

# RANI DURGAVATI VISHWAVIDYALAYA, JABALPUR



## ***SCHEME & NEW SYLLABUS PRESCRIBED FOR THE DEGREE OF BACHELOR OF LAW***

### ***LL.B. SEMESTER-III***

(With Effect from Session 2024-25 Onwards)

<b>Paper No.</b>	<b>Subject</b>	<b>CCE</b>	<b>Theory</b>	<b>Total Marks</b>
I	Jurisprudence & Legal Theory	20	80	100
II	Law of Property & Easement Act 1872	20	80	100
III	Bharatiya Nagrik Suraksha Sanhita, 2023-I	20	80	100
IV	Public Interest Layering, Legal Aid & Para Legal Services	20	80	100
V	Bharatiya Sakshya Adhinyam, 2023	20	80	100
VI	Right to Information	20	80	100

#### **Note:**

- I. The above syllabus will include all the recent Amendments and the study of all the important updated relevant cases decided by the judiciary.  
उपरोक्त पाठ्यक्रम में अभी तक हुए सभी संशोधन और न्यायपालिका द्वारा दिए गये महत्वपूर्ण प्रासंगिक निर्णयों का अध्ययन शामिल होगा।
- II. Attempt Total Five (05) Questions. Four (04) Questions from Section - A & One (01) Question from Section – B are compulsory. If All Five Questions are attempted from Section- A then only the First Four Questions will be evaluated.  
कुल पांच (05) प्रश्न करना है। खंड- A से चार (04) प्रश्न एवं खंड-B से एक (01) प्रश्न करना अनिवार्य है। यदि सभी पांच प्रश्न खंड A से किये जाएंगे तो प्रारंभिक चार प्रश्नों का ही मूल्यांकन किया जायेगा।
- III. Minimum Passing Percentage of Aggregate Marks – 48%  
Minimum Passing Marks in **CCE – 08**  
Minimum Passing Marks in **Theory – 29**

## LL.B. SEMESTER III

### PAPER-I

### JURISPRUDENCE AND LEGAL THEORY

Max. Marks – 80

Min. Marks - 29

#### COURSE OUTCOMES

1. Acquainted with the philosophy of law and a mix of classic and modern jurisprudential texts
2. Have a basic ideas and fundamental principles of Law
3. They explain the differences between the major schools of jurisprudence
4. Analyse the basic concepts of law and legal system.

The syllabus of this subject is as under:-

#### SECTION -A

1. Jurisprudence
  - (a) Meaning, Definitions and Significance
  - (b) Nature and Scope of Jurisprudence
2. Relation of Jurisprudence with Other Disciplines
3. Meaning of Legal Theory
4. Law- Meaning and Definition of Law. Evolution of Law
5. Functions & Classification of Law- Public & Private Law Substantive& Procedural Law-Municipal & International Law. Civil and Criminal Law
6. Nature and Scope of Law.
7. Different Approaches to Study of Law
  - (a) Natural Law School
  - (b) Analytical School
  - (c) Historical School
  - (d) Sociological School
  - (e) Pure Theory of Law
  - (f) Realistic School
8. Sources of Law
  - (a) Custom as a Source of Law- Definition of Custom, Types of Custom; Requisites of a valid custom.
  - (b) Legislation as Source of Law –Definition of Legislation, Making of Legislation, Types- Supreme and Subordinate Legislation
  - (c) Precedent as Source of Law—Definition of Precedent, Kinds of Precedent - Binding force of Precedent - The Doctrine of *stare decisis*, *ratio decidendi* and *obiter dicta*
9. State and Sovereignty  
Elements of State. Theories of Origin of State  
State and Law
10. Legal Rights - Meanings. Concept. Kinds.
11. Duty - Meaning and Kinds. Relation between Right and Duty
12. Personality - Nature of Personality. Corporate Personality. Dimension of the Modern Legal Personality. Legal Personality of Non-Human Beings.
13. Possession and Ownership- Meaning and Concept. Kinds of Possession and Ownership. Difference between Possession and Ownership.
14. Liability - Condition of imposing Liability. Strict Liability. Vicarious Liability
15. Obligation - Nature and Kind

