

**DEPARTMENT OF LAW
UNIVERSITY OF ALLAHABAD**

**LL. M. TWO YEAR COURSE (SEMESTER SYSTEM WITH CBCS)
EFFECTIVE FROM ACADEMIC SESSION (2023-2024) AS AMENDED BY THE BOARD OF STUDIES IN LAW ON 29.09.2023**

FIRST SEMESTER

Compulsory Papers-

1. Indian Constitutional Law-I

(100 Marks)

Unit-I

1. Nature of the Constitution, Salient features of Indian Constitution.
2. Preamble.

Unit-II

3. Fundamental Rights.
4. Directive Principles of State Policy (DPSP).
5. Fundamental Duties.

Unit-III

6. Emergency Provisions.
7. Amendment of the Constitution.

Unit-IV

8. Citizenship: Provisions under the Constitution, Citizenship Act.

2. Indian Constitutional Law-II

(100 Marks)

Unit-I

1. Union: Executive, Legislature, and Judiciary.
2. State: Executive, Legislature, and Judiciary.

Unit-II

3. Relations between Union and the States: Legislative, Administrative & Financial Relations.
4. Interstate Trade & Commerce (Articles 301-307).

Unit-III

5. Services under the Union and the States.
6. Tribunals.

Unit-IV

7. Elections Including Representation of People Act.
8. Official Language.

Optional Papers

Group A - LAW OF CONTRACT AND INSURANCE

Paper-I (General Principles of Contract)

(100 Marks)

Unit-I

1. Formation of Contract: A critical study of offer and acceptance.
2. Doctrine of Consideration and Privity of Contract.

Unit-II

3. Capacity to contract: Nature of minor's agreements and the doctrine of restitution.
4. Consent: Meaning, importance and the factors vitiating free consent with special reference to Fraud and Misrepresentation.

Unit-III

6. Void Agreements: With special reference to agreements relating to restraint of trade and wagering agreements.
7. Discharge of contracts with special reference to the doctrine of frustration.

Unit-IV

9. Remedy in the form of compensation.

Paper-II (Specific Contracts)

(100 Marks)

Unit-I

1. Contract of Indemnity: (a) Definition and nature of contract of indemnity (b) Extent and commencement of liability.

Unit-II

2. Contract of Guarantee: (a) Meaning and Essentials of Contract of Guarantee (b) Extent of Surety's Liability (c) Discharge of Surety's Liability (d) Rights of Surety.

Unit-III

3. Contract of Bailment & Pledge: (a) Meaning and Essentials of Contract of Bailment. (b) Duties of Bailer and Bailee (c) Rights of Bailee. (d) Meaning and Essentials of Pledge and persons entitled to pledge.

Unit-IV

4. Contract of Agency: (a) Nature and Essentials of Contract of Agency.

Paper-III (Law of Insurance):

(100 Marks)

Unit-I

1. Nature and definition of Contract of Insurance: (a) Definition of Contract of Insurance. (b) Contract of utmost good faith. (c) Contract of indemnity. (d) Contract of Wager.

Unit-II

2. Insurable interest & Risk: (a) Meaning & Nature of insurable interest (b) Time or duration of interest (c) Meaning and Scope of risk (d) The alteration of the risk.

Unit-III

3. Nature, Scope and Basic Principles of Life Insurance Contract, Fire and Marine Insurance.

Unit-IV

4. Emerging Areas: (a) Public Liability Insurance (b) Health Insurance (c) Re-insurance & Double Insurance (d) Role and Function of IRDA; Insurance Ombudsman.

Group B - ENVIRONMENTAL LAW

Paper-I (Environment and International Legal Order)

(100 Marks)

Unit-I

1. Basic features of International Environmental Law and its evolution.

Unit-II

2. The Development of International Environmental Law- a Journey from Stockholm to Johannesburg.

Unit-III

3. Important conventions concerning Protection and Conservation of Environment: Vienna Convention and Protocol on the Depletion of Ozone Layer, Convention and Protocol on Climate Change, Chemical Weapons convention, Basel Convention and Regulation of Hazardous Waste Convention on Biological Diversity.

