REGULATIONS RELATING TO UNITARY DEGREE COURSE IN LAW
1. Title
The regulations shall be called the Regulations relating to Unitary Degree Course in Law

2. Commencement
These regulations shall come into force with effect from Academic Year 2011 - 2012.

3. Duration of the Course
(a) The course of study for the Bachelor degree in Law (LL.B) shall consist of regular course of study for a minimum period of 6 Semesters in Three Years and shall consist of 20 compulsory papers, 4 compulsory clinical papers and 6 optional papers in Law.

   (b) Each semester shall consist of 90 instructional days having 5 hours per day for lectures, seminars, debates and test papers. There shall be not less than four hours per subject per week and one/two hours for seminar/debates/test paper.

4. Eligibility for Admission
(a) No candidate shall be admitted to the course unless he has passed the graduation in any faculty of University of Kerala or any other University recognized by the University of Kerala as equivalent thereto with not less than 45% marks for general category and 40% marks for SC and ST.

5. Attendance and Progress
No candidates shall be permitted to register for the end semester examinations conducted by the University unless the Principal has certified that he has obtained not less than 75% of the attendance in each paper and his conduct and progress have been satisfactory.

6. Examinations
(a) There shall be a University examination at the end of each semester. Each written paper carrying 100 Marks is divided into 80 Marks for written examination and 20 Marks for internal assessment.

   (b) Paper V in Third, Fourth, Fifth and Sixth semesters shall be evaluated internally. Internal Viva shall be conducted by the board of examiners constituted by the Principal from among Senior Teachers.
(c) Paper I in Fourth Semester, Paper I & II in the Fifth Semester and Paper I and II in the Sixth Semester is optional paper. 1/3 (one third) of the total number of the students of that semester can choose either of the two papers.

(d) Internship - Each student shall have completed minimum of 12 weeks internship during the entire period of legal studies under NGO, Trial and Appellate Advocates, Judiciary, Legal Regulatory authorities, Legislatures and Parliament, Other Legal Functionaries, Market Institutions, Law Firms, Companies, Local Self Government and other such bodies where law is practiced either in action or in dispute resolution or in management.

Provided that internship in any year cannot be for a continuous period of more than Four weeks and all students shall at least gone through once in the entire academic period with Trial and Appellate Advocates.

Each student shall keep internship diary and the same shall be evaluated by the Guide in Internship and also a Core Faculty member.

(d) Viva-voce examination in the Sixth semester shall be conducted by the Board of Examiners constituted by the University.

7. Internal Assessment

Marks for the internal assessment in each written paper shall be distributed as follows.

(i) Attendance - 5 Marks (2.5 Marks for 75% of attendance and additional 0.5 Marks for every 5% attendance above 75%)

(ii) Test Paper – 5 Marks

(iii) Assignment – 5 Marks

(iv) Seminar/Debate – 5 Marks

The marks for internal assessment shall be awarded by the Teacher in charge of each paper, countersigned by the Principal and forwarded to the University before the commencement of the written examination. A statement containing the marks awarded to every student as internal assessment in each paper shall also be published.

Guidelines for Internal Assessment –

(i) - Introduction - The objectives of introducing internal assessment are: (i) to develop in the students the ability for critical analysis and evaluation of legal problems; (ii) to develop communication skill, both oral and written; (iii) to create an awareness of current
socio-legal problems; (iv) to ensure the involvement and participation of students in academic programmes; and (v) to make evaluation of students a continuous process. In order to achieve these objectives it is imperative that internal assessment is made by teachers in a fair and objective manner and in an atmosphere of total transparency and confidence. The following guidelines are issued to secure fairness, objectivity and transparency in internal assessment.

(ii) **Attendance** – (a) For each subject attendance shall be taken in the class and recorded in a register maintained by the teacher. A statement of attendance shall be prepared every month which shall be available for inspection by the students. Complaints, if any, shall be brought to the notice of the teacher and the Principal before the seventh day of the succeeding month. Students representing the College/University in Sports/Games, Arts/Cultural events or Moot Courts, Client Counseling competitions, Academic activities and Office bearers of the College/University Union may, with the prior permission of the Principal, take part in such competitions or activities and be given attendance as directed by the Principal for such participation, subject to a maximum of 10 days in a semester.

(iii) **Test Paper** – Two test papers shall be conducted for each subject in a semester. The marks obtained by each student in the test paper shall be announced by the teacher within ten days from the date of the test paper and shall also be recorded in a register maintained by the teacher.

(iv) **Assignment** – Every student shall write one assignment for each paper, on a subject chosen in consultation with the teacher. The assignment should reflect the ability of the student to identify and use materials and his/her capacity for original thinking, critical analysis and evaluation. Each student shall select the topic of assignment before the 20th working day of the semester. The assignment shall be submitted before a date prescribed by the teacher. If the assignment submitted by a student is found to be unsatisfactory by the teacher, the student shall be given an option
to revise the assignment or write an assignment on another subject chosen in consultation with the teacher.

The marks obtained by each student and the criteria adopted for evaluation of assignments shall be announced by the teacher within 10 days from the date of submission of the assignment. The marks shall also be recorded in a register maintained by the teacher.

(v) Seminar/Debate – Every student shall participate in one seminar or debate for each paper. A synopsis of not more than one page shall be submitted by each participant to the teacher before the seminar/debate. In the evaluation, 50% credit shall be given to the content and 50% for presentation. The topic of the seminar/debate shall be selected by the student in consultation with the teacher before the 20th working day of the semester. The marks awarded for the seminar/debate shall be announced by the teacher at the end of the seminar/debate and shall also be recorded in a register maintained by the teacher.

8. Pass minimum and classification
   (a) A candidate who secures not less than 50% marks for each paper in a semester shall be declared to have passed the examination in that semester.
   (b) A candidate who obtains pass marks (50%) in one or more papers, but fails in other papers in a semester is exempted from appearing in the papers in which he/she has obtained pass marks.
   (c) A candidate who fails in Paper V of Third or Fourth or Fifth or Sixth semester shall appear in that paper in the next academic year without obtaining re-admission.
   (d) A candidate who fails in Internship or viva-voce has to complete the internship and viva-voce in the next academic year without obtaining re-admission.
   (e) There shall be no chance to improve either the internal assessment marks or written examination marks.
   (f) Classification is as shown below:-
       Distinction – 80% and above
       First Class - 60% and above, but below 80%
       Second Class-50% and above, but below 60%
(g) Ranking shall be done on the basis of the marks obtained by the candidate in the whole examination (Six semesters) passed in the first chance.

(h) A candidate admitted in this course shall complete the course and shall pass all papers within a period of Six years from the date of admission.

9. Publication of Results

The results of the Sixth semester examination shall be published only after the candidate has passed the First, Second, Third, Fourth and Fifth semester examinations.

10. Award of Bachelor Degree in Law

A candidate who successfully completes all the Six semesters shall be eligible for the award of LL.B Degree from the faculty of Law.

11. Applicability of Regulations

This regulations supersede the existing regulations relating to LL.B Three Year semester course provided however that students of Third, Fourth, Fifth and Sixth semester LL.B Three Year semester course shall continue to be governed by the existing regulations till they complete the course.
# Scheme of the Course

## First Semester

<table>
<thead>
<tr>
<th>Name of the Paper</th>
<th>Duration of Exam</th>
<th>Marks Internal</th>
<th>Marks Written</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Jurisprudence</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>2 Law of Contract</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>3 Law of Crimes – Paper - I – Penal Code</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>4 Law of Tort including MV Accident and Consumer Protection Laws</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>5 Constitutional Law -I</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>500</strong></td>
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## Second Semester

<table>
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<tr>
<th>Name of the Paper</th>
<th>Duration of Exam</th>
<th>Marks Internal</th>
<th>Marks Written</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>1 Special Contracts</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>2 Constitutional Law – II</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>3 Family Law – I</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>4 Administrative Law</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>5 Property Law</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
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<tr>
<td><strong>Total</strong></td>
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## Third Semester

<table>
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<th>Marks Internal</th>
<th>Marks Written</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>1 Interpretation of Statutes and Principles of Legislation</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>2 Law of Crimes – Paper - II – Criminal Procedure Code</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>3 Civil Procedure Code and Limitation Act</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>4 Family Law - II</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
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<tr>
<td>5 Drafting Pleading and Conveyance</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
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<tr>
<td><strong>Total</strong></td>
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## Fourth Semester

<table>
<thead>
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<th>Name of the Paper</th>
<th>Duration of Exam</th>
<th>Marks Internal</th>
<th>Marks Written</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Information Technology Law Or Competition Law</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>Name of the Paper</td>
<td>Duration of Exam</td>
<td>Marks Internal</td>
<td>Marks Written</td>
<td>Total</td>
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<tr>
<td>-----------------------------------------------------------------</td>
<td>------------------</td>
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</tr>
<tr>
<td>Principles of Taxation Law</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>Company Law</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>Law of Evidence</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>Professional Ethics and Professional Accounting System</td>
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<td></td>
<td></td>
<td>100</td>
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<tr>
<td>Total</td>
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Fifth Semester

