

Krishna College of Law



Noorpur Road, Bijnor - 246701(U.P.)

☎ : 9105108100

Estd. 2002



(Affiliated to M.J.P. Rohilkhand University, Bareilly
and recognised by Bar Council of India & UGC)

Ref. No.

Date.....

Implementation of Elective course as per the MJP Rohilkhand University, Bareilly

SL. NO.	Semester	Elective Course
1.	LL. B 3 Years (V Semester) B.A. LL. B 5 Years (IX Semester)	Optional Paper- I (A) Interpretation of Statutes and Principle of Legislation (B) Intellectual Property Law and IPR Litigation (C) Banking Law Optional Paper -II (A) Human Right Law and Practice (B) Information Technology Law (C) Patent Law Optional Paper -III (A) Penology & Victimology (B) Cyber Crimes (Information Technology Offences) (C) White Collar Crime
2.	LL. B 3 Years (VI Semester) B.A. LL. B 5 Years (X Semester)	Optional Paper- IV (A) Land Laws (U.P Revenue Act, 2006) (B) Trade Mark and Design

		<p>(C) International Organization</p> <p>Optional Paper -V</p> <p>(A) Right to Information (B) Copyright Including Neighbouring Rights (C) Investment Law</p> <p>Optional Paper -VI</p> <p>(A) Trust, Equity and Fiduciary Relationships (B) Direct Taxation (Income Tax) (C) Insurance Law</p>
3.	LL.M 2 Years (III Semester)	<p>Elective Papers- I:</p> <p>ii. Law of Copyright</p> <p>iii Constitutionalism, Pluralism and Good Governance</p> <p>iv. Treatment of Offender and Victimology</p> <p>V. Law of Corporate Management</p> <p>Elective Papers- II:</p> <p>ii. Cyber Crimes and IT Laws</p> <p>iii. Federalism and Comparative Power Sharing</p> <p>iv. Forensic Science & Its Evidentiary</p> <p>v. Competition Law and Policy</p>
4.	LL.M 2 Years (IV Semester)	<p>Elective Papers- I:</p> <p>ii. Comparative Constitutional Law</p> <p>iii. International Criminal Law and Transnational Crime</p>

		<p>iv. Safeguards of Women and Child in Labour Laws</p> <p>Elective Papers- II:</p> <p>ii. Administrative Process and Judicial Control</p> <p>iii. Offences & Law related to Juvenile</p> <p>iv. Marriage under different personal laws</p> <p>v. Social Security Legislation in India</p>
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(III) Foreign Exchange Management Act, 1999

(i) Objectives, Scope and Commencement of the Act

(ii) Contravention and Penalties

(iii) Adjudication and Appeal

(iv) Directorate of Enforcement

5. Meaning and kinds of Negotiable Instruments

6. Endorsement, Negotiability and Assignability

7. Holder and Holder in due course

8. Rights and Liabilities of Paying and Collecting Banker

9. Dishonour of Negotiable Instruments Including Criminal Liability of Drawer and Protection of Collecting Banker

Optional Paper-II (any one)

(a) Human Right Law and Practice

The course shall comprise of the following :

(1) Meaning and Concept of Human Rights :

(2) Evolution and Development of Human Rights Law :

(a) Impact of Natural Law and Natural Rights (b) Human Rights-
Classification

(3) Human Rights and the United Nations :


(a) Charter Provisions (b) International Protection of Human Rights

(4) Universal Declaration of Human Rights

(5) International Covenants and the Protocols :

(a) Civil and Political Rights (b) Economic, Social and Cultural Rights

(6) Human Rights in India, Human Rights and Indian Constitution,


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(7) The Protection of Human Rights Act, 1993: (a) National Human Rights Commission (b) State Human Rights Commission (c) Human Rights Court

(8) Judicial activism & Protection of Human Rights in India, Role of Non-Governmental organization in the Promotion and Protection of Human Rights;

(9) Programmes and Polices:

(a) Integrated Child Development Scheme

(b) School Education and Mid day meal

(C) Rural Health and Employment

(d) Welfare Schemes

(10) Promotion and Respect of Human Rights:

(a) Role of Civil Society and the Media

(b) Role of Educational Institutions

(c) Obstacles

(11) Human Rights and Challenges of Globalization

(12) Future of Human Rights

(b) Information Technology Law

1. The Information Technology Act, 2000

(a) History, Object, Scope and Commencement of the Act.

