

# VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY

(Formerly Uttarakhand Technical University, Dehradun Established by Uttarakhand State Govt. wide Act no. 415 of 2005)  
Suddhowala, PO-Chandanwadi, Premnagar, Dehradun, Uttarakhand (Website- [www.uktech.ac.in](http://www.uktech.ac.in))



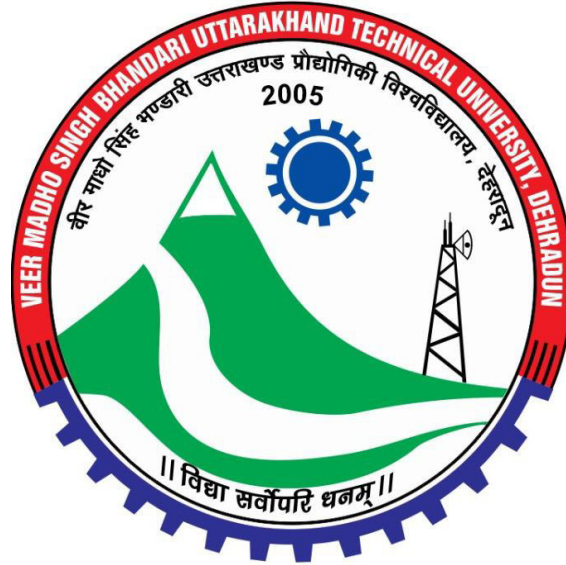
## SYLLABUS

Approved in 13<sup>th</sup> Meeting of Executive Council held  
on 27<sup>th</sup> March 2023 subsequent to the 14<sup>th</sup> Meeting  
of Academic Council held on 20<sup>th</sup> March 2023

(For admission in 2022-23 and onwards)

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## SYLLABUS

For

LL.B

2nd Year

Effective From – Session 2023-24

## **SEMESTER – III:**

| Paper No. | Title of the Paper  | Paper Code                 | Max. Marks |
|-----------|---|----------------------------|------------|
| LUG 301   | Labour and Industrial Law-I   | 4                          | 4:1:0      |
| LUG 302   | Law of Crime Paper-I: Penal Code  | 4                          | 4:1:0      |
| LUG 303   | Family Law-II   | 4                          | 4:1:0      |
| LUG 304   | Company Law   | 4                          | 4:1:0      |
| LUG 305   | Professional Ethics, Accountability of Lawyers and Bar Bench Relation<br><b>Clinical Course- I (Practical Training)</b>   | 4                          | 4:1:0      |
| LAL-001   | Computer Literacy and E-Library<br>(Non credit but qualifying subject of 100 marks. To qualifying learner has to obtain 30 marks out of 100 and no degree will be awarded without qualify this subject. | Non-Credit<br>(Qualifying) | 4:1:0      |

**Note:** Paper Code – LUG-305 entitled, “Professional Ethics, Accountability of Lawyers and Bar Bench Relation (Practical Training)” course will be taught in association with the practicing Lawyers / retired Judges / retired Law Teachers. This paper will carry **04 Credit (Maximum 100 Marks)**. The written examination on this paper (Theory Paper) will be in **descriptive form** and of **three (03) hours duration**, will carry **50 Marks and will be considered external**. The written examination (Theory Paper) shall be held by way of paper with the other theory papers. **The Practical / Viva-voce Examination will carry 50 Marks**. The students shall be given Assignments by the subject teacher. Students will record the answer to all the Assignments by preparing a **Project File**. **The Project File will carry 30 Marks**. **The Project File will be evaluated by the Board of Examiners (constituted of an internal and external examiner, who will be appointed by the University) at the time of Practical / Viva-voce examination**. The Viva-voce will carry **20 Marks**.

## **SEMESTER – IV :**

| Paper No. | Title of the Paper   | Credits | Max. Marks |
|-----------|--|---------|------------|
| LUG 401   | Law of Crime Paper II: Criminal Procedure Code   | 4       | 100        |
| LUG 402   | Administrative Law   | 4       | 100        |
| LUG 403   | Environmental Law  | 4       | 100        |
| LUG 404   | Interpretation of Statutes and Principles of Legislation.  | 4       |            |
| LUG 405   | Labour and Industrial Law-II   | 4       | 100        |
| LUG 406   | Arbitration, Conciliation And Alternate Dispute Resolution<br><b>(Practical Training) Clinical Course-II</b> | 4       | 100        |

**Note:** Paper Code – LUG 406 entitled, “Arbitration, Conciliation and Alternate Dispute Resolution (Practical Training)” will be taught partly through class room lectures including simulating exercise and partly through extension programme like Lok-Adalat, etc. The Course will be taught in association with

**practicing lawyers / retired Judges / retired Law Teachers.** The Class room instructions shall include lessons on the concepts and practice of Arbitration, Conciliation and Alternate Dispute Resolution. This paper will carry **04 Credit (Maximum 100 Marks)**. The written examination on this paper (Theory Paper) will be in **descriptive form** and of **three (03) hours duration**, will carry **50 Marks and will be considered external**. The written examination (Theory Paper) shall be held by way of paper with the other theory papers. **The Practical / Viva-voce Examination will carry 50 Marks.** Students will be required to maintain the **Diary of the Sessional Work** for this paper in which they shall **record the written exercises assigned to them** by the subject teacher during the session and their observations about the field work / training work of Lok Adalat etc. organized by the Law Department of the College / University and attended by them. The **Sessional Diary** will carry **20 Marks** and will be **evaluated by the Board of Examiners at the time of Semester Practical / Viva-voce examination. Twenty (20) Marks** are assigned for the **legal field work** assigned by his / her subject teacher / supervisor carried on by student during the Session. **Such field work will be evaluated by Board of Examiners.** The marks earned by the students for the legal field work during the Session will be conveyed to the University by Board of Examiners (**constituted of an internal and external examiner, who will be appointed by the University**) to be held at the time of Practical / Viva-voce examination. The **Viva-voce will carry 10 Marks.**

**Guidelines:** It is advisable that the Law Department of the College / University should organize field work in such a manner that all the students get an opportunity to participate in field work so that each candidate may be able to attend at least two such field assignments.



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY, DEHRADUN**

**III SEMESTER**

**Syllabus**

**LABOUR AND INDUSTRIAL LAW-I**

**LUG 301**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** This course on Labour and industrial law aims at delineating the aspect of management of labour relations and dispute settlement bodies and techniques.

## **LEARNING OUTCOME:**

1. Students will know the development and the judicial setup of labour laws
2. Students will learn the salient features of welfare and wage Legislations also to integrate the knowledge of labour law

## **UNIT-1: TRADE UNIONS ACT, 1926**

**8HRS**

- a) Trade unionism in India
- b) Definition of trade union and trade dispute
- c) Registration of trade unions
  - 1) Legal status of registered trade unions
  - 2) Mode of registration
  - 3) Powers and duties of registrar
  - 4) Cancellation and dissolution of trade union
  - 5) Procedure for change of name
  - 6) Amalgamation and dissolution of trade union
- d) Disqualifications of office- bearers, rights and duties of office- bearers and members
- e) General and political funds of trade union
- f) Civil and criminal immunities of registered trade union
- g) Recognition of trade union
- h) Collective bargaining.

## **UNIT –II: THE INDUSTRIAL DISPUTE ACT, 1947**

**8HRS**

- a) Industrial dispute and individual dispute
- b) Arena of interaction and participants- Industry, workman and employer
- c) Settlement of industrial dispute
  - 1) Works committee
  - 2) Conciliation machinery
  - 3) Court of enquiry
  - 4) Voluntary arbitration
  - 5) Adjudication- labour court, Tribunal and National Tribunal settlement bodies and techniques
- d) Powers of appropriate Government under the Industrial Dispute Act, 1947
- e) Unfair labour practice

## **UNIT-III: THE INDUSTRIAL DISPUTE ACT, 1947**

**8HRS**

### **INSTRUMENTS OF ECONOMIC COERCION**

- a) Concept of strike & lock-out
- b) Types of strike
- c) legality and justification of strike and lock-out
- d) Prohibition on strikes and lock-out
- e) Illegal strikes and lock-out and penalties

- f) Wages for strikes and lock-out
- g) Analysis of the Concepts and Pre-requisites- Lay off, Retrenchment & Closure

#### **UNIT-IV: EMPLOYEE'S STATE INSURANCE ACT, 1948**

**8HRS**

- a) Historical background
- b) Aims, objects and application
- c) Definitions
- d) Security measures (benefits available)
- e) Employment injury
- f) General rules concerning benefits
- g) Authorities under the Act

#### **UNIT-V THE EMPLOYEES PROVIDENT FUND AND MISCELLANEOUS PROVISIONS ACT, 1952**

**8HRS**

- a) Historical background
- b) Aims, object and application
- c) Definitions
- d) Authorities under the Act

#### **SUGGESTED READINGS**

Statutory Material- Trade Union Act, 1926, Industrial Employment (Standing Orders) Act, 1946 And Industrial Disputes Act, 1947

S.C. Srivastava – Industrial Relations and Labour Law, Vikas Publishing House, New Delhi

Dr. S.C. Srivastava- Labour Law and Industrial Relations

Dr. S.K. Puri, Labour And Industrial Laws

Dr. V.G. Goswami- Labour Law and Industrial Law

S.N. Mishra- Labour And Industrial Law

O.P. Malhotra- Industrial Disputes Act, Vol. I and II

Indian Law Institute- Cases and Materials on Labour Law and Labour Relations



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY, DEHRADUN**

**III SEMESTER**

**Syllabus**

**LAW OF CRIME-PAPER- I: PENAL CODE  
LUG 302**

**L:T:P::4:1:0**

**Credits-4**

**Objective:** Criminal Law maintains law and order in the society and to protect the life and liberty of people. Common men rely on this for protection against all injuries that human conduct can inflict on individuals and institutions. Therefore, penal code cannot afford to be weak, ambiguous and ineffective. Application of criminal law has to be uniform regardless of any discrimination on grounds of class, caste, religion, sex or creed etc. of

either criminal or victim.

Crime and Punishment has been the one of the most important tasks of rule of law of the State. This course is designed with a prime object to familiarize students with the principles of criminal liability and other concepts of substantive criminal law.

### **Learning outcomes:**

1. To enable the learners to understand the basic concepts related to Criminal Jurisprudence.
2. To develop an understanding related to fundamental elements of crime, stages of crime, and kinds of punishment and general exceptions to criminal liability.
3. To develop the ability to understand legal provisions related to offence against human body and property.

### **UNIT-I: Introduction to Substantive Criminal Law 8 HRS**

- a) Deterrent, Retributive, Preventive, Expiatory and Reformatory Theory
- b) Punishment under the IPC: Fine, Life- Imprisonment, Death Sentence
- c) Extent and operation of the Indian Penal Code
- d) Definition of crime and fundamental elements of crime
- e) Stage of a crime; Intention, Preparation, Attempt, Commission (i) Essential soft he attempt, impossible attempt, attempt and preparation distinguished

### **UNIT II: General Explanations and Exceptions (Sec.76-106)**

**8 HRS**

- a) (i) Definition (ii) Constructive joint liability (iii) Mistake (iv) Judicial and Executive acts (v) Accident (vi) Necessity (vii) Infancy (viii) Insanity (ix) Intoxication (x) Consent (xi) Good faith (xii) Private defense
- b) Abetment and Criminal Conspiracy (Sec.107 to 114; Sec 120-A, B)

### **UNIT III: Offences affecting the Human Body**

**8HRS**

- a) Offences affecting life,
- b) Causing of miscarriage injuries to unborn children offence so hurt,
- c) Wrongful restraint and wrongful confinement offences
- d) Criminal Force and Assault
- e) Kidnapping and abduction
- d) Rape and unnatural offences

### **UNIT IV: Offences against Property 8 HRS**

- a) Theft, Extortion, Robbery and Dacoit
- b) Criminal misappropriation and Criminal breach of trust
- c) Cheating, Mischief
- d) Criminal trespass
- e) Defamation, Forgery, Counterfeiting

### **UNIT-V: Offences relating to documents, property and Marriage**

**8HRS**



- a) Forgery and Counterfeiting
- b) Bigamy and Cruelty by husbands and relatives

### **SUGGESTED READINGS**

1. Pillai, PSA, Criminal Law
2. Jeroma Hall, Principles of Criminal Law
3. R.C. Nigam, Criminal Law
4. Ratan Lal & Dhiraj Law, Indian Penal Code
5. K.D. Gaur, Criminal Law cases and materials Criminology



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY, DEHRADUN**

**III SEMESTER**

**Syllabus**

**FAMILY LAW-II**

**LUG 303**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** This course on Family Law is designed to familiarize, train and equip students with comprehensive knowledge on the personal laws operating in Indian society, especially regarding law of inheritance. The law of inheritance comprises rules which govern devolution of property on the death of a person, upon other persons solely on account of their relationship to the former.

**LEARNING OUTCOME:**

- 1.To enable students to develop critical things and learn Muslim law as per globalized academic environment.
- 2.To make students analyze the relationship between Muslim law and secular law.
- 3.To enable students to tackle challenges relating to the interpretation of Muslim law in the present scenario.

**Unit-I**

**8 Hours**

- a. Personal laws and Constitution of India
- b. Applicability of Muslim Law in India
- c. Nature & Sources of Muslim Law, who is Muslim?
- d. Muslim Marriage: Essentials, Option of puberty, Kinds of Marriage under Sunni Law & Shia Law
- e. Mehar: Definition, Concept, Kinds of Dower,
- f. Rights of Wife in case of Unpaid Mehar

**Unit-II**

**8 Hours**

- a. Classification of Divorce

- b. Muslim Women (Protection of Rights on Marriage) Act, 2019
- c. Maintenance Wife under Muslim Personal law, Cr.P.C and Muslim Women (Protection of Right on Divorce) Act,1986
- d. Parentage and, Legitimacy
- e. Kinds and Powers of Guardian

### **Unit-III**

**8 Hours**

- a) Hiba: Definition, Essentials, Kinds and Formalities for a Valid Hiba, Revocation of Hiba.
- b) Will: Definition, Essentials and Kinds of a Valid Will,
- c) Abatement of Legacies, Revocation of Will.

### **Unit-IV**

**8 Hours**

- a) General rules of Inheritance under Sunni and Shia Law
- b) Definition, Classification & Formalities Inheritance under Sunni Law,
- c) Doctrine of WAQF UL- AULAD
- d) Pre-Emption, Kinds of Pre- Emption, Constitutional Validity of right of Pre-Emption

### **Unit-V**

**8 Hours**

- a. IndianSuccessionAct,1925
- b. Applicability
- c. Interstate Succession
- d. Testamentary Succession
- e. Gifts in Contemplation of Death
- f. Probate and Letters of Administration

### **SUGGESTED READINGS**

1. Faizi Mohammadan Law
2. Mulla Principles of Mohammadan Law
3. Paras Diwan Muslim Law
4. Akil Ahamad Muslim Law
5. Mulla-Hindu Law,(18th Ed. 2002)Butter worth Publication
6. Paras Diwan,HinduLaw,AllahabadLawAgency
7. Dr.R.K.Singh, Hindu Law(Hindi), Allahabad Law Agency
8. Kusum & P.P. Sexena, Lecture on Hindu Law, Butter worth Publication.



