OPJS UNIVERSITY, CHURU (RAJ.)

SYLLABUS

for

B.Com, LL.B. 5 YEAR COURSE

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School of Law
Opjs University, Churu (Rajasthan)

2013-14

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B.Com., LL.B. (5 Years)

(List of Courses Prescribed for I-Semester)

COMPULSORY COURSE

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B.Com. LL.B (Five Years Course)
I-SEMESTER
(LGE-101)
General English

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals)

SYLLABUS:

I.
1. Basis Sentence Patterns
2. Tenses
3. Transformation and Formations of Interrogative and Negative Sentences
4. Tag – Questions
5. Model Auxiliaries
6. Word-formation

II.
1. Passive Constructions
2. Narration : Direct and Indirect
3. Translation from Hindi to English and English to Hindi
4. Conditional Sentences
5. Word Formation (Conditional)

III.
1. Translation (Continued)
2. Determiners and Articles
3. Idioms and Phrases
4. Spelling Exercises

Suggested Readings:
1. A Practical English Grammar. Thomson and Martinet
2. Webster’s Spelling Dictionary
3. Living English by Dr. R.P.Bhatnagar & Rajul Bhargava
5. Legal English. R.L.Jain
6. General English. Mr.Rastogi
7. General English. Mr.Tanwar

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(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals)


III. Theory of Production: Concept of production function, Law of Variable proportions and Laws of Returns to Scale. Concept of cost and revenue: Short run and long run cost curves (Traditional Theory only) Concept of Total, Average and Marginal revenue, relationship between Average revenue, Marginal revenue and Elasticity of demand.


Suggested Readings:
2. Seth, M.L. (Latest Ed.): Principles of Economics,
B.Com. LL.B (Five Years Course)
I-SEMESTER
(LBC-103)

Principles of Financial Accounting

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)


Suggested Readings:
6. Ashok Sehgal and Deepak Sehgal: Advanced Accounting

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Right To Information

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

I.

An Introduction to Right to Information
Accountability through Law, Information as a Right
Why Should Information be a Right?
How Right to Information Strengthens Democracy?
Realizing Participatory Democracy
Making People the Centre of Development
Increases Trust Quotient in Government
Facilitates Market-Based Economic Growth
Rooting out Corruption, Enhances Vigilance of Media

II.

RIGHT TO INFORMATION LAW IN INDIA
[A] Historical Background
(i) The Indian Evidence Act, 1872 [Section 76]
(ii) The Factory Act, 1948
(iii) The Water (Prevention and Control of Pollution) Act, 1974 [Section 25(6)]
(iv) The Air (Prevention and Control of Pollution) Act, 1981
(v) The Environment (Protection) Act, 1986
(vi) The Representation of the Peoples Act, 1951
(vii) The Protection of Women from Domestic Violence Act, 2005
(viii) Trade Marks Act, 1999
[B] Constitutional Provisions and Judicial Trend on Right to Information in India before 2005
[C] Evolution of Right to Information Act, 2005

III.

Right to Information Act, 2005
Whole Act
The study of the provisions of the Act with the help of cases decided by High Courts, Supreme Court and Chief Information Commissioner.
B.Com. LL.B (Five Years Course)
I-SEMESTER

(LAW-112)

Contracts-I (General Principles)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

1. Meaning:
   (a) Elements and Characteristics of Contract.
   (b) Basis of Contract
   (c) Classification of Contract, Including the standard form contract.

2. Proposal:
   (a) Meaning, Elements and Characteristics of Proposal, Distinction
       between Proposal and Invitation of Proposal.
   (b) Acceptance : Meaning, Mode and Characteristics of Acceptance.
   (c) Communication, Revocation & Termination of Proposal & Acceptance.

3. Consideration:
   (a) Meaning, Definition and Element of Consideration.
   (b) Unlawful consideration and object.
   (c) Concept of stranger to contract & exception to privity rule.
   (d) Exception to consideration.

4. Capacity to Contract:
   (a) Who cannot make a Contract, Who is minor and the place of minor under
       the law of Contract.
   (b) Person of unsound mind, nature of contract by person of Unsound Mind.
   (c) Person deprived of the capacity of contract.

5. Free Consent:
   (a) Meaning of Consent and free Consent.
   (b) Factors rendering Consent not free and their effect upon the validity of
       Contract.

6. Void Agreements:
   (a) Agreements of restraint of marriage : Freedom of trade and right to initiate
       legal proceedings.
   (b) Agreements involving uncertainty, wager and impossibility. Contingent
       Contract certain relations resembling to those created by Contract (Quasi-
       Contract).

7. Performance of Contract:
(a) Who is liable to perform, joint rights and joint liability and performance of reciprocal promises.
(b) Time, Place and Manner of Performance.
(c) Discharge from liability to perform the contract.

8. Breach of Contract:
(a) Meaning and Kinds
(b) Remedies for breach of contract -
(1) Damages - Measure of damages and remoteness of damages;
(2) Specific Performance and Contract and Injunctions under Specific Relief Act.

Leading Cases:
1. Carlil V Carbolic Smoke Ball Co. (1883) IQB 256
2. Bhagwandas V Girdhari Lal & Co. AIR 1966 SC 543
4. Lalman Shukia V Gauri Dutt All IJ (1913) 409
5. Mohori Bibi V Dhurmodas Ghosh(1903)I.A. 172

Suggested Readings:
5. Avtar Singh : Law of Contract
6. Avtar Singh : Law of Contract (Hindi/English)
10. Dr. Y.S.Sharma : Law of Contract- I

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B.Com., LL.B. (5 Years)

(List of Courses Prescribed for II-Semester)

COMPULSORY COURSE
**II-SEMESTER**

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B.Com. LL.B (Five Years Course)  
**II-SEMESTER**  
(LLE-201)

**Legal English**

(The Theory Paper shall be of 70 marks and of 3 hours duration.  
The question asked may be objective and subjective both or subjective only.  
30 Marks have been assigned for sessionals.)

**CONTENTS:**

**Vocabulary:**  
1. Use of legal phrases and terms (list of legal terms given below)  
2. Pairs of words.
3. One word substitution.

4 Latin Maxims (Listed Below)

**List of legal terms which, are relevant for LLB. Students:**

Abet Abstain Accomplice
Act of God Actionable Accused
Adjournment Actionable ‘‘ Admission
Affidavit Amendment Appeal
Acquittal Articles Assent
Attested Adornment Averment
Bail Bailment Citation
Clause Coercion Code
Cognizable Confusion p’ Compromise
Consent Conspiracy Contempt
Contingent Comorian . Conviction
Convention Corporate Custody
Damages Decree Defamation
Defense Escheat Estoppels
Eviction Executive Ex-parte
Finding Floating charge Forma Pauperise
Franchise Fraud Frustration
Good faith Guardian Habeas Corpus
Hearse Homicide hypothecation
Illegal indent Inheritance
Bench Bill Bill of attainder
Bill of rights Blockade Bonafide
By-laws Capital Punishment Charge
Chattles Justiciable Legislation
Legitimacy Liability Liberty
Licence Lieu Liquidation
Maintenance Malafide Malfeasance
Minor Misfeasance Mortgage
Murder Negligence Negotiable
Notification Nuisance Novation
Oath Obscence Offender
Order Ordinance over rule
Petition Plaintiff Pledge
Preamble Pre-emption Prescription
Presumption Privilege Privit
Prize Process Promisson Note
Proof Proposal Prosecution
Remand Remedy Rent

