

# **SHIVAJI UNIVERSITY,**



**Revised Syllabus For**

**LL.B.5 Years Vth Year**

**SEMESTER**

**IX & X**

**Syllabus to be implemented for June 2015 onwards**

## **FIFTH YEAR OF FIVE YEAR LAW COURSE: SEMESTER – IX**

<b>Sr. No.</b>	<b>Paper No.</b>	<b>Subject (Semester-IX)</b>	<b>Total Marks</b>	
35	I	Civil Procedure & Limitation Act	80+20	100
36	II	Law of Evidence	80+20	100
37	III	Labour Law-I (Industrial Laws)	80+20	100
38	IV	Land Laws	80+20	100
39	V	Moot Court Exercise & Internship	30+30+30+10	100

### **Note: For Fifth Year Course-**

Individual pass of heading each paper 50 marks and aggregate 50% for all 5 papers.

### **Civil Procedure and Limitation Act (Semester-IX)**

#### **Paper – I**

#### **Object of the Course:**

Civil Procedure Code is subject of daily use by the courts and lawyers. Students cannot afford to have scant knowledge of civil procedure when he goes out to practice as a lawyer. True that it is through experience one gets expert knowledge of civil procedure. However, it is necessary to have good grounding in the subject before one enters the profession. While the substantive law determines the rights of persons affected by action, judicial decisions will supply the omissions in the law.

The Code of Civil Procedure in India has a chequered history and lays down the details of procedure for redressal of civil rights. Many questions may prop up when one goes to vindicate one's civil rights. The court where the suit is to be filed, the essential forms and procedure for institution of suit, the document in support and against, evidence taking and trial, dimensions of an interim order, the peculiar nature of the suit, the complexities of executing a decree and provision for appeal and revision are all matters which a lawyer for any side is to be familiar with.

A delay in filing the suit, besides indicating the negligence of the plaintiff in effectively agitating the matter on time, may place court in a precarious situation. They may not be in a position to appreciate the evidence correctly. Evidence might have been obliterated. Hence, the statute of limitation fixes a period within which a case has to be filed.

Every law students should have knowledge pertaining to the basic concepts like Bombay Court Fee Act, 1959, The Suit Valuation Act, Civil Manual and The Bombay Civil Courts Act, 1869 .The students should know how the court fee stamp will be fixed, how the ready Reconor is referred and what is the importance of suit valuation.

### **Teaching Learning Methods:**

The teaching methodology suggested for this paper should be clinical/ practical approach to make the students aware of all procedural technicalities alongwith theoretical knowledge.

### **Evaluation Methods :-**

- A) Theory Examination      80 Marks
- B) Internal Assessment      20 Marks (Presentation of Paper/Seminar/Internal Exam)

### **SYLLABUS**

#### **Unit- I: Introduction**

- 1.1 The basic Concepts of civil procedure code
- 1.2 Distinction between decree and judgment and between decree and order Jurisdiction
- 1.3 Suit of civil nature-scope and limits
- 1.4 Res-subjudice and Resjudicata
- 1.6 Place of suing

#### **Unit- II: Institution of Suit**

- 2.1 Parties to the suit : Joinder, mis- joinder or non-Joinder of parties
- 2.2 The rules under civil manual (divorce and judicial separation cases)
- 2.3 Process of suit, Rules under the Suit Valuation Act 1887
- 2.4 Representative suit.
- 2.5 Frame of suit: Importance of cause of action
- 2.6 Summons and modes of service of summons

#### **Unit- III: Pleadings**

- 3.1 Rules of pleading, signing and verification.
- 3.2 Plaint: rules and particulars
- 3.3 Admission of plaint and return and rejection of plaint
- 3.4 Written statement: particulars, rules of evidence
- 3.5 Set off and counter claim distinction
- 3.6 Discovery inspection and production of documents
- 3.7 Interrogatories
- 3.8 Privileged documents
- 3.9 Affidavits

#### **Unit- IV: Appearance, Examination and Trial**

- 4.1 Appearance
- 4.2 Ex-parte procrdure
- 4.3 Summary and attendance of witnesses
- 4.4 Trial
- 4.5 Adjournments
- 4.6 Interim orders: commission, arrest or attachment before judgement, injunction and appointment of receiver.
- 4.7 Interest and costs.

#### **Unit- V: Execution.**

- 5.1 The concept.
- 5.2 General principles (ss.52.54).
- 5.3 Power for execution of decrees.
- 5.4 Procedure for execution (ss.55.54)
- 5.5 Enforcement, arrest and detection (ss.55.59 ).

- 5.6 Attachment (ss.60-64).
- 5.7 Sale (ss.65-97).
- 5.8 Delivery of property.
- 5.9 Stay of execution.

**Unit- VI: Suits, Appeals, Review and Reference**

- 6.1 By or against government (ss.79-82)
- 6.2 By aliens and by or against foreign rulers or ambassadors (ss. 83-87 A)
- 6.3 Public nuisance (ss.91-93)
- 6.4 Suits by or against firm
- 6.5 Interpleader suits
- 6.6 Suits relating to public charities.
- 6.7 Appeals, Review and Reference
- 6.8 Appeals from original decree, appellate decree, Order
- 6.9 Miscellaneous, Transfer of cases, Caveat, Inherent powers of Courts

**Unit- VII: The law of limitation**

- 7.1 Condonation of delay
- 7.2 Expiry of prescribed period when court is closed
- 7.3 Computation of period of limitation
- 7.4 Acquisition of ownership by possession
- 7.5 Extinguishment of right to property

**Unit- VIII: The Bombay Court Fees Act, 1959**

- 8.1 Computation of court fees
- 8.2 refund of fees
- 8.3 The mode of leaving fees
- 8.4 Process fees

**References:**

1. R.N. Choudhary *Law of Limitation* .
2. Gupte & Dighe *Civil Manual*.
3. Mahendra C.Jain *THE BOMBAY COURT FEES ACT, 1959*.
4. Majumdar. P. K. and Kataria. R. P., *Commentary on the Code of civil Procedure 1908* (1998), Universal, Delhi.
5. P.S.Narayana's *Law of Limitation*.
6. A.N Saha *The Code of civil Procedure* (1999),
7. Sarkar's *Law of Civil Procedure*,
8. Dr. Subzwari's *THE CODE OF CIVIL PROCEDURE*,1908.
9. C. K. Thacker, *The Code of civil Procedure* Mulla, *Code of civil Procedure*.

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**Law of Evidence (Semester- IX)**

**Paper – II**

**Objectives of the Course:**

The Law of Evidence is the very basis of the administration of justice. It is the basis of Rule of Law in all democratic states. It is an indispensable Part of both substantive and procedural law. It imparts credibility to the adjudicatory process by indicating the degree of veracity to be attributed to facts before the forum.

