

SYLLABUS

OF 3 YEAR

LL.B



Bhubaneswar Law College
Bhubaneswar
(Affiliated to Madhusudan Law University, Cuttack)

www.blc.org.in

**MADHUSUDAN LAW UNIVERSITY
REGULATIONS FOR THREE YEAR
LL.B. DEGREE COURSE UNDER CHOICE BASED
CREDIT SYSTEM**

This regulation shall be for the Three Year LL.B. course Choice Based Credit System to be introduced by the Madhusudan Law University and its affiliated Law Colleges from the academic session 2021-2022 onwards. This course has been designed in accordance to the standards and regulations prescribed by the UGC and Bar Council of India Rules of Legal Education, 2008 from time to time.

1. Name of the Course

The Course shall be called as Three year LL.B course. This regulation shall come into force from the Academic Session 2021-22.

2. Duration

2.1. The duration of three year LL.B. course shall be of six semesters (three academic years).

2.2. The course leading to three years LL.B course shall be conducted in semester system in not less than 18 weeks with not less than 30 lecture hours per week including tutorials, moot court exercises, seminars etc., provided there shall be at least 24 lecture hours per week.

2.3. The 30 lecture hours shall be divided into five lecture hours and one tutorial for each paper per week.

3. Admission

3.1. Admission to the three year LL.B course shall be made through the entrance test conducted by the University or any other procedure as notified by the University from time to time.

3.2. As per Bar Council of India Rules of Legal Education, 2008, no candidate shall be eligible to admission in three years law degree course unless she/he possess at least 45% marks (40% marks in case of SC/ST candidates) in +3 examination or any other equivalent examinations.

3.3. Reservation and relaxation in minimum eligibility for admission for SC/ST/PwD (Person with Disability)/ Ex-Serviceman/Serving Defence Personnel/Children of Martyrs as specified by Government of India, Government of Odisha, UGC and as notified by the University shall be followed.

3.4. Reservation

Scheduled Caste [SC] & Scheduled Tribe [ST]	<ul style="list-style-type: none">a) SC-16.25% of the sanctioned strength of each course shall be reserved for SC applicants. [G.O. 11710/HE, Dated.: 01/06/2015]b) ST-22.5% of the sanctioned strength of each course shall be reserved for ST applicants. [G.O. 11710/HE, Dated.: 01/06/2015]c) The reserved seats are not interchangeable between SC & ST.d) SC/ST applicants selected for admission on their merit shall not be counted against reserved seats.e) Seats under reserved category will be de-reserved after two rounds only if no students of that category are available for admission/sliding up for that college.f) However, any modification made by the Government in the reservation policy will be followed during admission.
Persons with Disabilities (PwD)	5% of sanctioned seats shall be reserved for PwD students with extent of disability not below 40% (Blind and Low Vision, Hard of Hearing, Locomotors Disability including Cerebral Palsy, Leprosy Cured, Dwarfism, Acid Attack Victims and Muscular Dystrophy, Autism, Intellectual Disability, Specific Learning Disability and Mental Illness). [G.O.10161/HE, Dated: 07/04/2018]
Ex-Serviceman [ESM], Serving Defence Personnel [SDP], Children of Martyrs	1% of the sanctioned seats shall be reserved for Self/ Children/ Wife/ Husband/ of Ex-Serviceman, Serving Defence Personnel and Children of Martyrs. [G.O. 10161/HE, Dated.: 07/04/2018]

[CoM]

3.5. Foreign nationals either residing in India or abroad or Indian nationals residing abroad shall be admitted to the programme according to the policy guidelines laid down by the Government of India/ University from time to time as per the number of seats available for this category.

4. Medium of Instruction

The medium of Instruction in all the Courses shall be in English only.

5. Attendance

5.1. No candidate shall be allowed to take the end semester examination in a subject if she/he has not attended at least 75% of classes in all the subjects taken together for each semester, including the moot court exercises, tutorials and practical training.

5.2. A candidate shall prefer an application before the Vice-Chancellor citing a reasonable ground for failure to attend 75% of the classes.

5.3. The Vice-Chancellor shall grant not more than 9 per cent of class room attendance to a candidate in such case (as mentioned under Regulation 5.2) i.e. every candidate must attend at least minimum 66 percent of the classes in aggregate. In the case of affiliated colleges, the case shall be forwarded to the Vice-Chancellor for condoning of the shortage of attendance

5.4. A candidate who represents the Institution in any State/National/International level Academic activities, i.e. seminar, moot court etc. and sports activities, their absence in the class shall be considered as present for the period attended/participated.

6. Course Structure

6.1. The three years LLB Degree Course shall comprise of 30 papers with 5 papers in each semester carrying 100 marks.

6.2. Each paper consists of four credits. The total credit for the Course shall of 30 multiplied by 4 equal to 120 credits.

6.3. The distribution of papers is given below:

Sl. No	Subject	No of Papers	Credits
1.	Compulsory Paper	21	84
2.	Clinical Paper	04	16
3.	Elective Paper	05	20
		Total Papers-30	Total Credits -120

7. Examination and Evaluation

7.1. A candidate for three year LLB degree course shall be required to appear in the examination for six semesters.

7.2. The Controller of Examinations shall notify the end-semester examination schedule on completion of all the courses.

7.3. Every theory paper shall carry 100 marks out of which 70 marks are for the end-semester examination and 30 marks for internal assessment.

7.4. The end-semester question paper shall have five questions. Question 1 is compulsory and shall have four short questions from all the four Units and each question carries 3.5 marks. The paper setter is required to set eight questions with two questions from each Unit i.e. Unit I to Unit IV. The candidate shall have to attempt four questions, selecting one question from each Unit. Each question carries 14 Marks.

7.5. The distribution of the marks for the Internal Assessment is given below:

Internal Assessment- 30 Marks

- Mid-Semester Examination- 15 marks
- Written Assignment/Moot Court Exercise - 10 marks (5 marks for written assignment and 5 marks for oral presentation)
- Attendance-5 marks.

The mid-semester examination shall consist of two questions from first two Units and the candidate is required to answer one question carrying 15 marks.

7.6. The distribution of marks for the attendance is given below:

Attendance	Marks
76%-80%	2 Marks
81%-85%	3 Marks
86%-90%	4 Marks
91% above	5 Marks

7.7. Medium and Duration of Examination

- The medium of examination shall be English only.
- The duration of mid-semester examination shall be of 45 minutes.
- The Duration of end semester Examinations shall be of three hours.

7.8. There shall be no theory examination and internal assessment for Moot Court. This paper shall be evaluated as practical paper consisting of assignments and Viva by the Committee constituted as referred under Regulation 8.

7.9. In each semester there shall be moot court exercises/assignments for each paper. The distribution of moot court exercise and assignments in each semester for each subject is given below.

LL.B First Semester Examination

Paper No.	Name of the Paper	Nature of Paper	Mode of Assignment
1.	Constitutional Law-I	Compulsory	Written Assignment/ Moot Court Exercise
2.	Law of Contract-I (General Principles of Formation of Contract)	Compulsory	Moot Court Exercise
3.	Law of Crimes-I (Indian Penal Code)	Compulsory	Moot Court Exercise
4.	Environmental Law	Compulsory	Written Assignment/ Moot Court Exercise
5.	Law of Torts including Motor Vehicle Accident and Consumer Protection Laws	Compulsory	Written Assignment/ Moot Court Exercise

LL.B Second Semester Examination

Paper No.	Name of the Paper	Nature of Paper	Mode of Assignment
1.	Constitutional Law-II	Compulsory	Written Assignment
2.	Contract Law-II (Special Contract)	Compulsory	Moot Court Exercise/Written Assignment
3.	Administrative Law	Compulsory	Written Assignment
4.	Law of Crimes-II (Criminal Procedure Code, Juvenile Justice & Probation of Offenders Act)	Compulsory	Moot Court Exercise
5.	Law of Evidence	Compulsory	Written Assignment/ Moot Court Exercise

LL.B Third Semester Examination

Paper No.	Name of the Paper	Nature of Paper	Mode of Assignment
1.	Family Law-1	Compulsory	Moot Court Exercise
2.	Public International Law	Compulsory	Moot Court Exercise
3.	Jurisprudence	Compulsory	Written Assignment
4.	Company Law	Compulsory	Written Assignment/ Moot Court Exercise
5.	Practical Paper-Professional Ethics, Accountancy)	Practical	Written Assignment

LL.B Fourth Semester Examination

Paper No.	Name of the Paper	Nature of Paper	Mode of Assignment
1.	Family Law-II	Compulsory	Moot Court Exercise
2.	Law of Property	Compulsory	Written Assignment/ Moot Court Exercise
3.	Arbitration, Conciliation and Alternative Dispute Resolution Systems	Practical	Written Assignment
4.	Interpretation of Statutes/Humanitarian and Refugee Law/Child and Law	Elective	Written Assignment/ Moot Court Exercise
5.	Banking Law/Right to Information/Penology and Victimology	Elective	Written Assignment/ Moot Court Exercise

LL.B Fifth Semester Examination

Paper No.	Name of the Paper	Nature of Paper	Mode of Assignment
1.	Civil Procedure Code	Compulsory	Moot Court Exercise
2.	Labour Law-I	Compulsory	Written Assignment
3.	Drafting, Pleading & Conveyancing	Practical	Written Assignment
4.	Intellectual Property Rights/Competition Law/Media Law	Elective	Written Assignment/ Moot Court Exercise
5.	Insurance Law/ Human Right Law and Practice/Women and Criminal Law	Elective	Written Assignment/ Moot Court Exercise

LL.B Sixth Semester Examination

Paper No.	Name of the Paper	Nature of Paper	Mode of Assignment
1.	Labour Law-II	Compulsory	Written Assignment
2.	Principles of Taxation Laws	Compulsory	Written Assignment
3.	Mediation (With Conciliation)	Compulsory	Written Assignment/ Moot Court Exercise
4.	Moot Court	Practical	Written Assignment
5.	Land Laws/Private International Law/International Trade Law	Elective	Written Assignment/ Moot Court Exercise

7.10. For the practical courses, i.e. Arbitration, Conciliation and Alternative Dispute Resolution Systems, Professional Ethics, Drafting, Pleading & Conveyancing, the distribution of marks for the examination shall be as follows:

End semester- 48 marks

Mid-semester- 7 marks

Attendance- 5 marks

Practical- 40 marks (20 marks for written assignment and 20 marks for Viva-voce).

Note- Both the assignment and Viva Voce shall be evaluated by the Committee constituted as referred under Regulation 8.

7.11. Moot Court Exercise and Internship

This paper shall have three components of 30 marks each and a viva for 10 marks.

- (a) Moot Court (30 Marks). Every candidate shall be required to do at least three moot court exercises in a semester with 10 marks for each. The moot court work shall be on assigned problem and it shall be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

- (b) Observance of Trial in two cases one Civil and one Criminal (30 marks):
Candidates shall be required to attend two trials during sixth semester of the course. They shall maintain a proper record and enter the various steps observed during their attendance on different days in the court in a practical file. This scheme shall carry 30 marks.
- (c) Interviewing techniques and Pre-trial preparations and Internship diary (30 marks):
Each candidate shall observe two interviewing sessions of clients at the Lawyer's Office/Chamber and record the proceedings in a diary, which shall carry 15 marks. Each candidate shall further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition/relevant forms. This shall be recorded in the diary, which shall carry 15 marks.
- (d) The proof to the effect that the candidate has attended the chamber/office of the advocate/counsel shall submit the form issued by the respective advocate/counsel.
- (e) The fourth component of this paper shall be viva voce examination on all the above three aspects. This shall carry 10 marks.
- (f) This paper shall be evaluated by a Committee constituted as referred under Regulation 8.

7.12. The Controller of Examinations shall publish the result taking into account both internal assessment and end semester examination marks secured by the candidate.

7.13. The internal assessment shall be conducted and evaluated internally by the respective institutions.

7.14. The date for internal assessment shall be fixed by the Head/Principal of the Institution.

7.15. Where a candidate fails to take examinations in any one of more subjects or has failed to secure the minimum pass marks in one or more papers or in aggregate, her/his internal assessment marks shall be carried forward to the subsequent examinations.

7.16. Every candidate must secure at least 50% marks in each paper in internal assessment. In case any candidate fails to obtain 50% marks or fails to appear in the internal examination

she/he shall appear in the next respective semester i.e. First, Third, Fifth semester and second, fourth, sixth semester.

8. Committee for Viva-Voce

8.1. The Committee for Viva voce shall evaluate four practical papers namely, ADR, DPC, Professional Ethics and Moot Court

8.2. The Vice- Chancellor shall constitute a Board of examiners for conducting viva voce. The Board of examiners for Viva voce shall consist of –

- (a) External member- nominee of Vice Chancellor- Chairperson
- (b) Internal member –HOD/Principal
- (c) Internal member- Concerned Subject Teacher

8.3. The TA/DA of the external member of the above mentioned Committee shall be borne by the respective institution.

9. Credit System

9.1. The Course has five papers in each semester and each paper is having 4 credits, then the total credit for the paper of the semester shall be calculated as 4 credits per paper. (For example Credit per paper x Number of papers = 20 credits per semester.).

9.2. The Grade value shall mean the value assigned to the marks obtained by a candidate in a paper. Grade value is based on ten point scale.

9.3. The table given below shows the marks range, grade value and corresponding letter grade.

Sl. No	Marks ranged (out of 100)	Grade Value (10 point scale)	Letter Grade
1.	90 and above	10	O (Outstanding)
2.	80 and above but below 90	9	A+ (Excellent)
3.	70 and above but below 80	8	A (Very Good)
4.	60 and above but below 70	7	B+ (Good)
5.	50 and above but below 60	6	B (Satisfactory)
6.	Below 50	0	F (Fail)

7.	Absent	0	ABS
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9.4. The Grade Point shall be calculated by multiplying the grade value obtained by the candidate and the credits of that paper.

For example, if the candidate secures the Grade value 07 and the credit of the paper is 04 then grade point of the candidate in that paper shall be $7 \times 4 = 28$.

9.5. The Semester Grade Point Average (SGPA) of the candidate shall be calculated as the sum total of the Grade Point secured by the candidate in all the papers of semester divided by total credits of all the papers in that semester.

For example, if there are 5 papers in a semester and each paper is having 4 credits, total credit of the semester shall be calculated as $5 \times 4 = 20$

Therefore, $SGPA = GP\ 1 + GP\ 2 + GP\ 3 + GP\ 4 + GP\ 5$ (Grade point in all the five papers in a semester) divided by the total credits

9.6. The Cumulative Grade Point Average (CGPA) of the candidate shall be calculated as the sum total of the grade points secured in till date divided by total credit of the course till date.

