

Detailed Course Scheme  
**Bachelors of Law**  
**(LL.B.)**

**Semester II- Examination**  
**(2016-19)**

DOC201612020009



**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 Even (January-June) Semester 2017 along with examination pattern is as follows:

### **Course Scheme**

#### **Semester - II**

S. No	Course Code	Course Name	Credits
1.	16002800	Evidence Law (Law of Evidence in India)	4
2.	16002900	Family Law II (Hindu Law of Joint Family, Partition and Debts, Gifts Wills, Hindu Succession Act and Muslim - General Principles of Inheritance)	4
3.	16003000	Law of Crimes-II: Criminal Procedure Code (General Principles)	4
4.	16003100	Property Law	4
5.	16003200	Public International Law	4
6.	16002300	Ability & Skill Enhancement Module-II	3
7.	99002000	NCC/NSS/ Similar activities	-
8.	99002100	Club Activities	-
<b>Total Credits</b>			<b>23</b>

## **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**

Type	Details	Marks
Sessional I	As per marks obtained	10

Sessional II	As per marks obtained	10
Marks obtained in various, assignments, presentations, quizzes etc.	Average of marks obtained	15
Discipline	To be decided by concerned faculty	5
Attendance	80% - 5 marks and 0.25 percent for every one percent above 80 %	10
<b>TOTAL</b>	<b>50</b>	

### **External Assessment**

Type	Marks
Theory	50

### **EVALUATION SCHEME- NSS/NCC/ AND CLUB ACTIVITIES**

1. NCC/NSS will be completed from Semester I – Semester IV. It will be evaluated internally by the University. The credit for this will be given after IV<sup>th</sup> Semester.
2. The students have to join club/clubs with the active participation in different activities of club. The students would be continuously assessed from Semester-I to Semester-IV and credits and marks would be given after IV<sup>th</sup> Semester.

### **CURRICULUM**

**Course Name: Evidence Law**

**Course Code: 16002800**

#### **Course Outline**

##### **Unit-I: Introduction and Relevancy**

- a. Evidence and its Relation with Substantive and Procedural Laws;
- b. Definitions: Facts, Facts in Issue, Relevant Facts, Evidence Proved/ Disproved/ Not Proved; Oral and Documentary Evidence; *Factum Probandum* and *Factum Probandis*; Proof and Evidence.

- c. Theory of Relevancy:
  - i. Logical Relevancy, Legal Relevancy, Admissibility and Reliability
  - ii. Facts not otherwise Relevant (Plea of Alibi)
- d. Doctrine of Res Gestae
- e. Test Identification Parade
- f. Conspiracy

### **Case-study**

1. Hira H. Adani v. State AIR 1971 SC 44
2. Himachal Pradesh Administration v. Om Prakash AIR 1972 SC 975
3. State of Punjab v. Sodhi Sukhdev Singh AIR 1961 SC 493
4. Pushpa Devi Bhagat v. Rajinder Singh AIR 2006 SC 2628
5. Jagga Singh v. State AIR 1995 SC 135
6. Ganesh K. Gulve v. State of Maharashtra AIR 2002 SC 3068
7. Gangadhar Behera v. State of Orissa (2002) 8 SCC 381
8. Chander Kala v. Ram Kishan AIR 1985 SC 1192
9. Ayyub v. State AIR 2002 SC 482
10. Bodhraj alias Bodha v. State of Jammu & Kashmir 2003 SCC (Cri) 201

### **Unit II: Statement – Admissions / Confessions and Dying Declarations**

- a. Admissions
- b. Confessions
- c. Dying Declarations

### **Case-study**

1. Bably v. State of Maharashtra (2003) Cr. L J 731
2. State of AP v. Gangula AIR 1997 SC 1588
3. Mani Kumar Thapa v. State AIR 2002 SC 2920
4. Surjeet Kaur v. State 1994 Cr. L J 1886 (MP)
5. Madhusudan Singh v. State (1996) 11 SCC 248
6. Ram Chander v. State AIR 1981 SC 1036
7. Narbada Devi Gupta v. Birender Kumar Jaiswal AIR 2004 SC 175
8. Brij Mohan v. State 1994 Cr. L J 922 (SC)
9. *Haroon Haji Abdulla v. State of Maharastra*, AIR 1975 SC 856

