



TECHNO INDIA UNIVERSITY
WEST BENGAL

EM 4, Sector V, Salt Lake, Kolkata-700091, West Bengal, India

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3 Years LLB Curriculum and
Syllabus for L.L.B

Second Semester

S. No	Course Code	Course Title	Contact Hrs. / Week			Credit
			L		P	
THEORY						
	<u>TIU-ULW-210</u>	<u>Administrative Law</u>	3		0	4
	TIU-ULB-T102	Special Contract	3		0	4
	TIU-ULB-T106	Constitutional Law II	3		0	4
	TIU-ULB-T110	Code of Civil Procedure – I	3		0	4
	TIU-ULB-T108	Family Law I	3		0	4
	TIU-ULW-T308	Law Of Evidence	3		0	4
TOTAL CREDIT						24



Syllabus

Administrative Law

TIU-ULW-T210

Credit- 4

1. Introduction :
 - a) Nature, Scope and Development of Administrative Law
 - b) Distinction between Constitutional Law and Administrative Law
 - c) Separation of Powers
 - d) Sources and growth of Administrative Law
 - e) Rule of Law
2. Delegated Legislation
 - a) Concept and reasons for introduction
 - b) Merits and demerits
 - c) Sub- delegated legislation
 - d) Control of delegated legislation
3. Principles of Natural justice
 - a) Concept of natural justice
 - b) Application in India
 - c) Rule against bias
 - d) Right to be heard and reasoned decision
4. Administrative Tribunal- Growth and importance
5. Ombudsman - Lokpal and Lokayuktas
6. Public undertakings- Types, control and reasons of their growth
7. Judicial control of Administrative action
 - a) Prerogative writs
 - b) Special leave for Appeal
 - c) Statutory control and equitable relief/ remedy
 - d) Judicial review
 - e) Public interest Litigation

Books Recommended:

- 1- Durga Das Basu- Comparative Administrative Law
- 2- S.P.Sathe- Administrative Law
- 3- C.k.Takwani- Administrative Law
- 4- M.P.Jain & S.N.Jain- Principles Of Administrative Law
- 5- I.P.Massey- Administrative Law



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Special Contract

TIU-ULB-T102

Credit- 4

1. Indian Contract Act, 1872
Relevant provisions of guarantee, indemnity, pledge, Bailment and Agency
2. Sale of Goods Act, 1930
3. Indian partnership Act, 1932

Books Recommended:

1. Anson's Law of Contract
2. Trikamal R. Desai- The Indian Contract Act, Sale of Goods and Partnership Act
3. M.C.Shukla- Mercantile Law
4. Artar Singh- Contract and Specific Relief
5. Kapoor- Mercantile Law



Constitutional Law II

TIU-ULB-T106

Credit- 4

1. Distribution of powers between the centre and the states
 - a) Legislative Powers
 - b) Administrative powers
 - c) Financial powers

2. Constitutional
 - a) Parliament- Its sovereignty and privileges
 - b) Executive power
 - c) Collective Responsibility of cabinet
 - d) Judiciary- Jurisdiction of the Supreme Court and the High Court- Independence of Judiciary- Power of Judicial Review

3. Executives
 - a) President of India- Election, Qualification, impeachment, powers.
 - b) Prime Minister- Cabinet System, Councils of Ministers, Collective Responsibility, Position
 - c) Governor and State Government- Constitutional relationships, appointment, Qualification, Powers

4. Emergency Provisions:
 - a) Meaning and scope, proclamation, effect on centre- state relation, suspension of fundamental rights.

5. Amendment
Constitutional amendment, methods

Books Recommended:

1. Durga Das Basu- Constitutional Law of India
2. M.P.Jain- Indian Constitutional Law
3. A.K.Saharoy- Constitution of India
4. V.N.Sukla- Constitution of India



Code of Civil Procedure – I
TIU-ULB-T110

Credit- 4

1. Introduction:
 - a) Definitions-
Decree, Judgment, Order, Foreign Court, Mesne profit, affidavit, suit, plaint, written statement, maintainability, summons, public officer etc
 - b) Important concepts – Sub judice, res judicata, restitution, caveat, inherent powers of courts
2. Initial steps in a suits
 - a) Jurisdiction and place of suing
 - b) Institution of suit
 - c) Summons
 - d) Pleadings, amendment of pleadings
 - e) Plaint and written statement
 - f) Discovery, inspection and production of documents
 - g) Appearance of parties- consequence of non-appearance
 - h) First hearing
3. Proceedings/ Orders
 - a) Commissions
 - b) Arrest before judgment
 - c) Attachment
 - d) Injunctions- Temporary or perpetual
 - e) Interlocutory orders
4. Suits in important cases
 - a) Suits by or against Government or public officer
 - b) Suits by indigent persons
 - c) Interpleader suit
 - d) Summary Procedure
 - e) Suits relating to public nuisance
5. The Limitation Act, 1963 (sections 1-20)

Books Recommended:

