

# Course Scheme

## LL.B. 3 Year (Honours.) Programme (2024 and Onwards)

Programme and Semester	Subject Code	Subject Title	Page No:	Prescribed As: (Compulsory / Core / Specialization / Optional)
<b>(I)</b>				
LL.B.-1 <sup>ST</sup>	LLB24101C	JURISPRUDENCE-I	2-3	Compulsory /Core
	LLB24102C	LAW OF TORTS, MOTOR VEHICLES ACT AND CONSUMER PROTECTION ACT	4-5	
	LLB24103C	LAW OF CRIMES-I (BHARATIYA NYAYA SANHITA, 2023-I)	6-7	
	LLB24104C	CONSTITUTIONAL LAW-I	8-9	
	LLB24105C	LABOUR AND INDUSTRIAL LAW- I	10-11	
	LLB24106S	CRIMINOLOGY, PENOLOGY AND VICTIMOLOGY	12-14	Specialisation (Crime and Criminology Group)
	LLB24107S	INFORMATION TECHNOLOGY LAW (CYBER LAW)	15-17	Specialisation (Commercial Law Group)
	LLB24108C	VIVA-VOCE		Compulsory Component
<b>(II)</b>				
LL.B.-2 <sup>ND</sup>	LLB24201C	JURISPRUDENCE-II	19-20	Compulsory /Core
	LLB24202C	CONSTITUTIONAL LAW-II	21	
	LLB24203C	LAW OF CRIMES-II (BHARATIYA NYAYA SANHITA, 2023-II )	22-23	
	LLB24204C	LAW OF CONTRACT-I	24-26	
	LLB24205C	LABOUR AND INDUSTRIAL LAW-II	27-29	
	LLB24206S	INTELLECTUAL PROPERTY LAW	30-31	Specialisation (Commercial Law Group)
	LLB24207S	COMPETITION LAW	32-33	
	LLB24208C	VIVA-VOCE		Compulsory Component

(III)				
LLB 3 <sup>RD</sup>	LLB24301C	LAW OF CONTRACT-II	35-37	Compulsory/Core
	LLB24302C	FAMILY LAW-I	38-39	
	LLB24303C	ADMINISTRATIVE LAW-I	40-41	
	LLB24304C	COMPANY LAW	42-43	
	LLB24305CL	CLINIC- I (PLEADING, DRAFTING AND CONVEYANCING)	44-45	Clinical Course
	LLB24306OP	LEGISLATIVE DRAFTING	46-47	Optional
	LLB24307OP	LEGAL HISTORY	48-49	
	LLB24308S	BANKING AND NEGOTIABLE INSTRUMENTS	50-51	Specialisation (Commercial Law Group)
	LLB24309C	VIVA-VOCE		Compulsory Component
	LLB24310C	INTERNSHIP		
(IV)				
LL.B-4 <sup>TH</sup>	LLB24401C	BHARATIYA NAGARIK SURAKSHA SANHITA-2023-I	53-54	Compulsory/Core
	LLB24402C	CIVIL PROCEDURE CODE-I	55-56	
	LLB24403C	FAMILY LAW-II	57-58	
	LLB24404C	ADMINISTRATIVE LAW-II	59-60	
	LLB24405CL	CLINIC -II (PROFESSIONAL ETHICS AND BAR BENCH RELATIONS)	61-63	Clinical Course
	LLB24406OP	CONSTITUTIONAL HISTORY	64-65	Optional
	LLB24407OP	BIODIVERISTY LAW	66-67	
	LLB24408S	FORENSIC SCIENCE AND LAW	68-71	Specialisation (Crime and Criminology Group)
	LLB24409C	VIVA-VOCE		Compulsory Component
	LLB24410C	INTERNHSIP		
(V)				
LL.B - 5th	LLB24501C	BHARATIYA NAGARIK SURAKSHA SANHITA-2023-II	73-75	Compulsory/Core
	LLB24502C	CIVIL PROCEDURE CODE-II	76-77	
	LLB24503C	ENVIRONMENTAL LAW	78-80	
	LLB24504C	TAXATION LAW-I	81-82	
	LLB24505CL	CLINIC-III (ALTERNATE DISPUTE RESOLUTION)	83-85	Clinical Course

LL.B - 5th	LLB24506OP	INTERPRETATION OF STATUTES	86-87	Optional
	LLB24507OP	HUMAN RIGHTS: LAW AND PRCATICE	88-89	
	LLB24508S	INDIAN FEDERALISM	90-91	Specialisation (Constitutional Law Group)
	LLB24509C	VIVA-VOCE		Compulsory Component
	LLB24510C	INTERNSHIP		
(VI)				
LLB-6 <sup>TH</sup>	LLB24601C	PUBLIC INTERNATIONAL LAW	93-94	Compulsory/Core
	LLB24602C	TAXATION LAW-II	95-96	
	LLB24603C	BHARATIYA SAKSHYA ADHINIYAM-2023	97-98	
	LLB24604C	PROPERTY LAW	99-100	
	LLB24605CL	CLINIC-IV (INTERNSHIP)	101	Clinical Course
	LLB24606OP	LAW AND SOCIETY	102-103	Optional
	LLB24607OP	NDPS AND LAW	104-106	
	LLB24608S	CHILD LAW AND JUVENILE JUSTICE	107-109	Specialisation (Constitutional Law Group)
	LLB24609C	VIVA-VOCE		Compulsory Component
	LLB24610C	MOOT COURT		

# LL.B

## 1<sup>st</sup> Semester

## Jurisprudence-I

Paper I [Code-LLB24101C]  
Time Duration: 3 Hours

Max. Marks=100  
Theory =80  
Continuous Assessment=20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Jurisprudence. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The objective of the paper is to develop an analytical approach to understand the nature, development and functioning of law and its working in different dimensions with reference to popular jurists. The objective is to encourage the critical thinking and analytical skills.

**Learning outcome:** Interpret and apply law accurately as investigate and analyze facts effectively. Detect ambiguity and inconsistency within & among different rules and sources of law. Engage in successful legal research. Engage in effective problem solving. Fulfill professional and ethical responsibilities. Work to ensure diversity, inclusion, equity and multiculturalism to improve the quality of justice.

### Unit-I

1. Jurisprudence: Meaning, Nature and Scope.
2. Relevance of Jurisprudence in Contemporary Legal Systems.
3. Relationship of Jurisprudence with other Social Sciences.
4. Legal Theory and Jurisprudence.
5. Meaning and nature of Law
6. Classification of Law

### Unit-II–Natural Law Approach

1. Ancient Period
2. Medieval Period
3. Renaissance Period
4. Modern Period
5. Relevance of Natural Law in Present Indian Legal System.

### Unit-III-Analytical Positivism

1. Jeremy Bentham
2. John Austin
3. Hans Kelson

### Unit-IV

1. Historical School
  1. Puchta
  2. Savigny
  3. Sir Henry Maine
2. Sociological School
  1. Ihering
  2. Duguit
  3. Roscoe Pound

### Unit-V

1. Legislation.

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

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2. Precedents: Concept of Stare Decisis.
3. Customs.
4. Juristic Writings.

### **Recommended Readings:**

1. Bodenheimer, Jurisprudence—The philosophy and Methods of Law (1996), Universal Publication, Delhi.
2. Fitzgerald, (ed.) Salmond on Jurisprudence (1999).
3. Tripathi, Bombay W. Friedman, Legal Theory (1999) Universal Pub. Delhi.
4. V. D. Mahajan, Jurisprudence and Legal Theory (1996 re-print), Eastern Books, Lucknow.
5. M.D.A. Freeman (ed.), Lloyd's Introduction to Jurisprudence, (1994), Sweet and Maxwell.
6. Paton G.W. Jurisprudence (1972), Oxford, ELBS.
7. H. L. A. Hart, The Concept of Law (1970), Oxford, ELBS.
8. Rescoe Pound, Introduction to the Philosophy of Law (1998 Re-print), Universal Pub., Delhi.
9. Dias, Jurisprudence (1994), Adithya Books, New Delhi.
10. Dhyani S.N. Jurisprudence: A study of Indian Legal Theory (1985), Metropolitan, New Delhi.
11. M. P. Tondon, Jurisprudence Legal Theory, Allahabad Law Agency.
12. Dr. Vijay Ghormade, Jurisprudence and Legal Theory, Hind Law House.
13. N.V. Pranjape, Studies in Jurisprudence and legal theory, Central Law Agency.
14. N.V. Jayakumar, Lectures in Jurisprudence, 2<sup>nd</sup> Ed., Lexis-Nexis.
15. Dr. B. N. Mani Tripathi, Jurisprudence Legal Theory, Allahabad Law Agency.
16. P. S. Atchthew Pillai, Jurisprudence and Legal Theory, Eastern Book Company.
17. Prof. G.C. Venkata Subba Rao, Jurisprudence and Legal Theory, Eastern Book Comp.
18. Annual Survey of Indian Law, Indian Law Institute, New Delhi.

## **LAW OF TORTS, MOTOR VEHICLES ACT & CONSUMER PROTECTION ACT**

**Paper: II [Code-LLB24102C]**

**Time allowed: 3Hours**

**Max. Marks=100**

**Theory=80**

**Continuous Assessment=20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of Law of Torts including how its 'principles manifest and implement themselves in Motor Vehicle and Consumer Protection Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective:** This paper is to make students understand the nature of torts and conditions of liability with references to established case law. Further, it covers how the principles of tort law manifest and implement themselves in Motor Vehicle and Consumer Protection law.

**Learning outcome:** It will engage students in successfully understand the ambit of civil wrongs happening around the society and legal ways and means to determine appropriate action damages suffered by litigants.

### **Unit-I**

1. Nature and Definition of Law of Torts.
2. Difference between Tort and Crime/ Tort and Breach of Contract.
3. Basis of Tortious Liability.
  1. *Ubi Jus Ibi Remedium.*
  2. *Injuria Sine Damnum and Damnum Sine Injuria.*
4. Principles of Vicarious Liability
  1. Master-Servant Relationship.
  2. Principal-Agent Relationship.
  3. Liability of State: Doctrine of Sovereign Immunity.
5. Strict Liability and Absolute Liability.

### **Unit-II: General Defences for the Tortious Liability**

1. Volenti non fit injuria
2. Vis Major (Act of God)
3. Inevitable Accident
4. Necessity
5. Private Defence

### **Unit III: Torts against Human Beings**

1. Negligence and Contributory Negligence.
2. Nuisance.
3. Defamation.
4. Trespass

### **Unit-IV: Motor Vehicles Act, 2019**

1. Over view of the Motor Vehicle Act.

2. Special Provisions for Payment of Compensation (Section 161-164).

**Unit-V: The Consumer Protection Act, 2019**

1. Aims and Objectives.
2. Definition and Meaning–Consumer, Service, Goods, Defects in Goods, Deficiency in Services.
3. Redressal Agencies and Remedies.

**Recommended Readings:**

1. Annual Survey of Indian Law, Indian Law Institute, New Delhi.
2. Avatar Singh, Law of Torts
3. Bangia, R.K, Law of Torts, Allahabad Law Agency
4. Heuston, R. F. V, Salmond on the Law of Torts
5. Ratan Lal & Deeraaj Lal, The Law of Torts, Lexis Nexis Butterworths Wadhwa, Nagpur.
6. Sinha, Law of Torts
7. Winfield, Law of Torts

## LAW OF CRIMES-I

### (The Bharatiya Nyaya Sanhita,2023-I)

Paper: III [Code-LLB24103C]  
Time allowed: 3 Hours

Max. Marks=100  
Theory=80

Continuous Assessment=20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Law of Crimes. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objectives:** To introduce the students, the background of The Bharatiya Naya Sanhita (2023) along with the Indian Penal Code (1860). To make students to understand the fundamental elements of crime, stages in commission of crime and the difference between crime and wrong. To provide knowledge about the elements of criminal liability (including joint and constructive liability, common intention, common object), and provisions relating to criminal conspiracy. To apprise the students about the concepts of abetment and attempt to commit a crime. To make the students to understand the concept of general exceptions available in the Bharatiya Naya Sanhita (2023). To transmit the knowledge regarding the offences against Reputation, Public Tranquility and the State. To provide knowledge about the historical perspective of the punishments, different types of punishment with comparative analysis.

**Learning outcomes:** The students will be able to understand, the background of Penal Laws and The Bharatiya Naya Sanhita (2023) along with the Indian Penal Code (1860). The students will be equipped to understand the fundamental elements of crime, stages in commission of crime and the difference between crime and wrong. The students will have the knowledge about the elements of criminal liability (including joint and constructive liability, common intention, common object), also provisions relating to criminal conspiracy. The students will have a clear understanding of the concepts of abetment and attempt to commit a crime. The students will understand the concept and importance of general exceptions available in the Bharatiya Naya Sanhita (2023). The students will get the knowledge regarding the offences against Reputation, Public Tranquility and the State. The students will be acquainted with the knowledge about the historical perspective of the punishment, different types of punishment with comparative analysis.

### UNIT-I Introduction

1. The Bharatiya Nyaya Sanhita 2023/ Indian Penal Code.
2. Short title, commencement, definitions and explanations Ss2 (7), 2(9), 2(10) 2(11), 2(14) 2(21) 2(24), 2(28), 2(33), 2(36), 2(37)
3. Concept and definition of crime(Tort liability and criminal liability the difference)
4. Elements of criminal liability

### UNIT-II General Exceptions –I

1. Mistake of fact and mistake of law (sec.14 of BNS/sec.76 of IPC)
2. Act of judge pursuant to judgment or order of the court/justified etc.(sec.15 and 16 of BNS/sec.77,78 of IPC).
3. Accident/Act likely to cause unintended harm sec.18 of BNS/sec.80 of IPC
  1. Infancy (.20,21 of BNS and sec.82,83 of IPC)
  2. Intoxication (Involuntarily/voluntarily) [sec.22, 23, 24 of BNS/sec.85, 86 of IPC.]

### UNIT –III General Exceptions –II

1. Act done with consent/good faith/threat/slight harm.(sec.25-33 of BNS/sec.87-95 of IPC)
2. Act of person of unsound minds (sec.22 of BNS/sec.84 of IPC )
3. Right of private defence of person and property: (Sec.34-44 of BNS/sec.96-106 of IPC)

**UNIT-IV**

1. Constructive and joint liability (sec.3(5) of BNS and sec.190 of BNS /sec.34 and 149 of IPC)
2. Unlawful Assembly (sec.189-190 of BNS/sec.141-143 of IPC)
3. Rioting and Affray (sec.191-192 and sec.194 of BNS/sec.146-147 and 159-160 of IPC)
4. Waging war (sec.147-150 of BNS/sec.121 and 121A of IPC)
5. Promoting enmity between different groups (sec.196-197 of BNS/SEC.153A of IPC)

**UNIT-V**

1. Abatement (sec.45 ,46,49,50,51, of BNS/sec.107-109 of IPC)
2. Criminal conspiracy (sec.61 of BNS/sec.120A and 120B of IPC)
3. Attempt (sec.62 of BNS /sec.511 of IPC)

**Recommended Readings:**

1. H.S. Guar, Penal Law of India.
2. K.D. Gaur, Cases and Materials on Criminal Law.
3. P.S. Pillia, Criminal Law.
4. Qadri S MA, Criminology, Penology and Victimology.,Qadri SMA, Police and Law -A sociological Analysis
5. R.C. Nigam, Law of Crimes in India.
6. S.N. Mishra, Indian Penal Code.

## CONSTITUTIONAL LAW-I

Paper IV [Code-LLB24104C]  
Time Duration:3 Hours

Max. Marks =100  
Theory=80  
Continuous Assessment=20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Constitutional Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The objective of this paper is to provide basic understanding of various features of Indian Constitution. Besides it the paper seeks to sensitize the law students about the fundamental rights, directive principles of state policy and various constitutional remedies.

**Learning Outcome:** The students will get acquainted with the basics of constitutional law and its application in the growth and development of country.

### UNIT-I

1. Constitutional Law: Constitutionalism.
2. Salient Features of the Constitution- Preamble, Secularism, Federalism and Parliamentary form of government.
3. Concept of State & Justifiability of Fundamental Rights. (Articles 12 & 13)

### UNIT-II

1. Article 14-Docctrine of Reasonable Classification, New Dimension of Equality.
2. Article 15 & 16-Concepts of Non-Discrimination and Positive Discrimination.
3. Article 19 (1) (a)-Freedom of Speech & Expression.

### UNIT-III

1. Article 20: Protection against *ex post facto* laws; Doctrine of Double Jeopardy; and Right against Self-incrimination.
2. Article 21- Right to life or personal liberty; Expanding horizons of right to life under the Constitution.
3. Article 22-Safeguards against arbitrary arrest and detention.

### UNIT -IV

1. Article 25 to 28-Freedom of Religion.
2. Cultural and Educational Rights–Articles 29 and 30.
3. Directive Principles of State Policy- Relationship between Fundamental Rights and Directive Principles of State Policy.

### UNIT-V

1. Constitutional Remedies: Article 226 & 32.
2. Public Interest Litigation.
3. Fundamental Rights and Emergency Provisions.

### Recommended Readings:

1. D.D. Basu, Commentary on Constitution of India

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

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2. M.P. Jain, Indian Constitutional law.
3. M.P. Singh, V. N. Shukla's Constitutional law of India.
4. H.M. Seervai, Constitutional Law of India.
5. K.C. Wheare, Modern Constitution.
6. A.V. Dicey, The Introduction to the study of the Law of the Constitution
7. Annual Survey of Indian Law, Indian Law Institute, New Delhi.
8. Constitution of India- Bare Act.

## Labour and Industrial Law-I

**Paper: V [Code-LLB24105C]**  
**Time Duration:3 Hours**

**Max. Marks=100**  
**Theory=80**  
**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of Labour and Industrial laws. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

### Course Objective:

1. To provide students with a comprehensive understanding of labour law in India
2. To enable students to critically comprehend legislative provisions related to industrial relations.
3. To make critical examinations of various legal aspects concerning industrial disputes, trade union regulations
4. To familiarize students with the functions and responsibilities of different authorities established under various labour and industrial legislations.
5. Emphasis will be placed on a detailed exploration of legal provisions addressing the health, safety, and welfare of workers, employees, and labourers in India
6. To address the intricate legal challenges associated with the unorganized labour sector in India.

### Course Outcome:

1. Gain proficiency in fundamental principles of Labour and Industrial laws, regulations, and fundamental concepts.
2. Apply analytical skills to interpret and implement Labour and Industrial Laws rules and concepts in real-world scenarios.
3. Conduct critical analysis and assessment of diverse Labour and Industrial Law doctrines.
4. Exhibit the capacity to approach legal challenges with a lawyer's mindset, showcasing fundamental proficiency in professional legal skills for competent analysis, reasoning, and problem-solving.

### UNIT I: Labour and Industrial Law Introduction

1. Labour policy in India: Changing perspective
2. Constitutional Paradigm of Labour and Industrial laws: Part III and Part IV

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

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3. Labour Legislation in India: Need and Classification
4. Labour Law Reforms ( An overview of codes on wages, Industrial Relations, social security and occupational Safety, health and working conditions)

### **UNIT II: Law Relating to Industrial Relations: Industrial Disputes Act, 1947**

1. Definition and concept of Appropriate Government, Workman, Industry, Industrial Dispute, Industrial Dispute versus Individual Dispute.
2. Industrial Dispute Settlement Machinery (a) Works Committee (b) Conciliation Officers (c) Labour Court, Industrial Tribunal and National Industrial Tribunal (d) Voluntary Arbitration (e) Collective Bargaining
3. Enforcement of Awards and Settlement under the Act

### **UNIT III: Law Relating to Industrial Relations (Cont.)**

1. Layoff and Retrenchment
2. Offences and Penalties
3. Definition of Strikes and Lockouts, Types of Strikes and Right to Strike and its Constitutional Validity

#### **The Trade Unions Act, 1926**

1. History of Trade Union Movement in India
2. Registration of Trade Unions, Rights and Liabilities of Registered Trade Union
3. Immunity of Registered Trade Union, Recognition of Trade Union, Amalgamation and Dissolution of Trade Unions
4. Penalties and procedure under the Act

### **UNIT IV: Law Pertaining to Welfare, Health and safety of Workers: The Factories Act, 1948**

1. Labour Welfare: Concept, Classification and Importance
2. Obligations of Employer for Health, Safety and Welfare, Working hours of Adults and Annual Leave with Wages.
3. Employment of Young Persons: Prohibition and Regulation
4. Unorganized Labour: Problems and Perspectives

### **UNIT V:**

1. Constitutional Provisions for Just and humane Conditions of Work.
2. Bonded Labour.
3. Migrant Labour.
4. Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013.