<table>
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<th>Name of the Paper</th>
<th>Duration of Exam</th>
<th>Marks Internal</th>
<th>Marks Written</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banking Law Or Land Laws including Tenure &amp; Tenancy System</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>Private International Law Or Human Right Law and Practice</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>Labour and Industrial Law - I</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>Environmental Law</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
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<tr>
<td>Alternate Dispute Resolution</td>
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<td>100</td>
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Sixth Semester

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<th>Name of the Paper</th>
<th>Duration of Exam</th>
<th>Marks Internal</th>
<th>Marks Written</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trade in Intellectual Property Or Local Self Government including Panchayet Administration</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
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<tr>
<td>Criminology and Penology Or Women and the Law</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>Public International Law</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>Labour and Industrial Law - II</td>
<td>3 hrs</td>
<td>20</td>
<td>80</td>
<td>100</td>
</tr>
<tr>
<td>Moot court exercise, Observance of Trial, Interviewing techniques and Pre-trial preparations.</td>
<td></td>
<td>100</td>
<td></td>
<td>100</td>
</tr>
<tr>
<td>Internship</td>
<td></td>
<td>50</td>
<td></td>
<td>50</td>
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<tr>
<td>Viva voce</td>
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</table>
First Semester
Paper – I
JURISPRUDENCE


2. International Law, Constitutional Law, Authority and Territorial Nature of Law, Law and Fact, Functions and purpose of Law.


5. Elements of law – The juristic concepts of Rights and Duties; possession and ownership – Titles – Liability and Obligations; persons, property and procedure.

Prescribed Readings:
1. Friedman, Legal Theory. (5th Edn. Chapter 1,3,5,7 to 14,19,20, Columbia University Press)
2. Salmond, Jurisprudence (Sweet and Maxwell, 1966)
5. Lloyd, Introduction to jurisprudence, (Sweet and Maxwell, 1994)
6. Prof.P.S.Achutan Pillai, Jurisprudence.
8. J.W.Harris, Legal Philosophies. (Butterworths, 1993)
10. V.D. Mahajan, Jurisprudence and Legal Theory

Paper – II

LAW OF CONTRACT

2. Formation of contracts with special reference to the different aspects of offer and acceptance – Consideration – Privity of contracts – Charitable subscriptions Consideration and discharge of contracts – Doctrine of accord and satisfaction.
4. Factors invalidating contracts like, mistake, coercion, undue influence, fraud, misrepresentation and unlawful object, immoral agreements and those opposed to public policy, consequences of illegality.

Prescribed Readings: (With amendments)
4. Subba Rao, Law of Contracts
5. Dr. Avtar Singh. Law of Contracts
8. Leake M.S. Principles of the Law of Contract

**Paper – III**

**LAW OF CRIMES – PAPER - I – PENAL CODE**

disturbances of public order – adulteration of food and drink – offences against environment.


Prescribed Readings: (With amendments)
1. Outlines of Criminal Law, Kenny
2. Indian Penal Code, Ratanlal
4. Penal Law of India, Dr.Sir Hari Singh Gour
5. Some Aspects of Criminal Law, K.K.Dutta
7. Law of Crimes, D.A.Desai
8. Criminal Law Cases and Materials, Ratanlal & Dhiraj Lal
9. Criminal Law, B.M.Gandhi
10. Criminal Law, P.S.Achuthan Pillai
12. Text Book of Criminal Law, Glanwille Williams

Paper – IV

LAW OF TORT INCLUDING MOTOR VEHICLES ACCIDENT AND CONSUMER PROTECTION LAWS

Foreign torts – Effect of death of parties in tort – Strict liability – Rule in *Rylands v. Fletcher* -


**Prescribed Readings: (With amendments)**

1. Salmond, Law of Torts
2. Winfield, Law of Torts
3. Prof.P.S.Achutan Pillai, Law of Torts
10. R.K. Bangia, Law of Torts

**Paper – V**

**CONSTITUTIONAL LAW – I**

Preamble: - Significance and importance – Declaration of the objectives of the State - Preamble and interpretation of the Constitution.

Union and its territory (Art. 1-4): - Territory of India – Admission and alteration of boundaries – formation of new States - Cessation of Indian Territory to foreign country.


Fundamental Rights (Art 12-35): - (a) General – Definition and nature of Fundamental Rights – Balance between individual liberty and collective interest – Definition of State (Art :12)


(d) Right to Freedom (Art. 19) - Meaning and Scope -Test of Reasonableness –Rights apply to Citizens only.


(g) Protection against Arbitrary Arrest and Detention (Art. 22) – Rights of detenue – Rights to be informed of grounds of arrest, right to be defended by a lawyer of his own choice, right to be produced before a magistrate – Preventive detention Laws.

(h) Right against exploitation (Art. 23-24) – “Traffic in Human beings” and “Forced Labour” – Prohibition of employment of children in factories etc.

(j) Cultural and Educational rights (Art. 29-30) – Protection of Minorities – Right to establish and manage their Educational Institutions.

(k) Saving of certain laws (Art. 31 A-31 G) – Savings of laws providing for acquisition of estates etc. – Validation of certain Acts and Regulations.


**Prescribed Readings: (With amendments)**

5. Law of Indian Constitution : Prof. P.S. Achuthan Pillai
6. Constitution of India : V.N. Shukla
SPECIAL CONTRACTS


Prescribed Readings: (With amendments)

Paper – II
CONSTITUTIONAL LAW – II

Union Executive, President, Vice-president and Council of Ministers (Art.52 – 78 and 123): - Constitutional position and powers of the President – Privileges of the President – Constitutional position and powers of Vice – President – Council of Ministers – Principle of Collective Responsibility – Power of the Prime Minister – Dismissal of the Cabinet – Attorney General of India.
Union Judiciary (Art. 124 – 147) - Composition of Supreme Court – Jurisdiction of Supreme Court Independence of Judiciary how maintained under the Constitution.

State Executive (Art. 153 -167) - The Governor – Constitutional powers and functions – Council of Ministers – Chief Ministers, Appointment – Advising the President for the proclamation of State Emergency under Art. 356.
State Legislature (Art.169 -212) - Creation and abolition of Legislative Councils – Compositions and functions of the Houses – Qualification for membership – Speaker and Deputy Speaker – Session of the Houses.
Relation between Union and State (Art. 245 – 293):


b. Administrative Relations (256 – 263) – Duties of Union and States – Control of Union over States – Co-ordination between States.


Trade, Commerce and Inter course within the territory of India (Art. 301-307):
Parliament’s power to regulate imposition of taxes. Services under the Union and States (Art. 303 -323):


Amendment (Art. 368):
Various methods of amendment – concept of basic structure – Amendment and Fundamental Rights – Amendment and Judicial Review.

Prescribed Readings: (With amendments)

3. Constitutional Law of India : Dr. Jain (Wadhwa and Co.)
5. Constitutional Law of India : Prof. P.S. Achuthan Pillai
6. Constitution of India : V.N. Shukla (Eastern Book Co.)
Paper – III
FAMILY LAW - I

Nature and sources of personal laws, marriage, divorce, adoption, guardianship and maintenance among various communities.

1. Nature and Sources – The study will include the nature and sources (traditional and modern) of personal laws.

2. Laws of marriage - This course will comprise, Hindu, Muslim and Christian Law of marriage and divorce. Emphasis should be laid on the nature of marriage and its development, Hindu Law of marriage and divorce and the changes brought about by modern legislation.

Matrimonial remedies – Hindu, Muslim and Christian Laws

3. Law of adoptions – Hindu law of adoption will include special reference to the juristic concept and development of case laws & changes brought about by the Hindu Adoptions and Maintenance Act, 1956. The study will also include the Muslim law of Legitimacy. Parentage and Doctrine of Acknowledgement.


5. Maintenance – Hindu Law relating to maintenance – Muslim law relating to maintenance with reference to the Muslim Women (Protection of Rights on Divorce Act, 1986).

Matrimonial Remedies through Family Courts.

Statutory materials: (With amendments)

1. The Hindu Widows Remarriage Act, 1856.
5. The Hindu Adoptions and Maintenance Act, 1956.
7. Guardian’s and Wards Act, 1890.
8. The Dissolution of Muslim Marriage Act, 1939.
10. The Indian Divorce Act, 1869.
Family Courts Act

Prescribed Readings: (With amendments)

1. Hindu law : Mulla
   (N.M.Tripathi Pvt. Ltd.)
2. Mohammedan Law : Mulla
3. Introduction to Modern Hindu Law : Duncan M. Derrett
4. Hindu Law – I : Paras Diwan
5. Family Law : Prof. M. Krishnan Nair
6. Muslim Law : A.A.A. Fyzee
7. Outlines of Muhammedan Law : Asaf A.A. Fyzee
8. Marriage and Divorce
   Vol.13 pp 239 - 665
   Vol. 22 pp 565 - 717. : Halsbury’s
10. Hindu Law : Raghavachari, N.R.
11. Hindu Law : Subramania Iyer, V.N.
12. Muslim Law in India : Tahir Mohammed.

