

Semester: V
Course Title: Alternate Dispute Resolution
Course Code:
Credit: 4

Course: LLB

L-T-P
4-0-0

Course Objective:

1. 'Justice Delayed is Justice Denied', Legal Pendency is one very critical challenge in front of our Legal System today. Having a robust Alternate Dispute Resolution mechanism will make the Justice System efficient. The course enables the Students to understand the structure of Legislations and other tools available for the ADR.
2. The course makes Students understand the available National and International Arbitration systems and mechanisms.
3. The course will make students more equipped with efficient and skilled Conciliation Skills

Course Content:

| S. No. | Contents |
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| Unit I | <p><u>Introduction to the concept of Alternate Dispute Resolution and types of ADR.</u></p> <ul style="list-style-type: none">● ALTERNATE DISPUTE RESOLUTION –Alternative to formal adjudication.● Types of ADR– Unilateral, Bilateral, triadic (Third party), Intervention , Advantage and Limitations .● Distinction between arbitration – conciliation and negotiation.● JUDICIAL DISPUTE RESOLUTION : Nature, Scope; Advantages and Disadvantages of such resolution.● Difference between Judicial Settlement And Alternate Dispute Resolution: A Balanced Comparison. |
| Unit II | <p><u>Meaning and Nature of ADR as Legal tool for Justice Delivery and Introduction to the Arbitration and Conciliation Act.</u></p> <ul style="list-style-type: none">● Historical perspective of ADR in India.● ADR as an alternative Legal remedy.● Nature and Scope of 'The Arbitration and Conciliation Act, 1996'.● Efforts of United Nations commission on International Trade Law.● Model Arbitration Law – Recommendations of Law Commission of India Definitions. |

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| Unit III | <p><u>Introduction to Arbitration Tribunal and its working.</u></p> <ul style="list-style-type: none"> ● The Concept of Arbitral Award and Termination of proceedings. ● Alternate to Arbitration Award, Finality and Enforcement and Appeals. ● Power of the High Court to make rules as related to ADR and Arbitration Tribunals. ● Arbitrary- Arbitration agreement, Arbitrator, Appointment of Arbitrator, Grounds for changing the arbitrator and Termination of Arbitrator. |
| Unit IV | <p><u>Meaning, Nature and Scope of Conciliation.</u></p> <ul style="list-style-type: none"> ● Meaning and Definition of Conciliation. ● Appointment of Conciliators. ● Powers and functions of conciliators. ● Conciliation agreements, Conciliation Proceedings and Enforceability. |
| Unit V | <p><u>Various alternative Models of Dispute Resolution in India.</u></p> <ul style="list-style-type: none"> ● Role of Panchayat in Dispute Resolution. ● Role of Grama Sabha in Dispute Resolution. ● Different mechanisms of Dispute Resolution in: Lokpal, Lokayukta, Lok Adalats, Family Court, Counselling centers and Tribunals. ● Meaning and Role of Legal Services Authority in ADR. ● Role Of N.G.O. In Dispute Resolutions. |

Course Outcome: After the successful completion of the Course:

1. Students will understand the Meaning and Relevance of the Arbitration and Conciliation process.
2. Students will be equipped with a holistic approach towards the Legal framework available for ADR and specific Legal Acts.
3. Students will be able to understand the Legal perspective of ADR Tribunals in India and their work.
4. Students will understand the meaning, nature and scope of Conciliation as a way of accelerating Justice in Society.
5. Students will get an insight of various models of ADR in India and their scope of operation.

Text Books:

1. Alternative Dispute Resolution: The Indian Perspective, Shashank Garg, OUP India; New edition.
2. The Law of Arbitration and Conciliation, Avtar Singh, Eastern Book Company.

Reference Books:

1. Justice Dr. B.P. Saraf and Justice S.M. Jhunjhunwala, Law of Arbitration and conciliation – Snow White Publication, New Delhi.
2. S.K. Chawla, Law of Arbitration and conciliation – Eastern Law Book Corporation, Kolkata.
3. P.C. Markanda, Law Relating to Arbitration and conciliation: Wadhwa & Company, Nagpur.

E-Sources:

1. Journal of Dispute Redressal, University of Missouri School of Law in conjunction with the Center for the Study of Dispute Resolution.
2. Alternative Dispute Resolution Research, Harvard Law School Library.

United University
Prayagraj
FACULTY OF LAW, 2021-22

Semester: V

Course Title: CODE OF CIVIL PROCEDURE & LIMITATION ACT

Course Code:

Credit:4

Course: LL.B

L-T-P

4-0-0

| S. No. | Contents |
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| Unit I | <p>Introduction: Conceptions of Civil Procedure. Historical background of CPC. The jurisprudential aspect. The Code of Civil Procedure (Amendment) Act, 2002.</p> <p>Definitions - Decree [section 2(2)], Judgement [section 2(9)] Legal Representative [section 2(11)], Mesne Profits [section 2(12)], Order [section 2(14)]</p> <p>Inherent power of the court (S.151)</p> <p>Suits: Concept of Law Suit, Order I, Parties to Suit, Order II, Frame of Suit, Order IV, Institution of suit</p> <p>Bars & Suit: Doctrines of Sub Judice & Res Judicata, Place of Suing (Section 15, 20) - Territorial Jurisdiction, "Cause of Action" and Jurisdictional Bars, Summons (Sections 27, 28, 31, Orders IV, VI, IX)</p> <p>Service of Foreign Summons (Section 29), Power for Order (Section 30 order XI).</p> |
| Unit II | <p>Pleadings: (Order VI), Material Facts, Forms of Pleading, Condition Precedent, Presumptions of Law</p> <p>Striking Out/Amendment. Plaint: (Order VII), Particulars (esp., in money suits/suits for immovable Property), Showing of defendant's interest and liability, Ground of Limitation, Return of Plaint, Rejection of Plaint, Production and listing of Documents, Written Statement, Counter Claim, Set off, Framing of issues.</p> <p>Appearance and Examination: Appearance, Ex-parte procedure, Default of Portion, Summoning and attendance of witnesses, Examination, Admissions, production, importing, return of documents, hearing, affidavit;</p> <p>Adjournments: Order XVII, Adjournment, Judicial Discretion & problems Arrears;</p> |
| Unit III | <p>Judgment and decree: Concepts of judgment, Decree, and Interim Orders and stay Injunction</p> <p>Appointment of Receivers, Costs. Execution: (Order XXI), Concept of "Execution", General Principles of Execution, Power for Execution of Decrees (Section 38-46), Procedure for Execution (Section 51-54)</p> <p>Enforcement: Arrest and Detention (section 55-59), Attachment (Section 60-64), Sale (Section 65-67)</p> <p>Suits in Particular Cases: Suits by or against Government (Section 79-82), Suits by Aliens and by or Against Foreign Rulers, Ambassadors and (Section 91-93), Suits relating to public matters, Incident and supplementary proceedings (Section 75-79, 94-95), and Suits against Minors, persons with unsound mind, indigent persons etc., Interpleader suits.</p> |
| Unit IV | <p>Appeals: Appeals from Original Decrees (Section 96-99-A) and Order XLI,</p> |

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| | Appeals from Appellate Decrees (Sections 100-101), Appeals from Orders (Sections 104-106) (Order XLII), General Provisions Relating to Appeals (Section 107-108), Appeals to the Supreme Court (Section 108). |
| Unit V | Commissions: The Rationale of Commissions, Order XXVI, Socio-Legal Commissions of Inquiry i “Social Action” or “Public Interest Litigation”. <i>Limitation:</i> Concept of Limitation – Why limitation General principles of limitation, Extension – sufficient causes – acknowledgment, Legal disability Condonation – when comes to an end, Limitation Act, 1963(excluding Schedules). |

Course Objective: Study of procedural law is important for a law student. This course is designed to acquaint the students with the various stages through which a civil case passes through, and the connected matters. The course also includes law of limitation. The course teacher shall Endeavour to familiarize the students with case paper (like complaints, written statement, interlocutory application, etc.) involved in civil cases and touch upon the provision of evidence Act wherever necessary.

Course Content:

Course Outcome:

- 1) Enable the students to understand the procedure as litigation strategy.
- 2) To Know the detail procedure for redressal of civil rights
- 3) The development of trends and transmission of civil law and procedural implications.
- 4) Incorporation of substantive civil law doctrines into practical aspects in Mock trails/practical training/drafting
- 5) To Know where the suit is to be filed? The essential forms and procedure for institution of suit, the document sin support and against, evidence taking and trial, dimensions of an interim order, the peculiar nature of the suits, the complexities of executing a decree and provisions for appeal and revision are all matters which a lawyer for any side is to be familiar with.
- 6) Students will be able to recognize and address issues that arise in Civil Procedure that implicate relevant ethical, moral, and religious principles.

Text Books:

- 1) Mulla: Code of Civil Procedure: Tripathi (Abridged Edition), (Student Edition).
- 2) A.N. Saha: Code of Civil Procedure.
- 3) C.K. Takwani: Civil Procedure, 4th Edition, Eastern Book Co., Lucknow, 2007.
- 4) B.B.Mitra: Limitation Act, 17th Edition, Eastern Law House, Calcutta, 1974,
- 5) Allahabad, 1973.
- 6) Sanjiva Row: Limitation Act, 7thEdn. (in 2 Vol.s), Law Book Co., Allahabad, 1973.
- 7) Sanjiva Row: Code of Civil Procedure, 3 rdEdn, (in 4 Vols), Law Book Co, Allahabad.

Reference Books:

1. AIR Commentaries on Limitation Act, W.W. Chitaley, AIR Ltd., Nagpur.
2. B. M. Prasad & S. K. Sarvaria, Mulla's Code of Civil Procedure (17th ed., 2007)

E-Sources:

1. Westlaw International. ...
- Hein Online. ...
- LexisNexis. ...
- JSTOR (Journal Store) ...
- National (Indian) Online Legal Research Databases. ...
 1. Manupatra. ...
 2. Indlaw.
 3. Indian kanoon

**United University
Prayagraj
Faculty of Law, 2021-22**

Semester: V
Course Title: Interpretation of Statutes
Course Code:
Credit: 4

Course: LLB
L-T-P
4-0-0

Course Objective: Interpretation of Statutes evolved into certain rules and principles to clarify ambiguities, Inconsistencies, contradictions and lacunas. Legislative drafting often tend to give rise to all these 'doubts'. This core of this subject is to unlock the locks put by the Legislature through certain principles, rules etc. Legislative expression will reflect in the form of a Statute and it needs to be understood and given effect in the same tone. The guiding principles behind interpretation of Tax Laws, Penal Laws and Welfare Laws may differ in approach but the central idea of interpretation remains the same. This paper provides those inputs that are very much essential

Course Content:

| S. No. | Contents |
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| Unit I | Introduction to Interpretation of Statutes Meaning of Interpretation of Statutes, Objects & Kinds of Interpretation of Statutes. Difference Between Construction and Interpretation, Concept and Power of Interpretation. |
| Unit II | Rules of Statutory Interpretation Primary Rules: |