### **Recommended Readings:**

1. S.N. Mishra, Labour and Industrial Laws with latest Amendments, Central Law Publication, 29th Edition, 2021
2. S C Srivastava, Industrial relations and labour laws. – New Delhi: Vikas Publishing House Pvt. Ltd., (2020)
3. V.G. Goswami, Labour and Industrial Laws, Central Law Agency, 11th edition (2019)
4. P. L. Malik's Handbook of Labour and Industrial Law, Eastern Book Company, 19th Edition, 2021
5. Indian Law Institute, Labour Law and Labour Relations (1987)
6. O.P. Malhotra, The Law of Industrial Disputes (1998), Universal, Delhi.

## CRIMINOLOGY, PENOLOGY AND VICTIMOLOGY

Paper VI [Code-LLB24106S]  
Time Duration: 3Hours

Max. Marks=100  
Theory =80  
Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Criminology, Penology and Victimology, The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective:** This paper will discuss causative factors of crime and treatment of Criminals and Victims and will help to introduce the law students to the concept of punishment and its theories and various concepts regarding victims and their post-crime treatment.

**Learning Outcome:** After completion, the students will be able to comprehend the meaning & nature of crime, its causes and treatment of criminals in society by criminal justice administration. They will also understand the role and function of Police and Prisons System in Country.

### Unit-I Introduction

#### A. Criminology

1. Criminology-Nature and Scope of Criminology
2. Subject matter of Criminology
3. Whether Criminology is Science or not?
4. Classification of Crimes

#### B. Schools of Criminology-Pre-Classical, Classical and Neo-Classical and Post Neo-Classical

##### Approach

1. Pre-Classical School.
  1. *Cesare Beccaria*
  2. *Jeremy Bentham*
3. Neo-Classical School.
4. Positivistic School.
  1. Cesare Lombroso and Biological Positivism.
  2. Enrico Ferri
  3. Raffaele Garofalo

1.4. Adrian Raine–Biological Basis of Crime.

1.5. Psycho-Analytical School.

## **C. Sociological Explanation of Criminal Behaviors**

1. Social disorganization Theory
2. Differential Association Theory.
3. Labeling Theory
4. Anomie Theory
5. Conflict Theory.
6. Multiple factor approach to Crime Causation.
7. Home & Family vis-à-vis Crime Causation.
8. Media & Genesis of Crime.\
9. Role of Educational Institutions in Crime Causation.

## **Unit II– Penology**

1. Origin and evolution of punishment
2. Punishment–Meaning, Nature and Scope
3. Theories and philosophical Justification of Punishment
4. Relationship between Crime and Punishment.
5. Forms of Punishment with special emphasis on Death Penalty and Imprisonment.
6. Essentials of an Ideal Penal System in India

## **Unit-III Prison System**

1. Historical review
2. Types of Prisons
3. Classification of Prisoners
4. Prison problems
5. Prisoner's Rights
6. Prison Reforms:
  1. Jail Reform Committees
  2. Role of Indian Judiciary

## **Unit-IV Police System**

1. Indian Police System.

2. Origin and Development of police organization
3. Functions of Police.
4. Women Police.
  1. Need for women's police stations
  2. Women's police role in investigation etc.
5. Police reform commissions including Reports.

### **Unit-V.–Victimology**

1. Victimology–Meaning, Nature and Scope.
- 2.Importance of studying Victimology.
- 3.Compensation, Restitution, Assistance and Rehabilitation.
4. Rights of Victims of Crime.
- 5.Offender-Victim Relations.
6. Indian legislative mechanisms vis-à-vis compensation to victims
7. Victims and Human Rights
  - a. Victims of sexual abuse and their right to live with human dignity.
  - b. Victims of domestic violence and the law.
  - c. Victim support services and victim assistance programmes.
  - d. Role of voluntarily organizations and victim support.
  - e. Acid victims and schemes to rehabilitate them.

### **Recommended Readings:**

1. N. V. Paranjpe, Criminology and Penology.
2. Ahmed Siddique, Criminology, Problems and Perspective.
3. Edwin Sutherland, Principles of Criminology.
4. Stephen Jones, Criminology.
5. Robert Winslow and S. Zhang, Criminology a Global Perspective.
6. Jzohn Tierny, Criminology- Theory and Context.
7. Frank, Criminology Today: An Integrative Introduction.
8. Schmalleger, Criminology.
9. John Conklin, Criminology.
10. Donald Taft, Criminology.
11. E. Suther land and Cress, Principles of Criminology.
12. Qadri SMA, Criminology, Penology and Victimology
13. Qadri SMA, Police and Law-A Sociological Analysis

## INFORMATION TECHNOLOGY LAW (Cyber Law)

Paper VII [Code-LLB24107S]  
Time Duration:3 Hours

Max. Marks=100  
Theory =80  
Continuous Assessment =20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Cyber Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective:** Persuasiveness of impact of internet in all the branches of legal jurisprudence necessitated the inclusion of the cyber law in the curriculum as a full-fledged paper with an object to make students to understand the legal implications of e-commerce and e-governance and to prepare them to answer the legal challenges posed by constantly evolving new generation of crimes popularly called cyber-crimes.

**Learning Outcome:** In today's modern age, every citizen requires to protect and safeguard him or her from the cyber criminals and requires cyber security. Hence, the students will understanding the nuances of e-commerce, e- governance and its uses vis a vis cyber threats and will learn basic understanding of powers and functions of Cyber Courts .

### Unit-I: Development of Internet

1. History of Internet.
  - i. Genesis of Internet.
  - ii. Internet Functioning.
  - iii. Communication through Internet.
    1. Modes of Access.
    2. Modes of Communication
2. Internet of Thing (IoT)
3. Artificial Intelligence.
4. Information Technology Act, 2000: History, Object and Scope.

### Unit-II: Authentication of Electronic Records and Electronic Governance

1. Authentication of Electronic Records
  1. Digital Signatures.
  2. Hash Function.
  3. Digital Signatures in Practice.
  4. Secure Electronic Record and Secure Digital Signatures.
2. Electronic Signatures.
3. Electronic Governance.

1. Legal Recognition of Electronic Records.
2. Legal Recognition of Digital Signature & Electronic Signatures.
3. Use of Electronic Records and Digital Signatures in Government and its Agencies.
4. Retention of Electronic Records.

### **Unit-III: Certifying Authorities**

1. Need of Certifying Authority.
2. Functioning of the Certifying Authority.
3. Types of Certificates.
  1. Identification Certificate.
  2. Authorizing Certificate.
  3. Transactional Certificate.
  4. Digital Time Stamping Service.
4. Validity Period of Digital Signatures.
5. Certificate Chain.
6. Appointment of Controller.
7. Functions of Controller.
8. Controller to act as a Repository.
9. Powers of Controller.
10. Powers of Central Government.
11. Data-base of Certifying Authorities.
12. Who can be a Certifying Authority?
13. Application for License.
14. Certification Practice Statement.
15. Issuance of License.
16. Refusal of License.
17. Surrender of License.
18. Cross Certification.
19. Duties of Certifying Authorities.
20. Certifying Authority as an Indemnifier.
21. Commencement of commercial operation by licensed Certifying Authorities.
22. Requirements prior to Cessation as Certifying Authority.
23. Representation up on Issuance of Digital Signature Certificate.
24. Certificate Life Time.
25. Suspension of Digital Signature Certificate.
26. Revocation of Digital Signature Certificate.
27. Certification Revocation List (CRL).
28. Duties of Subscribers.

### **Unit-IV-Electronic Commerce**

1. Introduction.
2. Formation of Electronic Contracts.
  1. Contract by Electronic Data Interchange.
  2. Cyber Contracts.
3. Validity of Electronic Transactions.

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

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4. Dichotomy of Offer and Invitation to Treat.
5. Application of Mirror Image Rule.
6. Communication of Offer and Acceptance.
7. Revocation of Offer and Acceptance.
8. Incorporation of Terms by Reference.
9. Attribution of Electronic Records.
10. Time and Place of Dispatch and Receipt of Electronic Record.
11. Mistake in Electronic Commerce
12. Jurisdiction.

### Unit-V

1. Cyber Appellate Tribunal
  1. Establishment of Cyber Appellate Tribunal and its merger with the Telecom Dispute Settlement and Appellate Tribunal, (TDSAT).
  2. Adjudicating Officer
  3. Powers of the Adjudicating Officer
  4. Factors to be taken into account by the Adjudicating Officer
  5. Power to Award Compensation
  6. Power of Adjudicating officer to impose penalty
  7. Compounding of Contraventions
2. Computer Systems and Liability Issues (Cyber Crimes)
  1. Definition of Cyber Crimes.
  2. Classification of Cyber Crimes.
  3. Target of Computer Crime.
  4. Challenges of Cyber Crime.
  5. Regulatory Framework
3. International Legal Regime relating to Cyber Crimes.
4. Indian Scheme of Offences and Punishment.
5. Virus, Logic Bomb, vWorms and Trojan Horse Programme
6. Cyber Security
7. Cyber Forensics

### Recommended Readings:

1. Chris Reed Computer Law, Universal, New Delhi.
2. Farooq Ahmad, Cyber Law in India, 4<sup>th</sup> Edition, 2011.
3. Krishna Kumar, Cyber Laws, Intellectual property and e-commerce Security, (2011) Dominant Publishers and Distributors, New Delhi;
4. Markandey Katju, Law in the Scientific Era (2000), Universal, New Delhi.
5. Nandi Kamath, The Law Relating to Computers,
6. Rajan Nagia, Cyber Laws and Computer Crimes, (2009) Cyber Tech Publications, New Delhi
7. Richard Raysman and Peter Brown. Computer Law: Drafting and Negotiating Forms and Agreements, by Law Journal Press, 1999–2008.
8. S. K. Bansal, Cyber Crime, APH Publishing Corporation, New Delhi
9. S.R. Sharma, Encyclopedia of Cyber Laws and Crime, Anmol Publications Pvt. Ltd. New Delhi.

# LL.B

## 2<sup>nd</sup> Semester

## **JURISPRUDENCE–II (Basic Concepts)**

Paper-I [Code–LLB24201C]  
Time Duration: 3 Hours

Max. Marks=100  
Theory= 80  
Continuous Assessment=20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Jurisprudence. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The objective of the paper is to sensitise the students about the various concepts like legal personality, rights and duties, possession and ownership and the idea of justice.

**Learning outcome:** Interpret and apply law accurately as investigate and analyze facts effectively. Detect ambiguity and inconsistency within & among different rules and sources of law. Engage in successful legal research. Engage in effective problem solving. Fulfill professional and ethical responsibilities. Work to ensure diversity, inclusion, equity and multiculturalism to improve the quality of justice.

### **Unit-I: Legal Rights & Duties**

1. Meaning and Concept
2. Theories of Rights.
3. Essentials of Legal Rights.
4. Kinds of Rights and Duties.
5. Relation between Rights & Duties.

### **Unit-II: Personality**

1. Concept of Legal Person
2. Theories of Legal Personality:–Fiction Theory, Concession Theory, Bracket Theory, Realist Theory, Purpose Theory and Kelson's Theory.
3. Legal Status of Dead Person, Unborn Child, Mosque, Idol and Corporation.

### **Unit–III: Possession**

1. Possession: Meaning, Concept and Development.
2. Theories of Possession.
3. Kinds of Possession.
4. Possession in Fact and Possession in Law.
5. Modes of Acquisition of Possession.

### **Unit-IV: Ownership**

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

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1. Meaning
2. Theories
3. Kinds
4. Modes of Acquisition
5. Distinction between Possession and Ownership.
6. Relation between Possession & Ownership.

### Unit-V: Justice

1. Meaning and Concept
2. Theories of Justice
3. Kinds of Justice
4. Administration of Justice: Growth and Development

### Recommended Readings:

1. Bodenheimer, Jurisprudence – The philosophy and Methods of Law (1996), Universal Publication, Delhi.
2. Fitzgerald, (ed.) Salmond on Jurisprudence (1999).
3. Tripathi, Bombay W. Friedman, Legal Theory (1999) Universal Pub., Delhi.
4. V.D. Mahajan, Jurisprudence and Legal Theory (1996 re-print), Eastern Books, Lucknow.
5. M.D. A. Freeman (ed.), Lloyd's Introduction to Jurisprudence, (1994), Sweet and Maxwell.
6. Paton G.W. Jurisprudence (1972), Oxford, ELBS.
7. H.L.A. Hart, The Concept of Law (1970), Oxford, ELBS.
8. Rescoe Pound, Introduction to the Philosophy of Law (1998 Re-print), Universal Pub., Delhi.
9. Dias, Jurisprudence (1994), Adithya Books, New Delhi.
10. Dhyani S.N. Jurisprudence: A study of Indian Legal Theory (1985), Metropolitan, New Delhi.
11. M. P. Tondon, Jurisprudence Legal Theory, Allahabad Law Agency.
12. Dr. Vijay Ghormade, Jurisprudence and Legal Theory, Hind Law House.
13. N.V. Pranjape, Studies in Jurisprudence and legal theory, Central Law Agency.
14. N.V. Jayakumar, Lectures in Jurisprudence, 2<sup>nd</sup> Ed., Lexis-Nexis.
15. Dr. B.N. Mani Tripathi, Jurisprudence Legal Theory, Allahabad Law Agency.
16. P.S. Atchthew Pillai, Jurisprudence and Legal Theory, Eastern Book Company.
17. Prof. G.C. Venkata Subba Rao, Jurisprudence and Legal Theory, Eastern Book Comp.
18. Annual Survey of Indian Law, Indian Law Institute, New Delhi

## CONSTITUTIONAL LAW-II

Paper II [Code-LLB24202C]  
Time Duration: 3Hours

Max. Marks=100  
Theory=80

Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Constitutional Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The objective of this paper is to provide basic understanding of various features of Indian Constitution. Besides it the paper seeks to sensitize the law students about the fundamental rights, directive principles of state policy and various constitutional remedies.

**Learning Outcome:** The students will get acquainted with the basics of constitutional law and its application in the growth and development of country.

### Unit-I

1. President of India-Position & Powers; Impeachment of the President.
2. Cabinet System, Collective responsibility-Individual Responsibility of Minister.
3. Legislative Privileges–Legislative Privileges v. Fundamental Rights.

### Unit-II

1. Distribution of Legislative Powers--Arts.245 and Article 246
2. Interpretation of Lists: Doctrine of Harmonious Construction, Doctrine of Pith and Substance, Doctrine of Colourable Legislation.
3. Doctrine of Repugnancy (Article 254)

### Unit-III

1. Constitutional Amendment-Meaning and Scope.
2. What cannot be amended? Doctrine of basic structure
3. Freedom of Trade and Commerce-Position in Australia and USA, Position in India (Article 301-304)

### Unit-IV

1. Articles 141 & 143.
2. Appointment and Removal of the Judges of the High Courts and Supreme Court.
3. Services under the Constitution- Doctrine of Pleasure [Article 310], Restrictions [Article 311]

### Unit-V

1. National Emergency-Articles 352, 354, 358 and 359.
2. Failure of Constitutional Machinery (Article 356)
3. Federalism and Emergency Provisions.

### Recommended Readings:

1. D.D. Basu, Commentary on Constitution of India
2. M.P. Jain, Indian Constitutional law.
3. M.P. Singh, Shukla's Constitutional law.
4. H.M. Seervai, Constitution of India.
5. K.C. Wheare, Modern Constitution.
6. Dicey, Law of the Constitution.
7. Annual Survey of Indian Law, Indian Law Institute, New Delhi

## LAW OF CRIMES-II (The Bharatiya Nyaya Sanhita, 2023-II)

Paper: III [Code-LLB24203C]  
Time allowed: 3Hours

Max. Marks=100  
Theory=80  
Continuous Assessment=20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Law of Crimes. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**LEARNING Objectives:** To define a conceptual understanding of the specific principles of Criminal Law. To explain different offences against Human Body such culpable offence, hurt, grievous hurt and offences against women. To explain different offences against property. To explain offences against Peace, Tranquility and State.

**Learning Outcomes:** To make the students to understand basic principles of Criminal Law. To enable the students to identify, explain and apply the basic principles of criminal law to the given situation. To make the students to understand the concept of crimes against human body, women and property. To inculcate among the students in-depth understanding of the aspects of Law, Criminal Justice and its relationship with the society at large

### Unit I Offences against Body-I

1. Criminal Force and Assault (ss 128-130 BNS/ss349-352IPC)
2. Hurt, grievous Hurt and Acid Attack (ss 114-125 BNS/ss319-325, ss 326A&B)
3. Wrongful Restraint & Wrongful Confinement (ss 126&127BNS/ ss339-343 IPC)
4. Kidnapping & Abduction (ss 136,137 BNS/359-363IPC)

### UNIT II Offences against Body-II

1. Culpable Homicide, Murder & Mob Lynching (ss 101-105 BNS/ ss299-304 IPC)
2. Attempt to commit Culpable Homicide/Murder (ss 110-111 BNS/ ss307-308 IPC)
3. Causing Death by negligence (s 106 BNS/s 304A IPC)

### UNIT III Offences against Women

1. Assault or use of criminal force on a woman with intent to outrage her modesty or disrobe her (ss 74&76 BNS/s354 IPC)
2. Cruelty (ss 85 &86 BNS/s 498A IPC)
3. Dowry Death (s 80 BNS/ s 304B IPC)
4. Bigamy (s 82 BNS/ s 494, 495 IPC)
5. Sexual Harassment, Voyeurism, Stalking & Insult (ss 75,77,79 BNS/ ss354A, 354C 354D IPC)

### UNIT IV Offences against Property

1. Theft (ss303-304 BNS/378-380 IPC)
2. Extortion (s308 BNS/383-384 IPC)
3. Robbery (s309 BNS/390&392 IPC), Dacoity (s310 BNS/391&396 IPC)
4. Criminal Trespass, House Trespass & House Breaking (ss 329-331 BNS/ ss 441&447, 442& 448, 445 & 446 IPC)
5. Criminal Misappropriation of Property (s 314 BNS/ s403 IPC &) & Criminal Breach of Trust (s 316 BNS/ s 405-406 IPC)

**UNIT-V New Offences**

1. Organized crimes (sec.111 of BNS)
2. Terrorist Acts (sec.113 of BNS)
3. Offences against reputation:
  - a. Criminal Intimidation, Insult, Annoyance and Defamation Sec.351-353 and 356 of BNS/sec.503, 504, 510, 499 of IPC

**Recommended Readings:**

1. P.S. Pillai, Criminal Law
2. R.C. Nigam, Law of Crimes in India.
3. K.D.Gaur, Cases and Materials on Criminal Law.
- 4 H.S. Gour, Penal Law of India.
5. S.N.Mishra, Indian Penal Code.
6. S.M.A.Qadri, Criminology, Penology and Victimology.
7. S.M.A. Qadri, Police and Law- A Sociological Analysis.
8. Annual Survey of the Indian Law Institute, New Delhi.

## LAW OF CONTRACT – I

### (GENERAL PRINCIPLES OF LAW OF CONTRACT AND SPECIFIC RELIEF ACT)

Paper: IV [Code–LLB24204C]  
Time Duration 3 Hours

Max. Marks = 100  
Theory = 80

Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Law of Contract. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** All the contractual obligations derive their validity from the Indian Contract Act, 1872 which provides *raison d'être* for its comprehensive study. This is a mother legislation and cornerstone of legal jurisprudence which has to be studied by all the law students, irrespective of their specialization. The object of this paper is to make the students to understand provisions of the contract act and its comparative study with English law on this subject and to orient the students about the practical applications of this subject.

**Learning Outcome:** distinguish and apply the basic concepts and terminology of the Law of Contract. Understanding the various steps involved in contract formation. Identify the legal issues out of formation & breach of contract.

### Unit I - Formation of Contract

1. Offer and Acceptance.
  1. Promise or Set of Promises.
  2. Communication of Offer.
  3. Acceptance and Revocation when Complete.
  4. General Offer vs. Specific Offer.
  5. Modes of Communication of Offer/Acceptance.
2. Agreement and Contract
3. Offer and Invitation to Treat.
4. Counter Offer.
5. Acceptance and Revocation of Offer and Acceptance.
6. Formation of Electronic Contracts:
  1. Cyber contracts/ E-contracts/ Digital contracts/ online contracts.
  2. Contract by electronic data interchange.
  3. Time and place dispatch and receipts of electronic record.

### Unit II - Doctrine of Consideration and Capacity to Contract

1. Consideration.
  1. Meaning and Scope.
  2. Essential Elements of Consideration.
  3. Past, Present and Executory Consideration.
  4. Exceptions to Consideration.
  5. Adequacy of Consideration.
  6. Privity of Contract.
2. Capacity to contract Definition of Minor.
  1. Nature of Minor's Agreement.

