UNIVERSITY OF RAJASTHAN JAIPUR

SYLLABUS

FACULTY OF LAW

LL.B.

LL. B. (P) / L.L. B. (A) First Year Examination 2016

LL. B. (P) / L.L. B. (A) Second Year Examination 2017

LL. B. (P) Third Year Examination 2018

Prepared by

Assistant Registrar (Acad.-I)
University of Rajasthan
JAIPUR
EXAMINATIONS FACULTY OF LAW

1. The Ordinance governing the examinations in the Colleges of General and Professional Degrees are Education, Fine Arts, Social Sciences, Science, Commerce and Law are contained in separate Parts. The students are advised to refer to the same.

2. Changes in Schedules/Ordinances/Rules/Regulations/Stipulations and Books may, from time to time, be made by amendment of re-making, and a candidate shall, except in so far as the University determines otherwise, comply with any change that applies to him at the time of change.

3. All court cases shall be subject to the jurisdiction of the Rajasthan University Head Quarters at Jaipur only and not to any other court.

EXAMINATIONS FACULTY OF LAW

Syllabus: Faculty of Law

1. L.L.B. (P) Course
2. First Year Examination at the end of
3. L.L.B. (P) Course
4. Second Year Examination at the end of the Second Year
5. L.L.B. (P) Course and those who would like to take admission in L.L.B.-1 Year Course will have to apply separately. Those who do not apply will not be entitled to the Professional Course.

Instructions shall be provided in each paper of L.L.B. I, II and III courses.

The student who has passed the Bachelor's Degree of the University or any other recognized University shall be entitled to L.L.B. (P) Course.

Admission to the Professional Course will be declared only after the completion of the Second Year Examination. The student who has passed the Bachelor's Degree of the University or any other recognized University shall be entitled to L.L.B. (P) Course.

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Instructions shall be provided in each paper of L.L.B. I, II and III courses.
University of Rajasthan

Year Course class provided they secure minimum percentage of marks as prescribed above.

(2) Admission shall be made on the basis of merit and in accordance with the rules made there for by the competent authority.

Provided further that the condition of obtaining a minimum of 48% marks in the aggregate at the qualifying examination shall not apply to the Natural Born sons/daughters of parent belonging to Scheduled Caste/Scheduled Tribe.

A candidate who has completed regular course of study in the University Constituent College or in an affiliated College for First Year will, subject to the other provision of the Act, Statutes, Ordinances, Rules and Regulations, be admitted to the First Year Examination of the LL.B. (P) or LL.B. (A) Course depending on the course he has taken.

Q. 253-A:

A candidate who after passing the examination of the First Year has completed a regular course of study in the University constituent college or in an affiliated college for the Second Year of the LL.B. (P) or LL.B. (A) course Regulations, be admitted to the Second Year Examination of the LL.B. (P) or LL.B. (A) course, as the case may be.

Q. 253-B:

A candidate who after passing the examination of the Second Year has completed a regular course of study in the University constituent college or in an affiliated college for the Third Year of the LL.B. (P) course, will subject to the other provision of the Act, Statutes, Ordinances, Rules and Regulations, be admitted to the Third Year Examination of the LL.B. (P) Ordinance 25-3-C be rewarded as follows:

(i) A Candidate who is declared eligible for appearing at the supplementary examination at LL.B. First Year (P)/(A) class will be allowed provisional admission to LL.B. Second Year (P)/(A) class. Such candidate will be permitted three more attempts for clearing the examination of LL.B. First Year examination. In the event of his failing at three such supplementary examinations, such candidate will have to appear in LL.B. First Year examination as an Ex-student in all the papers prescribed for the course.

(ii) A candidate who is declared eligible for appearing at the supplementary examination at LL.B. Second Year (P)/(A) class will be allowed provisional admission to LL.B. Third Year (P)/(A) class. Such candidate will be permitted three more attempts for clearing the examination of LL.B. Second Year examination. In the event of his failing at three such supplementary examinations, such candidate will have to appear in LL.B. Second Year examination as an Ex-student in all the papers prescribed for the course.

(iii) A candidate who is declared eligible for appearing at the supplementary examination at LL.B. Third Year (P) class will be permitted to appear in three more attempts for clearing the LL.B. Third Year (P) examination. In the event of his failing at three such supplementary examinations, he will appear in LL.B. Third Year examination as an Ex-student in all the papers prescribed for the course.

Regulation 21-A:

(1) Whenever any option(s) in any paper has been provided in the syllabus of LL.B. I, II or III Year, the Principal or Head of the Unit will examine the candidate at the beginning of each session the option or the options in which they will have to be limited to the options so provided in instructions.

(2) A candidate may opt for one additional optional paper at LL.B. I/II/III year examination, if permitted by the Principal or Head of the Unit.
such additional paper no teaching facility will be provided and the candidate will have to appear at the examination in such additional paper at his own risk and the marks obtained therein will not be counted while working out his result but will be shown in the marks-sheet separately. For a pass in such paper the candidate has to secure at least 35% marks.

5. O. 256-D be renumbered as follows and renumbered as O. 256-B:

The Vice-Chancellor may, on the recommendation of the Dean, Faculty of Law of the University, permit transfer of a candidate who has passed in any year of the LL.B.(P) or LL.B.(A) Examination of another University under a scheme which is similar to the scheme of this University, with such conditions as he may lay down.

6. In order to make the transitory provisions for Three-Year LL.B. (P) (Old Scheme) / Two Year LL.B. (A) (Old Scheme), the following consequential changes be made:

Bachelor of Laws
(Old Scheme)

Transitory provisions applicable to the student admitted to Three-Year LL.B. (P) / Two-Year LL.B. (A) Courses:
The existing O. 251-A be renumbered as O. 256-C and reworded as follows:

Q. 256-C:
The examination in the old course shall be conducted through Tutorial and class performance during the session and written papers at the end of each year, namely:

Three Year LL.B. (P) Course:
1. LL.B. (P) / LL.B. (A) : First Year Examination at the end of the First Year.
2. LL.B. (P) / LL.B. (A): Second Year Examination at the end of the Second Year.
3. LL.B. (P) : Third Year Examination at the end of the Third Year.

7. O. 252 in the Old Scheme, which has already been retained as such will stand deleted for the purposes of new courses.

8. The existing O. 253, O. 253-A, O. 253-B and O. 253-C, which have been renumbered and retained with their original numbering for the purposes of new scheme, be renumbered as follows for the old scheme (transitory provisions):

O. 253 be renumbered as O. 256-D
O. 253-A be renumbered as O. 256-E

9. O. 254 and O. 255, which have been renumbered as O. 256-F
O. 253-C be renumbered as O. 256-G

10. O. 256, which has been renumbered and retained with its original number for the purpose of new scheme, be renumbered as O. 256-I by retaining the text thereof as it is for the purpose of the old scheme.

11. The existing O. 256-C, which has been renumbered and retained with its original number for the purpose of the new scheme, be renumbered as O. 256-K retaining the text thereof for the old scheme.

12. The existing O. 256-C-I be renumbered as O. 256-L for the purpose of old scheme retaining its text as it is.

13. The existing O. 256-D, which has already been renumbered as O. 256-B for the new scheme and reworded accordingly, be renumbered as O. 256-M for the old scheme retaining the text thereof as it is.

14. The earlier O. 256-E to O. 256-E-5 (2) being obsolete stand omitted.

Bachelor of Laws
(Five Year Course)

15. For making appropriate provisions for the Bachelor of Laws (Five-Year Course), the following amendment be made:

The existing O. 251 be renumbered as O. 256-N and the expression "shall" appearing in the first line of the Ordinance be substituted by the expression "may". The remaining text of the Ordinance be retained as it is.