For example, $CGPA = \text{Total Grade points in a course} \div \text{Total credits of the course}$.

10. Promotion Rules

10.1. A candidate who appears in the examination and fails to obtain pass marks in any course in the first semester, shall be permitted to proceed to the second semester but shall not be permitted to proceed from the second to the third semester without appearing in the examination and having qualified 50% of the total number of courses prescribed for first and second semester taken together. However, the candidate is eligible for provisional admission to third semester subject to the outcome of the result.

10.2. A candidate who appears in the examination and fails to obtain pass marks in any course in the third semester, shall be permitted to proceed to the fourth semester but shall not be permitted to proceed from the fourth to the fifth semester without appearing in the examination and having qualified 50% of the total number of courses prescribed for first to

fourth semesters taken together. However, the candidate is eligible for provisional admission to fifth semester subject to the outcome of the result.

11. Award of Degree

A candidate who successfully completes all the six semesters shall be eligible for the award of LL.B Degree from the University.

12. Maximum years for completion of LL.B Course

The duration of three year LL.B degree course shall be of six semesters (three academic years). The maximum duration for completing the course shall be of five consecutive academic years. If a candidate is unable to clear all the semesters of the program within the maximum duration of five years, she/he shall automatically exit from the program.

Madhusudan Law University, Cuttack Odisha- 753003

Syllabus of 3 year LL.B

Syllabus-3 year LL.B. (M S Law University, Cuttack)

List of Papers

LL.B First Semester Examination

Paper No.	Name of the Paper	Nature of Paper	Paper Code
1.	Constitutional Law-I	Compulsory	3 yrs-LL.B-SEM-I-CS-P-I
2.	Law of Contract-I (General Principles of Formation of Contract)	Compulsory	3 yrs-LL.B-SEM-I-CS-P-II
3.	Law of Crimes-I	Compulsory	3 yrs-LL.B-SEM-I-CS-P-III
4.	Environmental Law	Compulsory	3 yrs-LL.B-SEM-I-CS-P-IV
5.	Law of Torts including Motor Vehicle Accident and Consumer Protection Laws	Compulsory	3 yrs-LL.B-SEM-I-CS-P-V

LL.B Second Semester Examination

Paper No.	Name of the Paper	Nature of Paper	Paper Code
1.	Constitutional Law-II	Compulsory	3 yrs-LL.B-SEM-II-CS-P-I
2.	Contract Law-II (Special Contract)	Compulsory	3 yrs-LL.B-SEM-II-CS-P-II
3.	Administrative Law	Compulsory	3 yrs-LL.B-SEM-II-CS-P-III
4.	Law of Crimes-II	Compulsory	3 yrs-LL.B-SEM-II-CS-P-IV
5.	Law of Evidence	Compulsory	3 yrs-LL.B-SEM-II-CS-P-V

LL.B Third Semester Examination

Paper No.	Name of the Paper	Nature of Paper	Paper Code
1.	Family Law-I	Compulsory	3 yrs-LL.B-SEM-III-CS-P-I
2.	Public International Law	Compulsory	3 yrs-LL.B-SEM-III-CS-P-II
3.	Jurisprudence	Compulsory	3 yrs-LL.B-SEM-III-CS-P-III
4.	Company Law	Compulsory	3 yrs-LL.B-SEM-III-CS-P-IV
5.	Professional Ethics	Practical	3 yrs-LL.B-SEM-III-PS-P-V

Syllabus-3 year LL.B. (M S Law University, Cuttack)**LL.B Fourth Semester Examination**

Paper No.	Name of the Paper	Nature of Paper	Paper Code
1.	Family Law-II	Compulsory	3 yrs-LL.B-SEM-IV-CS-P-I
2.	Law of Property	Compulsory	3 yrs-LL.B-SEM-IV-CS-P-II
3.	Alternative Dispute Resolution	Practical	3 yrs-LL.B-SEM-IV-PS-P-III
4.	Interpretation of Statutes/Humanitarian and Refugee Law/Child Law and Juvenile Justice	Optional	3 yrs-LL.B-SEM-IV-OS-P-IV
5.	Banking Law/Right to Information/Penology and Victimology	Optional	3 yrs-LL.B-SEM-IV-OS-P-V

LL.B Fifth Semester Examination

Paper No.	Name of the Paper	Nature of Paper	Paper Code
1.	Civil Procedure Code	Compulsory	3 yrs-LL.B-SEM-V-CS-P-I
2.	Labour Law-I	Compulsory	3 yrs-LL.B-SEM-V-CS-P-II
3.	Drafting, Pleading & Conveyancing	Practical	3 yrs-LL.B-SEM-V-PS-P-III
4.	Intellectual Property Rights/ Competition Law/Media Law	Optional	3 yrs-LL.B-SEM-V-OS-P-IV
5.	Insurance Law/ Human Right Law and Practice/Women and Criminal Law	Optional	3 yrs-LL.B-SEM-V-OS-P-V

LL.B Sixth Semester Examination

Paper No.	Name of the Paper	Nature of Paper	Paper Code
1.	Labour Law-II	Compulsory	3 yrs-LL.B-SEM-VI-CS-P-I
2.	Principles of Taxation Laws	Compulsory	3 yrs-LL.B-SEM-VI-CS-P-II
3.	Mediation with Conciliation	Compulsory	3 yrs-LL.B-SEM-VI-CS-P-III
4.	Moot Court	Practical	3 yrs-LL.B-SEM-VI-PS-P-IV
5.	Land Laws/Private International Law/International Trade Law	Optional	3 yrs-LL.B-SEM-VI-OS-P-V

SEMESTER FIRST

List of Papers

Paper 1- Constitutional Law-I

Paper 2-Law of Contract-I

Paper 3- Law of Crimes-I

Paper 4- Environmental Law

Paper 5- Law of Torts including Motor Vehicle Accident and

Consumer Protection Laws

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER 1

PAPER-01 (Code- 3YRS-LL.B-SEM-I-CS-P-I)

CONSTITUTIONAL LAW-I

Unit 1- Introduction

- 1.1 Salient Features of the Indian Constitution
- 1.2 Nature of the Indian Constitution- Principles of Federalism, Unitary, Quasi-federal
- 1.3 Essential Features of Constitution
- 1.4 Preamble- significance, objectives and amendment of Preamble

Unit 2- The Union and the State Executives

- 2.1 The President and Vice President– Qualifications, Election, Term of Office, Powers, Impeachment
- 2.2 Governor– Appointment, Term of Office, Removal and Powers
- 2.3 Nature, Scope and Extent of Executive Powers of the Union and States
- 2.4 Union Council of Ministers – Powers and Position of the President
- 2.5 State Council of Ministers
- 2.6 Relationship of the President/Governor with the Council of Ministers
- 2.7 Scope and Extent of Judicial Review of Executive Actions

Unit 3 Distribution of Legislative Powers and Emergency Provision

- 3.1 Distribution of Legislative Powers between Union and the States, Territorial and Topical Distribution of Powers, Power of Parliament to Legislate on State Matters
- 3.2 Doctrine of Territorial Nexus, Doctrine of Pith and Substance, Doctrine of Colourable Legislation
- 3.3 Emergency Provisions with Special References to Proclamation of Emergency and President's Rule, Financial Emergency

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 4- Parliament and State Legislature

4.1 Composition of Parliament and State legislatures

4.2 Qualification/Disqualification of Members

4.3 Legislative Procedure, Legislative Privilege

Suggested Readings:

1. D.D. Basu, Shorter Constitution of India (15th ed., 2018), LexisNexis
2. H.M. Seervai, Constitutional Law of India (4th ed., Vol 1 (1991), Vol. 2 (1993), Vol. 3 (2019 Rep.), Universal Law Publishing
3. M.P. Jain, Indian Constitutional Law (8th ed., 2018), LexisNexis
4. M. P. Singh, V. N. Shukla's Constitution of India (13th ed., 2019), EBC Publications
5. S. Choudhary, M Khosla and P.B Mehta, The Oxford Handbook of the Indian Constitution (1st ed., 2016), Oxford University Press
6. Uday Raj Rai, Fundamental Rights and their Enforcement (2011), Prentice Hall India Learning Private Limited

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SEMESTER 1

PAPER-02 (Code- 3YRS-LL.B-SEM-I-CS-P-II)

LAW OF CONTRACT-I

Unit 1- Formation of Contract

- 1.1 Meaning and Nature of Contract
- 1.2 Essential elements and kinds of contract agreement
- 1.3 Offer/Proposal- Definition, Communication, Revocation, Kinds, Invitation to treat
- 1.4 Acceptance- Definition, Communication, Revocation
- 1.5 Consideration-meaning, essential elements of consideration, Doctrine of Privity of Contract, Exceptions of consideration
- 1.6 Standard form of contract, E contracts

Unit 2- Capacity to Contract and Free Consent

- 2.1 Capacity to contract-Minor's Agreement, Persons of unsound mind
- 2.2 Free consent--Coercion, Undue Influence, Misrepresentation, Fraud, Mistake; Lawful Object, Effect on contracts influenced by any factor vitiating free consent
- 2.3 Void Agreements- Agreement in Restraint of Marriage, Agreement in Restraint of Trade, Agreement in Restraint of Legal Proceedings, Ambiguous and uncertain agreements, Agreement by way of wager

Unit 3- Discharge of Contract

- 3.1 Contingent Contracts
- 3.2 Performance of contract- Offer of performance, Performance of joint promises,
- 3.3 Time for performance and Anticipatory breach of Contract, Impossibility of performance- Doctrine of Frustration, Grounds of frustration and its effect, Appropriation of payments
- 3.4 Contract which need not be performed– Novation, Rescission and Alteration of Contract, Remission of Performance

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Unit 4 Quasi-contract, Breach of Contract and Remedies

4.1 Quasi-Contracts- Supply of necessities, Payment by interested person, Liability to pay for non-gratuitous acts, Finder of goods, Mistake or coercion

4.2 Breach of Contract-Anticipatory breach and Consequences of Breach, Remedies of Breach

4.3 Damages- Remoteness of damage, Measure of damages, Mitigation of damages, Liquidated damages and Penalty

Suggested Readings:

1. Pollock & Mulla, Indian Contract & Specific Relief Act (edited by R Yashod Vardhan and Chitra Narayan) 15th Ed. 2017, LexisNexis
2. J. Beatson, Anson's Law of Contract (29th ed., 2010), Oxford Publications
3. Avtar Singh, Law of Contract and Specific Relief, EBC Publications
4. Sachin Rastogi, Insights into E-Contracts in India, 2017, LexisNexis
5. R. K Singh, Law Relating to Electronic Contracts, 2015, LexisNexis
6. Cheshire, Fifoot and Furmston's, Law of Contract (17th ed., 2017), Oxford University Press

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SEMESTER 1

PAPER- 03 (Code- 3YRS-LL.B-SEM-I-CS-P-III)

LAW OF CRIMES-1

Unit 1

1.1 Definition and nature of crime, General conditions creating criminal liability; Strict Liability

1.2 General Exceptions: Mistake (Sections 76 and 79), Accident (S.80), Necessity (Section 81), Infancy (Sections 82-83), Unsoundness of Mind (Section 84), Intoxication (Sections 85-86), Right of Private Defence (Sections 96-106)

1.3 Joint and Constructive Liability (Section 34 and 149)

Unit 2

2.1 Abetment: Meaning, Essential elements, Criminal Conspiracy

2.2 Offences against Human Body: Culpable Homicide, Murder, Hurt, Grievous Hurt, Kidnapping and Abduction, Rape, Unnatural offences, Assault or Criminal force, Voyeurism, Stalking, Criminal Intimidation, Outraging the modesty of a woman

Unit 3

3.1 Offences against Property: Theft, Extortion, Robbery and Dacoity, Criminal Misappropriation and Criminal breach of trust

3.2 Cheating, Mischief, Criminal Trespass, House breaking, House trespass

3.2 Offences against Marriage: Bigamy, Adultery, Cruelty

Unit 4

4.1 Offences against State: Waging War, Sedition

4.2 Offences against Public Tranquility: Unlawful Assembly, Rioting, Affray

4.3 Attempt: Intention to commit an offence, Preparation and Attempt, Proximity rule, Impossibility Test.

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Suggested Readings:

1. K.T. Thomas, M.A. Rashid (Rev.), Ratan Lal & Dhiraj Lal's The Indian Penal Code, (35th ed., 2017), LexisNexis
2. K.D. Gaur, Criminal Law : Cases and Materials, (8th ed., 2015), LexisNexis
3. R.C. Nigam, Law of Crimes in India (Vol. I) (1965), New York, Asia Pub. House
4. V.B. Raju, Commentary on Indian Penal Code, 1860, Dwivedi & Company, 2019
5. K.N.C. Pillai & Shabistan Aquil (Rev.), Essays on the Indian Penal Code, The Indian Law Institute, 2005
6. K. I. Vibhute (Rev.), P.S.A. Pillai's Criminal Law (13th ed., 2017), LexisNexis
7. Syed Shamsul Huda, The Principles of the Law of Crimes in British India, 1st Edition Reprint, 2019, EBC Publications
8. K.N. Chandrasekharan Pillai, General Principles of Criminal Law (2nd edition 2011, Reprint) EBC Publications

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SEMESTER I

PAPER-04 (Code- 3YRS-LL.B-SEM-I-CS-P-IV)

ENVIRONMENTAL LAW

Unit-1: Introduction

- 1.1. Meaning and Concept-Environment, Environmental Pollution, Need for Environment Protection
- 1.2. General legal remedies- Public Nuisance, Absolute liability, Criminal law remedies- IPC, Cr.P.C, Other Statutory remedies
- 1.3. Constitutional Provisions: Right to clean and healthy environment, Directive Principles of State Policy, Fundamental Duties
- 1.4. International Momentum- Stockholm Conference, Rio Conference, Kyoto Protocol, Paris Convention

Unit-2: Environmental Protection Legislations

- 2.1. The Water (Prevention and Control of Pollution) Act, 1974- Composition and Functions of Central Pollution Control Board and State Pollution Control Board, Prevention and Control of Water Pollution
- 2.2. Air (Prevention and Control of Pollution) Act, 1981- Definitions, Sources and Effects of Air Pollution, Central Pollution Control Board and State Pollution Control Board, Prevention and Control of Air Pollution
- 2.3. Environment Protection Act, 1986: Powers and Functions of Central Government, Judicial decisions, Environmental Impact Assessment
- 2.4. Noise Pollution (Control and Regulation) Rules 2000, National Green Tribunal Act 2010-Establishment and Composition, Powers and Jurisdiction

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 3: Protection and Conservation of Forest and Wild Life

- 3.1. Indian Forest Act 1927- Protected Forests, Reserve Forest, Village Forest
- 3.2. Forest (Conservation) Act, 1980-Aims and Objectives, Prior approval and non-forest purpose, Judicial Decisions
- 3.3. Forest Rights Act, 2006 - Recognition and Vesting of forest rights, Authorities and Procedure
- 3.4. Wild life Protection Act, 1972- Sanctuaries and National parks, Tiger Conservation; Animal Welfare

Unit 4- Emerging Principles and Issues

- 4.1. Sustainable Development, Polluter Pays Principle, Precautionary Principle, Public Trust Doctrine.
- 4.2. Climate Change- Concept, International efforts, UNFCCC
- 4.3. Biodiversity Conservation- Concept and Meaning; Biodiversity Conservation Act 2002- definitions, Authorities under the Act, Judicial decisions

Suggested Readings:

1. Shyam Divan, Armin Rosencranz, Environmental Law and Policy in India, Oxford University Press
2. P. Leelakrishnan, Environmental Law in India, LexisNexis
3. P.S Jaswal, Nishta Jaswal. Environmental Law, Allahabad Law Agency
4. Philip Sands and Jacqueline Peel, Principles of International Environmental Law, Cambridge University Press
5. Patricia Birnie; Alan Boyle; Catherine Redgwell, International Law and the Environment, Oxford University Press
6. Dr. Sukanta K. Nanda, Environmental Law, 5th Edition, 2020, Central Law Publications.