Paper – IV

ADMINISTRATIVE LAW


Privileges to withhold documents. - Immunity from Statute operations. - Immunity from Estoppel.
Promissory Estoppel – Change of Policy decision of the Government.

Prescribed Readings:
3. Cases and Materials Administrative Law. : Indian Law Institute
4. Dr.A.T. Markose, Judicial Control of Administrative Action in India. : (Eastern Book Company)
5. I.P. Massey Administrative Law : (Eastern Book Company)
6. Dr.N.K. Jayakumar, Administrative Law. :
7. Constitution of India Relevant Chapters :
8. Administrative Law :
10. Thakwani C.K. Administrative Law :
11. S.P.Sathe, Administrative Law :


**Paper – V**

**PROPERTY LAW**

1. Concept of property, Kinds of property, Intellectual property, General principles of transfer, Definitions of immovable property notice, transformability of property, Effect of transfer, Rules against inalienability and restriction on enjoyment by transfers Conditional transfers, Transfer to urban persons, Rules against perpetuity and accumulation of income. Transfer to a class vested and contingent interests, condition precedent and condition subsequent.

2. Doctrine of Election, Appointment, Covenants running with land, Transfer by Ostensible owners and doctrine of Estoppel Transfer by limited owner, Improvement effected by bona fide purchaser, Transfer to defraud creditors, Doctrines of lis Pendens and part performance.


4. Mortgage: Different types of mortgages and their distinctions, Rights and liabilities of
Mortgager and Mortgagee (Sec.60 to 77) Priority: Marshlling and Contribution, Deposit in Court, Redemption : Who may sue for Redemption – Subrogation, Taking Rights of redeeming co-mortgager : Mortgage by deposit of Title Deed, Anomalous Mortgage.
5. Charge Doctrine of Merger, Notice & Tender, Floating charge.
11. A comparative study of the corresponding provisions of the English real property law is to be made for better appreciation of the Indian Law.

**Statutory Materials: (With amendments)**
1. Transfer of Property Act, 1882
2. Easement Act, 1892

**Prescribed Readings: (With amendments)**
2. D.F.Mulla : Transfer of Property Act
3. M.Krishna Menon : Law of Property
4. Sukla : Law of Property

**THIRD SEMESTER LLB**

**PAPER - 1**

**INTERPRETATION OF STATUTES & PRINCIPLES OF LEGISLATION**

Interpretation of Statutes

Meaning, Objects and Scope of ‘interpretation’ and ‘construction’ of statute

Judge as an interpreter - Commencement, operation and repeal of statutes
Basic Sources of Statutory Interpretation
The General Clauses Act, 1897: Nature, Scope and Relevance (Ss.6- 8)
Definition clauses in various Legislations: Nature and Interpretative Role
Aids to Interpretation (Parts of the statute and their interpretative role)
Internal aids - Title-Preamble- Headings and marginal notes- Sections and sub-sections-Punctuation marks- Illustrations- exceptions-provisos-saving clauses-explanations and schedules-Non-obstante clause.
External aids - Role of Constituent Assembly debates in the interpretation of the Constitution of India
Legislative history- Legislative Intention, Statement of objects and reasons, legislative debates, Committee reports, Law Commission reports etc.-International-law and human-rights documents- Dictionaries-Translations-Statutes in pari materia
3. Rules of Statutory Interpretation
   Primary Rules
      Literal rule-Golden rule-
      Mischief rule
      Rule of harmonious construction
   Secondary Rules
      Noscitur a sociis
      Ejusdem generis
      Reddendo singula singulis
Presumptions in statutory interpretation
Statutes are valid -Statutes are territorial in operation-Presumption as to jurisdiction-Presumption against what is inconvenient or absurd-Presumption against intending injustice-Presumption against impairing obligations or permitting advantage from one's own wrong- Prospective operation of statutes

4. Maxims of Statutory Interpretation
   Delegatus non potest delegare
   Expressio unius exclusio alterius
   Generalia specialibus non derogant
   In pari delicto potior est conditio possidentis
5. Interpretation with reference to the subject matter and purpose
   Restrictive and beneficial construction
   Taxing statutes - Penal statutes - Welfare legislation
   Interpretation of substantive and adjunctive statutes
   Interpretation of directory and mandatory provisions
   Interpretation of enabling statutes
   Interpretation of codifying and consolidating statutes
   Interpretation of statutes conferring rights
   Interpretation of statutes conferring powers

6. Principles of Constitutional Interpretation
   Harmonious construction
   Doctrine of Eclipse
   Doctrine of pith and substance
   Colourable legislation
   Doctrine of Severability
   Ancillary powers
   "Occupied field"
   Residuary power
   Doctrine of repugnancy
   Doctrine of Immunity of instrumentalities

7. Principles of Legislation
   Law-making - the legislature, executive and the judiciary
   Principle of utility – Principles of Ascetic and Arbitrary Theory – Principles
   of sympathy and Antipathy - Relevance of John Rawls and Robert Nozick -
   individual interest to community interest.
   Operation of these principles upon legislation
   Distinction between morals and legislation

8. Legislative Drafting
   Principles of drafting a bill - Montesquieu rules in drafting
Prescribed Legislation:
The General Clauses Act, 1897

Prescribed Books:
4. Theory of Legislation - Bentham

Recommended Books:
Swarup Jagdish, Legislation and Interpretation
P. St. Langan (Ed.). Maxwell on The Interpretation of Statutes (1976)
N.M. Tripathi, Bombay
Bakshi, Legislative Drafting
Dr. Nirmal Kanti Chakravarthi, Interpretation of Statutes Principles of Legislation and Legislative Drafting

PAPER - II

CODE OF CRIMINAL PROCEDURE

1. Introduction
Constitution and powers of Criminal Courts and Offices – Court of sessions – Assistant Sessions Judges – Judicial Magistrates - Special Judicial Magistrates Jurisdiction – Executive Magistrate – Public Prosecutors – Assistant Public Prosecutors.

2. Provisions for Investigations
a. Arrest and Bail provisions
b. Information to the Police and their powers to investigate

3. Process to Compel Appearance and Production of things
a. Summons for Appearance
b. Warrant of arrest
c. Proclamation and attachment
d. Other rules regarding processes
e. Summons procedure  
f. Search Warrants  
g. General provisions as to search  
h. Miscellaneous  

4. Proceedings before Magistrate  
a. Conditions requisite for initiation of proceedings  
b. Complaints to Magistrates  
c. Commencement of proceedings before Magistrates  
d. Security Proceedings  

5. Introduction to Trial Procedures  
a. The charge  
 i. Form of charges  
 ii. Joinder of charges  
 b. Evidence in inquiries and trials  
c. General provisions as to inquiries and trials Double jeopardy- Legal aid to accused—Tender of pardon to accomplices -313 examination-examination of accused persons as witness-compounding of offence  
d. Provisions as to accused persons of unsound mind  

6. Plea Bargaining  

7. Trials and Execution Proceedings  
a. Trial before a court of session  
b. Trial of warrant cases by magistrates  
c. Trial of summons – cases by Magistrates  
d. Summary Trials  
e. Judgement  
f. Submission of death sentences for confirmation  
g. Execution, suspension, remission and commutation of sentences  

8. Appeals, Reference and Revisions  

9. Miscellaneous  
a. Maintenance of wives, children and parents  
b. Transfer of criminal cases  
c. Irregular proceedings  
d. Limitations for taking cognizance  

Prescribed Legislation:  
Code of Criminal Procedure, 1908 with Amendment Acts
Criminal Rules of Practice in Kerala

Book Recommended:
1. Kelkar, R.V. : Outlines of Criminal Procedure
2. Ratanlal Dhirajlal : The Code of Criminal Procedure
5. Ganguly – Criminal Court, Practice and Procedure

PAPER - III
CODE OF CIVIL PROCEDURE & LAW OF LIMITATION

1. Introduction
a. Definitions: Decree, Judgement, Order, Foreign Court, Foreign Judgement, Mesne, Profits, Affidavit, Suit, Plaint, Written Statement
b. Jurisdiction of the civil courts- Kinds of jurisdiction-suits of civil nature Res Sub-Judice, Resjudicata,

2. Initial steps in a suit
a. Place of suing
b. Parties to suit
c. Institution of suit
d. Pleadings: Meaning, object, General rules, Amendment of pleadings
e. Plaintiff and written statement
f. Issue and service of summons
g. Discovery, Inspection and production of documents
h. Appearance and non-appearance of parties
i. Framing of issues and First hearing
j. Summoning and attendance of witness
k. Adjournments

3. Supplementary Proceedings
a. Commissions
b. Arrest before judgement
c. Attachment before judgement
d. Temporary Injunctions
e. Interlocutory orders
f. Receiver
g. Security of costs  

