



**BHARTI VISHWAVIDYALAYA  
DURG (C.G.)**

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**SCHEME OF EXAMINATION  
&  
SYLLABUS  
Of  
B.Com.LL.B.**

**Semester Exam**

UNDER

**FACULTY OF LAW**

(Approved by Board of Studies)

**Session 2022**



**BHARTI VISHWAVIDYALAYA**



**BHARTI VISHWAVIDYALAYA, DURG (C.G.)**

Website- [www.bhartiuniversity.org](http://www.bhartiuniversity.org)

**Scheme of Examination**

**B. Com. LL.B. (Integrated Course)**

**Five Year Law Course w.e.f. Academic Session 2022 - 2023**

**First Year**

**Semester I**

<b>Paper Code</b>	<b>Paper</b>	<b>End Semester Exam</b>	<b>Internal Marks</b>	<b>Total marks</b>	<b>Credit</b>
BCOMLLB 101	Principles of Management-I	70	30	100	4
BCOMLLB 102	Financial Accounting - I	70	30	100	4
BCOMLLB 103	Principles of Economics (Micro)	70	30	100	4
BCOMLLB 104	English-I	70	30	100	4
BCOMLLB 105	Contract- I	70	30	100	4
BCOMLLB 106	Promotion of Education & Moral Values	70	30	100	4
	<b>Total</b>	<b>420</b>	<b>180</b>	<b>600</b>	<b>24</b>

**Semester II**

<b>Paper Code</b>	<b>Paper</b>	<b>End Semester Exam</b>	<b>Internal Marks</b>	<b>Total marks</b>	<b>Credit</b>
BCOMLLB 201	Principles of Management-II	70	30	100	4
BCOMLLB 202	Financial Accounting - II	70	30	100	4
BCOMLLB 203	Principles of Economics (Macro) - II	70	30	100	4
BCOMLLB 204	English II	70	30	100	4
BCOMLLB 205	Contract -II	70	30	100	4
BCOMLLB 206	Legal Method & Clinical legal education	70	30	100	4
	<b>Total</b>	<b>420</b>	<b>180</b>	<b>600</b>	<b>24</b>



Second Year					
Semester III					
Paper Code	Paper	End Semester Exam	Internal Marks	Total marks	Credit
BCOMLLB 301	Constitutional History of India	70	30	100	4
BCOMLLB 302	Advance Accounting - I/Corporate Accounting	70	30	100	4
BCOMLLB 303	Statistics	70	30	100	4
BCOMLLB 304	Law of Torts and M.V. Act	70	30	100	4
BCOMLLB 305	Law of Crimes I (IPC)	70	30	100	4
BCOMLLB 306	Advocacy Skills	70	30	100	4
	<b>Total</b>	<b>420</b>	<b>180</b>	<b>600</b>	<b>24</b>

Semester IV					
Paper Code	Paper	End Semester Exam	Internal Marks	Total marks	Credit
BCOMLLB 401	Cost Accounting/ Corporate Financial Statements	70	30	100	4
BCOMLLB 402	Secretarial Practice	70	30	100	4
BCOMLLB 403	Family Law I	70	30	100	4
BCOMLLB 404	Constitution Law-I	70	30	100	4
BCOMLLB 405	Law of Crime II(CrPC)	70	30	100	4
BCOMLLB 406	Internship & Report Writing	70	30	100	4
		<b>420</b>	<b>180</b>	<b>600</b>	<b>24</b>
Third Year					
Semester V					
Paper Code	Paper	End Semester Exam	Internal Marks	Total marks	Credit
BCOMLLB 501	Advance Accounting - II/ Management Accounting	70	30	100	4



BCOMLLB 502	Auditing/ Company Accounting	70	30	100	4
BCOMLLB 503	Jurisprudence And Legal Theory	70	30	100	4
BCOMLLB 504	Family Law II	70	30	100	4
BCOMLLB 505	Constitutional Law-II	70	30	100	4
BCOMLLB 506	Summer Training	70	30	100	4
	<b>Total</b>	<b>420</b>	<b>180</b>	<b>600</b>	<b>24</b>
<b>Semester VI</b>					
		<b>End Semester Exam</b>	<b>Internal Marks</b>	<b>Total marks</b>	<b>Credit</b>
<b>Paper Code</b>	<b>Paper</b>				
BCOMLLB 601	Transfer of Property Act and Easement Act	70	30	100	4
BCOMLLB 602	Environmental law including Wild Life Protection and Animal Welfare	70	30	100	4
BCOMLLB 603	Administrative Law and Right to Information Act 2005	70	30	100	4
BCOMLLB 604	Law of Equity and Indian Trust Act,1882	70	30	100	4
BCOMLLB 605	Law, Poverty and Development	70	30	100	4
	<b>Total</b>	<b>350</b>	<b>150</b>	<b>500</b>	<b>20</b>
<b>Fourth Year</b>					
<b>Semester VII</b>					
		<b>End Semester Exam</b>	<b>Internal Marks</b>	<b>Total marks</b>	<b>Credit</b>
<b>Paper Code</b>	<b>Paper</b>				
BCOMLLB 701	Human Rights and Public International Law	70	30	100	4
BCOMLLB 702	Insurance Law	70	30	100	4
BCOMLLB 703P	(Practical): Professional Ethics and Professional Accounting System	70	30	100	4
BCOMLLB 704	Law of Evidence	70	30	100	4
BCOMLLB 705	Legal Ethics and Court Craft	70	30	100	4
	<b>Total</b>	<b>350</b>	<b>150</b>	<b>500</b>	<b>20</b>
<b>Semester VIII</b>					



Paper Code	Paper	End Semester Exam	Internal Marks	Total marks	Credit
BCOMLLB 801	C.G. Land Revenue Code and Other local laws	70	30	100	4
BCOMLLB 802	Law of Taxation	70	30	100	4
BCOMLLB 803	Labour and Industrial Law-I	70	30	100	4
BCOMLLB 804	Labour and Industrial Law-II	70	30	100	4
BCOMLLB 805	Legal Writing & Research	70	30	100	4
	<b>Total</b>	350	150	500	20
<b>Fifth Year</b>					
<b>Semester IX</b>					
Paper Code	Paper	End Semester Exam	Internal Marks	Total marks	Credit
BCOMLLB901	Interpretation of Statutes and Principles of Legislation	70	30	100	4
BCOMLLB902	Criminology and Penology	70	30	100	4
BCOMLLB903P	(Practical): Drafting, Pleading and Conveyance	70	30	100	6
BCOMLLB904P	(Practical): Alternative Disputes Resolution	70	30	100	6
	<b>Total</b>	280	120	400	20
<b>Semester X</b>					
Paper Code	Paper	End Semester Exam	Internal Marks	Total marks	Credit
BCOMLLB1001	Intellectual Property Law	70	30	100	4
BCOMLLB1002	Company Law	70	30	100	4
BCOMLLB1003P	(Practical): Moot Court exercised and Internship	70	30	100	6
BCOMLLB1004	Civil Procedure Code and Limitation Act	70	30	100	4
	<b>Total</b>	280	120	400	18

**Note-** All the amended provisions will be included in required subjects.





## Programme Outcome

Programme outcomes, Programme Specific outcomes and course outcomes for all programme offered by Bharti University under Faculty of Law: -

- Programme Outcomes of all the programmes are identified at the National Level according to the Bar Council of India. The Programme outcomes and Programme specific outcomes are achieved through a curriculum that offers a number of courses. The prospectus of the college states the syllabus of every subject under each course offered at the college and the objectives of the course. It provides a general idea about the expectations of the college and about the outcome on the successful completion of the course. Our college offered various courses such as B.A.LL.B. (Five Year/Tenth Semester course), B.Com.LL.B. (Five Year/Tenth Semester course), LL.B. (Three Year/ Sixth Semester course) and LL.M. (Two Year/ Fourth Semester P.G. course). Following are some of the works which could be done by the completion of Course or programme: -
  - Practice of Law in Bar
  - Judicial Services
  - Legal Process Outsourcing
  - As Legal Advisor in Law Firm
  - Non-Governmental Organization
  - As Prosecutors
  - As Law Clerk
  - Government Services
  - Legal officers in PSUs and Private Organizations
- **Pedagogy: -**  
The pedagogy would be the combination of the following techniques: -
  - Lectures
  - Seminar
  - Presentations
  - Classroom Activities
  - Discussions, Questions & Answers
  - Case Study

### Program outcomes of U.G. course B.A.LL.B., B.Com.LL.B., & LL.B.

- Understand and identify key concepts in corporate law and the field of management education.
- Explore and explain the substantial & procedural laws in which they are made or drafted and how students think and understand the legislative setup.
- Effectively communicate by engaging in a persuasive style, and demonstrate oral advocacy skills in a clear and objective manner.
- Interpret and analyse the legal and social problems and work towards finding solutions to the problems by application of laws and regulations.
- Successfully analyse a situation and collaborate effectively with others on a variety



- of legal issues.
- Inculcate values of Rights and Duties, and transfer these values to real-life through legal and judicial process for promoting community welfare.
  - Apply ethical principles and commit to legal professional ethics, responsibilities and norms of the established legal practices.
  - Recognize the need for and have the preparation and ability to engage in independent and life-long learning in the broader context of legal change.
  - Employ appropriate legal analysis by reasoning and problem-solving skills to arrive at solutions to legal problems.

#### **Program specific outcomes of U.G. course B.A.LL.B., B.Com.LL.B. & LL.B.**

- B.A.LL.B. is an opportunity for learners to specialize in Management and Corporate sector along with law. Acquire advance knowledge in the specific field of law chosen for the specialization.
- Interpret and analyse the legal and social problems and work towards finding solutions to the problems by application of laws and regulations.
- Apart from imbibing knowledge of law, the course allows learners to acquire skills by understanding subjects like Finance, Marketing and Management, as well as some unique courses like Data Science, Corporate Finance, Business Communication and Business Environment, etc. and their inspiration and interdependence on Law.
- Students are equipped with the knowledge of teaching methods through the subject on Teaching Pedagogy thereby enabling them to enter the teaching profession.
- Through compulsory research component in the form of Dissertation, the students learn to conduct research study.
- As students also get exposure to subjects like seminar paper, legal writing, moot court, internship, professional ethics in the course give an edge to the learners for international outreach and business.

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**BCOMLLB101**

**External Marks: 70**

**Internal Marks: 30**

## **PRINCIPLES OF MANAGEMENT – I**

### **Course Objectives**

The course aims at providing fundamental knowledge and exposure to the concepts, theories and practices in the field of management.

### **Course Outcomes**

On completion of this course, the students will be able to:

- a. Understand the concepts related to businesses, principles and practices of management.
- b. Realize and demonstrate the roles, skills and functions of management.
- c. Understand and apply the management functions i.e., planning organizing, staffing directing and controlling.
- d. Understand the theories and concepts related to motivation, leadership.
- e. Understand the complexities associated with management of human resources in the organizations and will be able to handle these complexities.

### **UNIT I: Introduction to Management and Planning:**

- a) Management: Meaning and process of management.
- b) Planning: Meaning; planning process; planning premises; types of plans – based on breadth and use.

### **UNIT II: Forecasting, Decision making:**

- a) Forecasting: Meaning; techniques of forecasting – Historical analogy method, survey method, Business barometers, time series analysis, regression analysis, significance and limitations of forecasting
- b) Decision making: Meaning; decision making process; techniques of decision making – Decision Tree,
- c) PERT and CPM.

### **UNIT III: Organizing – Part 1**

- a) Introduction - Meaning of organizing; principles of organizing.
- b) Departmentation – Meaning; bases of departmentation – function wise, product wise, territory wise, process wise and customer wise.
- c) Delegation – Meaning; elements of delegation; principles of effective delegation.
- d) Centralization and decentralization – Meaning; factors affecting degree of centralization and decentralization.

### **UNIT IV: Organizing – Part 2: Types of organizations**

- a) Formal organizations: Line; Functional; Line and staff; Committee (only the meaning,



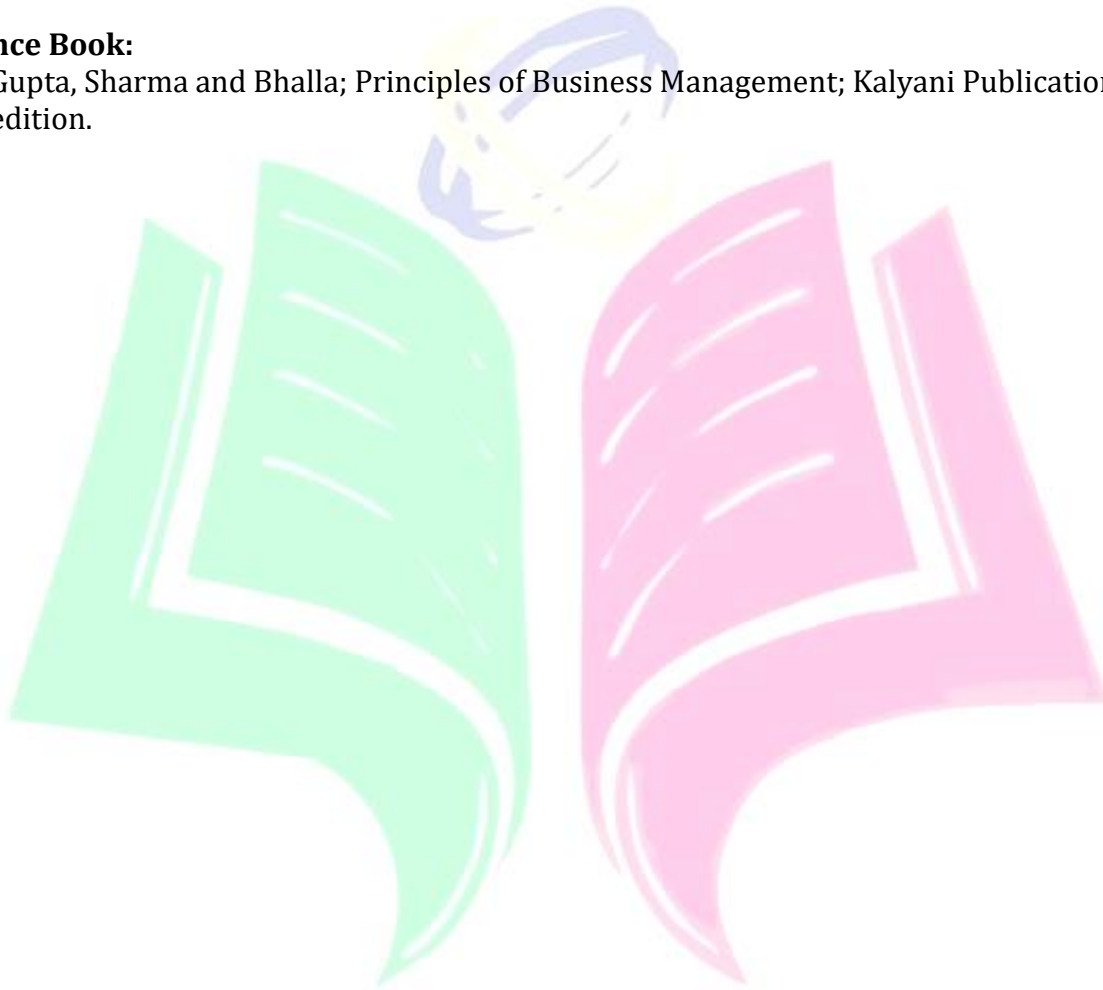
- advantages and limitations of all the four forms)  
b) Informal organizations: Meaning; benefits; problems.

**Text:**

1. L. M. Prasad; Principles of Management; Sultan Chand and Sons, 6th edition.
2. Karminder Ghuman, Management – Concept, Practice and Cases; Tata McGraw Hill; 1st edition (2010)

**Reference Book:**

1. Gupta, Sharma and Bhalla; Principles of Business Management; Kalyani Publications; 1st edition.



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## Financial Accounting- I

**Course Objective:** The objective of this course is to introduce problems of financial accounting such as measuring and reporting issues related to assets and liabilities and preparing the financial statements. Students are expected to gain the ability of using accounting information as a tool in applying solutions for managerial problems, evaluating the financial performance, and interpreting the financial structure.

**Course outcome:** At the end of this course, student should be able to:

- Appreciate the need for negotiable instruments and procedure of accounting for bills honored and dishonored
- Differentiate Trade bills from Accommodation Bills
- Understand the concept of Consignment and learn the accounting treatment of the various aspects of consignment
- Distinguish Joint Venture and Partnership and to learn the methods of maintaining records under Joint Venture
- Distinguish between Single Entry and Double Entry
- Know the ascertainment of profit under Single Entry system.
- Understand the meaning and features of Non-Profit Organizations
- Learn to prepare Receipts & Payment Account, Income & Expenditure Account and Balance Sheet for Non-Profit Organizations.

### Unit-I:

#### A. FUNDAMENTALS OF ACCOUNTANCY:

Meaning, Scope and Utility of Accounts, Methods of keeping Books of Accounts, Difference between Book Keeping and Accountancy, Users of Accounts, Fundamental Accounting Equation, Types of Accounts, Rules of Debit and Credit, Types of Transactions, Types of Assets and Liabilities

#### B. CAPITAL, REVENUE, DEFERRED REVENUE EXPENSES, RESERVES, PROVISIONS AND CONTINGENT LIABILITY:

Meaning and difference between Capital and Revenue Incomes and Expenses, Identification of Capital and Revenue Expenses and Incomes, Meaning of Deferred Revenue Expense, Difference between Reserves and Provisions, meaning of Contingent Liability

#### C. ACCOUNTING CONCEPTS, CONVENTIONS & PRINCIPLES:

Accounting Principles, Policies, Concepts and Conventions. Generally Accepted Accounting Principles, Identification of different accounting concept applied in various transactions, its accounting entries and its presentation in Annual Financial Statement.

### Unit-II:

#### ACCOUNTING FOR NON-TRADING CONCERNS:



Meaning of Non-Trading Concern, Annual Financial Statements of Non-Trading Concerns (NTC), How NTC differs from Trading Concern, Identification of Capital and Revenue Items for non-trading organizations, Receipts and Payments Account, Income and Expenditure Account, Balance Sheet, Concept of different funds and their accounting treatment.

### **Unit- III**

#### **FINAL ACCOUNTS OF SOLE PROPRIETARY CONCERN:**

Preparation of Final account of sole Trading.

### **Unit-IV**

#### **ACCOUNTING ENTRIES IN TALLY 7.2 USING VOUCHERS:**

Relevant vouchers in printed/physical form to be provided to students as documentary evidence and accounting entries in Tally 7.2 (accounts only) to be passed and it will be evaluated on the basis of Day Book, Trial Balance, Profit and Loss Account and Balance Sheet. Opening balances of certain Ledger Accounts may also be given in case of continuing firm.

#### **Reference Books:**

1. Accounting for Managers – J. Made Gowda – Himalaya Publishing House
2. Introduction to Accountancy – T. S. Grewal & S. C. Gupta – S. Chand – 8th Edition
3. Modern Accountancy - Hanif Mukerji – TMH
4. Financial Accounting by Dr. Kaustubh Sontake – 1st Edition – Himalaya Publishing House

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**BCOMLLB103**

**External Marks: 70**

**Internal Marks: 30**

### **Principles of Economics – I (Micro)**

**Course Objective:** This course provides an introduction to a broad range of economic concepts, theories and analytical techniques. It considers both microeconomics - the analysis of choices made by individual decision-making units (households and firms) - and macroeconomics - the analysis of the economy as a whole.

**Course Outcome:** Students who have completed the requirements will: Understand theories and principles in microeconomics including price theory, market structure, trade-offs, comparative advantage, factor markets, consumer theory, public goods, externalities and market failure.

#### **Unit :1**

Basic Concepts and Definitions Utility, Goods and Services, Money and Wealth, Value and Price, Wealth and Welfare, Real Income and Monetary Income, Micro economics and Macro Economics, Positive Economics and Normative Economics, Consumer surplus, Scarcity of Resources and Problems of Choice- Economic Policy, Economic Regulation and Economic Law- Prof. Marshall and Prof. Samuelsons' Definitions of Economics, Demand function-Law of Demand-Determinants of Demand, Derivation of Demand through Indifference curve - Elasticity of Demand and its types – Methods for calculating Elasticity of Demand.

#### **Unit: 2**

Demand Analysis and Consumer Behavior Types of Demand- Individual Demand and Market Demand, Industry Demand and Firm Demand. Demand for consumers goods and Demand for Producers Goods, Rational Demand, Demand for Durable and Demand for Perishable Goods. Estimation of Demand only on the basis of Price and Income and Basic survey and statistical methods for Demand forecasting- (Mathematical Approach is required) Seven Marks for mathematical Approach

#### **Unit:3**

Production, Cost and Revenue Analysis Production and Short run and long run Production Function. Transformation Curve (Production Possibility Curve) Iso-quants and Isocost and equilibrium of firm – Basic Concepts of Economies and Diseconomies of Scale-Cost analysis Total Fixed Cost, Total Variable Cost, Total Cost, Average Fixed Cost, Average Variable Cost, Average Cost and Marginal Cost- Relationship between Average Cost and Marginal Cost,, Real cost, Sunk Cost, Opportunity Cost, Implicit Cost, Accounting cost, Money cost, Explicit cost- Basic concepts of Revenues i.e. Total Revenue, Marginal Revenue and Average Revenue-Relationship between Average Revenue and Marginal Revenue.





## Unit:4

Imperfect competition, Product Pricing & Factor Pricing Concept of Perfect Competition- Monopoly and Control of Monopoly-Price Discrimination and Dumping - Monopolistic Competitions- Price Determination in Monopolistic Competition-Selling cost and its Impacts Concepts of Duopoly and Oligopoly- Collusive Oligopoly,-Price Leadership Model and Kinked Demand Curve- Two persons zero sum Game Theory -Theory of Rent (Ricardian and Modern) – Rent and Quasi Rent- Profit Innovations and Risk and Uncertainty theories of Profit.

### Recommended Reading:

1. H.L.Ahuja, " Modern Micro Economics", S.Chand Publication
2. K.K.Dewett, "Micro economics", S.Chand Publication
3. M.C. Vaish, "Micro economics".
4. Paul Samuelson, "Economics"
5. M.L. Sheth, "Micro Economics"
6. Mishra and Puri, "Principles of Micro Economics", Himalaya Publication House, 2009

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**BCOMLLB104**

**External Marks: 70**

**Internal Marks: 30**

## **ENGLISH-I**

**Course Objective:** The Objective of this course is to develop a student capability to write and speak in English correctly.

### **Course Outcome**

- Focuses on developing preliminary legal knowledge which inter-alia helps to cope with learning the law.
- Précis writing/drafting reports etc. Caters to hone the interpretation skills and effective understating of judgements, law texts, etc.
- Essays written by eminent writers on law gives various dimensions on the legal professions and learning the law.
- To understand the principles of law its process and application in various streams in the legal world.
- Equip with legal knowledge and functional skills.
- Understanding of legal perspective of various global issues.
- Ethical reasoning and professionalism.
- Awareness on various political, socio-economic, environmental issues, etc.

### **Unit – I:**

#### **Grammar and Usage:**

- a) Tense and Composition, Basic Transformations,
- b) Active/Passive,
- c) Negatives,
- d) Questions,
- e) Simple, Complex and Compound Sentences
- f) Reported Speech,
- g) Some Common errors

### **Unit – II**

#### **Comprehension and Composition:**

- a) Reading Comprehension,
- b) Comprehension of Legal Texts,
- c) Paragraph and Précis writing,
- d) Formal Correspondence Note Taking,
- e) Drafting of Reports and Projects,



f) Abstracts

### **Unit - III**

#### **Legal Language:**

- a) Legal maxims,
- b) Foreign words,
- c) Drafting of moot memorials

### **Unit - IV**

- a) Common Hindi and Urdu words used in Courts,
- b) Translation from Hindi to English and Vice Versa

### **Unit - V**

- a) Role Plays,
- b) Group Discussion,
- c) Presentations,
- d) Skits,
- e) Case Study.

#### **Reference Books:**

1. Legal Language and Legal Writing – P.K. Mishra
2. English Grammar – Wren and Martin
3. Legal Language, Writing and General English – J.S. Singh

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**BCOMLLB105**

**External Marks: 70**

**Internal Marks: 30**

## **CONTRACT-I**

**Course Objective:** The objective of this paper is to make students familiar with various principles of contract formation enunciated in the Indian Contract Act, 1872.

### **Course Outcome**

- Contracts are the basis of majority of transaction especially transactions dealing with property.
- Whether the transaction is in the ordinary course of life or in the electronic world (E-Commerce) the general principles governing contracts remain same.
- For this reason, it is very important to introduce the students to the basic principles governing contracts and lay a powerful foundation for their study of other transactional and related laws in subsequent semesters.

### **UNIT-I**

#### **NATURE OF CONTRACT, COMMUNICATION ACCEPTANCE AND REVOCATION OF PROPOSAL (sec. 1 to sec. 9)**

- a) General History and Nature of Contract, Distinction between Torts and Contract, agreements and contracts, Essentials of contract & consideration.
- b) Interpretation clause communication of proposals. Its various means and its completion.
- c) Acceptance - Its certainty and absoluteness manner of Acceptance, Acceptance by performing conditions and General offers.
- d) Revocation of proposal and acceptance - Revocation of offer, How it is made ? Revocation on sale by auction, Revocation before acceptance of bid and Revocation in standing orders.

