LL.M. and Diploma Examination

ORDINANCE RELATED TO LL.M. EXAMINATION

O.257. LL.01

1. The Examination for the degree of Master of Laws shall consist of two parts—Part I and Part II and there will be an examination at the end of each year viz. LL.M. Part I examination at the end of the first year and LL.M. Part II examination at the end of the second year.

2. A candidate who has passed the Bachelor of Laws (three years or 5 Years: B.A., LL.B. or 5 years B.A., LL.B. (Hons.) degree examination of the University or an examination of some other University recognized by the Syndicate as equivalent thereto securing a minimum of 55% marks in the aggregate or a candidate who holds the degree of Bachelor of Laws (three years of 5 Years B.A., LL.B. or 5 years B.A., LL.B. (Hons.) and has also passed any of the Diploma courses of this University in the Faculty of Law with 55% marks in the aggregate at the Diploma Examination and thereafter pursued a regular course of study in an affiliated college for one academic year shall be eligible for admission to LL.M. Part I Examination.

3. A candidate who having passed the LL.M. Part I Examination of this University has attended a regular course of study in an affiliated college for one academic year shall be eligible for admission to the LL.M. Part II Examinations:

"Provided that a candidate who has obtained at least 50% marks in three papers at the LL.M. Part I Examination may be provisionally admitted to the LL.M. Part II class of the Degree of Master of Laws and after attending a regular course of study for one year shall be permitted to appear at the LL.M. Part II Examination subject to the condition that along with the papers prescribed for the LL.M. Part II Examination he will also appear and pass in the papers of LL.M. Part I Examination.

If a candidate as well as a candidate who having failed at the LL.M. Part II Examination re-appears at the same, may reappear in such paper(s) as he chooses for the purpose of making up the aggregate of 50%. However for passing the LL.M. Part
University of Rajasthan

LL.M. Part II Examination a candidate will be required to fulfill the condition of obtaining a minimum of 40% marks in each paper and 50% marks in aggregate of all the papers at the LL.M. Part I and / or LL.M. Part II Examinations, as the case may be, separately. The marks of the papers in which a candidate does not choose to re-appear will be carried forward for the purpose of working out his result. The option once given by a candidate will be treated as final and no change shall be permitted subsequently.

Note: Actual marks obtained by a candidate for the paper or papers in which he re-appears shall be taken into account and the marks obtained earlier in the papers in which he has not re-appeared will be carried forward for working out his result. In carrying forward earlier marks of other papers the marks obtained by the candidate in each paper in the past attempt by him shall be taken into account.

4. A candidate admitted for the degree of LL.M. has to complete his study within 5 academic years from the academic year in which he has taken admission.

5. A candidate would have three additional chances to clear the due papers in immediate subsequent examinations when conducted for the same paper as per the syllabus in force, failing which he has to clear all the papers of that year as an ex-student.

O.257-A

1. A candidate who holds the degree of master of Law of the University or any other University recognized as equivalent to the Master of Laws degree of the University may be permitted to appear at the LL.M. Part II Examinations in any branch in which he has not already qualified for the master of Laws degree without having undergone a regular course of study and if successful will be given a certificate to that effect. For a pass, candidate shall be required to secure 40% marks in each paper and 50% marks in aggregate of all the papers prescribed for the examination. Provided that such candidate has to submit his dissertation through the Head, Department of Law under the supervision of a teacher assigned by the Head, on payment of prescribed fee.

2. A candidate who desires to enter for the examination under this Ordinance must submit his application on prescribed form. The application shall be accompanied with the requisite amount of examination fee and shall be forwarded by the Principal of a college affiliated to the University for the LL.M. course.

3. In the case of a candidate whose application is rejected and who does not submit an application and only sends the fee, the amount paid by the candidate on account of the fee shall be refunded after deducting Rs. 20/-

Note: Candidate appearing in an additional optional group of a subject shall be required to pass the examination in all the papers of the Group before being declared successful in the examination.

O.258

1. A candidate who has passed his LL.M./Part I or Part II Examination and desires to improve his performance by reappearing in any one or two theory paper(s) only of his choice shall be permitted to do so only in the immediately following year according to the syllabus in force. The marks obtained by him in such paper shall be taken into account provided they are more than his previous score and his result shall be revised accordingly. Such a candidate will not be included in the merit list.

2. A candidate who desires to re-appear at the examination under the above provisions must submit his application on the prescribed form along with the prescribed examination fee and other fees by the last date fixed for the purpose duly forwarded countersigned by the same officer who had forwarded it at his last appearance at the examination.

3. A candidate who improves his performance shall submit to the University his original marks-sheets of the preceding examination and also the degree (in case of improvement of division at the Final year Examination) along with the marks fee of Rs. 500/- within 3 months from the date of declaration of his result for issuing a fresh mark-sheet and a fresh degree. If the degree is already in the custody of the University he shall intimate this fact to the University but shall have to pay the prescribed fee.

RR 22 :

Scheme for LL.M. Examination (Annual)

In order to be declared successful at the LL.M. Part I and Part II Examinations, a candidate shall be required to obtain at least 40% marks in each paper and 50% marks in aggregate of all the papers prescribed for the examination.
Division shall be awarded on the combined result of LL.M. Part I and LL.M. Part II Examination. All successful candidates who obtain 60% marks of the total aggregate shall be placed in First Division and those who obtain not less than 50% but below 60% of the total aggregate marks shall be placed in II division.

LL.M. (Part-I) Examination

Every candidate offering himself for LL.M. (Part-I) examination shall be examined in following papers. Each paper shall be three hours duration and carry 100 marks. For paper No. V, the candidate has to appear for his/her viva-voce examination of all the other four papers of Part I which shall also carry 100 marks.

- Paper I : Legal Theory
- Paper II : Legislation-Principles, Methods and interpretation
- Paper III : Legal Research Methodology
- Paper IV : Constitutional Law of India : New Challenges
- Paper V : Viva-Voce

LL.M. (Part-II) Examination

Every candidate offering himself for the LL.M. (Part-II) examination, shall be examined in five papers in any one of the following branches. Each paper shall be of 3 hours duration and carry 100 marks. The candidates are to be required to attempt any four questions out of the questions asked in the question paper.

Branch-I (Corporate, Business and Contractual Law)

- Paper I : General Principles of Contract
- Paper II : Special Contract
- Paper III : Corporate Law
- Paper IV : Law Relating to Negotiable Instruments and Bankruptcy
- Paper V : Dissertation

Branch-II (Torts and Crime)

- Paper I : General Principles of Tort and Specific Wrongs
- Paper II : General Principles of crime and specific offences.
- Paper III : Comparative Criminal Procedure
- Paper IV : Law Relating to Rehabilitation and Treatment of offenders
- Paper V : Dissertation

Branch-III (Personal Laws)

- Paper I : Hindu Jurisprudence (Uncodified Hindu Law) and Codified Hindu Law Relating to Marriage
- Paper II : Gender Justice and Codified Hindu Law Relating to Adoption, Maintenance, Minority, Guardianship and Succession.
- Paper III : Muslim Jurisprudence and the Law including Inheritance
- Paper IV : Other Personal Laws operating in India.
- Paper V : Dissertation

Branch - IV (Constitutional Law)

- Paper I : Constitutional History of India and England
- Paper II : Indian Administrative Law
- Paper IV : Constitutional development after Independence in India and Inter State Trade, services and taxes
- Paper V : Dissertation

Branch - V (Property Law)

- Paper II : Transfers intnt Vivos, sale, Mortgage Lease
- Paper III : Law Relating to Intellectual Property
- Paper IV : Law Relating to Equity, Trusts and Charities
- Paper V : Dissertation

Branch - VI (International Law)

- Paper I : Protection of Human Rights under international Law
- Paper II : Public International Law
- Paper III : Private International Law
- Paper IV : International Organizations
- Paper V : Dissertation

Branch - VII (Labour Law)

- Paper I : Labour Law and Labour Management in India and Industrial Adjudication
- Paper II : Law Relating to Labour Welfare and wages
- Paper III : Legislation and Practice Relating to Social Security
Paper IV : International Labour Organization, Central Organization of Trade Unions and Indian Tripartite System

Paper V : Dissertation

The dissertation shall be submitted in triplicate by the candidate. It shall be the candidate's own work carried out under the guidance or supervision of a person who is recognized by the University to guide research for the Ph.D. degree or who is whole time Professor & Head of the Department of Law of an Institution where instruction is provided where the candidate is pursuing his studies. The dissertation shall be submitted so as to reach the registrar at least 30 clear days before the commencement of the LL.M. Part II Examination.