1.2.Liability for Necessaries Supplied to a Minor.

1.3.Doctrine of Restitution.

### **Unit III - Free Consent and Factors vitiating it**

1. Coercion
  1. Definition.
  2. Essential Elements.
  3. Duress and Coercion.
  4. Effect of Coercion.
2. Undue Influence.
  1. Definition.
  2. Essential Elements.
  3. Independent Advice.
  4. Pardahanash in Women.
  5. Unconscionable Bargains.
  6. Effect of Undue Influence.
3. Misrepresentation.
  1. Definition.
  2. Misrepresentation of Law and of Fact.
  3. Effects of Misrepresentation.
2. Fraud.
  - 2.1.Definition.
  - 2.2.Essential Elements.
  - 2.3.Suggestion *falsi-suppresioveri*.
  - 2.4.When does Silence amount to Fraud?
  - 2.5.Active and Passive– Concealment of Truth.
  - 2.6.Importance of Intention.
3. Mistake.
  - 3.1.Definition.
  - 3.2.Kinds.
  - 3.3. Mistake of Law and of Fact.
4. Void Agreements.
  - 4.1. Unlawful Consideration.
  - 4.2. Void, Voidable, Illegal and Unlawful Agreements and their Effects.
  - 4.3. Agreements in Restraint of Trade and its Exceptions.
  - 4.4. Agreement in Restraints of Legal Proceedings – its Exceptions.

### **Unit IV–Quasi Contracts and Discharge of Contract**

1. Quasi Contract.
  1. Meaning & Nature.
  2. Theory of Unjust Enrichment
  3. Theory of “Implied-in-Fact”.
  4. Claim for Necessaries Supplied to Incapable Person (Section 68).
  5. Reimbursement of Person Paying Money Due by another (Section 69).
  6. Obligation of Person Enjoying Benefit of Non Gratuitous Act (Section 70).
  7. Responsibility of Finder of Goods (Section 71).

- 1.8. Liability of Person to whom Money is Paid, or Thing is Delivered by Mistake or under Coercion (Section 72)
2. Discharge of Contract
  1. Supervening and Subsequent Impossibility.
  2. Doctrine of Frustration.
  3. Conditions, Force Majeure Clause in an Agreement.
  4. Part Performance before the Impossibility.
  5. Specific Grounds of Frustration.
3. Termination by Breach.
  1. Meaning and Kinds of Breach.
  2. Actual and Anticipatory Breach.
  3. Constructive Breach.
  4. Remedies for Breach.
    - 4.A. Sections 73, 74, 75.
    - 4.B. Measure of Damages.

### **Unit V - Specific Performance and Specific Relief Act**

1. Salient Features of Specific Relief Act.
2. Equitable Remedy through Injunction.
3. Temporary and Permanent Injunction.
4. Contract that can be Specifically Enforced.
5. Contract that cannot be Specifically Enforced.

### **Recommended Readings:**

1. Anson, Law Contract.
2. Anson, Law of Contracts (1998)
3. Avtar Singh, Law of Contract (2000).
4. Beatesen (ed.), Anson's Law of Contract (27<sup>th</sup> ed. 1998).
5. Desai, Indian Contract Act.
6. Dutt, Contract (2000)
7. G.H. Treitel, Law of Contract.
8. M.Krishnan Nair, Law of Contracts (1998).
9. Mulla, Indian Contract Act.
10. P.S. Atiya, Introduction to the Law of Contract (1992 Reprint).
11. Pollock and Mulla, Indian Contract and Special Relief Acts.
12. R.K. Bangia, Indian Contract Act.

## Labour and Industrial Laws- II

Paper: V [Code–LLB24205C]

Time Duration:3 Hours

Max. Marks=100

Theory=80

Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of labour and industrial laws. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

### Course Objective:

1. To provide students with a comprehensive understanding of labour law in India
2. To enable students to critically comprehend legislative provisions related to industrial relations.
3. To make critical examinations of various legal aspects concerning industrial disputes, trade union regulations
4. To familiarize students with the functions and responsibilities of different authorities established under various labour and industrial legislations.
5. Emphasis will be placed on a detailed exploration of legal provisions addressing the health, safety, and welfare of workers, employees, and labourers in India
6. To address the intricate legal challenges associated with the unorganized labour sector in India.

### Course Outcome:

1. Gain proficiency in fundamental principles of Labour and Industrial laws, regulations, and fundamental concepts.
2. Apply analytical skills to interpret and implement Labour and Industrial Laws rules and concepts in real-world scenarios.
3. Conduct critical analysis and assessment of diverse Labour and Industrial Law doctrines.
4. Exhibit the capacity to approach legal challenges with a lawyer's mindset, showcasing fundamental proficiency in professional legal skills for competent analysis, reasoning, and problem-solving.

### UNIT I: Law Pertaining to Remuneration: The Payment of Wages Act, 1936

1. Wage Theories,
2. Definition and Concept of Wages;
3. Payment of Wages;
4. Deduction from Wages (Authorized and Unauthorized Deductions);
5. Authorities and their powers.

### Unit II: Law Pertaining to Remuneration: The Minimum Wages Act, 1948

## **Syllabus of LL.B.-2024 ; School of Law, University of Kashmir**

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1. Definition and Concept of Employer, Employee, Wages;
2. Concept and Components of Minimum Wages; Fair wages and Living wage;
3. Fixation of Minimum rates of Wage; Determination of Wages and Claims;
4. Procedure for fixing and revising Minimum wage;
5. Provision relating to Working hours and Overtime;
6. Remedial Measures

### **The Payment of Bonus Act, 1965**

1. Computation of bonus; Eligibility and Disqualification for Bonus;
2. Payment of Minimum and Maximum Bonus;
3. Deduction of bonus; Recovery of bonus;
4. Reference of Disputes under the Scheme;
5. Penalty provision under the Scheme.

### **Unit III: Law Governing Social Security:**

#### **Employees Compensation Act, 1923**

1. Social Security: Concept and Scope
2. Employers Liability for Compensation; Amount and Distribution of Compensation

#### **Employees State Insurance Act, 1948**

1. Objectives and Scope
2. Kinds of benefits, eligibility, and Conditions

### **Unit IV: Law Governing Social Security:**

#### **Employees Provident Funds and Miscellaneous Provisions Act, 1952**

1. Application and non-application,
2. Benefits and scheme governance machinery etc;
3. The Contributory Provident Fund Scheme, The Pension Scheme and The Deposit Linked Insurance Scheme

### **Unit-V: The Maternity Benefit Act, 1961:**

1. Definition of Employer, Child, Maternity benefit,
2. Right of Payment of Maternity Benefit, Notice of Claim of Maternity Benefit, Maternity benefit to adoptive and Commissioning Mothers, Leave for miscarriage, tubectomy operation, Dismissal during pregnancy, Forfeiture of Maternity Benefit.
3. Penalties under the Act.

**Syllabus of LL.B.-2024 ; School of Law, University of Kashmir**

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**The Payment of Gratuity Act, 1972**

1. Application and non-application,
2. benefits and scheme governance machinery,
3. Eligibility for the payment of Gratuity.
4. Retrenchment compensation and payment of gratuity,
5. Forfeiture and deduction of gratuity.
6. Disputes and authority for resolution of dispute

**Suggested Readings**

1. S.N. Mishra, Labour and Industrial Laws with latest Amendments, Central Law Publication, 29th Edition, 2021
2. S C Srivastava, Industrial relations and labour laws. – New Delhi: Vikas Publishing House Pvt. Ltd., (2020)
3. V.G. Goswami, Labour and Industrial Laws, Central Law Agency, 11th edition (2019)
4. P. L. Malik's Handbook of Labour and Industrial Law, Eastern Book Company, 19th Edition, 2021
5. Indian Law Institute, Labour Law and Labour Relations, 1987
6. KM Naidu, Social Security of labour in India and economic reforms, Serial Publications, New Delhi, 2003
7. Dr. AM Sharma, Aspects of labour welfare and social security, Himalaya Publishing House, Delhi, 2003

## INTELLECTUAL PROPERTY LAW

Paper VI[Code–LLB24206S]  
Time Duration: 3Hours

Max. Marks=100  
Theory =80  
Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Intellectual Property Rights. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The course aims at in-depth study of the copyrights and industrial property regime of copyright, designs, patents, trademarks and geographical indications in the context of developing countries with special reference to India. The course equips the students with specific skills that will make them employable in the area of intellectual property rights and patent filing.

**Learning Outcome:** After the completion of this course, the student will be able to learn the scope and nature of Copyright, Designs, Trademarks, and other related terms and help them to build their profession as an IPR advocates.

### Unit-I

1. Copyright–Definition and Meaning
2. Nature and Scope and Subject Matter of Copyright
3. Assignment & Licensing
4. Infringement of Copyright
5. Remedies
6. Doctrine of Fair Use
7. Copy right and Technology

### Unit-II

1. Design-Meaning, Object
2. Registration of Designs
3. Copyright and Designs
4. Cancellation of Registrations

### Unit-III

1. Trademark s–Definition and Meaning
2. Nature, Purpose &Transmission
3. Infringement of Trade Mark & Passing off
4. Remedies
5. Domain Name Disputes

### Unit-IV

1. Patents-Meaning and Genesis
2. Nature & Scope of Patents
3. Procedure for grant of Patents.
4. Licensing of Patents.
5. Rights and obligations of a Patentee.
6. Infringement.

7. Relevant Provisions of TRIPS

**Unit-V**

1. Geographical Indications
  1. Definitions
  2. Registration
  3. Infringement
  4. Remedies
  5. International Legal Regime
2. Protection of Plant Breeder's Rights and Farmer's Rights

**Recommended Readings:**

1. W.R. Cornish, Intellectual property: patents Copyright, Trade Marks and Allied Rights, Sweet and Maxwell Lord.
2. Michael F. Flint, A User's Guide to Copy right, Butterworth London.
3. Jeremy Phillips and Alison Firth, Introduction to Intellectual Property Law, Butterworth, London
4. P. Narayanan, Copyright and Industrial Designs, Eastern Law House
5. V.J. Taraporevala, Intellectual Property in India, Tarapore Publications, Mumbai
6. F.A Rafiqi, Copyright Protection and Information Technology: An Indian Perspective, Law Publishers of India (Pvt) Ltd. Allahabad
7. Wadera, Intellectual Property of India.
8. Chris Reed, Computer Law
9. Encyclopaedia of Intellectual Property Law.
10. Annual Survey of Indian Law, Indian Law Institute, New Delhi.
11. V. K. Ahuja, Intellectual Property Rights.

## COMPETITION LAW

Paper VII [Code–LLB24207S]  
Time allowed: 3 hours

Max. Marks: 100  
Theory: 80  
Continuous Assessment: 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Competition Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The paper focuses on various aspects of competition law of India in context of new economic order.

**Learning Outcome:** The subject will help students to learn the mechanism of dispute resolutions in competitive market and will grow understanding role of Competition Commission of India.

### Unit I-Legislative Background of Competition Law

1. History and Philosophy of Competition Laws.
2. MRTP Act, 1969.
3. Nature and scope of Competition Act, 2002.
4. Anti-Competitive Agreements.

### Unit II-Competition Commission of India

1. Establishment and Composition of Competition Commission of India
2. Historical Background including Raghavan Committee Report.
3. Unit Trust of India.

### Unit III-Duties, Powers and Functions of Competition Commission

1. Complaint, Reference and Application to Commission.
2. Appreciable Adverse Effect on Competition and Dominant Position.
3. Jurisdiction and Benches of the Commission.
4. Reference by Statutory Authorities.
5. Power to Grant Interim Relief.
6. Power to Award Compensation.
7. Power of Commission to regulate its own Procedure.

### Unit IV-Procedure of Competition Commission

1. Procedure of Competition Commission
2. Review of Orders of Commission.
3. Rectification of Orders.
4. Execution of Orders of Commission.

5. Appeal.

**Unit V-Director General of Competition, Commission and Penalties under Act**

1. Director General's Role in Case of Contravention of the Provisions of Act.
2. Contravention of Orders of the Commission.
3. Penalties for Failures to Comply with Directions of Commission and Director General.
4. Penalty for making False Statement or Omission to Furnish Material Information.
5. Penalty for Offences in Relation to Furnishing of Information.
6. Contravention by Companies.

**Recommended Readings:**

1. Richard Wish: Competition Law, Lexis Nexis 2009.
2. S.M. Duggar's Guideto Competition Law 2 volumes, 5<sup>th</sup> Ed (2010).
3. Recommendations of Competition Commission-I.
4. T. Ramappa: Competition Law in India: Policy, Issues, and Developments, 2009, 2<sup>nd</sup> (ed).
5. Tom Ottervanger, S.J.Var, Competition Law of the European Union, 2002, Kluwer law International.
6. S.R. Kharabanda, Jayant Kumar, Competition Law in India, Eastern Law House, 2008.
7. Annual Survey of Indian Law Institute, New Delhi.

# LL.B

## 3<sup>rd</sup> Semester

## LAW OF CONTRACT– II

### (Specific Contracts, Partnership Act and Sale of Goods Act)

Paper: I [Code – LLB24301C]

Time allowed: 3 hours

Max. Marks: 100

Theory: 80

Continuous Assessment: 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Special Contracts, Partnership Act and Sale of Goods Act. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** Special Contracts and the Contracts of Sale of Goods and partnership are species of the general contracts with practical applications, be it insurance contracts, loan, dealership or partnership agreements, or creation of new business organizations with limited liability – a half-way house between a firm and company. All these contracts have direct bearing on businesses that harbor the economic growth of the country. The object of this paper is to equip the students with integrated knowledge of the legal requirements of these business contracts and their utility for executing day to day business.

**Learning outcome:** Acquaint with the basics of special contracts. Able to understand and grasp the nuances of contractual transactions involving the forms of contract. Able to determine the legality of transactions and also the rights and duties of the parties thereto. Appreciate the relationship of general principles of contract with the special contract.

### Unit-I: Indemnity and Guarantee

#### 1. Indemnity

1. Definition of Indemnity.
2. Nature and Extent of Liability of the Indemnifier.
3. Commencement of Liability of the Indemnifier.

#### 2. Guarantee

1. The Concept and Definition of Contract of Guarantee.
2. Essentials of a Valid Guarantee.
3. Continuing Guarantee.
4. Nature and Extent of Surety's Liability.
5. Rights of Surety.
6. Position of Surety in the Eyes of Law.
7. Co-Surety and Manner of Sharing Liabilities and Rights.
8. Discharge of Surety's Liability.

### Unit II – Bailment, Pledge and Agency

#### 1. Bailment

1. Definition of Bailment.
2. Rights and Duties of Bailor and Bailee.
3. Finder of Goods as a Bailee.

#### 2. Contract of Pledge

1. Pledge: Meaning & Definition
2. Essentials of Pledge.
3. Rights of the Pawnee Under Contract of Pledge.
4. Persons who can Pledge.
5. Distinction Between Bailment, Pledge & Hypothecation

#### 3. Agency

- 3.1. Essential of an Agency.
- 3.2. Kinds of Agents and Agencies.
- 3.3. Distinction between Agent and Servant.
- 3.4. Various Methods of Creation of Agency.

### **Unit III - Sale of Goods**

1. Concept of Sale.
2. Essentials of Contract of Sale.
3. Implied Conditions in a Contract of Sale.
4. Unpaid Seller and his rights.

### **Unit IV – Partnership – Basic Concept and Fundamental Principles**

1. Definition and Essentials.
2. Agreement.
  1. Deed of Partnership.
  2. Interpretation of Agreement.
  3. Devolution of Business.
  4. Joint Venture.
3. Firm.
  - 3.1. Firm Name
  - 3.2. Partnership and Co-Ownership.
  - 3.3. Partnership and Joint Family.
  - 3.4. Partnership and Company.
  - 3.5. Duration of Firm.
4. Sharing of Profits.
5. Mutual Agency.
6. Real Relationship of Agency and Non-Partnership Interests.
  1. Joint Owners Sharing Gross Returns.
  2. Lender of Money Receiving Profits.
  3. Servant or Agent Receiving Profits.
  4. Widow or Child of Deceased Partners.
  5. Seller of Goodwill.
7. Mutual Relationship between Partners
  1. Duties of Partners
    - 1.1. Duty not to compete
    - 1.2. Due Diligence
    - 1.3. Duty to Indemnity for Fraud
    - 1.4. Duty to render true accounts
    - 1.5. Proper use of Property
    - 1.6. Duty to Account for Personal Profits
  2. Rights of Partners.
    - 2.1. Right to take part in business
    - 2.2. Majority Rights
    - 2.3. Access to Books'
    - 2.4. Right to Indemnity
    - 2.5. Right to Profits

**Unit V – Partnership: Registration, Dissolution and Liability**

1. Registration of Partnership.
  1. Procedure of Registration.
  2. Change of Particulars.
  3. Proof of Registration.
  4. Effects of Non-Registration.
2. Dissolution of Partnership.
  1. By Consent.
  2. By Agreement.
  3. Compulsory Dissolutions.
  4. Contingent Dissolution.
  5. By Notice.
  6. Dissolution by Court.
3. Limited liability Partnership Act
  - 3.1.Object.
  - 3.2.Essential Features.
  - 3.3.Limited Liability.
  - 3.4.Difference between Limited Liability Partnership, Firm and Company

**Recommended Readings:**

1. A.G. Guest (ed.) Benjamin's Sale of Goods, Sweet & Maywell.
2. Annual Survey of Indian Law, Indian Law Institute, New Delhi.
3. Avtar Singh, Contract Act, Eastern Book Company, Lucknow
4. Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase, Eastern Book Company, Lucknow.
5. Beatson (ed.), Ansons, law of Contract, Oxford, London.
6. H.K. Saharay, Indian Partnership and Sale of goods Act, Universal Publishers.
7. J.P Verma (ed.) Singh and Gupta, the Law Partnership in India, Orient, New Delhi
8. Krishnan Nair, Law of Contract, Orient, New Delhi
9. R.K Abhichandani (ed.), Pollock and Mulla on Contracts and Specific Relief Act, Tripathi, Bombay
10. Ramnainga, The Sales of Goods Act, Universal Book Co.

## **FAMILY LAW-I (Muslim Law)**

Paper: II [Code-LLB24302C]  
Time Duration: 3 Hours

Max. Marks=100  
Theory=80

Continuous Assessment=20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Family Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The object of this paper is to apprise the students with the laws relating to family matters applicable to Muslim community in India.

**Learning Outcome:** It will apprise the students with the basics of family law and train them for family dispute resolutions in family courts.

### **Unit-I-Family Law: An Introduction**

1. General concept of Family & Family Laws in India.
2. Salient features of Family Courts Act, 1994.
3. Sources of Muslim Law
4. Schools of Muslim Law.

### **Unit-II-Marriage and Divorce in Islam**

1. Marriage.
  1. Nature of Muslim Marriage.
  2. Classification of Marriages
  3. Essentials of Marriage under Islam
  4. Legal Effects of a Valid Marriage.
  5. Nature of Mahr.
  6. Widows Right to retention.
2. Divorce and Matrimonial Remedies
  - 2.1. Restitution of Conjugal Rights
  - 2.2. Pre-Islamic Divorce Practices
  - 2.3. Reforms introduced by Quran and Sunnah.
  - 2.4. Dissolution of Muslim Marriage Act, 1939.
  - 2.5. The Muslim Women (Protection of Rights in Marriage) Act, 2019.

### **Unit III-Maintenance, Guardianship and Custody**

1. Maintenance & its Components
  - 1.1. When a Muslim Wife is entitled to Maintenance.
  - 1.2. When a Muslim Wife loses her Right of Maintenance.
2. Maintenance of:
  - 2.1. Divorced Wives.

2.2.Provisions under the Bharatiya Nagarik Suraksha Sanhita, 2023.

3. Maintenance of Divorced Muslim Women under the Muslim Women (Protection of Rights on Divorce) Act,1986

#### **Unit IV Laws governing Wills, Waqf and Gifts**

1. General Principles governing Wills
2. General Principles governing Waqf
3. General Principles governing Gifts

#### **Unit-V Laws Governing Inheritance**

1. General Principles governing Inheritance
2. General Classification of Heirs
3. Doctrine of Representations

#### **Recommended Readings:**

1. A. A. A. Fyzee, Outlines of Mohammadan Law
2. Al-haji Muhammad-Ullah, The Muslim Law of Inheritance.
3. Annual Survey of Indian Law, Indian Law Institute, New Delhi.
4. B. Sivaramayy, Inequatitus and the Law (1985)
5. Kuppuswani (ed), Maynis Hindu Law and Usage.
6. Kusem, Marriage and Divorce Law Manual, Universal.
7. N. D. Basu, Law of Succession, Universal
8. P.V. Kane, History of Dharmasatras ,Vol. 2.
9. Paras Diwan, Law of Interstate and Testamentary Succession, Universal.
10. Paras Diwan, Muslim Law in Modern India
11. S. Athar Hussain and S. Khalid Rashid, Wakf Laws and Administration in India
12. S. C. Machanda, Law and Practice of Divorce in India, Universal
13. S.T. Desai (Ed), Mulla's Principles of Hindu Law (1998)
14. Tahir Mahmood, The Muslim Law of India.

