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B.A., LL.B. Five Year Integrated course

Paper 5.21 FAMILY LAW - I

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20(10 internal Exam
10 Project & Viva)

One is to provide adequate sociological perspectives so that the basic concepts relating to family are expounded in their social setting. The next objective is to give an overview of some of the current problems arising out of the foundational inequalities writ large in the various family concepts. The third objective is to view family law not merely as a separate system of personal laws based upon religious but as the one cutting, across, the religious lines and eventually enabling us to fulfill the constitutional directive of uniform civil code. Such a restructuring would make the study of familial relations more meaningful.

Module No-1

- (a) Application of Hindu Law
 - i. Who are Hindus
 - ii. Followers of Jainism, Sikhism and Buddhism
 - iii. Hindus by declaration. Birth
 - iv. Converts and reconverts to Hinduism
- (b) i. When one or both parents are Hindus
- ii. Persons who are not Muslims, Christians, Parsis or Jews by religion schedule tribe:

Module No-2

- (a) Concept of Marriage
 - i. Hindu Marriage a Sacrament or Contract
 - ii. Marriage under Hindu Marriage Act. 1955
 - iii. Forms of Marriage
- (b) i. Capacity to marry: Mental Capacity: Age
- ii. Ceremonies of Marriage
- iii. Guardianship in Marriage
- iv. Intercaste & Inter religious Marriages

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- v. Marriages between Hindus and Non Hindus:

Module No- 3

- (a) i. Sapinda Relationship and Degree of Prohibited Relationship
- ii. Bigamy: Should bigamy be permitted in some limited cases
- (b) i. Matrimonial Remedies
- ii. Nullity of Marriages
- iii. Option of Puberty
- iv. Restitution of Conjugal Rights
- v. Judicial Separation:

Module No- 4

- (a) i. Divorce: Desertion. Cruelty. Adultery & other grounds for Matrimonial relief
- ii. Wife's Special grounds for Divorce
- (b) i. Divorce by Mutual Consent
- ii. Theories of Divorce: Guilt Theory, Consent Theory. Irretrievable Breakdown of Marriage Theory of Divorce:

Module No- 5

- (a) Bars to Matrimonial Relief
- ii. Doctrine of Strict Proof
- (b) i. Taking Advantage of one's own wrong
- ii. Accessory
- iii. Connivance
- iv. Condonation
- v. Collusion
- vi. Delay
- vii. Other legal Grounds Reconciliation:

Module No- 6

Muslim Marriage

- (a) i. Concept of Marriage
- ii. Capacity to Marry
- iii. Kinds of Marriages
- (b) i. Classification of Marriage
- ii. Sahih Marriage
- iii. Batil Marriage
- iv. Fasid Marriage
- v. Guardianship in Marriage
- vi. Essential Validity:

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Module No- 7

- (a) Mahr
 - ii. Specified & Proper
 - iii. Dower as Debt: Its nature and enforcement
- (b) i. Divorce
 - ii. Express Talaq
 - iii. Implied & Contingent Talaq
 - iv. Delegated Talaq
 - v. Formalities of Talaq
 - vi. Talaq at the Instance of wife.

Case Laws:

1. Bhuauro v. State of Maharashtra. AIR 1965 SC 1564
2. Mahendra v. Sushila. AIR 1965 SC 364
3. Shamim Ara v. State of U.P. 2002 (4) RCR Civil 340
4. Kailashwati v. Ayodhia Prakash. 1977 PLR 216
5. M.M.Malhotra v. UOI & others. AIR 2006 SC 80
6. Seema v. Ashwani Kumar. AIR 2006 SC 1159
7. Vinita Saxena v. Pankaj Pandit. AIR 2006 SC 1662
8. Naveen Kohli v. Neelu Kohli. AIR 2006 SC 1676
9. Mohd. Ahmed Khan v. Shah Bano Begum. AIR 1985 SC 945
10. Daiel Latifi v. UOI. 2001 (7) SC 40

Reference:

1. Paras Diwan. Hindu Law (1985)
2. Paras Diwan. Muslim Law
3. Mulla. Muslim Law
4. Pyzee Outlines of Muslim Law
5. Tahir Mahmood. Hindu Law
6. Jaspal Singh. Law of Marriage and Divorce in India
7. N.D.Basu. Law of Succession
8. Aqil Ahmed (Muslim Law)

Paper 5.22 LABOUR LAW – I

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20(10 internal Exam
10 Project & Viva)

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Module- 1

The Industrial Disputes Act. 1947

- (a) Historical Development of Industrial Disputes: Legislation in India.
- (b) Object: scope and reasons
- (c) Definition of important terms:

Module- 2

- (a) Various modes of Settlement of disputes under I.D. Act. 1947
- (b) Voluntary Arbitration and compulsory Adjudication:

Module- 3

- (a) Strike and Lock- out
- (b) Lay off and Retrenchment:

Module- 4

The Trade Union Act. 1926

- (a) i. Definitions
 - ii. Registration of Trade Unions
- (b) i. Rights and Liabilities of Registered Trade Unions.
 - ii. Recognition of Trade Unions:

Module- 5

The Minimum Wages Act. 1948

- (a) i. Concept of Wages
 - ii. Minimum. Fair and Living Wages
- (b) Fixation and revision of minimum wages:

Module- 6

Maternity Benefits Act 1961

- (a) Nature of benefits. Eligibility. Other privileges available
- (b) Portraiture Role of Inspectors:

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Module- 7

The Payment of Bonus Act. 1965

- (a) Concept and basis for the Calculation of Bonus
- (b) Eligibility and disqualification for Bonus.