### **Unit III: Proof of Facts**

- a. Presumptions
- b. Expert Opinion
- c. Oral and Documentary Evidence

- d. Burden of Proof
- e. Estoppel
- f. Privileged Communications

#### **Case-study**

1. State of Kerala v. Bahuleyan AIR 1987 SC 482
2. State of MP v. Dharkole AIR 2005 SC 44
3. Sodhi Transport v. State AIR 1986 SC 1099
4. Francis Stanley v. Intelligence Officer, NC Bureau AIR 2007 SC 794
5. J J Lal Pvt. Ltd. v. M R Murali AIR 2002 SC 1061
6. Gurunath Manohar Pavaskar & Ors v. Nagesh Siddappa Navalgund & Ors AIR 2008 SC 901
7. *State of Maharashtra v. Prafulla B. Desai (Dr.)* (2003) 4 SCC 601
8. *R. M. Malkani v. State of Maharashtra*, AIR 1973 SC 157

#### **Unit IV: Emerging Areas in the Law of Evidence**

- a. Evidence by Accomplice
- b. Definition of Witness, Witness Protection Scheme
- c. Examination of Witness, Cross Examination, Leading Questions and Hostile Witness
- d. Refreshing Memory
- e. Impact of Forensic Science: Evidentiary Value in DNA Test, Narco- Analysis
- f. Impact of Social Media in the Law of Evidence

#### **Case-study**

1. State of Uttar Pradesh v. Noorie (1996) 9 SCC 104
2. State of Orissa v. Dibakar Naik AIR 2002 SC 2148
3. Bhagavan v. State of Kerala AIR 2004 SC 1058
4. Lella Srinivasa Rao v. State of AP AIR 2004 SC 1720
5. Alamgir v. State (NCT Delhi) AIR 2003 SC 282
6. State of Bihar v. Laloo Prasad (2002) 9 SCC 626

#### **Suggested Readings:**

1. Batuk Lal, *The Law of Evidence*, 13th Edition, Central Law Agency, Allahabad, 1998.
2. M. Munir, *Principles and Digest of the Law of Evidence*, 10th Edition (in 2 vols), Universal Book Agency, Allahabad, 1994.
3. Vepa P. Saradhi, *Law of Evidence* 4th Edn. Eastern Book Co., Lucknow, 1989.
4. Avtar Singh, *Principles of the Law of Evidence*, 11th Edn. Central Law Publications.
5. V. Krishnama Chary, *The Law of Evidence*, 4th Edn. S.Gogia & Company, Hyderabad
6. Dr. Ashok K. Jain, *Law of Evidence*, Ascent Publications, New Delhi

7. B.M. Prasad & Manish Mohan, *The Law of Evidence*, 25<sup>th</sup> Edn., Lexis Nexis

## **Course Name: Family Law II**

**Course Code: 16002900**

### **Course Outline**

#### **Unit I: Hindu Law of Property**

- a. Concept of joint Hindu family and coparcenary under Mitakshara
- b. Kinds and Sources of property: Coparcenary and separate property
- c. Karta, Position, Powers, duties and liabilities, Alienation by karta, Alienation by father
- d. Pious obligations of the son
- e. Partition under Hindu Law

