

Third LL.B Semester VI

Courses	Course Code	Subjects	Credits		
			Lectures	others	Total
Core Compulsory ✓	CC 601	Drafting of Pleading & Conveyance- Clinical Paper 1	3	1	4
Core Compulsory ✓	CC 602	Professional Ethics, Accountancy for Lawyers & Bar & Bench Relations Clinical paper 2	3	1	4
Core Compulsory ✓	CC 603	Arbitration, Conciliation, ADR System Clinical Paper 3	3	1	4
Core Compulsory ✓	CC 604	Moot Court Exercise & Internship Clinical Paper 4	3	1	4
Core Compulsory	CC 605	Law of Equity Trust & Fiduciary Relations	3	1	4
Subject Elective	CC 606 EC	Information Technology Act	1	1	2
Foundation	CC 607 EC	Paralegal Training & Public Interest Lawyering	1	1	2

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6th Semester

Core Compulsory Course. CC-601 Drafting Pleading & Conveyance - Clinical
Course- 1 4 Credits

Objective of the Course:

The sixth semester is moreover practical based and consist of four Clinical papers, with drafting of Pleading and Conveyance training being the vital subject. LL.B Special programme of sixth semester is specially designed to raise the professional standards of education. Writing of Plaint, Written Statement, and Appeal Memo are some of the important pleadings which differ in case to case bases and originality in writing is must. Civil Suits are moreover based on conveyance, hence minute details must be taken care of while drafting conveyance, 15 different subjects in Pleading and Conveyance gives ample opportunity to the learner to go through many aspects of legal drafting.

Pleadings	45 Marks
Conveyance	45 Marks
Viva	10 Marks
Total	100 Marks

- Complete practical paper, marks to be sent by the college to the University out of 100.

(The topics of Pleading and Conveyance is as per the old syllabus attached herewith)

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Core Compulsory Course **CC-603 Law relating to Alternate Dispute Resolution**
Clinical Course -3 **4 Credits**

Objective of the course:

The major concern of Law is conflict resolution. The traditional justice delivery system through adjudication by Courts had already given way to a large extent many an alternative mode of dispute resolution in the Common law countries. The advent of globalization has enthused this transformation everywhere. The study of ADR is highly significant in molding the student of Law to act as soldiers of justice in the ever changing Socio-economic scenario. The Course aims to give the students an insight into the process of arbitration, conciliation and mediation in areas where the traditional judicial system had its way in the past and in the new areas of conflicts that demand resolution by alternative methods.

Syllabus

University Examination 70 Marks

- 70 marks external paper of Arbitration, Conciliation and ADR

The Arbitration & Conciliation Act	30 Marks
Legal Services Authority Act, 1987	10 Marks
Consumer Protection Act, 1986	10 Marks
Family Courts Act, 1984	10 Marks
Prescribed Case Laws	10 Marks
Total	70 Marks

30 marks for Legal Literacy Camps/ Legal Aid/ Lok Adalat or any other ADR Mechanism, 3
Assignment of 10 marks each OR 30 Marks internal from Viva. **Total 100 Marks**

(List of prescribed cases in Arbitration as per the old syllabus)

Detailed syllabus of 30 Marks of Arbitration & conciliation

1. Arbitration : meaning, scope and types

1.1 Distinctions

1.1.1 1940 law and 1996 law – UNCITRAL Model law

1.1.2 Arbitration and Conciliation

1.1.3 Arbitration and Expert determination

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1.2 Extent of Judicial intervention

