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**DETAIL SYLLABUS OF LL.B. PART-II (SEMESTER SYSTEM)**

**FIRST SEMESTER**

**PAPER-I**

**CONSTITUTION-I**

**CONSTITUTIONAL LAW OF INDIA**

- 1- Philosophy of Constitution, Definition and Classification, Main features of Federal and Unitary Constitutions, Nature and Salient features of Indian Constitution, Welfare State, Preamble of the Indian Constitution, Union and its Territory(Art. 1-4), Formation of New States, Citizenship(Art. 5-11).
- 2- State, Fundamental Rights and their position under the Constitution, Right to Equality, Right to Freedom, Right against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights, Right to Constitutional Remedies including Public Interest Litigation(Art.12-35)
- 3- Directive Principles of State Policy, their relevance, Comparison with Fundamental Rights, Classification of Directive Principles of State Policy, Correlation between Fundamental Rights(Art.36-51) Fundamental Duties(Art.51-A).
- 4- Union Executive- President, Vice President, Council of Ministers, Attorney General, and conduct of Government Business (Art. 52-78). Union Legislature (The Parliament)-Constitution, Composition, Duration of Houses, Qualification of Members and other General Provisions, Officers of the Parliament(Art. 79-104), Powers, Privileges and immunities of the members (Art. 105-106), Legislative Procedure including procedure in financial matters(Art. 107-122), Legislative Powers of the President(Art. 123), Union Judiciary- Supreme Court of India(Art. 124-144), Comptroller General of India(Art.148-151)
- 5- State Executive-Governor, Council of Ministers, Advocate General for the State, Conduct of Government Business(Art. 152-167) State Legislature-Constitution, Composition, Powers, Privileges and immunities of State Legislatures and their Members, Legislative Procedure(Art. 168-212) Legislative Powers of Governor(Art. 213)  
State Judiciary- High Courts in the States and Subordinate Judiciary (Art. 214-237):
- 6- **LEADING CASES:**  
(1) Meneka Gandhi Vs. Union of India, AIR 1978 SC 597  
(2) Hussainara Khatoon Vs. Home Secretary State of Bihar AIR 1979 SC 1396  
(3) J.R. Kohilo Vs. State of Tamilnandu, AIR 2007 SC 861

**RECOMMENDED BOOKS:**

- |                    |                               |
|--------------------|-------------------------------|
| 1. V.N. Shukla     | Constitution of India         |
| 2. J.N. Pandey     | Constitutional Law of India   |
| 3. M.P. Jain       | Constitution of India         |
| 4. D.D. Basu       | Shorter Constitution of India |
| 5. Kagzi's         | The Constitution of India     |
| 6. M.D. Chaturvedi | Bharat Ka Savindhan(Hindi)    |

**PAPER-II**

**CONSTITUTIONAL LAW-II**

**CONSTITUTIONAL LAW OF INDIA**

- 1- Administration of Union Territories(Art.239-241), The Panchayats-Definitions, Gram Sabha, Constitution and Composition of Panchayats, Reservation of Seats, Duration, Disqualifications for Membership, Powers, Authority and responsibilities of Panchayats(Art.243-243-O)The Municipalities-Definition, Constitution and Composition of

  
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Municipalities and Wards Committees, Reservation of Seats, Duration, Disqualifications for Membership, Powers, Authority and responsibilities of Municipalities, Power to impose Taxes, Finance Commission etc.(Art.243-P-243-ZG)  
The Scheduled and Tribal Areas (Art.244-244-A)

- 2- Relations between Union and the States-Legislative Relations (Art.245-255)  
Administrative Relations, Disputes Relating to Waters and Co-ordination Between States (Art. 256-263), Provisions Regarding Finance(Art.264-279) Finance Commission(Art.280-281)Miscellaneous Financial Provisions(Art.282-290)Borrowing by the Government of India and the States(Art.292-293), Constitutional Provisions Regarding Property, Contracts, Rights, Liabilities Obligations and Suits(Art.292-300) Right to Property (Art.300-A)
- 3- Trade Commerce and Intercourse (Art.301-307) Service under the Union and the States (Art. 308-313) Public Service Commissions (Art.315-323) Administrative Tribunals and Tribunals for other Matters (Art. 323-A-323-B), Provisions regarding Election and Election Commission (Art.324-329), Special Provisions regarding to certain Classes (Art. 330-342)
- 4- Official Language-Language of the Union, Regional Languages, Language of the Supreme Court and the High Courts etc, Special Directives as to Languages(Art.343-351), Emergency Provisions(Art. 352-360) Miscellaneous Provisions(Art.361-367), Amendment of the Constitution(Art. 368),Temporary, Transitional and Special Provisions(Art.369-392),Short Title, Commencement, Authoritative Text in Hindi and Repeals, All Schedules and Amendments.
- 5- **Leading Cases:**
  - (1) P.L.Dhingra Vs. Union of India, AIR 1958 S.C. 36
  - (2) T.N. Seshan Vs. Union of India (1995) 4 SCC 611
  - (3) Minerva Mills Vs. Union of India AIR 1980 S.C. 1789.

