

PATLIPUTRA UNIVERSITY, PATNA
COURSES OF STUDY FOR NEW CURRICULAM B.A. LL.B. (HONS.) 5 YEARS COURSE

B.A. LL.B.– PART – I.			
1st Paper	F.M.	P.M.	Remarks
English – I	100	33	45% Aggregate IInd class, 60% 1 st class

(A) Grammar and Usage (Communication Skills)

1. Simple sentences (One clause) their phrase structure
(a) Tense & Concord, (b) Noun modifiers (Determiners, Prepositional Phrases, Clause), (c) Basic Transformation
(i) Passives (ii) Negatives (iii) Questions
2. Complex and compound sentences (use of connectives)
3. Conditionals
4. Reported Speech
5. Question-tag and short responses
6. Some common errors
7. Foreign words & Phrases Important Latin & English Affixes)

(B) Vocabulary (Communications Skills)

1. Legal Terms (relevant to the subject papers o a LL.B. Student)
2. Use of Legal Terms and idiomatic expressions.

(C) Comprehension Skills

1. Reading Comprehension (Principles & Practice)
2. Listening Comprehension.

(D) Composition Skills

1. Paragraph writing
2. Formal Correspondence
3. Note taking.

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2nd Paper	B.A. LL.B.– PART – I.		Remarks
	F.M.	P.M.	
Political Science – I	100	33	45% Aggregate IInd class, 60% 1 st class

(A) Political Theory

1. Conceptions of State & Government
2. Main currents of Western political thoughts:- Medieval Political Thought (Natural Law & Natural Rights), Liberalism, socialism & Marxism).
3. Main currents of Indian Political thought, classical Hindu and Islamic conceptions of State, Political ideologies in nineteenth century (growth, liberalism), Gandhism, Sarvodaya, Marxist thoughts in India.
4. Conceptions of Political and Legal Sovereignty.
5. The Totalitarian State.

(B) Political Organisation

1. Organization of government Unitary/Federal/ Quasi federal (One party democracies, Military rule, Presidential and cabinet forms.
2. The Legislature, Executive and Judiciary, the doctrines of separation of power, Parliamentary sovereignty and independence of the Judiciary.
3. Conception of Representation, public opinion and participation.

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B.A. LL.B.– PART – I.			
3rd Paper	F.M.	P.M.	Remarks
Economics – I	100	33	45% Aggregate IInd class, 60% 1 st class

- (a) Economics as a science and its relevance to law,
- (b) Economics as a basis of social Welfare and social Justice,
- (c) Free Enterprise, Planned Economics and Mixed Economics –

General Principals of Economics:-

- (i) Demand and Supply,
- (ii) markets, determination of prices, business organization,
- (iii) Labour and Wages,
- (iv) Capital and Money,
- (v) Saving, Consumption, Investment,
- (e) Control of Monopolies and Prevention of Economic Concentration,
- (f) MRTP Act:-
 - (i) Resources Mobilisation and fiscal resource Taxation
 - (ii) The role of credit and banking system money markets,
 - (iii) International Financial Institution
 - (iv) Technology.

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4th Paper	B.A. LL.B.– PART – I.		Remarks
	F.M.	P.M.	
Sociology – I	100	33	45% Aggregate Ind class, 60% 1 st class

GENERAL PRINCIPLES:

1. **Sociology as a Science**
 - (a) Data, Concepts and theory,
 - (b) Comparative method
2. **Basic concepts in sociology**
 - (a) Structure and function,
 - (b) Status and role,
 - (c) Norms and values
 - (d) Institution.
3. **Social institutions:**
 - (a) Marriage, Family and kinship,
 - (b) Work and economic institutions,
 - (c) Power and Political institution,
 - (d) Religious Institution,
 - (e) Educational Institutions.
4. Social Stratification.
5. Social control, order and stability.
6. Coercion, Conflict and change.
7. Sociology as a critique of society.
8. Law of society, Sociology of Law, Sociology of legal profession.

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B.A. LL.B.– PART – I.			
5th Paper	F.M.	P.M.	Remarks
History – I	100	33	45% Aggregate IInd class, 60% 1 st class

- (a) Ancient Indian cultural heritage, social, political, legal and in the area of religion and philosophy (The teacher is expected to give special emphasis on study of village republics in Ancient India, the organization of General Government in Ancient India, experiments in decentralization, Ancient India, Pre-Islamic period). Law in relation to culture.
- (b) The advent of Islam Interaction between Ancient Indian Cultural Heritage and Islamic culture, Innovation by Rules of Medieval period in the area of Revenue Administration. District Administration, Court system.

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6th Paper	B.A. LL.B.– PART – I.		Remarks
	F.M.	P.M.	
CONTRACT – I	100	33	45% Aggregate Ind class, 60% 1 st class

(General Principles of Contract – Sections 1 – 75 and Specific Relief)

The Course is designed to introduce the student to the general principles of Contract and acquaint them to various Specific RELIEFs available under the Specific Relie Act, 1963. The Course will *inter alia*, include the following: -

- (a) Purpose, evaluation and scope of law of contracts.
- (b) Formation of Contracts Proposal and acceptance including communication of proposal, acceptance of communication of the revocation of proposal and acceptance.
- (c) Consideration and doctrine of privity of contract
- (d) Standard Form contracts.
- (e) Capacity to Contract: Contracts by minors and persons of unsound mind; nature and effects of minor's agreements and contracts becoming void.
- (f) Contingent Contracts.
- (g) Discharge of Contracts with special reference to the English law doctrine of frustration.
- (h) Law relating to Certain relations resubling those created by contracts, viz., Quasi-contracts.

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7th Paper	B.A. LL.B.– PART – I.		Remarks
	F.M.	P.M.	
PROJECT WRITING/ SEMINAR AND VIVA	100	33	45% Aggregate IInd class, 60% 1 st class

In this paper, 60 marks will be allocated for Project Writing / Seminar and 40 marks will be allocated for Viva-Voce Examination every student will be required to write one assignment in each paper studied in First Year) (Excluding General English) on the subject allotted by the concerned subject teacher and also present any one assignment in the Seminar.

