

5th Semester examination to be held in the Year December, 2023, 2024 and 2025

CLASS: LLB 5th SEMESTER

Max Marks: 100

COURSE TITLE: TAXATION LAW

Written Examination: 80

COURSE No: LLB301

Internal Assessment: 15

DURATION OF EXAM: 3 HRS

Class Attendance: 05

UNIT - I

1. Definitions: Income, Total Income, Person, Agricultural Income, Assessee, Assessment Year and Previous Year, Assessing Officer (Section 2 and 3)
2. Determination of Residential Status and Tax Incidence (Sections 5-9).
3. Exempted Income under Section 10.

UNIT - II

1. Income under the head "Salaries" and its Computation. (Sections 15 to 17).
2. Income under the head "Income from House Property" and its Computation (Sections 22 to 27).
3. Income under the head "Profits and Gains of Business or Profession" and its Computation. (Section 24 to 38).
4. Income under the head "Capital Gains" and its Computation (Sections 45 to 55).
5. Income under the head "Income from Other Sources" and its Computation (sections 56 to 58).

UNIT- III

1. Clubbing of Income (Sections 60 to 65).
2. Set off and Carry Forward of Losses (Sections 70-80).
3. Return of Income (Sections 139-158).
4. Income tax Authorities (Sections 116 to 138).

UNIT - IV

1. Deductions under Section 80 (C)
2. Double Taxation Relief
3. Appeal to the Commission (Appeal), Appeal to the Appellate Tribunal, appeal to the High Court, Appeal to the Supreme Court.
4. Goods and Services Tax. Meaning, Nature and Scope of Goods and Services Tax. Advantages of

GST, Basic Framework of GST, Exemption from Tax, GST Council and Administrative Authorities.

SUGGESTED READINGS:

1. N. A. Palkiwala: Income Tax
2. K. Ravi: Law of Income Tax
3. A. N. Aiyar: Indian Tax laws
4. S. D. Singh: Law of Central Sales Tax Act
5. Chaturvedi & Kothari: Central Sales Tax Act

Note for Paper Setters:

The question paper shall comprise of two Sections. Section-I shall have one compulsory question comprising of four short answer type questions (200 words each) selecting one from each Unit. Section-II shall contain two questions from each Unit (Total eight questions) and the candidate shall be required to answer one question from each Unit (Total questions to be attempted from Section-II will be four), i.e., there will be internal choice within each Unit. The student shall attempt a total of five questions. All questions shall carry equal marks.

5th Semester examination to be held in the Year December, 2023, 2024 and 2025

CLASS: LLB 5th SEMESTER

Max Marks: 100

COURSE TITLE: ADMINISTRATIVE LAW

Written Examination: 80

COURSE No: LLB 302

Internal Assessment: 15

DURATION OF EXAM: 3 HRS

Class Attendance: 05

UNIT - I

1. Definition, nature and scope and significance of Administrative Law.
2. Relationship between Constitutional and Administrative Law.
3. Administrative actions- Meaning, classification and need for control.
4. Rule of Law and its application in India.
5. Doctrine of Separation of Powers and its relevance in contemporary times.

UNIT - II

1. Delegated Legislation- Meaning and reasons for its growth.
2. Constitutionality of Delegated Legislation.
3. Control mechanism over Delegated Legislation.
 - a. Judicial control.
 - b. Legislative control.
 - c. Procedural control
4. Sub-delegation

UNIT- III

1. Administrative discretion – meaning and significance of administrative discretion.
2. Constitutional control of Administrative Discretion.
3. Judicial control of Administrative Discretion
4. Institution of Ombudsman- Lokpal and Lokayukta

UNIT - IV

1. Principles of Natural Justice
2. Tortious Liability of the State.

3. Contractual Liability of the State.
4. Doctrine of Promissory Estoppel.

SUGGESTED READINGS:

1. M. P. Jain and S. N. Jain: Principle of Administrative Law
2. S. P. Sathe: Administrative Law
3. I. P. Massey: Administrative Law
4. D. D. Basu: Comparative Adm. Law
5. S. A. de Smith: Judicial Review of Administrative Action.
6. K. C. Davis: Administrative Law Text.

Note for Paper Setters:

The question paper shall comprise of two Sections. Section-I shall have one compulsory question comprising of four short answer type questions (200 words each) selecting one from each Unit. Section-II shall contain two questions from each Unit (Total eight questions) and the candidate shall be required to answer one question from each Unit (Total questions to be attempted from Section-II will be four), i.e., there will be internal choice within each Unit. The student shall attempt a total of five questions. All questions shall carry equal marks.