### **UNIT-II**

#### **AGREEMENT AND CONTRACT - VOID VOIDABLE AND CONTINGENT (Section 9 to 36)**

- a) Agreement and contract - Which agreements are contract? Competency to perform contract: factors which affects the legality of contracts - minority unsoundness etc.
- b) Lack of free consent, coercion, undue influences, fraud and misrepresentation and their effect on contract.
- c) Effect of mistake of law and mistake of fact on contract. How an unlawful consideration and object made a contract and agreement illegal and void?
- d) Contingent contract - What are they? its effect on the legality of contract.



## **UNIT-III**

### **PERFORMANCE OF CONTRACT QUASI CONTRACT & BREACH OF CONTRACT (sec. 37-75)**

- a) Performance of Contract - Which and by whom contract must be Performed? Performance if time, place and manner is mentioned in contract. Performance of reciprocal promises.
- b) Effect of failure in performance - when agreement was impossible to do or when act after words impossible and unlawful.
- c) Doctrine of frustration and its effects: contract which need not be perform and effect of novation --- and alteration of contract.
- d) Quasi contract - certain relation resembling those created by contract (68 to 72)
- e) Consequences of breach of contract - Compensation for loss or damages caused by breach of contract, compensation for failure to discharge obligation resembling those created by contract. Compensation for breach of contract where penalty stipulated and position of partly rightfully rescinding contract.

## **PART - II - SPECIFIC RELIEF**

### **UNIT-IV**

#### **SPECIFIC RELIEF ACT AND ITS APPLICABILITY (Section 1 to 24)**

- a) Specific Relief Act and its applicability - Definition, Recovering possession of property; immovable and movable (Sec. 1 to 8)
- b) Specific performance of contract - Contract which can be specifically enforced and contract which cannot be specifically enforced. (Sec. 9 to 14)
- c) Person for or against whom contract may be specifically enforced. (Sec 15-19) d) Discretion and Powers of the courts in decreeing specific performance awarding
- d) Discretion and Powers of the courts in decreeing specific performance awarding compensation and granting relief, liquidation of damages and BComr of suit for compensation for breach after dismissal of suit for specific performance. (Sec.20-24)

### **UNIT-V**

#### **ENFORCEMENT OF AWARDS RATIFICATION, CANCELATION, DECREE AND INJUNCTIONS (Sec. 25 to 42)**

- a) Enforcement of awards and Direction to execute settlement and Rescission of contract.
- b) Rectification and cancellation of Instrument.
- c) Declaratory Degree - Discretion of court as to declaration of status or right and effect of declaration.
- d) Injunctions - Temporary & perpetual and mandatory. Refusal of injunction Damages in lieu of or in addition to injunction, and injunction to perform negative agreement.





## Reference Books

1. Ansons Law of Contract (1998) Universal, Delhi.
2. Pollock and Mulla - Indian Contract and specific Relief Acts. 1999, Universal
3. Sarkar on Specific Relief Act. - Wadhwa, Nagpur.
4. Avtar Singh - Law of Contract, EBC, Lucknow.
5. Avtar Singh - Law of Contract and Specific Relief EBC, Lucknow
6. Benerjees - Law of Specific Relief, Universa
7. Anand & Ayer Law of Specific Relief, Universal
8. BComngia R.K. - Law of Contract and Specific Relief
9. G.H. Treital - Law of Contract, Sweet & Maxwell 1997.

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**BCOMLLB106**

**External Marks: 70**

**Internal Marks: 30**

## **PROMOTION OF EDUCATION AND MORAL VALUES**

**Course Objective:** The objective of this paper is to develop moral values of the student and also to promote holistic development.

### **Course Outcomes**

- Full development of child's personality in its physical, mental, emotional and spiritual aspects.
- Inculcation of good manners and responsibility and cooperative citizenship.
- Developing respect for individual and society.
- Inculcating a spirit of patriotism and national integration.
- Developing a democratic way of thinking and living.
- Developing tolerance towards and understanding of different religious faith.
- Developing a sense of human brotherhood at social, national and international levels.
- Helping children to have faith in themselves and in some supernatural power and order that is supposed to control this universe and human life.
- Enabling children to make moral decision on the basis of sound moral principles.

### **UNIT I**

- a. Concept of Values
- b. Inherent Difficulties in Acquiring Values
- c. Concept and Needs of Morality
- d. Educating Parents as Natural Moral Educators
- e. Value Education: Meaning, Significance and Global Trends

### **UNIT II**

- a. Moral Development Concept, Significance
- b. Piaget's Theory of Moral Development
- c. Kohlberg's Theory of Moral Development
- d. Carol Gilligan's Feminist Theory of Moral Development



- e. Role of Parents to Facilitate Children's Moral Development

### **UNIT III**

- a. Fostering Values: Meaning and Significance
- b. Values in the Classroom
- c. Value from the Pupil's Perspective
- d. Approaches to Values Education
- e. Role of Teacher in Fostering Value among Students

### **UNIT IV**

- a. Meaning of Human Rights Education
- b. UN Decade for Human Rights Education (1995-2004)
- c. The Indian Constitution and Human Rights
- d. Development of Curriculum of Human Right Education
- e. Human Rights Education through Co-Scholastic Activities

### **UNIT V**

- a. Understanding Peace by Understanding Conflict
- b. Aims of Peace Education
- c. Basic of Peace Education
- d. Peace Education and Teacher
- e. Power of Silence
- f. Yogic Meditation

### **SUGGESTED READINGS:**

1. Feuerstein, Georg. 2001. The Yoga Tradition: Its History, Literature, Philosophy and Practice. Arizona, USA: Hohm Press.
2. Mohanty, J. 1986. School Education in Emerging Society. Meerut: Publishers.
3. Reardon, Betty. 1988. Educating for Global Responsibility: Teacher Designed Curricula for Peace Education. New York: Teacher College Press.
4. Chodosh, H. E., Bhatt, N. J., and Kassam. F. 2004. Mediation in India: A Toolkit. New Delhi: United States Educational Foundation in India (USEFI).

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# **SEMESTER-II**

**BHARTI VISHWAVIDYALAYA**







#### **UNIT IV: Emerging issues in Management**

- A. Knowledge Management – Meaning; objectives.
- B. Technology Management – Meaning; functions, limitations.
- C. Corporate Social Responsibility – Meaning; arguments for and against CSR.

#### **Text:**

1. L. M. Prasad; Principles of Management; Sultan Chand and Sons, 6th edition.
2. Karinder Ghuman and K. Aswathapa; Management – Concept, Practice and Cases; Tata McGraw Hill; 1st edition (2010)

#### **Reference Book:**

1. Gupta, Sharma and Bhalla; Principles of Business Management; Kalyani Publications; 1st edition.



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**BCOMLLB202**

**External Marks: 70**

**Internal Marks: 30**

### **Financial Accounting – II**

**Course Objective:** The objective of this course is to introduce problems of financial accounting such as measuring and reporting issues related to assets and liabilities and preparing the financial statements. Students are expected to gain the ability of using accounting information as a tool in applying solutions for managerial problems, evaluating the financial performance, and interpreting the financial structure.

**Course outcome:** At the end of this course, student should be able to:

- Appreciate the need for negotiable instruments and procedure of accounting for bills honored and dishonored
- Differentiate Trade bills from Accommodation Bills
- Understand the concept of Consignment and learn the accounting treatment of the various aspects of consignment
- Distinguish Joint Venture and Partnership and to learn the methods of maintaining records under Joint Venture
- Distinguish between Single Entry and Double Entry
- Know the ascertainment of profit under Single Entry system.
- Understand the meaning and features of Non-Profit Organizations
- Learn to prepare Receipts & Payment Account, Income & Expenditure Account and Balance Sheet for Non-Profit Organizations.

#### **Unit-I**

A) Consignment:

- Meaning and Features of consignment, Sale and consignment
- Important terms, accounting records
- Valuation of unsold stock & Loss of stock

B) Joint Venture: (Excluding Conversion of Consignment into Joint Venture)

- Meaning and Features of Joint Venture,
- Accounting Records, when separate set of books are maintained,
- Accounting Records, when separate set of books are maintained
- When one venture keeps Accounts, when all venture keeps Accounts

#### **Unit-II**

Branch accounts (excluding Foreign Branch)

#### **Unit-III**

Insurance Claims: Claims for loss of Stock & Fixed assets Claim for profit or consequential loss

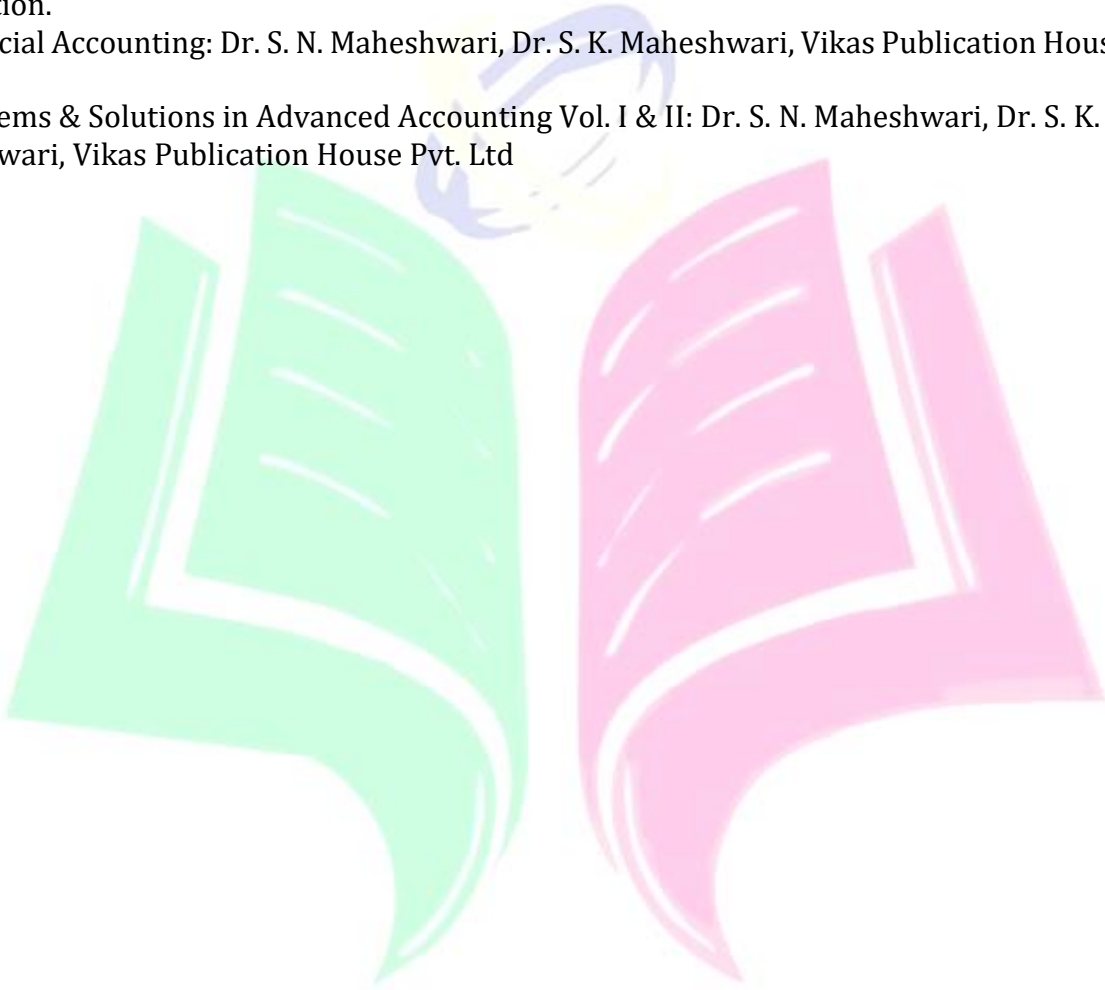
#### **Unit-IV**

Business Purchase



### Reference Books:

1. Grewal's Accounting: M.P. Gupta & B. M. Agrwal. S. Chand & Company Ltd.
2. Corporate Accounting: Dr. B. C. Tulsian. S. Chand & Company Ltd.
3. Non-Corporate Accounting: Dr. P. C. Tulsian S. Chand & Company Ltd.
4. Financial Accounting and Analysis: P. Premchand Babu, Himalaya Publication.
5. Financial Accounting: Dr. Sharda Gangwar, D. K. Gangwar, Himalaya Publication.
6. Problems & Solutions in Advanced Accounting: Arulanandan Raman & Sunivasan, Himalaya Publication.
7. Financial Accounting: Dr. S. N. Maheshwari, Dr. S. K. Maheshwari, Vikas Publication House Pvt. Ltd.
8. Problems & Solutions in Advanced Accounting Vol. I & II: Dr. S. N. Maheshwari, Dr. S. K. Maheshwari, Vikas Publication House Pvt. Ltd



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**BCOMLLB203**

**External Marks: 70**

**Internal Marks: 30**

### **Principles of Economics (Macro)**

**Course Objective:** This course provides an introduction to a broad range of economic concepts, theories and analytical techniques. It considers both microeconomics - the analysis of choices made by individual decision-making units (households and firms) - and macroeconomics - the analysis of the economy as a whole.

**Course Outcome:** Students who have completed the requirements will: Understand theories and principles in microeconomics including price theory, market structure, trade-offs, comparative advantage, factor markets, consumer theory, public goods, externalities and market failure.

#### **UNIT - I**

- a) Introduction to Macro Economics:
- b) Definition, Scope, Importance and Limitations of Macro Economics
- c) National Income (NI) Accounting: Meaning of NI and Circular Flow of NI (in Four sector economy)
- d) Stock and flow concept, NI at Current Price and NI at Constant Price Various concepts of NI (GNP, GDP, NNP, NDP), Personal Income, Disposable Income,
- e) Methods for measurement of NI, Difficulties in measurement of NI

#### **UNIT - II**

- a) Theory of Income and Employment
- b) Keynes' consumption function,
- c) Investment function,
- d) Keynesian theory of Income and employment
- e) Investment multiplier
- f) Interest rate theory - Liquidity Preference Theory

#### **UNIT - III**

- a) Money: Definition and Functions, Stocks of Money (M1, M2, M3 and M4), Credit creation by Banks
- b) Inflation: Meaning of Inflation, Deflation, Stagflation and Causes of inflation, Measures to Control Inflation
- c) Business cycle: Meaning, characteristics and phases

#### **UNIT - IV**

- a) Monetary policy: Meaning, Objectives and Tools
- b) Fiscal policy: Meaning, Objectives and Tools
- c) Balance of Payments: Meaning, Structure, Causes of Disequilibrium and Methods of Correcting Disequilibrium



### **Text Book**

1. Macro Economics by D.M.Mithani (Himalaya Publication)
2. Macro Economics by R. Cauvery (S.Chand Publication.)



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**BCOMLLB204**

**External Marks: 70**  
**Internal Marks: 30**

## **English –II**

**Course Objective:** This paper is to develop in the student art of communication, client interviewing and counseling advocacy skill in them.

**Course Outcome:**

- Seeks to develop the students' abilities in grammar, oral skills, reading, writing and study skills.
- Prepare and deliver a range of academic texts (essay and oral presentation).
- Acquire skills in the genre of academic writing.

### **Unit – I**

**Communication:**

- a) Meaning,
- b) Types and Directions to Communication,
- c) Approaches to Communication,
- d) Barriers to Communication,
- e) Communication Process,
- f) Channels of Communication

### **Unit – II**

**Client Interviewing:**

- a) Meaning and significance,
- b) Different Components: listening, types of questions asked, Information gathering,
- c) Report formation,
- d) Ethical consideration

### **Unit – III**

**Legal Counseling:**

- a) Definition and its differentiation from general counseling,
- b) Different types of counseling,
- c) Approaches to Counseling,
- d) Training Skills: Simulated exercises

### **Unit – IV**

**Legal Reasoning:**

- a) Legal Reasoning: Definition,



- b) Components of Legal Reasoning,
- c) Deductive and Inductive Reasoning,
- d) Levi's and Bodenheimer's Model of Legal Reasoning,
- e) Law and Logic: Aristotelian
- f) Logic and Syllogism,
- g) Significance of mootings to law students

#### **Unit - V**

- a) Role play,
- b) Reading and discussion,
- c) presentations,
- d) group Discussion,
- e) Resume designing.

#### **Reference Books:**

1. N.R. Madhava Menon, Clinical Legal Education
2. Jenny Chapman, Client Interviewing and Counselling
3. Stephens P. Robbins, Organizational Behaviour
4. Morgan, Introduction to Psychology

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## CONTRACT II

**Course Objective:** This paper is to impart knowledge various special contract, sale of goods and partnership and specific reliefs.

**Course Outcome:**

- People are free to enter into any kinds of contracts and the law comes in certain cases.
- If the parties have decided their rights and liabilities, the law usually enforces them.
- This subject deals mostly with movable property.
- There is no compulsion to enter into special contracts.

(Indian contract Act (See 124 to End) Sales of Goods & Partnership)

### UNIT-I

#### Indemnity & Guarantee (See 124 to 147)

- a) Contract of Indemnity: Definition, its commencement and extent of indemnifiers liability, His right and when he can sue? (See 124-125).
- b) Contract of Guarantee: Guarantee and indemnity, surety consideration continuing guarantee and its revocation (see 126-132)
- c) Discharge of surety and principal debtor, co-surety and remedy for omission (see 133 to 139).
- d) Guarantee and Mental aspects; Uberrima fides, liability of surety and co-surety in contribution (see 140-147)
- e) suit by Bailees or Bailor against wrongdoer and apportionment of relief and compensation (see 180-181).

### UNIT-II

#### Bailment & Pledge (Sec. 148 to 181)

- a) Bailment: Definition of Bailor and Bailee and its kinds; mode of delivery of goods Bailed, duty of Bailor and Bailee to each other and exemption, mixing good Bailed and its consequences (sec. 148 to 157).
- b) Repayment of expenses increased by Bailor; restoration and return of goods; consignee as a Bailor, his right to sue if consignment is not returned; Gratuitous Bailment and effect of death on it. Bailor's rights and responsibility to Bailee and right of third person. (sec. 158 to 167).
- c) Position of finders of goods, His liability towards owners; and his obligation to keep goods safe and rig... to dispose of good (if perishable). Bailee's lien and general line of Bankers etc. (sec. 168 to 171)
- d) Bailment of Pledge: Pawner and Pawnee; their rights, right to redeem in case of default.



Pledge by mercantile against, Pledge under voidable contract and pledgor with limited interest (172 to 179)

### **UNIT-III**

#### **Agency - (sec. 182 to 238)**

- a) Appointment and authority of agent who is agent and principle? Who and by whom an agent may be appointed? Mode of appointment of agents. Duties and rights of agent and his authority, sub-agent and his position under the act, delegation of power. His responsibility towards agent and principle. (sec. 182 to 195).
- b) Ratification its mode and its effect. Ratification of unauthorised act. Revocation of authority and its various mode termination of agency, compensation for revocation. Revocation and renunciation position of parties after termination of authorities. (sec. 196 to 210).
- c) Agent's various duties towards principles, position when agents' remuneration is due? and Agent's lien in principal's property. (sec. 211-221).
- d) Principles duty to agent: His right to be indemnified against consequences of lawful act and acts done in good faith and for negligent act of principal, Principals liability for ultra vires act of agent, agent is not personally liable on behalf of principal, liability of the principal for acts of agent including misconduct of the agent. Effect of Fraud and his representation of the agent. (sec. 222-238).

### **UNIT-IV**

#### **Sales of Goods: Partnership**

- a. Sales of Goods Act 1930 (Whole Act) which includes concept of sale on contract instances of sale of good and the nature of such contract, essentials of contract of sale, essential condition in every contract of sale, implied terms in contract of sale, the sale of caveat emptor and the exceptions there to under the sales of goods act. Changing concept of caveat emptor. Effect and meaning of implied warranties in a sale, transfer of title and passing of risk. Delivery of goods: various rules regarding delivery of goods. Unpaid seller and his rights. Remedies for breach of contract.

#### **Partnership Act 1932**

- a) Provisions of Indian Partnership Act 1932, including - definition and nature of partnership. Advantage and disadvantages vis a vis partnership and private limited company. Mutual relationship between partners. Authority of partners, admission of partners, outgoing of partners. Registration of partnership & Dissolution of partnership.

### **UNIT-V**

#### **Leading Cases**

- a. Bank of Bihar v. Dr. Damodar Prasad (AIR, 1969 SC. 297)
- b. Lallan Prasad v. Rahmat Ali (AIR 1967, SC 1322)



- c. PSNS Ambalrana Chettiar Co. v. Express News Papers Ltd., Bombay (AIR 1968, SC 741)
- d. K.K. Shah v. Mrs. K.B. Dadibaom (AIR 1970 S.C. 1147)
- e. Bina Murlidhar Hunde V. Kanahiyalal lakram Hunde (AIR 1999 SC 2171)
- f. M/s. Lalliwal Biharilal v. Rambaboo Vaishya (AIR 1990 M.P. 64)
- g. Premlata v. M/s. Ishwar Das Chamanlal (AIR 1995 S.C. 714) (8) Gherulal Parekh v. Mahadeo Das (AIR 1959 S.C.)

**Reference Books:**

1. Avtar Singh - Contract Act (2000) E.B.C. Lucknow.
2. Saharay H.K. - Indian Partnership a Sales of goods Act (2000)
3. Beatson (Ed.) - Anson's law of contract (1998) Oxford, Universal London.
4. J.S. Khergarwala - Negotiable Instrument Act
5. A.G. Guest (Ed.) - Bajamin's Sale of Goods (1992) Sweet & Maxwell.
6. Pollock Mulla on contract (1999) Tripathi, Bombay.
7. T.R. Desai - Contract sales of goods & Partnership
8. Indian Partnership Act 1932

**BHARTI VISHWAVIDYALAYA**





BCOMLLB206

External Marks: 70

Internal Marks: 30

### Legal Method & Clinical legal education

**Course Objective:** This paper focuses on orientation of students to legal studies from the point of view of basic concepts of law and legal system.

**Course Outcome:** The course will help the students:

- To gain elementary understanding of the scope and purpose of law.
- To know the various sources of law and to develop an understanding of basic concepts of law
- To garner skills and acquire knowledge required in legal writing and research.

#### Unit – I: Meaning and Classification of Laws

- a) Meaning and definition
- b) Functions of law?
- c) Classification of laws:
  - i. Public and Private Law
  - ii. Substantive and Procedural Law
  - iii. Municipal and International La

#### Unit – II: Sources of Law

- a) Custom
- b) Precedent
- c) Legislation

#### Unit – III: Basic Concepts of Indian Legal System

- a) Common Law
- b) Constitution as the Basic Law
- c) Rule of Law
- d) Separation of Powers
- e) Judicial system in India

#### Unit – IV: Legal Writing and Research

- a) Legal materials – Case law
- b) Statutes, Reports, Journals, Manuals, Digests etc.
- c) Importance of legal research
- d) Techniques of Legal Research
- e) Legal writings and citations



### Unit-V Essential Case Law:

1. Raj Kishore Jha v. State of Bihar, AIR 2003 S.C. 4664
2. Commissioner of Income Tax, Hyderabad v. P.J. Chemicals, 1994 Suppl. (3) S.C.C. 535
3. Air India v. Nargesh Mirza, AIR 1981 SC 1829
4. Geeta Hariharan v. Reserve Bank of India, AIR 1999 S.C. 1149
5. Neera Mathur v. L.I.C. 1992 (1) S.C.C. 286
6. D.K. Basu v. State of W.B., 1997 (1) SCC 417
7. Dwrka Prasad Aggarwal v. B.D. Aggarwal, AIR 2003 S.C. 2686
8. Commissioner of Wealth Tax, Meerut v. Sharvan Kumar Swarup & Sons, 1994 (6) SCC 623
9. Shikhar Chand Falodia v.S.K. Sanganeria, AIR 2004 Gau. 19.
10. Grandphone Company v. B.B. Pandey, AIR 1984 S.C. 667
11. Peoples Union for Civil Liberties v. Union of India 1997 (1) S.C.C. 301
12. Lachman v. Nand Lal, AIR 1914 Oudh. 123
13. R.K. Tangkhul v. R. Simirei, AIR 1961 Manipur 1
14. Balusami v. Balkrishna, AIR 1957 Mad. 97
15. Tekaha A.O. v. Sakumeeran A.O. AIR 2004 S.C. 3674
16. Superintendent and Remembrancer of Legal Affairs West Bengal v. Corporation of Calcutta AIR 1967 S.C. 997
17. Nath Bros. Exim. International Ltd. v. Best Roadways Ltd. 2000 (4) S.C.C. 553
18. State of Bihar v. Sonawati AIR 1961 S.C. 221, 231
19. Samta Vedike v. State of Kar 2003 C.R.L. J. 1003 Kar H.C.
20. Ram Jawaya Kapur v. State of Punjab, AIR 1955 S.C. 549, 556

### Text Books:

1. Glanville Williams – Learning the law
2. Nomita Aggarwal – Jurisprudence (Legal Theory)
3. B.N.M. Tripathi – An Introduction to Jurisprudence and Legal theory

### Reference Books:

1. Benjamin N. Cardozo, The Nature of Judicial Process



2. ILI Publication – Indian Legal System
3. ILI Publication in Legal Research and Methodology



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# **SEMESTER-III**

**BHARTI VISHWAVIDYALAYA**



BCOMLLB301

External Marks: 70

Internal Marks: 30

## Constitutional History of India

**Course Objective:** The course is to develop understanding of evolution of modern legal system in India.

**Course Outcome:** The course will enable the students:

- To gain elementary knowledge of early legal developments.
- To attain knowledge about the constitution and establishment of various courts in India
- To know the historical development of laws including personal laws.

