



शहीद महेन्द्र कर्मा विश्वविद्यालय, बस्तर

धरमपुरा-2, जगदलपुर, जिला-बस्तर, छत्तीसगढ़, भारत पिनकोड 494001

Shaheed Mahendra Karma Vishwavidyalaya, Bastar

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क्रमांक / 825 / 354 / श.म.क.वि.वि. / अका. / पाठ्यक्रम / 2025

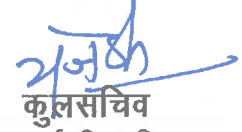
जगदलपुर, दिनांक / 01 / 2025

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// अधिसूचना //

शहीद महेन्द्र कर्मा विश्वविद्यालय, बस्तर, जगदलपुर के विधि अध्ययन मंडल की बैठक दिनांक 31.08.2024 एवं 23.12.2024 को आयोजित की गई थी। उक्त बैठक में एल.एल-बी. भाग दो-प्रथम सेमेस्टर एवं एल.एल-बी. भाग-तीन का प्रथम, द्वितीय सेमेस्टर तथा एल.एल-एम. भाग-दो का प्रथम सेमेस्टर के पाठ्यक्रमों में आंशिक संशोधन किया गया है। जिसे विद्यापरिषद की स्थायी समिति की 24वीं बैठक दिनांक 04.01.2025 एवं कार्यपरिषद की 56वीं बैठक दिनांक 04.01.2025 में प्राप्त अनुमोदनानुसार विश्वविद्यालय से संबद्ध महाविद्यालयों में संचालित एल.एल-बी./एल.एल-एम. पाठ्यक्रम को सत्र 2024-25 से शहीद महेन्द्र कर्मा विश्वविद्यालय, बस्तर, जगदलपुर में लागू किया जाता है।

उक्त संशोधित पाठ्यक्रम को विश्वविद्यालय से संबद्ध महाविद्यालयों के ई-मेल आईडी पर प्रेषित किया जावेगा।


कुलसचिव

शहीद महेन्द्र कर्मा विश्वविद्यालय, बस्तर
जगदलपुर (छ.ग.)

पृ. क्रमांक / 826 / 354 / श.म.क.वि.वि. / अका. / पाठ्यक्रम / 2025
प्रतिलिपि :-

जगदलपुर, दिनांक / 01 / 2025

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1. माननीय राज्यपाल महोदय के सचिव, राजभवन छत्तीसगढ़ रायपुर,
 2. सचिव, छ.ग. शासन उच्च शिक्षा विभाग, मंत्रालय, महानदी भवन, नवा रायपुर अटल नगर,
 3. आयुक्त, उच्च शिक्षा संचालनालय, इन्द्रावती भवन, नवा रायपुर अटल नगर,
 4. माननीय कुलपति महोदय, शहीद महेन्द्र कर्मा विश्वविद्यालय, बस्तर जगदलपुर,
 5. क्षेत्रीय अपर संचालक, उच्च शिक्षा, शासकीय काकतीय स्नातकोत्तर महाविद्यालय, जगदलपुर,
 6. प्राचार्य, समस्त संबद्ध महाविद्यालय, शहीद महेन्द्र कर्मा विश्वविद्यालय, बस्तर जगदलपुर,
 7. समस्त विभाग प्रमुख/विभागाध्यक्ष, शहीद महेन्द्र कर्मा विश्वविद्यालय, बस्तर जगदलपुर,
 8. सहायक कुलसचिव (परीक्षा/गोपनीय विभाग) शहीद महेन्द्र कर्मा विश्वविद्यालय, बस्तर जगदलपुर,
 9. आई.क्यू.ए.सी. सेल, शहीद महेन्द्र कर्मा विश्वविद्यालय, बस्तर जगदलपुर,
 10. जनसम्पर्क अधिकारी, शहीद महेन्द्र कर्मा विश्वविद्यालय, बस्तर जगदलपुर,
- की ओर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित।



सहायक कुलसचिव (अकादमिक)
शहीद महेन्द्र कर्मा विश्वविद्यालय, बस्तर
जगदलपुर (छ.ग.)

ORDINANCE NO. 60

MASTER OF LAWS (LL.M.) EXAMINATION

1. The Course for the Degree of Master of Laws under this Ordinance shall Extend over a period of two academic years comprising four semesters in all, for each semester there shall be held an examination in the papers prescribed for the said semester concerned. These semesters shall be called as:

LL.M. Part-I	-	First Semester
LL.M. Part-1	-	Second Semester
LL.M. Part-II	-	First Semester
LL.M. Part-1I	-	Second Semester

2. LL.M. First Semester shall be made in the month of July every year and the Second Semester examination shall be held in the month of January of the following year. Examinations for all the Semesters shall be held twice a year, namely, January/February and July/August.
3.
 - (a) A Candidate who after having passed the three years course for the degree of Bachelor of Laws of the University or of any other statutory University recognised as equivalent thereto, with atleast 55% of marks (incase of ST/SC/OBC candidate 50% of the marks LL.B. or equivalent Examination) has prosecuted a regular course of prescribed study for one Semester session in the University Department of Law or any college affiliated to the University shall be eligible to appear at the LL.M. Part-1, First Semester Examination.
 - (b) A candidate who after having passed LL.M. Part-I, 1st Semester Examination of the University has prosecuted a regular course of prescribed study for one semester session in the University Department of Law, or in an affiliated College shall be eligible to present himself/herself at the LL.M. part-1, Second Semester Examination.
 - (c) A candidate who, after having passed LL.M. Part-I, Second Semester Examination of this University has prosecuted a regular course of prescribed study for one Semester session in the University Department of Law or a College affiliated to the University shall be eligible to appear at LL.M. Part-II, First Semester Examination.
 - (d) A candidate who after having passed the LL.M. Part-1I, First Semester Examination of this University has prosecuted a regular course of study for one Semester session in this University Department of Law or a College affiliated to

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the University shall be eligible to appear at the LL.M. Part-II, Second Semester Examination.

4. (a) No candidate shall be permitted to appear for any of the LL.M. Semester Examination unless he has attended at least 75% of the total number of Lectures and Seminars held during the Semester session.
- (b) Every student of the College/University Teaching Department seeking admission to the examination shall submit through the Principal or Head of the Department as the case may be, application on prescribed form, together with necessary fees and following certificates from the Principal/Head of the Department, via certificates of:
 - i. Good Conduct
 - ii. Fitness to present, himself/herself at the examination and,
 - iii. Of having attended the class teacher's seminars, etc. during the session at least the minimum number's prescribed in sub-Para (a) above.
- (a) No candidate who has appeared in any LL.M. Semester Examination but has not been declared successful thereat in accordance with the provisions contained in the following sub Para shall be eligible for admission to the next higher semester class examination.
- (b) In order to declare successful at any of the LL.M. Semester examination every candidate will have to obtain at least 40% marks in individual papers and at least 50% marks in aggregate.

Provided that for the purpose of declaration of the result of candidates appearing in LL.M. Part-II, Second Semester Examination, the marks obtained by them in the written examination as well as the viva-voce shall be taken into account.