## ADMINISTRATIVE LAW-I

Paper III [Code–LLB24303C]  
Time Duration: 3 Hours

Max. Marks=100  
Theory= 80  
Continuous Assessment=20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Administrative Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The objective of this paper is to make students aware of various aspects of administrative law including quasi-legislative, quasi-judicial and other ministerial functions of administration.

**Learning outcomes:** students will be given a basic understanding of the principles and functions of administrative law, including the role of administrative agencies in governance & regulation. Students will be able to identify and apply key procedural aspects of administrative decision-making and adjudication. Students will develop the skill to critically assess and challenge administrative actions and decisions in the light of well-established administrative law principles.

### Unit-I

1. Nature and Scope of Administrative Law. Relationship between Constitutional Law and Administrative Law.
2. Development of administrative law in United Kingdom, USA and India droit administrative.
3. Global Administrative Law.

### Unit-II

1. Fundamental Constitutional Principles in Administrative Law.
  1. Dicean concept of Rule of Law and contemporary relevance.
  2. Separation of Powers.
  3. Relevance of Separation of Powers in contemporary times. Position in India and USA.

### Unit-III

1. Definition of administrative action.
2. Need for classification.
3. Distinction between Judicial, quasi-judicial and administrative actions.

### Unit-IV

1. Legislative powers of administration. Necessity for delegation of legislative powers.
2. Constitutionality of delegated legislation.
3. Judicial control of delegated legislation

4. Some procedural safeguards- Consultation of affected interests participation and public participation in rule-making.
5. Publication of delegated legislation.

### **Unit-V**

1. Need for devolution of adjudicatory authority on administration: Judicial Powers of Administration
2. Tribunals: Articles 323A and 323B-CAT and SAT
3. Problems of administrative adjudication.

### **Recommended Readings:**

1. D. D. Basu, Comparative Administrative Law (1998)
2. I. P. Massey, Administrative Law, Eastern Book Company, Lucknow (2002)
3. Jain & Jain, Principles of Administrative Law (1997) Universal, Delhi
4. M. P. Jain, Cases and Materials on Indian Administrative Law, Vol. I & II (1996), Universal, Delhi
5. S. P. Sathe, Administrative Law (1998) Butterworths-Indian, Delhi
6. Schwartz, An Introduction to American Administrative Law
7. Wade, Administrative Law (Seventh Edition, Indian print 1997) Universal, Delhi
8. Lectures on Administrative Law by C. K Talwani.
9. Administrative Laws by C. K Thakker.
10. Indian Administrative Law by M. C. Jain Kagzi.
11. Administrative Law by J. J. R Upadhyay.
12. An Introduction to Administrative Law by K. C. Josh

## COMPANY LAW

Paper: IV [Code-LLB24304C]  
Time Duration: 3 Hours

Max. Marks=100  
Theory =80

Continuous Assessment=20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Company Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The objective of the paper is to provide insight into formation and winding up of companies besides corporate administration.

**Learning Outcome:** After the completion of this course, the student will be able to comprehend the complex processes of management of companies and compliance guidelines for incorporation, formation and winding up of company.

### Unit-I

1. Law relating to Companies– Public and Private- Companies Act, 2013.
2. Formation of Company –Registration and Incorporation.
3. Kinds of Companies.
4. Memorandum of Association–Various Clauses–Alteration there in–Doctrine of Ultra Vires.

### Unit-II

1. Articles of Association–Binding Force–Its relation with Memorandum of Association.
2. Doctrine of Constructive Notice and Indoor Management– Exceptions.
3. Prospectus, Issue-Liability for Mis-statements–Statements in Lieu of Prospects.
4. Promoters–Position–Duties and Liabilities.

### Unit-III

1. Shares–General Principles of Allotment Statutory Restrictions–Issue of Shares at Premium Sweat Equity Shares–De-materialized Shares (DEMAT).
2. Shareholder – Who can be and who cannot be a shareholder – Modes of becoming Shareholder–Calls on Shares–For feature and Surrender of Shares–Lien on Shares.
3. Share Capital–Kinds.
4. Power of a Company to buy its own Securities.
5. Dividend.

**Unit-IV**

1. Debentures—Meaning—Fixed and Floating Charge—Kinds of Debentures—Shareholder and Debenture Holder.
2. Directors—Positions—Powers and Duties of Directors.
3. Role and Liability of Independent Directors.
4. Corporate Social Responsibility.

**Unit-V**

1. Different Types of Winding Up of Company.
2. Role of Courts in Winding Up of Company.
3. Merger and Acquisition of Company.
4. Cross Border Merger, Takeover Code—Role of SEBI

**Recommended Reading:**

1. Annual Survey of Indian Laws, Indian Law Institute, New Delhi
2. Avtar Singh: Indian Company Law
3. Companies Act, 2013
4. L. C. B. Gower, Principles of Modern Company Law
5. Palmer, Palmer's Company Law
6. R. R. Pennington, Company Law
7. Ramaiya, Guide to the Companies Act
8. S. M. Shah, Lectures on Company Law.

**CLINICAL COURSE-I**  
**(Pleading, Drafting and Conveyancing)**

Paper V [Code-LLB24305CL]

Total Marks=100

Time Duration: 2 Hours

Theory=60

Court Visit=40 = (Court Diary=20+ Viva voce=20)

**Note:** Pleading Drafting and Conveyancing paper will carry 100 marks. Out of 100 marks 60 marks will be for theory and 40 marks for clinic. The break-up of marks for Clinic will be as under:

1. Contents of Form (Drafting of plaint written statement, Application, petition, affidavit, deeds etc.) marks 20
2. Typing by Computer marks 10
3. Fulfillment of requirements under Stamp and Suit valuation marks 10

**Learning Objective:** The student will be provided intensive training in type writing/ computer, to enable him to draft petitions, deeds etc. at the end of the clinic the student will be required to draft petition/Deed etc. The students will draft the form/petitionetc.by computer on judicial/non-judicial paper as required under the stamp and suit valuation Act. The student will not be required to fix the judicial/non-judicial paper of actual value but will draft on the judicial/non-judicial paper of minimum value. However, he will state the actual value of judicial/non-judicial paper/ court fee on the opposite side of the drafting's and also the required documents to be produced before the Court at the time of Registration/ filling of petition/suit etc. as the case may be. The whole exercise will be done by the student in the presence of the Board of Examiners. The Board of examiner will be constituted by Head of the Department, consisting of Head of the Department or his nominee and the teacher concerned. The student will be required to secure minimum pass marks in both theory and Clinic, separately.

**Learning Outcome:** The students will comprehend the art of forming /drafting the petitions/deeds and other pleadings in the courts once they join the profession.

**Unit-I Fundamental Rules of Pleadings**

1. Plaint Structure.
2. Written Statement.
3. Description of Parties.
4. Amendment of a plaint
5. Affidavit.

**Unit-II Ordinary suit for Recovery**

1. Suit for Permanent Injunction\
2. Suit for Specific Performance Application for temporary injunction, Order XXXIX of CPC
3. Application under 5 of Limitation Act
4. Application for execution
5. Application for setting ex-parte decree

6. Application for interim relief.

### **Unit-III General Principles of Criminal Pleadings**

1. Application under section 125 Cr. P. C.
2. Application for bail.
3. FIR–Undersection154Cr.P.C.
4. Complaint: Complaint under Section 138, Negotiable Instruments Act.

### **Unit-IV Model Drafts-I Forms**

1. Notice to the tenant under section106 of Transfer of Property Act.
2. Notice under section 80 of CPC.
3. General and Special Power of Attorney.
4. Meaning & components of a Deed.
5. Will deed
6. Gift deed.
7. Agreement to sell.
8. Sale–Deed.
9. Lease deed.
10. Mortgage Deed.

### **Unit-V Model Drafts-II**

1. Writ Petitions under Art. 32 & 226.
2. Application for Caveat under Section. 148 A of CPC
3. Application under section 148 A of CPC.
4. Special leave petition
5. Revision petition.
6. Review Petition.

### **Recommended Readings:**

1. Conveyancing–N.S. Bindra
2. Conveyancing–A.N. Chaturvedi
3. Mogha’s Law of Pleading
4. Conveyancing–D’Souza

### **Leading Cases:**

1. Brij Mohan and Others V. Sughra Begam & others 1990 4 SCC 147-48
2. NanaTuka Ram V. Sona-Bai AIR 1982 Bom 437
3. Sait Tarajee Khim Chand V. Yelamarti Satyam AIR 1971 SC 1865
4. Datatraya V. Rangnath Gopalra Kawatherkar AIR 1971 SC 2548 at 2549
5. Rama Shanker Pathak V. Collector Central Excise AIR 1971 All .287 at P. 289
6. K. Appu Kuttan Panicker V.S.K.R. Athapachetliar AIR 1966 Ker. 303

## LEGISLATIVE DRAFTING (Optional)

Paper VI [Code-LLB24306OP]

Time Duration: 3 Hours

Max. Marks=100

Theory=80

Continuous Assessment =20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Legislative Drafting. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short Answer Type Questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (Long Answer Type Questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. .

**Learning Objective:** The objective of this paper is to introduce the law student to the art of drafting legislations including introduction to principles, processes, designs and techniques of legislative drafting.

**Learning Outcomes:** After completion of the course the students will be familiarized to the art and knowledge of drafting the laws.

### Unit-I

1. Introduction to Legislative Drafting
  1. Concept.
  2. Goals.
  3. Knowledge Required.
  4. Qualities of good drafter.-Knowledge of Law, Mastery of Language.
2. Words-the meaning of words, vagueness and ambiguity of words.
3. Syntax-significance of syntax, the legislative sentence, Sentence Problems.
4. Punctuation.
5. Words and expression to avoid/to use carefully.

### Unit-II

1. Drafting Process-I
  1. Introduction.
  2. When should the Drafters be involved in the legislative proposals
  3. The role of instructing officers.
2. The stages of the Drafting Process.
  1. Understanding.
  2. Analysis.
  3. Design.

### **Unit-III**

1. Drafting process-II
  1. Composition and development
  1. Scrutiny and testing.
2. Formalities and Arrangement.
3. Drafting Preliminary Provisions.

### **Unit-IV**

1. Drafting provisions conferring Power and Duties.
2. Drafting Substantive and Administrative Provisions.
3. Drafting Supplementary Provisions.
4. Drafting Penal Provisions.

### **Unit-V**

1. Drafting Final Provisions.
2. Drafting Amending Legislations.
3. Drafting provisions related to Subordinate Legislations.

### **Recommended Readings:**

1. Legislative Drafting by G.C. Thornton published by Tottel Publishing (Fourth Ed., 2006).
2. Aspects of Indian Constitution Law by G.N Joshi
3. Parliamentary Procedure in India by A.R Mukerjee
4. Legislative Drafting by P.M Bakhshi
5. Rules of Procedure & Conduct of Business in Lok Sabha published by Lok Sabha
6. Practice & Procedure in Indian Parliament by S.S More
7. Judicial Control of the Administrative Action by Dr. A. T. Markose
8. Interpretation of Statutes by Maxwell
9. Rules of Interpretation by Beal
10. Underline Principles of modern Legislation by Jethrow Brown
11. Legislative Method & Forms by Ilbert
12. Reports of the Committee on subordinate Legislations from 1964 till date.
13. Legislative Drafting by Read Dickerson
14. Legislative Forms & Procedure by E.A Driedger
15. The Principles of Legislative Drafting- PM Bakshi,
16. Journal of Indian Law Institute (Vol.34, 1992).

## LEGAL HISTORY

### (Optional)

Paper VII [Code-LLB24307OP]

Time Duration:3 Hours

Max. Marks= 100

Theory =80

Continuous Assessment=20

**Note:** The subject includes a comprehensive and up to date study of various aspects of legal history. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The course focuses on the development of Indian Legal System under the British rule.

**Learning Outcome:** After completion of the course the students will be able to understand the foundations of the Indian Legal System as they exist and operate today including the origin and evolution of Legal Institutions of the Country.

### Unit-I

#### 1. Administration of Justice in Bombay, Madras and Calcutta.

1. Emergence of the East India Company: Development of Authority under Charters of 1600, 1609, 1661.
2. Trading Body to a Territorial Power: East India Company's Settlement at Madras, Bombay and Calcutta.

#### 2. The Mayors Court.

1. Genesis of the Charter of 1726.
2. Provisions of the Charter.
3. Working of Judicial System.
4. Charter of 1753.
5. Defects of Judicial System established according to the Charter of 1753.

### Unit II-Adalat System

1. Grant of Diwani.
2. Execution Diwani Function.
3. Judicial Plan of 1772.
4. Defects of the plan
5. New Plan of 1774.
6. Reorganization of adalats in 1780.
7. Reforms of 1781.
8. The first civil code.
9. Reforms in the administration of Criminal Justice introduced by Warren Hastings

### **Unit-III**

1. The Regulating Act 1773.
2. Charter of 1774.
3. Some Land Mark Cases.
  - 3.1. Trial of Raj Nandkumar (1775).
  - 3.2. The Patna case (1777-79).
  - 3.3. The Cossijurah case (1779-80)
4. Act of settlement 1781 including its Major Defects.
5. Supreme Courts at Madras and Bombay and their Working.

### **Unit IV-Process of Codification in India**

1. The Charter Act, 1833.
2. The Charter Act, 1853.
3. The First Law Commission.
4. The Second Law Commission.
5. The Third Law Commission.
6. The Fourth Law Commission.

### **Unit-V**

1. Genesis of the Indian High Court of Act, 1861.
2. The Indian High Court Act, 1861.
3. The Federal Court of India.
  - 3.1. Foundation of the Federal Court.
  - 3.2. Jurisdiction.
  - 3.3. Authority of Law.
  - 3.4. Expansion of Jurisdiction.
  - 3.5. Abolition of the Federal Court
  - 3.6. Contribution of the Federal Court.

### **Recommended Readings:**

1. M.P. Jain, Outlines of Indian Legal History, Wadhwa & Co, Nagpur.
2. V.D. Kulshretha and V.M. Gandhi, Landmarks of Indian Legal and Constitutional History, Eastern Book Company, Kurukshetra
3. M.P. Singh, Outlines of Indian Legal History, Universal Law Publishing Co.
4. H.L.O. Garren & Abdul Hamid, A Constitutional History of India, 1600-1935. London
5. Radha Kumar, The History of Doing: An Illustrated Account of Movements for Women's Rights and Feminism in India, 1800-1990, Zubaan.
6. Granville Austin, The Making of Indian Constitution, OUP.
7. Ania Loomba, Colonialism/ Postcolonialism, Routledge.
8. David Ludden, India and South Asia: A Short History (Including Bangladesh, Bhutan, Nepal, Pakistan and Sri Lanka), Oxford: One World Publications, UK.
9. Ramachandra Guha, India after Gandhi: The History of the World's Largest Democracy, Macmillan, 2007.
10. Bipan Chandra, Mridula & Aditya Mukherjee, India Since Independence, Penguin.

## **BANKING LAW INCLUDING NEGOTIABLE INSTRUMENTS ACT**

Paper: VIII [Code-LLB24308S]  
Time Duration: 3 Hours

Max. Marks=100  
Theory=80  
Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Banking Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Course Objective:** The objective of this paper is to teach the students the functioning of banks and various legal provisions regarding their management including frauds and various negotiable instruments like promissory notes, bill of exchange and cheques.

### **Course Outcomes:**

1. Understand the basic concepts of banks and operation of banks.
2. Demonstrate an awareness of law and practice in banking context.
3. Engage in critical analysis of the practice of banking law.

### **Unit-I**

1. History, Organisation and Functions of Bank.
2. Kinds of Banks.
3. Banker-Customer Relationship.

### **Unit-II Kinds of Accounts**

1. Over Drafting.
2. Usual and Bank Guarantee.
3. Letters of Credit.

### **Unit-III**

1. Essential features of Negotiable Instruments Act.
2. Definition and essentials of Negotiable Instruments
3. Promissory Note.
  - i. Definition and Nature.
  - ii. Essentials of Promissory Note.
4. Bill of Exchange
  - i. Definition and Essentials of a Bill of Exchange
  - ii. Distinction between Bill of exchange and Promissory Note.
5. Cheque
  - i. Definition and Essentials of a Cheque.
  - ii. Kinds of Cheque.
  - iii. Distinction between Cheque and Bill of Exchange.
6. Negotiation

### **Unit-IV**

1. Endorsement and its Kinds,

### 2. Definition of Holder and Holder in Due Course.

### 3. Holder in Due Course

#### 3.1.Rights and Privileges of a Holder in Due Course of a Negotiable Instrument.

#### 3.2.Payment in Due Course.

### 4. Parties to Negotiable Instruments and their Liability.

### 5. Modes of Discharge from Liability: Payment Cancellation, Release, Non-presentment etc.

## **Unit-V-Crossing of Cheques**

#### 1.Dishonor of Cheques: Criminal Liability of Drawer for issuing Cheques without Funds.

#### 2.Presentment: Presentment for Payment.

#### 3.Dishonor: Non Acceptance, Non Payment, Notice of Dishonor.

#### 4.Noting and Protest.

#### 5.Maturity of Negotiable Instruments.

#### 6.Special Rules of Evidence and Rules of International Law.

## **Recommended Readings:**

1. M.S. Parthasarathy (ed.),Khergamvala on the Negotiable Instruments Act 1898 Butterworth, New Delhi
2. M. L. Tannan, Tannin's banking Law and Practice in India, India Law House, New Delhi
3. S. N. Gupta, the Banking law in Theory and Practice, Universal, New Delhi
4. G.S N. Tripathi (ed.) Seth's Commentaries on Banking Regulation Act 1949 and Allied banking laws, Law Publishers, Allahabad
5. Bashyam and Adiga, The Negotiable Instruments Act, Bharath Law House, NewDelhi;
6. S. N. Gupta, Banks and the Consumer Protection Law, Universal Delhi
7. Mukherjee T. K Banking Law and Practice, Universal Delhi
8. Annual Survey of Indian Law, Indian Law Institute, New Delhi.

# LL.B

## 4<sup>th</sup> Semester

## THE BHARATIYA NAGARIK SUREKSHA SANHITA, 2023-I

Paper: I [Code-LLB24401C]  
Time Duration: 3 Hours

Max. Marks=100  
Theory=80  
Continuous Assessment = 20

NOTE: The subject includes the comprehensive and up to date study of various aspects of Criminal Procedure. The paper consists of three parts. Part-A contains short type 10 questions of 20 marks and the answer should be between 10-20 words. Part-B will have 5 questions and each question will have 6 marks. The answer should be between 200-300 words. Part-C will have 5 questions and students will have to answer 3 questions and each question carry 10 marks. The answer should be between 300-500 words.

**Learning Objective:** Fast and efficient justice system is an essential component of good governance. The delay in the delivery of justice due to complex legal procedures results in delay of disposal of cases in courts and low conviction rate. Colonial system of investigation of cases and inadequate use of modern scientific technology is the big hurdle in disposal of criminal cases and affects the poor people. This is why after analyzing the experience of the system during last 70 years, the government of India thought the procedural law should be more people friendly, less expensive and should suit the modern needs of the people. Therefore, Code of Criminal Procedure, 1973 was replaced with Bhartiya Nagarik Surakhsha Sanhita, 2023. The objective of this paper is to introduce the law students to the processes and procedures adopted in criminal courts for effective dispensation of criminal justice.

**Learning Outcome:** After the completion of this course, the student will be able to comprehend the complex processes of the criminal justice system including the jurisdiction of criminal courts, filing of important documents/applications, contents of these documents/applications, conduct of investigations, and processes of arrest/detention and so on.