This paper enables the student to appreciate the concepts and principles understanding the law of Evidence and identify the recognized form of Evidence and its sources.

The subject seeks to impart the student the skills of examination and appreciation of oral and documentary evidence in order to find out the truth.

The art of examination and cross examination and the shaping nature of burden of proof are crucial topics. In the beginning of the present century several amendments have been made to meet new social conditions. As a result of recommendations by the U.N. General Assembly in 1997, The Information Technology Act, 2000 was passed. It made extensive changes in the act to provide legal recognition to transaction carried out by means of electronic data exchange and other means of electronic communications. The concepts brought in by amendments to the Law of Evidence are significant part of study in this course.

**Teaching Learning Methods:**

Lecture method, group discussion and interactive sessions of learning is the best method of teaching and learning.

**Evaluation Methods:**

- A) Theory Examination      80 Marks
- B) Internal Assessment      20 Marks (Presentation of Paper/Seminar/Internal Exam)

**SYLLABUS:**

**Unit-I: Nature & Functions of the Law of Evidence**

- 1.1 Necessity and Importance of Law of Evidence.
- 1.2 Origin and Development of Law of Evidence during Ancient, Medieval and British Period.
- 1.3 Meaning, Definitions and kind of Evidence.
- 1.4 Salient features of the Indian Evidence Act, 1872.
- 1.5 Rules of Evidence with special reference to other Acts i.e. CPC, Dr. P.C. Bankers Book of Evidence, Information Technology Act.

**Unit-II: The Theory of Relevancy of Facts (Ss1-31)**

- 2.1 Central conceptions in Law of Evidence: (Sections: 1 - 5)  
Evidence, Fact, Facts in Issue, Relevant Facts, Document, Proved, Disproved and Not Proved, Presumptions witness, Appreciation of Evidence
- 2.2 Relevancy of Facts connected with facts in issue (Sec. 6 - 16):  
Doctrine of Resgestac, Occupation cause and effect, Motive, Preparation, Conduct, Identification Parade, Common Intention, Alibi, Proof of Custom, Facts concerning and Business.
- 2.3 Admissions and Confessions (Sec. 17 – 31):  
Definition of Admission, Nature of Admissions, Scope of Admissions, Vicarious Admissions, Proof of Admissions, Definition of confession, Extra Judicial confessions and Differences between Admissions and Confessions.
- 2.4 Retracted confession, Evidentiary Value of confession

**Unit-III: Theory of Relevancy of Statements Judgments and Opinion: (Ss 32-55)**

- 3.1 Relevancy of Statements made by Person Who cannot be called as witness- Dying declaration, evidentiary value of Dying Declaration.
- 3.2 Statements made in different circumstances 32 (2) to 32 (8)
- 3.3 Relevancy of Statements made under special circumstances (Sec34 -39)
- 3.4 Relevancy of Judgments of Courts (Sec. 40 - 44)
- 3.5 Relevancy of Opinion of Third Persons witnesses (Sec. 45 – 51)
- 3.6 Relevancy of Character of the parties in civil cases and criminal

proceedings (Sec. 52 – 55)

**Unit-IV: Various Modes of Proof of Facts (Ss. 56-100)**

- 4.1 Facts which need not to be proved (Ss. 56-58)
- 4.2 Proof of Facts by oral Evidence (Ss. 59-60)
- 4.3 Proof of Facts by Documentary Evidence (Ss. 61-73A)
- 4.4 Kinds of Documents and its proof (Ss. 74-78)
- 4.5 Presumption as to Documents (Ss. 79-78)
- 4.6 Of the exclusion of oral by Documentary Evidence (91-100)
- 4.7 Ambiguous Documents, Latent Ambiguity and patent Ambiguity (Ss. 93-100)

**Unit-V: Production and Effect of Evidence-Burden of proof and Estoppels (Ss. 101-117)**

- 5.1 Meaning of Burden of Proof
- 5.2 General Rules of Burden of Proof (Sec. 101 – 103)
- 5.3 Specific Rules of Burden of Proof (Sec. 104 – 114 A)
- 5.4 Principles of Estoppel (Ss. 115)
- 5.5 Estoppel and Admission, Estoppel and Waiver, Estoppel and Fraud
- 5.6 Estoppel and its applications: Estoppel Record, Deed, Pais Promisory Estoppel, constructive Estoppel.
- 5.7 Estoppel between tenant and land lord, (Ss. 116), Acceptor of bill of Exchange and drawn bailee and bailor.
- 5.8 Licences and Licencer (Ss. 117)

**Unit-VI: Production & Effect of Evidence – Competency and Compellability of witnesses (Ss.118-134)**

- 6.1 Who are competent witnesses?
- 6.2 Of witnesses (Ss. 118-121)
- 6.3 Privileged communication (Ss. 122-132)
- 6.4 Evidence of Accomplice (Ss. 133-134)
- 6.5 Witness protection

**Unit-VII: General Principles of Examinations of Witnesses- various methods (Ss.134-167)**

- 7.1 Examination in chief, cross examination and Re-examination, order of examination witness character, Examination of witness (Ss. 135-140)
- 7.2 Leading questions (Ss. 141-143)
- 7.3 Hostile witness (Ss. 154)
- 7.4 Impeaching the credit of witness (Ss. 155)
- 7.5 Rejection of Evidence (Ss. 167)

**Unit-VIII: Evaluation of Evidence**

- 8.1 In civil and criminal cases
- 8.2 By Tribunals, Administrative Tribunals
- 8.3 By Quasi-Judicial authorities and commissions of Enquiry
- 8.4 By person a Designate
- 8.5 By Disciplinary Authorities
- 8.6 In wills, Appeals, Second Appeal and Revision

**References:**

1. Ratanlal & Dhirajlal; *The Law of Evidence* (1999), Wadhawa & Co., Nagpur.
2. Avatar, Singh; *Principles of the Law of Evidence* (2009), Central Law Publication, Allahabad.
3. Dr. V Krishnamachari; *Law of Evidence* (2006)m S. Gogoa & Company, Hyderabad.

4. P S Atchutan Pillai; *The Law of Evidence* (1984), N M Tripathi Private Limited, Bombay.
5. N K Acharya; *Evaluation of Evidence* (2010), Asis Law House, Hyderabad.
6. Pande, G S; *Law of Evidence* (2009), University Book House, Jaipur.