A candidate who is declared failed in the LL.M. Part II Examination may on his request, be exempted from fresh submission of dissertation at the time of his subsequent appearance at the LL.M. Part II Examination provided he had secured pass marks in Dissertation submitted by him last time and provided further the examiner of the dissertation or the Dean of the Faculty of law of the University certifies that no important changes have been made in law to justify a resubmission had the revaluation of the dissertation. The candidate shall, by October Ist of the year preceding the examination send his request for exemption from fresh submission of dissertation duly endorsed and forwarded by the Head of the institution concerned. The University will, as early as possible, inform the candidate about his exemption from resubmission of fresh dissertation. An evaluated dissertation shall not be resubmitted for evaluation "until the guide or the supervisor certifies that important changes of style, presentation of matter etc. have been incorporated in the dissertation which justify its evaluation."

LL.M. Part-I

SYLLABUS

Every candidate offering himself for LL.M. Part I Examination shall be examined in the following papers: Each paper shall be of three hour duration and carry 100 marks. Candidates would be required to attempt any four questions out of eight questions set in the question paper.

Paper I : Legal Theory

Suggested Readings:

1. Holmes : The Common Law
2. Austin : Lectures on Jurisprudence
3. Allen : Law in the Making
4. Holland : Jurisprudence
5. Salmond : Jurisprudence
7. Julius Stone : The Province & Function of Law
8. Pound : An Introduction to the Philosophy of Law
9. Goodhart : Modern Theories of Law
10. Vinegradoff : Common Sense in Law
12. Goodhart : English Law and the Moral Law
13. Friendmann : Legal Theory
15. Henry Maine : Ancient Law
16. Dlas : Jurisprudence
17. Dhyani, S.N. : Law, Morality and Justice, Indian Development
18. Lon Fuller : Morality of Law
22. Julius Stone : Social Dimensions of Law and Justice
23. Julius Stone : Legal System and Lawers Reasoning
24. Lysod : Introduction to Jurisprudence
26. Finch : Introduction to Legal Theory
27. Dworkin : Taking Rights Seriously

Paper II - Legislation-Principles, Methods and Interpretation

Suggested Readings:

1. Benthem : Theory of Legislation
3. Dicey : Law and Public Opinion in England
4. Albert : Legislative Methods and Forms
5. Albert : Mechanism of Law Making
6. Maxwell : The Interpretation of Statutes
7. Beale : Rules of Interpretation
8. Odgers : Interpretation of Statutes
9. Narasimhan : Interpretation of Statutes in British, India
10. Wigmore : Panorama of World Legal System
13. Prof. T. Bhattacharya: Interpretation of Statutes
18. Bindra, N.S.: Interpretation of Statutes

Paper III - Legal Research Methodology

Research Method - Socio Legal Research, Doctrinal and non-doctrinal, Relevance of empirical research, Introduction and deduction, Identification of problem of research what is a research problem, Survey of available literature and bibliographical problem, Legislative Materials including subordinate legislation, notification and policy statements; Formulation of the Research problem, Devloping tools and techniques for collection of data: Methodology, Methods for the collection of statutory and case material and juristic literature, Use of historical and comparative research material, Use of observation studies, Use of questionnaires/Interview, Use of case studies, Sampling procedure, design of sample, types of sampling to be adopted, Use of scaling techniques, jurimetrics, computerized Research-A study of legal research programmes such as Lexis and West law coding, classification and Tabulation of data-use of cards for data collect. Rules for tabulation, Explanation of tabulated data.

Suggested Readings:
9. IIL Publication: Legal Research and Methodology.
10. Jaipur Law Journal from Volume 1 to latest-articles concerning

Research Methodology.

Paper IV - Constitutional Law of India: New Challenges

The Constitution of India is an organic, developing and changing system established over five decades ago. Through the years it has been in force the constitutional law enacted though the Constitution has shown adaptability to the changing new social order and the institutions of national life. The processes of judicial interpretation precedents, amendment, conventions, political change have interacted to provide necessary catalysts for growth of the constitutional jurisprudence. The paper encourages the post graduate student to study, analyze and articulate the essential features and principles, rules of the basic frame work of the constitutional system.

I. Basic Framework: Essential Features:

II. Quasi Federalism:

III. Union-State Constitution:


1. The President and the Council of Minister:

2. Parliament:
   (i) In re-Reference, (U.P. Assembly, Allahabad, H.C.)
   A.I.R. 1965 S.C. 745
   (ii) M.S.M. Sharma v. Sri Krishan A.I.R. 1959 S.C. 1574
   (iv) In-Dehli Laws Act, A.I.R. 1951, 332.

3. The Judicary, Supreme Court:

4. Inter-State Trade, Commerce:

5. Fundamental Rights, Duties and Directive Principles:

Equality
   2. In-Re Reference Special Bill, A.I.R., 1979, S.C. 585

Freedom of Speech, Expression (Press):

2. K.A. Abbuse v. Union of India A.I.R. S.C. 481
   
Personal Liberty:

Religious Freedom:

Minority Rights: Cultural & Educational

Property:
   Article - 300a

Emergency:
   1. Rno Birendra Singh v. Union of India, A.I.R. 1958, & H 441

7. Creation of New States, Democratic Process:
   (i) Nexus of politics with criminals and business
Electoral reforms (III) Coalition Government, Stability, Durability, Corrupt practices; (iv) Grass-root democracy

8. Constitutional Power : Amendments

Suggested Readings:
10. Ville Austin : Cornerstone of a Nation.

Reference:
2. Law Commission of India (the fourteenth report) Dhawan Alice Jacob : Selection and Appointment of the Supreme Court Judges.

Paper V - Viva-Voce

At the end of the examination, on any date fixed by the University, the candidate has to appear personally before the external examiner who will be appointed by the University for his/her viva-voce examination, who will assess the performance of the candidate and will award marks. However, if due to unavoidable circumstances, the candidate failed to appear, he/she may appear for viva-voce next year with the LL.M. Part-I examination with the permission of the University.

**LL.M. Part II Examination**

Every candidate offering himself for the LL.M. Part II Examination shall be examined in five papers belonging to any one of the following branches. Out of these four paper shall be of 3 hours duration and carry 100 marks. The Fifth paper shall be of Dissertation and carry 100 marks.

[Signature]

Dy. Registrar (Acad.)
University of Rajasthan
JAIPUR
SYLLABUS LL.M. (ANNUAL SCHEME)

LL.M. Part-II

Branch - I : Corporate, Business and Contractual Laws

Paper - I - General principles of Contract

(a) Indian Contract Act, 1872 (Section 01 to 75)
(b) Specific Relief Act, 1963

Suggested Readings :
1. Leak : Contract
2. Salmond : Principles of the Law and Contract
3. Anson : Law of Contract
4. Street : Introduction to the Law of Contract
5. Pollok & Mulla : Indian Contract and Specific Relief Acts

Paper - II - Special Contracts

(a) Indian Contract Act, 1872 (Section 124 to 238)
(b) Indian Partnership Act, 1932
(c) Limited Liabilities Partnership Act, 2008
(d) Sale of Goods Act, 1930

Suggested Readings :
2. Lindley : Partnership
5. Beal : The Law of Bailments
7. Dutt : Law of Contract
8. Dr. Sanjay Agrawal & Rohoni Agrawal : Limited Liability Partnership Law and Practice

Paper - III - Corporate Laws

(a) Companies Act, 2013
(b) The Competition Act, 2002

Suggested Readings :
1. K.M. gosh : Indian Companies
2. Palmer on Company law
3. Gower : Principles of Company Law
4. Dutt : Company Law
5. Ramappa, T : Competition Law in India
6. Avtar Singh : Competition Law
7. Dr. S.C. Tripathi : Competition Law
8. S.M. Dugar : Competition Laws
9. Chatterji : Competition Law in India and Cartels in Indian & USA
Paper - IV - Law Relating to Negotiable Instruments and Bankruptcy

(a) The Negotiable Instruments Act, 1881
(b) The Insolvency and Bankruptcy Code, 2016

Suggested Readings:
1. Byles : Bill of Exchange
2. Chalmers : Negotiable Instrument
5. Avtar Singh : Introduction to Law of Negotiable Instruments

Paper - V - Dissertation

Dy. Registrar (Acad.)
University of Rajasthan
JAIPUR
SYLLABUS LL.M. (ANNUAL SCHEME)

LL.M. Part - II

Branch - II: Torts & Crime

Paper I - General Principles of Torts & Specific Wrongs

I. General Principles:
Definition and nature; foundation of tortuous liability; general conditions of liability in tort; mental elements in law of torts; general exceptions to liability in tort; discharge of tort; remedies for torts; doctrine of remoteness of damages and joint tortfeasors and vicarious liability.