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B.A. LL.B.– PART – II.			
1st Paper	F.M.	P.M.	Remarks
English - II	100	33	45% Aggregate IInd class, 60% 1 st class

(A) VOCABULARY

1. Foreign words and Phrases (Important Latin and English Afixes)
2. Certain set expression and phrases.
3. One word substitution.
4. Words often confused.

(B) Comprehension Skills

1. Common Logical Fallacies
2. Comprehension of Legal Texts.

(C) Composition Skills

1. Use of Cohesive device (Legal Drafting)
2. Percis writing, summarizing and briefing.
3. Brief-writing and drafting of repots.
4. Essay writing on topics of legal interest.
5. varieties of sentences structures & verb patterns.
6. Translation (from English to regional languages or in Hindi and form regional language or Hindi to English

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B.A. LL.B.– PART – II.			
2nd Paper	F.M.	P.M.	Remarks
Political Science - II	100	33	45% Aggregate IInd class, 60% 1 st class

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B.A. LL.B.– PART – II.			
3rd Paper	F.M.	P.M.	Remarks
Economics - II	100	33	45% Aggregate Ind class, 60% 1 st class

INDIAN ECONOMICS

I. Introduction to Indian Economy

- (a) Trends on population growth
- (b) Estimates of National Income in India
- (c) Post independence Economic policies in India
- (d) Economic Concentration and Law.

II. Poverty and Income Distribution:-

- (a) Trends and Inter regional variations in the incidence of rural poverty
- (b) Unemployment trends and employment generation schemes.
- (c) Labour Productivity and wages.

III. The Logic of India's Development Strategy.

- (a) Planning process
- (b) Priorities between agriculture and industry.
- (c) The role of public private and joint sectors
- (d) Economic concentration and law.

IV. Problem of controlling economic concentration.

- (a) Regulation of the private corporate Sector (Controls, Licences, Quotas).
- (b) Anti-monopolies and Respective Practices, Regulations.
- (c) Deficit Financing.
- (d) Pricing
- (e) Labour Relations.

V. Foreign Investment:

- (a) International Investment
- (b) International Aid.
- (c) International Corporation
- (d) Trends in new economic order.

VI. Export and Import Policies:

- (a) Import substitution and Export Promotion.

VII. Agricultural Economics:

- (a) Basic characteristics of Economy and its transformation since independence.
- (b) Evolution of Agrarian Relation, integrated rural development.
- (c) Commercialisation of Agriculture.
- (d) Economics of Farm Management
- (e) Agriculture credit

VIII. Agricultural Economics: Role of Capital Information, credit and banking system.

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4th Paper	B.A. LL.B.– PART – II.			Remarks
	F.M.	P.M.		
Sociology - II	100	33		45% Aggregate Ind class, 60% 1 st class

SOCIOLOGY OF INDIA

1. The Development of Indian Society.
 - (a) Unituity and change
2. India as a plural Society, varieties of:-
 - (a) Customs and ways o life.
 - (b) Linguistic, religious and other communities.
3. Major Institutions of Indian Society
 - (a) Family.
 - (b) Caste
 - (c) Village
 - (d) Untouchability.
4. Tribe and Caste in the traditional order.
5. Caste and class in contemporary India.
6. The Backward classes.
7. Trends of change in Indian Society.
8. Indian Cultural values and Development.

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B.A. LL.B.– PART – II.			
5^h Paper	F.M.	P.M.	Remarks
History – II	100	33	45% Aggregate Ind class, 60% 1 st class

1. Indian Contract with the Europeans.
2. Impact of European culture on Indian History and Indian National movement.
3. Impact of European Liberal thought on the Indian National Movement.
4. Constitutional development in India upto 1947.
5. Study of Social reform movements in Modern India and Its impact on legal culture.
6. Economic History of India during British period.

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6 th Paper	B.A. LL.B.– PART – II.		Remarks
	F.M.	P.M.	
Courts, Legislature and Legal Profession in India.	100	33	45% Aggregate Ind class, 60% 1 st class

7. COURTS

1. Administration of Justice in the Presidency town (1600 – 1773) and the development courts and Judicial Institutions under the East Indian Company.
2. Warren Hastings Plan of 1772 and the Adalat system of Courts, Reforms made under the plan of 1774 and re-organisation in 1780.
3. Regulation Act of 1773, Supreme Court of Calcutta its composition, power and functions, Failure of the Court Act of 1781: Supreme Court vis-a-vis, mofassil courts.
4. Judicial Measures of Cornwallis 1787, 1790, 1793 progress of Adalat system under Sir John Shore.
5. Conflicts arising out of the dual judicial system Tendency for Amalgamation of the two system Courts. The Indian High Court Act 1911. The Government of India Act 1915. High Courts under the Government of India Act. 1935 High Courts and the constitution.
6. Development of Rule of Law, Separation of Power independence of Judiciary.
7. Judicial Committee of Privy Council as a Court of Appeal and its jurisdiction to hear appeals from Indian decisions. Abolition of the Jurisdiction of the Privy Council to hear appeals from Indian decisions.
8. Court system generally under the constitution of India.

2. LEGISLATURE:

1. Legislative authority of East India Company under the charter of Queen Elizabeth, 1601.
2. Changes under Regulating Act 1773 – Act of 1781 Recognition of the powers of Governor and Council to make Regulations by the British Parliament.
3. Act of 1813 - Establishment of a legislative power conferred on all the three councils and subjection of the same of greater control.
4. Act of 1833 – Establishment of a legislature of an All India Charter in 1834.
5. The Indian Councils Act 1861, Central legislative council and its composition powers and function. Power conferred on the Governor.
6. Government of India Act 1901. Government of India Act, 1919. Setting up of bicameral system of legislature at the centre in place of the Imperial Council consisting of one House.

7. Government of India Act, 1935. The Federal Assembly and the Council of states. Its composition, Powers and Functions of Legislative Assemblies in provinces and the power and function of the same.
8. Legislative Councils in the provinces, power and the functions of the same.
9. Law reform and the Law Commissions.

