

RJSL-VGU

Syllabus For LLB

SEMESTER-V

INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

Course Code: LLB501
Maximum Marks: 100

L-T-P: 3-
1-0
Course Type:
Core

INTERPRETATION OF STATUTES

UNIT-I : Meaning of Interpretation - Basic principles of interpretation: Intention of the

UNIT-II: Legislature: Statute should be read as a whole, Literal or grammatical interpretation Harmonious Construction, Golden and Mischief Rule - Utres magis quam valeat quam pereat.

UNIT-III: Aids to Interpretation –

(a) External - Parliamentary - Legislative debates, Statement of objects and reasons Dictionary, Statutes in Peri-materia, Contemporanea expositio

(b) Internal- Title, Preamble, Heading, Marginal Notes, Proviso and Punctuation. Principle of Interpretation of Constitution and Penal and Fiscal Statutes.

UNIT-IV: Delegatus non-protest delegate, Ejusdem Generies, Pith and Substance Rule. Expression uniuestet exclusion alterius. Non-obstance clause, Mandatory and Directory provision Noscitur a Sociis, Redendo do Singula Singulis Operation, Expiry and Repeal of Statutes.

UNIT-V Principles of Legislation

SUGGESTED READINGS:

1. G.P. Singh : Interpretation of Status
2. Swarup J. : Interpretation of Statutes
3. Bindra : Interpretation of Statutes
4. Sarathi : Interpretation of Statutes
5. Bhattacharya T. : Interpretation of Statutes

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SEMESTER-V ENVIRONMENTAL LAW

Course Code: LLB502
Maximum Marks: 100

L-T-P: 3-1-0
Course Type: Core

INTRODUCTION OF THE COURSE:

Since the inception of human history, environment has played a vital role in sustaining life and catering to the needs of the human beings. In fact, nature has made a significant contribution through the ages in influencing different customs, cultures, civilizations and development of mankind. But in due course of time man has lost the sense of gratitude for the benevolence of nature. The passion for industrialization, urbanization, modernization and technological development has become predominant at the cost of environmental protection and this has led to the over-exploitation of the environment and natural resources. The tremendous growth in population and urbanization have created the problems such as deforestation, land degradation, huge generation of chemicals and toxic wastes, pollution of air, water and marine ecosystems, loss of biodiversity, ozone layer depletion, global warming and climate change etc.

At present environmental pollution and degradation has become one of the biggest hazards not only to human existence but also to the existence of all the gifts that nature has bestowed on mankind. Unless immediate and urgent steps are taken to control environmental pollution, a bleak and terrible future awaits the humanity. This fact has accelerated the emergence of different legal measures at international and national level for protection of environment and prevention of pollution. In such a situation the role of national governments, the role of individuals and that of society has become very important. Today, Environmental Law is one of the most important tools for environment protection and management and hence it is necessary for Law Students to understand this multidisciplinary subject. This course introduces the multidisciplinary subject of environmental law and is designed to create among the students-

- a) Awareness regarding the problem of environmental pollution and Law as a means of prevention of environmental pollution and protection of environment.
- b) A spirit of inquiry to explore the development of international environmental law and its application in India for the protection of environment.
- c) To make the students aware about the provisions under the Indian Constitution for protection of environment and the various legislative measures. It also provides an opportunity to the students to understand the activist role played by Indian Judiciary in protection of environment and evolution of different principles such as polluter pay principle, precautionary principle, inter-generational equity and sustainable development.

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At the end of this course the students would be familiar with the overall environmental legal regime of the country as well as its international obligations. It would equip the students with basic knowledge and skills to understand environmental issues.

- UNIT-I** The Environment (Protection) Act, 1986 - Objects and reasons of the act
- UNIT II** Definition - General Powers of the Central Government to issue directions, Prevention, control and Abatement of Environmental pollution ; Penalties and Procedure. Standards for emission or discharges of environmental pollutants.
- UNIT-III** The Air (Prevention & Control of Pollution) Act, 1981 Application of the Act, Definitions - Constitution, Powers and Functions of Central and State Boards for Prevention and Control of Air Pollution. Powers of the State Government; Penalties and Procedures; Rules and Procedures.
- UNIT-IV** The Water (Prevention and Control of Pollution) Act, 1974 - Application of the Act, Definitions - Constitution, Powers and Functions of Central and State Boards, Joint Boards for Prevention and Control of Water Pollution; Power of State Governments; Penalties and Procedures,
- UNIT-V** Law relation to prevention and control of air, water and noise pollution in Rajasthan, excluding rules, a,b,c as under:
(a) The Rajasthan Water (Prevention & Control of Pollution) Rules, 1975
(b)The Rajasthan Water (Prevention & Control of Pollution) Appeal Rules, 1977
(c) The Rajasthan Air (Prevention & Control of Pollution) Rules, 1983.
(d) The Rajasthan Noise Control Act. 1963 - Judicial activism to protect environmental pollution.