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER 1

PAPER- 05 (Code- 3YRS-LL.B-SEM-I-CS-P-V)

LAW OF TORTS INCLUDING MV ACCIDENT AND CONSUMER PROTECTION LAWS

Unit 1

- 1.1 Origin and Development of law of Tort
- 1.2 Meaning, Nature and Scope of Law of Tort, Pigeon Hole Theory
- 1.3 Elements of Tort, Damnum sine Injuria, Injuria sine Damnum
- 1.4 Distinction between Tort and Crime, Tort and Contract
- 1.5 Tort of Negligence, Contributory Negligence, Res Ipsa Loquitur.
- 1.6 General defences: Volenti non Fit Injuria, Act of God, Inevitable Accident, Statutory Authority
- 1.7 Vicarious Liability: Master's Vicarious Liability, Sovereign Immunity.

Unit 2

- 2.1 Remoteness of damages: Intended Consequences and Unintended Consequences, rules to determine remoteness, Novus Actus Interveniens
- 2.2 Strict Liability: Ryland v. Fletcher Rule, Defences and Applicability in India, Absolute Liability: M.C. Mehta v. Union of India Rule.
- 2.3 Tort against Person: Assault, Battery, False Imprisonment.
- 2.4 Tort against Property: Nuisance.
- 2.5 Tort against Reputation- Malicious prosecution, Defamation

Unit 3

- 3.1 Motor Vehicle Accident: Motor Vehicle, Driving licence, Vehicle Registration
- 3.2 Regulation of Safety measures in construction and maintenance of vehicles, road safety and Traffic management
- 3.3 Provisions regarding the "no fault liability"
- 3.4 Insurance against third party risk, Claims Tribunal, Award of Compensation

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 4

- 4.1 Consumer Protection Act, 2019, Definition of Consumer, Rights of Consumer
- 4.2 Consumer Protection Authorities
- 4.3 Product Liability
- 4.4 Unfair Trade Practices- Misleading and false advertising, Unsafe and hazardous products
- 4.5 Deficiency in Services

Suggested Readings:

1. W.V.H. Rogers, Winfield & Jolowicz on Tort (Sweet & Maxwell, 19th edn., 2016).
2. R.F.V.Heuston and R.A. Buckley, Salmond & Heuston on The Law of Torts (Sweet & Maxwell, 21st edn., 1996).
3. G.P.Singh and Akshay Sapre , Ratanlal & Dhirajlal The Law of Torts (Lexis Nexis, 28th edn., 2019).
4. Avtar Singh (Rev.), P.S. Atchuthen Pillai Law of Torts (Eastern Book Company, 9th edn., 2008).
5. Tony Weir, A Casebook on Tort (Sweet & Maxwell, 10th edn., 2004).
6. G. B Reddy and Baglekar Akash Kumar, Consumer Protection Act: A Commentary (EBC Publication, First Edition, 2021).
7. K Kannan, Commentary on Motor Vehicles Act (Oakbridge Publication, 2021)

SEMESTER SECOND

List of Papers

Paper 1- Constitutional Law-II

Paper 2-Law of Contract-II (Special Contract)

Paper 3- Administrative Law

Paper 4- Law of Crimes-II

Paper 5- Law of Evidence

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER II

PAPER- 01 (Code- 3YRS-LL.B-SEM-II-CS-P-I)

CONSTITUTIONAL LAW-II

Unit 1- Fundamental Rights and State Action

- 1.1.Nature and Significance of Fundamental Rights
- 1.2.State- Definition of State, Local Authority, Scope of Other Authorities, Changing Concept of State
- 1.3.State Action-Judicial Review, Pre and Post Constitution Laws, Doctrine of Eclipse, Doctrine of Severability, Waiver of Fundamental Rights
- 1.4.Right to Equality-Equality before Law and Equal Protection of Laws, Test of Reasonable Classification, The doctrine of non-arbitrariness
- 1.5. Concept of Protective Discrimination/Affirmative Action
- 1.6. Special Provisions for Women and Children
- 1.7.Reservation in admission in educational institutions, Reservation in State Services

Unit 2- Right to Freedom

- 2.1 Fundamental Freedoms- Importance, Availability Nature of Rights
- 2.2 Freedom of Speech and Expression, Freedom of press, Right to information, Reasonable restriction
- 2.3 Freedom to Assemble and Form Association, Freedom of Movement and Residence, Freedom to carry on Trade and Commerce
- 2.4 Protection in respect of Conviction for Offences, Double jeopardy, Protection against Self-incrimination
- 2.5 Protection of Life and Personal Liberty-Meaning, Procedure established by Law and Due Process of Law,
- 2.6 Judicial Interpretation of Article 21 and various derivative rights
- 2.7 Safeguard against arbitrary arrest and detention

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 3- Freedom of Religion and Minorities Rights

- 3.1 Right to Religion-Meaning of Secularism, Individuals' right of religion, Right of religious denominations
- 3.2. Right against exploitation
- 3.3 Right of minorities- Meaning of minority, Right of minorities to establish and administer educational institution; administrative autonomy of minority institutions
- 3.4 Right to Constitutional Remedies-Doctrine of locus standi, Public Interest Litigation, Writ Jurisdiction and various kinds of writs.

Unit 4- Directive Principles of State Policy and Fundamental Duties

- 4.1 The Constitutional Scheme of Directive Principles, Non-enforceability of Directive Principles.
- 4.2 Interrelationship between Directive Principles and Fundamental rights, judicial enforceability of Directive Principles of State Policy.
- 4.3 Fundamental Duties-Significance and enforceability

Suggested Readings:

- 1. Austin Granville- The Indian constitution: Cornerstone of a Nation, Oxford India
- 2. Seervai H.M. - Constitution of India, Universal Law Publishing Co. Pvt. Ltd.
- 3. Jain M.P. – Indian Constitutional Law, LexisNexis
- 4. Shukla V N- Constitution of India (ed. By M.P. Singh), EBC Publications
- 5. Basu D.D. – Shorter Constitution of India, LexisNexis

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER II

PAPER- 02 (Code- 3YRS-LL.B-SEM-II-CS-P-II)

**CONTRACT LAW-II
(SPECIAL CONTRACT)**

Unit 1: Indemnity and Guarantee/Bailment and Pledge

- 1.1 Meaning of Indemnity and Guarantee
- 1.2 Distinction between Indemnity and Guarantee
- 1.3 Right and Duties of Indemnifier, Indemnified and Surety
- 1.4 Discharge of Surety, Kinds of Guarantee
- 1.5 Bailment and Pledge: Meaning and Distinction
- 1.6 Rights and Duties of Bailor and Bailee
- 1.7 Rights and Duties of Pawnor and Pawnee
- 1.8 Lien, Termination of Bailment

Unit 2: Agency

- 2.1 Definitions of Agent and Principal
- 2.2 Appointment of an Agent, Authority of an Agent
- 2.3 Creation of agency: by agreement, Ratification and law
- 2.4 Relation of principal and agent, subagent and substituted agent
- 2.5 Ratification of Agents Authority, Revocation of Agency Authority
- 2.6 Effects of Agency on Contracts with third person
- 2.7 Personal Liability of agents, Termination of agency

Unit 3: Sale of Goods Act 1930

- 3.1 Contract of Sale: Nature and definition,
- 3.2 Conditions and Warranties, Transfer of Property and Title
- 3.3 Performance of the contracts
- 3.4 Rights of unpaid seller
- 3.5 Suit for breach of contract

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 4: The Indian Partnership Act, 1932

- 4.1 Nature of partnership firm
- 4.2 Relations of partners to one another and outsiders
- 4.3 Rights and Duties of partners inter se
- 4.4 Partnership Property: Relations of Partners to third parties
- 4.5 Liability for holding out, Minor as a partner
- 4.6 Incoming and outgoing partners
- 4.7 Dissolution of Partnership Firm, Modes of Dissolution, Consequences of dissolution
- 4.8 Registration of firms and effects of non-registration.

Suggested Readings:

1. Anson, Law of Contract, 31st Edition, 2020, Oxford University Press.
2. Pollock and Mulla, Indian Contract Act, LexisNexis
3. Avtar Singh, Indian Contracts Act, EBC Publications
4. Mulla, D. F., Indian Partnership Act, LexisNexis
5. Desai, S.T, Law of Contracts Partnership in India, LexisNexis
6. R.K. Bangia, Sales of Goods Act, Allahabad Law Agency
7. Avtar Singh, Sales of Good Act, EBC Publications
8. Avtar Singh, Indian Partnership Act, EBC Publications
9. K. Sukumaran, Pollock & Mulls - The Indian Partnership Act, LexisNexis

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER II

PAPER- 03 (Code- 3YRS-LL.B-SEM-II-CS-P-III)

ADMINISTRATIVE LAW

Unit 1- Introduction to Administrative Law

- 1.1. Key Concepts-Welfare State, Rule of Law, Doctrine of Separation of Power, Parliamentary Sovereignty
- 1.2. Definition, Nature, Scope and Significance of Administrative law, Reasons for growth of administrative law, Difference between Constitutional Law and Administrative law
- 1.3. Evolution and Development of Administrative Law – India, UK, USA and France (*Droit Administratif*), Global Administrative Law
- 1.4. Administrative Action-Meaning, Classification, Need to Control of Administrative Action

Unit 2- Administrative Rule-Making

- 2.1. Administrative Rule Making/Delegated Legislation-Meaning, Need for administrative Rule-making, Classification of Delegated Legislation, Constitutionality of Delegated Legislation
- 2.2. Delegated legislation and Conditional Legislation, Sub-Delegation, delegation of Taxing Power, Retrospective Operation of Delegated Legislation
- 2.3. Control of Delegated Legislation in India-Parliamentary Control, Procedural Control, Judicial Control and Doctrine of *Ultra vires*, Effect of an *Ultra vires* administrative legislation.

Unit 3- Judicial Control of Administrative Action

- 3.1. Judicial Review- Meaning, Position in U.K, U.S and India, Grounds of Judicial Review of administrative action-Illegality, Irrationality (Wednesbury Test), Procedural Impropriety, Proportionality

Syllabus-3 year LL.B. (M S Law University, Cuttack)

3.2. Writ Jurisdiction-Meaning of Writs, Kinds of Writs, Jurisdiction of Supreme Court and High Courts, Authorities amenable to Writ Jurisdiction, *Locus standi* in Writ Jurisdiction.

3.3. Judicial Doctrines- Doctrine of Legitimate expectation, Doctrine of Proportionality, Doctrine of Public Accountability

3.4. Private Law Review and Other Remedies -Private Law Review, Meaning, Injunction, Declaration, Suit for Damages, Lokpal, Lokayukta, Ombudsman

Unit 4- Principles of Natural Justice, State Liability and Administrative Adjudication

4.1. Meaning, Constitutional Framework, Principles of Natural Justice, Rule against Bias, Audi Alteram Partem, Meaning, Incidents of *audi alteram partem* rule, Exceptions to the Principles of Natural Justice

4.3. Liability of State-Doctrine of Sovereign Immunity, Liability of administration in Contract, Liability of administration in Tort, State Liability and Compensatory Jurisprudence

4.4 Administration Adjudication-Meaning, Reasons for growth of administrative Adjudication, Distinction between Judicial, Quasi-Judicial Function and Administrative action

4.5 Administrative Tribunals, Advantages and Disadvantages of Tribunal Justice System, Administrative Tribunal Act 1985- Procedure and powers of Administrative Tribunal, Constitutional validity of administrative tribunals

Suggested Readings:

1. William Wade and Christopher Forsyth. 2014. Administrative Law. 11th ed. Oxford University Press: UK
2. I.P Massey. 2020. Administrative Law 9th ed. Eastern Book Co: Lucknow
3. MP Jain & S N Jain.2017. Principles of administrative Law, LexisNexis: Nagpur
4. C.K Thakker. 2012. Administrative Law 2nd ed. Eastern Book Co: Lucknow
5. C.K Takwani, 2020 Lectures on administrative Law 6th ed. Eastern Book Co.: Lucknow
6. UPD Kesari, 2018. Lectures on Administrative Law 22nd ed. Central Law Publications: Allahabad

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER II

PAPER-04 (Code- 3YRS-LL.B-SEM-II-CS-P-IV)

LAW OF CRIMES-II

Unit 1- Definition and Constitution of Criminal Courts

- 1.1 Definition under Section 2.
- 1.2 Constitution and Powers of Criminal Courts and Offices
- 1.3 Arrest, Escape and Re-Taking

Unit 2- Procedure for Appearance and Production of Things

- 2.1 Process to Compel Appearance and Production of Thing and Discovery of Person Wrongfully Confined
- 2.2 Security for Keeping Peace and Good Behaviour

Unit 3- Investigation and Commencement of Trial

- 3.1 Maintenance of Public Order and Tranquillity
- 3.2 Information to the Police and Their Powers to Investigate
- 3.3 Complaint to Magistrates and Commencement of Proceedings before Magistrate

Unit 4- Criminal Trial

- 4.1 Charge, Procedure for Framing Charge and Compilation of Charges
- 4.2 Trial of Cases by Magistrate Summon and Warrant Case and Summary Trials
- 4.3 Provisions as to Bail and Bonds.