### Unit I

- a) The Government of India Act 1858, Main provisions, merits & Demerits of the Act.
- b) The Indian Council Act 1861 circumstances, main provisions, merits & Demerits.
- c) Government of India Act, 1870.
- d) The Indian Councils Act, 1892, provisions, merits & demerits and its main contribution in the Act.

### Unit II

- a) The Indian Council Act 1909 (Minto – Morley Reforms), Provisions, effect & defect of the Act
- b) World War First and its effect in Constitutional Development in India
- c) The Government of India Act, 1919, The Montague Declaration, failure of the Montfort Reforms.
- d) The working & failure of Dyarchy System.

### Unit III

- a) The Simon Commission and development Up to 1935 Act.
- b) Nehru Report 1928, Rejection of Nehru Report and Fourteen Points Report by Muslim League.
- c) The National Movement and Communal Award of Poona Pact.
- d) Lord Irwin's Proclamation 1929.

### Unit IV

- a) The Government of India Act 1935- Main Provisions. Effect of the federal System in India. Merits & Demerits of the Act.
- b) Constitutional Development 1937 to 1947. Two nation theory and Pakistan.
- c) The August Offer 1940, Cripps Mission 1942, Wavell Plan 1945, Shimla Conference,





Round Table Conference.

- d) Cabinet Mission 1946, Mountbatten Plan 1947, The Indian Independence Act 1947

## Unit V

- a) The Indian High Court Act 1861, Letters Patent establishing High courts, Indian High Court Act 1865 and 1911.  
b) The Federal Court of India 1935-foundation, functions & powers, Abolition of Federal Court.  
c) The Supreme Court of India-origin, Jurisdiction and Powers.  
d) Origin and Development of the Writ System in India.

### Reference Books:

1. Herbert Cowell – The History and constitution of court and legislative Authorities in India (1936) (6th Ed. Published by S.C Bachi , Calcutta)
2. A.B Keith – A constitutional History of India – 1600 – 1935) (central book Dept. Allahabad)
3. M.P. Jain - Out lines of Indian Legal History. (Tripathi ) (1998)
4. M.V.Paylee - Constitutional History Of India-(1600-1950) (Asia-Bombay- 1967 )
5. V.D.Kulshrestra – Land mark in Indian Legal History(Eastern Book Co Lucknow)

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**BCOMLLB302**

**External Marks: 70**

**Internal Marks: 30**

### **Advance Accounting- I / Corporate Accounting**

**Course Objective:** To enable the students to have a comprehensive practice in the preparation of corporate accounts with the provisions of Company's Act.

**Course Outcome:** On the successful completion of the course, students will be able to

- Acquire the knowledge in company accounts such as meaning of a company, characteristics of a company, definition of shares, debentures, underwriting and goodwill, types of shares, bonus share, right share and underwriting, liquidation.
- Understand the accounting treatment in issue of shares at par premium and discount, issues of debenture, managerial remuneration, calculation of goodwill and shares and liquidator's statement of affairs.
- Develop the application skills to computation of pro-rate allotment, redemption of preference shares, profit and loss account and preparation of balance sheet of companies (new format).
- Familiarize the analytical skills in corporate accounting, calculation of underwriting commission, redemption of debentures in sinking fund method, valuation of shares and liquidator's final statement.
- Evaluate the techniques for redemption of preference share, valuation of goodwill and shares, deficiency account in liquidation.
- Gain confidence in preparation of company accounts in new format, various methods for calculating good will and shares, and preparation of liquidator's final statement accounting.

#### **Unit-I**

- A. Issue of Bonus Shares
- B. Buyback of Shares

#### **Unit-II**

Alteration of share capital

#### **Unit-III**

Company Final Accounts

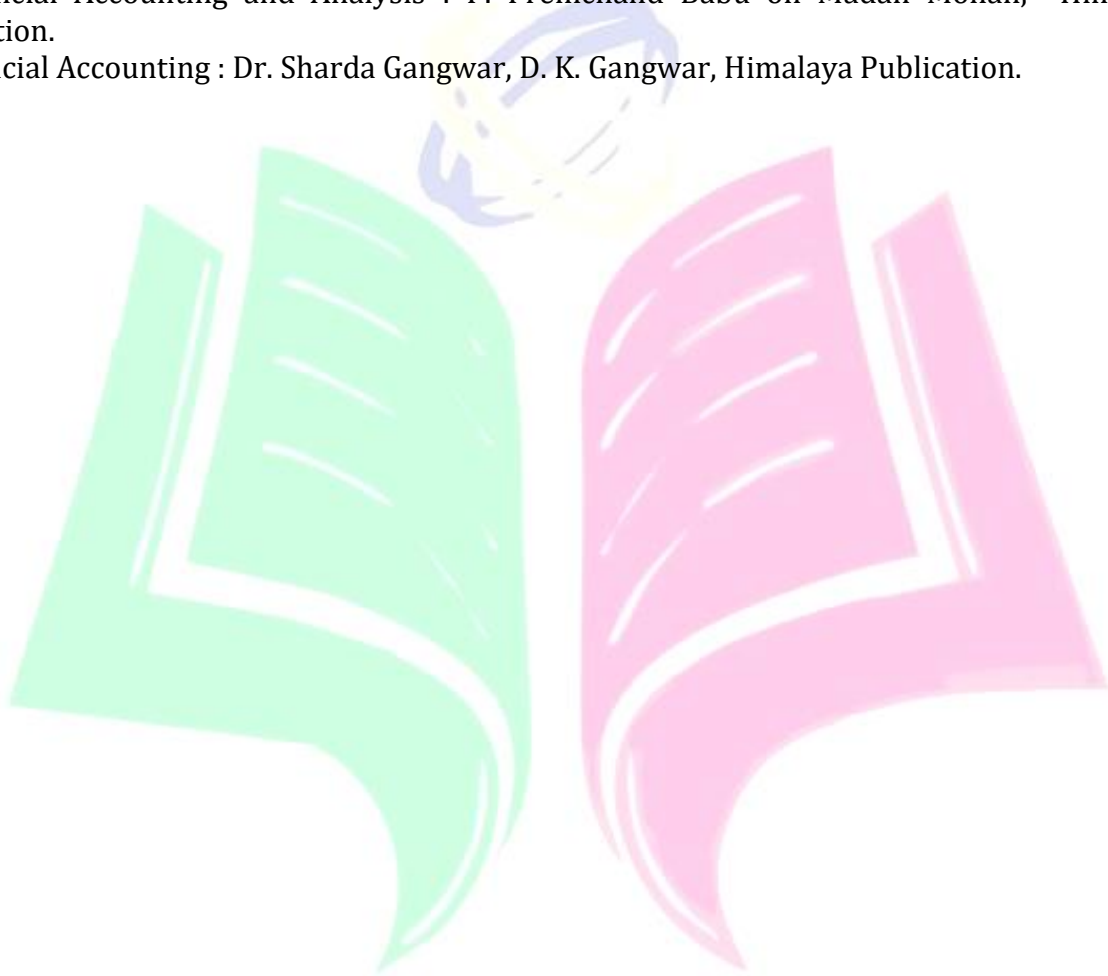


## Unit-IV

### Amalgamation and absorption

#### Reference Books:

1. Grewal's Accounting : M.P. Gupta & B. M. Agrwal. S. Chand & Company Ltd.
2. Corporate Accounting : Dr. B. C. Tulsian. S. Chand & Company Ltd.
3. Non Corporate Accounting : Dr. P. C. Tulsian S. Chand & Company Ltd.
4. Financial Accounting and Analysis : P. Premchand Babu on Madan Mohan, Himalaya Publication.
5. Financial Accounting : Dr. Sharda Gangwar, D. K. Gangwar, Himalaya Publication.



**BHARTI VISHWAVIDYALAYA**



BCOMLLB303

External Marks: 70

Internal Marks: 30

## Statistics

**Course Objective:** Students will be able to understand basic theoretical and applied principles of statistics needed to enter the job force. Students will be able to communicate key statistical concepts to non-statisticians. Students will gain proficiency in using statistical software for data analysis.

**Course Outcome:** Upon successful completion of this course, students will be able to:

- Organize, manage and present data.
- Analyze statistical data graphically using frequency distributions and cumulative frequency distributions.
- Analyze statistical data using measures of central tendency, dispersion and location.
- Use the basic probability rules, including additive and multiplicative laws, using the terms, independent and mutually exclusive events.
- Translate real-world problems into probability models.
- Derive the probability density function of transformation of random variables.
- Calculate probabilities, and derive the marginal and conditional distributions of bivariate random variables.
- 

### Unit 1. Linear Programming Problem:

Meaning of linear programming, its uses, assumptions and limitations, Explanation of basic terminologies, Mathematical form of linear programming problem, Solution of linear programming problem by using graphical methods, Simple formulation problems (for two variables).

### Unit 2. Transportation Problem:

Definition of balanced Transportation Problem (T.P.), General Transportation table and its mathematical form, Initial basic feasible solution and initial cost by using North-West Corner rule, Least Cost Method, Vogel's Approximation Method, Examples base on these methods.

### Unit 3. Assignment and Replacement Problems:

Definition of balanced Assignment Problem (A.P.), its mathematical form, Application of Hungarian method for solving A.P. in the cases of maximization and minimization problem, Meaning of Replacement problem (R.P.), Simple examples of replacement problem when the units are deteriorate depending on time and money value remains same.

### Unit 4. PERT and CPM Techniques:

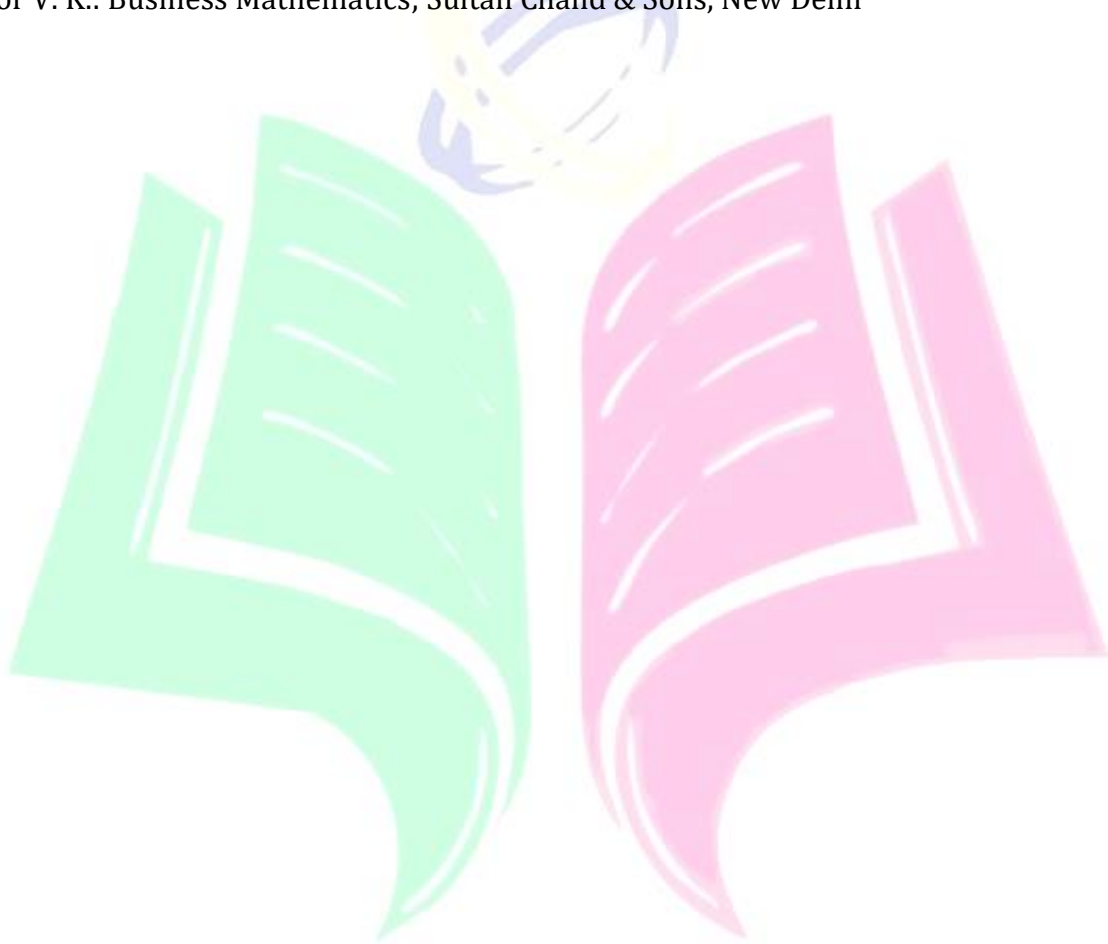
Meaning and characteristics of PERT, Explanation of basic terms – activity, event, dummy activity, Fulkerson's rule for numbering the events, Meaning of Critical Path Method (CPM), Differences between PERT and CPM, Earliest start time, Earliest finish time, Latest start time, Latest finish time, Total float time of activities, Uses and limitations of PERT and CPM and simple



examples.

**Recommended Reading:**

1. H.A.Taha, Operations. Research, Macmillan Publishing Co. Inc.
2. Vohra N.D, Quantitative Techniques in Management Tata Mc Graw Hill, New Delhi.
3. Barry Render, Ralph M. Stair, Michael E. Hanna, Quantitative Analysis for Management, Pearson Education (Singapore) Pte. Ltd.
4. Sancheti & Kapoor: Business Statistics, Sultan Chand & Sons, New Delhi.
5. Kapoor V. K.: Business Mathematics; Sultan Chand & Sons, New Delhi



**BHARTI VISHWAVIDYALAYA**





**BCOMLLB304**

**External Marks: 70**

**Internal Marks: 30**

### **LAW OF TORTS and M.V. ACT**

**Course Objective:** This paper is to make students understand the nature of tort and conditions of liability with reference to established case law. Further, it covers the Consumer Protection Act, 1986 and M.V. Act.

**Course Outcome:**

- Identify the origins and functions of tort law
- Demonstrate a specialised knowledge of the fundamental doctrines and principles of the law of torts and the characteristics of specific torts
- Demonstrate an understanding of the inter-relationship between tort and the other branches of law particularly contract and constitutional law
- Demonstrate a foundation knowledge of the remedies available in tort and the legal underpinnings behind them
- Apply basic tort law principles to practical, abstract factual situations arising in a legal context
- Engage in basic legal reasoning and predictive analysis demonstrating knowledge of the principles of tort law

#### **UNIT-I**

##### **LAW OF TORTS**

- a) Definition, Nature, Scope, Object & General Principles of Law of Torts: Historical Background of law of Torts - Evolution in England and India,
- b) Form of Action and its un-codified characters. It's Indian Origin from the principles of equity justice and good conscience.
- c) Definition Torts: Its comparison with crime and breach of contract, its nature, purpose and functions, general principles of liability, its kinds, *damnum sine injuria* and *injuria sine damnum*.
- d) General Elements in torts - Acts and omission voluntary and non-voluntary act. Mental Element in torts - Malice, intention, negligence, motive, recklessness, carelessness, malafide, malfeasance, misfeasance, non-feasance and fault.

#### **UNIT-II**

- a) Immunities, Justification, Remedies, Discharge and Effect of and Effect of Death.
- b) Immunities from tortious liability. Justification and defences in action of torts - Act of God Act of State, Judicial act, inevitable accident, Private defence, necessity, consent, leave and license.
- c) Remedies - damages and its kind, quantum of damages, injunction and its types, Specific restitution of property, joint-tort feasons, contribution between wrongdoer, remedies



under constitution and compensation as prescribed by statutes, self help, distress damage feasant, discharge of torts - by accord and satisfaction, waiver by election, release acquiescence judgment recovered and statute of limitation and effect of death on tort claim.

- d) Wrongs relating to person & property relations; rights: Wrongs relating to person, assault, BComttery, false imprisonment and malicious prosecution. Wrong relating to domestic and other rights. Intimidation and conspiracy, fraud and deceit. Wrongs relating to immovable - trespass to land, trespass by animal, trespass conversion and detention.

### **UNIT-III**

#### **NEGLIGENCE, Nuisance, Defamation and Liability for Wrongs Committed by Others:**

- a) Negligence - Its nature, condition and exception, negligence of various persons is occupied, carriers counsel, doctors, animal, keepers, dangerous goods holder, street and statutory duty and contributing negligence.
- b) Nuisance - Nature classification and kind injury to property and remedies.
- c) Defamation - Its kinds libel and slender, its definition and essentials, repetition, defenses in defamation and remedies for defamation.
- d) Liability for wrongs committed by others - liability by ratification by relations i.e., master and servants, principal and agent, owner and independent contractor, liability of the State, doctrine of common employment, liability for abatement, absolute and strict liability

### **UNIT-IV**

#### **THE MOTOR VEHICLES ACT, 1988:**

- a) Introduction- aims and objects of M.V.A, title, extent and commencement of the act with modification, definitions, licensing of drivers of motor vehicles (Ss 3-28),
- b) licensing of conductors of stage carriages, (Ss 29-38),
- c) registration of motor vehicles, (Ss 39-65),
- d) control of transport vehicles, (Ss 66-96),
- e) control of traffic, (Ss 112-138),
- f) liability without fault in certain cases, (Ss 140-144),
- g) insurance of motor vehicles against third party risk, (Ss 145—164),
- h) claims tribunals, (Ss 165-173),
- i) offences, penalties and procedure, (ss174-205),
- j) power of police officer to impound documents and detain vehicles used without certificate of registration, permit etc., summary disposal of cases, appeal and revision on orders passed by original authority, The first schedule and the second schedule.

### **UNIT-V**

#### **THE CONSUMER PROTECTION ACT, 1986**

- a) Introduction- Aims, object and scope of Consumer Protection ACT, Definitions, Central Consumer Council, State Consumer Council.
- b) Consumer Disputers Redressal Agencies- Composition, Jurisdiction and function of district forum, State Commission and National Commission,



- c) Procedure adopted in dealing with complaint and appeal cases, Enforcement and execution of orders by Consumer Forum under section 25 and 27 of Consumer Protection ACT,1986.

#### **LEADING CASES:**

1. Indian medical association vs. V.P. Shantha (AIR1896 SC530)
2. Lucknow Development Authority vs. M.K. Gupta (AIR1994 SC787)
3. Kasturi lal Ralia Ram vs. State of U.P. (AIR 1955, S.C.1939)
4. Saheli & woman resource centre vs. commissioner of police (AIR1990 S.C.51)
- 5 M.C. Mehta vs. Union of India (AIR1987 SC1086)

#### **Reference Books**

1. Ratanlal Dhirajlal - The law of torts (1997), Wadwa Nagpar.
2. Winfield and Jolowitz - on Torts (1999) Sweet & Maxwell, London.
3. Salmond and Houston - Tort (1999) Butterworth, London.
4. P.S. Achutan Pillai - The Law of Torts (2004) E.B.C. Lucknow.
5. D.N. Saraf - Law of consumer protection in India (1995) Tripathi.
6. P.R. Majundar - Law of consumer protection in India (1998) Orient, New Delhi.
7. Ramaswami Aiyer - Law of Torts (1999) Tripathi, Bombay. 8. M.D. Chaturvedi – Apkrtyo ki vidhi (1998) EBCL (in Hindi)

**BHARTI VISHWAVIDYALAYA**



**BCOMLLB305**

**External Marks: 70**

**Internal Marks: 30**

### **LAW OF CRIMES-I (IPC)**

**Course Objective:** This paper is to deal with the basic principles of criminal law determining criminal liability and punishment.

**Course Outcome:**

- This course is designed to understand the meaning of crimes, methods of controlling them and the essential principles of criminal liability by a study of a range of offences under the Indian Penal Code.
- Understand and describe areas of criminal justice, law and society through a critical analysis of the subject.
- Analyze lacunas within the criminal justice system and suggest the amendments have to make to provide the justice according to the changing needs of the society.
- Summarize the process of judicial review and identify criteria used by courts to evaluate the constitutionality of criminal law of India.
- Identify and synthesize social theory about crime, justice, and social deviance and explain and address various obstacles and barriers experienced by individuals before, during, and after internment.
- Problem-solve complex issues in the criminal justice system and society related to policy, law enforcement, vulnerability, and marginalization.

#### **UNIT-I**

##### **HISTORY EXPLANATION PUNISHMENT & GENERAL EXCEPTIONS**

- a) History of Criminal Law & Applicability of Indian Penal Code, Salient Feature of IPC (Sec. 1 to 5)
- b) General Explanation and definition in the code (Chapter II)
- c) Important section relating to punishment - its nature, simple & rigorous punishment solitary confinement. Fine General rules of commutation and termination of punishment on payment of fine, limit of punishment in several offences. Discretion in awarding punishment.
- d) General exceptions - factors negating guilty intention, mental incapacity, minority, insanity involuntary intoxication. Private defence - When private defence extent to causing the death to protect body and property, necessity and mistake of fact, (Sec. 76 to 106)





## **UNIT-II**

### **ABETMENT CRIMINAL CONSPIRACY AND OFFENCES AGAINST THE PUBLIC TRANQUILITY AND PUBLIC HEALTH AND OF FALSE EVIDENCE (Chapter V, V-A, VIII, XI)**

- a) Abatement - Abettor etc. (Chap. V)
- b) Criminal Conspiracy (Chap. VA) and sedition (Chap. 124A)
- c) Offences against the public tranquility safety and health - Unlawful assembly, Rioting, Affray, Public Nuisance, Adulteration, Rashly Driving & Obscenity.
- d) False Evidence - Giving false evidence and fabricating false evidences & Harboursing offenders.

## **UNIT-III**

### **OFFENCES AGAINST HUMAN BODY (Chapter XVI)**

- a) Culpable Homicide, Murder, Distinction between culpable homicide and murder, mental element required for murder, situation justifying, treating murder as culpable homicide not amounting to murder, Grave and sudden provocation, causing death by negligence and dowry death. (Sec. 299 to 304b)
- b) Injuries to unborn children - Miscarriage with or without consent. Rash and Negligent act causing death (Sec. 312-317)
- c) Hurt - Grievous and simple, voluntarily and involuntarily and on provocation, wrongful restraint and wrongful confinement. (Sec. 349 to 358)
- d) Criminal force and assault, Kidnapping from lawful guardianship and from outside India. Abduction (Sec. 359 to 362) Rape, custodial rape and unlawful offences.

## **UNIT-IV**

### **OFFENCES AGAINST PROPERTY (Chapter XVII)**

- a) Theft, Extortion Robbery & Dacoity and its various forms.
- b) Criminal misappropriation of Property, Criminal Breach of trust and receiving stolen property and its various forms and manners. (Sec. 403-414)
- c) Cheating and cheating by persons and dishonesty fraudulent removal and disposition of property. (Sec. 415-424)
- d) Mischief, Mischief by hurt and intimidation, criminal trespass, house trespass and its form, House breaking and its forms.

## **UNIT-V**

### **OFFENCES RELATING TO DOCUMENTS, MARRIAGE REPUTATION AND HONOUR**

- a) Forgery and its various forms Making false documents, Property marks and BComnk notes.
- b) Cohabitation with other women, except lawful marriage Adultery (Chap. XX)
- c) Defamation (Sec. 499)
- d) Criminal intimidation insult and annoyance (Chapter XXII) and attempts to commit offences. (Sec. 511)





**Reference Books:**

1. S.M. Mishra - Indian Penal Code - Latest Ed. Universal, Delhi.
2. Ratanlal Dhirajlal - Indian Penal Code - 39th Ed. Student Ed., Wadhwa, Nagpur.
3. Ratanlal Dhirajlal - India Penal Code (Hindi) - Wadhwa, Nagpur 350.00.
4. K.D. Gaur - A Text Book on the India Penal Code (1998), Universal Delhi



**BHARTI VISHWAVIDYALAYA**



**BCOMLLB306**

**External Marks: 70**  
**Internal Marks: 30**

### **Advocacy Skills**

**Course Objective:** Students will obtain knowledge in the history and systems of psychology, including philosophical foundations, key movements and figures that influenced the field, the formal founding of the discipline of psychology, and current theoretical orientations and specialty areas, applying this understanding to the profession of clinical psychology.

**Course Outcome:** Developing General Knowledge in the Discipline of Psychology: Students will be academically prepared to work within health service psychology, developing the necessary knowledge base to competently, ethically, and effectively function as a clinical psychologist in a wide variety of settings with diverse populations. Students will understand and apply a knowledge of the history and systems of psychology, theories of psychotherapy, affective, biological, cognitive, developmental, sociological, and abnormal bases of behavior, integrative knowledge within multiple domains of psychology, research approaches, and psychometrics to health service psychology.

#### **Unit - I**

##### **Personality:**

- a) Meaning and Definition, Determinants of personality, Heredity, Environment and Situational Factors.
- b) Theories of personality: Trait Theory, Type Theory, Psycho Analytic Theory, Memetic Theory and Learning Theory.

