

Progressive Education Society's
Modern Law College,
Ganeshkhind, University Circle, Pune- 411016

Permanently Affiliated to the University of Pune, Recognised by the Government of
Maharashtra and Approved by the Bar Council of India, New Delhi
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Syllabus

Ist, IInd & IIIrd Year of LL.B.

(Three Year Course)

(From 2003-2004)



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Meaning who can apply to company law board, powers of company law board and central government.

14. Compromises and arrangements reconstruction and amalgamation.

15. Winding up:

Meaning types of Winding up petition for winding up commencement of winding up Liquidator: his rights duties and liabilities Contributors, consequences of winding up dissolution of company.

The Companies Amendment Act, 2001 and 2002

Books Recommended:-

1. The companies act 1956 as amended up to the date
2. S.M. Shah: Lectures on Company Law
3. Avtar Sing : Company Law
4. Dutta on Company Law
5. N.D. Kapoor on Company Law

Note:- Those Students who have been exempted in company law in second LL.B. 3 Year new course should opt for Law of Evidence.

Paper 26: Practical Training- Paper I (100 Marks)

Moot court, Pre Trial Preparations and Participation in Trial Proceedings

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

1. Moot Court

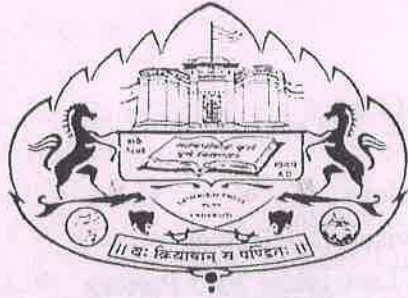
Every Student should participate in at least three Moot Courts in a year. The Moot Court work will be on assigned problems

2. Observance of trial

It is expected that students should observe trial at least in two cases, one civil and one criminal. A student will maintain a Journal for the year's work and the all written submissions and assignments will be written in the journal provided by the college. A student will maintain a



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SAVITRIBAI PHULE PUNE UNIVERSITY

(FORMERLY UNIVERSITY OF PUNE)
GANESHKHIND PUNE 411007

FACULTY OF HUMANITIES

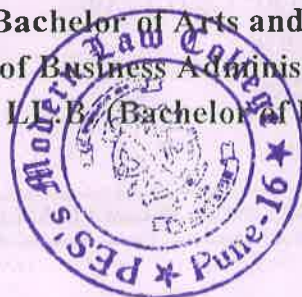
REVISED CURRICULUM OF UNDERGRADUATE DEGREE COURSES OF LAW 2017-18

(As Amended in July 2019)

Courses of Law, Eligibility for Admission, Course Component,
Curriculum, Examination Pattern, Standard of Passing, and
Rules of Equivalence

for

B.A. LL.B. (Bachelor of Arts and Bachelor of Laws)
B.B.A. LL.B. (Bachelor of Business Administration and Bachelor of Laws)
LL.B. (Bachelor of Laws)



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Ganeshkhind, Pune-16.

PART III
Course Component of
B.A. LL.B., B.B.A. LL.B. and LL.B.

1. First Year B.A. LL.B. :

Subject Code	Semester I
CE 0101	General English
BA 0102	General Principles of Political Science
BA 0103	General Principles of Economics
BA 0104	General Principles of Sociology

Subject Code	Semester II
CE 0201	English for Law
BA 0202	Political Theories
BA 0203	Macro Economics, Policies and Practice
BA 0204	Theoretical Perspectives of Sociology

2. First Year B.B.A. LL.B. :

Subject Code	Semester I
CE 0101	General English
BB 0102	Managerial Accounting
BB 0103	Principles of Management
BB 0104	Business Communications

Subject Code	Semester II
CE 0201	English for Law
BB 0202	Organisational Behaviors
BB 0203	Management Information System
BB 0204	Principles of Marketing

3. Second Year B.A. LL.B. :

Subject Code	Semester III
CE 0301	Legal Language and Legal Reasoning
BA 0302	Public Policy and Public Administration
BA 0303	Theories of Development and Indian Economy
BA 0304	Society in India

Subject Code	Semester IV
CE 0401	Law and Literature
BA 0402	International Relations
BA 0403	Law and Economics
BA 0404	Social Research Methods



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6. Fourth Year B.A. LL.B., Fourth Year B.B.A. LL.B. and Second Year LL.B. :

Subject Code	Fourth Year B.A. LL.B. - Semester VII Fourth Year B.B.A. LL.B. - Semester VII Second Year LL.B. - Semester III
LC 0701	Constitutional Law II
LC 0702	Property Law and Easement
LC 0703	Public International Law
LP 0704	Practical Training Paper I - Professional Ethics and Contempt of Court Law
	Optional Subject 3 (Any one from the following)
LO 0705	(a) Comparative Constitutions
LO 0706	(b) Investment and Securities Law
LO 0707	(c) Criminal Minor Acts
LO 0708	(d) Cooperative Law
LO 0709	(e) Private International Law

Subject Code	Fourth Year B.A. LL.B. - Semester VIII Fourth Year B.B.A. LL.B. - Semester VIII Second Year LL.B. - Semester IV
LC 0801	Labour and Industrial Law
LC 0802	Jurisprudence
LC 0803	Law of Evidence
LP 0804	Practical Training Paper II - Alternate Dispute Resolution System
	Optional Subject 4 (Any one from the following)
LO 0805	(a) Human Rights Law and Practice
LO 0806	(b) Competition Law
LO 0807	(c) Vulnerable and Disadvantaged Groups and Criminal Law
LO 0808	(d) Civil Minor Acts
LO 0809	(e) International Economic Law

7. Fifth Year B.A. LL.B., Fifth Year B.B.A. LL.B. and Third Year LL.B. :

Subject Code	Fifth Year B.A. LL.B. - Semester IX Fifth Year B.B.A. LL.B. - Semester IX Third Year LL.B. - Semester V
LC 0901	Civil Procedure Code
LC 0902	Interpretation of Statutes
LC 0903	Environmental Law
LP 0904	Practical Training Paper III - Drafting, Pleading and Conveyance
	Optional Subject 5 (Any one from the following)
LO 0905	(a) Law on Education



Neo-Negativism), and Theory of Gestation (Nyerere Doctrine)

Module 07 State Jurisdiction :

1. Territorial Jurisdiction - Civil and Criminal jurisdiction, Universal Jurisdiction, Extra territorial Jurisdiction of State
2. State Jurisdiction and State Territory-Land Territory -National Waters-Territorial sea-Contiguous zone-Exclusive Economic Zone—Air and Outer Space – obligations of states under outer space Treaty 1966
3. Jurisdiction based on Nationality - Modes of Acquiring and Losing Nationality, Double Nationality, and Nationality of Married Women - Indian position
4. Meaning and Significance of Statelessness - Role of UNHCR
5. Meaning and Definition of Extradition - Types of offenders and Process of Extradition
6. Definition and Significance of Asylum - Territorial and Extra-Territorial Asylum

Module 08 State Immunities and Privileges :

1. State Immunity - Absolute theory and Restrictive Theory of Immunity, Views of the International Law Commission, and Waiver of Immunity
2. Significance and Functions of Diplomatic Agents and Classification of Diplomatic Agents
3. Immunities and Privileges of Diplomatic Agents - Inviolability of Diplomatic Agents
4. Inviolability of Premises - Immunity from local, Civil, Administrative and Criminal Jurisdiction, Immunity from Taxes and Custom Duties, Freedom of Movement, Travel, Communication and Worship

Module 09 Law of State Responsibility :

1. Nature and Basis of State Responsibility - Elements of State Responsibility, State Responsibility in different fields
2. Theories of State Responsibility - Fault or Subjective Theory, Risk or Objective theory, Eclectic Theories of Responsibility, Absolute Liability
3. Significance of Doctrine of Culpa
4. Defences precluding State Responsibility