Unit-IV

4. Regulation of Trans-boundary pollution with special reference to Industrial Accidents and Air Pollution.

5. Impact of International Environmental Law on Indian Law with special reference to Principles of Environmental Protection.

Paper-II (Pollution Control Laws in India)

(100 Marks)

Unit-I

1. Constitutional Mandate and Environment: Role of Article 32, Article 226, Fundamental Rights, Fundamental duties and Directive Principles of State Policy in facilitating the use of PIL as a tool to provide environmental justice.

Unit-II

2. Salient Features of the Water (Prevention and Control of Pollution) Act, 1974; the Air Prevention and Control of Pollution) Act, 1981 and the Environment (Protection) Act, 1986.

Unit-III

3. Efficacy of Remedies – Civil Remedies under Law of Torts; Section 133 Criminal Procedure Code, Public Liability Insurance Act, 1991, Citizens' Suit provisions, remedies under Civil Procedure Code, 1908.

4. Environment Impact Assessment: Specific Environmental Problems and Legal Responses-special emphasis shall be placed on rules and notification framed under the Environment (Protection) Act, 1986.

5. Environment Impact Assessment and People's Participation, EIA and Public Hearing under the Environment Protection Act, 1986.

Unit-IV

6. National Green Tribunal (NGT): (a) Constitution, Jurisdiction and Powers. (b) Some landmark judgments of the NGT.

Paper-III (Resource Management and the Law)

(100 Marks)

Unit-I

1. Protection of Wild Life- with special reference to authorities, Protected Areas, sanction and remedies under Wild Life (Protection) Act, 1972.

Unit-II

2. Protection and conservation of Forest- with special reference to Authorities, sanctions and remedies under Forest Act, 1927 and Forest Conservation Act, 1980.

3. Conservation of Fresh water and Ground water. Coastal Zone Management under the Environment (Protection) Act, 1986 and other relevant Statutes.

Unit-III

4. Protection and Conservation of Biodiversity with special reference to Biodiversity Act 2002.

5. The Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006: Salient Features.

Unit-IV

6. The scope and Limit of PIL to protect the natural resources- (Special emphasis shall be placed on directions issued by the Supreme Court of India from time to time).

7. Judicial Remedies.

Group C - CYBER LAW

Paper-I (Law related to Computer and Cyber World)

(100 Marks)

Unit-I

1. Role of law in the cyber world.

2. Cyber law jurisprudence: an overview.

Unit-II

3. Principles of Contract Law with reference to online contracts.

4. Jurisdiction in cyber world: Civil and Criminal.

Unit-III

5. Challenges in the cyber world: Concept of property; Digital Divide; Ethics and Etiquette in cyber world; Privacy issues in the cyber world; Freedom of speech and expression – Government regulation; defamation; convention on cyber crime; conflict of laws and issues relating to national security and dispute resolution.

6. Contemporary issues: Moves towards convergence of communications, licensing, regulation of spectrum etc.

Unit-IV

7. Intellectual Property Rights in the Cyber world.

8. Issues related to Electronic Commerce.

Paper-II (Information Technology Act, 2000)

(100 Marks)

Unit-I

1. Historical background, Object, Extent, Scope, Commencement of the Act and its salient features.
2. Electronic Governance.

Unit-II

3. Electronic communication process – originator, intermediary & addressee.
4. Electronic signatures and secure electronic signatures, Public Key Infrastructure.

Unit-III

5. Authorities under the Act, like Controller, Adjudicating Officer and Power of Police Officer(s) under the Act.
6. Cyber Contraventions and Cyber Offences under the Act.

Unit-IV

7. Liability of intermediaries under the Act.
8. Amendments to various enactments, like the Indian Penal Code, Indian Evidence Act, Reserve Bank of India Act, etc.

