

Detailed Program
Bachelor of Law
(LL.B.)

Semester -VI
(2016-2019)

DOC201807020039



RNB
GLOBAL UNIVERSITY
Educating stars for tomorrow

RNB GLOBAL UNIVERSITY
RNB Global City, Ganganagar Road,
Bikaner, Rajasthan 334601

OVERVIEW

RNB Global University follows Semester System along with Choice Based Credit System as per latest guidelines of University Grants Commission (UGC). Accordingly, each academic year is divided into two semesters, **Odd (July-December) and Even (January-June)**. Also, the university follows a system of continuous evaluation along with regular updating in course curricula and teaching pedagogy.

The curriculum for LL.B. program for (January-June) Even Semester, 2019 along with Examination pattern is as follows:

Course Scheme

Semester -VI

| S. No. | Subject Code | Course Name | Credits |
|---------------|---------------------|---|----------------|
| 1. | 16008000 | Professional Ethics and Professional Accounting System | 4 |
| 2. | 16008100 | Moot court exercise and Internship including interviewing technique & Pretrial Preparations | 4 |
| 3. | 16008200 | Labour Laws-II | 4 |
| 4. | 16008300 | Alternative Disputes Resolution | 4 |
| 5. | 16008400 | Interpretation of Statutes | 4 |
| 6. | 16002700 | Ability & Skill Enhancement -VI | 2 |
| 7. | 99002800 | Workshops & Seminars | 1 |
| 8. | 99002700 | Human Values & Social Service/NCC/NSS | 1 |
| Total | | | 24 |

EVALUATION SCHEME

The evaluation of the LL.B. program would be based on Internal and External Assessments. Internal Assessment would consist of 50% of the marks (50 marks) and external assessment (in form of End Term Exam) would consist of remaining 50% marks (50 marks). Detailed scheme of Internal and External Assessments as follows:

Internal Assessment

The distribution of Internal Assessment Marks is as follows:

| Type | Details | Marks |
|--|---|-------|
| Mid Term | Two Mid-term Sessional of 15 marks each (15+15) | 30 |
| Marks obtained in various Tests, Assignments, Presentations, Quiz, Tutorials, etc. | Average of marks obtained | 15 |
| Attendance | 75%+ : 5 marks | 5 |
| TOTAL | 50 | |

External Assessment

| Type | Marks |
|--------|-------|
| Theory | 50 |

CURRICULUM

Course Name: Professional Ethics & Professional Accounting System

Course Code: 16008000

Course Outline

Unit I

Historical development of Legal Profession in India. Constitution, Function, Powers and Jurisdiction of State Bar Council and Bar Council of India Admission and enrolment of Advocates.

Unit II

Profession ethics and Advocacy, Standards of Professional Conduct and Etiquette, Conflict between interest and duty, Duty to court, Duty to Client, Duty to opponent, Duty to Colleagues, Duty towards Society and obligation to render legal aid.

Unit III

Bench-Bar Relationship Reciprocity as partners in administration of Justice Professional Misconduct Rights and Privileges of Advocates.

Unit IV

Contempt of Court Act, 1971 Historical development of Contempt of Court Act in India, Object and Constitutional validity of Contempt of Court Act. Definition, Kinds of Contempt by Judges, Magistrates, Lawyers and other persons Cognizence, Procedure, Appellate provisions regarding Contempt Defences, Punishment and Remedies against punishment for Contempt of Court and Punishment for Contempt, Defences under contempt of court.

Course Name: Moot court exercise and Internship including interviewing technique & Pretrial Preparations

Course Code: 16008100

Course Outline

Moot court exercise and Internship: This paper may have three components of 30 marks each and a viva for 10 marks.

(a) Moot Court (30 Marks).