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY, DEHRADUN**

**III SEMESTER**

**Syllabus**

**COMPANY LAW**

**LUG 304**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** This paper aims at providing insight into formation and winding up of companies besides Corporate Administration. The object of this Act is to provide deep knowledge of various kinds of companies. The primary objective of act is to provide regulate all private investments for the common good of the society and to protect the legitimate interests of genuine investors. The object of Act aims to democratizing and professionalizing company management so to discipline the company manner of working.

**LEARNING OUTCOMES:** After studying the course, the learner would-

1. Understand the concept of company law and corporate personality and various types of companies.
2. Understand the concept of membership of company and varies modes by which membership of company may be terminated.
3. Understand the importance of incorporation of companies and types of companies under company laws.

**UNIT-I: Modes of Formation, Registration and Incorporation of Company. 8 Hours**

- a. Concept of Corporate Personality, Exception to separate legal entity.
- b. Nature and kinds of Company, Process of Formation of Companies.
- c. Meaning of word promoter, Promoters: Position, duties and liabilities under company law.
- d. Mode and consequences of incorporation, Uses and abuses of the corporate personalities; lifting of corporate veil.
- e. Memorandum of Association and Article of association, procedure for alteration of MOA and AOA, Doctrine of constructive notice and doctrine of indoor management- exceptions. And doctrine of ultra-virus.

**Unit II: Capital Formation by companies.**

**08 Hours**

- a. Meaning of Prospectus, Issues, contents of prospectus and Kinds, liability for misstatements in lieu of prospectus.

- b. Nature and classification of company securities, Shares and general principles of allotment.
- c. Statutory share of certificate- its objects and effects, Transfer of shares.
- d. Duties of court to protect interests of creditors and shareholders.
- e. Debentures, kinds, remedies of debenture holders, Dividends- Payment-Capitalization and Profit.

**UNIT-III: Corporate Administration.**

**08 Hours**

- a. Member: Mode of membership; who can be a member.
- b. Cessation of membership; registration of members.
- c. Difference between member and creditors.
- d. Directors- Kinds, Powers and Duties, Position.
- e. Women director and shadow director, Meaning of Insider Trading.

**UNIT-IV: Meetings- Kinds, Procedures and Voting.08 Hours**

- a. Meaning of word meeting, kinds of meeting, minutes.
- b. Provision regarding holding of annual general meeting and extra-ordinary general meeting.
- c. Majority control and minority protection, Prevention of oppression.
- d. Corporate Social Responsibility.
- e. Legal liability of Company- Civil, Criminal, Tortuous and Environmental.

**MODULE-V: Winding up of Company.**

**08 Hours**

- a. Meaning of winding up, dissolution of company.
- b. Kinds, consequences and reasons of winding up and types of winding up.
- c. Role of the Court in process of winding up.
- d. Members voluntary winding up and creditors voluntary winding up.
- e. Liability of Past Members.

**SUGGESTED READINGS**

1. Indian Company Law--- Avatar Singh.
2. Lectures on Company Law--- S.M. Shah.
3. Company Law--- Palmer.
4. Guide to Companies Act--- Ramiaya.
5. Principles of Modern Company Law--- Grover.
6. Company Law--- R.R. Pennington.
7. Company Law Cases and Material--- G.M. Sen.

**ESSENTIAL CASE LAWS**

- 1) Salomon v. Salomon & Co., Ltd., -( Personality of a Company) p. 1
- 2) Ashbury Railway Carriage and Iron Co., Ltd., v. Riche (Object Clause in Memorandum of Association)- p.8

- 3) In Re Jon Beauforte London Ltd., (Memorandum of association)-p.11
- 4) Bell House Ltd., City Wall Properties Ltd., (Ultra Vires)- p. 16
- 5) Dr. A. Lakshmanaswami Mudaliar v. Life Insurance Corporation of India (Object Clause) - p.22
- 6) Royal British Bank v. Trquand( Doctrine of Indoor Management)—p.28
- 7) Free Man v. BuckHurst k Properties Ltd., (Articles of Association) - p.29
- 8) Percival v. Wright (Insider trading) - p.35
- 9) Regal (Hastings) Ltd., v. Gulliver and others. (Insider trading) - p.37
- 10) Newbome v. Sensolid (Great Britain) Ltd., (Duty of Promoters) - p.46
- 11) Natal Land Co., Ltd., Pauline Colliery Syndicate Ltd., ( Duty of promoter)-p.49
- 12) Erlanger v. New Sombrero Phosphate Co., (Duties of Promoters) - p.52
- 13) Gluckstein v. Barnes (Duties of promoters) - p.54
- 14) Lee v. Lee's Air Farming Co., Ltd., ( Personality of a company) - p.58
- 15) Macaura v. Northern Insurance Co., Ltd., (Share holder has no insurable interest) - p.60
- 16) Daimler Co., Ltd., Continental Tyre and Rubber Co., (Lifting of a corporate veil) - p.62
- 17) Re FG Films Ltd., (Lifting up of a corporate veil) -p.67
- 18) Gilford Motor Company v. Home ( Lifting of a corporate veil) - p.69
- 19) Wood v Odessa Waterworks Co., (Binding force of Memorandum and Articles of Association) - p.71
- 20) Eley v. Positive Government Security Life Assurance Co., Ltd., (Binding force of Memorandum) - p.72
- 21) Rayfields v. Hands (Binding force of Memorandum of Association) - p.73
- 22) Allen v. Gold Reefs of West Africa Ltd., ( Alternation of Articles) - p.75
- 23) A-G v. Great Eastern Railway Company, (Object clause) - p.78
- 24) Cotman v. Broughan (Object Clause) - p.78
- 25) Royal British Bank v. Tarquand. (Doctrine of Indoor Management) - p;90
- 26) Mohony v. East Holy ford Mining Co., (Constructive Notice) - p.91



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY, DEHRADUN**

**III SEMESTER**

**Syllabus**

**PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM**

**LUG 305**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** This course aims at familiarizing the students of law about the ethical aspects of legal profession and essential etiquettes for legal practitioner to be observed at the Bar. More so accountability and transparency are sine qua non for the profession and cordial Bar Bench relations reflects depth and richness of this profession. Students are expected to imbibe these subtle nuances so that they emerge as responsible citizens and good lawyers.

Lawyers are supposed to perform an important function of helping people to abide by the law. They are officers of courts and supposed to help them arrive at the truth and just resolution of disputes. In the successful operation of the lawyers to the cause of Justice, various ethical questions arise.

### **LEARNING OUTCOME:**

1. To acquaint social background of the lawyers.
2. How far career opportunities in the profession are determined by their caste/class/sex context and public relations backgrounds?
3. How for legal profession is apprised of the law as an instrument of social change?
4. How far it can participate meaningfully in the transformation effort?
5. What ethical standards are expected of the lawyers and how are such standards enforced?

### **Unit I: Historical Development**

**8 Hours**

- a) Early Development.
  - i. Were there lawyers in Ancient India?
  - ii. Role of jurists in development of Hindu Law, Mohammedan Law.
  - iii. Origin of Common Law lawyering in India or legal Profession in India
  - iv. Origin of Legal Education in India.
- b) The Legal Practitioners Act, 1879.
- c) The Chamier Committee and the Indian Bar Council Act, 1926.
- d) The Advocate Act, 1961.
- e) State Bar Councils.
- f) The Bar Council of India
- g) Lawyers in politics- lawyers at the forefront in the national movement for Independence?
- h) Lawyers in the Constituent Assembly- Successive Parliament.

### **Unit- II Social Profile of Lawyers** 8 Hours

- a) Types and classes of Lawyers
- b) Class/ Caste/ Education/ Sex composition of the Bar.
- c) How far have underprivileged groups such as SC/ST advanced in the profession.
- d) Women Lawyers- Opportunities and handicaps.
- e) Lawyers Role in Accelerating and facilitating the social change visualized by the Indian Constitution
- f) Professional Ethics and Professional Duty

**Unit -III: Legal and Professional Ethics-Role Allocation for the Legal Profession in Independent India  
8 Hours**

- a) Judicial Review, Public Interest Litigation
- b) Advocates Act- Bar Council of India, State Bar Councils
- c) Right to Legal Aid.
- d) Monopoly of Representation
- e) Exclusion of Lawyers
- f) Self-representation by Litigants.
- g) Reciprocity as Partners in Administration of Justice- Bench Bar Relations
- h) Rights, Privileges and Duties of Advocates viz. duty to court, duty to client, duty to opponent, duty to colleague, duty towards society and obligation to render legal aid.
- i) Legal Profession and Strike- Conduct of Advocates.

**UNIT -IV: Contempt of Court/Professional Misconduct and Control 8 Hours**

- a) The Contempt of Court Act, 1971.
- b) Contempt proceedings against lawyers.
- c) Procedure- Supreme Court and High Court rules to regulate contempt cases.
- d) Functions of the Bar Councils.
- e) Disciplinary committees- tribunals.
- f) Appeal to the Supreme Court, etc.
- g) Professional Misconduct- Power and Procedure of Disciplinary Committee.
- h) Necessity for an Ethical Code
- i) Lawyers Role in Accelerating and facilitating the social change visualized by the Indian Constitution

**UNIT -V: Accountability and Role Conflicts**

**8 Hours**

- a) Role conflicts and accountability in relation to Legal Education-
  - i. The Bar Council of India and
  - ii. the University Grant Commission.
- b) 10 Major judgments of the Supreme Court of India to be discussed and analyzed.
- c) 10 Selected opinions of the Disciplinary Committees of Bar Council of India

**Note:** Paper Code–LUG 305 entitled, “Professional Ethics, Accountability of Lawyers and Bar Bench Relation (Practical Training)” course will be taught in association with the practicing LawyersretiredJudgesretiredLawTeachers.Thispaperwillcarry**04 Credit (Maximum100Marks)**. The written examination on this paper (Theory Paper) will be in **descriptive form** and of **three (03) hours duration**, will carry **50 Marks and will be considered external**. The written examination (Theory Paper) shall be held by way of paper with the other theory papers. **The Practical Viva-voce Examination will carry 50 Marks**. The students shall be given Assignments by the subject teacher. Students will record the



answer to all the Assignments by preparing a **Project File**. The **Project File** will carry **30 Marks**. The **Project File** will be evaluated by the **Board of Examiners** (constituted of an internal and external examiner, who will be appointed by the University) at the time of the **Practical Viva-voce examination**. The **Viva-voce** will carry **20Marks**.

### **SUGGESTED READINGS**

1. Challenges to Legal Profession- Law and Investment in Developing Countries--- P.N. Bhagwati.
2. Sociology of Legal Profession and Legal System--- J.B. Gandhi. 1987.
3. Upendra Baxi, "The Pathology of Indian Legal Profession", 13 Indian Bar Review. 455 (1986).
4. Administrative Law--- S.P. Sathe.
5. Legal Ethics-Accountancy for Lawyers and Bench and Bar Relations ---Dr. Kailash Rai.
6. Supreme Court Practice and Procedure--- R.R. Aggarwala.
7. Legal and Professional Ethics---P. Ramanatha Iyer.
8. The Limitation Act--- B.B. Mitra.
9. Advocacy--- Krishnamurthy Iyer.
10. Advocate Act, 1961.
11. The Contempt of Court Act, 1971.
12. Pleading, Conveyancing and Drafting and Legal Professional Ethics--- A.N. Chaturvedi.

### **ESSENTIAL CASE LAWS**

1. A.M. Mathur v. Pramod Kumar Gupta, 1990(2) SCC, 533.
2. Bar Council of Maharashtra v. M.V. Dabhulkar 1976 (1) SCR 306 also 1976(2) SCR 48.
3. Hanraj L. Chulani v. Bar Council of Maharashtra, 1996 (3) SCC 342.
4. K. Daniel v. Hymavathy Amma, AIR 1985 Ker.322.
5. Advocate Genl Bihar v. Patna High Court, 1986 (2) SCC 577.
6. P.D. Gupta v. Ram Murti, 1997 (7) SCC 147.
7. H.D. Srivastava v. G.N. Verma 1977 (2) SCR 6011.
8. Mangilal v. State of M.P. 1994 (4) SCC 564.
9. Harish Uppal v. Union of India. AIR 2003 SC 793.
10. Copeland v. Smith 2000 (1) All.E.R. 457.
11. In the matter of 'P' an advocate AIR 1963 SC 1313.
12. R.D. Saxena v. Balram Prasad AIR 2000 SC 2912.
13. Indian Council of Legal Aid v. Bar Council of India. AIR 1995 SC 691.
14. In Re Sanjiv Dutta 1995 (3) SCC 619.
15. Vikas Deshpande v. Bar Council AIR 2003 SC 309.
16. State of Bihar v. Kripalu Shankar, AIR 1987, SC 1554.
17. Supreme Court Bar Association v. Union of India, AIR 1983 SC 1895.
18. In re Ajay Kumar Pandey Advocates AIR 1998.
19. In re S. Mulgaokar AIR 1978 SC 990.



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY, DEHRADUN**

**Syllabus**

**COMPUTER LITERACY AND E-LIBRARY**

**(IAA 001/IAM 001/LAL 001)**

**L: T:P: 4:1:0**

**Credits-4**

**OBJECTIVE:** It is a qualifying course aimed at equipping law students with the critical skill set required to deal with the ever-changing scenario in the IT sector. The curriculum is designed in such a way that, it not only

educates an individual with basic skill set but also enhances the ability to easily understand the new changes in the dynamic IT sector. The course can also be considered as an ideal course for re-skilling and technical advancement of an individual. After completion of the course, the Fellow is expected to be equipped with not only legal research skills but also develop an understanding of the latest technologies and e-Governance applications.

**OUTCOMES:** At the end of this course-

1. Learner will be able to understand computers, understanding its components and its applications.
2. Learner will be able to acquire skills in Word Processing Basics.
3. Learner will be able to acquire skills in creating and developing a presentation and its features.
4. Learner will be able to access the online platform for legal research.

**UNIT-I: Introduction to Computer and Basic Concepts:**

**8 Hours**

- a) What is Computer: Characteristics of Computer System,
- b) Basic Applications of Computer: Processing Unit, Keyboard, mouse and VDU, Other Input devices, Other Output devices, Computer Memory;
- c) Concept of Hardware and Software: Hardware, Software, Application Software, Systems software, Programming Languages; Representation of Data/Information; Concept of Data processing;

**UNIT-II: Word Processing:**

**8 Hours**

- a) Word Processing Basics: Opening Word Processing Package, Menu Bar, Using the Help, Using the Icons Below Menu Bar;
- b) Opening and closing Documents: Opening Documents, Save and Save as, Page Setup, Print Preview, Printing of Documents;
- c) Text Creation and manipulation: Document Creation, Editing Text, Text Selection, Cut, Copy and Paste, Spell check, Thesaurus;
- d) Formatting the Text: Font and Size selection, Alignment of Text, Paragraph Indenting, Bullets and Numbering, Changing case;
- e) Formatting a document: Set page margin, paragraphs and sections within a document, adjust indents and hanging indents;
- f) Table Manipulation: Draw Table, changing cell width and height, Alignment of Text in cell, Delete / Insertion of row and column Border and shading, Table Formula;
- g) Inserting Graphic Elements: Insert a clip art picture, insert symbols and special characters, adding a watermark; Using word art; adding a drop cap;

- h) Mail Merge: Using mail merge; printing mailing labels; merging for sending emails using outlook.
- i) Macros, Use of local language

**UNIT-III: Presentation:**

**8 Hours**

- a) Basic Concepts of presentation: Using PowerPoint, Opening A Power Point Presentation, Saving A Presentation;
- b) Creation of Presentation: Creating a Presentation Using a Template, creating a Blank Presentation, Entering and Editing Text, Inserting and Deleting Slides in a Presentation;
- c) Preparation of Slides: Inserting Word Table or An Excel Worksheet, Adding Clip Art Pictures, Inserting Other Objects, Resizing and Scaling an Object;
- d) Presentation of Slides: Viewing A Presentation, Choosing a Set Up for Presentation, Printing Slides and Handouts;
- e) Slide Show: Running a Slide Show, Transition and Slide Timings, Automating a Slide Show.