#### **Unit - II**

##### **Attitude**

- a) Meaning and Definition,
- b) Types of Attitudes, Formation of Attitude, Negative Attitude and objective, Building positive attitude, Situational Analysis of Attitude, Perception, Biases, Prejudices and blind Spots

#### **Unit - III**

##### **Motivation:**

- a) Theories of Motivation,
- b) Various motives: Biological and social Motives.

#### **Unit - IV**

- a) Frustration and conflict of Motives

#### **Unit - V**

##### **Leadership and Team- Building:**

- a) Definition,



- b) Theories,
- c) Characteristics of leadership.
- d) Team Building

**Text books:**

1. Introduction to Psychology – Morgan's
2. Social Psychology – R.A. Baron
3. Psychology /: An Introduction – J.R. Gnow
4. Organizational Behavior – Stephens P. Ronnins



**BHARTI VISHWAVIDYALAYA**



# **SEMESTER-IV**

**BHARTI VISHWAVIDYALAYA**



**BCOMLLB401**

**External Marks: 70**

**Internal Marks: 30**

## **Cost Accounting / Corporate Financial Statements**

**Course Objective:** The aim of this course is to provide the students with an introductory knowledge of cost accounting to enable them to:

- Appreciate the manner in which the cost of a product or service is determined.
- Analyse cost data and use the information derived for pricing and other management decisions.
- Explain the characteristics of a good cost accounting system.

**Course Outcome:** At the end of this course the students shall;

- Appreciate the manner in which the cost of the product or service is determined
- Analyze cost data and use the information derived to undertake pricing and other management decisions.
- Explain the virtues of a good cost accounting system
- To appreciate cost accounting as a discipline and how it adds value to management and other users of accounting data
- To compare cost, management and financial accounting

### **Unit-1**

#### **Introduction to Cost Accounting:**

- a) Meaning and definition; Need for Cost Accounting;
- b) Advantage and limitations;
- c) Cost Accounting and Financial Accounting;
- d) Cost concepts and cost objects;
- e) Elements of cost and classification of costs;
- f) methods of costing;
- g) Techniques of costing (With emphasis on Uniform costing);
- h) Cost center and Cost unit;
- i) Installation of good cost accounting system.

### **Unit-2**

#### **Single or Unit Costing:**

- a) Components of total cost;
- b) Expenses that are not treated as cost in cost sheet;
- c) Imputed costs;
- d) Treatment of work-in progress;
- e) Defective materials;
- f) Sale of scrap;
- g) Defective product;
- h) Normal & abnormal Loss of materials;





- i) Treatment of Finished goods;
- j) Preparation of Historical cost sheet,
- k) Estimated cost sheet,
- l) Estimate for work order (Tender/Quotation).

### Unit-3

- a) Reconciliation of profit as per cost accounts with profits as per financial accounts:
- b) Reasons for disagreement in profits;
- c) Procedure for reconciliation;
- d) Preparation of Reconciliation
- e) Statement and Memorandum Reconciliation Account;

### Unit-4

#### Marginal Costing:

#### A. Break-even and CVP Analysis:

Meaning and definition of Marginal Cost, Marginal Costing and Contribution; Marginal Costing vs.

Absorption Costing; Features of Marginal Costing; Situations where Marginal Costing Technique is useful in managerial decision making;

#### B. Methods of determination of Break-even point:

Graphical Method: Traditional Break-even Chart and Contribution Breakeven Chart; Algebraic Method; Limitations of C/S Ratio; Margin of Safety, Angle of incidence and assumptions of Break-Even Analysis; Cost-Volume Profit Analysis; Key or Limiting Factors Analysis (analysis where more than one limiting factor exist is not expected); Optimizing of Product Mix (basic problems to highlight its application and limitations).

#### C. Meaning of the following terms relating to 'Decision-making

process' (only short objective type theoretical questions are expected): Relevant Cost, Incremental Cost, Sunk Cost, Opportunity Cost, Avoidable/unavoidable costs, Imputed or Notional Cost, Discretionary Costs, Common Costs, Traceable Costs, Joint Costs and Step Costs.

#### Reference Books:

- (1) Cost Accounting: Principles & Practice M N Arora Vikas Publishing House
- (2) Practical Costing N K Sharma Shree Niwas Publication
- (3) Cost Accounting Dr P C Tulsian S. Chand
- (4) Cost Accounting Dr Murthy & S Gurusamy the McGraw Hill Companies



**BCOMLLB402**

**External Marks: 70**

**Internal Marks: 30**

## **Secretarial Practices**

### **Course Objectives**

- To develop the knowledge about the concept of secretarial practice and its decision.
- To learn different techniques and problem skills
- To study effective transfer and transmission of shares.
- To teach a sense of responsibility and a capacity for secretarial practice.
- To enable an awareness of the global environment in which secretarial practice operate.

### **Course outcome**

After Completion of this course the student would be able to

- Use international trade terms and concepts when communicating.
- Explain the international trade concepts used in making decision.
- Use effective communication skills to promote respect and relationship for secretarial practice.
- Utilize information by applying a variety of business and industry software and hardware to major voting and proxy.
- Get a basic understanding of different type of meeting of board of directors.

### **Unit: 1.**

(1) Secretary: Meaning-Types of Secretaries-general and legal qualification of Company Secretary Pre-incorporation and post incorporation duties of Company Secretary-powers and responsibilities of Company Secretary.

(2) Company and its Characteristics: Meaning and characteristics-Types of Company-Foreign Company-Multinational Company-Illegal association- Advantages and Limitations of Public Limited Company-Private Limited Company: Meaning and Characteristics-privileges and restrictions on It procedure to convert Private Limited Company into Public Limited Company and Public Limited Company into Private Limited Company.

### **Unit:2.**

(1) Promoters of public Limited Company: Meaning-Functions of Promoters-Preliminary Contract Liabilities of Promoters.

(2) Allotment of Shares: Meaning-Procedure-regular and irregular allotment – secretary's duties regarding allotment of shares –procedure of allotment when shares are oversubscribed-private placement of share/debenture.

### **Unit:3.**

(1) Listing Securities: Meaning-legal provisions for listing of securities- Documents required for listing of securities-Advantages of listing of securities.

(2) Calls and Forfeiture of shares: Meaning of calls –Provisions of Company Law regarding share calls-procedure of demanding call of share.



(3) Forfeiture of Shares: Meaning-legal provisions for forfeiture of shares procedure of forfeiture of share-effects of forfeiture of share-procedure of reissue of forfeited shares-secretary's duties

**Unit: 4.**

Office Management: meaning and Characteristics-functions procedure of inward and outward letters-Importance of Correspondence-Brief idea of modern office equipments-Importance of Office Management

**Recommended Reading:**

1. Secretarial Practice-M.C.Kuchal-Vikas Publication
2. Manual of Secretarial Practice - B.N.Tondon-S.Chand & Co.
3. A Textbook of Company Law-P.P.S. Gogna-S.Chand & Co.
4. Office Management – R.K.Chopra –Himalaya Publishing House.
5. A Textbook of Office Management –William H. Leffingwell and Edwin Robinson-Tata McGraw Hill.



**BHARTI VISHWAVIDYALAYA**



**BCOMLLB403**

**External Marks: 70**

**Internal Marks: 30**

## **Family Law I**

**Course Objective:** The objective of the paper is to apprise the students with the laws relating to family matters applicable to different communities in India.

### **Course Outcome:**

- This course is designed to endow the students with knowledge of both the codified and uncodified portions of Hindu law.
- The course concerns itself with the sources, schools, institutions, succession, maintenance, marriage and divorce, menace of dowry, etc.
- To expose students about concepts and idea of Hindu Law.
- To apprise the students about the Family in Hindu Law and its matrimonial issues.
- To expose the students about maintenance and legitimacy

### **UNIT - I**

#### **Nature, Origin, Sources, Applicability and General Principles of Inheritance:**

- a) Nature and origin of Hindu law, applicability of Hindu Law
- b) sources of Hindu law - Smritis and their commentaries, custom, legislation, judicial decision, equity, justice and good conscience as a source,
- c) general principle of inheritance (prior to Hindu succession Act 1956) in mitakshra law and Dayabhaga School and difference between Mitakshara and Dayabhaga succession and the Hindu Marriage Act 1955. (Doctrine of representation & spes successionis)

### **UNIT-II**

#### **Schools, Joint Hindu Family, Coparcenary adoption and provisions of Hindu Adoption and Maintenance Act 1956.**

- a) Schools of Hindu Law - Mitakshra and Dayabhaga and their sub-schools, difference between the Mitakshra and Dayabhaga school, comparison between them, Migration and the schools of law.
- b) Joint Hindu Family - Origin, growth, nature and constitution members of J.H.F. and property of J.H.F. Coparcenary - its nature, distinction between J.H.F. and coparcenary, rights of coparcener, Karta, his powers and duties, alienation of property comparison between Mitakshara and Dayabhaga law.
- c) Debts - its liability to pay, nature and duration of liability, doctrine of pious obligation and anticident debt, Bengal rule of Dayabhaga law, rule of Damdupat.
- d) Adoption - Object form and requirement of valid adoption. Persons who may lawfully take in adoption - adoption by widow under authority from his husband, nature and form of authority, general rules as to adoption by widows, and termination of widows power to adopt Persons lawfully capable of giving in adoption & persons who may be lawfully taken in adoption only son, orphan, stranger, adoption by two persons, simultaneous result and effect of adoption, right of adopted son in property Maintenance under Hindu





Las and provision of Hindu Adoption and Maintenance, Act 1956, and changes made by this Act.

### UNIT-III

#### Partition, Stridhan, Women's Estate Gift & Hindu Succession Act 1956

- a) Partition - Meaning of partition, partition and family arrangement, person entitled to partition, property liable to partition.
- b) Allotment of share, final shares, reopening of partition and reunion point of similarity and distinction Mitakshara and Dayabhaga partial partition, its effect.
- c) Stridhan: its meaning, kinds, special feature and characteristics, enumeration of Stridhan, rights of a women over her Stridhan, general rule to succession, common to all school, succession to Stridhan, under Mitakshra and Dayabhaga school, maidens property.
- d) Women's Estate - its meaning, nature and sources. Incidents of widow's estate, power of alienation, reversion, compromise surrender and setting aside.
- e) Unauthorized alienation and effect of Hindu Succession Act 1956. Gift - its definition under T.P. and Hindu law. its subject matter, essential of valid gift, restriction and revocation. 'donatio mortis causa' and gift to trust and Provision of Hindu Succession Act 1956.

### UNIT-IV

#### Wills impartible estate, religious and charitable endowments and H.M. Act 1955 & H.M. & G. Act 1956:

- a) Wills- Its definition, person capable of wills, property as a subject matter of wills, under Mitakshara and Dayabhaga law revocation and alteration of wills. Bequest to unborn person when it is void?
- b) Rules against perpetuity, latter of administration and probate. Impartible estate - its definition, origin and nature, rules of succession and separation of impartible estate. Religious and charitable endowment-
- c) Essential of endowment kinds- idol, math, devasthanam, and Dharemshala, Mahant, Hindu Marriage Act 1955 & Hindu and Minority & Guardian ship Act 1956.

### UNIT-V

#### Some codified laws relating to Hindu & Leading Cases

- a) Special Marriage Act 1954 (Whole Act)
- b) Dowry Prohibition Act 1981 (Whole Act)
- c) Family Courts Act 1984 (Whole Act)

#### Following Leading cases has been prescribed.

1. Shri Narayanlal V. Shridhar AIR 1996, SC 2371.
2. Joginder Singh V. Smt. Joginder AIR 1998 SC, 1654.





3. Kisan Lal V. State (2000) ISCC 310.
4. Rameshwari Devi V. State of Bihar AIR 2000 SC 735 (739).
5. Balwant Kaur V. Chaman Singh AIR 2000 SC 1908-12.
6. Digamber Adhar Patel V. Dev Rani Girdhari Patel AIR (1995) SC 1728.

**Reference Books:**

1. R.K. Agrawal - Hindu Law, C.L.A., Allahabad.
2. Paras Diwan - Modern Hindu Law (Universal).
3. S.T. Desai (Ed.) - Mulla Hindu Law (1996), Butterworth, India.
4. Paras Diwan - Law of adoption, minority, guardianship and custody (2000) Universal.
5. Basu N.D. - Law of succession (Universal).
6. Paras Diwan - Law of intestate and testamentary succession (1998), Universal.

**BHARTI VISHWAVIDYALAYA**



**BCOMLLB404**

**External Marks: 70**

**Internal Marks: 30**

## **CONSTITUTION LAW-I**

**Course Objective:** This paper is to give students thorough knowledge of procedural aspects of working of criminal courts and other machineries.

**Course Outcome:**

- To enable the student to understand the supreme law of the land, the fundamental rights and the duties and the functions of the courts to redress the violation of such rights. It helps the student to be pro-active undertake 'judicial activism'.
- The students should be able to articulate their independent views over contemporary crucial constitutional issues like constitutional supremacy, rule of law, and concept of liberty, organization, powers and functions of the various organs of the government.

### **UNIT-I**

- a) Philosophy of Constitution,
- b) Definition and Classification,
- c) Main features of Federal and Unitary Constitutions,
- d) Nature and Salient features of Indian Constitution,
- e) Welfare State,
- f) Preamble of the Indian Constitution,
- g) Union and its Territory (Art. 1-4),
- h) Formation of New States,
- i) Citizenship (Art. 5-11).

### **UNIT-II**

- a) State, Fundamental Rights and their position under the Constitution,
- b) Right to Equality,
- c) Right to Freedom,
- d) Right against Exploitation,
- e) Right to Freedom of Religion,
- f) Cultural and Educational Rights,
- g) Right to Constitutional Remedies including Public Interest Litigation (Art.12-35)

### **UNIT-III**

- a) Directive Principles of State Policy, their relevance, Comparison with Fundamental Rights,
- b) Classification of Directive Principles of State Policy,
- c) Correlation between Fundamental Rights (Art.36-51)



d) Fundamental Duties (Art.51-A).

#### **UNIT-IV**

- a) Union Executive- President, Vice President, Council of Ministers, Attorney General, and conduct of Government Business (Art. 52-78).
- b) Union Legislature (The Parliament)-Constitution, Composition, Duration of Houses, Qualification of Members and other General Provisions, Officers of the Parliament (Art. 79-104),
- c) Powers, Privileges and immunities of the members (Art. 105-106),
- d) Legislative Procedure including procedure in financial matters (Art. 107-122),
- e) Legislative Powers of the President (Art. 123),
- f) Union Judiciary- Supreme Court of India (Art. 124-144),
- g) Comptroller General of India (Art.148-151)

#### **UNIT-V**

- a) State Executive-Governor, Council of Ministers, Advocate General for the State, Conduct of Government Business (Art. 152-167)
- b) State Legislature-Constitution, Composition, Powers, Privileges and immunities of State Legislatures and their Members, Legislative Procedure (Art. 168-212)
- c) Legislative Powers of Governor (Art. 213)
- d) State Judiciary- High Courts in the States and Subordinate Judiciary (Art. 214- 237):

#### **LEADING CASES:**

(1)Meneka Gandhi Vs. Union of India, AIR 1978 SC 597

(2)Hussainara Khaton Vs. Home Secretary State of Bihar AIR 1979 SC 1396

(3)J.R. Kohli Vs. State of Tamilnadu, AIR 2007 SC 861

#### **Reference Books:**

1. V.N. Shukla Constitution of India
2. J.N. Pandey Constitutional Law of India
3. M.P. Jain Constitution of India
4. D.D.Basu Shorter Constitution of India
5. Kagzi's The Constitution of India
6. M.D. Chaturvedi Bharat Ka Savindhan(Hindi)



**BCOMLLB405**

**External Marks: 70**

**Internal Marks: 30**

### **Law of Crime II (CrPC)**

**Course Objective:** This paper is to give students thorough knowledge of procedural aspects of working of criminal courts and other machineries.

**Course Outcome:**

- Procedural law providing for a fair procedure is significant for a just society. The course is aimed at driving home the students how the pre-trial and the subsequent process are geared up to make the administration of criminal justice effective.
- The course will acquaint the student with organization of the functionaries under the code, their power and functions at various stages and the procedure according to which these powers and functions are to be exercised.
- The students will also undertake the study of two cognate Acts as a part of this course Viz; Juvenile justice Act and Probation of offenders Act.
- In additions the course teacher shall endeavor to familiarize the students with the case paper like FIR, Police statement, charge sheet, etc.

#### **UNIT-I**

##### **INTRODUCTION, CONSTITUTION AND POWERS OF COURTS AND OFFICERS, PROCESSES TO COMPEL, APPEARANCE AND THE PRODUCTION OF THINGS**

- a) Introduction definition and constitution of criminal court and offices. (Sec. 1-25).
- b) Powers of courts and superior officers of police and aid to the magistrate and police (Sec. 26-40).
- c) Power of police to arrest persons, arrest by private person and arrest by magistrate, right of the arrested person, right to know the grounds of arrest and right to be taken to magistrate without delay and may not be detained for more than 24 hours and his other rights. (Sec. 41-60)
- d) Processes to compel appearances of persons and production of things, summon and warrant, how these are served? The procedure of its execution, Proclamation and attachment, search warrants, seizure and other provisions relating to production of things. (Sec. 91-105)

#### **UNIT-II**

##### **SECURITY FOR KEEPING PEACE & MAINTENANCE PREVENTIVE ACTION, INVESTIGATION, INQUIRY & TRIAL & CONDITIONS FOR INITIATION OF PROPERTY**

- a) Security for keeping the peace and good behavior, maintenance of wife and children. (Sec. 106-128)
- b) Maintenance of public order and tranquility, unlawful assemblies, public nuisance, urgent cases of nuisance or apprehended danger. (Sec. 144).





- c) Dispute related to immovable property. (Sec. 129-148)
- d) Preventive action of police officers and their power to investigate, FIR and its evidentiary value (Sec. 145-157 of Evidence Act),
- e) Recording of confessions (sec. 164),
- f) Search and its procedure. (Sec. 149-176)
- g) Jurisdiction of criminal courts in inquiries and trial - Place of inquiry and trial and condition requisite for initiation of proceedings. (Sec. 177-199)

### **UNIT-III**

#### **COMPLAINT, CHARGES, TRIALS BEFORE SESSION & MAGISTRATES, WARRANT AND SUMMONS CASE & SUMMARY TRIALS**

- a) Complaints and commencements of proceedings before magistrate (Sec. 200-210)
- b) The charges - forms and Joinder of charges, Trial before court of session. (Sec. 211-237)
- c) Trials of warrant and summon case before magistrate. (Sec. 238-259).
- d) Summary Trials and attendance of person confined and detained in person. (Sec. 260-271),
- e) accused of unsound mind. (Sec. 328-339).

### **UNIT-IV**

#### **PROVISIONS RELATING TO JUDGEMENT, BAIL, APPEALS, REFERENCE, REVISION AND TRANSFER OR CASES ETC.**

- a) Provisions relating to judgments, its forms and contains. (Sec. 353-371)
- b) Appeals, revision and reference. (Sec. 372-405)
- c) Transfer of cases and Execution, suspension, Remission and commutation of sentences. (Sec. 413-435)
- d) Provision relating to Bail and Bonds. (Sec. 436-450)

### **UNIT-V**

#### **JUVENILE JUSTICE (CARE & PROTECTION OF CHILDREN ACT 2000 & PROBCOMTION OF OFFENDERS ACT 1958.**

- a) Definitions of Juvenile etc under JJ (C & P of C) Act 2000, Juvenile justice Board and its procedure Observation Homes, Special Homes for Juvenile in conflicts of law, Escaped juvenile child welfare committee and its power and duties (Sec. 1-40)
- b) Rehabilitation and Reorientation process - adoption, foster care and after care organization and other important miscellaneous provisions (Sec. 41-70)
- c) ProBComtion of offenders' Act 1958 - Meaning and definition of ProBComtion, its nature and history.
- d) Admonition and Exemption from punishment below 21 years of age, Power of proBComtion officer and his duty under the Act. (Sec. 1-19)





### Reference Books:

1. D.D. BComsu - Criminal Procedure code 1973, Rs. 400.00.
2. Ratanlal Dhirajlal -Criminal Procedure Code 17th Ed. 2004, Wadhwa, Nagpur.
3. Woodroffe - Commentaries on Code of Criminal Procedure. 2 Vol. 2000, Universal Delhi



**BHARTI VISHWAVIDYALAYA**



**BCOMLLB406**

**External Marks: 70**  
**Internal Marks: 30**

### **Internship & Report Writing**

#### **Evaluation Pattern:**

As regards the internship, after the completion of internship by the students, the work done by the candidate as recorded in his/her daily diary along with a consolidated report would be evaluated by a Board of examiners finalized by university consisting of Internal & External examiners.

**BHARTI VISHWAVIDYALAYA**



# **SEMESTER-V**

**BHARTI VISHWAVIDYALAYA**



**BCOMLLB501**

**External Marks: 70**  
**Internal Marks: 30**

### **Advance Accounting – II / Management Accounting**

#### **Course Objective**

- To develop the knowledge of business finance and management decision.
- To learn capital budgeting and different techniques
- To study effective financial planning.
- To teach a sense of responsibility and a capacity for accounting for management.
- To enable an awareness of the global environment in which accounting management operate.

#### **Course outcome**

After Completion of this course the student would be able to

- Use business finance terms and concepts when communicating.
- Explain the financial concepts used in making accounting management decision.
- Use effective communication skills to promote respect and relationship for financial deals.
- Utilize information by applying a variety of business and industry software and hardware to major financial function.
- Demonstrate a basic understanding of accounting management.

#### **Unit 1:**

- a) Valuation of Goodwill, Origin of Goodwill
- b) Factors affecting Goodwill, Meaning of Goodwill
- c) Provision regarding Goodwill in various accounting standards
- d) Need for valuation of goodwill
- e) Methods of valuation of Goodwill
- f) Arbitrary Assessment
- g) Average profit method (Simple average, Weighted Average and Annuity method)
- h) Super Profit method
- i) Capitalization of profit method (Capitalization of average profit and Super profit)

#### **Unit 2:**

- a) Circumstances of valuation of shares
- b) Factors affecting valuation of shares
- c) Methods of valuation of shares
- d) Valuation of fully paid-up and partly paid-up equity shares and preference shares by
- e) NetAssets method
- f) Valuation of fully paid-up and partly paid-up equity shares by Yield method
- g) Fair value of fully paid-up and partly paid-up equity shares
- h) Valuation of Right Shares
- i) Valuation of Bonus Shares



### **Unit 3: Liquidation of Company**

- a) Meaning of Liquidation or winding up (Concepts only)
- b) Methods of Liquidation (Concepts only)
- c) Compulsory Winding up by National Law Tribunal
- d) Voluntary Winding up
- e) Consequences of Winding up (Concepts only)
- f) Preferential Payments
- g) Overriding Preferential Payment as per the companies (Amendment) Act , 1985
- h) section 529A
- i) Powers and Duties of Liquidators (Concepts only)
- j) Order of disbursement to be made by Liquidator as per latest statutory revision
- k) Preparation of Liquidator's Final Statement of Account as per latest statutory revision

### **Unit 4:**

- a) In the nature of merger: Under Pooling of Interests Method (AS 14).
- b) In the nature of purchase:  
Note: Includes additional points arising on Amalgamation/
- c) Absorption: Inter-company transactions (except Inter-company
- d) Holdings and exchange of shares based on 'intrinsic values').

### **References:**

- (1) Corporate Accounting (Theory & Practice) K L Shah Shree Niwas Publishing
- (2) Corporate Accounting Dr S N Maheshwari & S K Maheshwari Vikas Publishing

**BHARTI VISHWAVIDYALAYA**





**BCOMLLB502**

**External Marks: 70**  
**Internal Marks: 30**

## **Environmental Science**

### **Course Objective**

- Students will integrate knowledge from multiple disciplines representing physical and life sciences perspectives, political and economic perspectives, and social and cultural perspectives on humans' interactions with their environments;
- Students will contribute to and facilitate interdisciplinary research and problem solving, through independent and collaborative work; and
- Students will use quantitative and qualitative research tools and techniques to analyze, implement, envision, assess, and report sustainability efforts.

### **Course Outcomes**

After completing the major in Environmental Studies, students will be able to:

- Articulate the interconnected and interdisciplinary nature of environmental studies;
- Demonstrate an integrative approach to environmental issues with a focus on sustainability;
- Use critical thinking, problem-solving, and the methodological approaches of the social sciences, natural sciences, and humanities in environmental problem solving;
- Communicate complex environmental information to both technical and non-technical audiences;
- Understand and evaluate the global scale of environmental problems; and
- Reflect critically on their roles, responsibilities, and identities as citizens, consumers and environmental actors in a complex, interconnected world.

### **UNIT - I**

- a) General: Environmental segments, environmental degradation, environmental impact assessment.
- b) Concept of Ecosystem: Fundamental of Ecology and Ecosystem, components of ecosystem, food-chain, food-web, trophic levels, energy flow, cycling of nutrients, major ecosystem types (forest, grass land and aquatic ecosystem).

### **UNIT - II**

- a) Air Pollution: Atmospheric composition, energy Balance, classification of air pollutants, source and effect of pollutants – Primary (CO, SO<sub>x</sub>, NO<sub>x</sub>, particulates, hydrocarbons), Secondary [photochemical smog, acid rain, ozone, PAN (Peroxy Acetyl Nitrate)], greenhouse effect, ozone depletion, atmospheric stability and temperature inversion,



Techniques used to control gaseous and particulate pollution, ambient air quality standards.