Paper- III (Cyber Crimes)

(100 Marks)

Unit-I

1. Meaning, Definition, Nature of Cyber Crimes.
2. Historical Genesis and Evolution of Cyber Crimes.

Unit-II

3. Statutory Laws pertaining to Cyber Crimes in India: (a) Indian Penal Code (b) Indian Evidence Act. (c) Information Technology Act.

Unit-III

4. Cyber Crimes Laws of USA, U.K. and Canada: A Comparative Study.
5. Specific Cyber crimes: (a) Cyber Stalking (b) Cyber Terrorism (c) Child Pornography (d) Computer viruses.

Unit-IV

6. Investigation and Jurisdiction over Cyber crimes.

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SECOND SEMESTER

Compulsory Papers

1. Jurisprudence-I (Legal Theory)

(100 Marks)

Unit-I

1. Concept, Nature, Meaning, Definition of Jurisprudence and Importance of study of Jurisprudence.

Unit-II

2. Natural Law School (Philosophical School).
3. Analytical School.
4. Historical School.

Unit-III

5. Sociological School.
6. Realist School.
7. Law & Morality.

Unit-IV

7. Modernism & Post Modernism.
8. Global Justice.
9. Law, Poverty & Development.

2. Jurisprudence-II (Legal Concepts)

(100 Marks)

Unit-I- Concepts of Law.

1. Legal Personality.
2. Rights and Duties.

Unit-II

4. Possession.
5. Ownership.

Unit-III

6. Liability.
7. Administration of Justice.
8. Theories of Punishment.

Unit-IV- Sources of Law.

9. Custom Law.
10. Judicial Precedent.
11. Legislation.

Optional Papers

Group A - CRIMINAL LAW

Paper- I (General Principles of Criminal Law)

(100 Marks)

Unit-I

1. Nature and Definition of Crime, Emerging Dimensions of Crime, Definition, Nature & Kinds of Crime: Difference between Cyber Crime & Traditional Crime.
2. Elements of Crime.

Unit-II

3. General Principles of Criminal Liability and Strict Liability.
4. Joint & Constructive Liability.
5. Stages of Crime.

Unit-III

6. Inchoate Crimes: 1-Abetment, 2-Conspiracy & 3-Attempt.

Unit-IV

7. General Exceptions under IPC- (1) Excusable- Mistakes Sections 76 to 79, Accident(Section 80), Necessity (Section 81), Unsoundness (Section 84), Intoxication (Section 85), Consent (Section 89 to 90).
8. Justifiable- Right of Private Defence (Section 96-106).

Paper -II (Specific Crimes)

(100 Marks)

Unit-I

A. Offences against Body (1) Hurt & Grievous Hurt, (2) Culpable Homicide (3) Murder (4) Homicide by rash or negligent act (5) Kidnapping and abduction.

Unit-II

B. Offences against property: (1) Theft, Extortion, Robbery and Dacoity (2) Criminal Misappropriation (3) Criminal Breach of Trust (4) Cheating, Mischief, Forgery.

Unit-III

C. Offences against Women and Children (Brief study under IPC) : (1) Dowry Deaths (2) Sexual Offences (3) Cruelty (4) Human Trafficking.

Unit-IV

- D. (1) The Protection of Children from Sexual Offences Act, 2012, Salient features.
- (2) Narcotic Drugs And Psychotropic Substances, (NDPS) Act 1985- Salient Features.

Paper– III (Law of Criminal Procedure):

(100 Marks)

Unit-I

1. Importance of Criminal Procedure.
2. Crime control and Due Process Model.
3. Arrest and Rights of arrested persons/accused: Constitutional and Statutory Perspective.

Unit-II

4. Investigation by Police (Sections 154, 155, 161, 164, 167, 173).
5. Cognizance of offence & Limitation on cognizance.

Unit-III

6. Law relating to bail.
7. Components and kinds of Trial.

Unit-IV

8. Charge & Joinder of Charge under CrPC, Plea bargaining, compounding, withdrawal of prosecution.
9. **Preventive measures:** (a) Section 144-148 (b) Section 107-117.
10. **Maintenance:** Section 125-128.