Module 10 Law of Treaties :

1. Meaning and Definition of a Treaty, Types of Treaties
2. Parties to a treaty - Formation of a Treaty, Significance of Pact Sunt Servanda
3. Significance of Jus Cogens, Role of Rebus Sic Stantibus (Changed Circumstances) in Treaties
4. Procedure for Termination of Treaties

Module 11 Settlement of Disputes :

1. Legal and Political Disputes
2. Pacific Means
3. Extra-judicial Pacific Means- Negotiation- Good Offices- Mediation-



Scheme of Marking :

- Part A : University Written Examination : 80 Marks
Part B : Written Submissions (10 Marks) & Viva voce Examination (10 Marks) : 20 Marks

Part A : Syllabus for University Written Examination :

Module 01 History of Legal Profession in India :

1. Legal profession in India in ancient and medieval period
2. Changes underwent in Legal profession during British rule
3. Development of Legal Profession in India after Independence
4. Impact of globalization on legal profession in India

Module 02 Norms of Professional Ethics and Duties :

1. Need and necessity of Professional ethics in the legal profession
2. Professional ethics and duties of advocates towards his clients, Court, public, his fellow advocates, self, society, duty in imparting training, duty to render legal aid, etc.
3. Restrictions on other Employments
4. Restrictions on advertising
5. Form of Dresses or Robes to be worn by Advocate
6. Rules as to Vakalatnama

Module 03 Introduction and Authorities (the Advocates Act, 1961) :

1. Objects of and definitions under the Act
2. Bar Council of State :
 - a) Establishment of Bar Councils for Each States and Union Territories
 - b) Composition of State Bar Council
 - c) System of Election
 - d) Term of office of Members of State Bar Council and Establishment of Special Committee
 - e) Disqualification of Member of Bar Council of State
 - f) Powers and Functions of Bar Council of State
3. Bar Council of India :
 - a) Composition of Bar Council of India
 - b) Term of office of Members of Bar Council of India
 - c) Disqualification of Member of Bar Council of India
 - d) Powers and Functions of Bar Council of India
 - e) Membership in International Bodies
4. Provisions Common to Bar Council of India and Bar Council of State :
 - a) Bar Council to be Body Corporate
 - b) Constitution of Committees of Bar Council
 - c) Transaction of Business, Staff and Audit of Accounts of Bar Council
 - d) Power of Bar Council to make Rules



Module 04 Admission and Enrolment of Advocates (the Advocates Act, 1961) :

1. Senior and other Advocates

1. Historical development of law of contempt of court in India
2. Freedom of speech, Law of defamation and contempt of Court - Constitutional perspectives
3. Meaning of contempt - Civil contempt and Criminal contempt
4. Defenses for contempt - Civil and Criminal contempt
5. Punishments for contempt
6. Procedure for initiating contempt proceeding
7. Contempt by Judges, Magistrate, Lawyers, Companies and others
8. Contempt of Supreme Court, High Court and Subordinate Court
9. Remedies, Apology, Appeal and Review
10. Comparison with Order 39 Rule 2A of Civil Procedure Code

Module 09 Cases Prescribed for Study on Contempt of Court :

1. In Re Arundhati Roy, AIR 2002 SC 1375
2. Pushpaben v. Narandas V Badiani, AIR 1979 SC 1536
3. LD Jaikwal v. State of UP, AIR 1984 SC 1734
4. Charan Lal Sahu v. Union of India, AIR 1988 SC 107
5. PN Duda v. V P Shiv Shankar, AIR 1988 SC 1202
6. Noorali Babul Thanewala v. KMM Shetty, AIR 1990 SC 464
7. Bal Kishan Giri v. State of UP, AIR 2014 SC (Supp) 469
8. High Court of Judicature of Bombay v. Manisha Koirala, 2003 CriLJ 1634 (Bom HC)
9. Dr. Subramanian Swamy v. Arun Shourie, AIR 2014 SC 3020
10. In Re S Mulgaokar, AIR 1978 SC 717

Note :

1. The college shall organise Interaction Session(s) of experts in the area of professional ethics, contempt of courts, etc. with the students.
2. The purpose of the interaction session(s) should be to provide or to enhance the practical knowledge of the students with respect to the course.
3. The concerned teacher is advised to orient the students, before organisation of interaction session, as to purpose of interaction, concerned legal provisions, etc.

Part B : Contents of Written Submissions (Journal) :

The Written Submissions (Journal) shall contain the following :

1. Essay on the topic from law relating to Legal Profession in India, assigned by concerned teacher.
2. Essay on the topic from Law relating to Contempt of Court, assigned by concerned teacher.
3. Report on an Interaction Session(s) of experts with the students.
4. Case Comments on 2 cases on Professional Ethics, assigned by concerned teacher.
5. Case Comments on 2 cases on Contempt of Court, assigned by concerned teacher.

Note :

1. A Report on interaction session shall consists of : (a) Purpose of the Interaction, (b) Observations / Information Collected by the student, (c) Relevant Provisions of Law, (d)



Module 05 Oral and Documentary Evidence I :

1. Oral Evidence (Sections 59-60)
2. Documentary Evidence (Sections 61-78)

Module 06 Oral and Documentary Evidence II :

1. Presumptions as to Documents and Electronic Records (Sections 79-90A)
2. Exclusion of Oral by Documentary Evidence (Sections 91-100)

Module 07 Burden of Proof :

1. Burden of Proof (Sections 101-111)
2. Presumptions (Sections 111A-114A)
3. Doctrine of Estoppel (Sections 115-117)

Module 08 Witnesses and Examinations of Witnesses :

1. Witnesses (Sections 118-134)
2. Examinations of Witnesses (Sections 135-166)
3. Improper Admission or Rejection of Evidence (Sections 167)

Recommended Reading :

1. V. P. Sarathi's *Law of Evidence*, 7th ed, Abhinandan Malik (ed), Eastern Book Company, 2017.
2. M. Monir, *Textbook on the Law of Evidence*, 10th ed (Reprint), Universal Law House, 2016.
3. Ryan's *Essential Evidence Outlines – Practitioner and Student Handbook*, 2005.
4. Avtar Singh, *Principles of the Law of Evidence*, 22nd ed, Central Law Publications, 2016.
5. Ratanlal and Dhirajlal, *The Law of Evidence*, 25th ed, B M Prasad and Monish Mohan (ed), LexisNexis, 2016.
6. Ram Jethmalani and D. S. Chopra, *Law of Evidence : Concise Commentary*, Thomson Reuters, 2015.
7. C. D. Field's *Commentary on Law of Evidence*, 13th ed, Delhi Law House, 2017.
8. M. Monir's *Law of Evidence*, 17th ed, Universal Law Publishing, 2016.
9. V. Nageshwar Rao, *The Indian Evidence Act*, 2nd ed, LexisNexis, 2015.
10. Woodroffe and Amir Ali's *Law of Evidence*, 20th ed, B M Prasad and Manish Mohan (ed), LexisNexis, 2017.
11. Sarkar's *Law of Evidence*, 19th ed, Sudipto Sarkar and H R Jhingta (eds), LexisNexis, 2016.
12. Y. H. Rao and Y R Rao, *Expert Evidence – Medical and Non-Medical*, 4th ed (Reprint 2011) LexisNexis, 2010.
13. Ram Jethmalani and D. S. Chopra, *The Law of Evidence : Commentary on Evidence Act, 1872*, 2nd ed, Thomson Reuters, 2016.
14. Peter Murphy and Richard Glover, *Murphy on Evidence*, Oxford University Press, 12th ed, 2011.
15. Nayan Joshi, *Electronic Evidence*, Kamal Publishers, 2012.
16. K. D. Gaur, *Textbook on the Indian Evidence Act*, Universal Law House, 2017.
17. N. V. Paranjpe, *Evidence in Criminal Trials*, Thomson Reuters, 2017.
18. Batuklal, *Law of Evidence*, Central Law Agency, Allahabad.