### Unit-I Introduction

1. Definition Section 2
  - 1.Audio-Video Electronic means
  - 2.Bailable and non-bailable offence
  - 3.Charge
  - 4.Complaint
  - 5.Electronic Communication
  - 6.Difference between inquiry and investigation
  - 7.Cognizable and non-cognizable offence
  - 8.Summons case
  - 9.Victim
  - 10.Warrant case

### Unit-II

- 1.Summons and Warrants How Served
  1. Form of Summon and how to serve it (Sections 63, 64, 65, 66, 67, 68, 69, 71.
  2. Warrant of Arrest (Section 72, 73, 74, 75, 77, 78)
  3. Proclamation and Attachment (Section: 84, 85, 86, 88, 89)
  4. Powers of Police to receive and investigate

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

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2. Information in cognizable cases ( Section 173 (FIR)
  1. Section 174, 175, 176
3. Examination of Witnesses by Police (Section: 180,181,182)
  - 3.1. Recording of Confession statement by Magistrate (Section 183)
  - 3.2. Medical Examination of Rape victim (Section 184)
  - 3.3. Power to seek remand from magistrate (Section 187)
  - 3.4. Report of Police on Completion of Investigation (Section 193)
  - 3.5. Maintenance and Preparation of Case Dairy (Section 192)
4. Arrest of Persons
  - 4.1. Arrest by Police without warrant (Section 35)
  - 4.2. Procedure of Arrest and Duties of Officer making arrest: (Sections: 36, 37, 38, 39, 47, 48, 51. 52)
  - 4.3. Arrest by Private Person (Section 41)

### Unit -III

1. Security for keeping Peace and Good Behavior (Sections 125, 126,127,128,129)
2. Maintenance of Wives , Children and other Dependents: (Section 144, 145, 146, 147)
3. Dispersal of assembly by use of civil force (Section 148); Use of armed forces to disperse assembly (Section 149)
4. Public Nuisance: Conditional Order for removal of nuisance (Section 152)
5. Disputes as to Immovable Property (Section 164, 165, 166)

### Unit-IV

1. Constitution of Criminal Courts (Section 6)
  - 1.1. Court of Sessions
    - 1.1.1. Courts of judicial magistrate (Section 9)
    - 1.1.2. Chief Judicial Magistrate and Additional Magistrate (Section 10)
    - 1.1.3. Executive Magistrate (Section 14)
2. Powers of Courts: Sections 21, 22, 23, 24, 25.

### Unit-V

1. Conditions for Initiation of Proceedings
  1. Cognizance of offences by Magistrate (Section : 210-213, 215, 218)
  2. Complaints to Magistrate (Sections: 223, 224, 225)
  3. Commencement of Proceedings before Magistrate: (Sections: 226, 228, 229, 230, 232).

### Recommended Readings:

1. Bharatiya Nagarik Suraksha Sanhita, 2023

## CODE OF CIVIL PROCEDURE -I

Paper: II [Code-LLB24402C]  
Time Duration: 3 Hours

Max. Marks=100  
Theory=80  
Continuous Assessment = 20

**Note:** The subject includes the comprehensive and up to date study of various aspects of processes employed by various stakeholders in the administration of civil justice delivery. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions to be answered in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions to be answered in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions to be answered in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The objective of this paper is to introduce the law students to the processes and procedures adopted in civil courts for effective dispensation of civil cases.

**Learning Outcome:** After the completion of this course, the student will be able to comprehend the complex processes of the civil justice system including the jurisdiction of civil courts, filing of important documents/applications, contents of these documents/applications, conduct of cases and processes of compensation and so on.

### UNIT I Definitions & Jurisdiction of Courts

1. Definitions: decree, order, foreign court, foreign judgment, mesne profits, court, jurisdiction, decree holder, judgment debtor, legal representative, public officer,
2. Foreign Judgments Sec 13 & 14
3. Jurisdiction of courts Sec 9, stay of Suits Sec 10
4. *Res-judicata* Sec 11
5. Place of suing and transfer of suits Sec 15 to 24

### UNIT II Parties to the suit, Place of Suing & Institution of Suits

1. Parties to the suit Order I
2. Frame of Suit Order II
3. Recognized agents & pleaders Order III
4. Institution of suits Order IV

### UNIT III Summons, Pleadings generally, appearance and examination of the parties

1. Service of summons Sec 27 & 28, Order V
2. Pleadings generally Order VI
3. Plaint Order VII, Written Statement Order VIII
4. Appearance of parties Order IX
5. Examination of the Parties : Order X.

### UNIT IV Discovery, Inspection, admission & framing of issues

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1. Discovery & inspection Order XI

2. Admissions Order XII
3. Production etc. of documents Order XIII
4. Framing & settlement of issues Order XIV

**UNIT V summoning and examination of the witnesses, adjournments, affidavits and Judgment & Decree**

1. Disposal of suit Order XV
2. Summoning etc of witnesses XVI.
3. Adjournments Order XVII, Order XIX
4. Hearing and examination of witnesses Order XVIII
5. Judgments & decree Order XX

**Recommended Readings:**

1. Mulla, Civil Procedure Code.
2. Sanjiwa Rao, Civil Procedure Code.
3. P. M. Bakshi, Civil Procedure Code.
4. C. K. Takwani, Civil Procedure Code.
5. Code of Civil Procedure (along with amendments) – Bare Act.
6. Limitation Act (along with amendments) – Bare Act.
7. Specific relief act- bare act
8. Law of specific relief (G.V.Subba Rao)

## **FAMILY LAW- II**

### **(Hindu Law)**

Paper III [Code–LLB24403C]

TimeDuration:3 Hours

Max. Marks=100

Theory=80

Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Family Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The object of this paper is to apprise the students with the laws relating to family matters applicable to Hindu community in India.

**Learning Outcome:** It will apprise the students with the basics of family law and train them for family dispute resolutions in family courts.

#### **Unit I–Sources and Schools**

1. Sources of Hindu Law.
  1. Traditional Sources.
  2. Modern Sources.
2. Schools of Hindu Law.
  1. Mitakshara School.
  2. Dayabagha School.

#### **Unit II–Joint Family and Coparcenary**

1. Composition of Joint Hindu Family.
2. Coparcenary
3. Mitakshara Coparcenary-Formation and Incidents.
4. Dayabhaga Coparcenary-Formation and Incidents.
5. Karta–His position, Power, Privileges and Obligations.

#### **Unit III–Marriage and Divorce**

1. Nature and Concept of Hindu Marriage.
2. Marriage and matters relating to marriage under the Hindu Marriage Act, 1955
3. Matrimonial Causes(i) Judicial Separation (ii) Divorce

#### **Unit IV–Adoption, Maintenance Custody and Guardianship**

1. Hindu Adoption and Maintenance Act
  1. Requisites of valid adoption
  2. Effects of adoption

1.3. Maintenance of wives

2. Guardianship
3. Natural Guardian: Position and Powers.
4. Testamentary Guardian and his Powers.
5. Custody of Child.

**Unit V–Succession**

1. Hindu Succession Act, 1956.
  1. General principles governing succession.
  2. Legal Heirs and their respective shares.
  3. Intestate Succession.
  4. Testamentary Succession.

**Recommended Readings:**

1. Paras Diwan, Law of interstate and testamentary succession, Universal.
2. N. D. Basu, law of Succession, Universal.
3. Kusem- Marriage and Divorce Law Manual, Universal.
4. S. C. Machanda, law and Practice of Divorce in India, Universal.
5. P. V. Kane. History of Dharmasatras Vol 2. Pt.1. At 624-632 (1974)
6. Kuppaswani (ed); Mayne's Hindu Law and Usage
7. Sivaramayya's Aequities and the Law
8. J. D. M. Derrett. Hindu Law: Past and Present
9. J. D. M Derrett; Death of marriage Law
10. A. A. A. Fyzee. Outlines of Muhammadan Law.
11. Arradi Kuppaswami (ed) Mayne's Hindu Law and Usage.
12. J. D. M. Derrett. A Critique of Modern Hindu Law.
13. Paras Diwan: Hindu Law.
14. S. T. Desai (Ed); Mulla's Principles of Hindu Law.
15. Paras Diwan: Family Law of Marriage and Divorce in India.
16. A. M. Bhattacharya: Muslim Law and the Constitution.
17. A. M. Bhattacharya: Hindu Law and Constitution.
18. Paras Diwan: Law of Adoption, Guardianship and custody, Universal
19. Annual Survey of Indian Law, Indian Law Institute, New Delhi.

## ADMINISTRATIVE LAW-II

Paper IV [Code-LLB24404C]  
Time Duration: 3 Hours

Max. Marks = 100  
Theory = 80  
Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Administrative Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short Answer Type Questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (Long Answer Type Questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. .

**Learning Objective:** The objective of this paper is to make students aware of various aspects of administrative law including quasi-legislative, quasi-judicial and other ministerial functions of administration.

**Learning Outcomes:** students will be given a basic understanding of the principles and functions of administrative law, including the role of administrative agencies in governance & regulation. Students will be able to identify and apply key procedural aspects of administrative decision-making and adjudication. Students will develop the skill to critically assess and challenge administrative actions and decisions in the light of well-established administrative law principles

### Unit-I

1. Natural Justice: Concept
2. Principles of Natural Justice
  1. No man shall be judge in his own cause
  2. No man shall be condemned unheard.
3. Effect of Failure of Natural Justice.

### Unit-II

1. Doctrine of Fairness
2. Doctrine of Legitimate Expectation
3. Exclusion of natural justice-Post-decisional hearing

### Unit-III

1. Rules of Evidence
2. Reasoned Decisions-Institutional Decisions
3. Judicial Control of Administrative Action-Writ Jurisdiction-32/226, Specific Writs-*Habeas Corpus, Mandamus, Certiorari, Prohibition, Quo-Warranto*

### Unit-IV

1. Administrative Discretion
  1. Need for administrative discretion

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

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- 1.2. Administrative discretion and rule of law
- 1.3. Need for safeguards
- 2. Doctrine of Excessive Delegation Of Discretion
  - 1. Constitutionality of discretionary powers
- 3. Administrative discrimination and arbitrariness.

### Unit-V

- 1. Abuse of Power-(B)
  - 1.1 *de tournement de pouvoir* (Abuse of power)
  - 1.2 *Malafide* exercise of discretion
  - 1.3 Improper purpose
- 2. Abuse of Power-(A)
  - 2.1 Irrelevant considerations
  - 2.2 Unreasonableness
  - 2.3 Non- exercise of discretionary powers
- 3. Ombudsman-Lok Pal and Lokayukta-Central Vigilance Commission

### Recommended Readings:

- 1. D.D. Basu, Comparative Administrative Law (1998)
- 2. Wade, Administrative Law (Seventh Edition, Indian print 1997) Universal, Delhi
- 3. M.P. Jain, Cases and Materials on Indian Administrative Law, Vol. I & II (1996), Universal, Delhi
- 4. Jain & Jain, Principles of Administrative Law (1997) Universal, Delhi
- 5. S.P. Sathe, Administrative Law (1998) Butterworths-Indian, Delhi
- 6. Schwartz, An Introduction to American Administrative Law
- 7. I.P. Massey, Administrative Law (2002)

## Clinical Course–II (Professional Ethics and Bar–Bench Relations)

Paper V [Code–LLB24405CL]  
Time Duration:2 Hours

Total Marks=100  
Theory=60  
Project/Seminar/Case Study/Research Paper=40

**Note:** The clinical paper on Legal Ethics and Bar-Bench Relations shall have two parts-Part A and Part B. Part A shall be a written examination of 60 marks, which shall have three sections and shall be distributed according to the following scheme:

In Part A - Section A shall contain 5 very short answer type questions, one from each unit carrying two marks each. Section B shall contain 5 short answer type questions, one from each unit carrying 6 marks each. And section C shall contain 5 long answer type questions, one from each unit carrying 10 marks each. All the questions from sections A and B and only two questions out of five from Section C shall have to be answered by the candidate. Part B shall be carrying 40 marks, the assessment/evaluation of the student for these 40 marks shall be conducted internally by at least two teachers one nominated by the HOD/Principal of the affiliated private Law College and by the teacher of the subject through written test/case study/ field survey/participation in seminars and projects/practical exercise/persuasive memoranda on the topic/s identified by the teacher concerned. **The distribution of these 40 marks shall be as follows:**

- i. **Project Report / Seminar Report / Case Study Report / Research Paper Report (30 marks)**
- ii. *Viva Voce: 10 Marks*

Case Study should be on the below-mentioned cases:

### **I. Supreme Court Cases and Disciplinary, Committee of Bar Council of India**

1. V.C. Rangadurai vs.D.Gopalan;AIR1979 SC281
2. R. D. Saxena vs. Balram Prasad Sharma; AIR 2000 SC 2912= (2000) 7 SCC 264
3. New India Assurance Co. Ltd. vs. A.K.Saxena; AIR 2004 SC 311
4. Daroga Singh and ors. vs. B.K. Pandey; (2004) 5 SCC 26
5. Lalit Mohan Das vs. Advocate General, Orissa and Another; AIR 1957 SC250
6. Dinesh Chandra Pandey vs. H/C of M.P.; AIR 2010 SC 3055
- 7.Indian Council of Legal Aid and Advice vs. BCI; AIR 1995 SC 691
- 8.Harish Uppal Vs. U.O.I., 2003 AIR SCW 43
- 9.In Re D. C. Saxena, AIR 1996 SC 2481
- 10.Rajendra Nagrath vs. L. Vohra; AIR 2009 M.P 131
- 11.A.S. Mohammad Rafi vs. State of T.N.;AIR 2011 SC 308
- 12.Chandra Shekhar Soniv Bar Council of Rajasthan and Ors. AIR 1983 SC 1012
- 13.Satishkumar Sharma v Bar Council of Himachal Pradesh AIR 2001 SC 509.
- 14.Smt. Siya Baiv Sitaram Singh BCI Tr. Case No. 8/1987.
- 15.Babulal v Subhash Jain Tr. Case No.115/1996.
- 16.Kamal Prasad Mishrav Mehilal D.C. Appeal No. 55 of 2000.
- 17.C. v R. BCI Tr. CaseNo.35-36/1982

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

18. Secretary Karnataka Khadi Gram Udyog Samyukta Sangha, Bengeri Hubli v J.S. Kulkarni BCI Tr. Case No.12/1990.
19. A. v B.-1 & B-2 BCI Tr. Case No.48/1997.
20. C. v R. BCI Tr. Case No. 35/2005.
21. Shri Ashok Singhal v Kanwar Sangram Singh BCI Tr. Case No. 24/2005.
22. Devinder Singh Deol v Mohinder Singh Chawla D C Appeal No.45/2003
23. Mohinder Singh Chawla v Devinder Singh Deol DC Appeal No.16/2004.
24. Shant Sharan Mishra v Narotham Das Gupta BCI Tr. Case No.109/1999.
25. Mata Prasad v Anjani Kumar Sinha BCI Tr. Case No. 80/2000.
- Smt. A. Mary Jayav Shri S. H. Gowse Azam BCI Tr. Case No.119/2008

**Learning Objective:** The objective of this course is to acquaint the students with the principles of legal ethics and the relevant rules and legislations governing the conduct of advocates. It also looks into the intricacies of different aspects of bench-bar relations.

**Learning Outcome:** After the completion of this course, the student will be able to comprehend the ethics and etiquettes of lawyering and how to deal with professional domain during practice in courts.

### Unit-I- Legal Ethics

1. Meaning, Nature and Scope of Legal Ethics.
  - 1.1. Need and Scope of Ethical Code for Lawyers.
  - 1.2. Legal Ethics & professional responsibility for Lawyers.
  - 1.3. Seven Lamps of Advocacy.
2. Misconduct & punishment for misconduct.

### Unit-II-Advocates Act, 1961

1. Definitions;
  1. Constitution and functions of State Bar Councils;
  2. Constitution and functions of Bar Council of India;
  3. Powers of Bar Council of India & State Bar Councils.
2. Bar-Bench Relationship-Nature and Extent.
3. Rights & duties of Advocates.
4. Admission & Enrolment of Advocates.

### Unit-III Contempt of Court

1. Contempt of Court: Meaning, Classification and Scope.
2. Classification of Contempt;
3. Punishment for Contempt & Purging of Contempt.
  - 3.1 Procedure in Contempt proceedings.
  - 3.2 High Court & Supreme Court Rules to regulate contempt Proceedings.
4. Constitutional validity of Contempt Law.

### Unit-IV: Supreme Court Rules, 2015.

1. Offices of the Court;

2. Advocates;
3. Constitution of Division courts and powers of single Judge;
4. Appellate jurisdiction;
5. Appeals on certificate by High Court;
6. Provisions regarding Special Leave Petition under Article 136 of Constitution in Civil & Criminal matters.

### **Unit-V Jammu & Kashmir High Court Rules, 1999**

1. Officers of the Court;
  1. Powers and functions of Registrar;
2. Classification of proceedings in the High Court.
3. Caveats.
4. Jurisdiction of Single Judge & Benches of the Court.
5. Appeals, Revisions, References, Review.

### **Recommended Readings:**

1. 2010 selected standards on professional responsibility by Thomas D. Morgan, Ronald Dworkin.
2. C. L. Anand; Professional Ethics of the Bar, the law book Co. Pvt. Ltd.
3. D. V. Subbarao; The Advocates Act, 1961, Lexis Nexis, Butterworth.
4. Dr. Kailas Rai; Legal Ethics: Accountability for lawyers and Bench-Bar Relations, Central Law Publications.
5. Global Issues in Legal Ethics by James Moliterno and Paul Paton.
6. J.P.S Sirohi; Professional Ethics, Accountability for Lawyers and Bench Bar Relation, Allahabad Law Agency.
7. Krishnamurthy on Advocacy
8. Legal Ethics by Kent D. Kaufmann
9. Problems in Legal Ethics, 11<sup>th</sup> Edition. Richard C. Wydick, Rex R. Perschbacher et al.

## CONSTITUTIONAL HISTORY (Optional)

Paper VI [Code-LLB24406OP]  
Time Duration: 3 Hours

Max. Marks =100  
Theory =80  
Continuous Assessment=20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Constitutional History. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200- 250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The objective of this paper is to apprise students about the constitutional challenges faced by the leaders of Indian Freedom Struggle and also to make them aware about the constitutional evolution and development in India.

**Learning Outcome:** Students will be able to understand the foundations of the Constitutional History and its impact on Indian Legal System.

### Unit-I

1. Causes of Revolution of 1857
2. The Government of India Act, 1858.
3. Genesis of Government of India Act, 1861.
4. The Government of India Act, 1861. (Indian Councils Act of 1861)

### Unit-II

1. Birth of Indian National Congress, 1885
2. Indian Councils Act, 1909.
3. Assessment of Reforms of 1909.
4. Government of India Act-1919-features of Diarchy.

### Unit-III

1. Government of India Act, 1935 with special emphasis on the concept of provincial autonomy and federalism.
2. Cripps Mission, Wavell Plan and Cabinet Mission

### Unit-IV

1. Indian Independence Act, 1947.
2. The Constituent Assembly of India.

### Unit-V

1. The Jammu and Kashmir Constitution Act, 1939.
2. Instrument of Accession.
3. Special Status of Jammu and Kashmir.

**Recommended Readings:**

1. Keith, Constitutional History of India
2. J. K. Mittal, Constitutional History of India
3. V. Bhagwan, Constitutional History of India
4. Kulsheshta, Indian Legal and Constitutional History
5. H. M. Seerai, Constitutional Law of India
6. V. D. Mahajan, Constitutional History of India.
7. M. P. Jain Outlines of Indian Legal and Constitutional History (6<sup>th</sup> ed.2006)Wadhwa and Company Nagpur.

# BIODIVERSITY LAW

(Optional)

Paper VII [Code-LLB24407OP]

Time Duration: 3 Hours

Max. Marks=100

Theory =80

Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Biodiversity Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The objective of this paper is to introduce the students to the manner in which law interacts with ecology and biodiversity. The paper deals with the legal mechanism for the preservation and protection of bio-diversity and provides international, national and local scheme regarding the same.

## Course Outcomes:

Students will gain a foundational understanding of the legal formalities for biodiversity conservation at national and international level.

Students will develop the ability to analyse and assess legal instruments related to biodiversity.

Students will apply legal principles and policies addressing challenges related to biodiversity loss and sustainable use of biological resources.

## Unit I – Biodiversity and Law

1. Biodiversity-Meaning and Importance
2. Need for Protection of Biodiversity\
3. Safeguarding Principles related to Conservation of Biodiversity.

## Unit II – International Law and Conservation of Biodiversity

- 2.1.Legal Framework under International Law.
- 2.2.Convention on Biological Diversity, 1992.
  - 2.2.1. Structure.
  - 2.2.2. Obligations.
- 2.3.CITES, 1972
- 2.4.Ramsar Convention
- 2.5.The World Heritage Convention
- 2.6.International Law Framework for the ASEAN Countries.

