# SCHEME OF STUDIES

## SEVENTH SEMESTER

<table>
<thead>
<tr>
<th>Paper</th>
<th>Title</th>
<th>Univ. Exam</th>
<th>Int. Exam</th>
<th>Max. Marks</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Law of Evidence</td>
<td>74</td>
<td>26</td>
<td>100</td>
</tr>
<tr>
<td>II</td>
<td>Land Laws including Tenure &amp; Tenancy System</td>
<td>74</td>
<td>26</td>
<td>100</td>
</tr>
<tr>
<td>III</td>
<td>Law of Crimes - I (Penal Code)</td>
<td>74</td>
<td>26</td>
<td>100</td>
</tr>
<tr>
<td>IV</td>
<td>Moot Court Participation and Seminar-I</td>
<td>-</td>
<td>-</td>
<td>100*</td>
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</table>
| V     | Any one of the following:  
   a) Law Relating to Information Technology and Right to Information  
   b) Banking Law  
   c) Health Law | 74         | 26        | 100        |
|       | Total | 296        | 104       | 500        |

## EIGHTH SEMESTER

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<td>Moot Court Participation and Seminar-II</td>
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| V     | Any one of the following:  
   (a) Insurance Law  
   (b) Financial Marketing Regulation  
   (c) Law on Education | 74         | 26        | 100        |
|       | Total | 296        | 104       | 500        |

* For Paper- IV : Moot Court Participation and Seminar-I & Moot Court Participation and Seminar-II are of 100 marks i.e.
Moot Courts (Every Student will give presentation at two moot courts with 30 marks each) = 60 marks
Court Visit = 20 marks
Seminar = 20 marks
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100 marks
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GENERAL INSTRUCTIONS FOR THE PAPER-SETTERS
FOR ALL THE PAPERS

1. The maximum marks for each paper are 74 and the time allowed is 3 hours.
   For Paper-IV (Moot Court Participation and Seminar-I &
   Moot Court Participation and Seminar-II) are of 100 marks i.e.
   Moot Courts (Every Student will give presentation at two moot
courts with 30 marks each) = 60 marks
   Court Visit = 20 marks
   Seminar = 20 marks
   -------------
   100 marks

2. The minimum number of marks required to pass each paper shall be 45% in University
   Examination and 45% in University Examination and Internal Assessment taken together.

3. The question paper will consist of three Units : I, II and III. Unit I and II will have four questions
   from the respective Units of the syllabus and will carry 11 marks each. Unit III will consist of 10
   short answer type questions, which will cover the entire syllabus uniformly and will carry 30
   marks in all.

4. Internal exams marks for each paper are 26 which includes 05 marks of Attendance, 11 marks of
   Written Assignment/ Project Work etc. and 10 marks for Two Mid-Semester Tests/ Internal
   Examination.
B.A.LL.B. Part- IV (Seventh Semester)

Paper I : Law of Evidence

Unit - I

Definitions and Relevancy of Facts .................................................. Ss 1-16
Admissions and Confessions ............................................................. Ss 17-31
Statements by Persons who cannot be called as witnesses ............... Ss 32-33
Statements made under special Circumstances ................................. Ss 34-38
How much of a statement is to be proved ........................................ S- 39
Judgement of Courts of Justice when relevent ................................. Ss 40-44
- Opinions of Third Persons when relevant ...................................... Ss 45-51
- Character when relevant ............................................................... Ss 52-55
- Facts which need not be proved ...................................................... Ss 55-58
- Of Oral Evidence ............................................................................ Ss 59-60
- Of Documentary Evidence ............................................................... Ss 61-90

Unit - II

- Of the Exclusion of Oral by Documentary Evidence ................. Ss 91-100
- Of the Burden of Proof ................................................................. Ss 101-114-A
- Estoppel .......................................................................................... Ss 115-117
- Of Witnesses .................................................................................. Ss 118-134
- Of the Examination of Witnesses ................................................ Ss 135-164
- Of Improper Admission and Rejection of Evidence ......................... S- 167

Suggested Readings:

Rattan Lal and Dhiraj Lal : The Law of Evidence
S.R Myneni : Law of Evidence
Batuk Lal : Law of Evidence
Avtar Singh : Law of Evidence
Munirs : Law of Evidence

Paper II : Land Laws including Tenure & Tenancy System

Unit – I

Punjab Land Revenue Act, 1887
Definition of Key words
Revenue officers and their powers
Revenue Records
Assessment of land revenue
Collection of land revenue
Partition
Jurisdiction of civil courts under Land Revenue Law
Punjab Tenancy Act, 1887 & Punjab Security of Land Tenures Act, 1953
Definition of key words
Classes of tenants
Law of rent
Law of ejectment of tenant
Relief for wrongful dispossession of tenant
Improvements and compensation
Evaluation of Tenancy Laws

Unit - II
Punjab Land Reforms Act, 1972
Principles of economic and social justice and land reforms
Definition of key words
Permissible area
Determination of permissible and surplus area
Utilization of surplus area
Lands exempted from ceiling
Evaluation of Land Reform in Punjab
The Right to Fair Compensation and transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
Definition of Key Words
Determination of Social Impact and Public Purpose
Notification and Acquisition
Rehabilitation, Resettlement Award, procedure and Manner
National Monitoring Committee and Establishment of Land Acquisition, Rehabilitation and Resettlement Authority
Apportionment of Compensation and Payment
Offences and Penalties

Suggested Readings:
1. Neety Kaul : Land Laws in Punjab and Haryana
2. Khurana’s : A treatise on Land Laws in Punjab
4. O.P. Aggarwal : Punjab Land Revenue Act
5. Jain & Jain : Punjab Land Revenue Act
6. O.P. Aggarwal : Punjab Tenancy Act
7. K.B. Jain : Punjab Security of Land Tenures Act
8. P.C. Joshi : Land Reforms in India Trends and Perspectives
9. P.S. Appu : Ceiling on Agricultural Holdings

Punjab Land Reforms Act, 1972
The Right to fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013

Unit - I

- Group liability on the basis of common intention
- Unlawful Assembly
- Liability of a member of unlawful assembly
- Abetment
- Criminal Conspiracy
- Stages in the commission of crime
- Criminal liability of Companies
- Types of Punishment under the Indian Penal Code
- Right of private defence
- Insanity as a defence to criminal liability
- Offences against morality (Sections 292-294 I.P.C)
- Culpable homicide and Murder
- Death by rash or negligent act
- Simple and grievous hurt

Unit - II

- Criminal force and Assault
- Kidnapping and Abduction
- Outraging the modesty of a woman
- Sexual Offences
- Bigamy
- Adultery
- Dowry death
- Cruelty by husband or relative of husband
- Theft, Extortion, Robbery and Dacoity
- Criminal misappropriation of property and Criminal breach of trust
- Sedition
- Defamation

Suggested Readings:

1. Rattanlal and Dhirajlal : Law of Crimes
2. H.S.Gaur : Penal Law of India
3. P.S.A. Pillai : Criminal Law
4. T.Bhattacharya : Indian Penal Code
Paper IV: Moot Court Participation and Seminar-I

Students would be attending Lok Adalats organised by the District Courts as well as would be encouraged to undertake various Legal Aid Campus.

Distribution of Marks is as under:
1. Moot Courts: Every student will give presentation at two Moot Courts with 30 marks each 60 Marks
2. Seminar 20 Marks
3. Court Visits 20 Marks

Total 100 Marks

(The students will maintain a record and enter the various steps observed during their attendance on different days in the Court assignment).