**UNIT-IV: Online and Offline Searching:**

**8 Hours**

- a) Web Searching.
- b) Advanced Internet Searching.
- c) Search through Meta Search Engines.
- d) Offline Databases.
- e) Internet and E-mail

**UNIT-V: Various Platforms of E-Library: National & International Online Legal Research Databases:  
8 Hours**

- a) SSC ONLINE
- b) Manupatra
- c) Westlaw International
- d) HEINONLINE
- e) LexisNexis
- f) JSTOR
- g) E-Hart

**SUGGESTED READINGS:**

1. James F. Kurose, Keith W. Ross, "Computer Networking - A Top-Down Approach Featuring the Internet." Pearson Ltd. 2013

2. Andrew Tanenbaum, "Computer Networks.", Prentice Hall, 1989
3. Colin Lankshear, "Digital Literacies: Concepts, Policies and Practices.", Peter Lang, 2008



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY, DEHRADUN**

**IV SEMESTER**

**Syllabus**

**LAW OF CRIME-PAPER- II: CRIMINAL PROCEDURE CODE INCLUDING PROBATION OF OFFENDERS ACT & JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT**

**LUG 401**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** Procedural Law providing for a fair procedure is significant for a just society. The course is aimed at driving home to the students how the pre-trial, trial and the subsequent process are geared up to make the administration of criminal justice effective. The course will acquaint the student with the organization of the functionaries under the Code, their power and functions at various stages and the procedure according to which these powers and functions are to be exercised. The students will also undertake the study of two cognate Acts as a part of this course viz.; the Juvenile Justice Act and the Probation of Offenders Act. In addition, the course teacher shall endeavor to familiarize the students with the case paper like FIR, Police statements, charge sheets etc.

**Learning Outcomes:** 1. To make the learner aware about the procedure involved in Functioning of Criminal Courts in India.

2. To help the learner comprehend the process of Institution of Criminal Cases in courts till its conclusion.

3. To make the reader able to appreciate the object & scope of special legislations like Probation of Offenders Act & Juvenile Justice act, so as to differentiate between offenders on rational basis & know about the rights.

**Unit-I: Introduction****8 hrs**

- a. Concept and types of Criminal Justice Systems.
- b. The functionaries under the Code: Their duties, functions and powers.
- c. Extent & Applicability of Criminal Procedure Code
- d. Meaning of Compoundable & Non- Compoundable Offences, Metropolitan areas
- e. Meaning of Cognizable, Non-Cognizable Offences, Bailable & Non-Bailable Offences, Summons & Warrant Case, Victim, Public Prosecutor, Assistant Public Prosecutor.
- f. Hierarchy and Powers of Criminal Courts under the Code.

**Unit-II: Provision for Investigation****8 hrs**

- a) Meaning & Components of Investigation.
- b) Registration of FIR, Arrest, Search and Seizure, Warrant of Arrest
- c) Examination of Witness by Police, Power of Police Officer to investigate Cognizable & Non-Cognizable Offences, Recording of Confessions & Statements under Sec.164 CrPC.
- d) Procedure when investigation not completed in 24 hours, Case Diary
- e) Charge-Sheet & its components.

**Unit-III: Commencement of Proceedings before Magistrate****8 hrs**

- a) Cognizance of Offences by Magistrates & the grounds for taking Cognizance
- b) Limitations on taking Cognizance of Offences by Magistrates
- c) Procedure for dealing Complaints to Magistrates
- d) Commencement of Proceedings before Magistrates & Post-Cognizance Proceedings

**Unit-IV: Trial & Execution Proceedings****8 hrs**

- a) Meaning of Trial & Kinds of Trial under the Code
- b) Meaning of Charge-
  - i. Contents of Charge
  - ii. Effect of Error in Charge
  - iii. Alteration of Charges
  - iv. Joinder of Charges
- c) Trial before a Court of Session
- d) Trial of Warrant Cases by Magistrates
- e) Trial of Summons Cases by Magistrates & Summary Trial
- f) Provision for Bail
- g) Judgment of Case- Language & its Contents

- h) Appeal, Reference & Revision
- i) Execution, Suspension, Remission & Commutation of Sentences

**Unit V: Miscellaneous Provisions**

**8 hrs**

- a) Transfer of Criminal Cases
- b) Maintenance of Wives, Children & Parents
- c) Limitations for taking cognizance, Plea Bargaining
- d) Security for Peace & for Good Behaviour
- e) Maintenance of Public Order & Tranquility
- f) Probation of Offenders Act, 1958
  - i. Concept of Probation System-Origin & Development in India
  - ii. Release of Offenders on Probation
  - iii. Admonition under the Act
  - v. Appeal & Revision
- g) JJ Act, 2015 as amended by Juvenile Justice (Amendment) Act, 2021
  - i. Meaning of Juvenile
  - ii. Powers, Functions & Composition of JJ Board
  - iii. Institutions under JJ Act
  - iv. Appeal & Revision
  - v. Adoption

**SUGGESTED READINGS**

1. Rattan Lal & Dhiraj Lal---Code of Criminal Procedure
2. R.V. Kelkar---Code of Criminal Procedure
3. Chandra Sekharan Pillai, Kelkar---Lecturer on Criminal Procedure, 1998 Eastern Book Co.
4. Woodroffe---Commentaries on Criminal Procedure Code, 2000 Universal
5. Sarkar---On Criminal Procedure Code
6. N.K. Chakrabarti-Probation System in the Administration of Criminal Justice
7. Ved Kumari-Juvenile Justice System.
8. S.N. Mishra---Code of Criminal Procedure.
9. Ganguly---Criminal Court, Practice and Procedure.



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY, DEHRADUN**

**IV SEMESTER**

**Syllabus**

**ADMINISTRATIVE LAW**

**LUG 402**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** This paper aims at making students of law aware of myriad dimensions of administrative law including quasi-legislative, quasi-judicial and other ministerial functions of administration and control thereof.

**Learning Outcomes:**

1. To make the learner able to analyze the advanced principles of administrative law.
2. To be able to analyze the impact & operation of administrative law from policy perspectives & understand government accountability for its functions.
3. To decipher the reasons & evolution of delegated legislation & its functioning authorities within the ambit of power conferred on them.

**UNIT-I: EVOLUTION, NATURE AND SCOPE**

**8 hrs**

- a) Movement from Laissez-faire to a Social Welfare State.
- b) Nature, Scope and Development of Administrative Law.
- c) Doctrine of separation of powers and rule of law.
- d) Rule of Law and Administrative Law.
- e) Relationship between Constitutional Law and Administrative Law.

**UNIT-II: LEGISLATIVE FUNCTIONS OF ADMINISTRATION**

**8 hrs**

- a) Necessity and Constitutionality.
- b) Legislative powers of Administration.
- c) Forms and requirements.



- d) Control
  - i. Legislative.
  - ii. Judicial.
  - iii. Procedural.

e) Sub-delegation.

**UNIT-III: JUDICIAL FUNCTIONS OF ADMINISTRATION 8 hrs**

- a) Need for devolution of adjudicatory authority on administration.
- b) Nature of Tribunals- Constitution, Powers, Procedures, Rules of evidence.
- c) Administrative Tribunals.
- d) Principles of Natural Justice
  - i. Rule against bias and right of fair hearing.
  - ii. *Audi Alteram Partem*.
  - iii. Reasoned decisions.
- e) Rules of evidence—No evidence, some evidence and Substantial evidence.
- f) Institutional Decisions.

**UNIT-IV: ADMINISTRATIVE DISCRETION 8 hrs**

- a) Need for Administrative Discretion and its relationship with Rule of Law.
- b) Constitutional imperatives and exercise of discretion.
- c) Grounds of Judicial Review
  - i. Abuse of judicial review.
  - ii. Failure to exercise discretion.
- d) Doctrine of Legitimate expectations.

**UNIT-V: JUDICIAL CONTROL OF ADMINISTRATIVE ACTION 8 hrs**

- a) Introduction.
- b) Court as the final authority to determine the legality of administrative action.
- c) Exhaustion of Administrative remedies.
- d) Judicial review and its extent.
- e) Methods of judicial review
  - i. Statutory appeals.
  - ii. Writs.
  - iii. Declaratory judgments and injunctions.
  - iv. Public Interest Litigation
- f) Ombudsman as an Institution-Origin & Nature
- g) Lokpal & Lokayuktas: India's Ombudsman

**SUGGESTED READINGS**

1. Principles of Administrative Law--- M.P. Jain and S.N. Jain.
2. Administrative Law--- I.P. Massey.
3. Administrative Law--- Wade.
4. Lectures on Administrative Law---C.K. Takwani.
5. Administrative Law--- S.P. Sathe.

6. Lectures on Administrative Law--- U.P.D. Kesari.
7. Principles of Administrative Law--- David Scott & Felix Alexandra.
8. Administrative Law Text--- K.C. Davis.
9. Comparative Administrative Law--- D.D. Basu.

### **ESSENTIAL CASE LAWS**

1. Ram Jawaya v. State of Punjab (AIR 1955 SC 549)
2. Asif Hameed v. State of J & K (AIR 1989 SC 1899)
3. A.N. Parasoraman v. State of Tamil Nadu AIR 1990 SC 40, (Administrative discretion)
4. State of Punjab v. V.K. Khanna, AIR 2001 SC 343 (Mala fide exercise of power)
5. State of Bombay v. K.P. Krishnan AIR 1960 SC 1322 (irrelevant considerations)
6. Shrilekha Vidyarthi v. State of U.P. (AIR 1991 SC 537) (Reasonableness)
7. Delhi Laws Act case, AIR 1951 SC 332
8. Lachmi Narain v. Union of India AIR 1976 SC 714 (Modification)
9. A.V. Educational Society v. Govt. of A.P. Educational Department (AIR 2002 A.P. 348) (Judicial Control of delegated Legislation)
10. M/s Atlar Cycle Industry Ltd. v. State of Haryana (Legislative Control)



VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY, DEHRADUN

IV SEMESTER

Syllabus

ENVIRONMENTAL LAW

LUG 403

L:T:P::4:1:0

Credits-4

**OBJECTIVE:** This paper aims at acquainting the students with the environmental issues and the measures taken for its protection along with the norms prevailing at national and international level. The object of this subject is to bring awareness in students regarding the environment protection and various laws which are connected with environment. the object of this subject is making student understand that how one can protect environment.

**LEARNING OUTCOMES:** After studying the course, the learner would-

1. -Understand the basic concept of environmental law and protection.
2. -Understand the meaning of word environment and constitution safeguard to environment.
3. -Understand the various environment law as related to air, water, noise etc.

**UNIT-I: Environmental Law: International and National Perspective. 8HOURS**

- a) Introduction, Environment- Meaning, Environmental Pollution- Meaning and Issues.
- b) Protection of Environment- Issues and Problems, constitution of India vis-à-vis Environment.
- c) International Norms, Sustainable Development- Meaning and Scope.
- d) Precautionary Principles, Polluter pays Principle, Public Trust Doctrine.
- e) Constitutional Mandate, Right to Wholesome Environment- Evolution and Application, Relevant Provisions- Art. 14, 19(1), 21, 48A, 51-A(g), Environment Protection through Public Interest Litigation.
- f) Environment protection in constitution.

**UNIT-II: Prevention and Control of Water and Air Pollution. 8HOURS**

- a) The Water (Prevention and Control of Pollution) Act, 1974, Water Pollution-Definition, Central and State Pollution Control Boards- Constitution, Powers and Functions.
- b) Water Pollution Control Areas, Sample of effluents- Procedure; Restraint Order, Consent requirement- Procedure, Grant/ Refusal, Withdrawal, Citizen Suit Provision.

- c) Air (Prevention and Control of Pollution) Act, 1981, Air Pollution- Definition, Central and State Pollution Control Boards- Constitution, Powers and Functions.
- d) Air Pollution Control Areas, Sample of effluents- Procedure; Restraint Order.
- e) Consent requirement- Procedure, Grant/ Refusal, Withdrawal, Citizen Suit Provision

**UNIT-III: Protection of Forests and Wild Life**

**8HOURS**

- a) Overview of Indian Forest Act, 1927, Kinds of Forests- Private, Reserved, Protected and Village Forests.
- b) Overview of The Wild Life (Protection) Act, 1972, Authorities to be appointed and constituted under the Act.
- c) Hunting of Wild Animals.
- d) Protection of Specified Plants.
- e) Protected Areas, Trade or Commerce in wild animals, animal articles and trophies; Its prohibition.

**UNIT-IV: General Environmental Legislations.**

**8HOURS**

- a) Environmental (Protection) Act, 1986.
- b) Meaning of 'Environment', 'Environment Pollutant', 'Environment Pollution'.
- c) Powers and Functions of Central Government.
- d) Citizen Suit Provision.
- e) Principle of 'No Fault' and 'Absolute Liability', Public Liability and Insurance Act, 1991.
- f) Environment tribunal.

**UNIT-V: Noise Pollution provisions.**

**8HOURS**

- a) Noise Pollution and its control.
- b) Noise Pollution (Control and Regulation) Rules, 2000.
- c) Noise Pollution and Judicial Approach.

SUGGESTED READINGS

1. Environmental Law & Policy in India – Shyam Diwan, Armin Rosencranz
2. Environmental Law in India – P. Leelakrishnan
3. Environmental Law in India – Gurdip Singh
4. Environmental Administration, Law and Judicial Attitude Paras Diwan, Peeyushi Diwan.
5. The Environmental Law in India--- P. Leela Krishnan. Butterworths- India.
6. Environmental Law--- P.S. Jaswal, Allahabad Law Agency.
7. Environmental Law--- Stuart Bell and Donald McGillicray. Oxford.
8. Environment Pollution and the Laws--- V.R. Krishna Iyer. 1984.
9. Protect Global Environment--- A.B. Srivastava. 1984. Chugh Publications, Allahabad.
10. Legal Control of Environmental Pollution--- S. Agarwal.
11. Law on Protection of Environment--- R.G. Chaturvedi.

