

**Shri Rawatpura Sarkar University,
Raipur**



**Examination Scheme & Syllabus
for
L.L.B.
Semester-III**

(Effective from the session: 2019-20)



**Faculty of Law,
Shri Rawatpura Sarkar University, Raipur**

Bachelor of Law

Semester-III

Examination

Scheme

(Effective from the session: 2019-20)

S · N	Paper Code	Name of Subject	Th/ Pr	Type of Paper	Teaching hours per week				Examination Scheme				Total Marks
					L	T	P	TC	Theory		Practical		
									EX	IN	EX	IN	
1	BL301	CONSTITUTIONAL LAW-I	Th	Core	3	1	-	4	70	30	-	-	100
2	BL302	CONSTITUTIONAL LAW-II	Th	Core	3	1	-	4	70	30	-	-	100
3	BL303	ADMINISTRATIVE LAW	Th	Core	3	1	-	4	70	30	-	-	100
4	BL304	LAW OF EQUITY AND INDIAN TRUST ACT	Th	Core	3	1	-	4	70	30	-	-	100
5	BL305	PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING	Th	Core	3	1	-	4	70	30	-	-	100
Total contact hrs. per week					40				Total Credit: 20				Grand Total Marks:
													500



BACHELOR OF LAW
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Course Title	CONSTITUTIONAL LAW-I				
Course Code	BL301				
Course Credits	L	T	P	TC	
	3	1	-	4	
Prerequisites	Introduction regarding Constitutional law-I				
Course Objectives	<ul style="list-style-type: none"> The purpose of the course is to acquaint the students with the Basic Postulates of the Constitution like the Constitutional Supremacy, Rule of law, and Concept of Liberty. Give them a picture of Constitutional Parameters regarding the organization, Powers and Functions of the various Organs of the Government. The emphasis is also on the study of the nature of federal structure and it's functioning. Finally, the students should be able to articulate their independent views over contemporary crucial constitutional issues. 				
Course Contents	<p>UNIT-I Philosophy of Constitution, Definition and Classification, Main features of Federal and Unitary Constitutions, Nature and Salient features of Indian Constitution, Welfare State, Preamble of the Indian Constitution, Union and its Territory(Art. 1-4), Formation of New States, Citizenship(Art. 5-11)</p> <p>UNIT-II State, Fundamental Rights and their position under the Constitution, Right to Equality, Right to Freedom, Right against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights, Right to Constitutional Remedies including Public Interest Litigation(Art.12-35)</p> <p>UNIT-III Directive Principles of State Policy, their relevance, Comparison with Fundamental Rights, Classification of Directive Principle of State Policy, Correlation between Fundamental Rights(Art.36-51) Fundamental Duties(Art.51-A). Union Executive- President, Vice President, Council of Ministers, Attorney General, and conduct of Government Business (Art. 52-78). Union Legislature (The Parliament) Constitution, Composition, Duration of Houses, Qualification of Members and other General Provisions, Officers of the Parliament(Art. 79-104), Powers, Privileges and immunities of the members (Art. 105-106).</p> <p>UNIT-IV Legislative Procedure including procedure in financial matters(Art. 107-122), Legislative Powers of the President(Art. 123), Union Judiciary- Supreme Court of India(Art. 124-144), Comptroller General of India(Art.148-151), State Executive-Governor, Council of Ministers, Advocate General for the State, Conduct of Government Business(Art. 152-167) State Legislature Constitution, Composition, Powers, Privileges and immunities of State Legislatures and their</p>				



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	<p>Members, Legislative Procedure(Art. 168-212) Legislative Powers of Governor(Art. 213)</p> <p>State Judiciary- High Courts in the States and Subordinate Judiciary (Art. 214-237):</p> <p>UNIT-V</p> <p><u>LEADING CASES:</u></p> <p>(1) Meneka Gandhi Vs. Union of India, AIR 1978 SC 597</p> <p>(2) Hussainara Khaton Vs. Home Secretary State of Bihar AIR 1979 SC 1396</p> <p>(3) J.R. Kohli Vs. State of Tamilnadu, AIR 2007 SC 861</p>
Course Outcomes	<ul style="list-style-type: none">• After completion of this course students will be able ;-• This course presents fundamental concepts and doctrines of Constitutional Law.• student will be able to identify the legal and societal struggles on each side of the great constitutional cases assigned• This course will be a forum for the discussion of some very heartfelt issues• Understand the evaluation and development of the origin and nature of Indian Constitution
Text Books	<ol style="list-style-type: none">1. V.N. Shukla - Constitution of India2. J.N Pandey –Constitutional law of India
Reference Books	<ol style="list-style-type: none">1. M.P Jain –Constitution Of India2. M.D Chaturvedi- Bharat ka Savidhan in Hindi