Bachelor of Laws
(Honours Course)

16. For making appropriate provisions for LL.B. (Hons.) Course, the following amendments be made:

The new O. 256-O be inserted which should provide as follows:

O. 256-O:

(1) There may be a Three Year LL.B. (Hons.) Course, which shall be conducted through written papers as well as Practical, Seminar, Moot Court and Tutorial and Viva-voce Examination at the end of the each year namely:

1. LL.B. I Year at the end of first year.
2. LL.B. II Year at the end of second year.
3. LL.B. III Year at the end of third year.

(2) A candidate having Bachelor's degree with 45% marks is eligible to seek admission in the LL.B. (Hons.) Course. The admission shall be offered by Pre-Law Test. A merit list shall be prepared on the basis of result of
Pre-Law Test and admission shall be offered accordingly.

(3) There shall be one section of LL.B. (Honours) Course for not more than 30 students in I Year of the LL.B. (Hons.) Course.

(4) Teaching shall be provided in day class. There shall be exclusively separate classes for Honours course only. Each subject of the LL.B. Honours Course may be divided into 2 parts with distribution of marks as given below:

<table>
<thead>
<tr>
<th>Paper A — Theory Paper</th>
<th>Max. Marks — 60</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paper B — Practical, Seminar</td>
<td>— — 5</td>
</tr>
<tr>
<td>Moot Court &amp; Tutorial</td>
<td>— — 5</td>
</tr>
<tr>
<td>Viva-voce</td>
<td>— — 5</td>
</tr>
<tr>
<td><strong>Total marks</strong></td>
<td><strong>75</strong></td>
</tr>
</tbody>
</table>

(5) The practical test shall be conducted by Two examiners—one external and one internal examiner.

(6) The distribution of papers in each subject in each year of the LL.B. Hon. Course shall be as under:

**LL.B. 1st Year:**
1. Law of Contract
   - General Principles
   - Specific Contract
   - Constitution of India
   - Constitution Administrative Law
   - Law of Torts & Easements
   - General Principles
   - Specific Wrongs Easements
   - Family Law
   - Hindu Law
   - Mohd. Law

**Optional:**
- Any three of the following:
  1. Labour Law
  2. Forest, Environment Protection, and Law
  3. Intellectual Property Law
  4. Law, Women & Child
  5. Equity and Trust

**LL.B. 2nd Year:**
1. Jurisprudence and Legal History
2. Indian Penal Code
3. Public International Law

**Optional:**
- Any three of the following:
  1. Legal Remedies
  2. Law of Monopoly
  3. Consumer Law
  4. Law & Poverty
  5. Private International Law
  6. Election Law

**LL.B. 3rd Year:**
1. Code of Criminal Procedure
2. C.P.C. Arbitration and Specific Relief
3. Practical Training
   1. Pleadings & Conveyancing and Legal Language
   2. Practical Training

**Optional:**
- Any three of the following:
  1. Insurance Law
  2. Company Law
  3. Law of Taxation
  4. Disarmament & Peace Strategies
  5. Criminology & Criminal Justice
  6. Comparative Law

**Syllabus; Faculty of Law**

- Property Law
  - Law relating to Transfer of Property and Rent Control
- Land Law
  - Raj. Tenancy Act, 1955
  - Raj. Land Revenue Act, 1956

**Paper — I**
- Cr. P.C.
-纸面— II
- Arbitration and Specific Relief
- Paper — II
- Paper — I
- Paper — I
- Pleadings & Conveyancing and Legal Language

**Paper — II**
- Practical Training
- Evidence & Limitation
- Evidence
- Paper — II

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University of Rajasthan
(7) Each Compulsory subject shall be of 150 marks, divided into two papers of 75 marks each. Each optional subject shall be of one paper of 75 marks only.

For each of the First, Second and Final Year Examinations in LL.B. Hons. Course, for a pass a candidate shall be required to obtain at least 40% marks in each part of the paper and at least 36% marks in aggregate of all subjects.

A candidate shall be eligible for the Degree of Bachelor of Laws (Honours) after he passes all the aforesaid examinations. A candidate who secures 60% or more marks in the aggregate shall be placed in the First Division while one who obtains less than 60% marks in the aggregate but not less than 48% shall be placed in the Second Division.

(8) Supplementary Examination:

Candidate who fails at the immediately preceding First, Second or Final Year Examination in two subjects only and obtains 48% marks in the aggregate of the remaining five subjects in which he has passed, or in the case of the candidate failing in the aggregate only, obtains 48% marks in the aggregate of the five subjects excluding the subjects in which he has secured the lowest marks, shall be permitted to appear in those subjects in which he has obtained the lowest marks.

In order to be declared successful at the Supplementary Examination, a candidate must obtain at least 40% marks in the subject/paper and 48% marks in aggregate.

No division shall be awarded to the candidate passing LL.B. Honours Degree Examination after having appeared at the Supplementary Examination more than once during the entire course.

(9) An ex-student is one:

(a) Who has appeared at the examination and failed, or

(b) Who has satisfied all the requirements of the minimum attendance to appear at the examination and has applied for appearing at the examination but does not appear at the examination on account of illness or some other bonafide reason to be determined by the Dean.

17. The existing O. 256-F to O. 256-T be renumbered as follows:

<table>
<thead>
<tr>
<th>Old Ordinance</th>
<th>New Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>O. 256-F</td>
<td>O. 256-P</td>
</tr>
<tr>
<td>O. 256-G</td>
<td>O. 256-Q</td>
</tr>
<tr>
<td>O. 256-H</td>
<td>O. 256-R</td>
</tr>
<tr>
<td>O. 256-I</td>
<td>O. 256-S</td>
</tr>
</tbody>
</table>

18. The expression "Old Scheme" in the bracket be inserted against the expression "Regulation 21".

19. In order to provide the details of papers and scheme of Examination for LL.B. New Course, Regulation 21-A be inserted before the heading "One Year Postgraduate Diploma Course in Labour Law." This Regulation 21-A be as follows:

Regulation 21-A (New Scheme):

1. For a pass in each of the LL.B. I Year, II Year (Academic / Professional) Examination and LL.B. III Year (Professional) Examination, a candidate must obtain not less than 36% marks in each paper (theory and practical separately) and 48% marks in aggregate of theory and practical papers prescribed for the examination concerned, provided further that:

   (i) A candidate who fails at the LL.B. First Year / Second Year or Third Year examination and has obtained not less than 36% marks in all the theory papers and practical or 6 theory papers shall be permitted to reappear in one or two theory papers and practical, or at the most three theory papers of his choice at the immediately following supplementary examination.

   (ii) Actual marks obtained by a candidate in the papers in which he reappears in the supplementary examination will be taken into account along with earlier marks of other papers for working out his result.

2. A candidate who has passed LL.B. I Year, II Year or III Year Examination and desires to improve his performance, may be permitted to reappear at the same examination in the same subject(s)/ paper(s) in the immediately following year on the conditions mentioned in Ordinance 169-E.
3. Of the successful candidates, those who secure 60% or more marks shall be placed in the First Division and the rest in the Second Division.

