

**CHHINDWARA UNIVERSITY, CHHINDWARA**  
**LL.B. PART-I, SEMESTER-II, PAPER-I**  
**CONSTITUTIONAL LAW-II**  
**(Session 2020-21 and onwards)**

**Maximum marks : 80**

**UNIT-I Administration of Frinz Area**

1. Administration of Union Territories
2. The Panchayat and Municipalities
3. The schedule and tribal areas

**UNIT-II Legislative and Administrative relations:**

1. Distribution of Legislative Powers between Union and the States.
2. Power of Parliament to Legislate on State Matters.
  - Doctrine of Territorial Nexus.
  - Doctrine of Pith and Substance
  - Doctrine of Colourable Legislation.
3. Administrative relations
4. Dispute relating to water
5. Freedom of trade commerce and intercourse within territory of India

**UNIT – III Finance and Service**

1. Financial provisions: property, contracts, rights, liabilities obligation and Suit
2. Public service commissions, service under the Union and the States

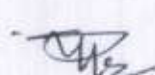
**UNIT IV Tribunals, Special other matters**

1. Tribunals,
2. Elections,
3. Special provisions-relating to certain classes,
4. Official language

**Unit V: Emergency Provisions & Amendment**

1. National emergency.
2. State emergency.
3. Financial emergency
4. Amendment of the constitution

  
(Dr. B.K. Anand)


Dr. Pamyanti Kedia 

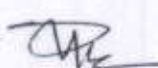
### Leading cases

1. Keshawanand Bharti v. Union of India AIR 1973 SC 1974.
2. Minerwa Mills v. UOI AIR 1980 SC 1790
3. Rudal Shah v. State of Bihar AIR 1983SC1086

### Selected Bibliography

1. D.D. Basu, Shorter Constitution of India, (1996), Prentice Hall of India, Delhi.
2. D.D. Basu- Introduction to Constitution of India. 2002 (Reprint) Wadhwa.
3. H.M. Seervai, Constitution of India, Vol. 1-3 (1992), Tripathi, Bombay
4. M.P. Singh (ed.), V.N. Shukla, Constitutional Law of India (2000), Oxford
5. Indian Constitution, V.N. Shukla.

  
(Dr. B.K. Akshaya)

Dr. Janyanti Kulkarni - 



# CHHINDWARA UNIVERSITY, CHHINDWARA

## LL.B. PART-I, SEMESTER-II, PAPER-II

### LAW OF CONTRACT-II

(Session 2020-21 and onwards)


Maximum marks : 80

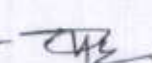
#### UNIT – I Indemnity

1. The Concept – Theories of contract
2. Need for indemnity to facilitate commercial transactions
3. Method of creating indemnity obligations
4. Definition of indemnity
5. Nature and extent of liability of the indemnifier
6. Commencement of liability of the indemnifier
7. Situations of various types of indemnity creations
8. Documents/agreements of indemnity
9. Nature of indemnity clauses
10. Indemnity in case of International transactions
11. Indemnity by Governments during interstate transactions

#### Guarantee

1. The concepts
2. Definition of guarantee: as distinguished from indemnity
3. Basic essentials for a valid guarantee contract
4. The place of consideration and the criteria for ascertaining the existence of
5. Consideration in guarantee contracts
6. Position of minor and validity of guarantee when minor is the principal debtor, creditor or surety
7. Continuing guarantee
8. Nature of surety's liability
9. Duration and termination of such liability
10. Illustrative situations of existence of continuing guarantee
11. Creation and identification of continuing guarantees
12. Letters of credit and bank guarantee as instances of guarantee transactions
13. Rights of surety:
14. Position of surety in the eye of law
15. Various judicial interpretations to protect the surety
16. Co-surety and manner of sharing liabilities and rights
17. Extent of surety's liability
18. Discharge of surety's liability

  
(Dr. B. K. Akadia)

Dr. Damyanti Kataria - 

## **UNIT – II Bailment**

1. Identification of bailment contracts in day today life
2. Manner of creation of such contracts
3. Commercial utility of bailment contracts
4. Definition of bailment
5. Kinds of bailees
6. Duties of bailor and bailee towards each other
7. Rights of bailor and bailee
8. Finder of goods as a bailee
9. Liability towards the true owner
10. Obligation to keep the goods safe
11. Right to dispose of the goods
12. Pledge
13. Pledge: comparison with bailment
14. Commercial utility of pledge transactions
15. Definition of pledge under the Indian Contract Act
16. Other statutory regulations (State & Centre) regarding pledge, reasons for the same
17. Rights of the pawner and pawnee
18. Pawnee's right of sale as compared to that of an ordinary bailee
19. Pledge by certain specified persons mentioned in the Indian Contract Act