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Course Title	Constitutional Law -II				
Course Code	BL302				
Course Credits	L	T	P	TC	
	3	1	-	4	
Prerequisites	Introduction regarding Constitutional Law-II				
Course Objective	<ul style="list-style-type: none">The purpose of this Paper is to acquaint students with knowledge about various organs of government and State legislature. Further, student would be thought about the relation between centre and state. Moreover, Emergency and Amendment of Constitution will be thought in detail. A critical analysis of the significant judicial decisions is offered to highlight judicial restraint, judicial passivity, judicial activism and judicial balancing				
Course Contents	<p>UNIT I Administration of Union Territories(Art.239-241), The Panchayats-Definitions, Gram Sabha, Constitution and Composition of Panchayats, Reservation of Seats, Duration, Disqualifications for Membership, Powers, Authority and responsibilities of Panchayats(Art.243-243-O)The Municipalities-Definition, Constitution and Composition of Municipalities and Wards Committees, Reservation of Seats, Duration, Disqualifications for Membership, Powers, Authority and responsibilities of Municipalities, Power to impose Taxes, Finance Commission etc.(Art.243-P-243 ZG). The Scheduled and Tribal Areas (Art.244-244-A)</p> <p>UNIT II Relations between Union and the States-Legislative Relations (Art.245-255)Administrative Relations, Disputes Relating to Waters and Co-ordination Between States (Art. 256-263), Provisions Regarding Finance(Art.264-279) Finance Commission(Art.280-281)Miscellaneous Financial Provisions(Art.282-290)Borrowing by the Government of India and the States(Art.292-293), Constitutional Provisions Regarding Property, Contracts, Rights, Liabilities Obligations and Suits(Art.292-300) Right to Property (Art.300-A)</p> <p>UNIT III Trade Commerce and Intercourse (Art.301-307) Service under the Union and the States (Art. 308-313) Public Service. Commissions (Art.315-323) Administrative Tribunals and Tribunals for other Matters (Art. 323-A-323-B), Provisions regarding Election and Election Commission (Art.324-329), Special Provisions regarding to certain Classes (Art. 330-342.</p> <p>UNIT-IV Official Language-Language of the Union, Regional Languages, Language of the Supreme Court and the High Court's etc, Special Directives as to Languages(Art.343-351), Emergency Provisions(Art. 352-360) Miscellaneous</p>				



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	<p>Provisions(Art.361-367), Amendment of the Constitution(Art. 368),Temporary, Transitional and Special Provisions(Art,369-392),Short Title, Commencement, Authoritative Text in Hindi and Repeals, All Schedules and Amendments.</p> <p>UNIT-V</p> <p>Leading Cases</p> <p>(1)- P.L.Dhingra Vs. Union of India, AIR 1958 S.C. 36</p> <p>(2)- T.N. Seshan Vs. Union of India (1995) 4 SCC 611</p> <p>(3)- Minerva Mills Vs. Union of India AIR 1980 S.C. 1789.</p>
Course Outcomes	<ul style="list-style-type: none">• After completion of this course students will be able –• To understand and explain various provisions of Constitution of India• To compare and contrast difference between various types of Constitution of the world• To analyse the components of the present legal system as per the Indian Constitution
Text Books	<ol style="list-style-type: none">1. V.N. Shukla - Constitution of India2. J.N Pandey –Constitutional law of India
Reference Books	<ol style="list-style-type: none">1. M.P Jain –Constitution Of India2. M.D Chaturvedi- Bharat ka Savidhan in Hindi



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Course Title	ADMINISTRATIVE LAW				
Course Code	BL303				
Course Credits	L	T	P	TC	
	3	1	-	4	
Prerequisites	Introduction regarding Administrative Law				
Course Objectives	<ul style="list-style-type: none"> With the study of administrative law we familiar with the APA , understand agency legislative functions and agency adjudicative functions, Learn the fundamentals of judicial review of agency action. 				
Course Contents	<p>UNIT – I</p> <p>Introduction of administrative law, administrative process, discretion and direction:Meaning, nature, history and function of administrative law, sources of administrative law, its origin and scope, reasons for its growth, its historical development in England, America and India, administrative law and constitutional law, droit administrative and council, State, constitutional foundation of administrative law, the rule of law, its meaning, supremacy of regular laws and equality before the laws, doctrine of separation of powers, its meaning and its position in U.K., U.S.A. & India</p> <p>Administrative Process - Nature of administrative process, and its classification, legislative, judicial, quasi-judicial and pure executive action, their characteristics and difference among them.</p> <p>Administrative Discretion - Meaning, nature and criteria, its use or principle applicable for its use, need for administrative discretion, limit on exercise of discretion, mala fide 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 relevant matter, non exercise of discretionary powers, administrative arbitrariness and bias. Procedural safeguards for use of discretion</p> <p>UNIT II</p> <p>Administrative Direction - its use and classification, its unenforceability.</p> <p>Delegated legislation, Administrative adjudication & Tribunal-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.</p> <p>UNIT III</p>				