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Suggested Readings:

1. Kelkar, Criminal Procedure Code, EBC Publications
2. Ratan Lal, Dhiraj Lal, The Code of Criminal Procedure, LexisNexis
3. D. D. Basu, Criminal Procedure Code, LexisNexis
4. Woddroffe, Commentaries on Code of Criminal Procedure, EBC Publications
5. K.N Pillai, Chandrashekharan (ed.) Kelkar's Lectures on Criminal Procedure, EBC Publications
6. S.C. Sarkar, The Law of Criminal Procedure, LexisNexis

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER II

PAPER- 05 (Code- 3YRS-LL.B-SEM-II-CS-P-V)

LAW OF EVIDENCE

Unit 1- Introduction

- 1.1 Extent, commencement and application of Indian Evidence Act (Section 1)
- 1.2 Interpretation clause (Section 3)
- 1.3 Presumptions- may presume, shall presume and conclusive proof (section 4)
- 1.4 Concepts of 'Facts', 'Facts in issue', 'Relevant facts', 'Evidence-Oral and Documentary', 'Proved', 'Disproved' and 'not proved'
- 1.5 Relationship between law of evidence and substantive laws

Unit 2- Relevancy and Admissibility of Facts

- 2.1 Relevancy of Facts (sections 5-16)
- 2.2 Admissions (Sections 17-23 and 31)
- 2.3 Confessions (Sections 24-30)
- 2.4 Statements by persons who cannot be called as witnesses (Sections 32-33)
- 2.5 Statements made under special circumstances (Sections 34-39)
- 2.6 Judgements of Courts of Justice when relevant (Sections 40-44)
- 2.7 Opinion of Third Person When Relevant (Sections 45-51)

Unit 3- Evidence, Burden of Proof and Presumptions

- 3.1 Oral Evidence (Sections 59-60)
- 3.2 Documentary Evidence (Sections 61-78)
- 3.3 Burden of Proof (Sections 101-110)
- 3.4 Presumption as to Certain Offences (Sections 111-114 A)

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 4- Law of Estoppels and Witnesses

- 4.1 Estoppels (Sections 115-117)
- 4.2 Witnesses, Privileged Communications (Sections 118-132)
- 4.3 Accomplice (Sections 133)
- 4.4 Examination of Witnesses- Child witness (Section 118), Dumb witness (Section 119), hostile witness (Section 154)
- 4.5 Number of Witnesses (Sections 134)
- 4.6 Examination-in-Chief, Cross-Examination, Re-examination
- 4.7 Leading Questions

Suggested Readings:

1. Ratan Lal and Dheeraj Lal, The Law of Evidence, LexisNexis
2. Batuk Lal, Law of Evidence, Central Law Agency
3. C.D. Field, Law of Evidence, Delhi Law House
4. M. Monir, Law of Evidence, Universal Law Publications
5. Avtar Singh, Evidence, EBC Publications

SEMESTER THIRD

List of Papers

Paper 1- Family Law-I

Paper 2-Public International Law

Paper 3- Jurisprudence

Paper 4- Company Law

Paper 5- Professional Ethics

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER III

PAPER- 01 (Code- 3YRS-LL.B-SEM-III-CS-P-I)

FAMILY LAW-1 (HINDU LAW)

Unit 1: Introduction

- 1.1 Application of Hindu Law, Sources of Hindu Law-Ancient and Modern Sources, Schools of Hindu Law-Mitakshara and Dayabhaga School
- 1.2 Hindu Joint Family, Coparcenary, Karta-Position of Karta, Powers and Liabilities of Karta, Doctrine of Pious Obligation
- 1.3 Partition- Meaning, Subject matter of Partition, How partition is effected, Mode of Partition

Unit 2: The Hindu Marriage Act 1955

- 2.1 Nature of Hindu Marriage, Conditions of Hindu Marriage, Ceremonies of Marriage
- 2.2 Registration of Marriage, Restitution of Conjugal rights, Void and Voidable Marriage, Judicial Separation
- 2.3 Divorce- Theories of Divorce, Grounds of Divorce, Irretrievable Breakdown of Marriage, Divorce by Mutual Consent, Legitimacy of Children
- 2.4 Maintenance *pendente lite*, Permanent Alimony, Custody and maintenance of Children; Jurisdiction and Procedure

Unit 3: The Hindu Succession Act and the Hindu Minority and Guardianship Act

- 3.1 Succession-Meaning, Doctrine of Survivorship and Doctrine of Sonship; Hindu Succession Act, 1956- Devolution of interest in coparcenary property
- 3.2 General Rules of Succession, Stridhan, Women's estate, Succession of a Hindu Male dying intestate, Succession of a Hindu female dying intestate
- 3.3 The Hindu Minority and Guardianship Act: Guardianship -Meaning and Essentials, Types of Guardian- Natural Guardian, Testamentary Guardian, De facto Guardian, Guardian appointed by Court, Power, Rights and power of Guardian.

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 4: The Hindu Adoption and Maintenance Act and Miscellaneous

4.1 Meaning of Adoption, Object and Requirements; who may give and take in adoption, who may be taken in adoption, Ceremonies of adoption, effect of adoption, Relationship of adopted Child

4.2 Maintenance-Concept of maintenance, Maintenance under Hindu Law and S-125 Cr.PC, Maintenance of Wife, Widow Daughter in Law, Children, Parents and Dependencies, Quantum of maintenance, Maintenance as a charge, arrears of maintenance, alteration of maintenance

4.3 Family Courts -Concept and Development, Jurisdiction of Family Courts, Procedure, Decree of Family Court

Suggested Readings:

1. Sir Dinshaw Fardunji Mulla, Mulla Hindu Law, LexisNexis Butterworths (Satyajit A. Desai ed.)
2. Kusum, Family Law Lectures-Family Law I, Lexis Nexis Butterworths
3. Poonam Pradhan Saxena, Family Law Lectures- Family Law II, Lexis Nexis Butterworths
4. Paras Diwan, Modern Hindu Law, Allahabad Law Agency
5. Prof. G. C V Subba Rao's Family Law in India, Narendra Gogia & Company
6. U.P. D Keshari, Modern Hindu Law, Central Law Publications
7. Ramesh Chandra Nagpal, Modern Hindu Law, Eastern Book Company

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER III

Paper- 02 (Code- 3YRS-LL.B-SEM-III-CS-P-II)

PUBLIC INTERNATIONAL LAW

Unit 1: Introduction

- 1.1 Definition, Nature and Basis of International Law
- 1.2 Sources of International Law
- 1.3 History, Development and Codification of International Law
- 1.4 Relationship between International Law and Municipal Law

Unit 2: The Law of Peace I

- 2.1 State – Nature and Different types of state and Non-State entity,
- 2.2 Subjects of International Law
- 2.3 State Recognition
- 2.4 State succession

Unit 3: The Law of Peace II

- 3.1 State Jurisdiction
- 3.2 Extradition
- 3.3 Asylum
- 3.4 Nationality

Unit 4: International Obligations

- 4.1 Law of treaties – Meaning, Kinds, Formation, termination and reservation of treaties
- 4.2 UNO, General Assembly and Security Council
- 4.3 Diplomatic agents
- 4.4 Settlement of International Disputes, International Court of Justice (ICJ)

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Suggested Readings:

- Malcolm Nathan Shaw, International Law, Cambridge University Press.
- Tim Hillier, Sourcebook on Public International Law, Routledge.
- Ian Brownlie, Principles of Public International Law, Oxford University Press.
- Joseph Gabriel Starke, Ivan Anthony Shearer, Starke's International Law, Butterworths.
- Lassa Oppenheim, Robert Jennings and Arthur Watts, Oppenheim's International Law, Oxford University Press.
- S K Kapoor, International Law and Human Rights, Central Law Agency.
- H.O. Agarwal, International Law & Human Rights, Central Law Publications.
- Ian Brownlie, Basic Documents in International Law, Oxford University Press.

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER III

PAPER- 03 (Code- 3YRS-LL.B-SEM-III-CS-P-III)

SUBJECT: JURISPRUDENCE

Unit 1: Introduction

- 1.1. Definitions, Nature and Scope of Jurisprudence, Importance and Utility of Jurisprudence
- 1.2. Relation of Jurisprudence with other sciences, Synthetic Jurisprudence
- 1.3. Relation between Law and Justice
- 1.4. Sources of Law- Customs, Precedent, Legislation

Unit 2: Schools of Jurisprudence-I

- 2.1. Natural Law School- Classical Naturalism
- 2.2. Revival of Natural Law- Fuller and Finnis
- 2.3. Legal Positivism- Austin's Theory of Law, Kelson Pure Theory of Law, HLA Hart
- 2.4. Relation between Law and Morals, Hart- Fuller Debate, Hart-Devlin Debate

Unit 3: Schools of Jurisprudence-II

- 3.1. Historical School- Savigny and Maine
- 3.2. Sociological School- Roscoe Pound
- 3.3. Realist School- American Realism, Scandinavian Realism
- 3.4. Legal Realism

Unit 4: Legal Concepts

- 4.1. Legal Rights - Definition, Essential Elements, Theories of Legal Rights, Kinds of Legal Rights, Duties-Definition, Kinds of Legal Duties, Relationship between right and duty
- 4.2. Ownership and Possession- Concept and Definition, Essentials of Ownership, Kinds of Ownership, Modes of Acquisition of Ownership
Possession- Concept and Definition, Elements of Possession, Theories of Possession, Kinds of Possession, Acquisition of Possession
- 4.3. Legal Personality- Meaning; Legal Status of Unborn Persons, Legal Status of Dead Persons, animals; Corporate Personality, Theories of Corporate Personality

Syllabus-3 year LL.B. (M S Law University, Cuttack)

4.4. Liability- Definition, Kinds of Liability, General Conditions of Liability, Measure of Liability

Suggested Readings:

1. G. W. Paton , A Textbook of Jurisprudence, Oxford University Press: New Delhi
2. Michael Freeman, Llyod's Introduction to Jurisprudence, Sweet & Maxwell: London
3. P J Fitzgerald, Salmond on Jurisprudence, Universal Law Publishing: New Delhi
4. James Penner & Emmanuel Melissaris, McCoubrey & White's Textbook on Jurisprudence, Oxford University Press: New Delhi
5. RMW Dias, Jurisprudence, LexisNexis: Wadhwa Nagpur
6. V D Mahajan., Jurisprudence and Legal Theory, Eastern Book Co: Lucknow
7. Avtar Singh & Harpreet Kaur, Introduction to Jurisprudence, LexisNexis: Wadhwa Nagpur
8. N.V Paranjape, Studies in Jurisprudence and Legal Theory Central Law Agency: Allahabad.

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER III

PAPER- 04 (Code- 3YRS-LL.B-SEM-III-CS-P-IV)

COMPANY LAW

Unit 1: Incorporation of Company and Constitutional Instruments

- 1.1 Company – Definition and characteristics, Types of companies, Corporate Personality
- 1.2 Lifting or Piercing the Corporate Veil
- 1.3 Promoters - their role, rights, liabilities and legal position
- 1.4 Memorandum of Association and its alteration
- 1.5 Article of Association and its alteration
- 1.6 Doctrine of Ultra-vires, Doctrine of Constructive Notice, Doctrine of Indoor Management
- 1.7 Prevention of oppression and mismanagement, powers of National Company Law Tribunal, Court and the Central Government

Unit 2: Prospectus, Shares, Debentures and Investments

- 2.1 Prospectus: Types, Issue of Shares, Public Offer, private placement
- 2.2 Allotment of Shares, Restriction on allotment of shares
- 2.3 Transfer of Shares, Forfeiture of shares
- 2.4 Debentures– Meaning, fixed and floating charge, kinds of debentures, remedies of debenture holders
- 2.5 Investments of Company- Purchase by Company of Shares etc. of other companies, Penalty, Inter-corporate loans and Investments

Unit 3: Directors and Meetings

- 3.1 Directors: Types, Legal Position, Appointment and removal
- 3.2 Board of Directors: Constitution, Powers and Restrictions, Duties and Liabilities
- 3.3 Meetings: Kinds, Procedure and Requisites of valid meeting
- 3.4 Resolution: Kinds of resolution

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 4: Winding UP

- 4.1 Winding up- Types, grounds and procedure for winding up, Dissolution of Company
- 4.2 Powers of a liquidator, Power of Court
- 4.3 Liability of past members, payment of liabilities, Preferential payment, unclaimed dividends
- 4.4 Winding up of unregistered company
- 4.5 Voluntary winding up by members and creditors
- 4.6 Winding up subject to supervision of Court

Suggested Readings:

1. A.K. Majumdar and G.K. Kapoor, Company Law and Practice, 18th edition, Taxman, 2013.
2. A. Ramaiya, Guide to Companies Act, 17th edition Lexis Nexis Butterworths, Wadhwa, Nagpur, 2010.
3. Gower & Davies, Principles of Modern Company Law, 8th edition, Sweet and Maxwell, 2008.
4. Palmer, Palmer's Company Law, Stevens, London.
5. Robert R. Pennigton, Company Law, 8th edition, Oxford University Press, 2006.
6. Avtar Singh, Company Law, 17th Edition, EBC, 2018.
7. ICSI, Guide to Companies Act, 2013, Section-Wise Concise Commentary with Referencer.
8. Taxmann, Master Guide to Companies Act 2013.