## **UNIT-III Agency**

1. Identification of different kinds of agency transactions in day to day life in the commercial world
2. Kinds of agents and agencies
3. Distinction between agent and servant
4. Essentials of agency transaction
5. Various methods of creation of agency
6. Delegation
7. Duties and rights of agent
8. Scope and extent of agent's authority
9. Liability of the principal for acts of the agent including misconduct and tort of the agent
10. Liability of the agent towards the principal
11. Personal liability towards the parties
12. Methods of termination of agency contract
13. Liability of the principal and agent before and after such termination

## **UNIT-IV Law Relating to Partnership**

1. Definition and Nature of Partnership/Firm/Duties
2. Relationship between partner's mutual rights duties.

*Dr. B. K. Akodia*  
*Dr. Damyanti Katoe*



3. Implied Authority of Partners, Emergency.
4. Liability of Partners
5. Doctrine of Holding out.
6. Incoming and outgoing partner – their rights liabilities
7. Dissolution – Kinds, consequences.
8. Registration of firm and Effect of non-registration.

#### **UNIT-V Sale of Goods**

1. Concept of sale as a contract
2. Illustrative instances of sale of goods and the nature of such contracts
3. Essentials of contract sale
4. Essential conditions in every contract of sale
5. Implied terms in contract sale
6. The rule of caveat emptor and the exceptions thereto under the sale of Goods Act
7. Changing concepts of caveat emptor
8. Effect and meaning of implied warranties in the sale
9. Transfer of title and passing of risk
10. Delivery of goods: various rules regarding delivery of goods
11. Unpaid seller and his rights
12. Remedies for breach of contract

#### **Leading case:**

1. M.S. Anirudhan V. Thomko Bank Ltd. AIR 1963 SC 746
2. Badri Prasad V. State of MP & Others AIR 1966 SC 58
3. UOI V. Amar Singh AIR 1960 SC 233
4. State Of MP & Others V. Kalua Ram & Others AIR 1967 SC 1105

#### **Select Bibliography**

1. R.K. Abhichandani (ed.) Pollack and Mullah on Contract and Specific Relief Acts (1999) Tripathi, Bombay.
2. Avtar Singh, Contract Act (2000), Eastern Lucknow.
3. Krishnan Nair, Law of Contract, (1999) Orient.
4. Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase (1998), Eastern Lucknow
5. J.P. Verma (ed.), Singh and Gupta, The Law of partnership in India (1999), Orient Law House, New Delhi
6. A.G. Guest (ed.), Benjamin's Sale of Goods (1992), Sweet & Maxwell.
7. Bhashyam and Adiga, The Negotiable Instruments Act (1995), Bharath,
8. Allahabad.
9. M.S. Parthasarathy (ed.), Ansons' Law of Contract, (1998), Oxford, London.
10. Saharaya, H.K. Indian Partnership and sale of Goods Act (2000), Universal.

*(Dr. B.K. Atreolia)*

Dr. Damyanti Katoke

# CHHINDWARA UNIVERSITY, CHHINDWARA

## LL.B. PART-I, SEMESTER-II, PAPER-III

### FAMILY LAW II (MUSLIM LAW)

(Session 2020-21 and onwards)

Maximum marks : 80

#### UNIT-I Muslim Law

1. Origin and development of Muslim Law,
2. Who is Muslim?
3. Conversion to Islam,
4. Schools of Muslim law and sources of Muslim law

#### UNIT-II Marriage & Divorce

1. Kind of Marriage, (Nikah) (Muta Marriage)
2. Option of puberty,
3. Meher (Dower).
4. Dissolution of Marriage under Muslim Law: (Divorce) Talaq, Ila, Khula, Mubarrat, Talaq-eTafweed, Lian, Faskh etc.
5. Dissolution of Muslim Marriage Act, 1939.

#### UNIT – III Guardianship & maintenance

1. Guardianship – elements, type
2. Maintenance of Wives with Special Reference to Section 125 Cr. P.C.
3. Shah Banu Case and the Ensuing Legislation.

#### UNIT-IV Will, Gift and Wakf

1. Wills,
2. Gift.
3. Doctrine of musha and pre-emption,
4. Wakf

#### UNIT-V Parentage and inheritance

1. Parentage and acknowledgement
2. Succession and Death bed transaction

#### Leading Cases:

1. Mohd. Ahmed khan v. Shah Bano Begam (AIR 1985 SC 945)
2. Kapoorchand v. Kidar Nissa. (AIR 1953 S.C. 412)

*(Dr. B.K. Akedia)*

*Dr. Danyanti Katoke - [Signature]*



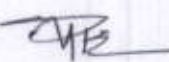
3. Bai Tahira v. Ali Hussain AIR 1979 SC 362

4. Maina Bibi v. Chodhari Vakil Ahamad & Others AIR 1952 PC 145

**Select Bibliography -**

1. Mulla, Mohammedan Law
2. Dr. Paras Diwan, Muslim Law in Modern India
3. Aquil Ahmed, Mohammedan Law
4. Fyzee, Introduction to Mohammedan Law
5. Schat Mohammedan, Jurisprudence
6. Coulson, Principles of Mohammedan Law
7. Jhabvala, Principles of Mohammedan law

  
(Dr. B.K. Akoolia)

Dr. Damyanti Keshri. 