#### SECTION –B

#### Leading Case

1. A.K. Gopalan Vs. The State of Madras 1950 SCR 88
2. Romesh Thappar Vs. State of Madras AIR 1950 SC124

3. I.C. Golaknath Vs. State of Punjab 1967 AIR 1643
  4. Sunil Batra Vs. Delhi Administration AIR 1978 SC 1675
  5. ADM Jabalpur Vs. Shivkant Shukla AIR 1976 SC 1207
  6. Supreme Court on Record Association Vs. Union of India (1993) 4 SCC 441
  7. Mohini Jain Vs. State of Karnataka AIR1992 SC1858
  8. Sarla Mudgal Vs. Union of India (1995) 3 SCC 635
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**BOOK RECOMMENDED:**

1. Salmond : Jurisprudence
2. S.P. Dwivedi : Jurisprudence and Legal Theory
3. J. Austin, : Lectures on Jurisprudence, 5th Ed., R. Campbell, John Murray, 1885
4. J. Bentham : An Introduction to the Principles of Morals and Legislation
5. E. Bodenheimer : Jurisprudence, Harvard University Press, 1962
6. H.L.A. Hart : The Concept of Law 1961
7. W. Friedmann : Legal Theory, Stevens and Sons Ltd., London, 1960

**Note:**

Attempt Total five (05) Questions. Four (04) Questions from section – A & One (01) Question from Section – B are compulsory. If all five Questions are attempted from Section – A then only the First Four Questions will be evaluated.

कुल पाँच (05) प्रश्न करना है। खंड –A से चार (04) प्रश्न एवं खंड –B से एक (01) प्रश्न करना अनिवार्य है। यदि सभी पाँच प्रश्न खंड –A से किए जाएंगे तो प्रारम्भिक चार प्रश्नों का ही मूल्यांकन किया जाएगा।

## LL.B. SEMESTER- III

### PAPER – II      LAW OF PROPERTY AND EASEMENT ACT 1882

Max Marks -80

Min. Marks – 29

#### Course Outcomes

1. To understand the concept of property law, classification of property and principles governing the nature of property ownership.
2. To analyze the conceptual understanding of the doctrines stipulated under the Transfer of Property Act, 1882.
3. Be able to effectively apply principles governing transfer of immovable property.
4. Have adequate knowledge regarding the modes of transfer of property including sale, mortgage, lease, gift etc.
5. To understand the concept of Easement rights and associated rights given under Easement Act, 1882.

#### Prescribed Legislations:-

Transfer of Property Act, 1882

Easements Act, 1882

The syllabus of this paper is as under: -

#### SECTION - A

1. Transfer of Property Act,1882- Historical Background & General Introduction  
Definition and Concept of the Terms - Movable Property, Immovable Property, Instrument, Attestation, Registration, Actionable Claim, Notice
2. Transfer of Property and General Rules regarding Transfer of Property
  - (a) Transfer of Property- Meaning and Elements
  - (b) Transferability and non-transferability of Property
  - (c) Restrictions on Alienation of Property
  - (d) Restrictions on Enjoyment of Property
  - (e) Transfer to Unborn Person
  - (f) Rule against Perpetuity
  - (g) Vested and Contingent Interests
  - (h) Transfers with Conditions
  - (i) Doctrine of Election
  - (j) Apportionment of property
3. Transfer of Immovable Property
  - (a) Transfer by Ostensible Owner
  - (b) Feeding the Grant by Estoppel
  - (c) Doctrine of *Lis Pendens*
  - (d) Concept of Fraudulent Transfer
  - (e) Doctrine of Part Performance
4. Sale of Immovable Property
5. Mortgage - Kinds. Rights and Liabilities of Mortgagor & Mortgagee
6. Lease
7. Exchange
8. Gifts
9. Actionable Claim