3. LEGAL PROFESSION:

1. Legal Profession in Pre British India Role, Training and Functions.
2. Law – Practitioners in the Mayor’s Courts Establishment under the charter of 1726.
3. Organisation of Legal Profession under the charter of 1874.
4. Legal Profession of Company’s Courts.
5. Provision for enrolment of Advocates, Vakils and Attorneys under Legal practitioner’s Act 1853.
6. High Courts under the Act of 1861 and provision for the enrolments of the Advocates under the letters patent issued.
7. Legal Practitioners Act 1879 – Report of the Indian Bar Commence, 1923.
8. The Indian Council Act 1923. The All India Bar Commence 1951.
9. The Advocates Act 1961.
10. Development of Legal education.
11. History of Law Reporting in Indian.

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B.A. LL.B.– PART – II.			
7th Paper	F.M.	P.M.	Remarks
PROJECT WRITING/ SEMINAR AND VIVA	100	33	45% Aggregate IInd class, 60% 1 st class

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B.A. LL.B.– PART – III.			
1st Paper	F.M.	P.M.	Remarks
Jurisprudence (Comparative Law)	100	33	45% Aggregate IInd class, 60% 1 st class

1. Nature, Scope, Method of Jurisprudence, Legal Theory and School of Jurisprudence.
2. Nature of Law and principles of right and justice.
3. Kinds of Law, relation of Civil law with other kinds of law, Nature Law, International Law, Constitutional Law
4. Sources of Law, Customs, Precedents, Legislation & Equity.
5. Theories of law, Imperative Ethical, Historical and Sociological conceptions o theories of law.
6. Administration of Justice, Nature and kinds of justice, purposes of criminal justice and theories of punishment, Rights and Liabilities.
7. meaning, definition of comp. law, nature, purpose, scope & importance of comparative law, What is law ? Difference between law & justice.
8. Ownership and Possession.

Books Prescribed:

- (i) Jrusprudence by Salmond
- (ii) P. J. Fitzgerald – Salmond on Jurisprudence
- (iii) R. W. M. Dias – Jurisprudence
- (iv) M. Mishra – Element of Jurisprudence
- (v) N. V. Paranjape – Jurisprudence & Legal Theory

Books Recommended:

- (i) W. Friedemann – Law and Social Change
- (ii) G. W. Paton – A text book of Jurisprudence
- (iii) Friedemann – Legal Theory
- (iv) C. K. Allen – Law in the Making.
- (v) Indian Law Institute – Essay in Jurisprudence
- (vi) Dr. B. N. M. Tripathi – Jurisprudence (Legal Theory)
- (vii) V. D. Mahajan - Jurisprudence (Legal Theory)

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B.A. LL.B.– PART – III.			
2nd Paper	F.M.	P.M.	Remarks
Indian Contract Act & Specific Relief Act	100	33	45% Aggregate Ind class, 60% 1 st class
Indian Contract Act (Secs. 1 to 75)			Marks – 70
Specific Relief Act (Secs. 5, 6, 7, 10, 12, 14, 34 to 42)			Marks – 30

Books Prescribed:

- (i) Pollak & Mulla – Indian Contract Act
- (ii) M.C. Sarkar – Specific Relief Act
- (iii) Avtar Singh – Principles of Mercantile Law
- (iv) Pollak & Mulla – Indian Partnership Act
- (v) T. R. Desai – Sale of Goods Act.

Leading Cases:

1. Mahori Bibi Vs. Dharmdas Ghose – I.L.R. 30 Cal 539
2. Raghunath Prasad Vs. Sarju Pd. I.L.R. 3 Pat 279
3. Hadley Vs. Baxendale, (1854) 14 A.C. 337
4. Ghanshyam Vs. Ragho A.I.R. 1937 Pat 100
5. Santirajan Das Gupta Vs. M/S/ Dasu Ram Muzzamul A.I.R. S.C. 46.

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B.A. LL.B.– PART – III.			
3rd Paper	F.M.	P.M.	Remarks
Constitutional Law of India	100	33	45% Aggregate IInd class, 60% 1 st class

Constitutional Law of India

Articles 1 to 262, 311 and Part XX (Amendment of Constitution)

Books Prescribed:

- (i) D. D. Basu – Shorter Constitution of India
- (ii) V. N. Shukla – The Constitution of India
- (iii) M. P. Jain – Indian Constitutional Law
- (iv) H. M. Seervai – Indian Constitutional Law
- (v) J. N. Pandey – The Constitutional Law of India.

Books Recommended:

- (i) Seervai – Constitution of India
- (ii) M. P. Jain – The Indian Constitution
- (iii) Saba Rao – The Constitution of India
- (iv) Gledhil – Fundamental Rights in Indian Constitution
- (v) Jenning – Some characteristics of Indian Constitution.

Leading Cases:

1. Keshwa Nand Bharti Vs. State of Kerala A.I.R. 1973 S.C. 146
2. Menka Gandhi Vs. Union of India A.I.R. 1978 S.C. 597
3. Purushottam lall Dhingra Vs. Union of India A.I.R. 1958 S.C. 3
4. A. K. Goplan Vs. State of Madras, A.I.R. 1950 S.C. 27
5. Supreme Court on record Versus Union of India A.I.R. 1993 S.C. 441.

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B.A. LL.B.– PART – III.			
4th Paper	F.M.	P.M.	Remarks
Law of Crimes	100	33	45% Aggregate Ind class, 60% 1 st class
Indian Penal Code, 1860			

<u>Chapter:</u>	I	Secs. 2, 3 4,
	II	Secs. 19 to 30, 34 to 39
	IV	Whole
	V	Secs. 107, 108, 110 to 114
	V –	1 Sc. 120 A
	VI	Secs. 121, 121 A, 124 A
	VIII	Secs. 141, 142, 146, 149, 151, 152, 153A
	IX	Scs. 161, 162, 170
	XI	Scs. 191, 192
	XIV	Sec 268
	XVI	Secs. 299, 300, 301, 304A, 304B, 305, 208, 309, 319 to 322, 339, 340, 349 to 351, 359, 362, 375 to 377.
	XVII	Secs. 378, 383, 390, 391, 403, 405, 410, 415, 425, 441 to 445.
	XVIII	Secs. 463 to 464
	XXI	Secs. 491A and 499
	XXII	Sec. 503
	XXIII	Sc 511.

Leading Cases:

1. Mehboob Shah Vs. King Emperor, A.I.R. 1945 P.C. 118
2. Nawab Ali Vs. State of U.P. 1974 Cr. L.J. 921 S.C.
3. Reg. Vs. Govinda ILR Bombay 1876 Page 342
4. K. N. Nanawati Vs. State of Maharashtra, A.I.R. 1962, S.C. 605
5. Babu Rao Vs. State of Gujrat, 1972 Cr. L.J. 1974.