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| 1. V.N. Shukla     | Constitution of India         |
| 2. J.N. Pandey     | Constitutional Law of India   |
| 3. M.P. Jain       | Constitution of India         |
| 4. D.D.Basu        | Shorter Constitution of India |
| 5. Kagzi's         | The Constitution of India     |
| 6. M.D. Chaturvedi | Bharat Ka Savindhan(Hindi)    |

#### PAPER-III ADMINISTRATIVE LAW

- 1- **Introduction of administrative law, administrative process, discretion and direction:**  
Meaning, nature, history and function of administrative law, sources of administrative law, its origin and scope, reasons for its growth, its historical development in England, America and India, administrative law and constitutional law, droit administrative ... and council, D. Etate, constitutional foundation of administrative law, the rule of law, its meaning, supremacy of regular laws and equality before the laws, doctrine of separation of powers, its meaning and its position in U.K., U.S.A. & India.
- 2- **Administrative Process** - Nature of administrative process, and its classification, legislative, judicial, quasi-judicial and pure executive action, their characteristics and difference among them.
- 3- **Administrative Discretion** - Meaning, nature and criteria, its use or principle applicable for its use, need for administrative discretion, limit on exercise of discretion, malafide exercise of discretion acting under dictation, constitutional imperative... and use of discretionary authority, non-application of mind, unreasonableness and standard of reasonableness, taking irrelevant consideration or not taking in to consideration among relevant matter, non exercise of discretionary powers, administrative arbitrariness and bias. Procedural safeguards for use of discretion.

  
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- 4- **Administrative Direction** - its use and classification, its unenforceability.
- 5- **Delegated legislation, Administrative adjudication & Tribunal**  
Delegated legislation, its historical background and function, reasons for its growth, need for delegation of administrative power, kinds of delegated legislation, sub-delegated legislation and conditional legislation, constitutionality of delegated legislation in Britain and India, Re Delhi Laws Act, Power of exclusion and inclusion and power to modify statutes, essential legislative functions, requirement for the validity of delegated legislation.
- 6- **Judicial control of delegated legislation** - Doctrine of ultra vires, its kinds, substantive and procedural grounds for its applicability, consultation, sub delegation, publication, administrative directions, circular legislative or parliamentary control on delegated legislation, laying procedure, policy statement, committees on delegated legislation and hearing before it, sub delegation & powers, guide-lines for it, and control of sub delegation, administrative adjudication and tribunals, reasons for proliferation of administrative tribunals, functional approach characteristics and feature of administrative tribunals, Basic difference between a court and a tribunals, position of tribunals in India, CAT its purpose, establishment and composition, jurisdiction power and authorities, aspect of tribunal practice and administrative procedure, procedure before the enquiry or hearing, procedure at the tribunal hearing and procedure after tribunal hearing, frank committee report, administrative tribunal act 1985, administrative tribunals and appeal judicial review and finality of the tribunal decision, reopening of tribunal proceeding rule of res judicata, Administrative tribunals in India.
- 7- **Judicial Control of Administrative Action and Natural Justice**  
Power of the High Court, writ jurisdiction of High Court under Article 226, limitation of jurisdiction, territorial limit, general limitations, Locus standi, non-existence of alternative remedies lashes, acquiescence, doctrine of legitimate expectation, doctrine of public accountability, doctrine of proportionality, grounds and condition for writs and orders, mandamus, certiorari, prohibition, Quo warrants, Habeas corpus, nature of relief practice and procedure, power of supreme court under Art 32, role of natural justice on administrative law - principals of natural justice, (1) No man shall be a judge in his own cause or if he has any bias (Pecuniary personal & official) against a party or any interest in subject matter of the enquiry (2) Audi Alteram Partem - "Hear the other side and limit of audi alteram partem (3) The party must be known the reasons for the decisions, the use of principle of natural justice in disciplinary process and exclusion & violation of principles of natural justice and its effect.
- 8- **State Liability for Wrongs Act & Commission of Inquiry & Corporate:**  
Liabilities for torts, distinction between sovereign and commercial functions, constitutional provisions in this regard, act of state and statutory immunities contractual liability of Govt., Government privilege in legal proceeding state secrets, public interest, transparency and right to information estoppel and waiver.  
Remedies against administrative acts, constitutional remedies writ injunctions, its nature and types, distinction between injunction and mandamus, suit for declaration, its condition and nature, suits for damages.  
Public enquiry and commission of enquiry, general enquiry under service rules, procedure in disciplinary action and Provisions of commission of enquiry act 1952, and
- 9- **Corporation:** Corporations, its kinds and characteristics, its classification, legal and constitutional provisions & their responsibilities in contract and in tort, position of their employee whether they are civil servants? Control on corporation, legislative control, judicial control, governmental control and public controls.
- 10- **Ombudsman vigilance commission & leading cases**  
Ombudsman, its development in Newzealand, Britain and Australia, Position of Ombudsman in India, Lokpal and Lokayukt and their position, Public Interest



