

University of Poona

Syllabus for the Bachelor of Law (LL.B.) (Old)

O. 1.1. Candidate for the Degree of LL.B. must have passed the Bachelor's Degree Examination in any Faculty of this University or Bachelor's Degree Examination of any other University recognized as equivalent to the corresponding examination of this University, and shall be required to pass three Examinations: the first to be called the "First Examination for the Degree of LL.B.", the second to be called the "Second Examination for the Degree of LL.B.", and the third to be called "Third Examination for the Degree of LL.B."

There will not be any condition regarding the minimum percentage of marks for admission to the Law Course as per Bar Council of India has deleted the provision regarding the minimum percentage of marks prescribed. (This is effective from 1988-89)

Standard of Passing

(For all the three LL. B. Examinations)

R. 16.7. To pass the examination a candidate must obtain 35% of the full marks in each paper, and (b) 50% of the total marks obtainable in the examination. Those of the successful candidates, who obtain 50% or more of the total marks, will be placed in the Second Class and those who obtain 60% or more of the total marks will be placed in the First Class.

Exemption

(For all the three LL.B. Examinations)

R. 16.8. A candidate, who obtains at least 50% of the full marks in a paper shall, at his option, be exempted from that paper in a subsequent examination. He shall, however, have to pass in the remaining paper or papers in accordance with the standard of passing laid down above.

The benefit of exemption so earned will be available for two years only.

Allowed to keep terms

(Benefit available at the First LL.B. Examination and the Second LL.B. Examination only)

R. 16.9. A candidate, who obtains at the First LL.B. or the Second LL.B. Examination, 50% of the full marks in each of the any four papers out of six papers shall be allowed to keep terms for the Second LL. B. or Third LL. B. Examination, provided however, that he shall not be declared to have passed the Second LL.B. or the Third LL.B. Examination unless he has passed the First LL.B. or the Second LL.B. Examination by passing in the remaining papers in accordance with the standard of passing laid down above. Such a candidate shall not be eligible for a Class Prize or Scholarship awarded at the examination.

First LLB Examination Course

R. 16.2. No candidate shall be admitted to the First LL.B. Examination of this University unless he has passed the First Degree Examination in any Faculty of this University or an equivalent Examination of other University recognized by this University as equivalent thereto, and he shall have, thereafter, kept two term in a Law College affiliated to this University.

R.16.1. Candidates shall be required to answer the following six papers each carrying 100 marks and of three hours' duration

Paper	I—Indian Legal and Constitutional History	
	(Distribution of Marks :	
	Legal History Portion	...60 marks
	Constitutional History Portion	...40 marks
Paper	II—Law of Contract.	
Paper	III—Law of Torts.	
Paper	IV—Law of Crimes.	
Paper	V—Indian Constitutional and Administrative Law	
	(Distribution of Marks :	
	Constitutional Law Portion	...75 marks
	Administrative Law Portion	...25 marks

Paper VI—Mahomedan Law & the Indian Succession Act, 1925
(Sections 1 to 191 only have been prescribed of the
Indian Succession Act.)

(Distribution of Marks :

Mahomedan Law Portion	.. 60 marks
Indian Succession Act Portion	.. 40 marks)

FIRST LL.B.

Paper I—*Indian Legal and Constitutional History.*

Books Prescribed

1. M. P. Jain : Outline of Indian Legal History.
2. V. D. Mahajan : Constitutional History of India.
3. V. N. Shukla : Constitution of India (only introduction to be studied for portion on history).

Paper II—*Law of Contract.*

Books Prescribed

1. Indian Contract Act, 1872.
2. D. F. Mulla : Indian Contract Act (Students' Edition).

Books Recommended

1. T. R. Desai : Indian Contract Act.
2. Anson : Principles of the English Law of Contract.
3. M. Krishnan Nair : The Law of Contracts (Published by Orient Longman).

Paper III—*Law of Torts.*

Books Prescribed

1. Salmond : Law of Torts.
2. Ratanlal : English and Indian Law of Torts.

Books Recommended

Ramaswamy Aiyar : Law of Torts.