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## **Labour Law – I [Industrial Laws] Semester- IX**

### **Paper – III**

#### **Objectives of the Course:**

Industry plays a vital role in building the economic structure of a society. Therefore, the importance of labour and Industrial Laws in shaping the economy of a country can not be ignored. We in our country, are mainly embarking upon the industrial and technological advancement, the knowledge of social sciences, Industrial Laws are equally important in regulating the social relationship. As we know Industrial jurisprudence is half law and half sociology, economics and politics. It is both economic and social justice which we change in our Constitution. The Post-independence era witnessed some important developments in the field of labour and Industrial Laws. But as we know, social Engineering is a continuing process, which goes on with the pace of time and here lies the importance of study of Industrial Jurisprudence.

The field by Industrial Laws covers a large number of enactments. There is no single labour code in our country. We have different statutes dealing with different branches of labour and Industrial Laws. The law and practice relating to labour and management is the story of conflict and battle. In this context, the study of Labour Law particularly Industrial Laws, the student should get an insight into the mechanics of socio legal control of labour relations and should be aware of the various labour Acts, the present norms and the emerging areas of possible future techniques and solutions.

#### **Teaching Learning Methods:**

The lecture is a method of exposition. It is particularly used to motive, to clarify, to review the students and expand content of law. The case study and Industrial visit are the good forms of teaching and learning process to understand Labour Laws.

#### **Evaluation Method:**

- A) Theory Examination      80 Marks
- B) Internal Assessment      20 Marks (Presentation of Paper/Seminar/Internal Exam)

#### **SYLLABUS:**

##### **Unit-I: Historical perspective of Industry and Labour**

- 1.1 Industrial Jurisprudence
- 1.2 Labour policy in India
- 1.3 Industrial Revolution in India
- 1.4 Labour problems and Trade Unionism
- 1.5 Industrial peace and Harmony through collective bargaining.
- 1.6 Growth of Labour Legislations in India

##### **Unit-II: Trade Unions Act. 1926**

- 2.1 History of Trade Union
- 2.2 Definition of Trade Union
- 2.3 Registration of Trade Union
- 2.4 Cancellation, Dissolution, amalgamation of Trade Union
- 2.6 General fund, political fund

2.7 Collective Bargaining and Trade Disputes

**Unit-III: Payment of wages Act, 1936**

- 3.1 Nature, scope and object of the Act
- 3.2 Definition of wages
- 3.3 Payment of wages and deductions from wages
- 3.4 Authorities under Act
- 3.5 Miscellaneous, penalty for offences, Trial procedure

**Unit-IV: Industrial Dispute Act, 1947**

- 4.1 Concept, Objectives and various Definitions of Industry
- 4.2 Machinery for settlement of Industrial disputes- works committee, Conciliation officers Board of conciliation, courts of Enquiry Labour courts, Industrial Tribunal, National Tribunals.
- 4.3 Strikes and Lock-outs
- 4.4 Lay-off and Retrenchment
- 4.5 Unfair Labour practices
- 4.6 Settlement of Disputes

**Unit-V: The Industrial Employment (Standing Orders) Act, 1946**

- 5.1 Scope, object and special features of the Act
- 5.2 Application of the Act not application to certain establishment
- 5.3 Standing orders- obligatory up on Employer
  - Procedure for standing order
  - Who are bound by standing orders
- 5.4 Procedure for standing orders
- 5.5 Legal Nature of Standing orders

**Unit-VI: Minimum Wages Act, 1948**

- 6.1 Objectives and scope of the Act
- 6.2 Fair wage and living wage
- 6.3 Fixation of wages, working hours
- 6.4 Procedure for fixing and revising wages
- 6.5 Advisory Board, central Advisory Board
- 6.6 Inspectors, Claims

**Unit-VII: The Industries (Development & Regulation) Act, 1951**

- 7.1 Scope and object of Act
- 7.2 The central Advisory and the Development Councils
- 7.3 Regulation of scheduled industries
- 7.4 Management control or control of Industrial undertakings- Central Government Companies.

**Unit-VIII: The Apprentices Act, 1961**

- 8.1 Object and Scope of Act
- 8.2 Definitions
- 8.3 Apprentices and Training
- 8.4 Authorities under Act
- 8.5 Offences and penalties

**References:**

1. John, Bowers & Simon Honeyball: *Text book on Labour Law* (1996), Blackstone, London.
2. Srivastave, K. D., *Commentaries on Payment of Wages Act 1936* (1998), Eastern, Lucknow.
3. Srivastave, K. D., *Commentaries on Minimum Wages Act 1948* (1995), Eastern Book Company, Lucknow.



4. Srivastave, K. D., *Disciplinary Action against Industrial Employees and its Remedies* (1990), Eastern Book Company, Lucknow.
5. Srivastave, K. D., *Commentaries on Factory Act 1948* (2000), Eastern Book Company, Lucknow.
6. Giri, V. V., *Labour Problems in Indian Industry Chs. 1 and 15*, (1972) Indian Law Institute, Labour law and Labour Relation (1987) (1982) *Cochin University Law Review*, vol. 6pp. 153-210, *Reports of the National Commission on Labour*. Ch. 14-17, 22,23 and 24.
7. Rao, S. B., *Law and Practice on Minimum Wages* (1999), Law Publishing House, Allahabad.
8. Seth, D. D. *Commentaries on Industrial Disputes Act 1947* (1998), Law Publishing House, Allahabad.
9. Sexena, R. C., *Labour Problems and Social Welfare Chapter 1, 5 and 6* (1974)
10. Goswami, V G, *Labour and Industrial Laws*, Central Law Agency, Allhabad.

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## **Land Laws (Semester- IX)**

### **Paper – IV**

#### **Objectives of the Course:**

The present subject Land Laws incorporates three basic land laws viz, Maharashtra Land Revenue Code 1966, Maharashtra Rent Control Act, 1999 and Land Acquisition Act, 1894. The Land Acquisition Act is one of the legislations in request of acquisition of property.

The counterpart to the law of ‘Eminent Domain’ of America or the law of compensation in England is the Law of Acquisition and compensation in India. Like the land clauses consolidation act, 1845 of England, the principle statute in India is the Land Acquisition Act, 1894 which forms the parent Act and is the basis of all Central and State Laws relating to Compulsory Acquisition and compensation payable.

The famous maxim – *salus populi est Suprema lex* i.e. the welfare of the people is ‘Paramount Law’ is the corner-stone of the law of land acquisition. After 44th Amendment Act, 1978 now the right to property is legal right but not fundamental right guaranteed to the citizen under Constitution of India. The main aim or object of the Act is to provide a law, which will enable the Stat to acquire the land of others; however, the power of Government to acquire the land is not absolute. The cardinal rule is that there should be compensation for acquisition of land. The power of the sovereign to take private property for public use and the consequent rights of the owner to compensation are well established in the Act.