(b) Overview of a Computer, Computer Network and the internet


2. (a) E-Govenance, Attribution, Acknowledgement and Despatch


of Electronic Records

(b) Digital Signature and Secure Digital Signature

(c) Authorities- Controller, Certifying Authorities, Adjudicating Officer and

Cyber Appellate Tribunal


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- (b) Malicious Prosecution
- (c) Affecting Immovable Property - Trespass to Land.
- (6) Torts based on Intentional and Negligent Wrong-Doing
 - (a) Nervous Shock
 - (b) Nuisance
 - (c) Defamation
- (7) Remoteness of Damage
- (8) (a) Need of Consumer Protection and Consumerism
 - (b) Doctrine of Caveat Emptor
 - (c) Consumer Protection & Doctrine of Negligence
- (9) Consumer Protection Act 1986 : Salient Features of the Act and the Relationship of the Act with Other Consumer Protection Legislations.
- (10) Consumer Dispute Redressal Agencies - Their Constitution, Jurisdiction and Procedure.

LL.B. Second Semester

1-CONSTITUTIONAL RIGHTS AND LIBERTIES (CONSTITUTIONAL LAW -II)

The course shall comprise of the following :

- (1) Fundamental Rights - General : Scheme of Fundamental Rights, Who can Claim Fundamental Rights : Against whom Fundamental Rights are Available ? Suspension of Fundamental Rights.
- (2) Fundamental Rights - Specific : Special Emphasis shall be Placed on the Following Rights :
 - (a) Right to Equality (Articles 14 to 18)


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- (b) Right to Freedom of Speech and Expression (Article 19(1)(a))
 - (c) Right to Life and Personal Liberty (Article 21)
 - (d) Right to Freedom of Religion (Articles 25 to 28)
 - (e) Right to Constitutional Remedies (Article 32)
 - (f) Right to education : Free education upto 14 years of age-Freedom of Education Act
- (3) Directive Principles of State Policy. Their Importance and Relationship with Fundamental Rights.
 - (4) Fundamental Duties
 - (5) Union Judiciary : Supreme Court of India. Composition and Jurisdiction
 - (6) Amendment of the Constitution. Power and Procedure; Basic Structure of the Constitution.
 - (7) Other Principles : Fundamental principle is of welfare, like, adequate live hood, use of material resources to sub serve the common good, economic system not to produce common determine humane condition of work and maternity relief, equal justice and free legal aid, workers participation in management – living wages, childhood care, promotion of economic and education interest of schedule caste and schedule tribes.

2. SPECIFIC CONTRACTS (CONTRACT - II)

The course shall comprise of the following :

- I. (i) Nature and Definition of Contract of Indemnity : Extent of Indemnifier's Liability.
- (ii) Nature and Definition of Contract of Guarantee, Rights, Liabilities and Discharge of Surety.

SCHEDULE-B

Compulsory Papers

(COURSES OF STUDY)

LL.B. FIRST SEMESTER

1-STRUCTURE AND WORKING OF THE INDIAN CONSTITUTION (CONSTITUTIONAL LAW-I)

The course shall comprise of the following


- (1) Characteristics of the Indian Constitutions. Special Emphasis shall be placed on (A) Federal Structure and (B) Form of the Government. (C) Preamble and Basic Features of Indian Constitutions.
- (2) Union Parliament : Organization, Procedure regarding Enactment of Legislation, Parliamentary Privileges.
- (3) Union Executive : The President, his Powers and Position including Ordinance Making Power.
- (4) Prime Minister and the Cabinet. Is the Prime Minister Real Head?
- (5) Distribution of Legislative Powers between Union and the States. Territorial and Topical Distribution of Powers. Power of Parliament to Legislate on State Matters. Doctrine of Territorial Nexus. Doctrine of Pith and Substance, Doctrine of Colorable Legislation.
- (6) Emergency Provisions with Special References to Proclamation of Emergency and president's Rule.
- (7) Freedom of Inter-state Trade & Commerce.
- (8) Constitutional Institutions : Election Commission, Finance Commission, Comptroller and Auditor General, Attorney General of India, Public Service

Commission, National Commission for SC and ST, Inter-state River Dispute Resolution Tribunals, Central and State Service Tribunals.