STATUTES

1. The Water (Prevention and Control of Pollution) Act, 1974
2. The Air (Prevention and Control of Pollution) Act, 1981
3. The Indian Forest Act, 1927
4. The Forest (Conservation) Act, 1980

5. The Wild Life Protection Act, 1972
6. The Environment (Protection) Act, 1986
7. The Public Liability Insurance Act, 1991
8. The National Environment Tribunal Act, 1995
9. The National Environment Appellate Authority Act, 1997

#### ESSENTIAL CASE LAW

- s1. Subhash Kumar v. State of Bihar, AIR 1991 SC 420
2. M.C. Mehta v. Union of India, AIR 1997 SC 734
3. M.C. Mehta v. Kamal Nath, AIR 2000 SC 1997
4. M/s Abhilash Textiles v. Rajkot Municipal Corprn., AIR 1988 Guj. 57
5. Indian Council for Enviro-Legal Action v. Union of India, AIR 1996 SC 1446
6. Vellore Citizen Welfare Forum v. Union of India, AIR 1996 SC 2715
7. A.P. Pollution Control Board v. M.V. Nayudu, AIR 1999 SC 812
8. Narmada Bachao Andolen v. Union of India, AIR 2000 SC 3751
9. M.C. Mehta v. Union of India, AIR 2002 SC 1696
10. M.C. Mehta v. Union of India, AIR 1988 SC 1037
11. M.c. Mehta v. Union of India, AIR 1988 SC 1115



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY, DEHRADUN**

## IV SEMESTER

### Syllabus

#### INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

LUG 404

L:T:P::4:1:0

Credits-4

**OBJECTIVE:** Legislation is the major source of the law of the modern era. Legislatures enact laws after much deliberation. No doubt in this process they have to take into account the present and future needs of the people.

#### LEARNING OUTCOME:

1. To enable the students to find out the true meaning of the enactment.
2. To avoid ambiguity among statutes and ascertain the real purpose of the legislature as to why a law has been enacted.
3. It is necessary for all law students, lawyers, and judges to interpret laws and studying rules of interpretation helps them.

#### Unit-I: PRINCIPLES OF INTERPRETATION OF STATUES

8 Hours

- a) Meaning and Need of Interpretation.
- b) Law making- the legislature, executive and the judiciary.
- c) Principles of Utility.
- d) Relevance of John Rawls and Robert Nozick- Individual Interest to Community Interest. Operation of these principles upon Legislation.
- e) Operation of these principles upon Legislation.
- f) Distinction between Morals and Legislation
- g) Meaning of the term 'statutes', Different parts of a Statute, Purpose of interpretation of statutes.
- h) Commencement, operation and repeal of statutes.

#### Unit-II: AIDS TO INTERPRETATION

8 Hours

- a) Internal aids-Title, Preamble, Headings and Marginal notes, Sections and sub-sections, Punctuation marks, Illustrations, exceptions, provisions and saving clauses, Schedules, Non-obstacle clause.
- b) External aid, Dictionaries, Translations, Travaux Preparatoires, Statutes in pari material, Contemporanea Exposito, Debates, inquiry commission reports and Law Commission reports.

### **Unit III: RULES OF STATUTORY INTERPRETATION & PRESUMPTION IN STATUTORY INTERPRETATION**

**8 Hours**

Rules of Statutory Interpretation: Primary Rules, Literal Rule, Golden Rule, Mischief Rule (Rule in the Heydon's case), Rule of Harmonious Construction, Secondary Rules, Noscitur a sociis, Eiusdem generis, Reddendo Singula Singulis, Ut Res Magis Valent Quam Pereat, Expressio Unius Est exclusion alterius. Etc.

**Presumption in Statutory Interpretation:-** Statutes are valid, Statutes are territorial in operation, Presumption as to jurisdiction, Presumption against what is inconvenient or absurd, Presumption against intending injustice, Presumption against impairing obligations or permitting advantage from one's own wrong, Prospective operation of statute.

### **Unit-IV: MAXIMS OF STATUTORY INTERPRETATION**

**8 Hours**

- a) Construction of Penal Statutes.
- b) Mens rea in Statutory Offences.
- c) Interpretation of Fixing of Statutes.
- d) Strict Construction of Taxing Statutes and its limitations.
- e) Delegatus non Potest Delegare.
- f) Expressio Unius Exclusion Alterius.
- g) Generalia Pecialibus Non Derogant.
- h) In Pari Delicto Potior Est Condition Possidentis.
- i) Utres valet Potior Quam Pareat.
- j) Expressum Facit Cessare Tacitum.
- k) In Bonam Partem.

### **Unit-V: INTERPRETATION WITH REFERENCE TO THE SUBJECT MATTER AND PURPOSE**

**8 Hours**

- a) Restrictive and beneficial Construction, Taxing Statutes, Penal Statutes, Welfare legislation, Interpretation of Substantive and Adjunctive Statutes, Interpretation of Directory and Mandatory Provisions, Interpretation of Enabling Statutes, Interpretation of Codifying and consolidating Statutes, Interpretation of Statutes Conferring Rights, Interpretation of Statutes Conferring Powers.
- b) **Principles of Constitutional Interpretation:-**Harmonious Construction, Doctrine of Pith and Substance, Colourable Legislation, Ancillary powers, "Occupied field", Residuary Power, Doctrine of Repugnancy.

### SUGGESTED READINGS

1. Interpretation of Statutes--- Maxwell.
2. Interpretation of Statutes--- G.P. Singh.
3. Interpretation of Statutes--- Craies.

4. Interpretation of Statutes--- Crawford.
5. Interpretation of Statutes--- Bindra.
6. Interpretation of Statutes--- V.P. Sarathi.
7. Interpretation of Statutes--- I. Sarup
8. Principles of Statutory Interpretation--- G.P. Singh. 7<sup>th</sup> Edition. 1999. Wadhwa, Nagpur.
9. M.P. Singh , (ed.) V.N. Shukla's --- Constitution of India. 1994. Eastern, Lucknow.
10. Upendra Baxi, Introduction to Justice K.K. Mathew's--- Democracy Equality and Freedom. 1978. Eastern Lucknow.
11. M.P. Jain--- Constitutional Law of India. 1994. Wadhawa & Co.
12. Interpretation of Statutes--- V. Sarathi. 1984, Eastern Lucknow.
13. K. Shanmukham & N.S. Bindra--- Interpretaion of Statutes. 1997. The Law Book Co. Allahabad.
14. P. St. Langan (ed.) Maxwell on the Interpretation of Statutes. 1976. N.M. Tripathi, Bombay.



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY, DEHRADUN**

**IV SEMESTER**

**Syllabus**

**LABOUR AND INDUSTRIAL LAW-II**

**LUG 405**

**L:T:P::4:1:0**

**Credits-4**



**LEARNING OBJECTIVE:** This syllabus focuses on wage policies, compensation for injuries caused during the course of employment and working conditions of employees.

**LEARNING OUTCOME:**

1. Students will know the development and the judicial setup of labour laws
2. Students will learn the salient features of welfare and wage Legislations also to integrate the knowledge of labour law

**UNIT-1: MINIMUM WAGES ACT, 1948**

**8 HOURS**

- a) Concept of minimum wages, fair wage, living wage and need based minimum wage
- b) Constitutional validity of Minimum Wages Act 1948
- c) Procedure for fixation and revision of minimum wages
- d) Fixation of minimum rates of wages by time rate or by piece rate
- e) Procedure for hearing and deciding claims

**UNIT- II: PAYMENT OF WAGES ACT, 1936**

**8 HOURS**

- a) Object, scope and application of the act
- b) Definition of wages
- c) Responsibility of payment of wages
- d) Fixation of wages period
- e) Time of payment of wages
- f) Deduction which may be made from wages
- g) Maximum amount of deduction

**UNIT-III: WORKMEN'S COMPENSATION ACT, 1923**

**8 HOURS**

- a) Definition of dependent, workman, partial disablement and total disablement
- b) Employer's liability for compensation
  - i. Scope arising out of and in the course of employment
  - ii. Doctrine of Notional Extension
  - iii. When employer not liable
- c) Employers liability when employee is employed under any contract or is engaged independently or by independent contractor
- d) Amount of compensation
- e) Distribution of compensation
- f) Procedure in proceedings before commissioner
- g) Appeals

**UNIT-IV: FACTORIES ACT, 1948**

**8 HOURS**

- a) Concept of “factory”, “manufacturing process” “worker” and “occupier”
- b) General duties of occupier
- c) Measures to be taken in factories for health, safety and welfare of workers
- d) Working hour for adults
- e) Employment of young person and children
- f) Annual leaves with wages
- g) Additional provisions regulating employment of women in factories

**UNIT-V: MATERNITY BENIFITS ACT, 1961 (30 SEC)**

**8 HOURS**

- a) Aims, objects and Application, Definitions
- b) Restriction of work
- c) Right of payment
- d) Forfeiture of maternity benefits
- e) Other provisions (Leaves etc.)
- f) Authorities
- g) Power and Duties of Inspector
- h) Penalty

**SUGGESTED READINGS:**

1. S.C. Srivastav, Commentaries on Factories Act, 1948, Universal Law Publishing House, Delhi
2. H.L. Kumar, Workmen’s Compensation Act, 1923
3. Dr. S. C. Srivastav, Labour Law and Industrial Relations
4. Dr. S. K. Puri, Labour Law and Industrial Laws
5. Dr. V. G. Goswami, Labour Law Industry



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY, DEHRADUN**

**IV SEMESTER**

**Syllabus**

**ARBITRATION, CONCILIATION AND**

**ALTERNATE DISPUTE RESOLUTION**

**LUG 406**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** The major concern of law is conflict resolution. Familiarization with the modalities and techniques of resolution of conflict is a necessary component in the endeavours of developing expertise in

juridical exercise. The traditional justice delivery system through adjudication by courts had already given way to a large extent to many an alternative mode of dispute resolution in the common law countries.

**OUTCOMES:** To understand the advantages and conceptual framework of alternative dispute resolution. Identify and analyze the main provisions of Arbitration and Conciliation act, 1996. Appreciate the skills required for successfully conducting the ADR process.

#### **UNIT-I: INTRODUCTION**

**8 HRS**

- a) Background & Meaning- ADR (Origin of Arbitration Law in India)
- b) Concept and Need- ADR
- c) Shortcomings in the Arbitration Act, 1940
- d) ADR Mechanisms- An Overview
- e) ADR Mechanisms- Advantages & Disadvantages
- f) Arbitration and Conciliation act, 1996- essential features
- g) UNCITRAL model law
- h) ADR v. Judicial Adjudication- Comparison
- i) Types of Arbitration

#### **UNIT-II: ARBITRATION AND CONCILIATION ACT, 1996**

**8 HRS**

- a) Scope and extent
- b) Arbitration Agreement-
  - I. Definition,
  - II. -Essential Elements,
  - III. -Who can enter into Arbitration Agreement?
  - IV. -Power of Judicial Authority to refer parties to arbitration in case of arbitration agreement.
  - V. -Arbitration clause in the contracts
- c) Arbitral Tribunal
  - I. -What is an Arbitral Tribunal?
  - II. -Composition of Arbitral Tribunal,
  - III. -Appointment of Arbitrators
  - IV. -Qualifications of an Arbitrator
  - V. -Procedure for appointment of an Arbitrator
  - VI. -Appointment of arbitrators by Chief Justice
  - VII. -Duties and responsibilities of Arbitrators
  - VIII. -Challenge of appointment of Arbitrator
  - IX. -Termination of mandate of Arbitrators and substitution of Arbitrator
  - X. -Termination of the mandate of Arbitral Tribunal
  - XI. -Jurisdiction of an Arbitral Tribunal and Conduct of Arbitral Tribunal Proceedings
- d) Interim measures by Arbitral Tribunal, Court
- e) Conduct of Arbitral Proceedings

- f) Rules of Procedure
- g) Place of Arbitration
- h) Commencement of Proceedings
- i) Language of the Arbitral Proceeding
- j) Statements of Claim and Defense
- k) Hearing and Written Proceedings
- l) Appointment of Experts by Arbitral Tribunal

**UNIT-III: ARBITRATION AND CONCILIATION ACT, 1996**

**8 HRS**

- a) Arbitral Award
  - I. Making of Arbitral Award and Termination of Arbitral Proceedings
  - II. Definition of Arbitral Award
  - III. Types of Awards
  - IV. Rules applicable to Arbitral Proceedings
  - V. Form and contents of Arbitral Award
  - VI. Termination of proceedings
  - VII. Correction and interpretation of Arbitral Award
  - VIII. Additional Award
  - IX. Recourse against Arbitral Award
  - X. Grounds for setting aside Arbitral Award
  - XI. Finality of Arbitral Awards
  - XII. Enforcement of Arbitral Awards
- b) Appealable orders
- c) Lien and Deposits as to Cost
- d) Effect of death of parties on arbitration agreement
- e) Effect of insolvency
- f) Appeal & Revision
- g) Enforcement of Foreign Awards
  - I. Foreign Award
  - II. New York Convention Awards.
  - III. Geneva Convention Award.

**UNIT-IV: CONCILIATION, MEDIATION & NEGOTIATION**

**8 HRS**

- a) Conciliation (Arbitration & Conciliation act, 1996)
- b) Mediation
- c) Negotiation
- d) Distinction between ‘Conciliation’, ‘Negotiation’, ‘mediation’ and ‘arbitration’.

**UNIT-V: LEGAL SERVICES AUTHORITIES ACT**

**8 HRS**

Lok Adalat

- a) History and development of Lok Adalat
- b) Importance of Lok Adalat
- c) Types, Power and function of Lok Adalat
- d) Permanent Lok Adalat
- e) Bodies who can organize Lok Adalat

**Note:** Paper Code – LUG 406 entitled, “Arbitration, Conciliation And Alternate Dispute Resolution (Practical Training)” will be taught partly through class room lectures including simulating exercise and partly through extension programme like Lok-Adalat, etc. The Course will be taught in association with **practicing lawyers retired Judges retired Law Teachers**. The Class room instructions shall include lessons on the concepts and practice of Arbitration, Conciliation and Alternate Dispute Resolution. This paper will carry **04 Credit (Maximum 100 Marks)**. The written examination on this paper (Theory Paper) will be in **descriptive form** and of **three (03) hours duration**, will carry **50 Marks and will be considered external**. The written examination (Theory Paper) shall be held by way of paper with the other theory papers. **The Practical Viva-voce Examination will carry 50 Marks**. Students will be required to maintain the **Diary of the Sessional Work** for this paper in which they shall **record the written exercises assigned to them** by the subject teacher during the session and their observations about the field work training work of Lok Adalat etc. organized by the Law Department of the College University and attended by them. The **Sessional Diary** will carry **20 Marks** and will be **evaluated by the Board of Examiners at the time of Semester Practical Viva-voce examination. Twenty (20) Marks** are assigned for the **legal field work** assigned by his/ her subject teacher supervisor carried on by student during the Session. **Such fieldwork will be evaluated by Board of Examiners**. The marks earned by the students for the legal fieldwork during the Session will be conveyed to the University by Board of Examiners (**constituted of an internal and external examiner, who will be appointed by the University**) to be held at the time of Practical Viva-voce examination. The **Viva-voce will carry 10 Marks**.