Paper IV—*Law of Crimes.**Books Prescribed*

1. The Indian Penal Code, 1860.
2. Ratanlal : Indian Penal Code (Students' Edition).

Paper V—*Indian Constitutional and Administrative Law.**Books Prescribed*

1. Durgadas Basu : Introduction to the Constitution of India.
2. Dr. S. P. Sathe : Indian Administrative Law. :

Books Recommended

1. Shukla, V. N. : Constitution of India.
2. Indian Law Institute : Studies on Indian Administrative Law.
3. Wade, E. C. S. : Administrative Law.

Paper VI—*Mahomedan Law and the Indian Succession Act, 1925.**Books Prescribed*

1. D. F. Mulla : Principles of Mahomedan Law.
2. Paruck : Indian Succession Act, 1925.

Books Recommended

A. A. Fyzee : Outline of Mahomedan Law.

Second LL.B. Examination Course

O. 16.3. No candidate shall be admitted to the Second LL.B. Examination unless he has passed the First LL.B. Examination of the University or an equivalent examination of other University recognized by this University as equivalent thereto, and he shall have, thereafter, kept two terms in a Law College affiliated to this University.

R. 16.3. Candidates shall be required to answer the following six papers each carrying 100 marks and of three hours duration.

- Paper I—Legal Theory (Jurisprudence and Comparative Law).
 Paper II—Hindu Law.
 Paper III—Principles of Equity and Law of Property.
 Paper IV—Public International Law.
 Paper V—Law of Partnership, Sale of Goods and Negotiable Instruments.
 Paper VI—Company Law.

SECOND LL.B.

I—*Legal Theory (Jurisprudence and Comparative Law)*

Books Prescribed

1. Salmond : Jurisprudence.
2. Gutteridge : Comparative Law (Chapters I to VIII and X only).

Books Recommended

1. Dias and Hughes : Jurisprudence.
2. Paton : Jurisprudence.

Paper II—*Hindu Law.*

Books Prescribed

Mulla D. F. : Hindu Law.

N.B. : To be studied with special reference to :

- (1) The Hindu Marriage Act, 1955.
- (2) The Hindu Succession Act, 1956.
- (3) The Hindu Adoptions and Maintenance Act, 1956.
- (4) The Hindu Minority and Guardianship Act, 1956.
- (5) Special Marriage Act, 1954.

Paper III—*Principles of Equity and Property Law.*

Books Prescribed

1. Snell : Principles of Equity (Chapters I-IV)
2. Desai, T. R. : Equity.
3. Lahiri : Transfer of Property Act, 1882.
4. Indian Easements Act, 1882.

Books Recommended

Mulla, D. F. : Transfer of Property.

Paper IV—*Public International Law.*

Books Prescribed

Strake : Public International Law.

Book Recommended

Brierly : Law of Nations.

Paper V—*Law of Partnership, Sale of Goods and Negotiable Instruments.*

Book Prescribed

1. Indian Partnership Act, 1932.
2. Indian Sale of Goods Act, 1930.
3. Indian Negotiable Instruments Act, 1881.
4. Mulla, D. F. : The Sale of Goods and Partnership Acts.
5. Khergamwala : The Negotiable Instruments Act.

Paper VI—*Company Law*

Book Prescribed

1. Companies' Act, 1956.
2. Shah, S. M. : Lectures on Company Law.

Books Recommended

G. H. Sen : Company Law (Cases and Materials)
(Published by Metropolitan Book Co.)

Third LL.B. Examination Course

O.16.4 No candidate shall be admitted to the Third LL.B. Examination unless he has passed the Second LL.B. Examination of this University or an equivalent examination of other University recognized by this University as equivalent thereto, and shall have, thereafter, kept two terms in a Law College affiliated to this University.

O.16.5 Candidate shall be required to answer the following six papers each carrying 100 marks and of three hours' duration.

Paper I—(a) Criminal Procedure and Practice.
(b) Civil Procedure and Practice.

Paper II—Indian Evidence Act, Indian Limitation Act and the Arbitration Act.

