

B.A. II. B. II Semester
Paper I (2024-25)

SYLLABUS FOR B.A. LL. B SEMESTER-V

PAPER - I

JURISPRUDENCE AND LEGAL THEORY

UNIT-I INTRODUCTION MEANING, NATURE AND SCOPE

- a) What is Jurisprudence? Its meaning, Nature & Scope.
- b) Its study as a basic problem concerning the law
- c) Jurisprudence as a Normative Science, its relation with other sciences
- d) Jurisprudence in Eastern scriptures, both in Hindu and Muslims.

UNIT-II a) Jurisprudence and law - Definition of law its nature kind and classification.

- b) Law and morality state & law sovereignty
- c) Administration of justice
- d) Sources of law Custom, Legislations, Precedents, Religion and Agreement.

UNIT-III SCHOOLS OF JURISPRUDENCE THEIR EXPONANT AND THEIR VIEWS

- a) Historical and Philosophical
- b) Analytical Legal Positivism
- c) Sociological and Economical School
- d) Pure theory of law and Realist school, Indian Legal Thinker, Manu and Kautilya.

UNIT-IV LEGAL CONCEPTS

- a) Rights and Duties
- b) Possession and ownership
- c) Person
- d) Title

UNIT-V LIABILITY PROPERTY OBLIGATION & EVIDENCE

- a) Liability - Definition, Nature, Kind - Civil and Criminal General conditions of liability - Negation, Their Theories

Subjective & Objectives, Mental aspects, Duty of care, Standard & Care, Exemptions for Liability.

- b) **Obligation** - Definition, kinds and sources of obligation.
- c) **Property** - Its meaning and kinds and theories mode & acquisition, Its relation with law.
- d) **Evidence** - Procedural and Substantial, Element of Judicial procedure Evidence its nature and kinds.

BOOKS RECOMMENDED -

1. HLA Hart - The Concepts of Laws (Oxford) ELBS
2. Salmond - Jurisprudence (Tripathi) Bmbay
3. G.W. Paton - Jurisprudence (Oxford) ELBS
4. RWM Dias - Jurisprudence (Indian Rep) (V.Dhyani), New Delhi.
5. V.D. Mahajan - Jurisprudence Legal Theory (EBC), Lucknow
6. W. Fridmann - Legal Theory (1999) (Univer-sari) Delhi.
7. S.N. Dhyani - Jurisprudence - A study of Indian Legal Theory (Metropolitan), New Delhi.

PAPER -II

LAW OF TORTS INCLUDING MOTOR VEHICLE ACCIDENT ACT &
CONSUMER PROTECTION LAWS

UNIT-I LAW OF TORTS

Definition, Nature, Scope, Object & General Principles of Law of Torts:

Historical Background of law of Torts - Evolution in England and India. Form of Action and its un-codified characters. It's Indian Origin from the principles of equity (justice and good conscience).

Definition Torts : Its comparison with crime and breach of contract, its nature, purpose and functions, general principles of liability, its kinds, *damnum sine injuria* and *injuria sine damnum*. General Elements in torts - Acts and omission voluntary and non-voluntary act.

Mental Element in torts - Malice, intention, negligence, motive, recklessness, carelessness, malafide, malfeasance, misfeasance, non-feasance and fault.

UNIT-II Immunities, Justification, Remedies, Discharge and Effect of Death.


Immunities from tortious liability, Justification and defences in action of torts - Act of God Act of State, Judicial act, inevitable accident, Private defence, necessity, consent, leave and license.

Remedies - damages and its kind, quantum of damages, injunction and its types, Specific restitution of property, joint-tort feasons, contribution between wrongdoer, remedies under constitution and compensation as prescribed by statutes, self help, distress damage feasant, discharge of torts - by accord and satisfaction, waiver by election, release acquiescence judgment recovered and statute of limitation and effect of death on tort claim.

Wrongs relating to person & property relations; rights:

Wrongs relating to person, assault, battery, false imprisonment and malicious prosecution, Wrong relating to domestic and other rights, Intimidation and conspiracy, fraud and deceit

Wrongs relating to immovable - trespass to land, trespass by animal, trespass conversion and detention.

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UNIT-III NEGLIGENCE, Nuisance, Defamation and Liability for Wrongs Committed by Others:

Negligence - Its nature, condition and exception, negligence of various persons is occupied, carriers, counsel, doctors, animal keepers, dangerous goods holder, street and statutory duty and contributing negligence.

Nuisance - Nature classification and kind injury to property and remedies.

Defamation - Its kinds libel and slander, its definition and essentials, repetition, defences in defamation and remedies for defamation.

Liability for wrongs committed by others - liability by ratification by relations i.e. master and servants, principal and agent, owner and independent contractor, liability of the State, doctrine of common employment, liability for abatement, absolute and strict liability.