**List of Latin Maxims:**

1. Ab initio (from the beginiiig)
2. Actio personalis moritur cum persona (Personal rights by action dies with the person).
3. Actus curae neminein gravabit (an act of the court shall prejuidice no one).
4. Actus non facit reum nisi mens sit rea (the act itself does not constitute guilt unless done with a guilty intent).
5. Actus reus (wrongful act).
6. Ad interim (in the meantime)
7. Ad interim (for the suit).
8. Ad valorem (according to the value).
9. Alibi (plea of being elsewhere)
10. Amicus curiae (friend of the court).
11. Animus (intention).
12. Ayudi alierem (hear the other side).
13. Caveat emptor (buyer beware).
14. Conv I km ent by to petns tqxi t1 thing in t1 sine sse).
15. Damnum sine injuria (damage without injury).
17. Dejure (in law).
18. De minimis non curat lex (the law takes no account of trifling matters).
19. Decree nisi (a decree which takes effect after a specified period),
20. Doll in capax (incapable in malice).
21. Donatio mortis causa (gift by a person on the death bed).
22. Ejusdem generis (of the same category).
23. Eminent domain (the supreme right).
24. Ex officio (by virtue of an office).
25. Ex parte (not in the presence of the opposite party).
26. Ex post facto (by subsequent act).
27. Factum valet (the fact which cannot be altered).
28. Fait accompli (an accomplished fact).
29. Ignorantia legis neminem excusat (ignorance of law is no excuse).
30. In pari materia (in an analogous case, cause or position).
31. Injuria sine damno (injury without damage).
32. Interest republica ut sit fim sui lituiin (it is in the interest of the republic that there should be an end of law suit).
33. intra vires (within the powers).
34. Jus tertii (The right of a third party).
35. Lis pendens (pending suit).
36. Mens rea (a guilty mind).
37. Mesne profite (the profits received by a person on wrongful possession).
38. Nemo det quod non habet (no man can’t transfer better little than be himself).
39. Neiw ck bis vn pro et idem causa (no man be tce xed for t1E sane cause).
40. Nemo in p acajux ese et (no oi ought to be ajixige in his ocace)
41. Nolle prosequi (to be unwilling to prosecute).
42. Obiter dicta (an opinion of law not necessary to the decision).
43. Onus probandi (the burden of proof).
44. Pacta sunt servanda (pact must be respected).
45. Pendenti lite (during litigation).
46. Per capita (per head)
47. Per incuriam (through inadvertence or carelessness).
48. Per stripes (by stocks)
49. Plenum dominium (full stocks)
50. Pro bono publico (for the public good)
51. Ratio decidendi (grounds for decision, principles of the case).
52. Res geste (connected facts forming the part of the same transaction).
53. Res ipsa loquitur (the thing speaks for itself)
54. Res judicata (a matter already adjudicated upon).
55. Res nallius (an ownerless thing)
56. Status quo (existing position).
57. Sub judice (in course of adjudication).
58. Sui juris (one’s own right).
59. Suo motti (of ones own accord)
60. Ubi jus ibi reniediurn (where there is a right, there is remedy)
61. Ultra vires (beyond the powers of).
62. Volenti non fit injuria (Risk taken Voluntarily is not actionabale).

**Suggested Readings:**
1. Galnvile William : Learning the Law
2. Wren & Martin : English Grammar.
6. Ishtiaque Abidi: Law and Language
7. Dr. Anirudha Prasad: Legal Language & Writing.
8. Dr. Surendra Yadav : Legal Language, Legal Writing Including Gen. Eng
9. Dr. R.L. Jain : Legal Language, Legal Writing Including Gen. Eng
10. Dr. G.S.Sharma : Legal Language, Legal Writing
11. Dr. B.L.Babel : Legal Language, Legal Writing

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**B.Com. LL.B (Five Years Course)**

**II-SEMESTER**

**(LBC-202)**

**Business Economics-II**

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

II. Consumption Function: Average and Marginal Propensity to Consume, Keynesian Psychological Law of Consumption.


Suggested Readings:
1. Thomas. F. D and D.M. McDougall (1960): Macro Economics,
2. M.L. Jhingan (Latest Ed.): Macro Economic Theory, Varinda Publishers,
5. Shapiro, Edward (1999): Macro Economic Analysis,
III. Accounting for Amalgamation, Absorption and Reconstruction: With reference to Accounting Standard-14 issued by the Institute of Chartered Accountant of India. Holding Company Accounts, Valuation of Goodwill and Shares.

Suggested Readings:
1. J.R. Monga, Fundamentals of Corporate Accounting,
2. R.L. Gupta, and M Radhaswamy, Corporate Accounting,
3. M.C. Shukla, T.S. Grewal and S.C. Gupta, Corporate Accounting
4. Ashok Sehgal and Deepak Sehgal, Advanced Accounting, Volume-II,
5. S.N. Maheshwari, and S.K. Maheshwari, Corporate Accounting,
6. Nirmal Kumar Gupta, Corporate Accounting,
7. S.P. Jain and K.L. Narang, Advanced Accounting,
8. R.L. Gupta, and M. Radhaswamy, Advanced Accountancy, Vol-II,
9. Mukherjeete and Hanif, Corporate Accounting,

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B.Com. LL.B (Five Years Course)
II-SEMESTER
(LAW-211)

Contracts- II (Specific-Contracts)

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

CONTENT:
1. Contract of Indemnity and Guarantees:
   (a) Meaning, Distinction between indemnity and gaurantee and kind of guarantees.
   (b) Right of indemnity holder.
   (c) Rights of the surety, extent of liability of the surety.
   (d) Discharge of liability of the surety.
2. Contracts of Bailment and Pledge:
   (a) Meaning and kinds of contract of Bailment-Bailment without consideration
   (b) Rights and duties of bailee and bailor.
   (c) Termination of contract of Bailment.
   (d) Position of the finder of goods under law.
   (e) Contract of pledge - meaning and definition. Pledge by unauthorised persons.
(f) Rights and duties of pawner and pawnee

3. **Contract of Agency:**
   (a) Definition, kinds and modes of creation of Agency.
   (b) Relations between the Principal and agent.
       The Principal and third party and The agent and the third party.
   (c) Determination of agent’s Authority :-
       By the acts of parties and by operation of Law. Irrevocable authority.

4. **Contract of Partnership:**
   (a) Meaning definition, formation and the characteristics of contract of partnership.
   (b) Distinction between:
       (i) Co-ownership and partnership
       (ii) Joint Hindu Family firm and partnership ; and
       (iii) Company and partnership
   (c) Position of Minor
   (d) Relations interest of partners and relation of partners with third parties.
   (e) Registration of partnership firm
   (f) Dissolution of partnership and of firm.

**Leading cases:**

**Suggested Readings:**
3. Dr.R.L.Rathi : Law of contract (Hindi)
4. V.G. Ramchandran : The law of Contract in India.
7. Avtar Singh: Law of contract (English & Hindi)
8. Avtar Singh: Law of partnership (English & Hindi)
10. Ram Singh : Law of contract (Hindi)

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B.Com. LL.B (Five Years Course)
II-SEMESTER

(LAW-212)

Law of Torts

(including Consumer Protection Act.)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

CONTENTS:
1. Definition, nature, scope, objects and elements of Tort, Maxims, Extinction or Discharge of Tortious Liability, Joint Tort -Feasors.
4. Torts to person and property including Negligence. Nuisance, nervous shock. interference with contract or business, intimidation, conspiracy, deceit or fraud, malicious prosecution, defamation.

Leading Cases:
3. Rylands V. fletcher(1869) IRHT 330.

Suggested Readings:
4 Dr.J.N.Panday: Law of Torts.(Hindi/English)
5.Dr.M.N.Sukla:Principal of Tort
B.Com., LL.B. (5 Years)
(List of Courses Prescribed for III-Semester)

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B.Com. LL.B (Five Years Course)
III-SEMESTER

(LBC-301)

Economics-III

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)


Overheads: Classification, Collection, Allocation, Apportionment and Absorption.