4. Suits in Particular Cases  
a. Suits by or against Government  
b. Suits by Indigent persons  
c. Suits by firm/partners  
d. Suits by corporations  
e. Interpleader Suit  
f. Summary Procedure  
g. Suits relating to public nuisance  
h. Suits relating to public trust  

5. Judgment and Decree  
a. Judgment: Definition, Essentials, Pronouncement, Contents, and Alteration  
b. Decree: Definition, Essentials, Types, Drawing up of a decree, Contents, and Decree in particular cases  
c. Interest  
d. Costs-compensatory costs  

6. Execution  
a. Courts by which decree may be executed  
b. Payment under decree  
c. Application for Execution  
d. Mode of Execution  
e. Stay of Execution  
f. Questions to be determined by executing court  

7. Appeals  
a. Appeals from original decree  
b. Appeals from appellate decrees  
c. General provisions relating to appeals  
d. Appeals to the Supreme Court  
e. Appeals by Indigent persons  

8. Reference, Review and Revision  
a. reference to High Court  
b. review  
c. revision  

9. Other important provisions
a. Restitution
b. Caveat
c. Inherent Powers
d. Affidavit
e. withdrawal or compromise of suits
f. Effect of Death

10. Law of Limitation
a. Meaning, nature and scope of law of limitation
b. Bar of Limitation and its efficacy
c. Sufficient Cause: its meaning and applicability
d. Legal Disability: Meaning, Scope and Effect
e. Continuous running of time: General principle, meaning, scope and it exceptions
f. Exclusion of time
g. Acquisition of easement by prescription-adverse possession etc

Statutory materials: (With amendments)
Code of Civil Procedure, 1976

Prescribed Readings: (With amendments)
  Code of Civil Procedure (Students Edition) - Mulla
  Civil Rules of Practice (Kerala) 1971.

PAPER - IV
FAMILY LAW II

Hindu Law
Joint Family

Partition
Meaning of partition – Subject matter of partition – Persons entitled to a share – The mode of partition – Re-opening and reunion.


**Muslim Law**

**Introduction**

**General principles**


Wills – Persons capable of making Wills - Bequest to heirs – Bequest to non –heirs Limits to testamentary power – Revocation of Bequest – Death bed gifts and acknowledgement.


Law of Pre-emption

**Christian Law**


Interpretation of Wills, words of limitation.
Probate and letters of administration, duties of executor or administrator, succession certificate.

Prescribed Readings: (With amendments)
Indian Succession Act 1925 : Mulla
Hindu Law (N.M. Tripathi Pvt. Ltd.): Mulla
Hindu Law : Paras Diwan
Introduction to Modern Hindu Law : Duncan M Derret
Mohammedan Law : Mulla
Outlines of Mohammedan Law : A.A.A. Fyzee
Marumakkathayam Law : K. Sreedhara Warrrier
Family Law : Prof. M.KrishnanaNair
Christian Law : Dr. Sebastian
Family Law : Paras Diwan

PAPER V
DRAFTING, PLEADING AND CONVEYANCING

This paper shall be taught through class room instructions and simulation exercises. Examination and allocation of marks:
1 Each Student shall undertake 15 practical exercises in drafting of Pleadings carrying 45 marks (3 marks for each exercise).
2 Each student shall undertake 15 practical exercises in Conveyancing, which carries 45 marks (3 marks each).
3 The above-mentioned drafting of Pleadings and Conveyancing exercises shall be in the handwriting of the students on the Record. The Record shall be bound accompanied by a certificate signed by the course teacher and the principal to the effect that it is the bonafide work of the concerned candidate.
5 There shall be a contents page.
At the end of the semester, the student shall appear for a viva voce, which shall carry 10 marks. Viva-voce examination shall be conducted by a panel of 2 senior teachers.

I Drafting: - General principles of drafting and relevant substantive rules.
II Pleadings:
a. Pleadings in General
b. Object of pleadings
c. Fundamental Rules of Pleadings

A. Civil:
1. Plaint
2. Written Statement
3. Interlocutory Application
4. Original Petition
5. Affidavit
6. Execution Petition
7. Memorandum of Appeal
8. Memorandum of Revision

B. Petition under
1. Article 226 and
2. Article 32 of the Constitution of India.

C. Criminal:
1. Complaints
2. Criminal Miscellaneous petition,
3. Bail Application and
4. Memorandum of Appeal and Revision.

D. Forms of Pleadings: Practical exercise on the following topics:
1. Suit for recovery under Order XXXVII of the Code of Civil Procedure 1908
2. Suit for Permanent Injunction
5. Suit for Ejectment and Damages for Wrongful Use and Occupation.
8. Petition for Dissolution of Marriage by Decree of Divorce under S. 13 of the Hindu Marriage Act, 1955
9. Petition for Dissolution of Marriage by Decree of Divorce under S. 13B (1) of the Hindu Marriage Act, 1955
10. Petition for Grant of Probate in High Court
11. Petition for Grant of Letters of Administration
12. Contempt Petition under Ss. 11 and 12 of the Contempt of Courts Act, 1971 before the High Court
13. Writ Petition under Article 226 of Constitution of India
15. Special Leave Petition (Civil) under Article 136 of the Constitution of India
16. Counter Affidavit in Special Leave Petition (Civil)
18. Application for Bail
19. Application for Grant of Anticipatory Bail
20. Complaint under Section 138 of the Negotiable Instruments Act, 1881
22. Special Leave Petition (Criminal) under Article 136 of the Constitution of India
25. Complaint under Section 12 of the Consumer Protection Act, 1986
26. Written Statement to the Complaint under the Consumer Protection Act, 1986

III. Conveyancing:

A. Conveyancing in General
   Object of Conveyancing
   Component parts of a deed

B. Forms of deeds and notices: practical exercise on the following topics: (any fifteen)
   1. Agreement
   2. Exchange
   3. Sale Deed
   4. Mortgage Deeds
   5. Lease Deed,
   6. Gift Deed
   7. Promissory Note
8. Receipt  
9. Licence  
11. Will.  
12. Relinquishment Deed  
13 Partnership Deed  
14 Deed of Dissolution of Partnership  
15 Hire-Purchase Agreements  
16. Settlement Deed  
17. Notice  
19. Partition  
20. Rectification deed  
21. Trust.

5. Viva-Voce examination
Viva voce examination will test the understanding of legal practice in relation to Drafting, Pleading and Conveyancing. Students shall keep a record for the practical work done by them

**Prescribed Legislation:**
The Code of Civil Procedure, 1908,  
Civil Rules of Practice  
Criminal Procedure Code 1976  
Criminal Rules of Practice

**Prescribed Book:**
1. M.C. Agarwal and G.C. Mogha, *Mogha’s The Law of Pleadings in India*  
2. J.M. Srivastava and G.C. Mogha, *Mogha’s The Indian Conveyancer*  

**Recommended Books**
1. M.R. Mallick, Ganguly’s, *Civil Court: Practice and Procedure*  
2. C.R. Datta and M.N. Das, *De Souza’s, Forms and Precedents of Conveyancing*  
3. N.S. Bindra, *Conveyancing*, Vol 1-5,  Law Publisher, Allahabad
FOURTH SEMESTER

PAPER - I
INFORMATION TECHNOLOGY LAW (OPTION-I)

1. Introduction
   Fundamentals of Cyber Space
   Understanding Cyber Space
   Interface of Technology and Law Defining Cyber Laws –
   Global trends in Cyber Law
2. Jurisdiction in Cyber Space
   Concept of Jurisdiction
   Internet Jurisdiction
   Indian Context of Jurisdiction
   International position of Internet Jurisdiction
   Cases in Cyber Jurisdiction
3. E-commerce- Legal issues
   Legal Issues in Cyber Contracts
   Cyber Contract and IT Act 2000
   The UNCITRAL Model law on Electronic Commerce
4. Intellectual Property Issues and Cyberspace – The Indian Perspective
   Overview of Intellectual Property related Legislation in India
   Copyright law & Cyberspace
   Trademark law & Cyberspace
   Law relating to Semiconductor Layout & Design
5. Understanding Cyber Crimes
   Defining Crime
   Crime in context of Internet –Actus Rea/Mens Rea
   Types of crime in Internet
   Computing damage in Internet crime
6. Indian Penal Law & Cyber Crimes
   Fraud
   Hacking
   Mischief
   Trespass
   Defamation
   Stalking
Spam

7. Obscenity and Pornography
   Internet and Potential of Obscenity
   Indian Law on Obscenity & Pornography
   International efforts
   Changes in Indian Law

8. Penalties & Offences
   Under the IT Act
   Offences under the Indian Penal Code
   Investigation & adjudication issues

9. The Evidence Aspect in Cyber Law
   Applicability of the Indian Evidence Act on Electronic Record
   Prescribed Legislations:
   Information Technology Act, 2000
   Information Technology Rules, 2000
   Cyber Regulation Appellate Tribunal Rules, 2000
   The Indian Penal Code, 1860
   The Indian Evidence Act, 1872
   Bankers Book Evidence Act, 1891
   Reserve Bank of India Act, 1934

Prescribed Books:
Vakul Sharma, *Information Technology Law and Practice*, Universal, Delhi:

Recommended Books:
Dr. A Prasanna, *Cyber Crimes, Law & Cyber Security*, Institute of Management in
   Government, Thiruvananthapuram
P.S. Yivek Shane, Banerjee, *Science and Society*, Himalaya Publishing
   House, Bombay
8. Ankit Fadia and Jaya Bhattacharjee, *Encryption-Protecting your Data*
10. Vijay kumar. Na – Cyber laws for every netizen in India
11. UNESCO, The International Dimensions of Cyber Space Law

**PAPER - I**
**COMPETITION LAW (OPTION-II)**

1. CONCEPTS: Competition, market (geographical and product), perfect competition, monopoly, oligopoly, competition policy and competition law.