Optional Papers

Group B - CORPORATE LAW

Paper-I (Foundations of Corporate Law and Policy)

(100 Marks)

Unit-I

1. **Forms of Business Organizations:** (a) Sole Proprietorships (b) Partnerships and Limited Liability Partnerships (c) Corporations and other forms.

Unit-II

2. **Company Law:** (a) Concept, Nature and Incorporation of a Company (b) Powers, functions and liability of a company.

Unit-III

- (c) Shares and Debentures (d) Managing a company: Directors and others.

Unit-IV

- (e) Decision making in a company: Oppression and Mismanagement (f) Winding up of a Company (g) Corporate Social Responsibility, Corporate Crimes.

Paper – II (Corporate Governance and Public Policy)

(100 Marks)

Unit-I

1. **Transnational Business: Challenges and Opportunities:** (a) World Trade Organization. (b) Foreign Direct Investment and Transfer of Technology. (c) E-Commerce.

Unit-II

2. **Competition Laws** – History and development, Basis concepts in competition Act, 2002.

Unit-III

- Anti Competitive Agreements, Anti Trust.

Unit-IV

3. Regulation of Abuse of Dominant Position, Penalties, Enforcement Mechanism – competition commission of India Powers and Functions, Jurisdiction of the CI, Adjudication and Appeals Competition Appellate Tribunal.

Paper – III (Banking Law) :

(100 Marks)

Unit-I

- (i) Evolution, Concept and Principles (ii) Types and Functions of Banking Organizations (iii) Regulation and Management of Banks: Central Banks and their functions.

Unit-II

- (iv) Negotiable Instruments: Cheques: Payment of Customers cheques, Collection of Cheques Promissory Note, Bill of Exchange, Dishonour of cheque; Holder in due carers etc. (v) Changing Relationship.

Unit-III

- (vi) Banker and Customer (vii) Bankers as Borrowers: Loans, Securities and Guarantees.

Unit-IV

- (ix) Banking: Opportunities and Challenges (x) Reforms in Indian Banking Law: Recommendations of committees: a review.

Optional Papers

Group C- INTERNATIONAL LAW

Paper-I (General Principles of International Law)

(100 Marks)

Unit-I

1. Nature and basis of International Law; Sources of International Law.
2. Subjects of International Law, Relation between International Law and Municipal Law.

Unit-II

3. Recognition, Nationality.
4. Extradition and Asylum.

Unit-III

5. Diplomatic Agents.
6. The Law of the sea, Territorial Sea, Exclusive Economic Zone, Continental Shelf.

Unit-IV

7. Diplomatic Agents.
8. Settlement of International Disputes.
9. Treaties: Meaning and Definition of Treaties, Formation of Treaties & Termination of Treaties.

Paper- II (International Organizations)

(100 Marks)

Unit-I

1. Concept of International Organisations, Origin and Development of International organizations, The League of Nations and The Charter of the United Nations, 1945.

Unit-II

4. The General Assembly,
5. The Security Council.
4. The Economic & Social Council.
5. The Secretariat.

Unit-III

6. The International Labour Organization,
7. The World Health Organization (WHO)
8. The United Nations Educational, Scientific and Cultural Organization (UNESCO).
9. The World Trade Organization (WTO).

Unit-IV

9. The International Court of Justice (Composition & Jurisdiction).
10. The International Criminal Court (Composition & Jurisdiction).

Paper-III (International Humanitarian & Refugee Law and Emerging Trends)

(100 Marks)

Unit-I

1. International Humanitarian Law- (i) Meaning & Definition of Humanitarian Law, Historical Development of Humanitarian Law, Hague Conventions, Four Geneva Conventions 1949 and Additional Protocol I, 1977, Additional Protocol II, 1977 and Additional Protocol III, 2005.
(ii) Salient features of Humanitarian Law.