Suggested Readings:
1. S. P Jain and K.L Narang: Cost and Management Accounting,
2. S. N. Maheshwari: Cost and Management Accounting, Sultan Chand and Sons.
3. N. K Agarwal: Cost Accounting, Shuchita Prakashan (P) Ltd
5. N. K Parsed: Principles and Practice of Cost Accounting, Book Syndicate (p) Ltd

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B.Com. LL.B (Five Years Course)
III-SEMESTER

(LBC-302)

Cost Accounting

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)


Suggested Readings:
1. S. P Jain and K.L Narang: Cost and Management Accounting,
2. S. N. Maheshwari: Cost and Management Accounting,
3. N. K Agarwal: Cost Accounting,
4. M.N Arora: Cost Accounting,
5. N. K Parsed: Principles and Practice of Cost Accounting,

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B.Com. LL.B (Five Years Course)
III-SEMESTER
(LAW-3II)

Family Law- I (Hindu Law)

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

CONTENTS:


Leading Cases:
1. Shastri Yajna Purushasji V. Muldas AIR 1966 SC 1115
4. Dr. N.G. Dastanee V. Sucheta Dastanee AIR 1975 S.C. 1534.

Suggested Readings:
2. Raghvachariar: Hindu Law-Principles and precedents.
5. Dr. Parsh Diwan: Modern Hindu Law (Hindi/English)
6. Dr. U.P.D. Kesari: Hindu Law.
7. Dr. R.R. Morya: Hindu Law.

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B.Com. LL.B (Five Years Course)
III-SEMESTER
(LAW-312)

Constitutional Law-I
(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I. Nature and Salient features of Constitution
   Preamble
   The Union and its Territory
   Citizenship
   State (Art. 12)

II. Fundamental Rights – To Whom Available
   Judicial Review (Art. 13)
   Right to Equality (Art. 14-18)
   Right to Freedom (Art. 19-22)

III. Right Against Exploitation (Art. 23 and 24)
    Freedom of Religion (Art. 25-28)
    Cultural and Educational Rights (Art. 29 and 30)
    Directive Principles of State Policy

IV. Fundamental Duties
    Union Judiciary
    State Judiciary
    Writs Jurisdictions of Higher Courts including Judicial Activism in India

Leading Cases:
1. Minerva Mills V. Union of India, AIR 1 978 SC, 1789.

**Suggested Reading:**
1. H.M. Seervai : Constitutional Law of India
2. M.P. Jain : Indian Constitution Law
4. J.N. Pandey : Constitutional Law of India
5. Kailash Rai : The Constitutional Law of India
6. Dr. Upadhyay : The Constitutional Law of India

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B.Com. LL.B (Five Years Course)

III-SEMESTER

(LAW-313)

**Family Law–II (Muslim Law)**

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

**CONTENTS**


6. **Will** (Vasiyat): Competency of testator and legatee, valid subject of will. Testamentary limitations, formalities of a will and abatement of legacy.

7. **Legitimacy and acknowledgment**: Legitimacy and legitimation, presumption of legitimacy under Muslim law and section 112 of the Indian Evidence Act, conditions of a valid acknowledgment.


**Leading Cases:**
1. Mama Bibi V. Chaudhary Vakil Ahmed *(1923)*52 la 145.
4. Abdul Fata V. Russomoy Choudhary *(1894)*221 A 76.

**Suggested Readings:**
1. Fyzee : Mohammedan Law.
4. Aquil Ahmed : Mohammedan Law.(English & Hindi)
6. K.P.Sharma : Mohammedan Law. (English & Hindi)

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B.Com., LL.B. (5 Years)
(List of Courses Prescribed for IV-Semester)

**COMPULSORY COURSE**

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B.Com. LL.B (Five Years Course)

**IV-SEMESTER**

(LBC-401)

**Management Concepts and Practices**

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)


III. Directing: Supervision, Theories of Motivation Leadership: Concepts, Styles, Theories.

IV. Communication: Nature, Process, Barriers, Effective Communication

Management in Perspective (Conceptual Framework)- Management of Strategic Change, Knowledge Management, Learning Organization, Managing Diversity, Corporate Governance.

Suggested Readings:
1. Peter F. Drucker: ‘The Practice of Management’
2. Weirich and Koontz: ‘Essentials of Management’
3. Stoner and Freeman: ‘Management’
4. David R Hampton: ‘Modern Management’

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B.Com. LL.B (Five Years Course)
IV-SEMESTER
(LBC-402)

Business Mathematics and Statistics

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.30 Marks have been assigned for sessionals.)


III. Correlation, Analysis: Simple correlation between two variables (grouped and ungrouped data) using Karl Pearson's Approach. Rank Correlation, Concurrent Method of Correlation, Simple Regression Analysis.


**Suggested Readings:**
3. Gupta S.P.: Statistical Methods,
5. Monga, G. S.: Mathematics and Statistics for economists,
6. Chawla, K.K. (et.al.): Operations Research-Quantitative Analysis for Management,

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**B.Com. L.L.B (Five Years Course)**
**IV-SEMESTER**
**(LAW-411)**

**Jurisprudence-I**

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

**I: Introduction**

Nature and scope of Jurisprudence

Need for study of Jurisprudence

Linkage between Jurisprudence and other sciences

**II: Schools of Jurisprudence**

Natural Law with Indian Perspective

Analytical Positivism, Pure Theory, Legal Realism
Historical Jurisprudence

III: School of Jurisprudence-II

Sociological Jurisprudence with Indian Perspective

Administration of Justice

Civil and Criminal Justice System

IV: Sources of Law

Custom

Legislation

Precedent

Suggested Readings:


3. Fitzgerald-Salmond on Jurisprudence (1999),


5. Dr. N.V. Paranjpe : Jurisprudence

6. Dr. Anirudh Prasad : Jurisprudence

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B.Com. LL.B (Five Years Course)

IV-SEMESTER

(LAW-412)

Constitutional Law-II

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)
I.

Union Legislature including the Speaker

State Legislature

Privileges of Legislature and Anti Defection Law

II.

Union Executive

State Executive

Legislative Relations between Union and States

Administrative Relations between Union and States

III.

Liability of State in Torts and Contracts

Emergency Provisions

Election Commission: Constitution Powers and Functions

IV.

Freedom of Trade, Commerce and Inter-Course

Services under the Union and the States including Public Service Commission

Constitutional Provisions Relating to Tribunals and Administrative Tribunals

Amendments of the Constitution including the Doctrine of Basic Structure.

Leading cases:

Suggested Readings
1. H.M. Seervai: Constitutional Law of India
2. M.P. Jain: Indian Constitution Law
4. J.N. Pandey: Constitutional Law of India (Hindi & English)
B.Com. LL.B (Five Years Course)
IV-SEMESTER
(LAW-413)

Crime and Punishment-I (I.P.C.)