4. The papers (theory/practical) for LL.B. I Year, II Year and III Year (Academic / Professional) Examinations will be as follows:

**LL.B. I Year**

**Compulsory Papers :**
1.1 Contract—I (General Principles)
1.2 Contract—II (Specific Contracts)
1.3 Law of Tort and Consumer Protection
1.4 Family Law—I (Hindu Law)
1.5 Family Law—II (Mohammedan Law)
1.6 Constitutional Law
1.7 Legal Language and Legal Writing including General English

**Optional Paper (Any one):**
1.8 (a) Legal and Constitutional History of India.
   (b) Trusts, Equity and Fiduciary Relationships.
   (c) Bankruptcy Laws

**Practical Paper :**
1.9 Public Interest Lawyering, Legal Aid–Para-Legal Services and Moot Court.

This paper shall consist of following two parts:
(a) Practical, Written Paper—80 marks
(b) Viva-Voce Examination—20 marks

**LL.B. II Year**

**Compulsory Papers :**
2.1 Jurisprudence
2.2 Law of Crimes
2.3 Law Relating to Transfer of Property & Easement
2.4 Company Law
2.5 Public International Law and Human Rights
2.6 Labour Law
2.7 Administrative Law

**Optional Paper (Any one):**
2.8 (a) Taxation Law; or
   (b) Insurance Law; or
   (c) Banking Law including Negotiable Instruments Act.

**Practical Paper :**
2.9 Professional Ethics, Bar-Bench Relations and Moot Court.

This paper shall consist of following two parts:
(a) Practical Written Paper—80 marks
(b) Viva-Voce Examination—20 marks

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**LL.B. III Year**

**Compulsory Papers :**
3.1 Law of Evidence
3.2 Law Relating to Criminal Procedure, Juvenile Justice and Probation of Offenders.
3.3 Code of Civil Procedure and Limitation Act.
3.4 Arbitration, Conciliation and Alternate Dispute Resolution Systems.
3.5 Land Laws
3.6 Interpretation of Statutes
3.7 Environmental Law

**Compulsory Papers :**
3.8 (a) Criminology and Penology; or
    (b) Intellectual Property Law; or
    (c) Law and Medicine.

**Practical Paper :**
3.9 Drafting, Filing and Conveyancing; Pre-trial Preparations; Preparation in Trial Proceedings and Moot Chart.

This paper shall consist of following two parts:
(a) Practical Written Paper—80 marks
(b) Viva-Voce Examination—20 marks

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20. (i) In Regulation 22, the figure 66 wherever it appears, be substituted by the figure 60.

(ii) The expression “Legal Theory” appearing against Paper I be substituted by the expression “Jurisprudence” in Regulation 22.

**List of Compulsory Papers (21):**

2. Contract—I (General Principles of Contract-Sections 1 to 75 and Specific Relief).
5. Family Law—I.
6. Family Law—II.
13. Legal Language, Legal Writing including General English.
15. Company Law.
17. Arbitration, Conciliation and Alternate Dispute Resolution Systems.
18. Environmental Law.
20. Interpretation of Statutes.
21. Land Laws including Ceiling and any other legal Laws.

List of Optional Papers (3):
1. International Economic Law.
2. Bankruptcy Laws.
3. Taxation Laws.
4. Comparative Law / Legal History.
5. Insurance Law.
9. Trusts, Equity and Fiduciary Relations.
10. Criminology and Penology.
11. Air and Space Laws.
12. Law and Medicine.
15. Maritime Law.

List of Practical Training Papers (4):
1. Paper I: Moot Court, Pre-Trial Preparations and Participation in Trial Proceedings.
2. Paper II: Drafting, Pleading and Conveyancing.

From the above list, it would appear that there must be 21 compulsory papers, 3 Optional papers and 4 compulsory practical training papers in the curriculum for the 3 years LL.B. Course. The Committee has looked into all the proposed papers as well as the existing papers in LL.B. 3 year Course of the University of Rajasthan, and have resolved to distribute the papers suggested by the Bar Council of India in 3 years course, as follows:

LL.B. I Year

Compulsory Papers:
1.1. Contract—I (General Principles).
1.2. Contract—II (Specific Contracts).
1.3. Law of Tort and Consumer Protection.
1.4. Family Law—I (Hindu Law).
1.5. Family Law—II (Mohammedan Law).
1.6. Constitutional Law.
1.7. Legal Language and Legal Writing including General English.

Optional Paper: (Any one):
1.8. (a) Legal and Constitutional History of India.
       OR
(b) Trusts, Equity and Fiduciary Relations.
       OR
(c) Bankruptcy Laws.

Practice Paper:
1.9. Public Interest Lawyering, Legal Aid, Para-Legal Services and Moot Court.
This paper shall consist of following two parts:
(a) Practical Written Paper — 80 marks
(b) Viva-Voce Examination — 20 marks

LL.B. II Year

Compulsory Papers:
2.2. Law of Crimes.
2.3. Law Relating to Transfer of Property and Easement.
2.4. Company Law.
2.5. Public International Law and Human Rights.
2.7. Administrative Law.

Optional Paper: (Any one):
2.8. (a) Taxation Law.
       OR
(b) Insurance Law.
       OR
(c) Banking Laws including Negotiable Instruments Act.
Practical Paper:
2.9 Professional Ethics, Bar-Bench Relations and Moot Court.
This paper shall consist of following two parts:
(a) Practical Written Paper — 80 marks
(b) Viva-Voce Examination — 20 marks

LL.B. III Year

Compulsory Papers:
3.1 Law of Evidence.
3.2 Law Relating to Criminal Procedure, Juvenile Justice and Probation of Offenders.
3.3 Code of Civil Procedure and Limitation Act.
3.4 Arbitration, Conciliation and Alternate Dispute Resolution Systems.
3.5 Land Laws.
3.6 Interpretation of Statutes.
3.7 Environmental Law.

Optional Paper: (Any one):
3.8 (a) Criminology and Penology;
OR
(b) Intellectual Property Law;
OR
(c) Law and Medicine.

Practical Paper:
3.9 Drafting, Pleading and Conveyancing; Pre-Trial Preparation;
Preparation in Trial Proceeding and Moot Court:
This paper shall consist of following two parts:
(a) Practical Written Paper — 80 marks
(b) Viva-Voce Examination — 20 marks

LL.B. FIRST YEAR EXAMINATION

Paper 1.1 — Contract—I (General Principles)
Max. Marks: 100
Min. Pass Marks: 36

Note:
1. In order to ensure that students do not lose 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.
3. (a) Meaning, elements and characteristics of Contract.
(b) Basis of Contract.
(c) Classification of Contract, including the Standard form Contract.
(d) Proposal: Meaning, Elements Characteristics and Kinds of proposal, Distinction between Proposal and Invitation to Proposal.
(e) Acceptance: Meaning, Modes and Characteristics of Acceptance.
(f) Communication, revocation and termination of proposal and acceptance.
4. Consideration:
(a) Meaning, definition and Elements of Consideration.
(b) significance and adequacy of consideration.
(c) Unlawful consideration and object.
(d) Concept of stranger to contract.
5. Capacity to Contract:
(a) Who cannot make a contract: Who is minor: The place of minor under the Law of Contract.
(b) Person of unsound mind, nature of contract by person of unsound mind.
(c) Persons deprived of the capacity to contract.
(d) Free consent:
(i) Meaning of consent and free consent;
(ii) Factors rendering consent not free and their effect upon the validity of contract.
(e) Agreements:
(i) Agreements in restraint of marriage; freedom of trade and right to initiate legal proceedings;
(ii) Agreements involving uncertainty, wager and impossibility.
(f) Contingent Contract:
(iii) Certain relations resembling to those created by Contract (Quasi Contract).
6. Performance of Contract:
(i) Who is liable to perform? Joint rights and joint liability and performance of reciprocal promises.

[Signature]
Asstt. Registrar
LAW OF CONTRACT—II

Paper 1.2— (General Principles)
Max. Marks : 100
Min. Pass Marks : 36

Note : (1) In order to ensure that students do not lose 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. Contract of Indemnity and Guarantee :
   (a) Meaning. Distinction between indemnity and guarantee and kind of guarantee.
   (b) Rights of Indemnity holder.
   (c) Rights of the Surety. Extent of the Liability of the Surety.
   (d) Discharge of liability of the Surety.