Paper III and Paper IV—Any *two* subjects from the following in which instruction is provided by the University :

- (i) Labour Law.
- (ii) Law of Taxation.
- (iii) Law of Insolvency.
- (iv) Law of Insurance.
- (v) Law of Trusts and other Fiduciary Obligations.
- (vi) Law of Trade Marks and Patents.
- (vii) Interpretation of Statutes (including General Clauses Act and Principles of Legislation).
- (viii) Legal Remedies.
- (ix) Private International Law.
- (x) Law of Co-operation.
 - (1) History of Co-operation 20 marks
 - (2) (a) Maharashtra Co-operative Society's Act, 1960
 - (b) Maharashtra Co-operative Society's Rules
 - (c) Specified Society's Election Rules. } 80 marks
- (xi) Criminology.

Total 100 marks

Paper
per

V—Tenancy Law and Land Laws.

VI—Drafting, Pleading, Conveyancing and Practical Training (50 marks are allotted to Drafting, Pleading and Conveyancing and 50 marks are allotted to Practical Training.)

THIRD LL.B.

Paper

- I—(a) *Criminal Procedure and Practice.*
- (b) *Civil Procedure and Practice.*

Text-Books Prescribed

- (1) The Code of Criminal Procedure, 1973 (Act II of 1974).
- (2) Ratan Ranchhoddas and Dhirajlal Keshavlal Thakore : 'The Criminal Procedure Code' (Students' Edition).
- (3) Code of Civil Procedure (Act V of 1908)
- (4) D. F. Mulla : Code of Civil Proceed (Students' Edition)
- (5) D. F. Mulla : The Key of Indian Practice.

Books for Reference only

- (1) Criminal Manual issued by the High Court of Bombay. Chapter I to XIV (Both inclusive).
- (2) A. C. Ganguly : Criminal Court Practice.
- (3) Civil Manual issued by the High Court of Judicature, Bombay, Appellate side Volume I Chapters II to VI, IX to XX, XXII and XXXIII.
- (4) A. C. Ganguly : Civil Court Practice and Procedure.
- (5) Bombay High Court Rules

Paper II—*Indian Evidence Act, Indian Limitation Act and the Arbitration Act.*

Text Books Prescribed

- (1) The Indian Evidence Act, 1892 (Act No. 1 of 1872).
- (2) Ratanlal Ranchhoddas and Dhirajlal Keshav Thakore : The Law of Evidence (Student Edition).
- (3) The Limitation Act, 1940 (Act No. 36 of 1963)
- (4) The Arbitration Act X of 1240,
- (5) P. L. Paruck : The Arbitration Act, 1948.

Paper III—(1) *Labour Law.*

OR

- (2) *Private International Law.*

Paper III—(1) (i) *Labour Law.*

Acts Prescribed

- (1) The Factories Act, 1948.
- (2) Indian Trade Union Act, 1926.
- (3) Industrial Dispute Act, 1947.
- (4) Employees' State Insurance Act, 1948.
- (5) Employees' Provident Fund Act, 1952.
- (6) The Payment of Bonus Act, 1965 (Act No. XXI of 1965).
- (7) Payment of Wages Act, 1936.
- (8) Minimum Wages Act, 1948.
- (9) Workmen's Compensation Act, 1923.

N.B. :—Government of India and Maharashtra State Government Publications (All Acts as amended upto date).

*(ii) Law of Taxation**List of Enactments*

1. Income Tax Act, 1961.
2. Wealth Tax Act, 1965.
3. Gift Tax Act, 1958.
4. Central Sales Tax Act, 1956.

Books Prescribed

1. Kanga and Palkhiwala : Income Tax Act, Students' Edition, Publishers : N. M. Tripathi Pvt. Ltd. Publishers, 164, Samaldas Gandhi Marg, Bombay 2.
2. Iyengar : The Three New Taxes (except the Company's Profit Act).

Text-Book for Reference only

P. L. Malik : Industrial Law (Eastern Book Co.).

OR

Paper III—(2) *Private International Law*
R. H. Graveson : 'Conflict Laws.