2. Conciliation under the Arbitration and Conciliation Act, 1996
3. Appointment and role of conciliator
4. Techniques of conciliation and Termination of conciliation proceedings
5. Contractual provisions about conciliation

Module 04 Arbitration :

1. Meaning, features, theories and types of arbitration
2. Historical perspectives of arbitration as a dispute settlement mechanism, and law of arbitration
3. Types of Arbitration - Domestic and International arbitration, Institutional arbitration
4. Advantages and disadvantages of arbitration
5. Difference between Negotiation-Mediation-Conciliation-Arbitration

Module 05 Arbitration Agreement :

1. The arbitration agreement, formation, its essentials
2. Validity of arbitration agreement
3. Rule of severability, Effect of death, insolvency, etc. on agreement
4. Parties to arbitration agreement, Agreement as binding on third parties
5. Power of Court to refer parties to arbitration
6. Jurisdiction of Courts

Module 06 Structure, Powers and Functions of Arbitral Tribunal :

1. Constitution of Arbitral Tribunal - qualifications to act as arbitrator
2. Disclosures by arbitrator, Disqualification of arbitrators
3. Grounds to challenge appointment and procedure of Arbitrators
4. Powers of Courts to appoint Arbitrators
5. Jurisdiction of arbitral tribunal - Power to rule on its own jurisdiction
6. Interim measures ordered by arbitral tribunal
7. Interim measures by Court

Module 07 Arbitration Proceedings and Award :

1. Conduct of arbitral proceedings, procedure, rules of procedure
2. Language, impartiality of arbitrator, equal treatment of parties
3. Procedure before arbitral tribunal, claim, defence, hearing, evidence, experts, confidentiality, application of the Law of Evidence and Limitation
4. Court's assistance in taking evidence, fast track procedure
5. Arbitral award - Types of award - Form and Content - Finality of award - Interpretation of award
6. Correction in award - Stamp duty - Registration - Additional award Costs - Termination of proceedings
7. Time limits for award, extension of time
8. Recourse against award, Grounds of setting aside award, Court's role, Enforcement of award

Module 08 International Perspectives and Enforcement of Foreign Awards - International Perspectives :

1. UNCITRAL Model Law on International Commercial Arbitration



Recommended Readings :

1. Justice R.P. Sethi, *Commentary on Arbitration and Conciliation Act as Amended in 2016*, 2nd Edition, Wytes and Co., 2016.
2. Madhusudan Saharay, *Textbook on Arbitration & Conciliation with Alternative Dispute Resolution*, 4th ed, Universal Law Publishing, 2017.
3. N V Paranjpe, *Law Relating to Arbitration and Conciliation in India*, 7th ed, Central Law Agency, 2016.
4. Avtar Singh, *Law of Arbitration and Conciliation*, 10th ed., Lucknow, 2013.
5. Mallika Taly, *Introduction to Arbitration*, Eastern Book Company, 2015.
6. Vishnu Warriar, *Arbitration, Conciliation and Mediation*, LexisNexis, 2015.
7. K V Satyanarayana, *Law of Arbitration and Conciliation in India*, Asia Law House, 2017.
8. Anirban Chakraborty, *Law and Practice of Alternative Dispute Resolution in India – a Detailed Analysis*, LexisNexis, 2016.
9. Ashwini Kumar Bansal, *Arbitration and ADR*, 5th ed, Universal Law Publication, 2016.
10. Shriram Panchu, *Mediation Practice and Law - The Path to Successful Dispute Resolution*, 2nd ed, LexisNexis, 2015.
11. Anuroom Omkar and Kritika Krishnamurthy, *The Art of Negotiation and Mediation*, LexisNexis, 2015.
12. P C Rao and William Sheffield, ed, *Alternative Disputes Resolution- What it is and How it Works?* Universal Law Publishing, New Delhi, 2015.
13. S B Malik, *Commentary on the Arbitration and Conciliation Act*, 6th ed, Universal Law Publishing, 2013.
14. N D Basu, *Law of Arbitration and Conciliation*, 13th ed, Orient, 2016.
15. U Pattabhi Ramian, *Arbitration & ADR Including Conciliation, Mediation & Negotiation*, Asia Law House, 2011.
16. R S Bachawat, *The Law of Arbitration and Conciliation*, 5th ed, LexisNexis, 2013.
17. P C Markanda, *Law Relating to Arbitration and Conciliation*, 9th edn, LexisNexis, 2016.
18. O P Malhotra, *The Law and Practice of Arbitration and Conciliation*, 2nd edn, LexisNexis Butterworths, 2006.
19. N D Basu, *Law of Arbitration and Conciliation*, P K Majumdar (ed), Orient, 2016.
20. G K Kwatra, *The Arbitration and Conciliation Law of India*, Universal Law Publishing, New Delhi, 2008.

Optional Subject 4 (Any one from the following) :

LO 0805 Human Rights Law and Practice :

Objectives of the Course : The National Legal Systems recognized the rights of individuals from ancient periods and extended protection through various legal regulations. However, they could not provide an effective remedy for breaches outside the state and state violations. This scenario and other developments in the beginning of 20th century led the nation-states to bring the aspects of individual's rights under the purview of international law and appropriately titled them as Human Rights with the adoption of Charter of UN in 1945. In pursuance of the



- Process, Constraints, EIA Notification of 1994 and 2006
6. E-waste management

Recommended Readings :

1. Ritwick Dutta and Sanjeet Purohit, *Commentary on the National Green Tribunal Act, 2010*, Universal Law Publications.
2. P.S. Jaswal, *Environmental Law*, Allahabad Law Agency.
3. Majumdar, Nandy, Mukherjee, *Environment and Wildlife Laws in India*, LexisNexis.
4. Maheshwara Swamy, *Textbook on Environmental Law*, Asia Law House, Hyderabad.
5. S. Shantakumar, *Introduction to Environmental Law*, Wadhwa & Company, Nagpur.
6. S.C. Shastri, *Environmental Law*, Eastern Book Company, Lucknow, 2005.
7. H. N. Tiwari, *Environmental Law*, Allahabad Law Agency.
8. Shyam Divan and Armin Rosencranz, *Environmental Law and Policy in India*, Oxford University Press, New Delhi.
9. P Leelakrishnan, *Environmental Law in India*, LexisNexis, New Delhi.
10. P Leelakrishnan, *Environmental Law Case Book*, LexisNexis, New Delhi.
11. Philippe Sands, *Principles of International Environmental Law*, Cambridge University Press, New York.
12. P. Ishwara Bhat, *Natural Resources Law: Concepts and Approaches*, Eastern Book.
13. P B Sahasranaman, *Handbook of Environmental Law*, Oxford University Press.

LP 0904 Practical Training Paper III - Drafting, Pleading and Conveyance :

Objectives of the Course : This course relates to essential skills required by an Advocate - the skill of drafting, conveyances and pleadings. An advocate can develop this skill by practicing purposive writing, articulation, legal research, qualities of language, its clarity and precision. The object of the course is to develop these advocacy skills amongst the students. This course will also acquaint the students the knowledge of substantive and procedural law in the context of pleadings and conveyance. This course aims to acquaint the students with basic principles as to the skill of drafting of various types of Applications, Petitions, Notices, Plaints, Written Statements, etc. The goal of the course is to help the students to understand application of substantive and procedural laws in drafting, pleading and conveyance.