Unit-II

2. Meaning & Definition of Refugees, Historical Development of Refugee Law.
3. Salient features of Convention Relating to the Status of Refugees of 1951 and its Protocol, 1967.
4. Internally Displaced Persons; United Nations Guiding Principles on Internal Displacement, 1998.
5. Immigrants.
6. Indian Foreigners Act, 1946: Salient Features.
7. International Criminal Court (Composition & Jurisdiction)

Unit-III

8. Human Rights of Women (International Convention on the Elimination of Discrimination against Women, 1979)
9. Human Rights of Child (The United Nations Convention on the Rights of the child, 1989)

Unit-IV

10. Human Rights of Older Persons (The Convention on the Rights of the Older Persons, 1991)
11. Human Rights of Disabled Persons (The Convention on the Rights of the Disabled Persons, 2006).

THIRD SEMESTER

Compulsory Papers

1. Legal Education and Research Methodology

(100 Marks)

Unit-I

1. Legal Education: Objectives of Legal Education, Lecture method of teaching: Merits and Demerits, Discussion Method and Seminar Method of Teaching.
2. Legal Research and its Evolution, Contemporary Trends in Legal Research: general trends and trends more specific to India.

Unit-II

3. Research: Its Meaning, Objectives, Motivations, Types and Significance, Method and Methodology, Research and Scientific Method, Research Process.
4. Different Kinds of Legal Research: Doctrinal, Non-Doctrinal, Empirical, Socio-Legal, Inter/ Multidisciplinary, Historical.

Unit-III

5. Formulating Research Problem, Literature Review, Hypothesis and Research Design.
6. Data Collection; Organisation, Interpretation and Analysis of Data.
7. Methods of Citation & Analysis of Decided Cases.

Unit-IV

8. Legal Research and Law Reforms: Role of Judges and Jurists; Recommendations of Commissions and Committees.
9. Plagiarism & Copyright Infringement.

2. Law and Social Transformation in India

(100 Marks)

Unit-I

1. Law as social device, Social Change or Transformation? Theoretic models on social transformation.
2. Historical and sociological discourse of Laws Role in Social Transformation.

Unit-II

3. Constitution's orientation and Response to social transformation.
4. Law as an instrument of Social Change.

Unit-III

5. Legal Idealism and the Sociological approach to Law.
6. Social Morality and Legal Order.
7. Role of Law, the individual and the welfare state.

Unit-IV

8. Economic, Social and Political Reforms and the Law.
9. Modernization and the Law.

Optional Papers-

Group A - INTELLECTUAL PROPERTY RIGHTS

Paper- I (Law of Trademarks and Geographical Indications)

(100 Marks)

Unit-I

1. Introduction to Intellectual Property Rights- concept, theories and kinds, changing dimensions of IPR.

Unit-II

2. International Scenario.
3. TRIP'S and IPR regime.
4. Role of IPR in Economic Developments in India.
5. WTO and Dispute Settlement Mechanism.

Unit-III

6. Introduction to Trade Marks Law: objects and scope.
7. Requirements for registration trademarks and Refusal of registrations of Trade Marks.
8. Kinds of Marks.
9. Goodwill, doctrine of Passing-off-actions and its development in India.
10. Domain Names Dispute and Cyber Squatting.

Unit-IV

11. Geographical Indications – National as well as International Law.

Paper- II (Law of Copyright and Designs)

(100 Marks)

Unit-I

1. Introduction to Copyright – Fundamentals of Copyright, International Treaties & Conventions.
2. Subject matter and subsistence of copyright.
3. Economic Rights & Moral Rights.
4. Doctrine of Fair Dealing.
5. Neighbouring Rights.

Unit-II

6. Infringement of Copyright and Remedies.

Unit-III

7. Copyright in Software & Database.
8. Digital Copyright.

Unit-IV

9. Introductions to Industrial Design.
10. International regime.
11. Designs Act, 2000.
12. The Semi-Conductor Integral Circuits Layout Designs Act, 2000.