2. **PURPOSE OF COMPETITION POLICY AND LAW: THEORIES**
   Competition and Regulation, Classical theory, Neo-Classical theory, Chicago School, the Neo Austrian School and Harvard School.

3. **HISTORY OF REGULATION OF COMPETITION IN INDIA**
   Constitutional vision of social justice, Sachar Committee, MRTP Act-Salient features and its amendment in 1991, Raghavan Committee Report, Competition Act 2002. Fundamental basis of competition policy in India in comparison with Anti-trust law and anti-cartel law,

4. **REGULATION OF COMPETITION IN MARKET UNDER COMPETITION ACT 2002:**
   In the background of MRTP Act, US and UK Law:
   (i) Anticompetitive Agreements-Horizontal and vertical restraints
   (ii) Abuse of Dominant Position
   (iii) Regulation of combination
   (iv) Penalties and Damages

5. **REGULATORY STRUCTURE**
   (i) COMPETITION COMMISSION OF INDIA: Original Provision under the Competition Act 2002 and the controversy, the amendment in 2007 and the
bifurcation; constitution of the CCI, powers and functions, jurisdiction of the CCI; adjudication and appeals; independence and accountability of the CCI and its members.

(ii) DIRECTOR GENERAL
(iii) CCI & OTHER REGULATORY BODIES

6. COMPETITION ADVOCACY

7. AN INTERNATIONAL COMPETITION LAW?
Competition Agreement under WTO? - Future initiatives, challenges.
Legislations
MRTP Act
Competition Act 2002

**Prescribed Books:**

**Reference Books:**
1. Competition Law - Emerging Trends—P. Satyanaraya Prasad

**PAPER - II**

**PRINCIPLES OF TAXATION LAW**

**UNIT-I**
Indian Constitution on Tax – Meaning, Nature and characteristics of tax-
Distinction between tax and fee, tax and cess - Direct and Indirect taxes- Tax evasion and tax avoidance- Scope of taxing powers of Parliament, State Legislatures and Local bodies. The Income Tax Act: Basis of taxation of Income-
Agricultural Income – Residential status of individuals, HUF, firms, association of persons, Co-operative Societies and Non-Residents - Income from salaries- Income from house property- Income from business or profession and vocation- Income from other sources- Incomes exempted from tax – Procedure for assessment of Tax.

UNIT-II
Income Tax Authorities- Their appointment- Jurisdiction- Powers and functions- Provisions relating to collection and recovery of tax- Refund of tax, appeal and revision provisions, offences and penalties. Wealth Tax: Charge of Wealth tax, assets, deemed assets, and assets exempted from tax - Wealth tax Authorities- Offences and penalties.

UNIT - III

UNIT-IV
Central and State Sales Tax Laws: Evolution and scope of levy of Sales tax- Inter- State sale outside a State and sale in the course of import and export- Basic principles- Registration of dealers and determination of taxable turnover Service Tax - Main features of Service Tax -VAT -. Tax code

Prescribed Books:
1 Dr. V K Singhania - Students Guide to Income tax, Taxmann Publications
2 V S Datey - Indirect taxes- Law and Practice, Taxmann Publications
Reference Books:
1) Girish Ahuja and Ravi Gupta- Systematic Approach to Income - tax and Sales -tax, Bharat Law House
2) Kailash Rai – Taxation Laws, Allahabad Law Agency
3) B. B. Lai- Direct Taxes- Practice and Planning; Konark Publishers Pvt Ltd, Delhi
4) Dr. H C Malhotra and Dr S P Goyal- Direct taxes, Sahitya Bhawan, Agra
5) Sharad Bhargava- Income tax for Students, Mashbra Industires (P)
PAPER - III
COMPANY LAW

1. Concept of corporate personality; Evolution; Nature and features of Company:
Theories of corporate personality/Separate Legal Entity, Limited liability of members/shareholders, Holding and disposal of property, Management divorced from capital, Perpetual succession, Transferable shares, Power to sue and being sued: Lifting of the Corporate Veil – Tax Evasion, Enemy Character, Fraud or Improper conduct, Statutory
Exceptions to Limited Liability - Reduction in number of members below minimum (s.45), Mis-description of Company’s Name (s. 147), Holding and Subsidiary Relationship (ss. 4 and 212), Personal liability of promoters, directors, etc. for fraudulent conduct of business (s. 542)

2. Kinds of company:
Public and Private Companies (ss. 3, 43)- Holding and Subsidiary Companies (s. 4); Limited and Unlimited Companies (ss. 12(2) (c), 27, 32)- Share-holding and Guarantee Companies (ss. 12, 37)- Producer Companies (Part – IXA, ss. 581A – 581ZT)- Provisions relating to Un-registered Companies (ss. 582-590)- Foreign Companies (ss. 591-608)- Application of the Companies Act, 1956 to Companies governed by Special Acts e.g. insurance, banking, electricity supply, etc. (s. 616)- Government Companies (s. 617)

3. PRE-INCORPORATION PHASE
Promotion of company
Promoters: position - Rights, Powers and Duties as Trustee- Contract with the company-
Liability for Negligence and Personal Profit Pre-incorporation contracts
Ratification of pre-incorporation contract

4. INCORPORATION OF COMPANY
Memorandum of Association various clauses - alteration therein Articles of Associations binding force - alteration - its relation with memorandum of association. Registration of the company Doctrine of Ultra vires Doctrine of Indoor Management Doctrine of Constructive Notice

5. RAISING OF CAPITAL
Prospectus: issue; contents Kinds of Prospectus: Statement in lieu of Prospectus; shelf prospectus, Deemed Prospectus; Information Memorandum liability of misstatements in Prospectus Share Capital: general principles of allotment-statutory restrictions- share certificate -its objects and effects- transfer of shares, restrictions on transfer, procedure for transfer, refusal of transfer, role of public finance institutions, relationship between transferor and transferee, issue of shares at premium and discount, depository receipts - dematerialised shares(DEMAT)- Shareholder - who can be and who cannot be a shareholder - modes of becoming a shareholder - calls on shares - forfeiture and surrender of shares -lien on shares, Share capital - kinds - alteration and reduction of share capital - further issue of capital -conversion of loans and debentures into capital - duties of courts to protect the interests of creditors and share holders

Debenture Capital - meaning; kinds; remedies of debenture holders Dividend – declaration; payment; interim dividend;

6. CORPORATE MANAGEMENT - I (DIRECTORS)
Position; kinds; qualification; Appointment; removal; resignation; casual vacancies; remuneration; powers and duties; Register of Directors

CORPORATE MANAGEMENT - II (MEETINGS)
Kinds; Procedure; voting

7. Regulation of Corporate Mismanagement
Nature and function of the provision Protection against oppression Protection against mismanagement Shareholder's Derivative Action – Nature, Scope, and Development
Investigation power - Role of Central Government

8. Corporate Collapse
Modes of Winding Up Contributories Liquidators – Appointment, powers and functions - Winding up by the Tribunal Analysis of grounds of non-commencement of business, inability to pay debts, and just and equitable clause. Voluntary Winding up - by members- by creditors Stepwise Procedure of Winding up

9. Securities and Exchange Board of India [SEBI]
Establishment and Jurisdiction - Role of SEBI in Capital Market-Powers and Functions Securities Appellate Tribunal – Establishment and Scope of Jurisdiction-Different Scams in Indian Securities Market – Modus Operandi

10. Securities Market and its Control
Introduction to Capital Market – Reforms and Development. General concept of securities market products Securities Contract Regulation Act, 1956 Concept of Corporatization and Demutualization Stock Exchanges, OTCEI Conditions of Listing and Delisting Credit Rating Agencies – Concept, Scope and regulatory framework Concept of Dematerialization and Depositories

11. Corporate Reconstruction
Mergers
Amalgamation
Acquisition
Takeover
Demergers
(Global and National scenario: Historical background; Meaning; Need; Scope; Methods)
SEBI Takeover Code
Regulation & Takeover of Sick Industries

Prescribed Books:

Recommended Books
5. A. K. Majumdar, Dr. G. K. Kapoor *Company Law & Practice*, Taxman.