2. LAW OF CONTRACT (CONTRACT- I)

The course shall comprise of the following :

- (1) Purpose, Evolution and Scope of Law of Contracts
- (2) Proposal and Promise Including Communication of Proposal, Acceptance and Communication of the Revocation of Proposal and Acceptance.
- (3) Consideration and Doctrine of Privity of Contract.
- (4) Lawful Object and Consideration.
- (5) Capacity to Contract : Minors, Persons of Unsound Mind and Others Disqualified by Law : Nature and Effects of Minor's Agreements ; Doctrine of Restitution.
- (6) Consent and Free Consent.
- (7) Standard Form of Contracts
- (8) Agreements Declared Void Under the Contract Act.
- (9) Contingent Contracts
- (10) Law Relating to Certain Relations Resembling those Created by Contracts, viz., Quasi-Contracts.
- (11) Discharge of Contract :
 - (i) Discharge by Performance
 - (ii) Discharge by Breach Including Anticipatory Breach
 - (iii) Discharge by Agreement
 - (iv) Discharge by Impossibility of Performance with Particular Reference to English Law Doctrine of Frustration


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3. FAMILY LAW - II (MUSLIM LAW)

The course shall comprise of the following :

- (1) Introduction : Who is Muslim, Conversion, Apostasy.
- (2) Sources of Muslim Law
- (3) Schools of Muslim Law
- (4) Marriage : Definition, Nature, Capacity, Classification and Legal Effect of Marriage.
- (5) Dower
- (6) Dissolution of Marriage under Muslim Law : (Divorce) Talaq, Ila, Khula, Mubarrat, Talaq-e-Tafweed, Lian, Faskh etc.
- (7) Dissolution of Muslim Marriage Act, 1939.
- (7a) The Muslim Women (Protection of Rights on Marriage) Act 2019 (Act No. 20 of 2019)
- (8) Maintenance of Wives with Special Reference to Section 125 Cr. P.C.
- (9) Shah Banu Case and the Ensuing Legislation.
- (10) Parentage and Legitimacy : Acknowledgement of Legitimacy. Brief Study of Section 112 of the Evidence Act.
- (11) Will
- (12) Gift
- (13) Hiba-Marz-ul Maut
- (14) Law of Pre-emption
- (15) General rule of Inheritance
- (16) Wakf : Meaning, character formation for creation, Admission, power of Mutawali; Muslim Religious Institution and Offices

(16a) Guardianship

(a) Custody of Minor

(b) Kinds and rights of Guardian

4. Company Law

The course shall comprise of the following :

A. Formation of Companies :

(1) Meaning and Nature of Company with Emphasis on its Advantages and Disadvantages over Other Forms of Business Organizations.

(2) Kinds of Companies

(3) Corporate Personality and Lifting the Corporate Veil

(4) Promotion of Companies :

(a) Promoters and Pre-Incorporation Contracts

(b) Registration of Companies

(5) Memorandum of Association and Articles of Association :

(a) Meaning, Nature and Contents and Relationship Between the two

(b) Objects Clause and Doctrine of Ultra-Vires

(6) Prospectus and Statement in Lieu of Prospectus

(7) Membership of Company - Its Acquisition and Termination.

B. Corporate Capital :

(1) Share and Share Capital : Meaning, Nature and Kinds; Various Rights and Duties Attached to these Shares.

(2) Issuance and Allotment of Shares

C. Company Management and Administration :

(12) Remedies Available Under Indian Contract Act, 1872 Compensation :
Meaning Nature and Kinds; Remoteness of Damage; Measure of Damages; Contracts Containing Stipulation by Way of Penalty.

