of Public Employment – Article 16
 - iv. Abolition of Untouchability – Article 17
 - v. Abolition of Titles – Article 18
 - c. Right to Freedom – Article 19 to 22
 - i. Protection of certain Rights regarding Freedom of Speech, etc – Article 19
 - ii. Protection in respect of Conviction of Offences – Article 20
 - iii. Protection of Life and Personal liberty – Article 21
 - iv. Protection against Arrest and Detection in certain cases - Article 22
 - d. Rights against Exploitation – Article 23 to 24
 - i. Prohibition of Traffic in Human Beings and Forced Labour – Article 23
 - ii. Prohibition of Employment of Children in Factories etc. – Article 24
 - e. Right to Freedom of Religion – Article 25 to 28
 - f. Cultural and Educational Rights – Article 29 to 30
 - g. Right to Constitutional Remedies – Article 32 to 35, Article 226, 136

5. Directive Principles of State Policy – Article 36 to 51
Relation between Directive Principles of State Policy and Fundamental Rights
6. Fundamental Duties – Article 51 – A
7. The Union Executive – The President, Vice-President
Council of Minister – Article 52 to 78 and 129
8. The Parliament – Article 79 to 122
9. The Union Judiciary – Article 124 to 147
10. Controller and Auditor General of India – Article 148 to 151

2. Centre – State Relation

1. Introduction and concept of Federalism, Developments of federation
2. The State Executives – Article 153 to 167, 213
3. The State Legislature – Article 168 to 212
4. The State Judiciary – Article 214 to 237
5. The Panchayats – Article 243, The Municipalities – Article 243 P-243ZG
6. Relation between the Union and State Articles – 245 to 293
 - a. Legislative Relations
 - b. Administrative Relations
 - c. Financial Relations
7. Freedom of Trade, Commerce and Intercourse – Article 301 to 307
8. Elections – Articles 324 to 329
9. Emergency Provisions – Article 352 to 360
10. Amendment Provisions – Article 368

Recommended Books and Readings:

1. Basu Durga Das - Introduction to the Constitution of India
2. Basu Durga Das - Shorter Constitution of India
3. Dr. Pandey J. N. -Constitutional Law of India
4. Jain M. P. -Indian Constitutional Law
5. Seervai H. M. - Constitutional Law of India
6. Dr. Shukla V. N. - The Constitution of India
7. Tope T. K. - Constitutional Law of India

SEMESTER VI

PAPER NO. 19 : LAW OF TORTS AND CONSUMER PROTECTION ACT - 100 MARKS

Division of Marks :

1. Law of Torts 80 Marks
2. Consumer Protection Act 1986 20 Marks
(With latest amendments and case law)

A. Law of Tort (80 Marks)

1. Nature of Tort

History, Definition of Tort, Distinction between Tort, Crime and Contract

2. General Principles

Constituents of Tort, Act and Omission, Voluntary Act, Malice, Motive, Intention, Negligence and Recklessness, Fault, General Principle of Liability

3. Personal Capacity

Convict, Alien Enemy, Husband and Wife, Corporation, Trade Union, Insolvent, State and its Subordinates, Minor, Lunatic, Foreign Sovereign

4. General Defences

Act of State, Act of God, Judicial Acts, Executive Acts, Leave and License (Consent), Necessity, Private Defence, Inevitable Accident, Statutory Authority, Parental and Quasi Parental Authority, Plaintiff a Wrongdoer, Acts causing Slight Harm.

5. Discharge of Torts.

Waiver, Accord and Satisfaction, Release, Acquiescence, Judgment recovered, Status of Limitation

6. Vicarious Liability – Liability by Relation.

- a. Master and servant – Principles of liability, Vicarious Liability of State
- b. Principal and Agent
- c. Guardian and Ward
- d. Company and Director
- e. Employer and Independent Contractor
- f. Firm and Partner

7. Remedies

Damages, Injunctions, Specific restitution of Property, Extra – Judicial remedies

8. Trespass to Person

Assault and battery, False imprisonment, Damages, Justifications

9. Defamation

Libel and slander, Essentials of defamation, Innuendo, Defences, Remedies

10. Trespass to Property

a. Trespass to immovable property

Trespass to land, Trespass by animal, defences to Trespass, Remedies, Trespass ab initio

b. Trespass to movable property

Trespass to goods, by conversion

11. Negligence

Meaning, Essential, Burden of Proof, Res ipsa loquitur, Contributory negligence, strict and absolute liability