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

I: Introduction to Substantive Criminal Law:

a. Extent and operation of the Indian Penal Code
b. Definition of Crime
c. Fundamental elements of crime
d. Stages in commission of a crime
e. Intention, Preparation, Attempt

II: General Explanations and Exceptions:

a. Definitions
b. Constructive joint liability
c. Mistake
d. Judicial and Executive acts
e. Accident
f. Necessity
g. Infancy
h. Insanity
i. Intoxication
j. Consent
k. Good faith
l. Private defence

III: Abetment and Criminal Conspiracy

IV: Punishment
a. Theories: Deterrent, Retributive, Preventive, Expiatory and Reformative Theory

b. Punishment under the IPC: Fine, Imprisonment, Capital Punishment

**Leading Cases:**

1. Barendra Kumar Ghosh v. King Emperor – AIR 1925 PC
3. Delhi Judicial Service Association, Tis Hazari Court v. State of Gujrat AIR 1991 SC 2176
4. M Naughton’s Case – (1843) 4St Tr (NS) 847
5. Rupan Deol Bajaj v. KPS Gill – AIR 1996 SC 309

**Suggested Readings**

1. Ratanlal & Dhirajlal – The Indian Penal Code
2. H.S. Gaur – Penal Law of India
3. T.Bthacharya : Indian Penal Code (English/Hindi)
4. Raja Ram Yadav: Indian Penal Code(Hindi)
5. N.V.Paranjpe : Indian Penal Code (English/Hindi)

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B.Com., LL.B. (5 Years)

(List of Courses Prescribed for V-Semester)

**COMPULSORY COURSE**
## V-SEMESTER

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**B.Com. LL.B (Five Years Course)**

**V-SEMESTER**

**(LBC-501)**

### Financial Management

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)


Suggested Readings:
1. Gupta, S.K., and Sharma, R.K. Management Accounting and Business Finance,

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B.Com. LL.B (Five Years Course)
V-SEMESTER

(LBC-502)

Entrepreneurship and Small Scale Business

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)
I. Concept of Entrepreneurship: Definition, nature, and characteristics of entrepreneurship; Emergence of entrepreneurial class including women entrepreneurs; Women Entrepreneurship: Role and Importance, Problems of Women Entrepreneurs, Women Entrepreneurship Development in India.


IV. Profit Planning in Small Enterprise. Role of Small Business in the national economy, National Policies for small business development, Governmental Policies and formalities in setting up a unit. Basic requirements regarding registration.

Suggested Reading:
1. Bhide, Amar V., The Origin and Evolution of New Business,
3. Dollinger M.J., ‘Entrepreneurship strategies and Resources’
4. Roy, Rajeev, Entrepreneurship,
5. K. Donald and M.H. Richard, Entrepreneurship in the new millennium,

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B.Com. LL.B (Five Years Course)
V-SEMESTER

(LAW-511)
Jurisprudence-II

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

I. State, Sovereignty and Law
Nature and functions of a State and its relationship with law
Nature and development of Sovereignty
Nature and Kinds of law and theories of justice

II. 
Law and Legislation

Law and Morality
Law and Religion
Law and Social change

III. 
Concepts of Law

Rights and Duties
Personality
Possession, Ownership and Property

IV. 
Principles of Liability

Liability and Negligence
Absolute Liability
Immunity

Suggested Readings:

3. Fitzgerald-Salmond on Jurisprudence (1999), Tripathi, Bombay
5. Dr. N.V. Pranjpe- Jurisprudence
6. Dr. Anirudh Prasad- Jurisprudence

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B.Com. LL.B (Five Years Course)
V-SEMESTER

(LAW-512)
Company Law-I
(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

I. Formation, Registration and Incorporation of Company

Meaning of Corporation
Nature and kinds of company
Promoters: Position, duties and liabilities
Mode and consequences of incorporation
Uses and abuses of the corporate form, lifting of corporate veil
Theory of Corporate personality

II. Memorandum of Association, alteration and the doctrine of ultra vires

Articles of Association, binding nature, alteration, relation with memorandum of Association, Doctrine of Constructive Notice and Indoor Management—exceptions

III. Capital Formation of Regulation

Prospectus: Issues, contents, kinds, liabilities for misstatement, statement in lieu of prospectus The nature and classification of company securities Shares and general principles of allotment Statutory share certificate, its objects and effects Transfer of shares, restriction of transfer, relationship between transferor and transferee, issue of share at premium, role of public finance institutions Share Capital, reduction of share capital Conversion of loans debentures into capital Duties of court to protect interests of creditors and shareholders.

IV. Corporate Administrative

Directors: Kinds, Powers and Duties
Role of nominee Directors, Managing Director and other managerial personnel.

Suggested Readings:
2. A. Ramaiya, Guide to the Companies Act, 1998 Wadhwa
5. R.K. Bangia, Company Law
6. Dr. V.N. Pranjpe, Company Law.
Property Law-I

The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.

I. Concept of Property and General Principles Relating to Transfer of Property

- Concept of property: distinction between moveable and immoveable property
- Property, Definition clause: Immovable property, Attestation, Notice, Actionable claim
- Definition to transfer of property (Sec.5)
- Transfer and non-transfer property (Sec.10-12)
- Transfer to an unborn person and rule against perpetuity (Sec.13, 14)
- Vested and Contingent interest (Sec.19 & 21)
- Rule of Election (Sec.35)

II. General Principles Governing Transfer of Immoveable Property

- Transfer by ostensible owner
- Rule of feeding the grant by estoppel
- Rule of Lis pendens
- Fraudulent transfer
- Rule of part performance
- Vested and contingent interest
- Conditional transfer

Suggested Readings:
1. Sarathi V.P. Law of Transfer of Property
2. Shah S.M. Principles of the Law of Transfer
3. Mulla on Transfer of Property Act
4. Lahiri M.M. Transfer of Property Act
5. Mitra B.B. Transfer of Property Act
6. Shukla S.N. Transfer of Property Act
7. Gupta R.R. Transfer of Property Act (English/Hindi)
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B.Com. LL.B (Five Years Course)  
VI-SEMESTER

(LBC-601)
Operations Research

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)


II. Duality in Linear Programming, Definition of Dual Problem, General Rules in Converting any Primel into its Dual, Transportation problem Assignment problem.

III. Network Analysis (PERT/CPM) : Basic Concept of Network Models, Preparation of the Network Diagrams, Project Duration and Critical Path. Games Theory: Two persons zero sum games, Pure Strategies, Mixed Strategies, and Dominance. Sequencing Problems Processing in Job through Two Machines

Suggested Readings:
5. N. D. Vohra, Quantitative Techniques in Management, (3rd Edition),

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B.Com. LL.B (Five Years Course)
VI-SEMESTER

(LBC-602)
Auditing and Indirect Tax

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)


II. Audit Committee Auditor’s Report: Contents and Types. Auditor’s certificates Special Areas of Audit: Cost Audit, Tax Audit and Management Audit.

III. Central Excise Act, 1944—its meaning, definitions, levy and collection, classification of goods, valuations, assessment, payment of duty and CENVAT, Value Added Tax. Background of VAT in India, nature, advantages, methods for calculating VAT.

IV. Customs Act, 1962—an overview, Levy, Collection and Exemptions from custom duty, date of determination of duties and tariff valuation. Prohibitions/restrictions of export and import, determination of duty where Goods consist of articles of different rate of duties, warehousing, duty drawbacks u/s 74 and 75.