(13) Remedies Available Under Specific Relief Act, 1963

(i) General Principles of Granting Specific Relief

(ii) Specific Performance of Contracts Including Contracts which cannot be Specifically Enforced

(iii) Injunctive Relief

3. FAMILY LAW-I (HINDU LAW)

The course shall comprise of the following :

(1) Sources of Hindu Law , Schools and Sub-Schools of Hindu Law

(2) Marriage : Essentials of a Valid Marriage, Void and Voidable Marriage

(3) Matrimonial Relief

Concept and Grounds of Various Matrimonial Reliefs viz.

- Restitution of Conjugal Rights

- Judicial Separation

- Nullity of Marriage

- Divorce

(4) Legitimacy - Legal Status of Children Born of Void and Voidable Marriage.


(5) Adoption


(6) Hindu Minority and Guardianship Act, 1956

(7) Law of Maintenance - Hindu Adoption and Maintenance Act, 1956.

(8) Joint Hindu Family (Mitakshara and Dayabhaga)

(a) Coparcenary - Its Formation and Incidents


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- (b) Kinds of Property - Obstructed and Un-obstructed Heritage, Coparcenary Property and Separate Property
 - (c) Rights and Duties of Karta
 - (d) Alienation of Coparcenary Property, Alienation of Undivided Coparcenary Interest
- (9) Law of Partition and Re-Union :
- Nature of Partition
 - Partition how Effected and Reopened
 - Subject Matter of Partition
 - Re-union
- (10) Law of Succession

4. GENERAL PRINCIPLES OF CRIMES (LAW OF CRIMES- I)

The course shall comprise of the following with special reference to the Indian Penal Code, 1860 :

- (1) Concept of crime; Element of crime-external and internal; Motive; Concept of Strict Liability;
- (2) General Exceptions viz. Mistake, Superior order, Action in pursuance of legal obligation, accident, necessity, young age, unsoundness of mind, drunkenness, consent compulsion, trifling act, communication made in good faith;
- (3) Right of Private Defence; Joint and constructive liability; Preliminary offences viz. Abetment, conspiracy and attempt,
- (4) Offences Affecting Human Body, viz. Culpable Homicide, Murder, Homicide by Rash and Negligent Act, Hurt and Grievous Hurt; Wrongful

(5) State Territory :

(a) Law of the Sea

(b) Air space

(6) Jurisdiction :

(a) Territorial Jurisdiction

(b) Extraterritorial Jurisdiction

(7) Asylum and Extradition

(8) Pacific Settlement of International Disputes

5. Professional Ethics & Professional Accounting

system(Clinical/Practical)

This course will be taught in association with practicing lawyers on the basis of the following topics:.

(A)The course shall comprise of the following :

(1) Nature and Characteristics of :

(a) Professional Ethics

(b) Legal Profession

(2) Historical Perspective and Regulation of Legal Profession, Constitution, Function,


Powers and Jurisdiction of State Bar Council and Bar Council of India
Admission and enrolment of Advocates

(3) Contempt of Court by the Lawyers :

(a) Civil Contempt

(b) Criminal Contempt :

-Punishment,


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- Defences

(4) Strike by the Lawyers

(5) Extent of Professionalization of Legal Profession

(6) Code of Ethics for Lawyers

(7) Professional Misconduct and its Control

(8) Bar-Bench Relations

(9) Accountability of Lawyers Towards :

- Court

- Clients

- Society

(10) Role of Law and Legal Profession in Social Transform

(B)Viva-Voce

Cases(10 Selected cases)

1. Rajendra V Pai v Alex Frnandes AIR 2002 SC 1808

2. In re; A an advocate AIR 1962 SC 1337

3. In re; Mr. G a Senior Advocate of SC AIR 1954 SC 557

4. In re; Lalit Mohan Das AIR 1957 SC 250

5. Sheo Narayan Jafa v Judge Allahabad H.C. AIR 1953 SC 368

6. P. J. Ratnam v d. Kanik ran AIR 1964 SC 244

7. In re; "M" an Advocate AIR 1957 SC 149

8. Jhon D' Souza v Edward Ani (1994) 2 SCC 64

9. In re; V.C. Mishra AIR 1995 SC 2348

10. L.D. Jaisingham v Narain das N Punjabi (1976) 1 ACC 354

Acts and Rule

1. The Advocate Act, 1961, The Bar Council of India Rules, 1961
2. Contempt of Court Act, 1971
3. The Advocates Welfare Fund Act, 2001

The Division of marks:

- **Written Assignment-40 marks,**
- **On the Spot written test at the time of practical on above topics conducted by**

External and Internal examiners- 40 Marks (One hours Duration).