A Successful candidate shall be assigned division on the basis of the marks obtained by him/her in all the four semester examinations taken together. Those who secure 60% marks or more shall be placed in the FIRST DIVISION. All other successful candidates shall be placed in the SECOND DIVISION.

A candidate who has been declared unsuccessful at a semester examination may at his/her option re-appear at it subsequently as ex-student without being required to attend regular course of study again for the same semester subject to the condition that such a candidate shall abide by and shall be governed by provision of this and **other ordinances as applicable.**

5. The Executive Council shall publish the results of the examination as soon as possible for it.

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SCHEMES OF THE EXAMINATION

- 1 (a) Every candidate appearing for LL.M. Part-1, First Semester shall be examined in the following four papers of 100 marks each in which 80 marks for theory paper and 20 marks for Internal Assessment.

Paper I	-	LEGAL AND CONSTITUTIONAL HISTORY OF INDIA
Paper II	-	CONSTITUTIONAL LAW & NEW CHALLENGES -I
Paper III	-	CONSTITUTIONAL LAW & NEW CHALLENGES -II
Paper IV	-	RESEARCH METHODOLOGY

- (b) Every candidate appearing for LL.M. Part-I, Second Semester shall be examined in the following four papers of 100 marks each in which 80 marks for theory paper and 20 marks for Internal Assessment.

Paper I	-	JURISPRUDENCE AND LEGAL THEORY
Paper II	-	INTERPRETATION OF STATUTES AND THEORY OF LEGISLATION
Paper III	-	INDIAN ADMINISTRATIVE LAW
Paper IV	-	HUMAN RIGHTS AND ENVIRONMENTAL DEVELOPMENT POLICY

LL.M. PART-I, FIRST SEMESTER EXAMINATION

(Jan/Feb 2018)

Sr.	Course Code	Course	No. of Credit	Max Marks	Min. marks
1	101	Legal and Constitutional History of India	05	IA-20, Theory-80	
2	102	Constitutional Law and New Challenges -I	05	IA-20, Theory-80	
3	103	Constitutional Law and New Challenges -II	05	IA-20, Theory-80	
4	104	Research Mythology	05	IA-20, Theory-80	
Total			20	Total - 100	

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LL.M. PART-I, SECOND SEMESTER EXAMINATION**(July/Aug 2018)**

Sr.	Course Code	Course	No. of Credit	Max Marks	Min. marks
1	105	Jurisprudence and Legal Theory	05	IA-20, Theory-80	
2	106	Interpretation of Statutes and Theory of Legislation	05	IA-20, Theory-80	
3	107	Indian Administrative Law	05	IA-20, Theory-80	
4	108	Human rights and Environmental Development Policy	05	IA-20, Theory-80	
Total			20	Total - 100	

- (c) Every candidate appearing for LL.M. Part- 11, First Semester Examination shall be examined in the following papers of 100 marks each in which 80 marks for theory paper and 20 marks for Internal Assessment.

Crimes and Torts

Paper I	-	Criminology
Paper II	-	Penology
Paper III	-	General Principles of Criminol. Law and BNS-2023 (Bharitya Nyaya Sanhita-2023)
Paper IV	-	Bhartiya Sakshysa Adhiniyam, 2023

LL.M. PART-II, FIRST SEMESTER EXAMINATION**Crimes and Torts****(Jan/Feb 2019)**

Sr.	Course Code	Course	No. of Credit	Max Marks	Min. marks
1	113	Criminology	05	IA-20, Theory-80	
2	114	Penology	05	IA-20, Theory-80	
3	115	General Principles of Criminol. Law and BNS-2023	05	IA-20, Theory-80	
4	116	Bhartiya Sakshysa Adhiniyam, 2023	05	IA-20, Theory-80	
Total			20	Total - 100	

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- (d) Every candidate appearing for LL.M. Part-II, Second Semester Examination shall be examined in the following papers of 100 marks each in which 80 marks for theory paper and 20 marks for Internal Assessment.

Crimes and Torts

Paper I	-	Law of Torts — General Principles
Paper II	-	Specific Torts — Special Topics (1) Negligence 2) Vicarious Liability
Paper III	-	Dissertation
Paper IV	-	Viva-Voce

LL.M. Part II, SECOND SEMESTER EXAMINATION

(July/Aug 2019)

Crimes and Torts

Sr.	Course Code	Course	No. of Credit	Max Marks	Min. marks
1	121	Law of Torts—General Principles	05	IA-20, Theory-80	
2	122	Specific Torts-Special Topics (1) Negligence (2) vicarious Liability	05	IA-20, Theory-80	
3	123	Dissertation	05	100	
4	123	Viva Voce	05	100	
Total			20	Total - 100	

- (e) Dissertation shall be compulsory for each student Topics of the dissertation shall be allotted by the Head of the Department. This paper contains 100 marks for script writing.

Each student shall also appear for a Viva-Voce examination of 100 marks.

This will be held before a Board of three examiners of whom two will be external and one internal. The absence of one external examiner may, however, be condoned by the Kulpati, if it is caused due to unavoidable circumstances, ordinarily, the head of Department of Law will be the Internal examiner.

- (f) Distribution of marks of Internal Assessment: - 20 marks of Internal Assessment as to theory papers shall be divided as following —

- (1) Written Examination - 10 marks
- (2) Seminar - 05 marks

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(3) Attendance - 05 marks (above 75% - 05 marks & above 60% - 03 marks)

- (g) The following are the Groups of papers, any one of which shall be offered by the candidates appearing for LL.M. Part-I, Examination, Viz

LL.M. Part-II First Semester

Paper I	-	Criminology	
Paper II	-	Penology	
Paper III	-	General Principles of Criminology	Law and BNS-2023
		(Bharitya Nyaya Sanhita-2023)	
Paper IV	-	Bhartiya Sakshysa Adhiniyam, 2023	

LL.M. Part-II Second Semester

Paper I	-	Law of Torts - General Principles
Paper II	-	Specific Torts - Special Topics (1) Negligence (2) Vicarious Liability
Paper III	-	Dissertation
Paper IV	-	Viva-Voce

PAPER – 1 (PAPER CODE – 101)

LEGAL AND CONSTITUTIONAL HISTORY OF INDIA

This Course is intended to acquaint students of higher studies in law with the legal and Constitutional History of India beginning from 1600 upto date. Abroad reference will also be made to the history of nationalist movement:

UNIT – I

1. INTRODUCTORY : Early Charters and Surat Factory, Legislative Power, King's Commission, Charter of 1600, Charter 1661, Surat Factory.
2. ADMINISTRATION OF JUSTICE IN MADRAS (1639-1726) : First period : 1639 - 1665, Judicial System, Second Period : 1665-1686, Third Period : 1686-1726, Admiralty Court, Mayor's Court, Crimes and Punishments.
3. ADMINISTRATION OF JUSTICE IN BOMBAY (1668-1726) : First Period : 1668-1683, Charter of 1668, Judicial System, Judicial system of 1672, Second Period : 1684-1690, Third Period : 1718-1726, Working of the Court.
4. ADMINISTRATION OF JUSTICE IN CALCUTTA (1690-1726) : Moghul Judicial System, Zemindar's Judicial Powers, Judicial System at Calcutta.