**Suggested Readings:**
5. Grish Ahuja, Direct taxes law and practice, Bharat,
   8. Dr. Sanjeev Kumar. Systematic Approach to Indirect taxes, Latest Edition
10. Dr. Vinod K. Singhania, Elements of service Tax,

***

B.Com. LL.B (Five Years Course)
VI-SEMESTER

(LAW-611)

Property Law-II

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

(A) Specific Transfers
1. Sale (54-57)
2. Mortgage and charge(58-104)
3. Leases of immovable property (Ss 105-117)
4. Exchanges (Ss 118-121)
5. Gifts (Ss 122-129)
6. Transfer of actionable claims (Ss 130-137)

(B) The Indian Partnership Act, 1932
   a. Nature of partnership firm
   b. Relations of partners to one another and outsiders
      i. Rights /Duties of partners inter se
      ii. Partnership Property
      iii. Relations of Partners to third parties
      iv. Liability for holding out
      v. Minor as a partner
   c. Incoming and outgoing partners
   d. Dissolution
      i. By consent,
      ii. By agreement,
      iii. Compulsory dissolution,
      iv. Contingent dissolution,
      v. By notice,
      vi. By Court.
      vii. Consequences of dissolution
      viii. Registration of firms and effects of non registration

(C) The Indian Easements Act 1882
   1. Easements (Ss 1-51)
   2. Licenses (Ss 52-64)

Prescribed Books :-
   1. Sarathi V.P. Law of Transfer of Property
   2. Shah S.M. Principles of the Law of Transfer
   3. Mulla on Transfer of Property Act
   4. Lahiri M.M. Transfer of Property Act
   5. Mitra B.B. Transfer of Property Act
   6. Shukla S.N. Transfer of Property Act
   7. Gupta R.R. Transfer of Property Act (English/Hindi)
   8. Avtar Singh, Law of Contract and Specific Relief
   9. R.K. Bangia, Law of Contracts

***

B.Com. LL.B (Five Years Course)
VI-SEMESTER
(LAW-612)
Company Law-II

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

I. Dividends-Payments-Capitalization-profit; Audit to Account. Debentures, Kinds, shareholders and debenture holders, remedies of debenture holders. Borrowing powers and effect of unauthorized borrowings, charges and mortgages, Loans to other companies, Instruments, contracts by companies.

II. Insider trading
Meeting: Kinds and Procedure
The balance of powers within companies-Majority control and minority protection,

III. Winding up of Companies
Kinds, Consequences and reasons of winding up
Role of the Court
Liability of past members
Payment of liabilities
Reconstruction and amalgamation


Suggested Readings:
2. A. Ramaiya, Guide to the Companies Act, 1998 Wadhwa
5. R.K.Bangia, Company Law
6. Dr.V.N.Pranjpe, Company Law

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B.Com. LL.B (Five Years Course)
VI-SEMESTER
Labour Law-I

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

1. Trade Unions Act, 1926 Main features and the following :-
   . History of Trade Unionism in India
   . Development of Trade Union Law in India
   . Right to Trade Union as part of fundamental right to freedom of association under the Indian Constitution.

**Definition of Trade Union and Trade Dispute**
   . Distinction between Trade Dispute and Individual Dispute.
   . Registration of Trade Unions
   . Rights and Liabilities of Registered Trade Unions
   . Recognition of Trade Unions
   . Collective Bargaining and Trade Disputes

2. The Industrial Disputes Act, 1947 – Main features and the following :-
   . Reference of Disputes to Boards, Courts, Tribunals.
   . Strike and Lock outs
   . Lay off and Retrenchment
   . Unfair Labour Practices
   . Penalties

3. The Minimum Wages Act, 1948 – Main features and the following :-
   . Concept of wages – Minimum wages, fair wages, living wages.
   . Definitions – Employer, Wages, Employee, Wage Structure
   . Fixation of Minimum Rates of wages, Working hours and Determination of wages & claims etc.

4. The Factories Act, 1948 - Main features and the following :-
   . Definitions – Manufacturing Process, Worker, Factory and Occupation
   . Penalties.

**Suggested Readings:**
2. K.M.Pillai, Labour and Industrial Laws
3. V.G.Goswami, Labour and Industrial Laws, 1999
4. Dr. S.K.Puri, Labour and Industrial Laws (New Ed.)
### VII-SEMESTER

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<td>LAW-705</td>
<td>Public International Law-I</td>
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Public Interest Layering

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.
Meaning, Nature, Scope and object of public interest Litigation (PIL). PIL against the state and other public bodies. Difference between Public interest litigation and Private interest litigation; Meaning of Social action litigation, Concept of Locus Standi.

II.
Legal Aid under the -
1. Constitution;
2. Code of Criminal Procedure;
3. Code of Civil procedure
The Legal Services Authorities Act, 1987, Legal Aid and Law School, Legal Aid and voluntary organization, Legal Aid and legal profession;
District Legal Aid Committe

III.

IV.
Writing of PIL Petitions Writings of Applications for Legal Aid

Leading Cases:

Suggested Readings:
1. P.N. Bhagwati :Legal Aid as a Human Right


IV.
Employees Provident Fund and Miscellaneous Provisions Act 1952 – Contributions
-Schemes under the Act - Benefits. The Maternity Benefit Act 1961 - Definitions-Application
- Benefits. The Payment of Gratuity Act 1972 – Definitions – application - Payment of
gratuity - eligibility – forfeiture – Nomination - Controlling authorities

Suggested Readings:
5. K.D. Srivastava, *Payment of Wages Act*
7. S.C.Srivastava, *Treatise on Social Security*
9. V.J.Rao, *Factories Law*
10. G.S.Sharma: Labour Laws

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B.Com. LL.B (Five Years Course)
VII-SEMESTER
(LAW-703)

Alternate Dispute Resolution and Legal Aid

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I. The Arbitration and Conciliation Act, 1996

- Definitions
- Form of Arbitration Agreement
- Constituents of Arbitration Agreement

- Composition of Arbitral Tribunal
- Removal of arbitrator
- Termination of Mandate and substitution of Arbitration
- Setting aside of arbitral award
- Enforcement of award.

II. The Arbitration and Conciliation Act, 1996

- Scope of Conciliation
- Appointment of Conciliators
- Role of Conciliator
- Settlement agreement
- Status and effect of settlement agreement
- Confidentiality
- Termination of Conciliation proceedings
- Resort to arbitral or Judicial proceedings
- Difference between Conciliation and Mediation
- Distinction between Mediation and Arbitration

III. Alternative Means of Settlement of Disputes

- Merits of ADR
- Demerits of ADR
  - Negotiation
- Essential Ingredients of Negotiation
- Sources of Negotiation
- Kinds of approaches to negotiation
- Obstructions to Negotiation

IV. Lok-Adalats & Legal Aid

- Concept of Lok-Adalat
- Establishment of Lok-Adalats
- Jurisdiction of Lok-Adalats
- Powers of the Lok-Adalats
- Award of the Lok-Adalats
- Legal Aid under Constitution of India, 1950
- Free Legal Services under the Legal Services Authorities Act, 1987

Suggested Readings:
1. Dr. Avtar Singh, Law of Arbitration & Conciliation
2. S.C. Tripathi, Arbitration and Conciliation Act, 1996
3. Dr. N.V. Paranjape, Arbitration & Alternative Dispute Resolution
4. Dr. S.S. Mishra, Law of Arbitration & Conciliation in India
5. N.V. Paranjape, Public Interest Litigation, Legal Aid & Services, Lok Adalats &... Para-Legal Services.
6. S.S. Mishra, Legal Services, Public Interest Litigation and Para-Legal Services

- The Arbitration & Conciliation Act, 1996 (Bare Act)
- The Legal Services Authorities Act, 1987 (Bare Act)
Women and Law

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I. Constitutional Rights :

Equality of women – Art 14 -15 equality in public employment Art 16
Constitutional Directives to the States – Art 39 and 39 A
Fundamental duty towards the dignity of women.