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B.A. LL.B.– PART – III.			
5th Paper	F.M.	P.M.	Remarks
Public International Law (Comparative Law)	100	33	45% Aggregate Ind class, 60% 1 st class

A. Public International Law, Peace & Organization

1. Definition and nature of International Law.
2. Source o International Law, its relation with municipal law.
3. Nationality, Recognition of State, Acquisition and losing of territory, Extradition, Asylum, Diplomatic agent.
4. Law of treaties
5. Settlement of International disputes.
6. United Nation and its Organs.

B. Human Rights Act, 1993

Secs. 2 to 7, 12 to 14, 17 to 20, 21 to 25, 30 to 31, 39 to 42.

Books Prescribed

- (i) Stark – An Introduction to International Law
- (ii) Brietly- The law Nations.
- (iii) O. P. Ray – The National Human Rights Commission, 1994.

Leading Cases:

- (i) Corfy Channel Case 1949 I.C.J. Reports 24,
- (ii) Haydela Torre Case 1951 I.C.J. Reports – 71
- (iii) S.S. Lotus 1927 PCIJ Series A No. 10
- (iv) S.. Zamora L.R. (1916) 2, A.C. 77.

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B.A. LL.B.– PART – III.			
6th Paper	F.M.	P.M.	Remarks
Legal Language and Legal Writing & General English	100	33	45% Aggregate Ind class, 60% 1 st class

- (i) Legal Words and Terms, their meanings and use of sentences, Pair of words with their meanings.
- (ii) Legal Essay – Indian Constitution, Rules of law, Delegated legislation, Ombudsman in India, Legislative powers of President of India, Legal Education, Independence of Judiciary, Right to Private Defence, Theories of Punishment codification.
- (iii) Rules of Drafting, Miscellaneous application, Affidavit, Legal Notice, Letter writing.

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B.A. B.A. LL.B.– PART – III.			
7th Paper	F.M.	P.M.	Remarks
Cr. P.C., Juvenile Justice Act And Probation of Offenders Act.	100	33	45% Aggregate IInd class, 60% 1 st class

Criminal Procedure Code;

Chapter		
I	Sec 2	
II	Secs. 6 to 23	
III	Secs. 26 to 31 and 35	
IV	Secs. 41 to 44	
V	Secs. 41 to 44	
VIII	Secs. 106 to 110, 116, 117 and 123	
IX	Sec. 125	
X	Secs. 129, 130, 133 to 148	
XII	Secs. 154, 155, 161, 164 and 173	
XIII	Secs. 177 to 186 and 188	
XIV	Secs. 190 and 191	
XV	Secs. 200 to 203	
XVI	Secs. 204 to 210	
XVII	Secs. 211	
XVIII	Secs. 227 to 235	
XIX	Whole	
XX	Whole	
XXI	Secs. 260 to 265	
XXIII	Secs. 284	
XXIV	Secs. 300, 304, 306 to 308, 311, 313, 315, 317, 319 to 321, 325 and 326	
XXVIII	Secs. 366, 368	
XXIX	Whole (Except Secs.381, 385, 388, 390, 392, 393 and 394)	
XXX	Whole (Except Secs. 396, 400, 403 and 405).	
XXXII	Secs. 436 to 439	
XXXV	Secs. 460 to 461.	

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OPTIONAL – PAPER VIII (Anyone of the following)

B.A. LL.B.– PART – III.			
	F.M.	P.M.	Remarks
(A) Bankruptcy	100	33	45% Aggregate IInd class, 60% 1 st class

(a) **Provincial Insolvency Act**

Secs. 2 to 7, 9 to 28, 31 to 34, 41, 44, 47, 56 to 59, 61, 64, 75 and 80.

(b) **Presidency Towns Insolvency Act.**

Secs. 2 to 18, 24 to 27, 38, 60, 73, 77.

Books Prescribed:

- (i) Mulla – Law of Insolvency.

Leading Cases:

- (i) Gulabchand Prasad & Others Vs. Laxman Sah & Others A.I.R. 1955 Pat 413.
(ii) Palrivalupodyar Vs. Official Receiver West Tanjore, A.I.R. 1952, Mad. 56.
(iii) Charuva Nageshwara Swami Vs. Bedreru Viswa Sunder Rao & Others, A.I.R. 1953 S.C. 370.

B.A. LL.B.– PART – III.			
	F.M.	P.M.	Remarks
(B) Criminology & Penology	100	33	45% Aggregate IInd class, 60% 1 st class

1. Nature and Scope of Criminology
2. Schools of Criminology
3. Crime
4. General Causes of Crimes
5. Criminal Behaviour
6. White Collar Crime
7. Sex Offences
8. Crime Prevention
9. Juvenile Delinquency
10. Theories of Punishment
11. Juvenile Court
12. Parole
13. Probation

B.A. LL.B.- PART – III.

	F.M.	P.M.	Remarks
(C) Legal History	100	33	45% IInd class, 60% 1 st class

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B.A. LL.B. PART – III

IXth Paper – Practical

Public Interest Lawyering Legal Aid and Para Legal Services.

30 + 30 + 30 + 10.

Public Interest Lawyering, Legal Aid Para – Legal Services.

This course carrying 100 marks will have to be designed and evaluated according to local condition by the colleges in consultation with the universities and State Bar Council. It can be taught partly through class room instruction including simulation exercises and partly, through extension programmes like Lok Adalat, Legal Aid Camp, Legal Literacy and Para Legal training. The course should also contain lessons on negotiations, counseling, use of computer in legal work, legal research support, PIL, Writing of case comments, editing of law journals and law office management. The marks may be appropriately divided in the different programmes.