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| | <p>Literal or Grammatical Rule, Golden Rule, Mischief Rule (Rule in the Heydon's case) Purposive Rule.</p> <p>Secondary Rules or Subsidiary Rules of Interpretation:</p> <p>Noscitur a Sociis, Ejusdem Generis, Reddendo Singula Singulis.</p> |
| Unit III | <p>Aids to Interpretation & Commencement of Statutes; Retrospective effect of Statutes, Repeals and Temporary Statutes</p> <p>Internal Aids: Definitions; Interpretation clauses General Clauses Act, Proviso, Exceptions and saving clauses.</p> <p>External Aids: General Travaux preparatoires or surrounding circumstances, Parliamentary History.</p> <p>Commencement of Statutes, Retrospective effect of Statutes, Consequences of Repeals, Temporary Statutes</p> |
| Unit IV | <p>Interpretation with reference to the subject matter of Statutes</p> <p>Taxing Statutes, Penal Statutes Remedial and Beneficial Statutes</p> <p>Rules of statutory interpretation: their judge made character, Legalism and Creativity: Mischief and Golden Rule, Rule of Construction in Fiscal And Criminal Statutes, Technicality: Rules as to necessary and implied repeal: Rule for interpretation of codifying, consolidating and amending statute.</p> |
| Unit V | <p>Constitutional interpretation, differentiation from statutory interpretation Rex Vs Burah as example, Literal interpretations, Harmonious construction, Reference to constituent assembly debates, Pith and substance, Occupied field, Residuary power, Repugnancy, Amending power Directive Principles as source of constitutional interpretation. stare decisis, the doctrine has inherited by us, Techniques of innovation (Subversion) of stare decisis, Supreme Court's authority to over rule its own decisions (Eg: Antulay Case), Advisory jurisdiction and its import on precedent, retrospective overruling in India, Objections to judicial review as anti-majoritarian. Principles of legislation: Principles of the civil code, principles of the penal code of punishments.</p> |

Course Outcome:

1. By the end of the course you are expected to:
2. Understand and explain the doctrine of judicial precedent.
3. Distinguish between findings of fact and law.
4. Distinguish between rationes decidendi and ober dicta.
5. Explain the application of the Constitution and legislation as sources of legal authority.
6. Distinguish between the various rules and approaches to statutory interpretation.
7. Organise and manage your time and resources effectively.

Text Books:

1. D.D. Basu — Limited Government and Judicial Review.
2. G.P Singh "Principles of Statutory Interpretation, (9th Edition) 2008, Wadhwa, Nagpur.
3. Vepa P. Sarathi: Interpretation of Statutes, Eastern Book Co, Lucknow
4. Chatterjee: Interpretation of Statutes.
5. S. Bindras's Interpretation of Statutes, 2007, Lexis Nexis Butterworths, New Delhi.
6. P, Interpretation of Statutes, (2008) Orient Publishing, New Delhi.

7. Bakshi, P.M. Interpretation of Statutes. (2008) Orient Publishing, New Delhi.

Reference Books:

1. Jeremy Bentham: Theory of Legislation, Butterworths Publications.
2. St. Langan (Ed.) Maxwell: Interpretation of Statutes, Butterworths Publications
3. Crawford: Interpretation of Statutes, Universal Publishers, Delhi
4. Dias – Jurisprudence – chapt. 7, 8, and 15

E-Sources:

- Westlaw International. ...
- Hein Online. ...
- LexisNexis. ...
- JSTOR (Journal Store) ...
- National (Indian) Online Legal Research Databases. ...
- Manupatra. ...
- Indlaw.

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Semester: V

Course: LLB

Course Title: Criminology & Penology

Course Code:

L-T-P

Credit: 4

4-0-0

Course Objective: Criminology, Penology and Criminal Law are interlinked. Scientific study of criminal behaviours of the person who tends to commit crime is the core and essence of this subject. Basically Criminal Law provides definition and punishment for the crime. The criminology reveals the reasons that constitute the crime either individually or socially. The penal sanctions depend upon the characteristics of the criminal and the ability to reform through punishments. Thus the course provides the students to understand the criminal behaviour and imposition of punishments scientifically.

Course Content:

| S. No. | Contents |
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| Unit I | Dimensions of Crime in India : Nature and extent of Crime in India, Reporting of Crime statistics and problem of accurate reporting of Crime, Victim Studies, self-reporting, Costs of Crime, Some factors for evaluating the rate of crime in India-Territory: Population: Heterogeneity: Human values, General approaches to crime control, Continental approaches: Social defence, Social approaches: Crime Prevent Control, Crimes of the powerful, Organised crime-smuggling, traffic in narcotise, White collar crime:- corruption in public life, Socio-economic crime: Adulteration of Food and Drugs: fraudulent trade practices, Crimes in the professions-Medical, Legal, Engineering, State Criminality., Perpetrators of |

