



Implementation of CBCS / ECS

DEPARTMENT OF LAW



GURU GHASIDAS VISHWAVIDYALAYA, BILASPUR (C.G.)
(A Central University Established by the Central University Act. 2009 No. 25 of 2009)

Minutes of Meetings (MoM) of Board of Studies (BoS)

Academic Year : 2018-19

School : School of Studies of Law

Department : Law

Date and Time : July 11, 2018 - 11:00 AM

Venue : Office of Head of Department

The scheduled meeting of members of Board of Studies (BoS) of Department of Law, School of Studies of Law, Guru Ghasidas Vishwavidyalaya, Bilaspur was held to design and discuss the B.A.LL.B. (I to X Semesters) and B.COM.LL.B. (I to X Semesters) scheme and syllabi.

The following members were present in the meeting:

1. Prof. D. D. Prusty (External Expert Member BoS), Principal, Government Naveen Law College, Bhatapara, Baloda Bazar)
2. Dr. V. S. Rathore (Dean, Professor, Dept. of Law cum Chairman, BOS)
3. Dr. Raghvendra Singh Thakur (HOD, Assistant Professor, Dept. of Law-cum member, BOS)
4. Mr. Pravesh Dalei (Member BoS, Assistant Professor, Dept. of Law)

Following points were discussed during the meeting

1. The members discussed for changes in marking scheme 70+30 of B.A.LL.B. (I to X Semesters).
2. The members discussed for changes in marking scheme 70+30 of B.COM.LL.B. (I to X Semesters).
3. The members discussed for implementation of Choice Based Credit System (CBCS) in 71 courses of B.A.LL.B. and B.COM.LL.B. Programmes from the session 2018-2019.

The committee discussed and approved the scheme and syllabi. The following courses were revised in B.A.LL.B. (III to X Semesters):

- ❖ Constitutional Law-I
- ❖ Law of Crimes-II
- ❖ Company Law



- ❖ Political Science-V
- ❖ Environmental Laws
- ❖ Jurisprudence
- ❖ Property Law
- ❖ Banking Law
- ❖ Taxation Law
- ❖ Land laws
- ❖ Human Rights and Humanitarian Law
- ❖ Alternate Dispute Resolution
- ❖ Intellectual Property Rights

The following courses were also revised in B.COM.LL.B. (III to X Semesters):

- ❖ Constitutional Law-I
- ❖ Law of Crimes-II
- ❖ Company Law
- ❖ Environmental Laws
- ❖ Jurisprudence
- ❖ Property Law
- ❖ Banking Law
- ❖ Taxation Law
- ❖ Land laws
- ❖ Human Rights and Humanitarian Law
- ❖ Alternate Dispute Resolution
- ❖ Intellectual Property Rights

Signature & Seal of HoD

विभागाध्यक्ष/HOD
वेधि अध्ययन शाला/School of Law
गुरु घासीदास विश्वविद्यालय
Guru Ghasidas Vishwavidyalaya
बिलासपुर (छ.ग.)/Bilaspur (C G)



Scheme and Syllabus- B.COM.LL.B.

MARKING SCHEME OF COURSES TAUGHT IN B.COM.LL.B. FIVE YEAR INTEGRATED COURSE:

Semester	Name of the course	I ST UNIT TEST	II ND UNIT TEST	END SEMESTER EXAM	TOTAL
Semester I					
I	Law of Torts	15	15	70	100
	Law of Contract-I	15	15	70	100
	Accountancy-I	15	15	70	100
	Business Administration-I	15	15	70	100
	General & Legal English-I (AECC)	15	15	70	100
Semester II					
II	Family Law - I	15	15	70	100
	Law of Contract-II	15	15	70	100
	Accountancy-II	15	15	70	100
	Business Administration-II	15	15	70	100
	General & Legal English-II (AECC)	15	15	70	100
Semester III					
III	Family Law - II	15	15	70	100
	Constitutional Law - I	15	15	70	100
	Accountancy-III	15	15	70	100
	Business Administration - III	15	15	70	100
	Hindi-I (AECC)	15	15	70	100
	Environmental Studies-I (AECC)	15	15	70	100
Semester IV					
IV	Law of Crimes-I	15	15	70	100
	Constitutional Law - II	15	15	70	100
	Accountancy-IV	15	15	70	100
	Economics-I	15	15	70	100
	Hindi-II (AECC)	15	15	70	100
	Environmental Studies-II (AECC)	15	15	70	100

*To P. Prasad
Dela*

*Pravech Datta
15/10/18*

15/10/18
विधि अध्यापक श्रेणी / School of Law
गुरु घासीदास विश्वविद्यालय
कोनी, बिलासपुर



Semester V					
V	Law of Crimes-II	15	15	70	100
	Company Law	15	15	70	100
	Accountancy-V	15	15	70	100
	Economics-II	15	15	70	100
	Administrative Law	15	15	70	100
	Environmental Law	15	15	70	100
Semester VI					
VI	Law of Evidence	15	15	70	100
	Jurisprudence	15	15	70	100
	Accountancy-VI	15	15	70	100
	Economics-III	15	15	70	100
	Labour Law	15	15	70	100
	Civil Procedure Code	15	15	70	100
Semester VII					
VII	Property Law	15	15	70	100
	Banking Law/ Insurance Law/Merger and Acquisition	15	15	70	100
	Interpretation of Statutes /Legislative Drafting	15	15	70	100
	Industrial Laws	15	15	70	100
	Professional Ethics (SEC)	15	15	70	100
	Public International Law	15	15	70	100
Semester VIII					
VIII	Drafting, Pleading, Conveyancing (SEC)	15	15	70	100
	Taxation Law	15	15	70	100
	IT Law/Competition Law	15	15	70	100
	Land Laws	15	15	70	100
	Human Rights and Humanitarian Law	15	15	70	100
	Equity and Trust/Financial Market regulation	15	15	70	100

To Pransh
Devi

Pransh/Dahi
15/10/18

15/10/18
15/10/18
15/10/18



B.COM.LL.B. (Five year Integrated Course)

SEMESTER-I

Law of Torts

Marks: 100 [70 + 30]

Course Credits: 4

Unit 1. Tort: Definition, Nature, Scope and Objects

1.1. A wrongful act- violation of duty imposed by law, duty which is owed to people generally (in rem) - *damnum sine injuria* and *injuria sine damnum*.

1.3. Defences in Tort

1.3.1. *Volenti non fit injuria*

1.3.2. Necessity, private and public

1.3.3. Plaintiff's fault

1.3.4. Act of God

1.3.5. Inevitable accident

1.3.6. Private defence

1.3.7. Statutory authority

1.3.8. Judicial and quasi-judicial acts

1.3.9. Parental and quasi-parental authority

1.4. Doctrine of sovereign immunity and its relevance in India

Unit 2. Liability

2.1 Principles of Liability in Torts

1.2.1. Fault:

1.2.1.1. Wrongful intent

1.2.1.2. Negligence



1.2.2. Liability without fault

1.2.3. Violation of ethical codes

1.2.4. Statutory liability:

1.2.5. Place of motive in torts

2.2 Vicarious Liability

2.1. Basis, scope and justification

2.1.1. Express authorization

2.1.2. Ratification

2.1.3. Abetment

2.2. Special Relationships:

2.2.1. Master and servant - arising out of and in the course of employment - who is master? - The control test - who is servant? - Borrowed servant, independent contractor and servant, distinguished

2.2.2. Principal and agent

2.2.3. Corporation and principal officer

2.3 Motor Vehicles Accident: Motor Vehicles Act, 1988

2.3.1 Evolution of law relating to compensation in accidents involving motor vehicles.

2.3.2 No fault liability

2.3.3 Hit and run motor accident

2.3.4 Insurance against third party risks-liability of insurer-owner-driver

2.3.5 Compensation-who can claim-how to claim-where to claim

Unit 3. Torts against persons and property

3.1. Assault, battery, mayhem

3.2. False imprisonment

3.3. Defamation- libel, slander including law relating to privileges

3.4. Marital relations, domestic relations, parental relations, master and servant relations



3.5. Malicious prosecution

3.6. Shortened expectation of life

3.7. Nervous shock

Unit 4. Torts generally & remedies

4.1. Trespass to land, trespass *ab initio*, dispossession

4.1.1. Movable property- trespass to goods, detinue, conversion

4.1.2. Torts against business interests - injurious falsehood, misstatements, passing off

4.2 Negligence

4.2.1. Basic concepts

4.2.1. Theories of negligence

4.2.2. Standards of care, duty to take care, carelessness, inadvertence

4.2.3. Doctrine of contributory negligence

4.2.4. Res ipsa loquitur and its importance in contemporary law

4.2. Liability due to negligence: different professionals

4.4. Liability of common carriers for negligence

4.5. Product liability due to negligence: liability of manufacturers and business houses for their products

4.3. Nuisance

4.3.1. Definition, essentials and types

4.3.2. Acts which constitute nuisance- obstructions of highways, pollution of air, water, noise, and interference with light and air

4.4. Absolute/Strict liability

4.4.1. The rule in Rylands v. Fletcher

4.4.2. Liability for harm caused by inherently dangerous industries

4.5. Legal remedies

4.5.1. Award of damages- simple, special, punitive



4.5.2. Remoteness of damage- foreseeability and directness

4.5.3. Injunction

4.5.4. Specific restitution of property

5. Consumer Protection Act, 1986

6. Recent Developments

Leading Cases

1. *Town Area Committee v. Prabhu Dayal*, AIR 1975 All. 132
2. *Ashby v. White* (1703) 2 Lord Raym 938
3. *Donoghue v. Stevenson* (1932) All ER Rep. 1
4. *Indian Medical Association v. V. P. Shantha*, AIR 1996 SC 550
5. *Jacob Mathew v. State of Punjab* (2005) 6 SCC 1
6. *Rylands v. Fletcher* (1868) LR 3 HL 330
7. *M. C. Mehta v. Union of India*, AIR 1987 SC 1086
8. *M. P. Electricity Board v. Shail Kumar*, AIR 2002 SC 551
9. *K.N. Kalita v. Jadab Chandra Patgiri*, A.I.R. 1976 LR 379
10. *Souma Mitra v. M. P. State Road Transport Corporation* AIR 1974 MP 68.

Prescribed Legislation:

1. Motor Vehicles Act, 1988
2. Consumer Protection Act, 1986

Prescribed Books:

1. W.V.H. Rogers, *Winfield & Jolowicz on Tort* (16th ed., 2002)
2. G.P. Singh, Ratanlal & Dhirajlal, *The Law of Torts* (24th ed., 2004)

Recommended Books:

1. Avtar Singh (Rev.), P.S. Atchuthen Pillai, *Law of Torts* (9th ed., 2004)
2. P.S. Achuthan Pillai, *The law of Tort* (1994) Eastern, Lucknow
3. Salmond and Heuston - *On the Law of Torts* (2000) Universal, Delhi.
4. D.D. Basu, *The Law of Torts* (1982), Kamal, Calcutta.
5. A.S. Bhatnagar, *Motor Accident Compensation*, Orient Law House, New Delhi, 2008

Course Outcome	It enables the students to have knowledge of civil wrong, breach of duty, and remedy available with applicability of Motor Vehicle Act, 1988.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER-I

Contract- I

Marks: 100 [70+30]

Course credits: 4

Unit 1. General Principles of Law of contract

1.1. History and nature of contractual obligations

1.2. Formation of an Agreement: (Ss. 2-10)

1.2.1 Intention to create legal relationship

1.2.2 Proposal and acceptance- their various forms, essential elements, communication and revocation- mode of revocation of offer- proposal and invitations for proposal

1.3 Making of an Agreement – Special Situations: (Ss. 2-10)

1.3.1 Tenders and Auctions

1.4. Consideration (Ss. 2(d), 2(f), 23 and 25)

1.4.1 Meaning- basis and the nature of consideration- kinds-essential elements

1.4.2 Doctrine of Privity of Contract and of consideration, its exceptions (nudum pactum)

1.4.3 Adequacy of consideration-present, past and adequate consideration

1.4.4 Unlawful consideration and its effects views of Law Commission of India on consideration- evaluation of the doctrine of consideration.

1.5. Capacity to Contract [Ss.10, 11, 12, 64, 65, 68 and Specific Relief Act, S. 33]

1.5.1 Legal disability to enter into contract - Minors, persons of unsound mind - person under legal disability- lunatics, idiots

1.5.2 Restitution in cases of minor's agreement- Liability for necessities supplied to the minor - fraud by a minor- agreements made on behalf of a minor's agreements and estoppel- evaluation of the law relating to minor's agreements other illustrations of incapacity to contract.



1.6. Free consent- Its need and definition- factors vitiating free consent. (Ss.13- 22)

1.6.1. Coercion- definition- essential elements- duress and coercion- various illustrations of coercion- doctrine of economic duress- effect of coercion

1.6.2. Undue Influence- definition- essential elements- between which parties can it exist? Who is to prove it? Illustrations of undue influence- independent advice-pardahanashin women- unconscionable bargains - effect of undue influence.

1.6.3. Misrepresentation - definition - misrepresentation of law and of fact- their effects and illustration.

1.6.4. Fraud - definition - essential elements - suggestion falsi-suppresio veri – when does silence amounts to fraud? Active- concealment of truth - importance of intention.

1.6.5. Mistake - definition - kinds- fundamental error - mistake of law and of fact - their effects - when does a mistake vitiate free consent and when does it not vitiate free consent?

1.7. Legality of objects: Limitations on Freedom of Contract (Ss. 23-30)

1.7.1. Void agreements - lawful and unlawful considerations, and objects – Distinction between void and voidable agreement, illegal and unlawful agreements and their effects.

1.7.2. Unlawful considerations and objects:

1.7.2.1. Forbidden by law

1.7.2.2. Defeating the provision of any law

1.7.2.3. Fraudulent

1.7.2.4. Injurious to person or property

1.7.2.5. Immoral

1.7.2.6. Against public policy

1.7.3. Void Agreements:

1.7.3.1. Agreements without consideration

1.7.3.2. Agreements in restraint of marriage

1.7.3.3. Agreements in restraint of trade- its exceptions- sale of goodwill, restrictions, under the partnership Act, trade combinations, exclusive dealing agreements, restraints on employees under agreements of service.

1.7.3.4. Agreements in restraint of legal proceedings- its exceptions.



1.7.3.5. Uncertain and ambiguous agreements

1.7.3.6. Wagering agreement - its exception.

1.8. Discharge of a contract and its various modes. (Ss. 37- 67)

1.8.1. By performance- conditions of valid tender of performance- How? By whom? Where? When? In what manner? Performance of reciprocal promises- time as essence of contract.

1.8.2. By breach - anticipatory breach and present breach.

1.8.3. Supervening Impossibility of performance- specific grounds of frustration application to leases theories of frustration- effect of frustration- frustration and restitution.

1.8.4. By period of limitation

1.8.5. By agreement and Novation- rescission and alteration - their effect remission and waiver of performance - extension of time- accord and satisfaction.

1.9. Quasi-contracts (Ss. 68-72)

1.9.1 Certain relations or obligations resembling those created by contract

1.9.2 Concept and classification

1.10. Remedies for Breach of Contract: (Ss.73-74)

1.10.1 Damages-kinds-remoteness of damages- ascertainment of damages

1.10.2 Mitigation of Damages- Penalty & Liquidated Damages

1.10.2. Injunction- when granted and when refused- Why?

1.10.3. Refund and restitution

1.10.4. Specific performance- When? Why?

Unit 2. Government as a Contracting Party

Constitutional provisions - government power to contract- procedural requirements- kinds of government contracts- their usual clauses- performance of such contracts- settlements of disputes and remedies.

Unit 3. Standard Form Contracts

Nature, advantages - unilateral character, principles of protection against the possibility of exploitation- judicial approach to such contracts- exemption clauses - clash between two standard form contracts- Law Commission of India's views-4. Multi-national Agreement



Unit 4. Remedies

4.1 Strategies and constraints to enforce contractual obligations

4.1.1 Judicial methods- redressal forum, remedies

4.1.2 Other methods like arbitration, Lok Adalat, Nyaya Panchayat and other such non formal methods

4.1.3 Systemic constraints in settling contractual disputes

4.1.3.1 Court fees, service of summons, injunctions, delay.

4.2 Specific relief

4.2.1. Specific performance of contract

4.2.1.1. Contract that can be specifically enforced

4.2.1.2. Persons against whom specific enforcement can be ordered

4.2.2 Rescission and cancellation

4.2.3 Injunction

4.2.3.1. Temporary

4.2.3.2. Perpetual

4.2.4. Declaratory orders

4.2.5. Discretion and powers of court

Unit 5. Leading Cases:

1. Carlill v. Carbolic Smoke Ball (1891-4) All ER Rep. 127

2. Bhagwandas Goverdhandas Kedia v. Girdharilal Parshottamdas & Co., AIR 1966 SC 543

3. Kanhaiya Lal Aggarwal v. Union of India, AIR 2002 SC 2766

4. Abdul Aziz v. Masum Ali, AIR 1914 All. 22

5. Tarsem Singh v. Sukhminder Singh (1998) 3 SCC 471

6. Bank of India v. O.P. Swarankar, AIR 2003 SC 858)

7. M/s. Alopi Parshad & Sons Ltd. v. Union of India, AIR 1960 SC 588

8. State of West Bengal v. S.K. Mondal & Sons, AIR 1962 SC 779



9. Oil & Natural Gas Corporation Ltd. v. Saw Pipes Ltd. (2003) 4 SCALE 92

10. Central Inland Water Transport Corpn. v. Brojo Nath AIR 1986 SC 1571

Prescribed Legislations:

1. The Indian Contract Act, 1872

2. The Specific Relief Act, 1963

3. The Indian Majority Act, 1875

Prescribed books: Contract-I & II

1. P.S. Atiya, Introduction to the Law of Contract 1992 reprint (Claredon Law Series)

2. Avtar Singh, Law of Contract & Specific Relief (9th Ed. 2005) Eastern, Lucknow

3. Anand and Aiyer, Law of Specific Relief (2008), Universal

4. T.R. Desai & S.T. Desai, Indian Contract Act and Sale of Goods Act.

Recommended Books: Contract-I & II

1. G.H. Treitel, Law of Contract, Sweet & Maxwell (1997 Reprint)

2. M.P.Furmston, Cheshire, Fifoot and Furmston's Law of Contract (15th ed., 2007)

3. H.K. Saharay, Dutt on Contract – The Indian Contract Act, 1872 (9th ed., 2000)

4. Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase (1998), EBC Lucknow

5. J. Beatson (ed.), Ansons' Law of Contract, (2002), Oxford, London

Course Outcome	This enable to learn how the contract is formed, and what are the consequences in case of breach of contract and the applicability of Indian Contract Act, 1872
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B.Com.LL.B. (Five year Integrated Course)

SEMESTER-I

Accountancy- I

Marks: 100 [70+30]

Course credits: 4

Learning objective: To impart basic accounting knowledge as applicable to business.

Unit I: Nature and objectives of Book-keeping and Accounting; Accounting as an information system; Branches of accounting; Accounting Principles; Concept and Convention; Accounting standards in India

Unit II: Principles of Double entry system; Concept of revenue and capital items; Preparation of Journal; Preparation of Ledger; Subsidiary Books; Preparation of Trial Balance

Unit III: Rectification of Errors; Preparation of Final Accounts

Unit IV: Depreciation, Provisions and Reserves

Unit V: Accounts of Non-trading organisations

Suggested readings:

1. M.C. Shukla, T.S. Grewal, and S.C. Gupta, Advanced Accountancy; S Chand & Sons
2. A.N. Agarwala, Higher Sciences of Accounting, Kitab Mahal, Allahabad
3. R.L. Gupta & M. Radhaswamy, Financial Accounting, Sultan Chand, New Delhi
4. Hanif & Mukherjee, Financial Accounting, Tata McGraw Hill, New Delhi
5. Shukla, M.B., Financial Accounting, Kitab Mahal, Allahabad
6. Maheshwari, S.N., Financial Accounting, Kalyani Publications, Ludhiyana.
7. Khanuja & Karim, Financial Accounting, SPBD Publishing House, Agra.
8. Shukla, S.M., Financial Accounting, Sahitya Bhawan Publications, Agra.

