

# FACULTY OF LAWS

## SYLLABUS

FOR

**LL.B. (TWO YEARS) ACADEMIC COURSE**

**(Semester I & II)**

**Session: 2013-14**

**&**

**PART-II (Annual System)**

**Examination: 2014**



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**GURU NANAK DEV UNIVERSITY**  
**AMRITSAR**

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**(ii) Subject to change in the syllabi at any time.**  
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**Scheme of Course**

**SEMESTER-I**

- (1) LAW OF CONTRACT
- (2) LAW OF TORTS AND CONSUMER PROTECTION
- (3) CONSTITUTIONAL LAW

**SEMESTER-II**

- (1) JURISPRUDENCE AND LEGAL THEORY
- (2) CRIMINAL LAW
- (3) FAMILY LAW

**Papers To Be Taught In The Second Year**

- (1) Administrative Law
- (2) Company Law
- (3) International Law And Human Rights
- (4) Consumer Protection & Environmental Law
- (5) Optional Subjects:
  - Any Two From These:
    - (i) Law Of Insurance
    - (ii) Labour Law
    - (iii) Election Law
    - (iv) Service Law
    - (v) Intellectual Property Law
    - (vi) Law And Medicine
    - (vii) International Organisations
    - (viii) Socio-Economic Offences
    - (ix) Criminology
    - (x) Human Rights And Humanitarian Law

**SEMESTER-I**  
**PAPER-1: LAW OF CONTRACT**

**TIME: 3 Hours**

**Max. Marks: 100**

**Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

The Indian Contract Act, 1872:

Formation of Contract - Proposal and Acceptance (Sections 1 to 10)

Consideration [Section 2(d)] and Section 25

Capacity to Contract (Sections 11 to 12)

**Judgements:**

- (1) Bhagwandas Goverdhan Dass v. Messrs Girdari Lal Parshotam Dass and Co., AIR 1966 SC 548
- (2) Khan Gul and Ors. v. Lakha Singh, AIR 1928 Lahore 609

**Unit-II**

Free Consent (Sections 13 to 22)

Legality of Consideration and Object (Sections 23)

Void Agreements (Sections 24 to 30)

Contingent Contracts (Sections 31 to 36)

**Judgements:**

- (1) Sonia Bhatia v. State of UP, AIR 1981 SC 1274
- (2) Gheru Lal Parakh v. Mahadeo Dass, AIR 1959 SC 781

**Unit-III**

Performance of Contracts:

Contracts which must be Performed (Sections 37 to 39)

By Whom Contracts must be Performed (Sections 40 to 45)

Time and Place for Performance of Contracts (Sections 46 to 50)

Performance of Reciprocal Promises (Sections 51 to 58)

Appropriation of Payment (Sections 59 to 61)

Contracts which need not be Performed (Section 62 to 65)

**Judgements:**

- (1) Satya Brata Ghose v. Mugne Ram Bangur and Co., AIR 1954 SC 44
- (2) Puran Lal Shah v. State of UP, AIR 1971 SC 712

**Semester-I****Unit-IV**

Quasi Contracts (Sections 68 to 72)  
Breach of Contracts and Damages (Sections 73 to 75)  
The Specific Relief Act:  
Contracts Specifically Enforceable  
Contracts Specifically not Enforceable  
Discretion of Court  
Rescission of Contract

**Judgements:**

- (1) Union of India v. Sita Ram, AIR 1577 SC 229
- (2) Punjab State Electricity Board v. T.S. Agencies, AIR 1986 P & H 323

**Unit-V**

Bailment (Sections 148 to 171, 180 to 181)  
Pledge (Sections 172 to 179)  
Agency (Sections 182 to 238)

**Judgements:**

- (1) Maharashtra State Electricity Board v. Official Liquidator, AIR 1988 SC 1497
- (2) Bank of Bihar v. State of Bihar, AIR 1971 SC 1210

**Suggested Readings:**

Pollock & Mulla, Indian Contract Act and Specific Relief Act, N.M. Tripathy, Bombay, 1999.

R.K. Bangia, Indian Contract Act, Allahabad Law Agency, Allahabad, 2002.

Avtar Singh, The Law of Contract, Eastern Book Co., Lucknow, 2002.

Avtar Singh, Principles of Mercantile Law, Eastern Book Co., Lucknow, 2002.

**Semester-I****PAPER-2: LAW OF TORTS AND CONSUMER PROTECTION****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Meaning and Definition of Tort  
Nature and Scope of the Law of Torts  
General Defences

**Judgements:**

- (1) Usha Ben v. Bhagya Laxmi Chitra Mandir, AIR 1978 Guj 118
- (2) Ramanuja Mudali v. M. Gagan, AIR 1984 Mad 103

**Unit-II**

Principle of Liability in Torts  
Vicarious Liability  
Strict Liability  
Nuisance as a Tort

**Judgements:**

- (1) Municipal Corporation of Delhi v. Subhagwanti,  
AIR 1964 SC 1750
- (2) Ram Lal v. Mustafabad Oil and Ginning Factory,  
AIR 1968 PB 399