#### **CASES:**

1. *Commissioner of Income- Tax v. Gomedalli Lakshminarayan*, AIR 1935 Bom 412
2. *Moro Vishwanath v. Ganesh Vithal* (1873) 10 Bom. 444
3. *Muhammad Husain Khan v. Babu Kishva Nandan Sahai*, AIR 1937 PC 233
4. *M/s. Nopany Investments (P) Ltd. v. Santokh Singh (HUF)*, 2007 (13) JT 448
5. *Sunil Kumar v. Ram Prakash* (1988) 2 SCC 77
6. *Dev Kishan v. Ram Kishan*, AIR 2002 Raj. 370
7. *Balmukand v. Kamla Wati*, AIR 1964 SC 1385
8. *R. Kuppayee v. Raja Gounder* (2004) 1 SCC 295

#### **Unit II : Muslim Law of Property**

- a. Gift, Gift of Mushaa, Gift made during Marz-ul-Maut
- b. Capacity to make Will
- c. Subject matter of Will
- d. To whom Will can be made
- e. Abatement of legacies

#### **Unit III : Hindu Inheritance**

- a. Hindu Succession Act, 1956
- b. Law relating to inheritance under the Hindu Succession Act, 1956
- c. Devolution of Mitakshara property under the Act
- d. Disqualifications of heirs

#### **CASES :**

1. *S. Narayanan v. Meenakshi*, AIR 2006 Ker. 143
2. *Bhagat Ram v. Teja Singh*, AIR 2002 SC 1
3. *Omprakash v. Radhacharan*, 2009(7) SCALE 51

#### **Unit IV : Muslim Law – Inheritance and WAQF**

- a. General rules of inheritance of Sunnis and Shias
- b. Classification of heirs
- c. Entitlement of primary heirs
- d. Waqf

#### **CASES :**

1. *Mussa Miya walad Mahammed Shaffi v. Kadar Bax*, AIR 1928 PC 108
2. *Hayatuddin v. Abdul Gani*, AIR 1976 Bom. 23
3. *Abdul Hafiz Beg v. Sahebbi*, AIR 1975 Bom. 165
4. *Valia Peedikakkandi Katheessa Umma v. Pathakkalan Narayanath Kunhamu*, AIR 1964 SCC 275

#### **Suggested Readings:**

1. Ranganath Misra, *Mayne's Treatise on Hindu Law & Usage* (15<sup>th</sup> ed., 2006)
2. Satyajeet A. Desai, *Mulla Principles of Hindu Law*, Vol. I & II (20<sup>th</sup> ed., 2007)
3. Poonam Pradhan Saxena, *Family Law Lectures, Family Law- II*, (3<sup>rd</sup> ed., 2011)
4. Paras Diwan and Peeyushi Diwan, *Modern Hindu Law* (18<sup>th</sup> ed., 2008)
5. Duncan M. Derrett, *A Critique of Modern Hindu Law* (1970)
6. M. Hidayatullah and Arshad Hidayatullah, *Mulla, Principles of Mahomedan Law* (19<sup>th</sup> ed., 2008)
7. Asaf A.A. Fyzee, *Outlines of Muhammadan Law* (2008)

#### **Prescribed Legislation:**

The Hindu Succession Act, 1956

### **Course Name: Law of Crimes II**

**Course Code: 16003000**

#### **Course Outline**

##### **Unit I : Introduction**

- a. Object and Importance of Cr.P.C
  - b. Functionaries under the Cr.P.C
  - c. Basic Concepts: Bailable Offence, Non-Bailable Offence, Cognizable Offence , Non-cognizable Offence, Complaint, Charge, Police Report, Investigation, Inquiry and Trial, Summons Case, Warrant Case
- *Naga People's Movement for Human Rights v. Union of India*, (1998) 2 SCC 109
  - *R.P. Kapur v. Pratap Singh Kairon*, AIR 1961 SC 1117
  - *CBI v. State of Rajasthan*, (1996) 9 SCC 735