Every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

(b) Observance of Trial in two cases, one Civil and one Criminal (30 marks): Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

(c) Interviewing techniques and Pre-trial preparations and Internship diary (30 marks): Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

(d) The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

Course Name: Labour Law- II

Course Code: 16008200

Course Outline

Unit I: The Minimum Wages Act, 1948

- a) Concept of Minimum Wage, Fair Wage, Living Wage and Need Based Minimum Wage
- b) Constitutional Validity of the Minimum Wages Act, 1948
- c) Procedure for Fixation and Revision of Minimum Wages
- d) Fixation of Minimum Rates of Wage by Time Rate or by Piece Rate
- e) Procedure for Hearing and Deciding Claims

Unit II: The Payment of Wages Act, 1936

- a) Object, Scope and Application of the Act
- b) Definition of Wage
- c) Responsibility for Payment of Wages
- d) Fixation of Wage Period
- e) Time of Payment of Wage
- f) Deductions which may be made from Wages
- g) Maximum Amount of Deduction

Unit III: The Factories Act, 1948

- a) Approval, Licensing and Registration of Factories
- b) Concept of "Factory", "Manufacturing Process", "Worker", and "Occupier"
- c) General Duties of Occupier
- d) Measures to be taken in Factories for Health, Safety and Welfare of Workers
- e) Working Hours of Adults
- f) Employment of Young Person and Children
- g) Annual Leave with Wages
- h) Additional Provisions Regulating Employment of Women in Factory

Unit IV: The Employee's Compensation Act, 1923

- a) Definition of Dependant, Workman, Partial Disablement and Total Disablement
- b) Employer's Liability for Compensation
 - i. Scope of Arising out of and in the Course of Employment
 - ii. Doctrine of Notional Extension
 - iii. When Employer is not liable
- c) Employer's Liability when Contract or is engaged
- d) Amount of Compensation
- e) Distribution of Compensation
- f) Procedure in Proceedings before Commissioner
- g) Appeals

- h) Retirement Benefits
 - i. Employee's Provident fund and miscellaneous provisions Act, 1952
 - ii. Employees Pension Scheme, 1995 and Family Pension Scheme
 - iii. Social Security for the unorganized Sector

Suggested Readings:

1. Indian Law Institute, *Cases and Materials on Labour Law and Labour Relations*, 1963.
2. PL Malik, *Industrial Law*, Eastern Book Company, 2013.
3. Dr. Goswami, *Labour and Industrial Law*, Central Law Agency, 2011.
4. Surya Narayan Misra, *An Introduction to Labour and Industrial Law*, Allahabad Law Agency, 1978.
5. S.C. Srivastava, *Industrial Relations and Labour Law*, Vikas Publishing House, New Delhi, 6th Edn., 2012.
6. Chaturvedi, *Labour and Industrial Law*, Central Law Agency, 2004.
7. S.C. Srivastava, *Commentaries on the Factories Act, 1948*, Universal Law Publishing House, Delhi, 2002.
8. H.L. Kumar, *Workmen's Compensation Act, 192*, Universal Law Publishing, 2009.

Course Name: Alternative Disputes Resolution

Course Code: 16008300

Course Outline

Unit I: Concept of ADR

- a) Meaning, Nature and Genesis of Alternative Dispute Resolution
- b) Forms of ADR Mechanism
- c) Legal Framework: Legal Services Authorities Act, 1987
- d) Legal Aid

Unit II: Negotiation and Mediation

- a) Negotiation
- b) Theories, Development and its types
- c) Qualities of Negotiator and Process for Negotiation
- d) International Negotiation
- e) Mediation
- f) Good Offices

Unit III: Arbitration and Conciliation

- a) Arbitration Agreement, Essentials, Rule of Severability.
- b) Composition of Arbitral Tribunal, Extent of Judicial Intervention, Interim Measures, Power of Court to refer Parties to Arbitration.
- c) Jurisdiction of Arbitral Tribunal, Competence, Competence of Arbitral Tribunal,

- Conduct of Arbitral Proceedings, Place of Arbitration.
- d) Arbitral Award, Termination, Enforcement.
- e) Conciliation and its Mechanism.