**Unit-III**

Negligence as a Tort  
Defamation as a Tort  
Trespass to Person and Property

**Judgements:**

- (1) X v. Z Hospital, (1999) CTJ 2 (SC)
- (2) R.K. Kranjia v. KMD Thakersay, AIR 1970 Bom 424

**Semester-I****Unit-IV**

Need for Consumer Protection

The Consumer Protection Act, 1986: Concepts and Definitions

Consumer Rights under the Consumer Protection Act, 1986

Consumer Protection Councils

**Judgements:**

- (1) Laxmi Engineering Works v. PSG Industrial Institute,  
(1995) 3 CTJ 289 (SC)
- (2) Spring Meadows Hospital v. Harjot Ahluwalia  
1998 (2) SCALE 456 (SC)

**Unit -V**

Consumer Disputes Redressal Mechanism under the  
Consumer Protection Act, 1986:

- (a) The District Forum
- (b) The State Commission
- (c) The National Commission

**Suggested Readings:**

D.D. Basu, Law of Torts, Allahabad Law Agency, Allahabad, 1998.

Rattan Lal Dhiraj Lal, Law of Torts, Wadhwa & Co., Nagpur, 2000.

R.B. Bangia, Law of Torts, Allahabad Law Agency, Allahabad, 2002.

D.N. Saraf, Law of Consumer Protection, N.M. Tripathy, Bombay, 1996.

Gurjeet Singh, Law of Consumer Protection in India, Deep & Deep Publications, New Delhi, 1996.

**Semester-I****PAPER-3: CONSTITUTIONAL LAW****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Salient Features of the Indian Constitution

Preamble to the Constitution

Citizenship

**Judgements:**

- (1) Keshvananda Bharti v. State of Kerala, AIR 1973 SC 1461
- (2) AIR India v. Nargesh Mirza, AIR 1981 SC 1829

**Unit-II**

Fundamental Rights (Articles 12 to 30)

**Judgements:**

- (1) Maneka Gandhi v. Union of India, AIR 1978 SC 597
- (2) Indira Sawhney v. Union of India, AIR 1993 SC 477

**Unit-III**

Directive Principles of State Policy

Relationship Between Fundamental Rights and Directive Principles

Amendment of the Constitution

**Judgements:**

- (1) U.N. Rao v. Indira Gandhi, AIR 1971 SC 1002
- (2) Kehar Singh v. Union of India, AIR 1989 SC 653

**Semester-I****Unit-IV**

Union and State Executive  
Union and State Legislature  
Relations Between Centre and States:  
Administrative, Legislative and Financial

**Judgements:**

- (1) In Re-Presidential Reference, AIR 1999 SC 1
- (2) Daryao v. State of UP, AIR 1961 SC 1457

**Unit-V**

Judicial Process: Judiciary and Writs  
Emergency Provisions  
Public Interest Litigation  
Judicial Activism

**Judgements:**

- (1) S.R. Bommai v. Union of India, AIR 1994 SC 1918 SC
- (2) International Tourist Corporation v. State of Haryana,  
AIR 1981 SC 774

**Suggested Readings:**

M.P. Singh (Ed.), Shukla's Constitution of India, Eastern Book Co., Lucknow, 2000.

M.P. Jain, Indian Constitutional Law, N.M. Tripathy, Bombay, 2000.

D.D. Basu, Shorter Constitution of India, Prentice Hall of India, New Delhi, 2000.

J.N. Pandey, Constitutional Law of India, Central Law Agency, Allahabad, 2002.

Narinder Sharma, Constitutional Law of India, Pioneer Books, 2002.

**Semester-II****PAPER-1: JURISPRUDENCE AND LEGAL THEORY****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Meaning, Nature, Objective and Scope of  
Jurisprudence and Legal Theory  
Law and Social Change

**Unit-II**

Schools of Jurisprudence: Natural Law School,  
Analytical School and Pure Theory of Law, Historical School  
Relevance of Schools of Jurisprudence in the Indian Context

**Unit-III**

Schools of Jurisprudence: Sociological School  
and Realist School  
Relevance of these Schools in the Indian Context  
Rights and Duties

**Unit-IV**

Administration of Justice  
Sources of Law - Custom, Legislation and Precedent

**Unit - V**

Concepts:  
Personality  
Possession  
Ownership

**Suggested Readings:**

R.W.M. Dias, Jurisprudence, Aditya Books, New Delhi, 2000.

G.W. Paton, A Text Book of Jurisprudence, Oxford University Press, Oxford, 1970.

B.N.M. Tripathi, An Introduction to Jurisprudence, Allahabad Law Agency, Allahabad.

S.N. Dhyani, Fundamentals of Jurisprudence, Central Law Agency, Allahabad.