# CHHINDWARA UNIVERSITY, CHHINDWARA

## LL.B. PART-I, SEMESTER-II, PAPER-IV

### LAW OF CRIMES - (CRIMINAL PROCEDURE CODE)

(Session 2020-21 and onwards)

Maximum marks : 80

#### UNIT- I Introduction

- 1) Object extent and scope of Criminal Procedure
- 2) Nature of Criminal Procedure
- 3) Preliminary Considerations
  - a. Definitions
  - b. Classification of offences
  - c. Constitution of Criminal Courts
  - d. Functionaries under the Code

#### UNIT- II Arrest (Ss. 41 to 44, S.47 S.48 to 50A and S.54 to 60A)

- 1) Meaning and purpose of arrest
- 2) Arrest with a warrant
- 3) Arrest without a warrant
- 4) Arrest by a private Person
- 5) Arrest of a woman
- 6) Arrest how made
- 7) Rights of Arrested Person

#### UNIT- III Search and Seizure (S.165, 166 and Ss.91 to 100)

- 1) Search with a warrant
- 2) Search without warrant
- 3) General provisions relating to searches
- 4) Illegalities in a search and its consequences

#### Maintenance of Wives, Children and Parents

(Ss. 125 to 128)

*(Mr. B.L. Jadhav)*

Dr. Damyanti Khatke



- 1) Essential conditions for granting maintenance
- 2) Jurisdiction of Magistrates
- 3) Alteration of allowance
- 4) Cancellation of the order of the maintenance

#### **UNIT – IV Investigation (Ss. 154 to 164 and 167 to 176)**

- 1) Meaning and purpose of Investigation
- 2) Who can investigate?
- 3) When police can investigate?
- 4) Information to the police
- 5) F.I.R. and procedure after the recording of the F.I.R
- 6) Evidentiary value of statements made to the police
- 7) Investigation in the case of unnatural deaths and suicides, in police custody etc.
- 8) Cognizance

#### **Charge (Ss.211 to 224)**

- 1) Framing of charge
- 2) Form and content of charge
- 3) Joinder of Charges
- 4) Discharge - pre-charge evidence

#### **UNIT – V**

#### **Trials (Ss.225 to 265, Ss.406 to 412, S.265A to 265L and S.467 to 473 )**

- 1) Trial before a court of session
- 2) Trial of warrant cases
- 3) Summon Trial
- 4) Summary Trials
- 5) Plea Bargaining
- 6) Transfer of Criminal Cases
- 7) Limitation for taking cognizance of certain offences

#### **Appeals, Reference and Revision (Ss. 372 to 405)**

- 1) Appeals: Concept and Basic Provisions
- 2) Reference: Concept and Basic Provisions
- 3) Revision: Concept and Basic Provisions

#### **Bail (Ss.436 to 439)**

- 1) Bail: concept, purpose: constitutional overtones
- 2) When release on bail is mandatory?

*(Dr. B. K. Akedie)*

Dr. Damyanti Katre - *AKS*


- 3) When release on bail is Discretion?
- 4) Anticipatory bail

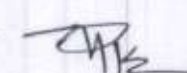
### Leading Case

1. Abdul Saleem V. Smt Najima Begam AIR 1980 CRLJ 232
2. Swaroop Chndra V. State Of Gujrat AIR 1980 CRLJ 151
3. Nilbati Bahera v. State of Odisha AIR 1993 S.S.C 746
4. Jogindar Kumr V. State Of Up & Others AIR (1994) SCC 260

### Selected Bibliography

1. Ratanlal Dhirajlal, Criminal Procedure Code (1999), Universal, Delhi
2. Chandrasekharan Pillai, ed., Kelkar Lectures on Criminal Procedure (2001), Eastern Lucknow
3. Principles and commentaries on the Code of Criminal Procedure. 2 Vol. (2000) Universal.
4. Woodroffe: Commentaries on Code of criminal Procedure, 2. vol. (2000) Universal

  
(Mr. B.K. Anandia)

Dr. Damyanti Kataria - 



# CHHINDWARA UNIVERSITY, CHHINDWARA

## LL.B. PART-I, SEMESTER-II, PAPER-V

### LAW OF HUMAN RIGHTS

(Session 2020-21 and onwards)

Maximum marks : 80

#### UNIT-I

1. Meaning and Concept of Human Rights :
2. Evolution and Development of Human Rights Law :
  - a. Impact of Natural Law and Natural Rights
  - b. Broadening of Contents