II. Specific Wrongs:
1. Negligence, Contributory Negligence
2. Innuendo, Defamation
3. Strict and Absolute liability
4. Nuisance
5. Assault, Battery, Nervous Shock
6. False imprisonment, Wrongful Restraint, Mhyem
7. Tort of Malicious Prosecution
8. Tort Relating to Immovable Property
9. Tort Relating to Movable Property
10. Tort Affecting contractual and Business Relations
11. Tort of Injurious falsehood.

Suggested readings:
2. Street: Torts
3. Pollock: on Torts
4. Salmond: The law of Torts
7. Restatement of the Law of Torts
9. Ramaswami Iyer: The Law of Torts
11. Dias & Markensisis: Tort Law
15. Charlesworth: Negligence
16. Daret: Law of Nuisance

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JAIPUR
Paper-II - General Principles of Crime, Offences Relating to State and Public tranquillity, Morality & Specific Offences

- Elements of Crime: Mens rea; Actus reus
- Stages of Crime: Mental and Physical
- General Explanations: Section 6 to 52A
- Of Punishment: Section 53 to 75
- General Exceptions: Section 76 to 106
- Of Abetment: Section 107 to 120
- Criminal Conspiracy: 120A and 120 B
- Offences against State: Section 121 to 124A of I.P.C.
- Offences against Public Tranquillity and Joint Liability: Section 34 to 38, 141, 142, 143 and 149, 146, 147, 156, 159
- Counterfeiting of coins and currency: Section 230, 231, 232
- Offences against Morality.
- Offences against Human Body
- Offences against Property
- Offences against Marriage
- Offence of defamation
- Attempts

Suggested Readings:
1. Bhattacharya T.B. Indian penal Code
2. Harris: Principles & Practice of the criminal Law
5. Raghvan: Law of Crimes
7. Gaur: Penal Law of India
8. Gaur K.D.: Criminal Law Cases and Material

Dy. Registrar (Acad.)
University of Rajasthan
JAIPUR
Paper III - Criminal Procedure

I. General Concepts Relating to Criminal Procedure, Organization of Courts and Prosecuting Agencies:
Definitions, Hierarchy of Criminal Courts and their Jurisdiction, Organization of Prosecuting agencies for prosecuting criminal cases: prosecutors and the police, withdrawal of prosecution.

II. Pre-trial Procedures:
Arrest and questioning of the accused. The rights of the accused. Investigation by I.O., the evidentiary value of statements/articles and the judicial officer in the Police, Right to counsel, Roles of the prosecutor and the judicial officers in investigation, Remand & Confession.

III. Trial Procedures:
The Accusatory System of trial and the Inquisitorial System, Role of the Judge, the Judge, the Prosecutor or and Defense Attorney in the trial. Admissibility and inadmissibility of evidence, expert evidence, Bail, Appeal, Plea-bargaining.

IV. Preventive Measures in India:
Provisions in the Criminal Procedure Code, Special enactments, Public Interest Litigation: Directions for Criminal Prosecution.

Suggested Readings:
4. R.V. Kelkar : Criminal Procedure

Dy. Registrar (Acad.)
University of Rajasthan
JAIPUR
Paper - IV Law Relating to Rehabilitation and Treatment of Offenders

I. Introduction:

II. Punishment:
Constitutionality of Capital Punishment, Judicial Attitudes through the statute law and case law towards capital punishment in India-An inquiry, Law Reforms Proposals.

III. Approaches to Sentencing:
Alternatives to imprisonment Probation, Parole, Corrective Labour, Fines, Collective fines, Reparation of the offenders by the court.

IV. Sentencing:
Principle to sentencing, Main types of sentences in the Penal Code and Special laws, sentencing for white collar crime, Pre-sentence hearing, sentencing for habitual offender, summary punishment, plea bargaining.

Suggested Readings:
5. Law Commission of India, Forty-Second Report, Ch. 3 (1971)

Paper - V - Dissertation
Branch III (Personal Laws)

Paper I- Hindu Jurisprudence (Uncodified Hindu Law) and Codified Hindu Law Relating to Marriage.

Sources, Schools and Application of Hindu Law; Co-ownership, Coparcenary, Property: its Incidents, Management and Alienation; Knys and Pustis; Powers of Partition and Religious and Charitable Endowments.

Nature of Hindu Marriage; Essential Conditions and Solemnization of a Valid Hindu Marriage; Nullity of Marriage; Restitution of Conjugal Rights; Judicial Separation and Divorce-its various Theories and Grounds; Maintenance Pending, Lite and Permanent Alimony.

Suggested Readings:
1. Raghavacharla: Hindu Law
3. Paras Diwan: Hindu Law
4. Mitra: Principles of Hindu Law
5. Mulla: The Principles of Hindu Law
6. G.S.S. Sastri and Bhular: Hindu Law
7. Manu's Institutes: Chapters I, III, VII, VIII, and IX (Sacred Books of the East)
8. Yagadavikya Smriti with Mitakshara, Book I, II, III
9. Vyavahara Mayukha
10. Smriti Chandrika
11. Dattak Mimansa
12. The Dayabagha
13. P.V. Kane: History of Dharmasastras
14. Ganganath Jha: Hindu Law in its sources
15. Sankhala U.C.: Fundamentals of a Divorce Law
16. Maynes: TREATISE ON HINDU LAW AND USAGE
17. West and Buhler: Hindu Law
18. Derris: Duncan: Essays on Classic and Modern Hindu Law; and Death of a Marriage Law
19. All Acts of the Indian Legislature
20. Tagore Law lectures on Marriage, Adoption and Stridhana
22. Sharma, B.K.: Law of Divorce
23. Kesri, UPD: Hindu Law


Minority and Guardianship-Definition of Hindu Minor and Guardian: Kinds and Powers of Guardians.

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Succession—Meaning of Succession, Devolution of Mitakshara Coparcenary Property; Succession in respect of the separate property of a male Hindu dying intestate—Heirs and Distribution of property among them; Hindu Women’s Property; Succession in respect of female Hindu dying intestate—Heirs and Distribution of Property among them; General Rules relating to succession; and Disqualification of heirs.

Suggested Reading:
2. Yagnavalkya Smriti with Mitakshara, Book I, II, III.
3. Vyavahara Mayukha
4. Smriti Chandrika
5. Mulla: The Principles of Hindu Law
6. Dattak Mimansa
7. The Dayabagh
8. P.V. Kane: History of Dammasastras.
9. Paras Diwan: Hindu Law
10. Ganganath Jha: Hindu Law in its sources.
14. West and Buhler: Hindu Law
15. G.S.S. Sastri and Bhular: Hindu Law
17. Trevelyan on Minor.
18. Trevelyan on Hindu Wills.
20. Tagore Law Lectures on Marriage, Adoption and Stridhana.

Paper III—Muslim Jurisprudence and the Law Including Inheritance

Various Phase and Development of Muslim Law; Sources, Schools and Application of Muslim Law; Marriage, Power; Dissolution of Marriage; Guardianship and Custody of Minor Children; Acknowledgement of paternity and legitimacy of children; Pre-Eminion; Hilbe; Will: Waqf; Inheritance.

Suggested Readings:
1. Tawabiji: Mohammedan Law
2. Ameer Ali: Mohammedan Law
3. Abdul Rahim: The Principles of Mohammedan Jurisprudence
4. Sharma Bharan Sarkar: Mohammedan Law
5. B.R. Verma: Mohammedan Law
6. Mulla: Mohammedan Law
7. Fyze A.A.: Outlines of Mohammedan law
8. Schacht: Islamic Jurisprudence
9. Tahir Mehmood: Muslim Law

Paper IV — Other Personal Laws Operating in India


Suggested Readings:
1. Commentaries and Cases of the Supreme Court and High Courts of India.

Paper V—Dissertation

Branch IV (Constitutional Law)


Suggested Readings:
A.B. Keith: Constitutional History of India
G. Banerjee: Indian Constitutional Documents.
A. Jain: Outline of Indian Legal History
M. Langmead: English Constitutional History
Holling: Freedom under the Law.

Paper II—Indian Administrative Law

1. Indian Administrative Law

Section of Powers
Classification of Administrative functions
Rules of natural Justice
Constitution of India - Articles 53, 73, 74, 75, 77, 78
Extracts from Indira Gandhi v. Raj Narai on rule of law separation of powers.
Ram Jawaya v. State of Punjab, AIR 1966 S.C. 549

2. Delegated Legislation
Indispensability
Constitutionality-rule against delegation of essential functions.
Rule-making
Parliamentary control - Committee on Subordinate Legislation
Judicial review
Constitution of India / Article 245
In re-Delhi Laws Act etc AIR 1951, S.C. 332.
Raj Narayan v. Chairman, Patna Administration Committee AIR 1954 S.C. 569
Mohmad Yasin v. Town Area Committee, AIR 1952. S.C. 115
Raja Bulland Sagar Mills Co. Ltd. v. Rampur, Municipal Board AIR 1965, S.C. 897 administrative discretion
Power Discretion
Exercise/non exercise of discretion
Subjective satisfaction
Judicial Control

Licensing:

Judicial Control of Administrative Control. Constitution of India
Articles 226, 227 and 136 writs.