Course

It help the student to have the knowledge of basics of principles of Book



Outcome

keeping accounting.

B.Com.LL.B. (Five year Integrated Course)

SEMESTER-I

Business Administration I

Marks: 100 [70+30]

Course credits: 4

Unit 1 Principles of Management

Nature and scope of Management; Management: Art of Science? Evolution of Management .Thoughts, Operational, approach, scientific approach, Behavioral approach.

Unit- 2 Functions of Management:

Planning Nature and purpose of planning, Types of plans, Importance of planning and the process of planning making planning effective.

Unit-3 Organizing:

Nature and purpose of organizing, formal and informal organization, organization structure, Line and staff organization, Authority and Responsibility, Centralization & Decentralization;

Unit-4 Staffing:

Nature and purpose of staffing, an overview of staffing function, Recruitment and selection, training and development.

Unit-5 Directing:

Leadership defined, Ingredients of Leadership, The Trait Approach to Leadership, Leadership styles, Leadership and Managing; Communication: Communication Function in an Organization, Communication Process, Importance of Communication process, Barriers to effective Communication.

Unit-6 Coordination:

Nature and importance of coordination, Coordination process,

Unit-7 Control:

Concept and meaning, Control process, Control techniques,

Suggested readings:

- 1 L M Prashad, Principles of Management, S Chand & Co Ltd, New Delhi
- 2 Koontz, Harold, Cyrill O'Donnell, Essentials of Management, Tata MCGraw Hill, New Delhi. Satya Raju & Parthasarathy Management – Text and Cases, PHL, New Delhi



Course Outcome	It enable the students to know the principles of management with respect to planning, organizing, staffing, directing, coordination and control.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER-I

GENERAL AND LEGAL ENGLISH

Marks: 100 [70+30]

Course credits: 2

1. Legal Language:

Legal terminology. Legal terms - meaning.

Explanation of the following Latin Glossary/Maxims either in English or Hindi-Ab-initio, Ad hoc, Ad-interim, Ad-litem guardian, Actus non-faciet reum nisi mens sit rea, Abuse of process, Injuria sine Damnum, Damnum sine injuria, Novus actus interveniens, Respondent superior, Res Ipsa loquitur, Restitution in integrum, Caveat emptor, Res-judicata, Prima facie, Malafides, Bonafides, Expost facto, Ex-parte, Ex-gratia, Trespass-ab-initio, Sine-die, Non-compos mentis, Nemo-dat-quod-non habeat.

2. Abbreviation of Law Magazines & Journals

The following Abbreviations are prescribed for study.

AIR, S.C.C., M.P.L.J., J.L.J., M.P.W.N., Cal. LR, S.C.R, S.C.W.R., AL.I.L.J., Cal. L.J., O.LR, Cr. L.J., All L.J., I.B. Rev., I.L.R., AI. Cr. C., S.C.J., I.T.R., I.T.J., Bom. L.R., An. L.T.

3. Translation of the Hindi passage into English

4. Proficiency in regional language : Translation of the English passage into Hindi.

5. Precise writing

6. Essay writing on the following topics of legal interest

Marriage under Hindu Law, Marriage and Divorce under Mohmmedan Law, Essentials of a valid contract, Master's liability under the law of Tort, Right of private defence under Criminal Law, Fundamental Rights under the Indian Constitution, Emergency provisions, Theories of punishment, Independence of Judiciary.

7. General English

Gender, Number (Singular, Plural), Article, Tenses, Active and Passive voice, Preposition, Narration, One word Substitution, Antonyms and synonyms, Correction of Common Errors.

Course Outcome	It develops in the student's communication skill in English Language with its application in in the field of law.
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B.COM.LL.B. II SEMESTER

B.COM.LL.B. (Five year Integrated Course)

SEMESTER-II

Family Law – I (Hindu Law)

Marks: 100 [70+30]

Course credits: 4

1. Sources and Schools of Hindu Law

1.1. Evolution of the institution of marriage and family.

1.1.1 Schools and Sources of Hindu Law: the Mitakshara School and the Dayabhaga School or Bengal school.

1.1.2. Role of religious rituals and practices in marital relations

1.1.3. Types of family based upon

1.3.1. Lineage- patrilineal matrilineal

1.3.2. Authority structure- patriarchal and matriarchal

1.3.3. Location- patrilocal and matrilocal

1.3.4. Number of conjugal units - nuclear, extended, joint and composite.

2. Hindu Marriage-The Hindu Marriage Act, 1955

2.1 Applicability of legislation (section 2)

2.2 Concept and forms of marriage

2.3 Conditions for the validity of marriage (sections 3 and 5)

2.4 Solemnisation of marriage (section 7)

2.5 Registration of Marriage (section 8)

2.6 Void and Voidable marriages (sections 11 and 12)

2. Restitution of Conjugal Rights, Judicial separation, Divorce and maintenance



2.1 Restitution of Conjugal Rights (Section 9)

2.2 Judicial Separation [sections 10 and 13 (IA)]

2.3 Divorce [sections 13(1), (2), 13(1A), 13A, 13B]

2.3.1 Theories of Divorce

2.3.2 Grounds of Divorce main emphasis on Cruelty, Desertion, Option of Puberty,

Breakdown of Marriage, Mutual Consent, Irretrievable Breakdown of Marriage

2.4 Maintenance

The Hindu Marriage Act, 1955, sections 24 and 25

The Hindu Adoptions and Maintenance Act, 1956, section 18

The Criminal Procedure Code, 1973, section 125

3. Adoption and Guardianship

3.1 The Hindu Adoptions and Maintenance Act, 1956

3.2 Minority and Guardianship

The Hindu Minority and Guardianship Act, 1956

4. Inheritance: The Hindu Succession Act 1956.

4.1 Concept of joint Hindu family and coparcenary under Mitakshara and Dayabhaga law and their incidents.

4.2 Property in Hindu Law

4.2.1 Kinds and Sources of property: Coparcenary and separate property, Gift from paternal ancestor and property inherited from maternal ancestor.

4.2.2 Karta

4.2.2.1 Who can be a karta

4.2.2.2 Position of a karta

4.2.2.3 Powers, duties and liabilities of karta

4.3 Alienation of Joint Hindu Family Property

4.3.1 Alienation by karta; Sale, mortgage, gifts and wills



4.3.2 Alienation by father

4.3.3 Alienee's rights, duties and remedies

4.4 Partition

4.4.1 What is partition?

4.4.2 Subject matter of partition

4.4.3 Partition how effected

4.4.4 Persons who have a right to claim partition and who are entitled to a share

4.4.5 Rules relating to division of property

4.5 Succession to Property of a Male Intestate

4.5.1 General introduction and the application of the Hindu Succession Act, 1956

4.5.2 Devolution of Mitakshara property under the Act

4.5.3 General principles of inheritance

4.5.4 Disqualifications of heirs

4.6 Succession to the Property of Female Intestate

4.6.1 Hindu women's estate

4.6.2 Law relating to inheritance

Prescribed Legislations:

1. The Hindu Marriage Act, 1955
2. The Hindu Adoptions and Maintenance Act, 1956
3. The Hindu Minority and Guardianship Act, 1956
4. Prohibition of Child Marriages Act, 2006
5. Hindu Succession Act, 1956.
6. The Protection of Women from Domestic Violence Act, 2005

Prescribed Books for Family-I & II:

1. Satyajeet A. Desai, *Mulla's Principles of Hindu Law*, Vol. I & II (20th ed., 2007)



2. Paras Diwan and Peeyushi Diwan, *Modern Hindu Law* (18th ed., 2008)
3. M. Hidayatullah and Arshad Hidayatullah, *Mulla's Principles of Mahomedan Law* (19th ed., 2008)
4. Basu, N.D., *Law of Succession* (2000), Universal, Delhi
5. Pares Diwan, *Family Law: Law of Marriage and Divorce in India*, (1984).
6. Paras Diwan, *Law of Adoption, Minority, Guardianship and Custody* (2000), Universal, Delhi
7. D. Pathak, *Hindu Law*

Recommended Books for Family-I & II:

1. Ranganath Misra, *Mayne's Treatise on Hindu Law & Usage* (15th ed., 2006)
2. Poonam Pradhan Saxena, *Family Law Lectures, Family Law- II*, (2nd ed., 2007)
3. Duncan M. Derrett, *A Critique of Modern Hindu Law* (1970)
4. Asaf A.A. Fyzee, *Outlines of Muhammadan Law* (2008)
5. Paras Diwan, *Law of Intestate and Testamentary Succession* (1998), Universal
6. A.M.Bhattacharjee, *Muslim Law and the Constitution* (1994) Eastern Law House, Calcutta.
7. A.M.Bhattacharjee, *Hindu Law and the Constitution* (1994) Eastern Law House, Calcutta.
8. Machanda, S.C., *Law and Practice of Divorce in India*(2000) Universal
9. Law Commission of India-

Course Outcome	It gives the knowledge about concepts of marriage, divorce, parental custody, and succession of property, all which are applicable in Hindu community.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER-II

Contract-II

Marks: 100 [70+30]

Course credits: 4

- A. Indian Contract Act 1872 (Sections 124 to 238):
- (1) Indemnity
 - (2) Guarantee
 - (3) Bailment
 - (4) Pledge
 - (5) Agency
- B. Sale of Goods Act 1930 with the special reference of the following -
- Concept of Sale as a contract, Nature and Subject Matter, Essentials of contract of Sale, Transfer of Property or Goods between buyer and seller, *Caveat Emptor*, Transfer of Title, Delivery of goods, Unpaid seller, Risk *prima facie* posed with property.
- C. Partnership Act 1932 with the special reference of the following:
- Definition & Nature of Partnership, Rights & Duties of Partners, Legal Position of Minor in Partnership, Holding Out, Legal Consequences of non-registration of firm, Incoming & outgoing partner, Dissolution of partnership firm.
- D. Limited Liability Partnership Act 2008

Leading Cases:

1. Commissioner of Income Tax v. M/s. Omprakash Premchandra Company, Indore (1996), MPLJ 876.
2. Smt. Phuljhari Devi v. Mithai Lal and others. AIR 1971 Allahabad 494.
3. Bhuwanilal v. Bhoor Singh. MPWN (1986) (11) 50.

Books Recommended:

1. Indian Contract Act by Mulla (Student Edition).
2. Sale of Goods Act, 1930.
3. Partnership Act., 1932.
4. Indian Contract Act - Eastern, Lucknow- by Avtar Singh
5. Limited liability partnership Act 2008



Course Outcome	It provide the knowledge about special nature of contract which regulate sales of goods, partnership, relation between principal and agents, etc.
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B.Com.LL.B. (Five year Integrated Course)

SEMESTER-II

Accountancy - II

Marks: 100 [70+30]

Course credits: 4

Learning objective: To impart basic accounting knowledge as applicable to specific types of business.

Unit I: Special Accounting Areas:Hire-Purchase and Instalment System – Meaning of Hire-purchase contract, Legal Provision regarding hire-purchase contract; Accounting records for goods of substantial sale values; Instalment Purchase System, After-sales service

Unit II: Branch Accounts - Independent Branch Debtors System, Stock and Debtor System

Unit III: Joint Venture Accounts – Meaning, Joint venture v/s partnership; Accounting records of Joint venture

Unit IV: Accounting for Partnership: Fundamental of Partnership; Admission of Partners; Retirement and Death of Partners

Unit V: Amalgamation of Firm; Dissolution of partnership Firm; Insolvency of Partnership Firm

Suggested readings:

1. Maheshwari, S.N.: Financial Accounting, Sultan Chand, New Delhi
2. M.C. Shukla, T.S. Grewal, and S.C. Gupta, Advanced Accountancy; S Chand & Sons
3. A.N. Agarwala, Higher Sciences of Accounting, Kitab Mahal, Allahabad
4. R.L. Gupta & M. Radhaswamy, Financial Accounting, Sultan Chand, New Delhi
5. Hanif & Mukherjee, Financial Accounting, Tata McGraw Hill, New Delhi
6. Shukla, M.B., Financial Accounting, Kitab Mahal, Allahabad
7. Shukla, S.M.; Financial Accounting, Sahitya Bhawan, Agra



8. Khanuja & Karim; Financial Accounting, SBPD, Agra

Course Outcome

It imparts basic accounting knowledge as applicable to specific types of business.

B.COM.LL.B. (Five year Integrated Course)

SEMESTER-II

Business Administration - II

Marks: 100 [70+30]

Course credits: 4

Unit-1 Organizational Behavior

Organization Behavior, Concept, Significance and goals of organizational behavior;

Understanding and managing Individual Behavior: Values, Types of Values, attitudes, The Attitude-Behavior Relationship, Perception: meaning and process, Factors influencing perception; Learning and Learning process.

Unit-2 Personality-

Types and theories of personality;

Unit-3 Motivation:

Meaning and importance, Motivation Theories- Maslow's Hierarchy of Needs

Theory, Mc Georg's Theory X and Theory Y, Herzberg's Two-Factor Theory.

Unit-4

Understanding and Managing Group process: Foundations of Group Behavior, Defining and Classifying groups, Basic Group concepts, Understanding Work Teams, Teams Versus Group, Types of Teams, Creating Effective Teams.

Unit-5 Powers:

Definition, Bases of power, Power in Groups, Organizational Conflict- sources, patterns and types of conflict.

Unit-6 Organizational change:

Change at work, Nature of change, Resistance to Change Successfully.

Suggested Readings:

- 1 S P Robbins, Organizational Behavior, PHI, New Delhi
- 2 F. Luthans, Organizational Behavior, McGraw-Hill New York
- 3 L M Prasad, Organizational Behavior, Sultan Chand & Co, New Delhi
- 4 Rao and Narayan, Organizational Behavior, Kalyani publishers, New Delhi



Course Outcome	It extends the knowledge of business administration with respect to organization behaviour, types of personality, motivation, group process, powers and organizational change.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER-II

English-II

Marks: 100 [70+30]

Course credits: 2

Unit 1

Introduction to legal language: Characteristics of legal language, History of legal language, Legal language in India, English as a medium of communication for legal transaction in India.

Unit 2

Phonetics & phonology: the phonetic script, consulting a dictionary for pronunciation – exercise with audio aids, reading exercises-stress, accent and intonation suitable for Indian speakers with emphasis on clarity of speech and felicity of expression.

Unit 3

Paragraph writing

Unit 4

Letter writing (all types)

Unit 5

Transformation of sentences (all types)

Unit 6

Correction of sentences (all types)

Unit 7

Legal terms & their usage: Complaint, Written Statement, Plaintiff, Appeal, Defence, Petition, Magistrate, Judge, Court, Tribunal, Divorce, Judicial Separation, Litigation, Public, Private, Matrimonial Home, Legal, Illegal, Rules, Regulations, Legitimate, Illegitimate, Adoption, Maintenance, Dying Declaration, Alimony, Valid, Monogamy, Bigamy, Polygamy, Will, Deed, Agency, Agreement, Bail, Bailable, Non-Bailable, Bailment, Minor, Mis-Statement, Pledge.

Unit 8



Legal Essays: Cyber law and crime, Public interest litigation in India, Right to information under the Constitution, Right to die and the Constitution, Problem of child labour in India, Importance of Consumer protection, Protection of Human Rights, Need of fast track courts, Judicial activism in India, Effectiveness of Anti dowry legislation, Law: a noble profession.

Suggested Reading:

- Eastwood John, Oxford Practice Grammar, Oxford Uni. Publication.
- Concise Legal Dictionary, Pioneer Publisher, New Delhi.
- Jones Daniel, English Pronouncing Dictionary.
- Collins Cobuild students Grammar.
- Hewings, Hartin, Advanced English Grammar, Cambridge Uni. Press.
- Amin A, Eravelly R., Ibrahim F.J., Grammar Builder (in IV Vol.), CUP.
- Murphy Raymond, Essential English Grammar, CUP
- Wallace, Michael J: Study Skills in English, CUP, Cambridge, 1980.
- Madabhushi Sridhar, Legal Language, Asia Law House, Hyderabad.
- Anirudh Prasad, Outlines of Legal Language in India, CLP, Allahabad.
- Bhatnagar, R.P. & R. Bhargava, Law and Language. New Delhi, Macmillan.
- Brown, Gordon W., Legal Terminology, New Jersey: Prentice Hall, 1990.
- Cochrane, Michael. Legal English, Paris Cujas, 1979.
- Cross Ian et al. Skills for Lawyers, Jordan Publishing Company, 1997.
- Cutts Martin, The Plain English Guide, OUP, 1995.
- Garner Bryan, A Dictionary of Modern Legal Usage, New York, OUP, 1987.

Course Outcome	It advance the communication skill in English language and make them use it efficiently in the field of law.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER-III

FAMILY LAW - II

Marks: 100 [70+30]

Course credits: 4

- (1) **Muslim Shariyat Act, 1937.**
- (2) **Dissolution of Muslim Marriage Act 1939.**
- (3) **Family Courts Act, 1984.**
- (4) **The Muslim Women (Protection of rights on Divorce) Act 1986**
With special study of the case of - Mohd. Ahmad Khan Vs Shah Bano A.IR 1985S.C.945
- (5) **Special Marriage Act 1954.**

The above mentioned Acts and the following topics are prescribed for study:-

- (1) Conception, origin and development of Muslim Law.
- (2) Sources of Muslim Law.
- (3) Schools of Muslim Law.
- (4) Conversion to Islam.
- (5) Marriage.
- (6) Dower.
- (7) Divorce.
- (8) Parentage, Legitimacy and Acknowledgement.
- (9) The Law of Minority and Guardianship.
- (10) The Law of maintenance.
- (11) The Law of Gift & Will.
- (12) The Law of Waqf in India.
- (13) Death - Bed transactions.
- (14) Pre - emption .
- (15) The Law of Succession and administration.



- (16) Inheritance.
- (17) Uniform Civil Code - need for.
- (a) Religious pluralism and its implications.
 - (b) Connotations of the directive contained in Article 44 of the Constitution .
 - (c) Impediments to the formulation of the Uniform Civil Code.
 - (d) The idea of optional Uniform Civil Code.

Leading Cases -

- (1) Maina Bibi Vs Chowdhari Vakil Ahmad 30 CWN 673 (PC) A.I.R (1925) PC 63.
- (2) Mohd. Aladad Khan Vs Mohd. Ismail Khan. - ILR 10 Alld. 289 (Judgement of Justice Mahmood only).
- (3) Janjira Khaton Vs. Mohd. Fakrulla, ILR 49. Calcutta 477 AIR 92 Cal. 429.
- (4) Kappor Chand. Vs Kida Nisha Air 1953 5 C 413

Books Recommended -

- (1) A.A.A Fyzee - Outline of Muhammadan Law
- (2) A.M. Bhattachargee - Muslim Law and the Constitution (1994) Eastern Law House, Calcutta.
- (3) Mulla's Mohammadan Law.
- (4) Family Courts Act 1984.
- (5) The Muslim Women (Protection of Rights of Divorce) Act 1986.
- (6) Special Marriage Act 1954.

Course Outcome	It gives the knowledge about evolution of Muslim law, its school, institution of marriage, dower, divorce, parentage, other aspects of Muslim personal law, and desirability of Uniform civil code.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER-III

CONSTITUTIONAL LAW – I

Marks: 100 [70+30]

Course credits: 4

1. Introduction

Nature and special features of the Constitution

2. Parliamentary Government:

Westminster model - choice of parliamentary government at the Centre and States.

President of India: Election, qualifications, salary and impeachment.

Powers: legislative, executive and discretionary powers.

Council of Ministers.

Governor and state government - Constitutional relationship.

Legislative process: Practice of law-making.

Legislative privileges and fundamental rights.

Prime Minister-cabinet system - collective responsibility-individual responsibility.

Coalition Government: Anti-defection Law.

3. Federalism:

Federalism - principles: comparative study.

Indian Federalism: identification of federal features.

Legislative relations, Administrative relations, financial relations.

Governor's role.

Centre's powers over the states - emergency.

J & K - special status.

Challenges to Indian federalism.

4. Constitutional Processes of Adaptation and Alteration :

Methods of constitutional amendment.

Limitations upon constituent power,



Development of the basic structure: Doctrine of judicial activism and restraint.

5. **Fundamental Rights and Directive Principles :**

Directive Principles - directions for social change - A new social order.