**Webliography:**

**Articles:-**
Important Committee Reports
1. Kumar Mangalam Birla Committee
2. Naresh Chandra Committee
3. N.R. Narayan Murthy Committee
4. Irani Committee

Law Commission Report(s), if any
188th report on proposals for constitution of hi-tech fast – track commercial divisions in High Courts
142nd report on Legislative Safeguards for protecting the small depositors from exploitation

Important Act(s) – Indian Foreign
1. Companies Act, 1956
2. SEBI Act, 1992
UNIT-I

UNIT-II
Relevancy and admissibility of confessions: Admissibility of information received from an accused person in custody, Confession of co-accused (SS. 24 to 30), Admitted facts need not be proved (58). Dying declaration: Justification for relevance, Judicial standards for appreciation of evidentiary value-32 (1) with reference to English Law, Other statements by persons who cannot be called as witnesses (SS. 32(2) to (8) 33)- Statement under special, circumstances (SS. 34 to 39) Relevance of judgments: General principles, Fraud and Collusion (SS. 40 to SS. 44) Expert testimony: General principles (Sec. 45-50), who is an expert, Types of expert evidence, Problems of judicial defence to expert testimony.

UNIT-III
Character evidence: Meaning – Evidence in Civil Criminal cases English Law (SS. 52-55), Oral and Documentary Evidence. Introduction on Proof of facts, General principles concerning oral Evidence (59-60), General principles concerning documentary Evidence (61-90), General principles regarding exclusion by evidence (SS. 91-100)

UNIT-IV
Burden of Proof:
The general conception of onus probandi (SS. 101), General and Special exception to onus probandi (SS. 102-106)- The justification of presumption and burden of proof (SS. 107 to 114) with special reference to presumption to legitimacy of child and presumption as to dowry death- Doctrine of judicial notice and presumptions.

Estoppel
Scope of Estoppel, Introduction as to its rationale (SS. 115), Estoppel distinguished from Resjudicata, Waiver and Presumption, Kinds of Estoppel- Equitable and Promissory Estoppel, Tenancy Estoppel (Sec. 116)

UNIT-V
Witness, Examination and Cross Examination: Competence to testify (SS. 118 to 120), Privileged communications (121 to 128), General principles of examination and cross examination (SS. 135 to 166), Leading questions (141-145), Approver’s testimony (SS.133), Hostile witnesses (SS. 154), Compulsion to answer questions (147, 153), Questions of corroboration(156-157), Improper admission of evidence.

Prescribed Book:
1. Ratanlal and Dhirajlal - Law of Evidence

Reference Books:
1. Best - Law of Evidence
2. Sarkar - Law of Evidence
4. Batuklal - Law of Evidence
5. Wodroff and Amir Ali - Law Evidence

PAPER V
PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM

UNIT-I
Advocates as professionals:
Introduction, Importance of legal profession, Lawyers’s Role in Accelerating and facilitating the social change visualized by the Indian Constitution, Categories of Advocates, Restrictions imposed on Senior Advocates, Admission and enrolment of advocates, Professional opportunities, Women Lawyers, Opportunities and Handicaps Advocates’ right to practice, to act and to plead - The right of pre-
audience Advocates’ duty to society, to render legal aid, to educate and to accept public office.
Restrictions on other employment and penalty for illegal practice Trial Advocacy-
Important tools of successful advocacy- Study, preparation and presentation of case- Art of examination (chief, cross and re-examination), Arguments on facts and law- How to address the court. Appellate advocacy- Original side Advocates-
Supreme Court Advocates-
Advocates on record- Mofussil Advocates- Retired Judges as Advocates.

UNIT-II
Professional ethics - Advocate and Client:
Acceptance of brief, withdrawal from engagement, advocate’s role as potential witness- Duty of advocate to make full and frank disclosure to client- Breach of obligation to client- Advocate to act only on the instruction of the client-
Contingent fee- Advocate’s lien for fee- Share in claim or purchase of property sold in execution- Financial dealing between advocate and client- Prohibition on lending or borrowing money- Prohibition on changing of sides- Legal Profession and Strike.

UNIT-III
Bar-Bench relationship-Duty towards Court:
Duty to conduct himself with dignity and self-respect and not to commit contempt of court, Avoidance of illegal and improper means to influence decisions, Advocate not to be mere mouth piece of client- Dress code- Prohibition on practicing before relatives, Other duties, powers and obligations of Notary public. Duty of advocates towards colleagues in the profession:
Bar council of India Rules governing professional conduct and etiquette, Soliciting and advertising, Professional services and name not to be used for unauthorised practice of law, Fees not less than fees taxable under the rules, Restriction on entering appearance without the consent of the advocate already engaged, Advocates not to demand fees for imparting training to juniors, Advocate’s duty to opponent counsel, Advocates duty to report disqualification.

2. The Contempt Law and Practice.
Law of contempt of court: Meaning, nature and categories of contempt of court,
Constitutional validity of the Contempt of Court Act, 1972, Salient features of the Act, Contempt jurisdiction of Supreme Court, High Court and Subordinate Courts- Contempt by lawyers, judges and by State- Contempt procedure-
Punishment for contempt- Defence open to contemnor and remedies against punishment.

4. Fifty (50) selected opinions of the Disciplinary Committees of Bar Councils

5. Cases on Professional Misconduct:

6. Accountancy for lawyers:


Scheme of Internal/ Written Examinations.

Internal examinations should be conducted though periodical test papers - case study / field survey/Simulation exercise – Writing articles/Paper presentation in seminars - projects works on topics identified by the concerned teacher. The distribution of marks as follows:

I. Marks for internal/Written examinations shall be distributed as follows

(i) Test Paper (average of two test papers) 20 marks
(ii) Project work/dissertation writing 20 marks
(iii) Case study/comment 10 marks
(iv) Paper presentation/writing articles 10 marks
Each student shall prepare a combined record on all Internal/written examinations (answer sheets of two test papers are to be attached with the record) and produce before the viva-voce board.

II. VIVA – VOCE EXAMINATION

Total marks for viva-voce examination 40 marks

Viva-voce examination shall be conducted by a panel consists of Principal and two senior teachers other than teacher in charge of the subject.

Prescribed Legislation:
The Advocates Act, 1961
Contempt of Court Act

Prescribed Book
Mr. Krishnamurthy Iyer’s book on Advocacy.

Recommended Books
Bhagavati, P.N., Challenges to the Legal Profession - Law and Investment in Developing Countries
K.L.Sharma “Sociology of Law and Legal Profession: Cross Cultural Theoretical perspective”
FIFTH SEMESTER LLB

PAPER I
LAW OF BANKING AND NEGOTIABLE INSTRUMENTS – (OPTION - I)

UNIT – I

UNIT II
Banking Regulation Act, 1949 - Control over State Bank of India, UTI, IDBI, RRBs, Local Banks, NABARD and other Financial Institutions – An Overview. The role of banking institutions in the socio-economic development of the country- Advanced to priority sector and Credit Guarantee Scheme. Social Control of Banks. ii. Nationalization of Banks. iii. Priority lending. iv. Protection of Depositors
Promotion of underprivileged classes, Development work and participation in national economy – Development work and participation in national economy – Narashimam Committee Recommendations – 21st century reforms and technological revolution in Banking Industry.

UNIT III
UNIT – IV
Banker and customer Relationship: Definition of banker and customer, General relationship, Special relationship, Banker’s duty of secrecy, banker’s duty to honour cheques, banker’s lien, banker’s right to set off, Appropriation of payments, Garnishee order, Customer’s duties towards his banker, Paying banker and collecting banker, Bills in sets, Penal provisions under NI Act, Banker’s Book Evidence Act.

UNIT – V

UNIT – VI

Prescribed Books:
1. M. L. Tannan - Law of Banking
2. Khergamvala - Negotiable Instruments Act – M. S. Parthasarathy (Ed.)
M.L. Tannan, Tannan’s Banking Law and Practice in India (Eighth Edition-2008),

Reference Books:
5. K. Subramanyan – Banking Reforms in India
7. S. N. Gupta - The Banking law in theory & practice.
8. G. S. N. Tripathi (Ed.) Sethi’s commentaries on Banking Regulation Act 1949 and allied Banking Laws.
11. Chorley – Law of Banking
12. Paget – Law of Banking
13. Bashyam and Adiga - The Negotiable Instruments Act
14. Information System for Banks - Taxmann
15. Vasantha Desai and Joshi - Managing Indian Banks.
Relevant provisions of Information Technology Act, 2000

PAPER I
LAND LAWS INCLUDING TENURE AND TENANCY SYSTEMS
(OPTION - II)

2. Historical background of Kerala Land Reforms Act - fixity of tenure – purchase of landlord’s rights by cultivating tenants – vesting of landlord’s right in govt – right to purchase kudikidappu – Role of Land Tribunals and Land Boards
1. Sugathan, Land laws of kerala
2. A Gangadharan, Law of land reforms in Kerala
3. A Gangadharan, The laws on land in Kerala

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PAPER II
PRIVATE INTERNATIONAL LAW (OPTION - I)