**Semester-II****PAPER-2: CRIMINAL LAW****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

The Indian Penal Code, 1860  
Territorial Operation of the Code (Sections 2 to 4)  
General Explanations (Sections 6 to 32)  
Joint Liability in Crimes (Sections 34 to 38 and 149)  
General Exceptions (Sections 76 to 106)

**Judgements:**

- (1) Tukaram v. State of Maharashtra, AIR 1974 SC 514
- (2) State of U.P. v. Ram Swarup, AIR 1974 SC 1570

**Unit-II**

Abetment (Sections 107 to 114)  
Criminal Conspiracy (Sections 120 A & B)  
Offences Against the State (Sections 121-124 A)  
False Evidence  
Offences Against Public Justice (Sections 191 to 229)  
Offences Relating to Marriage (Sections 493 to 498)

**Judgements:**

- (1) Lily Thomas v. Union of India, AIR 2000 SC 1650
- (2) Santokh Singh v. Ishar Hussain, AIR 1973 SC 2190

**Semester-II****Unit-III**

Offences Against Human Body (Sections 299 to 377)

**Judgements:**

- (1) K.M. Nanavati v. State of Maharashtra, AIR 1960 SC 605
- (2) S. Vardarajan v. State of Madras, AIR 1962 SC 942

**Unit-IV**

Offences Against Property (Sections 378 to 462)

**Judgements:**

- (1) Sheo Nath v. State of UP, AIR 1970 SC 535
- (2) Abhayanand Mishra v. State of Bihar, AIR 1961 SC 1698

**Unit-V**

Defamation (Sections 499 to 502)

Criminal Intimidation, Insult and Annoyance (Sections 503 to 510)

Attempt (Sections 511)

**Judgements:**

- (1) Malkiat Singh v. State of Punjab, AIR 1970 SC 713
- (2) Chaman Lal v. State of Punjab, AIR 1970 SC 137

**Suggested Readings:**

Rattan Lal and Dhiraj Law, The Indian Penal Code, Wadhwa & Co., Nagpur, 2004.

Jaspal Singh, The Law of Crimes, Pioneer Books, New Delhi, 2002.

**Semester-II****PAPER-3: FAMILY LAW****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

The Institution of Marriage Under:

(a) The Hindu Marriage Act, 1955 (b) The Special Marriage Act, 1954 and (c) Muslim Law

Nature of Marriage including Solemnization / Requirements of a Valid Marriage

Restitution of Conjugal Rights

Nullity of Marriage

Judicial Separation

Divorce

**Judgements:**

(1) Bhaurao v. State of Maharashtra, AIR 1965 SC 1564

(2) Kailashwati v. Ayodhia Parkash, 1977 PLR 216

**Unit-II**

Adoption Under the Hindu Law

Acknowledgement of Legitimacy under Muslim Law

Maintenance:

Maintenance under Hindu Law, Muslim Law and Section 125 of the Criminal Procedure Code, 1973

**Judgements:**

(1) Rajender v. Kalyan, AIR 2000 SC 3335

(2) Mohd. Ahmed Khan v. Shah Bano Begam, AIR 1985 SC 945

**Unit-III**

Mitakshara Hindu Joint Family and Coparcenary

Joint Family Property and its Alienation

Karta: Functions, Powers and Liabilities

Partition

Reunion

**Semester-II****Judgements:**

- (1) Commissioner of Wealth Tax v. Chander Sen,  
AIR 1986 SC 1754
- (2) Balmukand v. Kamla Wati, AIR 1964, 1385

**Unit-IV**

The Hindu Succession Act, 1956  
Inheritance under Islamic Law

**Judgements:**

- (1) Gurupad v. Hira Bai, AIR 1978 SC 1239
- (2) Mangal Singh v. Ratno, AIR 1967 SC 1786

**Unit-V**

The Family Courts Act, 1984  
Dowry - Definition, Offences and Penalties  
Uniform Civil Code  
The Hindu Minority & Guardianship Act, 1956  
Guardianship under the Islamic Law

**Judgements:**

- (1) Sarla Mudgil v. U.O.I., (1995) 3 SC 635
- (2) S. Gopal Reddy v. State of Andhra Pradesh, AIR 1966 SC 2185

**Suggested Readings:**

Paras Diwan, Family Law, Allahabad Law Agency, Allahabad, 2005.  
Paras Diwan, Law of Marriage and Divorce, Wadhwa & Co., Nagpur, 1988.  
Mulla, Principles of Mohammedan Law, Universal Book Traders, Delhi, 1977.  
Tahir Mahmood, Hindu Law, Law Book Co., Allahabad, 1981.  
Syed Khalid Rashid, Muslim Law, Eastern Book Co., Lucknow, 2002.  
AFA Fayzee, Outlines of Mohammedan Law, Oxford University Press, Bombay, 1976  
Paras Diwan, Hindu Law, Wadhwa & Co., Allahabad, 2005.  
Mulla, Principles of Hindu Law, N.M. Tripathi, Bombay, 1990.  
Kiran Deshta, Uniform Civil Code, Deep & Deep Publications, New Delhi, 1999.