Paper-III (Law of Patents)**(100 Marks)****Unit-I**

1. History and Scope of Patents Law; and Patents Act, 1970; Definition and Kinds of Patents, Justifications for Patent Protection; Criteria of Patentability: Inventiveness, Non-obviousness, and Utility (Capability of industrial application).

Unit-II

1. Process for grant of Patent and Registration thereof: Application, Complete specification, Examination, Publication, Opposition and Grant; Subject matter of patent; Exploitation of Patents, Renewal and Revocation of Patents, Dependant Patents, Secret Patents and Patents of Addition; Rights of Patent Owner, Compulsory Licenses, Government use of Patents; Violation of Patent Rights, and Remedies available to Patent Owner.

Unit-III

3. Patent Authorities, Patent Agents, Biotechnological inventions and Patents and Emerging issues.

Unit-IV

4. Bio-Diversity Act, 2002. Salient Features and other relevant sections.
5. Protections of Plant Varieties and Farmer's Rights Act 2000: Salient Features and other related issues.

Group B - HUMAN RIGHTS**Paper-I (Concept and Historical Developments)****(100 Marks)****Unit-I**

1. Concept, Meaning, Definition, Classification & Importance of Human Rights.
2. Historical Development of Human Rights- The Magna Carta, 1215; The Petition of Rights, 1628, Habeas Corpus Act, 1679, Glorious Revolution and The Bill of Rights, 1688; Virginia Bill of Rights 1776; The American Revolution, 1776; The Bill of Rights in the American Constitution, 1991, The French Revolution & Declaration of the Rights of Man and Citizen, 1789; The Russian Revolution, 1917, Theories of Human Rights, Social Contract Theory; Hugo Grotious, Hobbes, John Locke, Rousseau.

Unit-II

3. (i) Development of Human Rights after the First World War.
(ii) Development of Human Rights after the Second World War.
(iii) Human Rights under the Charter of the United Nations, 1945.
(iv) The Universal Declaration of Human Rights, 1948.
(v) International Covenants on Civil & Political Rights, 1966.
(vi) International Covenants on Economic, Social & Cultural Rights, 1966.

Unit-III

4. (i) The Convention on the Prevention and Punishment of Genocide, 1948.
(ii) The Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, 1984.

Unit-IV

5. (1) The Convention against Slavery & Slave Trade, 1925.
(2) The Convention for the Abolition of Forced Labour, 1957.
(3) International Convention for the Suppression of the Traffic in Women and Children, 1949.

Paper -II (International Perspectives)**(100 Marks)****Unit-I**

1. International Humanitarian Law- (i) Meaning & Definition of Humanitarian Law, Historical Development of Humanitarian Law, Hague Conventions, Four Geneva Conventions 1949 and Additional Protocol I, 1977, Additional Protocol II, 1977 and Additional Protocol III, 2005.
(ii) Salient features of Humanitarian Law.

Unit-II

2. Meaning & Definition of Refugees, Historical Development of Refugee Law.
3. Salient features of Convention Relating to the Status of Refugees of 1951 and it's Protocol, 1967.
4. Internally Displaced Persons; United Nations Guiding Principles on Internal Displacement, 1998.
5. Immigrants.
6. Indian Foreigners Act, 1946: Salient Features.
7. International Criminal Court (Composition & Jurisdiction).

Unit-III

8. Human Rights of Women (International Convention on the Elimination of Discrimination against Women, 1979).
9. Human Rights of Child (The United Nations Convention on the Rights of the child, 1989).

Unit-IV

10. Human Rights of Older Persons (The Convention on the Rights of the Older Persons, 1991).
11. Human Rights of Disabled Persons (The Convention on the Rights of the Disabled Persons, 2006).

Paper -III (Indian Perspective)**(100 Marks)****Unit-I**

12. Human Rights in Ancient India.
13. Human Rights in Medieval India.
14. Human Rights in British India.
15. Moti Lal Nehru Committee Report, 1928.

16. The Indian Pledge, 1930.
17. Fundamental Rights and Economic Programme, 1931.
18. Indian's Charter of Independence, 1947.