PATLIPUTRA UNIVERSITY, PATNA
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B.A. LL.B.– PART – IV.			
1st Paper	F.M.	P.M.	Remarks
Contract II	100	33	45% Aggregate
100 Marks			IInd class, 60% 1 st class

A Specific Contract – Contract of Indemnity and guarantee, bailment and pledge contract of agency.	60 Marks
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(b) Contract II	20 Marks
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Chapter

2	Whole
3	Secs. 9, 11, 12, 13 and 16
4	Secs 18, 25, 26, 28 & 30.
5	Whole (Except Sec. 38)
6	Secs 39 to 44 & 54

(c) Sales of Goods Act	20 Marks
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Chapter

1	Sec. 2
2	Secs. 4 to 8, 11 to 17
3	Secs. 45 to 47, 49 to 50.

Books Recommended:

Pollock & Mulla – Indian Contract Act

Mulla – Indian Sale of Goods Act and Indian Partnership Act.

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B.A. LL.B.– PART – IV.			
2nd Paper	F.M.	P.M.	Remarks
Family Law I (Hindu Law)	100	33	45% Aggregate Ind class, 60% 1 st class

Hindu Law, Sources, School, Coparcenary, Joint family property and self acquired property, Karta and his power and obligation, gift and will. Hindu Marriage Act, Hindu Succession Act, Hindu Adoption and Maintenance Act and Hindu Minority and Guardianship Act.

Leading Cases:

1. Kotturuswami Vs. Virawa, A.I.R. 1959 S.C. 577
2. T. N. Arunachala Mudaliar Vs. L. M. Mudaliar A.I.R. 1953 S.C. 495
3. Smt. Sitabai & Others Vs. Ramchandra, A.I.R. 1970 S.C. 343
4. Humooman Prasad Vs. Mosammat Babooee Manraj Koore, 6, M.I.A. 393.

Books Prescribed:

Mulla – Hindu Law

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B.A. LL.B.– PART – IV.			
3rd Paper	F.M.	P.M.	Remarks
Family Law II (Mohammedan Law)	100	33	45% Aggregate IInd class, 60% 1 st class

Sources, Schools, Application, Marriage, Maher, Dissolution o marriage, Guardianship, Pre-emption Gift, Will, Maintenance, Death bed transaction, work.

Leading Cases:

1. Amjad Khan Vs. Ashrath Khan, 561, I.A. 213 : A.I.R. 1929 P.C. 149
2. Abadi Begum Vs. Kaniz Zambad, 6 Pat, 259
3. Bhau Ram Vs. Baijnath Singh & Other. A.I.R. 1962 S.C. 1476

PATLIPUTRA UNIVERSITY, PATNA
COURSES OF STUDY FOR NEW CURRICULAM B.A. LL.B. (HONS.) 5 YEARS COURSE

B.A. LL.B.– PART – IV.

4th Paper

Law of Torts and Consumer Protection Act.

70 + 30

Nature and definition of Torts, Various Kinds of Torts, General defence, Maxims, Damages, Remoteness of damages, Vicarious liability in torts, Nervous Shock, Nuisance, defamation, Negligence, Assault, Battery, False imprisonment, Malicious prosecution, RES IPSA LIQUITOR.

Books Prescribed:

The Law of Torts – Ratanlal & Dhiraj Lal

The Law of Torts – Salmond

The Law of Torts – Winfield

The Law of Torts – R. K. Bangiya

अपकृत्य विधि – जे. एन. पाण्डेय

अपकृत्य विधि – अग्रवाल

अपकृत्य विधि – एस. के. कपुर

Consumer Protection laws – Leela Krishnam

Consumer Protection Act 1986 – Bare.

Leading Cases:

1. Ashby Vs. White (1702) 2 LD. Raynm 398
2. State of Punjab Vs. M/s Modern Cultivators Respdt. A.I.R. 1965 S.C. 17: (1964) 2, M.L.J., 185 (S.C.)
3. Sailajananda Pandey Vs. Suresh Ch. Gupta and others RESpds, A.I.R. 1969 Pat 194.
4. union of India Vs. Supriya Ghosh and Co. A.I.R. 1973 Pat. 129
5. Shyam Sunder Vs. State of Rajasthan, A.I.R. 1974, S.C. 890

PATLIPUTRA UNIVERSITY, PATNA
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B.A. LL.B.– PART – IV.			
5th Paper	F.M.	P.M.	Remarks
Law of Property and Easement Act	100	33	45% Aggregate Ind class, 60% 1 st class

(a) Transfer of Property Act

70 Marks

Definition of Transfer of Property Act, Meaning of property, Rules against perpetuity, Vested and contingent interest, Doctrine of Election, Ostensible Owner, Doctrine of Lispendense, Doctrine of part performance, Space – successtist, sale, Actionable claim, Mortgage, Lease, License and Gift.

(b) Law of Easement (Indian Easements Act 1982)

30 Marks.

Preliminary

Secs. 1 to 3

Chapter

I

Secs 4 to 7

II

Secs 8 to 12

IV

Secs. 32 to 36

Books Prescribed:

T. P. Act

-

D. F. Mulla

Easement Act

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N. H. Jhabvala

PATLIPUTRA UNIVERSITY, PATNA
COURSES OF STUDY FOR NEW CURRICULAM B.A. LL.B. (HONS.) 5 YEARS COURSE

B.A. LL.B.– PART – IV.			
6th Paper	F.M.	P.M.	Remarks
Evidence Act	100	33	45% Aggregate
Indian Evidence Act, 1872			Ind class,
(Whole)			60% 1 st class

Books prescribed

Ratan Lall & Dhiraj Lall – Law of Evidence

Leading Cases:

1. Tashildar Singh Vs. State of U.P. A.I.R. 1959 S.C. 1012
2. Kashmira Singh Vs. The State of M.P. A.I.R. 1952 S.C. 159
3. State of Punjab Vs. Sodhi ukhdeo, A.I.R. 1961 .C. 493
4. Aghnoo Nagesia Vs. State of Bihar, A.I.R. 1964, S.C. 119
5. Pratap Singh Kairon Vs. State of Punjab, A.I.R. 1964 S.C. 72

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B.A. LL.B.– PART – IV.			
7th Paper	F.M.	P.M.	Remarks
Land Law Including Ceiling and any other Local law	100	33	45% Aggregate IInd class, 60% 1 st class

(a) Bihar Land Reforms Act, 1950 & (b) B.T. Act. - 70 Marks

(c) B.L.R. (F. of C.A. and A. of S.L.) Act 1961 (Ceiling Act) - 30 Marks

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COURSES OF STUDY FOR NEW CURRICULAM B.A. LL.B. (HONS.) 5 YEARS COURSE

B.A. LL.B.– PART – IV.			
8th Paper (Optional) (Any one)	F.M.	P.M.	Remarks
	100	33	45% Aggregate Ind class, 60% 1 st class
(A) Conflict of Law, or (B) Insurance Law, or (C) Banking & N.I. Act, or (D) Intellectual Property Law			

(A) Conflict of Law (Private International Law):

The course shall comprise of following:

1. Introduction; nature, Scope importance Historical Development and Theories of Conflict of Law, Problem of Unification.
2. Characterisation, Renouoi, application and exclusion of foreign law, Jurisdiction of Court.
3. Domiciles
4. Enforcement and applicability of oreign judgements.
5. marriage and matrimonial causes, legitimacy, guardianship and custody of minor children.
6. Property; Characterisation, movable and immovable property.
7. Contracts and negotiable instrument.
8. Torts.