**PAPER-1: ADMINISTRATIVE LAW****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Evolution, Definition, Nature and Scope of Administrative Law  
Theory of Separation of Powers with Reference to India  
Rule of Law with Reference to India  
Relationship between Administrative Law and Constitution Law

**Judgements:**

- (1) Arif Hamid v. State of J & K, AIR 1989 SC 1899
- (2) Ram Jawaya Kapoor v. State of Punjab, AIR 1955 SC 549

**Unit-II**

Meaning, Concept, Nature and Scope of Delegated Legislation  
Control Mechanism of Delegated Legislation, Sub-Delegation

**Judgements:**

- (1) Hari Shankar Bagla v. State of M.P., AIR 1954 SC 465
- (2) Raj Narain Singh v. Chairman, Patna Administration Committee,  
AIR 1954 SC 569

**Unit-III**

Administrative Adjudication  
Necessity, Structure and Procedure of Tribunals  
Meaning, Concept and Rules of Natural Justice and Exceptions thereto  
The Concept of Post-Decisional Hearing  
Institutional Decisions and Reasoned Decisions

**Judgements:**

- (1) A.K. Kraipak v. Union of India, AIR 1970 SC 150
- (2) Hira Nath Mishra v. Principal, Rajendra Medical College,  
AIR 1973 SC 1260

**Unit-IV**

Judicial Review and Constitutional Remedies  
Public Interest Litigation  
Institution of Ombudsman - Lokpal in India

**Judgements:**

- (1) Som Parkash Rekhi v. Union of India,
- (2) Shri Ana Mukta Sadguru Trust v. V.R. Rudani, AIR 1989 SC 1602

**Unit-V**

Central Vigilance Commission  
Liability of the Government  
Privileges of Administration  
Public Corporations

**Suggested Readings:**

D.D. Basu, Administrative Law, Kamal Law House, Calcutta, 1993.

I.P. Massey, Administrative Law, Eastern Book Co., Lucknow, 2001.

C.K. Takwani, Administrative Law in India, Eastern Book Co., Lucknow, 2002.

Jain & Jain, Principles of Administrative Law, N.M. Tripathi, Bombay, 1986.

M.P. Jain, Cases and Materials on Administrative Law, Wadhwa and Co., Nagpur, 1966.

**PAPER-2: COMPANY LAW****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Corporate Personality: Advantages and Disadvantages  
of Incorporation  
Kinds of Companies  
Promoters

**Judgements:**

- (1) New Horizons Ltd. Another v. Union of India,  
1995 1 Com. L.J. 100 (SC)
- (2) Juggi Lal Kamalapat v. CIT, AIR 1969 SC 982

**Unit-II**

Registration of a Company  
Memorandum of Association  
Articles of Association  
Prospectus of Company

**Judgements:**

- (1) Lakshmanaswami Mudaliar v. HC, AIR 1963 SC 1185
- (2) In the matter of Standard General Insurance Co. Ltd.,  
AIR 1965 Sal 16

**Unit-III**

Raising of Funds for Business:  
Shares, Share Capital, Borrowing  
Debentures, Share Holders, Debenture Holders

**Judgements:**

- (1) Bajaj Auto Ltd. v. N.K. Firodia & Others, AIR 1971 SC 321
- (2) Unity Co. v. Diamond Sugar Mills, AIR 1971 SC 83

**Unit-IV**

Company and Management Personnel:  
Directors and their Powers and Duties  
Company Meetings  
Oppression and Mismanagement  
Winding Up: Grounds of Winding Up and its Effects

**Judgements:**

- (1) Madhusudan Goverdhan Das & Co. v. Madhav Woolen Industries P. Ltd., AIR 1971 SC 2600
- (2) Shanti Prasad Jain v. Kalinga Tubes Ltd., AIR 1965 SC 1535

**Unit-V**

Business Ethics in the Modern Corporate World:  
Corporate Social Responsibility and Social Audit  
Workers Participation in the Management of Companies

**Suggested Readings:**

S.M. Shah, Lectures on Company Law, N.M. Tripathi, Bombay, 1981.

Avtar Singh, Company Law, Eastern Book Co., Lucknow, 2004.

Taxman's Company Law & Practice, Taxman Publications, Delhi, 2002.

Topham & Ivamy on Company Law, Butterworths, London, 1978.

**PAPER-3: INTERNATIONAL LAW AND HUMAN RIGHTS****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Definition: Nature and Basis of International Law  
Sources of International Law  
Subjects of International Law  
Relationship between International Law and Municipal Law

**Unit-II**

State Territory: Acquisition and Loss of State Territory  
Law of the Sea: Territorial Waters, Continental Shelf, Contiguous Zones, Exclusive Economic Zones and High Seas  
Developments After the Adoption of the Convention on the Law of Sea, 1982  
Recognition  
Nationality

**Unit-III**

Intervention  
Extradition  
State Succession  
Treaties

**Unit-IV**

War: War and the League of Nations  
War and the United Nations  
Effects of the Outbreak of War  
War Crimes  
Settlement of Disputes: Peaceful Methods and Forcible Methods  
Belligerent Occupation and Blockade

**Unit-V**

Universal Declaration of Human Rights  
Covenants of Human Rights  
National Human Rights Commission of India

**Suggested Readings:**

J.G.Starke, Introduction to International Law, Butterworths, London, 2007.  
M.P. Tandon, International Law, Allahabad Law Agency, Allahabad.  
S.K. Kapoor, International Law, Central Law Agency, Allahabad, 2007.  
P.S. Jaswal, Human Rights and the Law, Aditya Books, New Delhi, 1996.  
Paras Diwan, Human Rights and the Law, Deep & Deep, New Delhi, 1996.  
H.O. Aggarwal, International Law, Allahabad Law Agency, Allahabad, 2006.

