

Detailed Program Scheme
BA LL.B.
(Five years integrated Law Programme)

Semester-IX
(2020-21)

DOC202002260038



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 BA LL.B. Program along with Examination pattern is as follows:

Course Scheme

Semester -IX

S. No	Course Code	Course Name	L	T	P	Credits
1.	16008000	Professional Ethics and Professional Accounting System	4	1	0	5
2.	16008300	Alternate Dispute Resolution	4	1	0	5
3.	16004900	Administrative Law	4	1	0	5
4.	16009100	Reformative Treatment of Persons in Conflict with Law	4	1	0	5
5	16009200	Foreign or Indian Language (Hindi)	4	1	0	5
6.	16008800	Summer Internship and Viva	0	0	10	5
7.	16002000	Ability & Skill Enhancement -IX	2	0	0	2
8.	99002700	Human Values & Social Service/NCC/NSS	-	-	-	1
9.	99002800	Workshops & Seminars	-	-	-	1
Total			22	5	10	34

EVALUATION SCHEME

The evaluation of the BA 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

EVALUATION SCHEME- WORKSHOPS & SEMINARS & NCC/NSS

1. NCC/NSS will be completed from Semester I – Semester IV. It will be evaluated internally by the institute. The credit for this will be given at the end of 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 the end of Semester.

CURRICULUM

Course Name: Professional Ethics and 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 Cognizance, 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: Alternate Dispute 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 Agreement

- a) Arbitration Agreement, Essentials, Rule of Severability
- b) Who can enter into arbitration agreement – Validity
- c) Extent of Judicial Intervention
- d) Power of Court to refer parties to arbitration
- e) Interim measures.

UNIT IV: Arbitral Tribunal

- a) Number of arbitrators
- b) Appointment of arbitrators
- c) Jurisdiction of Arbitral Tribunal, Competence, Competence of Arbitral Tribunal, Conduct of Arbitral Proceedings, Place of Arbitration
- d) Arbitral Award
- e) Grounds for challenge
- f) Challenge procedure - Court assistance.

UNIT-V: 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

Leading Cases:

1. Sundaram Finance Ltd. Vs NIPC India Ltd. (1999) 2 SCC 479
2. NMTC Ltd. Vs. Sterlite Industries Ltd. 1996(4) SCC 219
3. Lotus Investment and Securities Vs. Pramod S. Tiberwal 1996(2) SCC 579
4. State of Rajasthan Vs. Bharat Construction Co. 1998 (4) CCs 172 (Raj.)

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: Administrative Law

Course Code: 16004900

Course Outline

Unit-I: Evolution and Scope of Administrative Law

- a) Nature, Scope and Development of Administrative Law
- b) Rule of Law and Administrative Law
- c) Separation of Powers and its Relevance
- d) Relationship between Constitutional Law and Administrative Law
- e) Classification of Administrative Law

Unit-II: Legislative Functions of Administration

- a) Meaning and Concept of Delegated Legislation
- b) Constitutionality of Delegated Legislation
- c) Control Mechanism
 - i. Legislation
 - ii. Judicial Control of Delegated Legislation
 - iii. Procedural control of Delegated Legislation
- d. Sub-Delegation

Unit-III: Judicial Functions of Administration

- a) Need for Devolution of Adjudicatory Authority on Administration
- b) Problems of Administrative Decision Making
- c) Nature of Administrative Tribunals: Constitution, Powers, Procedures, Rules of Evidence
- d) Principles of Natural Justice
 - i. Rule against Bias
 - ii. Audi Alteram Partem
 - iii. Speaking Order (Reasoned Decisions)

Unit-IV: Administrative Discretion and Judicial Control of Administrative Action

- a) Need and its Relationship with Rule of Law
- b) Judicial Review of Administrative Action and Grounds of Judicial Review
 - i. Abuse of Discretion
 - ii. Failure to Exercise Discretion
 - iii. Illegality, Irrationality, Procedure Impropriety
- c) Doctrine of Legitimate Expectations

Unit-V:

- I. Ombudsman,
- II. Lokpal, Lokayukta and Central Vigilance Commission: Meaning, Object, Main characteristics, Need and Utility-Origin and development of the Institution –
- III. Ombudsman in New Zealand-
- IV. Ombudsman in England (Parliamentary Commissioner)-
- V. Ombudsman in India –Lokpal
- VI. Lokayukta in States-Central Vigilance Commission

LEADING CASES:

- A.K. Kraipak Vs Union of India AIR 1970 SC 150
- In re Delhi Laws Act, AIR 1951 SC 332
- Raj Narayan V/s. Chairman, Patna Administration Committee, Patna AIR 1954 SC 569
- Syed Yaqoob vs Radha Krishnan AIR 1964 SC 477
- Rohtash industries Pvt Ltd Vs S.D. Agarwal AIR 1969 SC 707
- State of Karnataka Vs Union of India AIR 1978 SC 68

Suggested Readings:

1. H.W.R. Wade & C.F. Forsyth, *Administrative Law*, Oxford University Press, 2009 (12thEdn)

2. M.P. Jain & S.N. Jain, *Principles of Administrative Law*, Lexis Nexis, 2013 (7th Edn)
3. I.P. Massey, *Administrative Law*, Eastern Book Company, 2012, (8th)
4. C.K. Takwani, *Lectures on Administrative Law*, Eastern Book Company, 2012 (5th Edn)
5. S.P. Sathe, *Administrative Law*, Lexis Nexis Butterworths Wadhwa, 2010 (7th Edn)