The remaining two parts of the subject deals with the Maharashtra Land Revenue Code, 1966 and Maharashtra Rent Control Act, 1999.

The Maharashtra Land Revenue Code, 1966 is not but Consolidated Act of various laws on the subject of Land and Land Revenue, which were in force in different parts of the State of Maharashtra. It collects all statutory enactments on the subject. Apart from this the syllabus includes the Maharashtra Rent Control 1999 which clearly defines the Rent fixation of rent, Recovery of possession, sub tenancies and duties of the landlord. After studying the subject it shall be useful in their life present and past.

#### **Teaching Learning Methods:**

Class Room Teaching is a good method to understand the subject. Interactive session, guest lecturers and paper presentation is added advantage of good forms for teaching and learning.

#### **Evaluation Method:**

A] Theory Examination	80 marks
B] Internal Assessment	20 marks (Seminar/Paper Presentation/Internal Exam)

**SYLLABUS:**

**Part: A] Maharashtra Land Revenue Code, 1966.**

**Unit-I:**

- 1.1 Introduction
- 1.2 Salient features of the code 1966
- 1.3 Central conceptions in the code 1966 (Alienated)
- 1.4 Revenue Areas and Revenue officers (Ss. 3 to 6)
- 1.5 Government Lands and Restrictions on Removal of Natural Products, Trees (Ss. 20 to 28)

**Unit-II:**

- 2.1 Classes of occupants and occupation of un alienated
- 2.2 Restrictions on Transfer of occupancies by Tribal's (Ss. 36 to 40)
- 2.3 Uses to which holder may put his land (Ss. 41,42,44-A,45,49)
- 2.4 Encroachment on Government Lands and Removal or Regularization of encroachments (Ss. 50 to 54 A)
- 2.5 Land Revenue and its Assessment (Ss. 64,67,68,69,72)

**Unit-III:**

- 3.1 Revenue Surveys (Ss. 79 to 87)
- 3.2 Assessment and Settlement of Land Revenue of Agricultural Land and Lands used Non-Agricultural Lands. (Ss.91 to 96, Ss. 99 to 105, Ss. 109 to 115, Ss. 117 to 119)
- 3.3 Record of Rights (Ss. 147 to 154)
- 3.4 Rights in Occupied Land (Ss. 160 to 167)
- 3.5 Methods of Realisation of Land Revenue (Ss. 168 to 223)

**Unit-IV:**

- 4.1 Procedure of Revenue Officers while Conducting Revenue Cases (Ss. 224 to 245)
- 4.2 Appeals, Revision and Review (Ss. 246 to 259)
- 4.3 Maharashtra Revenue Tribunal (Ss. 308 to 326)

**Part: B] Maharashtra Rent Control Act, 1999**

**Unit-V:**

- 5.1 Objectives the Act
- 5.2 Concepts, Definitions and Exemptions (Ss. 3,7)
- 5.3 Fixation of Standard Rent and Permitted Increases (Ss. 8 to 14)
- 5.4 Relief against for feature (Ss. 15)

**Unit-VI:**

- 6.1 Recovery of possession (Ss. 16 to 19 and 22 to 24)
- 6.2 Sub tenancies (Ss. 25 to 27)
- 6.3 Duties of Land Lord (Ss. 29 to 32)
- 6.4 Jurisdiction of Courts, Suits and Appeals (Ss. 33 to 44)

**Part: C] The Land Acquisition Act, 1894 [As applicable in Maharashtra]**

**Unit-VII:**

- 7.1 Nature, Scope and objectives of the Act
- 7.2 Stages in acquisition of Land and preliminary survey
- 7.3 Declaration of Acquisition, Enquiry and Award by collector and taking possession (Ss. 6 to 10, 11 to 15A, 16,17)
- 7.4 Reference to court and Procedure (Ss. 18 to 22)

- 7.5 Matters to be considered and neglected in determining compensation (Ss. 23, 24)

**Unit-VIII:**

- 8.1 Award by the court (Ss. 25 to 28)  
8.2 Re-determination of amount of compensation (28-A)  
8.3 Apportionment and payment of compensation (Ss. 29 to 34)  
8.4 Acquisition of Land for companies (Ss. 38 to 44 B)  
8.5 Land Acquisition, latest amendments

**References:**

1. Choudary, D R and Choudary, A N; *Land Laws in Maharashtra*, CTJ Publications.
2. Gupte, A K; *Land Laws in Maharashtra*, Hind Law House.
3. Mathur, D N; *Maharashtra Land Laws*, Central Law Publications.
4. Ramchandran, V G; *The law of Land Acquisition and Compensation*, Eastern Book Company.

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**Moot Court Exercise & Internship – Semester- IX**

**Paper-V**

**Objectives of the Course:**

This paper will have three components of 30 marks each and a viva for 10 marks.

**Unit-I: Moot Court (30 marks):**

Every student will do at least three moot courts in a year with 10 marks for each. The moot courts work will be on assigned problems and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

**Unit-II: Observance of Trial in two Cases, One Civil and One Criminal (30marks)**

Students will attend two trials One Civil and One Criminal. in the courses of the last 2 or 3 years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment.

**Minimum Period of Internship**

Each registered student shall have completed minimum of 12 weeks internship for Three Year Course stream and 20 weeks in case of Five Year Course stream during the entire period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies as the University shall stipulate, where law is practiced either in action or in dispute resolution or in management.

Provided that internship in any year cannot be for a continuous period of more than Four Weeks and all students shall at least gone through once in the entire academic period with Trial and Appellate Advocates.

- Each student shall keep internship diary in such form as may be stipulated by the University concerned and the same shall be evaluated by the Guide in Internship and also a Core Faculty member of the staff each time. The total mark shall be assessed in the Final Semester of the course in the 4<sup>th</sup> Clinical course as stipulated under the Rule in Schedule II.

**Formal Dress Code during internship:**

- Students placed under internship or in moot court exercise shall have formal dress of legal professional in pupillage as follows: White/Black trouser, white shirt, black tie, black coat, black shoe and black socks. When students have

problems of getting the entire formal dress for any reason, they have to have a white trouser, full sleeve shirt to be tucked in and covered shoe.

- (Optional for Girl students) Black printed saree, with white full sleeve blouse and covered black shoe or Lawyer's Suit with black covered shoe. The organization or Advocate under whom the internee is laced is required to follow suitable dress code.

This scheme will carry 30 marks.