Syed Yakooob v. Radhakrishnan, AIR 1964 S.C. 477
Haringar Sugar Mills v. S.S. Chunhunwal AIR, 1961 S.C.

1962
Administrative enquiries:

Syllabus : L.L.M. • 23
Rohtas Industries Private Ltd. V.R.D. Agarwal, AIR 1962, S.C.
U.P. School Examinatioin Board V. Ghan Shyam AIR 1962 S.C.

Administrative enquiries - redressed of grievances.
Inquiries - inquires commissions.
Lokpal and Lokayukta
The Inquiry Commission Act. 1952
The Shah Commission
The Maharashtra Lokayukta and UP-Lokayukta Act.
The Rajasthan Lokayukta and UP-Lokayukta Act.

Suggested Readings:
1. Griffith and Street : An Introduction Administrative Law
2. Jain and Jain : Administrative Law in India
3. Kagzi, M.C.J : The Indian Administrative Law
5. Kagzi M.C.J. : A case Book on Administrative Law
6. Sathe : The Indian Administrative Law
7. Wede HWR : Administrative Law
8. Bhagwat Prasad Banerjee - Judicial review
10. Craig - Administrative Law

Paper III - Constitutional Law of the United States of America, Switzerland and England
Suggested Reading:
2. Burkik : The Law of the American constitution
3. Vans : Leading Cases on American Constitutional Law
5. Wills : Constitutional Law
6. Freund and Sutherland : Constitutional Law Cases and Other Problems
11. Edward B. Weaver: The President, Officer, and Power.
17. Cooley: Constitutional Limitations.

Paper IV- Constitutional Developments after Independence in India and Inter-State Trade, Services, and Taxes.

Suggested Readings:
10. Glanville Austin: Cornerstone of a Nation.
12. Dr. Gurubax Singh: Supreme Court on Service Law.

Suggested Readings for Branch-V (Property Law):

Paper I: General Principles of the Law of Transfer of Property and History of English Land Law

Suggested Reading:
5. Chatterjee: Transfer of Property.

Paper II: Transfers Inter Vivos, Sale, Mortgage, Lease,

Suggested Readings:
1. Draft: Law relating to Vendor and Purchasers of Real Estate.
2. Williams: Vendor and Purchasers.
3. Coot: Mortgages.
5. Ghose on Mortgages in India.
6. Indian Act on the same.

Paper III: Law Relating to Intellectual Property

Suggested Readings:
5. Lal: Copyright Act.
7. Sarkar: On Trade Mark Law and Practice.
9. Chaddha and Mittal: Supreme Court on Trade Marks, Copyright, Patents and Designs.
10. Roy Chowdhury and Sahrij: Law of Trade Marks, copyrights, Patents and Designs.

Suggested Readings for Paper IV: Law relating to Equity, Trusts and Charities

1. Story on Equity Jurisprudence.
2. Halsbury: Modern Equity.
5. Fy: Specific Performance.
10. Snell: On Equity

Paper V: Dissertation
Branch-VI (International Law)

Paper-I: Protection of Human Rights under International Law
Suggested Readings:
3. Gurudeo Singh: Human Rights & Values

Paper II: Public International Law
Suggested Readings:
1. Oppenheim: International Law.
2. L.C. Green: International Law through the Cases.
5. Lauterpacht: Recognition in International Law.
8. Bishop: International Law-Cases and Material
9. Prof. (Mrs.) S.K. Verma: International Law
10. Stark: Introduction to International Law
11. Akehurst: Modern Introduction to International Law.

Paper III: Private International Law
Suggested Readings:
1. Schmitthoff: English of Law
2. Cheshire: Private International Law
6. Dicey: Conflict of Law

Paper IV: International Organization
Suggested Readings:
2. Evans Meloim D.: International Documents.
3. Prof. (Mrs.) S.K. Verma: International Law.
5. Akehurst: Modern Introduction to International Law.

11. Chester and Field Haviland: Organizing for Peace.

Paper V: Dissertation
BRANCH VII (Labour Law)

Paper I: Labour Law and Labour Management relations in India and Industrial Adjudication
Suggested Readings:
2. Malhotra: The Law of Industrial Disputes
7. The Study Reports to all groups of NCL on Labour Management Relations in India.
8. Indian Trade Unions Act, 1926.
11. V.V. Girli: Industrial Relations 1955
13. Kothari: Study of Industrial Law

Paper II: Law relating to Labour Welfare and Wages
Suggested Readings:
1. Q.L. Kothari: Wages, Dearness Allowances and Bonus.
2. V.V. Girli: Labour Problems in Indian Industry.
Paper V: Dissertations

LL.M. Pt.-1 (Human Rights and Value Education)

The following shall be added after Ordinance 258-A

1. The examination for the degree of Master of Laws-Human Rights and Values shall consists in two parts, Part-I and Part-II and there will be the examination at the end of each year viz. LL.M. Part-I Human Rights and Values examinations at the end of 1st year and LL.M. Part-II Human Rights and Values at the end of the 2nd Year.

2. A candidate who has passed the Bachelor of Laws (P) degrees examination of the University or an examination of some other University recognized by the Syndicate as equivalent thereto securing a minimum of 55% marks in the aggregate or a candidate who holds the LL.B. (P) degree and has also passed any of the Diploma courses of this University in the Faculty of Law with 55% marks in the aggregate at the Diploma examination and thereafter pursued a regular course of study in an affiliated college for one academic year shall be eligible for admission to LL.M. Part-I, Human Rights and Values examination.

3. A candidate who having passed the LL.M. Part-I Human Rights and Values examination of this University has attended a regular course of study in an affiliated college for one academic year shall be eligible for admission to the LL.M. Part-II Human Right and Values examination.

Provided that a candidate who has obtained at least 50% marks in three papers at the LL.M. Part-I Human Rights examinations may be provisionally admitted to the LL.M. Part-II Human Rights Class of the degree of Master of Laws and after attending a regular course of study for one year permitted to appear at LL.M. Part-II Human Rights examinations subject to the condition that along with the papers prescribed for LL.M. Part-II Human Rights examinations he will also re-appear and passed in the paper or papers of LL.M. Part-I Human Rights examination. Such a candidate as well as a candidate who having failed at the LL.M. Part-II Human Right examination re-appear at the same, may re-appear in such paper(s) as he choose for the purpose of making up the aggregate of 50%. However, for the passing the LL.M. Part-I/LL.M. Part-II Human Rights examinations a candidate will be required to fulfill the condition of obtaining a
minimum of 40% marks in each paper and 50% marks in the aggregate of all the papers at the LL.M. Part-I and or LL.M. Part-II examination as the case may be separately. The marks of the papers in which a candidate does not choose to re-appear will be carried forward for the purpose of working out his result. The option once given by a candidate will be treated as final and no change shall be permitted subsequently.

4. A candidate admitted for the degree of LL.M. Human Rights values has to complete his study within 5 academic years from the academic year in which he has taken admission.

5. A candidate would have three additional chances to clear the due papers in immediate subsequent examinations when conducted for the same paper as per the syllabus then in force, failing which he has to clear all the papers of that years as an exit student.

Note: Actual marks obtained by a candidate in the papers in which he re-appears shall be taken into account and the marks obtained earlier in the papers in which he has not re-appeared will be carried forward for working out his result. In carrying forward earlier marks of other papers the marks obtained by the candidate in each paper in the last attempt by him shall be taken in account.

Examination Scheme of LL.M. Human Rights and Values:

Rule 22-A In order to be declared successful at the LL.M. Part-I or Part-II Human Rights examinations, a candidate shall be required to obtain at least 40% marks in each paper and 50% marks in the aggregate of all the papers prescribed for the examination.

Division shall be awarded on the combined result of LL.M. Part-I and LL.M. Part-II Human Rights and Values examinations. All successful candidates who obtain 60 marks of the total aggregate shall be placed in First Division and those who obtain not less than 50% but below 60% of the total aggregate marks shall be placed in II Division.

LL.M. Pt. I (Human Rights and Value Education)

Paper-I Historical and Philosophical Perspectives of Human Rights and Duties.