Suggested Readings

1. Vaid K.N. Labour Welfare in India
2. Kothari G.I. Wages Dearness Allowances and Bonus
3. Chopra D.S. Payment of Bonus Act. 1965
4. Misra S.N. Labour and Industrial Laws
5. Srivastava K.D. Commentary on Industrial Disputes Act. 1947
6. Srivastava K.D. Commentary on Minimum Wages Act. 1948
7. Srivastava K.D. Commentary on Trade Union Act. 1926
8. Seth D.D. Commentary on Industrial Disputes Act. 1948
9. O.P.Malhotra : The Law of Industrial Disputes
10. O.P. Malhotra: Law of Industrial Disputes
11. Bagri Industrial Disputes Act.
12. Pair : Labour Law in India

Paper 5.23 COMPANY LAW – I

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20(10 internal Exam
10 Project & Viva)

Aims and Objectives:

Industrialisation plays a very vital role in the economic development India. In the post independence era. The industrial regulation is employed as a principal means in the strategy for attaining constitutional values. Companies are no doubt powerful

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instruments for development. Besides bringing and financial benefits to the capital and labour they help amelioration of the living conditions of masses. In developing society like India. Vast various of consumer goods are manufactured or produced and different kinds of public utility services are generated both for general welfare and consumption purposes. Obviously it is beyond the capacity of one or a few entrepreneurs there is a looming danger of market risks. Hence taking recourse to the device of incorporation is the only efficacious way to surmount on such hurdles.

This course comprises of 7 parts of 6 hours duration. Each unit is further divided into two parts:

Module- 1

Definition, Evolution and Nature of company

- i. Advantages of Incorporation.
- ii. Disadvantages of Incorporation:

Module-2

- (a) Registration and Incorporation
 - i. Pre- incorporation
 - ii. Kinds of Companies
- (b) Conversion of private company into public company and public company into private company:

Module- 3

- (a) Memorandum of Association
- (b) Name clause
- (c) Registered office clause
- (d) Object clause necessity:

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Module -4

- (a) Doctrine of Ultravires
- (b) Consequences of Ultravires Transactions
- (c) Articles of Association and relationship between article of association and memorandum of association:

Module- 5

- (a) Binding force of Articles of Association
- (b) Alternation of Articles of Association
- (c) Constructive notice of memorandum of Association and Articles of Association:

Module- 6

- (a) Doctrine of Indoor Management
- (b) Exception to Doctrine of Indoor Management

Module- 7

- (a) Prospectus- Definition
- (b) Statement in lieu of prospectus
- (c) Remedies for misrepresentation in prospectus:

JUDGMENT:-

1. Corporation of India v. Escorts Ltd (1986) comp. cas. 548
2. New horizons ltd another v. Union of India (1995) comp. 100 (SC)
3. Lakshmanaswami Mydaliar v. HC. AIR 1963 SC 1185
4. Raymonds synthetics ltd v. Union of India (1992) 73 comp. cas. 762 (SC)
5. ICICI ltd v. Srinivas agencies (1996) (2) SCALE 774 (SC)

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6. Union of India v. Shalimar works ltd. (1987) comp. cas. 664
7. Bajaj Auto ltd. v. N.K. Firodia & Ors. AIR 1971 SC 321
8. Unity company v. Diamond suger mills. AIR 1971
9. M/s Madhusudan Goverdhan Das and Company v. Madhav Wollen Industries ltd. AIR 1971 SC 2600
10. Shanti Prasad Jain v. Kalinga Tubes ltd. AIR 1965 SC 1535

Suggested Readings

1. S.M.Shan: lectures on Company Law. N.M. Trapathi Mumbai
2. Avtar Singh : Company Law, Eastern Bool Co. Lucknows
3. Taxmans: Company Law and Practice.
4. A Ramaiya: Guide to Companies at. Wedhwa
5. S.M. Shaw :lectures on Company Law Trapathi Mumbai
6. Topham and I vamy : Company Law. Butterworth
7. I.C.B. Gower : Principles of Modern Company Law. Sweet and Maxwell. London
8. Palmer: Plamers Company Law. Stevans London

Paper 5.24 JURISPRUDENCE

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aims and Objectives:

The objective lies in opportunity for lawyers to bring theory and life into focus as it concerns human thought in relation to society. The course aims at developing an analytical approach to understand the nature of law and working of a legal system. The objective is to acquaint the students with contemporary concepts and trends in

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legal theory. Those concepts and methods of analysis of law which persons- the judges. Lawyers and jurists encounters in the course of their work are introduced.