**Guidelines:** It is advisable that the Law Department of the College University should organize fieldwork in such a manner that all the students get an opportunity to participate in field work so that each candidate maybe able to attend at least two such field assignments.

### SUGGESTED READINGS

1. International Dispute Settlement--- J.G. Merrills.
2. Legal Services Authority Act, 1987.
3. Law of Arbitration and Conciliation--- B.P. Saraf and M. Jhunjhunwala. Snow White, Mumbai, 2000.
4. The New Arbitration and Conciliation Law of India--- Gerald R. Williams (ed.). Indian Council of Arbitration. 1998, New Delhi.
5. Law of International Commercial Arbitration--- A.K. Bansal. 1998. Universal, New Delhi.
6. Alternative Dispute Resolution-What it is and How it works?--- P.C. Rao & William Sheffield. Universal,

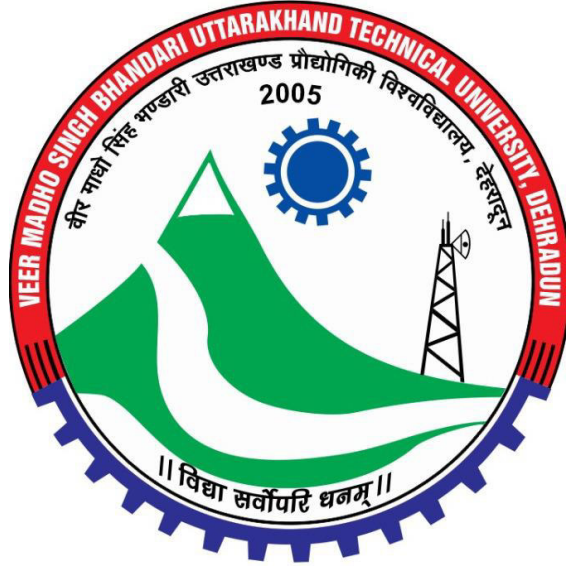
Delhi, 1997.

7. The Arbitration and Conciliation Law of India--- G.K. Kwartar. Universal, Delhi.
8. Commentary on Arbitration and Conciliation Act, 1996--- Johari. Universal, Delhi. 1999.
9. Law and Arbitration and Conciliation--- N.D. Basu. Universal, Delhi. 9<sup>th</sup> Edition, reprint 2000.
10. Law Relation to Arbitration and Conciliation--- P.C. Markanda. Universal, Delhi. 1998.

## **VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY**

*formerly Uttarakhand Technical University, Dehradun Established by Uttarakhand State Govt. wide Act no. 415 of 2005)*

*Sudhowala, PO-Chandanwadi, Premnagar, Dehradun, Uttarakhand (Website- [www.uktech.ac.in](http://www.uktech.ac.in))*



# SYLLABUS

For

LL.B  
3<sup>rd</sup> Year

Effective From – Session 2024-25

**SEMESTER – V:**

| Paper No. | Title of the Paper                      | Credits | L: T:P |
|-----------|---|---------|--------|
| LUG 501   | Law of Evidence                         | 4       | 4:1:0  |
| LUG 502   | Civil Procedure Code and Limitation Act | 4       | 4:1:0  |
| LUG 503   | Public International Law                | 4       | 4:1:0  |
| LUG 504   | Insurance Law                           | 4       | 4:1:0  |
| LUG 505   | Labour and Industrial Laws- II          | 4       | 4:1:0  |



|                |   |          |              |
|----------------|---|----------|--------------|
| <b>LUG 506</b> | Drafting of Pleading and Conveyancing (Practical Training)<br>Clinical Course-III | <b>4</b> | <b>3:0:2</b> |
|----------------|---|----------|--------------|

**Note: Paper Code – LUG 506** entitled, “**Drafting of Pleading and Conveyancing**” will carry 04 Credits (**Maximum 100 Marks**) which will be divided into **Theory Paper** and **Practical / Viva-voce examination carrying 50 Marks each**. The Theory paper will be conducted at the time of other Theory papers. This course will be taught through class instructions and simulation exercises, preferably with the assistance of practicing Lawyers / retired Judges. Apart from teaching the relevant provisions of law, the course will include **10 written exercises in Drafting of pleading carrying 20 Marks (2 Marks for each exercise)** and **10 written exercises in Conveyancing carrying 20 Marks (2 Marks for each exercise)**. Each student will maintain a **Sessional Exercise Book** for the purpose and write down all the exercise in Pleading and Conveyancing during regular classes. **It will be assessed by the Board of Practical / Viva-voce Examiners ((constituted of an internal and external examiner, who will be appointed by the University)). The Viva-voce will be for 10 Marks.**

### SEMESTER – VI:

| <b>Paper No.</b>   | <b>Title of the Paper</b>   | <b>Credit</b> | <b>L:T:P</b> |
|--|---|---------------|--------------|
| <b>LUG 601</b>   | Land Laws including Tenure and Tenancy System.  | <b>4</b>      | <b>4:1:0</b> |
| <b>LUG 602</b>   | Human Rights Laws and Practice including Protection of Women from Domestic Violence and Juvenile Justice Act.                   | <b>4</b>      | <b>4:1:0</b> |
| <b>LUG 603</b>   | Cyber Laws  | <b>4</b>      | <b>4:1:0</b> |
| <b><u>Optional Papers</u></b>  |   |               |              |
| <b>Student has to opt any one of the following optional Paper (subject to availability of expert Faculty in the Department) among the following:</b> |   |               |              |
| <b>LUG 604</b>   | Intellectual Property Law   | <b>4</b>      | <b>4:1:0</b> |
| <b>OR</b>  | <b>OR</b>   |               |              |
| <b>LUG 605</b>   | Law Relating to Women and Child   | <b>4</b>      | <b>4:1:0</b> |
| <b>OR</b>  | <b>OR</b>   |               |              |
| <b>LUG 606</b>   | Law Relating to Right to Information  | <b>4</b>      | <b>4:1:0</b> |
| <b>LUG 607</b>   | Moot Court, Pre-Trial Preparation and Participation In Trial Proceedings’ ( <b>Practical Training</b> ) <b>Clinic Course-IV</b> | <b>4</b>      | <b>3:0:2</b> |

**Note: Paper Code – LUG 607** entitled, “**Moot Court, Pre-Trial Preparation and Participation In Trial Proceedings (Practical Training)**” shall comprise of the following:

**(A). Moot Court: The Maximum Marks to this Paper will be 100.** Each student will do **at least Two Moot Courts** in a Semester with **10 Marks each**. The Moot Court work will be on assigned problem and will be evaluated for **5 Marks** for written submissions (to be recorded

in Sessional Diary) and **5 Marks** for Oral Advocacy.

**Guidelines:** For the purpose of Moot Court, **groups will be formed of 8/10 students** and cases involving several issues shall be assigned in Court practice *i.e.* Operation of Courts and legal professionals on panel of the College / University may be sought, especially in the matter of getting copies of paper books of cases which have been decided by various Courts

The Course shall emphasize points of Court craft and decorum. The **male students shall wear white pant– shirt** and a **Black Tie** and **female students shall wear white dress with black scarf** while addressing a Moot Court and during their visits to the Court / Advocates chambers and other practical training programmes.

Practice Moots shall be held as a routine in the class itself and the three compulsory test Moots for examination shall be held after such practice Moots near the end of semester term. Attendance at such practice Moot Courts shall be counted. Each student shall be required to maintain a regular record of his / her preparation for all the Moot Courts attended by him / her in the Sessional Diary. **The Sessional Diary will carry 15 Marks (5 Marks for each Test Moot).**

**(B). Court Assignments:** Observation of Trial in **Four Cases** *i.e.* **Two Cases in Civil** and **Two in Criminal**. Each student will attend **Four Trial Courts during the Semester term**.

He / She will maintain record of his / her visits in his / her Diary of Sessional Work and enter the various steps observed during his / her attendance on different days in the Court assignment. This Scheme will carry **25 Marks**.

**(c). Interviewing Techniques and Pre-Trial Preparation:**

**(i).** Each student will observe for Interviewing Sessions of Clients at the Lawyer's Office / Legal Aid Office and record the proceedings in the Diary of Sessional Work, which will carry **10 Marks**.

**(ii).** Each student will further observe the preparation of documents and Court Papers by the Advocate and procedure for filing the Suit / Petition. This will be recorded in **Sessional Diary** which will carry **10 Marks**.

**Guidelines:** To make the training meaningful, students visit have to be organized for a continuous period, sufficiently long to observe and understand the process taking place in their proper context. Efforts should be directed to acquaint the students in the different branches of legal practice including **Civil, Criminal, Revenue, and Labour Court Practice**. Besides the legal Professionals on the College / University Panel, the students should regularly be supervised and helped by the subject teacher / tutor. It is desirable that besides Advocates Chambers the students are taken for academic Family Court / Revenue Court / Income Tax & Sales Tax Offices and other venues where judicial administrative proceedings are held. The **Indian Law Institute, Parliament, Supreme Court, and High Courts, Tribunals etc.,** may be visited to make the training academically multifarious. This programme can be intellectually and professionally challenging if properly organized and integrated with Curriculum.

**(D). Viva-voce:** The **Fourth Component** of this Paper will be **Viva-voce examination**

by the **Board of Examiners on the above three aspects**. This will carry **10 Marks**.

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**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY,  
DEHRADUN**

**V SEMESTER**

**Syllabus**

**LAW OF EVIDENCE**

**LUG 501**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** The law of evidence is an integral part of both substantive and procedural laws. This course intends to develop the skills of examination and appreciation of oral and documentary evidence for budding lawyers to find out the truth. Art of examination, cross-examination and shifting nature of burden of proof are crucial aspects of the law of evidence.

**OUTCOMES:**

1. To enable the students understand the relevance & importance of law of Evidence in the adversarial system.
2. To expand the student's knowledge of the policy bases of law of evidence.
3. To enlighten the students of the skills & techniques of examination of witness.

**UNIT-I: Introduction and Relevancy.**

**8 Hrs**

- a) Evidence and its relationship with the substantive and procedural laws.
- b) Definitions
  - i. Facts.
  - ii. Relevant Facts and Facts in issue.
  - iii. Evidence, Proved, Disproved and Not proved.
  - iv. Oral and Documentary evidence.
  - v. Relevancy and Admissibility.
  - vi. Doctrine of Res gestae.
  - vii. Conspiracy.

**UNIT-II: Relevancy of Facts**

**8 hrs**

- a) Admissions
- b) Confessions
- c) Dying Declarations

**UNIT-III: Method of Proof of Facts**

**8 hrs**

- a) Presumptions & its kinds
- b) Expert Opinion & its Evidentiary Value
- c) Character.
- d) Oral and Documentary Evidence.
- e) Proof of Contents of Documents- Primary & Secondary Evidence
- f) Cases in which Secondary Evidence may be Given
- g) Admissibility of Electronic Records
- h) Public & Private Documents

**UNIT-IV: Presumptions regarding discharge of Burden of Proof**

**8 hrs**

- a) Meaning of Burden of Proof, Difference between Burden of Proof & Onus of Proof
- b) Presumption regarding Legitimacy of Child born during Marriage(Sec.112)
- c) Presumption regarding Dowry Death
- d) Presumption as to absence of Consent in certain prosecution for Rape
- e) Estoppel & its Kinds

**UNIT-V: Witness & Examination of Witnesses**

**8 hrs**

- a) Who is Competent to testify as Witness, Child as a Witness
- b) Privileged Communications
- c) Accomplice- Meaning & Competency as Witness
- d) Order of Examination of Witness & the kinds of Examination of Witness
- e) Leading Questions-Meaning, When can be asked
- f) Hostile Witness
- g) Refreshing Memory

**RELEVANT CASES**

1. Teperv.ReginamAllER1952-448
2. G.VijayaVardhanRaov.StateofA.P,AIR1996SC2791
3. R.M.Malkaniv.StateofMaharashtra,AIR1973SC157
4. MirzaAkbarv.Emperor,AIR1940PC176
5. BadriRaiv.State of Bihar
6. Bishwanath Prasadv.Dwarka Prasad
7. Pakala Narayana Swamyv.King Emperor (1939)66IA66
8. PalvinderKaurv.StateofPunjabAIR1952SC354



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY,  
DEHRADUN**

**V SEMESTER**

**Syllabus**

**CIVIL PROCEDURE CODE AND LIMITATION ACT**

**LUG 502**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** Civil Procedure Code relates to day to day activities of the courts and lawyers. This course equips students with basic knowledge court activities before they enter into the profession.

**OUTCOME:** By the end of the course learner will be able to-

1. Explain the purpose and functions of civil procedure law and the function of the civil court organization.
2. Evaluate the procedure and means to enforce right and liabilities.
3. Analyze how an action can be responded, administrated and finished

**UNIT-I: Introduction**

**8 Hours**

a) Definitions

b) Concepts

- i. Res Sub-Judice.
- ii. Res judicata.
- iii. Restitution.
- iv. Caveat.
- v. Inherent Powers of Courts.

c) Initial Steps in a Suit

- i. Jurisdiction and place of suing
- ii. Institution of suit
- iii. Complaint and written statement
- iv. Discovery, Inspection and Production of Documents.
- v. Appearance and non-appearance of parties.
- vi. First hearing.

f) Interim Orders

- i. Commissions
- ii. Arrest before judgment.
- iii. Attachment before judgment.
- iv. Temporary Injunctions.
- v. Interlocutory orders.
- vi. Receiver.
- vii. Security of costs.
- g) Suits in Particular Cases
  - i. Suits by or against Government
  - ii. Suits by indignant persons.
  - iii. Interpleader Suit.
  - iv. Summary Procedure.
  - v. Suits relating to public nuisance.

**UNIT-II: Judgment and Decree**

**8 Hours**

- a) Judgment: Definition, Essentials, Pronouncement, Contents and Alteration.
- b) Decree: Definition, Essentials, Types, Drawing up of a decree, Contents and Decree in particular cases.
- c) Interest.
- d) Costs.

**UNIT-III:- Execution**

**8 Hours**

- a) Courts by which decree may be executed.
- b) Payment under decree.
- c) Application for Execution.
- d) Mode of Execution.
- e) Stay of Execution.
- f) Questions to be determined by executing court.

**UNIT- IV: Appeals, Reference, Review and Revision**

**8 Hours**

- a) Appeals by original decree.
- b) Appeals from appellate decree.
- c) General provisions relating to appeals.
- d) Appeals to the Supreme Court.
- e) Appeals by the Indigent persons.
- f) Reference to High Court
- g) Review
- h) Revision.

**UNIT-V: Limitations Act, 1963****8 Hours**

- a) Limitation of Suits, Appeals and Applications
  - i. Bar of Limitation.
  - ii. Extension of Prescribed Period.
  - iii. Effect of Legal Disability.
  - iv. Suits against Trustees and their Representatives.
- b) Computation of Limitation
  - i. Exclusion of Time.
  - ii. Exclusion of Time for Proceedings bonafide in court which lacks jurisdiction.
  - iii. Exclusion of Time in Miscellaneous Cases.
  - iv. Effect of Fraud or Mistake; Acknowledgement / Payment and Substituting / Adding party.
- c) Acquisition of Ownership by Possession.
- d) Miscellaneous Provisions.