II. Women Rights under Criminal Law.
Indian Penal Code. - Sec. 493-498, 498 A
Criminal Procedure Code. - Sec 125 to 128
Indian Evidence Act 1872 - Sec 112, 113 A, 113 B, 114 A, 122

III. Social Welfare Legislation
Dowry Prohibition Act 1961 - Sec 1 to 8
Indecent, Representation of Women (Prohibition) Act 1986
Sec 1 to 6 Equal Remuneration Act 1976 Sec 4 and 5
Maternity Benefit Act 1961 Sec 4 to 12

IV. Protection of Women under National Legal framework -
National Commission for Women Act 1990
Protection of Women from Domestic Violence Act 2005
Sec 3. Definition Sec 4 to 10 Powers Duties of Protection officers
Sec 18 to 22 – Relief

V. Rights of Women under International law (Human Rights)
Suggested Readings:
1. Prof. Nomita Aggarwal, Women and Law
2. Dr. Manjula Batra, Women and Law
3. G.P.Reddy, Women and Law
Public International Law-I

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

I.
Definition and nature, General and Regional rules of International Law, Distinction between public International Law and Private International Law, Hogo Grotius, Is International Law true Law? Sanctions of observance of International Law, Sources of International Law (Article 38, Statute of the International Court of Justice), Relationship between international law and municipal law (Monism, Dualism, British, American and Indian Practice), Subject of international law, Individual as subject of international law characteristics of a State in International Law, Micro States, Sovereignty of States,

II.

III.

IV.
Suggested Readings:
1. Starke, Introduction to International Law
2. Rebecca Wallace, International Law
3. Brownlie, Principles of International Law
4. S.K.Kapoor, Public International Law
5. M.P.Tandon, Public International Law, ALA
6. K.C.Joshi, International Law

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B.Com., LL.B. (5 Years)
(List of Courses Prescribed for VIII-Semester)

COMPULSORY COURSE

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B.Com. LL.B (Five Years Course)
VIII-SEMESTER
(LAW-801)

Public International Law-II

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.
International Organizations: Definition, the condition which should exist for their development, Their Legal Personality, capacity to enter into international treaties, Privilege and Immunities, League of Nations: Principal Organs, Its weaknesses, Mandate System.

II.
United Nations: Establishment, Preamble, Purpose & Principles of UN, Membership, suspension, expulsion and with drawl. Principal Organs of the UN, Amendment to the Charter.

III.

IV.
Neutrality – Meaning under the UN Charter, Rights and duties of neutral and Belligerent States, End of Neutrality, Right of Angry, Contraband and the Doctrine of Continuous Voyage, Blockade, Right of Visit and Search, Prize Courts,

Suggested Readings
1. S.P.Gupta, International Organisation, ALA
2. H.O.Agrawal, International Law and Human Rights
3. S.K.Kapoor : International Law and Human Rights

***

B.Com. LL.B (Five Years Course)
VIII-SEMESTER

(LAW-802)
Human Right & Practice

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

I.

II.

III.
Protection of Human Rights in India; National Human Rights Commissions and State Human Right Commissions.

IV.
Human Rights and the Constitution of India; Judicial trends about Protection of Human Rights in India.

V.
Human Rights and Vulnerable Groups; Rights of Women, Children, Disabled, Tribal, Aged and Minorities.

Leading Cases:

Suggested Readings:
1. UNO Charter.
4. S.K. Kapur: International law (English and Hindi)

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B.Com. LL.B (Five Years Course)
VIII-SEMESTER
Administrative Law

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

I: Evolution and Scope of Administrative Law
   b. Rule of law and Administrative Law
   c. Separation of powers and its relevance
   d. Relationship between Constitutional law and Administrative Law
   e. Administrative Law vis-à-vis privatization
   f. Classification of functions of Administration

II: Legislative Functions of Administration
   a. Necessity and Constitutionality
   b. Forms and requirements
   c. Control
      i. Legislative
      ii. Judicial
      iii. Procedural
   d. Sub-delegation

III: Judicial Functions of Administration
   a. Need for devolution of adjudicatory authority on administration
   b. Nature of tribunals – Constitution, powers, procedures, rules of evidence
   c. Administrative Tribunals
   d. Principles of Natural Justice
      i. Rule against bias
      ii. Audi Alteram Partem
      iii. Reasoned decisions
   e. Rules of evidence – no evidence, some evidence and substantial evidence
   f. Institutional Decisions

IV: Administrative Discretion and Judicial Control of Administrative Action.
   A. Administrative Discretion
      a. Need and its relationship with rule of law
      b. Constitutional imperatives and exercise of discretion
      c. Grounds of judicial review
         i. Abuse of discretion
         ii. Failure to exercise discretion
      d. Doctrine of legitimate expectations
B. Judicial Control of Administrative Action

i. Introduction
ii. Court as the final authority to determine the legality of administrative action
iii. Exhaustion of Administrative remedies
iv. Locus standi
v. Res judicata

C. Methods of judicial review

i. Statutory appeals
ii. Writs
iii. Declaratory judgements and injunctions
iv. Civil Suits for Compensation

Leading Cases:
1. Ram Jawaya v. State of Punjab (AIR 1955 SC 549)
2. A.K. Kraipak v. Union of India (AIR 1950 SC 150)

Suggested Readings:

References:
1. Administrative Law – Wade
2. Lectures on Administrative Law – C.K. Takwani
3. Administrative Law – S.P. Sathe
Interpretation of Statutes

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

1. Interpretation of Statutes

1 Meaning of the term ‘Statutes’, classification of statutes
2 The duties of a Judge and legislation.
3 Purpose of Interpretation of statutes.
4 Utility of rules of interpretation.
5 Commencement, Repeal of statutes.

2. Aids to Interpretation Internal aids

1 Title
2 Preamble
3 Heading and marginal notes
4 Punctuation marks
5 Illustrations, exceptions, provisions and saving clauses.
6 Schedules
7 Non-obstinate clause

External aids
1 Dictionaries
2 Translations
3 Travaux Preparatoires
4 Stare decisis
5 Statutes in para materia
6 Parliamentary History
7 Foreign Judgments

3. Rules of Statutory Interpretation

Primary Rules
1 Literal rule
2 Golden rule
3 Mischief rule (Rule in the Heydon's case)
4 Rule of harmonious construction

Secondary Rules
1 Noscitur a sociis
2 Ejusdem generis
3 Reddendo singula singulis
4. Presumptions in Statutory Interpretation
   1 Statutes are valid
   2 Statutes are territorial in operation
   3 Presumption as to jurisdiction
   4 Presumption against violation of International Law
   5 Prospective operation of statutes

5. Maxims of Statutory Interpretation
   1 Contemporance expositioest fortissive in lege
   2 Expressio uniusest exclusio alterius
   3 Generalia specialibus non derogant
   4 Utres magis valet quam pereat

6. Interpretation with reference to the subject matter and purpose
   1 Taxing Statutes
   2 Penal Statutes
   3 Interpretation of directory and mandatory provisions

7. Principles of Constitutional Interpretation
   1 Harmonious construction
   2 Doctrine of pith and substance
   3 Colorable legislation
   4 Doctrine of eclipse

Suggested Readings:
1. V.P. Sarathi : Interpretation of Statutes
2. G.P. Singh : Principles of Statutory Interpretation
3. Jagdish Swarup : Legislation and Interpretation
4. T.Bhattacharya : Interpretation of Statutes

***
Competition Law

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I. Introduction
   a. Basic economic and legal principles
   b. Restraint of Trade under Indian Contract Act
   c. Monopolistic Trade Practices
   d. Restrictive Trade Practices

II. Development of law from MRTP to Competition Act 2002
   a. Aims, Objects and Salient features
   b. Comparison between MRTP Act and Competition Act
   c. Anti-Competitive Agreement
   d. Abuse of Dominant Position
   e. Combination
   f. Protection of consumers

III. Competition Commission Of India
   a. Structure and function of CCI
   b. Regulatory role

IV. Competition Appellate Tribunal.
   a. Composition, Functions, Powers and Procedure
   b. Award Compensation
   c. Power to punish for contempt
   d. Execution of orders