**PAPER-4: CONSUMER PROTECTION AND ENVIRONMENTAL LAW****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

The Consumer Protection Act, 1986

**Judgements:**

- (1) Laxmi Engineering Works v. P.S.G. Industrial Institute, (1995) 3 CTJ 289 (SC)
- (2) Morgan Stanely Mutual Fund v. Kartik Dass, (1994) 2 CTJ 385 (SC)

**Unit-II**Application of Consumer Protection Act 1986 to Various Services  
New Developments in Consumer Protection Law in India**Judgements:**

- (1) Lucknow Development Authority v. M.K. Gupta, (1993) 1 CTJ 929 (SC)
- (2) Indian Medical Association v. V.P. Shantha and Others, (1995) 3 CTJ 969 (SC)

**Unit-III**The Water (Prevention and Control of Pollution) Act, 1974  
The Air (Prevention and Control of Pollution) Act, 1981**Judgements:**

- (1) M.C. Mehta v. Union of India, AIR 1988 SC 1037 (1999) C.T.S. 566 (SC)
- (2) M.C. Mehta v. Union of India, AIR 1987 SC 965

**Unit-IV**

The Environment Protection Act, 1986

**Judgements:**

- (1) M.C. Mehta v. Union of India & Ors., (1992) 1SCC 358
- (2) Ratlam Municipality v. Vardichand, AIR 1980 SC 1622

**Unit-V**

Relationship Between Consumer Protection Law and Environmental Law  
The Concepts of Green Consumerism and Environmental Consumerism

**Suggested Readings:**

Avtar Singh, The Law of Consumer Protection: Precept and Practice, Eastern Book Co., Lucknow, 2002

Avtar Singh, Principles of Mercantile Law, Eastern Book Co., Lucknow, 2004

D.N. Saraf, The Law of Consumer Protection, N.M. Tripathi, Bombay, 1990

Gurjeet Singh, The Law of Consumer Protection: Justice Within Reach, Deep and Deep, New Delhi, 1996

Satish Shastri, Pollution and the Environmental Law, Eastern Book Co., Lucknow, 2002

Rosenberg and Noble, Environmental Law and Policy: Case Materials & Statements, 1991

P.S. Jaswal and Nishtha Jaswal, Environmental Law, Pioneer Publications, New Delhi, 2006

**PAPER-5: OPTION (I): LAW OF INSURANCE****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Origin, History and Development of Life Insurance in India  
Structural Setup of the Life Insurance Corporation of India

**Unit-II**

Nature and Functions of Insurance Contract  
Difference Between Insurance Contract and Wagering Contracts  
Elements of a Life Insurance Contract:  
Proposal, Acceptance, Competence of the Parties,  
Lawful Consideration, Lawful Object

**Judgements:**

- (1) Chandulal v. I.T. Commissioner, AIR 1967 SC 816

**Unit-III**

Insurable Interest, Indemnity, Subrogation and Contribution,  
Doctrine of Utmost Good Faith and its Applicability in  
Insurance Contracts

**Judgements:**

- (1) Mithu Lal Nayak v. Life Insurance Corporation of India,  
AIR 1962 SC 814

**Unit-IV**

Doctrine of Proximate Cause  
Assignment and Nomination  
Representation and Warranty  
Settlement of Claims under the Life Insurance Policy

**Judgements:**

- (1) Reserve Bank of India v. Peerless General Finance and Investment Co., AIR 1987  
SC 1023
- (2) Rajni Bai v. New India Assurance, AIR 1956 Bom. 633

**Unit - V**

Compulsory Insurance of Motor Vehicles:  
Liability under the Act, Persons Required to Insurer, Requirement in Respect of Policies  
Liability Incurred and Monetary Limits  
Insurer's Duty to Satisfy Judgments Against Insured  
Insurer's Rights, Liabilities Covered by Policy, Defences

**Suggested Readings:**

Avtar Singh, Elements of Commercial Law, Eastern Book Co., Lucknow, 1979.

K.S.N. Murthy, Modern Law of Insurance, Central Law Agency, Allahabad, 1991.

Brij Nandan Singh, Insurance Law, University Book Agency, Lucknow, 1999.

**PAPER-5: OPTION (II): LABOUR LAW****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

The Industrial Disputes Act 1947:

Concepts and Definitions

Authorities

Strikes, Lock-outs

Lay off, Retrenchment

**Judgements:**

- (1) Bangalore Water Supply and Sewerage Board v. A. Rajappa & Ors., AIR 1978 SC 548
- (2) Syndicate Bank v. K. Umesh Nayak, 1994-1-LLJ-836 (SC)

**Unit-II**

The Factories Act, 1948:

Concepts and Definitions

Health and Welfare Provisions

Working Hours for Adults

Employment of Young Persons

**Judgements:**

- (1) Bhikusha Yamasa Kashtriya Pvt. Ltd. v. Union of India, AIR 1963 SC 1591
- (2) Grayer and Weil (India) Ltd. v. Collector of Central Excise, 1995-II-LLJ-648 (SC)

**Unit-III**

The Trade Union Act, 1926:  
 Concepts and Definitions  
 Registration of Trade Unions  
 The Payment of Wages Act, 1956  
 Concepts and Definitions  
 Payment of Wages and Deduction of Wages