Fundamental Rights and Directive Principles - inter-relationship – judicial balancing.

Constitutional amendments - to strengthen Directive Principles.

Reading Directive Principles into Fundamental Rights.

6. **Fundamental Duties :**

The need and status in constitutional set up.

Interrelationship with fundamental rights and directive principles.

7. **Emergency :**

Emergency - meaning and scope.

Proclamation of emergency - conditions - effect of emergency on Centre –State relations.

Emergency and suspension of fundamental rights.

8. **Judiciary under the Constitution :**

Judicial process:

Court System

The Supreme Court.

High Courts.

Subordinate judiciary.

Judges appointment, removal transfer and condition of service, judicial

independence.

Judicial review: nature and scope.

9 **Services under the Constitution:**

Doctrine of pleasure (Article 310).

Protection against arbitrary dismissal, removal, or reduction in rank (Article 311).

Exception to Article 311.

Leading Cases :

(1) Keshvanand Bharti v State of Kerala

(2) Golaknath v State of Punjab



- (3) A.K. Gopalan v State of Madras
(4) Maneka Gandhi v Union of India

Select Bibliography :

- (1) Dr. V.N. Shukia : Constitution of India.
(2) Prof. M.P. Jain : Constitution of India.
(3) J.N. Pandey : Constitution of India.
(4) H.M. Seervai : Constitution of India. Vol. 1 to 3 (1992), Tripathi, Rombay.
(5) D.D. Basu : Commentaries on the Constitution of India.
(6) D.D. Basu : Shorter Constitution of India, (1996), Prentice Hall of India, Delhi.
(7) Constituent Assembly Debates. Vol. 1 to 12 (1989).
(8) S.C. Kashyap, Human Rights and Parliament (1978), Metropolitan, New Delhi.

Course Outcome

Students would understand making the Constitution with its present nature, some basic concepts about federalism, secularism, equality, social justice, fundamental rights and duty, directive principles, judiciary, process of amendment of Constitution.



B.Com.LL.B. (Five year Integrated Course)

SEMESTER-III

Accountancy - III

Marks: 100 [70+30]

Course credits: 4

Learning objective: This course enable the students to develop awareness about corporate accounting in conformity with the provisions of Companies Act.

Unit-1 Issue, forfeiture and Re-issue of shares: Redemption of preference shares: Issue and Redemption of Debentures.

Unit-II Final Accounts of Company – Excluding Managerial remuneration and Disposal of Profits.

Unit-III Valuation of Shares and Goodwill

Unit-V Accounting for Amalgamation of Companies as per Indian Accounting Standard -14 (AS- 14): accounting for Internal Reconstruction – Excluding inter-company holdings and Reconstruction Schemes.

Unit-V Liquidation of Company.

Suggested readings:

- 1 Shukla.M.B. Corporate Accounting, Kitbag Mahal, Allahabad
- 2 Maheshwari. S.N.Corporate Accounting , Vikas Publishing Houses, New Delhi.
- 3 Gupta.R.L.and Radhaswami. M.Company accounts, Sultan Chand .New Delhi.
- 4 Monga. J.R.Ahuja , Girish and Sahgal .Ashok. Financial Accounting, Mayur Paperback
- 5 Roy, Ramendu: Financial accounting, Prayag pustak Bhawan, Allahabad.
- 6 Tulsyan, P.C. Financial Accounting
- 7 Shukla, S.M. Corporate Accounting, Sahitya Bhawan, Agra.
- 8 Khanuja & Karim, Corporate Accounting SBPD,Agra.

Course Outcome	This course enable the students to develop awareness about corporate accounting in conformity with the provisions of Companies Act.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER-III

Business Administration - III

Marks: 100 [70+30]

Course credits: 4

- Theoretical framework of Business Environment, Concept, Significance and Nature: Types of Environment, Internal Environment, External Environment, Micro and Macro Environment.
- Environment Analysis: Techniques of environmental analysis, steps/approaches to environmental analysis.
- Economic Environment: Nature of the economy, structure of the economy, economic policies and planning, Role of public and private sector in Economic Development.
- Political and Governmental Environment: Functions of State, economic roles of government, governmental and legal environment.
- Government Policies- Industrial policy, Industries (Development and Regulation Act 1948), Industrial licensing, recent monetary and Fiscal policies of the Government, EXIM policy.
- Societal Environment: Classical and contemporary views, social responsibilities of business consumerism in India.
- Suggested Readings:
 1. Adhikary, M., Economic Environment of Business, Sultan Chand & Sons, New Delhi.
 2. Alagh, Y. K., Indian Development Planning and Policy, Vikash Publishing, New Delhi.
 3. Shukla, M. B., Business Environment, Kitab Mahal, Allahabad.
 4. Cherunilam F., Business Environment, Himalaya Publishing House, Mumbai.

Course Outcome

It enhances the knowledge of business administration taking into account the study of types of business environments (economic, political and societal) and basics of environmental analysis.



B.COM.LL.B. (Five year Integrated Course)

SEMESTER-III

HINDI - I

Marks: 100 [70+30]

Course credits: 2

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Course Outcome	It enables the student to have basic knowledge of Hindi Language and develop in them communication skill in this language.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER-III

ENVIRONMENTAL STUDIES-I

Marks: 100 [70+30]

Course credits: 2

Unit 1: The multidisciplinary nature of Environmental Studies.

Definition, Scope and Importance, Need for awareness.

Unit 2: Natural Resources

Renewable and Non-renewable Resources

Natural resources and associated problems

- Forest resources: Use and over-exploitation, deforestation, case studies, Timber extraction, mining, dams and their effects on forests and tribal people.
- Water resources: Use and over-utilization of surface and ground water, floods, drought, conflicts over water, dam's benefits and problems.
- Mineral resources: Use and exploitation, environmental effects of extracting and using mineral resources, case studies.
- Food resources: World food problem changes caused by agriculture and overgrazing, effects of modern agriculture, fertilizer - pesticide problems, water logging, salinity, case studies.
- Energy resources: Growing energy needs, renewable and non-renewable energy sources, use of alternate energy sources, case studies.
- Land resources: Land as resource, land degradation, man induced landslides, soil erosion and desertification.
 - Role of an individual in conservation of natural resources.
 - Equitable use of resources for sustainable lifestyles.

Unit 3: Ecosystems

- Concept of an ecosystem.
- Structure and function of an ecosystem.
- Producers, consumers and decomposers.
- Energy flow in the ecosystem.
- Ecological succession.



- Food chains, food webs and ecological pyramids.
- Introduction, types, characteristic features, structure and function of the following ecosystem
(a) Forest ecosystem, (b) Grassland Ecosystem, (c) Desert Ecosystem, (d) Aquatic Ecosystem
(ponds, stream, lakes, rivers, oceans, estuaries)

Unit 4: Biodiversity and its Conservation

Introduction-Definition, Genetic, species and ecosystem diversity, Bio-geographical classification of India, Value of biodiversity: consumptive use, productive use, social, ethical, aesthetic and option values, biodiversity at global, National and local levels, India as a mega-diversity nation, Hot-spots of biodiversity, Threats to biodiversity: habitat loss, poaching of wildlife, man-wildlife conflicts, Endangered and endemic species of India, Conservation of biodiversity: In-situ, Ex-situ conservation of biodiversity.

Course Outcome	It develops a sense in students about environmental science, particularly about natural resources, ecosystem, biodiversity and its need to be conserved.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER-IV

Law of Crimes-I

Marks: 100 [70+30]

Course credits: 4

A. Indian Penal Code 1860 with the Special Reference of the following

(Sections/ Provisions relating to the quantum of punishment are excluded)

1. General:

Conception of Crime:.

Pre-colonial notions of crime as reflected in Hindu, Muslim and Tribal law.

Macaulay's draft based essentially on British notions.

State's power to determine acts or omissions as crimes.

State's responsibility to detect, control and punish crime.

Distinction between crime and other wrongs.

IPC : a reflection of different social and moral values.

Applicability of I.P.C. : Territorial, Personal.

Salient features of the I.P.C.

2. Elements of Criminal liability :

Author of crime - natural and legal person.

Mens rea - evil intention.

Importance of mens rea.

Recent trends to fix liability without mens rea in certain socio-economic offences.

Act in furtherance of guilty intent.

Omission.

Injury to another.

3. Group liability :

Stringent provision in case of combination of persons attempting to disturb peace.

Common intention.



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- Abetment : Instigation, aiding and conspiracy., Mere act of abetment punishable.
- Unlawful assembly, Basis of liability.
- Criminal conspiracy.
- Rioting as a specific offence.
4. Stages of a crime :
- Guilty intention - mere intention not punishable.
- Preparation:
- Preparation not punishable.
- Exception in respect of certain offences of grave nature or of peculiar kind such as possession of counterfeit coins, false weights and measures
- Attempt:
- Attempt when punishable - specific provisions of IPC.
- Tests for determining what constitutes attempt - proximity, equivocality and social danger.
- Impossible attempt.
5. Factors negating guilty intention:
- Mental incapacity:
- Minority.
- Insanity - impairment of cognitive faculties, emotional imbalance.
- Medical and legal insanity.
- Intoxication - involuntary.
- Private defense - justification and limits.
- When private defiance extends to causing of death to protect body and property.
- Necessity.
- Mistake of fact.
6. Types of punishment:
- Death :
- Social relevance of capital punishment.
- Alternatives to capital punishment.
- Imprisonment - for life, with hard labour, simple imprisonment.



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- Forfeiture of property.
- Fine.
- Discretion in awarding punishment.
- Minimum punishment in respect of certain offences.
7. Specific offences against human body:
- Causing death of human beings: Culpable homicide.. Murder.
- Distinction between culpable homicide and murder.
- Specific mental element: requirement in respect of murder.
- Situation justifying treating murder as culpable homicide not amounting to murder.
- Grave and sudden provocation.
- Exceeding right to private defense.
- Public servant exceeding legitimate use of force.
- Death in sudden fight.
- Death caused by consent of the deceased - euthanasia and surgical operation.
- Death caused of person other than the person intended.
- Miscarriage with or without consent.
- Rash and negligent act causing death.
- Hurt - grievous and simple.
- Assault and criminal force.
- Wrongful restraint and wrongful confinement - kidnapping from lawful guardianship and from outside India.
- Abduction.
8. Offences against women:
- Insulting the modesty of woman.
- Assault or criminal force with intent to outrage the modesty of woman.
- Causing miscarriage without woman's consent:
- Causing death by causing miscarriage without woman's consent.
- Kidnapping or abducting woman to compel her to marry or force her to illicit intercourse.
- Buying a minor for purposes of prostitution.



Rape; Custodial rape. Marital rape.

Prevention of immoral traffic.

Cruelty by husband or his relatives.

Prevention of Sati.

Prohibition of indecent representation of women.

9. Offences against Property :

Theft.

Cheating.

Extortion.

Robbery and dacoity.

Mischief.

Criminal misrepresentation and criminal breach of trust.

B. New kinds of crimes such as terrorism, pollution and adulteration.

Leading Cases :

- (1) Reg V/s. Govinda : ILR 1876 Bombay 342.
- (2) Inzargul Khan V/s. King Emperor: ILR 1936 Nag. 194.
- (3) Mehboob Shah V/s. Emperor: AIR 1945 P.C. 118.
- (4) AmzadKhanV/s. State : AIR 1952 SC 165.

Bibliography :

- (1) K.D. Gaur: Criminal Law - Cases and Materials (1999), Butter worths, India.
- (2) Ratanlal-Dhirajlal : Indian Penal Code (1994 Reprint).
- (3) B.M. Gandhi : Indian Penal Code (1996), Eastern, Nagpur.
- (4) K.D. Gaur, A text book on the Indian Penal Code (1998), Universal, Delhi.

Course Outcome

It makes understand about the offences, its nature and kinds, and punishment principles with special emphasis to Indian Penal Code.



B.COM.LL.B. (Five year Integrated Course)

SEMESTER-IV

Constitutional Law-II

Marks: 100 [70+30]

Course credits: 4

- (A) Indian Legal History
- (1) (a) Charter of 1726 (The Mayors Court)
(b) Charter of 1753
- (2) Grant of Diwani.
- (3) The Regulating Act 1773.
- (4) The Act of settlement 1781.
- (5) Charter of 1774 and Establishment of Supreme Court at Calcutta, Bombay, and Madras.
- (6) Some Landmark Cases -
- (a) Issue of Raja Nand Kumar (1775):
- (b) The Patna Case (1777-79).
- (c) The Cossijurah Case (1779-80)
- (7) Judicial Reforms -
- (a) Judicial Reforms of Warren Hasting.
- (b) Judicial reforms of Cornwallis.
- (c) Reforms of SirJohnShore.
- (d) Reforms of Lord Wellesley.
- (e) Reforms of Lord Minto.
- (f) Reforms of Lord William Bentinck.
- (g) Judicial Reform of Amherst.
- (8) Charter Act 1833; Codification of Laws; Law Commission.
- (9) Charter of 1853.
- (10) Growth of Criminal Law.
- (11) Growth of Personal Law of Hindus & Muslims.



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- (12) Influence of English Law in India.
- (13) Prerogative writs in India.
- (14) Racial discrimination.
- (15) History of the Doctrine of Justice equity and good conscience, Gentoo Code.
- (16) Establishment of High Courts -
- (a) The Indian High Court Act 1861.
 - (b) Government of India Act 1935: more High Courts created.
 - (c) Government powers & Jurisdiction of High Courts.
 - (d) Post constitutional developments.
- (17) The federal Court of India.
- (18) Privy Council
- (a) History.
 - (b) Jurisdiction.
 - (c) Appeals from India.
 - (d) A unique institution.
- (19) Modern or present Judicial System of India -
- (a) Supreme Court
 - (b) High Courts
 - (c) Subordinate Courts, Labour Courts. (With special reference of Chhattisgarh)
- (B) Constitutional History of India.
- Constitutional development since 1858 to 1947 with special reference to the following topics -
- (1) The Govt. of India Act 1858.
 - (2) The Indian Councils Act of 1861.
 - (3) The Indian Councils Act of 1892.
 - (4) Morley-Minto reforms, 1909/ Indian Council Act 1909.
 - (5) Montague - Chelmsford reforms, 1919.
 - (6) The Simon Commission. Nehru Report. First, Second and third round table Conference.
 - (7) Government of India Act 1935 - Federal system of government.



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- (8) The Cripps mission, 1942; Cabinet Mission. 1946; Lord Wavell Plan, Mountbatten Plan.
- (9) Formation of the Interim Government, Constituent Assembly of India.
- (10) The Indian Independence Act, 1947.

Books Recommended -

- (1) M.P. Jain - Outlines of Legal History (1998) Tripathi.
- (2) M.Rama Jois - Legal and Constitutional History of India (1984) Two Volumes.
- (3) V.D Kulshrestha's Landmarks in Indian Legal History (1992), Eastern Lucknow.
- (4) A.B. Keith - Constitutional History of India (1600 - 1936).
- (5) Dr. N.V.Paranjape - Constitutional History of India.

Course Outcome	This enable students to know the legal and constitutional history of India.
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B.Com.LL.B. (Five year Integrated Course)

SEMESTER-IV

Accountancy - IV

Marks: 100 [70+30]

Course credits: 4

Unit I: Introduction: Nature, Scope, Objectives and Importance of Cost Accounting, Various Cost Concepts, Classification and elements of costs, Difference between cost accounting, Financial Accounting and Management Accounting.

Unit II: Element of Cost: Conceptual Approach to materials, Labour and Overheads, Computation of Machine Hour Rate.

Unit III: Unit/Output Costing: Unit Costing- preparation of statement of cost, Determination of tender value. Reconciliation of Cost and Financial Accounts Profit.

Unit IV: Contract Costing: Contract Costing- Complete and incomplete contracts, combined contracts and estimated contracts.

Unit V: Process Costing: Preparation of process accounts with normal and abnormal wastage and effectiveness, allocation of joint expenses. Accounts for Oil Refineries.

Suggested readings:

1. Arora, M.N.; Cost Accounting – Principles and Practice
2. Jain, S.P. & Narang, K.L.; Cost Accounting
3. Shukla M.B.; Cost Accounting, Kitab Mahal, Allahabad
4. Shukla M.B.; Cost and Management Accounting, Himalaya Publishing House, Mumbai
5. Prakash, Jagdish, Rao N., and Shukla, M.B.: Cost accounting, Prayag Pustak Bhawan, Allahabad
6. Agarwal, M.L.; Cost Accounting, Sahitya Bhawan, Agra
7. Kishore, Ravi M., Cost Accounting, Taxmann, New Delhi.

Course Outcome

Student would know principles of cost accounting.



B.COM.LL.B. (Five year Integrated Course)

SEMESTER-IV

Economics-I

Marks: 100 [70+30]

Course credits: 4

Module I. Introduction of Economics

Definitions, Branches of Economics, Importance and use of economics to law professionals,

Module II Utility and Demand

Basic Concepts: Utility, Demand, Supply, Value and Price, Cardinal and Ordinal Approach, Consumer equilibrium,

Module III Theory of Production

Factors of Production, Production function, Return to Factor and Return to Scale, Different concepts of costs, Producer's equilibrium

Module IV Market (Price and output determination).

Classification of markets, Price and output determination in different markets : Perfect competition, Monopolistic competition,

Module V. Factor Pricing Theory of marginal productivity of distribution, Classical and modern theories of Wages, Rent and Interest, Profit

Module VI National Income

Concepts of National Income . GDP, GNP, National Income Accounting, Measurement of National Income,

Module VII. Macro-economic Theory



Keynesian Theory, Theory of Effective Demand, Employment,
Investment function, Capital formation, money, trade cycles

Module VIII Macro-economic Policies

Fiscal Policy, Monetary Policy, Agriculture Policy, Industrial Policy

New Economic policies

Course Outcome	It gives the knowledge of basic principles of micro-economics, viz., utility and demand, production factor, market, factor pricing, national income, as well as knowledge of theories and policies of macro-economics.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER-IV

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Marks: 100 [70+30]

Course credits: 2

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Course Outcome	It develops among students writing skill indifferent environment, viz., office, press, business and commerce, and digital world, as well as it develops in them a sense of Hindi literature with different kinds.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER-IV

ENVIRONMENTAL STUDIES-II

Marks: 100 [70+30]

Course credits: 2

Unit-I: Environmental Pollution

- Causes, effects and control measures of
 - a) Air Pollution (b) Water Pollution, (c) Soil Pollution
 - d) Marine Pollution (e) Noise Pollution, (f) Thermal Pollution
 - g) Nuclear Hazards.
- Solid waste management Cause, effects and control measures of urban and industrial wastes.
- Role of and individual in prevention of pollution.
- Pollution case studies
- Disaster management: floods, earthquake, cyclone and landslides

Unit-II: Social Issues and the Environmental

From unsustainable to sustainable development, urban problems related to energy, water conservation, rain water harvesting, watershed management, resettlement and rehabilitation of people, its problems and concerns, Case studies, environmental ethics, issues and possible solutions, waste and reclamation, consumerism and waste products, environment protection act, Air (Prevention and Control of Pollution) Act, Water (Air (Prevention and Control of Pollution) Act, Wild Protection Act, Forest Conservation Act. Issues involved in enforcement of environmental legislation, Public Awareness.

Unit-III: Human Population and the Environment

Population growth, variation among nations, Population explosion-Family Welfare Programme, environment and Human, health human rights, Value Education, HIV/AIDS, Women and Child Welfare, role of Information Technology in environment and human health, Case Studies.

Unit-IV: Field Work

Visit to local area to document environmental assets-river/grassland/hill/mountain, Visit to a local polluted site-Urban/Rural/Industrial/Agricultural, Study of common plants, insects, birds, Study of simple ecosystem-pond, river, hill slopes etc.

Course Outcome

It increases the level of study about environment issues, particularly about different kind of pollution, its impact upon human population and possible solution, and gives practical training towards environmental

गुरु घासीदास विश्वविद्यालय
(केन्द्रीय विश्वविद्यालय अधिनियम 2009 क्र. 25 के अंतर्गत स्थापित केन्द्रीय विश्वविद्यालय)
कोनी, बिलासपुर - 495009 (छ.ग.)



Guru Ghasidas Vishwavidyalaya
(A Central University Established by the Central Universities Act 2009 No. 25 of 2009)
Koni, Bilaspur - 495009 (C.G.)

assessment.