Unit IV: International Perspective

- a) International Commercial Arbitration
- b) New-York and Geneva Convention
- c) UNCITRAL Model Law, Treaties etc.
- d) Enforcement of Foreign Award and Jurisdictional Issues

Suggested Readings:

1. J. G. Merrills, *International Dispute Settlement*. U.K : Cambridge University Press, 2005(Fifth Edn)
2. Avtar Singh, *Law of Arbitration and Conciliation*, Eastern Book Company, 2013(10th Edn)
3. Robert J. Niemic, Donna Stienstra and Randall E. Ravitz, *Guide to Judicial Management of Cases in ADR*, Federal Judicial Centre, 2001.
4. J. Auerbach, *Justice Without Law* Oxford University Press, 1983.
5. Abraham P. Ordover and Andrea Doneff, *Alternatives to Litigation : Mediation, Arbitration, and the Art of Dispute Resolution*, Notre Dame: National Institute for Trial Advocacy, 2002.

Course Name: Interpretation of Statues

Course Code: 16008400

Course Outline

Unit I: Introduction

- a) Meaning of Interpretation
- b) Need for Interpretation
- c) Act, Enactment, Statutes, Ordinances, Rules, etc.

Unit II: Internal Aids to Interpretation

- a) Title
- b) Preamble
- c) Heading
- d) Marginal Note
- e) Section
- f) Sub-section
- g) Punctuation
- h) Illustration
- i) Exception
- j) Proviso
- k) Explanation

- l) Saving Clause
- m) Schedule

Unit III: External Aids to Interpretation

- a) Constituent Assembly Debates for Constitutional Interpretation
- b) Constitution of India
- c) Legislative History: Legislative Intention
- d) Statement of Objects and Reasons
- e) Legislative Debates
- f) Committee Reports, Law Commission Reports

Unit IV: Rules of Interpretation

- a) Literal Rule
- b) Golden Rule
- c) Mischief Rule
- d) Ejusdem generis
- e) Noscitur a sociis

Suggested Readings:

1. P. St. J. Langan, *Maxwell's on the Interpretation of Statutes*, Lexis Nexis, 12th Edition, 1969
2. V.P.Sarathi, *Interpretation of Statutes*, Eastern book Company, 5th Edition, 2010.
3. G.P. Singh, *Principles of Statutory Interpretation*, Lexis Nexis, 13th Edition, 2012
4. N.S. Bindra, *Interpretation of Statutes*, Lexis Nexis, 2013
5. Bakshi BM, *Interpretation of Statutes*, Orient Publisher, 2008
6. Avinsh Dhamir & Hans Raj Arora; *A Compendium of Interpretative Techniques*, 2010

Course Name: Ability & Skill Enhancement - VI

Course Code: 16002700

Course Outline – Final Assessment – Report/Presentation

Unit I: Verbal Reasoning & English Aptitude

Logical Sequence of Words, Verbal Analogy, Classification, Blood Relation Test, Syllogism, Reading Comprehension

Unit II: Winning Attitude

Attitude is the most important thing for success, how to develop a winning attitude, what is it, when we need it, what is mindset, how to have a winning and positive mindset, how to win in difficult situations, Positive thinking, passion, dedication, confidence, well preparation, focus, hard work, planning, never give up, etc - some traits that help in developing winning attitude.

Unit III: Understanding the News

Reading Current News, Comparing & Analysing the news, Write an editorial, News Vocabulary, Presentation on any major news (political/social/sports/economics).

Unit IV: Be a Journalist

Chat Show, Panel Discussion, Parliamentary debate, News Inspired Theatrical Performance.

Unit V: Report

Preparing a report on major National/International News – Insights/ review of major news papers and news channels.

Note: The review of Syllabus happens on periodic basis for the benefit of the students. In case there are changes in curriculum due to review, students would be intimated in writing.

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