**Judgements:**

- (1) Ranga Swami Ors. v. Registrar of Trade Unions, 1961-I-LLJ 559
- (2) Pandin Roadways Corporation Ltd. Madurai v. The Principal Distt. Judge, Madurai and Ors., 1996-II-LLJ-1229 (Mad)

**Unit-IV**

The Workmen's Compensation Act 1923: Concepts and Definitions  
 Liability of the Employer to Pay Compensation  
 The Employees States Insurance Act, 1948: Concepts and Definitions  
 Benefits under the Act

**Judgements:**

- (1) Ram Sarup & Another v. Gurdev Singh & Ors., 1968 LLJ 90 A
- (2) Trehan v. Messrs Associated Electrical Agencies & Another, 1996 LLJ 921 (SC)

**Unit-V**

The Maternity Benefit Act, 1961  
 Preliminary, Benefits and Machinery  
 The Child Labour (Prohibition and Regulation) Act, 1986:  
 Concepts and Definitions  
 Prohibition of Children Working in Certain Occupations and Processes, Regulation of Conditions of Work of Children

**Judgements:**

- (1) B.Shah v. Labour Court, Coimbatore, AIR 1978 SC 12

**Suggested Readings:**

1. V.G. Goswami, Labour & Industrial Law, Central Law Agency, Allahabad, 2002.
2. S.K. Puri, Labour and Industrial Laws, Allahabad Law Agency, Allahabad, 1996.
3. S.N. Mishra, Law of Industrial Labour Relations, Allahabad Law Agency, 2003.
4. S.C. Srivastva, Industrial Relations and Labour Law, New Delhi, Deepa & Deep, 1990.

**PAPER-5: OPTION-(III): ELECTION LAW****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

The Election Commission of India: Powers & Functions  
Offences against Elections under the Indian Penal Code, 1860

**Judgments:**

- (1) Charan Lal Sahu v. Giani Zail Singh, AIR 1984 SC 309
- (2) Trilochan Singh v. Karpal Singh, AIR 1968 Pb. 416

**Unit-II**

Elections of Municipal Corporations, Municipal Committees,  
Panchayats and their Disputes

**Judgments:**

- (1) Rishi Kumar Gupta v. Nanumal Yadav, AIR 1976 All 365
- (2) Ram Sarup v. State of Punjab., AIR 1964 Pb. 62

**Unit-III**

Disputes Regarding Elections under the  
The Representative of Peoples Act 1951

**Judgments:**

- (1) Rajendra Singh v. Usha Rani, AIR 1984 SC 956
- (2) Kumari Shardha Devi v. K.C. Pant, AIR 1984 SC 382

**Unit-IV**

Electoral Offences  
Bye-Elections

**Judgments:**

- (1) Chandra Singh v. Ch. Shiv Ram, AIR 1975 SC 404
- (2) Nand Lal v. Elections Commission of India, AIR 1934 Raj. 84

**Unit-V**

Electoral Reforms

**Suggested Readings:**

M.M. Dube and K.L. Jainco, Elections Law and Procedure, Vedpal Law House, Indore.  
N.S. Gehlot, Elections and Electoral Administration in India.  
Rameshwar Dial, Elections Law, Anand Law House, Delhi.  
B.A. Masodkar, The Supreme Court on Election Law, Wadhva & Co., Agra.  
D.D. Basu, Shorter Constitutions of India, Prentice Law of India, New Delhi.  
The Representation of Peoples Act 1951.  
Election Law and Procedure, Ved Pal Law House, Indoor.

**PAPER-5: OPTION-(IV): SERVICE LAW****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Articles 323-A of the Constitution of India:  
Administrative Tribunals: Their Composition, Powers and  
Procedure under the Administrative Tribunals Act, 1985  
Constitutional Right to Equality Relating to Service Matters

**Judgements:**

(1) SP Sampath Kumar v. Union of India, AIR 1987 SC 386

**Unit-II**

Services under the Union and States (Articles 308-323) with Special Emphasis on Article 309-311 (and including Applicability of Article 311 to Various Categories on Non-Payment Employees and Article 320)

**Judgments:**

(1) Union of India v. Tulsi Ram Patel, AIR 1985 SC

**Unit-III**

CCS (CCA) Rules 1965  
Major and Minor Penalties  
Suspension and Subsistence Allowance  
Conduct and Procedure of Departmental / Disciplinary Enquiries (including Charge Sheet, Inspection and Supply of Copies of Documents, Production of Evidence, Enquiry Report, Hearing if any on Question of Penalty and Final Question of Penalty and Final Action by Competent Authority)

**Unit-IV**

Compulsory/Premature Retirement  
Principles of Equal Pay for Equal Work  
Status and Rights of Adhoc Employees and their Regularisation  
Enforcement of Contract of Personal Service

**Unit-V**

Principles for Determination of Seniority:  
Seniority based on Date of Confirmation  
Seniority based on Quota-Rota Rules  
Adverse Entries in Annual Confidential Reports (ACRS)  
Deputation

**Judgments:**

- (1) Baikuntha v. CDMO, (1992) 2 SCC 299
- (2) State of Haryana v. Piara Singh, (1992) 4 SC 118

**Suggested Readings:**

J.N. Pandey, Constitutional Law of India, Central Law Agency, Allahabad, 2007.