**RELEVANT CASES**

1. Gundajisatwajishinde v. RamchandraBhikaji Joshi, AIR 1979 SC 653
2. Iftikar Ahmed v. Syed Meharban Ali, AIR 1974 SC 749
3. Bharat Nidhi Ltd v. Megh Raj Mahajan, AIR 1967 Del 22
4. Indian Bank v. Maharashtra State Cooperative Marketing Federation Ltd, AIR 1998 SC 1952
5. Y. NarsimhaRaov.Y.Venkata Lakshmi, (1991) 2 SCR 821
6. Ram ChanderArya v. Maharaja Man Singh, AIR 1968 SC454
7. KasturiBai v. AnguriChaudhary, AIR 2001 SC 1361
8. M.L. Sethi v. R.P. Kapoor, AIR 1972 SC 2379
9. Mahant Ram Das v. Ganga Das, AIR 1961 SC 882
10. ManoharLal v. Seth HiraLal, AIR 1962 SC 527
11. Samrendra Nath Sinha v. Krishna Kumar Nag, AIR 1967 SC 1440
12. Dalpat Kumar v. Prahlad Singh, AIR 1993 SC 276
13. DwarkaDass v. State of M.P., (1999) 3 SCC 500
14. Modi entertainment Network v. W.S.G. Cricket Ltd, 2003 (1) SCALE 388, AIR 2003 SC 1177
15. Sangram Singh v. Election Tribunal, AIR 1955 SC 425
16. Arjun Singh v. Mohinder Kumar, AIR 1964 SC 993
17. Rajni Kumar v. Suresh Kumar Malhotra, 2003 (3) SCALE 434; AIR 2003 SC 1322

**CASE LAWS ON LAW OF LIMITATION**

1. P.K. Kutty Anuja Raja v. State of Kerala, AIR 1996 SC 2212
2. Punjab National Bank v. Surendra Prasad Sinha, AIR 1992 SC 1815
3. Union of India v. West Coast Paper Mills Ltd., AIR 2004 SC 1596



4. R.B. Policies at Lloyd's v. Butler, (1949) 2 All ER 226
5. Maqbool Ahmad v. OnkarNarainPratap Singh, AIR 1935 PC 85
6. M.L. & B Corporation v. Bhutnath, AIR 1935 SC 1336
7. Ram Lal v. Rewa Coal Fields Ltd., AIR 1962 SC 361
8. N. Balakrishnan v. M. Krishnamurthy, AIR 1998 SC 3222
9. Darshan Singh v. Gurdev Singh, AIR 1995 SC 75
10. Bailochan Karan v. BasantKumariNaik, AIR 1999 SC 876
11. Kolandavel Gounder v. Chinnappan, AIR 1965 Madras 541
12. Wali Mohammed v. Rahmat Bee, AIR 1999 SC 1136
13. The C.S.T. U.P. v. M/s MadanLal Das & Sons, AIR 1977 SC 523
14. Udayn Chinubhai v. R.C. Bali, AIR 1977 SC 2319
15. State of U.P. v. MaharajNarain, AIR 1968 SC 960
16. SBH v. Joint Family of Mukundas Raja Bhagwan Dass, 1995Supp (2)SCC544
17. Deena v. Bharat Singh, AIR 2002 SC 2768
18. RameshwarLal v. Municipal Council, Tonk (1996) 6 SCC 100
19. Mahabir Kishore v. State of M.P., AIR 1990 SC 313
20. State of Kerala v. T.M. Chacko, (2000) 9 SCC 722
21. Sampuran Singh v. NiranjnKaur, AIR 1999 SC 1047
22. Karuppaswamy v. C. Ramamurthy, AIR 1993 SC 2324
23. M/s L.C. Mills Ltd., v. Aluminium Corporation of India Ltd., AIR 1971 SC 1482
24. Tilak Ram v. Nathu, AIR 1967 SC 935
25. Shantilal M. Bhayani v. Shanti Bai, 1995 Supp (4) SCC 578
26. MukriGopalan v. Chappilat Puthan purayil Aboobacker, AIR 1995 SC 2275

### **RECOMMENDED READINGS**

1. Mulla--- Code of Civil Procedure. 11<sup>th</sup> Ed. 2006. Wadhwa Publications Nagpur.
2. Sarkar's Code of Civil Procedure.
3. M.P. Tandon---Code of Civil Procedure.
4. Basu--- Law on Limitation Act. 6<sup>th</sup> Ed. Delhi Law House.
5. J.D. Jain--- Indian Limitation Act. Allahabad Law Agency.
6. C.K. Takwani--- Civil Procedure. 5<sup>th</sup> Ed. Eastern Book Company.
7. M.P. Jain--- The Code of Civil Procedure. 2007. Wadhwa Publications, Nagpur.
8. Mulla--- The Code of Civil Procedure. 16<sup>th</sup> Ed. Lexis Nexis. Butterworth Publications.
9. U.N. Mitra--- The Law of Limitation and Prescription. 2000 ed.
10. M.R. Mullick& B.B. Mitra--- The Limitation Act, 1963. 1998 ed.



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY,  
DEHRADUN**

**V SEMESTER**

**Syllabus**

**PUBLIC INTERNATIONAL LAW**

**LUG 503**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** This paper intends to make the students of law understand the basics of Public International Law and practice. The students shall at the end of the course students shall be able to know of the development of international law and its jurisprudence at international and national level. The student will be able to understand various type of treaties. The object of this subject is made aware about state relation at international level.

**LEARNING OUTCOMES:** After studying the course, the learner would-

1. -Understand the basic concept of international law related to various treaties.
2. Understand the theories of recognition and development of state.
3. -Understand the subject of international law and general principal resolution.

**UNIT-I: INTRODUCTION.**

**8 HOURS**

- a) Nature and Definition of International Law.
- b) Subjects of International Law.
- c) Relationship between International Law and Municipal Law.
- d) Definition of state by various jurists.

**UNIT-II: SOURCES OF INTERNATIONAL LAW.**

**8 HOURS**

- a) Custom as a source of international law.
- b) Treaties as a source of international law.
- c) General Assembly Resolutions.
- d) General Principles regarding international relation.
- e) Justice Works.
- f) Other Sources as connected with international law.

**UNIT-III: RECOGNITION, EXTRADITION AND LAW OF THE SEA. 8 HOURS**

- a) Recognition, Theories of Recognition, Recognition of States.
- b) State Territory- Modes of Acquiring and Loosing,
- c) De facto; De jure Recognition, Implied Recognition.
- d) State Territory- Modes of Acquiring and Loosing,
- e) Withdrawal of Recognition, Retroactive Effects of Recognition.

**UNIT-IV: EXTRADITION AND LAW OF SEA. 8 HOURS**

- A. Extradition, State Jurisdiction,
- B. Customary Law Basis, Treaty Law, The Nature of Obligation.
- C. Law of the Sea and various provisions of law of sea.
- D. Territorial Sea, Contiguous Zone, Exclusive Economic Zone,
- E. Meaning of continental shelf, High Sea

**UNIT-V: INTERNATIONAL ORGANIZATIONS. 8 HOURS**

- a) United nation, Purposes, Principles and Membership, General Assembly- Composition, Function and Powers, Security Council- Composition, Functions, Powers, Veto and Double Veto Powers.
- b) International court of justice, establishment and powers, jurisdiction.
- c) International monetary fund, members of international monetary fund. And the international bank for reconstruction and development, establishment and members.
- d) World trade organization, establishment and function.
- e) International civil aviation organization.
- f) The international atomic energy agency, function etc.
- g) United nations environment programme.

**RECOMMENDED READINGS**

- 1. Brownlie--- Principles of International Law.
- 2. Shaw--- International Law.
- 3. Starke--- Introduction to International Law.
- 4. Oppenheim--- International Law.
- 5. Grieg--- International Law.
- 6. R.C. Hingorani--- Modern Hingorani.
- 7. H.O. Agarwal--- International Law.
- 8. Bowett--- The Law of International Bodies.
- 9. S.K. Verma--- An Introduction to Public International Law



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY,  
DEHRADUN**

**V SEMESTER**

**Syllabus**

**INSURANCE LAW**

**Paper Code: LUG 504**

**L:T:P::4:1:0**

**Credits-4**

**Objective:** This paper intends to impart the law student's basic knowledge regarding the jurisprudence of insurance with insights of Motor Vehicle Act, 1988 and Public Liability Insurance Act, 1991.

**Learning Outcomes:**

1. To develop an understanding on the concept of Insurance law and its regulation in India
2. To acquire knowledge related to the fundamental principles of Insurance law and basic concept of Insurance contract.
3. To gain insights related to legal provisions of various kinds of Insurance law in India, its regulation and settlement of Insurance claims.

**UNIT -I: Introduction**

**8 HRS**

- a) Concepts of Insurance Law: Evolution of Insurance Laws; History, Scope and
- b) Development of Insurance Law- From Insurance Act, 1938 to IRD Act, 1999;
- c) Terminology; Economics of Insurance.

**UNIT – II: Insurance Regulation in India**

**8 HRS**

- a) ) State Regulation of Insurance and Liability. Purpose of State Regulation. History of State Regulation- Pre-Independence and Post-Independence Regulations.
- b) Statutes: Insurance Act, 1938; Insurance Corporation Act, 1956. General Insurance Business (Nationalization) Act, 1972. Personal Injuries Compensation Insurance Act, 1963. Motor Vehicle Act, 1988. Marine Insurance Act, 1963. Public Liabilities Insurance Act, 1991.

**UNIT -III: Contracts of Insurance****8 HRS**

- a) Parties to the Contract- Classification of the contracts of Insurance based on nature of event, nature of interest affected and nature of insurance. Nature of Contract of Insurance, Subject matter of insurance, description of subject matter.
- b) Insurable Interest: General Principles, Requirements- Statutory interest. Nature of Time-Consequence of lack of interests. Insurance covering other interests, Illegal Contracts of Insurance, Loss following a criminal act, Suicide, Criminal Negligence. Insurable Interest- Life Insurance, Property Insurance, Insurance of Third Parties interests.
- c) Nature of Risk: Definition of Risk & Risk Management.
- d) Consideration for Contract: Premium.
- e) Formulation and Formalities of Insurance Contract: Forming; Formalities; Forming at Lloyds, Temporary Cover- Duration and Renewal of Policies 2 Periods.
- f) Assignment of Insurance Policies.
- g) Warranties and Representations.

**UNIT -IV: Classification of Insurance****8 HRS**

- a) Marine Insurance: History and Development of Marine Insurance; Object of Fundamental Principles, Insurance for Ships and Cargo. Loss- Total Loss (Actual total loss, constructive total loss), Partial Loss (General Average and Particular Average, abandonment). Marine insurance as a model for other insurance. Marine insurance in India. Perils on the Sea, Voyage and deviation. Marine insurance Act, 1963.
- b) Fire Insurance: Meaning of Fire, Loss by fire. Kinds of Marine Insurance Policies, Fundamental Principles, Contracts of- Procedure, Assessment of fire policy. Kinds of Fire Policies. Settlement of Claims, Forfeiture, Retention and Re-insurance. Doctrines: Subrogation, Contribution, Contribution Reinstatement. Double Insurance and Re-insurance.
- c) Life Insurance: Importance; Elements of Protection; Contract; Fundamental Principles; Kinds--- Life Insurance Corporation of India Act, 1956. Management, Functions and Powers of LIC. Control by Government. Life Policies. Persons entitled to buy. Selection of Lives. Salient features and scheme of settlement of claims. Classification of pension plan.
- d) Accident and Motor Insurance. Miscellaneous Insurance.

**UNIT -V: De-regulation of Insurance****8 HRS**

- a) Liberalization & Privatization of Insurance in India: Deregulation of Insurance Sector. Recommendations for Private Entrants. Guidelines for Entry of Banks into Insurance. Malhotra Committee's Recommendations. Privatization of Insurance Industry in India- Pros and Cons.

- b) Insurance Regulatory and Development Authority Act, 1999: Purpose and salient features of accountability of Financial Institutions. Global Insurance Penetration. Protection of Insurance Consumers. Establishment of Regulatory Body. Role of Regulatory Body. Regulation of Insurance Industry in India. Jurisdiction of IRDA. Functions of IRDA. Investment in Insurance Sector. Registration of Insurance Company. Ombudsman-Scheme for Settlement of Disputes. Obligation of Insurers to Rural and Social Sectors.

#### RELEVANT CASE LAWS

1. Brahma Datt v LIC AIR 1966 All 474(Wagering)
2. Northern India General Insurance Co Ltd v Kanvarjit Singh Sobti AIR 1973 All 357 (Third party's interest, Wagering)
3. General Assurance Society Ltd. V Chandumull Jaina and another
4. Mithoolal Nayak v LIC AIR 1962 SC 814 (Forfeiture of Premium)
5. Lakshmi Insurance co v Bibi Padmawathi AIR 1961 Punjab 253 (non-disclosure need not be fraud)
6. LIC v Shakuntala Bai AIR 1975AP 68(No repudiation of policy On inaccuracy)
7. Bhagwan Bai v LIC of India AIR 1984 MP 126 (non-disclosure of immaterial facts cannot vitiate contract)
8. The Gaya Muzaffarpur Roadways & Co. and ors., vs. Fort Gloster Industries Ltd. and anr.,
9. Kashmir Motor Drivers Association and anr. vs. Union of India (UOI) and ors.
10. United India Insurance Co., Shimla v Tilak Singh & others 2006 Case (No liability to gratuitous passenger)
11. National Insurance Co Ltd v. Kusum Rai& others 2006 case (Driving Licence where irrelevant)
12. National Assurance Co, Shimla v Kamla& Others AIR 2001 SC 1419 (Invalid Driving Licence, Insurer has to pay and recover from insured)
13. LIC v Prasanna Devaraj (1995) 82 Comp Cas 611
14. LIC v Raja Vasireddy Komala Valle Kamba AIR 1984 SC 1014
15. Snow White Food Products (P) Ltd v Sohanlal Bagia, AIR 1964 Cal 209
16. National Insurance v Sky Gems (2002) 2 SCC 273
17. State Instrumentalities
18. LIC v Consumer Education Research Center (1995)5 SCC 482
19. Asha Goel v LIC AIR 1986 Bom412
20. Subrogation:
21. Oberai Forwarding Agency v New India Assurance Co Ltd (2000) 2 SCC 407 Tariff Advisory Committee

## **RECOMMENDED READINGS**

1. M.N. Mishra--- Law of Insurance.
2. C. Rangarajan--- Handbook of Insurance and Allied Laws.
3. M.N. Srinivasan--- Law and the Life Insurance Contract.
4. B.N. Bannerjee--- The Law of Insurance.
5. Bhattacharya Jee--- The Life Insurance Corporation Act.



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY,  
DEHRADUN**

**V SEMESTER**

**Syllabus**

**DRAFTNG, PLEADING AND CONVEYANCING**

**LUG 506**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** This paper intends to train students in the art of drafting both for court purposes and for other legal forums.

**Learning Outcomes:**

1. This Course will help students to enhance legal drafting skills.
2. This Course shall help students to apply the legal concepts in practical life situations & develop necessary skills as required for a legal professional.