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	<p>Judicial control of delegated legislation - Doctrine of ultra vires, 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 res judicata, Administrative tribunals in India.</p> <p>UNIT-IV</p> <p>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.</p> <p>Ombudsman vigilance commission & leading cases: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.</p> <p>Right to Information Act,2005-Introduction, 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</p> <p>UNIT-V</p> <p>Leading cases:A.K. Kraipak v. Union of India (AIR 1970 SC 150),Bharat Bank Ltd. v. Employees of Bharat Bank (AIR 1970, SC1886),Bhagat Raja, Union of India (AIR 1967 SC1606)</p>
<p>Course Outcomes</p>	<ul style="list-style-type: none">• After completion of this course student will be able-• To identify, explain and apply the principles of administrative law covered in the course• To identify and analyse some of the current controversies and trends in the area of administrative law <ol style="list-style-type: none">1. To use, interpret and apply complex statutory material to solve administrative law problems



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Text Books	<ol style="list-style-type: none">1. Jain and Jain – Principles of Administrative Law, Tripathi (1986)2. D.D. Basu - Comparative Administrative law (Prentice Hall).
Reference Books	<ol style="list-style-type: none">1. I.P. Massey - Administrative law EBC, Lucknow. (1996).2. M.P. Jain - Cases and material on Indian Administrative law (Vol. I & II) 1998.



**BACHELOR OF LAW
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Course Title	LAW OF EQUITY AND INDIAN TRUST ACT			
Course Code	BL304			
Course Credits	L	T	P	TC
	3	1	-	4
Prerequisites	Introduction regarding Law of Equity and Indian Trust Act			
Course Objectives	<ul style="list-style-type: none"> Trust being an obligation connected with property, the law has to play a key role in protecting interests of person for whose benefit trust is created and for balancing the rights and duties of persons connected with trust transactions. There are also instances where even in the absence of specific trust, law has to protect the beneficial interests of persons on equitable considerations. Trusts may also be created for public purposes of charitable and religious nature. 			
Course Contents	<p>UNIT-I Historical Introduction- Concept of Equity, Principles of Equity, Nature and Scope of Equity, Equity under the Roman, English and Indian Legal System. Origin and Growth of Equity in England-Origin of Equitable Jurisdiction, Procedure in Equity.</p> <p>UNIT-II Division of Equity Jurisdiction-Exclusive, Concurrent and Auxiliary Jurisdiction Equity and the Common Law- Distinctive Features of Equity and Common Law, Relation of Equity with Common Law, Fusion of the Administration of Equity and Common Law, The Judicature Act, 1873-1875, Object and Effect of the Judicature Act Maxims of Equity</p> <p>UNIT-III Nature of Equitable Rights and Interest, Classification of Equitable Rights, Penalties and Forfeitures, Mortgages, Liens and Charges, Married Women, Guardians, Infants, Idiots and Lunatics, Conversion and Re-conversion, Election, Performance Satisfaction and Ademption, Administration of Assets, Mistake, Misrepresentation, Fraud and Undue Influence, Accident, Set-off, Equitable Assignments and Equitable Estoppels.</p> <p>UNIT-IV INDIAN TRUST ACT, 1882 Historical Background- Importance of Trust, Origin and Development of Trust under Roman Law, English Law and Indian Law. Definition of Trust and Comparison with other Analogous Relations, Kinds of Trusts, Public or Charitable Trust, Doctrine of Cypres, Creation of Trust, The Appointment and Discharge of Trustees, The Duties and Liabilities of Trustees, The Rights and Powers of Trustees, Disabilities of Trustees, Rights and Liabilities of Beneficiaries, Vacating the Office of Trustee, Extinction of Trust, Certain Obligation in the Nature of Trust.</p>			