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| | <p>Ordinary crime, The situation criminal, The chronic offender, Criminality of Women., Young offenders, Criminal gangs, Crimes of the marginalized with special reference to</p> <p>i. Forest offences;</p> <p>ii. States offenders, vagrants, prostitution.</p> |
| Unit II | <p>The Police and to Criminal Justice: The Police system, Structural organisation of police at the centre and the states, Mode of recruitment and training, Powers and duties of police under the police acts, Criminal Procedure Code and other laws, Arrest, search and seizure and Constitutional imperatives, Methods of police investigation, Third degree methods, Corruption in police, Relationship between police and prosecution, Liability of police for custodial violence, Police Public relations., Select aspects of National Police Commission Report.</p> |
| Unit III | <p>Punishment: Punishment of Offenders Some discarded modes of punishment, Corporal punishment : Whipping and flogging : Mutilation and Branding, Transportation Exile, Public execution, An appraisal of these modes of punishment, Punishments under the Indian Criminals Law, Capital punishment, Imprisonment, Fine, Cancellation or withdrawal of licences, etc., The prison system, Administrative organisation of prisons, Mode of recruitment and training, The Jail Manual, Powers of prison officials, Prisoners classification - Male, Female : Juvenile and Adult : Under trial, Constitutional imperatives and prison reforms and convicted prisoners, Open Prisons, Violation of prison code and its consequences, Appraisal of imprisonment as a mode of punishment.</p> |
| Unit IV | <p>Treatment and correction of Offenders: The need for reformation and rehabilitation of offenders undergoing punishment/imprisonment, Classification of offenders through modern diagnostic techniques, The role of psychiatrists, psychoanalysts and social workers in the prison, Vocational and religious education and apprenticeship programmes for the offenders, Group counselling and resocialisation programmes, Prisoners organisations for self-government., Participation of inmates in community services, An appraisal of reformatory techniques, Suggested forms of treatment of offenders under the IPC (Amendment) Bill, 1972, Efficacy of imprisonment as a measure to combat criminality and the search for substitutes.</p> |
| Unit V | <p>Resocialization: Resocialization processes Probation, The Probation of Offenders Act, 1958, The attitude of judges towards probation, Mechanism of probation and standards of probation services, Problems and prospects of probation, The suspended sentence, Parole, Nature of Parole, Authority for granting parole, Supervision paroles, Parole and conditional release, Release of the offender, Problems of the released offender, Attitudes of the community towards released offender, Prisoner Aid Societies and other voluntary organization, Governmental action, An appraisal. Nature and Development, its expanding dimensions, typology of victims, compensation, compensation by application of Article 21 and 300A, victim and criminal justice, emerging trends and policies</p> |

Course Outcome:

1. Analyse and define the concept of crime and antisocial behaviour in the society and the difference between crime and morality as the concept of crime changes from society to society.
2. Analyse the various views given by philosophers on criminology.
3. Evaluate the reasons behind the crime and significance of Penology in the present society and theories of the punishments and its application in the criminal justice system.
4. Determine and analyse the role and function of the Police in the administration of criminal justice system as they plays important role in maintaining law and order.
5. Analyse and evaluate the role of prison and prison officers in execution of the punishment given by the court.

Text Books

- 1) Ahmmad s, criminology aand penology, Central law Agency, Alhabadiddiqui
- 2) Iyer, Prospective in Criminology, Law and Social Change;
- 3) Ross, H. Lawrence (Ed.), Law and Deviance (1981);
- 4) 4 Sutherland, E. and Cressy, Principles of Criminology (1978);
- 5) Walker, N., Crime and Criminology (1961): A Critical Introduction (1987);
- 6) J.M. Sethna, Society and to Criminal (1980); A. Siddique, Criminology: Problems and Perspectives, Central Law Agency. Lucknow
- 7) M. Ponioan, Crinology and Penology, Poineer Books, Delhi.
- 8) E. Sutherland, White Collar Crime (1949);

Reference Books:

1. Katherine S Williams, Textbook on Criminology, 1999
2. Loveland, Frontiers of Criminality, 1995
3. Manheim H, comparative Criminology, 1965
4. Walker, N. Crime and Criminology, 1987

E-Sources:

- Westlaw International. ...
- Hein Online. ...
- LexisNexis. ...
- JSTOR (Journal Store) ...

**United University
Prayagraj
Faculty of Law, 2021-22**

Semester: V
Course Title: Professional Ethics & Court Craft
Course Code:
Credit: 4

Course: LLB
L-T-P
4-0-0

Course Objective: Lawyering is a profession but lawyers are officers of the court. Advocates are therefore required to observe the ethics of their profession. The course aims at making the student aware of professional ethics and professional accounting system for properly training the student for the profession.

Course Content:

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| S. No. | Contents |
| Unit I | <p>Professional Ethics</p> <ul style="list-style-type: none"> ● History, importance and contribution of the legal profession. ● Enrollment of advocates and establishment of Bar Councils. ● Meaning, Nature and need of ethics of legal profession. |
| Unit II | <p>Duties of an advocate</p> <ul style="list-style-type: none"> ● Duties of advocate to the court. ● Duties of advocate to the clients. ● Duties of advocate to the society. ● Duties of advocate to the colleagues. |

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| <p>Unit III</p> | <p>Punishment for professional or other misconduct</p> <ul style="list-style-type: none">● Meaning of professional or other misconduct.● Nature and extent of punishment.● Remedies against the order of punishment.● Remedies against the order of punishment. <p>Important case laws</p> <ul style="list-style-type: none">● Prahlad Saran Gupta v. Bar Council of India.● Hikmat Ali v. Ishwar Prasad Arya and others.● P.D. Gupta v. Ram Murit and others. |
| <p>Unit IV</p> | <p>Meaning of contempt of court</p> <ul style="list-style-type: none">● Object and importance of contempt law, Civil and Criminal Contempt.● Contempt jurisdiction of the subordinate courts.● Nature and extent of punishment for contempt of court. |

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| Unit V | <p>Categories of contempt of court & its Remedies</p> <ul style="list-style-type: none"> ● Defense open to the contemnor incriminal contempt. ● Defense open to the contemnor incivil contempt. ● Remedies against the punishment forcontempt of court. <p>Important cases on contempt of court</p> <ul style="list-style-type: none"> ● Delhi judicial services association v. State of Gujarat (AIR 1995 SC 2176) ● Mohd. Aslam v. Union of India (AIR 1995 SC 548) ● In re Vinay Chandra Mishra (AIR 1995 SC 2348) ● Supreme Court Bar Association v. Union of India (AIR 1998 SC 1895) ● State of Rajasthan v. Prakash Chand(AIR) 1998 SC 1344). |
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Course Outcome:

- The student will be aware of the rules and regulations of the Bar Council of India.
- The student will have the knowledge of the The Advocates Act, 1961 and will be an informed professional knowing well about their rights such as right to strike (Lawyers).
- The student will know about the consequences of their actions and words such as contempt of court and disciplinary proceedings.
- This course will enable the student to be aware of professional ethics and the professional accounting system.