Unit-II

19. Human Rights under the Constitution of India.
20. Preamble, Fundamental Rights, Directive Principles of State Policy & Fundamental Duties.

Unit-III- Human Rights & Courts in India.

21. Human Right to Privacy.
22. Human Right not to be subjected to Torture or to cruel, Inhuman or Degrading Treatment or Punishment including Human Rights of Prisoners and arrested persons.
23. Human Right to Speedy Trial.
24. Human Right to Legal Aid.
25. Human Right to Compensation.
26. Human Right to Education.
27. Human Right to Health.
28. Human Right to Shelter.
29. Human Right to Environment.

Unit-IV

30. The National Commission of Women, 1990 (Composition, Powers & Functions).
31. The National Commission for Minorities, 1992 (Composition, Powers & Functions).
32. The Protection of Human Rights Act, 1993 (Composition, Powers & Functions).
33. The National Commission for Schedule Cast & Schedule Tribes, 2004 (Composition, Powers & Functions).
34. The National Commission for Backward Classes (Composition, Powers & Functions).

Group C - LAW OF TAXATION

Paper- I (Constitutional and Administrative Problems of Taxation)

(100 Marks)

Unit-I

1. Distinction between Tax and Fee.
2. Power to levy taxes on income.
3. Power to levy Excise Duties.

Unit-II

4. Taxes on Sale or Purchase of Goods.
5. Residuary Power of Taxation under Entry 97 of the Union List.
6. Role of Taxation in achieving the Objectives of Directive Principles.

Unit-III

7. Taxation and Right to Equality.
8. Taxation and Freedom of Trade, Commerce and Intercourse.
9. Distribution of Tax Revenues.

Unit-IV

10. Inter-Governmental Tax Immunities.
11. Delegation of Taxing Powers.
12. Judicial Review of the Orders of Tax Authorities.

Paper –II (Tax on Business and Industry)

(100 Marks)

Unit-I

1. Residence of Firms.
2. Residence of Company.
3. Business Connection.

Unit-II

4. Profits and gains from business or Profession.
5. Depreciation allowance.

Unit-III

6. Business Expenditure Capital Gains.
7. Income-tax authorities & their powers with special reference to search & Seizure.

Unit-IV

8. Procedure for assessment.
9. Appeal & Revision.

Paper- III (Current Problems in Tax Law)

(100 Marks)

Unit-I

1. Assessment of Charitable Trusts.
2. Service Tax.

Unit-II

3. Tax on Agricultural income.
4. Cannons of Taxation & characteristics of a good tax system.

Unit-III

5. Tax evasion & Black money- Causes & effects of Tax Evasion, Tax evasion distinguished with Tax Avoidance and Tax Planning.
6. Problems of Double Taxation.

Unit-IV

7. Goods and Service Tax.

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FOURTH SEMESTER

Compulsory Papers

Unit-I

1. Principles of Interpretation

(100 Marks)

1. About Interpretation: What is Interpretation? When it is needed? Objects of Interpretation; Various grounds of Interpretation.

Unit-II

2. Judicial Precedents and Interpretation.

3. About Interpretation of Statutes: Salient Parts of a Statute; Presumption as to validity; Internal Aids; External Aids.

Unit-III

4. Rules of Interpretation: Literal Rule, Golden Rule, Mischief Rule.

5. Maxims as tools of Interpretation:

(i) ab inconvenienti (ii) actus non facit reum nisi mens sit rea (iii) Delegatus non potest delegare (iv) ex abundanti cautela (v) ex majori cautela (vi) expressio unius est exclusio alterius (vii) generalia specialibus non derogant (viii) ignorant juris non exusat (ix) noscitur a sociis (x) qui facit per alium facit per se (xi) lex non cogit ad impossibilia

Unit-IV

6. Interpretation of Constitution.

7. Interpretation of some other statutes: (a) Fiscal statutes (b) Penal statutes (c) Beneficiary and Welfare statutes.

2. Judicial Process

(100 Marks)