(B) Insurance Law:

The course Is intended to introduce the students to the study of contract of Insurance which special reference to:

2. Life
3. ire and
4. Marine Insurance contracts

Emphasis will be laid on the study of the following topics.

1. Origin and History of Insurance Law
2. Insurance – Definition, Essential, Nature and Kinds.
3. Insurable interest – definition, Essentiabes Nature and Insurance interest in life, Fire and Marin Insurance.

4. Premium – Definition, mode or Method of payment, pays of grace, forfeiture and return of premium.
5. Risk – Meaning, Essential, Scope, Alloration and application of documents of cause-proxima policies.
6. Assignment of the Insurance Policy, Nature and Manner, Assignment of Life, Fire and Marine policies.
7. Warranty – Meaning, Characteristics, kinds of effect of branch of warranty, Warranty and Representation.
8. Double Insurance and Re-insurance.
9. life Insurance – Nature, Scope, Event, Insured, circumstance effecting and risk etc.
10. Fire Insurance – definition, nature, Scope Meaning of the term ‘fire’ lose by ‘fire and special Doctrine” Reinstatement, Subrogation and contribution.
11. Marine Insurance – Meaning, Nature, Scope, Classification of Marine policies.

(C) Banking and N.I. Act.

1. Nature and Development of banking:

2. Relationship o Banker and Customer:

- (a) Banks, Banking business, meaning of customer their rights and duties.
- (b) Banker’s lien.
- (c) Banking Instruments.
- (d) Banking services:

3. Law regulating the business of Banking salient factures only:

- (a) Banking Companies Act, 1949.
- (b) Banking Regulation Act, 1949
- (c) Reserve Bank of India Act, 1934
- (d) State of Bank of India Act, 1934
- (e) Nationalisation of Bank
- (f) Foreign Exchange Regulation Act, 1973.

4. Law Relating to Negotiable Instruments:

Negotiable Instruments Act, 1881.

- (a) Comparative study of different types of commercial and investment instrument.
- (b) Different function and legal incidents of negotiable instruments.
- (c) Negotiability and Assignibility.
- (d) Holder and holder in due course.

Right and liabilities of paying and collecting and banker.

(f) Dishonour of negotiable instruments including criminal.

(g) Hundies:

5. Development in Banking and reforms in Indian Banking Law.

(D) Intellectual Property Law:

1. Concept of Property, vis-a-vis, Intellectual Property.

2. Origin and Development of Intellectual Property with reference to:

(a) Copyright

(b) Patent

(c) Design and

(d) Trade Mark.

3. Meaning and Contents of Intellectual Property.

4. Acquisition of Intellectual Property.

5. Exercise of ownership rights and limitation.

6. Protection of Intellectual Property.

7. Enforcing Authorities.

8. International Protection of Intellectual Property and Indian Position, vis-à-vis, treaty and agreements.

The above aspects will be discussed in light of the patent Act, 1970; The Designs Act, 1911; The Trade and Merchandise Marks Act, 1958 and Indian Copyrights Act, 1957.

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COURSES OF STUDY FOR NEW CURRICULAM B.A. LL.B. (HONS.) 5 YEARS COURSE

B.A. LL.B.– PART – IV.

9th Paper

**MOOT COURT, PRE-TRIAL, PREPARATION AND PARTICIPATION IN
TRIAL PROCEEDING**

This Paper will have three components of 30 marks each and viva voce of 10 marks.

(a) FIRST COMPONENT: (30 Marks)

Moot Court: Every student will do at least three moot court in a year with 10 marks of each. The Moot Court will be submission and 5 marks of oral advocacy.

(b) SECOND COMPONENT: (30 Marks)

Observance of Trial in two cases one civil and one Criminal: Student will attend two trials during the course of LL.B. second year studies. They will maintain a recital and enter the various steps observed during their attendance this scheme will carry 30 marks.

(C) THIRD COMPONENT: (30 Marks)

Interviewing techniques and pre-trial preparation. Each student will observe two interviewing session of clients at the lawyers Office/Legal Aid Office and record proceeding in a diary which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the advocate and procedure for the filling of the suit/petition. This will carry 15 Marks.

(D) FORTH COMPONENT: (10 Marks)

The fourth component of this paper will be viva-voce examination on all above three aspects.

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B.A. LL.B.– PART – V.			
1st Paper	F.M.	P.M.	Remarks
Law of Civil Procedure	100	33	45% Aggregate Ind class, 60% 1 st class

(a) The code of Civil procedure, 1906

Sections 1 to 115 and 151 to 158.

Orders 1, II, IV, V, VI, VII, VIII, IX, X to XV, XVIII, XX to XXIII, XXIV, XXXVIII, XXXIV to XL, XLIII, XLIII

(b) Indian Limitation Act, 1963

20 Marks

Sections 5 to 8, 12, 14 and ARticles 64 & 65.

Books Recommended:

1. Civil Procedure Code by Mullah.
2. Indian Limitation Act by Mitra.

Leading Cases:

1. Genuers Dunkarloy & Co. Vs. Union of India, A.I.R. 1963, Pat 71.
2. Ram Lal Vs. Rewa Coal Field Ltd., A.I.R. 1963, S.C. 861
3. Ishar Singh Vs. Sarwar Singh, A.I.R. 1965 S.C. 948
- Marhata Chopra Vs. Rai Bahadur Rao Raja Sathai Lal , A.I.R. 1962, S.C. 527.