### **UNIT - III**

- a) Water Pollution: Hydrosphere, natural water, classification of water pollutants, trace element contamination of water, sources and effect of water pollution, types of pollutants, determination and significance of D.O., B.O.D., C.O.D. in waste water, Eutrophication, methods and equipment used in waste water treatment preliminary, secondary and tertiary.

### **UNIT - IV**

- a) Land Pollution & Noise Pollution: Lithosphere, pollutants (agricultural, industrial, urban waste, hazardous waste), their origin and effect, collection of solid waste, solid waste management, recycling and reuse of solid waste and their disposal techniques (open dumping, sanitary land filling, thermal, composting).
- b) Noise Pollution: Sources, effect, standards and control.

### **UNIT - V**

- a) Environmental Biotechnology: Definition, current status of biotechnology in environmental protection, bio-fuels, bio-fertilize, bio-surfactants, bio-sensor, bio-chips, bio-reactors.
- b) Pollution Prevention through Biotechnology: Tannery industry, paper and pulp industry, pesticide industry, food and allied industry.

### **Text Books**

1. Environment and Ecology by Piyush Kant Pandey and Dipti Gupta (Sum India Publication)
2. A Textbook of Environmental Chemistry and Pollution Control by S.S. Dara (S. Chand and Company)

### **Reference Books:**

1. Masters, G.M. Introduction to Environment Engineering and Science (Prentice Hall of India).
2. Environmental Chemistry by A.K. Dey (Eastern Ltd.).
3. Environmental Chemistry by B.K. Sharma (Krishna Prakashan).
4. Nebel B.J. Environmental Science (Prentice Hall of India-1987).



5. Environmental Biotechnology by S.N. Jogdand (Himalaya Publishing House).
6. Introduction to Environmental Biotechnology by A.K. Chatterji (Prentice Hall of India).



**BHARTI VISHWAVIDYALAYA**



**BCOMLLB503**

**External Marks: 70**

**Internal Marks: 30**

## **JURISPRUDENCE AND LEGAL THEORY**

**Course Objective:** The course aims at developing an analytical approach to understand the nature of law, development of law and working of a legal system in different dimensions with reference to popular legal theorists.

### **Course Outcome:**

- Any academic discipline, worthy of the name, must develop in the student the capacity for critical thought. Legal education needs to teach both law and its context-social, political and theoretical. At the heart of legal enterprise is the concept of law.
- Without deep understanding of this concept neither legal practice nor legal education can be a purposive activity. This course in jurisprudence is designed, primarily to induct students into a realm of questions concerning nature of law.
- Therefore, the first part of the course is concerned with important questions like what is law, what are the purposes of law, the relationship between law and justice and the like. The second part is concerned with the important sources of law.
- The emphasis is on important issues concerning law with reference to ancient and modern Indian legal thought. One important branch of jurisprudence consists in analysis of legal concepts. The law of contract and tort is concerned with different rights, which one person may have against another.
- Jurisprudence, on the other hand, studies the meaning of the term “rights” in the abstract and seeks to distinguish various kinds of rights which are in theory possible under a legal system. Similarly, it investigates other legal concepts and tries to build up a general and more comprehensive picture of each concept as a whole.
- This course is designed primarily on English model but native India orientation is given wherever possible.

### **UNIT-I**

#### **INTRODUCTION MEANING, NATURE AND SCOPE**

- a) What is Jurisprudence? Its meaning, Nature & Scope.
- b) Its study as a Basic problem concerning the law.
- c) Jurisprudence as a Normative Science its relation with other sciences
- d) Jurisprudence in Eastern scriptures both in Hindu and Muslims.

### **UNIT-II**

- a) Jurisprudence and law - Definition of law its nature kind and classification.
- b) Law and morality state & law sovereignty
- c) Administration of justice d) Sources of law Custom, Legislations, Precedents, Religion and Agreement.



### **UNIT-III**

#### **SCHOOLS OF JURISPRUDENCE THEIR EXPONANT AND THEIR VIEWS**

- a) Historical and Philosophical
- b) Analytical Legal Positivism
- c) Sociological and Economical School
- d) Pure theory of law and Realist school, Indian Legal Thinker, Manu and Kautilya.

### **UNIT-IV**

#### **LEGAL CONCEPTS**

- a) Rights and Duties
- b) Possession and ownership
- c) Person
- d) Title

### **UNIT-V**

- a) Liability - Definition, Nature, Kind - Civil and Criminal General conditions of liability - Negation, Their Theories Subjective & Objectives, Mental aspects, Duty of care, Standard Care, Exemptions for Liability.
- b) Obligation - Definition, kinds and sources of obligation.
- c) Property - Its meaning and kinds and theories mode & acquisition, Its relation with law.
- d) Evidence - Procedural and Substantial, Element of Judicial procedure Evidence its nature and kinds.

#### **Reference Books:**

1. HLA Hart - The Concepts of Laws (Oxford) ELBS
2. Salmond - Jurisprudence (Tripathi) Bombay
3. G.W. Paton - Jurisprudence (Oxford) ELBS
4. RWM Dias - Jurisprudence (Indian Rep.) (Aditya), New Delhi.
5. V.D. Mahajan - Jurisprudence Legal Theory (EBC), Lucknow
6. W. Fridmann - Legal Theory (1999) (Universal) Delhi.
7. S.N. Dhyani - Jurisprudence - A study of Indian Legal Theory (Metropolitan), New Delhi.

**BHARTI VISHWAVIDYALAYA**





BCOMLLB504

External Marks: 70

Internal Marks: 30

## Family Law II

**Course Objective:** The objective of the paper is to apprise the students with the laws relating to family matters governing succession, partition and religious endowments

### Course Outcome:

- The knowledge of family laws is important for lawyers. This course is designed to endow the students with knowledge of both the codified and uncodified portions of Mohemmedan Law.
- The course concerns itself with the sources, schools, institutions, succession, maintenance, marriage and divorce, menace of dowry, etc. In addition, the students have to familiarize themselves with the provisions of the Indian Succession Act.
- To expose the students about maintenance and legitimacy.

### UNIT-I

#### History, Origin Development Sources and Schools of Muslim Law

- a) Historical Background of Islamic law - its origin and comparison with other personal laws.
- b) Who is Muslim?
- c) Prophet and his companion, his tradition, development of Muslim law.
- d) Sources of Muslim law- Primary sources Quran, Hadis, Ijma, Kyas, secondary sources- custom judicial decision legislation, comparison with sources of Hindu law.
- e) Schools (section and sub-section) of Muslim law - Sunni School - Hanifi, Maliki, Shifai and Humbali, Shia School and their sub-sections, difference between both Shia and Sunni on important matter. Effect of conversion to Islam and Apostasy.

### UNIT-II

#### Marriage Dower (Mehr) and Divorce:

- a) Marriage (Nikah) - Its object and nature, requisite and condition for valid marriage.
- b) Effect of incapacity absolute, relative and declaratory,
- c) kind of marriage, option of puberty. Restitution of conjugal rights muta marriage, difference between Shia & Sunni law and marriage.
- d) Dower (Mehr)- Definition, nature & classification of dower law of shia sect on dower, confirmation of dower, remission of dower, non-payment of dower effect of apostacy on mehr liabilities of heir for dower, dower as a debt.
- e) widow's rights in case of non-payment of dower, Kharchi-i-pandan, & Mehr-i-misl. Divorce (Talaq)- Quranic provisions regarding talaq kind, nature, classification and effect of divorce on the parties, apostacy and conversion as ground of divorce, Iddat utility its



rationale and utility divorce through agreement or by mutual consent Khula, Mubarat, Ila & Zihar, Lian;

- f) Effect of false charges of adultery. Talaq-i-Tafwid, Fask (Annulment of marriage by court) provision of dissolution of Muslim marriage Act. 1939.
- g) Legal Effect of Divorce, Difference between Shia & Sunni Law on Divorce.

### **UNIT-III**

#### **Parentage, Legitimacy & Acknowledgement, Guardianship and Maintenance:**

- a) Parentage - Maternity and paternity. How it is established? Legitimacy and acknowledgement, acknowledgement as a proof of legitimacy, prescription of legitimacy condition of valid acknowledgement and its effects.
- b) Position of adoption in Muslim Law? A comparison between acknowledgement and adoption.
- c) Guardianship (Vilaya) - Concept of guardianship in Islam. Appointment of guardian.
- d) Their kinds age of majority, disqualification of guardian, guardianship of property.
- e) Power of guardian to dispose of to purchase and to alienate the immovable property of the minor.
- f) Maintenance (Nafaqa)- Introduction, definition and quran decree regarding maintenance, Person entitled to maintenance.
- g) Relevant provision of Muslim women (Protection of right on divorce) Act 1986.

### **UNIT-IV**

#### **Succession Administration Inheritance and Wills:**

- a) Succession- General rule of succession and exclusion from succession. Administration - Administration of the estate of a deceased.
- b) Provision of Indian succession act 1925. Inheritance- General rule of Inheritance (sunni & shia) Position of birth right and heritable property.
- c) Principle of renunciation and transfer of chance of succession (spes succession) vested inheritance classification of heirs- sharer, residuary and distance kindered. Their share and distribution of property.
- d) Doctrine of increase (Aul) Return (Radd) and position of rules relating to (shia & sunni) illegitimate child, missing person, acknowledge kins man, universal legatee & successor by contact eldest son and childless widow.
- e) Wills- Person capable of making wills, its forms, position of heir on wills, limit of testamentary power, abatement and lapse of legacy, subject of legacy, position of unborn person in wills, various kinds of bequest i.e., bequest in future, contingent and conditional alienation, revocation of bequest, its types, position of probate and letter of administration is case of Muslim wills.

### **UNIT-V**

#### **Marzul Maut HiBCom & Waqf and Pre-emption & Leading Cases**

- a) Marzulmaut- Death bed gift, its condition for validity acknowledgement of debt at death-bed.
- b) Hiba (gift)-Definition, capacity of making gift extents of doners powers.



- c) Gift to unborn person, gift with intent to defraud creditor, position of gifts i.e. - gift of actionable claim and incorporeal property, gift of equity of redemption, gift of property held adversely to doner, requisite for gift and essential of gift (declaration acceptaure & delivery of possession), Gift of morable and immovats and carpor & property and incorporeal property and actionable claim, gift in family and out of family, gift to Bailee to two are more donee : Mushaa, conditional & contingent gift, gift in future, revocation of gift, Gift with exchange (Hiba-bil-iwaz) Hibh-Ba shartul iwaz, sadaqah areeat.
- d) Waqf- Definition, object and subject of waqf, condition for valid waqf, doctrine of cy-press. Form and kind of waqf, waqf how completed? Revocation of waqf, contingent waqf, waqf aald aulad, alienation of waqf property, muttawalli- his appointment power and function & renewal and provision of waqf act 1995, Khanqah, imambera, sajjadanashir kazi, takiya. Pre-emption- its nature and kind, who may claim it, its requisite and condition.

### **Leading Cases:**

1. Kapoor Chand v. Kedarunnisa (AIR 1953 S.C.413)
2. Janjira Khatoon v. Mohd. Fakrulla (AIR 1922 Cal 429)
3. Habibur Rahman v. Atafali (AIR 1922 PC 159)
4. Maina Bibi v. Chawdhari Vakil Ahme... 673 (PC) (AIR 1925 PC 63)
5. Ms. Jorden Diegdeh vs. S.S. Chopra (AIR 1985 SC 935)

### **Recommended Books:**

1. Syed Khalid Rashid - Muslim law - EBC Lucknow (Hindi English)
2. A.A.A. Fyzee - Outline of Muhammadan law (1998)
3. A.M. Bhattacharya - Muslim law and the constitution
4. Aquil Ahmed - Muslim law - CLA Allahabad (Hindi)
5. S.K. Awasthi - The waqf act 1995 (Hindi/English) India law House 22, Sikh Mohalla, Indore
6. Mulla's - Principles of Mohammedan law, Tripathi
7. Scatcht - Mohd. Jurisprudence.
8. Caulson - Principles of Mohd. inheritance.



**BCOMLLB505**

**External Marks: 70**

**Internal Marks: 30**

## **CONSTITUTIONAL LAW-II**

**Course Objective:** The aim of this paper is to give adequate knowledge regarding various constitutional bodies, various organs of state and relations between them.

**Course Outcome:** This subject enables the students to understand the relationship between the centre and the states, the role of the governor in the states, the functions of the election commission and the distribution of finance between the centre and the states for effectively enkindling the laws and rules in force in the state.

- To understand the form of Government- Parliamentary and Presidential.
- To understand the Parliamentary democracy and its structure
- To understand the contemporary status of centre-state relations.
- To generate understanding of methods of amendment in the constitution of India.

### **UNIT-I**

- a) Administration of Union Territories (Art.239-241),
- b) The Panchayats-Definitions, Gram Sabha, Constitution and Composition of Panchayats, Reservation of Seats, Duration, Disqualifications for Membership, Powers, Authority and responsibilities of Panchayats (Art.243-243-O)
- c) The Municipalities-Definition, Constitution and Composition of Municipalities and Wards Committees, Reservation of Seats, Duration, Disqualifications for Membership, Powers, Authority and responsibilities of Municipalities, Power to impose Taxes, Finance Commission etc. (Art.243-P-243-ZG)
- d) The Scheduled and Tribal Areas (Art.244-244-A)

### **UNIT-II**

- a) Relations between Union and the States-Legislative Relations (Art.245-255)
- b) Administrative Relations, Disputes Relating to Waters and Co-ordination Between States (Art. 256-263),
- c) Provisions Regarding Finance (Art.264-279)
- d) Finance Commission (Art.280-281)
- e) Miscellaneous Financial Provisions (Art.282-290)
- f) Borrowing by the Government of India and the States (Art.292-293),
- g) Constitutional Provisions Regarding Property, Contracts, Rights, Liabilities Obligations and Suits (Art.292-300)
- h) Right to Property (Art.300-A)

### **UNIT-III**

- a) Trade Commerce and Intercourse (Art.301-307)





- b) Service under the Union and the States (Art. 308-313)
- c) Public Service Commissions (Art.315-323)
- d) Administrative Tribunals and Tribunals for other Matters (Art. 323-A-323-B),
- e) Provisions regarding Election and Election Commission (Art.324-329),
- f) Special Provisions regarding to certain Classes (Art. 330-342)

#### **UNIT-IV**

- a) Official Language-Language of the Union, Regional Languages, Language of the Supreme Court and the High Court's etc., Special Directives as to Languages (Art.343-351),
- b) Emergency Provisions (Art. 352-360)
- c) Miscellaneous Provisions (Art.361-367),
- d) Amendment of the Constitution (Art. 368),
- e) Temporary, Transitional and Special Provisions (Art,369-392),
- f) Short Title, Commencement, Authoritative Text in Hindi and Repeals, All Schedules and Amendments.

#### **UNIT-V**

##### **Leading Cases:**

- (1)- P.L.Dhingra Vs. Union of India, AIR 1958 S.C. 36
- (2)- T.N. Seshan Vs. Union of India (1995) 4 SCC 611
- (3)- Minerva Mills Vs. Union of India AIR 1980 S.C. 1789.

##### **Reference Books:**

- 1 V.N. Shukla Constitution of India
- 2 J.N. Pandey Constitutional Law of India
- 3 M.P. Jain Constitution of India
- 4 D.D.Basu Shorter Constitution of India
- 5 Kagzi's The Constitution of India
- 6 M.D. Chaturvedi Bharat Ka Savindhan(Hindi)





**BCOMLLB506**

### **Summer Training**

#### **Evaluation Pattern:**

As regards the internship, after the completion of internship by the students, the work done by the candidate as recorded in his/her daily diary along with a consolidated report would be evaluated by a Board of examiners finalized by university consisting of Internal & External examiners.

**BHARTI VISHWAVIDYALAYA**



# **SEMESTER-VI**

**BHARTI VISHWAVIDYALAYA**



**BCOMLLB601**

**External Marks: 70**

**Internal Marks: 30**

## **Transfer of Property Act and Indian Easement Act**

**Course Objective:** The Objective of this paper is to focus on concept and classification of property as well as principles governing transfer of immoveable property.

### **Course Outcome:**

- The focus of this course is on the study of the concept of 'Property', the 'nature of property rights' and the general principles governing the transfer of property.
- A detailed study of the substantive law relating to particular transfers, such as sale, mortgage, lease, exchange, gift and actionable claims will also be undertaken.
- The course also includes an exposure into the concept of trust.

### **Unit- I**

- a) Historical evolution of Law of property, Introduction, Short title, Commencement, Repeal of Acts, Interpretation Clause (Ss 1-3),
- b) Transfer of Property by act of Parties - Definition of Property, Rule of Transferability, Persons Competent to Transfer, Operation of Transfer and Oral Transfer (Ss 5-9),
- c) Condition Restraining Alienation, Restriction Repugnant to Interest, Condition Making Interest Determinable on Insolvency or Attempted Alienation (Ss 10-12),
- d) Transfer for the Benefit of Unborn Person, Rule against Perpetuity etc. (Ss 13-18),
- e) Vested interest and Contingent Interest (Ss 19-24),
- f) Conditional Transfer, Doctrine of Acceleration, Doctrine of Conditional Limitation (Ss 25-34),
- g) Doctrine of Election (Ss 35-37),
- h) Transfer of Immovable Property (Ss 38-53-A).

### **Unit- II**

- a) Sale of immovable property: Definition, Competency of Parties, Difference between Sale and Agreement to Sale, Rights and Liabilities of buyer and Seller (Ss 54-57),
- b) Mortgages charges of immovable (Ss 58),
- c) Property, Definition, Kinds of Mortgages, Obligation to transfer to third party instead of Mortgagor, Rights and Liabilities of Mortgager (Ss 58-66),
- d) Rights and Liabilities of Mortgagee (Ss 67-77),
- e) Other Provisions Related to Mortgage including charges (Ss 78-104).

### **Unit - III**

- a) Leases of immovable property Definition, Essential Elements of Leases, Modes of Leases, Rights and Liabilities of Lessor and Lessee, Doctrine of Waiver, Determination of Lease



- and Other Related Provisions (Ss 105-117),
- b) Exchanges (Ss 118-121),
  - c) Gift (Ss 122-129),
  - d) Transfer of Actionable Claims (Ss 130-137).

#### **Unit - IV**

- a) Indian Easement Act, 1882: - Introduction (Ss 1-3),
- b) Easement in General (Ss 4-7),
- c) Imposition, Acquisition and Transfer of Easements (Ss 8-19),
- d) Incidents of Easement (Ss 20-21),
- e) Disturbance of Easement (Ss 32-36),
- f) Extinguishment, Suspension and revival of easements (Ss 37-51),
- g) Licenses, Definition, Ingredients and Revocation of Licenses (Ss 52-64)

#### **Unit - V**

Leading Cases:

1. Nainsukhdas Shivnarayan Vs. Goverdhan das AIR 1948, Nagpur 110.
2. Associated Hotel of India Vs. R.N. Kapoor AIR 1962, SC 1262.
3. Jama Masjid Vs. Koci Manindra Deviah and other, AIR 1962, SC 807.
4. Kedarnath Vs. Shivnarayan AIR 1970, SC 1717.
5. Kanji Manji Vs. Trusters of Port of Bombay AIR 1963, SC 268.
6. Murari Lal Vs. Devkaran AIR 1965, SC 225.

#### **Reference Books**

1. Transfer of Property Act - Mulla
2. Sampatti Antaran Adhinyam - G.P. Tripathi
3. Sampati Antaran Adhinyam - S.N. Shukla
4. Transfer of Property Act 1882 - S.N. Shukla
5. Law of Easement - S.T. Desai
6. Transfer of Property Act, 1882 - G.P. Tripathi



**BCOMLLB602**

**External Marks: 70**

**Internal Marks: 30**

## **Environmental Law including Wild Life Protection & Animal Welfare**

**Course Objective:** The objective of this paper is to acquaint the students with the environmental issues and the measures taken for its protection along with the norms prevailing at international and national level.

**Course Outcome:** Environmental problems have attained alarming proportions. It is essential to sensitize the students to environmental issues and the laws.

- The important principles in the field like inter - generation equity, carrying capacity, sustainable development, and precautionary principle, polluter pay principle are to be appreciated.
- The law in practice is to be analyzed and evaluated. The course is designed toward these objectives.

### **Unit- I**

#### **ENVIRONMENT & POLLUTION**

- a) What is environment? What is Pollution?
- b) Types of Pollutions - its causes and effect;
- c) AIR, WATER, SOIL, MARINE and NOISE Pollution.
- d) Thermal Pollution and Nuclear Hazardous.
- e) Pollution and Controlling Measure Water (Prevention and Control of) Pollution Act, 1974  
AIR (Prevention and Control of) Pollution Act 1981.
- f) Relevant Provisions of IPC 1860 i.e., S. 188, 268, 269, 272, 277, 288, 290, 430.

### **Unit- II**

#### **ENVIRONMENTAL PROTECTION OF POLLUTION**

- a) Pollution Protecting agencies their power and functions.
- b) Means of Protections and Sanctions in various Acts.
- c) Protection of Bio-Diversity. Legal Control - ECO friendly experimentation on animal plant, seed and microorganism, Disposal of Hazardous waste.
- d) Emerging Protection through delegated legislation.
- e) Environment Protection (Act 1986)

### **Unit - III**

#### **INTERNATIONAL CONCERN ON ENVIRONMENT**

- a) Global conferences in environment e.g. - Stock Holm (1972) Nairobi December 1982. & Rio conferences (Prithvi Conferences) (1992) etc.





- b) Ozone depletion. Vienna convention for Protection of the Ozone Layer (1985) its causes and effect on Earth, Green house effects, wet lands Mangrove etc.
- c) U.N. Declaration on Right to development.

#### **Unit - IV**

##### **WILD LIFE ANIMALS & ENVIRONMENT: -**

- a) Wild life, sanctuaries and National Parks.
- b) State Monopoly in the sale of wild life and wild life articles.
- c) Offences against wild life. Wild life (Preservation) Act 1959. Wild life Protection Act 1972 with amendment.
- d) Forest conservation Act 1980. Prevention of cruelty to Animal Act 1960.

#### **Unit - V**

##### **ENVIRONMENT AND JUDICIARY:**

- a) Morena Mandal Sahkari shakkar karkhana Society Vs. BIP Board of Prevention of Water Pollution (1993) M.P.L.J. 270.
- b) Suresh Kumar Vs. State of Bihar AIR 1991 SC 420.
- c) M.P. Rice Mills Association Vs. State of M.P. 1999.
- d) Sntosh Kumar Singh Vs. Secretary Ministry of Environment New Delhi 1997(2) M.P.L.J. 602.
- e) M.C. Mehta Vs. U.O.I. (1994) S.C.C. 750.

##### **Reference Books**

1. Trivedi R.K. & P.K. Goel-Introduction to Air Pollution (Techno Science Publication).
2. Jadhav & Bhosle V.M. -Environmental Protection and Laws (Himalaya Publishing House, Delhi)
3. Clark R.S. - Marine Pollution (Cleradon Press Oxford)
4. Cenningham W.P. Cooper, T.H. Gorhani & Hepworth M.T. - Environmental Encyclopeadia (Jaico Publishing House, Mumbai - 1196 P.)
5. Rao R.N. & Dutta A.K.- Waste water Treatment (Oxford & IBH) 1987.
6. R.B. Singh & Suresh Mishra- Environmental Law in India (Concept Publishing Co. (New Delhi 1996).
7. Leela Krishnan P. (Ed.) - Law & Environment (EBC Lucknow 1990)



8. Leela Krishnan P.P. - The Environmental Law in India Butterworth India (1999)

9. Nagendra Singh - Environmental Law in India (1986)

10. Suresh Jain - Environmental Law in India (1986)

11. B.L. Babel - Environmental Protection Law 1997.

12. Kailash Thakur - Environmental Protection Law & Policy in India (Deep & Deep Publishing Co., New Delhi (1977).



**BHARTI VISHWAVIDYALAYA**



**BCOMLLB603**

**External Marks: 70**  
**Internal Marks: 30**

### **Administrative law & Right to Information Act 2005**

**Course Objective:** The purpose of this paper is making students aware of various aspects of administrative law including quasi-legislative, quasi-judicial and other ministerial functions of administration and control thereof.

**Course Outcome:**

- Administrative law is basically concerned with triple function of administrative authorities, their constitutional limits and statutory limitations, the procedure to be followed in the exercise of their functions and the necessity to study in depth relevant remedies.
- Constitutional or otherwise in case of administrative arrogance and consequent abuse of power.
- The course is designed to convince the students how the right to information infuses transparency and accountability in governance, preventing abuse of power.

#### **Unit- I**

Introduction of administrative law, administrative process, discretion and direction: Meaning, nature, history and function of administrative law, sources of administrative law, its origin and scope, reasons for its growth, its historical development in England, America and India, administrative law and constitutional law, droit administrative ... And council, D. Etate, constitutional foundation of administrative law, the rule of law, its meaning, supremacy of regular laws and equality before the laws, doctrine of separation of powers, its meaning and its position in U.K., U.S.A. & India. Administrative Process - Nature of administrative process, and its classification, legislative, judicial, quasi-judicial and pure executive action, their characteristics and difference among them. Administrative Discretion - Meaning, nature and criteria, its use or principle applicable for its use, need for administrative discretion, limit on exercise of discretion, mollified exercise of discretion acting under dictation, constitutional imperative... And use of discretionary authority, non-application of mind, unreasonableness and standard of reasonableness, taking irrelevant consideration or not taking in to consideration among relevant matter, non-exercise of discretionary powers, administrative arbitrariness and bias. Procedural safe guards for use of discretion. Administrative Direction - its use and classification, its unenforceability.