Course Name: Reformative Treatment of Persons in Conflict with Law

Course Code: 16009100

Course Outline

Unit I: Introduction

Definitions – History of juvenile justice – Juvenile justice system vs. Criminal justice system
– Juvenile Justice (Care and Protection) Act 2015 – State specific legal provisions (Tamil Nadu Juvenile Justice (Care and Protection) Rules, 2017) – Conceptual clarity on Legal frameworks (POCSO, ITPA, Child Labour Act, Information Technology Act, Child Marriage Act) – Familiarization of various other laws relating to children in India – Best interest of the child – Identifying appropriate practitioners/stakeholders (includes special educators, translators, interpreters, psychologists and psychiatrists)

Unit II: Rights of the Child

Basic rights – Child rights as human rights – United Nations Convention on the Rights of the Child (UNCRC) – Legal protection for children – Fundamental rights as defined by the Constitution of India – National Commission for protection of child rights – State Commission for the protection of child rights

Unit III: Institutions in India for Children in Conflict with Law & Children in Need of Care and Protection

Juvenile Justice Board (JJB): Composition of the Board – Powers, functions and responsibility

- Procedure in relation to children in conflict with law – Special focus on Section 15 (Preliminary assessment in heinous offences) - Powers of children's court – Observation homes
- Special home – Borstal school – Special juvenile police unit – Managing the unrest of children in child care institutions – Managing deviant behaviour in juvenile justice institutions

Child Welfare Committee (CWC): Composition of the Committee – Powers, functions and responsibility – Procedure in relation to children in need of care and protection – Open shelter

- Place of safety – Foster care – Children's/Shelter homes – Institutions' roles

(public/private)

– Adoption and sponsorship of children

UNIT IV: Probation of Offenders Act, 1958

Probation –Object and meaning – Criminal court and probation – Duties of Probation officers - Report of the probation officers - conditions and cancellation of probation The Probation of Offender's Act, 1958 and sec. 360, 361 CrPC, release after admonition, release on probation of good conduct. a) without supervision order b) with supervision order restriction on imprisonment of young offenders, removal of disqualification- conditions of probation and variations in them, on observance of conditions of probation orders.

PSDA (Professional Skill Development Activities)

1. Communication skills: Interviewing/Investigations
2. Include experts (guest faculty) as resource persons to train/teach the paper
3. Role Play/Mock Court/Case Studies
4. Statutes and Judgments Analysis

Suggested Readings:-

1. Juvenile Justice (Care and Protection of Children) Act, 2015 (Ind.).
2. Kumari, V. (2012). The Juvenile Justice System in India: From Welfare to Rights. New Delhi: Oxford University Press.
3. Kumari, V. (2017). The Juvenile Justice (Care and Protection of Children) Act 2015: Critical Analyses. Gurgaon, Haryana, India: Universal Law Publishing, an imprint of LexisNexis.
4. Paranjape, Law Relating to Probation of Offenders
5. The Probation of Offender's Act 1958

Leading Cases:-

1. Dayanand And Ors vs State Of Haryana on 14 May, 2015
2. Shamshad vs The State Of Bihar
3. Sampurna Behura v. Union of India & Ors.
4. Mukarrab etc. Vs. State of Uttar Pradesh
5. Rattan Lal vs State Of Punjab on 10 April, 1964
6. Pankaj Jain vs Union Of India on 23 February, 2018

Course Name : Summer Internship and Viva

Course Code:16008800

Course Outline

The students shall be interned with any senior advocates, judicial officials, administrative officers of the State or Union Government or Law firms or Big Corporate bodies or other NGOs by the Law Department after IV, VI, VIII semester examinations for a period of 2 months.

The student has to keep the records of the Courts in a Diary provided by the Law Department of the University, countersigned by the person or authority with whom he is sent on internship and submit the before one month from the date of viva voce examination. The Viva Voce examination shall be held by a Board constituted by the University of the following:

1. Head of the Department or Senior Teacher nominated by him;
2. A senior faculty member; and
3. A senior Advocate or outside of the University Professor of Five Years Course or Senior Judicial Officer. (Such person may be retired)

Course Name: Ability & Skill Enhancement IX

Course Code: 16002000

Course Outline:

Unit I : Leadership

Skills for a good Leader, Assessment of Leadership Skills

Unit II : Interpersonal Relations

Introduction to Interpersonal Relations, Analysis of different ego states, Analysis of Transactions, Analysis of Strokes, Analysis of Life position

Unit III: Formal Communication

Extempore - Speech Of Introduction, Speech of Thanks, Occasional Speech. Greeting Components, The Protocol of Shaking Hands, Introductions, Introductory Scenarios, Addressing Individuals, Mock Presentations. GD and PI

Unit IV: Work Place Communication

Email Etiquette -Introduction , Structuring, Formatting , Proofreading Email Message, Netiquette Guidelines, Managing Email Overload Office Etiquette Greetings, Punctuality, Space, Time, Play the Host, Posture, Credit and Compliments, Speak well of your co-workers. Get the first impression well, Greet others & introduce yourself , Body language-speak well , Dressing sense- appeals to others, Work ethics –Good manners and etiquette

Unit V :Time Management

Time as a Resource, Identify Important Time Wasters, Individual Time Management Styles, Techniques for better Time Management

Suggested Readings:

1. Sarvesh Gulati (2012), Corporate Grooming and Etiquette, Rupa Publications India Pvt. Ltd.
2. Bovee, Courtland L, Thill, John V. and Abha Chatterjee (2011). *Business Communication Today*, 10/e; New Delhi: Pearson
3. Basic Managerial Skills for All by E. H. McGrath, S. J., PHI

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 inwriting.

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