1.3 International Commercial Arbitration

2. Arbitration agreement

2.1 Essential

2.2 Kinds

2.3 Who can enter into arbitration agreement

2.4 Validity

2.5 Reference to arbitration

2.6 Interim measures by court

3. Arbitration Tribunal

3.1 Appointment

3.2 Challenge

3.3 Jurisdiction of arbitral tribunal

3.3.1 Powers

3.3.2 Grounds of challenge

3.4 Procedure

3.5 Court assistance

4. Award

4.1 Rules of guidance

4.2 Form and content

4.3 Correction and interpretation

4.4 Grounds of setting aside an award

4.4.1 Can misconduct be a ground?

4.4.2 Incapacity of a party, Invalidity of arbitration agreement

4.4.3 Want of proper notice and hearing

4.4.4 Beyond the scope of reference

4.4.5 Contravention of composition and procedure

4.4.6 Breach of confidentiality

4.4.7 Impartiality of the arbitrator

4.4.8 Bar of limitation, res judicate

4.4.9 Consent of parties

4.5 Enforcement

5. Appeal and revision

6. Enforcement of foreign awards

6.1 New York convention awards

6.2 Geneva Convention awards

7. Conciliation

7.1 Distinction between "Conciliation", "negotiation", mediation", and "arbitration".

7.2 Appointment

7.3 Statement of conciliator

7.4 Interaction between conciliator and parties

7.4.1 Communication

7.4.2 Duty of the parties to Co-operate

7.4.3 Suggestions by parties

7.4.4 Confidentiality

7.5 Resort to judicial proceedings

7.6 Costs

8. Rule-making power

8.1 High Court

8.2 Central Government

Suggested Readings:

- Bansal A.K.: Law of International Commercial Arbitration (2012), Universal, Delhi
Bansal A.K.: Arbitration, Agreements & Awards 2006, Universal, Delhi
P.C. Rao & William Sheffield: Alternative Disputes Resolution- what it is and How it works ? (1997), Universal, Delhi.
G.K. Kwatra: The Arbitration and Conciliation Law of India(2011), Universal, Delhi
Basu N.D. :Law of Arbitration and Conciliation (9th Ed., Reprint 2000), Universal, Delhi
Johari: Commentary on Arbitration and Conciliation Act, 2008, Universal, Delhi.
Markanda P.C.: Law relation to Arbitration and Conciliation (2012), Universal, Delhi.
Chadha & Chadha: Key to Arbitration Law Reporter in 2 Vol. 2010.
Chawla S.K. Arbitration & Conciliation Act Practice & Procedure 3rd ed. 2012.
Bachavat: Arbitration & Conciliation Act, 5th Ed. In 2 Vol. 2012
Malik S.B. Commentaries on Arbitration & Conciliation Act, 5th Ed. 2011.
Rao & Sheffield : Alternative Dispute Resolution 2011.
Mohta & Mohta Arbitration conciliation & Mediation 2nd Ed. With CD
(College will send marks out of 30 to the University)

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Core Compulsory Course CC-604 Moot Court exercise & internship Clinical Course-4

4 Credits

Objective of the Course:

The writing of case diaries give immense acquaintance about the day today Court procedure in Civil as well as of Criminal matter, with the pre-trial preparation and interviewing techniques the additional knowledge is given to students about the office management and skills of advocacy. Moot Court exercise creates an environment of Court practice before entering in to profession, thus benefiting students for the

This Course is completely based upon the class performance and Court attendance.

(Complete practical paper, marks to be sent by the college to the University out of 100.)

Syllabus

(a) Moot Court :

Every students must conduct at least 3 moot court in year of 10 marks

each in Assigned problems (5 marks for Written Submission and 5 marks

for oral submission)

30 Marks

(b) Participating in Trial Proceeding : Observation of trial in to case

Attendance and performance to be certified by the Advocate in the

prescribed Dairy on the list having at least 10 years standing in the

Bar (One Civil & One Criminal)

30 Marks

(c) Pre-trial Preparation :

- Interviewing techniques

15 Marks

- Pre trial Preparations

15Marks

(Records to be maintained in the prescribed diary)

(d) Viva

10Marks

(a) Moot Court :

Every student will do at least 3 three moot courts in a year with 10 marks each. The moot courts work will be on assigned problems and it will be evaluated from 5 marks for written submission and 5 marks for oral advocacy. The written submission shall be recorded in the prescribed diary. The panel to evaluate moot-court performance of each student shall consist the principal of his/her nominee, the teacher assigned the subject/or any other part time/full time teacher and a retired judge/professional lawyer with at least 10 year standing at the bar. i.e. the panel shall consist of 3 members of which at least one member shall be an outsider.

(b) Observance of Trial in two cases one civil and one Criminal.

Civil case 15 Marks

Criminal case 15 Marks

(Attendance and performance to be certified by advocates, in the prescribed diary, having at least 10 years standing at the bar)

(c) Interviewing techniques and pre-trial preparation :

Each student will observe two interviewing sessions of clients at the lawyers office/legal aid office and record the proceedings in the prescribed diary and which will carry 15 marks.

Each student will further observe the preparation of documents and court papers by the Advocate and procedure for filing suit/petition. This will be recorded in the prescribed diary and which will carry 15 Marks.

For (b) and (c) each student shall maintain a common prescribed diary for each term and the same shall have to be submitted by a stipulated date in both the terms.