PATLIPUTRA UNIVERSITY, PATNA
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B.A. LL.B.– PART – V.			
2nd Paper	F.M.	P.M.	Remarks
Interpretation of Statute	100	33	45% Aggregate IInd class, 60% 1 st class

Chapter, VI, VII, IX, XI and XI.

Books Recommended:

1. Principles of Statutory Interpretation by Justice G.P. Singh.

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B.A. LL.B.– PART – V.			
3rd Paper	F.M.	P.M.	Remarks
Administrative Law	100	33	45% Aggregate IInd class, 60% 1 st class

Definition, Nature, Importance Sources, Doctrine of separation of power, Diceview of rules of Law, Legislation, Natural justice, Lokayukta, Ombudsman.

PATLIPUTRA UNIVERSITY, PATNA
COURSES OF STUDY FOR NEW CURRICULAM (LL.B. 3 YEARS COURSE)

B.A. LL.B.– PART – V.			
4th Paper	F.M.	P.M.	Remarks
Company Law	100	33	45% Aggregate Ind class, 60% 1 st class

Indian Companies Act, 1956.

- Part – I Chapter I Secs. 2, 3, 4, 6, 9 and 10.
Part – II Sections 11 to 15, 20, 25, 26, 30, 32, 33, 34 and 45.
Part – III Sections 62 to 65
Part – IV Secs. 82 to 88, 99, 108, 112 to 121.
Part – V Secs. 125 to 128, 130, 141 to 143.
Part – VI Chapter – I Secs. 146, 148, 150, 155, 166, 169, 189 and 190.
Chapter – II Secs. 252 to 255, 261, 267, 274, 283, 284, 291 to 293, 295,
297, 299, 300, 309, 314 and 322.
Chapter IV Secs. 391, 294 and 395.
Chapter VI Secs. 397 to 399.
Part – VII Secs. 425 to 432
Chapter – II Secs. 431, 435, 439, 446, 450, 457 and 480.

Leading Cases:

1. Solomon Vs. Solomon and Co. 1897 A.C. 22 (38)
2. R.E.S. Corporation Ltd. Vs. Nageshwar Rao, A.I.R 1955 S.C. 213
3. Shanti Prasad Jain Vs. Kalinga Tube Ltd. (1965) 35 comp. cases 351.
4. In Sindri Iron Foundary (P) Ltd., 919640 34 Comp. Cases 510.
5. Sri Suee Kant Prasad Vs. Shankar Dutta Roy Co., (1965) 36, comp. cases. 381.

PATLIPUTRA UNIVERSITY, PATNA
COURSES OF STUDY FOR NEW CURRICULAM (LL.B. 3 YEARS COURSE)

B.A. LL.B.– PART – V.			
5th Paper	F.M.	P.M.	Remarks
Arbitration, Conciliation and alternate dispute resolution system.	100	33	45% Aggregate IInd class, 60% 1 st class

1. Existing Justice delivery system in India effectiveness and menaces.
2. Reforms in the legal system for achieving speedy resolution of disputes.
3. Alternative dispute, resolution system objectives meanings types.
4. Arbitration Law in India
 - (a) Domestic Arbitration
 - (b) International Commercial Arbitration.
 - (c) Enforcement of Foreign arbitral awards.
5. Conciliation.
6. Mediation and Negotiation.
7. Tribunals, Lok Adalat and Special courts etc.
8. Public Interest Litigation.

Books Recommended:

Law of Arbitration and Conciliation by S. K. Chawla.

PATLIPUTRA UNIVERSITY, PATNA
COURSES OF STUDY FOR NEW CURRICULAM (LL.B. 3 YEARS COURSE)

B.A. LL.B.– PART – V.			
6th Paper	F.M.	P.M.	Remarks
Environmental Law & Protection of Animal & Wild Life Indian	100	33	45% Aggregate IInd class, 60% 1 st class

1. General Laws on Environmental Concern:
 - (a) Code of Criminal Procedure : Public Nuisance.
 - (b) Provisions in the Indian Penal Code.
 - (c) Local Bodies Law : An overview.
2. Environment (Protection) Act, 1986.
3. Laws on hazardous Substance
4. Pollution
 - (a) Meaning, Kinds.
 - (b) Sanctions against populations.
5. Protection of Animal & wild life in India – Provisions, Measures taken.

Books Recommended:

1. Environmental Law in India – Leela krishnan, P. Butter Worthy, India
2. Environmental Law – Jaiswal (Pioneer)

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B.A. B.A. LL.B.- PART – V. & LL.B. PART – III			
7th Paper	F.M.	P.M.	Remarks
Labour Laws	100	33	45% Aggregate Ind class, 60% 1 st class

(a) Factories Act.

Chapter

I	Secs. 2, 4 and 7
II	Sec. 9
III	Whole
IV	Secs. 21 to 40
V	Secs. 42 to 49
VIII	Secs. 67 to 72
IX	Secs. 87 to 88
X	Sec. 98
XI	Secs. 110 and 111.

(b) Workmen's Compensation Act

Chapter – I	Whole
Chapter – III	Sections 28 to 30-A

(c) Industrial Dispute Act

Chapter – I

II	Secs. 3 to 5 and 7
IV	Secs. 11 to 15, 18, 19 and 20
V	Secs. 22 to 25
VII	Secs. 33, 35 and 36.

(d) Trade Union Act.

Chapter - I	Whole
II	Secs. 4 to 13
III – A	Whole
III – B	Whole

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B.A. LL.B.– PART – V.			
OPTIONAL (Any one)			
8th Paper	F.M.	P.M.	Remarks
	100	33	45% Aggregate IInd class, 60% 1 st class
(A) Equity, Trust and Fiduciary relationship		OR	
(B) Law of Taxation OR			
(C) Air and Space Law OR			
(D) Women and Law relation to Child/Law Poverty and Development			

(A) EQUITY, TRUST AND FIDUCIARY RELATIONSHIP

(I) EQUITY:

1. Nature of Equity.
2. History of Courts of Equity.
3. Relation of Law of Equity.
4. The maxims of Equity.
5. Different Equitable Remedies.