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER III

PAPER- 05 (Code- 3YRS-LL.B-SEM-III-PS-P-V)

PROFESSIONAL ETHICS

Unit 1: Legal Profession and Its Ethics

- 1.1 Evolution, Development and Nature of Legal Profession in USA, England, France and India.
- 1.2 Meaning of Ethics and Professional Ethics
- 1.3 Object and Necessity of Legal Ethics
- 1.4 Duties of Advocates: Towards Court, Towards Client, Towards Opponent, Towards His Profession, Towards Society, Towards Himself

Unit 2: The Advocates Act, 1961

- 2.1 Admission and Enrolment of Advocates in State Bar Council and Bar Council of India.
- 2.2 State Bar Council: Composition and Powers, Bar Council of India: Composition and Powers.
- 2.3 Rights, Privileges and Disabilities of Advocates under Advocates Act.
- 2.4 Opinions of Disciplinary Committees of Bar Councils on Professional Misconduct, Bar- Bench Relations

Unit 3: Advocacy and Accountancy

- 3.1 Meaning of Advocacy, Elements of Advocacy
- 3.2 Equipments of Advocates
- 3.3 Seven Lamps of Advocacy
- 3.4 Accountancy for Lawyers

Unit 4: The Contempt of Court Act, 1971

- 4.1 Meaning and Kinds of Contempt
- 4.2 Procedure in Contempt Proceedings
- 4.3 Contempt Proceedings in Supreme Court, High Court and Lower Judiciary
- 4.4 Punishment for Contempt of Court

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Recommended Case Laws

- Maninderjeet Singh Bitta v. UOI, (2011) 11 SCALE 634
- R.K. Anand v. Registrar, Delhi High Court (2009) 8 SCC 106
- In Re Arundhati Roy, AIR 2002 SC 1375
- Mrityunjay Das v. Sayed Rahaman AIR 2001 SC 1293
- SC Bar Association v. UOI, AIR 1998 SC 1895
- Smt Pushpaben & others v. Narandas V Badani, AIR 1979 SC 1536
- Daroga Singh v. B K Pandey, (2004) 5 SCC 26
- Pravin C. Shah v. K.A. Mohd. Ali, (2001) 8 SCC 650
- Bhuramal Swami v. Raghuveer Singh & Ors. [CRIMINAL APPEAL No. 464 of 2006, decided on 21st October 2016]
- Perspective Publication v. State of Maharashtra, AIR 1970 SC 221
- Narmada Bachao Andolan v. UOI, AIR 1999 SC 3345

Suggested Readings

1. Dr. S.P. Gupta - Professional Ethics Accountancy for Lawyers and Bench-Bar Relations, 5th Edition, Central Law Agency
2. Rohington Mehata - Professional Ethics Accountancy for Lawyers
3. J.P.S. Sirohi - Professional Ethics, Accountancy for Lawyers and Bench Bar Relations, Allahabad Law Agency
4. P. Ramanath Iyer - Legal & Professional Ethics, The Madras Law Journal Press.

SEMESTER FOURTH

List of Papers

Paper 1- Family Law-II

Paper 2-Law of Property

Paper 3- Alternative Dispute Resolution

Paper 4- Optional Papers

- i Interpretation of Statutes***
- ii Humanitarian and Refugee Law***
- iii Child Law and Juvenile Justice***

Paper 5- Optional Papers

- i Banking Law***
- ii Right to Information***
- iii Penology and Victimology***

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER IV

Paper- 01 (Code- 3YRS-LL.B-SEM-IV-CS-P-I)

FAMILY LAW-II (MUSLIM LAW)

Unit 1: Introduction

- 1.1 Origin and Development, Sources of Muslim Law, Schools of Muslim Law, Application of Muslim Law, Conversion
- 1.2 Concept of Marriage (Nikah), Nature of Muslim Marriage, Essentials of a Valid Marriage, Formalities of Marriage, Kinds of Marriage,
- 1.2 Impediments to Marriage, Valid Marriage, Void Marriage, Irregular Marriage, *Iddat*, Registration of Muslim Marriage

Unit 2: Dissolution of Muslim Marriage, Legitimacy and Maintenance

- 2.1 Dower (Mahr) -Concept, Object and Kinds of Dower, Effects of Non- payment of dower, Relinquishment of dower
- 2.2 Divorce-Concept of Talaq, Conditions of Valid Talaq, Kinds of Talaq, Divorce under Dissolution of Muslim Marriage Act, Legal effects of Divorce
- 2.3 Legitimacy- Establishment of Paternity, Doctrine of acknowledgement, Establishment of Maternity, Difference between Adoption and acknowledgement
- 2.4 Maintenance (Nafkah)- Concept, Persons entitled to Maintenance, Maintenance by agreement, Maintenance under Customary Muslim Law and Muslim Women (Protection of Rights under Divorce Act)

Unit 3: Inheritance, Adoption and Guardianship

- 3.1 Inheritance-General principles of inheritance, Rules of Inheritance, Rule of representation, Rule of *Spes Successionis*
- 3.2 Parentage, Acknowledgement and Legitimacy
- 3.3 Guardianship-Concept of Guardianship, Minority under Muslim Law, Kinds of Guardians, Power and Duties of Guardian, Removal and Cessation of Guardianship

Unit 4: Gift, Will and Pre-emption

- 4.1 Gift (Hiba)- Concept of Gift, Definition of Gift, Subject matter of Gift, Essentials of a valid Gift, Types of Gift, Revocation of Gift, *Hiba-bil-Iwaz*, *Donatio Mortis Causa*

Syllabus-3 year LL.B. (M S Law University, Cuttack)

4.2 Will (Wasiyat)- Concept of Will, Definition of Will, Essentials of a Will, Kinds of Will, Revocation of Will

4.3 Wakf-Concept of Wakf, Kinds of Wakf, Doctrine of Cypress, Registration of Wakf, Revocation of Wakf, Mutawali- Appointment, Power and Duties.

4.4 Pre-emption (Shufaa)-Concept of Pre-emption, Subject-matter of Pre-emption, Right of Pre-emption

Suggested Readings:

1. Sir Dinshaw Fardunji Mulla, Mulla Principles of Mohammadan Law, Lexis Nexis
2. ASAF A.A. Fyzee Outlines of Muhamaddan Law, Oxford University Press
3. Tahir Mahmood and Saif Mahmood, Introduction to The Muslim Law of India Universal Law Publishing
4. Manzar Saeed, Commentary on Muslim Law in India, Orient Publishing Company
5. Rakesh Kumar Singh, Textbook on Muslim Law. Universal Law Publishing
6. Kusum, Family Law Lectures-Family Law I, Lexis Nexis Butterworths
7. Poonam Pradhan Saxena, Family Law Lectures- Family Law II, Lexis Nexis Butterworths
8. R. K Sinha, Muslim Law, Central Law Publications
9. Paras Diwan, Family Law, Allahabad Law Agency

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER IV

PAPER- II (Code- 3YRS-LL.B-SEM-IV-CS-P-II)

LAW OF PROPERTY

Unit 1- Introduction and principles of Transfer of Property

- 1.1 Property: Meaning and Definition, Types of Property
- 1.2 Notice, Registration, Attestation, Actionable Claim
- 1.3 Restrictions on Alienation of Property
- 1.4 Transfer to Unborn Person
- 1.5 Rule against Perpetuity, Vested and Contingent Interests
- 1.6 Doctrine of Election

Unit 2- Transfer of Immovable Property

- 2.1 Doctrine of holding out, feeding the grant by estoppel
- 2.2 Doctrine of Priority, Transfer of lis pendens
- 2.3. Transfer by ostensible owner, transfer by unauthorized person who subsequently acquires interest in property transferred
- 2.4. Doctrine of part performance

Unit 3 Sale and Exchange of Immovable Property

- 3.1 Sale- Meaning and Essentials, Contract of sale
- 3.2 Rights and Liabilities of Buyer and Seller
- 3.3 Marshalling by subsequent purchaser
- 3.4 Exchange- Meaning and Essentials, Rights and liabilities of parties

Unit 4- Mortgage, Lease, Gift and Easement of Immovable Property

- 4.1 Mortgage: Meaning and essentials, Kinds of Mortgage
- 4.2 Rights and liabilities of parties, Right of redemption, foreclosure or sale
- 4.3 Doctrine of Priority, Doctrine of Marshalling and Contribution, Doctrine of Subrogation
- 4.4 Lease: Meaning and essentials, Kinds of Lease, Rights and Liabilities of Lessor and Lessee

Syllabus-3 year LL.B. (M S Law University, Cuttack)

4.5 Gift: Meaning and essentials, Modes of creation of Gift, Suspension and revocation of gift

Suggested Readings:

1. Amin & Shastri's, The Law of Easement, 4th Ed., EBC Publications
2. C.V. Subba Rao's Law of Transfer of Property, Rev. Vepa P. Sarathi, Hyderabad ALT Publications
3. Ghosh, Rashbehary, Law of Mortgage (Tagore Law Lectures), Kamal Law House, 2013
4. M. Lahiri, Transfer of Property Act (1999), India Law House
5. Megarry & Wade, The Law of Real Property; Thomson S&M, 2012
6. Saxena, Poonam, Mulla on Transfer of Property Act, 1882; Lexis Nexis; 2013 Ed.
7. Saxena, Poonam; Property Law, Lexis Nexis, 2011.
8. Sen Gupta (Rev.), Mitra's Transfer of Property Act, Kamal Law House, Kolkata
9. Sir H.S. Gour's Commentary on The Transfer of Property Act, Delhi Law House
10. Vepa P. Sarathi; Law of Transfer of Property; EBC Publications

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER IV

Paper- 03 (Code- 3YRS-LL.B-SEM-IV-PS-P-III)

ALTERNATIVE DISPUTE RESOLUTION

Unit 1: Introduction and Techniques of ADR-I

1.1 Concept and Development of ADR in India, History and Reasons for the Growth of ADR, Advantages of ADR-Methods of ADR, Indian Legislative Framework for ADR in India.

1.2 Negotiation: Meaning of Negotiation, Elements of Negotiation, Negotiation Style, Qualities of Good Negotiator, Obstruction to Negotiation.

1.3 Good Offices: Meaning of Good Offices, Process and Principles of Good Offices.

1.4 Mediation: Meaning of Mediation, Elements in Mediation, Rules for Mediation, Strategies and Techniques of Mediation, Stages of Mediation, Appointment and Selection of Mediator.

1.5 Role of Mediator, Limitation of Mediator, Qualities of Mediator, Reaching Settlement and Enforceability of Settlement Agreement.

Unit 2: Techniques of ADR-II

2.1 Arbitration: Meaning of Arbitration, Legal Regulation of Arbitration in India- Arbitration and Conciliation Act, 1996, Arbitration Agreement/Clause

2.2 Composition and Jurisdiction of Arbitral Tribunal, Conduct of Arbitral Proceedings, Making of Arbitral Award and Termination of Arbitral Proceedings, Enforcement of Arbitral Award.

2.3 Conciliation: Meaning of Conciliation, Legal Regulation of Conciliation in India Arbitration and Conciliation Act, 1996, Commencement of Conciliation Proceedings,

2.4 Appointment of Conciliator, Role of Conciliator, Settlement Agreement, Status and Effect of Settlement Agreement, Termination of Conciliation Proceedings.

Unit 3- Recognition and Enforcement of Foreign Arbitral Award

3.1 Foreign Award

3.2 International Commercial Arbitration- Essentials

Syllabus-3 year LL.B. (M S Law University, Cuttack)

3.3 Enforcement of Foreign Awards- Procedure and Essentials under New York Convention.

3.4 Enforcement of Foreign Awards- Procedure and Essentials under Geneva Convention.

Unit 4- Legal Services Authority Act, 1987

4.1 Legal Aid and History of Lok Adalat in India

4.2 Constitution, Powers and Functions of NALSA, SLSA, DLSA

4.3 Entitlement of legal aid under Legal Services Authority Act, 1987

4.4 Lok Adalat under Legal Services Authority Act, 1987

4.5 Permanent Lok Adalat

Suggested Readings:

1. Avtar Singh, Law of Arbitration and Conciliation with Alternative Dispute Resolution Systems, EBC Publications.
2. Madhusudan Saharay, Textbook on Arbitration & Conciliation with Alternative Dispute Resolution, (Universal Law Publishing Co. Pvt. Ltd.)
3. Dr. N.V. Paranjape, Law Relating to Arbitration & Conciliation in India, Central Law Agency
4. Dr. S.C. Tripathi, Alternate Dispute Resolution System (ADR), Central Law Publications.
5. O.P. Malothra, The Law and Practice of Arbitration & Conciliation (LexisNexis Butterworths)
6. P.C. Markanda, Law relating to Arbitration and Conciliation, (LexisNexis Butterworths)
7. Basu. N.D, Law of Arbitration and Conciliation (Universal Law Publishing Co. Pvt. Ltd.)

Syllabus-3 year LL.B. (M S Law University, Cuttack)

OPTIONAL PAPERS

SEMESTER IV

Paper- 04 [Code- 3YRS-LL.B-SEM-IV-OS-P-IV(a)]

INTERPRETATION OF STATUTES

Unit 1: Principles of Interpretation

- 1.1. Statute - Meaning, Nature and Classification
- 1.2. Interpretation-History, Meaning and Object of Interpretation
- 1.3. Elementary Principles of Interpretation and Construction of Statutes, Maxims of Statutory Interpretation: Ejusdem Generis, Noscitur A Sociis, Expressio Unius Est Exclusion Alterius, Ut Res Magis Valeat Quam Pereat, Contemporanea Expositio

Unit 2: Methods of Interpretation

- 2.1. Literal Rule
- 2.2. Golden Rule
- 2.3. The Mischief Rule
- 2.4. Harmonious Construction of Statutes

Unit 3: Aids to Interpretation

- 3.1. Internal Aids to Construction: a) Title, Preamble, Headings, Marginal notes, Definition of Interpretation Clauses, Illustrations
- 3.2. Internal Aids: (b) Explanations, Punctuation marks, Proviso, Exceptions and Saving Clauses, Schedules
- 3.3. External Aids to Interpretation (a) - Dictionaries, Text Books, Historical Background, Legislative History
- 3.4. External Aids-(b) Use of Foreign Decisions, Administrative Conveyancing and Commercial Practice, Statute and *Pari Materia*.