Suggested Reading:
1. K.S. Anantaranan : Lectures on Company Law and MRTP
2. Dr. R.K. Singh : Restriction Trade Practices and Public Interest
3. Suzan Rab- Indian Competition Law- An International Perspective
4. S.M. Dugar's MRTP Law, Competition Law and Consumer Protection
5. Sachar Committee Report, High Powered Committee on MRTP Act & Company Taxman’s competition Law and Practice

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B.Com., LL.B. (5 Years)

(List of Courses Prescribed for IX-Semester)
## COMPULSORY COURSE

### IX-SEMESTER

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B.Com. LL.B (Five Years Course)

**IX-SEMESTER**

**(LAW-901)**
Law of Evidence

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

I. Definitions and Relevancy of Facts
   - Admissions and Confessions
   - Statements by Persons who cannot be called as witnesses
   - Statements made under special circumstances
   - How much of a statement is to be proved
   - Judgment of Courts of Justice when relevant

II. Opinions of Third Persons when relevant
    - Character when relevant
    - Facts which need not be proved
    - Of Oral Evidence
    - Of Documentary Evidence

III. Of the Exclusion of Oral by Documentary Evidence
     Of the Burden of Proof
     - Estoppel

IV. Of Witnesses
    Of the Examination of Witnesses
    Of Improper Admission and Rejection of Evidence

Suggested Readings:

1. Avtar Singh : Law of Evidence
5. Monir : Evidence
6. Raja Ram Yadav : Law of Evidence

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B.Com. LL.B (Five Years Course)
IX-SEMESTER

(LAW-902)

Crime and Punishment-II (Cr.P.C.)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.


II.

Search and Seizure — Search with and without warrant — Police search during investigation — General Principles of Search — Seizure — Constitutional aspects of validity of Search and Seizure proceedings.

III.


IV.

Judgment: Form and content -- Summary trial — Post-conviction orders in lieu of punishment — Modes of providing judgment copy — appeals, review and revisions-Reforms in Criminal Procedure Code.

V.


VI. Probation and Parole: Authority granting Parole — Supervision — Conditional release -- suspension of sentence — Procedure under Probation of Offenders Act,

**Suggested Readings:**
1. Ratanlal & Dhirajlal- Criminal procedure Code
3. R.N. Choudhari, Juvenile Justice In India
5. N.V.Pranjpe : Criminal procedure Code
6. B.L.Babel : Criminal procedure Code

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**B.Com. LL.B (Five Years Course)**

**IX-SEMESTER**

**(LAW-903)**

**Civil Procedure Code & Limitation Act.**

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

I.

II.
Pleadings — Contents of pleadings — Forms of Pleading — Striking out / Amendment of Pleadings - Plaint — Essentials of Plaint - Return of Plaint—Rejection of Plaint—Production and marking of Documents— Written Statement — Counter claim — Set off — Framing of issues.
III.

IV.
Suits in Particular Cases — Suits by or against Government — Suits relating to public matters;— Suits by or against minors, persons with unsound mind, - Suits by indigent persons – Interpleader suits — Incidental and supplementary proceedings - Appeals, Reference, Review and Revision — Appeals from Original Decrees — Appeals from Appellate Decrees — Appeals from Orders — General Provisions Relating to Appeals.

V.

Suggested Readings:-
5. P.K.Mukharjee, Limitation Act
6. Shailendra Malik, Code Of Civil Procedure ,
7. Dr.Avtar Sing, Code of Civil Procedure,

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B.Com. LL.B (Five Years Course)
IX-SEMESTER
(LAW-904)

Drafting, Pleading and Conveyancing
(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

I

- Meaning, Scope and Object of Pleadings
- Plaintiff and written statement
- Fundamental rules of Pleadings
- Place of suing
- Frame of suits and its essentials
- Parties to suit

II.

- Plaintiff in suit for injunction
- Plaintiff in suit for specific performance
- Plaintiff in suit for breach of contract
- Plaintiff in suit for accounts by the Principal against the agent
- Suit for partition and possession
- Suit for damages for malicious prosecution
- Application for eviction of tenant under the East Punjab Rent Restriction Act, 1949
- Application to set aside *ex parte* decree
- Application for appointment of guardian of a minor
- Written Statements

III.

- Petition for Dissolution of Marriage under Section 13 of the Hindu Marriage Act,
- Petition for Restitution of Conjugal Rights under Section 9 of the Hindu Marriage Act,
- Petition for Decree of Nullity of Marriage under Section 11 & 12 of the Hindu Marriage Act,
- Petition for Judicial Separation under Section 10 of the Hindu Marriage Act, 1955
- Complaint for Maintenance of Peace and Order under Section 107 of the Code of Criminal Procedure, 1973
- Complaint for Public Nuisance
- Complaint for defamation
- Application for Maintenance under Section 125 of the Code of Criminal
Procedure,

- Application for Bail
- Application for Anticipatory Bail

IV.

Meaning, Object and Functions of Conveyancing
Components of deeds
Agreement to sell property
Sale Deed
Gift Deed
Mortgage Deed
Lease Deed
Deed of Exchange
Will
Power of Attorney
Notice

Suggested Readings:-
1. Mogha : Pleadings
2. Mogha : Conveyancing
3. A.N. Chaturvedi : Pleadings & Conveyancing
4. Bindra N.S. : Pleading & Practice

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B.Com. LL.B (Five Years Course)
IX-SEMESTER

(LAW-905)

Land Laws

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)
Acts of Study:
   (All the acts are in full course)

LEADING CASES:

SUGGESTED READINGS:

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B.Com. LL.B (Five Years Course)
IX-SEMESTER
(LAW-906)
Intellectual Property Law

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I: Copyright
a. Nature and Meaning  
b. Scope of protection  
c. Procedure for protection  
d. Enforcement and Remedies

**II: Patents**
a. Nature and Meaning  
b. Scope of protection  
c. Procedure for protection  
d. Enforcement and Remedies

**III: Trademarks**
a. Nature and Meaning  
b. Scope of protection  
c. Procedure for protection  
d. Enforcement and Remedies

**IV: Designs**
a. Nature and Meaning  
b. Scope of protection  
c. Procedure for protection  
d. Enforcement and Remedies

**Suggested Readings:**
1. Paris Convention for the Protection of Industrial Property, 1883;  
3. Indian Copyright Act, 1957;  
4. Indian Patents Act, 1970;  
5. Agreement on Trade-Related Aspects of Intellectual Property Rights, 1994 (Agreement);  
6. Indian Trademarks Act, 1999;  
7. Indian Designs Act, 2000

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**B.Com., LL.B. (5 Years)**

**List of Courses Prescribed for X-Semester**

**COMPULSORY COURSE**

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<td>LAW-1006</td>
<td>Moot Court, Pre – Trial Preparation and Participation in Trial Proceedings.</td>
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B.Com. LL.B (Five Years Course)
X-SEMESTER
(LAW-1001)

**Environmental Law**

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)
(1) General Background:
(a) Problems of Environmental Pollution and Protection
(b) History of Indian Environmental Laws
(c) Importance and Scope of Environmental Laws
(d) International Perspective of Environmental Law

(2) Constitutional Aspects:
(a) Distribution of Legislative Power
(b) Directive Principles of State Policy
(c) Fundamental Duties
(d) Fundamental Rights

(3) Select Legal Controls -
The Water (Prevention and Control of Pollution) Act, 1974 and the Air
(Prevention and Control of Pollution) Act, 1981.
(a) Salient Features of the Acts
(b) Definitions
(c) Authorities - Composition, Power and Function
(d) Mechanism to Control the Pollution
(e) Sanctions

(4) Environment (Protection) Act, 1986:
(a) Definition of 'Environment'
(b) Salient Features of the Act
(c) Authorities - Composition, Powers, Functions
(d) Mechanism to Control Environmental Pollution
(e) Sanctions

(5) Control of Noise Pollution:
(a) Legal Control
(b) Judicial Control

(6). Emerging Principles:
Historical Background and Judicial Approach in India
(a) Polluter Pays Principle
(b) Precautionary Principle
(c) Public Trust Doctrine
(d) Sustainable Development

(7). Environmental Dispute and Grievance Settlement Mechanism:
(a) National Environment Tribunal Act, 1995-
Powers, Functions and Jurisdiction of the National Environmental Tribunal
(b) National Environment Appellate Authority Act, 1997- Powers,
Functions and Jurisdiction of the National Environment Appellate Authority.