Text-Book Prescribed

Paper IV—(1) Law of Trust

OR

(2) Law of Insolvency.

Paper IV (i)—Law of Trust and other Fiduciary Obligations.

Text Books Prescribed

- (1) The Indian Trust Act, 1882 (Act II of 1882).
- (2) The Bombay Public Trust Act, 1950 (Bombay Act XXIX of 1950).
- (3) Snell, E. H. T. : The Principals of Equity, (in relation to Trust).

Books for Reference only

- (1) P. Iyer—The Indian Trust Act.
- (2) Kesarichand Nemchand Shah—The Bombay Public Trust Act, 1950.

OR

Paper IV (ii)—Laws of Insolvency.

Text Books Prescribed

- (1) The Provincial Insolvency Act, 1920 (Act No. V of 1920).
- (2) The Presidency Towns Insolvency Act, 1909. (Act No. III of 1909).
- (3) D. F. Mulla—The Law of Insolvency in India.

Optional Paper IV—Legislative Principles and Interpretation of Statutes. (Effective from June 1980).

1. *Legislative Principles :* 50 marks

- (1) Public Opinion and Law :—
Dicey, *Law and Public Opinion in England during the Nineteenth Century* (Introduction)
- (2) Law and Legislative Behaviour :
Wahlke and Eulau, *Legislative Behaviour*, pp. 5-7, 55-58, 117-120, 150-163, 165-176, 190-196.
- (3) Principles of Civil and Criminal Law :
Bentham, *Theory of Legislation* (N. M. Tripathi, Bombay), pp. 53-90, 147-164, 199-219.

(4) Post-Independence Legislation in India (with special reference to agrarian land reforms and untouchability).

(1) K. D. Gangurde, Social Legislation in India. Vol. I (Chapter 1 and 10 (a), Vol. 2 (Chapters 12 and 16 Introduction)

(2) L. M. Singhvi, Law and Poverty (Section II and III.)

Recommended Books for further Reading

(1) C. K. Allen, *Law in the Making* (7th edition) pp. 426-435.

(2) A. F. Salahudin Ahmed, *Social Ideas and Social Change in Bengal, 1818-1835.*

II. *Interpretation of Statutes and Constitutional*

Interpretation : 50 marks

- (1) General Principles of Statutory Interpretation.
- (2) Constitutional Interpretation, Boards and Liberal interpretation, giving effect to the nature and spirit of the Constitution, goal oriented interpretation.
- (3) Use of internal and external aids to interpretation (Statutory and Constitutional).
- (4) Construction of penal-a statutes and taxing statutes.
- (5) Repeal of Statutes.
- (6) Retrospective operation of statutes.
- (7) Maxims ;
 - (a) Ejusdem generis,
 - (b) Expression unius est exclusion alterius,
 - (c) Generalia specialibus non derogant,
 - (d) Noscitur a sociis,
 - e) Ut res magis valent quam pateat.
 - (f) Casus omissus.

Readings

Jagdish Swarup—*Legislation and Interpretation*
(Dandewal Publishing House, 11, Hamilton Road,
Allahabad).

OR

Bindra—*Interpretation of Statutes.*

For maxims also read :

Maxwell, *Interpretation of Statutes.*

Paper III and IV—(X) *Law of Co-operation*

Books Prescribed

- (1) Theory and Practice of Co-operation in India,
Vol. No. 1, by K. R. Kulkarni (Co-operative
Book Depot, Dadar, Bombay 14).
- (2) Co-operative Societies Act, 1960 with Rules of
1961 by D. H. Chaudhari and A. D. Chaudhari
(N. R. Bhalerao, Pune).
- (3) Co-operative Societies Act, 1912.

Books Recommended

Theory, History and Practice of Co-operative,
by R. D. Bedi (International Publishing House,
Meerut, U.P.).

Paper III and IV (XI)—*Criminology*

- Nature and Scope of Criminology,
Theories of Crime Causation,
Theories of Punishment.
Type of Punishment.
Police and Prison System in India.
Law of Probation and Parole in India.
Problems of Juvenile Delinquency.
White Collar Crime, Recidivism and Rehabi-
litation.
Procedural reliefs available to the accused under
the Indian Law.