1. Philosophical Foundations.
   (a) Human Society: Man and society.
   (b) Human Values: Universal, Cultural, Social Dignity, Justice, and Equality
   (c) Moral and Ethical Traditions and Ideas.
   (d) Polity Thought and Ideas.
   (e) Needs of Humankind: material, spiritual


3. The Concept, Meaning and Classification of Rights.

4. Theories of Rights and Duties.
   (a) Natural Rights Theory
   (b) Liberal Theory of Rights
   (c) Legal/Positive Theory of Rights
   (d) Sociological Theory of Rights

5. Rule of Law and Human Rights.
   (a) Concept, Origin and Importance
   (b) Pattern of Rule of Law in society
   (c) Relation of Human Rights and good governance

   (a) Relationship between rights and duties
   (b) Relationship between obligations and responsibilities in relation to the state and society

   Articles 21, 22, 23 & 24

Suggested Readings:

1. UNESCO Philosophical Formulation of Human Rights.
3. Waldron Jeremy, Theories of Rights.
5. Dias : Jurisprudence
7. Hart HLA, Law, Liberty and morality

Paper-II Human Rights and Duties in International and Regional Perspectives

1. Human Rights, Duties and Responsibilities-
2. Some Specific Rights and Duties Recognized by International Law:
   - Convention on Genocide, 1948; Convention on Protection of All Persons from being subjected to Torture and other Cruel or Inhuman Degrading Treatment or Punishment, 1984.

4. International Bill of Rights:
   - (i) Universal Declaration of Human Rights, 1948
   - (ii) International Covenant on Economic, Social and Cultural Rights, 1966
   - (iii) International Covenant on Civil And Political Rights, 1966

5. Regional Conventions/Courts on Human Rights:
   - (i) European Court of Human of Rights, European Commission of Human Rights, Court of Europe.
   - (ii) American Commission and Court of Human Rights.
   - (iii) African Commission and Court of Human and People's Rights.
   - (iv) Human Rights Commission of India and States.

Suggested Readings:

Paper-III Women and Human Rights and Duties


3. International Norms for Protection of Women-
   (i) ILO Conventions for protection of female labour
   (ii) UNESCO Convention against Discrimination in Education, 1960
   (iv) Declaration on the Participation of Women in promoting International Peace and Cooperation, 1982

4. Special Laws and Policies for Protection of Women-

5. Statutory Mechanisms for Protection of Women- Constitutional Mechanism : Legislature, Executive and Judiciary (special contribution of judiciary);
   Statutory Mechanism : National Commission for Women; National Human Rights Commission and State Human Rights Commission (Rajasthan);

Suggested Readings:

6. Rama Mehta, Divorced Hindu Women.
7. ICSSR, Status of Women in Indian Society.
20. UN Convention on the Elimination of all forms of
Suggested Readings:
1. Dr. Gurubax Singh Karkara, Commentary on the Protection of Human Rights, Act, 1993
4. B.P. Singh Sehgal, Law, Juridical and Justice in India (1993)
10. K.P. Saxena, Human Rights, Fifty Years of India's Independence.
12. Upendra Baxi, Violence, Dissent and Development: Law and Social Change
17. V. Y. Sharma, Indian Constitution and Human Rights.

Paper-V (A) Research Methodology [60 marks]
Note : Part I, II and III carry 20 marks each

(A) General-
(i) Nature and scope of legal research
(ii) Formulation of research problem
(iii) Survey and legal research
(B) Methodology:
   (i) Methodological orientation and logic of enquiry
   (ii) Dialectical materialism
   (iii) Comparative method
   (iv) Historical method
   (v) Analytical method
   (vi) Field work
   (vii) Inductive and deductive methods
   (viii) Other research methods.

Part-II

Techniques of Data Collection

(i) Types
(ii) Sources
(iii) Techniques of data collection: observation, interview, questionnaire, interview schedule
(iv) Case study method
(v) Content analysis
(vi) Data analysis: Classification, tabulation, graphic representation

Part-III

(i) Analysis of data-Processing of data-Classification of data.
(ii) Interpretation of data-Necessity of interpretation-Methods of interpretation.

Paper-V (B) (Forty marks)

Use of Computer and Information Technology (Practical paper)

Suggested Readings:
1. S.K. Agarwal, Legal Education in India (1973)
2. N.P. Madhava Menon, A handbook of clinical legal education
3. M.O. Price, Elective legal research
4. Pauline V.Y., Scientific social survey and research.
5. Payne, The art of asking questions.
6. Erwin C. Surrency, A guide to legal research
7. Morris L. Cohon., Legal research in nutshell
8. ILI Publication, Legal research and methodology
9. R.M. Deepak Kumar, Social Research Methodology
10. Jaya Prakash, Research Methodology
11. H.N. Tiwari, Legal Research Methodology
12. C.R. Kothari Research Methodology, Methods and Techniques

Syllabus: LLM. Pt-II (Human Rights and Value Education)

Paper - I International Humanitarian and Refugee Laws
1. Problems in International violence, and civil wars; Humanisation of warfare; Amelioration of wounded and sick during warfare; Four Geneva Conventions.
2. International Humanitarian Law (IHL)- Origin and Development of IHL, Doctrine of Military Necessity Versus the principles of humanity; Role of IHL in non-international armed conflicts; National Perspectives on IHL; Role of International Red Cross, N.G.O., U.N.O. and International Criminal Courts & Tribunals in Implementation and enforcement of IHL.
3. Historical Perspective of International Refugee Law; Determination of Refugee Status under Refugee Convention, 1951 & Protocol, 1967; Protection of Refugees under International Law; Protection of Refugees in India; UNHCR and India.

Suggested Readings:
1. B.S. Chimmi, International Refugee Law
5. Yves Sandoz, Implementing International Humanitarian Law.
6. Rajeev, Dhavan Refugee Law and Policy in India.
Paper-II Human Rights and Criminal Justice System

1. Concept of crime and criminal liability; Role of the courts in dispensing criminal justice; Human Rights Problems requiring the need of criminal Justice-namely police atrocities, violence against women & children, communal and caste violence, terrorism and insurgency.

2. Protection from double jeopardy, self-incrimination, production before magistrate from police custody; fair-trial, speedy trial, representation, appeal, protection from ex-parte orders, legal aid, compensation, rehabilitation.


Suggested Readings:


21. Suggested Readings:

1. Agarwal, Amla, "Human Rights of Women in India and..."

Paper-IV Children and Human Rights & Duties
1. Child Labour in unorganized sector; Child Abuse inside and outside homes, trafficking in children; Children and custodial crimes; Protection of children in Constitution-Art 15 (3), 24, 39(e) (f) and 45.

Suggested Readings:
2. V.R. Krishnan, Iyer: Human Rights and the Law
3. Y.V. Sharma: Indian Constitution and Human Rights
5. P.L. Mehta: Child Labour and the Law
6. S.K. Pachauri: Children and Human Rights
8. Van Boven, G: The International Law on Rights of the Child
9. NHRC: Annual Reports

Paper-V Dissection/Field-based project work
The student shall be required to write a dissertation on any aspect of a human rights and duties problem/situation under the supervision of a member of the faculty/department. He/she shall visit the problem area(s) and study the situation, causes, and solutions, people's responses and his/her own experiences and encounters of human rights violations, if any. He/she shall study the relevant literature and write dissertation on the approved topic with the help of theoretical discussions on research methodology. In the viva-voce examination the examiner shall judge the knowledge of the candidate in research methodology in relation to the subject of dissertation and his/her general knowledge in other areas of human rights and duties.

One Year Diploma Course in Labour Law, Labour Welfare and Personnel Management

Scheme of Examination
R. 21D. For Diploma Course in Labour Law, Labour Welfare and Personnel Management, Candidates must obtain for a pass at least 40% marks in individual papers and 48% in the aggregate. Of the successful candidates, those securing 60% or more marks in the aggregate shall be placed in the First Division and the rest in the Second Division.
Each Paper shall be of three hours duration and carry 100 marks.

**SYLLABUS**

Paper-I Industrial Relations-General, Concept and Emerging Patterns.
- Industrial Relations-General, Concept and Emerging patterns.
- Parties to Industrial Relations-Trade Unions, Management and the State and their interaction.
- Trade Unions-Concept, Growth and Structure with special reference to India, U.K., U.S.A. and U.S.S.R.
- Position of Trade Unions in India-Multiplicity of Trade Unions, Recognition of Trade Unions, Trade Union movements, Central Trade Union Organizations role and functions, role of Trade Union in Modern Industrial Society of India, Trade Union Rivalry and Unfair Labour practices.
- Workers Participation in management and Foreign experience.
- Industrial Relation-Legislative and Judicial Perspectives.
  (a) The Indian Trade Union Act, 1926
  (b) Industrial Disputes Act, 1926
  (c) Industrial Employment (standing order) Act, 1946

**Leading Cases**

N.B.-The students will be imparted teaching of latest case-law of the Supreme Court and the High Courts along with the legislative changes and amendments from time to time.