Scheme of Marking :

- Part A : University Written Examination : 80 Marks
Part B : Written Submissions (10 Marks) & Viva voce Examination (10 Marks) : 20 Marks

Part A : Syllabus for University Written Examination :

Module 01 General Principles relating to Conveyance :

1. Object of Conveyance, essentials of drafting
2. The drafting process - Know the laws, Know the transaction, Scheme of the draft



5. Prayers, Verification

Module 06 **Plaints, Applications and Petitions in Civil Proceedings :**

1. Suit for recovery of price of goods sold
2. Suit for declaration of share and partition of property of a joint Hindu family
3. Suit for specific performance
4. Application for probate
5. Petition for divorce by mutual consent
6. Petition for divorce alleging grounds of divorce
7. Caveat application

Module 07 **Written Statements and Reply in Civil Proceedings :**

1. Written statement in a suit for recovery of price of goods sold
2. Written statement in a suit for declaration of share and partition of property of a joint Hindu family
3. Written statement in a suit for specific performance
4. Reply to an application for probate contesting the will
5. Reply to an application for succession certificate giving consent to grant of succession certificate
6. Reply contesting a petition for divorce
7. Reply to a petition for restitution of conjugal rights

Module 08 **Pleadings in Criminal Proceedings :**

1. Application for bail
2. Application for anticipatory bail
3. Criminal complaint alleging defamation, or affray and simple hurt
4. Application to court for recovery of motor vehicle seized by police
5. Application for compounding an offence of defamation or an offence under Section 498A of the Indian Penal Code
6. Application by a wife for maintenance for herself and her children

Module 09 **Appeals, Petitions and other Proceedings :**

1. Consumer complaint alleging defect in goods or deficiency in services
2. Reply to consumer complaint about defect in goods or deficiency in services
3. Writ petition under Article 14 or Article 19 or Article 21 of the Constitution of India
4. Appeal from a judgment and decree dismissing a suit for specific performance
5. Appeal from a judgment refusing to grant divorce

Note :

1. The college shall organise a visit to the office of Registrar / Sub-Registrar under the Registration Act, 1908. Alternatively, the college may organise interaction session(s) of experts in the concerned area with the students.
2. The purpose of the visit / interaction session should be to provide or to enhance the practical knowledge of the students with respect to the course.



20. P K Majumdar, *Law of Pleadings, Conveyancing & Advocacy*, 5th ed, Orient Publishing Company, 2013.
21. P S Narayana, *Civil Pleadings and Practice*, 11th ed, Asia Law House, 2017.
22. P S Narayana, *Pleadings and Practice (Civil and Criminal)*, 11th ed, Asia law House, 2017.
23. Hargopal's *Legal Draftsman - A Comprehensive Guide to Deeds and Documents*, 13th ed, Universal Law Publishing, 2013.
24. Kamy Chawla Gill, *Drafting Pleading and Conveyancing*, 2nd ed, Universal Law Publishing, 2016.
25. Murli Manohar's *Art of Conveyancing and Pleading*, 2nd ed, R Prakash (ed), Eastern Book Company, 2004.
26. P Butt and R Castle, *Modern Legal Drafting*, (Guide to using clearer Language), Cambridge University Press, 2011.
27. S C Ghosh's *Principles and Forms of Pleadings*, 5th ed, Eastern Law House, 2011.

Optional Subject 5 (Any one from the following) :

LO 0905 Law on Education :

Objectives of the Course : This course aims to acquaint the students with constitutional provisions guaranteeing the right to education and other statutory provisions. It also acquaints the students with the mechanism of regulation of education by Government. It provides the students with the judicial and legislative developments in the field of right to education. It introduces the students with the changing scenario in the field of higher education.

Module 01 Constitutional Provisions – Introduction :

1. Right to Education - Constitutional and Judicial Perspectives
2. Free and Compulsory Education for children
3. Equality of Opportunity in Admission in Educational Institutions
4. Right to Establish and Administer Educational Institutions of Minorities
5. The National Commission for Minority Educational Institutions Act, 2004 : an Overview
6. Educational Institutions and Article 12
7. Competency to make Law on Education – Concerned Entries in VII Schedule

Module 02 The Right to Free and Compulsory Education Act, 2009 :

1. Object, Application and Definitions under the Act
2. Nature of Right to free and compulsory education
3. Duties of Appropriate Govt., Local Authority and Parents
4. School Management Committees
5. Academic Responsibilities of Teacher
6. School Norms and Facilities
7. Completion of Curriculum and Learning Outcome



1. Meaning of Winding up
2. Procedures for winding up
3. Winding up process by Tribunal
4. Consequences of winding order
5. Company liquidator and their appointments
6. Report of the liquidator
7. Custody of company's property
8. Company Dissolution
9. Voluntary Winding up
10. Declaration of Insolvency
11. Procedure for voluntary Winding up
12. Appointment of Liquidators

Module 08 Constitution of National Company Law Tribunal, Appellate Tribunal and Special Court :

1. Constitution of National Company law Tribunal
2. Appellate Tribunal
3. Selection of members, terms of office, salary
4. Removal of members
5. Order of Tribunal
6. Powers of Tribunal
7. Appeal from orders of Tribunals
8. Establishment of special courts
9. Offences trial by special courts
10. Mediation and Conciliation Panel
11. Corporate Social Responsibility



Recommended Readings :

1. A. Ramaiya, *Guide to the Companies Act*, LexisNexis, Butterworths Wadhawa, Nagpur.
2. C.R. Datta, *Datta on the Company Law*, LexisNexis, Butterworths Wadhawa, Nagpur.
3. Avtar Singh, *Company Law*, Eastern Book Company, 2013.
4. Agrawal S., *Corporate Governance & Concept & Dimensions*.
5. Singh R. K., *Amalgamation & Merger of Companies & the WTO: An Indian Perspective*, Eastern Law House 2013.
6. Kapoor G.K. and Dhamija Sanjay, *Taxmann's Company Law & Practice*, Taxmann, 2017.
7. Chopra D.S. & Arora Nishant, *Company Law: Piercing the Corporate Veil*, Eastern Law House, 2013.

LP 1004 Practical Training Paper IV - Moot Court Exercise and Internship :

Objectives of the Course : This course consists the activities / exercises of (a) Moot court exercises, (b) Observance of trials, and (c) Pre-trial preparations. The objectives of the course is to acquaint the students about – (a) court working and its procedure, (b) application substantive and procedural law to given facts, (c) court manners and discipline. (d)

2. Guidelines for Observance of Trials :
 - a) To begin internship and observance of trials at the beginning of the academic year
 - b) Brief date-wise report of the proceeding
 - c) Summary of the following stages at the end of observation -
 - Case of the plaintiff or prosecution
 - Case of the defendant or accused
 - Issues or matters in controversy, or charges
 - Provisions of substantive law involved
 - Provisions of procedural law involved
 - Brief summary of examination of witnesses
 - Brief statement of important documents filed
 - Summary of arguments of parties, if any
 - Summary of Judgment or order passed, if any

Note : The concerned teacher may prescribe few other guidelines for the students at his / her discretion.

Activities Internship - Pre-trial Preparations :

07 & 08

1. A student shall observe the interviewing sessions of client at the office of advocate or at the legal aid office in Two Cases - one civil and one criminal.
2. Guidelines for Pre-trial Preparations -
 - a) To begin internship and pre-trial preparations at the beginning of the academic year
 - b) Observation of interviewing sessions of client in the office of advocate or the legal aid office
 - c) Observation of Advice given to the client by the advocate or authority of legal aid office
 - d) Maintaining confidentiality of the parties

Note : The concerned teacher may prescribe few other guidelines for the students at his / her discretion.

Note :

1. The activities under this course shall be conducted throughout the academic year though the course is shown in last semester in a course component.
2. The concerned teacher shall advice, guide and encourage the students to begin internship at advocate's office for the purpose of pre-trial preparations and observation of trials at the beginning of the academic year.
3. The student shall complete the above-mentioned eight activities as per guidelines given and each activity shall be assessed for 10 marks.