## **Unit II: Pre-Trial Proceedings**

- a. Steps to ensure Accused Presence at trial
  - b. Arrest and Rights of an Arrested Person
  - c. Provision for Bail under the Code
  - d. Process to Compel Appearance of Person
  - e. Search, Seizure and Production of Material
  - f. Investigations by Police
  - g. Condition Requisites for Initiation of Proceeding
  - h. Complaint to Magistrate
  - i. Commencement of Proceeding before Magistrate
- *Dilip K. Basu v. State of West Bengal*, (1997) 6 SCC 642
  - *State of Haryana v. Dinesh Kumar*, (2008) 3 SCC 222
  - *Lalita Kumari v. State of Uttar Pradesh*, (2012)4 SCC 1
  - *State of Orissa v. Sharat Chandra Sahu*, (1996) 6 SCC
  - *Madhu Bala v. Suresh Kumar*, (1997) 8 SCC 476
  - *Sakiri Vasu v. State of Uttar Pradesh*, (2008) 2 SCC 409

## **Unit III: Trial Proceedings**

- a. Framing of Charges and Joinder of Charges
  - b. Jurisdiction of the Criminal Courts in Inquiries and Trials
  - c. Principal features of fair trial
  - d. Types of trials: Sessions Trial, Warrant Trial, Summons Trial, Summary Trial
  - e. Judgement and Sentences under the Code
  - f. Submission of Death Sentences for Confirmation
  - g. General Provisions as to Inquiries and Trial
  - h. Execution, Suspension, Remission and Commutation of Sentences
- *Gurcharan Singh v. State (Delhi Admn.)*, AIR 1978 SC 179
  - *Moti Ram v. State of M.P.*, (1978) 4 SCC 47
  - *Sanjay Chandra v. Central Bureau of Investigation*, (2012) 1 SCC 40
  - *Shri Gurbaksh Singh Sibbia v. State of Punjab*, AIR 1980 SC 1632
  - *State (Delhi Administration) v. Sanjay Gandhi*, (1978) 2 SCC 411
  - *State v. Captain Jagjit Singh*, (1962) 3 SCR 622
  - *Mrs. Neelam Katara v. Union of India*, ILR (2003) II Del 377

## **Unit IV: Miscellaneous**

- a. Proceeding for maintenance of wives, children and parents
- b. Preventive and Precautionary measures
- c. Appeals
  - a. Reference and Revision
  - b. Inherent Power of Court



- c. Transfer of Criminal Cases
- d. Plea Bargaining
  
- *Zahira Habibulla H. Shiekh v. State of Gujarat* (2004) 4 SCC 158
- *Abdul Karim v. State of Karnataka* (2000) 8 SCC 710

**Suggested Readings:**

1. K.N.Chandrsekharan Pillai (Rev.), **R. V. Kelkar's *Criminal Procedure***, Eastern Book Company, (6<sup>th</sup> ed., 2014)
  2. Ratanlal & Dhirajlal, *Criminal Procedure*, Lexis Nexis Butterworths Wadhwa, Nagpur, 2012.
  3. K.N. Chandrasekharan Pillai, *R.V. Kelkar's Lectures on Criminal Procedure*, Eastern Book Company, 2013
- Justice P.S. Narayana, *Code of Criminal Procedure*, AL

**Course Name : Property Law**

**Course Code: 16003100**

**Unit-I: Concept of Property and General Principles Relating to Transfer of Property**

- a. Concept of Property: Distinction between Movable and Immovable Property
- b. Conditions Restricting Transfer
- c. Definition of Transfer of Property
- d. Transferable and Non-Transferable Property
- e. Transfer to an Unborn Person and Rule against Perpetuity
- f. Vested and Contingent interest
- g. Rule of Election

**Unit-II: General Principles Governing Transfer of Immovable Property**

- a. Transfer by Ostensible Owner
- b. Rule of Feeding Grant by *Estoppel*
- c. Rule of *Lis pendens*
- d. Fraudulent Transfer
- e. Rule of Art Performance
- f. Actionable Claim

**Unit III: Specific Transfers**

- a. Mortgage: Definitions and Kinds, Rights and Liabilities of Mortgagor and Mortgagee
- b. Charge