UNIT - II

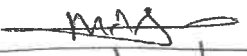
5. MAYOR'S COURT : Corporation, Judicial System, Legislature, Charter of 1726, Madras Charter of 1687, Working of the Judicial System : 1726-1754, Charter of 1753, Courts for the Indians, Defects of the Judicial System.
6. BEGINNING OF THE ADALAT SYSTEM : Company becomes Diwan, Significance of Diwani, Execution of Diwani Functions, Judicial Plan of 1772, An Appraisal of the Plan, Plan of 1774, Sardar Nizamat Adalat.
7. SUPREME COURT AT CALCUTTA : Provisions of the Regulating Act, Legislative Authority, Charter of the Supreme Court, Supreme Court and Nizamat & Diwani, Trial of Nandkumar, The Patna Case, The Cossijurah Case, Gora Chand Dutt Case etc., Act of Settlement, 1781, Pitts India Act, 1781, A Dual Judicial System.
8. Supreme Court at Bombay and Madras, Re-organization of the Adalat System, Judicial Measures of Warren Hastings and Cornwallis, Scheme of Criminal Judicature 1790, Further Reforms up to 1793, Defects of the Scheme of 1793, Cornwallis Vs Hastings, Appraisal of the System of 1793.

UNIT - III

9. Progress of the Adalat System: Sir John Shore, Wellesley Ambherst, Criminal Judicature after Cornwallis, Adalat System in Bengal: William Bentinck and after, Judicial System Beyond Bengal, Racial Discrimination in the Judicial System. Present Judicial System.
10. HIGH COURT: The Indian High Courts Act, 1861, Charter of the Calcutta High Court, Allahabad High Court, The Indian High Courts Act, 1911, The Government of India Act, 1915, Other High Courts, High Courts under the Government of India Act, 1935, Jurisdiction of the High Courts.
11. From Privy Council to Supreme Court : Basis of the Privy Council's Jurisdiction, Appeals to Privy Council, Progress of Indian Appeals : 1833-1845, High Courts-Appeals to the Privy Council, Appeals by special Leave, Appraisal of the System of Appeals to the Privy Council, Move for an Indian Appeal Court, Federal Court, Demise of Appeals to the Privy Council, Supreme Court, Post Constitutional Development.

UNIT - IV

12. Development of Criminal Law (1772-1860), Development of Law : Presidency Towns, Development of Civil Law: Mofussil, Codification of Law : 1833-1882


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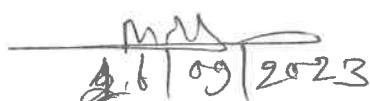
13. Legislature in India (1861-1950) : The Indian Councils Act, 1861, The Indian Councils Act, 1892, The Indian Councils Act, 1909, The Government of India Act 1909 and The Government of India, Act 1919, The Government of India Act, 1935.
14. Law Reform : , Law Reform, History of Reform, Need for Law Reform, Hindu Law and the Courts, Law applicable to sects and sub-sects, Muslim Law and Custom, Hindu Law and Custom, Hindu Law and Legislature, Muslim Law and Legislature, The Special Marriage Act, 1954, Codification of Hindu Law, Uniform Civil Code, Law Commission in India, Administrative of Justice, Reports of the Law Commission of India.

UNIT-V

15. Constitutional Developments Leading to Indian Independence (1937 to 1947) : The Cripp's Mission, 1942, Draft declaration, Proposal relating to interim Settlement, Quit India Movement, 1942, Wavell Plan and Simla Conference of 1945, The Cabinet Mission.
16. Provincial Representation in the Constituent Assembly
17. Formation of the Interim Government.
18. The Indian Independence Act, 1947, Effects of the Indian Independence Act, 1947, Shaping of the Indian Constitution, Some Aspects of the Indian Constitution, Evolution of the Indian Constitution, Sources of the Indian Constitution.
19. Personal Laws of Hindus and Mohammedans :
20. Law Reporting in India, Growth of the Legal Profession, Legal Education.

BOOKS RECOMMENDED :-

Jain M.P.	:	Outlines of Indian Legal History
Acharya B.K.	:	Codification in British India
Pylee M.V.	:	Constitutional History of India
Archibald W.A.J.	:	Outline of India Constitutional History
Banerjee A.G.	:	Indian Constitutional Documents (Vol. LILIII)
Fawcett Charies	:	First Century of British Justice in India
Cowell Herbert	:	History and Constitution of the Courts
		Legislative Authority in India
Kaye, J.W.	:	The Administration of the East India Company
Setalvad M.C.	:	Constitutional History of India
Stephans J.F.	:	Minute on the Administration of Justice in British India
Keith A.B.	:	Constitution History of India
Morey W.H.	:	Administration of Justice in British India
Rankin G.G.	:	Background of Indian Law
Punniah K.V.	:	Constitutional History of India


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Trevelyan E.J.	:	The Constitutional and Jurisprudence of the Courts of Civil Justice in British India
Field C.D.	:	Some observations on Codification in India, 1833.
Jayaswal	:	Tagore Law Lectures (917)
Stocks	:	Anglo Indian Courts
Singh G.N.	:	History of the Constitutional Development and Nationalis Movement in India
Kulshreshth, V.D.	:	Hkkijr dk oS/kkfud bfrgkl
Paranjape, V.N.	:	Indian Legal & Constitutional History.

LL.M. Part-1, First Semester

PAPER — II (PAPER CODE - 102)

CONSTITUTIONAL LAW & NEW CHALLENGES -1

This Course is intended to acquaint students with the organization and structure of the Indian Polity, its characteristic features and evolution. A comparative study of Constitutional Law of UK & USA is also desirable.

UNIT -I

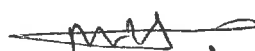
1. INTRODUCTION :- Organs of the Government, classification of Constitutions, Forms of Government.
2. HISTORICAL. BACKGROUND :- Framing of Indian's Constitution.
3. SALIENT FEATURES OF THE INDIAN CONSTITUTION :- Preamble. |

UNIT -II

4. THE UNION AND ITS TERRITORY : Article (1 to 4), Citizenship Article (5 to 11)
5. FUNDAMENTAL RIGHTS (Article 12 to 35) : Concept, Historical Background, nature and scope of Fundamental Rights, Fundamental Rights vis-a-vis Human Rights, States and Laws Right to Equality, Right to Freedom, Right against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights, Saving of Certain Laws, Right to Constitutional Remedies.
6. DIRECTIVE PRINCIPLES OF STATE POLICY (Article 36 TO 51) and FUNDAMENTAL DUTIES (Article 51-A)

UNIT - III

7. THE UNION (Article 52 to 147) : The Executive (Article 52 to 78)
8. THE STATE (Article 152 to 237) : The Executive (Article 153 to 167)