SUGGESTED READINGS:

1. The Water (Prevention & Control of Pollution) Act. 1974 as amended up- to-date
2. The Air (Prevention & Control of Pollution) Act, 1981 as amended up-to-date
3. The Environment (Protection) Act, 1986.
4. The Rajasthan Noise Control Act, 1963
5. Goyal, Sunil ;Porwal, Sunil and Maheshwari. K.G. - Manual of Pollution control Laws in India, 1988.
6. Lal's Comments on Water and Air Pollution Laws, 1986
7. Jain, Suresh & Jain, Vimla - Environmental Law in India.
8. Gurbax Singh Karkara - Environment & Pollution Laws.

ADDITIONAL SUGGESTED REFERENCES:

Books:

1. S.C. Shastri, *Environmental Law*, (3rd Edn.), Eastern Book Company, Lucknow, 2008.
2. I.A. Khan, *Environmental Law*, (2ndEdn.), Central Law Agency, Allahabad, 2002.
3. Amod S. Tilak, *Environmental Law*, (1stEdn.),Snow White Publication, Mumbai.

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4. Shyam Divan and Armin Rosencranz, *Environmental Law and Policy in India*, Oxford University Press, New Delhi, 2005.
5. MaheshwaraSwamy, *Textbook on Environmental Law*, (2ndEdn.), Asia Law House, Hyderabad, 2008.
6. P Leelakrishnan, *Environmental Law in India*, (2ndEdn.), Lexis Nexis, New Delhi, 2005.

Articles:

1. AkshaySarathi, 'Sustainable Development: Implementation Issues', A Socio-Political Journal of Symbiosis Society, Vol. 3, 2006.
2. MadhumitaDhar Sarkar, 'Contribution of Indian Judiciary towards the Development of Environmental Jurisprudence', AIR 2005 Journal 298.
3. Abhijit Sen, Environmental Pollution and Role of Judiciary, AIR 1997 Journal 34.

Cases:

1. Municipal Council, Ratlam vs. Vardichand (1980 (4) SCC 162
2. Rural Litigation and Entitlement Kendra, Dehradun vs. State of Uttar Pradesh (AIR 1988 SC 2187).
3. Subhash Kumar vs. State of Bihar (AIR 1991 SC 420).
4. Virender Gaur vs. State of Haryana (1995 (2) SCC 577).
5. T. Damodar Rao vs. The Special Officer, Municipal Corporation of Hyderabad (AIR 1987 AP 171).
6. A.P. Pollution Control (II) vs. Prof. M. V. Nayadu, (1999) 2 SCC 718
7. Olga Tellis vs. Bombay Municipal Corporation (AIR 1986 SC 180).
8. BanvasiSeva Ashram vs. State of Uttar Pradesh (AIR 1987 SC 374).
9. State of Uttar Pradesh vs. Raj Narain (AIR 1975 SC 865).
10. S.P. Gupta vs. Union of India, (AIR 1982 SC 149).
11. Reliance Petrochemicals Ltd. vs. Proprietors of Indian Express Newspapers Bombay Pvt. Ltd. (AIR 1989 SC 190).
12. M.C. Mehta vs. Kamal Nath (AIR 2000 SC 1997).
13. Indian Council for Enviro-Legal Action vs. Union of India, (1996 (3) SCC 212).
14. S. Jagannath vs. Union of India (Shrimp Culture Case) (AIR 1997 SC 811).
15. Goa Foundation vs. Konkan Railway Corporation, (AIR 1992 Bom.171).
16. Vellore Citizens Welfare Forum vs. Union of India, (AIR 1996 SC 2715).
17. Narula Dyeing and Printing vs. Union of India, (AIR 1995 Guj. 185).
18. M.C. Mehta vs. Union of India, (Shriram Food and Fertilizer Case) (1986) 2 SCC 176).
19. Ganga Pollution Cases
20. A.P. Pollution Control Board vs. Prof. M.V. Nayudu, (2001 (2) SCC 62).
21. Bombay Environmental Action Group vs. State of Maharashtra, (AIR 1991 Bom 301).