- c. Sale and Gift
- d. Lease

#### **Unit IV- The Real Estate (Regulation and Development) Act, 2016**

- a. Concepts – Apartment, carpet area, common areas, development, estimated cost of real estate project, family, immovable property, internal development works, occupancy certificate, promoter, real estate agent, real estate project and sanctioned plan.
- b. Registration of Real Estate Project and Registration of Real Estate Agents.
- c. Functions and Duties of Promoter
- d. Rights and duties of allottees
- e. Real Estate Regulatory Authority, Central Advisory Council and Real Estate Appellate Tribunal
- f. Offences, Penalties and Adjudication

#### **Suggested Readings**

- 1. Mulla, *Transfer of Property Act*, Lexis Nexis, 2013
- 2. Avtar Singh, *Transfer of Property Act*, Universal Publishing Pvt Ltd., 2012
- 3. James Charles Smith, *Propert and Sovereignty (Law, Property and Society)*, Ashgate, 2014
- 4. Sandeep Bhalla, *Digest of Cases on Transfer of Property in India*, Eastern Book Company, 2<sup>nd</sup> Edn., 2012

### **Course Name : Public International Law**

### **Course Code: 16003200**

#### **Unit I: Introduction**

- 1. Nature and Development of International Law
- 2. Subject of International Law
  - i. Concept of Subject of Law And of Legal Personality
  - ii. States : Condition of Statehood, Territory And Underlying Principles, Sovereignty
  - iii. International Organisation: Concept, Right and Duties under International Law
  - iv. Status of Individual
  - v. Other Non State Actors
- 3. Relationship Between International Law and Municipal Law ( Practice in UK, USA, India, China & Russia)
  - a) *In Re Berubari Union No. (I)*, AIR 1960 SC 845 : (1960) 3 SCR 250
  - b) *Ram Kishore Sen v. Union of India* (1966) 1 SCR 430 : AIR 1966 SC 644
  - c) *Jolly George Varghese v. Bank of Cochin*, AIR 1980 SC 470 (1980) 2 SCC 360

- d) *Gramophone Company of India Ltd. v. Birendra Bahadur Pandey*, AIR 1984 SC 667 : (1984) 2 SCC 534
- e) *Union of India v. Sukumar Sengupta*, AIR 1990 SC 1692 : 1990 Supp. SCC 545
- f) *Vellore Citizens' Welfare Forum v. Union of India* (1996) 5 SCC 647
- g) *Vishaka v. State of Rajasthan*, AIR 1997 SC 3011 : (1997) 6 SCC 241
- h) *Gaurav Jain v Union of India & Ors*, AIR 1997 SC 3021
- i) *CIT v. P.V.A.L. Kulandagan Chettiar* (2004) 6 SCC 235

## Unit II: Sources of International Law

1. Treaties
2. Custom
3. General Principles
4. Jurist Works
5. General Assembly Resolutions, Security Council Resolutions
6. Other Sources
  - a) *Lotus Case (France v. Turkey)*, PCIJ, Ser. A, No. 10 (1927)
  - b) *North Sea Continental Shelf Cases*, ICJ Rep. 1969, p. 3
  - c) *Right of Passage over Indian Territory (Merits) (Portugal v. India)*, ICJ Rep. 1960, p. 6
  - d) *Asylum Case (Columbia v. Peru)*, ICJ Rep. 1950, p. 266
  - e) *Libya v. Tunisia Continental Shelf Case*, ICJ Rep. 1982, p. 17
  - f) *Libyan Arab Jamahiriya v. Malta*, ICJ Rep. 1985, p. 35
  - g) Advisory Opinion of ICJ on the *Effect of Awards of Compensation made by the United Nations Administrative Tribunal*, 1954 International Law Reports 310
  - h) *Island of Palmas Case (Netherlands v. United States)* (1928) Permanent Court of Arbitration, 2 R.I.A.A. 829
  - i) *Temple of Preah Vihear Case (Merits) (Cambodia v. Thailand)*, ICJ Reports 1962, p.6
  - j) Advisory Opinion of ICJ on the *Legality of the Threat or Use of Nuclear Weapons*, 35 *International Legal Materials* 809 (1996)
  - k) Advisory Opinion of ICJ on *Namibia*, ICJ Rep. 1971, p. 16
  - l) Advisory Opinion of ICJ in *Western Sahara Case*, ICJ Rep. 1975, p. 12
  - m) Advisory Opinion of ICJ in *Accordance with International Law of the Unilateral Declaration of Independence in Respect of Kosovo Case*, 2010