Part B : Contents of Written Submissions (Journal) :

The Written Submissions (Journal) shall contain the following three parts :

1. Moot Court Exercises (Four) :

Written submissions (Memorial) on Moot Court shall consist :



7. J Snape and G Watt, *How to Moot - a Student Guide to Mooting*, Oxford University Press, 2005.
8. B Malik, *Art of a Lawyer - Cross Examination, Advocacy, Courtmanship*, Universal Law Publishing, 2014.
9. D Pope and D Hill, *Mooting and Advocacy Skills*, 1st South Asian edn, Sweet & Maxwells, 2014.

Optional Subject 6 (Any one from the following) :

LO 1005 Election Law :

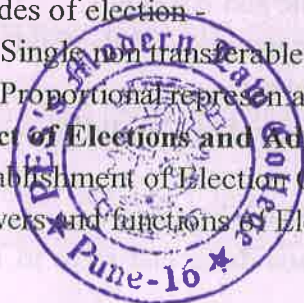
Objectives of the Course : This course aims to acquaint the students with the vital elements of democracy. It prescribes the students with the constitutional and legislative aspects of representation. The elections are conducted according to the constitutional provisions, supplemented by laws made by Parliament. Those major laws are : (a) the Representation of the People Act, 1950, which mainly deals with the preparation and revision of electoral rolls, (b) the Representation of the People Act, 1951 which deals, in detail, with all aspects of conduct of elections and post election disputes, (c) the Delimitation Act, 2002, which deals with the readjustment of the allocation of seats in the House of the People and the division of each State and each Union territory into territorial constituencies for elections to the House of the People and Legislative Assemblies of the States and Union territories, (d) the Presidential and Vice-Presidential Elections Act, 1952. The Course provides the students with the process of conduct of election and related aspects. It also provides the students with judicial perspectives on electoral reforms. It acquaints the students with redressal mechanism for election disputes.

Module 01 Jurisprudential Aspects of Representation :

1. Concept of representation and participation of people
2. Election and viability of democratic system
3. Historical perspectives of election in India under -
 - a) The Government of India Act, 1861
 - b) The Government of India Act, 1892
 - c) The Government of India Act, 1902
 - d) The Government of India Act, 1935
4. Election and its statutory significance under the Representation of People Act, 1951
5. Modes of election -
 - a) Single non transferable vote
 - b) Proportional representation

Module 02 Conduct of Elections and Administrative Machinery :

1. Establishment of Election Commission - a Constitutional Body
2. Powers and functions of Election Commission



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Neo-Negativism), and Theory of Gestation (Nyerere Doctrine)

Module 07 State Jurisdiction :

1. Territorial Jurisdiction - Civil and Criminal jurisdiction, Universal Jurisdiction, Extra territorial Jurisdiction of State
2. State Jurisdiction and State Territory-Land Territory -National Waters-Territorial sea-Contiguous zone-Exclusive Economic Zone—Air and Outer Space – obligations of states under outer space Treaty 1966
3. Jurisdiction based on Nationality - Modes of Acquiring and Losing Nationality, Double Nationality, and Nationality of Married Women - Indian position
4. Meaning and Significance of Statelessness - Role of UNHCR
5. Meaning and Definition of Extradition - Types of offenders and Process of Extradition
6. Definition and Significance of Asylum - Territorial and Extra-Territorial Asylum

Module 08 State Immunities and Privileges :

1. State Immunity - Absolute theory and Restrictive Theory of Immunity, Views of the International Law Commission, and Waiver of Immunity
2. Significance and Functions of Diplomatic Agents and Classification of Diplomatic Agents
3. Immunities and Privileges of Diplomatic Agents - Inviolability of Diplomatic Agents
4. Inviolability of Premises - Immunity from local, Civil, Administrative and Criminal Jurisdiction, Immunity from Taxes and Custom Duties, Freedom of Movement, Travel, Communication and Worship

Module 09 Law of State Responsibility :

1. Nature and Basis of State Responsibility - Elements of State Responsibility, State Responsibility in different fields.
2. Theories of State Responsibility - Fault or Subjective Theory, Risk or Objective theory, Eclectic Theories of Responsibility, Absolute Liability
3. Significance of Doctrine of Culpa
4. Defences precluding State Responsibility

Module 10 Law of Treaties :

1. Meaning and Definition of a Treaty, Types of Treaties
2. Parties to a treaty - Formation of a Treaty, Significance of Pact Sunt Servanda
3. Significance of Jus Cogens, Role of Rebus Sic Stantibus (Changed Circumstances) in Treaties
4. Procedure for Termination of Treaties

Module 11 Settlement of Disputes

1. Legal and Political Disputes
2. Pacific Means
3. Extra-judicial Pacific Means- Negotiation- Good Offices-Mediation



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Scheme of Marking :

- Part A : University Written Examination : 80 Marks
Part B : Written Submissions (10 Marks) & Viva voce Examination (10 Marks) : 20 Marks

Part A : Syllabus for University Written Examination :

Module 01 History of Legal Profession in India :

1. Legal profession in India in ancient and medieval period
2. Changes underwent in Legal profession during British rule
3. Development of Legal Profession in India after Independence
4. Impact of globalization on legal profession in India

Module 02 Norms of Professional Ethics and Duties :

1. Need and necessity of Professional ethics in the legal profession
2. Professional ethics and duties of advocates towards his clients, Court, public, his fellow advocates, self, society, duty in imparting training, duty to render legal aid, etc.
3. Restrictions on other Employments
4. Restrictions on advertising
5. Form of Dresses or Robes to be worn by Advocate
6. Rules as to Vakalatnama

Module 03 Introduction and Authorities (the Advocates Act, 1961) :

1. Objects of and definitions under the Act
2. Bar Council of State :
 - a) Establishment of Bar Councils for Each States and Union Territories
 - b) Composition of State Bar Council
 - c) System of Election
 - d) Term of office of Members of State Bar Council and Establishment of Special Committee
 - e) Disqualification of Member of Bar Council of State
 - f) Powers and Functions of Bar Council of State
3. Bar Council of India :
 - a) Composition of Bar Council of India
 - b) Term of office of Members of Bar Council of India
 - c) Disqualification of Member of Bar Council of India
 - d) Powers and Functions of Bar Council of India
 - e) Membership in International Bodies
4. Provisions Common to Bar Council of India and Bar Council of State :
 - a) Bar Council to be Body Corporate
 - b) Constitution of Committees of Bar Council
 - c) Transaction of Business, Staff and Audit of Accounts of Bar Council
 - d) Power of Bar Council to make Rules

Module 04 Admission and Enrolment of Advocates (the Advocates Act, 1961) :

1. Senior and other Advocates



1. Historical development of law of contempt of court in India
2. Freedom of speech, Law of defamation and contempt of Court - Constitutional perspectives
3. Meaning of contempt - Civil contempt and Criminal contempt
4. Defenses for contempt - Civil and Criminal contempt
5. Punishments for contempt
6. Procedure for initiating contempt proceeding
7. Contempt by Judges, Magistrate, Lawyers, Companies and others
8. Contempt of Supreme Court, High Court and Subordinate Court
9. Remedies, Apology, Appeal and Review
10. Comparison with Order 39 Rule 2A of Civil Procedure Code

Module 09 Cases Prescribed for Study on Contempt of Court :

1. In Re Arundhati Roy, AIR 2002 SC 1375
2. Pushpaben v. Narandas V Badiani, AIR 1979 SC 1536
3. LD Jaikwal v. State of UP, AIR 1984 SC 1734
4. Charan Lal Sahu v. Union of India, AIR 1988 SC 107
5. PN Duda v. V P Shiv Shankar, AIR 1988 SC 1202
6. Noorali Babul Thanewala v. KMM Shetty, AIR 1990 SC 464
7. Bal Kishan Giri v. State of UP, AIR 2014 SC (Supp) 469
8. High Court of Judicature of Bombay v. Manisha Koirala, 2003 CriLJ 1634 (Bom HC)
9. Dr. Subramanian Swamy v. Arun Shourie, AIR 2014 SC 3020
10. In Re S Mulgaokar, AIR 1978 SC 717

Note :

1. The college shall organise Interaction Session(s) of experts in the area of professional ethics, contempt of courts, etc. with the students.
2. The purpose of the interaction session(s) should be to provide or to enhance the practical knowledge of the students with respect to the course.
3. The concerned teacher is advised to orient the students, before organisation of interaction session, as to purpose of interaction, concerned legal provisions, etc.