**UNIT-I: Introduction**

**8 hrs**

- a) Fundamental Rules of Pleadings.
- b) Complaint Structure.
- c) Parties to the suit.
- d) Written Statement.
- e) Appeals.
- f) Reference, Review and Revisions.
- g) Execution.

**UNIT-II: Ordinary Suits**

**8 hrs**

- a) Suit under Order XXXVII of CPC
- b) Suit for Permanent Injunction.
- c) Application for temporary injunction Order XXXIX of CPC.
- d) Suit for Specific Performance.
- e) Petition for eviction OF Tenant under the Uttarakhand Tenancy Act,2021

**UNIT-III: General Criminal Pleadings**

**8 hrs**

- a) Application for bail- Regular & Anticipatory
- b) Application under Section 125 CrPC
- c) F.I.R. under Section 154 CrPC
- d) Criminal Complaint



- e) Application for maintenance under Section 125 of the Criminal Procedure, 1973.
- f) Criminal Appeal

**UNIT-IV: Forms of Civil Pleadings**

**8 hrs**

- a) Suit for money recovery under order XXXVII of the Code of Civil Procedure.
- b) Written Statement.
- c) Suit for specific performance.
- d) Petition for dissolution of marriage under Hindu Marriage Act.
- e) Petition for grant of probate / letter of administration.
- f) Application for grant of succession certificate.
- g) Application for grant of compensation under section 166 of the Motor Vehicles Act, 1988.
- h) Application for temporary injunction under Order 39 Rules 1 and 2 of The Code of Civil Procedure.
- i) Application for execution of a decree.
- j) Caveat under section 148 of the Code of Civil Procedure.
- k) Civil Appeal & Civil Revision
- l) Writ Petition under Article 226 and 32.
- m) Special Leave Petition under Article 136 of the Constitution of India.

**UNIT-V: Conveyancing**

**8 hrs**

- a) Meaning of Conveyancing, Component of a Deed.
- b) Forms of Deed and Notices
  - i. Will.
  - ii. Agreement to sell.
  - iii. Sale-deed.
  - iv. Lease-deed.
  - v. General Power of Attorney
  - vi. Special Power of Attorney.
  - vii. Partnership deed.
  - viii. Mortgage deed.
  - ix. Gift Deed
  - x. Reply to Notice
  - xi. Notice to the tenant.

**Note: Paper Code—LUG 506 entitled, “Drafting of Pleading And Conveyancing” will carry 04 Credits (Maximum 100 Marks) which will be divided into Theory Paper and Practical Viva-voce examination carrying 50 Marks each.** The Theory paper will be conducted at the time of other Theory papers. This course will be taught through class instructions and simulation exercises, preferably with the assistance of practicing Lawyers retired Judges. Apart from teaching the relevant provisions of law, the course will include **10 written exercises in Drafting of pleading carrying 20 Marks (2 Marks for each exercise) and 10 written exercises in Conveyancing carrying 20 Marks (2 Marks for each exercise).** Each student will maintain a **Sessional Exercise Book** for the purpose and write down all the exercise in Pleading and Conveyancing during regular classes. **It will be assessed by the Board of Practical Viva-voce Examiners ((constituted of an internal and external examiner, who will be appointed by the University). The Viva-voce will be for 10 Marks.**

#### RECOMMENDED READINGS

1. N.S. Bindra--- Conveyancing.
2. A.N. Chaturvedi--- Conveyancing.
3. Mogha’s Law of Pleading.
4. D’Souza--- Conveyancing.
5. D.T. Jaibhave--- Pleading, Conveyancing and Advocacy.
6. D.C. Monga--- The Law of Pleading in India.
7. B.P. Singh--- Pleading Conveyancing and Drafting Punjab and Haryana High Court Rules and Orders.
8. Advocate Act, 1961 and Rules.
9. S.K. Mitra--- Law of Notices.



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY,  
DEHRADUN**

**VI SEMESTER**

**Syllabus**

**LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM**

**LUG 601**

**L:T:P::4:1:0**

**Credits-4**

**LEARNING OBJECTIVE:** To impart basic knowledge about the land reforms under land laws including tenure and tenancy system.

**LEARNING OUTCOME:**

1. Students will get detailed knowledge and understanding of the common law principles, the case law and the statutory regulations of land law, and the interactions between these sources of land law.
2. Students will learn how to apply land law principles and practices correctly in order to address land issues commonly encountered in the modern workplace.

**UNIT-I: THE UTTARANCHAL (UTTAR PRADESH ZAMINDARI ABOLITION AND LAND REFORMS ACT, 1950) ADAPTATION AND MODIFICATION ORDER, 2001** **8HRS**

- a) Uttar Pradesh Zamindari Abolition Act and Land Reforms Act, 1950: definitions, special features, object and amendment of 2003 and 2013
- b) Acquisitions of interest of intermediaries and consequences
- c) Gram Sabha, Gram Panchayat, Land Management Committee
- d) Tenure Holder: rights and ejection, Succession, Surrender and Abandonment, Lease, Allotment of Land by Land Management Committee.

**UNIT-II: LANDREVENUEACT, 1901**

**8HRS**

- a) Settlement of land revenue
- b) Revenue Courts and Revenue Authorities: composition, powers and procedure

- c) Maintenance and revision of maps and records
- d) Appeal, Revision and Review.

**UNIT -III: UTTARANCHAL (UTTAR PRADESH CONSOLIDATION OF HOLDING ACT, 1953) ADAPTATION AND MODIFICATION ORDER, 2002** **8HRS**

- a) Definition clause
- b) Revision & correction of Maps & Records
- c) Preparation of Consolidation Scheme
- d) Enforcement of the Scheme

**UNIT-IV: LAND ACQUISITION, REHABILITATION AND RESETTLEMENT ACT,2013** **8HRS**

- a) Definition clause
- b) Determination of social impact and public purpose
- c) Right to fair compensation and Transparency

**UNIT-V: RENT CONTROL ACT** **8HRS**

- a) Introduction to the Rent control act
- b) Rights of Tenants
- c) Rights of Landlord
- d) Eviction and Recovery of Possession of premises by the Landlord

**ACTS AND STATUTES (AS AMENDED)**

1. The Uttaranchal (Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) Adaptation and Modification Order, 2001
2. The Land Revenue Act, 1901
3. The Uttaranchal (The U.P. Consolidation of Holding Act, 1953) Adaptation and Modification Order, 2002
4. The Land Acquisition, Rehabilitation and Resettlement Act, 2013
5. Uttarakhand Tenancy act 2021(Model Tenancy act 2021)

## **TEXT BOOKS**

1. Singh, R.P.; *U.P. Land Laws*; Eastern Book Company
2. Maurya, R.R.; *U.P. Land Laws*; Central Law Publication

## **SELECTED CASE LAWS**

1. Rana Sheo Ambar Singh v Allahabad Bank Ltd. AIR 1977 SC.1552
2. Rani Ratnesh Kumari v State of UP 1978 RD 258 SC
3. Harbans kumar v State of UP, AIR 1981 SC 1124
4. Smt.Usha Devi v Kunwar Singh & Others 2002 RD 763 HC
5. Bhagwan Das v State of UP AIR 1976 SC 1393
6. Ratna sugar mills v State of UP AIR 1976 SC 1742
7. Union of India & others v Shiv Raj & others AIR 2014 SC 564
8. Ratan Singh v UOI & Others AIR 2014 SC 982
9. Ram Kishan & Others v State of Haryana & Others AIR (2015) 4scc 347
10. Delhi Development Authority v Sukhbir Singh & Others AIR 2016 SC 986



VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY,  
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VI SEMESTER

Syllabus

**HUMAN RIGHTS LAWS AND PRACTICE INCLUDING PROTECTION OF WOMEN  
FROM DOMESTIC VIOLENCE AND JUVENILE JUSTICE ACT**

**LUG 602**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** Human Rights is a hotly debated issue the world over. UN bodies and NGOs are concerned about the implementation of Human Rights. The Law of Human Rights is a contemporary topic of International Law. With the establishment of the United Nations, the recognition and the realization for protection and promotion of Human Rights and Fundamental Freedom is deemed necessary of International peace and security. In the year 1966, the General Assembly adopted the Covenants which recognized the inherent dignity and the equal and inalienable rights of all human beings. These rights have been regarded as the foundation for freedom, justice and peace in the World. Violation of Human Rights continue to take place on a large scale in most of the countries of the World. This course dives into the issues related to these rights.

**OUTCOMES:** Learner will be able to comprehend significant concepts of Human Rights, the role of Indian Judiciary in accelerating HRs and issues of various sub- groups. Learner will also be able to fathom trending topics like IHL and Refugee law.

**UNIT- I: Introduction to Human Rights and International Conventions**

**8 HOURS**

- a) History, Evolution and Growth
  - i. Meaning and Concept of Human Rights
  - ii. Ancient Indian Perspectives--- *Dharma, Sarva Dharma Sambhava and Vasudev Kutumbkam.*
  - iii. League and Nations and Human Rights.
  - iv. Universal Declaration of Human Rights and its Legal Significance.
- a) International Bill of Human Rights.
- b) Universal Declaration of Human Rights, 1948.
- c) Covenants of 1966.
- d) International Conventions on Human Rights.
- e) International Conferences on Human Rights.

- f) Optional Protocols.

**UNIT- II: Human Rights under Indian Constitution and the Role of Judiciary 8 HOURS**

a) Human Rights under Indian Constitution:

- i) Fundamental Rights
- ii) Directive Principles of State Policy

b) Role of Judiciary

- i) National Human Rights Commission.
- ii) Protection of Human Rights Act, 1993.
- iii) Role of NGOs in the Promotion and Protection of Human Rights.

**UNIT-III: Group Rights**

**8 HOURS**

- a) Prisoners
- b) Women and Children.
- c) Indigenous People.
- d) Disabled.

**UNIT-IV: International Humanitarian Law**

**8 HOURS**

- a) International Humanitarian Law- IHL.
- b) Introduction to International Humanitarian Law.
- c) Development of International Humanitarian Law.
- d) IHL and Human Rights Law.
- e) Geneva Conventions of 1949 and Additional Protocol of 1977 and IHL.
- f) Implementation of IHL- International Perspectives.
- g) International responsibility for Violations of IHL.
- h) Implementation of IHL.
- i) National measures for the Implementation of IHL- Indian perspectives.

**UNIT- V: International Refugee Law**

**8 HOURS**

- a) International Refugee Law- IRL.
  - i. Introduction, Origin and Development.
  - ii. Determination of refugee status.
  - iii. Definition, Rights and Protection.
  - iv. UNHCR.

- v. Asylum.
  - vi. Rights and Duties of Refugees.
  - vii. Causes of refugee flows and the Law of State Responsibility and Durable solutions.
  - viii. Internally Displaced Persons.
  - ix. Refugee Convention of 1951 and 1967 Protocol.
- b) Refugee Law in India
- i. Protection of refugee- Indian perspectives.
  - ii. India and International Conventions.
  - iii. Refugees in India.
  - iv. Law relating to refugee in India.
  - v. Policy of Indian Government.
  - vi. Judicial Trends.
  - vii. Model National Law on Refugee.

### **RECOMMENDE READINGS**

1. UN Charter.
2. Constitution of India.
3. Human Rights Act, 1993.
4. M.K. Sinha--- Implementation of Non-Derogational Human Rights. Delhi, 1999.
5. D.D. Basu--- Human Rights.
6. Upendra Baxi--- Human Rights.
7. Thomas Buergenthal--- Human Rights.
8. Henry Steiner & Philip Alston--- International Human Rights Law.
9. B.G. Ramchandran--- International Human Rights. Oxford, 1998.
10. Y.K. Tyagi--- British Year Book. 2001.
11. Rama Jois--- Human Rights in Ancient India.
12. F. Kazmi--- Human Rights.
13. Nagender Singh--- Human Rights and International Cooperation.
14. J. Swarup--- Human Rights and Fundamental Freedom.
15. S.C. Khare--- Human Rights and United Nations.
16. A.B. Kailash--- Human Rights in International Law.
17. I. Menon (Ed.)--- Human Rights in International Law.
18. A.B. Robertson (Ed.)--- Human Rights in International Law.
19. E. Lauterpacht--- International Law and Human Rights.
20. Sohn Levis & Burgenthal--- International Protection of Human Rights.
21. M.K. Barachandran & Verghese Rose--- Introduction to International Humanitarian Law. ICHR Publication.
22. H.O. Agarwal--- International Law and Human Rights. CLP, Allahabad. 1999





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**VI SEMESTER**

**Syllabus**

**CYBER LAWS**

**LUG 603**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** With the growth of Information Technology throughout the Globe and introduction of Information Technology Act, 2000, it is imperative that the law students must be aware of new development in the field of law. Law students should have insights into the complexities of information technology. This course aims at providing the students understanding of legal recognition and procedure of cyber space, digital signature, legal recognition of cyber authorities and cyber appellate tribunal, legal implications of new genre of offences and penalties under the IT Act, 2000.

**OUTCOMES:** Identify the current issues underlying the horizon of cyberspace. Appreciate the legal mechanism imposed for the regulation of cybercrime. To develop a deep understanding of the key topics.

**UNIT-I: Introduction**

**8 HRS**

- a) Evolution of the IT Act
  - Genesis and Necessity
- b) Salient features of the IT Act, 2000
- c) Legal Recognition of Electronic Records and Procedure.
- d) Legal Recognition of Digital Signature.
- e) Certifying Authority and its Role.
- f) Controller of Certifying Authority- Appointment, Functions and Powers.
- g) Cyber Appellate Tribunal: Offences and Punishment under Act.
- h) Impact on other related Acts (Amendments):
  - Amendments to Indian Penal Code.
  - Amendments to Indian Evidence Act.
  - Amendments to Bankers Book Evidence Act.
  - Amendments to Reserve Bank of India Act.