**Unit-III: Interviewing Techniques and Pre-trial Preparations and Internship Diary**  
(30 marks)

Each student will observe two interviewing sessions of clients at the lawyer's office/Legal Aid Office and record the proceedings in a diary which will carry 15 marks, each student will further observe the preparation of documents and court papers by the advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary which will carry 15 marks.

**Unit-IV: There shall be a Viva-Voce examination all the above three components. This carries 10 marks.**

The Viva board consists of the principal concerned college and one external examiner according to strength of the students.

**Reference:**

1. Rai, Kailash: *Moot Court: Pre-Trial Preparation and Participation in Trial Proceedings*, (2009), Central Law Publication, Allahabad.
2. *The Moot Court Book: A Student Guide to Appellate Advocacy (Contemporary legal education series)*
3. <http://www.justice.gov/usao/eousa/kidspage/step4.html>

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## **FIFTH YEAR OF FIVE YEAR LAW COURSE: SEMESTER – X**

<b>Sr. No.</b>	<b>Paper No.</b>	<b>Subject (Semester-X)</b>	<b>Total Marks</b>	
40	I	Law of Crimes-II (Criminal Procedure Code)	80+20	100
41	II	Intellectual Property Laws	80+20	100
42	III	Labour Law-II (Social Security Laws)	80+20	100
43	IV	Principles of Taxation Laws	80+20	100
44	V	Drafting, Pleading & Conveyance	45+45+10	100

### **Note: For Fifth Year Course-**

Individual pass of heading each paper 50 marks and aggregate 50% for all 5 papers.

### **Law of Crimes-II (Criminal Procedure Code) (Semester-X)**

#### **Paper – I**

### **Objectives of the Study:**

The criminal process involves increasing expenditure of government resources. At the same time it confronts a crisis of intrusion into individual rights in order to protect the common weal. Obviously, criminal procedure has to be just, fair and reasonable to the accused as well as to the victims. Undoubtedly the process is to be carried out in an objective manner. Criminal procedure, thus, makes a balance of conflicting interests. This imposes a duty upon those connected with the working of the criminal process to abide by the law and to exercise discretion conferred on them in the best manner. Code of Criminal Procedure, originally enacted years ago, had undergone many trials and experiments, to enormous to be placed within a class room discussion. However, the students should obtain a fair idea how the code works as the main spring of the criminal justice delivery system and should be exposed to the significant riddles of the procedure.

### **Teaching Learning Methods:**

Lectures including class room discussion, inviting experts like judges, senior Advocates for interacting sessions, guest lectures are good teaching learning methods.

### **Evaluation Method**

- A) Theory Examination      80 Marks
- B) Internal Assessment      20 Marks (Presentation of Paper/Seminar/Internal Exam for 10 marks & viva for 10 marks)

### **SYLLABUS:**

#### **Unit-I:      Introductory**

- 1.6      Salient features of the Code
- 1.7      Important Definitions

- 1.8 Functionaries under the Code
  - 1.8.1 The police, the prosecutors, the criminal courts, the defence counsel, Prison authorities and their powers and functions
- 1.9 Classification of offences- Cognizable and Non-cognizable, Bailable and Non-Bailable, Compoundable and Non-Compoundable.
- 1.10 The importance of Fair trial
- Unit-II: Pre-Trial Process-I**
  - 2.1 First Information Report (Ss. 154-176)
  - 2.2 Arrest of persons and Rights of arrested person (Ss. 41 to 60)
  - 2.3 Search and seizure (Ss. 91-105)
  - 2.4 Appearance of accused (Ss. 61-90)
  - 2.5 Magisterial powers to take cognizance
  - 2.6 Investigation by the police (Ss. 154-176)
- Unit-III: Trial Process**
  - 3.1 The concept of Fair Trial, Speedy Trial
  - 3.2 Proceedings before magistrate, Complaint to magistrates and Commencement of proceeding
  - 3.3 Provisions relating to Bail and Bond, Anticipatory Bail (Ss. 436-450)
  - 3.4 Charges in Criminal Trial (Ss. 211-224)
- Unit-IV: Types of Trial**
  - 4.1 Common Features:
    - 4.1.1 Power of courts to summon
    - 4.1.2 Power of courts to order payment of complaint & witness
    - 4.1.3 Commissions for the examination of witness
    - 4.1.4 Arguments, oral and written
  - 4.2 Trial of warrant cases
    - 4.2.1 Trial before Court of Session (Ss. 225-237)
    - 4.2.2 Trial of warrant cases by Magistrates (Ss. 238-250)
  - 4.3 Trial of summons cases by Magistrates (Ss. 251-259)
  - 4.4 Summary Trials (Ss. 260-265)
  - 4.5 Inquiries and Trials (Ss. 266-339)
- Unit-V: Judgment (353-365)**
  - 5.1 Judgment- Meaning and Nature
  - 5.2 Form and content of Judgment (Ss. 354)
  - 5.3 Post conviction orders (360, 361, and 31)
  - 5.4 Compensation and Costs (Ss. 353,362,363)
  - 5.5 Pecuniary and preventive orders
  - 5.6 Modes of providing Judgment (Ss. 353,362,363)
- Unit-VI: Appeals (372-394) Reference and Revision (395-405)**
  - 6.1 Right of Appeal, Appeal against Acquittal, conviction (372- 394)
  - 6.2 References to High Court, Conditions of Reference Procedure.
  - 6.3 Revisional Jurisdiction (Ss. 397-401) Revisional Conditions & Powers of Revisional Courts.
- Unit –VII: Execution, suspension, Remission & Commutation of Sentences (413-435)**
  - 7.1 Concept of various punishment, death punishment, sentence of imprisonment, payment of fine.
  - 7.2 Execution of Death Sentence (415-416)
  - 7.3 Court suspend execution of sentence of imprisonment (424)

- 7.4 Suspension of Sentence (see 432)
- 7.5 Remission of Sentence
- 7.6 Post phonement and communication of Sentence (Ss.415, 416,433-A)
- 7.7 Probation of offenders Act, 1958-Release on probation

**Unit-VIII: Reforms and Preventive Measures of Criminal Procedure**

- 8.1 Preventive action of the Police
- 8.2 Dispersal of Unlawful Assemblies
- 8.3 Provision relating to public nuisance
- 8.4 Recommendations of Law commission of India
- 8.5 Plea Bargaining
- 8.6 Compensatory criminal Jurisprudence

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1. Ratanlal & Dhirajlal: *Criminal Procedure Code*, Universal Publications.
2. Kelkar, R V: *Lectures of Criminal Procedure*, Eastern Book Company.
3. Tondon: *The Code of Criminal Prodedure*, Allahabad Law Agency.
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**Intellectual Property Law (Semester- X)**

**Paper – II**

**Objectives of the Course:**

Intellectual Property being an upcoming issue on the globe in the 21<sup>st</sup> Century because the recent expansion of Network connectivity to the Internet known as ubiquitous allow people to enjoy a number of contents and software stored in the digital forms which are foragide to unauthorised electronic duplication or copy right and patent infringement.