2. Contracts of Bailment and Pledge :
   (a) Meaning and Forms of contracts of Bailment—Bailment without consideration.
   (b) Rights and duties of bailor and bailee.
   (c) Termination of Bailment.
   (d) Contract of Pledge—meaning and definition. Pledge by unauthorised persons.

3. Contract of Agency :
   (a) Definition, kinds and modes of creation of Agency,
   (b) Relation between :
      (i) The Principal and agent,
      (ii) The Principal and third party, and
      (iii) The agent and the third party.
   (c) Determination of agent's authority—
      (i) By act of parties; and
      (ii) By operation of Law—irrevocable authority.

   Contract of Sale of Goods :
   (a) Sale—meaning, definition and elements,
   (b) Agreement to sell, hire-purchase, agreement and a contract for work and laboure—meaning and distinction from sale.
   (c) Goods—existing, future and contingent.
   (d) Condition and warranties.
   (e) Passing of property from seller to buyer.
   (f) Sale by unauthorised person—sale
   (g) Law relating to performance of sale.
   (h) Rights of unpaid seller.

   Contract of Partnership :
   (a) Meaning, definition, formation and the characteristics of contract of partnership.
   (b) Distinction between :
      (i) Co-ownership and partnership;
      (ii) Joint Hindu Family and Partnership, and
      (iii) Company and Partnership.
   (c) Position of Minor.
   (d) Relations of partners among themselves and relation of partners with third parties.
   (e) Registration of Partnership firm.

Leading Cases :
(2) Amritpal Gaurdian Lal v. State Bank of Travancore, AIR (1960) SC 102
(3) Jamai & Co. v. State of Orissa, AIR (1963) 170
(4) State of Gujarat v. Maron Mohan, AIR (1967) SC 1885
Suggested Readings:
2. Pollock & Mulla: Indian Contract and Specific Relief Act.
5. R.K. Bangia: Contract II
13. Kapoor: Sambhidhi Vidhi II
14. R.L. Rathi: Sambhidhi Vidhi II

Paper I.3. Tort and Consumer Protection Law
Max. Marks: 100  Min. Pass Marks: 36

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.

2. General Defences of Tortious Liability.
4. Remedies, Kinds and measure of damages, Remoteness of damage.
5. Torts to person—Assault, Battery and False Imprisonment meant.
6. Torts to person and property including Negligence, Nuisance, Nervous shock, interference with contract or business, Intimidation, Conspiracy, deceit or fraud, malicious prosecution, Defamation.

Leading Cases:

Suggested Readings:
Directive Principles and Fundamental Duties.

2. Union and State Executive: President, Governor-Election, appointment, Powers, Position, Council of Ministers, Prime Minister, Parliamentary System of Government; Union and State Legislature; Lok Sabha; Rajya Sabha; Vidhan Sabha and Vidhan Parishad-Composition. Speaker, Chairman, privileges, Legislative Procedure.

3. Union and State Judiciary-Supreme Court and High Court, Composition and powers, Writs. Union State Legislative Relationship-Distribution of Legislative power; Administrative and Financial relationship.

4. Services under the Union and State; Constitutional protection to civil servants; Public Service Commission of the Union and States. Article 300-D-A-Property Rights. Freedom of Trade, Commerce and Inter-courses; State liability in Contracts and Torts. Suit by and against the State.


Leading Cases:

Suggested Readings:
1. Constitution of India as amended up-to-date.
2. Shukla, V.N.: Constitution of India.
5. Paras Diwan: Constitution of India.
7. गण सहाय कार्य : भारत का संविधान।
8. नव नागपुर चित्र : भारत की संविधानिक विभिन्न।

Page 1.7 Legal Language/ Legal D, Writing including General English

Max. Marks: 100 Min. Pass Marks: 36

(A) Vocabulary:
1. Use of legal phrases and terms (list of legal terms given below).
2. Pair of words.
3. One word substitution.
4. Latin Maxims (Listed below).

(B) Comprehensive Skills:
   (a) Valid Rules of Syllogism.
   (b) Syllogistic fallacies.
   (c) Other types of Material or Verbal Fallacies.
2. Comprehension of Legal Texts: Reading materials. The prescribed leading cases.
3. (C) Composition Skills:
   1. Use of Cohesive devices (Legal drafting).
   2. Precise: Writing.
   3. Brief writing and drafting of reports, letters and applications.
   4. Essay writing topics of legal interest.
   5. Varieties of sentence structures and verb patterns.
   6. Translation (from English to Hindi and Hindi to English).

List of Legal terms which are relevant for LL.B. students:

**Abet**
Abstain
Accomplice

**Act of God**
Actionable
Accused

**Adjournment**
Adjudication
Admission

**Affidavit**
Amendment
Appeal

**Acquittal**
Articles
Assent

**Arrested**
Attorney
Averment

**Bail**
Ballut
Citation

**Clause**
Coercion
Code

**Cognizable**
Confession
Compromise

**Consent**
Conspiracy
Contempt

**Contingent**
Contraband
Conviction

**Convention**
Corporate
Custody

**Damages**
Decree
Jafamitation

**Defence**
Escheat
Estoppel

**Eviction**
Executive
Exparte

**Finding**
Floating charge
Forma Pauperis

**Fraud**
Guardian
Frustration

**Good Faith**
Homicide
Habeas Corpus

**Hearsay**
Indemnity
Hypothecation

**Illegal**
Inheritance

**Illegal**
Indemnity
Inheritance

**Bench**
Bill
Bill of attainder

**Bill of Rights**
Blockade
Bonafide

**By-laws**
Capital Punishment
Charge

**Chattels**
Justiceable
Legislation

**Legitamacy**
Liability
Liberty

**Licence**
Lieu
Liquidation

**Maintenance**
Malafide
Malfeasance

**Minor**
Misfeasance
Morgage
### List of Latin Maxims:

1. *Ab initio* (from the beginning).
2. *action personal is munitor cum persona* (Personal right of action dies with the person).
3. *actus curae neminem gravabit* (an act of the Court shall perjudice no one).
4. *actus non facit reum nisi mens sit rea* (the act itself does not constitute guilt unless done with a guilty intent).
5. *actus reus* (wrongful act).
7. *ad litem* (for the suit).
8. *ad valorem* (according to the value).
10. *Amicus curiae* (friend of the Court).
12. *audire alteram partem* (hear the other side).
14. *consensus ad idem* (agreement by two persons upon the same thing in the same sense).
15. *damnium sine injuria* (damage without injury).
17. *de jure* (in law).
18. *de minimis non curat lex* (the law does not account of the trifles).
19. *decreet nisi* (a decree which takes effect after a specified period).
20. *delegatus non potest delegare* (a delegated power cannot be further delegated).
22. *denatio martis causa* (gift by a person on the death-bed).
23. *ejusdem generis* (of the same category).
24. *eminent domain* (the supreme rights).
25. *ex officio* (by subsequent act).
26. *experts* (not in the presence of the opposite party).
27. *ex post facto* (by subsequent act).
28. *factum valet* (the fact which cannot be altered).
29. *fait accompli* (an accomplished fact).
30. *ignorantia legis neminem excusat* (ignorance of law is no excuse).
31. *in pari materia* (in an analogous case, cause or position).
32. *injuria sine damno* (injury without damage).
33. *interest re publicate ut sit finiss litium* (it in the interest of the republic that there should be an end of law suit).
34. *intra vires* (within the powers).
35. *justi tertii* (the right of a third party).
37. *nemo dat quod non habet* (no man can transfer better title than he himself has).
38. *nemo degradus est vacari pro una et eadem causa* (no man be twice vexed for the same cause).
39. *nemo in proprio causa judex esse debet* (no one ought to be a judge in his own case).
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7. Law Lexicon & Legal Maxims by Venkataramaiya.