## **UNIT-II: CYBER SPACE & E-COMMERCE**

**8 HRS**

- a) Property under cyberspace
- b) Cyber Space Jurisdiction
  - Jurisdiction issues under IT Act, 2000.
  - Traditional principals of Jurisdiction
  - Extra-terrestrial Jurisdiction
  - Case Laws on Cyber Space Jurisdiction
- b) E – commerce and Laws in India
  - Digital / Electronic Signature in Indian Laws
  - E-Commerce; Issues and provisions in Indian Law
  - E-Governance; concept and practicality in India
  - E-Contracts and its validity in India
- c) Cyber Tribunal & Appellate Tribunal
- d) Cyber Regulations

## **UNIT-III: INTELLECTUAL PROPERTY RIGHTS**

**8 HRS**

- a) Intellectual Property Rights, Domain Names and Trademark Disputes
  - (a) Concept of Trademarks in Internet Era
  - (d) Jurisdiction in Trademark Disputes
  - (e) Copyright in the Digital Medium
  - (f) Copyright in Computer Programs
  - (g) Copyright and WIPO Treaties
  - (h) Concept of Patent Right
  - (i) Relevant Provisions of Patent Act 1970

## **UNIT-IV: CYBER CRIMES**

**8 HRS**

- a) Cyber Squatting
- b) Reverse Hijacking
- c) Spamming
- d) Data Theft
- e) Hacking
- f) Spreading Virus & Worms
- g) Phishing
- h) Cyber Stalking / Bullying
- i) Identity Theft & Impersonation
- j) Credit card & Online Banking Frauds
- k) Obscenity, Pornography & Child Pornography
- l) Cyber Defamation, Defacement

- m) Illegal online selling & Gambling
- n) Denial of Service Attacks
- o) Cyber terrorism
- p) Software Piracy & illegal downloading

**UNIT-V: MISCELLANEOUS**

**8 HRS**

- a) Cloud Computing & Law
- b) Cyber Law: International Perspective
- c) UNCITRAL Model Law.
- d) Berne Convention
- e) WIPO Copyright Convention
- (f) EU Convention on Cyber Crime

**RECOMMENDED READINGS**

1. Relevant Acts and Conventions.
2. Information Technology Act--- Prof. S.R. Bhansali.
3. Cyber Laws (Text and Cases)- Gerald R. Ferrera, WEST THOMSON LEARNING.
4. Cyber Crime--- Vakul Sharma.
5. Law Relating to Computers, Internet and E-Commerce--- Nandan Kamath.
6. Cyber Law--- K.K. Kumar
7. Patents, Trademarks, Copyrights, Design and Geographical Indications--- B.L. Wadhera.
8. Intellectual Property Law--- Ganguly.



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**VI SEMESTER**

**(OPTIONAL) Syllabus**

**INTELLECTUAL PROPERTY LAW**

**LUG 604**

**L: T:P: 4:1:0**

**Credits-4**

**OBJECTIVE:** The paper intends to provide comprehensive knowledge to the students about Indian position of the Patent Law, 1970; Copy Right Law, 1957 and Design Act, 2000. Intellectual property law deals with laws to protect and enforce rights of the creators and owner of inventions, writing, music, design and other works. The object of this law is to make the learner understand about the concept of intellectual property and various laws which are dealing with such area.

**OUTCOMES:** After studying the course, the learner will:

1. Understand the concept of intellectual property and various laws dealing with such property.
2. Understand the concept of registration of patent, trademark, and copyright and various rules thereto.
3. Understand the scope of protection of intellectual property and duration of copyright, patent and trademark.

**UNIT-I: INTRODUCTION**

**08 Hours**

- a) Origin and Development of Intellectual Property.
- b) Need for protection of intellectual property.
- c) Concept of Corporeal and Incorporeal Property.
- d) Comparison between corporeal and incorporeal property.
- e) Meaning and Concept of Copyrights, Trademarks, Geographical Indications, Industrial Designs, Patents and Plant Varieties.

**UNIT-II: COPYRIGHTS AND TRADE MARK.**

**08 Hours**

- a) Nature and Meaning copyright and trademark.
- b) Registration of Copyright under Indian Law,
- c) Rights conferred by Copyright, Infringement of Copyright, Scope of Protection. Procedure for Protection., Enforcement and remedies.
- d) Difference between infringement of Trademark and passing off.

- e) Registration of Trademarks, Scope of Protection, Procedure for protection, Enforcement and remedies

**UNIT-III: INDUSTRIAL DESIGN AND PATENTS. 08 Hours**

- a) Nature and Meaning design and patent, Registration of Designs and patent.
- b) Infringement in Industrial Designs under Indian Design Act, 2000, Scope of Protection, Procedure for Protection, Enforcement and Remedies.
- c) Procedure for Protection, Enforcement and Remedies, Process of obtaining a patent.
- d) Licenses of Right and Revocation of Patent, Duration of Patent Grant.
- e) Infringement, Scope of Protection, Procedure for Protection, Enforcement and Remedies

**UNIT-IV: GEOGRAPHICAL INDICATIONS AND PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHT. 08 Hour**

- a) Procedure for Registration, Infringement of Geographical Indications and Assignment.
- b) Persons who can apply for registration of protection of plant and varieties.
- c) Requisites for Registration for plant and varieties.
- d) Farmer Rights.
- e) Compulsory Licensing.

**UNIT-V: INTERNATIONAL PROTECTION. 08 Hours**

- a) Important Provision relating to Protection of Copyrights under Berne Convention, 1886.
- b) Trademark under Madrid Agreement, 1891.
- c) Patents under Patent Cooperation Treaty, 1970.
- d) Protection of Industrial Design under the Hague System, 1925 and Protection of New Varieties of Plants under UPOV Convention, 1961.
- e) Aims and objectives of TRIPS Agreement.

**RECOMMENDED READINGS**

1. P. Narayana--- Intellectual Property Law.
2. W.R. Cornish--- Intellectual Property Law.
3. N.S. Gopal Krishna--- Cases and Material on IPL.
4. P. Narayanan--- Intellectual Property Law. Eastern Law House.
5. T.R. Srinivas--- The Copyright Act, 1957.
6. Meenu Paul--- Intellectual Property Law.
7. M.K. Bhandari--- Law Relating to Intellectual Property Rights. Central Law Publications.
8. Paris Convention for the Protection of Industrial Property, 1883.
9. Berne Convention for the Protection of Literary and Artistic Works, 1886.
10. Indian Copyright Act, 1957.



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY,**

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**VI SEMESTER**

**(OPTIONAL) Syllabus**

**Law Relating to Women and Child**

**LUG 605**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** To impart knowledge regarding the women and child rights and their protection at national and international level and also to sensitize the students about various legal issues and policies related to Women and child rights.

**OUTCOMES:** On successful completion of this course, the students will be able to:

1. Identify and synthesize provisions relating to women and child under Constitution and international conventions.
2. Analyze various legislations and policies framed for protecting the interests of women and children.
3. Understand the interdisciplinary approach to the study of protection of human rights relating to women and children.

**UNIT-I**

**8HRS**

- a) Introduction and Status of Women in Before and After Independence in India
- b) Historical Development of Women and Child Rights
- c) Rights & Protection at National and International level
- d) Constitutional Provisions for Women and Child (Art. 14,15,16,21,22,23,24,39,39A& 226)

**UNIT-II Comparative Study of Legal Provisions of Women**

**8HRS**

- a) Women under various Personal Law, with reference -
  - I. Marriage and Divorce,
  - II. Maintenance and Adoption
  - III. Guardianship and inheritance

- b) Offences against Women under Indian penal code

**UNIT-III Special Legislations for Women rights**

**8HRS**

- a) Various Social Legislation Termination of Pregnancy Act
- b) Dowry Prohibition Act
- c) The Indecent Representation of Women (Prohibition) Act
- d) National Commission for Women Act
- e) Maternity Benefit Act
- f) Equal Remuneration Act
- g) Sexual Harassment Act, 2014

**UNIT-IV- Child Rights**

**8HRS**

- a) Status of Child, Condition of Primary Education, Step Taken by Government
- b) Protection to Child under Constitution, I.P.C., Cr. P. c.
- c) Tortuous and Contractually Liability of Minor
- d) Human Rights of Children
- e) Exploitation of child in various fields

**UNIT –V- Special Legislations for Child Rights**

**8HRS**

- a) The Commissions for the Protection of Child Rights Act, 2005
- b) The Prohibition of Child Marriage Act, 2006
- c) The Juvenile Justice (Care and Protection of Children) Act, 2000
- d) The Protection of child from sexual offences Act 2012
- e) The Information Technology Act, 2000

**Books Recommended**

- Paras Diwan- Indian Personal Laws
- Paras Diwan- Family Law
- B.P. Beri - Law of Marriage and Divorce in India
- S.N. Aggarwal- Matrimonial Remedies
- Kusum-Family Law Lectures-I
- Derrett- Introduction to Modern Hindu Law
- S.N. Aggarwal- Commentary on the Law of Maintenance
- S.N. Mishra- Indian Penal Code
- Rattanlal & Dhirajlal- The Indian Penal Code
- K.D. Gaur- Commentaries on the Indian Penal Code

- Rattanlal & Dhirajlal- The Code of Criminal Procedure
- Dr. N. Maheshwara- Law relating to Criminal Procedure Code
- P.M. Bakshi- The Constitution of India
- M.V.Pylee- Constitution Amendments in India
- Women & Law with special reference to Child Batra
- Women & Law YashodharaPandya
- Women & Law G.B.Reddy
- Women & The Law Anjani Kant
- Children & Legal Protection ParasDiwan
- Social Transformation In India Krishna Pal Malik
- Legal Status And Remedies For Women In India Roma Mukherjee
- Women and law Dr. S. R. Myneni,

III

25%

IV Status of Child, Condition of Primary Education, Step Taken by Government

Protection to Child under Constitution, I.P.C., Cr. P. c.

Tortuous and Contractually Liability of Minor

Human Rights of Children

Exploitation of child in various field

Basic Text & Reference Books:-





**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY,**

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**VI SEMESTER**

**(OPTIONAL) Syllabus**

**Law Relating to Right to Information**

**LUG 606**

**L: T:P: 4:1:0**

**Credits-4**

**OBJECTIVES:** To enables the students about right to information of Right to Information is just like oxygen for democracy. It stands for transparency. Information would lead to openness, accountability and integrity. Besides, apart from ensuring greater transparency it also acts as a deterrent against the arbitrary exercise of public powers. A culture of individual action, political consciousness and public spirit is the basis for the success of democracy. Open Government is the new democratic culture of an open society towards which every liberal democracy is moving and our country should be no exception. In a country like India which is committed to socialistic pattern of society, right to know becomes a necessity for the poor, ignorant and illiterate masses.

**OUTCOMES: After studying the syllabus students will-**

1. Understand the procedure for filing complain under this law.
2. Understand the concept of filing the complaint.
3. Understand the various ground on which complain can be filed.

**UNIT- I Right to Information – Right to Information Act, 2005**

**8HOURS**

- a) Background and purpose of Act.
- b) A step towards Transparency in governance
- c) Introduction to Right to Information Act, 2005
- d) Objectives of Right to Information Act
- e) Right to Information: Global Scenario
- f) Main features of Right to Information Act, 2005

**UNIT- II Significance of RTI in democracy.**

**8HOURS**

- a) Significance of RTI in democracy.

- b) Constitutional basis of RTI.
- c) Definition of Appropriate govt. under Act.
- d) Central information commission.
- e) Main features of Right to Information Act, 2005

**UNIT- III Right to information and obligation on public authorities.8HOURS**

- a) Obligation on public authorities.
- b) Public information officers.
- c) Objectives of Right to Information Act
- d) Exemption from disclosure.
- e) Disposal pf a request.

**UNIT- IV-Information commission.**

**8HOURS**

- a. Central information commission.
- b. State information commission.
- c. Various other Authorities under the Act.
- d. Power to receive appeal.
- e. Power to receive complaint.

**UNIT- V-Miscellaneous provision.**

**8HOURS**

- a) A note on the 2019 RTI Amendment.
- b) Penalties under the Act.
- c) Right given to citizens only.
- d) Mind set of bureaucracy.
- e) Compendium of cases under RTI Act.

**SUGGESTIVE READING.**

1. Harsh Mander & Abha Joshi, The Movement for Right to Information in India,
2. Suchi Panday, Dying for information: Right to information and whistleblower protection in India,
3. The Right to Know Movement in India, Making Change Happen. Just Associates (2004)
4. M. Chalpathi, Indian Journal of Public Administration Rau, Official Secrets and Freedom of Information in India, 25 (1979)



**VEER MADHO SINGH BHANDARI UTTARAKHAND TECHNICAL UNIVERSITY,  
DEHRADUN**

**VI SEMESTER**

**Syllabus**

**MOOTCOURT EXERCISES AND INTERNSHIP**

**LUG 607**

**L:T:P::4:1:0**

**Credits-4**

**OBJECTIVE:** This shall be a simulation course and the students shall be prepared in a case either in a moot court or in a mock trial on a given problem. This paper shall have three components of 30 marks each and a viva for 10 marks.

**UNIT -I: Moot Court (30Marks)**

Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem 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 (30 Marks)**

Students may be required to attend two trials in the course of last two or three 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. 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: Viva**

The fourth component of this paper will be Viva voice examination on all the above three aspects. This will carry 10 marks.

**Note: Paper Code–LUG 607 entitled, “Moot Court, Pre-Trial Preparation And Participation In Trial Proceedings (Practical Training)” shall comprise of the following:**

**(A). Moot Court:** The **Maximum Marks for this Paper will be 100.** Each student will do **at least two Moot Courts** in a Semester with **10 Marks each.** The Moot Court work will be on the assigned problem and will be evaluated for **5 Marks** for written submissions (to be recorded in the sessional Diary) and **5 Marks** for Oral Advocacy.

**Guidelines:** For the purpose of Moot Court, **groups will be formed of 8-10 students** and cases involving several issues shall be assigned in Court practice *i.e.* Operation of Courts and legal professionals on panel of the College University may be sought, especially in the matter of getting copies of paper books of cases which have been decided by various Courts.

The Course shall emphasize points of Court craft and decorum. The **male students shall wear a white pant– shirt and a Black Tie and female students shall wear a white dress with a blackscarf** while addressing a Moot Court and during their visits to the Court Advocates chambers and other practical training programmes.

Practice Moots shall be held as a routine in the class itself and the three compulsory test Moots for examination shall be held after such practice Moots near the end of the semester term. Attendance at such practice Moot Courts shall be counted. Each student shall be required to maintain a regular record of his/her preparation for all the Moot Courts attended by him/her in the Sessional Diary. **The Sessional Diary will carry 15 Marks (5 Marks for each Test Moot).**

**(B). Court Assignments:** Observation of Trialing **Four Cases** *i.e.* **Two Cases in Civil and Two in Criminal.** Each student will attend **Four Trial Courts during the Semester term.**

He/ She will maintain a record of his/her visits in his/her Diary of Sessional Work and enter the various steps observed during his/her attendance on different days in the Court assignment. This Scheme will carry **25 Marks.**

**(c). Interviewing Techniques and Pre-Trial Preparation:**

(i). Each student will observe for Interviewing Sessions of Clients at the Lawyer's Office Legal Aid Office and record the proceedings in the Diary of Sessional Work, which will carry **10 Marks**.

(ii). Each student will further observe the preparation of documents and Court Papers by the Advocate and the procedure for filing the Suit Petition. This will be recorded in **Sessional Diary** which will carry **10 Marks**.

**Guidelines:** To make the training meaningful, student visits have to be organized for a continuous period, sufficiently long to observe and understand the process taking place in their proper context. Efforts should be directed to acquaint the students with the different branches of legal practice including **Civil, Criminal, Revenue, and Labour Court Practice**. Besides the legal Professionals on the College University Panel, the students should regularly be supervised and helped by the subject teacher tutor. It is desirable that besides Advocates Chambers the students are taken for academic Family Court Revenue Court Income Tax & Sales Tax Offices and other venues where judicial administrative proceedings are held. The **Indian Law Institute, Parliament, Supreme Court, and High Courts, Tribunals etc.**, may be visited to make the training academically multifarious. This programme can be intellectually and professionally challenging if properly organized and integrated with the Curriculum.

**(D). Viva-voce:** The **Fourth Component** of this Paper will be **Viva-voce examination**

By the **Board of Examiners on the above three aspects**. This will carry **10 Marks**.