Kapil Kakkar, Introduction of Service Law, Chawla Publication, Chandigarh, 2007.

I.P. Massey, Administrative Law, Eastern Book Co., Lucknow, 2001.

Ejaz Ahmed, Service Laws in India, Ashoka Law House, New Delhi, 2001.

Government of India, Delhi Central Civil Service Rules.

**PAPER-5: OPTION-(V): INTELLECTUAL PROPERTY LAW****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Origin and Development of Intellectual Property Law  
 Concept, Meaning and Scope of Intellectual Property  
 Copyright, Patent Designs and Trademark  
 Main Items Covered under these Different Branches  
 of Intellectual Property

**Judgments:**

- (1) R.G. Anand v. Deluxe Films, AIR 1978 SC 1613
- (2) Lallubhai Jariwala v. Chiman Lal Chunni Lal & Co.,  
AIR 1986

**Unit-II**

Acquisition of Intellectual Property  
 Registration and its Importance  
 Registration Mandatory or Procedure followed  
 and its Benefits in case of Copyright, Design and Trade Marks

**Judgments:**

- (1) Indian Performing Right Society Ltd. v. Eastern Indian Picture Association and Others, AIR 1977 SC 1443
- (2) Bishwant Prasad Radhey Shyam v. Hindustan Metal Industries, AIR 1982 SC 1444

**Unit-III**

Excise of Ownership Rights/Infringements and Protection  
 Copyright-Rights Recognised  
 Term-Assignment, License  
 Patents-Rights-Term-Assignment  
 Revocation-License-Right of License

**Unit-IV**

Designs-Design Copyright Term-Restoration  
Assignment Trade Marks-Right  
Term-Restoration Ownership  
Assignment Register Use and Infringement

**Judgments:**

- (1) Manu Bhandari v. Kalavikas Pictures, AIR 1987 Delhi 13
- (2) Ajay Industrial Corp. v. Shiro Kanao of Iboraki City,  
AIR 1986 Delhi 496

**Unit-V**

International Protection of Intellectual Property  
International Conventions: Brussels and Berne Conventions  
IIP Protocol 1991, Paris Convention  
GATT Negotiations with Special Reference to (WTO)  
Trade Related Intellectual Property  
Madrid Agreement on Trade Marks 1989

**Suggested Readings:**

N.S.Gopalkrishnan, Cases & Materials on Intellectual Property Law, National Law School, Bangalore, 1992.

T.R. Srinivasa, The Copyright Act, 1957.

Journal of Indian Law Institute: A Special (Number) Issue on Intellectual Property.

W.R. Cornish, Intellectual Property Law, Sweet and Maxwell, 1981.

P. Narayanan, Intellectual Property Law, Eastern Law House, Calcutta, 2001.

**PAPER-5: OPTION-(VI): LAW AND MEDICINE****TIME: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Medical Profession and Ethics  
Interface of Law and Medicine  
Systems of Medicine  
Medical Negligence

**Judgment:**

(1) Harjot Ahluwalia v. Spring Meadows Hospital

**Unit-II**

Constitution, Powers and Functions of the Medical Council of India  
Constitution, Powers & Functions of Central Council of Indian Medicine  
Quackery and Role of Judiciary in Preventing Quackery  
Law Concerning Medical Transactions:  
Registration of Chemists, Druggists and Pharmacists  
Adulterated Medicines

**Judgment:**

(1) Poonam Verma v. Ashwin Patel & Others, AIR 1996 SC 2111

**Unit-III**

The Mental Health Act, 1987  
Institution for Treatment of Mentally Ill Persons  
Treatment and Custody  
Human Rights of Mentally ill Persons

**Unit-IV**

The Drugs and Cosmetics Act, 1940

Authorities, Manufacture, Sale & Distribution of Drugs, Offences & Penalties

AIDS: Socio-Medico-Legal Aspects

HIV / AIDS and Laws

Ethical Issues in the Care and Treatment of Persons with HIV / AIDS

Human Rights of AIDS Affected People: Right to Privacy and Work

Birth Rights of the AIDS Affected Unborn Child

**Judgement:**

(1) X v. Z Hospital, (1999) CTJ 2 (SC)

**Unit-V**

Legal Regulation of Transplantation of Human Organs

Legal Regulation of Pre-Natal Diagnostic Techniques

Medical Termination of Pregnancy

Artificial Insemination

**Suggested Readings:**

Shrilal, HIV Infection in India

Indira Kapoor, Women and AIDS

The Drugs and Cosmetics Act, 1940

The Indian Medical Council Act, 1956

The Indian Medicine Control Council Act, 1970

The Medical Termination of Pregnancy Act, 1971

The Mental Health Act, 1987

The Transplantation of Human Organs Act, 1994

The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994

**PAPER-5: OPTION-(VII): INTERNATIONAL ORGANISATIONS****Time: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Meaning, Classification and Legal Personality  
of International Institutions  
The League of Nations - Composition and Causes of its Failure  
The United Nations - Purpose and Principles  
Membership and Termination Thereof

**Unit-II**

The Security Council:  
Composition, Functions and Powers  
Voting Procedure  
The Economic and Social Council