B.COM.LL.B. (Five year Integrated Course)

SEMESTER - V

LAW OF CRIMES – II

100 Marks[70+30]

Course credits: 4

1. 1. Introductory:

Hierarchy of Criminal Courts, The organisation of police, prosecutor, defence counsel and prison authorities and their duties functions and powers.

2. Pre-trial process

- FIR
- search and seizure
- arrest
- Magisterial Powers to Take Cognizance

3. Trial

- Kinds of trial
- Commencement of proceedings
- Charge
- Examination of witnesses

4. Judgment

5. Appeal, Review, Revision

6. Transfer of case

7. Bail:

- concept, purpose : Constitutional overtones.
- Bailable and Non - Bailable offences
- Cancellation of bail
- Anticipatory bail

8. Plea Bargaining

9. Maintenance

10. Juvenile Justice Act 2015

11. Probation of Offenders Act 1958

Leading Cases :

- (1) Savitri V/s. Govind Singh : 19⁵MPLJ Page 662 SC.
- (2) R. Balkrishna Pillai V/s. State of Kerala : AIR 1996 SC 901.
- (3) Inder Singh V/s. State of M.P. : MPLJ 1990 p. 365.



(4) State of M P Vs. Ramesh Nai MPLJ 1975.

Bibliography :

- (1) Ratanlal Dhirajlal : Criminal procedure code (1999), Universal, Delhi.
- (2) Juvenile Justice (case & protection of children) Act 2000.
- (3) Probation of Offender's Act. 1958.
- (4) Principles Commentaries on the Code of Criminal Procedure, 2 Vol. (2000), Universal.

Course Outcome	Students would understand the procedure aspects of criminal law beginning from, among other things, constitution of criminal court, arrest, bail cognizance, charge, trial, judgement, appeal as followed by agencies of criminal justice system.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - V

COMPANY LAW

100 Marks (70+30)

Course credits: 4

Companies Act 2013 with the Special Reference of Following -

1. Meaning of Corporation:

Theories of corporate personality, Creation and extinction of corporations.

2. Forms of Corporate and Non-Corporate Organizations:

Corporations, partnership and other associations of persons, state corporations, government Companies and Small - scale, Co-operative, Corporate and Joint sector.

3. Law relating to companies

Need of company for development, formation of a Company, Registration and Incorporation.

Memorandum of association - various clauses - Alteration therein -doctrine of ultravires.

Articles of association - binding force - alternation - its relation with memorandum of association - doctrine of constructive notice and indoor management - exceptions.

Prospectus - issue - contents - liability for misstatements-statement in lieu of prospectus.

Promoters-Position-duties and liabilities

Shares-General principles of allotment statutory restrictions-share certificate its objects and effects"- transfer of shares-restrictions on transfer - procedure for transfer - refusal of transfer-role of public finance institutions, relationship between transferor and transferee - issue of shares at premium and discount - depository receipts-dematerialized shares (DEMAT)

Shareholder -who can be and who cannot be a shareholder – modes of becoming a shareholder -calls on shares- forfeiture and surrender of shares - lie on shares.

Share capital -Kinds - alteration and reduction of share capital - further issue of capital - conversion of loans and debentures into capital- duties of courts to protect the interests of creditors and shareholders.

Directors -Position - appointment - qualifications - vacation of office-removal - resignation - powers and duties @f directors - meeting, registers, loans - remuneration of directors - role of nominee directors –compensation for loss of office - managing directors - compensation for loss of office managing directors and other managerial personnel.

Meetings -Kinds - Procedure - voting.

Dividends -payments - capitalization - profit.



Borrowing powers - powers - effect of unauthorised borrowing charges and mortgages- loans to other companies – investments contracts by companies.

Debentures-meaning - fixed and floating charge – kinds debentures - Share holder and debenture holder-remedies of debenture holders.

Protection of minority rights.

Protection of oppression and mismanagement - who can apply ? Powers of the company. Court and the central government Investigation - powers.

Private companies -nature and advantages- government companies holding and subsidiary companies.

Regulation and amalgamation.

Winding up types by court reasons - grounds who can apply procedure powers of Liquidator - powers of court - consequences of winding up order - voluntary winding up by members - payment of liabilities - preferential payment, unclaimed dividends - Winding up of unregistered company.

4. Corporate Liability :

Legal Liability of companies civil and criminal.

Remedies against them civil, Criminal and tortious - Specific Relief Acts. Writs, Liability under special status.

Book Recommended :

1. AvtarSingh, Indian Company Law (1999), Eastern Lucknow.
2. L.C.B. Gower, Principles of Modern Company Law (1997) Sweet and Maxwell, London.
3. Palmer, Palmer's Company Law (1987), Stevens. London.
4. R.R. Pennington, Company Law (1990). Butterworths.
5. A. Ramaiyya, Guide to the Companies, Act, (1998), Wadha.
6. S.M. Shah. Lectures on Company Law (1988), Tripathi, Bombay.

Course Outcome	It enables the students to know the law relating to company affairs and management.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER-V

Accountancy-V

Marks: 100 [70+30]

Course credits: 4

Learning objective: It enables the students to know the basics of Income Tax Act and its implications.

Unit I: Introduction: Basic concepts: Income, Agricultural Income, and Casual Income, Assessment Year, Previous Year, Gross Total Income, Total Income, Person, Assesse, Residential status and incidence of tax; Exemptions from Tax.

Unit II: Computation of Income under the head

- i. Income from salary
- ii. Income from house property

Unit III: Computation of Income under the head

- iii. Income from business or profession
- iv. Capital gains
- v. Income from other sources

Unit IV: Clubbing of income and aggregation of income; Set off and carry forward of losses; Deductions from gross total income while computing total income

Unit V: Computation of total income and tax liability of an individual; Tax deducted at source (TDS); Advance Payment of Tax; Assessment Procedure; Refund of Tax, Appeals; and Penalties

Suggested Reading:

1. Gaur, V. P. & Narang, D. B.: Income tax – Law & practices; Kalyani Publishers, Ludhiana
2. Ahuja, Girish & Gupta, Ravi: Systematic Approach to Income Tax; Bharat law House, New Delhi
3. Mehrotra, H.C.: Income Tax Law; Sahitya Bhawan, Agra
4. Pagare, Dinkar: Law and Practice of Income Tax; S. Chand & Sons, New Delhi
5. Singhanian, V K : Students Guide to Income Tax, Taxman Publications (P) Ltd. Delhi
6. Saklecha, Sripal; Income Tax-Law & Accounts, Satish printers, Indore

Course Outcome

It enables the students to know the basics of Income Tax Act and its implications.



B.COM.LL.B. (Five year Integrated Course)

SEMESTER-V

Economics-II

Marks: 100 [70+30]

Course credits: 4

1. Structure of Indian Economy
Nature of Economy, Natural Resources, Infrastructure, National Income in India
2. Indian Agriculture
Indian Agriculture Policy, Agricultural Production, Agricultural Inputs and Finance,
Agriculture Labour, Agriculture Prices
3. Industrial Development in India
Industrial Development : Industrial Policy, Small Scale Industries, Public Sector Undertakings,
Industrial Sickness in India, Major industries
4. Foreign Trade & Foreign Capital
India's Foreign trade : Composition and Direction, India's Balance of Payments,
India and World Economy : WTO, Globalization,
5. Banking
Reserve Bank in India, Commercial Banks, Development Financial Institutions,
Capital Market, Rural banking,
6. Public Finance in India
Indian Tax Structure, Public Expenditure, Budget, Finance Commission,
Fiscal policy



7. New Economic Reforms

New Economic Reforms, Liberalization, Privatization and Disinvestment policy,
Globalization and Trade sector Reforms

8. Problems and Issues

Poverty, Unemployment, Rising of prices, Disparity of Income and Wealth,
Regional Disparity, Conservation of Environment

Course Outcome	It makes understand the students about structure of Indian economy, Indian agriculture, industrial development, foreign trade & capital, banking and public finance, and about economic reforms taken by now.
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B.COMLL.B. (Five year Integrated Course)

SEMESTER - V

ADMINISTRATIVE LAW

100 Marks (70+30)

Course credits: 4

- (1) Evolution, Nature and Scope of Administrative Law.
 - (a) From a Laissez - faire to a social welfare state.
 - (b) State as regulator of private interest.
 - (c) Other functions of modern state: relief, welfare.
 - (d) Evolution of administration as the fourth branch of government – necessity for delegation of powers of administration.
 - (e) Evolution of agencies and procedures for settlement of dispute between individual and administration.
 - (f) Definition and scope of administrative law.
 - (g) Relationship between Constitutional law and administrative law.
 - (h) Separation of powers.
 - (i) Rule of Law.
- (2) Legislature Powers of Administration -
 - (a) Necessity for delegation of legislative power.
 - (b) Constitutionality of delegated legislative powers of exclusion and inclusion and power to modify statute.
 - (c) Requirements for the validity of delegated legislation.
 - (d) Publication of delegated legislation.
 - (e) Legislative control of delegated legislation
 - (f) Laying procedures and their efficiency.
 - (g) Committees on delegated legislation - Their Constitution, Function and effectiveness.
 - (h) Hearing before legislative Committees.
 - (i) Judicial control of delegated legislation.
 - (j) Sab - delegation of legislative powers.
- (3) Judicial Powers of Administration -
 - (a) Need for devolution of adjudicatory authority on administration.
 - (b) Administrative tribunals and other adjudicating authorities : their ad – hoc character.
 - (c) Tribunals - need, nature, constitution, jurisdiction and procedure.



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- (d) Jurisdiction of administrative tribunals and other authorities.
- (e) Distinction between quasi -judicial and administrative functions.
- (f) Natural Justice and its Implementations.
- (g) The right of hearing - essentials of hearing process.
- (h) No man shall be judge in his own cause.
- (i) No man shall be condemned unheard.
- (j) The right to Counsel.
- (k) Institutional decisions.
- (l) Administrative appeals.
- (4) Judicial control of administrative Action -
- (a) Exhaustion of administrative remedies.
- (b) Standing: standing for Public Interest litigation (Social action litigation) Collusion, bias.
- (c) Laches.
- (d) Resjudicata.
- (e) Grounds.
- (f) Jurisdictional error / ultra vires.
- (g) Abuse and non-exercise of jurisdiction.
- (h) Error apparent on the face of the record.
- (i) Violation of principles of natural justice.
- (j) Remedies in Judicial Review.
- (k) Statutory appeals.
- (l) Mandamus.
- (m) Certiorari.
- (n) Prohibition.
- (o) Quo – warranto
- (p) Habeas corpus.
- (q) Declaratory judgments and injunctions.
- (r) Specific performance and civil suits for Compensation.
- (5) Administrative Discretion -
- (a) Need for Administrative Discretion.
- (b) Administrative Discretion and rule of law.
- (c) Limitations on exercises of discretion.



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- (d) Modified exercises of discretion.
 - (e) Constitutional imperatives and use of discretionary authority.
 - (f) Non - exercise of discretionary power.
- (6) Liability for wrongs (Tortious and contractual)
- (a) Tortious Liability: Sovereign and non-sovereign functions.
 - (b) Statutory immunity.
 - (c) Act of state.
 - (d) Contractual liability of Government.
 - (e) Government privilege in legal proceeding state secrets, and right to interest.
 - (f) Transparency and right to information.
 - (g) Estoppel and waiver.
- (7) Corporations and public undertakings -
- (a) State monopoly - remedies against arbitrary action or for acting against public policy.
 - (b) Liability of public and private Corporations - departmental undertakings.
 - (c) Legislative and Governmental Control.
 - (d) Legal remedies.
 - (e) Accountability - Committee on public undertaking, Estimates Committee etc.
- (8) Informal Methods of Settlement of Disputes and Grievance Redressal Procedure -
- (a) Public inquiries and commissions of inquiry.
 - (b) Ombudsman : Lok Pal, Lok Ayukta.
 - (c) Vigilance Commission.

Leading Cases -

- (1) Bharat Bank Ltd Vs Employees of Bharat Bank Ltd AIR (1950) SC. 188
- (2) A.K. Kripak and others Vs Union of India and others - AIR (1970) SC 150.
- (3) Bhagat Raja Vs Union of India AIR (1967) SC 1606.
- (4) Harishankar Bagla Vs state of M.P. AIR (1954) SC 465.

Books Recommended -

- (1) Peter Cane - An Introduction to Administrative Law (1996) Oxford..
- (2) Wade - Administrative Law (1989), Butterworth ed. (B.L.Jones).
- (3) J.C.Garner - Administrative Law (1989), Butterworth ed (B.L.Jones).



- (4) Jain & Jain - Principles of Administrative law (1997) Universal, Delhi.
- (5) M.P. Jain - Cases and Materials on Indian Administrative law Vol I and II 1996.
- (6) S.P. Same - Administrative Law (1998) Butterworths - India, Delhi.
- (7) De Smith - Judicial Review of Administrative Action (1995 Sweet and Maxwell with supplement.
- (8) D.D.Basu - Comparative Administrative law (1998).
- (9) M.A.Fazal - Judicial Control of Administrative Action In India, Pakistan & Bangladesh.

Course Outcome	It enable to know, among other things, the laws relating to administration and concepts of natural justice.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - V

ENVIRONMENTAL LAWS

100 Marks (70+30)

Course credits: 4

1. Concept of environment and pollution:
 - a. Environment: Meaning and contents
 - b. Pollution : Meaning, Kinds of pollution. Effects of pollution.
2. Constitutional Perspectives:
 - a. Directive Principles.
 - b. Fundamental Duty.
 - c. Fundamental Right.
 - d. Right to clean & healthy environment.
3. Environment Protection :
 - a. Protection Agencies : Powers and Function.
 - b. Protection : Means and Sanctions.
4. The Environment Protection Act 1986.
5. Water (Prevention and Control of Pollution) Act. 1974 and Air (Prevention and Control of Pollution) Act. 1981. With special reference to:
 - a. Meaning and Standards.
 - b. Culprits and victims.
 - c. Offences and Penalties.
 - d. Judicial Approach.
6. Noise Pollution :
 - a. Legal Control.
 - b. Court's of Balancing: Permissible and impermissible Noise.
7. Wild Life (Protection) Act, 1972. With special reference to :
 - a. Wild Life.



- b. Sanctuaries and national Parks.
 - c. Licensing of Zoos and Parks.
 - d. State Monopoly in the sale of Wild life and Wild life articles.
 - e. Offences against wild life.
8. The Prevention of Cruelty to Animals Act, 1960.

Leading Cases:

1. M.C. Mehta Vs. Union of India AIR SC 382.
2. Mandu Distilleries Pvt. Ltd. Vs. Pradooshan Niwaran Mandal AIR 1995 M.P. 57.
3. Moorena Mandal Sahkari Sakhar Karkhana and other Vs. M.P. Board for Prevention and Control of Water Pollution Bhopal 1993 MPLJ 487.
4. Santosh Kumar Gupta Vs. Secretary Ministry of Environment New Delhi 1997 (2) 602 AIR 1998 (M.P) 43.
5. Rural Litigation Entitlement Kendra v Union of India
6. Vellore Citizen case
7. MV Naidu case
8. Godavarman case

Books Recommended:

- (1) The Environment Protection Act, 1986.
- (2) The Air (Prevention and Control of Pollution) Act, 1981.
- (3) Water (Prevention and Control of Pollution) Act. 1974.
- (4) The Wild-Life Animal (Protection) Act. 1972.
- (5) Prevention of cruelty to Animal Act 1960.
- (6) R.B. Singh & Suresh Misra, Environmental Law in India (1996), Concept Publishing Co., New Delhi.
- (7) Kailash Thakur, Environmental Protection Law and Policy in India (1997), Deep & Deep Publications, New Delhi.
- (8) Indian Journal of Public Administration, Special Number of Environment and Administration, July-September 1988. Vol. XXXV, No. 3, pp. 353-801.

Course Outcome	This enables to understand the environmental jurisprudence containing different principles in environment law and to understand, inter alia, the wild life protection law.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - VI

LAW OF EVIDENCE

100 Marks (70+30)

Course credits: 4

1. The Indian Evidence Act 1872 with the special reference of the following topics.
The main features of the Indian Evidence Act 1872.
Other acts which deal with evidence (Special reference to CPC. Cr.PC).
Problem of applicability of Evidence Act.
Administrative.
Administrative Tribunals.
Industrial Tribunals.
Commissions of Enquiry.
Court-martial.
Disciplinary authorities in educational institutions.
2. Central Conceptions in law of evidence :
Facts : section 3 definition : distinction - relevant facts/ facts in issue.
Evidence : oral and documentary.
Circumstantial evidence and direct evidence.
Presumption (Section 4).
Proved, Disproved, Not proved, witness.
Appreciation of evidence.
3. Facts : relevancy :
The Doctrine of res gestae (Section 6, 7, 8, 10).
Evidence of common intention (Section 10).
The problems of relevancy of "Otherwise" irrelevant facts (Section 11).
Relevant facts for proof of custom (Section 13).
Facts concerning bodies & mental state (Section 14, 15).



4. Admission and Confessions:
 - General principles concerning admission (Section 17. 23).
 - Differences between "Admission" and "Confession".
 - The problems of non-admissibility of confessions caused .by "any inducement" threat or promise" (Section 24).
 - Inadmissibility of confession made before a police officer (Section 25).
 - Admissibility of custodial confessions (Section 26).
 - Admissibility of "information" received from accused person in custody, with special reference to the problem of discovery based on "joint statement (Sec. 27).
 - Confession by co-accused (Section 30)
 - The problems with the judicial action based on a "retracted confession".
5. Dying Declarations:
 - The justification for relevance on dying declaration (Section 32).
 - The judicial standards for appreciation of evidentiary value of dyino declaration.
6. Statements by Person who cannot be called Witnesses:
 - General principles.
 - Special problems concerning violation of women's rights in marriage in the law of evidence.
7. Relevance of Judgments:
 - General principles.
 - Admissibility of judgments in civil and criminal matters (Section 43).
 - "Fraud" and "Collusion" (Section 44).
8. Expert Testimony:
 - General principles.
 - Who is an expert? : types of expert evidence.
 - Opinion on relationship especially proof of marriage (Section 50)
 - The problems of judicial defence to expert testimony.
9. Oral & Documentary Evidence:
 - General principles concerning oral evidence (Sections 59-60).
 - General principles concerning Documentary Evidence (Sections 67-90).
 - General principles regarding exclusion of Oral by Documentary Evidence.



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- Special problems; re-hearing evidence.
- Issue estoppel.
- Tenancy estoppel (Section 116).
10. Witnesses, Examination and Cross Examination:
- Competency to testify (Section 118).
- State privilege (Section 123).
- Professional privilege (Section 126, 127, 128).
- Approval testimony (Section 133).
- General principles of examination and cross examination (Section 135-166).
- Leading questions (Section 140-143).
- Lawful questions in cross-examination (Section 146).
- Compulsion to answer questions put to witness.
- Hostile witness (Section 154).
- Impeaching of the standing or credit of witness (Section 155).
11. Burden of Proof :
- The general conception of onus probandi (Section 101).
- General and special exceptions to onus probandi.
- The justification of presumption and of the doctrine of judicial notice.
- Justification as to presumptions as to certain offences (Section 111A).
- Presumption as to dowry death (Section 113-B).
- The scope of the doctrine of judicial notice (Section 114).
12. Estoppels :
- Why estoppels? The rationale (Section 115).
- Estoppels, res judicata and waiver and presumption.
- Estoppels by deed
- Estoppels by conduct.
- Equitable and promissory estoppels.
- Questions of corroboration (Section 156-157)
- Improper admission and of witness in civil and criminal cases.
- Leading Cases :
- (1) Pulukuri Kotayya V/s. Emperor: AIR 1947 PC 67.



- (2) Pakala Narayan Swami V/s. King Emperor: AIR 1939 PC 47.
- (3) Kasmira Singh V/s. State of M.P. : AIR 1952 SC 159.
- (4) State of Punjab V/s. Sodhi Sukhdeo Singh : AIR 1961 SC 493.
- (5) Pulwindar Kaur V/s. State of Punjab : AIR 1952 SC 354.
- (6) State of U.P. V/s. Deoman Upadhaya : 1960 SC 1125.