- 1- Mulla- Code of Civil Procedure
- 2- C.K.Takwani- Code of Civil Procedure
- 3- A.N.Saha- Civil Procedure Code
- 4- Sarkar- Code of Civil Procedure



- 5- B.B.Mitra- The Limitation Act
- 6- V.G.Ramchandran- Law of Limitation

Family Law I

Credit- 4

Hindu Law

1. Evolution and sources of Hindu Law
2. General principles of succession both under the Dayabhaga system and the Mitakshara system
3. Hindu joint family system
4. Coparcenary
5. Distinction between two systems of succession
6. Women's property and *Stridhana*
7. Codification in statutes

Statutes on Hindu Law

1. Hindu Marriage Act, 1955
2. Hindu Succession Act, 1956
3. Hindu Adoption and Maintenance Act, 1956
4. Hindu Minority and guardianship Act, 1956
5. Special Marriage Act, 1954

Books recommended:

1. Modern Hindu Law- Paras Diwan
2. Hindu Law- Mulla
3. All five statutes (Bare Acts)



Law Of Evidence (TIU-ULW-T308)

Credit- 4

COURSE OBJECTIVES

This paper is to orient students with importance of evidence for establishment of claims and the related rules and principles. The central objective of the rules of evidence is to facilitate a reliable search for the truth. However, the rules of evidence also engage other objectives, such as protecting privacy rights, preserving certain societal relationships, and deterring state misconduct.

PRE TRAINING/PRE REQUISITES

The student must be aware about different types of substantive criminal and civil law. The student must be aware about procedural law relating to civil and criminal law. Student must be aware about various remedies available in civil and criminal law. They must be acquainted with case law based study method before the beginning of the lessons.

COURSE CONTENTS:

Module I: Definitions and Relevancy of Facts

Evidence and its relationship with the substantive and procedural laws; Definitions: Facts, facts in issue, relevant, evidence proved, disproved, not proved, oral and documentary evidence; Relevancy and admissibility; Doctrine of res gestae; Conspiracy

Module II: Admissions, confessions and statements by person who cannot be called as witnesses

Definition of admission, who can make admissions by or on their behalf, proof of admission against the persons making them and admissions in civil cases. (Section 17-23, 31); Definition, relevance and consideration of confessions (section 24-30); Dying declaration (Section 32 and Section 33). Opinion of Third Persons (Sec. 45 to 51) & Character Evidence (Sec. 52 to 55).

Module III: Documentary Evidence

Primary and Secondary Evidence, Proof and verification of documents; Public documents and presumption as to documents

Module IV: Production and Effect of Evidence



Burden of proof (Sections 101-114); Estoppels (Section 115); Competence of witnesses (Sections 118-120).

Module V: Examination of Witnesses (Sections 135-166) and Rejection of evidence (Section 167)

Examination –in-chief: Cross Examination, Re-examination; Leading questions; Hostile witnesses; Refreshing memory; Judge’s power to put questions or order production.

Student Learning Outcomes:

- To develop logical and legal thinking among students.
- To clarify the use of evidence in civil and criminal law.
- To make them explain application of evidence law in various situation.
- To describe the relationship between evidence law and other procedural law.
- Comprehend and evaluate the challenges involved in application of evidence law.
- Analyze the understanding of the subject through conduct of mock trials at the end of course.

Pedagogy for Course Delivery:

The class will be taught using theory and case based method. In addition to assigning the case studies, the course instructor will spend considerable time in understanding the concept of innovation through new case laws. The instructor will cover the ways to think innovatively liberally using thinking techniques.

The instructor will conduct mock trial sessions by giving various situations to understand the application of evidence law.

Text and References:

- Bare Act: Indian Evidence Act, 1872 latest with amendment
- Krishnamachari, V. Law of Evidence 5th S.Gogia and Company, Hyderabad 2003
- Ranchhoddas and Thakore, Law of Evidence 19th Wadhwa, Nagpur 2002
- Monir, M. Law of Evidence 13th Universal Book Agency, Allahabad 2002
- Woodroffe, John Law of Evidence 17th Butterworth, N.Delhi 2001
- Lal, Batuk Law of Evidence 15th Central Law Agency, Allahabad 2003
- Murphy, Peter Murphy on Evidence 5th Universal Law Publishing Co., Delhi 2000
- Sarathi, V.P. Law of Evidence 5th Eastern Book Company 2003
- Joga Rao, S.V., Law of Evidence 17th Butterworths, Delhi 2001
- Field, s C D, Law of Evidence 12th Allahabad Law House, Delhi 2008
- Rao, Joga and Woodroffe, Law of Evidence LexisNexisButterworths, Nagpur 2002
- Sarkar Law of Evidence 16th Wadhwa, Nagpur 2008
- Sarkar and Others Law of Evidence 17th Rep LexisNexisButterworths Nagpur, India 2011
- Wigmore, John Henry Evidence in Trials at Common Law 2nd Rep Wolters Kluwer India P Ltd. Haryana 2012