Paper - V Option (a) : Law Relating to Information Technology and Right to Information

Unit-I
- Need, Aims, Objectives and Application of Information Technology Act, 2000
- Legal Recognition of Electronic Documents
- Legal Recognition of Digital Signatures
- E-Governance
- Attribution, Acknowledgement and Dispatch of e-record
- Regulation of Certifying Authorities
- Duties of Subscriber
- Offences, Contraventions and Extra Territorial Jurisdiction
- Penalties and Adjudication
- Service Providers and their exemption from liability
- Investigation and procedure of search and seizure
- Grey areas of IT Act, 2000

Unit-II
- Historical Background of Right to Information : Colonial and Post Independent Scenario, British and American experiences
- Significance of Right to Information in Democracy
- Constitutional basis of RTI with special reference to Art. 19 and 21 of the Constitution of India
- Supreme Court on Right to Information
- Reasons, Aims, Objectives and Application of Right to Information Act, 2005
- Definitions, Right to Information and obligations of Public Authorities
- Central Information Commission, State Information Commission
- Powers and Functions of Information Commissions
- Appeals and Penalties
- Miscellaneous Provisions

**Suggested Readings:**


**Paper-V - Option (b) - Banking Law**

**Unit-I**

Development of Banking
Definition and functions of Bank
The Banker, The Customer, General relationship between Banker and Customer, Special relationship as Debtor and Creditor, Special relationship of a bailee and a bailer, Special relationship as an agent and principal, Special relationship as a Trustee. Obligation to maintain Secrecy of the Account, Garnishee order, Non-Compliance of Garnishee order, Attachment order of Income Tax Authorities, Effect of attachment order, Rights of Banker - Right of General lien, Particular lien, Right to set-off, Right of Appropriation, Right to charge Interest, Commission etc.

**Unit-II**

Negotiable Instruments -
Definition, Characteristics & kinds of a Negotiable instrument, Cheque - Definition, Essentials, Obligation of Banker to honour the Cheque, Crossing of cheque, Kinds of Crossing, Dishonour of cheque, Consequences of wrongful dishonour, Complaint for dishonour of cheque, Procedure for filing complaint and liability for dishonour of cheque. Difference between Holder & Holder in due course, Kinds of Endorsement.

Special Customers of a Bank -
Suggested Readings:

1. Dr. Verma and Agarwal : Banking Law and Practice
2. Avtar Singh : Negotiable Instruments Acts
3. Negotiable Instruments Act, 1881
4. Reserve Bank of India Act, 1934.

Paper V option (c) : Health Law

Unit-I
Right to Health and Indian Constitution
National Health Policy
Legal aspect of Private medical practice
The Mental Health Act, 1987: Mental Health Authorities, Admission and detention in psychiatric, Hospitals or Psychiatric Nursing Homes, Protection of Human Rights of Mentally ill persons.
Medical Termination of Pregnancy Act, 1971

UNIT-II
The Transplantation of Human Organs Act, 1994: Authority for the Removal of Human organs, Removal of organs in case of unclaimed bodies in hospital or prison, Restrictions on removal of Human organs, Offences and Penalties
Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994
Medical Negligence and Malpractices
Health Insurance in India
Role of Law in prevention of AIDS
Duties of Hospitals regarding Medico-legal cases

Prescribed Books /Act
The Medical Termination of Pregnancy Act, 1971
The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994
The Mental Health Act, 1987
The Transplantation of Human Organs Act, 1994
The Consumer Protection Act, 1986
Nandita Adhikari- Law and Medicine
B.A.L.L.B. Part- IV (Eighth Semester)

Paper -I : Drafting, Pleading and Conveyancing

Unit-I

- Meaning, Scope and Object of Pleadings
- Plaint and written statement
- Fundamental rules of Pleadings
- Place of Suing
- Frame of suits and its essentials
- Parties to suit
- Plaintiff in suit for injunction
- Plaintiff in suit for specific performance
- Plaintiff in suit for breach of contract
- Plaintiff in suit for accounts by the Principal against the agent
- Suit for partition and possession
- Suit for damages for malicious prosecution
- Application for eviction of tenant under the East Punjab Rent Restriction Act, 1949
- Application to set aside *ex parte* decree
- Application for appointment of guardian of a minor
- Written Statements