Text Prescribed

Criminology by Ahmad Siddique.

Reference Readings

- (1) Criminology by Sutherland, 6th edition.
- (2) Society and Criminal by M. J. Sethna, 3rd Edition.

Paper V—*Tenancy Law and Land Laws.**Text Books Prescribed*

- (1) The Bombay Tenancy and Agricultural Lands Act, 1948 (Bombay Act No. LXVII of 1948).
- (2) The Maharashtra Land Revenue Code, 1966 (Maharashtra Act XLI of 1966).
- (3) The Mamlatdar's Court Act (Bombay Act II of 1906).
- (4) The Bombay Rents, Hotel and Lodging House Rates (Control) Act, 1947 (Bombay Act LVII of 1947).

Books for Reference only

- (1) S. B. Sardesai: Bombay Tenancy and Agricultural Lands Act, 1948.
- (2) D. H. Chaudhari: The Maharashtra Land Revenue Code, 1966.
- (3) K. S. Gupte and A. K. Gupte: The Mamlatdar's Court Act.
- (4) J. H. Dalal: The Bombay Rents, Hotel and Lodging House Rates (Control) Act, 1947.

Paper VI—*Drafting, Pleading, Conveyancing and Practical Training**Book Prescribed*

The Code of Criminal Procedure, 1973 (Act II of 1974).

Scheme of Practical Training Programme at Third LL.B.

The two parts of Scheme of Practical Training in Law Part I (Compulsory) and Part II (Optional), which is adopted and implemented by the University with effect from the Academic Year 1976-77 shall be as under :

The Part II (Optional) of the Scheme will be taken up for consideration at later stage preferably after giving a satisfactory and proper trial to the Part I (Compulsory) of the Scheme

The Scheme in Part I will be operated in the Law Colleges in the following manner :

I Legal Method

(1) Special emphasis will be given while *teaching this subject* as a part of the *Paper IV* (Drafting, Pleading and Conveyancing at the Third LL.B. stage, on (a) Analysis and determination of the *ratio decidendi* of cases, and (b) Rules of Statutory Interpretation as laid down in ' Jurisprudence, by Salmond. '

(2) Questions shall be put on these aforesaid *topics* in the *Paper VI* at the University examination, carrying 10 marks.

(3) Students shall write a prescribed number of *tutorial exercises* covering the following :

- (a) Finding of the Law :
- (b) Analysing fact situations.
- (c) Finding of *ratio decidendi*
- (d) Statutory interpretation.

The Tutorials will be assessed by the College. Total marks for tutorials will be 20.

II Conveyancing, Pleading and Moots

(1) A Journal shall be maintained by each student containing the exercises done by him in the subjects of Pleadings and Conveyancing. It shall also contain detailed reports on Moots in which he will practice.

(2) The *exercises* shall be on the following :

(A) *Conveyancing* :

- (i) Sale Deed.
- (ii) Mortgage Deed
- (iii) Lease Deed
- (iv) Gift Deed.
- (v) Promissory Note.
- (vi) Power of Attorney.
- (vii) Will.

(B) Pleadings :**I. Civil (i)** **Plaint**

- (ii) **Written Statement.**
- (iii) **Interlocutory Application.**
- (iv) **Original Petition.**
- (v) **Affidavit.**
- (vi) **Execution Petition.**
- (vii) **Memorandum of Appeal and Revision.**
- (viii) **Petition under Article 226 and 32 of the Constitution of India.**

II. Criminal (i) **Complaints.**

- (ii) **Criminal Miscellaneous Petition.**
- (iii) **Ball Application.**
- (iv) **Memorandum of Appeal and Revision.**

(C) Moots Courts :

For this purpose convenient groups shall be formed and a case involving several issues will be assigned to each group. Moots will aim at imparting practical training in court practice i.e. preparation of a brief and actual argument of the point/points involved. The number of moots will be prescribed by the college.