OPTIONAL PAPER

Paper I.A. (a) Legal and Constitutional History of India

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. Administration of Justice in Madras, Bombay and Calcutta before 1726.
2. Importance and necessity of legal history; Charter of 1726 and Establishment of Mayor's Court; Charter of 1753; The Madras Act of Settlement, 1781; Nand Kumar Trial, Patna Case, Cossijurah case.
4. The High Court: Dual Judicature before 1861; Indian High Court Act, 1861; Indian Council Act, 1861 Privy Council; Federal Court; Development of Law in Mofussil (Justice, Equity and Good Conscience) Development of Criminal Law.
Charter Act of 1833:
5. Government of India Act, 1858 and 1892:
6. Simonds Commission, Round Table Conference:

Leading Cases:
1. Trial of Raja Nand Kumar, 1775
2. Patna Case, 1777-79.
5. Gorachand Dutt v. Hosea.

Suggested Readings:
1. Jain M.P.—Outlines of Indian Legal History (English and Hindi).
2. Keith, A.B.—Constitutional History of India.
   Chapters VII, VIII, X, XI and XII only.

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University of Rajasthan
5. Singh M.P.—Legal and Constitutional History of India.
8. Relevance of Indian Law in India's International Relations
9. Relevance of Indian Law in India's International Relations

Paper 1.8(b)—Trusts. Equity and Fiduciary Relations
Max. Marks: 100
Min. Pass Marks: 36

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.


Leading Cases:

Suggested Readings:
1. Upadhyaya, J.J.R.: Equity, Trusts and Fiduciary Relations and Specific Relief.
2. Gandhi, B.M.: Equity, Trusts and Specific Relief.
5. मिष्ठ जी. चों: समय न्याय एवं स्विकार सहान्युक्त अधिविषय
6. कांवल: समय न्याय एवं स्विकार उन्नती अधिविषय

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Paper 1.8(c)—Bankruptcy Law
Max. Marks: 100
Min. Pass Marks: 36

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 examinations.

(2) Leading cases prescribed under this paper may be read wherever they are relevant.

Acts for Study:
3. The Rajasthan Insolvency Rules.

Contents:
—Definitions:—
—Origin and History of Bankruptcy Law.
—Constitution and Power of Court.
—Proceedings from act of insolvent to discharge.
—Order of adjudication.
—Proceedings consequent on order of adjudication.
—Discharge.
—Annulment of Adjudication.
—Administration of Property.
—Realisation of Property.
—Distribution of Property.
—Appeal to Court against receiver.
—Penalties.
—Summary Administration.
—Appeals.
—Miscellaneous.

Leading Cases:
4. Mahomed Siddiqui v. The Official Assignee (1943) 70 IA 93.

Suggested Readings:
1. Mulla—The Law of Insolvency in India.
2. Williams on Bankruptcy.
PRACTICAL PAPER

Paper 1.9 (b) — Public Interest Lawyering;
Legal Aid, Para-legal Services and Moot Court.
Max. Marks: 100
Min. Pass Marks: 36

This paper shall consist of following two parts:
(a) Practical written paper — 80 marks
(b) Viva-voce examination — 20 marks
The candidate must pass in part (a) and (b) separately. For pass, he shall be required to obtain 36 percent marks in each part, i.e. 29 marks out of 80 and 7 marks out of 20 marks.

(a) Practical Written Paper:
(1) Meaning, nature, scope and object of Public Interest Litigation (PIL), PIL against the State and other Public bodies. Difference between Public Interest Litigation and Private Interest Litigation; — Meaning of Social Action Litigation; Concept of Locus standi.
(2) Legal Aid under the—
(i) Constitution;
(ii) Code of Criminal Procedure; and
The Legal Services Authorities Act, 1987. Legal Aid and Law Schools, Legal Aid and Voluntary Organisations. Legal Aid and Legal Profession: District Legal Aid Committee.
(3) Lok Adalats—Their jurisdiction, working and Powers under the Legal Services Authorities Act, 1987.
(4) Writing of PIL petitions, Writing of applications for Legal Aid.

Leading Cases:

Suggested Readings:
1. P.N. Bhagwati—Legal Aid as a Human Right.
2. Sujan Singh—Legal Aid—Human Right to Equality.
3. Swati Deshai—Lok Adalats in India—Genesis and Functioning.
6. S.S. Sharma—PIL. Legal Aid, Para Legal Services Moot Court.
7. P.N. Bajpayee—Legal Aid and the Bar Council.
9. नितेंद्र भद्दोला—लोक अदालत मूलदार, निर्मित लोकप्रिय एवं निर्मित सेवाएँ

VIVA-VOCE
20 marks

Maintaining Diary on Court visits; Legal Aid and Lok Adalats Proceedings, Moot Court. Performance done on the basis of prescribed leading cases in LL.B. 1 year paper under the supervision of the concerned teacher. The teacher(s) shall conduct at least two 'Moot Courts' during the session and it will be compulsory for the candidates to participate in atleast fifty per cent of such Moot Courts. The teachers can also conduct Moot Court on the basis of the cases other than the prescribed leading cases. The Viva-voce examination shall be conducted by a Committee of three persons. In this Committee, there shall be two Internal examiners and one External examiner. The Committee shall award marks on the basis of Court diary and performance at the Moot Court and viva-voce examination.

SECOND YEAR LL.B. (A/P) EXAMINATION

Paper 2.1

Jurisprudence
Max. Marks: 100
Min. Pass Marks: 36

Note: (i) 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.
(ii) Leading cases prescribed under this paper may be read wherever they are relevant.

Contents:

Jurisprudence:
Definition Nature and Scope.
(i) Importance of Jurisprudence.
(ii) Schools of Jurisprudence: Analytical, Historical and Sociological including American Realism and Natural Law School.

Nature of Law:
Definition—Austin, Salmond, Holland, Gray, Hart.

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

Concepts of Law:
Rights and Duties: Nature of Rights and Duties; Correlation of Rights and Duties; Kinds of Rights and Duties; Property; Definition and kinds; Negligence; Criminal liability.

Ownership and Possession:
(A) Meaning of Ownership; Kinds, Definition of ownership by Austin and Salmond.

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JAIIP
(B) Relation between ownership and possession. Importance of Possession;
  Elements of corporeal possession and problems; Theories of possession;
  Salmond and Savigay's view

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

Leading Cases:
2. Maharaja Shree Umaid Mills Ltd. v. Union of India, AIR 1963 SC 953 paras 12, 13, 14 (Per S.K. Das) Concept of Law; Legislative agreements.

Suggested Readings:
1. Salmond : Jurisprudence.
2. Das : Jurisprudence.
5. राजनीति विद्वान : विज्ञेय विधि.
6. अर्थशास्त्र प्रणाली : विज्ञेय विधि के मूल निर्देश.