#### **Unit- II**

Delegated legislation, Administrative adjudication & Tribunal Delegated legislation, its historical Background and function, reasons for its growth, need for delegation of administrative power, kinds of delegated legislation, sub-delegated legislation and conditional legislation,



constitutionality of delegated legislation in Britain and India, Re Delhi Laws Act, Power of exclusion and inclusion and power to modify statutes, essential legislative functions, requirement for the validity of delegated legislation.

Judicial control of delegated legislation - Doctrine of ultra vires, its kinds, substantive and procedural grounds for its applicability, consultation, sub delegation, publication, administrative directions, circular legislative or parliamentary control on delegated legislation, laying procedure, policy statement, committees on delegated legislation and hearing before it, sub delegation & powers, guide-lines for it, and control of sub delegation, administrative adjudication and tribunals, reasons for proliferation of administrative tribunals, functional approach characteristics and feature of administrative tribunals, Basic difference between a court and a tribunals, position of tribunals in India, CAT its purpose, establishment and composition, jurisdiction power and authorities, aspect of tribunal practice and administrative procedure, procedure before the enquiry or hearing, procedure at the tribunal hearing and procedure after tribunal hearing, frank committee report, administrative tribunal act 1985, administrative tribunals and appeal judicial review and finality of the tribunal decision, reopening of tribunal proceeding rule of res judicata, Administrative tribunals in India.

### **Unit - III**

Judicial Control of Administrative Action and Natural Justice Power of the High Court, writ jurisdiction of High Court under artical 226, limitation of jurisdiction, territorial limit, general limitations, Locus standi, non-existence of alternative remedies lashes, acquiescence, doctrine of legitimate expectation, doctrine of public accountability, doctrine of proportionality, grounds and condition for writs and orders, mandamus, certiorary prohibition, Quo warranto, Habeous corpus, nature of relief practice and procedure, power of supreme court under Art 32, role of natural justice on administrative law - principle of natural justice, (1) No man shall be a judge in his own cause or if he has any bias (Pecuniary personal & official) against a party or any interest in subject matter of the enquiry (2) Audi Alterm Partem - "Hear the other side and limit of audi alterm partem (3) The party must be known the reasons for the decisions, the use of principle of natural justice in disciplinary process and exclusion & violation of principles of natural justice and its effect.

### **Unit - IV**

State Liability for Wrongs Act & Commission of Inquiry & Corporate: Liabilities for torts, distinction between sovereign and commercial functions, constitutional provisions in this regard, act of state and statutory immunities contractual liability of Govt., Government privilege in legal proceeding state secrets, public interest, transparency and right to information estoppeal and waiver. Remedies against administrative acts, constitutional remedies writ injunctions, its nature and types, distinction between injunction and mandamus, suit for declaration, its condition and nature, suits for damages. Public enquiry and commission of enquiry, general enquiry under service rules, procedure in disciplinary action and Provisions of commission of enquiry act 1952, and Corporation: Corporations, its kinds and characteristics, its classification, legal and constitutional provisions & their responsibilities in contract and in





tort, position of their employee

Whether they are civil servants? Control on corporation, legislative control, judicial control, governmental control and public controls.

## Unit - V

Ombudsman, Vigilance commission & Right to Information Act Ombudsman, its development in Newzealand, Britain and Australia, Position of Ombudsman in India, Lokpal and Lokayukt and their position, Public Interest litigations its nature and importance in Democracy. Central vigilance commissions its powers and functions

**Right to Information Act, 2005** - Introduction, Right to Information and Voluntary Organization, Right to Information in the Foreign Countries, Request for Right to Information, Constitution, Rights and Obligations of the Information Agencies, Procedure of Disposal of Applications and Complaints by State Commissions with special reference to Section 18, 19 and 20 of Right to Information Act 2005.

### Leading cases

1. A.K. Karipak v. Union of India (AIR 1970 SC 150)
2. Bharat Bank Ltd. v. Employees of Bharat Bank (AIR 1970, SC188)
3. Registrar Co-operative societies v. KunjaBamu and other (AIR 1980, SC350)
4. Hira Nath Mishra v. Principal, Rajendra Medical College, Ranchi (AIR 1973 SC1260)
5. Bhagat Raja, Union of India (AIR 1967 SC1606)
6. Kasturilal Ralia Ram v. State of U.P. (AIR 1965 SC1039)

### Reference Books

1. Jain and Jain - Principles of Administrative law, Tripathi (1986).
2. Wade - Administrative law (Indian Rep.) Universal Delhi.
3. J.C. Garner - Administrative law, Butherworth (1990)
4. D.D. Basu - Comparative Administrative law (Prentice Hall).
5. I.P. Massey - Administrative law EBC, Lucknow. (1996).
6. M.P. Jain - Cases and material on Indian Administrative law (Vol I & II) 1998 Universal book traders Delhi.





7. S.P. Sathe - Administrative law (1998), Butterworth (India), Delhi.
8. De Smith - Judicial review of Administrative Action (1995) with supplement, Sweet & Maxwell.
9. M.A. Fazal - Judicial control of administrative action in India Pakistan & BComngladesh (2000), Butterworth India.
10. Indian law institute - Cases and material on administrative law in India vol. I (1996), Delhi.
11. D.R. Saxena - Ombudsman, Deep & Deep Delhi.
12. Tusharkanti Saha - Administrative law - Kanishk Publication, New Delhi.
13. V.G. Ramchandran - Administrative law, Eastern Book Co., Lucknow.
14. Foulkes - Introduction to Administrative law, Butterworth.
15. Bhagwati Prasad Banerjee - Writ Remedies (1999) Wadhwa, Nagpur.
16. M.P. Jain - The evolving Indian Administrative law (1983) Tripathi, Bombay

**BHARTI VISHWAVIDYALAYA**



BCOMLLB604

External Marks: 70  
Internal Marks: 30

### Law of Equity and Indian Trust Act, 1882

**Course Objective:** The purpose of this paper is making students aware of various aspects of Equity Law and Indian Trust Act.

**Course Outcome:**

- To facilitate and promote awareness among the people to donate various organs of human body. Within preview of law.
- To ensure people's involvement in developing a society wherein peace, justice and equality prevail.
- To promote self-employment and other ventures for the benefits of weaker sections.

#### Unit- I

Law of Equity -Historical Introduction- Concept of Equity, Principles of Equity, Nature and Scope of Equity, Equity under the Roman, English and Indian Legal System. Origin and Growth of Equity in England-Origin of Equitable Jurisdiction, Procedure in Equity.

#### Unit- II

Division of Equity Jurisdiction-Exclusive, Concurrent and Auxiliary Jurisdiction Equity and the Common Law- Distinctive Features of Equity and Common Law, Relation of Equity with Common Law, Fusion of the Administration of Equity and Common Law, The Judicature Act, 1873-1875, Object and Effect of the Judicature Act

#### Unit - III

Maxims of Equity. Nature of Equitable Rights and Interest, Classification of Equitable Rights, Penalties and Forfeitures, Mortgages, Liens and Charges, Married Women, Guardians, Infants, Idiots and Lunatics, Conversion and Re-conversion, Election, Performance Satisfaction and Redemption, Administration of Assets, Mistake, Misrepresentation, Fraud and Undue Influence, Accident, Set-off, Equitable Assignments and Equitable Estoppels.

#### Unit - IV

**Indian Trust Act, 1882:** Historical Background- Importance of Trust, Origin and Development of Trust under Roman Law, English Law and Indian Law. Definition of Trust and Comparison with other Analogous Relations, Kinds of Trusts, Public or Charitable Trust, Doctrine of Cypres, Creation of Trust, The Appointment and Discharge of Trustees, The Duties and Liabilities of Trustees, The Rights and Powers of Trustees, Disabilities of Trustees, Rights and Liabilities of



Beneficiaries, Vacating the Office of Trustee, Extinction of Trust, Certain Obligation in the Nature of Trust.

### **Unit – V LEADING**

#### **CASES:**

- 1- Deoki Nandan Vs. Murlidhar and Others AIR 1957 S.C. 133.
- 2- Jankiram Ayyar Vs. Neelkanth Ayyar, AIR 1962 S.C. 536.
- 3- Shyamlal Yadu Rao Bhau Vs. Yesha Ram Lodku Pavan AIR 1954 Nag. 334
- 4- Satyanarayan Vs. G. Velloji Rao AIR 1965 S.C. 1465

#### **Reference Books**

1. Snell Principles of Equity
2. S.T.Desai Indian Trust Act
3. G.P. Singh Equity, Trust and Specific Relief
4. Aqil Ahmed Equity, Trust with Fiduciary Relations and Specific Relief
5. Basanti Lal Babel Equity, Trust and Specific Relief Act(In Hindi)

**BHARTI VISHWAVIDYALAYA**



**BCOMLLB605**

**External Marks: 70**  
**Internal Marks: 30**

### **Law, Poverty and Development**

**Course Objective:** The objective of this paper is to provide an understanding of basic concepts of poverty and development and their relationship with law.

**Course Outcome:** Students are able to understand the concept of poverty and development and the role of different institutions at national and international level in dealing with the issue of Poverty

#### **Unit - I** **Understanding Poverty and Development**

- (a) Poverty
  - i. Meaning and Concept
  - ii. Relative Dimensions
  - iii. Measurement and Determinants
  - iv. Issues related to Poverty in India
- (b) Development
  - i. Perspectives
  - ii. Developmental index

#### **Unit - II** **Constitutional Guarantees for the Poor**

- a. Equality and Protective Discrimination
- b. Right to Basic Needs and Welfare
- c. Abolition of untouchability and Protection of Civil Rights
- d. Right to Development

#### **Unit - III** **Criminal Justice System and the Poor**

- a. Treatment of the poor by Police
- b. Inability to get Bail
- c. Problems of Poor Undertrials
- d. Working of free legal aid schemes

#### **Unit - IV** **Impoverishment of Women, Children and Disabled Persons**

- a. Deprivations of women under family laws
- b. Problems of women workers in organized and unorganized sectors

#### **Unit - V** c. Child labour



- d. Approaches to disability and rights of the disabled persons
- e. Right to Education and dignity

**Reference books:**

1. Law, Poverty and Development – Upendra Baxi
2. State and Poverty in India – Atul Kohli
3. The Poverty Question (Search for Solution) – Yogesh Atal
4. Poverty, Rural Development and Public Policy - Amarendra



**BHARTI VISHWAVIDYALAYA**





# **SEMESTER-VII**

**BHARTI VISHWAVIDYALAYA**



**BCOMLLB701**

**External Marks: 70**  
**Internal Marks: 30**

## **Human Rights and Public International Law**

**Course Objective:** The objective of this course is to lay the foundation of the Human Rights law and acquaint the students with basic human rights institutions.

**Course Outcome:** This course includes the study of general principles of international law including law of peace.

- Third world concerns in respect of security and development and the role of U N and international agencies in structuring solutions in the context of changing balance of power are also to be appreciated.
- This course includes the study of general principles of Human Rights.

### **Unit- I**

#### **HUMAN RIGHTS IN GENERAL**

- a) Human Rights its meaning and Nature.
- b) Its definitions and classification.
- c) Human Rights as a Right in juristic Sense.
- d) Its existence in religions.

### **Unit- II**

#### **HUMAN RIGHTS IN INTERNATIONAL PERSPECTIVE:**

- a) Human Rights its development and emerging trend in Universal sphere & Role of NGO's & specialized agencies in its protections.
- b) International Bill of Rights and Universal Declaration of Human Rights 1948.
- c) The conventions on the Rights of Child and the conventions on the elimination of discrimination against woman.
- d) International convention on Economic Social & Cultural Rights 1966.

### **Unit - III**

#### **HUMAN RIGHTS IN REGIONAL & NATIONAL PERSPECTIVE**

- a) Constitutional Protection of Human Rights in India.
- b) Protection of Human Rights Act 1993.
- c) Human Rights Protection frame work of India - National Human Rights commission its constitutional powers and duties.
- d) The conventions on the elimination of all forms of Racial discrimination and struggle against Apartheid.



## Unit – IV

### **PUBLIC INTERNATIONAL LAW & STATE**

- a) Public International Law its definition, Nature, Sources, History and development.
- b) Relationship between international and Municipal law and difference between Public International law and Law of conflicts subjects of PIL.
- c) State - its nature, evolution, and criteria of statehood, its recognition, succession and responsibility.
- d) Nationality, Extradition Asylum and principle of self-determination.

## Unit – V

### **INTERNATIONAL LAW AND USE OF FORCE**

- a) Law of War and peace, Intervention and Neutrality, Treaty Covenant, immunities.
- b) Law of the Sea - Territorial. Water, continental shelf, sea bed, ocean-floor, Economic zone, Blockade, contiguous zone.
- c) Settlement of International dispute by use of force, by peaceful means.
- d) Role of UNO and their specialized agencies.

### **Reference Books**

1. J.K. Starke - An Introduction to the International Law.
2. J. L. Brierley - The Law of Nations (Oxford)
3. A.K. Pillai - National Human Rights Commission.
4. S.K. Verma - An Introduction to Public International Law (Prentice-Hall India).
5. All the Covenants and Conventions.
6. Shaw M.N. - International law (CUP).
7. M.C. Nair - The Law of Treaties (Oxford)
8. Paras Diwan & Piyushi Diwan - Human Rights & The Law - Universal & Indian.
9. S.K.Kappor - Human Rights under International Law and Indian Law Central Law Agency Allahabad.
10. D.D.Basu - Human Rights in Constitutional Law (Prentice – Hall)



BCOMLLB702

External Marks: 70  
Internal Marks: 30

## Insurance law

**Course Objective:** In this paper the students will be taught the Kinds of insurance and the body regulating the insurance sector will also be taught.

**Course Outcome:**

- The insurance idea is an old institution of transactional trade. The main objective of every insurance contract is to give financial security and protection to the insured from any future uncertainties.
- Hence, insurance is considered as an inevitable component of economic development. Even from olden days merchants who made great adventures, gave money by way of consideration to other persons who made assurance, against loss of their goods, merchandise ships and things adventured.
- The rates of money consideration were mutually agreed upon. Such arrangement enabled other merchants more willingly and more freely to embark upon further trading adventures.
- The operational framework of insurance idea is provided by the general principles of contract.
- The insurance policy, being a contract, is subject to all the judicial interpretative techniques of rules of interpretation as propounded by the judiciary. Besides, the insurance idea has a compensatory justice component.
- This course is designed to acquaint the students with the conceptual and operational parameters of insurance law in the light of various legislations regulating insurance sector in India.

### Unit- I

#### INTROCUCTION, NATURE, HISTORY AND DEVELOPMENT

- a) Definition and nature of Insurance. Difference between Assurance and Insurance.
- b) Concept of Insurance and Law of contract and Law of torts.
- c) History and Development and importance of Insurance, contract of insurance and its characteristics.
- d) Provision of Insurance Act 1938.

### Unit- II

#### GENERAL PRINCIPLES OF INSURANCE

- a) Various principles of Insurance - Principles of co-operative probability and legal principles, Principles of good faith and non-disclosure, Misrepresentation in insurance contract. Principles of contribution and principles of proximate.
- b) Principles of insurable interest - The risks, classification of risks, Provision of warranty



& Principles of warranty and subrogation.

- c) Nature, kind and classification of insurance contract.
- d) The policy - classification of policies, its forms and contents, its commencement, duration, calculation of premium, cancellation, alteration, reduction, rectifications, construction and assignment of subject matter.

### **Unit - III**

#### **LIFE INSURANCE AND MARINE INSURANCE**

a) Nature, scope and definition, condition for life insurance contract. The policy and formation of life insurance contract, circumstances affecting the risk. Amount recoverable under the policy and person entitled to payment, settlement of claim and payment of money. Distinction between nomination and assignment and double insurance and reinsurance. Life Insurance Corporation Act 1956.

b) Marine insurance - Meaning, Scope and History. Essential elements of marine insurance contract, classification, procedure and conditions of marine insurance and provisions of Indian Marine Insurance Act 1963.

c) Tax benefit from life insurance and Life Insurance (Emergency provisions) Act 1956. d) Provision of the General Insurance Business (Nationalization) Act 1972.

### **Unit - IV**

#### **INSURANCE AGAINST THIRD PARTY RISKS**

- a) Insurance against third party risks, Motor vehicle Act 1988 (Chapter XIII)
- b) Motion, scope, definition, statutory, contract between Insurer and Driver. Rights of third party. Limitation on third party rights. Duty to inform third party.
- c) Effect of insolvency or death on claim certificate of insurance or conditions to be satisfied.
- d) Claim tribunals' constitutions, functions, application for compensation, who can apply? Procedure and powers of claim tribunals and its awards.

### **Unit - V**

#### **MISCELLANEOUS INSURANCES AND PRESENT POSITION IN THE LIGHT OF GLOBALIZATION**

- a) Miscellaneous insurance, including fire insurance.
- b) Provisions of public liability Act 1991 Except Schedule.
- c) Insurance in Global perspective and in present scenario.
- d) Provisions of Insurance Regulating and Development Authority Act 1999.

#### **Reference Books**

1. Ivamy - General Principles of Insurance Law (1993) Butterworth
2. M.N. Shrinivasan - Principles of Insurance Law (1997), Ramaniya Publisher, Bangalore.





3. John Birds - Modern Insurance Law (1988), Sweet & Maxwell.

4. Brij Anand Singh - New Insurance Law (2000) Union Book Publisher, Allahabad.

5. M.N. Mishra - Law of Insurance, Central Law Agency, Allahabad



**BHARTI VISHWAVIDYALAYA**



BCOMLLB703

External Marks: 70

Internal Marks: 30

## Professional Ethics and Professional Accounting System

(Practical)

**Course Objective-** Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations This Course will be taught in association with practicing lawyers on the basis of following materials.

### Course Outcome:

- Professions are noble. The movement of all professions, hitherto, has been from chaos to organisation, organisation to consolidation and consolidation to autonomy and monopoly. Same is true of the law profession also. The prime reason for conferring autonomy and monopoly by the society on the professionals is the fact that they are a body of learned persons and the interest of society and individuals is safe in their hands.
- The Bar should set enviable standards of ethics and scrupulously adhere to them as also enforce them. It is too good of the society to trust the learned body of the professionals to regulate themselves and not to empower an outsider to sit in judgement over their activities.
- The trust reposed by the society in profession is to be zealously guarded. The Bar should live up to the expectations of the society. The society has a right to expect of the professionals such ideal behavior.
- The course is designed to imbue students with these high values forming the basis of the profession so that they can live up to those standards in their professional life.

### UNIT-I GENESIS NATURE AND EVOLUTION OF INDIAN BAR

- a) Evolution of Indian Bar - Regulating Act 1773. Bengal Regulation of 1793. and The Legal Practitioners Act 1846.
- b) The Legal Practitioners Act 1853 and the legal practitioners Act 1879.
- c) The Bar Councils Act 1926 and The Report of the All-India Bar Committee 1953.
- d) History and circumstances before the passing of the Advocate Act 1961.

### UNIT-II SOURCES & SANCTIONS OF PROFESSIONAL ETHICS & MISCONDUCTS

- a) Sources of Rules of Professional Ethics - Judicial and extra Judicial sanctions and advantages of study of professional ethics.
- b) Lawyers misconduct - Professional and others.
- c) Equipment of Advocate Reverence for the law learning public service, brotherhood organization. Love for professional ideals.
- d) Independence and integrity of The Bench and the Bar.



### **UNIT-III PRIVILEGES RIGHTS POWERS AND DISABILITIES OF LEGAL PRACTITIONERS**

- a) Right and duties of Advocates
- b) Privileges of Advocate
- c) Powers of Legal practitioners
- d) Disabilities of legal practitioners

### **UNIT-IV ADVOCATES AND THEIR RELATION WITH OTHERS IN THE LIGHT OF B.C.I. RULES 1976**

- a) Advocate and the Court.
- b) Advocates relation with his opponent and with his client.
- c) Advocates relation with his colleagues and witnesses
- d) Advocates and the public and other employment and Advocates

### **UNIT-V ADVOCATE ACT, CODE OF ETHICS AND CONTEMPT OF COURT**

- a) Indian Advocates Act, 1961.
- b) The contempt law & practice - Indian contempt of court Act 1976.
- c) Other statutory provisions relating to contempt in IPC, Cr.P.C and CPC.
- d) Supreme Court on professional misconduct - Important cases.

### **BOOK RECOMMENDED**

1. C.L. Anand - Professional Ethics of the Bar (Law Book Co., S.P. Marg Allahabad).
2. V.G. Ramchandran's - Contempt of Court EBC, Lucknow.
3. The Bar Council Code of Ethics and Indian Advocate Act 1961.
4. Indian Contempt of Court Act 1996.
5. M. Krishnamurthy - Advocacy
6. AVROM Sherr - Advocacy, Universal Book Traders, 80, Gokhale Market, Delhi.

**BHARTI VISHWAVIDYALAYA**



**BCOMLLB704**

**External Marks: 70**

**Internal Marks: 30**

### **Law of Evidence**

**Course Objective:** This paper is to orient students with importance of evidence for establishment of claims and the related rules and principles.

**Course Outcome:**

- The law of evidence has its own significance amongst procedural laws. The knowledge of law of evidence is indispensable for a lawyer.
- The course is designed to acquaint the students with the rules of evidence in relation to relevancy of facts and proof. In addition, they are introduced to law relating to production of evidence.
- The course teacher shall familiarize the students with appreciation of evidence and use innovative techniques like simulation exercises wherever necessary.

#### **Unit- I**

##### **INTRODUCTION, INTERPRETATION, CONCEPTIONS AND RELEVANCY (Chapter I & II)**

- a) Introduction- Main feature of the Indian Evidence Act. Problem of Applicability of Evidence Act.
- b) Types of Evidence - Oral, Written and Circumstantial evidence, medical evidence and evidence of relatives, Eye witness, Chance witness and child witness and direct witnesses.
- c) Standard of proof and presumption - May presume, shall presume, conclusive proof, proved, disproved and not proved.
- d) Relevancy of facts - Doctrine of res gestae (Sec. 6, 7, 8, 10).
- e) Evidence of common intention (Sec. 10).
- f) The problem of relevancy of "otherwise" irrelevant facts (Sec. 11).
- g) Relevant facts for proof of custom (Sec. 13)
- h) Facts concerning body and mental state. (Sec. 14 & 15)

#### **Unit- II**

##### **ADMISSION, CONFESSION AND DYING DECLARATION AND STATEMENT MADE UNDER SPECIAL CIRCUMSTANCE (Sec. 17 to 39)**

- a) Admission - General principles concerning admission (Sec. 17 to 23)
- b) Confession - Difference between admission and confession, non-admissibility of confession caused by inducement, threat and promise and confession made before a police officer, Admissibility of custodial confession and other section relevant to confession. (Sec. 24-31)
- c) Dying Declaration - The justification for relevance on dying declaration. The judicial standard for appreciation of evidentiary value of dying declaration (Sec. 32 & 33)
- d) Statement made under special circumstance and how much of a statement is to be proved, (Sec. 34-39)





### **Unit - III**

#### **RELEVANCY OF JUDGEMENT, CHARACTER AND EXPERT TESTIMONY**

- a) Relevancy of judgment - General principles, Admissibility of judgment in civil and criminal matter. Fraud and collusion in obtaining judgment (Sec. 40-44).
- b) Expert testimony - General Principles, who is an expert? Type of Expert evidence.
- c) Opinion of relationship when relevant - especially proof of marriage and opinion as to the existence of right or custom or usage and tenancy and problem of judicial defense to expert testimony. (Sec. 45-51)
- d) Relevancy of character in civil and criminal cases. (Sec. 52-55)

### **Unit - IV**

#### **ORAL AND DOCUMENTARY EVIDENCE, PRESUMPTION AND EXCLUSION (Chapter IV, V & VI)**

- a) Oral Documents and how it is proved? Requirement for valid and admissible oral documents. (Sec. 59-60)
- b) Documentary Evidence - General Principles, public and private documents, how it is proved? (Sec. 61-78)
- c) Presumption as to documents of various types and kinds. (Sec. 79-90).
- d) Exclusion of oral by documentary evidence. (Sec. 91-99)

### **Unit - V**

#### **THE BURDEN OF PROOF, ESTOPPEL, WITNESSES, EXAMINATION AND CROSS EXAMINATIONS (Part III)**

- a) The burden of proof - Facts which need not be proved. (Sec. 56-58), General Conception of onus, General and Special presumption and exception as to onus, presumption as to dowry death etc. (Sec. 101-114A)
- b) Estoppels and witnesses - Estoppels by deed and estoppel by conduct, equitable and promissory estoppel. (Sec. 115-117). Various kinds of witness, communication - privileged and confidential Accomplice and information as to the commission of offences. (Sec. 118-134)
- c) Examination of witnesses - General principles of examination, cross and re-examination, Leading questions (Sec. 141-143), Lawful question etc.
- d) Cross examination of witness - General Principles of cross examination, lawful questions in cross examination, (Sec. 141-146), Compulsion to answer questions put to witness, Hostile witness impeaching of the standing and or credit of witness (Sec. 135-166) ‘

#### **Reference Books**

1. Ratanlal Dhirajlal - Law of Evidence, 21th Ed. 2004, PB, Wadhwa, Nagpur.
2. Sarkar - On Evidence (2 Vol.) 15th ed. 2002, Wadhwa, Nagpur, 2390=00
3. Avatar Singh - Principles of law of Evidence, Universal, Delhi.
4. Vepa P. Sarathi - Law of Evidence EBC, Lucknow.