## Unit III - **Biological Diversity Protection Framework under Indian Law**

1. The Forest Act, 1927 and Forest Conservation Act, 1980.
2. The Wild Life Protection Act, 1972.
3. Environment Protection Act, 1986
4. Patents Act, 1970 as Amended under TRIPS Obligations.
5. The Protection of Plant Varieties and Farmer's Rights Act, 2001.
6. Other Relevant Laws

## Unit IV –**The Biological Diversity Act, 2002**

- 4.1.Salient Features: Conservation of Biological Diversity, Sustainable Use of Its Component, Fair and Equitable Sharing of Benefits.
- 4.2.Regulation and Access to Biological Diversity.
- 4.3.National Biodiversity Authority (NBA) and State Biodiversity Board (SBB).
- 4.4.Biodiversity Management Committees (BMCs) and Local Biodiversity Fund.
- 4.5.Duties of Central and State Governments.

## Unit V – **Biodiversity and Jammu and Kashmir**

- 5.1. Ecological Demography of Jammu and Kashmir: Contemporary Challenges.
- 5.2. Legal Framework for the Protection and Conservation of Biodiversity in J&K.
- 5.3. Forests Dwellers and their Significance in Conservation of Forest Resource
- 5.4. The Protection Available under Forest Rights Act, 2006.
- 5.5. Lakes, Waterways and their Biodiversity in J&K and their Legal Protection.
- 5.6. Preservation of Specified Trees in J&K.

## **Recommended Readings:**

1. Convention on Biological Diversity, 1992.
2. Biodiversity Act, 2002.
3. The Forest Act, 1927.
4. Forest (Conservation) Act, 1980.
5. The Wildlife (Protection) Act, 1972.
6. Environmental Protection Act, 1986.
7. Biodiversity Law and practice by yeshwant shenoy.
8. Biodiversity and conservation: International Perspective by A. Usha.
9. Routledge handbook of biodiversity and the law by Charles R.McMains, B.Org, 2018.
10. Biological diversity and International Law-challenges for the post 2020 scenario by Mar campus Ertija, Teresa Fajardo etal (springer, 2021).

## FORENSIC SCIENCE AND LAW

**Paper: VIII [Code-LLB2408S]**  
**Time Duration: 3 Hours**

**Max. Marks=100**  
**Theory= 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of criminology. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short Answer Type Questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (Long Answer Type Questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** This subject is designed to provide a comprehensive understanding of both scientific principles and legal frameworks revolving around application of Forensic Science in Crime Scene Investigations and its role in Criminal Justice System. The key objectives are that it will help students to develop and understand an early grasp of professional and ethical standards in forensic science and law. It will provide the students with full understanding of how forensic science interacts with the legal system, including the role of forensic evidence in criminal investigations and trials. It would help student to establish a solid educational background in science and law to excel in advanced forensic courses as well as appreciation of forensic evidence and role of Criminalistics in Court Rooms. It gives us knowledge as how to apply scientific principles to solve forensic problems in a laboratory setting and will learn the role of an expert witness, including how to present technical terms and complex processes in everyday criminal trails. Provides proper roadmap of correctly applying standard operating procedures (SOPs) in forensic laboratories. The subject aims to prepare students for successful careers in forensic science, law enforcement, crime laboratories, and related fields.

### **Learning Outcomes:**

The key outcomes the student can expect are as under:

While studying this subject you'll learn to apply forensic techniques to analyze biological and physical evidence, which is crucial for solving crimes. The student will gain knowledge of how forensic science operates within the legal system, including the admissibility of scientific evidence in court. It will train to use the scientific method in a mindful and adaptive manner, ensuring that your findings while in criminal process in court or laboratory are reliable and valid. You will develop critically evaluate the skills of criminalistics in recognizing, documenting, analyzing, and interpreting physical evidence and draw logical deductions from various sources of information and evaluate the limitations of forensic techniques in criminal justice dispensation scheme. Hence, these outcomes prepare the students to effectively support the criminal justice system and contribute to the broader community as a steward of justice and peace.

### **Unit I: Introduction**

- a. Forensic Science : Definition , Meaning and Basic Principles.

- b. History and Growth of Forensic Science
- c. Scope and Need for Forensic Science.
- d. Principles of Forensic Science.

## **Unit-II Forensic Science and Criminal Justice System**

### **I. Crime, Criminal and Profiling**

- a. Crime & Criminal Behaviour and Modus Operandi.
- b. Criminal Profiling
- c. *Corpus Delicti*: Role of Investigating Officers, Prosecution, Scientific Officers, Medico-Legal Examiners.
- d. Expert Testimony: Admissibility Standards in Courts under Bharatiya Nagarik Suraksha Sanhita, 2023 and Bharatiya Sakshhi Adhiniyam, 2023.
- e. International Overview: **Frye & Daubert** Principles and Emerging Trends
- f. Expert Opinion : Judicial Response

## **Unit II: Working of Forensic Science**

### **I. Criminalistics: An Overview**

- a. Crime Scene Management & its hierarchy
- b. Defining the Scene of Crime
- c. Role of First Responding Officers
- d. Search Patterns of a Crime Scene
- e. Crime Scene Documentation
- f. Collection, Packaging, Labeling & Forwarding of exhibits to Forensic Laboratories.
- g. Preservation of evidence and Chain of Custody

### **II. Investigation Techniques**

- a. Forensic Science and Its Application In Crime Scene Investigation
- b. Constitutionality and Legality of Forensic Investigative Tools
- c. Advanced Methods of Interrogation: (Deception Detection Test)
  - i. Polygraph Analysis
  - ii. Narco-Analysis and its Legality: Future Prospect
  - iii. Brain-Mapping-EEG, P3000 Wave Test: Limitation of technique.

**Unit III: Evidences: Crime Scene Evidences**

- a. Forensic Evidence : Nature, Scope and Classification
- b. Establishment of Identity of Individuals/Suspects.
- c. Fingerprints and other prints.
- d. Biological Evidences: Blood, Saliva, Semen & other Biological fluids and Viscera.
- e. Trace evidence:
  - a. Shoe impressions, Tool marks, Tyre marks, Bite Marks.
  - b. Hair Analysis ( Human & Animals)
  - c. Fibre and Fabric Analysis
  - d. Glass Analysis
  - e. Soil Analysis
  - f. Pollen Analysis
  - g. Paint Analysis
- f. Forensic Anthropology: Skeletal Remains, Odontology and Smell of Death.
- g. Digital Forensic Evidence

**Unit V: Forensic Science Laboratories**

**I. Evolution and Origin**

- i. Current Scenario in India.
- ii. FSL's: Services and Functions.
- iii. FSL Divisions: Overview
  - i. General Analytical and Instrumentation
  - ii. Ballistics Division
  - iii. Biology Division
  - iv. Chemistry Division
  - v. Questioned Documents Division
  - vi. Physics Division
  - vii. Psychology Division
  - viii. Serology Division
  - ix. Toxicology Division
  - x. Cyber Forensic Division
  - xi. Voice Authentication and Speaker Identification Division
  - xii. DNA Division
  - xiii. Mobile Forensic Labs.

**II. Ethics in Forensic Science**

- i. Importance of Professional Ethics to Criminalistics
- ii. Code of Ethics for Forensic Scientists

**III. Forensic Science: Emerging Trends**

- I. Overview of recent Trends & Instrumentation in Forensic Science.
  - i. Preventive Forensics
  - ii. Ethical Issues and Redressal Mechanism
  - iii. Forensic Journalism
  - iv. Forensic Auditing and Virtual Autopsy
  - v. Gas- Chromatography-Significance; UV- Visible Spectroscopy; IR/ FTIR Spectroscopy; Compound and Stereo-Zoom Microscopy.
  - vi. Artificial Intelligence and Forensic Investigation.

**IV. Practical Drill**

- i. Mock Crime Scene Investigation (Indoor/Outdoor)
- ii. Forensic Science related Case Studies

**Suggested Readings**

1. A.A. Moenssens, J. Starrs, C.E. Henderson and F.E. Inbau, Scientific Evidence in Civil and Criminal Cases, 4th Edition, The Foundation Press, Inc., New York (1995).
2. R. Saferstein, Criminalistics, 8th Edition, Prentice Hall, New Jersey (2004).
3. J.C. DeLadurantey and D.R. Sullivan, Criminal Investigation Standards, Harper & Row, New York (1980).
4. J. Niehaus, Investigative Forensic Hypnosis, CRC Press, Boca Raton (1999).
5. E. Elaad in Encyclopedia of Forensic Science, Volume 2, J.A. Siegel, P.J. Saukko and G.C. Knupfer (Eds.), Academic Press, London (2000).
6. J.E. Cowger, Friction Ridge Skin, CRC Press, Boca Raton (1983).
7. D.A. Ashbaugh, Quantitative-Qualitative Friction Ridge Analysis, CRC Press, Boca Raton (2000).
8. C. Champod, C. Lennard, P. Margot and M. Stoilovic, Fingerprints and other Ridge Skin Impressions, CRC Press, Boca Raton (2004).
9. Lee and Gaensleen's, Advances in Fingerprint Technology, 3rd Edition, R.S. Ramotowski (Ed.), CRC Press, Boca Raton (2013).
10. M. Byrd, Crime Scene Evidence: A Guide to the Recovery and Collection of Physical Evidence, CRC Press, Boca Raton (2001).
11. T.J. Gardener and T.M. Anderson, Criminal Evidence, 4th Ed., Wadsworth, Belmont (2001).
12. S.H. James and J.J. Nordby, Forensic Science: An Introduction to Scientific and Investigative Techniques, 2nd Edition, CRC Press, Boca Raton (2005).
13. W.J. Tilstone, M.L. Hastrup and C. Hald, Fisher's, Techniques of Crime Scene Investigation, CRC Press, Boca Raton (2013).

# LL.B

## 5<sup>th</sup> Semester

**THE BHARATIYA NAGARIK SUREKSHA SANHITA, 2023**  
**(Part-II)**

Paper: I [Code–LLB24501C]

Time Duration: 3 Hours

Max. marks: 100

Theory: 80

Continuous Assessment : 20

Note: The subject includes the comprehensive and up to date study of various aspects of processes employed by various stakeholders in the administration of criminal justice. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions to be answered in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions to be answered in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions to be answered in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** Fast and efficient justice system is an essential component of good governance. The delay in the delivery of justice due to complex legal procedures results in delay of disposal of cases in courts and low conviction rate. Colonial system of investigation of cases and inadequate use of modern scientific technology is the big hurdle in disposal of criminal cases and affects the poor people. This is why after analyzing the experience of the system during last 70 years, the government of India thought the procedural law should be more people friendly, less expensive and should suit the modern needs of the people. Therefore, Code of Criminal Procedure, 1973 was replaced with Bhartiya Nagarik Surakhsha Sanhita, 2023. The objective of this paper is to introduce the law students to the processes and procedures adopted in criminal courts for effective dispensation of criminal justice.

**Learning Outcome:** After the completion of this course, the student will be able to comprehend the complex processes of the criminal justice system including the jurisdiction of criminal courts, filing of important documents/applications, contents of these documents/applications, conduct of investigations, and processes of arrest/detention and so on.

Unit: I

**A. Charge and its forms:**

- i. Content of Charges (Section 234)
- ii. Particulars as to time and place and person (Section 235)
- iii. Manner of committing the charge when stated (Section 236)
- iv. Effect of error and when court can alter the charge (Section 238, 239)

**B. Joinder of Charge:**

- i. Separate Charge for separate offences (Section 241)
- ii. When offences can be charged together (Section 242, 243) and trial for more than one offence.
- iii. What persons can be charged jointly Section 246.

## Unit-II

### 1. Various Kinds of Trials

#### a. Trial before Courts:

Section 248, 249, 250, 251, 252 (Plea of Guilt) , Section 253, 254.

#### b. Acquittal, Entering defense evidence and arguments. (Sections 255, 256m 257).

#### c. Warrant Trials : (Sections 261, 262, 263, 264, 265, 266)

#### d. Summon Trials: (Section: 283, 284, 285, 286, 287)

#### e. Summary Trials: (Sections 283, 284, 285, 286, 287)

## Unit-III

### II. Plea Bargaining

#### a. Meaning and Concept of Plea Bargaining

#### b. Usages of Plea Bargaining in Common Law Countries

#### c. Plea Bargaining in India: (Sections: 289, 290, 291, 293)

### III. Compounding of Offences: (Section 359, 360, 361, 362)

## Unit-IV

### I. Bail

#### a. Grant of Bail and its need and efficiency

#### b. Principal of bail and not jail-Various Civil Court Decisions

#### c. Provisions as to Bail and Bonds Sections: 478, 479.

#### d. Anticipatory bail: Section 482

#### e. Cancellation of bail (Section 492)

### II. Judgment: Section 392, 393, 394, 395.

#### a. Victim Compensation Scheme (Section 396)

#### b. Treatment of Victims and Victims Protection Scheme (Sections 397, 398.

## Unit-V

#### a. Transfer of Criminal cases (Sections 447, 448, 449, 450, ); Withdrawal of cases (Section: 452)

#### b. Reference and Revision: Section 436, 437, 438

#### c. Appeal (Sections 413, 414, 415, 416, 417, 418, 419)

#### d. Confirmation of Death Sentence: (Sections: 407, 408, 409, 410).

## Case Laws

Hussain Ara Kahatoon v. State of Bihar 1979, Cr.L.J. 1036 (SC)

Moti Ram v. State of M.P. 1978, Cr.L.J. 1703

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

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Virsa Singh v. State 1992 Cr.L.J. 104 (Del).

State of Rajasthan v. Bal Chand 1978 Cr.L.J. 195

Shambu Das v. State of Assam AIR 2010 SC 3300

Lalita Kumari v. Govt. of U.P. AIR 2014 SC 187

Madhu Limaya v. SDM Moughfur AIR 1971 SC 2486

D.K. Basu v. State of West Bengal 1997 Cr.L.J. 743 (SC)

Nandani Satpathy v. P.L. Dani.

### **Books Recommended:**

1. R.V. Kelkar, Criminal Procedure
2. S.N. Mishra, Code of Criminal Procedure
3. D.D. Basu
4. S.M.A Qadri Police and Law- A Socio Legal Study
5. M.D. Mir Crime and Criminal Justice System in India
6. Bhartiya Nagarik Suraksha Sanhita, 2023.

## CODE OF CIVIL PROCEDURE -II

Paper: II [Code-LLB24502C]

Max marks: 100

Time Duration: 3 Hours

Theory: 80

Continuous Assessment : 20

**Note:** The subject includes the comprehensive and up to date study of various aspects of processes employed by various stakeholders in the administration of civil justice delivery. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions to be answered in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions to be answered in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions to be answered in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The objective of this paper is to introduce the law students to the processes and procedures adopted in civil courts for effective dispensation of civil cases.

**Learning Outcome:** After the completion of this course, the student will be able to comprehend the complex processes of the civil justice system including the jurisdiction of civil courts, filing of important documents/applications, contents of these documents/applications, conduct of cases and processes of compensation and so on.

### UNIT 1 Execution Of Decree And Orders & Costs.

1. Sub units
2. Costs Order XX-A , Sec 34 & 35
3. Execution proceedings Sec 36 to 74
4. Execution of Decree & orders Order XXI

### UNIT II 2.1. Death Of Parties, Withdrawal Of Suits, Special Suits, Commissions

2.2 Death, marriage etc Order XXII

2.3. Withdrawal and adjustments of suits Order XXIII

2.4. Suit by or against Govt. order XXVII sec 79, 80

2.5. Suit by or against minor, unsound mind XXXII

2,6, Commissions to execute witnesses Order XXVL

### UNIT III Appeals, Review, Revision & References

3.1. Appeal against order, decrees Ist appeal 2nd Appeal

Sec 96 to 110, Order

3.2. Reference to high Court Sec 113 & order XLVI

3.3. Review sec 114 & Order XLVII

3.4. Revision Sec 115 Order XLI,XLII,XLIII,XLIV & XLV

**UNIT IV Interlocutory Orders, Attachment, Commissions**

1. Attachment before Judgment order XXXVIII
2. Temporary injunction & Interlocutory Order XXXIX]
3. Appointment of Receiver Order XL
4. Issue of commissions Sec 76 to 78

**UNIT V Miscellaneous Provisions, Inherent Powers, Caveat Etc**

- 5.1. Right to lodge caveat Sec 148-
- 5.2. Enlargement of time Sec 148
- 5.3. Inherent powers of court sec 151
- 5.4. Amendment of decrees etc Sec 152 & 153
- 5.5. Limitation Act Sec 1 to 24

**Recommended Readings:**

1. Mulla, Civil Procedure Code.
2. Sanjiwa Rao, Civil Procedure Code.
3. P. M. Bakshi, Civil Procedure Code.
4. C. K. Takwani, Civil Procedure Code.
5. Code of Civil Procedure (along with amendments) – Bare Act.
6. Limitation Act (along with amendments) – Bare Act.
7. Specific relief act- bare act
8. Law of specific relief (G.V.Subba Rao)

## Environmental Law

Paper: III [Code–LLB24503C]

TimeDuration:3 Hours

Max. Marks=100

Theory= 80

Continuous Assessment = 20

**NOTE:** The subject includes a comprehensive and up to date study of various aspects of environmental law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The objective of this paper is to acquaint the students with environmental issues and the measures taken for its protection.

### Course Outcomes:

1. Students will gain foundational knowledge of key environmental laws and regulations at the national and international levels.
2. Students will develop the ability to analyze and interpret legal frameworks aimed at environmental protection and sustainable development.
3. Students will learn to apply environmental laws to real world situations, addressing issues such as pollution, conservation and climate change.

### Unit–I Environmental Pollution-General

1. Environment: meaning, Environment Pollution
2. Historical Development of Environmental Laws in India.
3. Nuisance: Indian Penal Code, Criminal and Civil Procedure Codes. Meaning and Concepts. Old Laws and New Interpretations–Absolute and No-fault Liability under Environmental Laws.
4. Constitutional Provisions–Articles 14, 19 (1) (g), 48-A, 51A. g., Art. 21- Right to Wholesome Environment–Evolution and Application, PIL and Protection of Environment

### Unit-II Prevention of Water and Air Pollution

1. Water & Air and Pollution Control Acts: Summary.
2. Standards, CPCB and SPCB, Consent Mechanism, Control Areas and Restraint Orders
3. Citizen Suit and Access to Environmental Information
4. Corporate and Governmental Liability for Environmental Offences

### Unit-III Environmental Protection

1. Environmental Protection Act 1986 and Other Environmental Legislations.

2. Powers of Central Government and Policing of Pollution.

3. Rules:

3.1.Bio-medical Waste Rules

3.2.Hazardous Waste Rules

3.3.Ozone Depletion Substances Rules

3.4.Solid Waste Management

3.5.Noise Pollution Control Rules

3.6.Electronic Waste Rules.

4. Environmental Impact Assessment

5. Environmental Courts, National Green Tribunal Act, 2010

**Unit-IV-International Environmental Law and Norms**

1.Stockholm Declaration

2. Climate Change Convention and Subsequent Developments

3. Ozone Depletion.

4. International & Environmental Principles.

4.1.Sustainable Development.

4.2.Public Trust Doctrine.

4.3.Precautionary Principle.

4.4.Polluter Pays Principle.

**Unit-V-Local Environmental Laws and Problems in J&K**

1. Biological Diversity of J&K and Ladakh, Medicinal Plant Diversity Application and Application of Biological Diversity Act, 2002 to J&K.
2. Forests and Forest Dwellers in J&K and Application of Forest Rights Act, 2006 to J&K Common Property and State Property.
3. Preservation and Protection of Lakes, Waterways and Wetlands in J&K.
4. Preservation of Specified Trees and Water Resources.
5. Non-Biodegradable Materials and Law.

**Recommended Readings:**

1. Centre For Science and Environment Citizen's Reports-Anil Agarwal
2. Rosencranz, Diwan, Noble Environmental Law And Policy In India
3. Lal Commentaries on Water and Air Pollution Law

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

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4. Chaturvedis, Law On Protection of Environment and Prevention of pollution
5. Upendra Baxi, The Environment Protection Act ,An Agenda for Implementation (ILI Publication)
6. P.MBakshi, The Air Act, 1986.
7. P.M Bakshi, The Environment Protection Act.
8. P.Leela Krishnan, Environmental Law in India..
9. Iyer V.R Krishna Environmental Pollution and the Law.
10. Dal Lake: The Scattered Legal Regulatory Mechanism and Integrated Pollution Control, Kashmir University Law Review (KULR), Vol.16, 2009, pp.112-145.
11. The New Horizons of Green Justice Under the National Green Tribunal Act, 2010: Does it hock Environmental Class Action to Civil Courts
12. Private Enforcement of Environmental Laws. Kashmir University Law Review (KULR), Vol.IV, 4(1997) pp.163-181.
13. Legal Control of Air Pollution in J&K- An Appraisal, Kashmir University Law Review (KULR), Vol.II, Issue II (1995), p.163-193
14. Nuisance Law under the New Environmental Laws: Preserved or Pre-empted, Kashmir University Law Review (KULR), Vol.XIII, 2006, pp.78-94
15. Indigenous Medicinal Plants and the People, Kashmir University Law Review (KULR), Vol.VIII(1) 2001, pp.17-62.
16. Prof. Nuzhat Parveen Khan, Legal Control of Air Pollution: Problems and Perspectives, Satyam Law International.
17. Annual Survey of Indian Law, Indian Law Institute, New Delhi.