UNIT-IV THE MOTOR VEHICLES ACT, 1988:

Introduction- aims and objects of M.V.A. title, extent and commencement of the act with modification, definitions, licensing of drivers of motor vehicles (Ss 3-28), licensing of conductors of stage carriages (Ss 29-38), registration of motor vehicles (Ss 39-65), control of transport vehicles (Ss 66-96), control of traffic (Ss 112-138), liability without fault in certain cases (Ss 140-144), insurance of motor vehicles against third party risk (Ss 145-164), claims tribunals (Ss 165-173), offences, penalties and procedure (Ss 174-205), power of police officer to impound documents and detain vehicles used without certificate of registration, permit etc., summary disposal of cases, appeal and revision on orders passed by original authority.

The first schedule and the second schedule.

UNIT-V THE CONSUMER PROTECTION ACT, 1986

Introduction- Aims, object and scope of Consumer Protection ACT, Definitions, Central Consumer Council, State Consumer Council.

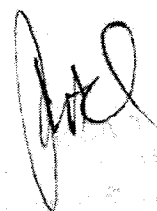
Consumer Disputers Redressal Agencies- Composition, Jurisdiction and function of district forum, State Commission and National Commission, Procedure adopted in dealing with complaint and appeal cases, Enforcement and execution of orders by Consumer Fora under section 25 and 27 of Consumer Protection ACT, 1986.

LEADING CASES:

1. Indian medical association vs. V.P. Shantha (AIR 1986 SC 530)
2. Lucknow Development Authority vs. M.K. Gupta (AIR 1994 SC 787)
3. Kasturi Lal Ralia Ram vs. State of U.P. (AIR 1955 S.C. 1939)
4. Saheli & woman resource centre vs. commissioner of police (AIR 1990 S.C. 51)
- 5 M.C. Mehta vs. Union of India (AIR 1987 SC 1086)

Books Recommended:

1. Ratanlal Dhirajlal - The law of torts (1997), Wadwa Naggar.
2. Winfield and Jolowitz - on Torts (1999) Sweet & Maxwell, London.
3. Salmond and Houstan - Tort (1999) Butterworth, London
4. P.S. Achutan Pillai - The Law of Torts (2004) E.B.C. Lucknow.
5. D.N. Saraf - Law of consumer protection in India (1995) Tripathi.
6. P.R. Majundar - Law of consumer protection in India (1998) Orient, New Delhi.
7. Ramaswami Aiyer - Law of Torts (1999) Tripathi, Bombay.
8. M.D. Chaturvedi - Apkrtyo ki vidhi (1998) EBCL (in Hindi)



B.A.LL.B.
(FIVE YEAR INTEGRATED DEGREE COURSE) (Semester System)

Detail Syllabus

B.A.LL.B SEMESTER-VI *V semester*

Paper-III

Law of Crime-I (Bhartiya Nyaya Sanhita 2023)

(NEW SYLLABUS)

UNIT-I SECTION 01-44

Preliminary (Section-01), Definition (Section-02), General Explanation (Section-03), Of Punishment (Section-04 to 13), General Exceptions (Section 14 to 39) and Right of Private Defense (Section 34 to 44)

UNIT- II SECTION 45-146

Of Abetment (Section 45 to 60), Criminal Conspiracy (Section 61) and of attempt (Section 62), Of Offences Against women and child (Section 63 to 99), Of Offences Affecting the human body (Section 100 to 146)

UNIT-III SECTION 147-188

Of Offences Against the state (Section 147 to 158), Of Offences Against to Army, Navy and Air force (Section 159 to 168) Offences relating to Elections (Section 169 to 177) Of Offences relating to Coin, Currency, Notes, Bank Notes and Government Stamps (Section 178 to 188)

UNIT-IV SECTION 189-297

Of Offences Against the Public Tranquility (Section 189 to 197), Of Offence by or relating to Public Servants (Section 198 to 205), Of Contempt's of the Lawful authority of Public Servants (Section 206 to 226), Of False Evidence & offences against public justice (Section 227 to 269), Of Offences affecting the public health, safety, convenience, decency and morals (Section 270 to 297)

UNIT- V SECTION 298-358

Of Offences relating to religion (Section 298 to 302), Of Offences against property (Section 303 to 334), Of Offences relating to Documents to Property marks (Section 335 to 350), Of Criminal Intimidation, Insult, Annoyance, Defamation etc. (Section 351 to 357), Repeal and Saving (Section 358)

Leading cases:

- 1- Reg. Vs. Govinda ILR Bom. 942
- 2- Inzargul Khan Vs. Emperor, AIR 1936 Nag. 194
- 3- Mehboob Shah Vs Emperor, AIR 1945 PC 118
- 4- Amjad Khan Vs, State, AIR 1952 SC 165

Books Recommended:

1- Bare Act Diglot Bhartiya Nyay Sanhita 2023

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(FIVE YEAR INTEGRATED DEGREE COURSE) (Semester System)

Detail Syllabus

B.A.LL.B SEMESTER ~~VII~~ V Semester.