Text Books:

- Professional Ethics, Accountancy for Lawyers and Bench-Bar Relations by Dr. S.P. Gupta.
- Legal and Professional Ethics by P. Ramanatha Aiyer.
- Professional Ethics by Raju Ramachandran Legal Ethics.
- Accountability for lawyer & Bench- Bar Relations by Kailash Rai.

- Professional Ethics by Sirohi.

Reference Books:

- Lawyers (English, Paperback, Oagile Bethuel Key Dingake)
- Professional Responsibility (Hudson David L.)
- International Rule of Law and Professional Ethics (Popovski Vesselin)

E-Sources:

- SCC Online <https://www.sconline.com>
- Manupatra <https://www.manupatrafast.com>
- HeinOnline <https://home.heinonline.org>
- JSTOR <https://www.jstor.org/>
- Legal Services India <https://www.legalserviceindia.com/>

**United University
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Faculty of Law, 2021-22**

Semester: V
Course Title: Law of Taxation
Course Code:
Credit: 4

Course: LLB
L-T-P
4-0-0

Course Objective: To understand the concept of Direct as well as Indirect Taxation Laws of India. Income Tax: Heads of Income and Relevant Issues, International Taxation, Assessment and Procedures. Indirect Tax: GST w.s.r.t. Central GST Act and Customs Duty are the focus points of study in this paper

Course Content:

| S. No. | Contents |
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| Unit I | Income Tax I: Basic Concepts Constitutional Validity of Taxation Laws, Classification of Taxes, Tax Planning – Avoidance - Evasion and Management, Chargeability, Definitions, Residential Status and Scope of Total Incomes, Double Taxation Avoidance Agreement, Incomes which do not form part of Total Income (Exempted Incomes). |
| Unit II | Income Tax II: Heads of Incomes and Related Issues Salaries: Chargeability, Allowances, Perquisites, Profit in Lieu of Salaries, Retirement Benefits, Termination Compensations. Tax Treatment related with House Property, Profits and Gains from |

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| | Business & Professions, Capital Gains, Tax Treatment of Residual Incomes, General Deductions, Clubbing of Incomes, Set-off and Carry Forward of Losses. |
| Unit III | Income Tax III: Assessment & Procedures Refunds & Reliefs, Advance Tax, TDS, TCS, Filing of Returns, Assessments & Procedures, Income Tax Authorities, Tribunal Proceedings, Penalty & Prosecution, Search and Seizure |
| Unit IV | Indirect Taxes: Goods & Services Tax Value Added Tax, Taxes Subsumed, CGST Provisions, Transfer, Input Tax Credit, Authorities, Filings & Proceedings, ITAT. Basics of Customs Duty Law Assessment of Imported and Export Goods and Procedural Aspects |
| Unit V | Professional Tutelage: Income Tax Analysis of Tax Provisions for Charitable Trusts, Analysis of Tax Provisions for Companies, Filing of Tax Returns of various persons, Hands-on Interpretation of Advance Ruling Provisions, Interpretation of Transfer Pricing Policy, Case Studies - Tax Planning and Tax Holidays. Professional Tutelage: Goods & Services Tax Hands-on practice of Registration under GST, Filing and Dispute Settlement. |

Vinod Singhania & Kapil Singhania - Direct Taxes Law and Practice, Taxmann

V.S. Datey – Indirect Tax Laws, Taxmann

Reference Books:

Chaturvedi & Pithisaria, Income Tax Act with Relevant Tax Allied Acts, 2021

Institute

United University
Prayagraj
Faculty of Law, 2021-22

Semester: VI
Course Title: Code of Criminal Procedure
Course Code:

Course :LLB
L-T-P
4-0-0

Course Objective: To familiarize the students with the crucial aspects relating to investigation and trial of offences (like initiation of criminal cases, powers and duties of police during investigation of offences, stages of criminal trial, functions,

duties, and powers of criminal courts) . To sensitize the students about critical issues in administration of criminal justice (like protection of human rights of accused, victims, principles of fair trial)