### International Documents

- I. Stockholm Conference,
- II. Ozone Convention,
- III. Climate Change Convention

### Local Legislations

1. J&K Wildlife (Protection) Act, 1978
2. J&K Prevention of Cruelty to Animals Act, 1934
3. J&K Forest (Protection) Force Act, 2001
4. J&K Kuth Act, 1921, J&K Preservation of Specified Trees Act, 1969
5. The Water Resources Act, 2010

### Central Legislations

1. The Water (Prevention and Control of Pollution) Act, 1974.
2. The Air (Prevention and Control of Pollution) Act, 1981.
3. The Environment (Protection) Act, 1986.
4. Noise Pollution Control Rules
5. Bio Medical Waste Management Rules
6. Ozone Depletion (Substances and Control) Rules;
7. Hazardous Waste Management Rules
8. Ozone Depleting Substances Rules
9. Biological Diversity Act.
10. E-Waste Rules, 2016.

## TAXATION LAWS-I

Paper: IV [Code–LLB24504C]  
Time Duration: 3 Hours

Max. Marks=100  
Theory =80  
Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of principles of taxation. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. .

**Learning Objective:** The tax law has assumed importance in the recent past because of developmental issues of a nation depending on expeditious, efficient and expedient realization, collection and generation of revenue by the state. The present paper has broadly dealt with the main tax statutes falling on direct and indirect tax radar in India.

**Learning Outcome:** The learned will learn the importance of taxation cases in India and will be able to comprehend the complexities of those cases where assessor has been declared as tax avoider or tax evader.

### Unit-I: Principles of Taxation

1. History of Tax Law in India
2. Provisions Relating to Taxation
3. Basics Definitions:
  - a. Person, Income, Assesse, Deemed Income, Agriculture Income, Assessment Year, Previous Year, Resident- Non –Resident, Set-Off and Carry Forward Rule, Clubbing of Income.
  - b. Basis of Charge in Income :Section 4-9

### Unit-II Heads of Income

1. Income from Salary ( Sections: 15-17)
2. Income from House Property ( Section 22-25, and 27)
3. Income from Business and Profession ( Sections 28, 29, 32 AB, 33, 33c and 37)
4. Income from Other Sources
5. Set-Off, and Carry Forward of Losses ( Section 70-72)\
6. Double taxation Relief ( Section 90-91)\
7. Deductions ( Sections: 80-88)
8. Advance Tax and Tax Deductions at Source ( Section 190)

### Unit-III

1. Income Tax Authorities ( Section 116-119)
2. Powers of Income Tax Authorities ( Section 131-136)

3. Procedure from Assessment (Sections 199-198))
4. Appeal and Revision Provisions ( Section 246-264)
5. Offences and Procedures ( Section 271 A to 250)

#### **Unit-IV Goods and Service Tax [GST- I]**

1. GST, Need , Concept and Genesis
2. Input Tax Credit ( Section 16-21)
3. Accounts and Records ( Section 35-36)
4. Return of Tax ( Section 37-48)
5. Payment of Tax ( Section 49-53)

#### **Unit-V Goods and Service Tax [GST- II]**

1. Assessment ( Section 59-64)
2. Appeals and Revisions ( Section 107-121)
3. Offences and Penalties ( Section 122-138)
4. GST Council: Constitution and Powers
5. Introduction of GST in J & K

#### **Recommended Readings:**

1. A.C. Sampat Iyengar, Three Taxes
2. Annual Survey of Indian Law, Indian Law Institute, New Delhi.
3. Bhagwati Prasad, Direct Taxes: Law & Practice, Wisha Prakasan, New Delhi.
4. Income Tax in India 1860-2001 by Indian Tax Foundation, India.
5. K. Chaturvedi and S. M Pithisaria, Income Tax Law
6. Kanga & Palkhivala: Income Tax Law.
7. Kunwar Deo Prasad, Taxation in Ancient India.
8. Policy issue in Designing a system of Income tax, Indian Tax Foundation, India.
9. Tax incidence studies in India - A Survey, Indian Tax Foundation.
10. Tax Reforms in India 1991-2001 Indian Tax Foundation.
11. Taxman, Tax Planning & Management.

### CLINICAL COURSE-III (Alternate Dispute Resolution)

Paper: V [Code-LLB24505CL]  
Time Duration: 2 Hours

Total Marks=100  
Theory=60

Project =40(Project Report=30+VivaVoce=10)

**Note:** The clinical paper on Alternative Dispute Resolution shall have two parts-Part A and Part B. Part A shall be a written examination of 60 marks, which shall have three sections and shall be distributed according to the following scheme: Section A shall contain 5 very short answer type questions, one from each unit carrying two marks each. Section B shall contain 5 short answer type questions, one from each unit carrying 6 marks each. And section C shall contain 5 long answer type questions, one from each unit carrying 10 marks each. All the questions from sections A and B and only two questions out of five from Section C shall have to be answered by the candidate.

Part-B shall be a clinical programme carrying a total of 40 marks and shall *inter alia* include project report/seminar report/case study/research paper/case comment/simulation or any other exercise determined by the teacher concerned after consultation with the Head of the Department/Principal of private law college affiliated to the University (for 30 marks) followed by a viva voce (for 10 marks).

**Learning Objective:** The object of this paper is to enable the students to understand the different dispute resolution Processes and how they differ from each other and to appreciate the importance of Mediation as a preferred mode of settling disputes between parties.

**Learning Outcome:** The students will come to learn processes and procedures relating to ADR.

#### Unit-I Understanding Conflict and Disputes

1. Causes for Conflict, Kinds of Conflict, Dispute as a starting point of conflict.
2. Modes of Dispute Resolution: Negotiation, Mediation, Arbitration and Adjudication
3. Limitations of the adversarial process and need for consensual resolution.
4. Growth of Virtual Dispute Resolution.
5. Mediation as the preferred ADR mode.

#### Unit-II Mediation & Restorative Justice

1. Theory of Restorative Justice and its application
2. Gandhian Principles of non-violent conflict resolution.
3. Traditional Mediation practices in Jammu & Kashmir.

#### Unit-III Key Concepts in Mediation

1. Elements of Mediation: Definition and Key Characteristics.
2. Nature of Mediation: Voluntary, Consensual, non-coercive, confidential and risk free.

3. Process/Stages of Mediation.
4. Approaches to Mediation.
5. Importance of Communication.

#### **Unit-IV–Effective Mediation and Qualities and Skills of Mediators**

1. Decision making techniques, problem-solving tactics, ensuring positive outcomes.
2. Ideal Qualities and Skills of Mediators
3. Code of Ethics for Mediators, Confidentiality Requirements
4. Status of Mediated Agreements: Drafting of agreements, sanctity of mediated agreements.

#### **Unit-V Mediation Laws in India and Emerging Trends**

1. Mediation Laws in India- The Arbitration and Conciliation Act, 1996; Conciliation—Relevant Provisions and Case Law (sections 61-81); Arbitration—Relevant Provisions and Case Law.
2. Sec 89, CPC 1908; Model Rules under Sec 89: Model Civil Procedure ADR and Mediation Rules, 2003 (Parts I and II). Other Provisions of the CPC, 1908: Order X (Rules 1, 1A, 1B, 1C); Order XXIII-6- Rules 3, 3A and 3B. Order XXVII (Rule 5B), Order XXXIIA (Rule 3);
3. Commercial Courts Act 2015; The Commercial Courts (Pre-Institution Mediation and Settlement) Rules 2018 (the PIMS Rules). J&K Mediation Rules, 2019.
4. UNCITRAL model Law and Singapore Convention.

#### **Recommended Readings:**

1. Dr. Showkat Ahmad Bhat and Dr. Mohammad Yasin Wani., LAW ON MEDIATION AS AN ALTERNATIVE TO LITIGATION
2. P.C.Rao et al., Alternate Dispute Resolution: What It is and How It Works? ICADR
3. N.R.Madhava Menon, Clinical Legal Education.
4. Upendra Baxi, Law and Poverty Critical Essays.
5. V.R.Krishna Iyer, Law and the Urban Poor.
6. M.Ayub Dar, Legal Aid Movement in India (LLM Dissertation submitted to the Faculty of Law, University of Kashmir)
7. Court Sponsored Mediation in J&K, Kashmir University Law Review.
8. Roger Fisher et al., Getting to Yes 'Penguin Publications
9. Sriram Panchu, Mediation Practice & Law: The Path to Successful Dispute Resolution,
10. Mediation Training Manual of India, (Mediation and Conciliation Project

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

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Committee, Supreme Court of India)

11. Roger Fisher, William Ury and Bruce Patton, Getting to Yes: How to Negotiate Agreement Without Giving In
12. Anuroop Omkar and Kritika Krishnamurthy, The Art of Negotiation and Mediation-A Wishbone, Funnybone and Backbone.
13. Joel Lee and The Hwee Hwee, An Asian Perspective on Mediation
14. Christopher Moore, The Mediation Process: Practical Strategies for Resolving Conflict
15. Ramin Jahan begloo, Introduction to Non-Violence

### *Acts:*

1. The Legal Services Authorities Act, 1987
2. J&K Mediation Rules, 2019

## INTERPRETATION OF STATUTES

### (Optional)

Paper: VI [Code-LLB24506OP]  
Time Duration: 3 Hours

Max. Marks=100  
Theory=80  
Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of interpretation of Statutes. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. .

**Learning Objective:** The object of this paper is to introduce the students with the various aspects and methods Interpretation of Statutes.

**Learning Outcome:** It will acquaint the students with the basics of interpretations of legal provisos with skill to grasp the nuances of interpretation of legislations, case laws and judgments.

### Unit-I

1. Statute: Meaning and Classification.
2. Interpretation: Meaning, Object and Necessity.
3. General Principles of Interpretation: The Literal or Grammatical Interpretation; the Golden Rule and the Mischief Rule (Rule in the Heydon's case), Beneficial Construction.

### Unit-II

1. The Statute should be read as a whole.
2. *Construction ut res magis valeat quam pereat.*
3. *Identical expressions to have same meaning.*
4. *Noscitur a sociis, Ejusdem generis.*
5. *Casus Omissus*
6. *Reddendo Singula Singulis*
7. Repeal.
8. Prospective and Retrospective Operation of Statutes

### Unit-III

1. Aids to Interpretation of Statutes:

1. Need to invoke Aids to Construction.
2. Internal Aids to Construction.
3. External Aids to Construction.

### **Unit-IV**

1. Construction of Penal Statutes.
2. Construction of Taxing Statutes.

### **Unit-V-**

#### **Doctrines of Constitutional Interpretation**

- 1.General Rules Governing Interpretation of Constitution.
- 2.Doctrine of Eclipse.
3. Doctrine of Territorial Nexus.
- 4.Doctrine of Harmonious Construction.
- 5.Doctrine of Pith and Substance.
- 6.Doctrine of Repugnancy.
- 7.Doctrine of Colorable Legislation.

#### **Recommended Readings:**

1. Maxwell on the Interpretation of Statutes.
2. G.P.Singh, Principles of Statutory Interpretation.
3. V.P.Sarathi, Interpretation of Statutes.
4. T.Bhattacharyya, The Interpretation of Statutes.
5. D.N.Mathur, Interpretation of Statutes.
6. M.P.Tandon and J.R.Tandon, Interpretation of Statutes and Legislation.
7. P.M.Bakshi, Interpretation of Statutes.

## HUMAN RIGHTS: LAW AND PRACTICE

(Optional)

Paper: VII [Code-LLB24507OP]

TimeDuration:3 Hours

Max. Marks=100

Theory=80

Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Human Rights Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. .

**Learning Objective:** The paper shall introduce the learner to the basic concept of human rights. It shall provide an in-depth study of the law and developments in human rights.

**Learning Outcome:** After completion of the course the students will be able to appreciate the concept and scope of Human Rights and will make them aware about different facets of its operation and practice at International and National Level.

### Unit-I Human Rights

1. Human Rights Origin, Evolution, Concept and Nature
2. The UN Charter and Human Rights.
3. UN Human Rights Council

### Unit-II-International Bill of Human Rights

1. The Universal Declaration of Human Rights (1948)
2. The Covenant on Civil and Political Rights (1966)
3. The Covenant on Economic, Social and Cultural Rights (1966)

### Unit-III-Regional Conventions on Human Rights

1. European Convention of Human Rights.
2. The American Convention on Human Rights.
3. The African Charter on Human Rights.

### Unit-IV-International Humanitarian Law

1. Definition, Origin and Development.

2. Protection of Defenceless in War
3. Limitation on Methods and Use of Force during Armed Conflicts Contemporary Issues and Challenges.

**Unit-V-Impact and Implementation of International Human Rights Norms in India**

1. Human Rights and Indian Constitution.
2. India and International Covenants on Human Rights
3. Protection of Human Rights Act.
  1. National Human Rights Council
  2. State Human Rights Council

**Recommended Readings:**

1. Lauterpacht, International Law and Human Rights
2. Lavis and Burgemtja, International Protection of Human Rights
3. S.K.Avesti and R.P.Kataria, Law Relating to Human Rights
4. Wallace, International Human Rights– Text & Materials
5. C.J.Nirmal, Human Rights In India
6. I. Menon, Human Rights in International Law
7. A.B. Kailash, Human Rights in International Law
8. S.C. Khare, Human Rights and United Nations
9. Krishna Iyer, Human Rights and In human wrongs
10. C.K. Agarwal, Human Rights
11. H.O Agarwal, International Law and Human Rights
12. Merrilis, Human Rights

## INDIAN FEDERALISM

Paper: VIII [Code–LLB24508S]  
Time Duration: 3 Hours

Max. Marks=100  
Theory= 80  
Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Indian Federalism. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The object of this paper is to develop an understanding of the core concepts of federalism and the nature of Indian federalism.

**Learning Outcome:** The students will learn the process and complexities involved in Federal structure of country.

### Unit-I Nature of Federalism

1. Federalism: Some basic concepts-
  1. Federal Principle
  2. Classical Federalism
  3. Cooperative Federalism
2. Essential Characteristics of a federal constitution.
3. Federal Nature of the Indian Constitution.

### Unit-II Distribution of Legislative and Administrative Powers

1. Distribution of Legislative Powers-Art 245, 246, 249 and 254. (Doctrine of Repugnancy)
  1. Doctrine of Harmonious Construction
  2. Doctrine of Pith and Substance
  3. Doctrine of Colorable Legislation
2. Rules of Judicial Interpretation of the three lists.
3. Distribution of Administrative Powers

Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

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**Unit–III Centre-State Fiscal Relations and Freedom of Trade**

1. Distribution of Financial Powers under the Constitution.
2. Freedom of Trade, Commerce and Intercourse in India.
3. Art 301-305 and Similar provisions in the Australian and the Constitution of United States of America.

**Unit IV Amending a Federal Constitution**

1. Power of Amendment under a Federal Constitution: Position in Canada, Australia and USA.
2. Power and Procedure for amending the federal features under the Indian Constitution.
3. Limitations upon the amending power-Doctrine of Basic Structure.

**Unit–V Impact of Emergency on a Federal Set-up**

1. Emergency Provisions under the Indian Constitution
2. Impact of emergency provisions on the federal setup
3. Impact of emergency provisions on the federal setup in Australia and United States of America

**Recommended Readings:**

1. H.M.Seervai, Constitutional Law of India.
2. M.P.Jain, Indian Constitutional Law
3. D.D.Basu, Comparative Federalism
4. K.C.Wheare, Federal Government
5. Philip & Wade, Administrative and Constitutional Law
6. V.N.Shukla, Constitutional Law of India
7. Altaf Ahmad Mir, Emergency & Martial Law under the Indian Constitution
8. Bora Laskin, Canadian Constitutional Law
9. Shapiro Tresolini, American Constitutional Law.
10. Wynes, Legislative Executive, Judicial Powers in Australia.

# LL.B

## 6<sup>th</sup> Semester

## PUBLIC INTERNATIONAL LAW

Paper: I [Code-LLB24601C]  
Time Duration: 3 Hours

Max. Marks=100  
Theory =80

Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of public international law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. .

**Learning Objective:** The object of this paper is to highlight the origin, development, sources and other aspects of International law.

**Learning Outcome:** After the completion of this course, the student will be able to comprehend the complex processes of working and application of international norms on a country.

### Unit-I Introduction to International Law

1. Definition, origin and development of International Law.
2. Nature and Theories of International Law

### Unit-II Sources of International Law

- I. Sources: Custom, Treaties, General Principles of Law, Judicial Decisions & Juristic Writings.
- II. Treaties: Ratification, Reservation, Amendment and Modification

### Unit-III Subjects of International Law

1. States: An overview including Rights and Duties
2. Individuals.
3. International Organisations
4. Recognition of States: Nature, form and theories.

### Unit-IV Acquisition and State Jurisdiction

1. Modes of Acquisition of Territories by State
2. Jurisdiction: Territorial, Personal, Protective and Universal.

### Unit-V State Responsibility

2. Extradition
3. Asylum
4. Peaceful Settlement of Disputes

**Recommended Readings**

1. Oppenheim, International Law.
2. J. G. Stark, Introduction to International Law.
3. Max Sorenson, Amanual of Public International Law.
4. S. K. Kapoor, International Law.
5. Gurjeet Singh, International Law
6. R. C. Hingorani, Modern International Law.
7. Tim Hillier, Source-book on Public International Law.
8. Malcom Shaw, International Law

## TAXATION LAWS-II

Paper:II [Code–LLB24602C]  
Time: 3 Hours

Max marks: 100

Theory: 80  
Continuous Assessment : 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of principles of taxation. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. .

**Learning Objective:** The tax law has assumed importance in the recent past because of developmental issues of a nation depending on expeditious, efficient and expedient realization, collection and generation of revenue by the state. The present paper has broadly dealt with the main tax statutes falling on direct and indirect tax radar in India.

**Learning Outcome:** The learned will learn the importance of taxation cases in India and will be able to comprehend the complexities of those cases where assessor has been declared as tax avoider or tax evader.

### Unit-I- Taxation Law: Good & Service Tax

1. Introduction GST
2. Historical Background of GST
3. Constitutional Background of GST Council
4. Difference between Direct and Indirect Taxes
5. Difference between Tax and Fee

### Unit-II- Structure of GST Act, 2017

1. C–GST Act, 2017
2. S-GST Act, 2017
3. I-GST, 2017
4. U-GST, 2017
5. Compensation to States Act, 2017

### Unit-III- GST-II

- i. Levy of GST
- ii. Reserve Charge Mechanism
- iii. Input Tax Credit
- iv. Exemption from GST
- v. Composition Scheme

### Unit-IV GST- III

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

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1. Inspection, Search, Seizure and Assets ( Section 67-72)
2. Appeals and Revisions ( Section 107-121)
3. Offences and Penalties ( Section 122-138)
4. GST Council : Constitution and Powers
5. Introduction of GST in J & K

### **Unit-V Goods and Service Tax [GST- II ]**

1. Assessment ( Section 59-64)
2. Appeals and Revisions ( Section 107-121)
3. Offences and Penalties ( Section 122-138)
4. GST Council: Constitution and Powers
5. Introduction of GST in J & K

### **Recommended Readings:**

1. A.C. Sampat Iyengar, Three Taxes
2. Annual Survey of Indian Law, Indian Law Institute, New Delhi.
3. Bhagwati Prasad, Direct Taxes: Law & Practice, Wisha Prakasan, New Delhi.
4. Income Tax in India 1860-2001 by Indian Tax Foundation, India.
5. K. Chaturvedi and S. M Pithisaria, Income Tax Law
6. Kanga & Palkhivala: Income Tax Law.
7. Kunwar Deo Prasad, Taxation in Ancient India.
8. Policy issue in Designing a system of Income tax, Indian Tax Foundation, India.
9. Tax incidence studies in India - A Survey, Indian Tax Foundation.
10. Tax Reforms in India 1991-2001 Indian Tax Foundation.

Taxman, Tax Planning & Management.