Paper-~~III~~ IV

Bhartiya Nagrik Suraksha Sanhita, 2023

Juvenile Justice Act, 2015 & Probation of Offenders Act, 1958

**UNIT-I PRILIMINARY AND CONSTITUTIONS & POWER OF CRIMINAL COURTS
,ARREST OF PERSONS (SEC 01-196)-**

Preliminary (Sec 01-05)
Constitutions of Criminal Courts and Offices (Sec 06-20)
Power of Courts (Sec 21-29)
Power of Superior Officers of Police and Aid to the Magistrates and the Police (Sec 30-34)
Arrest of Persons (Sec 35-62)
Process to Compel Appearance (Summons, Warrants, Attachment) (Sec63-93)
Processes to Compel the Production of Things (Sec 94-124)
Security for Keeping the Peace and for Good Behaviour (Sec 125-143)
Maintenance and wife, children and parents (Sec 144-147)
Maintenance of Public Order and Tranquility (Sec 148-196)

**UNIT-II JURISDICTION OF THE CRIMINAL COURTS TRIALS, ATTENDANCE OF
CONFINED PERSONS, EVIDENCE IN INQUIRIES AND TRIALS (Sec 197 -391) -**

Jurisdiction of the Criminal Courts Inquiries and Trials (Sec 197-209)
Conditions Requisite for Initiation of Proceedings (Sec 210-222)
Complaints to Magistrates (Sec 223-233)
The Charge (Sec 234-247)
Trial before a Court of Session (Sec 248-260)
Trial of Warrant Cases (Sec 261-273)
Trial of Summons cases (Sec 274-282)
Summary Trials (Sec 283-288)
Plea Bargaining (Sec 289-300)
Attendance of Confined Person (Sec 301-306)
Evidence in Inquiries and Trials (Sec 307-391)

**UNIT-III JUDGEMENT, APPEAL, REVISION & EXECUTION, SUSPENSION, REMISSION AND COMMUTATION
OF SENTENCES (SEC 392-477)**

Judgment (Sec 392-412)
Appeal (Sec 413-435)
Reference and Revision (Sec 436-445)
Transfer of Criminal Cases (Sec 446-452)
Execution, Suspension, Remission and Commutation of Sentences (sec 453-477)

UNIT- IV BAIL, BONDS AND SCHEDULES (SEC 478-531)

Bail and bonds (Sec 478-496)
Disposal of Property (Sec 497-505)
Irregular Proceeding (Sec 506-512)
Limitation for Taking Cognizance of Certain Offences (Sec 513-519)
Miscellaneous (Sec 520-531)
Schedules

UNIT- V JUVENILE JUSTICE (CARE & PROTECTION OF CHILDREN) ACT, 2015

Preliminary and Definition of Juvenile etc under JJ(C & P of C) ACT,2015,(Ss 1-2) Juvenile justice board and its procedure,(Ss 4-9), Procedure In Relation to Children in Conflict with Law, (Ss 10-26), Child Welfare Committee, Procedure in relation to children in need of care and protection (Ss 27-38), Rehabilitation and Social Re-integration,(Ss 39-55), Adoption(Ss 56-73), Other Offences Against Children (Ss 74-88), Appeal and Revision (Ss 101-112).

PROBATION OF OFFENDERS ACT, 1958

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Probation of offenders Act, 1958 – Meaning and definition of Probation, its nature and history.
Admonition and Exemption from punishment below 21 years of age, Power of probation officer
and its duty under the Act (Ss 1-19)

Leading Cases:

- (1) Gurubaksh Singh Sibba Vs. State of Punjab AIR 1980 SC 1632
- (2) Rajpati Vs. Bechar AIR 1981 SC 19
- (3) Suptd & Remmemberances of legal Affairs Vs. Anil Kumar AIR 1980 SC 52
- (4) Anil Rai Vs. State of Bihar (2001) SCC 318(330)

RECOMMENDED BOOKS:

1. N. V. Paranjape : Code of Criminal Procedure, Juvenile Justice ACT
and Probation of offenders Act, (in Hindi)
2. Bare Act Diglot Bhartiya Nagrik Suraksha Sanhita 2023
3. Bare Act Diglot Juvenile Justice Act, 2015
4. Bare Act Diglot Probation of Offenders Act, 1958

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