Part B : Contents of Written Submissions (Journal) :

The Written Submissions (Journal) shall contain the following :

1. Essay on the topic from law relating to Legal Profession in India, assigned by concerned teacher.
2. Essay on the topic from Law relating to Contempt of Court, assigned by concerned teacher.
3. Report on an Interaction Session(s) of experts with the students.
4. Case Comments on 2 cases on Professional Ethics, assigned by concerned teacher.
5. Case Comments on 2 cases on Contempt of Court, assigned by concerned teacher.

Note :

1. A Report on interaction session shall consists of : (a) Purpose of the Interaction, (b) Observations / Information Collected by the student, (c) Relevant Provisions of Law, (d)



Module 05 Oral and Documentary Evidence I :

1. Oral Evidence (Sections 59-60)
2. Documentary Evidence (Sections 61-78)

Module 06 Oral and Documentary Evidence II :

1. Presumptions as to Documents and Electronic Records (Sections 79-90A)
2. Exclusion of Oral by Documentary Evidence (Sections 91-100)

Module 07 Burden of Proof :

1. Burden of Proof (Sections 101-111)
2. Presumptions (Sections 111A-114A)
3. Doctrine of Estoppel (Sections 115-117)

Module 08 Witnesses and Examinations of Witnesses :

1. Witnesses (Sections 118-134)
2. Examinations of Witnesses (Sections 135-166)
3. Improper Admission or Rejection of Evidence (Sections 167)

Recommended Reading :

1. V. P. Sarathi's *Law of Evidence*, 7th ed, Abhinandan Malik (ed), Eastern Book Company, 2017.
2. M. Monir, *Textbook on the Law of Evidence*, 10th ed (Reprint), Universal Law House, 2016.
3. Ryan's *Essential Evidence Outlines – Practitioner and Student Handbook*, 2005.
4. Avtar Singh, *Principles of the Law of Evidence*, 22nd ed, Central Law Publications, 2016.
5. Ratanlal and Dhirajlal, *The Law of Evidence*, 25th ed, B M Prasad and Monish Mohan (ed), LexisNexis, 2016.
6. Ram Jethmalani and D. S. Chopra, *Law of Evidence : Concise Commentary*, Thomson Reuters, 2015.
7. C. D. Field's *Commentary on Law of Evidence*, 13th ed, Delhi Law House, 2017.
8. M. Monir's *Law of Evidence*, 17th ed, Universal Law Publishing, 2016.
9. V. Nageshwar Rao, *The Indian Evidence Act*, 2nd ed, LexisNexis, 2015.
10. Woodroffe and Amir Ali's *Law of Evidence*, 20th ed, B M Prasad and Manish Mohan (ed), LexisNexis, 2017.
11. Sarkar's *Law of Evidence*, 19th ed, Sudipto Sarkar and H R Jhingta (eds), LexisNexis, 2016.
12. Y. H. Rao and Y R Rao, *Expert Evidence – Medical and Non-Medical*, 4th ed (Reprint 2011) LexisNexis, 2010.
13. Ram Jethmalani and D. S. Chopra, *The Law of Evidence : Commentary on Evidence Act, 1872*, 2nd ed, Thomson Reuters, 2016.
14. Peter Murphy and Richard Glover, *Murphy on Evidence*, Oxford University Press, 12th ed, 2011.
15. Nayan Joshi, *Electronic Evidence*, Kamal Publishers, 2012.
16. K. D. Gaur, *Textbook on the Indian Evidence Act*, Universal Law House, 2017
17. N. V. Paranjpe, *Evidence in Criminal Trials*, Thomson Reuters, 2017.
18. Batuklal, *Law of Evidence*, Central Law Agency, Allahabad.



2. Conciliation under the Arbitration and Conciliation Act, 1996
3. Appointment and role of conciliator
4. Techniques of conciliation and Termination of conciliation proceedings
5. Contractual provisions about conciliation

Module 04 Arbitration :

1. Meaning, features, theories and types of arbitration
2. Historical perspectives of arbitration as a dispute settlement mechanism, and law of arbitration
3. Types of Arbitration - Domestic and International arbitration, Institutional arbitration
4. Advantages and disadvantages of arbitration
5. Difference between Negotiation-Mediation-Conciliation-Arbitration

Module 05 Arbitration Agreement :

1. The arbitration agreement, formation, its essentials
2. Validity of arbitration agreement
3. Rule of severability, Effect of death, insolvency, etc. on agreement
4. Parties to arbitration agreement, Agreement as binding on third parties
5. Power of Court to refer parties to arbitration
6. Jurisdiction of Courts

Module 06 Structure, Powers and Functions of Arbitral Tribunal :

1. Constitution of Arbitral Tribunal - qualifications to act as arbitrator
2. Disclosures by arbitrator, Disqualification of arbitrators
3. Grounds to challenge appointment and procedure of Arbitrators
4. Powers of Courts to appoint Arbitrators
5. Jurisdiction of arbitral tribunal - Power to rule on its own jurisdiction
6. Interim measures ordered by arbitral tribunal
7. Interim measures by Court

Module 07 Arbitration Proceedings and Award :

1. Conduct of arbitral proceedings, procedure, rules of procedure
2. Language, impartiality of arbitrator, equal treatment of parties
3. Procedure before arbitral tribunal, claim, defence, hearing, evidence, experts, confidentiality, application of the Law of Evidence and Limitation
4. Court's assistance in taking evidence, fast track procedure
5. Arbitral award - Types of award - Form and Content - Finality of award - Interpretation of award
6. Correction in award - Stamp duty - Registration - Additional award Costs - Termination of proceedings
7. Time limits for award, extension of time
8. Recourse against award, Grounds of setting aside award, Court's role, Enforcement of award

Module 08 International Perspectives and Enforcement of Foreign Awards - International Perspectives :

1. UNCITRAL Model Law on International Commercial Arbitration



Recommended Readings :

1. Justice R.P. Sethi, *Commentary on Arbitration and Conciliation Act as Amended in 2016*, 2nd Edition, Wytes and Co., 2016.
2. Madhusudan Saharay, *Textbook on Arbitration & Conciliation with Alternative Dispute Resolution*, 4th ed, Universal Law Publishing, 2017.
3. N V Paranjpe, *Law Relating to Arbitration and Conciliation in India*, 7th ed, Central Law Agency, 2016.
4. Avtar Singh, *Law of Arbitration and Conciliation*, 10th ed., Lucknow, 2013.
5. Mallika Taly, *Introduction to Arbitration*, Eastern Book Company, 2015.
6. Vishnu Warriar, *Arbitration, Conciliation and Mediation*, LexisNexis, 2015.
7. K V Satyanarayana, *Law of Arbitration and Conciliation in India*, Asia Law House, 2017.
8. Anirban Chakraborty, *Law and Practice of Alternative Dispute Resolution in India – a Detailed Analysis*, LexisNexis, 2016.
9. Ashwini Kumar Bansal, *Arbitration and ADR*, 5th ed, Universal Law Publication, 2016.
10. Shriram Panchu, *Mediation Practice and Law - The Path to Successful Dispute Resolution*, 2nd ed, LexisNexis, 2015.
11. Anuroom Omkar and Kritika Krishnamurthy, *The Art of Negotiation and Mediation*, LexisNexis, 2015.
12. P C Rao and William Sheffield, ed, *Alternative Disputes Resolution- What it is and How it Works?* Universal Law Publishing, New Delhi, 2015.
13. S B Malik, *Commentary on the Arbitration and Conciliation Act*, 6th ed, Universal Law Publishing, 2013.
14. N D Basu, *Law of Arbitration and Conciliation*, 13th ed, Orient, 2016.
15. U Pattabhi Ramian, *Arbitration & ADR Including Conciliation, Mediation & Negotiation*, Asia Law House, 2011.
16. R S Bachawat, *The Law of Arbitration and Conciliation*, 5th ed, LexisNexis, 2013.
17. P C Markanda, *Law Relating to Arbitration and Conciliation*, 9th edn, LexisNexis, 2016.
18. O P Malhotra, *The Law and Practice of Arbitration and Conciliation*, 2nd edn, LexisNexis Butterworths, 2006.
19. N D Basu, *Law of Arbitration and Conciliation*, P K Majumdar (ed), Orient, 2016.
20. G K Kwatra, *The Arbitration and Conciliation Law of India*, Universal Law Publishing, New Delhi, 2008.