Leading Cases:
(a) M.C. Mehta vs. Union of India (AIR 1987 SC 965, 982, 1086)
(b) M.C. Mehta vs. Union of India (AIR 1988 SC 1037, 1115)
(c) Municipal Council, Ratlam vs. Vardhichand and Others (AIR 1980 SC 1622)

Suggested Readings:-
1. Dr. R.L. Rathi : Environment Law.
2. Dr. Anirudh Prashad: Environment Law.

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B.Com. LL.B (Five Years Course)
X-SEMESTER
(LAW-1002)

Professional Ethics & Bar Bench Relation

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)
1. Nature and Characteristics of:
   (a) Professional Ethics
   (b) Legal Profession
2. Historical Perspective and Regulation of Legal Profession
3. Contempt of Court by the Lawyers:
   (a) Civil Contempt
   (b) Criminal Contempt
       Punishment
       Defences
4. Strike by the Lawyers
5. Extent of Professionalisation of Legal Profession
6. Code of Ethics for Lawyers
7. Professional Misconduct and its Control
8. BENCH BAR RELATION:
Meaning and Kinds of Contempt of Court
I - Contempt of Court – Its meaning, Nature and main features
   II – Kinds of contempt of courts
1. Difference between civil contempt and criminal contempt
2. Kinds
   III-Civil Contempt
   Meaning and Nature
   1. Disobedience of the order, decree, etc. of the court or breach of
      undertaking given to the court.
   2. Wilful disobedience or breach
IV-Criminal Contempt
   .Contempt Proceedings – Nature and Main Features
   1. Nature and main features
   2. Cognizance and Procedure in case of contempt in face of the court.
   A. Contempt in the face of the Supreme Court or High Court.
B. Contempt in the face of the Subordinate Courts.
3. Contempt outside the court (Constructive Contempts)
4. Period of Limitation for initiation of contempt proceedings
5. Parties to contempt proceedings.

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B.Com. LL.B (Five Years Course)
X-SEMESTER

(LAW-1003)

Legal Education and Research Methodology

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.
1. Objective of Legal Education.
2. Lecture Method of Teaching – Merits and demerits
3. The problem method
4. Discussion methods and its suitability at post graduate level teaching
5. The seminar method of teaching
6. Examination System and problems in evaluation – external and internal assessment
7. Student participation in law school programmes, Organization of seminars, publication of journals and assessment of teachers
8. Clinical legal education – legal aid, legal literacy, legal survey and law reform

II.
1. Socio-Legal Research
2. Doctrinal and non-doctrinal
3. Relevance of empirical research
4. Introduction and deduction
5. Identification of problem of research – what is a research problem
6. Survey of available literature and bibliographical research
7. Legislative materials including subordinate legislation, notification and policy Statements

III.
1. Decisional materials including foreign decision; methods of discovering the
‘rule of the case’ tracing the history of important cases and ensuring that these have been overruled; discovering judicial conflict in the area pertaining to the research problem and the reason thereof.

2. Juristic writings – a survey of Juristic literature relevant to selected problem in India and foreign periodicals
3. Compilation of list of reports or special studies conducted relevant to the problem.
4. Formulation of the Research problem
5. Devising tools and techniques for collection of data : Methodology
6. Methods for the collection of statutory and case material and juristic literature
7. Use of historical and comparative research materials
8. Use of observation studies
9. Use of questionnaires/interview
10. Use of case studies
11. Sampling procedures design of sample, types of sampling to be adopted
12. Use of scaling techniques

IV.
1. Computerized Research – A Study of legal research programme such as Lexis and West law coding
2. Classification and Tabulation of data – use of cards for data collection Rules for tabulations Explanation of tabulated data
3. Analysis of data

Suggested Readings:-
2. S.K. Agarwal (ed.): Legal Education in India (1973), Tripathi, Bombay
4. M.O. Price, H. Bitner and Bysieqiez : Effective Legal Research (1978)
5. Pauline V.Young : Scientific Social Survey and Research (1962)
7. H.M.Hyman : Interviewing in Social Research (1965)

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B.Com. LL.B (Five Years Course)
X-SEMESTER

(LAW-1004)
Insurance Law

(The Theory Paper shall be of 70 marks and of 3 hours duration. The question asked may be objective and subjective both or subjective only. 30 Marks have been assigned for sessionals.)

I.
Introduction, Meaning of Insurance, Historical Aspect, Characteristic of Insurance, Nature of Insurance Contract

II.
Theory of Cooperation, Theory of Probability, Principles of Insurance, Utmost Good Faith, Insurance Interest

III.
Re-Insurance, Double Insurance, Insurance & Wages, Types of Insurance:
- Life Insurance
- Marine Insurance
- Fire Insurance &
- Miscellaneous Insurance

IV.

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

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B.Com. LL.B (Five Years Course)
X-SEMESTER

(LAW-1005)

Criminology
I.

II.
Schools of Criminological Thought
(Factors in causation of Criminal Behaviors)
1. Ancient School
   (a) Demonological
   (b) School of Free will
2. Classical School.
3. Cartographic or Ecological School.
4. Typological School
   (a) Italian or Positive School.
   (b) Mental Testers School.
   (c) Psychiatrists School.
5. Sociological School

III.
Control of Crime: Police and Law courts, Prison system, Re-socialisation of the offender, Rehabilitation of discharged prisoners in the administration of Criminal justice, prevention of crime delinquency.

IV.
Constitutional Guarantees -Principles of natural Justice as applicable to procedural law, Protection to arrested persons, Under-trials, detenue and convicted persons. Double jeopardy and self-incrimination, rights to life and legal aid.

The Probation of offenders Act, 1958:
Definitions - Power of court to require released offenders after admonition on probation of good conduct - power of Court to require released offenders to pay compensation under twenty one years of age. Variations of conditions of probation. Probation in case of ‘Offender’ failing to observe conditions of bond, provision as to sureties, Probation Officers, Duties of Probation Officer.

Leading Cases:

Suggested Readings:
1. Pillai, K.S. - Criminology.
2. Edwin, H. Sutherland and Donald R. Grussey - Principles of Criminology.
6. B.L. Babel – Criminology.
8. The Constitution of India.

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B.Com. LL.B (Five Years Course)
X-SEMESTER
(LAW-1006)

Moot Court, Pre – Trial Preparation and
Participation in Trial Proceedings

This paper will have Two components:
(A) Moot Court  
(B) Viva-Voce  

60 marks  
40 marks

(A) Moot Court

Every student will do at least three moot courts in a year with 20 marks for each. The
moot court work will be on assigned problems and it will be evaluated for 10 marks for
written submission and 10 marks for oral advocacy.

(B) Viva-Voce

The Second component of this paper will be viva-voce Examination on all the above
aspects. This will carry 40 marks.
The Viva-voce examination shall be conducted by a committee of three persons. In the
committee, there shall be two internal examiner and one external examiner. The
committee shall award marks on the basis of preparations of above components
and performance at the Viva-voce Examination.
School of Law
Opjs University, Churu (Rajasthan)