5th Semester examination to be held in the Year December, 2023, 2024 and 2025

CLASS: LLB 5th SEMESTER
COURSE TITLE: LOCAL LAWS
COURSE No: LLB 303
DURATION OF EXAM: 3 HRS

Max Marks: 100
Written Examination: 80
Internal Assessment: 15
Class Attendance: 05

UNIT - I

The Jammu and Kashmir (Residential and Commercial Tenancy) Act, 2012

1. Definition Section 2
2. Tenancy section 4-7
3. Rent Section 8 to 11
4. Rights and Responsibilities of Landlords and Tenants Section 12 to 20
5. Termination of Tenancy by the Landlord / Tenant Section (21-28)
6. Powers and Procedure of Rent Controllers and Appellate Rent Tribunal Section (29-34)

UNIT - II

The Jammu and Kashmir Land Revenue Act, 1939 (1996, Samvat)

1. Revenue Officers—Classes, Appointment and Powers (Sec. 5-19A)
2. Record of Right and Annual Record (Sec. 21-34)
3. Collection of arrears of Land revenue (Secs. 60-89)
4. Partition including partition of Shamilat lands (Sec. 104-119)

The Jammu and Kashmir Agrarian Reforms Act, 1976.

1. Restrictions on right in land (Sec 4-17)
2. Jurisdiction and Procedure (Sec. 18-25)

UNIT- III

The Right to Fair Compensation and Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013

1. Applicability of Act (Section 2).
2. Determination of social impact and public purpose (section 4-10).

3. Notification and Acquisition (Section 11 to 30)

UNIT - IV

The Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013 continue.

1. Rehabilitation And Resettlement Award (31-42)
2. Procedure And Manner of Rehabilitation And Resettlement (Section 43- 47)
3. Establishment of Land Acquisition, Rehabilitation Resettlement Authority (section 51-74)
4. Apportionment of Compensation and Payment (75-80)

Books Recommended:

1. J&K Land Revenue Act, 1996
2. J&K Agrarian Reforms Act, 1976.
3. The Jammu And Kashmir (Residential and Commercial Tenancy) Act 2012
4. The Right To Fair Compensation And Transparency In Land Acquisition, Rehabilitation And Resettlement Act, 2013
5. G.Q. Wani-- Commentary on Revenue Law.

Note for Paper Setters:

The question paper shall comprise of two Sections. Section-I shall have one compulsory question comprising of four short answer type questions (200 words each) selecting one from each Unit. Section-II shall contain two questions from each Unit (Total eight questions) and the candidate shall be required to answer one question from each Unit (Total questions to be attempted from Section-II will be four), i.e., there will be internal choice within each Unit. The student shall attempt a total of five questions and all questions shall carry equal marks.

5th Semester examination to be held in the Year December, 2023, 2024 and 2025

CLASS: LLB 5th SEMESTER

Max Marks: 100

COURSE TITLE: INSURANCE LAW

Written Examination: 80

COURSE No: LLB 304

Internal Assessment: 15

DURATION OF EXAM: 3 HRS

Class Attendance: 05

UNIT - I

1. General Principles of Law of Insurance.
2. Definition, nature and history of insurance, contract of insurance, insurable interest, Premium, policies, classification, form and contents.
3. Commencement, assignment and construction.

UNIT - II

1. LIC Act 1956. – Life Insurance Corporation role and functions. Object, nature and scope of Life Insurance.
2. Kinds of Life insurance. Policy and formation of Life Insurance Contract.
3. Events insured against Life Insurance Contract. Circumstances affecting the risk. Amount recoverable under life policy. Persons entitled to payment from settlement of claim.

UNIT- III

1. Insurance under Motor Vehicles Act. 1988 and Amendment Act, 2019.
2. Necessity of insurance against 3rd party risk. Requirements of policies and limits of liability. Validity of policies of reciprocating countries.
3. Rights of 3rd parties against assurance as to insured. Settlement between insurance and insured person, effects of death on certain causes of action.
4. Claims tribunal, Procedure and powers of Tribunal appeal.