**Suggested Readings:**
5. J. Henry Richardson: An Introduction of the Study of Industrial Relations.
4. Rural Litigation and Entitlement Kendra Dehaldun v. State U.P.

Suggested Readings:
1. K.N. Valdi: Labour Welfare in India.
2. M.V. Moorty: Principles of Labour welfare
5. The Indian Factories Act, 1948.
7. Employment of Children Act, 1938
8. Contract Labour (Regulation and Abolition) Act, 1970
11. Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979.
12. Miller and Form: Industrial Sociology.
14. B.K. Kuppuswamy: Social Change in India.
15. S.C. Kuchhal: Industrial Economy of India.
17. S.N. Mishra: An Introduction to Labour and Industrial Laws.
18. The Indian Labour year book

Paper III - Wages and Social Security Legislation

Genesis of Wage Regulation:
- Concept of Minimum, Living and Need based Minimum Wages;
- Methods of wage-fixation, Wage Differentials, Working of Wage Boards Standardization of Wages, Factors in Wage Determination,
- Dearness Allowance and Fringe Benefits. National Wage Policy;
- Protection of Wages.
- Development of the concept of Bonus, Issues and perspectives, Concepts of Profit-Sharing.

Legislation
2. Payment of Wages Act, 1936
3. Payment of Bonus Act, 1956
4. Equal Remuneration Act, 1976
5. Workmen Compensation Act, 1923
6. Employees State Insurance Act, 1923
8. Maternity Benefit Act, 1961
9. Payment of Gratuity Act, 1972

Leading Cases:
6. 9 Bava Mills Ltd. v. Regional P.F. Commissioner 1985 I.L.L.J. 238 (S.C.)

N.B.: The Students will be imparted teaching of latest case laws of the Supreme Court of India and the various High Court along with the Legislative changes and amendments from time to time.

Suggested Readings:
- 9 G.C. Hallen: Dynamics of Social Security in India.
- 9 K.N. Subramaniam: Wages in India.
- 9 I.L.O. Nigam: State Regulation of Minimum Wages.
- 9 Workmen Compensation Act, 1923.
- 9 Payment of Wages Act, 1936
- 9 The B.S.I. Act, 1948.
- 9 The B.P.F. Act, 1952
- 9 Payment of Bonus Act, 1956
- 9 Payment of Gratuity Act, 1972
15. V.V. Chitt: Labour Problems in Indian Industry.
18. The Indian Labour Year Book.
19. G.L. Kohli: Wages, Dearness Allowance and Bonus

Paper IV: Personnel Management and Industrial Psychology

Part I: Personnel Management
- Concept of Personnel Management and Personnel Policies.
- Manpower Planning, Recruitment, Selection and Training.
- Induction, Job Placement including worker's education and envisaged by the Central Board of Worker's Education.
- Job Analysis and Evaluation and Performance Appraisal.
- Management of Discipline, Domestic Enquiry and Grievance Procedure.

Role and Functions of Personnel Manager.
Scientific and Technical Advances Vis-a-vis Personnel Management.

Part II: Industrial Psychology
- Motivation and Morale, Leadership Styles and Dynamics.
- Psychology of Attitudes, Hawthorne Experiments and their relevance in India.
- Individual behaviour in Formal and Informal Groups, Interpersonal and Inter-group relationship in organization and their impact on Organization.

Leading Cases:

N.B.-The Students will be imparted teaching of latest case-laws of the supreme Court of India and various High Court along with the Legislative changes and amendments from time to time.

Textual Reading
- Norman R.F. Moor: Industrial Psychology.
- R.D. Agarwal: Dynamics of Personnel Management in India.
- C.R. Mamoria: Personnel Management.


Paper V: Labour Jurisprudence and The I.L.O.
- Concept and Growth of Labour Jurisprudence.
- Labour and Judicial Process and Public Interest legislation.

Tripartis; Voluntarism in Labour Relations and Code of Discipline in Industry.
- I.L.O. & Regional Conferences
- International Labour Standards and Labour Legislations in India.
- I.L.O. Problems and Prospects.

O. and Human Rights in Indian Perspectives.

Cases:
- UP Union for Democratic Rights & Others v. Union of India 1982 III. L.L.J. 454 (S.C.)
- The Delhi Cloth & General Mills Ltd. v. Sambhunath Mukerjee 1988 III. L.L.J. 36 (S.C.)

The Student will be imparted teaching of latest case-laws of the Supreme Court of India and various High Court along with legislative changes and amendments from time to time.
Suggested Readings:
3. Q.A. Johnson : The I.L.O.
9. C.K. Joshi : Indian Tripartite System
12. Govt. of India : Tripartite Consultations.

- Labour Force in organized and Unorganized Sectors-Source composition, Characteristics etc.
- Employment, Un-employment and under employment concept and Development Aspects.
- Labour Turn-Over and Absenteeism
- Unemployment Guarantee Scheme
- Unorganized Labour-Magnitude, Problems and Public Policy on Unorganized Labour
- Integrated Rural Development Programmers and Labour
- Labour in Five Year Plan-Brief Study.
- Industrial Policy Resolution and Development in private and Public Sector
- Industrial development-Heavy, Large, Small-scale, Cottage Industries Location, Finance Planning and Problems.

Year Diploma Course in Criminology and Criminal Administration

Syllabus:
- For the Diploma Course in Criminology and Criminal Administration, Candidates must obtain a pass at least 40% in individual papers and 48% in the aggregate. Of the total marks, candidates, those securing 60% or more marks in the aggregate shall be placed in the First Division and the rest in the Second Division.
- Paper shall be of three hours duration and carry 100 marks.

SYLLABUS

1. General Principles of Criminal Law
- Under the Indian Penal Code (excluding specific offences) and fundamental basis of statutory offences under the Prevention of Adulteration Act, 1954; Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1985; Prevention of Corruption Act, 1988; Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
Suggested Readings:

2. Prof. T. Bhattacharya: Contemp Law, State and Society.
4. Prof. T. Bhattacharya: Indian Penal Code.

Paper II - Criminology

1. Meaning and Scope of Criminal Science.
2. School of Criminology.
3. Contribution of Sutherland.
5. Recidivism.
8. Recent Trends in Crime including the problem of organized crimes.
9. Types of Criminals.
10. Study of Criminal Behaviour of some tribes in India.

Paper III - Penology

2. Forms of punishment with special reference to capital punishment.
3. Penal institutions, Prison system and its reforms in India with special reference recent experiments.
4. Correctional institutions: Workhouses and houses of correction - Juvenile training school, Men's and women's reformatories - Borstal Institutions in India.
5. Parole & Indeterminate sentence.
6. Pardon.

Suggested Reading on Criminology and Penology

5. Pillai: Principles of Criminology lectures 2, 3, 4, 5, 6, 9, 11 and 12.
7. Lambrose, Cassre: Crime, its cause and remedies.
8. Different Reports published by Government of India from time to time.

Syllabus : L.M. - 53

10. New Horizons in Criminology by Barnes and Tatters.
12. Criminology by Bonger.
15. Rationale of punishment by Oppenheimer.
17. Ahmad Siddique: Penology Problems and Perspectives.
18. Female Criminality: A Socio-legal Study.

IV. Forensic Science and Criminal Investigation

The role of Forensic Sciences in Criminal and Civil Cases.
The basic question in investigation Bono; the scene of crime; discovery of traces of physical evidence; classification and reference to classified record; systematization and classification of physical evidence and comparison with suspected material; the principles of exchange: the principles of heredity Taxonomy etc.

Establishment of Identify of Individuals.

Establishment of partial Identify of Individuals: Footprints: nail, skin, blood grouping; physical peculiarities.

Establishment of the Identity of Physical Objects by Shape etc: shoe prints, type and tread marks; die and tool marks; print of fracture marks.

Establishment of the Identity of Physical Objects by Physical Chemical Analysis: Paint; coloured objects; metals; alloys; and the earthen wares; cement; plaster; bricks; soil minerals; etc.

Identification of Documents and the Identification of Handwriting: its types and identification; Inks: pencils and writing handwriting habit and flow; disguised writing; comparison points of identity; samples; various types of forgery and their detection; additions; erasures alterations; seals; rubberstamps; writing; pointing; blocks.

Identification Fire-Arms and Cartridge and Related Problems: types of fire-arms and their use; time and range of firing; identification of a fire-arm with a cartridge case and bullet; miscellaneous fire-arms problems like origin or direction or direction of fire.
VIII Injuries to Persons: Evidentiary value of details of injuries; traces left by the weapon used; its range and direction; danger to clothing whom by the victim and related problems; the flow of blood from injuries; the shape and directions of blood drops and their evidentiary value, the discovery of blood and semen stains on various objects; accidental deaths and suicides.