Unit-II

- Petition for Dissolution of Marriage under Section 13 of the Hindu Marriage Act, 1955
- Petition for Restitution of Conjugal Rights under Section 9 of the Hindu Marriage Act, 1955
- Petition for Decree of Nullity of Marriage under Section 11 & 12 of the Hindu Marriage Act, 1955
- Petition for Judicial Separation under Section 10 of the Hindu Marriage Act, 1955
- Complaint for Maintenance of Peace and Order under Section 107 of the Code of Criminal Procedure, 1973
- Complaint for Public Nuisance
- Complaint for defamation
- Application for Maintenance under Section 125 of the Code of Criminal Procedure, 1973
  - Application for Bail
  - Application for Anticipatory Bail
  - Meaning, Object and Functions of Conveyancing
  - Components of deeds
  - Agreement to sell property
  - Sale Deed
Suggested Readings

Mogha                  :       Pleadings
Mogha                  :       Conveyancing
A.N. Chaturvedi       :      Pleadings & Conveyancing
Bindra N.S.            :       Pleading & Practice

Paper - II : Professional Ethics and Professional Accounting System

Unit-I

Historical Introduction to Legal Profession in India : Development of Legal Profession in India
Privileges and Rights of Legal Profession, Importance, Distinction from other Professions and Business.
Admission and Enrolment of Advocates, Privileges and Rights to practice of Advocate
Bar Council of India : Composition, Functions and Powers of Bar Council of India
Conducts of Advocates : Meaning and Scope of Professional and Other Misconducts
Constitution and powers of Disciplinary Committee
Punishment of Advocate for misconduct
Disciplinary powers of Bar Council of India
Disposal of disciplinary proceedings
Powers of Review, Revision and Appeal
Right to Appeal to the Supreme Court

Unit-II

Professional Ethics of Lawyers
Duties of Advocates, Duty to Public and State
Duties towards Courts
Duties towards Clients
Duties to render Legal Aid
Duties towards Opponent, Colleagues and other Residual Duties
Conflicts between interest and duty
Bench-Bar Relationship and Lawyers’ Strike

**Suggested Readings**

A.N. Chaturvedi : Pleading and Conveyancing with Advocacy and Professional Ethics  
Bare Act of Advocates Act, 1961 & Bar Council of India Rules  
14th Law Commission of India  

**Paper-III : Law of Crimes-II (Criminal Procedure)**

**Unit - I**

Classes and Powers of Criminal Court.  
Arrest of Persons with and without warrant.  
Process to comply Appearance - (a) Summons, (b) Warrant of arrest (c) Proclamation and Attachment.  
Process to comply production of thing - Summons to produce, Search Warrants, General Provisions Relating Searches, Powers of Police officer to seize certain Property.  
Information to the Police and their Power to investigate (154-176)  
Conditions requisite for initiations of proceedings (190-199)  
Complaints to Magistrate (200-203)  
Commencement of Proceedings before Magistrates (204-210)  
Jurisdiction of the Criminal Courts in Inquiries and Trials (177-189)

**Unit - II**

The Charge (211-224)  
Procedure for trial (225-265)  
- Trial before court of session  
- Trial of warrant cases  
- Trial of summon cases  
- Summary Trial  
Pardon to accomplice  
Provisions as to bail and Bonds (436-450)  
Confirmation and Execution of Death Sentence  
Suspension, Remission and commutation of sentences  
Inherent Powers of the High Courts
Appeal, Reference and Revision
Time Limitation for taking cognizance
Rights of the Accused and Principles of fair trial.

**Suggested Readings:**

2. R.V. Kelkar : Outlines of Criminal Procedure

**Paper-IV : Moot Court Participation and Seminar-II**

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Total

60 Marks
20 Marks
20 Marks
100 Marks

(The students will maintain a record and enter the various steps observed during their attendance on different days in the Court assignment).