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SEMESTER-V

CRIMINOLOGY, VICTIMOLOGY AND PENOLOGY

Course Code: LLB503
Maximum Marks: 100

L-T-P: 3-1-0
Course Type:

Core

UNIT -I

Introduction: Notion of punishment in law; Difference between crime prevention and control; Theories of punishments and introduction of criminology.

UNIT - II

Kinds of punishment; Sentencing policies and processes; The riddle of capital punishment.

UNIT - III

Prison reforms; Alternatives to imprisonment; Victimology- Introduction, history and philosophy.

UNIT - IV

Victimology- European experience; American experience Victim witness assistance programmes Restitution.

UNIT - V

Victimology - Indian experience Legal framework Role of Courts Role of NHRC.

Criminology- meaning, nature, scope and theories of crime.

SUGGESTED REFERENCE BOOK

Edwin H Sutherland, Criminology

Ahmad Siddique, Criminology

V N Rajan, Victimology in India

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SEMESTER-V

LEGAL RESEARCH METHODOLOGY

Course Code: LLB504
Maximum Marks: 100

L-T-P: 3-
1-0
Course Type:
Core

Module I: INTRODUCTION

- a. Definition and Meaning of Research – Objectives- Motivation – Significance- Interrelation between Research and Knowledge- Levels and Types of Knowledge
- b. Types of Research – Descriptive vs. Analytical, Applied vs. Fundamental, Quantitative vs. Qualitative, Conceptual vs. Empirical, and other types like Historical and Action Research

Module II: LEGAL RESEARCH

- a. Definition and Meaning of Legal Research- Objectives- Motivation- Significance
- b. Objectives & Research Process Types- Evaluative, Explicative, Identificatory, Projective, Collative, Impact Analysis, Interactive, Interpretative
- c. Social Value and Research, Logic and Research, Scientific Method and Research

Module III: RESEARCH METHODS

- a. Doctrinal or Traditional Research Methods- Meaning, Characteristics, Merits and Demerits
- b. Non-Doctrinal or Empirical Research- Meaning, Characteristics, Merits and Demerits
- c. Socio- Legal Research Methods: Need and Significance
- d. Induction and Deduction Research Methods

Module IV: RESEARCH METHODS IN LEGAL RESEARCH

- a. Research Method and Research Methodology- Definition, Meaning, Significance
- b. Doctrinal Research Method and the various steps
- c. Non-Doctrinal Research Method and the various steps
- d. Qualities of a Good Researcher

Module V LEGAL WRITING

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- a. Legal Writing – Meaning and Significance
- b. Research Report Writing – Dissertation & Thesis
- c. Footnotes – Blue Book Citations - ILI Format – MLA Format
- d. E-Resources and Plagiarism

FURTHER READINGS

1. Agrawal S.K., Legal Education in India, Tripathi Publishers, Bombay (1973)
 2. Anderson J Durstan; B. H. Pooli, Thesis and Assignment Writing, Eastern Books Limited, New Delhi, (1977)
 3. Brayne H., N. Duncan, R. Grimes, Clinical Legal Education Active Learning in Your Law School, Oxford, (1998)
 4. Goode W. J., Hatt P.K., Methods of Social Research, McGraw Hill, New York, (1962)
 5. Jain S.N., Legal Research & Methodology, Indian Law Institute Publication, (Ed) Tripathi Pvt. Ltd., Bombay (1983)
 6. Prof. Tushar Kanti Saha, Textbook on Legal Methods, Legal Systems and Research, Universal Law Publishing Co., New Delhi (2010).
2. Tiwari H.N., Legal Research Methodology, Allahabad Law Agency, Haryana, 1997, 2003
 2. Kothari C.R., Research Methodology: Methods and Techniques, 2nd Edition, New Age International Publishers

SEMESTER-V

PUBLIC INTEREST LITIGATION

Course Code: LLB605
Maximum Marks: 100

L-T-P: 3-1-0
Course Type: Core

UNIT 1: Nature and Scope of PIL in India

- 1.1 Meaning and Concept of PIL

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1.2 Scope of PIL

1.3 Origin and Development of PIL

1.4 Merits and Demerits of PIL

UNIT 2: PIL and Other Modes of Litigations

2.1 PIL and Locus Standi

2.2 PIL and Writ Jurisdiction

2.3 Judicial Activism and PIL

UNIT 3: Procedure of PIL

3.1 PIL under Article 32 and 226

UNIT 4: Drafting of PIL

Procedure and Remedies

UNIT 5: Overview of Landmark Judgments

4.1 Peoples Union for Democratic Rights v. Union of India (AIR 1982, SC 1473).

4.2 M.C Mehta V. Union of India (1988) 1 SCC 471

4.3 Parmanand Katara V. Union of India – (AIR 1989, SC 2039)

4.4 Council For Environment Legal Action V. Union Of India - (1996)5 SCC 281:

4.5 Vishakha V/s State of Rajasthan (AIR 1997, SC 3011)

REFERENCE BOOKS:

1. Public Interest Lawyering, Legal – Aid and Para – Legal Services by Prof. Kailash Rai.

2. Public Interest Litigation by J. Gulab Gupta.

3. Public Interest Litigation by Dr. B.L. Wadhwa.

4. Legal Services, Public Interest Litigations and Para-Legal Services- Dr. S. S. Sharma.

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V SEMESTER INTELLECTUAL PROPERTY RIGHTS LAW

Course Code: LLB505
Maximum Marks: 100

L-T-P: 3-1-0
Course Type: Core

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- UNIT-I** Property: Concept, Acquisition, Kinds of Intellectual Property, Definition, Concept, Development and Protection of Intellectual Property Rights at International Level
- UNIT-II** The Copy Right Act 1956 – as amended
- UNIT-III** The Trade Marks Act 1999 – as amended
- UNIT-IV** The Patent Act 1970 – as amended
- UNIT-V** Information Technology Act 2000 – Important Definition, Digital Signature Electronic Governance, Electronic Record, Digital Signature Certificate, Certified Authority, Offences and Penal Provisions, Cyber Registration Appellate tribunal.

SUGGESTED READINGS:

1. M.K. Bhandari : Intellectual Property Rights
2. S.P. Salarkar : Intellectual Property Rights
3. Vikas Vashisth : Intellectual Property Rights
4. P.S. Narayan : Intellectual Property Rights
5. R.K. Nagarjan : Intellectual Property Rights

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SEMESTER-V

MOOT COURT EXERCISE AND INTERNSHIP

Course Code: LLB506
Maximum Marks: 100

L-T-P: 3-1-0
Course Type:

Core

A. MOOT COURT (30 MARKS) REQUIREMENTS:

1 Three Moot Courts in the year

2 10 Marks for each

3 The Moot Court shall be based on assigned problem to be prepared by the faculty concerned

4 Evaluation by principal/ head concerned, an advocate and teacher concerned

5 Out of 10 Marks allotted for each problem 5 Marks are to be allotted for written

Submission and 5 Marks for oral advocacy a Written submission shall include brief summary of facts, issues involved revisions of land agreements, citation, prayer etc. b Marks for oral advocacy may be awarded for communications skills, presentation, language, provisions of law, authorities quoted, court manners etc.

B. OBSERVANCE OF TRIAL (20 Marks) in two cases, one Civil case minimum and record his observations step by step of different stages of litigations/ proceedings in the 2/3 years of 3 years law course of 4/5 year in 5years law course

C. INTERVIEWING TECHNIQUES AND PRE- TRIAL PREPARATIONS (30 Marks)

REQUIREMENTS:

1. Each student has to maintain a dairy to record Interaction with clients, preparation of documents and court papers

2. The students should observe two interviewing sessions with clients at lawyers office/ legal Aid Office this shall be recorded in the dairy which will carry 15 Marks

3. Each student will further observe the preparation of documents and court paper and record such observance in the dairy. This carries 7.5 Marks

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4. Each student shall observe the procedure for filling the petition and record the same in the dairy. This carries 7.5 Marks
- 5 The dairy shall clearly indicate the dates on which the above observations are made and shall be authenticated by the advocate concerned
6. Evaluation of the above dairy shall be made by the teacher concerned and the advocate
7. There shall be a viva – voce examinations all the above three components. This carries 20 Marks

PROJECT REPORT

VIVA VOICE

SUGGESTED READINGS:

- 1.Myneni .S.R- Moot Court Pre-trial Preparation & Participation in trial Proceedings & Viva-voce
- 2.Hill & Jeffry:A Prctical Guide to Mooting,2009
- 3.Narayana.P.S-Law Relating to Lok Adalat4th ed.,r/p 2010
- 4.Rai, Kailash-Moot Court, 4th ed 2009
- 5.Sarkar.S.K-Law Relating Lok Adalat,2nd ed-2006
- 6.Sirohi.J.P.S.-Moot Court, Pre-Trial Preparation 1st ed-2006
- 7.Tewari,O.P-Moot Court, Pre-Trail,1st ed.2007