**Unit-III**

The General Assembly:  
Composition, Functions and Powers  
Voting Procedure

**Unit-IV**

The International Court of Justice:  
Composition, Jurisdiction  
Law Applicable  
Role of the Permanent Court of Arbitration

**Unit-V**

The International Criminal Court:  
Composition, Jurisdiction  
Powers and Functions

**Suggested Readings:**

S.K. Kapoor, Public International Law, Central Law Agency, Allahabad, 2007  
H.O. Aggarwal, International Law, Pioneer Books, New Delhi, 2006

**PAPER-5: OPTION-(VIII): SOCIO-ECONOMIC OFFENCES****Time: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Law of Dowry Prohibition  
Prevention of Immoral Traffic

**Unit-II**

Law of Prevention of Food Adulteration

**Unit-III**

Law of Prevention of Corruption

**Unit-IV**

Law Relating to Prevention of Sati  
Law Relating to Essential Commodities

**Unit-V**

Law Regarding Protection of Civil Rights  
Law Regarding Drugs and Cosmetics

**Suggested Readings:**

Jaspal Singh, Socio-Economic Offences, Pioneer Books, New Delhi.  
Mahesh Chander, Socio-Economic Offences, Aditya Publications, Delhi.

**Prescribed Acts:**

The Dowry Prohibition Act, 1961

The Immoral Traffic Act, 1956  
The Prevention of Corruption Act, 1988  
The Prevention of Food Adulteration Act, 1954  
The Essential Commodities Act, 1955  
The Commission of Sati (Prevention) Act, 1987

**PAPER-5: OPTION-(IX): CRIMINOLOGY****Time: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Nature, Scope and Objectives of Criminology  
 Relationship Between Criminology and Criminal Law  
 Various Schools of Criminology

**Unit-II**

Methods of Studying Crime and Criminals  
 Causation of Crime: Psychological, Physiological and  
 Sociological, Economic, Mental, Family and Mass Media  
 The Probation of Offenders Act, 1958  
 Parole: Meaning and Concept, Principles, Distinction with Probation,  
 Supervision During Parole

**Unit-III**

White Collar Crimes  
 Juvenile Delinquency  
 Main Features of the Juvenile Justice Act, 1986  
 Capital Punishment: Rationale, Desirability and Judicial Attitude  
 in India with regard to the Imposition of Capital Punishment

**Unit-IV**

Victimology  
 Compensation to Victim and other Remedial Measures

**Unit-V**

Juvenile Delinquency and Juvenile Justice

**Suggested Readings:**

Sutherland, Principles of Criminology, Times of India, Bombay, 1986.  
 Ahmed Siddique, Criminology: Problems and Perspectives, Eastern Book Co., Lucknow, 2006.  
 J.P.S. Sirohi, Criminology and Criminal Administration, Allahabad Law Agency, Allahabad, 2004.

**PAPER-5: OPTION-(X): HUMAN RIGHTS AND HUMANITARIAN LAW****Time: 3 Hours****Max. Marks: 100****Instructions for the paper setter/examiner:**

**Section A:** It will consist of 10 compulsory questions of 4 marks each. The paper setter is required to set two questions from each unit.

**Section B:** It will consist of 10 questions. Each question shall carry 12 marks. Two questions will be set from each of the five units. The candidate shall be required to attempt five questions selecting at least one question from each unit.

**Unit-I**

Evolution of Human Rights

Ancient and Natural Law Perspectives of Human Rights

League of Nations and Human Rights

The UN Charter and Human Rights

The Universal Declaration of Human Rights and Its Significance

**Unit-II**

Covenants and Conventions on Human Rights:

A Brief Overview of the two Covenants:

(1) International Covenant on Economic, Social and Cultural Rights

(2) International Covenant on Civil and Political Rights

A Brief Overview of the Conventions:

(1) The European Convention on Human Rights, 1950

(2) The American Convention on Human Rights, 1969

(3) The Vienna Conference on Human Rights, 1993

**Unit-III**

A Brief Overview of the International and Regional Mechanisms for the Protection of Human Rights:

(1) The European System

(2) The Inter -American System

(3) The African System

(4) The Asian Regional Mechanism:

Rationale and Justification for its Establishment

**Unit-IV**

Human Rights in India:

The Protection of Human Rights Act, 1993

Judicial Activism and Protection of Human Rights in India

Role of Non- Governmental Organisations in the Promotion and Protection of Human Rights

**Unit-V**

Meaning and Concept of Humanitarian Law

Geneva Conventions on the International Humanitarian Law

Additional Protocols to the Geneva Conventions on Humanitarian Law

**Suggested Readings:**

Paras Diwan and Peeyushi Diwan, Human Rights and the Law, Deep & Deep Publications, New Delhi, 1996.

P.S. Jaswal and Nishtha Jaswal, Human Rights and the Law, APH Publishing Co., New Delhi, 1996.

B.P.S. Sehgal (ed), Human Rights in India: Problems and Perspectives Deep & Deep Publications, New Delhi, 1995.

G.S. Bajwa, Human Rights in India: Implementation And Violations, Anmol Publications, New Delhi, 1995.

Thomas Buergenthal, Human Rights, Butterworths, London, 1979.