Select Bibliography :

- (1) Ratanlal Dhiraj lal: Law of Evidence (1994), Wadhwa & Co., Nagpur.
- (2) Avtar Singh : Principles of the law of Evidence (1992), Central Law Agency, New Delhi.
- (3) Sarkar and Manohar: Sarkar on Evidence (1999), Wadhwa & Co., Nagpur
- (4) Indian Evidence Act, (As amended up to date).

Course Outcome	It develops among students an idea about what facts are relevant and admissible, how it is proved, on whom the burden of proof lies, what facts is already presumed by courts, etc.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -VI

JURISPRUDENCE

100 Marks (70+30)

Course credits: 4

1. Introduction:
Meaning of the term 'Jurisprudence', Scope of Jurisprudence, Nature and definition of Law
Purpose of Law:
Justice, Meaning and kinds, Justice and law: approaches of different schools, Power of Supreme Court of India to do complete justice in a case: Article 142.
Sources of Law:
Legislation, Precedents: concept of *stare decisis*, Customs.
2. Schools of Jurisprudence:
 - Natural Law School
 - Analytical School
 - Historical School
 - Sociological School
 - Realist School
 - Economic Approach or Marxist School
3. Administration of Justice
4. Legal rights, Liability and Obligation
 - The concept: Rights: kinds, Right-duty correlation.
 - Conditions for imposing liability, Wrongful Act, Damnum sine injuria, Mensrea, Intention, Negligence, Strict Liability, Vicarious Liability.
5. Persons: Nature of Personality, Status of unborn, minor lunatic and dead persons. Corporate personality.
6. Property:
The concept: Kinds of Property
7. Possession and Ownership:
The concept of Possession, Kinds of Possession, The concept of Ownership, Kinds of Ownership, Difference between possession and ownership
8. Title.



9. Procedure:

Substantive and procedural laws: difference. Evidence: Nature and kinds.

10. Relation between Law & Morality, Law & Religion

Books Recommended:

1. R.W.M. Dias - Jurisprudence.
2. Patton - Jurisprudence.
3. Hart - The Concept of Law.
4. Salmond - Jurisprudence.
5. ,u-Ogh- ijkatis & fof/k''kkL= ,oa fof/k ds fl)kar
6. fof/k''kkL= & eatwiwfj;k %fgUnh xzaFk vdkneh½
7. V.D. Mahajan - Jurisprudence & Legal Theory.
8. G.V. C. Subba Rao - Jurisprudence & Legal Theory.
9. Indian Law Institute - Comparative Law

Course Outcome	
	It helps the students to understand the law and its development in various schools, and make them enable to understand various legal concepts.



B.COM.LL.B. (Five year Integrated Course)

SEMESTER - VI

Accountancy-VI

Marks: 100 [70+30]

Course credits: 4

Learning objective: This course aims at imparting basic knowledge about major indirect taxes.

Unit I: Central Excise Act, 1944 – Meaning, Levy & collection, classification of Goods, definition, registration, valuations, computation of central excise duty, payment of duty and removal of goods, refund of duties, appeals & penalties, CENVAT scheme in excise.

Unit II: Chhattisgarh Excise Duty – Brief history, objectives; import, export, and transport; licences, permits and passes; duties and fees.

Unit III: Customs Duty Act, 1962 – An overview, levy, collection & exemption from customs duties, date of determination of duty & tariff valuation, prohibitions/restrictions on import & export, determination of duty, warehousing, duty drawbacks U/s 74 & 75, special provisions relating to Baggage's, postal goods.

Unit IV: Central Sales Tax, 1956 – Features, terms, definitions, registration of dealers- procedure of cancellation & duplication & registration, computation of taxable turnover and tax liability; filing of returns; use of various forms; authorities; penalties & appeals.

Unit V: Service Tax – Concepts and general principles; charge of service tax and taxable services of select services; valuation of taxable services; payment of services tax and filing of returns; VAT: concepts and general principles, calculation of VAT liability including input tax credits; VAT procedures; introduction of CGVAT.

Suggested reading:

1. Datey, V. S, Indirect Taxes – Law and Practice, Taxman Publications, New Delhi.
2. Balachandram, V., Indirect Taxes, Sultan Chand & Sons, New Delhi.
3. Chowdhary, Harshad C., Central Excise and Customs, Ashoda Publication, Udaipur.
4. How to deal with VAT: Kul Bhushan, Pearson Education, 2005.
5. Saklecha, Sripal; Indirect Tax, Satish Printers, Indore.
6. Mehrotra, H. C.; Indirect Tax, Sahitya Bhawan, Agra.

Course Outcome	It enables the students to understand the principles of indirect tax.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER-VI

Economics-III

Marks: 100 [70+30]

Course credits: 4

1. Poverty : Concepts and Measurement
Different concepts of poverty, Indicators and Measurement of poverty

Causes of Poverty, Estimates of Poverty in India, Poverty Line,

Law and Economics
Law and Poverty, Law and Development
2. Development : Concept and Approaches
Concepts of Economic Growth and Development, Human Development

Underdevelopment and Indian Economy, Causes of Underdevelopment

Economic Disparity in India, Regional Disparity in India
3. Economic Planning in India
Aims and Objectives of Indian Planning, Overview of 50 years of Indian Planning

Review of Eleventh Five Year Plan, Objectives and Monitorable targets of 12th Plan

Inclusive Growth, Sustainable Growth,
5. Poverty Alleviation and Development Programmes

Employment Generation schemes, Poverty Alleviation schemes

Area development programmes, schemes for vulnerable sections of society,
6. Laws for Vulnerable Groups

Human rights, Civil Rights, Law relating to SC, ST, Bonded Labour, Child labour,

Unorganized labour,



7 Rights to People

Right to Education, Food Security, Right to Information, Rights to Forest dwellers,

8 Legal Aid

Legal Aid Concept; evolution, Existing system of legal aid in India;

NALSA, SALSA, Lok Adalats, PIL,

Role of institutions of legal education in legal aid services.

Course Outcome	It integrates the general understanding of economics with the concepts of poverty and development, economics planning, development programme, and law protecting the interest of vulnerable groups, and providing legal aid to the poor.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -VI

LABOUR LAWS

Marks: 100 [70+30]

Course credits: 4

The following Acts are prescribed for study

1. Industrial Dispute Act, 1947.
2. Trade Union Act, 1926.
3. C.G. Industrial Relation Act
4. Minimum Wages Act, 1948.
5. Fatal Accident Act, 1855

Leading Cases :

- (1) Pottery Mazdoor Panchayat V/s. The Perfect Pottery Co. Ltd. S. Others. AIR 1979 SC 1356.
- (2) Sarguja Raigarh Moter Karmchari Sangh V/s. Managing Director Sarguja Raigarh Roadways Pvt. Ltd & others. 1968 J LJ 942. (M.P.L.J. 1968, P. 470.

Books Recommended:

- (1) Shrivastava K.D., Commentaries on Minimum Wages Act 1948 ('95), Eastern, Lucknow.
- (2) R.C. Saxena. Labour Problems & Social Welfare
- (3) V.V. Giri, Labour Problems in Indian Industries. 1972
- (4) O.P. Malhotra The Law of Industrial Dispute.
- (5) C.G. Industrial Relation Act.
- (6) S.C. Shrivastava, Social Security & Labour Laws, 1985.

Course Outcome

It enable to understand the law relating to Industrial dispute, trade union, Minimum wages, Fatal Accidents, inter-alia.



B.COM.LL.B. (Five year Integrated Course)

SEMESTER - VI

CIVIL PROCEDURE CODE AND LIMITATION ACT

Marks: 100 [70+30]

Course credits: 4

- A. Civil Procedure Code 1908 with Special reference of the following -
1. Introduction:
Concepts.
Decree - holder, judgment - debtor, Mesne profits, Plaint,
Written statement. Affidavit, Judgment, Decree, Order,
Execution , Restitution.
Distinction between decree and judgment and between decree and order.
 2. Jurisdiction:
Kinds - Hierarchy of courts, Suit of civil nature - scope and limits.
Resubjudice and Resjudicata. Foreign judgment - enforcement.
Place of suing.
Institution of suit- Parties to suit: Joinder, mis-joinder or non-joinder of parties-representative suit.
Frame of suit: Cause of action.
Alternative disputes resolution (ADR). Summons. Transfer of suits.
 3. Pleadings:
Rules of pleading, signing and verification. Alternative pleadings.
Construction of pleading, Plaint: particulars. Admission, return and rejection. Settlement of Issues.
Written statement/particulars, rules of evidence. Set off and counter claim : Distinction, Discovery, inspection and production of documents. Interrogatories. Privileged documents. Affidavits.
 4. Appearance, examination and trial :
Appearance: Ex-parte procedure. Summary and attendance of witnesses. Trial. Adjournments. Interim orders: commission arrest or attachment before judgment, injunction and appointment of receiver, Interests and costs, Judgment & Decrees.
 5. Execution:



The concept, General principles. Power for execution of decrees, Procedure for execution (ss. 52-54). Enforcement, arrest and detention (ss. 55-59). Attachment (ss. 60-64). Sale (ss. 65-97). Delivery of property, Stay of execution.

6. Suits in particular cases:

By or against government (ss. 79-82). By aliens and by or against foreign rulers or ambassadors (ss.83-87A). Public nuisance (ss. 91- 93). Suits by or against firm. Suits in forma pauperis. Mortgages. Inter pleader suits. Suits relating to public charities.

7. Appeals :

Appeals from original decree, Appeals from appellate decree, Appeals from orders, General provisions relating to appeal, Appeal to the Supreme Court.

8. Review, Reference and revision, Temporary injunction.

9. Miscellaneous:

Transfer of cases, Restitution, Caveat, Inherent powers of courts.

B - Law of Limitation:

Indian Limitation Act 1963 (Section 1 to 24 only).

Books Recommended:

1. Mulla, Code of Civil Procedure (1999), Universal, Delhi.
2. C.K. Thacker, Code of Civil Procedure (2000), Universal, Delhi.
3. M.R. Mallick (ed.), B.B.Mitra on Limitation Act (1998), Eastern, Lucknow.
4. P.K. Majumdar and R.P. Kataria, Commentary on the Code of Civil Procedure, 1908(1998), Universal, Delhi.
5. A.N. Saha, The Code of Civil Procedure (2000), Universal, Delhi.
6. Sarkar's Law of Civil Procedure, Vols.(2000), Universal, Delhi.
7. Universal's Code of Civil Procedure(2000).

Leading Cases:

1. Pir Gouda Hangouda Patil Vs. Kalgauda Sidha Gound and others. AIR -1957. S.C. 363.
2. Tek Bahadur Bhujil Vs. Devi Singh & Others. AIR 1966. S.C.292,
3. Kiran Singh & Others Vs. Chaman Paswan & Others. AIR 1954 S.C. 340.
4. M.P. Shrivastava Vs. Beena . AIR 1967 S.C. 1193.

Course Outcome	This enables students to know the detailed procedure for redressal of civil rights.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -VII

PROPERTY LAW

Marks: 100 [70+30]

Course credits: 4

1. General principal of transfer of property (Section 1 to 53 A)
2. Specific transfers. (Section 54 to 137)
 - (a) Sales
 - (b) Mortgages.

Charges

Lease
3. Exchange

Gifts

Actionable claims

Indian Easement Act. 1882.

 - (a) Nature, Characteristics and extinction..
 - (b) Creation of Easement.
 - (c) Kinds of Easement.
 - (d) Licenses.
4. Jurisprudential Controls of Property:
 - (a) Concept and meaning of property – new property – governmental largesse.
 - (b) Kinds of property – movable and immovable property- tangible and intangible property - intellectual property- copy right – patents and designs – trademarks.
 - (c) The concept of common property resources.
 - (d) Possession and ownership as man – property relationship – finder of
 - (e) lost goods .

Books Recommended :

1. Transfer of Property Act. by Mitra.
2. Transfer of Property Act. by Mulla.
3. Law of Easement by T.S. Dessai.



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Leading Cases:

1. Nain Sukh Das Steonarayan Vs. Goverdhan Das. AIR 1948. Nag.110
2. Associated Hotel of India Vs. R.N. Kapoor. AIR 1959. S.C.1262.
3. Jama Masjid Vs. Roiamaniandra Devish other. AIR 1962. S.C.847.
4. Murarilal Vs. Deokaran. AIR 1965 S.C. 225.

Course Outcome	This paper enables the students to know the concept of property and its different kinds, and law relating to different modes of transfer of immovable property.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -VII

BANKING LAW

Marks: 100 [70+30]

Course credits: 4

Banking System in India

- a. Kinds of banks and their functions
- b. Banking Regulation Laws
 - i Reserve Bank of India Act, 1934
 - ii Banking Regulation Act, 1949
- c. Relationship between banker and customer
 - Legal Character
 - Contract between banker & customer
 - Banks duty to customers
 - The Banking Ombudsman Scheme, 1995
 - Liability under Consumer Protection Act, 1986

Lending, Securities and Recovery by Banks

- a. Principles of Lending
- b. Position of Weaker Sections
- c. Nature of Securities and Risks Involved
- d. Recovery of debts with and without intervention of courts / tribunal:
 - i Recovery of Debts due to Banks and Financial Institutions Act, 1993
 - ii Securitization and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002.

Banking Frauds

- a. Nature of Banking Frauds
- b. Legal Regime to Control Banking Frauds
- c. Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart Cards, Credit Cards

Negotiable Instruments Act

Recent Trends of Banking System in India.

- a. New technology
- b. Information technology
- c. Automation and legal aspects
- d. Automatic teller machine and use of internet
- e. Smart card
- f. Use of expert system
- g. Credit cards



Text books:

1. Banking Law & Negotiable Instruments Act – Sharma and Nainta
2. Banking System, Frauds and Legal Control – R.P. Namita

References:

Banking Law & Practice in India – M.L. Tannan

Course Outcome	It enables to understand the institution of Banking and law regulating the banking system in India, then to know recent trends in Banking system in India.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -VII

INSURANCE LAWS

Marks: 100 [70+30]

Course credits: 4

Unit I

- Introduction, Meaning of Insurance,
- Historical Aspect,
- Characteristic of Insurance,
- Nature of insurance law
- Insurance Contract

Unit II

- Theory of Cooperation,
- Theory of Probability,
- Principles of Insurance,
- Utmost Good Faith,
- Insurance Interest

Unit III

- Re-Insurance,
- Double Insurance,
- Insurance & Wages,

Unit IV

- Types of Ins insurance
- Life Insurance
- Marine Insurance
- Fire Insurance & Miscellaneous Insurance

Unit V

- Indemnity, Subrogation, Causa Proxima, Mitigation of Loss, Attachment of Risk, Contribution
- Constitution, Function and Powers of Insurance Regulatory and Development Authority
- Application of Consumer Protection Act, 1986

Reference Books :

1. M.N.Mishra, Law of Insurance
2. C.Rangarajan, Handbook of Insurance and Allied Laws

Course Outcome	Students will be able to understand the meaning, concept, nature and scope of insurance, basic principles of insurance law, and legislation that regulate the insurance.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - VII

MERGER AND ACQUISITION

Marks: 100 [70+30]

Course credits: 4

UNIT I

- Introduction - Meaning of corporate restructuring, need, scope and modes of restructuring, historical background, global scenario, national scenario.
- Mergers' and 'Acquisitions', bodies governing M&A activity in India. Meaning and definition of 'slump sale', 'asset sale', 'acquisition of shares', and 'de-merger', Forms of Corporate Restructuring - Spin Offs, Equity Carve Outs, Going private and Leveraged Buy-Outs, Merger Types and characteristics.

UNIT II

- Procedural aspects relating to commencing of meetings and presentation of petition including documentation, economic aspects including effect on the interest of small investors; accounting aspects, financial aspects including valuation of shares, taxation aspects, stamp duty and allied matters, filing of various forms.
- Takeovers - Meaning and concept, types of takeovers, legal aspects - SEBI takeover regulations, procedural aspects, economic aspects, financial aspects, accounting aspects, taxation aspects, stamp duty and allied matters, payment of consideration, bail out takeovers, takeover of sick units.

UNIT III

- Funding of Mergers and Takeovers - Financial alternatives, merits and demerits, funding through various types of financial instruments including preference shares, non-voting shares, buy-back of shares, hybrids, options and securities with differential rights, employer stock options and securities with differential rights, takeover finance, ECBs, funding through financial institutions and banks, rehabilitation finance, management buyouts. Valuation of Shares and Business - Introduction, need and purpose; factors influencing valuation; methods of valuation.

UNIT IV

- Corporate Demergers/Splits and Divisions - Difference between demerger and reconstruction; modes of demerger - by agreement, under scheme of arrangement, by voluntary winding up; tax aspects, tax reliefs, Indian scenario, reverse mergers.
- Post-Merger Re-organization - Accomplishment of objectives - criteria of success, profitability, gains to shareholders; post-merger valuation; measuring post-merger efficiency; factors in post-merger reorganization.

UNIT V

- Foreign exchange laws in mergers and acquisition transactions, Overseas Direct Investment, The Companies Act, 2013 and its impact on M&A transactions.

Course Outcome	It enables to know different forms and procedure of merger and acquisition, funding of merger and takeover, corporate demerger, regulatory control over it, and implication of merger and acquisition in law of taxation, Company Act, and other law.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -VII

INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION

Marks: 100 [70+30]

Course credits: 4

1. Interpretation of Statutes:

Meaning of the term statutes, Commencement, operation and repeal of statutes, Purpose of interpretation of statutes.

2. Aids of Interpretation:

Internal aids : Title Preamble, Headings and marginal notes. Sections and sub-sections, Punctuation marks, Illustrations. Exceptions, Provisos and saving clauses, Schedules, Non-obstante clause.

External aids : Dictionaries, Translations, Travaux preparatoires, Statutes in pari materia, Contemporanea expositio, Debates, inquiry commission reports, and Law Commission reports.

3. Rules of Statutory Interpretation:

Primary rules-Literal rule, Golden rule, Mischief rule (rule in the Heydon's case), Rule of harmonious construction, Secondary rules, Noscitur a sociis, Ejesdem generis, Reddendo singula singulis.

4. Presumptions in statutory interpretation.

Statutes are valid, Presumption as to jurisdiction, Presumption against what is inconvenient or absurd, Presumption against intending injustice, Presumption against impairing obligations or permitting from ones own wrong, Prospective operation of statutes.

5. Maxims of Statutory Interpretation:

Delegatus non potest delegate., Expressio unius exclusio alterius, Generalia specialibus non derogant, In pari delicto potior est conditio possidentis, Utresvaletpotior quam pareat, Expressum tacit cessare taciturn, Jure Nature sunt immutabilia.

6. Interpretation with reference to the subject matter and purpose:

Restrictive and beneficial construction. Welfare legislation. Interpretation of Directory and mandatory provisions, Interpretation of enabling statutes.

7. Principles of Constitutional Interpretation:

Harmonious Construction, Doctrine of pith and substance.

Colorable legislation, Ancillary powers, Residuary power, Doctrine of repugnancy, Doctrine of eclipse, Doctrine of severability, Doctrine of Prospective Overruling

8. Principles of Legislation-



- (a) Law-making-the legislature, executive and the judiciary.
- (b) Principal of utility
- (c) Bentham's Theory of Legislation.
- (d) Relevance of John Rawls and Robert Nozick – individual interest to community interest
- (e) Operation of these principles upon legislation.
- (f) Distinction between morals and legislation.

Books Recommended.

1. G P.Singh .Principles of Statutory Interpretation (7th Edition)1999, Wadhwa. Nagpur,
2. P. St. Langan (ed.) Maxwell on the Interpretation of Statutes (1976), N.M.Tripathi, Bombay.
3. K. Shanmukham, N.S. Bindra's Interpretation of Statutes (1997), The Law Book Co, Allahabad.
4. V. Sarathi, Interpretation of Statutes (1984), Eastern Lucknow.
5. M.P. Jain Constitutional Law of India (1994) .Wadhwa &Co.
6. M.P. Singh, (ed) V.N. Shukla's Constitution of India (1994) Eastern Lucknow.
7. U.Baxi Introduction to justice K.K. Mathew's Democracy Equality and Freedom (1978), Eastern, Lucknow.
8. General Clauses Act. 1897.