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litigations its nature and importance in Democracy. Central vigilance commissions its powers and functions

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

**Leading cases:**

1. A.K. Kraipak v. Union of India (AIR 1970 SC 150)
2. Bharat Bank Ltd. v. Employees of Bharat Bank (AIR 1970, SC188)
3. Bhagat Raja, Union of India (AIR 1967 SC1606)

**Books Recommended:**

1. Jain and Jain - Principles of Administrative law, Tripathi (1986).
2. Wade - Administrative law (Indian Rep.) Universal Delhi.
3. J.C. Garner - Administrative law, Butterworth (1990)
4. D.D. Basu - Comparative Administrative law (Prentice Hall).
5. I.P. Massey - Administrative law EBC, Lucknow. (1996).
6. M.P. Jain - Cases and material on Indian Administrative law (Vol. I & II) 1998 Universal book traders Delhi.
7. S.P. Sathe - Administrative law (1998), Butterworth (India), Delhi.
8. De Smith - Judicial review of Administrative Action (1995) with supplement, Sweet & Maxwell.
9. M.A. Fazal - Judicial control of administrative action in India Pakistan & Bangladesh (2000), Butterworth India.
10. Indian law institute - Cases and material on Administrative law in India vol. I (1996), Delhi.
13. D.R. Saxena - Ombudsman, Deep & Deep Delhi.
14. Tusharkanti Saha - Administrative law - Kanishk Publication, New Delhi.
15. V.G. Ramchandran - Administrative law, Eastern Book Co., Lucknow.
16. Foulkes - Introduction to Administrative law, Butterworth.
17. Bhagwati Prasad Banerjee - Writ Remedies (1999) Wadhwa, Nagpur.
18. M.P. Jain - The evolving Indian Administrative law (1983) Tripathi, Bombay.

**PAPER- IV**  
**LAW OF EQUITY AND INDIAN TRUST ACT, 1882**

**PART-A**  
**EQUITY**

Historical Introduction- Concept of Equity, Principles of Equity, Nature and Scope of Equity, Equity under the Roman, English and Indian Legal System.

Origin and Growth of Equity in England-Origin of Equitable Jurisdiction, Procedure in Equity. Division of Equity Jurisdiction-Exclusive, Concurrent and Auxiliary Jurisdiction Equity and the Common Law- Distinctive Features of Equity and Common Law, Relation of Equity with Common Law, Fusion of the Administration of Equity and Common Law, The Judicature Act, 1873-1875, Object and Effect of the Judicature Act

Maxims of Equity.

Nature of Equitable Rights and Interest, Classification of Equitable Rights, Penalties and Forfeitures, Mortgages, Liens and Charges, Married Women, Guardians, Infants, Idiots and Lunatics, Conversion and Re-conversion, Election, Performance Satisfaction and Ademption, Administration of Assets, Mistake, Misrepresentation, Fraud and Undue Influence, Accident, Set-off, Equitable Assignments and Equitable Estoppels.



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## PART-B

### INDIAN TRUST ACT, 1882

Historical Background- Importance of Trust, Origin and Development of Trust under Roman Law, English Law and Indian Law.  
Definition of Trust and Comparison with other Analogous Relations, Kinds of Trusts, Public or Charitable Trust, Doctrine of Cypres, Creation of Trust, The Appointment and Discharge of Trustees, The Duties and Liabilities of Trustees, The Rights and Powers of Trustees, Disabilities of Trustees, Rights and Liabilities of Beneficiaries, Vacating the Office of Trustee, Extinction of Trust, Certain Obligation in the Nature of Trust.