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UNIT -IV

9. Union Legislature : Parliament of India (Art 79 to 123)
10. State Legislature : Legislative Council & Legislative Assembly (Art 168 to 213)

UNIT - V

11. Union Judiciary : Supreme Court of India (Art 124 to 147), COMPTROLLER AND AUDITOR-GENERAL OF INDIA (Art 148 to 151)
12. State Judiciary : High Court of India (Art 214 to 232), SUBORDINATE COURTS (Art 233 to 237)

BOOKS RECOMMENDED :-

Pandey J.N.	:	The Constitutional Law of India
Kumar Narendra.	:	Constitutional Law of India
Rai Kailash	:	Constitutional Law of India
Shukla V.N.	:	Constitution of India
Jain M.P.	:	Indian Constitution
Basu D.D.	:	Commentaries on Indian Constitution
Sen D.K.	:	Comparative Study of Indian Constitution
Seervai H.M.	:	Constitutional Law of India
Keith A.B.	:	Constitutional History of India
Tripathi P.K.	:	Spotlights and Constitutions
Dauglus W.O.	:	Studies in Indian and American Constitutional Law
Gledhill A.	:	Fundamental Rights
Setalvd M.E.	:	The Indian Constitution.
Subramaniam	:	Case Law of Indian Constitution
Basu	:	Case Law on Indian Constitutional Law
Shiv Rao B.	:	The framing of Indian Constitution
Where K.C.	:	Modern Constitution
Indian Law Institute	:	Central State Relations
Indian Law Institute	:	Delegated Legislation in India
Austin	:	The Indian Constitution : Cornerstone of a Nation
Where K.C.	:	Federalism

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LL.M. Part-I, First Semester

PAPER - III (PAPER CODE - 103)

CONSTITUTIONAL LAW & NEW CHALLENGES -1

This Course is intended to acquaint students with the organization and structure of the Indian Polity, its characteristic features and evolution. A comparative study of Constitutional Law of UK & USA is also desirable.

UNIT -1

- 01 LOCAL AUTHORITIES : The Union Territories (Article 239 to 241), The Panchayats (Article 243 to 243-0) The Municipalities (Article 243-P to 243-ZG)
02 RELATIONSHIP BETWEEN THE UNION AND THE STATES (Article 245 to 263):
Legislative Relations (Article 245 to 255), Administrative Relations (Article 256 to 263)

UNIT -II

- 03 FINANCE, PROPERTY, CONTRACTS AND SUITS (Article 264 to 300-A) : Finance, Financial Provisions, Borrowing, Property, Contracts, Rights, Liabilities, Obligations and Suits, Right to Property, Trade, Commerce and Intercourse within the Territory of India (Article 301 to 307).

UNIT - III

- 04 SERVICES UNDER THE UNION AND THE STATES (Article 308 to 323).
05. TRIBUNALS (Article 323-A & 323-B), Elections (Article 324 to 329), Special Provisions relating to Schedule Caste and Schedule Tribal Caste (Article 330 to 342), Language of the Union (Article 343 to 344), Regional Language (Article 345 to 347), Language of the Supreme Court and High Courts (Article 348 to 351)

UNIT - IV

06. EMERGENCY (Article 352 to 360) and Miscellaneous (Article 361 to 367)

UNIT -V

Amendments of Constitution

07. ~~UTION~~ (Article 368) : All Amendments of the Constitution till date and All the Schedules.

BOOKS RECOMMENDED :-

Pandey J.N.	:	The Constitutional Law of India
Kumar Narendra.	:	Constitutional Law of India
Rai Kailash	:	Constitutional Law of India
Shukla V.N.	:	Constitution of India

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P. S. Sharma
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Jain M.P.	:	Indian Constitution
Basu D.D.	:	Commentaries on Indian Constitution
Sen D.K.	:	Comparative Study of Indian Constitution
Seervai H.M.	:	Constitutional Law of India
Keith A.B.	:	Constitutional History of India
Tripathi P.K.	:	Spotlights and Constitutions
Dauglus W.O.	:	Studies in Indian and American Constitutional Law
Gledhill A.	:	Fundamental Rights
Setalvd M.E.	:	The Indian Constitution.
Subramaniam	:	Case Law of Indian Constitution
Basu	:	Case Law on Indian Constitutional
Shiv Rao B.	:	Law The framing of Indian Constitution
Where K.C.	:	Modern Constitution
Indian Law Institute	:	Central State Relations
Indian Law Institute	:	Delegated Legislation in India
Austin	:	The Indian Constitution : Cornerstone of a Nation
Where K. C.	:	Federalism

LL/ M. Part-I, First Semester

PAPER -1V

(PAPER CODE - 104)

RESEARCH METHODOLOGY

UNIT -I

- 01 Introduction, Scope of Sociology, Nature of Social Phenomenon, Characteristics of Social Phenomenon
- 02 Law-- Meaning of Law, Nature of Law, Purpose of Law, Sociology of Law, Importance of duty/ obligation, Relation between Juristic science and social science

UNIT - II

- 03 Meaning, Nature and Scope of Legal Research—Introduction, meaning of research, Legal Research, Importance and Utility of Research, Nature of legal research and legal research method, Benefits of legal research, Necessity of legal research, Scope of legal research, Aims and objective of legal research, Motivating factors of legal research, Facts, events and data of legal research, Basic assumptions of socio-legal research, Quality of a good legal researcher.

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UNIT - III

- 04 Legal research Methodology—Meaning of methodology, Research method and Research technique, Main Characteristics of research methodology.
- 05 Background and Development of Legal Research in India—The different Phases of legal research in India(First, Second, Third and Fourth Phases of legal research in India)
- 06 Various Kinds of Legal Research-- Kinds of research according to objectives of study material, Kinds of research according to the methods available for doing research, Legal Reasoning, Concept and their Role in Scientific legal investigation, Theory and research.
- 07 Major Steps involved in doing legal research(The legal research process), Selection or Formulation of legal research problem or topic.

UNIT -IV

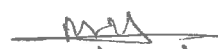
- 08 Hypothesis—Meaning, Characteristics and Sources of Hypothesis, Types of Hypothesis, Testing of the Hypothesis, Legal Research Design, Part of Research Design, Characteristics of a good research design, Types of research design, Sampling design for legal research, meaning of Sampling, Merits and demerits of sampling, Characteristics, Types of Sampling
- 09 Research Data, Forms, Sources, Tools and Collection of Data, Different methods for collecting the data, Observation Method and its different kinds, Interview Method and its different kinds, Schedule Method and its kinds, Questionnaire Method and its kinds, Case Study Method and Survey Method

UNIT -V

- 10 Data Processing—Editing, Coding, Classification and Tabulation, Analysis and Interpretation of Data, Generalization in Legal Research, Problem of measurement in legal research, Scaling technique in legal research, Sociometry in legal research, Jurimetrics.
- 11 Method of using Libraries and the use of Computer in legal research, Inter-Disciplinary Research
- 12 Preparation of Research Report and its Writing.