Unit-I

1. Nature of Judicial Process.

2. Impartial, Independence and Accountability of Judiciary.

Unit-II

3. Judicial Review.

4. Supreme Court & High Courts under the Constitution of India.

Unit-III

5. Doctrine of Rule of Law- 'Formal' & 'Substantive' Versions.

6. Doctrine of Separation of Powers- India, U.K., USA & France.

Unit-IV

7. Forms of Governments- Unitary and Federal, Presidential & Parliamentary & Sovereignty of Parliament.

8. Models of Federation- USA, Canada, India.

9. Open Government & The Right to Information Act, 2005.

10. Ombudsman.

3. Dissertation and Presentation thereof [60+40]

(100 Marks)

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☛ **FIRST SEMESTER**

Compulsory Papers

1. Indian Constitutional Law-I (100 Marks)

2. Indian Constitutional Law-II (100 Marks)

Optional Papers

Group A - Law of Contract and Insurance. (3x100=300 marks)

Paper- I (General Principles of Contract).

Paper- II (Specific Contracts).

Paper-III (Law of Insurance).

Group B - Environmental Law (3x100=300 marks)

Paper-I (Environment and International Legal Order).

Paper-II (Pollution Control Laws in India).

Paper -III (Resource Management and the Law).

Group C - Cyber Law (3x100=300 marks)

Paper-I (Basics of the Computer and Cyber World).

Paper-II (Information Technology Act, 2000).

Paper -III (Cyber Crimes).

☛ **SECOND SEMESTER**

Compulsory Papers

1. Jurisprudence-I (Legal Theory) (100 Marks)

2. Jurisprudence-II (Legal Concepts) (100 Marks)

Optional Papers

Group A - Criminal Law. (3x100=300 Marks)

Paper - I (General Principles of Criminal Law).

Paper - II (Specific Crimes).

Paper - III (Criminal Procedure).

Group B - Corporate Law. (3x100=300 Marks)

Paper - I (Foundations of Corporate Law and Policy).

Paper - II (Corporate Governance and Public Policy).

Paper - III (Banking Law).

Group C - International Law (3x100=300 Marks)

Paper-I (General Principles of International Law).

Paper-II (International Organizations).

Paper- III (International Humanitarian Law and Emerging Trends).

☛ **THIRD SEMESTER**

Compulsory Papers

1. Legal Education and Research Methodology. (100 Marks)

2. Law and Social Transformation in India. (100 Marks)

Optional Papers

Group A - Intellectual Property Rights. (3x100=300 marks)

Paper - I (Concept of IPR, Law of Trademarks and Geographical Indications).

Paper - II (Law of Copyright, Industrial Design and Layout Designs of Integrated Circuit).

Paper - III (Law of Patents).

Group B - Human Rights (3x100=300 Marks)

Paper - I (Concept and Historical Development of Human Rights).

Paper - II (International Perspective of Human Rights).

Human Rights-III (Indian Perspective of Human Rights).

Group C - Law of Taxation (3x100=300 Marks)

Paper - I (Constitutional and Administrative Problems of Taxation).

Paper - II (Tax on Business & Industry) .

Paper -III (Current Problems in Tax Law) .

☛ **FOURTH SEMESTER**

Compulsory Papers

1. Principles of Interpretation . (100 Marks)

2. Judicial Process. (100 Marks)

3. Dissertation and Presentation thereof. [60+40] (100 Marks)

IMPORTANT NOTES:

1. **Choice Based Credit System (CBCS)** shall apply to all subjects of study.
2. Each compulsory paper as well as each paper of an optional group shall carry 4 (four) credits.
3. The term 'Credit' refers to the weight-age given to a paper usually in relation to the instructional hours assigned to it. For example, 4 credits would mean 40 instructional hours assigned to a subject during a semester, for a paper comprising 100 marks.
4. All other matters related to award of credits, grades, etc shall be governed by **Choice Based Credit System (CBCS) Regulations 2012** of the University of Allahabad, as amended from time to time.