-Viva Voce-20 marks.

LL.B. Fourth Semester

1. LAW OF EVIDENCE

The course shall comprise of the following :

- (1) Fact In-Issue; Relevant Facts; Document
- (2) Evidence : Proved; Disproved; Not proved;
- (3) May Presume, Shall Presume, and Conclusive Proof
- (4) Circumstantial Evidence
- (5) Relevancy and Admissibility; Res Gestae (Sections 6 to 13)
- (6) Admission ; Confession (Sections 17 to 31)
- (7) Dying Declaration (Section 32(1))
- (8) Relevancy of Judgments (Sections 40 to 44)
- (9) Opinion of Experts; Opinion of Third Persons (Sections 45 to 47)
- (10) Conduct and Character of Parties (Sections 52 to55)


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- (5) Government Liability in Torts
- (6) Government Contracts and Government Liability in Contracts
- (7) Promissory Estoppel
- (8) Principles of Natural Justice
- (9) Writs with Special Reference to :
 - (a) Writ of Certiorari
 - (b) Writ of Mandamus
 - (c) Writ of Quo-Warranto
- (10) Public Interest Litigation and Judicial Review of Administrative Action.
- (11) Ombudsman in India
- (12) Public Corporation

2. ENVIRONMENTAL LAW

The course shall comprise of the following :

- (1) General Background :
 - (a) Problems of Environmental Pollution and Protection
 - (b) History of Indian Environmental Laws
 - (c) Importance and Scope of Environmental Laws
 - (d) International Perspective of Environmental Law
- (2) Constitutional Aspects :
 - (a) Distribution of Legislative Power
 - (b) Directive Principles of State Policy
 - (c) Fundamental Duties
 - (d) Fundamental Rights

(3) Select Legal Controls - The Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

- (a) Salient Features of the Acts
- (b) Definitions
- (c) Authorities - Composition, Power and Function
- (d) Mechanism to Control the Pollution
- (e) Sanctions

(4) Environment (Protection) Act, 1986 :

- (a) Definition of 'Environment'
- (b) Salient Features of the Act
- (c) Authorities - Composition, Powers, Functions
- (d) Mechanism to Control Environmental Pollution
- (e) Sanctions

(5) Control of Noise Pollution :

- (a) Legal Control
- (b) Judicial Control

(6) Judicial Justice - Select Case Laws :

- (a) M.C. Mehta vs. Union of India (AIR 1987 SC 965, 982, 1086)
- (b) M.C. Mehta vs. Union of India (AIR 1988 SC 1037, 1115)
- (c) Municipal Council, Ratlam vs. Vardhichand and Others (AIR 1980 SC 1622)

(7) Emerging Principles : Historical Background and Judicial Approach in India

- (a) Polluter Pays Principle

- (b) Precautionary Principle
- (c) Public Trust Doctrine
- (d) Sustainable Development

(8) Environmental Dispute and Grievance Settlement Mechanism : The National Green Tribunal Act, 2010 (No. 19 of 2010).


3. Labour Law-I

The course shall comprise of the following :

I. Evolution of Industrial Legislation in India.

II. Industrial Disputes Act, 1947

- (1) Scope and Object, Main Features, Important Definition
- (2) Industry(3) Industrial Dispute and Individual Dispute
- (4) Workman and Employer
- (5) Reference of Disputes
- (6) Voluntary Arbitration (Section 10A)
- (7) Award
- (8) Authorities under the Act
- (9) Procedures, Powers and Duties of Authorities
- (10) Strike
- (11) Lock-Out
- (12) Retrenchment
- (13) Transfer and Closure
- (14) Regulation of Management's Prerogative During Pendency of Proceedings.


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