REFERENCE BOOKS:

- 1---Dr. S.R. Myneni-Legal Research Methodology, Published by Allahabad Law Agency
- 2---Dr. H.N. Tiwari- Legal Research Methodology, Published by Allahabad Law Agency
- 3---Shilpa Agrawal- Legal Research Methodology
- 4---Indian Law Institute-Legal Research and Methodology, Edited by S.K. Verma and M. Afzal Wani
- 5---William P. Statisky- Legal Research
- 6---Evwinc Surrency- A Guide to Legal Research
- 7---William J. Goode& Paul K. Hatt-Method in Social Research


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8---Dr. H.N. Giri-Legal Research Methodology (Written in Hindi)

9.--Dr. Sanjay Kulshrestha-Vidhik Anushandhan Paddhatiya(Written in Hindi)

10—Dr. Bashanti Lal Babel-Legal Education and Research MefllOdOIog) (Written in Hindi)

LL.M. Part-I, Second Semester PAPER - I

(PAPER CODE - 105)

JURISPRUDENCE AND LEGAL THEORY

UNIT-I

1. **CRITICAL SURVEY OF LEGAL THEORIES** : Natural Law and the search for absolute values, the problem of natural law, ancient theories, reasons and the law of nature, natural law and social contract (Grotius, Hobbes, Locke, Rousseau) Revival of Natural Law theories

UNIT-II

2. **PHILOSOPHICAL IDEALISM AND THE PROBLEM OF JUSTICE** : German Transcendental Idealism (Kant, Fichte, Hegel) Neo Kantian Philosophy and Scientific legal idealism, modern value, philosophy and Law.

UNIT-III

3. **THE IMPACT OF SOCIAL DEVELOPMENT ON LEGAL THEORIES, HISTORICAL EVOLUTION AS A GUIDE TO LEGAL THOUGHT, BIOLOGY, SOCIETY AND LEGAL EVOLUTION, MODERN SOCIOLOGICAL THEORIES OF LAW.**

UNIT-IV

4. **POSITIVISM AND LEGAL THEORIES** : Kelsen's pure theory of law, Utilitarianism, the Jurisprudence of interests and legal idealism,
Legal Theory and contemporary problems : Legal theory of Modern political movements, socialistic and communist theories of law, Neo- Scholastic Doctrine and modern catholic legal philosophy.

UNIT-V

5. LIABILITY PROPERTY OBLIGATION & EVIDENCE

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

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- f) **Obligation** - Definition, kinds and sources of obligation.
- g) **Property** - Its meaning and kinds and theories mode & acquisition, Its relation with law.
- h) **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) Bambay
3. G.W. Paton - Jurisprudence (Oxford) ELBS
4. RWM Dias - Jurisprudence (Indian Rep.) (Aditya), New Delhi.
5. V.D. Mahajan - Jurisprudence Legal Theory (EBC), Lucknow
6. W. Fridmann - Legal Theory (1999) (Universal) Delhi.
7. S.N. Dhyani - Jurisprudence - A study of Indian Legal Theory (Metropolitan), New Delhi.
8. M.S. Pandit, Out lines of Ancient Hindu Jurisprudence

L.L.M. Part-I, Second Semester

PAPER – II (PAPER CODE - 106)

INTERPRETATION OF STATUTES & THEORY OF LEGISLATION

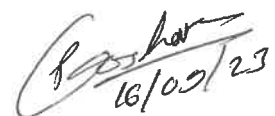
The Courses is intended to acquaint the students of advance studies in Law with the History and Development of Legislation with special reference to the Western Legal Systems and a comparative study of legislation in India Legal System particular attention is to be paid to the Benthamite movement of legislation and its comparative impact on other legal systems. The subject of study shall inter-alias include- (1) Principles of Legislation (2) Methods of Legislation, and (3) Interpretation of Statutes.

UNIT-T

- (1) **PRINCIPLES AND LEGISLATION - LAW :-** Legislature, Executive and Judiciary, Principle of Utility, Operation of these Principles upon Legislation, Distinction between Morals and Legislation.

INTERPRETATION OF STATUTES - Introduction, Meaning, Commencement, Operation and Repeal of Statutes, Purpose of Interpretation of Statutes Classification of Statutes.


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UNIT-II

(2) GENERAL PRINCIPLES OF INTERPRETATION -

Primary Rules, Literal Rule, Golden Rule, Mischief Rule (Rule in the Hydon's Case) Rule of Harmonious Construction. Secondary Rules, Noscitur a Sociis, Ejusdem Generis, Reddendo Singula Singulis, Utres Magis Valeat Quam Pereat, Contemporanea Expositio est Fortissima in Lege.

PRESUMPTIONS IN STATUTORY INTERPRETATION - Presumption as to Jurisdiction, Presumption Against inconvenient or Absurd, Presumption Against Intending Injustice, Presumption Against Impairing Obligations or Permitting from One's Own Wrong, Prospective Operation of Statutes.

UNIT-III

(3) AIDS TO INTERPRETATION AND MAXIMS OF STATUTORY INTERPRETATION - Internal Aids and External Aids, MAXIMS - Delegates Non Potest Delegare, Expressio Unius Exclusio Alterius, Generalia Specialibus non Derogant, In Pari Delicto Potior Est Condition Possidentis, Utresvalet Potior Quam Pareat, Expressum Facit Cessare Tacitum, Jure Nature Sunt Immutabilia.

UNIT-IV

(4) INTERPRETATION WITH REFERENCE TO THE SUBJECT MATTER AND PURPOSE : Beneficial Construction, Strict Construction of Penal Statutes and Taxing Statutes, Construction and Interpretation of Welfare Legislation, Harmonious Construction of the Statutes, Interpretation of Statutes in Pari Materia, Amending, Consolidating and Codifying Statutes, Mandatory and Directory Enactments and Conjunctive and Disjunctive Enactments.

UNIT-V

(5) PRINCIPLES OF CONSTITUTIONAL INTERPRETATION : Principles of Implied Powers, Incidental or Ancillary Power, Doctrine of Pith and Substance and Colorable Legislation, Principles of Implied Prohibition, Occupied Field and Territorial Nexus, Doctrine of Severability and Repugnancy and Doctrine of Eclipse and Ancillary Powers. Retrospective and Prospective Operation of Statutes.

Books Recommended :

Bentham	: Theory of Legislation
Jethro Brown	: Undertaking Principles of Modern Legislation
Decey A.V.	: Law and Public Opinion
Illbert C.	: Mechanics of Law Making

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Maxwell	: The Interpretation of Statute
Sing G.P	: Principles of Statutory Interpretation
Beal	: Rules of Interpretation
Ginsberg	: Law and Public Opinion and England 20 th Century
Rathan Swami	: Legislation Principle and Practice
Craize	: Interpretation of Statute Law
James	: Bentham and Legal Theory
Dale W.	: Legislative Drafting a New approach
Cross R.	: Statutory Interpretation
Odgers	: Constriction of Deeds and Statute
Swaroop J.	: Legislation and Interpretation
Bentham	: Principles of Statutes in British India
Sarathi, V.P.	: Interpretation of Statutes.
Tripathi, N.M.	: Maxwell's Interpretation of Statute
Dicey A.V.	: Law and Public opinion in England
Arora J.D.	: Principles of Legislation (in Hindi)

LL.M. Part-1, Second Semester

PAPER — III (PAPER CODE - 107)

INDIAN ADMINISTRATIVE LAW

UNIT-I

1. Introduction of administrative law, administrative process, discretion and direction : Definition of Administrative Law, Development of Administrative Law, Nature and Scope of Administrative Law, Rule of Law and Administrative Law, Separation of Powers and Administrative Law, Changing role of the State and It's impact on Administrative Law.