## **Easements Act, 1872**

1. Definitions and Types of Easements
2. Formalities for Creating an Easement
3. Creation and acquisition of Easements, Dominant and Servient Owners and Heritages, Grant, Custom, Necessity, Quasi-necessity, Prescription
4. Rights, Duties and Liabilities of Dominant and Servient Owners
5. Remedies for Disturbance of Easement
6. Extinction of Easements, Suspension and Revival of Easements
7. Definition of License, Essentials of a license, kind and Formalities
8. Distinction between leases and licenses

### **SECTION - B**

#### **Leading Cases:**

1. Shanta Bai Vs.State of Bombay, AIR 1958 SC 532
2. Duncans Industries Ltd. Vs.State of U.P. (2000)1 SCC 633
3. Harish Chandra Hegde Vs.State of Karnataka , (2004) 9 SCC 240
4. Janakiraman Vs.State (Represented by Inspector of Police, CBI, SPE, Madras) (2006) 1SCC 697
5. Sree Swayam Praksah Ashramam Vs. G. Anandavally Amma AIR 2010 SC 689
6. Suraj Lamp & Industries Pvt. Ltd. Vs. State of Haryana AIR 2012 SC 206
7. Tanu Ram Bora Vs. Promod Das (D) through LRs AIR 2019 SC 927
8. Munishamappa Vs. Rama Reddy 2023 SCC Online1701

#### **BOOK RECOMMENDED:**

1. H. S. Gaur's Commentary of Transfer of Property Act.
2. Poonam Pradhan Saxena's the Transfer of Property Act.
3. S.N. Shukla : Transfer of Property Act.
4. S.M. Shah : Principles of Law of Transfer.
5. G.P. Tripathi : Transfer of Property Act.
6. V.P. Sarthi : Law of Transfer of Property.
7. Mulla : Transfer of Property Act.
8. G.C. Subbarao : Law of Property.
9. B.B. Mitra : Transfer of Property Act.
10. S.T. Desai : Law of Easement.

#### **Note:**

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कुल पाँच (05) प्रश्न करना है। खंड –A से चार (04) प्रश्न एवं खंड –B से एक (01) प्रश्न करना अनिवार्य है। यदि सभी पाँच प्रश्न खंड –A से किए जाएंगे तो प्रारम्भिक चार प्रश्नों का ही मूल्यांकन किया जाएगा।

## **LL.B. SEMESTER-III**

**PAPER – III**

**BHARATIYA NAGRIK SURAKSHA SANHITA 2023 –I**

**Max Marks -80**

**Min. Marks – 29**

### **COURSE OUTCOME**

1. To develop a conceptual understanding about the nature and importance of Bharatiya Nagarik Suraksha Sanhita and criminal proceeding in the country
2. To differentiate between various courts; their jurisdiction and powers.
3. Distinguish between Bail- Non Bailable , FIR-Complaint, Warrant-Summon.
4. Analysis the provision for granting maintenance to wives, children and parents.
5. Understanding the rights of arrested persons

### **Prescribed Legislation:-**

Bharatiya Nagrik Suraksha Sanhita, 2023 –I (Ss.1to 247)

The syllabus of this subject is as under:-

### **SECTION - A**

1. Introduction to Bharatiya Nagarik Suraksha Sanhita and its Importance
2. Definitions( S. 2)
3. Classes of Criminal Courts and their Powers (Ss.6 to 29)
4. Power of Superior Officers of Police (Ss. 30 to 34)
5. Arrest of Persons and their Rights (Ss. 35 to 62)
6. Processes to Compel Appearance (Ss. 63 to 93)
7. Processes to Compel the production of things (Ss. 94 to 110)
8. Reciprocal Arrangements for Assistance in Certain Matters & Procedure for Attachment and Forfeiture of Property(Ss. 111 to 124)
9. Security for Keeping Peace and Good Behaviour(Ss. 125 to 143)
10. Order for Maintenance of Wives, Children and Parents(Ss. 144 to 147)
11. Maintenance of Public Order and Tranquility (Ss. 148 to 167)
12. Preventive Action of the Police (Ss.168 to 172)
13. Information to the Police and their Power to Investigate(Ss.173 to 196)
14. Jurisdiction of the Criminal Courts in Inquires and Trials (Ss.197 to 221)
15. Conditions requisite for Initiation of Proceedings (Ss. 210 to 222)