**BCOMLLB705**

**External Marks: 70**

**Internal Marks: 30**

## **Legal Ethics and Court Craft**

**Course Objective-** This Course will be taught in association with practicing lawyers on the basis of following materials.

### **Course Outcome:**

- Professions are noble. The movement of all professions, hitherto, has been from chaos to organisation, organisation to consolidation and consolidation to autonomy and monopoly. Same is true of the law profession also. The prime reason for conferring autonomy and monopoly by the society on the professionals is the fact that they are a body of learned persons and the interest of society and individuals is safe in their hands.
- The Bar should set enviable standards of ethics and scrupulously adhere to them as also enforce them. It is too good of the society to trust the learned body of the professionals to regulate themselves and not to empower an outsider to sit in judgement over their activities.
- The trust reposed by the society in profession is to be zealously guarded. The Bar should live up to the expectations of the society. The society has a right to expect of the professionals such ideal behavior.
- The course is designed to imbue students with these high values forming the basis of the profession so that they can live up to those standards in their professional life.

### **Unit - I**

- (a) Supreme Court Rules, 1966
- (b) Delhi High Court Rules, 1967

### **Unit - II**

- (a) Limitation Act, 1963
- (b) Indian Registration Act, 1908

### **Unit - III**

**Bench – Bar Relations**

- a. Reciprocity as Partners in Administration of Justice
- b. Professional Misconduct
- c. Rights and Privileges of Advocates



## Unit – IV

### Legal Ethics

- a. Ethics in present Era
- b. Ethics and statutory sanctions
- c. Ethics and Professional Duty
- d. Conflicts between Internet and duty
- e. Duty to court
- f. Duty to client
- g. Duty to opponent h. Duty to colleague
- h. Duty towards society and obligation to render legal aid

## Unit – V

### Essential Case Law:

1. A.M. Mathur v. Pramod Kumar Gupta, 1990 (2) SCC 533
2. Bar Council of Maharashtra v. M.V. Dabhulkar 1976(1) SCR 306 also 1976 (2) SCR 48
3. Hanraj L. Chulani v. Bar Council of Maharashtra, 1996 (3) SCC 342
4. K. Daniel v. Hymavathy Amma, AIR 1985 Ker. 233
5. Advocate Genl Bihar v. Patna High Court, 1986 (2) SCC 577
6. P.D. Gupta v. Ram Murti, 1997(7) SCC 147
7. H.D. Srivastava v. G.N. Verma 1977(2) SCR 6011
8. Mangilal v. State of M.P. 1994(4) SCC 564

### Reference books:

1. Dr. Kailash Rai - Legal Ethics – Accountancy for lawyers and bench and Bar relations
2. B.R. Aggarwala – Supreme Court Practice and Procedure
3. P. Ramanatha Iyer- Legal and Professional Ethics
4. B.B. Mitra – The Limitation Act

**BHARTI VISHWAVIDYALAYA**



# **SEMESTER-VIII**

**BHARTI VISHWAVIDYALAYA**



**BCOMLLB801**

**External Marks: 70**

**Internal Marks: 30**

## **Chhattisgarh land Revenue Code and other Local Laws**

**Course Objective:** The object of this paper is to focus on land reforms besides land acquisition procedures in Chhattisgarh and other local laws

**Course Outcome:** This course enables the learner to understand and study the local laws applicable in the state of Chhattisgarh such as the land revenue code, agricultural tenancy act, rent control act and also to increase the employability of students in these areas of practice of local laws.

### **Unit- I**

C.G. LAND REVENUE CODE - Historical Development, Definitions, Abadi, Agriculture, Agriculture Year, Bonafide Agriculturist, Board, Co-operative Society, Government, Forest, Government Lessee, Holding. Improvement, Land, Landless Person, Land Records, Legal Practitioner, Mango Grove, Orchard, Recognized Agent, Rent, Revision, Revenue Officer, Revenue Year, Sub-Division of Survey Number, Tenant, Tennure Holder, Timber Tree, Urban Area, Unoccupied Land, Village, To Cultivate Personally, Survey Number.

### **Unit- II**

Board of Revenue, Revenue Officers and their Classes and Powers, Procedure of Revenue Courts, Appeal Revision and Review, Land and Land Revenue, Revenue Survey and Settlement in Non-Urban Areas, Assessment and Re-assessment of Land Revenue in Urban Areas.

### **Unit - III**

Land Records, Boundaries and Boundary Marks and Survey Marks, Tenure Holders, Government Lessee and Service Land, Occupancy Tenants, Alluvian and Diluvian, Consolidation of Holding, Village-Officers, Rights in Abadi and Unoccupied Land and its Produce.

### **Unit - IV**

C.G. on Agricultural Holding Act, 1960: Definitions, Exemptions and Restrictions on Transfer of Land, Fixing of Ceiling Area, Determination of Surplus Land and Acquisition Thereof, Payment of Compensation in Cumbrances on Surplus Land, Offences and Penalties and Miscellaneous.

### **Unit - V**



## Leading Cases

1. State of M.P. Vs. Poonam Chand, 1968, J.L.J. 116.
2. M.P. State Vs. Babulal And others, 1980, J.L.J. 856 (SC).
3. Harprasad. B Horelal Vs. Board of Revenue, 1964, M.P.L.J. 370.
4. Nandu Vs. Babu and others. 965, M.P.L.J. 178.
5. Manmohan Lal Shukla Vs. Board of Revenue, 1964, M.P.L.J. 32.

## Reference Books

1. M.P. Land Revenue Code - H.N. Dwivedi.
2. M.P. Land Revenue Code - R.D. Jain.



**BHARTI VISHWAVIDYALAYA**





**BCOMLLB802**

**External Marks: 70**

**Internal Marks: 30**

### **Law of Taxation**

**Course Objective:** Concept of income tax, heads of income, including foreign income assessment procedures, adjudication and settlement of tax disputes are the focus points of study in this paper.

**Course Outcome:**

- Legal regime of tax encompasses the policies, laws and rules for Taxation process. Income tax law is concerned with tax imposed on various sources of Income. With regard to indirect tax latest in the pipeline of fiscal policy is introduction of uniform Goods and service Tax (G S T) regime by July 1st, 2017.
- Tax policy is related to duties on imports from foreign countries and all compulsory levies imposed by the government on individual's firms, limited companies, Govt. organizations, Local authorities and others for the benefit of the state. The object here is imparting conceptual understanding to the studies of the provisions of both direct and indirect tax laws.
- The students of law are required to know the impact of taxation on business transactions.

#### **Unit- I**

GENERAL INTRODUCTION: Historical Perspective Historical Development of Tax Laws in India  
Concepts of tax Nature & characteristics of taxes Distinction between tax & fee, tax, & cost  
Distinction between Direct & Indirect tax

#### **Unit- II**

INCOME TAX ACT, 1961: Preliminary – Short Title, Extent and Commencement, Definitions, Previous Year Defined (Sec. 1-3) - Basis of charges of Income Tax: Residential status of assesses – its impact on tax liability (Sec. 4-9) Incomes which do not form part of total income (Sec. 10-13)

#### **Unit - III**

Computation of Total Income(Heads of income) Salaries, Income from House Property, Profits and Gains of Business or Profession, Capital Gains and Income from Other Sources – general concepts – chargeability to tax – admissible & inadmissible deductions, exclusions and deductions from income(Sec. 14-59) Income of other persons included in assesses Total Income(Sec. 60-65), Aggregation of Income and set- off and carry forward of losses(Sec. 66-80) Deductions to be made in computing total income, Deductions in respect of certain Payments



and certain incomes and other deductions, Rebate of Income Tax and Relief for Income Tax(Sec. 80A-89),

#### **Unit – IV**

Income tax authorities- Appointment and Control, Jurisdiction, powers & functions, Disclosure of Information(Sec.116-138), Procedure for Assessment(Sec.139-158), Collection and Recovery of Tax-Deduction at source and Collection at source, Advance payment of tax, Collection and Recovery , Interest Chargeable in some cases and Refunds,(Sec. 190-245)Allotment of permanent account number, Settlement of Cases-Appeals and Revision, Appeals to the Appellate Tribunal, Reference to High Court, Appeals to High Court, Appeals to the Supreme Court, Revision and reference(Sec. 245A-269) Penalties Imposable(Sec. 270-275) Offences and Prosecutions- Penalties and prosecutions under income tax act, 1961 for non- compliance, contravention, avoidance and evasion of tax(Sec. 275A-280)

#### **Unit – V**

C.G. VALUE ADDED SALES TAX ACT, 2003

Preliminary-Short Title, Extent and Commencement, Definitions, Taxing Authorities, Incidence of Tax(Sec. 1-7) Levy of Tax(Sec. 8-15) Registration of Dealers(Sec.16-18),Returns, Assessment, Payment and Recovery of Tax(Sec.19-38), Refund of Tax, Accounts and Issue of Acts, invoices or cash memoranda(Sec.39-42) Certain powers of the Commissioner and Delegation by the Commissioner(Sec.43-47), Appeals, Revision and Rectification(Sec.48-56), Detection and Prevention of Tax Evasion(Sec.57-63), Offences and Penalties(Sec.64)Miscellaneous and Power to make Rules(Sec.65-74)

#### **LEADING CASES:**

- 1- Commissioner of Income Tax Vs. Anwar Ali AIR 1970 SC 1982
- 2- Calcutta Discount Co. Ltd. Vs. Income Tax Officer, (1961)41 ITR 191(SC) Reopening of Assessment Section-147(9)
- 3- Dwarka Das Keshardeo Morarka Vs. Commissioner of Income Tax (1962)42 ITR 529 On law of Estoppel in Taxation
- 4- Jute Corporation of India Vs. CIT, AIR 1991 SC 341

#### **Reference Books**

1. A.K. Saxena Income Tax Act
2. Kailash Rai Income Tax Act
3. V.K. Shusha Kumari Law of Income Tax



**BCOMLLB803**

**External Marks: 70**

**Internal Marks: 30**

### **Labour and Industrial Laws – I**

**Course Objective:** This paper focuses on various aspect of management of labour relation and dispute settlement bodies and techniques.

**Course Outcome:**

- In this course, the students are to be acquainted with the Industrial relations framework. Further, the importance of the maintenance of industrial peace and efforts to reduce the incidence of strikes and lockouts are to be emphasized.
- The main objective is to critically examine the provisions in the trade unions Act 1926, the machineries contemplated under the Industrial disputes Act 1947, for the prevention and settlement of industrial disputes and other matters.
- Further the objectives underlying the Industrial employment (Standing orders) Act 1946, and disciplinary enquiry for misconduct are to be studied with a view to acquaint misconduct and the procedure to be followed before imposing punishment for misconduct alleged and established.

#### **Unit- I**

General Introduction-Industrial Jurisprudence, Labour Policy in India, Industrial Revolution of India, Evil of Industrialization, Labour Problems, Principles of Labour Legislation, Growth of Labour Legislation in India, Classification of Labour and Industrial Legislations.

#### **Unit- II**

The Industrial Disputes Act, 1947—Preliminary, (Sec. 1-2), Authorities under this Act (Sec. 3-9), Notice of change (Sec. 9A -9 B), Reference Of Certain Individual Disputes To Grievance Settlement Authorities (Sec. 9C ), Reference of Disputes to Boards, Courts or Tribunals (Sec. 10-10A), Procedure, Power and Duties of Authorities (Sec. 11-21), Strikes and Lockouts (Sec. 22-25), Lay-Off and Retrenchment (Sec. 25A-25J ), Unfair Labour Practice (Sec. 25T-25U ), Penalties (Sec. 26-31).

#### **Unit - III**

The Trade Unions Act, 1926-- Preliminary, (Sec. 1-2), Registration of Trade Unions (Sec. 3-14), Rights and Liabilities of Registered Trade Unions (Sec. 15-28), Regulations (Sec. 29-30), Penalties and Procedure (Sec. 31-33). The Workmen's Compensation Act, 1923-- Preliminary, (Sec. 1-2), Workmen 's Compensation (Sec. 3-18), Commissioners - Reference to Commissioners, Appointment and Powers of Commissioners, Powers and Procedure of Commissioners, Appeals (Sec. 19-21), Rules 32-36, All Schedules, All Schedules and



amendments made from time to time.

#### **Unit - IV**

The Payment of Wages Act, 1936-- Preliminary, (Sec. 1-2), Responsibility for Payment of Wages (Sec. 3-6), Deductions which may be made from wages (Sec. 7-13), Authorities under the Act, Inspectors, Facilities to be afforded to Inspectors, Authorities to hear claims, Single application in respect of claims from unpaid group, Appeal (Sec. 14-17), Power of authorities appointed under section 15 (Sec. 18-19), Miscellaneous Provisions (Sec. 20-26).

#### **Unit - V**

The Minimum Wages Act, 1948-- Preliminary, (Sec. 1-2), Fixing of minimum rates of wages (Sec. 3-6), Advisory Board (Sec. 7-9), Wages in kind (Sec. 10-17), Maintenance of Registers and Records, etc. (Sec. 18-21), Penalties, etc. (Sec. 22-26), Power of Govt. to make rules (Sec. 27-31), All Schedules and all amendments made from time to time

#### **LEADING CASES:**

1. A Maikenji Vs. J.S. Ishaq AIR 1970 SC 1906
2. Bangalore Water Supply and Sewerage Board Vs. A. Rajappa and Others AIR 1978 SC 553
3. Pottery Majdoor Panchayat Vs. The Perfect Pottery Co. Ltd. A.I.R. 1979, S.C. 1356.

#### **Reference Books**

1. H.K. Sharey - Industrial & labour laws in India (Prentice-Hall) New Delhi.
2. I.A. Sayieed - Labour laws, Himalayan Publishing Co. Nagpur
3. Reshma Arora - Labour law, Himalayan Publishing Co. Nagpur
4. S.K. Mishra - Labour and Industrial law - Allahabad law agency H.N. 387, Sector 16-A Faridabad.
5. Taxmann - Labour laws - Bare Act (Taxmann allied series, Allahabad)
6. S.C. Shrivastava - Treatise on social security and labour laws EBC Lucknow.
7. S.N. Mishra - Labour & Industrial laws CLA Allahabad.
- 8 P.L. Malik - Hand Book of Labour and Industrial laws, EBC Lucknow.
9. Seth D.D. - Commentaries on Industrial Act (Law publishing house - Allahabad)



10. K.D. Shrivastava - Commentary of payment of wages act (1998) EBC Lucknow.

11. O.P. Malhotra - The law of Industrial Disputes (1998) Universal Delhi.

12. V.G. Goswami - Labour and Industrial laws, CLA Allahabad.

13. P.K. Padhi - Labour and Industrial Laws, Prentice Hall of India Pvt. Ltd. New Delhi.



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**BCOMLLB804**

**External Marks: 70**

**Internal Marks: 30**

### **Labour and Industrial Laws-II**

**Course Objective:** The paper is to focus on wage policies, compensation for learn caused during the course of employment and working conditions of employees.

**Course Outcome:**

- In this course, students shall also acquaint with legal frame-work relating to social security and welfare.
- The concept of social security, its importance and also constitutional basis for the same are introduced. The importance of ensuring health, safety and welfare of the workmen, social assistance and social insurance schemes and the regulation of wages under various legislations are to be emphasised.
- The objective is also to understand the provisions of the employee's compensation Act 1923, the employees state Insurance Act 1948, the payment of wages Act 1936, the factories Act 1948.
- These legislations are to be studied with a view to acquaint the students regarding various rights and benefits available to the workmen thereunder.
- Legislations are to be analysed by examining historical background, objectives underlying these legislations, judicial interpretations and effectiveness of these legislations in the changed economic policies.

#### **Unit- I**

**The Employees' State Insurance Act, 1948**—Preliminary (Definitions) (Sec. 1-2), Corporation, Standing Committee and Medical Benefit Council (Sec. 3-25), Finance and Audit (Sec. 26-37), Contributions (Sec. 38-45), Benefits (Sec. 46-59), Adjudication of Disputes and Claims (Sec. 74-83), Penalties (Sec. 84-86).

#### **Unit- II**

**The Factories Act, 1948**-- Preliminary (Definitions) (Sec. 1-7), Inspecting Staff (Sec. 8-10), Health (Sec. 11-20), Safety (Sec. 21-41), Welfare (Sec. 42-50), Working hours of Adults (Sec. 51-66), Employment of Young persons (Sec. 67-77), Annual leave with wages (Sec. 78-84).

#### **Unit - III**

**The Child Labour (Prohibition and Regulation) Act, 1986**- Preliminary (Definitions) (Sec. 1-2), Prohibition of Employment of Children in certain occupations and processes (Sec. 3-5),



Regulation of conditions of work of children (Sec. 3-5), Miscellaneous (Sec. 14-26). Causes of child labour and Present prospect of child labour in India.

#### **Unit - IV**

**The Maternity Benefits Act, 1961**-- Preliminary (Definitions) (Sec. 1-3 ), Employment of, or work by woman prohibited during certain period , Right to payment of maternity benefit, Notice of claim for maternity benefit and payment thereof, Payment of maternity benefit in case of death of a woman, Payment of medical bonus, Leave for miscarriage, Other leaves, Nursing breaks, Dismissal during absence of pregnancy, Deduction of wages, Appointment of Inspectors, Powers and duties of Inspectors (Sec. 4-22 ), Cognizance of Offence (Sec. 23 ).

#### **Unit - V**

**The Gratuity Act, 1972**-- Preliminary (Definitions) (Sec. 1-2), Controlling Authority, Payment of Gratuity, Nomination (Sec. 3-6 ), Determination of the amount of gratuity (Sec. 7 ), Inspector , Recovery of gratuity, Penalties (Sec. 8-9), Cognizance of Offences (Sec. 11-14 ), Power to make rule (Sec. 15 )

#### **LEADING CASES:**

- (1) B. Shah Vs. Labour Court AIR 1978 SC 12
- (2) Ahemdabad Private Primary Education Association Vs. Administrative Officers (2004) 1 SCC 755
- (3) Peoples Union for Democratic Rights Vs. Union of India AIR 1982 SC 1480

#### **Reference Books**

1. H.K. Sharey - Industrial & labour laws in India (Prentice-Hall) New Delhi.
2. I.A. Sayieed - Labour laws, Himalyan Publishing Co. Nagpur
3. Reshma Arora - Labour law, Himalyan Publishing Co. Nagpur
4. S.K. Mishra - Labour and Industrial law - Allahabad law agency H.N. 387, Sector 16-A FaridaBComd.
5. Taxmann - Labour laws - Bare Act (Taxmann allied series, Allahabad)
6. S.C. Shrivastava - Treatise on social security and labour laws EBC Lucknow.
7. S.N. Mishra - Labour & Industrial laws CLA Allahabad.



**BCOMLLB805**

**External Marks: 70**  
**Internal Marks: 30**

## **Legal Writing & Research**

**Course Objective:** The paper is to equip the students with various tools of Legal writing & research.

**Course Outcome:**

- Translation of thoughts into words-spoken and written is an essential ingredient of an effective lawyer.
- The students should be trained in drafting of pleadings and conveyances and other essential documents.
- The skill of drafting can be acquired and sharpened by undertaking the exercises under the supervision of an expert in the field. The course aims at equipping the students with drafting skills.

**Unit 1- Meaning, Nature and scope of research**

- a. \*Meaning of methodology, research method and research technique, main characteristics of research methodology
- b. \*Scope and necessity of legal research
- c. \*Steps involved in doing legal research (the legal research process)

**Unit 2- Hypothesis**

- a. \*Meaning characteristics and sources of hypothesis
- b. \*Testing of hypothesis
- c. \*Meaning and types of sampling – Merits and Demerits

**Unit 3- Data Processing**

- a. \*Editing, coding, classification and tabulation
- b. \*Analysis and interpretation of data
- c. Methods of using libraries and use of computer in legal research, scaling technique in legal research.



## Unit-4 Preparation

\*Preparation of research report and writing



**BHARTI VISHWAVIDYALAYA**



# **SEMESTER-IX**

**BHARTI VISHWAVIDYALAYA**





**BCOMLLB901**

**External Marks: 70**

**Internal Marks: 30**

## **Interpretation of Statutes and Principles of legislation**

**Course Objective:** The paper is to equip the students with various tools of interpretation of statutes.

**Course Outcome:**

- As it is difficult to have legislation without ambiguous provisions, there is a need to make proper study of the rules and principles relating to interpretation of statutes. Legislation is the major source of law of modern era. Legislatures enact laws after much deliberation. No doubt in this process they have to take into account the present and future needs of the people.
- What are the matters to be reckoned with by legislature while enacting laws? With the emergence of legislation, interpretation of statutes became a method by which judiciary explores the intention behind the statutes. Judicial interpretation involves construction of words, phrases and expressions.
- In their attempt to make the old and existing statutes contextually relevant, Courts used to develop certain rules, doctrines and principles of interpretation. Judiciary plays a highly creative role in this respect.
- What are techniques adopted by courts in construing statutes? How far are they successful in their strategy? With the above problems and perspectives in view, this paper is framed.

### **Unit- I**

Principles and Legislation-Law Making - Legislature, Executive and Judiciary, Principle of Utility, Operation of these Principles upon Legislation, Distinction between Morals and Legislation. INTERPRETATION OF STATUTES - Introduction, Meaning, Commencement, Operation and Repeal of Statutes, Purpose of Interpretation of Statutes Classification of Statutes.

### **Unit- II**

GENERAL PRINCIPLES OF INTERPRETATION - Primary Rules, Literal Rule, Golden Rule, Mischief Rule (Rule in the Hydon's Case) Rule of Harmonious Construction. Secondary Rules, Noscitur a Soclis, Ejusdem Generis, Reddendo Singula Singulis, Utres Magis Valeat Quam Preat, Contemporanea Expositio est Fortissima in Lege. PRESUMPTIONS IN STATUTORY INTERPRETATION - Presumption as to Jurisdiction, Presumption Against inconvenient or Absurd, Presumption Against Intending Injustice, Presumption Against Impairing Obligations or Permitting from One's Own Wrong, Prospective Operation of Statutes.



### **Unit - III**

AIDS TO INTERPRETATION AND MAXIMS OF STATUTORY INTERPRETATION - Internal Aids and External Aids, MAXIMS - Delegates Non Potest Delegare, Expressio Unius Exclusio Alterius, Generalia Specialibus non Derogant, In Pari Delicto Potior Est Condition Possidentis, Utresvalet Potior Quam Pareat, Expressum Facit Cessare Tacitum, Jure Nature Sunt Immutabilia.

### **Unit - IV**

Interpretation with Reference to the Subject Matter and Purpose - Beneficial Construction, Strict Construction of Penal Statutes and Taxing Statutes, Construction and Interpretation of Welfare Legislation, Harmonious Construction of the Statutes, Interpretation of Statutes in Pari Materia, Amending, Consolidating and Codifying Statutes, Mandatory and Directory Enactments and Conjunctive and Disjunctive Enactments.

### **Unit - V**

Principles of Constitutional Interpretation - Principles of Implied Powers, Incidental or Ancillary Power, Doctrine of Pith and Substance and Colorable Legislation, Principles of Implied Prohibition, Occupied Field and Territorial Nexus, Doctrine of Severability and Repugnancy and Doctrine of Eclipse and Ancillary Powers. Retrospective and Prospective Operation of Statutes.

### **Books Recommended :**

1. Principles of Statutory Interpretation - G.P. Singh.
2. Interpretation of Statutes and Legislation - M.P. Tondon and Rajesh Tondon.
3. Statute Law - Craies.
4. Interpretation of Statutes - V.P. Sarthi.
5. Maxwell's Interpretation of Statute - N.M. Tripathi

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**BCOMLLB902**

**External Marks: 70**

**Internal Marks: 30**

## **Criminology and Penology**

**Course Objective:** The object of this paper is to discuss the causative factors of crime and treatment of criminals and victims.

### **Course Outcome:**

- After completion of the course, students would be able:
- To achieve basic understanding of the principles of law dealing with crime and punishment, penology and its contributions to the modern understanding of crime in society, an understanding considered essential for the profession of a lawyer;
- To provide arguments in favour of, or against the death penalty.
- To have reasonable understanding of the steps taken to reform the prison system and the modern concepts of reformation and reintegration of children who come in conflict with the law;
- To appreciate the importance of safeguarding the rights of victims of crime.

### **Unit- I**

Definition of Crime and Criminology, Relation of Criminology with other Sciences, Schools of Criminology, Classification of Crimes, its causes and means of control, Socio-economic crimes, white Collar Crime, Organized crime, and crime against women.

### **Unit- II**

Juvenile delinquency, its determining factors, differential association, anomaly, and Economic pressure. Difference between Crime and Juvenile Delinquency, Vagarency and Recidivism, Borstals system, reformatory and other correctional institutions of Juvenile, Juvenile court and observation Homes.

### **Unit - III**

Definition of Penology and its scope. Theories of punishment, its objects and kinds, capital punishment and its efficacy, Human Rights and Penology.