Course Outcome	This enables to understand the different techniques adopted by courts in construing statutes.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - VII

LEGISLATIVE DRAFTING

Marks: 100 [70+30]

Course credits: 4

UNIT I

- Introduction to Legislative Drafting
- Drafting as a Process
- Difference between legal drafting and legislative drafting
- Choice of Language for drafting
- Vagueness, Ambiguity, and Design of Legislative drafting.

UNIT II

- Forms of legislative instrument
- Bills, Acts, Orders, Schedules
- Related provisions, use of schedule under constitution for drafting
- Case laws under constitutional laws for drafting

UNIT III

- Principles of legislative drafting
- Object to civil, criminal and taxing legislation and anticipated goal
- Limitation of legislation as a tool for change in relation to religion, morality and tradition.
- Factor influence of the decision of legislature

UNIT IV

- Correlation between public opinion and legislative formulation
- Ideals of drafting
- Process and preparation of Legislative drafting
- General rule, word selection and style
- Other requirement including punctuation, marginal notes, provision, illustration , presumption.
- Classification of statute.

UNIT V

- Classification of statute including penal, civil, remedial and tax
- Role of media to develop legislative drafting.
- Basis of interpretation of statute including points to consider for legislative intention
- Ideals in legislative drafting
- Amendment, repeal and review of legislative drafting
- Role of Law commission report to develop legislative drafting

Course Outcome	Student would learn about kind of legislative drafts, what principles are adopted in drafting a legislation, roles of public opinion, of report of law commission, and of media, in drafting a legislation, the process of legislative drafting, inter alia.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -VII

INDUSTRIAL LAWS

Marks: 100 [70+30]

Course credits: 4

The Following Acts are prescribed for Study -

- (1) Factories Act, 1948
- (2) Payment of wages Act, 1936
- (3) Employees' Compensation Act, 1923
- (4) The Child and Adolescent Labour (Prohibition & Regulation Act) 1986

Books Recommended -

- (1) R.C.Saxena Labour Problems & Social Welfare
- (2) S.C Shriwastava Social Security & labour laws 1985
- (3) Labour Laws & by Goswami

Course Outcome

It extends the knowledge of law regulating the factory, compensation to employee in case of injury, payment of wages, and prohibition of child and adolescence labour.



B.OM.LL.B. (Five year Integrated Course)

SEMESTER -VII

PROFESSIONAL ETHICS & AND PROFESSIONAL ACCOUNTANCY SYSTEM

Marks: 100 [70+30]

Course credits: 4

- (1) Professional Ethics.
- (2) Accountancy for Lawyer's.
- (3) Bar Bench Relation

The above Course will be taught in association with the practicing lawyers on the basis of the following materials.

- (A) Mr. Krishnamurthy Ayer's Book on Advocacy.
- (B) The Contempt law & practice.
- (C) The Bar Council Code of Ethics.
- (D) 50 Selected opinions of the disciplinary committee of Bar Council of India and 10 major Judgments of the Supreme Court on the subject The Bar bench relation & Accountancy for lawyers.

Course Outcome

It will help in understanding the professional behaviour, bench bar relationship, and is useful in developing ethics in the legal profession.



B.COM.LL.B. (Five year Integrated Course)

SEMESTER -VII

PUBLIC INTERNATIONAL LAW

Marks: 100 [70+30]

Course credits: 4

Introduction

1. Sources of International Law.
2. Development of International Law.
3. Status of individual in International Law.
4. Recognition of states and its consequences
5. Terrorism and Intervention.
6. Asylum, Extradition, Blockade, Nationality, Neutrality, Treaties.
7. U.N.O and Its Organs.
8. Diplomatic Agents.
9. Health Care, U.N.I. C.E.F.
10. Law of Sea, Continental shelf, jurisdiction of Territorial waters, Sea piracy

Leading Cases:

1. Anglo Norwegian Fisheries Case 19511.C.J. Reb. 166.
2. Cable & Wireless Co. Ltd. Vs Haiteslassie. 54 AIR 629.

Books Recommended:

1. Public International Law by S.K. Kapoor.
2. International law of Human Rights (O.U. P.) by Sieghart Paul.
3. International Law & Fact finding in the field of human rights by Ramchandran. B.C.(Ed).

Course Outcome	Student will be able to demonstrate knowledge and understanding of development of public international law over time to current international situation, law relating to treaties, law of seas, Asylum, extradition, etc., UNO, and other international organization, inter-alia.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - VIII

DRAFTING, PLEADING AND CONVEYANCING

Marks: 100 [70+30]

Course credits: 4

This course will be taught through class instructions and simulation Exercises, preferably with assistance of practicing lawyer, retired judges, Apart from teaching the relevant provisions of law, the course will include 15 exercise in drafting carrying a total 45 marks and 15 exercises in conveyancing carrying another 45 marks (3 marks for each exercise)

Note :

1. Drafting:

General principles of drafting and relevant substantive rules shall be taught.

2. Pleading :

Civil, Plaint, Written Statement, Interlocutory Application, Execution Petition and Memorandum of Appeal and Revision. Petitions under Articles 226 and 32 of the Constitution of India, application against malicious prosecution

Criminal:

Complaints, Criminal Miscellaneous Petition, Bail application, Memorandum of Appeal and Revision.

3. Conveyancing:

Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will.

The remaining 10 marks will be given in a viva-voice examination which will test the understanding of legal practice in relation to drafting, pleading and conveyancing.

Book Recommended :

1. Moghas Pleading
2. Moghas Conveyancing.

Course Outcome

The student would be able to analyse and apply general principles of drafting and conveyancing, and to use effective writing techniques to draft different types of legal documents such as deeds relating to sale, mortgage, licence, lease, assignment, etc.



B.COM.LL.B. (Five year Integrated Course)

SEMESTER - VIII

TAXATION LAWS

Marks: 100 [70+30]

Course credits: 4

A. Indian Income Tax Act, 1961 (as amended). The following chapter are prescribed :

- Chapters - I, II, III, IV, V and VI.
Chapter - VI (A) (Section 80 A to 80 G and 80 G to 80 Q only).
Chapters - XIII and XIV
Chapter - XV (Section 159 to 162,170,175 only).
Chapter - XVI.
Chapter - XVII (Section 220 only).
Chapter - XX (Section 246 to 269 only).
Chapter - XXI.
Chapter - XXII (Sections 275 to 280 only).

Excluding quantum of Punishment.

B. GST

Leading Cases:

1. Commissioner of I.T. (W.B.)Vs. Anwar Ali. AIR 1970 S.C. 1782.
2. Gowli Budanna Vs. Commissioner I.T. (Mysore). AIR. 1966 S.C. 1523.
3. Kyalsa Sara Bhai Vs. Commissioner I.T. (Hyderabad). AIR. 1996. S.C. 1141.

Book Recommended:

Indian Income Tax Act. 1861 (As amended up to date).

Course Outcome	This enable student to have knowledge of principles of direct and indirect taxation.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - VIII

LAW OF INFORMATION TECHNOLOGY

Marks: 100 [70+30]

Course credits: 4

Information Technology Act 2000

(As amended by Information Technology (Amend mend) Act 2008 (Act No. 10 of 2009)

The above act is prescribed for study with the following.

- A. Information Technology
- B. Cyber space
- C. Digital crimes, Computer crimes & Cyber crime
- D. Information Security
- E. Internet crime
- F. Emergency of Computer crimes
- G. Digital signature
- H. Computer crime cases in India

Books Recommended:

1. Information Technology Act 2000
2. Information Technology by Dr. Sushila madan (Taxmann)
3. Computer crimes and Computer Forensics by Dr.R.K.Tewari & P.K. Sastry.
4. Cyber Law Indian & International perspective's by Aparna Vishwanathan (Lexis Nexis)
5. A guide to Information Technology by Shakil Ahmed Syed & Rajiv Rahrey (Capital Law House)

Course Outcome	This enables to know, among other things, thelaw applicable in case of crime against the digitalworld.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - VIII

COMPETITION LAW

Marks: 100 [70+30]

Course credits: 4

Unit I

Introduction

- Competition Act replaces Monopolies and restrictive trade practices Act, (MRTP Act),
- Overview of MRTP Act, and Genesis of competition law in India.
- Concept of Competition.
- Perfect Competition, Effective Competition, Concept of Monopoly.
- Need of fair competition in Market
- Concept of Market - Definition of Market, Market Power, overview of market driven economy.

Unit II

Competition Act, 2002 Anti-Competitive Agreements(Sec. 3)
Definition of Agreement,
Concept of Appreciable Adverse Effect on Competition,
Hardcore Cartels, Bid Rigging,
Tie-in Arrangement,
Exclusive Supply Agreement,
Exclusive Distribution Agreement,
Refusal to Deal,
Resale Price Maintenance.
Abuse of Dominant Position (Sec. 4) - Definition of Dominant Position
Abuse of Dominant Position, Relevant Market, Relevant Geographic Market, Relevant Product Market,
Predatory Price.

Unit III

Joint Ventures,
Mergers and Competition Law - Joint Ventures and Competition Law
Merger and Amalgamation & Competition Law
Definition of Control, Definition of Group,
Regulation of Combination (Sec. 5-6)
Competition Commission of India
Establishment and Composition of CCI
Duties of the Commission,
Procedure of the workings of the Commission,
Orders of the Commission, Powers,
Extraterritorial Jurisdiction of the Commission,
Execution of Orders of the Commission,
Competition Advocacy and other Miscellaneous Provisions.



Unit IV

- IPRs and Competition Law
- Concept of IPRs, Transactions Involving Intellectual Property Rights, Protection offered by IPRs, Licensing IPRs,
- Territorial restraints,
- Conflicts of IPR law and Competition law.
- Compulsory licenses for patents interplay between intellectual property (patents) and competition law
- Application of the TRIPS Agreement Article 31(k), and competition law.

Unit V

- Competition and WTO
- Trade and Competition Policy relationship (debate)
- Investment and Competition Policy
- Technical Barriers to Trade and Competition.
- International Co-operation in Competition Policy.
- Most favoured Nation Theory
- Developing countries and competition law.

Reading Books:

1. T Ramappa, Competition Law in India, Oxford Press
2. Gautam Banerjee, Guide to the Competition Law
3. S.M. Duggar, Guide to COMPETITION Law - Commentary on MRTP Act, Competition Act & Consumer Protection Act (Set in 2 Vols.)

Reference Books:

4. Competition Law, Dr. S.C.Tripathi
5. Competition Law, Avtar Singh

Course Outcome	The course will give the students a fundamental understanding of terms, problems and basic principles and legal concepts used in Competition law in India.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - VIII

LAND LAWS

Marks: 100 [70+30]

Course credits: 4

- (1) Chhattisgarh Land Revenue Code 1959
- (2) The Chhattisgarh Rent Control Act, 2011
- (3) Indian Registration Act, 1908

Leading Cases -

- (1) Harprasad B. Horelal Vs Board of Revenue (1964) M.P.L.J. 370.
- (2) Nandoo Vs Babu and others (1965) M.P.L.J. 178.
- (3) ManMohan Lal Shukia Vs Board of Revenue (1964) M.P.L.J. 32.
- (4) Santosh Jayaswal and others Vs state of M.P and others J.LJ 1966 S.C.152.

Books Prescribed -

- (1) Chhattisgarh Land Revenue Code 1959
- (2) Indian Registration Act 1908
- (3) Chhattisgarh Land Revenue Code - H.K. Mishra & Ashutosh Dwivedi (India Publishing Co.)

Course Outcome	This enable student the knowledge of law applicable to land revenue and rent control in the state of Chhattisgarh alongwith the law relating to registration of land.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - VIII

HUMAN RIGHTS AND HUMANITARIAN LAW

Marks: 100 [70+30]

Course credits: 4

1. Human Rights: nature, concept, origin and development
2. International Instruments
 - i. UN Charter
 - ii. Universal Declaration of Human Rights, 1948
 - iii. International Covenant on Civil and Political Rights, 1966
 - iv. International Covenant on Economic, Social and Cultural Rights, 1966
 - v. International Convention on the Elimination of all forms of Racial Discrimination, 1966
 - vi. American Convention on Human Rights, 1969
 - vii. African Charter of Human Rights, and Peoples Rights, 1981
3. The Protection of Human Rights Act. 1993.
 1. National Human Rights /Commission, Power, Function, Procedure
 2. State Human Rights Commission
4. Humanization of Warfare.
 1. Amelioration of the wounded and sick
 2. Armed forces in the field
 3. Armed forces at sea
 4. The shipwrecked
 5. Protection and facilities
 6. Prisoners of war
 7. Civilians in times of War
 8. Cultural properties
5. Refugee Law
 - i. UN High Commission for Refugee
 - ii. Conventions relating to status of refugees
 - iii. rights of refugee, obligation of refugee
 - iv. durable solution of refugee problems
6. Humanitarian law: Implementation
 1. Red Cross - role
 2. National legislation



Leading Cases:

1. ManekaGandhi Vs. Union of India AIR 1978 S.C. 597.
2. Wikram Deo Singh Tomer Vs. State of Bihar. AIR 1988 S.C. 1782.

Books Recommended :

1. Human rights in State of Emergency in International Law (O.U.P.) by Orra Jaime.
2. Human Rights in India. (Amnesty International)
4. Law Relegating to Protection of Human Rights by Awasthi / Kataria (Orient)
5. Anti-personnel Landmines Friend or Foe?, International Committee of Red Cross, (1996).
6. M.K.Balachandran, Rose Varghese, Introduction to International Humanitarian Law, (1997).

Course Outcome	It enables the student to understand the concept, nature and origin of human rights, international and national instruments of protection of human rights, then humanitarian law regarding protection of refugees, and law of warfare.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - VIII

EQUITY AND TRUST

Marks: 100 [70+30]

Course credits: 4

Equity:

- Nature, History & Court of Equity
- Maxims of equity
- Equitable Rights
- Equitable Remedies
- Equitable doctrines

Trust:

- Introduction
The concept of trust: distinction with agency and contract.

Development of law: common law and equity.

Trusts: classification.
- Trustee: Duties, Liabilities, Powers, Rights, Disabilities
- Beneficiary: Rights and Liabilities
- Discharge of Trustees.
- Constructive Trusts : the equitable and Fiduciary Relationship :
- Charitable and religious trusts Act 1920
- Public trust doctrine
- Fiduciary Relationship

Books Recommended:

- (1) R.E. Megarry and P.V. Baker: Snell's principles of Equity.
- (2) Ouer N.: Indian Trust Act (1997), Delhi Law House.
- (3) Rao C.R. : The Indian Trust Act and Allied laws.
- (4) S. Krishnamurthy Aiyar and Harbans La' Swin, Principles and Digest of Trusts (1998), University Book Agency, Allahabad.
- (5) Iyer, Indian Trust Act (1997)
- (6) Equity –Mortgages, Trust & Fiduciary Relationship –S.C.Tripathi

Course Outcome	It enables understanding of the law of equity with special emphasis on fiduciary obligations, trusts, equitable assignment of property and equitable remedies, inter alia.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - VIII

FINANCIAL MARKET REGULATION

Marks: 100 [70+30]

Course credits: 4

Unit I

- Financial System: Functions and Structure
- Indian Financial System an Overview
- Functions and Organizations
- Stock Exchange meaning
- Recognition of stock exchanges
- Corporatization and demutualization

Unit II

- Securities Market Intermediaries
- Primary Market and Secondary Market Intermediaries: Role and Functions, Merchant Bankers, Stock Brokers, Syndicate Members, Registrars, Underwriters, Bankers to an Issue, Portfolio Managers,
- Debenture Trustees, Foreign Institutional Investors, Depositories, Depositories Participants, Custodians, Credit Rating Agencies, Venture Capitalists
- Market Infrastructure Institutions - Stock Exchanges
- Functions and Significance of Stock Exchanges
- Operations and Trading Mechanism of Stock Exchanges
- Settlement of Securities, Stock Market Indices, Risk Management, Surveillance Mechanism at Stock Exchanges, Straight through Processing
- Demutualization of Stock Exchanges
- SME Exchange
- Debt Market
- Debt Market: Instruments, Listing, Primary and Secondary Segment
- Money Market
- Growth of Money Market in India - Structure and Institutional Mechanism
- Money Market Instruments: Treasury Bills, Commercial Bills, Commercial Paper, Factoring Agreements & Discounting of Bill

Unit III

- Capital Market
- Capital market instruments and intermediaries
- Overview of Capital Market
- Indian Capital Market
- Authorities Governing Capital Markets in India
- Profile of Securities Market
- Securities Market Reforms and Regulatory Measures to Promote Investor Confidence
- Features of Developed Capital Market: IOSCO
- Overview of Depository System in India
- Capital Market Instruments and Rating



- Capital Market Instruments: Equity, Debentures, Preference Shares, Sweat Equity, Non Voting Shares, Share Warrants Pure, Hybrid and Derivatives
- Rating and Grading of Instruments: Concept, Scope and Significance, Regulatory Framework
- Rating Agencies in India, Rating Methodologies

Unit IV

- Regulatory Framework
- Restrictions on Business Activities
- Submission of Information and Documents
- Trustees and their Obligations
- Control over financial market in India
- Role of SEBI
- Securities Contracts (Regulation) Act, 1956
- SEBI Act, 1992
- Objective. Power and Functions of SEBI
- Securities Appellate Tribunal. Appeals. Appearance before SAT
- Depositories Act, 1996
- Definitions, Setting up of Depository, its type, Role and Functions
- Depository Participants
- Admission of Securities
- Difference between Dematerialization & Rematerialisation
- Depository Process
- Inspection and Penalties
- Internal Audit and Concurrent Audit of Depository Participants
- Issue and Listing of Securities
- Listing of Securities
- Issue of Capital and Disclosure Requirements (ICDR)
- Procedure for Issue of Various Types of Shares and Debentures
- Employee Stock Option Scheme and Employee Stock Purchase Scheme
- Delisting of Securities
- Regulatory Framework relating to Securities Market Intermediaries
- Primary Market and Secondary Market Intermediaries: Role and Functions, Merchant Bankers, Stock Brokers, Syndicate Members, Registrars, Underwriters, Bankers to an Issue, Portfolio Managers,
- Debenture Trustees, Foreign Institutional Investors, Custodians, Credit Rating Agencies, Venture Capitalists
- Role of Reserve bank of India
- Role of Central government

Unit V

- Insider trading - An Overview of Law relating to Insider Trading and Takeovers
- Investor protection
- Mutual Funds
- Mutual Fund: Introduction, Definitions, Schemes, Risks Involved, Setting Up of Mutual Funds, Role in Financial Market
- Advantage of Investment in Mutual Fund
- Concept of Trustee and Asset Management Company
- Legal & Regulatory Framework
- Offer Document, Accounting Valuation & Taxation
- Investment Management: Equity & Debt Portfolio, Measuring & Evaluating Mutual Fund Performance
- Investor's Rights and Obligations
- Venture Capital
- Concept of Venture Capital



- Registration, Investment Conditions and Restrictions
- Foreign Venture Capital Investors
- Private Capital Funds
- Collective Investment Schemes
- Resource Mobilization in International Capital Market
- Listing of Securities Issued Outside India
- Foreign Currency Convertible Bonds
- Global Depository Receipts
- American Depository Receipts
- External Commercial Borrowings
- Procedure for Issue of Various Instruments
- Indian Depository Receipts

Indian Depository Receipts: Procedure for Making Issue of IDRs, Conditions for Issue of IDRs, Listing

Course Outcome	It extends the knowledge relating to financial system and its structure, intermediaries of financial markets, money and capital market, securities and debt market, and regulatory framework, particularly, SEBI, inter alia.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -IX

ALTERNATIVE DISPUTE RESOLUTION

Marks: 100 [70+30]

Course credits: 4

Introduction

- a. Alternative Dispute Resolution (ADR): Concept and Need

Techniques of ADR – I

- Arbitration: Domestic Arbitration, International Arbitration - National and International Practice
- Consultation
- Mediation
- Negotiation
- Good offices
- Consultation

Text books:

1. International Dispute Settlement – J.G. Merrill's
2. Legal Services Authority Act, 1987
3. The Arbitration and Conciliation Act 1996

Course Outcome	It familiarizes the students with different techniques of resolution of conflict, other than adjudication in courts, such as arbitration, conciliation, consultation, mediation, negotiation, etc.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -IX

INTELLECTUAL PROPERTY RIGHTS

Marks: 100 [70+30]

Course credits: 4

Introduction to IPR

Trade Mark

- The rationale of protection of trademarks as (a) an aspect of commercial and (b) of Consumer rights.
- Definition and concept of trademarks
- Registration
- The doctrine of honest Current User
- Protection of well-known marks
- Passing off and infringement
- Remedies.