16. Complaints (Ss. 223 to 226)

17. Charges(Ss. 234 to 247)

## SECTION - B

### LEADING CASE:

1. Kartar Singh Vs. State of Punjab · AIR 1956 SC 541
2. Madhu Limaye Vs. SDM, Monghyr AIR 1971 SC 2486
3. Municipal Corporation Ratlam Vs. Vardhichand AIR 1980 SC 1622
4. Mohamad Ahmed Khan Vs. Shahbano Begum AIR 1985 SC 945
5. Mahavir Singh Vs. State of Haryana (2001) 7 SCC 148
6. BrijNandanJaiswal Vs. Munna AIR 2009 SC 2001
7. Bridaban Das Vs. State of W.B. (2009) 3 SCC 329
8. Lalita Kumari Vs. State of UP (2014) 2 SCC 1

### BOOK RECOMMENDED:

1. Ratanlal and Dhirajlal's : The Code of Criminal Procedure, Lexis Nexis, (the Latest Edition)
2. M.P. Tendon : Criminal Procedure Code, Central Law Agency, (the Latest Edition)
3. K.N. Chandrasekharan, Pillai, Kelkar's : Criminal Procedures Code, Eastern Book Company
4. J K Verma : A Commentary Bharatiya Nagarik Suraksha Sanhita, 2023 (Ist Edition 2024)

### Note:

Attempt Total five (05) Questions. Four (04) Questions from section – A & One (01) Question from Section – B are compulsory. If all five Questions are attempted from Section – A then only the First Four Questions will be evaluated.

कुल पाँच (05) प्रश्न करना है। खंड –A से चार (04) प्रश्न एवं खंड –B से एक (01) प्रश्न करना अनिवार्य है। यदि सभी पाँच प्रश्न खंड –A से किए जाएंगे तो प्रारम्भिक चार प्रश्नों का ही मूल्यांकन किया जाएगा।

## LL.B. SEMESTER-III

### PAPER – IV PUBLIC INTEREST LAWYERING, LEGAL AID AND PARA LEGAL SERVICES

Max Marks -80

Min. Marks – 29

#### Course Outcomes:

1. Enhancement of legal acumen with the objective of bringing social change.
2. Prepare students to face legal challenges in the real world.
3. Inculcate the spirit of providing legal aid to citizens.
4. To provide advance knowledge related to Public Interest and awareness of Para legal volunteers.

#### Prescribed Legislations:-

1. Constitution of India (Relevant Provisions of Legal Aid).
2. Code of Civil Procedure, 1908 (Relevant Provisions of Legal Aid).
3. Bharatiya Nagrik Suraksha Sanhita, 2023 (Relevant Provisions of Legal Aid).
4. Legal Aid Services Authorities Act, 1987
5. M.P. State Legal Services Authority Act
6. 14th Report of Law Commission regarding Legal Aid.

The syllabus of this paper are as under: -

#### SECTION –A

1. Public Interest Litigation  
Meaning, Nature Scope and Object of Public Interest Litigation.  
Concept of *locus standi*. Merits and demerits of Public Interest Litigation  
Public Interest Litigation relating to : Public Welfare, Human Right ,Prison and Prisoners ,Police, Environmental Protection, Labour Welfare, Legal System ,Education and Poverty
2. Legal Aid  
Historical development of Legal Aid in India.  
Legal aid under the – (a) Constitution (b) Civil Procedure Code (c) Bharatiya Nagrik Suraksha Sanhita, 2023 and the related cases  
Functions and Powers of National Legal Service Authority and State Legal Service Authority
3. Lok-adalat
  - a) Lok-adalat System Meaning
  - b) Organization of lok-adalat, its Power and its Award
  - c) Objects and necessity of Legal aid camps and legal literacy
4. Para Legal Training
  - a) Object and importance
  - b) Writing of case comment
  - c) Law office management
  - d) Use of computer in legal work and legal research in support of P.I.L.
5. Legal Literacy Programme