Optional Subject 4 (Any one from the following) :

LO 0805 Human Rights Law and Practice :

Objectives of the Course : The National Legal Systems recognized the rights of individuals from ancient periods and extended protection through various legal regulations. However, they could not provide an effective remedy for breaches outside the state and state violations. This scenario and other developments in the beginning of 20th century led the nation-states to bring the aspects of individual's rights under the purview of international law and appropriately titled them as Human Rights with the adoption of Charter of UN in 1945. In pursuance of the



law in second LL.B. 3 Year new course should opt for Law of Evidence.

**Paper 36: Practical Training- Paper I (100 Marks)
Moot court, Pre Trial Preparations and
Participation in Trial Proceedings**

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

1. Moot Court

Every Student should participate in at least three Moot Courts in a year. The Moot Court work will be on assigned problems

2. Observance of trial

It is expected that students should observe trial at least in two cases, one civil and one criminal. A student will maintain a Journal for the year's work and the all written submissions and assignments will be written in the journal provided by the college. A student will maintain a record of all steps observed in the trials (Including the facts of the case, the arguments and findings of the Court)

3. Interviewing techniques and pretrial preparations

Each student should observe two interviewing sessions of clients at the lawyer's office/ legal aid office and record the proceedings in the journal. Each student will further observe the preparation of documents and court papers by an Advocate and the Procedure for the suit/ petition. This will be recorded in the Journal.

4. Viva-voce

The fourth component of this paper will be viva- voce on the basis of above mentioned topics.

Distribution of Marks:-

- I. Moot Court Pre Trial, preparation and participation in trial.



II.	Proceeding (10 Marks for each Moot court, 5 Marks for written submissions, 5 Marks for oral submissions)	Marks
		30
III.	Observance of trial in two cases	30
	Interview Techniques And Pre Trial Preparations	30
IV.	Viva-Voce	10
Total		100 Marks

{ Note :- The Marks for the Journal will be awarded by the college after evaluating the journal. }

Reference Books :

1. Gupta, S.P. - Moot Court, Pre Trial Preparation and Participation in trial proceeding.
2. Liberhan, M.S. - Moot Court for Interactive education (NALSAR Law University Hyderabad)
3. Rai, Kailash - Moot Court, Pre Trial Preparation and Participation in trial proceeding.
4. Tewari, O.P. - Moot Court Pre Trial Preparation and Viva - Voce.
5. Sirohi, J.P.S.- Moot Court, Pre Trial Preparation and Participation in trial proceeding.
6. Tewari, O.P.- Moot Court, Pre Trial Preparation and Participation in trial proceeding.
7. Dhanda, Amit - Moot Court for Interactive Legal education

Paper 37: Drafting, Pleadings, and Conveyancing

I. CIVIL

1. Plaint.

- 1) Specific performance of a contract.
- 2) Recovery of money on the basis of a promissory note.
- 3) Recovery of money for price of goods sold or work done.
- 4) Partition of Joint Hindu Family property.
- 5) Suit for dissolution of partnership and accounts.
- 6) Permanent injunction (Public nuisance).
- 7) Damages for Defamation.
- 8) Suit for possession against a trespasser.
- 9) Mesne profits.



Savitribai Phule Pune University

LL.M. (2 year) Course Credit System

**Applicable to all P.G. Courses of Law
(Affiliated to Savitribai Phule Pune University)**

(2014-15)



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V) Setting of Question Paper / Pattern of Question Paper

For core (compulsory) theory courses end-semester question papers will be set by the Savitribai Phule Pune University and centralized assessment for theory papers will be done as per the University instructions. Questions should be designed to test the conceptual knowledge and understanding of the basic concepts of the subject.

Duration of External Examination:

The Question paper pattern of the External Examination for a Paper shall be as follows: (This will not be applicable to those Papers for which there is no external examination)

Number of credits of a Paper	Internal Marks (50%)	External Marks (50%)	Total Marks	Duration For External Examination for 50 marks paper	Total Number of Questions	Total Questions to be Answered
04	50	50	100	3 hours	06	04

Note:

1. Each external question paper shall consist of total 6 questions and out of which 5 questions carry 12 marks each. The student has to answer any three questions from the choice of five questions. (Total $3 \times 12 = 36$ marks)
2. The Question No.6 is compulsory which consists of four short note of which any two has to be answered and carries 7 marks each (Total $2 \times 7 = 14$ marks).

7) Structure of Course

The Basic structure/pattern (Framework) of the postgraduate syllabus for the two year LL.M. course Credit system in the colleges affiliated to Savitribai Phule Pune University are given below.



Semester – IV			
Paper 13	Specialization Subject (as given below) Cluster I (International Law) – Paper 13-International Economic Law Cluster II (Business Law) – Paper 13- Banking and Negotiable instrument	Compulsory	04
Paper 14	Optional Paper to be chosen by the student*	Compulsory	04
	<i>(The students of both Clusters have to choose one paper from the options offered by the P.G. Department of the College or from any other Faculty (such as Arts, Commerce, and Management etc.) P. G. Departments of Affiliated Colleges of Savitribai Phule Pune University subject to condition that the optional paper chosen by the Student from other Faculties of P.G. Departments of Affiliated of Colleges should be relevant to the subject of their study and this can be done with the approval of College P.G. Departmental committee)</i>		
Paper 15 & Paper 16	Dissertation <i>Media Laws.</i>	Compulsory	08

*Note: - For the Paper 12 & Paper 14, the students of both clusters can choose a paper from the below mentioned list of optional papers offered by the P. G. Department of college or can choose an optional paper from any other Department/college of any other faculty other than law i.e. relevant to the subject of their study with approval of P. G. Departmental committee of the college.

List of Optional Papers offered by P. G. Department of the college:-

(These Optional papers will be offered by the concerned P. G. Department of the college by considering the availability of the teacher having specialization of the subject.)

1. Introduction to Alternative Dispute Resolution
2. Introduction to Human Rights
3. Law of Insurance
4. Law and Medicine
5. Criminology and Penology
6. Mass Media Laws
7. Administrative Law
8. Criminal Law
9. Introduction to Intellectual Property Rights
10. Legal Theory and Feminist Jurisprudence II
11. Corporate Finance



12. Law in Science & Technology *

Compulsory Paper

Credits 4

(Paper 4)

**Paper-4 of International Law for the International Law Cluster
Introduction to International Law**

**Paper-4 of the Business Law for Business Law cluster
Corporate Law**

For the Syllabi see the concerned Clusters



Semester-IV

(Paper-13)

Compulsory Paper

Credits: 4

In this semester the students will take one compulsory paper from their respective cluster..
International Law and Business Law (i.e. Paper-13 of the respective clusters).