### **Unit - IV**

Indian prison system, Its administration, organization, mode of Recruitment and Training for Jail personal, Jail manual and powers of prison Officials, classification of Prisoners - Male, Female, Juvenile and Adult, under-trial, Rights of the Prisoners, and duties of custodial staff. Probation and Parole - Probation of offender's Act - 1958. The suspended sentence. Nature of Parole. Authorize for granting parole and supervision, conditional release. After care service and Prisoners Aid Cell.



## Unit - V

Police and Criminal Justice, Structural organization of Police at Central and State, mode of recruitment and training. Powers and Jurisdiction of Police under various Acts. Arrest, Scizer, Methods of Police Investigation and Liability of Police for custodial death.

### Reference Books

1. IYER -Prospects in Criminology-Law and Social changes (1980).
2. MANHEIM - Comparative Criminology - A Text Book (1965).
3. ROSS A. - Law and Deviance (1981).
4. SUTHERLAND - Principle of criminology (1978).
5. S. RAO - Crime in our Society (1983).
6. A. SIDDIQUE - Criminology Problem and Perspective (E.B.C.) (Lucknow)
7. E. SUTHERLAND - White Collar Crime (1949).
8. P.H. KOHN - Juvenile Offender and the Law (1971).
9. W. RACKLESS - The prevention of Juvenile delinquency (1972)
10. I.L.I. - Habitual Offender and the Law (1983).
11. INSTITUTE OF SOCIAL DEFENCE- Towards delinquency Control.
12. DAVID ABRAHAMSON - Crime and the Human mind (1974).
13. WALKER, N. - Crime and Criminology - a Critical Introduction.
14. RADZINOWITZ LEION - Ideology of crime (1960).
15. GUILACK SHELDON - Unrevealing Juvenile delinquency.
16. J.M. SETHNA - Society and the Criminals.
17. DAVID ABRAHAMSON - The psychology of Crime.
18. KRISHNA IYER REPORT ON FEMALE PRISONERS - 1986.
19. SCHAZBBRA - The quantum of punishment in Criminal Law.



20. ALF ROSS - ON GUILT- Responsibility and Punishment.
21. LAW COMMISSION OF INDIA - Forty Second Report - Chapters (1971)
22. T.K. BCOMNERJEE - Back Ground of Indian Criminal Law (1990)
23. K.S. SHUKLA - Adolescent off ender (1985).
24. UNITED NATIONS - Begging Rules on Treatment of Young Offenders.
25. P.P. RAJGOPAL - Violence and Response - A Critique of Indian Criminal Justice and System.
26. KATHERNE S. WILLIAMS - Text Book on Criminology (1997), Blackstone London (1997).
27. LOVE LAND - The Frontiers of Criminology (1995) Sweet & Maxwell) 1995.
28. D.C. PANDEY - Hostile offenders and the law (1983).

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**BCOMLLB903**

**External Marks: 70**

**Internal Marks: 30**

## **Drafting, Pleading and Conveyance**

**Course Objective:** The object of this paper is to train students in the art of drafting both for court purposes as well as for other legal forums.

### **Course Outcome:**

- Translation of thoughts into words-spoken and written is an essential ingredient of an effective lawyer.
- The students should be trained in drafting of pleadings and conveyances and other essential documents.
- The skill of drafting can be acquired and sharpened by undertaking the exercises under the supervision of an expert in the field. The course aims at equipping the students with drafting skills.

### **PART - A**

#### **Unit- I**

Pleading: (i) Civil: General Principles of Pleadings with Special Reference to the Following :-  
Plaint and written statement with reference to the suits mentioned below :- (a) Money Suit (b) Ejectment Suit (c) Injunction (d) Interlocutory application under the provisions of C.P.C. (e) Suits under Hindu Marriage Act, 1955 (f) Suits for Specific Performance of Contract (g) Original Petition (h) Affidavit (i) Execution Petition (j) Memorandum of Appeal and Revision (k) Petition under Articles 226 and 32 of the Constitution of India.

#### **Unit- II**

(ii) Criminal: - Criminal Pleadings with respect to the following: - (a) Drafting of First Information Report (FIR U/S 154, Cr.P.C.) (b) Drafting of Challan/Charge sheet (under section 173, Cr.P.C.) (c) Drafting of Charge by the Court (d) Complaints for Commission of offences u/s 294, 323/324, 325, 341, 352 and 506 of the Indian Penal Code. (e) Criminal Miscellaneous Petition. Interlocutory Application.

#### **Unit - III**

(a) Drafting of Bail Application u/s 436 and 437 of Cr.P.C. (b) Drafting of Anticipatory Bail Application u/s 438, Cr.P.C. (c) Drafting of Cancellation of Bail application u/s 439 (i) and (ii) of Cr.P.C. (d) Maintenance application u/s 125-128, Cr.P.C. (e) Memorandum of Appeal and Revision.



## Unit - IV

Conveyancing: General Principles of Conveyancing with special reference to the following: - (a) Sale Deed (b) Mortgage Deed (c) Lease Deed (d) Exchange Deed (e) Gift Deed (f) Will Deed (g) General Power of Attorney (h) Promissory Note

## Unit - V

(a) C.G. High Court Rules and Orders (Civil) (b) C.G. High Court Rules and Orders (Criminal)

**PART - B** - will be Based on the practical work carrying 30 marks including 10 marks of viva-voce. Practical Students will be required to attend the Civil Court for 5 days. The student will observe the proceedings of the Court and take down notes thereon.



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**BCOMLLB904P**

**External Marks: 70**

**Internal Marks: 30**

### **Alternative Disputes Resolution (Practical)**

**Course Objective:** The objective of this paper is to acquaint students with various modes of ADR.

**Course Outcome:**

- Students shall be in a position to know litigation aspect and non-litigation aspects-its consequences.
- Enter into mediation and negotiation.
- Know to draft arbitration agreement, and arbitration clause- its importance.
- Developed skills in conciliation and mediation.
- Students have knowledge of win-win situation than win-lose situation.

Outline of the Course:

(i) Negotiation skills to be learned with simulated program.

(ii) Conciliation skills.

(iii) Arbitration Law and Practice including international arbitration

and Arbitration rules. The course is required to be conducted by senior legal practitioners through simulation and case studies. Evaluation may also be conducted in practical exercises at least for a significant part of evaluation

**BHARTI VISHWAVIDYALAYA**



# **SEMESTER-X**

**BHARTI VISHWAVIDYALAYA**



**BCOMLLB1001**

**External Marks: 70**

**Internal Marks: 30**

### **Intellectual Property Law**

**Course Objective:** The objective of this course is to acquaint the students with basics of intellectual property law with special reference to Indian law and practice.

#### **Course Outcome:**

- Intellectual property law has assumed a great importance in recent time as a result of the recognition that “knowledge is property”.
- The creations of the human brain as IP are required to be understood and protected.
- The syllabi encompassing all relevant IP legislation in India with a view to understand and adjust with changing needs of the society because creative work is useful to society and law relating to innovation / creativity i.e., intellectual property is one of the fastest growing subjects all over the globe because of its significance and importance in the present era. Disseminate information on national and international IPR issues.

#### **Unit- I**

Introduction Nature Basic Concepts and International Conventions Nature and meaning of Intellectual property, need for protection of right of intellectual property. The types of intellectual property. The types of intellectual property and enhancement of area of I.P. History and introduction to the leading international instrument concerning intellectual property rights i.e., WIPO (world intellectual property organization) and its Paris convention on protection of industrial property (PIP) and patents co-operation treaty (PCT) The Berne (1971) and Rome convention (1961) on copy right. Universal copy right convention (UCC) of 1952, and neighboring rights and Madrid agreement on trade mark registration. The general agreement on tariffs and trade (GATT) and its creations, World trade organization (WTO), Uruguay Round (April 1997) and its highly significant instrument "Trade Related intellectual property agreement" (TRIPS).

#### **Unit- II**

Copyrights its contents and forms & related act: Copyrights its history and definition, provisions of Copy-right act 1957 and copyrights (amendment) act 1994 which includes copyright its nature and meaning. Subject matter of copyright, forms of copyrights, ownership of copyrights assignment of copy rights. copyrights as an author's special rights. Notion and criteria of infringement, their definition and exception, proposition relating to infringement, authorization of infringement, acts not constituting infringement, infringement of literary, dramatic, musical





and artistic works, cinematographic films and sound recording. Remedies against infringement of copyright - nature and kind of remedies civil and criminal under Copyright Act sec. 55-57, 62, 63-70, slender of title Anton Piller order, international copyrights, copyrights societies and copyright office, copyrights board, legislation of copyright and appeal.

### **Unit - III**

Trade Marks & designs - their nature & related acts:

Introduction definition evolution and concept of trademarks, Distinction between trademarks and property works, the doctrine of honest current user and doctrine of deceptive similarity, provisions of the trade mark act 1999, it includes definition and interpretation, condition for registration, trade mark registry. Property in a trade-mark, registration of trade mark, its refusal, Berne principles of registration of trade marks, its procedure and evidence. Marks, not registrable, effect and limit on effect. registered trade work, assignment and transmission of registered trademarks, use of trade mark and registered user, rectification and correction of the registration, collective marks, provisions relating to textile goods, offences, penalties and procedure, appellate board, its constitution, powers and duties and procedures and other miscellaneous provisions of the act, provisions of Design act 2000, it includes following chapter

definition, registration of design, copyright in registered design legal proceedings, general powers and duties of controller Evidence agency & powers of central government.

### **Unit - IV**

Patents its introduction grant, registration and patents act 1970 : Provisions of Patents act 1970 which includes patents, its introduction concept and history, process of obtaining patents, specification, application for patents, examination of application, position to grant a patent, invention not patentable, register of patents and patent office, register and obligation of a patent. Transfer of patent right, Right of the Govt. in case of use of invention provisions for secrecy of certain invention. Patents in addition, procedure for restoration of lapse patents. revocation and surrender of patents. Registration of patents, patents office, its constitution, controller and its power, infringement of patents and treat of infringement proceedings of officers penalties for the Violation of act. licenses .. of right, compulsory licenses patent agent etc. and miscellaneous provision of the act.

### **Unit - V**

The Information Technology Act 2000 and Leading Cases Provision of ITA 2000, it includes introduction, need, coverage, definition digital signature, electronic record certifying authorities, electronic governance, their regulation, penalties, cyber regulation appellate tribunals under ITA act and following leading cases.

1. Grama phone co. of India v. B.B. Pandey (AIR 1984 SC 667)



2. Indian Performing Right Society Ltd. v. Eastern India Motion pictures association (AIR 1977 SC 1443).

3. Monsanto Co. v. Caromandal Idag product (AIR 1986, SC 712).

4. American House Product Corpn. v. Mac Laboratories (Pvt) Ltd. (AIR 1986 SC 137) (Dristan Case)

### **Reference Books**

1. Parvin Anand - The law of Intellectual Property (Batter Worth)

2. Bibek Deb Roy - The Intellectual Property Rights (B.R. Publishing, New Delhi)

3. Terrel - Law of Patents (Rajiv Gandhi Institute of Concept Studies)

4. P.S. Sanyal & Kishore Singh - Indian Patent System

5. Stewart - International copyright and neighbouring right.

6. P. Narayanan - Intellectual Property Law (Eastern Law House, Kolkata / Delhi, 315/-)

7. Vikas Vashisth - Intellectual Property Law (Bharat Law House)

8. Cornish W.R. - Intellectual Property Patents, Trade Names, Copyrights and allied rights (1999) (Universal law publishing Co. Pvt. Ltd.) Ansal's Dilkhush Industrial Estate, G.T. Karnal Rd., Delhi.

9. W.R. Cornish - Intellectual Property (Sweet & Maxwell)

10. Mata Din - Law of passing off and infringement action of trade marks.

11. UIE Anderfelt - International patent legislation and developing countries.

12. The Patent Act 1970

13. The Design Act 2000

14. The Trade Mark Act 1999

15. The Copyright Act 1957.

16. The Information Technology Act, 2000.



**BHARTI VISHWAVIDYALAYA**



**BCOMLLB1002**

**External Marks: 70**

**Internal Marks: 30**

## **Company Law**

**Course Objective:** The paper aims to provide insight into formation and winding up of companies and also about Share Capital and allotment.

### **Course Outcome:**

- In view of the important developments that have taken place in the corporate sector, the course is designed to understand the formation, management and other activities of the companies.
- Important regulations pertaining to the issue of shares and the capital raising have come into force.
- This course aims to impart the students, the corporate management, control, possible abuses, the remedies, and government regulation of corporate business and winding up of companies.

### **Unit- I**

Introduction, History and Definition of Company, Registration of Corporate Entity, Corporate Veil, Company and Hindu undivided Family, company and Partnership, Club, Association of Persons, Advantages and Disadvantages of Incorporation, Kinds Companies and Application of the Act. Interpretation and Definitions of Various Terms.

### **Unit- II**

Formation of Companies, Promotion, Promoter and his Rights and Liabilities, Incorporation, Memorandum of Association and Articles of Association, Doctrine of Ultra-Vires, Prospectus, Definition, Contents of Prospectus Punishment for Misrepresentation in the Prospectus, Members of the Company, Members and Shareholders and Public Trustees.

### **Unit - III**

Share and Share Capital, Allotment of Share, Statutory Restriction on Allotment, General Principles as to Allotment, Company which cannot issue prospectus,, Irregular Allotment, Return as to Allotment, Issue of Share at Discount, Underwriting Commission, Brokerage, Issue of Share at Premium, Share Capital : Definition, Nature of Share Certificate, Position of Transferor and Transferee, Procedure, Blank Transfer, Right to Refuse Registration, Restriction on the Acquisition and Transfer of Share, Certificate of Transfer, Kinds of Share, Power of Company to Accept Payment in Advance of Calls. Reserve Liability, Alteration of Capital Reorganization of Share Capital. Reduction of Capital, Share Warrant. Directors, Position of Directors, Appointment, Powers and Duties of Directors, Other Office Bearers of the Company.



## **Unit - IV**

Dividend, Debenture, Accounts and Audit, Borrowing Powers of the Company, Investment and Contract, Majority Powers and Minority Rights and Rule of Foss and Harbottle, Mismanagement and Remedies - Compromise. Arrangement, Reconstruction and Amalgamation, Investigation and Liquidation and Consequences of Winding up of the Companies.

## **Unit - V**

### **Leading Cases**

1. Saloman Vs. Soloman and Company Ltd., 1897, PC 22.
2. Income Tax Commissioner Vs. Shri Meenakshi Mills, A.I.R., 1967, SC 819.
3. Nareshchand Vs. Calcutta Stock Exchange Association AIR 1971, SC 422.
4. N. Goverdhandas & Company Vs. N.W. Industries Pvt. Ltd. AIR 1971, SC 2600.
5. Official Liquidator Vs. P.A. Tandolkar AIR 1973, SC 1104.
6. R. Methlone Vs. Bombay Life Insurance Corporation Ltd. AIR 1953, SC 195.

### **Reference Books**

1. Company Lax - Philip. K. Thayil.
2. Lectures on Company Law - S.M. Shah.
3. Indian Company Law - Awtar Singh.
4. Company Law - R.R. Maurya.
5. Company Law - Dr. Ramchandran.
6. Students Guide to Company Law – Taxmann
7. Company Law- N.V Paranjape.





**BCOMLLB1003**

**External Marks: 70**

**Internal Marks: 30**

### **Moot Court Exercise and Internship**

**Course Objective:** This paper is to help a law student to acquire a thorough knowledge of practical aspect of court system.

**Course Outcome:**

- Students are in a position to identify different stages in civil and criminal cases.
- Shall understand the relevancy of documents and expert witnesses in special situations.
- When a commissioner is appointed and other courts designated officers in a given case along with their powers.
- They can draft notices- different pleadings in civil litigations.
- Shall be able to understand and prepare for court trial and proceedings like cross examinations and arguments.

This paper may have three components of 30 marks each and a viva for 10 marks:

a. Moot Court (30 marks)- every student may be required to do at least three moot courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

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

Students may be required to attend two trials in the course of the last two or three years of LL. B studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

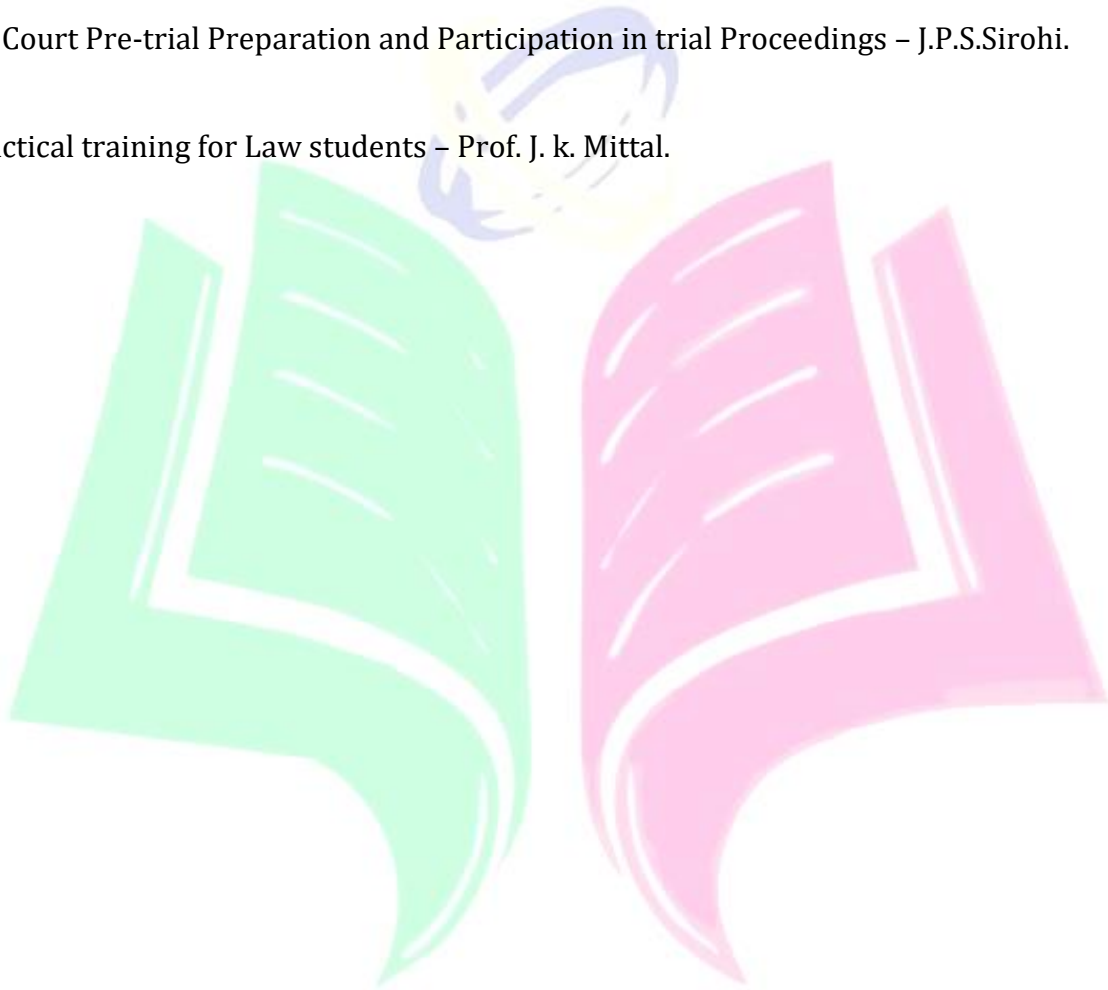
(c) Interviewing techniques and Pre-trial preparations and Internship diary 30 marks. Each student will observe two interviewing sessions of clients at the Lawyer's Office/ Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/ petition. This will be recorded in the diary, which will carry 15 marks.

(d) The fourth component of this will be Viva Voce examination on all the above three aspects. This will carry 10 marks. The Court work shall be submitted by Student in own handwriting in the Univ. The evaluation shall be made by the Univ. on the Basis of participation and record. The Univ. after valuation shall sent the diaries and marks to the University. The Principal/ Head may himself evaluate and allot marks on the record or authorize any senior members of the staff, for this purpose. In the later case the Principal/Head shall countersign on the awarded marks.



## Reference Books

1. Moot Court, Pre-trial Preparation and Participation in trial Proceedings - O.P. Mishra (Advocate).
2. Moot Court Pre-trial Preparation and Participation in trial Proceedings - Dr. S.P. Gupta.
3. Moot Court Pre-trial Preparation and Participation in trial Proceedings – J.P.S.Sirohi.
4. 4. Practical training for Law students – Prof. J. k. Mittal.



**BHARTI VISHWAVIDYALAYA**



**BCOMLLB1004**

**External Marks: 70**

**Internal Marks: 30**

## **Civil Procedure Code and Limitation Act**

**Course Objective:** This paper is to help a law student to acquire a thorough knowledge of procedural aspects of working of civil courts and other machineries.

### **Course Outcome:**

- Study of procedural law is important for a law student. This course is designed to acquaint the students with the various stages through which a civil case passes through, and the connected matters.
- The course also includes law of limitation. The course teacher shall endeavour to familiarise the students with case paper (like plaints, written statement, interlocutory application, etc.) involved in civil cases and touch upon the provision of evidence Act wherever necessary.

### **Unit- I**

Civil Procedure Code - Historical Background, Introduction, Short Title, Definition, Kinds of Courts and their Jurisdiction, Stay of Suit, Rejudicata, Bar to Further Suit etc. (Ss 1-14), Place of Suing, Institution of Suit, Summons and discovery, Judgment and Decree, Interest and Costs (Ss 15-35-B), Execution Proceedings, Courts by which decree may be executed, Procedure in Execution, Arrest, Detention, Attachment and Sale, Resistance to Execution (Ss 36-74), Incidental Proceedings, Suit in Particular case, Suit by or against the Government, Suit by Aliens and by or against foreign rulers/ambassadors suits against rulers of former Indian States and Interpleaded Suit (Ss 75-88), Appeals, Reference, Review and Revision (Ss 96-115), Miscellaneous Proceedings, Application for Restitution, Right to Lodge a Caveat, Power to make-up deficiency of Court fees, Inherent Powers of Courts, Amendment of Judgment, decrees and order and General power to Amend (Ss 144-153).

### **Unit- II**

Parties to Suits, Plaintiff and Defendants, Representative Suit, Joinder, Misjoinder and non-Joinder, (Order - I Rules 1-13), Frame of Suit, Recognized Agents and Pleader, Institution of Suits, Issue and Service of Summons (Order II - V), Pleading Generally, Plaint, Written-Statement, Set-off and Counter-Claim (Order VI-VIII), Appearance of Parties and Consequences of non-appearance, dismissal of suits and ex-party Decree and Order, Examination of Parties by the Court, Discovery and Inspection, Admission, (Order IX-XII), Settlement of Issues and Determination thereof, Summary Disposal, Summoning Attendance and Examination of Witnesses, Adjournment of Hearing and Affidavit (Order XIV-XIX).



### **Unit - III**

Judgment and Decree, Execution of Decrees and Orders, Death, Marriage and Insolvency of Parties, Withdrawal and Adjustment of Suits (Order XX-XXIII), Commission, Suits by or against the Government and Public Officers, Suits Involving a Substantial Question of Law, Suits by or against Military, Navel or Airmen, Suits by or against Corporation, Suits by or against Firms, Trustees, Executors and Administrators, Suits by or against Minors and Persons of Unsound Mind, Suits Relating to Matters, Concerning the Family, Suit by Indigent Persons, Suits Relating to Mortgagor, Interpleader Suit (Order XXIV-XXXV), Arrest and Attachment before Judgment, Temporary Injunctions and Interlocutory Order, Appointment of Receiver, Appeal from Original Decrees, Appeal from Appellate Decrees, Appeal from Orders, Appeal by Indigent Persons, Appeal to the Supreme Court, Reference and Review (Order XXXVIII-XLVII).

### **Unit - IV**

Limitation Act, 1963 - Historical Background, Short Title, Extent, Commencement and Definition (Ss 1-2), Limitation of Suits, Appeals and Applications (Ss 3-11), Computation of Period of Limitation, Exclusion of Time in Legal Proceedings, Effect of Death on or before the accrual of right to Sue, Effect of Fraud or Mistake, Effect of Acknowledgement in Writing, Effect of Substituting or Adding New Plaintiff or Defendant etc. (Ss 12-24), Acquisition of Ownership by Possession, Acquisition of Easement by Prescription, Reversioner and Extinguishment of Right to Property (Ss 25-27).

### **Unit - V**

#### **Leading Cases -**

1. P.G.H. Patil Vs. R.S. Patil and others AIR 1957, SC 363.
2. M.P. Shrivastava Vs. Mrs. Veena AIR 1967, SC 1193.
3. Kiran Singh & Others Vs. Chaman Paswan and others AIR 1954, SC 340.
4. State Vs. Administrator AIR 1972, SC 749.
5. Hindustan Auaeronautics Vs. Ajit Prasad AIR 1973, SC 7

#### **Reference Books**

1. Civil Procedure Code - Mulla
2. Civil Procedure Code - Viswanath Iyer
3. Code of Civil Procedure - P.K. Majumdar
4. A Guide to Civil Procedure Code - Rama Rao
5. Civil Procedure Code - Sarkar



6. Civil Procedure Code - M.P. Jain

7. Law of Limitation & Prescription - U.N. Mitra

8. Law of Limitation - Dr. N.M. Swami

9. Limitation Act – Sarkar



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