12. Nuisance

Kinds of Nuisance, public nuisance and private nuisance, Essentials, Defences, Remedies

13. Malicious Proceedings

Malicious Prosecution, Malicious Civil proceedings

14. Liability for Misstatements

Deceit of Fraud, Negligent misstatements, Innocent Misrepresentations

B) The Consumer Protection Act 1986 (20 Marks)

1. Object, Definitions, Consumer Protection Councils, Consumer Dispute Redressal Agencies, Composition, Jurisdiction and powers
2. Procedure for filling complaint, Appeals, Enforcement of orders, Penalties

Recommended Books and Readings:

1. Ratanlal and Dhirajlal - The Law of Torts
2. Winfield on Torts - The Law of Torts
3. Ramaswamy Iyer - The Law of Torts
4. Pandey J. N. - Law of Torts with Consumer Protection
5. Bangia R. K. - Law of Torts
6. Shukla S. N. - Law of Torts
7. Tiwari O.P. - The Consumer Protection Act
8. Gurujeet Singh - Law of Consumer Protection in India (Deep & Deep, New Delhi)
9. Gurubax Singh - Law of Consumer Protection (Bharat Law Publication, Jaipur)
10. Awtar Singh - Introduction to Law of Torts

SEMESTER VI

PAPER NO. 20 : PROFESSIONAL ETHICS, ACCOUNTANCY FOR LAWYERS AND BAR-BENCH RELATIONS - THEORY- 100 MARKS

- A)**
- 1) Development of Legal Profession in India.
 - 2) Concept, need and importance of Professional Ethics.
 - 3) Bar Council of India rules on Standard of Professional Conduct and Etiquette.
 - 4) Duties and Obligations of Advocate. (Norms of Professional Ethics)
Session I - Duty to the Court.
Session II - Duty to the Client
Session III - Duty to the Opponent.
Session IV - Duty to the Colleagues
- Duty to Profession
- Duty to Render Legal Aid
- Restrictions on other employments.
- Senior Advocates and Restrictions on Senior Advocates.
- Form of Dresses or Robes to be worn by Advocate.
- Vakalatnama.
- B) Advocate Act, 1961**
- Chapter 1 (Section 1 and 2)
Definitions- Advocate, Legal Practitioner, Law Graduate
- Chapter II (Section 3 to 15) - Bar Councils Functions
- Chapter III (Section 16 to 28) - Admission and Enrolment of Advocate
- Chapter IV (Section 29 to 34) - Right to Practice
- Chapter V (Section 35 to 44) - Conduct of Advocates
- Punishment of Advocates for misconduct
- Chapter VI (Section 45 onward) - Miscellaneous
- C) Bar-Bench Relations and Contempt of Court**
1. Concept and Role of Bar – Bench Relation with reference to Administrations of Justice
 2. The Contempt of Courts Act, 1971 sections 1 to 24

D) Accountancy for Lawyers

1. Definition, object, importance and Utility of Book keeping.
2. Principles of Book-keeping and Accountancy, Accounting concept and Accounting conventions.
3. Meaning and Advantages of Double Entry book-keeping.
4. Classification of accounts and Rules for debiting and crediting the accounts, journal entries, Ledger Posting, Subsidiary books.
5. Types of Cash book.
 - a. Simple Cash book.
 - b. Cash book with Cash and Discount columns
 - c. Cash book with Cash, Bank and Discount columns
6. Bank Reconciliation statement.
7. Rectification of Error.
8. Preparation of Trial Balance.
9. Preparation of Trading, Profit and Loss Account and Balance Sheet.
10. Preparation of Income and Expenditure Account.
11. Assessment of income and expenditure and payment of taxes by Advocates.

E) Cases Prescribed for Study.