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 4: Interpretation of Specific Statutes

4.1. Beneficial Construction

4.2. Construction of Penal Statutes

4.3. Construction of Taxing Statutes

4.4. Prospective and Retrospective Operation of Statutes, General Clauses Act 1897.

Suggested Readings:

1. P. St. J. Langan, Maxwell on the Interpretation of Statutes, LexisNexis
2. G.P. Singh, Principles of Statutory Interpretation, Wadhwa and Co.
3. V.P. Sarathi, Interpretation of Statutes, Eastern Book Co.
4. T. Bhattacharyya, The Interpretation of Statutes, Central Law Agency
5. M.P. Tandon and J.R. Tandon, Interpretation of Statutes and Legislation, Allahabad Law Agency

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER IV

Paper- 04 [Code- 3YRS-LL.B-SEM-IV-OS-P-IV(b)]

HUMANITARIAN AND REFUGEE LAW

Unit 1: Introduction to International Humanitarian Law (IHL)

- 1.1. Nature and Definition of IHL, Historical Development of IHL, Sources of International Humanitarian Law,
- 1.2. Concept of *jus ad bellum* and *jus in bello*
- 1.3. Relationship between IHL and International Human Rights Law
- 1.4. Doctrine of Military necessity and Principle of Humanity

Unit 2: Protection of Victims of War and Armed Conflict

- 2.1. The Geneva Convention I- Protection and Care of Wounded and Sick Members of Armed Forces in Field
- 2.2. The Geneva Convention II- Protection and Care of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea
- 2.3. The Geneva Convention III- The Treatment of Prisoners of War
- 2.4. The Geneva Convention IV- Protection of Civilians

Unit 3: War Crime and Genocide

- 3.1. Definition of War Crime, General concept of war crime trials, Early War Crimes Trials- Nuremberg and Tokyo Trials
- 3.2. Genocide-Meaning and Definition, Genocide as a crime under International Law, Genocide Convention, Case Studies on Genocides
- 3.3. Permanent International Criminal Court-Background, Structure of ICC, Jurisdiction of ICC, Leading Judgements of ICC; International Criminal Tribunal
- 3.4. Basic Issues in Implementation of IHL; Enforcement of the Law at National Level

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 4: Refugee Law

4.1. Refugee Law- Meaning of Refugee, Scope of Refugee Law, Historical Development of International Refugee Law, Difference between Refugee and Internally Displaced Person, Stateless Persons

4.2 Role of Institutions-United Nations Relief and Rehabilitation administration (UNRRA), International Refugee Organisation(IRO), United Nations High Commissioner for Refugees (UNHCR), UNHCR and India

4.3 UN Convention relating to Status of Refugees, The 1967 Protocol Relating to the Status of Refugee

4.4. Status and Protection of Refugees in India, Indian Judiciary on rights of refugees.

Suggested Readings:

1. Jonathan Crowe and Kylie Weston-Scheuber, Principles of International Humanitarian Law, Edward Elgar
2. Emily Crawford and Alison Pert, International Humanitarian Law, Cambridge University Press
3. Francisco Martin et. al., International Human rights and Humanitarian Law Treaties, Cases and Analysis, Cambridge University Press
4. James C. Hathway, The Rights of Refugee under International Law, Cambridge University Press
5. B. S Chimni, International Refugee Law, Sage India
6. South Asian Documentation Centre, Human Rights and Humanitarian Law, Oxford University Press
7. R. C Hingorani, Humanitarian Law, Oxford University Press
8. HO Agarwal, International Law and Human rights , Central Law Publications
9. S K Kapoor, International Law and Human Rights, Central Law Agency

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER IV **Paper- 04 [Code- 3YRS-LL.B-SEM-IV-OS-P-IV(c)]** **CHILD LAW AND JUVENILE JUSTICE**

Unit 1: Introduction

- 1.1. Role of Law in Development of Child
- 1.2. Children and International Human Rights , UNCRC
- 1.3. Child Rights and Indian Constitution
- 1.4. Children and Right to Education

Unit 2: Child and Specific Offences

- 2.1. Child Marriage
- 2.2. Child Labour, Child Trafficking
- 2.3. Child Sexual Abuse, POCSO Act
- 2.4. Child Custody and Adoption

Unit 3: Juvenile Justice

- 3.1. Juvenile- Meaning, Juvenile in Conflict with Law
- 3.2. Child in need of Care and Protection
- 3.3. Rehabilitation and Social Integration
- 3.4. Juvenile Court System, Juvenile Justice Board

Unit 4: Institutional Protection of Child Rights

- 4.1. Role of NHRC and SHRC
- 4.2. National Commission for Protection of rights of the Child
- 4.3. Judiciary and Child Rights

Syllabus-3 year LL.B. (M S Law University, Cuttack)

4.4. Health Policies and Child Rights

Suggested Readings:

1. Dr. Mamta Rao: Law relating to Women and Children, 4th Edition, 2020, EBC Publications.
2. Dr. S. C Tripathi & Vibha Arora: Law relating to Women and Children, Central Law Publications.
3. Asha Bajpai: Child Rights in India: Law, Policy and Practice, Oxford University Press.
4. Ved Kumari: The Juvenile Justice System in India: From Welfare to Rights, Oxford India.
5. G.S Bajpai: Juvenile Justice: Impact and Implementation in India, 1st Edition, 2019, Bloomsbury India.
6. Dr. S.K. Chatterjee: Offences against Children and Juvenile Offence, 3rd Edition, 2022, Central Law Publications.

Syllabus-3 year LL.B. (M S Law University, Cuttack)

OPTIONAL PAPERS

SEMESTER IV

PAPER-05 [Code- 3YRS-LL.B-SEM-IV-OS-P-V(a)]

BANKING LAW

Unit 1: Law Relating to Banking Companies in India

- 1.1 Historical Development of Banking System
- 1.2 Control by Government and its Agencies
 - on Management
 - on Accounts and Audit Credit Policy
- 1.3 Nationalization vis-a-vis Privatization: Evaluation.
- 1.4 Disinvestment, Priority Lending and Promotion of Under Privileged Classes.

Unit 2: Banking System in India

- 2.1 Banking system in India
- 2.2 Registration of Banking Companies;
- 2.3 Deposit Insurance Corporation;
- 2.4 Reserve Bank of India: Characteristics and Functions;
- 2.5 Regulation of Monetary Mechanism of the Economy; Credit Control; Exchange Control; Monopoly of Currency Issue; Bank Rate Policy Formulation.
- 2.6 E-banking system in India

Unit 3: Relationship of Banker and Customer

- 3.1 Definition of Banker and Customer
- 3.2 Legal character of contract between Banker and Customer; Banker's Lien,
- 3.3 Nature and Type of Accounts;
- 3.4 Special Classes of Customers - Lunatics, Minor, Partnership, Corporations and Local Authorities;
- 3.5 Lending by Banks, Banking Frauds

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 4: Negotiable Instruments Act 1881

- 4.1 Meaning, essential aspects and types of Negotiable instruments;
- 4.2 Holder/Holder in Due course, Parties to Negotiable Instruments;
- 4.3 Discharge from liability, material alteration, presentment of Negotiable instrument;
- 4.4 Crossing of cheques, Dishonour of Cheque

Suggested Readings:

1. Basu, A., (1998) Review of Current Banking Theory and Practice. McMillan.
2. Cranston, Ross, (1997) Principles of Banking Law. Oxford University Press: Oxford.
3. Goode, R., (1995) Commercial Law, Penguin, London.
4. IIBF, (2015) Principles and Practices of Banking. 3 Ed. Macmillan: New Delhi.
5. Shekhar, K.C., (1998) Banking Theory and Practice. UBS Publisher Distributors: New Delhi.
6. Tannan, M. L., (2014) Banking Law and Practice in India. 25th ed. Lexis Nexis: New Delhi.

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER IV

PAPER-05 [Code- 3YRS-LL.B-SEM-IV-OS-P-V(b)]

RIGHT TO INFORMATION

Unit I: Right to Information

- 1.1 The Need for the Right to Information
- 1.2 International History of Right to Access to Information
- 1.3 Emergence of Right to Information from Indian Constitution and Court Judgments
- 1.4 Landmarks in the Right to Information Journey in India

Unit 2: Right to Information Act, 2005

- 2.1 Salient features of the Right to Information Act, 2005
- 2.2 Right to Information and Obligations of Public Authorities
- 2.3 Procedure for Seeking Information

Unit 3: Right to Information Act, 2005

- 3.1 The Central Information Commission
- 3.2 The State Information Commission
- 3.3 Power and Functions of the Information Commissions, Appeal, Penalties
- 3.4 Right to Information Rules

Unit 4: Other Acts which have relation to Right to Information Act, 2005

- 4.1 The Prevention of Corruption Act, 1988
- 4.2 The Official Secrets Act, 1923
- 4.3 The Whistle Blowers Protection Act, 2014

Suggested Readings:

1. Dr. A.S. Yadav- Right to Information Act, 2005: An Analysis, Central Law Publications
2. Dr. Kailash Rai- Constitutional law of India , Central Law Publications
3. V. N. Shukla- Constitution Of India, EBC Publications

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER IV

PAPER-05 [Code- 3YRS-LL.B-SEM-IV-OS-P-IV(c)]

PENOLOGY AND VICTIMOLOGY

Unit 1: Introduction

- 1.1. Concept and interrelationship between Crime and Punishment
- 1.2. Evolution of Penology and New Penology, Approaches to Penology, Types of Punishments, Elements of Punishment
- 1.3. Theories of Punishment– Utilitarian Theory, Retributive Theory, Expiatory Theory, Deterrent Theory, Reformatory Theory, Preventive Theory
- 1.4. Punishment and Reformation

Unit 2: Reformation and the Laws

- 2.1. Probation- Concept and Utility of Probation, Conditions of Probation, the Probation of Offenders Act, 1958, Judicial Approach
- 2.2. Parole- Concept, Origins, Provisions Under the Indian Law, Parole Board, Parole Officer, Conditions and Limitations
- 2.3. Executive Clemency- Concept under the Constitution, IPC and Cr.P.C., Pardoning Power, Commutation of Sentence, Intermediate Sentence, Criticism against Intermediate Sentence.
- 2.4. Juvenile offenders and reformation
- 2.5. Prison System- Reforms in prison system, open prison system.

Unit 3: Victimology

- 3.1. Victimology- Concept, Nature, Evolution
- 3.2. Theories of Victimization
- 3.3. Typology of Victims - Elderly persons, child, female, consumer and weaker section
- 3.4. Law Reforms on Victim Justice

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 4: Victim Protection and the Laws

- 4.1. Role of International Bodies, United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985
- 4.2. Rights of Victims of Crime; Criminal-Victim Relations
- 4.3. Compensation to victims of Crime and Indian Legal Frame Work.
- 4.4. Victim Support, Restitution, Assistance and Rehabilitation

Suggested Readings:

- 1. Edwin Sutherland et al: Principles of Criminology, Altamira Press
- 2. Ahmed Siddique: Criminology: Problems and Perspective, Central Law Agency.
- 3. S M A Quadri: Ahmad Siddique's Criminology & Penology, Eastern Book Company
- 4. K.D.Gaur: Criminal Law And Criminology, Deep & Deep Publications
- 5. N.V. Paranjape: Criminology and Penology with Victimology, Central Law Publications
- 6. Krishna Pal Malik: Penology, Victimology and Correctional Administration in India, Allahabad Law Agency
- 7. Leah E. Daigle: Victimology: The Essentials, Sage Publications

SEMESTER FIFTH

List of Papers

Paper 1- Civil Procedure Code

Paper 2-Labour Law-I

Paper 3- Drafting, Pleading & Conveyancing

Paper 4- Optional Papers

(i) Intellectual Property Rights

(ii) Competition Law

(iii) Media Law

Paper 5- Optional Papers

(i) Insurance Law

(ii) Human Right Law and Practice

(iii) Women and Criminal Law

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER V

PAPER-01 (Code- 3YRS-LL.B-SEM-V-CS-P-I)

CIVIL PROCEDURE CODE

Unit 1: Introduction

- 1.1 Definitions
- 1.2 Jurisdiction of Civil Court
- 1.3 Different Types of Courts (Hierarchy of courts)
- 1.4 Place of Suing; Institution of Suits
- 1.5 Presentation of Complaint
- 1.6 Parties to the suit
- 1.7 Principles of res sub-judice and res judicata.

Unit 2: Pleadings & Trial

- 2.1 Complaint
- 2.2 Written Statement
- 2.3 Service of Summons
- 2.4 Appearance and Non- Appearance of Parties
- 2.5 Discovery, Inspection and Production of Documents
- 2.6 Admission
- 2.7 Production, Impounding and Returning of Documents; transfer of suits decree and judgment
- 2.8 Remand and Restitution
- 2.9 Appeals: first appeal, second appeal, appeals from orders and appeals to Supreme Court
- 2.10 Reference, Review and Revision.

Unit 3: Suits in Particular Cases

- 3.1 Suits by and against government and public officer
- 3.2 Suits by indigent person

Syllabus-3 year LL.B. (M S Law University, Cuttack)

3.3 Suits by or against minors and lunatics, aliens and foreign rulers, soldiers, corporation, Firms, trustees, executors and administrators

3.4 Suits relating to family matters, mortgages, public nuisance and public charities

3.5 Interpleader suits

3.6 Summary procedure;

3.7 Injunction Suit (Specific Relief)

3.8 Inherent Powers of High Court and Supreme Court.

Unit 4: Execution of Proceedings and Law of Limitation

4.1 General principles

4.2 Courts by which decree may be executed

4.3 Payment under decree, application for execution, mode of execution, stay of execution and questions to be determined by executing court

4.4 Arrest and detention

4.5 Attachment of property sale and delivery of property, distribution of assets.

4.6. Law of Limitation- Meaning, Object and limitation of suits, computation of period of limitation, acquisition of ownership by possession, condonation on delay, bar on limitation.

Suggested Readings:

1. C. K. Takwani: Civil Procedure Code, EBC Publications
2. Mulla: Code of Civil Procedure, LexisNexis India
3. M. P. Jain: Code of Civil Procedure, LexisNexis

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER V

Paper-02 (Code- 3YRS-LL.B-SEM-V-CS-P-II)

LABOUR LAW I

Unit 1: The Industrial Relations Code, 2020 (I)

- 1.1 Industrial Jurisprudence
- 1.2 Labour history and policy in India
- 1.3 Classification of Labour and Industrial Laws.
- 1.4 Definitions, BI-Partite Forums,

Unit 2: The Industrial Relations Code, 2020 (II)

- 2.1 Trade Unions
- 2.2 Standing Orders, Notice of Change
- 2.3 Voluntary Reference Disputer to Arbitration
- 2.4 Mechanism for Resolution of Industrial Disputes

Unit 3: The Industrial Relations Code, 2020 (III)

- 3.1 Strikes and lock-outs
- 3.2 Lay-off, Retrenchment and Closure
- 3.3 Special Provisions Relating to Lay-off, Retrenchment and Closure in Certain Establishment and Closure in Certain Establishments
- 3.4 Worker Re-Skilling Fund; Unfair Labour Practices, Offences and Penalties

Unit 4: The Code on Wages

- 4.1 Definitions, Minimum Wages
- 4.2 Payment of Wages, Payment of Bonus
- 4.3 Advisory Board, Payment of Dues, Claims and Audit
- 4.4 Inspector-Cum-Facilitator, Offences and Penalties

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Suggested Readings:

1. S.C Srivastava, Industrial Relations and Labour Laws, Vikas Publishing House Pvt Ltd.
2. V.G. Goswami, Labour and Industrial Laws, Central Law Agency
3. S.N. Mishra, Labour and Industrial Law Central Law publication
4. K.M. Pillai, Labour and Industrial laws, Allahabad Law Agency
5. Khan & Khan, Labour Law, Asia Law house

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER V

PAPER-03 (Code- 3YRS-LL.B-SEM-V-PS-P-III)

DRAFTING, PLEADING AND CONVEYANCE

Unit 1: Fundamental Rules of Pleadings

- 1.1 Structure of Complaint, Description of Parties
- 1.2 Written Statement and affidavit
- 1.3 Application for setting aside ex-parte decree
- 1.4 Conveyancing: Meaning, Concepts and Essentials

Unit 2: Ordinary Suit for Recovery

- 2.1 Suit under Order XXXVII of CPC and the difference between the two suits
- 2.2 Suit for Permanent Injunction
- 2.3 Application for temporary injunction Order XXXIX of CPC
- 2.4 Suit for Specific Performance

Unit 3: General Principles of Criminal Pleadings

- 3.1 Provisions regarding Bail and Bail Bond
- 3.2 Anticipatory Bail
- 3.3 Application under Section 125 Cr.P.C.
- 3.4 F.I.R. – under Section 154 Cr.P.C.