IX Miscellaneous forensic Science Methods: Restoration of numbers; examination of the walking, picture of footsteps; clothing; copper wire; pieces of wood etc.

X Evidentiary value of Physical Evidence as Evaluated a Forensic Science laboratory viz., Evidence-Falsifiability of eye witness. The probative value of such evidence. Findings of scientific methods of investigation; their probative value, Assessment of Value from actual cases. Value to be assigned to the different types of exhibit.

Paper V: Forensic Medicine and Toxicology

1. Injuries: (Hurt)
   (a) Definition in law (Sec. 319, 320 I.P.C.) Grievous Injury.
   (b) Classification
   (c) Cardiai Fractures of different types of injuries
   (d) Injuries of special regions.
   (e) Age of injuries
   (f) Medico legal aspects.

2. Burns and Scalds:
   (a) Classification of burns
   (b) Causes of death after burns
   (c) Simple and grievous burns
   (d) Area of the body surface in burns and its relationship
   (e) Self-inflicted, accidental, suicidal, homicidal, burns
   (f) Ante-mortem and post-mortem burns

3. Asphyxia and Drowning:
   (a) Cause of asphyxia, post-mortem appearances.
   (b) Various types of violent asphyxial deaths like hanging, strangulation throttling and traumatic asphyxia, and the post-mortem appearances commonly seen in these conditions
   (c) Drowning-Cardinal post-mortem sign
      (i) Cadaveric Spasm of Hand
      (ii) Signs in the air passages
      (iii) Stomach contents
      (iv) Signs in the lags

(v) Demonstration of diatoms in the Viscera

Sexual Offences:

(a) Rape
   (i) Definition (Sec. 375 I.P.C.)
   (ii) Examination of the Victim : Anatomy of Hymen.
   (iii) Positive signs of rape
   (iv) Examination of the accused
   (v) Medico legal aspects.

(b) Sodomy
   (i) Examination of the victim
   (ii) Signs in the habitual passive agent
   (iii) Examination of the accused

Autopsy:

(i) Procedure - Aims and Objects - Difficulties

Problem:

(i) Time scene death—Description of post-mortem changes. Estimation of time since death from rigor post-mortem staining. Putrefaction adipocere formation, mummification, changes in the eyes, skin, printer and secondary relaxation. In drowning cases from flotation of the body. In dead bodies after burial from the degree of digestion of stomach contents. From the change in the cerebra spinal fluid and the narrow cells of the sternum.

(ii) Cause and manner of a death

(iii) Ante-mortem or post-mortem Injuries.

(iv) Examination of human remains, skeletal and mutilated remains. Establishment of age, sex and stature for the purpose of identify.

Infanticide: Definition dead born, still born viable fetus, nora for separate existence.

Neb: Rule and Procedure.

Investigation of blood stains: Physical, Chemical & Serological, Grouping, its basic principles.

Modern concept-classification legal test of insanity.

Insanity: modern concept-classification legal test of insanity. Civil responsibility of a lunatic. Testamentary capacity in an order on petition.

Poisons: Classification of poisons. Diagnosis of poisoning.

Examination of poisoning cases. Brief Toxicology of the following
common poisons-Opium, datura barbiturates, Cannabis Indica, Arsenic, Cooper Sulphate, Lead; Strychnine, Cocain, Alcohol organophorus compounds, carbon monoxide, hydriodic acid, Potassium Syndie, phosphorus, Snake bite.


Suggested Reading for Paper IV and V
4. Police Act; (Act V of 1861)
5. Rajasthan Habital Offenders Act.
6. Rajasthan Police Regulations for Reference purpose only.
9. Dr. Gurdev Singh : Firearms and Ballistics.

Paper VI-Elements of Criminal procedure and Proof in Criminal Trials Cr. P.C.
General including classification of criminal cases-summaries, warrant bailable-non-bailable-non cognizable: Constitution of Jurisdiction of Courts; Complaint & F.I.R. Case: Investigation Procedure; Framing of Charges; Trial Procedure; Security for keeping peace.

Indian Evidence Act. Sections
(i) Burden of Proof - 101-106
(ii) Confession-24-30
(iii) Presumption-114
(iv) Accomplished-133
(v) Relevancy-5-11, 14, 15
(vi) Character Evidence-52-53

(vii) Expert Witnesses: 45, 46 & 51
(viii) Examination in Chief & Cross examination: 145, 153

One year Diploma Course in Legislative Research and Drafting
For Diploma course in Legislatures Research & Drafting, Candidates must obtain for a pass at least 40% marks in individual papers and 48% in the aggregate. Of the successful candidates, those securing 60% or more marks in the aggregate shall be placed in the First Division and the rest in the Second Division.
Each Paper shall be of three hours duration and carry 100 marks.

SYLLABUS

Reference Work Recommended:
- Aspects of Indian Constitutional Law by G.N. Joshi
- Parliamentary Procedure in India by A.R. Mukerjee
- Practice and Procedure of Indian Parliament by S.S. More
- Rules of Procedure and Conduct of Business in Lok Sabha, Published by the Lok Sabha

Paper II- Principles of Legislation

Reference Work Recommended:
- Anathan: Theory of Legislation
- Raw Brown: Underlying Principles of Modern Legislation

Law and Public Opinion in England
- Legislative Methods and Forms
- Study of Law Making in the context of World Legal System.

Law and Procedure with Special of Powers

-added :
- Law on Subordinate Legislation from 1964

Principle of Law in India.
- Published by the Indian Law Institute

Administrative Law of Administrative action by A.T. Markos.

Administrative Law, Case and Comments by W. Geithom and
Paper IV: Legislative Problems solving with special emphasis on available devices for enforcement of legislation, sanctions and remedies.

Reference Work Recommended:
1. The Law of Specific Relief in India by Harnam Singh (Chapter VI, VII, IX and X).
2. Law of Specific Relief by A.N. Gau (Chapters VII and VIII of Vol. II).
3. Dr. Gurbax Singh: Specific Performance.
8. The Legal Processes Basic, Problems in the making and application of Law by H.M. Hart and A.M. Sacks.

Paper V: Technical and Mechanical Phase of Drafting including drafting exercise.

Reference Work Recommended:
1. The Composition of Legislation by E.A. Dredger.
2. Legislative Forms and Procedure by E.A. Dredger.
3. Legislative Drafting by Reed Dickerson.
5. An introduction to Legislative Drafting by P.M. Bakshi.

Note: Only latest editions of the books are recommended.

Paper VI: Interpretation of Statutes

Reference Work Recommended:
1. Maxwell: The Interpretation of Statutes.
2. Beal: Rules of Interpretation.
3. Odgers: Interpretation of Statutes.
4. Narasimhan: Interpretation of Statutes in British India.
5. Prof. T. Bhattacharyya: Interpretation of Statutes.
One Year Diploma Course in Taxation Laws and Practice

SYLLABUS

Paper I – Constitutional Law Problems in Taxation:

The paper provides the students instruction in the provisions of the Constitution which deal tax powers of the Union and the States, the Union State revenue distribution, constitutional limitations general and specific on taxation process. It also provides for a study into the impact of the relevant articulated tax policy formulation embodied in the Directive Principles of State Policy. The Breakup of the paper is as given below:

II. Law and Taxation, Article 265, Act or Ordinance; Article 245, Articles 246, 248. Relevant entries of the Union List (List I) and the State List (List II) of the Seventh Schedule to the constitution.
   Arts. 123 Union of India /s H.S. Dillon. Delegated Legislation, restrictions.
   (i) Raj Narain V/s Chirman, Patna Administration Committee A.I.R. 195, S.C.
   Legislation Procedure for Tax Law:
       Articles 109, 110, 111, 117 and 118.
IV. Uniform Taxation
   Articles 386, Inter State Sales Taxation.
   Gwalior Rayons Ltd. V/s Assistant Commissioner, A.I.R. 1974 S. C.
   Law Commission: Inter - State Sales Tax (Second Rept. 1956)
V. Inter –State Commerce and Taxation Articles 300-304.
   Immunity of Instrumentbilities 285 & 289 V/s Sea Customs etc. A.I.R. 1963, S. C. 1760

Suggested Readings:
1. M. P. Jain: Indian Constitutional Law
   Constitutional Developments since Independence I.L.I (1975)
5. Alice Jacob & S N Jain: Tax: Rental Arrangement, Replacement of Sales Tax, Additional Duties of
Paper II – Commercial Law and Accountancy:

(i) Indian Contract Act, 1872 (Section 1 to 75 for sixty marks- section A)  
(ii) Commercial Accounts especially preparation of Trial Balance, Profit and Loss Account and Balance Sheet (for forty marks Section B)

Suggested Reading
(ii) Battilibo: Elementary Accounts

Paper III- Income Tax and Practice:

Suggested Reading:
Kanga & Palkhivala: The Law and Practice of Income Tax

Paper IV- Direct Tax Laws:

(i) Wealth Tax Act, 1957  
(ii) Foreign Exchange management Act, 2003

Suggested Reading:
(i) Shiv Oopal: Commentaries on Estate Duty Act, 1957  
(iii) Deeip Seth: Treatise on Foreign Exchange Management Act, 2003  
(v) Ayyangar, Sample: The Three New Taxes

Paper V- Indirect Tax Laws

(i) GST Act (12 of 2017)  
(ii) Integrated GST Act 2017 (13 of 2017)

Suggested Readings:
1. Inter-State Trade Barriers and Sales Tax Laws in India, Published by Indian Law Institute, New Delhi.  
10. Vastu and Sevakar Vidhan by Government of India.