The Journal will be assessed by the college. (Total marks for the Journal will be 50.)

III. Professional Ethics

This subject shall be included in the Paper VI of the Third LL.B. Course (Drafting, Pleading and Conveyancing).

The following Books are recommended for study :

1. Advocate Act, 1961.
2. Bar Council of India, Rules of Professional Ethics.

Question shall be put on this subject in the Paper VI of the Third LL.B. Examination of the University, carrying 10 marks.

As a consequential change, the content of the Paper VI at the III LL.B. Course (Drafting, Pleading and Conveyancing) has been enlarged by including in it (a) Legal Method (b) Professional Ethics, each carrying 10 marks and Drafting, Pleading and Conveyancing will carry 80 marks. Total marks for the Paper IV—100.

The Law College, shall have to maintain a *Record of Attendance* for the Course of Practical Training to enforce regular attendance strictly.

The work in Practical Training done by the student will be assessed *internally* by the Law College and that the Internal Assessment shall be along with the lines mentioned hereunder :

- (1) *Legal Method—Tutorial Assessment*
(Written Test carrying 20 marks).
- (2) *Pleading, Conveyancing, Moots—Journal Assessment*
(Written Test carrying 50 marks).
- (3) *Viva-Voce Examination (Old Test)* on the basis of the Journal carrying 30 marks.
Total for Internal Assessment 100.

(4) *Standard of Passing*—A student who secures 35 marks out of 100 in the Internal Assessment shall pass the test in Practical Training.

(4) If he fails in the Practical Training Test, his terms of the academic year shall not be granted and he shall not be allowed to take the III LL.B. Examination of the University.

He shall, however be permitted to complete his Practical Training to the satisfaction of the Principal of the College with keeping fresh terms for the course.

(6) *Certificate of Passing*—The Principal of the College shall issue, at the end of the academic year, to student who pass the Practical Training Test a Certificate to the following effect :

Law College

Certificate of Passing the Practical Training Test

(Third LL.B. Course)

This is to certify that Shri (full name) who is a bonafide student of this college in the Third LL.B. class for the academic year..... has done the Practical Training course satisfactorily and has passed in the Practical Test. The record of his performance is shown here under :

	Written Test		Viva-Voce	Total
	Attendance	Tutorial	Journal	
..... days	_____	_____	_____	_____
..... Total days	_____	_____	_____	_____
	20	50	30	100

Dated..... Principal Law College.....

The marks at the Practical Training Test shall not form the part of the University Examination.

UNIVERSITY OF POONA

Circular No. 299 of 1981-82

Sub. : Paper on Legal Service at III LL.B.

In pursuance of the decision taken by the University Authorities, it is hereby notified for the information of all concerned that the paper on Legal Service has been introduced in the Faculty of Law. This will be brought into effect from June 1982. The Syllabus is as given in the enclosure.

It is further notified that there will be 100 marks for a Legal Service Course Paper. The marks obtained in this paper will be shown in the mark list of III LL.B. Examination separately along with the name of college. These marks however will not be added to the grant total. It will be a voluntary course only.

Ganeshkhind, Pune-411 007. }
 No. CBL/56/157 }
 Date : 21-2-1982 }
 LL.B. (old)..2 }

V. R. Kulkarni,
for Registrar.

Works Experience Course for the Faculty of Law

In the Law Faculty with a view to linking education with work experience and productivity the following audit course may be started. A student of Third LL.B. may take any one of the following courses. He will be assessed internally and his marks for the course shall be mentioned separately in his mark list given by the University. The marks for this course will come under a common head "Legal Service". It will also mention the name of the college.

(1) *Legal Aid* : A student will have to attend a Legal Aid Centre started by the law college at least for 10 meetings. He will have to maintain his Journal in which he will enter the details of the cases such as economic position of the party, age of the party, education, nature of the complaint, the steps taken to give redress. This work will be done under guidance of a Law Teacher. A student must report at least four cases in his Journal. He must take active part in obtaining the facts, analysing them and relating the relevant law to those facts. He will also assist the parties in obtaining the necessary papers and he will also take part in settlement proceedings or conciliation proceeding that might be undertaken by the Centre.