Unit 4: Model Draft Forms

- 4.1 Notice to the tenant under section 106 of Transfer of Property Act
- 4.2 Notice under section 80 of CPC
- 4.3 Reply to notice
- 4.4 General Power of Attorney
- 4.5 Will
- 4.6 Agreement to Sell
- 4.7 Sale deed
- 4.8 Suit for Dissolution of Partnership

Syllabus-3 year LL.B. (M S Law University, Cuttack)

- 4.9 Petition for grant of probate / Letters of Administration
- 4.10 Application for appointment of receiver/Local Commissioner
- 4.11 Application for Compromise of Suit
- 4.12 Application for Appointment of Guardian
- 4.13 Application to sue as an indigent person under Order 33 CPC
- 4.14 Appeal from original decree under Order 41 of CPC
- 4.15 Appeal from orders under order 43 of CPC
- 4.16 Writ Petition under Article 32 and Article 226 of Constitution of India

Suggested Readings:

1. N.S. Bindra, Conveyancing, Draftsman & Interpretation, EBC Publications
2. R.N. Chaturvedi, Pleadings, Drafting & Conveyancing, Central Law Publications
3. Mogha's Law of Pleadings in India with Precedents, Eastern Law House

Syllabus-3 year LL.B. (M S Law University, Cuttack)

OPTIONAL PAPERS

Semester V

Paper-04 [Code- 3YRS-LL.B-SEM-V-OS-P-IV(a)]

INTELLECTUAL PROPERTY RIGHTS

Unit 1: Introduction and overview of Intellectual Property

- 1.1 Introduction and need for intellectual property right
- 1.2 Kinds of IPRs
- 1.3 International Instruments concerning IPRs- Paris Convention, Berne Convention, Universal Copyright Convention, WIPO Convention, Patent Co-operation treaty, TRIPS Agreement.
- 1.4 India's New National IP Policy, 2016

Unit 2: Patents

- 2.1 Elements of Patentability: Novelty, Non Obviousness (Inventive Steps), Industrial Application
- 2.2 Registration Procedure, Rights and Duties of Patentee,
- 2.3 Assignment and licence
- 2.4 Restoration of lapsed Patents, Surrender and
- 2.5 Revocation of Patents,
- 2.5 Infringement,
- 2.6 Remedies & Penalties

Unit 3: Copyrights

- 3.1 Nature of copyright
- 3.2 Subject matter of copyright- dramatic, musical, artistic work, cinematograph films and sound recordings, Registration, term of protection.
- 3.3 Ownership of copyright, assignment and licence of copyright
- 3.4 Infringement, Remedies and Penalties

Syllabus-3 year LL.B. (M S Law University, Cuttack)

3.5 Related rights, distinction between related rights and copyrights

Unit 4: Trademarks and other forms of Intellectual Property

4.1 Concept of Trademark, different kinds of marks (brand names, logos, signatures, symbols, well known marks, certification marks and service marks)

4.2 Non-Registrable marks, Registration of Trademarks

4.3 Rights of holder and assignment and licensing of marks

4.4 Infringement, Remedies and Penalties

4.5 Design-Meaning and concept of novel and original, Registration, term of protection

4.6 Geographical Indication- Meaning, difference between GI and Trademarks, Registration, term of protection

4.7 Plant variety protection- Meaning, Benefit sharing and farmers' rights, Registration, term of protection

Suggested Readings:

1. Nithyananda, K V., Intellectual Property Rights: Protection and Management, Cengage Learning India Private Limited.
2. Neeraj, P., & Khusdeep, D., Intellectual Property Rights, PHI learning Private Limited
3. Ahuja, V K., Law relating to Intellectual Property Rights, LexisNexis

SEMESTER V
Paper-04 [Code- 3YRS-LL.B-SEM-V-OS-P-IV(b)]
COMPETITION LAW

Unit 1: Introduction and Procedural aspect of Competition Law

- 1.1 Market- Definition, Types of Market
- 1.2 Concept of Competition
- 1.3 Composition of CCI, Powers of Commission
- 1.4 Powers and Functions of Director General
- 1.5 Inquiry Proceedings, Penalties, Injunctions
- 1.6 Leniency Provision
- 1.7 Extraterritoriality

Unit 2: Collusion

- 2.1 Anti-Competitive Agreement- Nature and Scope of Section 3
- 2.2 Appreciable Adverse Effect (AAE)
- 2.3 Factors determining AAE
- 2.4 Cartels and other Horizontal Agreements
- 2.5 Exceptions to Section 3

Unit 3: Abuse of Dominant Position

- 3.1 Definition of Dominant Position
- 3.2 Abuse of Dominant Position
- 3.3 Predatory Price
- 3.4 Relevant Market: Relevant Geographic Market & Relevant Product Market
- 3.5 Dominant Position in Relevant Market
- 3.6 Factors Determining Abuse of Dominance.

Unit 4: Regulation of Combinations

- 4.1 Definition of Combination

Syllabus-3 year LL.B. (M S Law University, Cuttack)

- 4.2 Need for control of mergers and acquisitions
- 4.3 Legal framework of combination
- 4.4 Regulation of combinations
- 4.5 Control of anti-competitive combinations
- 4.6 Appreciable adverse effect on competition Acquisition

Suggested Readings:

1. Richard Whish and David Bailey, Competition Law, 10th Ed., Oxford University Press
2. Alison Jones & Brenda Sufrin, EU Competition Law: Text, Cases and Material, 7th Ed., Oxford University Press, 2019
3. Daniel Zimmer, The goals of Competition Law, Edward Elgar Publishing. Inc.
4. Guide to Competition Law (Containing commentary on the Competition Act, 2002 MRTP Act, 1969 & the Consumer Protection Act, 1986), LexisNexis, 7th Edition, 2019
5. Vinod Dhall, Competition Law Today: Concepts, Issues and The Law in Practice, Oxford University Press, 2nd Edition, 2019

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER V **Paper-04 [Code- 3YRS-LL.B-SEM-V-OS-P-IV(c)]** **MEDIA LAW**

Unit 1: Introduction

- 1.1. History of mass media in India
- 1.2. Freedom of Press- Indian Constitution and Constitutional Restrictions
- 1.3. Various facets of Media Law
- 1.4. Freedom of Press- Position in US, UK
- 1.5. Media and Right to Information

Unit 2: Media and Legal Regulations

- 2.1. Media and Defamation, Media and Obscenity
- 2.2. Media and Sedition
- 2.3. Media and Legislature (Privileges of Legislature), Media and Executive (The Official Secrets Act)
- 2.4. Media and Judiciary (Contempt of Court)

Unit 3: Media and Regulatory Authorities in India

- 3.1. The Cinematograph Act 1952
- 3.2. The Prasar Bharti (Broadcasting Organisation of India) Act 1990
- 3.3. Press Council of India, Press Information Bureau

Unit 4: Issues and Challenges

- 4.1. Media and Ethics
- 4.2. Social Media and regulations
- 4.3. Paid News, Issues of TRP
- 4.4. Media and Issues of Privacy

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Suggested Readings:

1. D.D Basu-Law of the Press, LexisNexis
2. Marshall Mc McLuhan- Understanding Media, The MIT Press
3. Madhavi Goradia Divan- Facets of Media Law, EBC Publications
4. B.R Sharma- Freedom of Press under the Constitution, Deep & Deep Publications
5. Dr. Sukanta. K. Nanda- Media Law, 2nd Edition, 2021, Central Law Publications
6. C.S. Rayudu Mass Media- Laws and Regulations, Himalaya Publishing House

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER V

PAPER-05 [Code- 3YRS-LL.B-SEM-V-OS-P-V(a)]

LAW OF INSURANCE

Unit 1: Introduction

- 1.1 Nature of Insurance Contract, Proposal, Policy, Parties, Consideration, Need for Utmost Good Faith, Insurable Interest, Indemnity, Contribution, Subrogation
- 1.2 Insurance policy, Law of contract and law of torts, Utility and need of Insurance.
- 1.3 Constitutional perspectives.

Unit 2: General Principles of Law of Insurance

- 2.1 Definition, nature and history.
- 2.2 Risk - commencement, attachment and duration.
- 2.3 Double insurance and re-insurance.
- 2.4 Assignment and alteration.

Unit 3: Types of Insurance

- 3.1 Life insurance: nature and scope, Event insured against life insurance contract.
- 3.2 Circumstances affecting the risk, Amounts recoverable under life insurance policy, Persons entitled to payment, Settlement of claim and payment of money.
- 3.3 Marine Insurance, Fire Insurance, Third Party Liability Insurance: Nature and scope.
- 3.4 Miscellaneous Insurance: Group insurance, Mediclaim, Health insurance, Crop Insurance.

Unit 4: Indian Insurance Laws

- 4.1 Insurance Act, 1938
- 4.2 Insurance Regulatory Development Authority Act 2000.
- 4.3 Mutual Insurance Companies and Cooperative Life Insurance Societies.

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Suggested Readings:

1. Banerjee, N.B., (1994) Law of Insurance, Asia Law House: Hyderabad.
2. Mitra, B.C.(1997) Law Relating To Marine Insurance, Asia Law House: Hyderabad.
3. Birds, John, (1997) Modern Insurance Law, Sweet and Maxwell.
4. Ivamy, E.R. Hardy, (1975) General Principles of Insurance Law, Butterworths: London.
5. Sreenivasan M. N., (1914) Law and the Life Insurance Contract, Eastern Law House: Calcutta

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER V

Paper-05 [Code- 3YRS-LL.B-SEM-V-OS-P-V(b)]

HUMAN RIGHTS AND PRACTICE

Unit 1: Introduction to Human Rights

- 1.1. Meaning and Definition of Human Rights, Classification of Human Rights, Significance and Scope of Human Rights
- 1.2. Origin and Development of Human Rights, Impact of Various Revolutions-American Revolution, French Revolution, Russian Revolution; Modern Notion of Human Rights
- 1.3. Theoretical Foundations of Human Rights, Universalism versus Cultural Relativism
- 1.4. Promotion and Protection of Human Rights by United Nations

Unit 2: International Human Rights Instruments

- 2.1. Universal Declaration of Human Right 1948
- 2.2. International Convention on Civil and Political Rights 1966, International Convention on Economic, Social and cultural Rights, 1966
- 2.3. International Covenant on the Elimination of All forms of Racial Discrimination 1966
- 2.4. Regional Conventions on Human Rights- The European Convention on Human Rights, 1950, The American Convention on Human Rights, 1969, African Charter on Human and Peoples Rights, 1981

Unit 3: Human Rights under Indian Constitution and Protection of Human Rights Act, 1993

- 3.1. Human Rights under Indian Constitution
- 3.2. Specific Human Rights and Role of Judiciary
- 3.3. Human Rights Act 1993- National Human Rights Commission and State Human Rights Commission - Constitution, Appointment and Removal of Chairman and members, power and functions
- 3.4. Enforcement of Human Rights

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 4: Human Rights of Vulnerable Groups

- 4.1. Human Rights and Women; Children; Senior Citizens
- 4.2. Indigenous People, Differently abled Person/Specially abled Person
- 4.3. Prisoners, Lesbian, Gay, Bisexual and Transgender (LGBT)
- 4.4. Role of Non-Governmental Organisation in Human Rights Protection
- 4.5 Role of Indian Judiciary in the protection of Human Rights

Suggested Readings:

1. Phillip Alston & Ryan Godman, International Human Rights , OUP
2. Upendra, Baxi The Future of Human Rights, Oxford University Press
3. D.D. Basu, Human Rights in Constitutional Law, Lexis Nexis
4. H.O. Aggarwal, Human Rights, Central Law Publications
5. S.K. Kapoor, International Law and Human Rights, Central Law Agency

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER V

Paper-05 [Code- 3YRS-LL.B-SEM-V-OS-P-V(c)]

WOMEN AND CRIMINAL LAW

Unit 1: Introduction

- 1.1. Position of Women in India
- 1.2. Women and the Constitution
- 1.3. Women and International Human Rights
- 1.4. Women and Property Rights

Unit 2: Crime against Women (I)

- 2.1. Domestic Violence
- 2.2. Dowry Death, Cruelty
- 2.3. Sexual Assault, Sexual Harassment and Gang Rape
- 2.4. Female Foeticide

Unit 3: Crime against Women (II)

- 3.1. Women Trafficking
- 3.2. Adultery, Bigamy and Mock Marriages
- 3.3. Obscenity and Indecent Representation of Women
- 3.4. Acid attack, Voyeurism, Stalking

Unit 4: Institutional Protection and Challenges

- 4.1. Role of NHRC and SHRC
- 4.2. National Commission for Women
- 4.3. Judiciary and Women Rights
- 4.4. Women and Access to Justice

Suggested Readings:

1. Flavia Agnes et al.- Women and Law in India
2. Mamta Rao- Law relating to Women and Children
3. SC Tripathi and Vibha Arora- Law relating to Women and Children
4. Kalpana Kannabiran- Women and Law: Critical Feminist Perspectives
5. Sobha Saxena- Crime against Women and Protective Laws

SEMESTER SIXTH

List of Papers

Paper 1- Labour Law-II

Paper 2- Principles of Taxation Laws

Paper 3- Mediation with Conciliation

Paper 4- Moot Court

Paper 5- Optional Papers

- (i) Land Laws***
- (ii) Private International Law***
- (iii) International Trade Law***

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER VI

Paper-01 (Code- 3YRS-LL.B-SEM-VI-CS-P-I)

LABOUR LAW II

Unit: The Code on Social Security (I)

- 1.1 Definitions; Social Security Organisations
- 1.2 Employee' Provident Fund; Employees State Insurance Corporation
- 1.3 Gratuity; Maternity Benefit
- 1.4 Employee's Compensation

Unit 2: The Code on Social Security (II)

- 2.1 Social Security and Cess in Respect of Building and Other Construction Workers
- 2.2 Social Security for Unorganised Workers, GIG Workers and Platform Workers
- 2.3 Finance and Accounts; Authorities, Assessment, Compliance and Recovery
- 2.4 Offences and Penalties; Employment Information and Monitoring

Unit 3: The Occupational Safety Health and Working Conditions Code (I)

- 3.1 Definitions; Registration
- 3.2 Duties of Employer and Employees, Etc.
- 3.3 Occupational Safety and Health; Health, Safety and Working Conditions
- 3.4 Welfare Provisions; Hours of Work and Annual Leave with Wages

Unit 4: The Occupational Safety Health and Working Conditions Code (II)

- 4.1 Maintenance of Registers, Records and Returns
- 4.2 Inspector-Cum-Facilitators and Other Authority
- 4.3 Special Provision Relating to Employment of Women, Special Provisions for Contract Labour and Inter-State Migrant Worker, Etc.