Administrative Process - Administrative Processes in India : The President vested with the Executive Power (1) Emergency powers of the President (2) An Evaluation of the President's powers (3) Can Mandamus be availed of against abuse of power under part XVII of the Constitution, Ministerial Responsibility, The Indian Approach as to Minister's Powers., Development of Administrative Law in India. The Progress of Administrative Adjudication

Administrative Discretion - Meaning, nature and criteria, its use or principle applicable for its use, need for administrative discretion, limit on exercise of discretion, malafide exercise of discretion acting under dictation, constitutional imperative... and use of discretionary authority, non-application of mind, unreasonableness and standard of reasonableness, taking irrelevant consideration or not taking in to consideration among

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relevant matter, non exercise of discretionary powers, administrative arbitrariness and bias. Procedural safe guards for use of discretion.

Administrative Direction - its use and classification, its unenforceability

UNIT-II

Delegated legislation, Administrative adjudication & Tribunal Reason for development of Delegated Legislation, methods of Delegates: Power to fill in details, Power of inclusion and exclusion, Power to modify the statute, Power to bring and Administrative into operation, Delegated legislation, its historical background and function, reasons for its growth, need for delegation of administrative power,

kinds of delegated legislation, sub-delegated legislation and conditional legislation, constitutionality of delegated legislation in Britain and India, Re Delhi Laws Act, Power of exclusion and inclusion and power to modify statutes, essential legislative functions, requirement for the validity of delegated legislation.

Judicial control of delegated legislation - Doctrine of ultra virus, its kinds, substantive and procedural grounds for its applicability, consultation, sub delegation, publication, administrative directions, circular legislative or parliamentary control on delegated legislation, laying procedure, policy statement, committees on delegated legislation and hearing before it, sub delegation & powers, guide-lines for it, and control of sub delegation, administrative adjudication and tribunals, reasons for proliferation of administrative tribunals, functional approach characteristics and feature of administrative tribunals, Basic difference between a court and a tribunals, position of tribunals in India, CAT its purpose, establishment and composition, jurisdiction power and authorities, aspect of tribunal practice and administrative procedure, procedure before the enquiry or hearing, procedure at the tribunal hearing and procedure after tribunal hearing, frank committee report, administrative tribunal act 1985, administrative tribunals and appeal judicial review and finality of the tribunal decision, reopening of tribunal proceeding rule of resjudicate, Administrative tribunals in India.

UNIT-III

The Principles of Natural Justice : Principle of natural Justice and violation thereof, The first principles: Justice in one's own cause, Bias, Judge's Bias, The second principle- Hearing the other side, Limit to the rule of Audi alteram Partem, The third principle: party to know the reason for the decision, effect of contravention: void or voidable. Against whom natural justice are not violated, when rules of natural justice are not violated, General Principles as revealed by Judicial Decisions. Limits of Judicial Review, Exceptional exclusion of Natural Justice.


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UNIT-1V

State Liability for Wrongs Act & Commission of Inquiry & Corporate:

Liabilities for torts, distinction between sovereign and commercial functions. constitutional provisions in this regard, act of state and statutory immunities contractual liability of Govt., Government privilege in legal proceeding state secrets, public interest, transparency and right to information estoppec and waiver.

Remedies against administrative acts, constitutional remedies writ injunctions, its nature and types, distinction between injunction and mandamus, suit for declaration, its condition and nature, suits for damages. Public enquiry and commission of enquiry, general enquiry under service rules, procedure in disciplinary action and Provisions of commission of enquiry act 1952, and

Corporation : Corporations, its kinds and characteristics, its classification, legal and constitutional provisions & their responsibilities in contract and in tort, position of their employee whether they are civil servants ? Control on corporation, legislative control, judicial control, governmental control and public controls.

UNIT-V

Ombudsman, Vigilance commission & Rightto Information Act

Ombudsman, its development in Newzealand, Britain and Australia, Position of Ombudsman in India, Lokpal and Lokayukt and their position, Public Interest litigations its nature and importance in Democracy. Central vigilance commissions its powers and functions

Right to Information Act,2005- ntroduction, Right to Information and Voluntary Organization, Right to Information in the Foreign Countries, Request for Right to Information, Constitution, Rights and Obligations of the Information Agencies, Procedure of Disposal of Applications and Complaints by State Commissions with special reference to Section 18, 19 and 20 of Right to Information Act 2005.

Books Recommended :

1. Jain and Jain - Principles of Administrative law, Tripathi (1986).
2. Wade - Administrative law (Indian Rep.) Universal Delhi.
3. I.C. Garner - Administrative law, Butherworth (1990)
4. D.D. Basu - Comparative Administrative law (Prentice Hall).
5. I.P. Massey - Administrative law EBC, Lucknow. (1996)

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6. M.P. Jain - Cases and material on Indian Administrative law (Vol I & II) 1998 Universal book traders Delhi.
7. S.P. Sathe - Administrative law (1998), Butterworth (India). Delhi
8. De Smith - Judicial review of Administrative Action (1995) with supplement, Sweet & Maxwell.
9. M.A. Fazal - Judicial control of administrative action in India Pakistan & Bangladesh (2000), Butterworth India.
10. Indian law institute - Cases and material on Administrative Law in India vol. I (1996), Delhi.

LL.M. Part-I, Second Semester

PAPER - IV (PAPER CODE - 108)

HUMAN RIGHTS & ENVIRONMENTAL DEVELOPMENT POLICY

UNIT-1

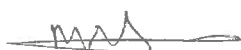
1. CONSTITUTION AND HUMAN RIGHTS: Fundamental Rights. Directive Principles and Fundamental Duties, International Human Rights and the Indian Constitution, Judicial Review and Administrative Actions with reference to Human Rights, State of Human Rights during Emergency (v) Judicial Activism — protection of human rights, Liberty, Equality and Fraternity in Human Rights Perspective.

UNIT-II

2. SPECIAL LAWS FOR PROTECTION OF SPECIFIC CATEGORIES / VULNERABLE SECTIONS OF THE PEOPLE : Reservations and the Right to Equality, Protection of Minorities Cultural and Educational Rights, Contract and Unorganized Workers, Bonded Labor, Tribal People
- 3.