1. P.D. Khandekar Vs. Bar Council of Maharashtra (1984) 2 S.C.C. 556
2. M. Veerabhadra Rao Vs. Tek Chand (1984) Supplement S.C.C. 571
3. Prahlad Saran Gupta Vs. Bar Council of India (1997) 3 S.C.C. 585
4. V. P. Kumaravelu Vs. Bar Council of India (1997) 4 S.C.C. 266
5. Brajendra Nath Bhargava Vs. Ramchandra Kaslival (1998) 9. S.C.C. 169
6. Ramon Services Pvt. Ltd. Vs. Subash Kapoor (2001) 2 S.S.C. 365
7. Shambhu Ram Yadav Vs. Hanumandas Khattri AIR 2001 S.C. 2509.
8. D. P. Chadha Vs. P. N. Mishra AIR 2002 S.C. 457.
9. Harish Chandra Tiwari Vs. Bajju AIR 2002 S.C. 548.
10. Prem Surana Vs. Additional Munsif and Judicial Magistrate AIR 2002 S.C. 2956.
11. Bhupinder Kumar Sharma Vs. Bar Association Pathankot (2002) 1 S.S.C. 470
12. Rajendra V Pai Vs Alex Fernandes and Others (2002) 4 S.C.C. 212
13. Vikas Deshpande Vs Bar Council of India (2003) 1 S.C. 102
14. Bar Council of Andhra Pradesh Vs. Kurapati Satyanarayna (2003) SCC 102.
15. Bar Council of India Vs. High Court of Kerala (2004) 6 S.C.C. 311.
16. Suresh Chandra Poddar vs. Dhani Ram and Other SC 2002 1 S.C.C. 766.
17. Arundhati Roy in RE (Contentmmer) 2002 3 SCC 343.
18. Bijay Kumar Mahanty Vs. Jadu Ram Chandra Sahoo (2003) 1 S.C.C. 644

19. Ex.Capt. Harish Uppal Vs. Union of India (2003) 3 S.C.C. 45.
20. Radha Mohan Lal Vs. Rajasthan High Court (2003) 3 S.C.C. 42.
21. Case relating to V.C. Mishra Chairman, B.C.I.

Recommended Books:

1. Sanjiva Row's Advocates Act, 1961
2. Iyer's Law of Contempt of Courts
3. Bar Council of India Trust - Selected Judgment on Professional Ethics
4. Bar Council of India - Rules on Standard of Professional conduct and Etiquette
5. Dr. Kailash Rai – Legal Ethics, Accountancy for Lawyer and Bench-Bar Relations
6. Dr. S. P. Gupta - Professional Ethics, Accountancy for Lawyers and Bench Bar Relations
7. M.G. Patkar – Book Keeping and Accountancy
8. Mrs. Jayashree Kotibhaskar – Book Keeping and Accountancy
9. Krishnamutri Iyer - Advocacy
10. Shukla and Grewal – Advanced Accountancy
11. R L Gupta – Advanced Accountancy
12. S N Malleshwari – Introduction to Accountancy
13. India Bar Review Journal
14. M. P. Jain - Outline Indian Legal History – chapter Development of Legal Profession
15. V. K. V. Krishna Swami Iyer – Professional conduct and Advocacy chapters 10 to 17
16. M.R. Mallick – Advocates Act 1961 with Professional Ethics Advocacy and Bar Bench Relationship
17. P. L. Mehta, Sushma Gupta – Legal Education and Legal Profession in India
18. Law Reporters – A.I.R., S.C.C. (Relevant cases)
19. J. P. S. Sirohi – Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations
20. Agarwal A. N. – Practical Aspects of Higher Accountancy
21. Anand – Professional Ethics of Bar
22. Jha Shriram Chandra – Selected Judgment on Professional Ethics
23. Mynen S.R. – Professional Ethics, Accountancy for Lawyers and Bench Bar Relations
24. Reddy G. B. – Practical Advocacy for Lawyers

विविध शिष्यवृत्ती योजना

१. भारत सरकार मॅट्रीकोत्तर शिष्यवृत्ती योजना
२. राज्य शासनाची शिक्षण फी, परीक्षा फी, प्रतिपूर्ती योजना
३. अल्पसंख्याक शिष्यवृत्ती
४. उच्च शिक्षण विभागातर्फे राबविण्यात येणाऱ्या शिष्यवृत्ती
५. राजर्षी छत्रपती शाहू महाराज शिक्षण शुल्क शिष्यवृत्ती योजना
६. पंडीत दीनदयाळ उपाध्याय स्वयंम योजना - अनु. जमातीसाठी)
७. Central Sector Scheme of Top Class Education of SC students.
८. अपंग शिष्यवृत्ती
९. डॉ. बाबासाहेब आंबेडकर स्वआधार योजना

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