(2) *Legal Writing* : The purpose of the course is to provide skill of accurate and precise writing to a student of Law. This will improve his expression and comprehension. A student will be asked to prepare at least two short paper containing comments on decided cases during a course of a year. This will also train him for library work such as finding of references etc.

(3) *Legal Literary* : A student will be taking part in various camps organised by the Law College to promote legal literacy. His function will be to spread the knowledge of the law among the people and make them aware of their rights. A student will be encouraged to speak and write in English or in Marathi which will be understood by the common man. This will help him acquire greater clarity of thought and expression.

(4) *Legal Survey* : In this course a student will undertake a survey of special attitudes or social practice or social behaviour or some social phenomena with a view to studying the impact of law on society.

Reference Book

Legal Aid by M. L. Abhyankar.

Circular No. 323 of 1987

Subject : Optional Medium at the Three-Year Law Course (Old Law Course), and Diploma in Co-operative Law.

In pursuance of the decision taken by the University authorities it is hereby notified for the information of all concerned that Marathi is permitted as an optional medium of instruction even for the three-year Law course and hereinafter the students in the said course are permitted to write their answers in Marathi in any of the subjects/or papers of their choice.

It is also notified that Marathi is permitted as an optional medium of instruction for the course in Diploma in Co-operative Law and students are permitted to write their answer books in any of the subjects at their option, in Marathi.

Ganeshkhind, Pune-7
Ref. No. CBL/1581
Date: 26-8-87

A. H. Thorat
for Registrar

Circular No. 325 of 1987

Subject : Prescription of book at the third year of the old Three-Year Law Course.

In pursuance of the decision taken by the University authorities, it is hereby notified for the information of all concerned that the book "दिवानी कायदाचा वादाड्या" by Shri K. K. Thite, Advocate, Pune, is recommended for supplementary reading in the subject of Drafting, Pleading, Conveyancing and Practical Training at the 3rd year of Old Law Course.

Ganeshkhind,
Pune-411007
CBL/1583,
Date : 26-8-1987

A. H. Thorat
for Registrar

Circular No. 326 of 1987

Subject : Recommendation of books for reading at the old Three-Year and New Five-Year Law Course.

In pursuance of the decision taken by the University authorities it is hereby notified for the information of all concerned that the following books have been included in the list of recommended reading books for the students studying the subjects at the Old Three-Year Law course as well as at New Five-Year Law Course :

- (1) The Indian Penal Code.
- (2) The Code of Criminal Procedure both by Surya Narayan Misra.

Publisher : Sangam Law Agency, Allahabad.

Ganeshkhind,
Pune-411007,
Ref. No. CBL/1584
Date : 27-8-1987.

A. H. Thorat
for Registrar.

UNIVERSITY OF POONA

Circular No. 216 of 1988

It is hereby notified for information of all concerned that University Authorities have revised Ordinances from 135 to 139.

Ordinances mentioned herein under are substituted for old ordinances. (These ordinances shall come into force w.e.f. University Examinations, session of October, 1988 onwards).

135 Grace Marks for getting Distinction in the subject only :

A candidate who passes in all the subjects/Heads of passing in the examination and whose total number of marks in the subject/s fall short by not more than three marks for getting distinction in the subject/s shall be given necessary grace marks upto three in each subject.

Note : Benefit of above mentioned grace marks shall be given to the candidate only for such examination/s for which provision for distinction in a subject has been prescribed.

O.136 Grace Marks for getting Higher Class/Grade :

A candidate who passes in all the subjects and heads of passing in the examination and whose total number of marks falls short for getting Second Class or First Class or First Class with Distinction or (next) final grade by marks, not more than 1% of the aggregate marks of that examination or upto 10 mark (whichever is less, shall be given the required marks to get next Class/Grade.

Provided that benefits of above mentioned grace marks shall not be given, if a candidate fails to secure necessary passing marks in the head of passing under aggregate number of marks of all the subjects, if such head of Passing is provided for the concerned examination. *

Provided further benefits of above mentioned grace marks shall be given to the candidate for such examination/s only for which provision for award of class/grade has been prescribed.