Patents

The following Chapters are prescribed for Study in the light of Indian Patents Act 1970

- Concept of patent
- Patentable inventions
- Process of obtaining a patent : application, examination, opposition and sealing of patents : general introduction
- Procedure for filing patents.
- Grounds for opposition
- Rights and obligations of a patentee
- Duration of patents : law and policy considerations
- The notion of abuse of patent rights
- Compulsory licenses
- International Patents, Technology Transfer, Know-How and problems of self- reliance
- Infringement
- Remedies.

Copyright

The following Chapters are prescribed for Study in light the of Indian Copyright Act 1957

- Historical evolution of the law
- Meaning of copyright
- Works
- Ownership of copyright
- Assignment of copyright
- Author's special rights
- Neighboring Rights
- Infringement



- Fair use
- Piracy in internet
- Aspects of copyright justice
- Remedies

Books Recommended -

1. Cornish W.R., Intellectual Property, Patents, Trade Marks, Copy Rights and Allied Rights (1999), Asia Law House, Hyderabad.
2. Vikas Vashishth, Law and Practice of Intellectual Property (1999), Bharat Law House, Delhi.
3. P. Narayanan, Intellectual Property Law (1999), (ed) Eastern Law House, Calcutta.
4. Bibeck Debroy (ed.) Intellectual Property Rights (1998) Rajiv Gandhi Foundation, Delhi.
5. U.I.F. Anderfelt, International Patent Legislation and Developing Countries (1971).
6. W.R. Cornish, Intellectual Property(3rd ed.) (1996) Sweet and Maxwell
7. W.R. Mann, Transfer of Technology (1982)
8. Mata Din, Law of Passing off and Infringement Action of Trade Marks (1986).
9. P.S. Sangal and Kishore Singh, Indian Patent System and Paris Convention: Legal Perspectives(1987).
10. K. Thairani, Copyright : The Indian Experience (1987)
11. W.R. Cornish, Para and Materials on Intellectual Property (1999), Sweet & Maxwell
12. Indian Copyright Act 1957
13. Indian Designs Act 2000
14. Indian Trade Mark Act 1999
15. Indian Patents Act 1970

Course Outcome	This paper enables the students to know what is intellectual property, what are its justifications, and finally to know the law relating to copyright, patent, trademark.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -IX

CROSS BORDER INVESTMENT

Marks: 100 [70+30]

Course credits: 4

Unit I

- Historical Background of securities and investment laws
- Securities: the concept
- England: Banking corporate finance and private financial services
- India: from usury laws to the modern system
- Securities: Kinds
- Government Securities
- Securities issued by banks
- Securities issued by corporations
- Securities in mutual fund and collective investment scheme
- Depository receipts
- A critical study of SEBI, provisions of SEBI

Unit II

- Government Securities
- Bonds issued by government and semi government institutions
- Role of Central Bank (the RBI in India)
- Impact of issuance of bonds on economy
- Government loan from the general public
- External borrowing
- World Bank
- I.M.F.
- Asian Development Bank
- Direct loan from foreign government.
- Government loan: the constitutional dilemma and limitations
- Can a state go for external loans?
- Impact on economic sovereignty
- Dilution of power of the Central Bank (RBI)
- Treasury deposits
- Securities Issued by Banks
- Bank notes: is it the exclusive privilege of the Central Bank in the issue
- Changing functions of banks from direct lending and borrowing to modern System
- Bank draft, travellers'cheques, cheque cards, credit cards, cast cards
- Deposits' nature: current, saving and fixed deposits, interest warrants

Unit III

- Corporate Securities
- Shares
- Debentures
- Company deposits
- Control over corporate securities



- Central government: Company Law Board
- SEBI: guide lines on capital issues
- RBI
- Protection of investor
- Administrative regulation
- Disclosure regulation
- Protection by criminal sanction

Unit IV

- Collective Investment
- Unit Trust of India
- Venture capital
- Mutual fund
- Control over issue and management of UTI, venture capital and mutual funds
- Plantations and horti-culture farms
- General control
- Control by rating
- Regulation on rating.
- Depositories
- Denationalized securities
- Recognition of securities
- Types of depository receipts: IDR, ADR, GDR and Euro receipts
- SEBI guideline on depositories

Unit V

- Investment in non-banking financial institutions
- Control by usury laws
- Control by RBI
- Regulation on non-banking financial and non-financial companies
- Private-financial companies: registration and regulation
- Chit funds
- Foreign Exchange Control Regime in India
- Concept of foreign exchange regulation
- Administration of exchange control
- SERFASI Act 2002, Foreign Direct Investment
- Desirability of FDI in defense, railway and retail.

Course Outcome	It gives an understanding about the nature and function of the various legal instruments, mechanisms and processes constituting international investment, and about the law regulating its flow, among them include law for protecting the securities and investments.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -IX

LAW RELATING TO RIGHT TO INFORMATION

Marks: 100 [70+30]

Course credits: 4

The Right to Information Act 2005 in the light of following –

- h.** Right to Information and obligations of public authorities.
1. Right to information
 2. Obligations of public authorities
 3. Designation of public information officers
 4. Request for obtaining information
 5. Disposal of request
 6. Exception from disclosure of information
 7. Grounds for rejection to access in certain cases.
- i.** The Central Information Commission
1. Constitution of Central Information Commission
 2. Term of office and condition of service
 3. Removal of Chief Information Commissioner or Commissioner
- j.** The State Information Commission
1. Constitution of State Information Commission
 2. Term of office and condition of service
 3. Removal of Chief Information Commissioner or Commissioner
- k.** Power and Functions of the Commission Appeal
1. Power and Functions of Commission
 2. Appeal
 3. Penalties
- l.** Right to Information (Regulation of fee and cost) Rules 2005

Books Recommended –

1. Law Relating to Right to Information Act by Mitra & R.P. Kataria (Orient)
2. Information Technology Act 2005

Course Outcome	Students will understand and analyze the important definitions, Public Authorities and their obligations to provide information, information which is exempted from disclosure, Constitution of information commissions and their powers and penalties.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -IX

CIVIL SOCIETY AND PUBLIC GRIEVANCES

Marks: 100 [70+30]

Course credits: 4

UNIT-I

Civil Society:

- Concept, Historical Development, Features
- Sociological Approaches
- Civil Society and Democracy
- Civil Society and Nation Building
- Global Civil Society

UNIT-II

Public:

- Concept, Publicans, Citizenship
- Public Sphere
- Public Opinion
- Public Grievances:
- Meaning, Factors, Types
- Arena: Legislative, Judicial, Executive

UNIT-III

Public Grievance Redressed Systems:

- Constitutional: Constitutional Authorities
- Alternatives: ADR Authorities and other Mediatory
- Civil Society as Remedial System:
- NGO's, Action Groups, Interest Groups
- Community Groups

UNIT-IV

Civil Society in India:

- Emergence and Significance
- Civil Society and Deprived Sections
- Civil Society and Caste, Language, Religion
- The Role of Civil Society & NGO's.
- Concept of Democratic Decentralization: Emerging Patterns.

UNIT V



Recent Issues:

- Unequal Treatment and Delayed Justice
- Judicial Remedies and New Regulatory Techniques.
- Moral Policing
- Environment protection
- Globalization and Liberalization
- Role of Civil Society: People's Participation in Development Administration.
- Public Grievances and Redressal Mechanisms.

Recommended Books

1. 2. DeSmith - Judicial Review of Administrative Action.
 2. Garner - Administrative Law.
 3. D. D. Basu - Comparative Administrative Law.
 4. Wade and Philips - Constitutional Law
 5. Dicey - Introduction to Law of the Constitution.
 6. Hood Philips - Constitutional Law and Administrative Law.
 7. M. P. Jain, S. N. Jain - Principles of Administrative Law.
 8. M. P. Jain - The Evolving Indian Administrative Law.
 9. B. Schwartz - An Introduction to American Administrative Law.
 10. M. P. Jain - Cases and Materials on Administrative Law.
 11. K. S. Shukla and S. S. Singh - Lokayukta - A socio legal study.
 12. Ivor Jennings - Law and the Constitution.
 13. K. C. Davis - Discretionary Justice.
 14. Neville L. Brown and J. F. Garner - French Administrative Law.
 15. Peter H. Schuck - Foundations of Administrative Law.
 16. P. P. Craig - Administrative Law.
 17. Alex Carol - Constitution and Administrative Law.
 18. Neil Hawke and Neil Papworth - Introduction to Administrative Law.
 19. Jaffe - Judicial Control of Administrative Law.
 20. K.D.Gaur - A Textbook on The Indian Penal Code.
 21. VidehUpadhyay - Public Interest Litigation in India: Concepts, Cases Concerns 1stEdition
 22. S. K Agrawala - Public interest litigation in India: A critique (K.M. Munshi memorial Lectures)
- The Handbook of Comparative Criminal Law, Stanford Law Books (2010)

Course Outcome	It enables the students to understand the concept of civil societies, reason for its emergence, its growth in India, the role it is capable to play in the society and law regulating the civil society and NGOs, inter alia.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -IX

CITIZENSHIP AND EMIGRATION LAWS

Marks: 100 [70+30]

Course credits: 4

UNIT I

1. Introduction

- Meaning and Definition of Citizenship
- Citizenship under the Indian Constitutional provisions and Citizenship
- Overview of Citizenship Act, 1955

2. Citizenship

- Acquisition of Citizenship
- Termination of Citizenship
- Overseas Citizenship
- Commonwealth Citizenship

UNIT II

1. Kinds of Citizenship

- Single Citizenship
- Dual Citizenship
- Concept of Citizenship and domicile
- Difference between citizenship and domicile

2. Meaning of Immigration 1

- Migration
- Fundamental Right for movement
- Extradition
- Asylum
- Theories of Migration

UNIT III

Migration, Growth of informal sector and quality of life:

- Problems for the Indian Population
- Illegal Migrations
- Contributory factors of Illegal Migration
- Inter-state comity

UNIT IV

- History and sources of immigration law
- Policy, politics and media
- Immigration law and human rights
- Crossing the border and leave to remain
- Challenging decisions: appeals and judicial review
- Concept of Refugee
- Overview of Passport Act
- Overview of Foreigner Act, 1946 and Foreigner Amendment Act, 2004
- Overview of Foreign Contribution (Regulations) Act, 1974
- Illegal Migrant (Determent by Tribunal Act, 1987)
- Nationality and right of abode

Recommended Books



1. Mazhar Hussain, The Law relating to Foreigners, Passport and Citizenship in India
2. Seth, Citizenship and Foreigner Act
3. Immigration Reform & Control Act, 1986
4. M.P. Jain, Indian Constitutional Law
5. D. D. Basu, Shorter Constitution of India
6. V.N. Shukla, Constitution of India

Course Outcome	The student will have an understanding about what is citizenship, method of acquiring, kind of citizenship, then meaning of immigration, law controlling the immigration, its dialogue with human right conscience, inter alia.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -IX

SEMINAR - I

Marks: 100 [70+30]

Course credits: 4

STUDENTS HAVE TO OPT ANY ONE OF THE FOLLOWING AS SEMINAR PAPER:

1. BANKING AND INSURANCE LAW
2. TELECOMMUNICATION LAW
3. WOMEN AND LAW
4. CRIMINOLOGY
5. INTERNATIONAL COMMERCIAL LAW
6. ELECTION LAW
7. INTERNATIONAL HUMANITARIAN LAW
8. INDIRECT TAXES

Course Outcome	It enables students how to write a mini dissertation on some topics related anyhow to law.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -IX

CRIMINOLOGY AND PENOLOGY

Marks: 100 [70+30]

Course credits: 4

CRIMINOLOGY:-

Unit – I: Introduction:

- 1.1 Concept of Crime Definition of Criminology
- 1.2 Cause of Crime, Causation of Crime
- 1.3 Nature, Importance Scope of Criminology
- 1.4 Perspectives and methods in Criminology
- 1.5 Dimensions of Crime in India

Unit – II: School of Criminology:

- 2.1 Pre-classical school
- 2.2 The classical School
- 2.3 Neo-Classical school
- 2.4 Positive School
- 2.5 Clinical School
- 2.6 Sociological School

Unit – III: Specific Crimes and Criminals:

- 3.1 White collar Crime and Blue collar crime
- 3.2 Corruption
- 3.3 Female Criminal
- 3.4 Juvenile delinquent
- 3.5 Organized Crime
- 3.6 Sexual Crime
- 3.7 Cyber Crime
- 3.8 Domestic Violence
- 3.9 Recidivist – Criminal Psychology
- 3.10 Habitual Offender
- 3.11 Alcoholism, Drug Addiction



PENOLOGY:

Unit – IV: Theories of Punishment:

- 4.1 Concept of Punishment
- 4.2 Theories of Punishment
- 4.3 Penal Policy of in India

Unit – V: Forms of Punishment and Judicial Sentencing:

- 5.1 Concept of Punishment
- 5.2 Forms of Punishment
- 5.3 Capital Punishment
- 5.4 Judicial Sentencing
- 5.5 Fine- Victims Compensation

Unit – VI: Prison System:

- 6.1 History
- 6.2 Classification of Prisoner
- 6.3 Administrative Organisation of Prisons
- 6.4 Open Prisons
- 6.5 Constitutional Imperatives and Prisons Reforms
- 6.6 Violation Prison Code and Its Consequences

Unit – VII: Probation and Parole:

- 7.1 Concept and Definition of Probation, Parole
- 7.2 Origin of Probation System
- 7.3 Probation of Offenders Act, 1958
- 7.4 Parole, Nature of Parole Authority for Granting Parole
- 7.5 Parole and Conditional Release
- 7.6 Problems of the Released Offender
- 7.7 Attitude of the Community towards Release of Offenders

VICTIMOLOGY:

Unit – VIII: Victimology

- 8.1 Introduction : Nature and Scope:



8.2 Concept of Victimology

8.3 History and philosophy

8.4 Indian experience

8.5 Legal framework

8.6 Role of court

8.7 Role of NHRC

8.8 Victim and Criminal Justice, Emerging Trends and Policies.

Recommended Books:-

- 1) Edwon H. Sutherland – Criminology
- 2) Ahmad Siddique – Criminology and Penology,.
- 3) V. N. Rajan – Victimology in India.
- 4) Prof. N. V. Paranjape – Criminology and Penology, Central Law Agency, Allhabad.

Reference Books:-

- 1) Krishna Pal Malik – Penology-Sentencing process and treatment of offenders.
- 2) Rohinton Mehta – Crime and Penology
- 3) R. Taft, Donald – Criminology
- 4) S. Rao – Crime in our Society
- 5) J. M. Sethana – Society and Criminal
- 6) Mrs. Vasundhara A. Patil BVNLC, Sangli.
- 7) HLA Hart – Punishment and Responsibility.
- 8) S. Chabra – Quantum of Punishment in Criminal Law.
- 9) Herbert L. Packer – The Limits of Criminal Sanctions.
- 10) Iyer – Prospective in Criminology, Law and Social Change.

Course Outcome	It enables students to understand the concept of crimes and reason for so doing, criminal behaviour, predictive factors for criminal behaviour, different thoughts on criminology and penology, prison system in India, nature and scope of victimology, inter alia.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -IX

WOMEN AND LAW

Marks: 100 [70+30]

Course credits: 4

UNIT I

- Women in Pre-Independence India.
 - a) Social and legal inequality.
 - b) Social Reform movement in India.
- Gender justice and its various forms-
Global Scenario On Gender Justice - The United Nations Development Fund for Women (UNIFEM) was created in 1976 to provide technical and financial assistance for women's empowerment. The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) was adopted in 1979 by the United Nations General Assembly (UNGA).
- Difference between sex and gender- The term sex and gender are concepts used to make a distinction between the
 - a) Biologically different male and female
 - b) The socially different man and woman.
 - c) Feminist sociologists suggest that there is a need to understand and distinguish between the two terms sex and gender in academic discourses and writings.
- Social and legal status of women in ancient / medieval and pre-independence India
- Feminism meaning, nature and importance - Feminism has no specific abstract definition applicable to all women at all times, since it is based on historically and culturally concrete realities and levels consciousness, perceptions and actions.
 - a) Plurality beyond liberal feminism and an ethic of recognition
 - b) Experience and voice , Communication
 - c) Women-only spaces and self-care, Affective, embodied, spiritual and psychological dimensions of the self
 - d) In and beyond representational politics
- Feminism and schools of Jurisprudence
- Nehru and Gandhian views on feminist issue on matters pertaining to joint family, inheritance

UNIT II

International response to improve social and legal status of woman

- Universal declaration of Human rights 1948
- Convention on Political Right of woman, 1954 -'The achievement of democracy presupposes a genuine partnership between men and women in the conduct of the affairs of society in which they work in equality and complementarily, drawing mutual enrichment from their differences".
- International convention on Civil and Political Right, 1966
- The declaration of Mexico on the Equality of woman .1975
- The convention on the elimination of all forms of discrimination against woman, 1981

UNIT III

National response to improve social and legal status of woman in India

- Constitutional empowerment of woman



- a) Article 14 of the Indian Constitution- Equality before law and equal protection of laws.
- b) Article 15 of the Indian Constitution- Prohibition of discrimination on grounds of race, caste, sex or place of birth. The State shall not discriminate against any citizen on grounds only of religion, race, sex, caste, and place of birth or any of them. No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability liability, restriction or condition with regard to
- c) Article 16 of the Indian Constitution

d) Directive principles of State policy

- The Married Woman Property Act, 1874
- The Dowry Prohibition Act, 1961
- Equal Remuneration Act, 1976
- The pre-conception and pre-natal diagnostic Techniques regulation and prevention of misuse Act, 1994
- Child marriage Restraint Act 2006
- Women's commission and its role to prevent the crime against woman

UNIT IV

Crime against Woman in India and Response Law

- Sexual crimes and law
- Matrimonial offences and law
- Offences relating to dowry and law
- Offences relating to miscarriage and law
- Offences relating to trafficking and law
- Criminal Law Amendment Act, 2013
- Protection of children from sexual offences Act, 2012.
- Can crime be punished by self-style.?

UNIT V

- Honor killing and feminism.
- Gang rape and social imbalance – a legal and social issue
- Can law is suffice to prevent injustices against woman? A debating issue.
- Can law protect the woman from anti-social elements? A debating issue.
- Distinction between protective discrimination and empowerment.
- Women's property and inheritance rights
- Gender-based violence (GBV) 13
- Traditional justice versus formal justice
- Transitional justice
- International jurisprudence
- Women's participation in the justice sector
- Barriers to women's access to justice

Recommended Books

1. Sivaramayya, B, Matrimonial Property Law in India (1998), Oxford.
2. Patricia Smith(Ed), Feminist Jurisprudence (1993) Oxford.
3. Towards Equality – Report of the committee on the Status of Women.