#### SECTION - B

#### LEADING CASE:

1. People’s Union for Democratic Rights Vs. Union of India (1982) 3 SCC 235
2. Sheela Barse Vs. State of Maharashtra AIR 1983 SC 378
3. Bandhua Mukti Morcha Vs. Union of India AIR 1984 SC 802
4. Parmanand Katara Vs. Union of India AIR 1989 SC 2039
5. Centre for Public Interest Litigation Vs. Union of India AIR 2003 SC 3277
6. Avinash Mehrotra Vs. Union of India (2009) 6 SCC 398
7. Manohar Lal Sharma Vs. the Principal Secretary (2014) 9 SCC 516

8. Somdev Kapoor Vs. State of West Bengal (2013) 12 SCALE 434

**BOOK RECOMMENDED:**

1. P.S.Narayan : Public Interest Litigation
2. Dr. Kailash Rai : Public Interest Lawyering, Legal, Aid & Para Legal Service
3. Ajay Gulati : Public Interest Lawyering, Legal, Aid & Para Legal Service
4. M.P. Jain : Indian Constitutional Law
5. S.K. Agrawal : Public Interest Litigation in India
6. Anirudh Prasad : Constitutional Protection of Weaker Sections in India
7. S. Bhatnagar : Social Justice and Equality in India (1987)
8. S.B. Choudhar : Public Interest Litigation & Status of Locus Standi in Different Legal Systems
9. Sunil Deshta : LokAdalats in India (Deep & Deep)
10. N.R. Madhava Menon: Legal Aid and Justice for the Poor
11. V.R. Krishna Iyer : Law and the Urban poor in India.

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## LL.B. SEMESTER-III

PAPER –V

BHARATIYA SAKSHYA ADHINIYAM, 2023

Max. Marks-80

Min. Marks-29

### Course Outcome

1. To understand the general principles of law of evidence and differentiate the standard of proof in civil and criminal cases
2. To analyse and apply the rules of relevancy to the evidences in legal disputes
3. To analyse the provisions dealing with examination of witnesses and other relevant contemporary areas of evidence
4. To examine on whom the burden of proof lies in various cases
5. To demonstrate the skill in appreciation and analysing the evidence

### Prescribed Legislation:-

Bharatiya Sakshya Adhiniyam, 2023

The syllabus of this paper are as under: -

### SECTION- A

1. Concept of Evidence. The fundamental principles of law of evidence
2. Introduction to Bharatiya Sakshya Adhiniyam, 2023 and its Importance
3. Preliminary (Ss.1 to 2)
4. Relevancy of Facts(Ss.3- 50)
5. Relevancy of Facts(Ss.3- 50)
6. On Proof(Ss.51 to 53)
7. Oral Evidence(Ss.54 to 55)
8. Documentary Evidence(Ss.56 to 93)
9. The Exclusion of Oral Evidence by Documentary Evidence(Ss.94 to 103)
10. The Burden Of Proof(Ss.104 to 120)
11. Estoppel (Ss.121 to 123)
12. Witnesses(Ss.124 to 139)
13. Examination of Witnesses(Ss.140 to 168)
14. Improper Admission and Rejection of Evidence(S.169)