There is much public debaete as to the effectiveness ot the IPR and IP Laws on the Industrial and economic development of the nation. India after joining WTO, started amending the domestic intellectual property laws to satisfy the TRIPS obligation, Indian and Political scenerious are blassed with anxiety as to how the expanded IP laws are going to effect the Indian Society.

In this connection, IPRs have opened new vistas in the life of man sitting in any corner of the globe. Intellectual Peoperty Rights, as noted are of many kinds viz, patents, copy rights, Trade Marks, Designs, Information Technology, Emegergence of E-Commerce and E-Banking and Traditional knowledge and so on.

**Objectives of the Study:**

- To import knowledge of the basic principles underbying the various provisions of the IPR and IPR laws to the students.
- To develop an understanding the various concepts in a comprehensible manner so that the student should have no difficulty to know the real picture of IPR.

**Teaching Learning Method:-**

The teaching methodology suggested for his paper should be a class room teaching i.e. lecture method. The teacher is also advised to take group discussions, seminars, assignments for development of knowledge skills.

**Evaluation Methods :**

- A) Theory Examination      80 Marks
- B) Internal Assessment      20 Marks (Presentation of Paper/Seminar/Internal Exam for 10 marks & viva for 10 marks)

## **SYLLABUS**

### **Unit-I: Introduction**

- 1.1 Meaning, Nature and basic concepts of Intellectual Property Rights
- 1.2 Reasons for Growth and Scope of Intellectual Property Rights.
- 1.3 International concern for Intellectual Property Rights.  
(WIPO) World Intellectual Property Organisation  
(WTO) Agreement of World Trade Organisation  
(TRIPS) Trade Related Aspects of Intellectual Property Rights.  
(TRIMS) Trade Related Investments Measure.  
(UNESCO) United Nations Education, Scientific and Cultural Organisation
- 1.4 The Competing Rationales for Protection of Intellectual Property Rights i.e. Copy Right, Trade Marks, Patents and Designs.
- 1.5 Intellectual Property Rights Regime in India

### **Unit-II: Select Aspects of the Law of Copy Right**

- 2.1 Historical Development of Copy Right.
- 2.2 Meaning and Concept of copyright
- 2.3 Copyright in literary, dramatic and musical work
- 2.4 Copyright in musical and dramatic work and cinematography films
- 2.5 Ownership of copyright
- 2.6 Assignment of copyright
- 2.7 Copy Right and Related Rights
- 2.8 Infringement of copyright by films of literary and dramatic works
- 2.9 Video piracy
- 2.10 Aspects of copyright justice

### **Unit-III: Intellectual Property in Trade Marks**

- 3.1 Concept and Growth of Trade Marks
- 3.2 Registration and Effect of Registration
- 3.3 Authorities under Trade Mark
- 3.4 Infringement and Passing off Action in Trade Mark
- 3.5 Rights of Trade Mark holder
- 3.6 Legal Remedies against Infringement and Passing off Trade Mark

### **Unit-IV: The Law of Intellectual Property – Patents**

- 4.1 Conception of patent
- 4.2 Historical overview of the patents law in India
- 4.3 Patentable inventions with special reference to biotechnology products entailing creation of new forms of life
- 4.4 Process of obtaining a patent: application, examination, opposition and sealing of patents; general introduction
  - 4.4.1 The problem of limited locus stands to oppose, especially in relation to inventions having potential of ecological and mass disasters.
  - 4.4.2 Wrongfully obtaining the invention
  - 4.4.3 Prior publication or anticipation
  - 4.4.4 Obviousness and the lack of inventive step
  - 4.4.5 Insufficient description
- 4.5 Rights and obligations of a patentee
  - 4.5.1 Patents as chose in action
  - 4.5.2 Duration of patent: law and policy consideration



- 4.5.3 Use and exercise right
- 4.5.4 Right to secrecy
- 4.5.5 The notion of abuse of patent rights
- 4.6 Special categories
  - 4.6.1 Employee invention: law and policy consideration
  - 4.6.2 Combination and selection patents
  - 4.6.3 International patents, transfer of technology, know how and problems of self reliant development
  - 4.6.4 Biotechnology Patents
  - 4.6.5 Patents in nuclear power- new varieties of plant breeds and medicinal plants
  - 4.6.6 Compulsory license
- 4.7 Infringement
  - 4.7.1 Criteria of infringement
  - 4.7.2 Onus of proof
  - 4.7.3 Modes of infringement: the doctrine of colorable Variation
  - 4.7.4 Defense in suits of infringement

**Unit-V: Intellectual Property Designs**

- 5.1 Development of Designs Law, Design agreement
- 5.2 Lay out Designs, Industrial Design
- 5.3 Registration and Cancellation of Designs.
- 5.4 Procedure for Registration of Designs.
- 5.5 Rights of Design Holder.
- 5.6 Legal Remedies for infringement of Designer.

**Unit-VI: The Biological Diversity Act, 2002**

- 6.1 Meaning of Biological Diversity.
- 6.2 Relation between IPR and Biological Diversity
- 6.3 Salient features of the Act.
- 6.4 Convention on Biological Diversity (1992)
- 6.5 TRIPS Agreement and Convention of Biological Diversity.

**Unit-VII: The Information Technology Act, 2000**

- 7.1 Meaning, Object and Scope of the Act.
- 7.2 Salient features of the Act.
- 7.3 Global consciousness to Cyber World – UNCITRAL
- 7.4 Cyber Terrorism, Cyber Related Crimes
- 7.5 Internet Copy
- 7.6 Remedies

**Unit-VIII: Traditional Knowledge and its Protection**

- 8.1 Meaning and Importance of Traditional Knowledge
- 8.2 Intellectual Property Protection
- 8.3 Need for protection of Traditional Knowledge
- 8.4 Global and Indian Initiative
- 8.5 Need for Sui Generis Legal Protection and Limitations of Intellectual Property System.
- 8.6 Intellectual Property Remedies under Criminal Law.

**References:-**

- 1) Rodney D Ryder, *Intellectual Property and the Internet*, LexizNexis Batterworths, New Delhi
- 2) Mishra J.P., *An Introduction to Intellectual Property Rights*, Central Law Publications, Allahabad.

- 3) Bhandari M.K., *Law Relating to Intellectual Property Rights*, Central Law Publications, Allahabad
- 4) Myneni SR, *Law of Intellectual Property*, Asia Law House, Hyderabad.