| S. No. | Contents |
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| Unit II | <p>Investigation proceedings: Initiation of investigation proceedings (sec.154-157); Interrogation powers of police officer (Secs.160& 161); evidentiary value of FIR and statements made to police officer (Sec.162 of Cr.P.C. and Sec.145 &157 of Evidence Act); Arrest with and without a warrant : exercise of power and execution rules (Secs.41-60 & 70-80);Preventive powers of the Police (Sec.149-153);Rights of arrested person (Secs.50,50A,54-57,75,76,303,304 of Cr.P.C& Art.22); Search and Seizure (Secs.51,93-103, 165,166 & 166A,166B); Proclamation and attachment (sec.82-89); Recording of confessions and statements (sec.164); Special remand order (Secs.167); Police diary (Secs.172); Police report (Sec.173); Inquest proceedings (Secs.174-176);</p> <p>Jurisdiction of Courts Inquiry proceedings: General principle of jurisdiction of criminal courts (Sec.177); Exceptions to the principle (Sec.178-188);</p> <p>Inquiry Proceeding: Initiation of Inquiry proceedings (Sec.190-194); Exceptions to the general principle of moving criminal courts (Secs.195-199);</p> <p>Complaint Proceeding: Complaint to magistrates (Secs.200-203); Inquiry proceedings before magistrates (Secs.204-209);</p> <p>Bail provisions (Secs.436-450) Grant of Bail, including anticipatory bail Cancellation of Bail Compulsory release</p> |
| Unit III | <p>Trial Proceedings: Concept of fair trial: Presumption of innocence, right of silence & right to speedy trial (Sec. Ss.273, 300, 303-304, 313, 316, 317, 319, 321, 327, 406, 409; Articles 20 (1) (3), 22(1), 39A of the Constitution); Charge: Content and form (Secs.211-217); General principle to be tried separately for every charge and its exceptions (Secs.218-224); Trial before a court of session (Secs.225-237); Trial of warrant cases before magistrates (Sec.238-250); Trial of summons cases (Sec.251-265); Summary trials (Secs.260-265); Pleas and limitations to bar trial: Principle of Autrefois acquit and autrefois convict (Secs.300& Art20); Compounding of offences (Sec.320); Withdrawal from prosecution (Secs.321);); Irregular proceedings (Secs.461,462 & 479); Limitations to take cognizance of offences (Secs.467-473); Evidence in inquires and trials Secs.272-283); Tender of pardon (Secs.307-309); Provisions as to Accused persons of unsound mind (Secs.328-339).</p> |
| Unit IV | <p>Security and Maintenance proceedings: Security for keeping peace and for good behavior (Secs.106-124); Maintenance of Public order and tranquility: Unlawful Assemblies (Secs.129-132); Public Nuisance (Secs133-144); Disputes as to immovable property (Secs.145-148); Maintenance of wives, children and parents: Order of maintenance (Secs.125); The Muslim Women (Protection of Rights on Divorce) Act,1986); Procedure, alteration and enforcement (Secs.127&128).</p> |
| Unit V | <p>Judgment, Appeals, Reference, Revision and Execution: Judgment: Mode and other provisions (Sec.353-365); Confirmation of death sentence (Secs.366-371); Appeals (Secs.372-394); Reference and Revision (Sec.395-405); Transfer of criminal cases (Secs.406- 412); Execution, suspension, remission and commutation of sentences (Secs.413-435), Inherent Powers of the High Court (Sec 482).</p> |

Course Outcome:

1. Identify the stages in investigation and procedure of trial in criminal cases.
2. Explain the powers, functions, and duties of police and criminal courts.
3. Critically analyze the recent amendments in the Cr PC.
4. Employ and promote adoption of humane and just practices in administration of criminal justice.
5. The right to legal representation in Indian criminal trials and to apply such principles in a factual scenario.

Text Books:

- 1) RatanLal and DhirajLal: Indian Penal Code, Wadhwa& Co.
- 2) Achutan Pillai: Criminal Law, Butterworth Co.
- 3) Gour K.D.: Criminal Law - Cases and material, Butterworth Co.
- 4) R.V. Kelker, Lecturers on Criminal Procdedure Code
- 5) S.N. Mishra, Criminal Procedure Code.

Reference Books:

- 1) Kenny's: Outlines of Criminal Law.
- 2) Bail: Law and Procedures (Janak Raj Jai, 4th Edition, 2009)

E-Sources:

- Westlaw International. ...
- Hein Online. ...
- LexisNexis. ...
- JSTOR (Journal Store) ...
- National (Indian) Online Legal Research Databases. ...
- Manupatra. ...
- Indlaw.
- Indian kanoon

**United University
Prayagraj
Faculty of Law, 2021-22**

Semester: V**Course Title: Drafting ,Pleasng & Conveyancing****Course Code:****Credit: 4****Course: LLB****L-T-P****4-0-0**

Course Objective: The objective of the course is to provide practical orientation and develop necessary skills in drafting legal documents. This Course covers essential skills required for an Advocate i.e. the skill of drafting conveyancing and pleadings.

Course Content:

| S. No. | Contents |
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| UnitI | Pleading <ul style="list-style-type: none">● Meaning importance and objects of pleadings, difference between pleading and proof.● Fundamental rules of pleading● Amendment of pleadings● Frame of suit, Cause of action, Joinder of causes of action, Misjoinder of causes of action |
| UnitII | Plaint <ul style="list-style-type: none">● Essential parts of plaint● Presentation and● Rejection of Plaint |
| UnitIII | Written Statement <ul style="list-style-type: none">● Essentials of Written Statement,● Rules and exceptions as to denials,● Set-off and counterclaims, Consequences of Non-filing of a Written Statement. |

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| Unit IV | <p>Drafting</p> <p>General principles of drafting and relevant substantive rules.</p> <ul style="list-style-type: none"> ● Civil Complaint, Written Statement, interlocutory application, Memorandum of Appeal and Revision, Writ petitions ● Criminal: Complaints, Bail application, Memorandum of Appeal and Revision. |
| Unit V | <p>Conveyancing</p> <ul style="list-style-type: none"> ● Parts of a deed. ● Drafting exercises in Sale deed. ● Mortgage deed. ● Lease deed. ● Gift-deed. ● Power of Attorney. ● Will. |

Course Outcome:

- This student will be able to acquire skills required for an Advocate i.e. the skill of drafting conveyancing and pleadings.
- It will further develop the ability to draft effectively.
- This course will develop skills of writing purposefully i.e. articulation, legal research, and of qualities of language, its clarity and precision.