Syllabus-3 year LL.B. (M S Law University, Cuttack)

4.4 Social Security Fund, Offences and Penalties

Suggested Readings:

1. S.C Srivastava, Industrial Relations and Labour Laws, Vikas Publishing House Pvt Ltd.
2. V.G. Goswami, Labour and Industrial Laws, Central Law Agency
3. S.N. Mishra, Labour and Industrial Law Central Law publication
4. K.M. Pillai, Labour and Industrial laws, Allahabad Law Agency
5. Khan & Khan, Labour Law, Asia Law house

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER VI

Paper-02 (Code- 3YRS-LL.B-SEM-VI-CS-P-II)

PRINCIPLES OF TAXATION

Unit 1: General Principles of Taxation Laws

- 1.1 History and Development of Tax Laws in India
- 1.2 Fundamental Principles relating to Tax Laws
- 1.3 Taxing power and constitutional limitations
- 1.4 Distinction between: Tax, Fee and Cess; Tax avoidance and Tax evasion

Unit 2: Basic concepts of Income Tax

- 2.1 Income, Previous Year, assessment Year, Person, Assessee and Total Income, Income not included in the Total Income
- 2.2 Residential status, Clubbing of Income
- 2.3 Tax planning, Rate of Income Tax, Heads of Income, Salaries
- 2.4 Income from House Property; Income from Business or Profession, Capital Gains, Income from Other sources

Unit 3: Assessment of Income Tax

- 3.1 Deductions under the Income Tax Act, 1961
- 3.2 Income Tax Authorities: Power and Functions
- 3.3 Filing of returns and procedure for assessment
- 3.4 Offences and Penal Sanctions

Unit 4: Goods and Services Tax

- 4.1 Background of GST; Basic concept of GST. Constitutional Background of GST
- 4.2 Concept of Value Added Tax and its application in GST

Syllabus-3 year LL.B. (M S Law University, Cuttack)

4.3 Major defects in the old structure of Indirect Taxes

4.4 Reasons for introducing Goods and Service Tax (GST)

Suggested Readings:

1. Dr. Girish Ahuja & Dr. Ravi Gupta, Direct Taxes Ready Reckoner with Tax Planning, Wolters Kluwer India Pvt. Ltd.
2. Dr. Vinod K Singhania & Monica Singhania, Taxmann's Students' Guide to Income Tax Including GST- Problems & Solutions, Taxmann Publications (P.) Ltd.
3. Sampath Iyengar, Law of Income Tax, Bharath Law House, New Delhi.
4. Kanga and Palkiwala, The Law and Practice of Income Tax, LexisNexis
5. V.S. Datey, GST Ready Reckoner, Taxmann Publications (P.) Ltd.
6. V.S. Datey, All About GST, a Complete Guide to New Model GST Law, Taxmann Publications (P.) Ltd.

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER VI

PAPER-03 (Code- 3YRS-LL.B-SEM-VI-CS-P-III)

MEDIATION WITH CONCILIATION

Unit 1: Introduction

- 1.1 Modes of Dispute Resolution
- 1.2 Need for ADR and the importance of Mediation
- 1.3 Theory of restorative justice and its application, Gandhian principles of non-violent conflict resolution
- 1.4 Traditional mediation practices in India and abroad

Unit 2: Concepts and Laws in Mediation

- 2.1 Essential elements, process and stages,
- 2.2 Approaches to Mediation, Role of the mediator
- 2.3 Judicial interpretation and relevant case law
- 2.4 Dispute resolution institutions in India

Unit 3: Communication and Skills in Mediation

- 3.1 Elements of verbal and non-verbal communication
- 3.2 Effective and ineffective communication techniques
- 3.3 Decision-making techniques, Problem-solving tactics, ensuring positive outcomes
- 3.4 Developing mediation skills, Code of ethics, Confidentiality requirements

Unit 4: Mediated Agreements and Developments in Mediation

- 4.1 Drafting of agreements, Sanctity of mediated agreements
- 4.2 Enforcement laws and procedures
- 4.3 Growth of virtual dispute resolution, Pre-Institution Mediation
- 4.4 UNCITRAL Model Law, Singapore Convention

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Suggested Readings:

1. Sriram Panchu, Mediation Practice & Law: The Path to Successful Dispute Resolution (2nd Edition, 2015, LexisNexis)
2. Roger Fisher, William Ury and Bruce Patton, Getting to Yes: How to Negotiate Agreement Without Giving In (3rd Edition, 2011, Penguin Publication)
3. Anuroop Omkar and Kritika Krishnamurthy, The Art of Negotiation and Mediation - A Wishbone, Funnybone and a Backbone (2015, LexisNexis)
4. Christopher W. Moore, The Mediation Process: Practical Strategies for Resolving Conflict (3rd Edition, Wiley Publication)
5. Ramin Jahanbegloo, Introduction to Non-Violence (2013, Red Globe Press)
6. Mediation Training Manual of India, Mediation and Conciliation Project Committee, Supreme Court of India. (Available at:
<https://main.sci.gov.in/pdf/mediation/MT%20MANUAL%20OF%20INDIA.pdf>)

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER VI

PAPER-04 (Code- 3YRS-LL.B-SEM-VI-PS-P-IV)

MOOT COURT

This paper shall have three components of 30 marks each and a viva for 10 marks.

- (a) Every candidate shall be required to do at least three moot court exercises in a semester with 10 marks for each. The moot court work shall be on assigned problem.
- (b) Observance of Trial in two cases one Civil and one Criminal: Candidates shall be required to attend two trials. They shall maintain a proper record and enter the various steps observed during their attendance on different days in the court in a practical file.
- (c) Interviewing techniques and Pre-trial preparations and Internship diary: Each candidate shall observe two interviewing sessions of clients at the Lawyer's Office/Chamber and record the proceedings in a diary. Each candidate shall further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition/relevant forms.
- (d) The proof to the effect that the candidate has attended the chamber/office of the advocate/counsel shall submit the form issued by the respective advocate/counsel.
- (e) The fourth component of this paper shall be viva voce examination on all the above three aspects.
- (f) This paper shall be evaluated by a Committee constituted according to University Regulation.

OPTIONAL PAPERS

SEMESTER VI

PAPER-05 [Code- 3YRS-LL.B-SEM-VI-OS-P-V(a)]

LAND LAWS

Unit 1: Introduction to Land Laws

- 1.1. Concept of Eminent Domain and Constitutional Amendment of Fundamental Right to Property
- 1.2. Land Acquisition Rehabilitation & Resettlement Act, 2013-Object, Classification of the Acquisition & applicability of the Act
- 1.3. Mandatory Consultation, Process of Consultation & Social Impact Assessment
- 1.4. Preliminary Notification, Objection, Award by Collector, Compensation Provision, Rehabilitation and Resettlement Awards

Unit 2: Land Tenure and Land Reforms in Odisha

- 2.1. Orissa Estate Abolition Act, 1951- Principles of Tenancy in Odisha, Definitions of Agricultural year, collector, Intermediary, Estate, Khas Possession, Raiyat
- 2.2. Concept of Consequences of vesting of an estate, Concept of Certain land in khas possession and Occupancy Rights, Service Tenure, Be-Bandobast Proceedings, Issuance of Tenancy Certificates
- 2.3. Odisha Land Reforms Act 1960- Objective, Definitions, Rights of Raiyat and Prohibition of letting, Eviction of Raiyat, Rights of Tenant, Resumption of the Land for personal cultivation.
- 2.4 The Process of Conversion of Agricultural Land, Partition among the Co-Sharers, Restriction on alienation of land by S.Cs and S.Ts and effect of the violation , Ceiling area, determination of ceiling area, process of settlement of ceiling surplus land.

Unit 3: Odisha consolidation of Holdings and Prevention of fragmentation of Land Act, 1972

- 3.1. Consolidation of holding: Object and reasons, the meaning of consolidation, agriculture land, chaka, consolidation area, fragment

Syllabus-3 year LL.B. (M S Law University, Cuttack)

- 3.2. Preparation of Map and Land Register, Preparation of consolidation scheme, Enforcement of scheme
- 3.3. Prevention and fragmentation Disposal of Proceeding of Transfer of Land Creating Fragmentation,
- 3.4. Revision, Closure of consolidation operations, Bar of the jurisdiction of civil court

Unit 4: The Odisha Special Survey and Settlement Act, 2012

- 4.1. Objective of the Act, Definitions- Agency, Land Owner, Licensed Surveyor, Modern Technology, Recess, Record of Right, Revisional Survey and Settlement
- 4.2 Special Survey and Settlement, License Surveyor- Grant of License, Duty of the Surveyor, Dereliction duty
- 4.3. Cancellation of the License.
- 4.4. Updating the Land Records

Suggested Readings:

1. Ranjan Kumar Samal, Orissa Land Reform Act, 1960, Kalinga Law House
2. Odisha Land Reforms Manual, OJR Publishing House
3. Taxman's New Law Relating to Land Acquisition Rehabilitation & Resettlement, Taxmann Publication
4. Dr. N Maheswara Swamy, Land Laws, Asia Law House
5. Kawal D.P Singh, Land Laws including Land Acquisition and Rent Laws, Satyam Law International

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER VI

PAPER-05 [Code- 3YRS-LL.B-SEM-VI-OS-P-V(b)]

PRIVATE INTERNATIONAL LAW

Unit 1: Introduction

- 1.1 Application and Subject Matter of Private International Law, Distinction with Public International Law
- 1.2 Characterization and Theories of Characterization, Concept of Renvoi
- 1.3 Application of Foreign Law, Domicile
- 1.4 Jurisdiction of Courts

Unit 2: Family Law matters

- 2.1 Material and Formal Validity of Marriage under Indian and English Law
- 2.2 Choice of Law and Jurisdiction of Courts in Matrimonial Causes
- 2.3 Dissolution of Marriage, Grounds of Divorce, Restitution of Conjugal Rights
- 2.4 Recognition of Foreign Judgments

Unit 3: Adoption

- 3.1 Recognition of Foreign Adoptions
- 3.2 Adoption by Foreign Parents, legal framework of international adoption
- 3.3 Jurisdiction under Indian and English law
- 3.4 CARA and Foreign Adoption

Unit 4: Indian Law Relating to Foreign Judgment

- 4.1 Basis of Recognition, Recognition,
- 4.2 Finality, Failure
- 4.3 Direct Execution of Foreign Decrees

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Suggested Readings:

1. Cheshire, North & Fawcett, Private International Law, OUP
2. Dicey, Morris and Collins, The Conflict of Laws, Sweet and Maxwell
3. Mayss, Abla, Principles of Conflict of Laws, Cavendish Publishing Limited
4. Paras Diwan, Private International Law, Deep & Deep Publication
5. Clarkson & Jonathan Hill, The Conflict of Laws, OUP

Syllabus-3 year LL.B. (M S Law University, Cuttack)

SEMESTER VI

PAPER-05 [Code- 3YRS-LL.B-SEM-VI-OS-P-V(c)]

INTERNATIONAL TRADE LAWS

Unit 1: The Multilateral Agreements – GATT, GATS and TRIPS and DSU

- 1.1 History and Structure of the WTO
- 1.2 The Agreements – GATT, GATS and TRIPS
- 1.3 The Covered Agreements – Agreement on Agriculture, Agreement on sanitary and phytosanitary measures, technical standards, food safety, government procurement and other agreements
- 1.4 The three pillars of WTO– MFN, NT and the SDT
- 1.5 Dispute Settlement Procedures
- 1.6 Study of cases against India and by India at the WTO
- 1.7 Trade Liberalization Agenda – the Doha Round and the Issues
- 1.8 Trans Pacific Partnership Trade Negotiations

Unit 2: International Investment Law, TRIMS Agreement of the WTO and the BITs

- 2.1 International investment Law Regime – History and Development, TRIMs Agreement of the WTO and Evolution of BITs
- 2.2 Sources of international investment Law – Customary Law and Treaty Law
- 2.3 State Responsibility for Breach of investment Obligations
- 2.4 Concept of ‘investor’ and ‘investment’, Scope of investment Treaties
- 2.5 Expropriation, Non- contingent standards and contingent standards, defenses and excuses
- 2.6 Settlement of Disputes – investor – State and inter– State Investment Treaties with India and current international investment arbitration cases in India

Syllabus-3 year LL.B. (M S Law University, Cuttack)

Unit 3: International Commercial Arbitration and the role of ICSID and UNCITRAL

- 3.1 General Principles of international Commercial Arbitration: Formation, validity and scope and enforcement of Arbitration Agreements
- 3.2 Parties to an arbitration agreement and procedural stages of arbitration, Role of Courts
- 3.3 Law relating to International Commercial Arbitration, Role of ICSID in settlement of investment Disputes

Unit 4: International Sale and Carriage of Goods

- 4.1 Passing of Risk and Property
- 4.2 Functions and significance of bills of lading and other shipping documents
- 4.3 The Vienna Convention on international Sale of Goods 1980
- 4.4 The governing law and jurisdiction in the international sale of goods

Suggested Readings:

1. Macrory, P.F.J., A.E. Appleton and M.G. Plummer, (eds.) (1995) The World Trade organization: Legal, Economic and Political Analysis. Springer: New York.
2. Van den Bossche, P., (2013), The Law and Policy of the World Trade Organization: Text, Cases and Materials. Cambridge University Press: Cambridge.
3. Wouters, J. and B. De Meester, (2007), The World Trade Organization: A Legal and Institutional Analysis. Antwerpen, Intersentia.