UNIT-III

4. ENFORCEMENT OF HUMAN RIGHTS : Judiciary: Article 32, Article 226 — Public Interest Litigation, National Specialized Agencies: Law Commission, SC/ST commission, Minorities Commission, Women's Commission, Human Rights Commissions, Criminal Justice Delivery System, Legal Aid, NGO's, Social movements and pressure groups working through democratic institutions such as lobbying MPS, Media, International Redressal Mechanism.


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UNIT-IV

5. THE CONCEPT OF ENVIRONMENT :

- (1) Meaning and Historical ~Perspective, Traditions, Natural and : Conflicting \e Biological Sciences: Perspectives, Modern concept dimension.
- (2) INTERNATIONAL PERSPECTIVES = AND DEVELOPMENT: Stockholm Declaration, 1972, Right to development: UN Declaration on the Right to Development, 1986, Right to development versus right to clean environment, Rio Declaration: Sustainable development.
- (3) ENVIRONMENTAL PROTECTION IN INDIA : Constitutional rights and duties, Precautionary principle, Public trust doctrine, Polluter pay principle

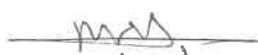
UNIT-V


6. ENVIRONMENTAL PROTECTION IN DEVELOPING COUNTRIES :

(1) Poverty, Indigenous people and Tribal, Developing economies, Depletion of forest and natural resources. INTERNATIONAL CONCERN : World environment movement, Natural and cultural heritage: Common Heritage Principle, Role of international and regional organization International financing policy and world environment fund, Global Environmental Facility (GEF).

Books Recommended :

1. J.K.Starke - An Introducton to the International Law.
2. J. L. Brierley - The Law of Nations (Oxford)
3. AK. Pillai - National Human Rights Commission.
4. 4. S.K Verma - An Introduction to Public International Law (Prentice-Hall India).
5. All the Convents and Conventions.
6. Shaw M.N. - International law (CUP).
7. M.C. Nair - The Law of Treaties (Oxford)
8. Paras Diwan & Piyushi Diwan - Human Rigths & The Law - Universal & Indian
9. S.K.Kappor - Human Rigths under International Law and Indian Law Central Law Agency Allahabad.
10. D.D.Basu - Human Rights in Constitutional Law (Prentice - Hall).


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Group –II
CRIMES AND TORTS
PAPER -1 (PAPER CODE 113)
CRIMINOLOGY

Unit-I

Definition of Criminology, Crime and Criminal Law, their theory and significance, Development of criminal law and criminology in India, Study of crime as behavior.

Unit-II

Schools of Criminology:- Pre-classical, Classical and Neo-classical and their theories Baccaria and Bentham, The Positive school and their contributors C. Lambroso, R Garafellow and E Ferricriews of other schools ie. cartographer sociological sociologist and clinical and multifactor's etc. and their contributors.

Unit-III

Types of Crimes and Criminals: Habitual, Sexual, Professional, Organized and white-collar. Terrorism Marginal and Victimless crimes, Modern and International crimes such as —cyber crime, Human organ crime, Hijacking, Feticide and Nuclear theft, crime against Women- Murder, Rape, Dowry-death, Torture, Kidnapping, abduction etc.

Unit-IV

Cause of Crimes:- Individual, Mental, Physical, Economical, Psychological and Religious, Sexual, Harmonial abreoviability as a cause of crime Social disorganization, movibility, Theory of Differentiate association. Anomie, Labeling, Gang delinquency, Effect mass media and role of state and politician as crime causation.

Unit-V

Juvenile Delinquency:- Its causes, Economic, Pressing, Gang culture, Differential association, Vagrancy, Truancy, Recidivism, Drug addiction, Tract went of Juvenile and their signification: Borsht system observation home Reformatories after care organization and Provision of the Juvenile Justice(care and protection of children) Act 2000.

Books Recommended

Sutherland & crassly	-	Criminology
Taft & England	-	Criminology
Reckless W.	-	Criminology The Crime Problem
Vole G.B.	-	Theoretical Criminology
Mannheim	-	Compensation criminology
Lolika Asrkar	-	Crime & Woman
Upendra Baxi	-	Law & Poverty
Pillai S.	-	Theory of Criminology
Cycil Burt	-	Young Delinquents
Gilliam J.L.	-	Criminology Penology
Gluck	-	Delenquanti in working
A.Siddique	-	Criminology Problem & Perspective

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David Abbahanson	-	Crime & Human Maid
Cove Land	-	The Emitters of Criminology
Katherine S William	-	Text Book of Criminology
Leon Radzeinoartz	-	Ideology of Crime
W. Reckless	-	The Prevention of Juvenile Delinquency
P.H.Kohen	-	Juvenile Offenders & The Law
K.S.Shukla	-	Adolescent Offenders
1L1 (Delhi)	-	Habitual Offenders & The Law
E.Sutherland	-	White Collar Crime
M.Ponnanian	-	Criminology and Penology

PAPER - II (PAPER CODE 114)

PENOLOGY

Unit-I

Concept of Punishment: Its history and development Religious and Punishment: Types and Forms of Punish and as Ancient, medieval and Modern India. Its classification whether death penalty is necessary? Its merits and Demerits.

Unit-II

Theories of Punishments: Deterrence, Retributive, Expiation, Reprobation, Probation, Classical and utilitarian view on punishment: Punishment advantages and disadvantages: critical analysis in the righting in purpose scale and provision of criminal law and pardon, social necessity of law and order.

Unit-III

History of Penal system in development in India, Types of Prisons and Prisoners Basic principles for the treatment of prisoners National and International Rights of Prisoners under our Constitution and the Prisoners Act 1900.

Unit-IV

Probation and Parole: Its nature, origin and advantages, The Provision of Probation of offenders Act 1958, Comparison between Probation and parole. Its effects in Rehabilitation of Prisoners.

Unit-V

Power and jurisdiction of Police under Cr.pc U/s 302, 55, 161, 36,156,160,174,102 and 166 Criminal Justice Process, Organize ahead structure of Jail and Police in India Provision relating to custodial death, torture etc.

Books Recommended

P.K.sen	-	Penology old and New
Gillian JL	-	Criminology and Penology
Bhattacharya	-	Prisons
Flexvor &Baldwani	-	Juvenile court and Probation

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SHAHEED MAHENDRA KARMA VISHWAVIDYALAYA, BASTAR, JAGDALPUR, (C.G.)

LL.M. Part-II First Semester

PAPER – III

(Paper-III Paper Code- 115)

General Principal of Criminal Law

& BNS-2023 (Bhartiya Nyaya Sanhita-2023)

UNIT - I

Concept OF Criminal Liability: Its history, nature and scope i Ancient, medical and modern context codification of criminal of criminal law in India and compression between Indian penal code 1860 and Bhartiya Nyaya Sanhita-2023

UNIT-II

Preliminary Concept and General Concept of Punishment (sec.1 to 13. BNS) General exception (sc 14-44 BNS) Abetment criminal conspiracy and attempt of Abetment (sec.45-44 BNS) Abetment criminal conspiracy and attempt of Abetment (sec.45-62 BNS)

UNIT-III

Offence against women and child and sexual offence Rape (sec 63 to 73) criminal force and assault against women sec. 74-79 offence relating to marriage sec. 80-... causing miscarriage etc. 88 to 92) offence against child- 93-9.... Offence affecting the human body and offences affecting the life culpable homicide, murder (108-113) hunt- (114-125) wrongful Restraint and wrongful confinement (126-127) criminal force and assault 128-136. Kidnapping Abduction, slavery and forced labour - 137-146.