1. Introduction
Origin and development of Private International Law
Nature and basis of Private International Law
Choice of jurisdiction
Choice of law
Recognition and enforcement of foreign judgment
Distinction between Private International Law and Public International Law
Theories of Conflict of Laws

2. Domicile - Nationality - Residence – Property – Torts - Contracts
   Fundamental Principles of Domicile - Nationality
   Property
      Assignment of movable property
      Testamentary Succession (Wills)
      Trusts
   Torts
      Proper law - Modern trends
   Contracts
      Formation, interpretation, illegality and discharge

3. Matrimonial
   Marriage- Assignment of property on marriage
   Matrimonial causes and Disputes
      Divorce
      Nullity of Marriage
      Judicial Separation
      Restitution of Conjugal Rights
   Legitimacy – Legitimation and Adoption

4. Doctrine of Renvoi- Theories of Renvoi - Foreign Court Theory

5. Foreign Law
Recognition and Enforcement of Foreign Judgments and Arbitral Award
   The limits of Application of Foreign Law

Prescribed Books:
R.H. Graveson, *Conflict of Laws*
S.L. Khanna, *Conflict of Laws*
Paras Diwan, *Private International Law*
G.C. Chesire, *Private International Law*

**PAPER II**

**HUMAN RIGHTS LAW AND PRACTICE (OPTION - II)**

**Unit-I:**
Human Rights: Meaning, Evolution of Human Rights: Ancient and Natural law perspective,
Natural Rights and Human Rights, Legal Right and Human Rights, Human Rights-Classification,
Human Rights and League of Nations, Sources of International Human Rights Law, Human Rights-Importance

**Unit-II:**

**Unit III:**

**Unit IV:**

*Acts*
1. The Charter of UNO
2. The Protection of Human Rights Act, 1993
3. The Universal Declaration of Human Rights, 1948
4. The Protection of Human Rights Act, 1993

Books:
3. Theodor Meron (ed.), Human Right in International Law
4. V.R. Krishna Iyer, The Dialectics and Dynamics of Human Right in India
5. S.K. Kapoor, Human Right under Int. Law & Indian Law

PAPER III
INDUSTRIAL AND LABOUR LAWS – I

1. Origin and development of labour laws-object and scope -regulation of labour in the interest of employee-need for state interference-special features of industrial jurisprudence –social justice and industrial jurisprudence-constitutional principles- new trends

2. Law relating to Trade unions
Trade union movement in India- labour participation in management-role of trade unions- registration of trade unions-cancellation and withdrawal of trade unions-out side leadership-rights and liabilities of trade unions-immunities of trade unions

3. Settlement of Industrial dispute
Concept of industry- industrial disputes-conciliation, adjudication and arbitration of industrial dispute-collective bargaining-strikes and lock outs- lay off and retrenchment-public utility services- unfair labour practice-reference of industrial dispute-jurisdiction of labour court, industrial tribunal and national tribunal-awards of tribunal

4. Regulation of service conditions of workmen
Scope and object of Industrial Employment Standing Orders Act1946 Construction of standing orders- certification of standing orders-modification – duties of certifying officer
Statutory materials
Trade Unions Act 1926
Industrial Dispute Act 1947
Industrial Employment standing Orders Act 1946
Labour and Industrial Law, H.L,Kumar ( Universal)
Labour and Industrial Laws, Prof. K. Madhavan Pillai
An Introduction to Labour and Industrial Law, Dr. S.K. Puri
Labour and Industrial Laws, Dr. V.G. Goswami
Hand book of Labour and Industrial Law, P.L. Malik

PAPER IV
ENVIRONMENTAL LAW

Environment – Meaning and perspective
Meaning of Environment, the basic concepts of ecology and ecosystem, Biosphere and Biomes. Ancient and Medieval Writings; Ancient Indian approach to Environment, Traditional approach. Natural and Biological Sciences. Perspectives: Modern concept, Conflicting dimensions, Anthropogenic V. Anthropocentric approaches- Recent issues relating to Environment, Environment and sustainable development, National and International Perspectives, Population and Developmental impact on environment.

UNIT – II
Environmental Law and Policy:

UNIT – III
International Law and Environmental Protection:

UNIT – IV

The Pollution Prevention Laws:

UNIT – V

Environment Protection and Legal Remedies:

Prescribed Books:
The students are required to study:

UNIT - I
General; Different methods of dispute resolution; Inquisitorial method; Adversarial method; Other methods- both formal and informal- like arbitration, conciliation, negotiation, mediation, etc; Advantages and disadvantages of above methods; Need for ADRs. International commitments; Domestic needs; Suitability of ADRs to particular types of disputes Civil Procedure Code and ADRs

UNIT -II
Arbitration: Meaning of arbitration; Attributes of arbitration; General principles of arbitration; Different kinds of arbitration; Qualities and qualifications of an arbitrator; Arbitration agreement and its drafting; Appointment of arbitrator; Principal steps in arbitration; Arbitral award; Arbitration under Arbitration and Conciliation Act, 1996

UNIT -III
Conciliation: Meaning; Different kinds of conciliation- facilitative, evaluative, court-annexed, voluntary and compulsory; Qualities of a conciliator; Duties of a conciliator; Role of a conciliator; Stages of conciliation; Procedure; Conciliation
under statutes- Industrial Disputes Act, 1947; Family Courts Act, 1984; Hindu Marriage Act, 1955; Arbitration and Conciliation Act, 1996

UNIT - IV
Negotiation: Meaning; Different styles of negotiation; Different approaches to negotiation; Phases of negotiation; Qualities of a negotiator; Power to negotiate

UNIT - V
Mediation: Meaning; Qualities of mediator; Role of mediator; Essential characteristics of the mediation process - voluntary, collaborative, controlled, confidential, informal, impartial & neutral, self-responsible; Different models of mediation; Code of conduct for mediators

UNIT-VI
Provisions of Legal Services Authorities Act 1987- Lok Adalat practice in kerala

Scheme of Evaluation

I. INTERNAL/ WRITTEN EXAMINATION - 60 MARKS
Marks for internal /written examinations shall be distributed as follows
(i) Test paper (average of two test papers) 20 marks
(ii) Role play (Report of the Role Play shall be submitted in writing) 20 marks
(iii) Survey/Field study 10 marks
(iii) Participate and report on Lok Adalat conducted by KELSA or Legal Aid Clinic of the Law College 10 marks

Each student shall prepare a combined record on all Internal /written examinations (answer sheets of two test papers shall be attached with the record) and produce before the viva-voce board.

II. VIVA – VOCE EXAMINATION - 40 MARKS
Viva-voce examination shall be conducted by a panel consists of Principal and two senior teachers other than teacher in charge of the subject.

Prescribed Books:
Reference Books:
2. Gold Neil, et.al., Learning Lawyers Skills, (Chapter-7)
3. Michael Noone, Mediation, (Chapters-1,2&3)

SIXTH SEMESTER

PAPER - I
LAWS ON INTELLECTUAL PROPERTY AND TRADE MARKS
(OPTION I)

UNIT – I

UNIT – II
Meaning of Patent. Historical evolution of the concept of patent, Acquisition and loss of the right to the patentee, Grounds of opposition, Wrongfully obtaining the invention, Prior publication, lack of inventive step, insufficient description. Rights conferred by patents and obligation of patentee, Patents as chose in action, Duration of patent, Use and exercises of rights, right to secrecy, Abuse of patent rights, Compulsory licensing. Remedies.

UNIT - III
Historical evolution of Trademark Law: Definition, Registration, Rights conferred, Registered user, Assignment and transmission, Well-Known trademarks, domain name, collective trademark, action for passing off and infringement of trademarks. Remedies.

UNIT – IV
Historical evolution of Copyright law: Definition, Copyright in literary, dramatic and musical works, cinematograph films, computer software, etc- Ownership of copyright, Author’s Special rights, Infringement-Fair use provisions. Remedies.

UNIT – V
Provisions of TRIPS on IPR and its impact on India. Plant varieties protection.
Utility models: Transfer of technology patents, Patenting Biotechnological Inventions, Integrated Circuits, Industrial designs, Geographical Indications. Protection of Traditional Knowledge. Legal Practice in IPR

**Prescribed Books**
1. P. Narayanan - Intellectual Property Law

**Reference Books:**
1. WIPO Reading Material on Intellectual Property Law
4. Patents(Amendment) Act, 2002
5. Copy Right Act, 1957
7. The Biological Diversities Act, 2002
8. The Protection of Plant Varieties and Farmers’ Right Act, 2001

**PAPER - I**

**LOCAL SELF GOVERNMENT INCLUDING PANCHAYAT ADMINISTRATION (Option II)**

UNIT -1
Meaning, Nature, Characteristics of Local Self Government
Advantages and disadvantages of local self government- Constitutional provisions

UNIT -2
Evolution of Local Self Government in India
i) Lord Ripen's Resolution.
ii) Royal Commission.
iii) Community development programme, National Extension Service.
iv) The Balvantrai Mehta committee report
v) The Vasantrao Naik committee report.