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## **Labour Law-II (Social Security Laws) (Semester- X)**

### **Paper – III**

#### **Objectives of the Study:**

Every society today faces a situation which has never been known before. The unprecedented rise in population growth and unbalanced development of industries has created certain implications. Insecurities of life have increased to a large extent. Hence to protect the individual and society from the uncertainties of future, social security has been adopted as an indispensable national programme. The idea behind the concept of social security is that the state shall be responsible for protecting its citizens against certain contingencies of life. Social security covers both social assistance and social insurance. During contingencies state will provide as per the enactments i.e. Medical care in times of illness, Maternity, Facilities, pension during inability.

The ILO adopted convention on maternity benefits; work means compensation, sickness insurance, minimum wages, income security and medical care. These conventions have been ratified by India. Hence there are number of social security enactments passed by the legislature for the protection of rights of Industrial workers. The concept of social and economic justice is a living concept of revolutionary import; it gives sustenance to the rule of law and meaning and significance to the idea of welfare state. The concept of social justice has become an integral part of industrial law. In India a number of social security legislations have been enacted from of social security legislations have been enacted from time to time. The earliest legislature is the workman compensation Act which ensures payment of compensation in case of personal injury caused by an accident arising out of and in the course of employment, Maternity benefit Act, provident, Employees State Insurance some of the social security legislation.

By studying this subject the student can understand the problems of labour and social welfare in different angles. The object of different social security law clearly provided that how it will be helpful to the workers.

#### **Teaching Learning Methods:**

The lecture is a method of exposition. In this method the student can be motivated for learning. Visiting the Industrial tours, the student can understand the facilities, protection available to the workers.

#### **Evaluation Method:**

- |                        |   |
|------------------------|---|
| A) Theory Examination  | 80 Marks  |
| B) Internal Assessment | 20 Marks (Presentation of Paper/Seminar/Internal Exam for 10 marks & viva for 10 marks) |

## **SYLLABUS:**

### **Unit-I: Industrial Jurisprudence**

- 1.11 Labour Welfare
- 1.12 Need of Social Security
- 1.13 Origin and Growth of Social Security
- 1.14 Labour problems in India
- 1.15 Principles of Social security Legislations (social justice, social equity, social security)

### **Unit-II: Workmen compensation Act 1923**

- 2.1 Nature, scope and objectives of the Act
- 2.2 Meaning of Disablement, Partial Disablement, Total Disablement
- 2.3 Employer is liable to pay compensation, not liable to pay compensation
- 2.4 Remedies available to workman in respect of Injury
- 2.5 Theory of notional extension

### **Unit-III: Factories Act, 1948**

- 3.1 Definitions and Terms- Manufacturing process, occupier, factory and worker etc.
- 3.2 Provisions relating to Health
- 3.3 Provisions relating to safety
- 3.4 Provisions relating to welfare
- 3.5 Special provisions for female workers
- 3.6 Worker liable to punishment

### **Unit-IV: Employees State Insurance Act, 1948**

- 4.1 Application and Scope of the Act
- 4.2 Definitions- Dependants, Employment injury, contribution
- 4.3 Standing committee and Medical benefit council
- 4.4 Employees State Insurance Funds.
- 4.5 Benefits available under employees Insurance Scheme
- 4.6 Adjudication and settlement of disputes

### **Unit-V: Employees Provident Funds and Miscellaneous Provisions Act, 1952**

- 5.1 Object and Scope of Act
- 5.2 Various Definitions in the Act
- 5.3 Kinds of provident Funds
- 5.4 Employees pension scheme
- 5.5 Administration of provident fund scheme
- 5.6 Employees provident funds Appellate Tribunal

### **Unit-VI: Maternity Benefit Act, 1961**

- 6.1 Application of the Act
- 6.2 Women prohibited employment during certain period
- 6.3 Right to payment of Maternity Benefits
- 6.4 Dismissal during absence of pregnancy
- 6.5 Powers and duties of inspectors
- 6.6 Claims

### **Unit-VII: Child Labour (Prohibition and Regulation) Act, 1986**

- 7.1 Objectives of the Act
- 7.2 Prohibition of Employment in hazardous occupation
- 7.3 Regulation of conditions of work of children
- 7.4 Critical aspect of prohibition and Regulation

- 7.5 Child Labour advisor committee
- 7.6 Procedure related to offences

**Unit-VIII: The Unorganized workers and social security Act, 2008**

- 8.1 Meaning of unorganized sector
- 8.2 Identification of unorganized problems
- 8.3 Framing of the Scheme
- 8.4 Central Government Scheme for workers
- 8.5 National Social Security Board
- 8.6 Record Keeping and for Registration, Social Security Benefits

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12. Srivastave, K. D., *Commentaries on Payment of Wages Act 1936* (1998), Eastern, Lucknow.
13. Srivastave, K. D., *Commentaries on Minimum Wages Act 1948* (1995), Eastern Book Company, Lucknow.
14. Srivastave, K. D., *Disciplinary Action against Industrial Employees and its Remedies* (1990), Eastern Book Company, Lucknow.
15. Srivastave, K. D., *Commentaries on Factory Act 1948* (2000), Eastern Book Company, Lucknow.
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18. Seth, D. D. *Commentaries on Industrial Disputes Act 1947* (1998), Law Publishing House, Allahabad.
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20. Goswami, V G, *Labour and Industrial Laws*, Central Law Agency, Allahabad.

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**Principles of Taxation Law (Sem.- X)**

**Paper – IV**

**Objectives of the Study:**

Power to tax has been described as the power to destroy. This idea is being floated often whenever the State introduces a new tax. Is this true? It is not necessary that in order to raise revenue and place the economy on solid foundation, the taxing power should be conferred on the state? The power to tax shall not go unregulated.

In the context of a federal structure the distribution of the taxing powers assumes added significance. It is the fundamental duty of the citizen of this country to pay taxes to the Government. Apart from this, an analysis of the different tax laws enacted in the exercise of these powers with their safeguards and remedies. The legislative enacted different tax laws viz. Income tax Act, central sales tax Act, wealth tax Act, service tax and value added tax recently.

The main objectives of the course is provide knowledge of frame work of taxation system in India

To impart knowledge of the basic principles of underlying the substantive provisions of income tax, wealth tax service tax and value added tax to the student .

To equip students with application of principles and provisions of above tax laws in computation of income and taxation of a person excluding companies under various heads of income and their assessment procedure.

**Teaching Learning Methods:**

Lecture method, group discussion method is appropriate one. Conduction internal examinations, taking the students for visit of Income Tax offices, tribunals added advantage for learning the subject.