Text Books:

- G. M. Kothari and Arvind G. Kothari: Drafting, Conveyancing and Pleadings, N.M.Tripathi (P.) Ltd., Bombay.
- P. C. Mogha: The Indian Conveyancer, Eastern Law House, Kolkata.
- Nitin Khanna & A.C. Moitra: The Indian Draftsman; Guide to Legal Drafting, University Book Agency, Allahabad.
- S. K. Verma: Conveyancing Drafting & Interpretation of Deeds, Law Publishers, Allahabad.
- Dr. J. C. Verma: Commercial Drafting & Conveyancing, Bharat Law House, New Delhi.

Reference Books:

- Pleadings, Draftings & Practice (Civil & Criminal) - Law, Principles, Procedure & Model (K.S.Gopala Krishnan Advocate High Court of A.P. (Author), Hon'ble Mr. Justice Mr.Ramesh Madhav Bapat Judge High Court of A.P))
- Better Drafting Civil & Criminal, (Justice B.K. Behera's)

E-Sources:

- SCC Online <https://www.sconline.com>
- Manupatra <https://www.manupatrafast.com>
- HeinOnline <https://home.heinonline.org>
- JSTOR <https://www.istor.org/>
- Legal Services India <https://www.legalserviceindia.com/>

**United University
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Course Code:
Credit: 4

L-T-P
4-0-0

Course Objective:

1. To introduce the students to the various types of Intellectual Property
 - a. i.e. Copyright, Patent, Trademark, Design and so on.
2. To familiarize the students with the procedure of filing of patents, trademarks in India and abroad.
3. To develop a broad understanding of the Intellectual Property and specific remedies available for infringement of Intellectual Property; and,
4. To enable the students to critically appreciate the emerging issues in Intellectual Property Law

Course Content:

| S.No. | Contents |
|---------|--|
| Unit I | <p>Introduction</p> <ul style="list-style-type: none">● Intellectual Property Rights: Concept, Nature and Kinds● Intellectual Property Law: Concept & Aspects of Protection, Legal Frameworks [History & Sources]● Principles of Treatments of IPRs |
| Unit II | <p>Intellectual Property In Patent Rights</p> <ul style="list-style-type: none">● Patent –Concept, Subject Matter, Nature and Kinds, Genesis, Emergence and International Legal Frameworks● Rights and Obligations of the Patentee:<ul style="list-style-type: none">○ Negative (Patent) Rights○ Positive Rights○ ‘Working the Patent’ Obligation● Balancing the Patent Rights: Limitations-Geographical, Temporal and Exceptional (mainly use for Non-Commercial Purposes (Section 47, Compulsory Licensing) |

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| UnitIII | <p>Intellectual Property In Copyright</p> <ul style="list-style-type: none"> ● Copyright–Concept, Subject Matter, Natureand Kinds, Genesis, Emergence and International Legal Frameworks ● Rights of the Author/Owner of Copyright: <ul style="list-style-type: none"> ○ Negative (Copyright) Rights. ○ Positive Rights. ○ Author’s Special/Moral Rights (Sec.57). ● Balancing the Copyright Rights: Limitations-Geographical, Temporal and Exceptional (mainly Fair Dealings or Permitted Acts)-Non-Voluntary Licensing. |
| UnitIV | <p>Intellectual Property In Trademarks</p> <ul style="list-style-type: none"> ● Trademark Rights–Concept, Subject Matter,Nature and Kinds, Genesis, Emergence and International Legal Frameworks. ● Rights of the Registered Proprietor/User of Trademark: <ul style="list-style-type: none"> ○ Negative (Trademark) Rights. ○ Positive Rights. ● Balancing the Trademarks Rights: Limitations-Geographical, Temporal and Exceptional (mainly the Limits on Effect ofRegistered Trademark (Section 30)). |
| UnitV | <p>Intellectual Property In Design, Geographical Indication Rights, And Of Sui Generis Nature</p> <ul style="list-style-type: none"> ● Design Right-Concept, Subject Matter, Natureand Kinds, Rights of the Proprietor Negative and Positive) ● Geographical Indication Right -Concept, Subject Matter, Nature and Kinds. Rights of the Registered Proprietor and Authorized User(Negative and Positive Rights) ● Intellectual Property Rights of Sui GenerisNature: Semiconductor Integrated Circuit Layout Design Right (Layout Design Right)-Plant Varieties Right (Plant Patent) -Biological Diversity Rights. |

Course Outcome:

After the successful completion of Course Curriculum, a student will be able to:

- Explain various types of Intellectual Property i.e., Copyright, Patent, Trademark, Designand so on.
- Distinguish between concepts such as assignment, licensing, infringement and passing offunder related laws of IP.
- Critically analyze various provisions under the Intellectual Property Law.
- Know and understand the importance of the recent amendments and emerging issuesunder the

Intellectual Property Law.

Text Books:

- Alka Chawla: Copyright and Related Rights: National and International Perspectives, Macmillan India Ltd., Delhi
- Ashwani Bansal: Law of TradeMarks in India with introduction to Intellectual Property Laws, Institute of Constitutional and Parliamentary Studies, New Delhi.
- Catherine Colston: Principles of Intellectual Property Law, Sweet & Maxwell, London
- Dr. B. L. Wadehra: Law relating to Patents, Trademarks, Copyright, Design and Geographical Indications, Universal Law Publishing Co. Ltd., New Delhi.
- Dr. S. R. Myneni: Law of Intellectual Property, Asia Law House, Hyderabad.