Note: 1. More readings for this paper will be notified in due course of time.  
2. Latest edition of text book may be used.

[Signature]  
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Paper VI- Law of Import-Export Regulation


Exim Policy : Changing Dimensions: Investment Policy: NRIs, FIIIs (Foreign Institutional Investors), FIIIs Joint venture, Promotion on foreign trade, Agricultural products, Textile and cloths, Jewellery. Service Sector, Law relating to Customs: Prohibition on importation and exportation of goods, Control of smuggling activities in export-import trade, Levy of an exemption from customs duties, Clearance of imported goods and export goods, conveyance and warehousing of goods.

Regulation of Investment: Borrowing and lending of money and foreign currency, Securities abroad-issue of, Immovable property- purchase abroad, Establishment of business outside, Issue of derivatives and foreign securities-GDR (Global Depositories receipts), ADR (American Depository Receipts) and Uro. Investment in Indian Banks, Repatriation and surrender terms in technology transfer agreements. Automatic approval schemes.

Suggested Readings:
3. Foreign Trade Development and Regulation Act, 1992 and Rules
One Year Diploma Course in Law of Environment Protection

R 21 G-For Diploma Course in Law of Environment Protection.
Candidates must obtain for a pass at least 40% marks in individual papers and 48% in the aggregate. Of the successful candidates, those securing 60% or more marks in the aggregate shall be placed in the First Division and the rest in the Second Division.

Each Paper shall be of three hours duration and carry 100 marks.

SYLLABUS

Paper-I Environment Pollution-Law, Policy and Development Perspectives


Paper-II International Law and Environment Protection


Paper III - Prevention & Control of Pollution Laws

(a) Water (Prevention and Control of Pollution) Act, 1974
- Provisions of the Act-Definitions; Central and State Pollution Control Boards-Powers and Functions; Discharge of sewage and trade pollutants; Offences under the Act; Pollution Control Boards.

(b) Air (Prevention and Control of Pollution) Act, 1981
- Provisions of the Act-Definitions; Pollution Control Boards; Functions and Powers of the Board; Offences under the Act.

Paper-IV Environment (Protection) Act, 1986

- Provisions of the Act-Definitions; Powers of the Central Government under the Act; Duties of the persons handling hazardous substance; Offences under the Act.

Paper V Constitutional & Supplementary Legislation Relating to Environment


Paper VI-Law for the Protection of Forests & Wildlife

(i) The Forest Act, 1927.

(ii) The Forest (Conservation) Act, 1980

(iii) The Wildlife (Protection) Act, 1972

(iv) Cruelty Against Animals Act, 1960

Suggested Readings:

2. Dr. G.S. Karkara : Environment Law, 2005 CLP, Allahabad
11. Enviromental Protection and Pollution Law in 2 Vol., Ed. 2nd, 1st Indian Ed.
12. N. M. Tandon : Environmental Pollution and Relating to Environmental Pollution in India, Ed. 2nd, 2005 Orient
A. SUPPLEMENTARY EXAMINATIONS UNDER THE FACULTIES OF ARTS, FINE ARTS, SCIENCE, MANAGEMENT, HOMEOPATHY LAW, AYURVEDA, AND ENGINEERING & TECHNOLOGY.

RULES FOR THE AWARD OF GRADE MARKS.

1. Undergraduate Graduates (Main Examinations) falling in the aggregate of 25% of the papers prescribed for, the marks will be taken as the minimum marks prescribed for the purpose of determining the number of papers as required by the examination. For the examination, the number of theory papers prescribed for in any examination will be taken as 45% of the total number of theory papers prescribed for the examination. The marks obtained in the examination will be considered, of which, the examination is graded on a 5-point scale.

2. For the examination, the number of practical papers prescribed for in any examination will be taken as 25% of the total number of practical papers prescribed for the examination. The marks obtained in the examination will be considered, of which, the examination is graded on a 5-point scale.

3. For the examination, the number of seminar papers prescribed for in any examination will be taken as 15% of the total number of seminar papers prescribed for the examination. The marks obtained in the examination will be considered, of which, the examination is graded on a 5-point scale.

4. For the examination, the number of examination papers prescribed for in any examination will be taken as 5% of the total number of examination papers prescribed for the examination. The marks obtained in the examination will be considered, of which, the examination is graded on a 5-point scale.

5. For the examination, the number of viva-voce papers prescribed for in any examination will be taken as 5% of the total number of viva-voce papers prescribed for the examination. The marks obtained in the examination will be considered, of which, the examination is graded on a 5-point scale.

6. The aggregate of the marks obtained in the examination, seminar papers, practical papers, and viva-voce papers prescribed for in any examination will be considered, of which, the examination is graded on a 5-point scale.

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36. The aggregate of the marks obtained in the examination, seminar papers, practical papers, and viva-voce papers prescribed for in any examination will be considered, of which, the examination is graded on a 5-point scale.

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B. DIPLOMA IN PHARMACY, BACHELOR OF PHARMACY, B.Sc. (NURSING) AND B.D.S. EXAMINATIONS

1. A Student who obtains the required minimum pass marks in the total aggregate but fails to obtain the minimum pass marks in (i) two subjects, (ii) in one subject and in one practical or (iii) in two practicals, as the case may be, will be given grace marks according to the following scale, provided the candidate passes the examination by the award of such grace marks.

For 1 to 6 marks above the min. aggregate : 2 grace marks
For 7 to 12 marks above the min. aggregate : 3 grace marks
For 14 to 18 marks above the min. aggregate : 4 grace marks
For 19 and above the min. aggregate : 5 grace marks

(i) The theoretical and practical tests (wherever held) in a subject will count as 2 subjects.

(ii) In case it is necessary to secure minimum pass marks in one part of a subject the above rule will be applicable as follows.

"If a candidate fails in the compulsory part of the subject as well as in the whole subject, he will be deemed to have passed in the subject if the greater of the two deficiencies or where the two deficiencies are equal, one of them is covered by the grace marks to which he is entitled under the rules.

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University of Rajasthan
Jaipur

2. No grace marks would be awarded to a candidate who appears in part/supplementary examination.

C. M.B.B.S. AND B.A.R.L.P. (BACHELOR OF AUDIOLOGY, SPEECH AND LANGUAGE PATHOLOGY) EXAMINATIONS

1. The grace marks up to a maximum of 5 marks will be awarded to a student who has failed only in one subject (Theory and/or practical) but has passed in all other subjects.

2. No grace marks would be awarded to a candidate who appears in part/supplementary examination.

General

1. A candidate who passes in a paper/practical or the aggregate by the award of grace marks will be deemed to have obtained the necessary minimum for a pass in that paper/practical or in the aggregate and shown in the marks sheet to have passed by grace. Grace marks will not be added to the marks obtained by a candidate from the examiners nor will the marks obtained by the candidate be subject to any deduction due to award of grace marks in any other paper/practical or aggregate.

2. If a candidate passes the examination but misses First or Second Division by one mark, his aggregate will be raised by one mark so as to entitle him for the first or second division, as the case may be. This one mark will be added to the marks in which he gets the least marks and also in the highest marks at which +1 in the tabulation register below the marks actually obtained by the candidate. The marks
entered in the marks-sheet will be inclusive of one grace mark and it will not be shown separately.

3. Non appearance of a candidate in any paper will make him ineligible for grace marks. The place of a passed candidate in the examination list will, however, be determined by the aggregate marks he secures from the examiners, and he will not, by the award of grace marks, become entitled to a higher division.

4. Distinction won in any subject at the examination is not to be forfeited on the score that a candidate has secured grace marks to pass the examination.

Note: The grace marks will be awarded only if the candidate appears in all the registered papers prescribed for the examination.

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