### SECTION- B

#### Leading Cases:

1. PulukuriKottaya Vs. Emperor, 1882 PC 67
2. Nanavati Vs. State of Maharashtra 1961
3. Aghnoo Nagesia Vs. State of Bihar, AIR 1966 SC 119
4. Kashmir Singh Vs. State of M.P., (1952) SCR 586
5. Sarat Chander Dey Vs. Gopal Chunder Laha, ILR 20 Cal 296 (PC)
6. Dr.Sunil Clifford Daniel Vs. State of Punjab (2012) 11 SCC 205
7. Mangala Waman Karandikar(D) TR LRS Vs. Prakash Damodar Ranand AIR 2021 SC 2272
8. Bodha Vs. State of J. & K. (2022) 8 SCC 45

#### BOOK RECOMMENDED:

1. Ratanlal and Dhirajlal's The Law of Evidence, Lexis Nexis..
2. Dr.Avtar Singh Indian Evidence Act, Central Law Publications.
3. BatukLal, Law of Evidence, Central Law Agency.
4. RameshwarDayal: Commentaries on Indian Evidence Act, Allahabad Law Agency.
5. V. P. Sarathi's Law of Evidence, Eastern Book Company

#### Note:

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## LL.B. SEMESTER-III

### PAPER – VI

### RIGHT TO INFORMATION

Max. Marks-80

Min. Marks-29

#### Course Outcome

1. The course is designed to convince the students how the right to information infuses transparency.
2. To know the provisions under the Constitution of India.
3. To study the dimensions of accountability in governance.
4. To understand the ways to prevent abuse of power.
5. To have insight on the case laws.

#### Prescribed Legislation:-

Right to Information Act, 2005

The syllabus of this paper is as under:-

#### SECTION- A

1. The evolution of the Right to Information in India in Ancient period, British period and Independent India
2. Historical backdrop and Significance of Right to Information Act, 2005
3. Meaning of Right to Information
4. Constitutional Basis of Right to Information
5. The Object and Salient features of the Right to Information Act,2005
6. Right to Information and Obligations of Public Authorities under the Act –
  - (a) Public Authorities ,Types of Public Authority and their exemption
  - (b) Obligations of Public Authorities
  - (c) Designation of Public Information Officers
  - (d) Request for obtaining information and its disposal
  - (e) Exemption from disclosure and grounds for rejection
  - (f) Third Party Information.
7. Information Commissions
  - (a) Central Information Commission- Constitution, Powers and Functions of Conditions of Service, Removal of Chief Information Commissioner or Information Commissioner.
  - (b) The State Information Commission- Constitution, Powers and Functions of Conditions of Service, Removal of State Chief Information Commissioner or Information Commissioner.
8. Appeal, Penalties and other aspects under the Right to Information Act,2005
  - (a) Appeal and Penalties
  - (b) Judicial Approach in the field of RTI
  - (c) Right to Information and Good Governance, including International aspects of Good Governance
  - (d) Misuse of Right to Information

#### SECTION- B

#### Leading Cases:-

1. State of Uttar Pradesh Vs. Raj Narain AIR 1975 SC 865
2. S.P. Gupta Vs. Union of India AIR 1982 SC 149
3. L.K. Koolwal Vs. State of Rajasthan AIR 1988 Raj.2
4. Dinesh Trivedi Vs. Union of India(1997) 4SCC 306
5. People's Union for Civil Liberties (PUCL) Vs. Union of India 2003(001) SCW 2535 SC
6. Union of India Vs. Association for Democratic Reforms 2002(005) SCC 0361 SC

7. Chief Information Commissioner Vs. State of Manipur (AIR 2012 SC 864)
8. Kerala Public Service Commission Vs. State Information Commission (AIR 2016 SC 711).

**BOOK RECOMMENDED:**

1. Right to Information Act, 2005 - Bare Act 2024 - Latest Edition - Universal Lexis Nexis
2. Right to Information Act, 2005 Dr. R.K Verma Dr. (Mrs.) Anuradha Verma
3. Commentary on the Right to Information Act by J N Barowalia, Abhishek Barowalia 6th Edition, 2024
4. Treatise on Right to Information Act, 2005
5. Taxmann PIO's Guide to RTI by R.K. Verma & Anuradha Verma

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