Title of the paper for International Law Cluster : International Economic Laws

Title of the paper for the Business Law Cluster : Banking and Negotiable Instruments.



Semester IV
Paper 15 & Paper-16

Compulsory Paper

Credits: 8

Dissertation/Project work

A student of each Cluster is expected to submit a dissertation/project work in the Respective Cluster in consultation with a guide allotted by the P.G. Department. The dissertation/project work should strictly be adhered to the standard legal research pattern.

The Dissertation/project work should be hard bound not less than 100 pages and not exceeding 150 pages. The dissertation/project work will have double evaluation, one by the guide and other by the external examiner. In the credit pattern the written part of the dissertation /project work will have 6 credits and the viva-voce will have 2 credits. The dissertation /project work need to be commenced from the III semester onwards. In the IV semester before starting the dissertation/project work the students are expected to give an oral presentation before the submission of the dissertation /project work.

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ALL Diploma Syllabus

1. Diploma in Labour Laws & Labour Welfare
2. Diploma Course in Cyber Law
3. Diploma Course in Intellectual Property Rights Law
4. Diploma in Taxation Law



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Paper V: Practical Training – (Field Work Visits)

Paper V – Practical Training:

Field Work and Viva – Voce:

It shall consist of the following: -

- | | |
|--|----------|
| a. Maintaining a Journal | 25 Marks |
| b. Study Tour Reports (Field Work Visit) | 50 Marks |
| c. Viva – Voce | 25 Marks |

Total: 100 Marks

A. Maintaining a Journal: -

- a) Every students will be required to keep a Journal of the Field Work done during the course of his / her study.
- b) The following are the details of the Journal: -
 - a. Article on current Labour Problems / Labour Topic
 - b. Study of Labour Cases – Supreme Court or High Court
 - c. Summary of Seminar / Moot Court / Guest Lectures / Group Discussion / Work Shop
 - d. Study of different forms / Returns / to be filled under Various Labour Laws

B. Study Tour Reports / Field Work Visits: - Journal.

It shall include the following visits

- a) Factory / Industry
- b) Labour Court / Industrial Court
- c) Government Labour Department (Any one)
 - Any Office of the Commissioner of Labour
 - Any Office of the Director, Safety & Health
 - Any Office of the Regional Commissioner of Provident fund
- d) Trade Union Office OR Labour Welfare Centre
- e) Office of the Local Manager – Employees State Insurance Corporation

Note: - Each student will required to submit a report not less than 30 pages on the work assigned to him / her in relation to the aforesaid field work visits.

C. Viva Voce (Oral): -

The field work and Viva Voce Shall be examined by the Teacher In – Charge of the field work in the Institution concerned and one or more external examiners.

The Journals & Study Tour Reports (Field Work Visits Journals) must be submitted in the College at least Three weeks before the Commencement of the Examination.





Progressive Education Society's

Modern Law College,

Ganeshkhind, University Circle, Pune- 411016

Permanently Affiliated to the University of Pune, Recognised by the Government of Maharashtra and Approved by the Bar Council of India, New Delhi

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Syllabus

Diploma Course in Cyber Law

(From 2004-2005)



- Electronic Records
 - Legal recognition of electronic records.
 - Secure electronic records and procedure thereto
 - Authentication and Attribution of electronic records
 - Acknowledgement of receipt of electronic records
 - Determining time and place of dispatch of electronic record
- Digital signatures and Secure original signatures
 - Legal recognition of digital signatures
 - Central government powers make rules in respect of digital signatures
 - Issuance of digital signatures by certifying authorities
 - Acceptance, suspension and revocation of digital signature certificate
- Authorities under the Act
 - Controller
 - Appointment, Functions and Powers of Controller
 - Certifying authority
 - Norms to be followed by certifying authorities
 - Licence to issue digital signature certificate
 - Application grant, rejection, renewal, suspension and surrender of licence.
 - Cyber appellate tribunal
 - Composition and Powers of cyber appellate tribunal
 - Qualifications, tenure, salary, resignation, removal, etc. of office bearers
 - Appeals to end from cyber appellate tribunal
 - Advisory committee
- Offences and penalties under the Act
 - Tampering with computer source documents
 - Hacking with computer system
 - Publication of obscene material
 - Misrepresentation
 - Breach of confidentiality and privacy
 - Publishing false digital signature certificate
 - Offences committed outside India
 - Offences by companies
 - Damage to computer, computer system etc.
 - Powers of adjudication and investigation
- Liability of network service providers
- Amendments to various enactments
 - The Indian Penal Code, 1860, The Indian Evidence Act, 1872, The Banker's Books Evidence Act, 1891. The Reserve Bank of India Act, 1934.
- Grey areas of the IT Act
- The nature and scale of computer crimes
- Types of computer fraud
- Theft of information
- Hacking / Cracking
- Web caching



- a) Dissertation / research work
OR
b) Demonstration of techno-legal aspects
i) Observance of cyber cases.
ii) Find out on various internet sites, the institutions, working for Cyber law enforcements. List out some of the institutions & their work briefly with specific cases if any.
iii) Mention a cyber crime case, & discuss the cyber law enforcement in it.
iv) Important decision of courts.

Distribution of marks:

- a) Journal 80 marks
b) Viva voce 20 marks

Readings:

1. Cyber Law in India by Dr. Farooq Ahmad ✓
Published by- Pioneer Books
2. Law of Information Technology by Taxman ✓
Published by- Taxman Allied Services Pvt. Ltd.
3. Handbook of Cyber & E- Commerce Laws by R. M. Bakshi ✓
Published by -Bharat Publishing House
4. Law Relating to Computers, Internet & E- Commerce by Nandan Kamath ✓
Published by -Universal Law Publishing Co. Pvt. Ltd.
5. Guides to Cyber Law by Radney D. Ryder ✓
II Publishing - Wadhwa Co. Nagpur
6. Cyber Law by Justice, Yatindra Sing ✓
Published by -Universal Law Publishing Co. Pvt. Ltd.
7. Information Technology Act 2000 by S.D. Dighe. ✓



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- Duration and effect of registration.
- Offences, Penalties and Procedure for seeking relief.

Layout – Designs of integrated circuits:

- Conditions and procedure for registration.
- ~~Duration and effect of registration.~~
- Registered users, assignment and transmission.

Paper V – Dissertation or Research work

The paper will relate to the Dissertation or Research work or Project work or Important decisions of supreme court and Viva-voce.

- Distribution of Marks:-
- Journal – 80 Marks
- Viva-Voce – 20 Marks

Readings:

1. ✓ Anderfelt, U.H. – International Patent Legislation & Developing Countries, 1971.
2. ✓ Bainbridge, D.J. – Intellectual Property 1992.
3. Bodenhausen, G.H. – Guide to the Application of the Paris Convention.
4. Cornish, W.R. – Intellectual Property: Patents, Copyright, Trademarks & Allied Rights.
5. Jhala, H.M. – Intellectual Property & Competition Law in India, with special reference to patents, trademarks, copyrights & know – how contracts 1985.
6. Merges, R.P. & Others – Intellectual Property in the new technological age, 1997.
7. Mittal, D.P. – Indian Patent Law.
8. Narayana, P. – Intellectual Property Law.
9. ✓ Phillips, J. & Firth, Alison – Introduction to Intellectual Property Law.
10. ✓ Sterling, J.A.L. – Intellectual Property Rights in Social Recordings, Films & Video: Protection of Phonographic & Cinematographic recordings & work in National and International Law, 1992.
11. ✓ Vashishth, V. – Law & Practice of Intellectual Property in India.
12. Wadhwa, B.L. – Law relating to Patents, Trademarks, Copyright Designs & Geographical indications.