(1) If a candidate fails in a head of passing, which is included in another head of passing, of the same subject, he shall be entitled to the benefit of the condonation in both the heads, if necessary, subject to the maximum limit of condonation, permissible for each head in accordance with the above paragraph.

Notes for Ordinance from 135 to 138

no. 138 (b).
60% of the aggregate marks for application of Ordinance 138 (a) and all the subjects/courses taken together should be at least 50% of the aggregate marks, the total number of marks obtained by the candidate in subjects/courses taken together comes to 40% of the aggregate marks, the total number of marks required for passing in all the subjects/courses taken together should be at least 50% of the aggregate marks for application of Ordinance 138 (a).

Illustration :

marks required for passing.
together exceeds by 15% over minimum percentage of marks required for passing.

(b) Up to 15% of the total number of marks of the concerned head of passing if the percentage of marks obtained by the candidate in all the subjects/courses taken together exceeds by 10% over minimum percentage of marks required for passing.

(a) Up to 10% of the total number of marks of concerned Head of passing if the percentage of marks obtained by the candidate in all the subjects/courses taken together exceeds by 5% over minimum percentage of marks required for passing.

If a candidate fails in only one head of passing, having passed in all other heads of passing, his deficiency of marks in such head of passing, may be condoned by not more than 1% of the aggregate marks of the examination or 10% of the total number of marks of the head of passing in which he is failing, whichever is less.

O.137 Condonation on the basis of Higher Marks :

If a candidate fails in only one head of passing, having passed in all other heads of passing, his deficiency of marks in such head of passing, may be condoned by not more than 1% of the aggregate marks of the examination or 10% of the total number of marks of the head of passing in which he is failing, whichever is less.

- (2) If deficiency of marks is condoned, the class/grade in the examination concerned, of the candidate, shall be declared on the actual marks obtained by the candidate.
- (3) The benefits of not more than one Ordinance shall only be given for one examination of one course.
- (4) The benefits under above mentioned Ordinances shall not be available for internal assessment.
- (5) The benefits of above mentioned Ordinance may be given to the candidate appearing in the examination with backlog and/or exemption whenever such a exemption/system of backlog has been provided.
- (6) The benefits under above mentioned Ordinance shall be given at the time of declaration of result of final Examination only.
- (7) Final examination for the purpose of this ordinance means and includes such examination/s on the basis of marks on which class/grade is awarded.

O.139. Benefits of Grace Marks for M.B.,B.S. Examination and Post-graduate Degree and Diploma Examination of M.B.,B.S :

Notwithstanding anything contained in Ordinance Nos. 135 to 139, there shall be no benefits of condonation of marks for M.B.,B.S. Examination and Post-graduate Degree and Diploma Examination of M.B.,B.S. Benefits of grace marks for such examinations shall be as follows :

- (1) Examinee shall be eligible to get grace marks upto 1% of total number of marks of examination. Such grace marks may be divided in such heads of passing in which examinee has failed.

provided such grace marks shall not exceeds 10% of the total number or marks of any head of passing in which examinee is failing and for which grace marks are to be awarded.

Provided further such grace marks shall be awarded only if such grace marks enables the examinee to pass in the examination.

- (2) The examinee shall be eligible to get grace marks in the examination, not more than three in each subject only if such grace marks enable him to obtain benefits of exemption in the subject/s. Grace marks may be divided in theory, clinical and practical.

Note :

- (1) The benefits under not more than one clause only shall be given to the examinee for one examination.
 (2) The benefits under 0.135 shall be available for the above mentioned examination.

If any difficulty arises in giving effect to provisions of Ordinances from 135 to 139, the Vice-Chancellor in consultation with the Dean of the concerned faculty shall take decision in the matter which shall not be inconsistent with the objects of these ordinances and his decision shall be final.

O.140 No candidate shall be entitled for the benefit of gracing or condonation permissible under more than one ordinance at one examination.

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