UNIT - IV

1. Insurance Regulation & Development Act, 1999- Salient features.
2. Duties, Powers, Functions and Constitution of IRDA.
3. Appellate Tribunal.
4. Public Liability Insurance Act, 1991. Sec. 2-21

SUGGESTED READINGS:

1. M. N. Srinivasan: Law and the Life Insurance Contract
2. B. N. Banerjee: The Law of Insurance
3. Bhattacharya Jee: The Life Insurance Corporation Act

Note for Paper Setters:

The question paper shall comprise of two Sections. Section-I shall have one compulsory question comprising of four short answer type questions (200 words each) selecting one from each Unit. Section-II shall contain two questions from each Unit (Total eight questions) and the candidate shall be required to answer one question from each Unit (Total questions to be attempted from Section-II will be four), i.e., there will be internal choice within each Unit. The student shall attempt a total of five questions and all questions shall carry equal marks.

5th Semester examination to be held in the Year December, 2023, 2024 and 2025

CLASS: LLB 5th SEMESTER

Max Marks: 100

COURSE TITLE: CYBER LAW

Written Examination: 80

COURSE No: LLB 305

Internal Assessment: 15

DURATION OF EXAM: 3 HRS

Class Attendance: 05

UNIT - I

1. Information Technology Act, 2000: Background and Objectives of the Act
2. Cryptography, Private and Public Key
3. Electronic and Digital Signatures and their Legal significance
4. Certifying Authority; its role and powers
5. Controller of Certifying Authority; its powers.

UNIT - II

1. Cyber Appellate Tribunal, Power and Functions of Cyber Appellate Tribunal.
2. Offences under the Act
3. Penalties under the Act.
4. Electronic Fund Transfer.

UNIT- III

1. E-commerce: Advantages and Disadvantages.
2. Online contracts: Formation and Validity.
3. Online Payment methods.
4. Copyright work in Digital medium.

UNIT - IV

1. Freedom of Speech and Expression on Internet and Authority of Government.
2. Privacy of Online data and Information
3. Privacy issues and access rights.
4. Jurisdictional issues in cyber space.

SUGGESTED READINGS:

1. P. K. Sinha; Computer Fundamental
2. Alex Leon: Fundamental of Information Technology
3. Nandan Kamath: Law relating to Computer, Internet and E-commerce
4. Rodney Ryder: Cyber Laws
5. Pawan Duggal Cyber Law
6. Talat Fatima Cyber Law

Note for Paper Setters:

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5th Semester examination to be held in the Year December, 2023, 2024 and 2025

CLASS: LLB 5th SEMESTER

Max Marks: 100

COURSE TITLE: ALTERNATE DISPUTE RESOLUTION

Written Examination: 80

COURSE No: LLB 306

Viva-Voce: 15

DURATION OF EXAM: 3 HRS

Class Attendance: 05

UNIT - I

1. Concept of Arbitration, History and Development
2. Arbitration in CPC (Section 89), Concept of Mediation and Conciliation
3. Lok Adalat, Constitution, Jurisdiction and functions.
4. Arbitration Agreement, Interim measures by Court and Tribunal.

UNIT - II

1. Nature and Scope of Arbitration and Conciliation Act, 1996.
2. Arbitrators – appointment and removal
3. Powers and duties of an Arbitrator.
4. Conciliators – appointment and removal
5. Powers & Duties of conciliators.

UNIT- III

1. Arbitral Tribunal, composition
2. Jurisdiction, Conduct of Arbitral Proceedings, Termination of Arbitral Proceedings.
3. International and Commercial Arbitration
 - Power of Judicial authority to refer parties to arbitration.
 - Foreign Awards; conditions and enforcement of foreign awards.
4. Making of Arbitral Award.
5. Fast Track Arbitration

UNIT - IV

1. Setting aside of Arbitral Awards, finality and enforcement of Arbitral Awards.
2. Appeals.

3. Negotiation and Mediation as Alternative Dispute Resolution mechanism.
4. Provisions of Mediation under the Industrial Disputes Act, 1947, the Companies Act, 2013, Real Estate (Regulation and Development) Act, 2016, the Commercial Courts Act, 2015, The Consumer Courts Act, 2019, and Proposed Mediation Act (Mediation Bill, 2021), etc.
5. Online Dispute Resolution (ODR)

SUGGESTED READINGS:

1. Rao, P.C., & Sheffield William-- Alternative Dispute Resolution – What it is and how it.
2. Sujan, M.A. -- Law relating to Arbitration and Conciliation.
3. Tewari, O.P. -- The Arbitration and Conciliation Act.
4. Deshta Sunil—LokAdalat in India, Deep and Deep Publication, New Delhi.
5. Avtar Singh-- Arbitration and Conciliation Act.

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