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**THE BHARATIYA SAKSHYA ADHINIYAM, 2023**

**(Law of Evidence)**

Paper:III [Code–LLB24603C]  
Time Duration: 3Hours

Max.Marks=100  
Theory= 80  
Continuous Assessment = 20

**NOTE:** The subject includes a comprehensive and up to date study of various aspects of The Bharatiya Sakshya Adhiniyam. The question paper shall be of 80 marks spread over the whole syllabus and shall comprise of three sections. Section A (Very short answer type questions in about 10 \_20 words) shall have 10 questions. Two questions from each unit carrying 2 marks each. Section B (Short answer type questions in above 200\_250 words)shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered .Section C (Long answer type questions in about 400 \_500 words)shall have 5 questions, one from each unit carrying 10 marks each. Any 3 questions out of 5 have to be answered from this section. .

**Learning Objective:** The objective of this paper is to orient students with importance of the Bharatiya Sakshya Adhiniyam, 2023 for establishment of claims and related rules and principles.

**Learning Outcome:** The student will be able to appreciate evidence in all its facets before civil and criminal courts.

**UNIT I : Application, Definitions and Relevancy I.**

1. Section 1 to 9.
2. Admission: Section 15,16,19,21,25.
3. Confession: Section 22,23,24.

**Unit II : Relevancy II ,Expert evidence, Character evidence, Facts need not to be proved, Hearsay evidence.**

1. Section 26 (a),27,29,34,35.
2. Opinion of experts (section 39\_Evidentiary value of an expert, Ballistic opinion, DNA examination, Brain Mapping, Narco-analysis, Hand writing examination, Finger impressions, Cyber Expert and Other technical grounds.
3. Section 41, 45,46,49,51,52,53,54,55.

**UNIT III : Documentary evidence, Burden of proof**

- 1.Section 56 to 63.
- 2.Section 66,67,68,70,72,73,74,75.
- 3.Section 94,95,96
- 4.Burden of Proof : Section 104,105,108,109.

**UNIT IV : Presumptions, Estoppel, Privileged communication, Accomplice.**

1. Presumptions : Section 116,117,118,119.

2. Law of Estoppel :Section 121.
3. Who may testify : Section 124 to 126.
4. Privileged communications: Section 128, Section 129.
5. Professional communication : Section 132,134.
6. Accomplice : Section 138

**UNIT V: Examination of witnesses and Improper admission or rejection of evidence.**

1. Examination of witnesses : Section 140 to 143 and 146.
2. Witnesses to character and question to be asked: Section 145,151, 152,153.
3. Cross examination as to previous statement in writing :Section 148
4. Questions lawful in cross examination and impeaching credit of a witness :Section 149 and 158.
5. Exclusion of evidence to contradict : Section 156.
6. Question by part to his own witness: Section 157.
7. Former statements of witness may be proved to corroborate : Section 160.
8. Refreshing memory :Section 162 and Section 163
9. Production of documents : Section 165.
10. Judges power to put questions : Section 168
11. No new trial for improper admission or rejection of evidence : Section 169 .
12. Repeal and Savings : Section 170.

**Leading cases :**

1. Sukhar v/s State of U.P 1999 S.C 3883.AIR.
2. R v/s Foster 172 ER 1261.
3. Queen Empress v/s Abdullah (1885)7All.385(F.B)
4. Brij Mohan v/s Amar Nath AIR 1980JK 54.
5. Pakala Narayan Swami v/s Emperor AIR 1939 P.C 47.
6. khushal Rao v/s State of Bombay 1958 AIR 22.
7. Mh. Innayatullah v/s State of Maharashtra 1976 AIR483.
8. Dagdu v/s State of Maharashtra 1977 SC 3.
9. State of U.P v/s Deoman Upadhyaya AIR 1960 SC 1125.
10. R. Singh v/s State of Punjab 19761 SCC 181.
11. State v/s Bal Krishnan 1992 Cr.LJ 1872.
12. Satpal v/s Delhi Administration 1976AIR 294.
13. TukaRam v/s State of Maharashtra 1979 AIR SC 185.
14. Union of India v/s Ramaswamy AIR 1997 SC 2055.
15. R.K Dalmia v/s Delhi Administration AIR 1962 SC 1821.
16. Ram Krishnan v/s Savitri Devi 1982.Delhi.
17. Rafiq v/s State of U.P AIR SC 559.
18. Dahyabhai chhaganbhai Thakker v/s State of Gujrat 1964AIR 1563.

**Recommended books:**

Bharatiya Sakshya Adhiniyam ,2023 (**Bare Act**).

## PROPERTY LAW

Paper: IV [Code-LLB24604C]

Time Duration: 3Hours

Max. Marks =100

Theory=80

Continuous Assessment= 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of Property Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short Answer Type Questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (Long Answer Type Questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. .

**Learning Objective:** To understand the basic and advanced concepts of law of transfer of property and easements. To interpret and apply the provisions of the transfer of property Act, and Indian Easement Act, 1882. To develop the students' interest in engaging subject with governing immovable.

**Learning Outcomes:** The student will be acquainted with processes, effect and procedures of Property Conveyance.

### Unit I

1. Concept of Property
  1. Meaning of Property
  2. Kinds of Property-*Jura in re propria*-*Jura in re aliena*-Movable, Immovable, Intangible, Tangible.
2. Interpretation Clause-Immovable Property, Attestation, Actionable Claim, Notice.
3. General Principles of Transfer of Property Act.
  - i. What may be transferred?
  - ii. Competency to Transfer Property
  - iii. Various Conditions relating to Transfer
  - iv. Rule against Perpetuity
  - v. Vested and Contingent Interests
  - vi. Conditional Transfer
  - vii. Doctrine of Election.
  - viii. Transfer under *lis pendens*
  - ix. Fraudulent Transfer
  - x. Principle of Part Performance

### Unit II

**Specific Modes of Absolute Transfer of Property:** Sale-definition, Agreement for Sale- Rights and Liabilities of the Buyer and the seller; Marshalling by

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

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subsequent purchaser; Exchange-definition and mode; Exchange vis-à-vis Sale, Rights and liabilities of the parties; Gift-definition and mode of transfer, suspension and revocation, One rous gift, universal donee; Transfer of Actionable Claims

### Unit III

**Specific & Limited Transfer by way of creating Security Interest:** Mortgage-meaning and purpose, Types-Simple, English, Mortgage by Conditional Sale,Usufructuary, Mortgage by way of deposit of title Deeds, and anomalous mortgage; Rights and obligations of the mortgagor and mortgagee; Foreclosure, Deemed Foreclosure, Power of Sale, Priority right determination; Marshalling and Contribution, Redemption; Subrogation S.58-67,S. 67A, Ss.81-85, Ss.91-96. Difference between mortgage and charge.

### Unit IV

1. Lease: Definition, modes of creating lease; Rights and liabilities of the parties; Determination of lease; Waiver, forfeiture, Ss.105-108 &111
2. Lien: Possessory right, when applicable, ceasing of rightof lien, types of lien.

### Unit V

**Easement:** Nature, Incidents, Creation, Extinction, Licenses

#### **Recommended Readings:**

1. Mulla, Transfer of Property Act
2. Ghosh, Law of Mortgage
3. Gour's Transfer of Property Act
4. Lahiri, Transfer of Property Act
5. R.S. Bhalla, The Institution of Property: Legally, Historically and Philosophically Regarded
6. Sanjivi Row, Commentaries on Easements and Licenses
7. Sanjiva Row, Registration Act, Law Publishers.
8. Annual Survey of Indian Law, Indian Law Institute, New Delhi.
9. The Indian Easements Act, J.D Jain.

## CLINICAL COURSE–IV (INTERNSHIP)

Paper: V [Code–LLB24605CL]

Max.Marks=100  
Internship Report = 60  
Viva=40

### **Internship Details and Guidelines:**

- a) Clinical Course - IV is prescribed as internship for 6th semester and shall be conducted under the guidance of a law teacher/advocate/senior legal practitioner/retired judge/judicial officer etc., through case study report/court diary/internship diary.
- b) The internship component shall be evaluated as per the following scheme:
  - i. Part A: case study report or court diary or internship diary – (60 Marks ) which shall be evaluated by at least three teachers nominated by the Head of the Department or Principal of the private law college affiliated to the University for such purpose.
  - ii. Part B: Viva-voce - (40 Marks).
- e) The internship shall be for a duration of 24 days spread across the semester on Fridays and Saturdays.
- f) Each student shall maintain a court diary/internship diary in original, for each semester and shall have to submit final court diary/internship diary at the end of the 6th semester.
- g) A student shall be allowed to complete his/her internship during the off days or every Friday and Saturday or during summer or winter vacations or after the end of the semester examination.
- h) Each internee shall be required to complete his or her internship from any court/ tribunal/ forum/law firm/office of the advocate general/AAG/dy. AAG/prosecuting officers/police station/corporate sector/revenue offices/finance office/NGO (International/National)/ commissions/legal cells of various departments and private institutions/office of the prosecution and vigilance directorates/legislative bodies/govt. departments of the Union Territory or of any other state of the country.

Provided that each internee shall submit his/her internship certificate along with court diary or internship diary duly certified by the concerned competent authority.
- i) The candidate shall be required to be well versed with pre-trial proceedings, like counselling techniques, interviewing and lawyering methods, preparation of suits, notices, writs, memorandum of appeals, affidavits, undertakings, applications execution proceedings, FIRs, remands, challans, police diary, techniques of client-lawyer interactions, complaints, written statements, objections, examination of witnesses including cross-examination, re- examination, writs, injunctions, judgments, etc.
- j) The viva-voce for both, the University Department and affiliated private law colleges shall be held by the Board of examiners to be constituted under the statutes at the end of the Internship.
- k) The candidate shall be required to secure at least 50% marks in court diary/internship diary and viva-voce together to pass this subject., failing which they will have to re-appear in the viva voce which will be arranged by the department at the end of the supplementary examination of the 6th semester.

## **LAW AND SOCIETY** **(Optional)**

Paper: VI [Code-LLB24606OP]

Max. Marks=100

TimeDuration:3 Hours

Theory =80

Continuous Assessment= 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of law and society. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. .

**Learning Objective:** The objective of this paper is to introduce the students to the interaction between law and society with focus on how law needs to be created, understood and implemented in the context of what *is happening in the society*.

**Learning Outcome:** The student will be able to understand the role of law in society and help them to redress the problems of citizens..

### **Unit-I: Law and Poverty**

1. Legal Aid: Legal Aid under Constitution, BNSS, and C.P.C.
2. Legal Education, Clinical Education, Legal Clinics, law Schools and Access to Justice
3. Access to Justice and Legal Aid : Specific Aspects
  - 3.1. Access to Justice and A child victim of Sexual Abuse
  - 3.2. Rights of Persons and norms dealing with Prisoners in Justice Administration

### **Unit-II Forced Labour and Human Trafficking**

1. Forced Labour:
  1. ILO indications of Forced Labour; ILO Forced Labour Convention, 1930
  2. Bonded Labour in India and Judicial Response
2. Human Trafficking
  1. Trafficking : Causes and Implications; Trafficking as Violation of Human Rights.
  2. The Global Plan of Action to Combat Trafficking in Persons.

### **Unit-III Women and Law**

## 1. Sexual Harassment of Women

1. Sexual harassment of Women at Workplace: Role of Judiciary.
2. The Sexual Harassment of Women at Workplace ( Prevention, Prohibition and Redressal) Act,2013: An Overview

## 2. Women and Socio-Legal Issues

1. Female Infanticide and Foeticide
2. Dowry and related Crimes

## **Unit-IV Child and Law-I**

### 1. Child and Socio-Legal Issues

1. Child Labour and Child Marriage
2. Impact of Conflict on Children Marriage

### 2. Child Protection

II.1.Constitutional Protection to Children

II.2.Role of Judiciary in Protection of Child Rights in India

## **Unit-V Child and Law-II**

1. Protection of Children from Sexual Abuse: Overview
2. Protection of Juveniles: Overview.

### **Recommended Readings:**

1. Upendera Baxi, Law and Poverty, N.M. Tripathi Pvt. Ltd. ,Bombay
2. Altaf Ahmed Mir, Child Labour and Legal Control– A Socio-Legal Study.
3. Hilal Najar and Heena Basharat, Law and Society, A.P.H. Publishing House, New Delhi.
4. A.T.Singh, Poverty and Social Change.
5. M.G. Chutkaram, P.L. Mehta, Law and Poverty –A Socio- Legal Study.
6. K. Kumar and Poonam Ravi, Offences against Women –A Soico-Legal Prespective.
7. Paras Diwan, Dowry and Protection to Married Women, Deep and Deep Publications.

## NDPS and Law (Optional)

Paper: VII [Code-LLB24607OP]  
Time Duration: 3Hours

Max. Marks=100  
Theory =80  
Continuous Assessment = 20

Note: The subject includes a comprehensive and up to date study of various aspects of NDPS law in India. It will explore the possibilities of identifying and analyzing the national and international standards/ legal framework including conventions. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Learning Objective:** The object of this paper is to help students gain thorough understanding of key provisions of and scope of NDPS Act. It will help them to learn about enforcement mechanism and related procedures including role of various agencies.

**Learning Outcome:** After the completion of this course, the student will be able to adjudge the case of drug traffickers, manufacturers, producers and narcotics abusers for conviction and make awareness about drug abuse and its menace and will help the law enforcement in prohibition, control and regulation of narcotic and psychotropic substance in society.

### Unit-I Introduction

1. Origin and Need of Narcotics and Psychotropic Law in India.
2. Enactment of Narcotic Drugs and Psychotropic Substances Act, 1985 and Development phases.
3. Important Definitions under Section 2 of Narcotic Drugs and Psychotropic Substances Act, 1985
4. Authorities and Officers under Act: (Section 4-6)
5. Amendments to NDPS Act
6. Incidence of Narco-Crime and its Impact in India

### Unit-II PROHIBITION, CONTROL AND REGULATION

1. Section 3
2. Section 8 and 8 B.
3. Section 27 and 27
4. Section 36 and 36 A
5. Section 37
6. Section 38
7. Section 41

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

8. Section 50, 51 and 52 and 52 A, 53 A and 54

9. Section 64 A

### **Unit- III Offences, Penalties and Sentencing Guidelines**

1. Determinate Sentences and Indeterminate Sentences
2. Important Aspects of the NDPS Act: Quantity Based Sentencing; Death Penalty and Treatment for Drug Dependence
3. Section 15-20,
4. Section 23-25A,
5. Section 29-30,
6. Section 31-33
7. Bail under NDPS Act.
8. Judicial Response to Presumption of Mental Culpability under NDPS Law

### **Unit-IV Government Initiatives and Agencies**

1. The Narco Coordination Centre (NARCOD) 2016
2. Seizure Information Management System: (SIMS)
3. National Drug Abuse Survey
4. Project Sunrise, 2016
5. Nasha Mukht Bharat or Drug-Free India Campaign
6. National Drug Policy
7. Supreme Court of India and Narco-Abuse
8. Narcotic Control Bureau of India and State Narcotic Control Units

### **Unit-V International Overview**

1. War on Drugs: Pre and Post Developmental Phases in UNO
  - i. UN Convention on Narcotic Drugs, 1961
  - ii. UN Convention on Narcotic Drugs, 1971
  - iii. UN Convention on Illicit Trafficking in Narcotic Drugs and Psychotropic Substances, 1988
2. Global Drug Trafficking: Golden Crescent and Golden Triangle and Newest Clandestine Trafficking Routes: Overview
3. International Criminal Court and Drug Abuse

### **Recommended Readings:**

## Syllabus of LL.B.-2024 ; School of Law, University of Kashmir

- i. Taxmann's Law Relating to Narcotic Drugs & Psychotropic Substances – Comprehensive commentary on NDPS Act by Bidyut Kumar Banerjee and Srinivasan Gopal
- ii. Digest on NDPS Act, 1985 (Narcotic Drugs and Psychotropic Substances Act) (1988-2024) By R. Pal & Saumya Chaube (2024 EDITION Lexman)
- iii. Ndps Act - Supreme Court's Latest Leading Case Laws : Case Notes- Facts- Findings Of Apex Court Judges & Citations by Jayprakash Bansilal Soman (2023)
- iv. ILBCO's NDPS Cases Digest 2000-2023 by Swarn Bhatia Nijhawan (Set of 02 Volumes) International Law Book Company (2022) by Swarn Bhatia Nijhawan
- v. Lectures On Narcotic Drugs & Psychotropic Substances Act By Paramjeet Kaur Baljinder Singh (2022)
- vi. Digest On Ndps Act, 1985 Lexman (1988-2022) R B Pal And Saumya Chaube (Lexman, R B Pal, Saumya Chaube) [Hardcover] By Lexman

## CHILD LAW AND JUVENILE JUSTICE

Paper: VIII [Code-LLB24608S]  
Time Duration:3 Hours

Max. Marks=100  
Theory=80  
Continuous Assessment = 20

**Note:** The subject includes a comprehensive and up to date study of various aspects of child law and juvenile justice. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (Short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (Long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. .

**Learning Objective:** The object of this paper is to introduce the students with the various aspect of how law governs the concept of child rights as well as criminality and delinquency in children.

**Learning Outcome:** It will help the students to learn the mechanism and operation of Juvenile Justice Act and what is the special treatment given to Child in Conflict with Law and Child in Need of Care and Protection.

### Unit-I Juvenile Delinquency

1. The Concept of Juvenile Delinquency.
  1. Approaches adopted in defining Juvenile Delinquency
    - 1.1. Sociological Approach
    - 1.2. Psychological Approach
    - 1.3. Legal Approach
2. Extent of Juvenile Delinquency in India: Official Measures of Delinquency
  - 2.1. Involvement under BNS Crimes and Local and Special Laws
3. Factors Responsible for Juvenile Delinquency
  - 3.1. Disintegration of Family System
  - 3.2. Poverty
  - 3.3. Technological Revolution and Violence Amongst Children
  - 3.4. Schools as breeding grounds of Delinquency

### Unit II- Juvenile Justice

1. Jurisprudential and Philosophical Foundations of Juvenile Justice
  1. Evolution of Juvenile Justice and Juvenile Court Movement

## **Syllabus of LL.B.-2024 ; School of Law, University of Kashmir**

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2. Growth of Juvenile Institutions in India Culminating in Juvenile Justice (Care and Protection of Children) Act, 2015
2. Definitions under Sec.2 of the Act with special emphasis on Abandoned child, Adoption, After Care, Begging, Best Interest of Child, Child, Child in Conflict with Law, Child in Need of Care and Protection, Child Friendly, Children's Court, Child Care institution, Foster Care, Heinous Offences, Juvenile, Orphan, Petty Offences, Serious Offences, Sponsorship, Surrendered Child,
3. General principles of Care and Protection (Sec.3 of the Act of 2015)

### **Unit-III-Juvenile Justice Board (JJB) and Child Welfare Committee (CWC)**

1. Constitution of the JJB [Section 4]
2. Functions, Powers and Responsibilities of the JJB [Sections 5-9]
3. Procedure in Relation to Children in Conflict the Law [Sections 10-26]
4. Constitution of CWC [Section 27]
5. Powers, Functions and Responsibilities of CWC [Sections 28-30]
6. Procedure in Relation to Children in Need of Care and Protection [Sections 31-38]

### **Unit-IV**

1. Rehabilitation and Social Re-integration (Secs. 39-55 of the Act of 2015)
2. Age Determination (Sec.94)
3. Offences Against Children (Sec.74-89)

### **Unit- V Child Rights and Constitutional Rights**

1. Constitutional Safeguards to Children under:
  1. Article. 23 & 24 of the Constitution of India
  2. Article. 45 & 47 of the Constitution of India
  3. Article. 39 (e) of the Constitution of India
2. Role of Judiciary in Protecting the Rights of the Children

### **Recommended Readings**

1. John T. Whitehead and Steven P. Lab: Juvenile Justice : An Introduction
2. Larry J. Seagel and Joseph J. Seanna: Juvenile Delinquency: Theory, Practice & Law
3. Mamta Rao: Law Relating to Women and Children

4. Kumar Askand Pandey: Juvenile Justice: A Commentary
5. Ved Kumari: The Juvenile Justice System in India: From Welfare to Rights
6. Ved Kumari: The Juvenile Justice (Care & Protection of Children) Act 2015: A Critical Analysis
7. S.M Afzal Qadri: Ahmad Siddique's Criminology, Penology and Victimology
8. V.N. Paranjapye: Criminology, Penology and Victimology
9. Kratcoski & Kractoski: Juvenile Delinquency
10. Dr. Altaf Ahmad Mir : Child Labour & Legal control: A socio- legal study
11. K.D. Gaur: The Indian Penal Code
12. M.P. Jain: The Constitution of India
13. The Criminal Procedure Code