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	<p>UNIT-V</p> <p>LEADING CASES: Deoki Nandan Vs. Murlidhar and Others AIR 1957 S.C. 133, Jankiram Ayyar Vs. Neelkanth Ayyar, AIR 1962 S.C. 536, Shyamlal Yadu Rao Bhau Vs. Yesha Ram Lodku Pavan AIR 1954 Nag. 334, Satyanarayan Vs. G. Velloji Rao AIR 1965 S.C. 1465.</p>
Course Outcomes	<ul style="list-style-type: none">• By the end of the semester, students will be able to describe trust and its types• Also they will acquire knowledge relating to modes of creation of trust• Right, powers and liabilities of trustees, rights and powers of beneficiaries.• Also students will have sound knowledge of offences and penalties under Indian trust act
Text Books	<ol style="list-style-type: none">1. Snell - Principles of Equity2. S.T.Desai- Indian Trust Act
Reference Books	<ol style="list-style-type: none">1. G.P. Singh-Equity, Trust and Specific Relief2. Basanti Lal Babel- Equity, Trust and Specific Relief Act(In Hindi)



**BACHELOR OF LAW
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2019-20

Course Title	Professional Ethics and Professional Accounting			
Course Code	BL305			
Course Credits	L	T	P	TC
	3	1	-	4
Prerequisites	Introduction regarding Professional Ethics And Professional Accounting			
Course Objectives	<ul style="list-style-type: none"> In the legal framework and confidence in the administration of justice depends on people's perception of the ethical basis of laws and the enforcement of laws. Without sound ethics and the enforcement of proper ethical conduct, people would lose confidence in the court and judicial process to perilous effect. If confidence in law is eroded and people fail to respect the authority of the judiciary, we could be faced with anarchy and a disintegration of society as we know it.. 			
Course Contents	<p>UNIT-I GENESIS NATURE AND EVOLUTION OF INDIAN BAR- a) Evolution of Indian Bar - Regulating Act 1773. Bengal Regulation of 1793 and The Legal Practitioners Act 1846. b) The Legal Practitioners Act 1853 and the legal practitioners Act 1879. c) The Bar Councils Act 1926 and The Report of the All India Bar Committee 1953. d) History and circumstances before the passing of the Advocate Act 1961.</p> <p>SOURCES & SANCTIONS OF PROFESSIONAL ETHICS & MISCONDUCTS: Sources of Rules of Professional Ethics - Judicial and extra Judicial sanctions and advantages of study of professional ethics. b) Lawyers misconduct - Professional and others. c) Equipment of Advocate Reverence for the law learning public service, brotherhood organization. Love for professional ideals. d) Independence and integrity of The Bench and the Bar.</p> <p>UNIT-II PRIVILEGES RIGHTS POWERS AND DISABILITIES OF LEGAL PRACTITIONERS: a) Right and duties of Advocates b) Privileges of Advocate c) Powers of Legal practitioners d) Disabilities of legal practitioners</p> <p>UNIT-III ADVOCATES AND THEIR RELATION WITH OTHERS IN THE LIGHT OF B.C.I. RULES 1976 a) Advocate and the Court. b) Advocates relation with his opponent and with his client. c) Advocates relation with his colleagues and witnesses d) Advocates and the public and other employment and Advocates</p> <p>UNIT-IV SOURCES & SANCTIONS OF PROFESSIONAL ETHICS & MISCONDUCTS: Sources of Rules of Professional Ethics - Judicial and extra Judicial sanctions and advantages of study of professional ethics, Lawyers misconduct - Professional and others, Equipment of Advocate Reverence for the</p>			



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	<p>law learning public service, brotherhood organization. Love for professional ideals, Independence and integrity of The Bench and the Bar</p> <p>UNIT-V</p> <p>ADVOCATE ACT, CODE OF ETHICS AND CONTEMPT OF COURT:a) Indian Advocates Act, 1961.b) The contempt law & practice - Indian contempt of court Act 1976.c) Other statutory provisions relating to contempt in IPC, Cr.P.C and CPC.d) Supreme Court on professional misconduct - Important cases.</p>
Course Outcomes	<ul style="list-style-type: none">• After studying this subject students will come to Know• About the ethics relating to legal profession which are to be followed while practicing as lawyer before the court.• Also students will acquire knowledge relating to contempt of court and consequences of committing contempt of court
Text Books	<ol style="list-style-type: none">1. The Bar Council Code of Ethics and Indian Advocate Act 1961.2. C.L. Anand - Professional Ethics of the Bar (Law Book Co., S.P. Marg Allahabad).
Reference Books	<ol style="list-style-type: none">1. V.G. Ramchandran's - Contempt of Court EBC, Lucknow2. AVROM Sherr - Advocacy, Universal Book Traders, 80, Gokhale Market, Delhi