#### LEADING CASES:

- 1- Deoki Nandan Vs. Murlidhar and Others AIR 1957 S.C. 133.
- 2- Jankiram Ayyar Vs. Neelkanth Ayyar, AIR 1962 S.C. 536.
- 3- Shyam Lal Yadu Rao Bhau Vs. Yesha Ram Lodku Pavan AIR 1954 Nag. 334
- 4- Satyanarayan Vs. G. Velloji Rao AIR 1965 S.C. 1465

#### RECOMMENDED BOOKS:

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|----------------------|--|
| 1- Snell             | Principles of Equity   |
| 2- S.T.Desai         | Indian Trust Act   |
| 3- G.P. Singh        | Equity, Trust and Specific Relief                              |
| 4- Aqil Ahmed        | Equity, Trust with Fiduciary Relations and Specific Relief Act |
| 5- Basanti Lal Babel | Equity, Trust and Specific Relief Act(In Hindi)                |
| 6- Suryanarayan Iyer | Indian Trust Act   |

## PAPER-V

### PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM (PRACTICALS)

**OUTLINE OF THE COURSE:** Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations

This Course will be taught in association with practicing lawyers on the basis of following materials.

- (i) Mr. Krishnamurthy Iyer's book on "Advocacy"
- (ii) The Contempt Law and Practice
- (iii) The Bar Council Code of Ethics
- (iv) 50 selected opinion of the Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court on the subject
- (v) Other reading materials as may be prescribed by the University

#### SCHEME OF EXAMINATION

(1)	Written Examination	50
(2)	Seminar two (each of 10 marks)	20
(3)	Project Report (on any topic of the material)	20
(4)	Viva-Voce	10

The written examination shall be conducted from the prescribed course. The seminar shall also be conducted from the important topics of the materials. The presentation of Project Report and appearance in seminar and viva-voce examination is compulsory. The candidate who does not appear in seminar and viva-voce examination or who does not prepare Project Report will be declared fail in this paper.

The Practical work/Project Report shall be submitted by the students in own handwriting in the College. The evaluation shall be made by the college on the basis of participation and record. The college after valuation shall be sent the diaries and marks to the University. The Principal may himself evaluate and allot marks on the record or may authorize any senior member(s) of the staff, for this purpose. In the later case The Principal shall countersign on the awarded marks.



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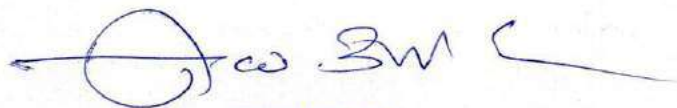


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- DETAILED COURSE CONTENT OF WRITTEN EXAMINATION (50 marks):**
1. **GENESIS NATURE AND EVOLUTION OF INDIAN BAR**
    - a) Evolution of Indian Bar - Regulating Act 1773. Bengal Regulation of 1793. and The Legal Practitioners Act 1846.
    - b) The Legal Practitioners Act 1853 and the legal practitioners Act 1879.
    - c) The Bar Councils Act 1926 and The Report of the All India Bar Committee 1953.
    - d) History and circumstances before the passing of the Advocate Act 1961.
  2. **SOURCES & SANCTIONS OF PROFESSIONAL ETHICS & MISCONDUCTS**
    - a) Sources of Rules of Professional Ethics - Judicial and extra Judicial sanctions and advantages of study of professional ethics.
    - b) Lawyers misconduct - Professional and others.
    - c) Equipment of Advocate Reverence for the law learning public service, brotherhood organization. Love for professional ideals.
    - d) Independence and integrity of The Bench and the Bar.
  3. **PRIVILEGES RIGHTS POWERS AND DISABILITIES OF LEGAL PRACTITIONERS**
    - a) Right and duties of Advocates
    - b) Privileges of Advocate
    - c) Powers of Legal practitioners
    - d) Disabilities of legal practitioners
  4. **ADVOCATES AND THEIR RELATION WITH OTHERS IN THE LIGHT OF B.C.I. RULES 1976**
    - a) Advocate and the Court.
    - b) Advocates relation with his opponent and with his client.
    - c) Advocates relation with his colleagues and witnesses
    - d) Advocates and the public and other employment and Advocates
  5. **ADVOCATE ACT, CODE OF ETHICS AND CONTEMPT OF COURT**
    - a) Indian Advocates Act, 1961.
    - b) The contempt law & practice - Indian contempt of court Act 1976.
    - c) Other statutory provisions relating to contempt in IPC, Cr.P.C and CPC.
    - d) Supreme Court on professional misconduct - Important cases.

**BOOK RECOMMENDED**

1. C.L. Anand - Professional Ethics of the Bar (Law Book Co., S.P. Marg Allahabad).
2. V.G. Ramchandran's - Contempt of Court EBC, Lucknow.
3. The Bar Council Code of Ethics and Indian Advocate Act 1961.
4. Indian Contempt of Court Act 1996.
5. M. Krishnamurthy - Advocacy
6. AVROM Sherr - Advocacy, Universal Book Traders, 80, Gokhale Market, Delhi.

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