UNIT -3
Panchayat Raj
i) Gram Sabhas, Establishment and constitution of panchayats.
Constitution of Panchayats at Different Levels- Delimitation of Constituencies-
State Election Commission-Preparation of Electoral Rolls- Qualifications and
Disqualifications-Conduct of Elections-Disputes Regarding Election- Corrupt
Practices and Electoral Offences- Provision Relating to Members and President of
Panchayats- Meetings, Powers, Functions, Duties and Property of Panchayats-
Officers and Employees of Panchayats-Finance Commission and Its Powers-
Functions of the Government- Finance and Taxation- Public Safety, Convenience
and Health-Buildings
-Registration of Private Hospitals and Paramedical Institutions-Right to
Information-
Unit -4
Municipalities
Composition
Qualification and disqualification of membership
Election to the Municipalities
Functions of Municipalities
Unit-5
Finance Commission on Panchayat and Municipalities-Ombudsman for Local
Self Government Institutions- Tribunal for Local Self Government Institutions
1. The Kerala Panchayat Raj Act 1994
2. The Kerala Municipality Act 1994
3. Local Government in India, Venkata Rangaiya
4. Local Government in Crisis, William A. Robson
5. Local Government in Ancient India, Radha Kumud- Mookerly
6. Proposal For Model Legislation for Municipal Corporation IIPA

PAPER - II
WOMEN AND LAW (Option I)

Unit-I
Women in Pre-Constitution Period: Social and Legal Inequality; Social Reform
Movement in India; Legislative response in India Women & children in Post-
Constitution Period. Provisions of Constitution of India; Preamble, Art 14, 15,23,
and Part IV; Legal Measures in relating to Child Labour; Women and Political Representation.

Unit-II
Different Personal Laws- Unequal Position of Indian Women-Uniform Civil Code; Sex Inequality in Inheritance Rights: Right of Inheritance by birth for Sons and not for Daughters; Inheritance under Christian Law; Inheritance under Muslim Law; Matrimonial Property Law; Right of Women to be Guardian of her minor sons and daughters.

Unit-III

Unit-IV
Women and Criminal Law: Adultery; Rape; Outraging the Modesty of Women; Kidnapping; Sati Prohibition Law; Law relating to Domestic Violence; Law relating Eve-Teasing; Indecent Representation of Women Act.

Unit-V

Prescribed Books:
1. Indu Prakash Singh, Women, Law and Social Change in India, 1989, Radiant Publishers, New Delhi
3. SPSathe, Towards Gender Justice, 1993, RCWS, SNDT WV Bombay
5. Shaukat Nasir, Muslim Women and their Rights, 1992, Ashoka Law House, New Delhi

Reference material:
1 Relevant Provisions of Constitution of India
2 Relevant Provisions of Indian Penal Code
3 S125, Criminal Procedure Code
4 National Commission on Women Act, 1990
5 Matrimonial Property- Private Members Bill Introduced in Parliament
6 Towards Equality- Report of Committee on the Status of Women (Govt. of India) Chapter IV and Section IV. General Conclusions and Recommendations.

PAPER - II
CRIMINOLOGY AND PENOLOGY (OPTION – II)
1. Nature and Scope of Criminology:
   Definition of Crime and Criminology – Inter relation between Criminology, Penology and Criminal Law – Explanation of crime causation – Biological factors – Spiritual and natural explanation.
2. Schools of Criminology:
   Classical – Neo-Classical – Positive school - Sociological school – Clinical School of Criminology - Critical criminology - Italian school of Criminology
3. Causation of Crime:
4. Social institutions and crime
   Role of family, School, Religion – Economic condition - Mass media, Politics and crime – Organized crime -causes


Penology

1. Reaction to crime – Punitive approach – Theory of punishments - Kinds of Punishments – Justification – Euthanasia in India
2. Prison reforms –
3. Probation to offenders and other flexible Techniques – Parole – suspended sentence and indeterminate sentence –

**Prescribed Books:**
- Prof. H.V. Paranjapa – Criminology and Penology
- Ahmad Siddique – Criminology and Penology
- John Hogan – Modern Criminology
- Katherine S. Williams - Criminology
- Sutherland and Cressey - Principles of Criminology
- Michael Doherty – Criminology
- George B. Vold – Theoretical Criminology

Probation of Offenders Act 1958
Juvenile Justice (Care and Protection) Act 2000

**PAPER - III**
**PUBLIC INTERNATIONAL LAW**

**Unit I**
Basic Aspects of International Law; Nature and basis of International Law, definition of International Law, Relationship between Municipal Law and International Law, Sources of International Law (Treaties custom, general principles, recognized by civilized Nation, ICJ decisions)

**Unit 2**
State as subject of international law: essentials of statehood, not fully sovereign states and other entities, right and duties of states, modes of acquisition and loss of state territory, state responsibility.

**Unit 3**
Recognition succession: Concept of recognition, theories, kinds and consequences of recognition, recognition.

**Unit 4**
Equitable resource utilization and justification: law of sea air space, law of outer space, common heritage of mankind.

**Unit 6**
State jurisdiction: Basis of jurisdiction sovereign immunity, diplomatic privileges and immunities.

**Unit 7**
Treaties: Making of Treaty, Reservations to treaty, Pacta sunt servanda, modes of termination of treaty.
Unit-8
UNO, Principles and Purpose of UNO, Security Council (Composition, powers and functions), General Assembly (Composition, powers and functions, ECOSOC (Composition, powers and functions) Trusteeship Council, ICJ (Composition, types of jurisdiction) World Trade Organization-Main features International Labour Organization

Prescribed Books:
J G Starke, An Introduction to International Law
P. W. Bowett, International Institutions

Reference Books:
J B Brierly - The Law of Nations
D H Harris - International Law (Cases and Materials)
Oppenheim - International law, Volume I, Peace,
S K Kapoor - International Law
Bhagirathlal Das - World Trade Organization
Malcolm N.Shaw- International Law

PAPER - IV
INDUSTRIAL AND LABOUR LAWS II

Concept of social security-Social security in ancient times-role of International Labour Organisation- India and ILO-modern concept of social security-social security in India

Compulsory state insurance-benefits in the event of sickness-maternity and employment-establishment of ESI corporation-ESI fund-payment of contribution-role of medical board-adjudication of dispute

Payment of compensation-conditions-liability of employer-personal injury arising out of and in the course of employment-principles to decide the quantum of compensation-liability of the principal employer

Gratuity benefits to the workers- eligibility-rate of gratuity-forfeiture etc
Compulsory Contributory provident fund-provident fund and pension scheme-authorities for the implementation of the scheme- national and state boards, their powers and duties-recovery of amount due from the employer
Benefits entitled to women workers-maternity benefits- eligibility-leaves- nursing breaks-complaints to inspectors

History of bonus in India- bonus commission- kinds of bonus Payment of bonus-computation-sums deductible from gross profits-eligibility and extend of bonus-disqualifications to receive bonus-minimum bonus-deductable amounts from bonus etc

Prevention of exploitation of labour - Living, fair and minimum wages to workers- statutory minimum wages- fixation-minimum rates of wages-responsibility of the employer-authorised deductions-payment of wages authority.

Health, safety and welfare measures relating to employees working in factories-definition of factory-formalities and requirements to start factory-control of hazardous processes-working hours, holidays, overtime wages, annual leave with wages etc of workers-prohibition of employment of children in factories- their working hours etc protection of workers engaged in dangerous manufacturing process-penalty for offences –exemption of liability of the manager or occupier-obligation of workers.

**Statutory material**
The Workmen’s’ compensation Act 1923
Employee’s State Insurance Act 1948
Employees Provident Fund Act1952
Maternity Benefit Act 1961
Employees Liability Act 1936
Payment of Bonus Act 1965
Minimum Wages Act 1948
Payment of wages Act 1936
Fatal Accidents Act
Payment of Gratuity Act
Factories Act 1948

**Prescribed Readings**
    Same books as in Paper I
PAPER V
Moot Court Exercise and Internship

This paper will have three components of 30 marks each, and the fourth component will be a viva-voce examination for 10 marks.

1. Moot Court (30 Marks)

Every student will do at least 3 (three) moot court in a year with 10 marks for each. Each moot court work will be on assigned problem and it will be evaluated as follows:

1.1 Written submissions : 5 marks
1.2 Oral advocacy : 5 marks

2. Observance of Trial in two cases (30 marks)

2.1 One Civil case : 15 marks
2.2 One Criminal case : 15 marks

Students in a group of not more than 10(ten) students will attend two trials in the course of the last two or three years of law course. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment.

3. Interviewing techniques and Pre-trial preparation (30 marks)

3.1 Two interviewing sessions of clients : 15 marks
3.2 Observation of the preparation of documents and court papers : 15 marks

Each student will have to observe 2 (two) interviewing sessions of clients at the Lawyers’ Office/Legal Aid Clinic and record the proceedings in a diary which
will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary which will carry 15 marks.

4. Viva Voce examination on all the above three aspects (10 marks)