#### UNIT-II

1. Human Rights and the United Nations
  - a. Charter Provisions
  - b. International Protection of Human Rights

#### UNIT-III

1. Universal Declaration of Human Rights
2. International Covenants and the Protocols
  - a. Civil and Political Rights
  - b. Economic, Social and Cultural Rights

#### UNIT-IV

1. Regional Protection of Human Rights :
  - a. European Convention
  - b. American Convention

#### UNIT-V

1. Impact and Implementation of International Human Rights Norms in India
2. Human rights norms reflected in fundamental rights in the constitution
3. Directive principles: legislative and administrative implementation of international human rights norms through judicial process
4. Enforcement of Human Right in India
5. Role of courts: the Supreme Court, High Courts and other courts
6. Statutory commissions- human rights, women, minority and backward class

#### Selected bibliography


1. S.K. Awasthi and R.P. Kataria. Law Relating to Human Rights, Orient New

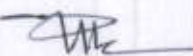
2. Delhi.

(Dr. B. S. Anand)

Dr. Samyanti Kataria

3. Human Rights Watch women's Rights Project, The Human Rights Watch
4. Global Report on women's Human Rights (2000) Oxford.
5. Ermacora, Nowak and Tretter. International Human Rights (1993), Sweet
6. & Maxwell.
7. Wallace, International Human Rights: Text & Materials (1996), Sweet &
8. Maxwell.
9. Human Rights and Global Diversify (2001), Frank Cass, London.
10. Nirmal. B.C., The Right to Self determination in International (1995). Deep

  
(Dr. B. K. Akadia)

Dr. Damyanti Ketece - 



# CHHINDWARA UNIVERSITY, CHHINDWARA

## LL.B. PART-I, SEMESTER-II, PAPER-VI

### ENVIRONMENTAL LAW

(Session 2020-21 and onwards)

Maximum marks : 80

#### UNIT I General Background

1. Problems of Environmental Pollution and Protection
2. History of Indian Environmental Laws
3. Importance and Scope of Environmental Laws
4. International Perspective of Environmental Law

#### UNIT II Constitutional Aspects:

1. Distribution of Legislative Power
2. Directive Principles of State Policy
3. Fundamental Duties
4. Fundamental Rights

#### UNIT III Legal Controls

The Wildlife protection Act, 1972. (An overview)

The Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

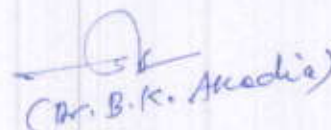
- a. Salient Features of the Acts
- b. Definitions
- c. Authorities - Composition, Power and Function
- d. Mechanism to Control the Pollution
- e. Sanctions

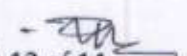
#### Environment (Protection) Act, 1986:

- a. Definition of 'Environment'
- b. Salient Features of the Act
- c. Authorities - Composition, Powers, Functions
- d. Mechanism to Control Environmental Pollution
- e. Sanctions

#### Unit IV. Emerging Principles: Historical Background and Judicial Approach in India

1. PIL relating to environment
2. Polluter Pays Principle
3. Precautionary Principle
4. Public Trust Doctrine

  
(Dr. B.K. Akash)

Dr. Damyanti Keshari -   
Page 13 of 14

5. Sustainable Development

**UNIT V. Environmental Dispute and Grievance Settlement Mechanism:**

1. . The National Green Tribunal, 2010

**Leading Case Laws:**

1. M.C. Mehta vs. Union of India (AIR 1987 SC 965, 982, 1086)
2. Municipal Council, Ratlam vs. Vardhichand and Others (AIR 1980 SC 1622).
3. Rural Litigation And Entitlement vs State Of U.P. & Ors 1985 AIR 652
4. Indian Council for Enviro-Legal ... vs Union of India and Ors. 1996 AIR 1446,

**Selected Bibliography**

1. Armin Rosencranze, et. Al. (eds.) Environmental Law and Policy in India
2. (2000), Oxford
3. R.B. Singh and Suresh Mishra, Environmental Law in India (1996), Concept
4. Pub. Co., New- Delhi
5. Kailash Thakur, Environmental Protection Law and Policy in India (1997),
6. Deep and Deep Pub. New Delhi.
7. Richard L. Riverz et. al. (eds.), environmental Law, The Economy and
8. sustainable Development (2000) Cambridge.
9. Christopher D. Stone, Should Trees Have Standing and other Essays on law,
10. Moral and environment (1996), Oceana.
11. Leelakrishnan, P. et. al. (eds.) Law and Environment (1990), Eastern Lucknow.
12. Leelakrishnan, P. The Environment Law in India (1999), Butterworths India

  
(Dr. B.K. Asolia)

Dr. Damyanti Kutece . 