The recordings in the diary shall be certified by the advocates on the list having at least 10 years standing at the bar.

The recording of both the dairies shall be evaluated at the end of the year through the University.

(d) Viva:

To be conducted by a Panel consisting of members as provided in Practical Training Paper-VII and VIII

Core Compulsory Course CC-605 Law of Equity, Trusts & Fiduciary Relationships

4 Credits

Objective of the Course:

Trust being an obligation connected with property, the Law has to play a key role in protecting interests of persons for whose benefit trust is created and for balancing the rights and duties of persons connected with Trust transaction. Students should also to be made aware of the emerging public trust doctrine of common property resources. Cyber Crime and information technology are the recent addendum to the Law and the knowledge of the same would heighten up the graph of student's career.

Syllabus

University Examination 70 Marks

70 marks external paper

Law on Equity 15 Marks

Indian trust Act 20 Marks

Bombay Public Trust Act 20 Marks

General Principles of Trust 15 Marks

30 marks internal paper with bifurcation of 20 marks test and 10 marks assignment. (College will send marks out of 30 to the University)

Total 100 Marks

Suggested Readings:

Chakraborty, R. Law Relating to Trust in India 2008

Iyer S.N. Indian Trust Act 5th Ed. 2005

Krishnamurthy Iyer Commentaries on Indian Trust Act 7th Ed. 2012.

Lewin On Trust 18th ed. 1st SE Ed. 2009

Narayana P. S. Law of Trust endorsement & Wakf. 2004

Orient: Law Relating to Trust in India with Tax Planning & Deeds, 1st. Ed.2008

Setalvad: Trust & Charity 2009

Tandon; Indian Trust Act

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Objective of the Course:

Present Working system depends largely on Electronic data, even HC and SC releases its Judgments on Net which becomes easily available to any person at the remotest corner of the country, at the same time the Technology is also misused rampantly for legal & illegal or fraud transactions hence the main objective of Information Technology Act.2000 is "To provide legal recognition for transactions carried out by means of electronic data inter-change and other means of electronic communications, commonly referred to as "electronic commerce", which involves the alternatives of paper-based methods communication and storage of information, to facilitate electronic filing of documents with Government agencies and further to amend the Indian Penal Code, Indian Evidence Act, 1872, The Bankers Book Evidence Act, 1891 and the Reserve Bank of India, 1934 and for matters connected therewith or incidental thereto". With that it also provides for the machinery which can punish the wrongdoers for illegal & fraud transactions, to keep pace with the present environment it is necessary to study the Act in whole.

College Test**35 Marks****Assignment****15 Marks****Total****50 Marks****Suggested Readings:**

Bhansali S.R. Commentory on Information Technology 2nd Ed. 2012

Brainbridge, ET Alt, Encyclopedia of Information Technology (set of 6 books) 2010.

Grossman Mark: Technology Law 2011

Gupta, Apar: Commntary on Information Technology Act, 2nd Ed.

Karnika Seth: Cyber Laws In Information Technology Age, 2009.

Priti Puri & Associates Open Source & the Law 2006.

Sharma Vakul: Information Technology Law & Practice, 3rd ed. 2012.

Singh Alwyn Didar: E-Commerce in India: Assessment & Strategies for Developing World 2008.

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Foundation Course FC-607 Paralegal Training & Public Interest Lawyering 2 Credits

Objective of the Course: Heavy burden of cases on Judiciary and the tiring technical procedures encumbers hindrance and delay in final orders from judicial branch, which some time creates hesitation in the mind of individual about the reliability over the noblest services. Hence with a view to provide first aid to the aspirers of Legal services, where the problem can be easily sorted out by a neutral person also having knowledge of Law can be of great help to Judicial branch, with the said object in mind Supreme Court has directed High Court & in turn District Courts to Prepare Such Paralegal Volunteers, attached to Legal Aid Clinics and Mediation Centers who can give basic guidance for legal problems. The District Courts with the help of Judges, senior Advocates and Law Professors are giving training to students of Law Colleges, NGO's & other interested known persons of the society for Paralegal services to serve the society in the best possible way. Hence this has become the part of curriculum. The other most important part is the study of Public Interest Lawyering which would provide environment to fight for the Public Cause.

Syllabus

Assignment of Paralegal Training

Assignment of Public Interest Litigation

(Details of Topics & Methods to be left out on individual colleges to decide.)

Thanking You,

Yours truly,

Manisha Shukla

Copy to:

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