(Govt. of India)



4. Lotika Sarkar, The Law Commission of India (1988)
5. Sathe, S.P. Towards Gender Justice (1993), Research Centre for Women's studies.
6. Flavia Agnes, State, Gender and the Rhetoric of Law reform (1985)
Research Centre of Women's Studies, SNDT Women's University Bombay.
7. Law Commission of India, One Hundred and fifty –Fifth Report on the Indian
Penal Code, 1860(1997)
8. G.B. Reddy's Women and The Law. (2001) Gogia Law Agency. Hyderabad.
9. Dr.S.R.Myneni.Women and Law (2005) Asia Law Hyderabad.
10. S.K.Kuba's work status of Women in International Law.
11. ArchanChaturvedi (Ed) Muslim Women and Law. (2004) Commonwealth
Publishers. New Delhi.
12. Bhatnagars Muslim Women & Their Rights (2002) Ashoka Law House, New
Delhi.
14. ManjulaBatra. Women and Law. (2001) Allahabad Law Agency

Course Outcome	It gives sense among students about the need of protective discriminationfor women, about nationaland internationalobligation to improve the status of women, about legal provisions applicablefor the enforcement of civil and penal rights of women, then about issuesand current challenges in the way to womenemancipation.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -IX

LAW AND AGRICULTURE

Marks: 100 [70+30]

Course credits: 4

Unit 1 Constitutional Provisions

1.1 History of land right in C.G.

1.2 Factors leading to land reform in Chhattisgarh

1.3 Property as legal right

1.4 State ownership

1.5 Constitutional mandate of lands

Unit 2: The Chhattisgarh Land revenue Code 1959

2.1 Revenue Administration during British Rule

2.2 Different kinds of land rights

2.3 Settlement operation, realization of arrear land revenue

2.4 Mutation, partition, appeal

2.5 Matter exempted from preview of civil court

2.6 Protection of Backward Classes

Unit 3: Emerging Farmers and Breeders Rights in the Contemporary Era

Unit 4: THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001

Course Outcome	It enables students to understand the history of land right in the State of Chhattisgarh, law of the state relating to land revenue, the right of farmers and of breeder in connection to The Protection of Plant Varieties Farmer's Right Act, 2001, inter alia.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -X

LAW OF THE SEA AND INTERNATIONAL RIVERS

Marks: 100 [70+30]

Course credits: 4

1. The Third U.N. Conference on the Law of the Sea (UNCLOS III) and resulting 1982 U.N. Convention on the Law of the Sea, including:
 - History of UNCLOS III
 - Analysis of the 1982 Convention, its current status and legal effect
 - General Assembly Resolution 48/263 (Agreement of July 28, 1994 Relating to Deep Seabed Mining)
 - Status of non-signatory and non-ratifying states
2. Coastal State Jurisdictional Concerns, including:
 - Territorial waters
 - Straits used in international navigation
 - Exclusive economic zones
 - Fisheries
 - The continental shelf
 - Pollution control and liability
 - High seas enforcement programs
3. Conflicting Claims of Coastal States and Dispute Resolution Mechanisms.
4. The International Seabed: Mineral Exploitation and Other Uses.
5. Protecting the International Ocean Environment.
6. International Conservation and Management of Fisheries.
7. Terrorism and Piracy on the High Seas.
8. Protecting Underwater Cultural Heritage.
9. Indian Law and Policy on the Law of the Sea
10. Efforts of other countries toward regulation of oceans use.

Course Outcome	The students would be able to know the international convention on Law of Sea, law of jurisdiction over territorial water, International seabeds, law of piracy, protection of international sea environment, and underwater sea heritage, Indian policy over these matters, along with the dispute resolution mechanism on conflicting claim of coastal states, inter alia.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - X

MEDIA LAW

Marks: 100 [70+30]

Course credits: 4

Module I - Media & Public Policy

I. Disseminating the facets of Media

Understanding the concept of Media

History of Media Theories of Media

Evolution of Media

II. History of Media Legislation

Media Legislation - British experience

Media Legislation in U.S.

Media Legislation in Indian Context

III. Media in the Constitutional Framework

Freedom of Expression in Indian Constitution

Interpretation of Media freedom

Issues of Privacy

Right to Information

Case studies on Media and Free expression

Module II - Media - Regulatory Framework

I. Legal Dimensions of Media

Media & Criminal Law (Defamation / Obscenity/Sedition)

Media & Tort Law (Defamation & Negligence)

Media & Legislature – Privileges of the Legislature

Media & Judiciary – Contempt of Court

Media & Executive – Official Secrets Act



Media & Journalists – Working Journalists (Conditions of Service) Act & Press Council

Act

II. Self-Regulation & Other Issues

Media and Ethics

Self-Regulation Vs Legal regulation

Media & Human Rights

Issues relating to entry of Foreign Print Media

Module III - Convergence & New Media

I. Understanding Broadcast Sector

Evolution of Broadcast Sector

Airwaves and Government control

Open Skies policy

Licensing issues in Broadcast Sector

II. Legislative efforts on Broadcast sector

Prashar Bharti Act 1990

Broadcasting Bill

Cinematography Act 1952

Cable T.V. Networks (regulation) Act of 1995

III. Opening of Airwaves

Public policy issues on Airwaves

Community Radio Advocacy

Telegraph Act and Broadcast interface

IV. The New Media of Internet

Evolution of Internet as New Media

Regulating the Internet

IT Act of 2000 and media

Convergence Bill (to be enacted)

Regulatory commissions of new media

Indian Telegraph Act of 1885



Module IV - Media – Advertisement & Law

Concept of Advertisement

Advertisement & Ethics

Advertisement Act of 1954

Indecent Representation (prohibition) Act, 1986

The Drugs and Magic Remedies (objectionable) Advertisements Act of 1954

Issues of Consumer Protection

Competition Bill and impact on Advertisements

Course Outcome	It enables student, to have basic understanding of media and its significance, its kind and role in society, its freedom as constitutional requirement, issues relating to workings of media, and to know about the regulatory framework for working of different sorts of media in India, inter alia.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -X

GOVERNMENT ACCOUNTS AND AUDIT

Marks: 100 [70+30]

Course credits: 4

UNIT I Introduction

- Introducing audit system
 - a) Meaning and Origin
 - b) The development of modern accountancy and the growth of auditing profession in India,
- Early History of Audit-
 - a. Systems of checks were applied to their public accounts as testified by ancient records.
 - b. The ancient Egyptians, the Greeks and the Romans utilized systems of checks and counter checks among the various financial officials.
 - c. The duties of the auditor in ancient times were thus limited.
- Definitions and essentials Features of Auditing
- Need and Objectives of Auditing
- Consequences of errors And frauds in Accounting

UNIT II Auditing in general

- Relation between Book-Keeping, Accountancy and Auditing
 - a) Accountancy
 - b) Auditing
 - c) Accountancy vs auditing
- Basic Principles Governing an Audit and Postulates of Auditing
 - a) Integrity, objectivity and independence
 - b) Confidentiality
 - c) Planning
- Scope and Procedures of Audit
- Advantages of Auditing-
 - a) Having complete record of business transactions
 - b) It provides useful information
 - c) It facilitates comparative study of current year's profit,
 - d) It helps in complying with certain legal formalities

UNIT III Government Auditing

- Accounts and Audits-
- Audit of Grants-In-Aid- Grants-in-aid are final payments in the nature of donation or subscription to the grantees. Consolidated fund in India under Article 275 of the Indian Constitution
- Financial Administration in India- In a Parliamentary set up, the overall process of control over the financial administration in a State is threefold one viz. (a) Legislative control, (b) Administrative control; and (c) Audit control
- Federal Finance and Finance Commission
- Government and Commercial Systems of Accounts & Audit

UNIT IV Institutions of Government Audit



- Comptroller & Auditor General of India-
- a) Sections 15(1) and (2) of the Comptroller and Auditor General (Duties, Powers and Conditions of Service) Act, 1971
- b) Constitutional Reforms of 1919
- c) Government of India Act, 1935
- Indian Audit and Accounts Department
- a) Functions and Spirit of Audit
- b) Audit forms an indispensable part of the financial system
- c) The primary function of Audit is to verify the accuracy and completeness of accounts,
- Central Audit and Local Audit
- Other Accounting Organisation and Internal Check

UNIT V Constitutional Provision

- Constitutional Provisions-
- Audit of Government Companies and Corporations
- Financial Committee
- a) Public Accounts Committee
- b) Estimates Committee
- c) Committee on Public Undertakings
- d) Composition and Tenure of the Financial Committees
- Government Accounting Standards and Rules

Recommended Books

1. J. R. Batliboi Double Entry Book- Keeping
2. Sukla & Grewal Advanced Accounting
3. J. R. Batliboi Advanced Accounting

Course Outcome	It enables students to have general understanding of meaning, nature, kinds and scope of auditing, its relationship with book keeping and accountancy, basic principles of auditing, system of auditing in public/government offices, institutions of government auditing, legal provisions concerning the auditing, inter alia.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -X

CYBER LAW

Marks: 100 [70+30]

Course credits: 4

Unit I:

Fundamentals of Cyber Space

Understanding Cyber Space

Interface of Technology and Law Defining Cyber Laws

Unit II.

Jurisdiction in Cyber Space

Concept of Jurisdiction

Internet Jurisdiction

Indian Context of Jurisdiction

International position of Internet Jurisdiction Cases in Cyber Jurisdiction

Unit III.

E-commerce- Legal issues

Legal Issues in Cyber Contracts

Cyber Contract and IT Act 2000

The UNCITRAL Model law on Electronic Commerce

Unit IV

Intellectual Property Issues and Cyberspace – The Indian Perspective

Overview of Intellectual Property related Legislation in India

Copyright law & Cyberspace

Trademark law & Cyberspace

Law relating to Semi conductor Layout & Design

Course Outcome	Students would be able to understand the fundamentals of cyber space, its inter-faces with the IT Act, 2008, and with law of IPR law, conscience over legal issues on E- Commerce, Cyber space in international perspectives, Cyber securities, inter alia.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -X

CORPORATE GOVERNANCE

Marks: 100 [70+30]

Course credits: 4

Unit I

- Introduction - Meaning, importance and scope of corporation finance
- Capital needs - capitalisation - working capital - securities-borrowings-deposits
- Debentures Law
- Objectives of corporation finance - profit maximisation and wealth maximisation
- Constitutional perspectives - the entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85, and 86 of List 1 - Union List; entry 24 of List 11 - State List.
- Administrative Regulation on Corporate Finance
- Inspection of accounts
- SEBI Law
- Central government control
- Control by registrar of companies
- RBI control

Unit II

- Equity Finance
- Share capital
- Prospectus - information disclosure
- Issue and allotment
- Shares without monetary consideration
- Non-opting equity shares

Unit III

- Debt Finance
- Debentures
- Nature, issue and class
- Deposits and acceptance
- Creation of charges - Fixed and floating charges
- Mortgages
- Convertible debentures

Unit IV

- Conservation of Corporate Finance
- Regulation by disclosure
- Control on payment of dividends
- Managerial remuneration
- Payment of commissions and brokerage
- Inter-corporate loans and investments
- Pay-back of shares



- Other corporate spending Law
- Corporate Fund Raising
- Depositories - IDR(Indian depository receipts), ADR(American depository receipts),
- GDR (Global depository receipts)
- Public financing institutions - IDBI, ICICI, IFC and SFC
- Mutual fund and other collective investment schemes
- Institutional investments - LIC, UTI and banks
- FDI and NRI investment - Foreign institutional investments (IMF and World bank)

Unit V

- Protection of creditors
- Need for creditor protection
- Preference in payment
- Rights in making company decisions affecting creditor interests
- Creditor self-protection - Incorporation of favorable terms in lending contracts, Right to nominate directors
- Control over corporate spending
- Protection of Investors
- Individual share holder right
- Corporate membership right
- Derivative actions
- Qualified membership right
- Conversion, consolidation and re-organisation of shares
- Transfer and transmission of securities
- Dematerialization of securities

Course Outcome	
	It develops a sense among students about corporate governance, and a sense to apply those in various business situations.



B.COM.LL.B. (Five year Integrated Course)

SEMESTER -X

MOOT COURT EXERCISES AND INTERNSHIP

Marks: 100 [30+30+30+10]

Course credits: 4

This Paper will have three components of 30 marks each and a viva voce for 10 marks.

(a) Moot Court (30 marks)

Every student will do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problems. It will be evaluated for 5 marks for written submission and shall be in the form of the written test organized by the college. The duration of the test will be one and half hours (90 Minutes)

(b) Observance of Trial in two cases, one Civil and one Criminal (30 marks) :

Students will attend two trials. They will maintain a record and enter the various steps observed during their attendance of different days in the court assignment. This scheme will carry 30 marks. (20 mark for diary and 10 Marks for written test.)

(c) Interviewing techniques and Pre- Trail Preparation (30 Marks) :

Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate on the procedure for the filling of the suit/petition. This will be in the form of written test.

(d) The fourth component of this paper will be Viva Voce examination of all the above three aspects. This will carry 10 marks.

Course Outcome	It trains the students, taking practical approach, about the legal courses adopted in courts and tribunals. It helps students to have their Communication and research skill and the ability to analyse law and articulate arguments.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -X

CONFLICT OF LAWS

Marks: 100 [70+30]

Course credits: 4

With increasing interaction between individuals and institutions belonging to different legal systems, a system of international law evolves to regulate a private relationship which is based on principles common and comparable to different systems. Unified and standardized principles evolved in such transactions by courts and sometimes by legislation constitute the subject of this course. The constitution and rules of equity help shape the system to serve the situations involving conflict of laws. The subject is of increasing interest in modern times.

Part I General Details

1. Introductory Details-

- What is Pr. LL ? Its function, bases
- Development and history
- Unification Efforts
- Modern Theories
- Stages in a Conflict of Law's Case
- Choice of Law
- Choice of Jurisdiction
- Recognition and Enforcement of

- Foreign Judgments/Awards

2. Choice of Jurisdiction (First Stage)

- Meaning Bases of Jurisdiction, Limitations
- Kinds of Jurisdiction
- In personam
- Inrem
- Admiralty Action
- Stay of Proceedings/Actions
- Assumed Jurisdictions



3. Classification / Characterisation

- Necessity for classifications
- Various theories
- Leading case illustrative of theories

(Re Cohn Apt V. Apt, Shehnaz V. Rizwan, Ogden V. Odgen, De Nicols V. Curlier, Re Berehrold.

Re. Maldonade)

4. Choice of law - Lex Causes

(Two parts of this stage)

(i) Connecting Factor (First Part)

- Why Connecting factor
- Selection of lex Causes (applicable law)

(ii) Application of lex causes (Second Part)

Three meanings of I.C.

5. Renvoi- Partial Renvoi-Total, Foreign Court Theory

Critical Anlysis of Renvoi

(iii) Leading Cases

Collier V. Rivaz. Re Duke of Willington.

Bremer V. Freeman, Re. Aske. Re Annesly.

Re Ross. Forege's Case

6. Limitations on application or exclusion on foreign law

Incidental Question and Time Factor

7. Concept of Domicile

General Principles

Elements of Domicile: Intention & Residence

Winavas V. Att. Gen, Ramsay V. Liverpool

Royal infirmary

Kinds of Domicile

Domicile of Origin

Domicile of Choice



Domicile of Dependent

Domicile of Corporation.

8. Status and Universality of Status

Part II - Family Law (Law of Persons)

1. Marriage

Kinds - Monogamous Hyde V. Hyde Polygamous

Questions of formal and essential validity. All other relevant details- details regarding matrimonial jurisdiction in India and Marriage Laws

2. Matrimonial Causes :-

In England and in India Divorce. Nullity Judicial separation and restitution of Conjugal rights. Choice of jurisdiction and choice of Law positions.

3. Legitimacy - Legitimation and adoption, Legitimacy: what is legitimacy - Recognition of status of Legitimacy -

What Law governs legitimacy- Legitimacy and succession

4. Legitimation - How it is different from legitimacy.

Recognition of this Status - Different methods where by legitimation may take place, legitimation and succession.

5. Adoption

Purpose of Adoption - Adoption at Common law and in Indian Law.

Recognition of Foreign Adoption

Adoption and succession.

Part III Law of Property:-

1. Distinction between Movable and Immovables

Immovables-Let Situs rule- Mocabiquo Rule- exception

The transfer of tangible movables- theories

Lex domicile, lex situs, lex actus, proper law

Lex situs prefer Cammell v. Bewell

2. Assignments of Intangible Movable

- Kinds of assignments

- Theories

-Normal and essential Validity Lex domicile, lex situs, lex actus, proper law



3 Negotiable Instrument

- Negotiability
- What law governs Negotiable Instrument?

4. Succession -

Testate and Intestate

- Intestate succession - of movable
- General Rule- lex domicile governs in exceptional circumstances lex situs.
- Intestate succession to immovables- general rule lex situs governs
- Testate succession- wills-capacity-lex domicile in case of succession to immovables by will, generally lex situs governs

5. Formal Validity.

Lex domicile in case movable and lex situs in case of immovable.

6. Essential validity

Same as formal validity

Part-IV Law of Obligation

of Contracts-

- Validity of Contracts
- Capacity to contract
- Formal validity
- Essential Validity
- Proper Law of contract- Subjective and objective theory

Torts

- Various theories
- Lex fori ex loci, proper law etc.

philips v. Eyre, Boys v. Chaplin

Part V - Recognition and Enforcement of foreign Judgements

Theories- Limitation

Book recommended

The Con of Law - R.H. Graveson



The Conflict of law - Morris J. C.

Indian Private Int. Law- S.S.Chavan

Parivate International Law - G. C. Cheshire

Paras Diwan - Indian Private International Law

Note : The Syllabus should be taught with necessary reference to Indian Law and Judicial decisions. Conflict of Laws within Indian Personal Laws with reference to

(1) Marriage

(2) Property

Course Outcome	It enables the students to know the law based on principles of communality and equity, which arise from private relationship among the citizen of different legal system.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -X

IMF AND WORLD BANK

Marks: 100 [70+30]

Course credits: 4

History of IMF and World Bank:

- The Great Depression of 1930s
- The Bretton Woods Conference
- Mandates of The international Bank for Reconstruction and Development (now called the World Bank) and the International Monetary Fund (IMF)

Structure and Size of World Bank and IMF:

- The World Bank
 - International Bank for Reconstruction and Development
 - The International Development Association (IDA)
- The International Monetary Fund

Functions of IMF & World Bank:

- Functions of the World Bank
- The International Monetary Fund functions
- Operations of IMF and World Bank
- The World Bank operations
- The International Monetary Fund operations

Course Outcome	It enables students to know the history of IMF and world bank, their structure and functions, inter alia.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER -X

PUBLIC INTEREST LAWYERING, LEGAL AID AND PARALEGAL SERVICES

Marks: 100 [70+30]

Course credits: 4

This paper consists of two Parts A and B Each part will carry 40 marks and each part will be treated as separate head of passing. A student must obtain minimum required marks under each head under the prevailing rules. 20 marks are assigned to internal marks

PART - A

1 Public Interest Litigation:

- a) Meaning and object
- b) Locus standing
- c) Merits and demerits of Public Interest Lawyering
- d) Public Interest Litigation and Writ Jurisdiction

2 Social Revolution through P.I.L. with reference to the following Cases

- i) Shivaji Nilangekar V/s Mahesh Goasvi , A.I.R. 1987, AC, SC 294
- ii) R.S. nayak V/s A. R. Antulay, A.I.R. 1984, SC 684
- iii) Sub Committee of Judicial Accountability V/s Union of India (Justice V. Ramswami, A.I.R. 1992, SC 320)
- iv) Anil yadav V/s State of Bihar, A.I.R. 1982, SC 1008
- v) Bandhua Mukti Morcha V/s Union of India, A.I.R. 1984, SC 802
- vi) People Union for Democratic Rights V/s Union of India, .I.R. 1982, SC 1502
- vii) Indian Council for Enviro – Legal Action V/s Union of India, A.I.R. 1999, SC 1502
- viii) Gourav Jain V/s Union of India, A.I.R. 1997, SC 3021
- ix) Paramanand Katara V/s Union of India, A.I.R. 1990, SC 2039
- x) D.K. Basu V/s State of West Bengal, A.I.R. 1997, SC 610
- xi) Vishakha V/s State of Rajasthan, A.I.R. 1997, SC 3011

3 Legal – Aid and Lok Adalat

- a) Meaning, object and importance



- b) Constitutional provisions
- c) The Legal Services Authorities Act of 1987
- d) Legal – Aid and Legal Profession

PART B: project report 40 marks

Course Outcome	It makes understand the students about the emergence of Public Interest Litigations, and the social revolutions come out from such litigations, along with the sense of Legal Aid and LokAdalat.
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B.COM.LL.B. (Five year Integrated Course)

SEMESTER - X

SEMINAR - II

Marks: 100 [70+30]

Course credits: 4

STUDENTS HAVE TO OPT ANY ONE OF THE FOLLOWING AS SEMINAR PAPER:

1. International Refugee Law
2. Socio Economic Offences
3. International Economic Law
4. Law of International Organizations
5. Private International Law
6. Health Care Law
7. Security Law
8. Forensic Sciences
9. Comparative Laws
10. Socio-Legal Dimensions of Gender
11. Law, Poverty and Development

Course Outcome

It develops among students writing skill and inculcate in them a sense of legal research.