Paper 2.2 Law of Crimes

Max. Marks: 100
Min. Pass Marks: 36

Syllabus: Faculty of Law

3. General Exceptions :
(A) Mistake of facts and mistake of Law, Judicial act, Accident, Act done without criminal intention and to prevent other harm; Act of person of unsound mind, Act of intoxicated person.
4. General Exceptions :
(B) Acts done with consent. Act done in good faith without consent, Communication made in good faith; acts done under compulsion, Act causing slight harm; Right of Private defence.
7. Offences Affecting the Human Body: Culpable homicide, murder, Criminal negligence and rashness, Attempt to commit murder and suicide; miscarriage, hurt, Grievous hurt, Voluntary restraint and wrongful confinement, force and criminal force, Abduction, Kidnapping
8. Offences Against Property: Theft, Extortion, Robbery, Dacoity, Criminal misappropriation of property, Criminal breach of trust; receiving stolen property, Cheating, mischief, criminal trespass, House breaking.
10. Offences relating to Sex Marriage: Rape, Sexual offences, Unnatural offence, Adultery, Bigamy.

Leading Cases:

Suggested Readings:
1. Ratan Lal: The Indian Penal Code.
2. Kenny : Outlines of Criminal Law (First four chapters).
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6. T. Bhattacharyya: Indian Penal Code (English & Hindi).
7. Anurag Singh Yadav: Indian Penal Code (Hindi).
8. Raja Ram Yadav: Indian Penal Code (Hindi).

Paper 2.3 The Law Relating to Transfer of Property and Easement
Max. Marks : 100
Min. Pass Marks : 36

Note: (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
(2) Leading cases prescribed under this paper may be read wherever they are relevant.

1. Preliminary : Definition, Essentials of Transfer, Competence of Parties, Subject matter of transfer, transfer to unborn person, Registration of Transfer, etc. General Rules of Transfer:
   a) Restrains of alienation absolute or partial, Restrains of free enjoyment, Covenants affecting enjoyment, divesting on insolvency, Covenants affecting enjoyment, divesting on insolvency, perpetuities, Future estates, Doctrine of acceleration-Accumulation of income. Exceptions, Covenants and Transfers, General Rules of Transfer.
   b) Conditional transfer: Condition precedent, Condition subsequent, Vested and contingent interest.

2. Election, Priority of rights, Notice, Implied transfers by limited owners, transfer of property out of which maintenance claims have to be met, ownership by holding out, ownership by estoppel, feeding the grant by estoppel, Doctrine of part-performance, Sale.


4. Exchange, Lease, Gift, Actionable claus.


Leading Cases:
5. Associated Hostels of India Ltd. v. R.N. Kapoor, AIR 1959 SC 1262.

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Suggested Readings:
1. The Transfer of Property Act (Act IV of 1882) as amended up to date.
5. Sarthi, V.P. : Law of Transfer of Property.
10. Tripathi, J.P. : Transfer of Property Act (Hindi).

Suggested Readings:
Paper 2.5  Public International Law and Human Rights
Max. Marks: 100  Min. Pass Marks: 36
Note: (1) In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
(2) Leading cases prescribed under this paper may be read wherever they are relevant.
1. Definition, Nature and Basis of International Law, Weakness of International Law, Codification and Development of International Law, Relation between International Law, Municipal Law, Subjects of International Law, Nationality, Extradition and Asylum.
2. States in general: Kinds of States and non-States entities, Acquisition and loss of State territory, Territorial Sea, Continental Shelf, Contiguous Zone, Exclusive Economic Zone, Freedom of the High Seas and Piracy, Recognition of States and Governments, Recognition of Insurgence and belligerency, de facto and de jure recognition, State succession, State Jurisdiction, Territorial Sovereignty, Criminal Jurisdiction in International Law, Intervention.
4. War, its legal character and effects, Enemy character, Armed conflicts and other hostile relations, Belligerent occupation, War Crimes, Termination of war and doctrine of post liminum and Prize Courts.
Leading Cases:

Suggested Readings:
1. Starke: An Introduction to International Law.

Paper 2.6  Labour Law
Max. Marks: 100  Min. Pass Marks: 36
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.

Trade Unions Act, 1926:
The Philosophy of Trade Unionism, History of Trade Union Trade Union Movement in India—Aims and Objects—Extent and Commencement of the Indian Trade Unions Act, 1926—Definition and Nature of Trade Union.

The Factories Act 1948:
- History of Factory Legislation—Concept of Welfare Objects and Reasons—Scope and Applicability—Definitions of some important terms.

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.

Leading Cases:
5. PUDR and others v. Union of India, 1982 II LLJ 454 SC.

Suggested Readings:
1. Indian Law Institute—Law and Labour Management Relations in India.
2. Rustamajes—Law of Industrial Disputes.
7. Myres, Charles—Industrial Relations in India.
10. Srivastava, K.D.—Commentary on Trade Union Act, 1926.
11. Dr. Ganga Sahai Sharma.
7. Kesar J.D.—Administrative Law
8. Parvajay, J.J.—Administrative Law
9. Sathe, S.P.—Administrative Law

OPTIONAL PAPER

Paper 2.8(a)

Law of Taxation

Max. Marks : 100

Min. Pass Marks : 36

Note: (1) In order to ensure that students do not leave out important portions of the syllabus, examinees 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.


Title: VAT 2005

1. Income Tax Act : (1) Definitions—Assessment year, Previous year, Agriculture, Income Assessment, Capital Asset, Dividend, Income, Casual Income, Total Income, Gross Total Income, Maximum and Minimum marginal rate, Person, resident, non-resident, Transfer.

2. Basis of Charge—Charges of Income-tax, Scope of total income, Residence in India, Income deemed to be received, Deemed income, Income deemed to accrue or arise in India.

3. Income which do not form part of total income.

4. Computation of total income—Head of Income—Salaries, Interest on securities, Income from House Property, Profit & Gains of business or Profession, capital gains, Income from other sources.

5. Income of other persons included in assessee’s total income.

6. Deductions to be made in computing total Income.

7. Relief in respect of income-tax.

8. Determination of tax in certain specific cases.


Central Sales Tax Act, 1956

1. Sale or Purchase of goods in the course of Inter-State Trade or outside a State or in the course of import or export.

2. Liability to tax on inter-state sales, burden of proof.

3. Registration of dealers.


5. Penalty and offences.

6. Restrictions and conditions in regard to tax on sale or purchase of declared goods within a State.

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1. Incidence and levy of tax, registration of dealers, Payment of tax, filing of returns and assessment.

2. Tax liability recovery and refund.

3. Interest, Compounding and Composition.

4. Inspection, Search and seizure, anti-evasion provisions.

5. Appeals and Revisions—Officers, Powers and Jurisdictions.

Leading Cases:


Suggested Readings:


Paper 2.8

Insurance Law

Max. Marks : 100

Min. Pass Marks : 36

Note: (1) In order to ensure that students do not leave out important portions of the syllabus, examinees 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. (a) Evolution and development of the concept of insurance, Role and Importance of Insurance.

   (b) General principles of the contract of insurance, nature of contract of insurance.

   (c) Classification of policies, Selection and measurement of risk, Treatment of standard-risk, calculation of premium.
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(d) Licensing of Insurance agents, Duties and powers of Controller of Insurance under the Insurance Act, 1938.
(e) Status and legal position of the nominee under the Insurance Act, 1938.

2. (a) Establishment of Life Insurance Corporation of India.
(b) Investment provisions and Rights of the Policy holders under the Life Insurance Corporation Act, 1956; Marine Insurance and Fire Insurance.
(c) Motor Insurance, Livestock Insurance against deterioration of stocks, loss or profit Insurance, Contractor's All Risk Insurance and Credit Guarantee.

3. Public Liability Insurance Act, 1992
Definitions. Criminal liability based on no fault, Verification and publication of accidents by Collector, Application for claim for relief, Environmental Relief Fund—Claim of Compensation under other laws; Powers of the Central Government or its authorized officers under the Act—Penalties—Liability of Companies or Government Departments.

Leading Cases:
2. Prudential Insurance Co. v. Inland Revenue Commissioners, (1904) 2 KB 658.