## Unit III: Recognition, Extradition and Human Rights

1. Recognition
  - i. Theories of Recognition
  - ii. *Defacto, Dejure* Recognition
  - iii. Implied Recognition
  - iv. Withdrawal of Recognition
  - v. Retroactive Effects of Recognition
2. Extradition and Asylum
  - i. State Jurisdiction
  - ii. Customary Law Basis
  - iii. Treaty Law
  - iv. The Nature of Obligation
3. Human Rights

- i. Human Rights: Concept, Basis and Evolution
- ii. Traditional Human Rights
  - a. Civil and Political Rights
  - b. Economic, Social and Cultural Rights
- iii. Third Generation Human Rights (Solidarity Rights)
- iv. Implementation of Human Rights at International Level
- v. Human Rights Council
- vi. European Convention on Human Rights
- vii. Protection of Human Rights in India

- a) *Vishaka v. State of Rajasthan*, AIR 1997 SC 3011
- b) *Gaurav Jain v Union of India & Ors.*, AIR 1997 SC 3021

#### **Unit IV Laws of the Sea**

- 1. Maritime Zones
  - a. Territorial Sea  
*Anglo-Norwegian Fisheries Case, (United Kingdom v. Norway)*, ICJ Rep. 1951, p. 116  
*Corfu Channel Case*, ICJ Rep. 1949, p. 4
  - b. Contiguous Zone
  - c. Continental Shelf
  - d. Exclusive Economic Zone
  - e. High Seas
- 2. Delimitation of Adjacent and Opposite Maritime Boundaries
  - a. *North Sea Continental Shelf Cases*, ICJ Rep. 1969, p. 3
  - b. *Libya v. Tunisia Continental Shelf Case*, ICJ Rep. 1982, p. 17
  - c. *Libyan Arab Jamahiriya v. Malta*, ICJ Rep. 1985, p. 35
  - d. Maritime Delimitation and Territorial Questions between Qatar and Bahrain (*Qatar v. Bahrain*), ICJ Rep. 2001, p. 40
- 3. Concept of "Common Heritage of Mankind" Relating to the Resources of International Seabed Area
- 4. International Tribunal for the Law of the Sea

#### **Suggested Readings :**

- 1. Oppenheim, *International Law*, Biblio Bazaar, LIC, 2010
- 2. James Crawford Brownlie, *Principles of International Law*, Oxford University Press, 2013
- 3. Starke, *Introduction to International Law*, Oxford University Press, 2013
- 4. Shaw, *International Law*, Cambridge University Press, 2008 (6<sup>th</sup> Edn)
- 5. A. Boyle & C. Chinkin, *The Making of International Law, Foundations of Public International Law*, Oxford University Press, 2007
- 6. R. P. Dhokalia, *The Codification of Public International Law*, United Kingdom: Manchester University Press, 1970
- 7. Mark Villiger, "The Factual Framework: Codification in Past and Present", in *Customary International Law and Treaties*, Mark Villiger, pp.63-113, The Netherlands: Martinus Nijhoff, 1985

8. S.K. Kapoor, *International Law, Human Rights*, Central Law Agency, 2009
9. Brownlie, *International Law and the Use of Force by States*, Oxford: Clarendon Press, 1991.

**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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