Module – 1

- i. Meaning. Definition. Nature and Scope of Jurisprudence
- ii. Legal Theory and Jurisprudence
- iii. Sources of Jurisprudence (Customs. Legislations. Precedents):

Module – 2

- i. Natural School of Law (Greek, Medieval. Modern classical era. Reaction against positivism)
- ii. Analytical School of Jurisprudence: (Bentham. Austin. H.L.A Hart)

Module – 3

- i. Kelson's pure Theory of Law and its criticism
- ii. Historical School of Jurisprudence (Savigny, Puchta Henry Maine):

Module – 4

- i. Sociological School of Jurisprudence (Rescopound, thering, Duguit)
- ii. Realist School of Jurisprudence (Lewellyn, Karl. J.N. Frank. Oliverconna. Alf Ross):

Module – 5

- i. Rights and Duties
- ii. Property

Module – 6

- i. Possession

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- ii. Ownership:

Module – 7

- i. Liability
- ii. Obligation.

Case Laws:

1. **Maneka Gandhi v. U.O.I AIR 1978 SC 597**
2. **Keshawananda Bharti v. State of Kerala AIR 1973 SC 1461**
3. **Hussainarra Khatoon v. State of Bihar: AIR 1979 SC 1360**
4. **Olega Tellis v. Bombay Municipal Corporation. AIR 1986 SC 180**
5. **Ram Jawaya Kapoor v. State of Punjab. AIR 1955 SC 549**
6. **Mohd. Ahmed Khan v. Shah Bano Begum AIR 1985 SC 945**
7. **People's Union for Democratic Rights v. U.O.I AIR 1982 SC 1473**
8. **Parmanand Katara v. U.O.I AIR 1989 SC 2039**
9. **Bachan Singh v. State of Punjab AIR 1980 SC 898**
10. **State of Madras v. Champakam Dorajan. AIR 1951 SC 228**

Selection Bibliography:

1. **Bodenheimer Jurisprudence – The Philosophy and Method of Law**
2. **Dias Jurisprudence – Aditya Books (N.D)**
3. **Dhyani S.N. Jurisprudence Fundamentals of Jurisprudence**
4. **Mahajan V.D. Jurisprudence and Legal Theory**

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Paper 5.25 FORENSIC SCIENCE AND CRIMINAL INVESTIGATION

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module – I

The Role of Forensic Sciences in Criminal and Civil Cases:

- (a) The basic question in investigation – Qui Bono: the scene of crime: discovery of traces of physical evidence: classification and reference to classified record.
- (b) Systematization and classification of physical evidence and comparison with suspected: material: the principles of exchange the principles of heredity Taxonomy etc:

Module – 2

- (a) The Establishment of the Identity of Individuals:-
Branding, Tattooing, Multilating, Sears and Moles Bartillon System: Photography: Fingerprints: Ridge Characteristics: Proscopy
- (b) The Establishment of Partial Identity of Individuals:-
Footprints: Hair, Skin, Blood grouping, Physical Peculiarities

Module – 3

- (a) The Establishment of the Identity of Physical Objects by Shape and Size: Identifying marks and impressions made by physical objects: shoe prints: type and tread marks: die and tool marks: rupture or fracture marks.

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- (b) The Establishment of the Identity of Physical Objects by Physical and Chemical Analysis:
Paints: coloured objects: metals: alloys: Chain and the earthen wares: cements: plaster: bricks: dusts: soil: minerals: plastics:

Module – 4

Questioned Documents and the Identification of Handwriting:

- (a) Paper its types and identification: inks: pencils and writing tools: handwriting handwriting habit and flow: disguised writing comparison and points of identity: sample:
- (b) Various type of forgery and their detection: additions: erasures alterations: seals: rubberstamps : type- writing: printing: blocks:

Module – 5

The Identification of Fire- Arms and Cartridges and Related Problems:

- (a) Types of Fire- arms and their use: time and range of firing:
- (b) Identification of a fire- arm with a cartridge case and bullet:

Module –6

Injuries to Persons:

- (a) Evidentiary value of details of injuries: traces left by the weapon used: its range and direction: danger to clothing worn by the victim and related problems.
- (b) The flow of blood from injuries the shape and directions of blood drops and their evidentiary value. The discovery of blood and semen stains

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on various objects: accidental deaths and suicides:

Module- 7

- (a) Miscellaneous Forensic Science Methods:
Restoration of numbers:
examination of the walking picture of footprints: clothing: cooper wire: prices of wood etc.
- (b) Evidentiary value of Physical Evidence as Evaluated a Forensic Sciences Laboratory viz. Evidence: Findings of Scientific methods of investigation: DNA Narco analysis brain mapping and lie detector tests.

References:

1. Gour A.N. Fire Arms Forensic Ballistics. Forensic Chemistry and Criminal Jurisprudence:
2. Lucas A : Forensic chemistry and scientific criminal investigation.
3. I und quist F: Methods of Forensic Science (Vol. I)
4. Moreland N Science in Crime detection illustrated.
5. Kaul: Narco Analysis Brain Mapping and lie detector tests.

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