Suggested Readings:
3. The Insurance Act, 1938.
7. Surendra Yadav—Insurance Law in Hindi.

Paper 2.8 (c) Banking Law Including Negotiable Instruments Act
Max. Marks: 100 Min. Pass Marks: 36

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. Banking Regulation Act, 1949: Business of Banking Companies, control over management; prohibition of certain activities in relation to banking companies, Acquisition of the undertaking of Banking Companies in certain cases; Suspension of Business and winding up of Banking Companies; Special provisions for speedy disposal of winding up proceedings; Miscellaneous, Application of the Act to the co-operative societies.
Definitions, Transfer of the Undertaking of existing Banks, Payment of Compensation, Management of corresponding New Banks, Indemnity, Dissolution.


Leading Cases:
2. The Bharat Bank Ltd. v. The Employees of Bharat Bank Ltd. and the Bharat Bank Employee's Union, AIR 1950 SC 188.
3. V. Ramaswami Aiyangar & others v. T.N.V. Kailasa Thiver, AIR 1951 SC 185.

Suggested Readings:
LL.B. THIRD YEAR EXAMINATION

Paper 3.1 Law of Evidence

Max. Marks: 100 Min. Pass Marks: 36

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, proved, disproved, not proved, may presume, shall presume, and conclusive proof. Presumptions of fact and law, presumptions regarding documents.

Relevancy of facts: Explaining—Res-estae, occasion, cause, effect, motive, intention, preparation, previous and subsequent conduct, introductory and explanatory facts, facts and otherwise relevant become relevant, accidental and incidental facts.

Facts which need not be proved, improper admission and rejection of facts.

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 persons 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 experts.

(f) Relevancy of character.

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 in the matters of rape.


Witness: Competency of witness, when persons can be compelled to appear as witnesses, privileged communications and documents, accomplice, hostile witness.

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:

Suggested Readings:

Paper 3.2 Law Relating to Criminal Procedure, Juvenile Justice and Probation of Offenders
Max. Marks: 100 Min. Pass Marks: 36

Note:
1. In order to ensure that students do not leave out important portions of the syllabus, examiners shall be free to repeat the questions set in the previous examination.
2. Leading cases prescribed under this paper may be read wherever they are relevant.

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

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

Pre-Trial Procedures:
   (a) Process to compel appearance (Chapter VI).
   (b) Process to compel Production of things (Chapter VII).
   (c) Arrest of Persons (Chapter V).
   (d) Information to the Police and their powers of Investigation (Chapter XII).
   (e) Bail (Chapter XXXIII).
   (f) Jurisdiction of the Courts in inquiries and trials (Chapter XIII).
   (g) Maintenance of Public Order and Tranquility (Chapter X).
   (h) Jurisdiction of the Courts in inquiries and Trials, (Ch. XIII).


Charge (Chapter XVII).

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

5. Appeals (Chapter XXIX).
   Reference to Revision (Chapter XXX).
7. निमायो, बांग्ला : रात्रि प्रक्रिया सिधिता
8. वेन, चइ.सै. : रात्रि प्रक्रिया सिधिता

Paper 3.3   Law of Civil Procedure and Limitation

Max. Marks: 100   Min. Pass Marks: 36

Note : (1) In order to ensure that students do not leave out important portions of the syllabus, candidates 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.


2. Executive in general—Courts by which decrees may be executed, powers of the Court executing the decrees. Transfer of decrees for execution and modes of execution, Stay of execution, Suits in particular cases (Orders XXIX to XXIII). Abatement of suits.


4. Appeals—Appeals against order and appeals against decree, Review, Revision and Reference.

5. 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.

   Relationship between limitation, laches, acquiescence, estoppel and res judicata; Limitation of suits, appeals and applications, disability, computation of period of limitation, acknowledgement and part payment, acquisition of ownership by prescription.

   Leading Cases:
   7. Sethukamchand v. Maharaja Bahadur Singh, 60 IA 313.
Suggested Readings:

Paper 3.4
Arbitration, Conciliation and Alternate Dispute Resolution System

Max. Marks: 100
Min. Pass Marks: 36

Note:
1. The arbitration and Conciliation Act, 1996:
   (b) Conciliation—Conciliatory Procedure of Conciliation Relationship of conciliator with parties—Settlement agreement—Termination of Conciliation Proceedings—Resort to Arbitral or Judicial proceedings—Costs and Deposits.

2. Lok Adalats—
   Objects, role of Committee for implementation of Legal Aid Schemes (CLLAS) Permanent Conciliatory Centres in Gujarat—The Legal Services Authorities Act, 1987 Functions of National Legal Services Authority, State Legal Services Authority and District Legal Services Authority; Organisation of Lok Adalat, Jurisdiction and powers of Lok Adalat, Procedure for determination of Dispute before the Lok Adalat, Alternate Dispute Settlement System for Multinational corporations:

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Leading Cases:

Suggested Reading:
2. Sunil Desai—Lok Adalats in India—Genesis & Functioning.

Paper 3.5
Land Law

Max. Marks: 100
Min. Pass Marks: 36

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.

Acts of Study:

Rajasthan Tenancy Act, 1955:
1. Preliminary: Objects and Reasons, Definition, Khudkasht (Sections 1 to 130), Ijedars, Grove Holder (sections 194 to 205): Classes of tenants (Section 14 to 17-A): Confereing 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 tenants (Sections 55 to 64): Improvements and Trees (Sections 65 to 87): Declamatory Suits (Sec. 88 to 92): Determination and Modification of Rent (Sec. 93 to 129): Payment and Recovery of Rent (Sec. 130 to 160): grounds for Ejection of Tenants, Remedies for wrongful ejection (Sections 169 to 188).

The Rajasthan Land Revenue Act, 1956:
3. The Board of Revenue, Revenue Courts and Officers (Sc. 4-30) Appeal, Reference, Revision and Review (Sc. 74-87): Land (Sc. 88 to 105): Survey (Sc. 100-112).
4. Record of Rights, Maintenance of maps and record, Annual Registers (Ss. 113-137); Settlement operations; Rent Ratio, Determination of rent, Term of Settlement-(Ss. 142-177); Collection of Revenue (Ss. 224 to 257).
5. Rajasthan Rent control Act, 2002

Leading Cases:

Suggested Readings:
1. Shyam Lal Gupta — The Rajasthan Tenancy Act.
2. Dutt, S.K. — Tenancy Law in Rajasthan.
5. H. Mathur
7. Karkara, G.S. — Rajasthan Land Laws

Paper 3.6 Interpretation of Statutes
Max. Marks: 100 Min. Pass Marks: 36

Meaning of Interpretation—Basic principles of interpretation—Intention of the Legislature, Statute be read as a whole. Plain meaning rule, Harmonious Construction, Golden and Mischief Rule—Utrisemagic quam valeat parent.


Principle of Interpretation of Constitution and Penal and Fiscal Statutes.


Leading Cases:
1. Haydon's Case (15840 3 Co. Rep. 7a, p. 76: ER 637).
5. Ram Avatar v. Assistant Sales Tax Officer.

Suggested Readings:
1. Maxwell — The Interpretation of Statutes.
4. Swarup — Interpretation of Statutes.
5. Binzda — Interpretation of Statutes.
6. Sarathi — Interpretation of Statutes.
7. Bhattacharyya, T — Interpretation of Statutes (English & Hindi).

Environmental Law
Max. Marks: 100 Min. Pass Marks: 36

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.