UNIT-IV

Offence against the state-147-158, offence relating to the Army, Navy and Air Force. (159-156), offence relating Election. (69-177), offence relating Coin, currency-Notes, Bank-Notes and Government stamp (178-188) offence against public tranquility. (189-197), offence relating or by to Public Servant. (198-205), Contempt's of the lawful authority of public servant-206-... false evidence and offence against public justice-227-269.

UNIT -V

Offence affecting the public health, safety, convenience. Decency and morals (270-297) offence relative to Religion. (298-304) offence against property theft, extortion, Robbery and Dacoit - (305-313) Criminal misappropriation of Propriety (314-315) criminal breach of Trust, Stolen property. 316-317, cheating - 318-319, fraudulent deeds and dispositions of property. 320-323, mischief criminal traspar 9324-334) offence relating document and to property marks. 335-350, criminal intimidation, Insult, Arrogance, Defamation. etc. 351-358.

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SHAHEED MAHENDRA KARMA VISHWAVIDYALAYA, BASTAR, JAGDALPUR, (C.G.)

LL.M. Part-II First Semester

PAPER – IV

Bhartiya Sakshysa Adhiniyam, 2023

UNIT - I

1. INTRODUCTION, INTERPRETATION & CONCEPTIONS & PRELIMINARY

Introduction- Main feature of The Bhartiya Sakshya Adhiniyam 2023 .

Types of Evidence - Oral, Written and Circumstantial evidence, Medical evidence and evidence of relatives, Eye witness, Chance witness and child witness and direct witnesses.

Standard of proof and presumption - May presume, shall presume, conclusive proof, proved, disproved and not proved.

Preliminary and Definitions (Sec 01 & 02),

UNIT - II

2. RELEVANCY OF FACTS (03 to 50):

Relevancy of Facts (Sec 03 to 14), admission & Confessions (Sec.15-25) Statements by persons who cannot be called as witnesses (Sec 26 -27) Statements made under special circumstances (Sec 28 -32)

How much of a statement is to be proved (33) Judgments of courts when relevant (34-38)

Opinions of Third persons when Relevant (39 -45) Character when Relevant (46 -50)

UNIT - III

3. ON PROOF- (SECTION 51-103)

Facts which need not to be proved (Section 51-53), Of Oral Evidence (Sec 54-55), Of Documentary Evidence (Sec 56 -93), Of the Exclusion of Oral Evidence by Documentary Evidence (Sec 94 -103),

UNIT - IV

4. PRODUCTION & EFFECT OF EVIDENCE (SECTION 104-123)

Of the burden of Proof (Sec 104-120), Estoppels (Sec 121 -123)

UNIT - V

5. OF WITNESSES (SECTION 124-170)

Witnesses (sec 124-139), Examination of witnesses (Sec 140 -168), Improper Admission & Rejection of Evidence (Sec 169), Repeal & Saving (Sec 170)

23.12.2021

FOURTH SEMESTER
PAPER -1 (PAPER CODE 121)
LAW OF TORTS — GENERAL PRINCIPLES

Unit-I

Law of Torts: Its introduction definition and classification history and development its comparison crime, breach of contract and breach of trust Essential of tarts; Acts and omission and legal damages Damnum sine injury and injury sine damnum

Unit-II

Foundation of tortuous liability: Mental elements Fault as a basis of liability various torts- Test of proximity Directness and test of forcibility principles for awards of damages Position of contributory negligence and intervention of third party nouns acts intervenes.

Unit-III

General defense in action of torts- Private defenses necessity, invisible accident Act of God, Mistake statutory authority and consent. Remedies in action of torts- judicial and extra judicial remedies, Discharge of torts: waiver, accord and satisfaction Release of Acquiescence Re judicator and statute of limitation Assignment of right of action in torts and death of party and its effect on tortuous actions.

Unit-IV

Capacity to sue or be sued in tort: Position of unborn child, Minor Husband and wife, Lunatic, insolvent, convicts, judicial affair, alien enemy Trade union corporation Foreign save reign state and its executed authority, Liability of state for the tortuous liability acts and his servant and foreign tab joint and servant tort feaser. Liability for injury caused by animal (scanter rule)

Unit-V

General principle s for occupiers liability for dangerous land precuns principles relating to product liability (Donough v Stevenson Rule) Strict Liability: Ryland and flexure rule Doctrine of alternative damages.

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PAPER -II (PAPER CODE 122)

Specific Torts- Special Topics

Negligence and Vicarious Liability

Unit-I

Injurious to the person and wrongs relating to domestic relations and with reacting to every interracial night. Worship and dignity. International wrong doing- intimidation, conspiracy and utter rorer to the hade or occupation by under fall areas.

Unit-II

Wrongs to movable poverty:- Trespass to goods concerning it kinds detention wrongs of immovable property. Trespass, its types remedies deference and dades; Injuries to reversion and waste, slender of goods Maintenance and champerty wrongs to incorporeal personal property.

Unit-III

Interference with contractual and business relation Malicious Proceedings: Malicious persecution Abuse of legal ~process. Misfeasance in public office Noisier.

Unit-IV

Negligence as a Torts- Its definition and nature Agential ingredients for actionable negligence requirement of duty in the case of negligence standard of duty to take care the breach of duty casual relation bettor them. Liability for the negligence of the occupiers of land and prentices to warless various pesson. Negligence of person processing greater skill and speiled rate of profession. Negbgcue by the keepers of diagram anural and dangerous good or chattel contributory Negligence Reach of statutory duty and prudent of proof in action of negligence.

Unit-V

Vicarious liability - liability for the wrongs cancelled by others. Liability by relation and liability by ratification Relationship between mascara and iernal nester and independent contracting and praicipal and augural. Baric of vicarious liability course of reemployment. Lily by for the act of driers Deviation and Detour, Doe rime of Corazon employment libeling of hospital authority for the negligent act of doctor and murex and other staff.

Books Recommended

Ramaswamy Iyar

- The Law of Torts

MAS
16/09/2023

Prashant
16/09/23

PAPER - III (PAPER CODE 123)


DISSERTATION

Dissertation shall be compulsory for each student. Topics of the dissertation shall be allotted by the Head of the Department. This paper contains 100 marks for script writing.

PAPER -1V (PAPER CODE 124)

Viva-Voce

Each student shall also appear for a Viva-Voce examination of 100 marks. This will be held before a Board of three examiners of whom two will be external and one internal. The absence of one external examiner may, however, be condoned by the Kulpati, if it is caused due to unavoidable circumstances, ordinarily, the head of Department of Law will be the Internal examiner


16/09/2023


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