Reference Books:

- IPR, Biosafety and Bioethics (by Dr Goel Deepa)
- WTO, Internationalization and the Intellectual Property Rights Regime in China (by Qingjiang Kong)
- Intellectual Property Rights in WTO and Developing Countries (by Sabanna Talwar)

E-Sources:

- SCC Online <https://www.sconline.com>
- Manupatra <https://www.manupatrafast.com>
- HeinOnline <https://home.heinonline.org>
- JSTOR <https://www.jstor.org/>
- Legal Services India <https://www.legalserviceindia.com/>

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Semester: VI

Course Title: Land Laws and Agricultural Laws

Course Code:

Credit: 4

Course : LL.B

L-T-P

4-0-0

Course objective

1. To develop understandings of the Laws relating to Land.
2. To introduce with the specific Land Laws.
3. To introduce the procedure of the Revenue Courts.
4. To develop skills for the Land Management

| S. No. | Contents |
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| Unit I | Special features & Object of U.P.Z.A and L.R.Act, |

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|----------|---|
| | <p>Definitions</p> <p>Acquisitions of Interest of Intermediaries & its Consequences</p> <p>Gram Sabha, Gram Panchayat and Land Management Committee</p> <p>Classes of tenure holder</p> <p>Rights of tenure holder</p> <p>Ejectment</p> |
| Unit II | <p>Lease</p> <p>Surrender and Abandonment</p> <p>Allotment of Land by Land Management Committee</p> <p>Succession</p> <p>Land revenue</p> <p>Revenue Courts and Revenue Authorities</p> <p>Procedure and Powers of Revenue Court and Revenue Officers</p> <p>Maintenance of Maps and Records, Revision or Maps and Records</p> <p>Appeal, Revision and Review</p> <p>Act</p> <p>The UPZA and Land Reforms Act, 1950</p> |
| Unit III | <p>U.P.Consolidation of Holding Act, 1953</p> <p>U.P.Panchayat Raj Act, 1947</p> |
| Unit IV | <p>U.P.Urban Building (Regulation of Letting, Rent and Eviction) Act, 1947</p> |
| Unit V | <p>i) U.P.Urban Planning and Development Act, 1973; (ii) U.P.Municipalities Act, 1916 Acts 1. U.P.Consolidation of Holding Act, 1953 2. U.P.Panchayat Raj Act, 1947 3. U.P.Urban Building (Regulation of Letting, Rent and Eviction) Act, 1947 4. U.P.Urban Planning and Development Act, 1973 5. U.P.Municipalities Act, 1916</p> |

Course Outcome:

1. To develop understandings of the Laws relating to Land.
2. To introduce with the specific Land Laws.

3. To explore the UP Consolidation of Holding Act 1953

4. To explore the UP Municipalities Act 1916

Books

1. Dr.R.R.Maurya, U.P.Land Laws, 28 th Ed.2007

2. Dr.C.P.Singh, U.P. Land Laws. ALA

3. Dr.R.P.Singh, U.P.Land Laws

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Semester: VI

Course Title: Moot Court

Course Code:

Credit: 4

Course: LLB

L-T-P

4-0-0

Course Objective: This paper is aimed at imparting the practical skills of research, case analyses and strategy, witness handling, and presentation of arguments at the trial and appellate stages of a case. The teaching methods used in the course will include hypotheticals, role plays, simulation, and court visits.

Course Content:

| S. No. | Contents |
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| Unit I | Moot Court Introduction Every Student may be required to do at least three moot courts in a year. The moot court work will be on assigned problems and it will be evaluated for written submission and for oral advocacy. |
| Unit II | Moot Court Decorum <ul style="list-style-type: none">● Courtesy● Attire● Body Language● Use of Notes● Presentation |
| Unit III | Preparation of Memorial Rules for Memorial Submission <ul style="list-style-type: none">● Memorials must be printed on A4 size white paper.● The body of the memorial must be in Fonts Times New Roman, Size 12 and footnotes in Fonts Times New Roman in Size 10.● Each page must have a margin of at least one-inch on all sides. Do not add any designs or borders on the pages.● Memorials should be submitted with differently colored Title Page for each side:<ol style="list-style-type: none">1. Title page in red colour for Petitioner / Appellant2. Title page in blue colour for respondent● The Memorial should not exceed 20 typed pages (line space 1.5) and shall consist of the following |

| | |
|---------|--|
| | <p>Parts:</p> <ul style="list-style-type: none"> ● Table of Contents ● Statement of Facts ● Statement of Jurisdiction ● List of References and Cases ● Statement of Issues ● Summary of Arguments ● Detailed Pleadings |
| | <ul style="list-style-type: none"> ● Prayer ● Affidavit, if necessary ● Relevant Annexures may be kept by the student and may be used during oral arguments, if necessary. |
| Unit IV | <p>Mock Trial</p> <p>The students would be required to conduct a trial. The students will be divided into teams of lawyers and witnesses. Each student will be required to function as a lawyer and witness in the trials being simulated in the classes. Students' performance will be evaluated on the basis of equal marks being assigned for case analysis, written submissions, examination-in-chief, Cross-examination, and final arguments</p> |
| Unit V | <p>Moot Court Diary</p> <p>Each Student is required to maintain a moot court diary as the diary is an integral part of the course and students will be evaluated in terms of thoughtfulness and reflections about their learning experience.</p> |

Course Outcome:

1. Students will learn to read and analyze Supreme Court opinions
2. He/She will gain an understanding of key constitutional law concepts
3. He/She will understand different methods of constitutional law argumentation
4. Developing critical thinking, logical reasoning, and analytical skills
5. Improvement in their public speaking and rhetoric skills.