4. Law relating to prevention and control of air, water and noise pollution in Rajasthan.


**Leading Cases:**

6. A.P. Pollution Control Board v. Prof. M. V. Nayudu AIR 1999 SC 812

**Suggested Readings:**

1. The Water (Prevention & Control of Pollution) Act, 1974 as amended up-to-date.
2. The Air (Prevention & Control of Pollution) Act, 1981 as amended up-to-date.
6. सिंह, सो. पौ: पर्यावरण विधि
7. शातिरी, सतीश: धार्मिक निपुण (1990)
8. Jain, Suresh & Jain Vimal-Environmental Law in India.
9. Gurbagh Singh Environmental Law in India.
11. Divan Shyam & Arvin Roseneronz-Environmental Law & Policy in India 2002

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**Paper 3.8 (a) Criminology and Penology**

Max. Marks: 100 Min. Pass Marks: 36

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.


2. Schools of Criminological Thought (Factors in causation of Criminal Behaviour):

   1. Ancient School
      - (a) Demonological Classical School.
   2. . . .
   3. Cartographic or ecological school.
   4. Socialistic School.
   5. Typological School
      - (a) Italian or Positive School.
      - (b) Mental testers School.
      - (c) Psychiatric 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, Expatriation, Preventive and reformative and purposes of punishment.


   4. Kinds of Punishment: Modes of treatment of offenders, Corporal punishment, Transportation of Criminals, Capital Punishment,
imprisonment, conditional treatment, probation, parole, compensation, admonition, treatment of habitual juvenile, sex and adolescent offenders, indeterminate sentences, Borastal School, Criminal Procedural Jurisprudence.


Leading Cases:

Suggested Readings:
3. Flynn, K.S.—Criminology.
4. R. Taft, Donald—Criminology.
5. Edwin H. Sutherland and Donald R. Grussey—Principles of Criminology.
20. DeQuires—Modern Theories of Criminology.

27. The Constitution of India.

Paper 3.8 (b) Intellectual Property Law
Max. Marks: 100
Min. Pass Marks: 36

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 whenever they are relevant.

1. Law relating to Copyright:
   Preliminary, Copyright Office and Board; Ownership of Copyright and the right of owners; Form of copyright; Licences, Performing rights Societies; Rights of Broadcast Authorities, Registration of Copyright, Civil Remedies; Offences, Appeals.

2. Law relating to Patents:

Leading Cases:

Suggested Readings:
3. Indian Copy-right Act, 1957.
PRACTICAL WRITTEN PAPER

Drafting & Pleading:
General principles of Drafting and relevant substantive rules of pleading and their exceptions; Amendment of Pleadings; Alternative and Inconsistent Pleadings.

Drafting Exercise on Pleadings:
(A) (i) Civil—(i) Plaints, (ii) Writ Petition; (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.

(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 and (x) Will.

(C) Pre-Trial Preparations:
Each student will observe two interviewing sessions of clients at the Advocate's Office/Legal Office and record the proceedings in a diary.

(D) Participation in Trial Proceedings:
Each student will attend two trials in the Final Year Course and maintain a record and enter the various steps observed during his/her attendance in a diary.

(E) Moot Court:
Each student will do at least two Moot Courts in the Final year.

Paper 3.9 (b) Viva-Voce Paper
Maintaining diary on Court visit, recording pre-trial preparation and participations in trial proceedings.

Moot Court performances done on the basis of prescribed leading cases in L.L.B. III year under the supervision of concerned teacher. The teacher shall conduct at least two Moot Courts and it will be compulsory for the candidates to participate in at least fifty percent of such Moot Courts. The teacher can also conduct Moot Court on the basis of cases, other than the prescribed leading cases. The viva-voce examination shall be conducted by a Committee of three persons. In this Committee, there shall be two internal examiners and one external examiner. The Committee shall award marks on
the basis of Court diary and performance at the Moot Court and viva-voce Examinations.

In order to frame the scheme of examination for the LL.B. Course, the Committee has looked into the provisions of the Act, Statutes, Ordinances and Regulations, and has also discussed at length the necessity of suggesting changes in the scheme of examinations.

According to Section 8(2) of the University of Rajasthan Act, the courses of studies and curriculum to be followed in the University, or its affiliated colleges may be prescribed by the Statutes and Ordinances and subject thereto by the regulations.

According to Ordinance 48, the following subjects have been assigned to the Faculty in place of these subjects. The Committee suggests that names of the subjects stated in Column 1. may be substituted, as suggested in Column 2:

<table>
<thead>
<tr>
<th>Col 1</th>
<th>Col 2</th>
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</thead>
<tbody>
<tr>
<td>(3) Public Law of India, Constitutional Law, Revenue Law, Income Tax Law, Criminal Law</td>
<td>(3) Law of Evidence, Law relating to Criminal Procedure—Juvenile Offenders, Civil</td>
</tr>
</tbody>
</table>


Ordinance 251 provides for new scheme of LL.B. (Professional) Five Years Course. Ord. 251-A provides for the transitional provisions applicable to the students admitted to three year LL.B. (P) and two years LL.B. (A) Course.

Before coming to any conclusion on the main recommendations of this Committee, it would be proper to suggest as follows:
1. Ordinance 48 may be amended as suggested above.
2. The term new scheme above the Ordinance 251 may be deleted.
3. The following words appearing above Ordinance 251-A may also be deleted.

"Old Scheme—transitory provisions applicable to students admitted in three year LL.B. (P) two years LL.B. (A) Course."

In order to frame the scheme of examinations for the proposed course of LL.B. three years, the Committee has resolved to recommend, that the following basic principles may first be accepted by the DOS and the Faculty of Law and thereafter necessary scheme should be prepared—

1. All students would be admitted in LL.B. I year professional Course only and those who would like to take admission in LL.B. I Year Academic Course will have to apply separately. Those who do not apply separately would be deemed to have been admitted to Professional Course.
2. The teaching shall be conducted through the lecture-method, practicals and class performance during the Session and examination shall be conducted through written papers, practicals and viva-voce at the end of each year.
(3) The instructions shall be provided in each paper of LL.B. I, II and III year for 3 hours a week by all the institutions running the LL.B. Classes.

(4) Each theory paper in LL.B. I, II and III year shall be of 100 marks—the practical paper in each year of LL.B. I, II and III year has been divided into two parts: Part 'A' shall be of Practical Written Examination of 80 marks and Part 'B' shall be of viva-voce of 20 marks. A candidate shall be required to pass separately in Practical written and viva-voce examinations.

(5) For a pass, in each of the LL.B. I year, II year or III year Examination, a candidate will be required to obtain not less than 48% marks in aggregate of theory and practical papers prescribed for the examination concerned, provided further that:

(i) A candidate who fails at the LL.B. First Year/Second Year or Third Year Examinations and has obtained not less than 36% marks in at least 5 theory papers and practical or 6 theory papers shall be permitted to reappear in one or two theory papers and practical, or at the most three theory papers of his choice at the three successive subsequent examinations.

(ii) If a candidate fails to clear the LL.B. First Year or Second Year or Third Year Examination, as the case may be, in the aforesaid manner, he will be required to reappear in all the papers after as an ex-student, subject to the provisions of Clause (ii) or Ord. 163.

N.B.: Actual marks obtained by a candidate in the papers in which he reappears will be taken into account and the earlier marks of other papers will be carried forward for working out his result. In carrying forward the earlier marks of other papers, the marks obtained by the candidate in each paper in the last of the attempts made by him will be taken into account.

6) A candidate who has passed LL.B. I year, II year or III year examination and desires to improve his performance may be permitted to re-appear at the same examination in the same subject(s)/Papers in the immediately following year on the conditions mentioned in Ordinance 169-E.

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Asstt. Registrar (Acad-I)

University of Rajasthan