**Paper-V - Option (a) - Insurance Law**

**Unit-I**

Meaning of Insurance
Definition of Insurance
Nature of Insurance
Functions of Insurance
Types of Insurance
Evolution of Insurance

**Life Insurance**
Definition of a Contract of Life Insurance
Difference between Life Insurance and other forms of Insurance
Insurable Interest, Presumption of insurable interest, Presumption of insurable interest, Procedure for effecting a Life Policy, Kinds of Life insurance policies, Assignment of Life Policies, Nomination by the Policy Holder, Effect of Suicide, Settlement of Claims.
Unit-II

**Fire Insurance**
Definition of a Contract of Fire Insurance
Characteristics, What is 'Fire' and 'Loss or Damage by Fire' ?
Procedure for effecting Fire Insurance
Types of Fire Policies,
Assignment of Fire Insurance Policies,
Fire Insurance Claim

**Marine Insurance**
Definition of a Contract of Marine Insurance
Subject matter of a Contract of Marine Insurance, Maritime Derils,

**Suggested Readings:**
1. The Insurance Act, 1938
2. The Life Insurance Corporation Act, 1956
3. The Marine Insurance Act, 1963
5. Avtar Singh, Mercantile Law
6. R.K. Bangia, Mercantile Law

**Paper-V - Option (b) - Financial Marketing Regulation**

**Unit-I**

**An overview of Financial System**
- Constituents of Financial system
- Significance of Financial system
- Development and Growth of Financial and Market in India
- Regulatory Authorities Governing Financial Market

**SEBI (Securities Exchange Board of India)**
- Role and Powers
- Depositories Act, 1996; Right and Obligations of Depositories, Participants, Issuers and Beneficial Owners

**Stock Exchange**
- Stock Exchange, Functions and significance of Stock Exchange
- Operations of Stock Exchange
- Listing of Securities

**Unit-II**

**Capital Market and Money Market**
- Meaning & Significance
- Capital Market Instruments
- Money Market Instruments
- Capital Market vis-à-vis Money Market
- Formation and Regulation of NBFCs.
- FEMA (Foreign Exchange Management Act): Aims, Objectives, Definitions, Regulations regarding Foreign Currency, Offences and Penalities.

**Suggested Readings:**

1. E. Gordon & H. Natarajan, Capital Market in India; Himalaya publishing House, Ramdoot, Dr. Bhalerao Marg, Girgaon, Mumbai- 400004
2. V.L. Lyer, SEBI practice Manual; Taxman allied Service (P) Ltd; 59/32, New Rohtak Road, New Delhi- 110005
3. M.Y. Khan, Indian Financial Systems; Tata Mcgraw Hill, 4/21, Asaf Ali Road, New Delhi-1100102
4. SEBI Manual, Taxman
6. SEBI Annual Reports
7. SEBI Monthly Bulletin

**Paper-V - Option (c) – Law on Education**

**Unit-I**

- International Human Rights Documents on Education
- GATTS And Education
- Globalization and Privatization in Education
- University Education Commission (1948-49):- Aims and general recommendations
- Secondary Education (Mudaliar) Commission (1952-53):- Aims and general recommendations
- Indian Education (Kothari) Commission (1964-66)(Kothari Commission):- Aims and general recommendations

**UNIT-II**

- University Grant Commission Act 1956:- Aims and objectives of the Act, Composition, Powers and functions of the Commission
- National Policy on Education, 1986:- Aims and general recommendations
- Revised Policy on Education, 1992 and Programme of Action (POA)
- National Knowledge Commission
- Legal education in India: Aims, New Scheme, Future of Legal education, Recent Developments.
- Judicial Activism and Right to Education in India
Constitutional Provisions on Education in India: Article 45, 86th Constitutional Amendment: Article 21-A, Article 51-A (K)

The Right of Children to Free and Compulsory Education Act, 2009: Objectives; Definitions; Right to Free and Compulsory Education; Duties of Appropriate Government, Local authority and Parents; Responsibilities of Schools and Teachers; Curriculum and Completion of Elementary education; Protection of Right of Children; Miscellaneous.

Suggested Readings:

Govt. of India : Radha Krishan Commission Report.
Govt. of India : Secondary Education Commission Report
Govt. of India : Kothari Education Commission Report

University Grant Commission Act 1956
V.D Kulshreshtha : Landmarks in India Legal and Constitutional History
Rajan, Raj Kumar : Development of Educational System in India
Khanna, Manoj Kumar Sharma

The Right of Children to Free and Compulsory Education Act, 2009 : Bare Act
The Constitution of India : Bare Act