(II) TRUST AND FIDUCIARY RELATIONSHIP

1. Essentials of a trust.
2. Fiduciary Relationship, concept, kind vis-a-vis trusteeship.
3. Trust and contract, power, Condition, Charge and personal obligations – distinguished.
4. Classification of Trust and its importance.
5. Private Trust.
6. Public Trusts.
7. Appointment, Retirement and removal trustee.
8. Rights, Power, Discretion and Control of Trustee.
9. Duties of trustee in relation to:
 - (a) Trust Property and
 - (b) Beneficiary
10. The Administration of Trust.
11. Liability of Breach of Trust.
12. Rights and Remedies of the Beneficiary
13. Constructive Trust.

(B) LAW OF TAXATION:

(i) Indian Income Tax Act of 143 of 1961 as modified.

- | | | |
|---------|---|--|
| Chapter | - | 1, II, III, IV to VIII. |
| Chapter | - | XI, XII, XIV, Sections 130 to 31. |
| Chapter | - | XV, Sections 159, 168 to 168B, 170, 171, 174, 176 to 178 M, 179. |
| Chapter | - | XVI, XVII-A sections 191B, 192 to 206 |
| Chapter | - | XXA, B, C, D, E. |

(ii) Bihar Finance Act, 1981.

- Section 2 to 14, 16, 17, 19, 20, 33, 45 to 48.

Leading Cases:

1. Gopalsaran Narayan Singh Vs. Commissioner of Income Tax, 14, PAT 552 PC.

2. Commissioner of Income Tax. Vs. Badri Das Ramraj, A.I.R. 1937, P.C. 133-64 I.A. 102.
3. Province of Bihar Vs. Khetra Mohan Kumar, A.I.R. 1949, 418 Raja Visheshwar Vs. Province of Bihar 27 Pat 832.
4. Raja Kamakhya Narain Singh Vs. Commissioner of Income Tax, Bihar and Orissa, 70, I.1. 180-A, A.I.R. 1943 P.C. 53.

(C) AIR AND SPACE LAW.

1. Sovereignty over space, five freedom of Air.
2. Hijacking, Aviation safety and terrorism.
3. The concept substance and subject matter of International Space Law.
4. The History of the Development of Space Law.
5. Sources of International Space Law.
6. Fundamental Principles o International Space Law.
7. The Legal Status of space object.
8. The Regulation of various aspects of Space Activities, via-space communication, Direct Television Broadcasting Satellites

(D) WOMEN AND LAW RELATING TO CHILD

(a) Women and law

1. Legal Positions of women in pre-independence period.
 - (a) Legal Position of women in Ancient India.
 - (b) Legal Position of women in Medieval India
 - (c) Legal Position of women in British India.
2. Women's Rights and Indian Constitution.

Constitutional Provisions concerning equality and protection of women in chapter on fundamental Rights and
3. Social Legislation for women.

Dowry Prohibition Act, 1961.
4. Dowry Crimes and I.P.C., 1860,.
 - (a) Cruelty against married women 498 – A
 - (b) Offence of Dowry Death 304 – B
5. Stree Dhan and Matrimonial Property.
6. Women's right to control their Re-productivity.
 - (b) Law Relating to Child.
 1. Child marriage Restraint Act, 1929.
 2. Hindi Adoption & Maintenance Act, 1956.
 3. Hindu Minority and Guardianship Act, 1956.
 4. The Child Labour (Prohibition Regulation) Act, 1956.
 5. Emergence of the concept of Children's rights under U.N.O. Convention on the rights of the child, 1989.
 6. Indian Constitution.
 - (a) Fundamental Rights Arts. 14 7 15.
 - (b) 21 and Child's Right to Eeucation
 - (c) Directive Principles of State Policy Articles 39 (e) & (f), 41 & 45.

OR

LAW OF POVERTY AND DEVELOPMENT

1. Concept of Poverty
2. Poverty Problem
 - (a) Economic Appraisal of Poverty.
 - (b) Poverty of planning and Anti-poverty Programmes.

PATLIPUTRA UNIVERSITY, PATNA
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B.A. LL.B.– PART – V.			
9th Paper	F.M.	P.M.	Remarks
Drafting, Pleading & Conveyancing, Viva-Voce	100	33	45% Aggregate IInd class, 60% 1 st class

Drafting	Marks 45
Pleading and Conveyancing	Marks 45
Viva Voce	Marks 10.

(A) Drafting:- General Principles of drafting and relevant substantive rules shall be taught.

(B) Pleading:-

1. Civil

- (i) Plaintiff
- (ii) Written Statement.
- (iii) Interlocutory Application.
- (iv) Original Petition,
- (v) Affidavit,
- (vi) Execution Petition,
- (vii) Memorandum of appeal and revision,
- (viii) Petition under Article 226 and 32 of the Constitution of India.

(2) Criminal

- (i) Complaints
- (ii) Criminal Miscellaneous Petition
- (iii) Bail Application and
- (iv) Memorandum of appeal and revision

(C) Conveyancing :-

- (i) Sale Deed
- (ii) Mortgage deeds
- (iii) Lease deed
- (iv) Gift deed
- (v) Promissory Note
- (vi) Power of Attorney
- (vii) Will

The remaining 10 marks will be given in viva-voce examination which will test the understanding of legal practice in relation to which will test the understanding of legal, practice in relation to drafting, pleading and conveyancing.

PATLIPUTRA UNIVERSITY, PATNA
COURSES OF STUDY FOR NEW CURRICULAM (LL.B. 3 YEARS COURSE)

B.A. LL.B.– PART – V.			
10th Paper	F.M.	P.M.	Remarks
Professional Ethics	100	33	45% Aggregate IInd class, 60% 1 st class

Professional Ethics, Accountancy for lawyers and Bar-Bench Relations.

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

- (i) Mr. Krishnamurthy Iyer's book on "Advocacy"
- (ii) The Contempt Law and Practice
- (iii) The Bar Council Code of Ethics
- (iv) 50 selected opinions of the disciplinary committees of Bar Council and 10 major's judgement of the Supreme Court on the subject.

The written examination on this paper will have 80 marks and the viva will carry 20 marks.

In lieu of the written examination, college may be encouraged whenever appropriate to give the students, seminars and projects whether they are expected to research and write persuasive memoranda topics identified in the above subjects.