**Evaluation Method:**

- A) Theory Examination      80 Marks
- B) Internal Assessment      20 Marks (Presentation of Paper/Seminar/Internal Exam for 10 marks & viva for 10 marks)

**SYLLABUS:**

**Part-A:      **The Income Tax Act****

**Unit-I:      **General Perspective****

- 1.16 History of Tax Laws in India
- 1.17 Fundamental principles relating to tax laws
- 1.18 Constitutional Provisions relating to tax
- 1.19 Scope of Taxing powers of parliament, state legislative and local bodies
- 1.20 Governmental financial policy, tax structure and their role in the National Economy

**Unit-II:      **The Income Tax Act- Concepts****

- 2.1 Concept of Tax: Nature and characteristics of taxes Distinction between Tax and Fee, Tax and Cess, Direct and Indirect Tax, Tax evasion and Tax avoidance, Tax assessment
- 2.2 Basic Concept: Tax Definitions, concept of Income, Assesses, person previous year, Assessment year, Residential Status, Income, Total income, Income not included in total income Deemed income, clubbing income
- 2.3 Basis of charge and Scope of total income
- 2.4 Incomes which do not form part of total Income
- 2.5 Distinction between capital and Revenue Receipts and Expenditure.

**Unit-III:      **The Income Tax Act- Computation of Total Income Under Various Heads.****

- 3.1 Salaries (Ss. 15,16,17)
- 3.2 Income from house property
- 3.3 Profit and gains of business or profession
- 3.4 Capital gains
- 3.5 Income from other sources

**Unit-IV:      **Income Tax Act- Permissible Deductions/Exemptions****

- 4.1 Deductions in respect of payment
- 4.2 Deductions in respect of incomes
- 4.3 Deduction of Tax at sources

**Unit-V:      **Assessment****

- 5.1 Assessment of Individual
- 5.2 Assessment of Hindu Undivided families
- 5.3 Assessment of firms and Associations
- 5.4 Assessment of cooperative societies

5.5 Assessment of Charitable Trust and Religious Trust

5.6 Assessment of Company

**Unit-VI: Income Tax-Authorities and Procedure for Assessment**

6.1 Classes of IT authorities

6.2 Jurisdiction of IT authorities

6.3 Powers and functions of IT authorities

6.4 Procedure for Filing of Returns, E-filing

6.5 Income Tax Tribunal

**Part-B: Central Sales Tax Act and Service Tax Act**

**Unit-VII: Sales Tax**

7.1 Central Sales Tax and State Sales Tax

7.1.1 Sales or purchase of goods

7.1.2 Meaning of sale, sale in the course of inter-state trade and commerce, sale to take place outside a state

7.1.3 Sale in the course of export or import

7.1.4 Charge of Tax

7.1.5 Exemption and rebate

7.1.6 Sales tax authorities

7.1.7 Offences and penalties

7.2 Service Tax

7.2.1 Taxable service

7.2.2 Meaning and importance of service tax

7.2.3 Constitutional perspective

7.2.4 Salient provisions of the service tax law

7.2.5 Valuation of taxable service

7.2.6 Offence and penalties

**Part C: Maharashtra Value Added Tax Act**

**Unit-VIII: Maharashtra Value Added Tax**

8.1 Nature, scope and concept of value added tax

8.2 Registration criterions under M VAT

8.3 Various Authorities under M VAT, Powers and functions

8.4 Filing Returns, interest and penalty under M VAT

8.5 Assessment Provisions, offences and penalties under M VAT

8.6 Appeals and Revision under M VAT

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1. Ramesh, Sharma, *Supreme Court of Direct Taxex (1998)*, Bharath Law House, New Delhi.
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3. Diwan, B K & Sanjay Mehtani, *Formation, Taxation and Assessment Charitable and Religious Trusts (1999)*, Bharath Law House, New Delhi.
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11. Girish, Ahuja and Ravi Gupta, *Systematic Approach to Income Tax and Sales Tax*, Bharat Law House, New Delhi.

**Service Tax and Value Added Tax:**

12. Datey, V S , *Indirect Taxes*, Law and Practice, Taxman Publication, New Delhi.
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**Drafting, Pleading and Conveyance (Semester- X)**

**Paper-V**

**Unit-I: Drafting and Pleading:**

The General principles of Drafting, Pleading and Conveyancing and their relevant substantive rules shall be taught.

**Unit-II: Writing exercises on Drafting and Pleading (Civil & Criminal)**

- 2.1 Pleat
- 2.2 Written Statement
- 2.3 Affidavit
- 2.4 Caveat / Injunction Application / Preliminary issue application / Court Commission / Amendment Application
- 2.5 Execution Petition
- 2.6 Appeal / Revision (Civil)
- 2.7 Petition under Article 226 / Article 32 of Constitution of India
- 2.8 Application u/s Motor Vehicle Act- M.A.C.P.
- 2.9 Divorce Petition – H.M.P.
- 2.10 Pursis / Adjournment Exemption / Application
- 2.11 PIL Petition
- 2.12 Complaint
- 2.13 Bail Application – Regular Bail u/s 439/Anticipatory Bail application u/s 438.
- 2.14 Appeal / Revision (Criminal)
- 2.15 Criminal Miscellaneous Petition-Maintenance Application u/s 125 of Cr. P.C.

**Unit-III: Writing Exercises on Conveyancing [Deeds / Parts of Deed]**

- 3.1 Sale Deed
- 3.2 Mortgage deed
- 3.3 Lease deed
- 3.4 Gift deed
- 3.5 Power of Attorney
- 3.6 Promissory Note
- 3.7 Will & Codicil
- 3.8 Trust deed
- 3.9 Agreement to Sell deed
- 3.10 Partnership deed
- 3.11 Guarantee Bond
- 3.12 Leave & License deed
- 3.13 Adoption deed

- 3.14 Partition Deed
- 3.15 Deed of declaration

**Drafting Pleading & Conveyancing consist of three parts:**

- Part-I: Written Examination 60 marks  
 There is University Examination for 60 marks. The syllabus for written examination is Unit-I, Unit-II and Unit-III
- Part-II: Preparation of Record / Journal 30 marks  
 Drafting and Pleading include 15 Exercises. Each exercise carries 1 mark.  
 The Conveyancing includes 15 exercises. Each exercise carries 1 mark.  
 The Internal marks for 30 will be evaluated by the practical training Teacher of the concerned college as per written exercises submitted by the student.
- Part-III: Viva Voce Exam 10 marks  
 The Viva Voce exam is 10 marks will be assessed by the concerned college Principal or his nominee and one external examiner appointed by the University. The examiner has to see overall performance of exercises written by the student.

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