

SCHEME OF TEACHING

&

DETAILED SYLLABUS

For

BACHELOR OF COMMERCE AND BACHELOR OF LAWS (HONORS)

B.Com. - LL.B. (H) (Five Year Integrated Course)



**SCHOOL OF LAW AND CONSTITUTIONAL STUDIES
SHOBHIT DEEMED UNIVERSITY, NH-58, MODIPURAM -
MEERUT (U.P.) – 250110**

**Approved and adopted in year 2019 (Board of Studies, August 3, 2019)
by 17th Academic council (Agenda no-4 b)**

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Sr. No.	Course	Subject	Subject Code	Percentage of changes made	Page No.
1	B.Com.LL.B.	Law of Torts Including M.V. Act and Consumer Protection laws	BCW 116	20%	17
2	B.Com.LL.B.	Constitutional Law – I	BCW 214	20%	30
3	B.Com.LL.B.	Constitutional Law – II	BCW 224	10%	38
4	B.Com.LL.B.	Company Law	BCW 326	30%	54-55
5	B.Com.LL.B.	Labour Law –I	BCW 412	30%	56-57
6	B.Com.LL.B.	Labour Law-II	BCW 421	20%	63-64
7	B.Com.LL.B.	Environmental Law	BCW 511	20%	70-71
8	B.Com.LL.B.	Administrative Law	BCW 512	20%	71-72

FIRST YEAR
First Semester

Paper Code	SUBJECTS	L	T	P	Credit
BCW - 111	English – I	4	0	0	4
BCW-112	Financial Accounting	4	0	0	4
BCW -113	Management Principles & Applications	4	0	0	4
BCW - 114	Microeconomics	4	0	0	4
BCW-115	Legal Method	4	0	0	4
BCW-116	Law of Torts Including M. V. Act & Consumer Protection Laws	4	0	0	4
Total		24	0	0	24

Second Semester

Paper Code	SUBJECTS	L	T	P	Credit
BCW – 121	English – II	4	0	0	4
BCW – 122	Business Communication	4	0	0	4
BCW – 123	Cost Accounting	4	0	0	4
BCW – 124	Business Statistics	4	0	0	4
BCW –125	Law of Contract-I	4	0	0	4
BCW-126	Legal History	4	0	0	4
Total		24	0	0	24

SECOND YEAR
Third Semester

Paper Code	SUBJECTS	L	T	P	Credit
BCW –211	Human Resource Management	4	0	0	4
BCW –212	Computer Applications in Business	4	0	0	4
BCW –213	Law of Contract-II	4	0	0	4
BCW –214	Constitutional Law-I	4	0	0	4
BCW –215	Criminal Law I (IPC)	4	0	0	4
BCW-216	Basics of Moot Court	2	0	8	6
Total		22	0	8	26

Fourth Semester

Paper Code	SUBJECTS	L	T	P	Credit
BCW-221	Indian Economy	4	0	0	4
BCW-222	Auditing & Corporate Governance	4	0	0	4
BCW-223	E-Commerce	4	0	0	4
BCW-224	Constitutional Law – II	4	0	0	4
BCW-225	Criminal Law II (CrPC)	4	0	0	4
BCW-226	Family Law-I (Hindu Law)	4	0	0	4
Total		24	0	0	24

THIRD YEAR
Fifth Semester

Paper Code	SUBJECTS	L	T	P	Credit
BCW-311	Fundamentals of Financial Management	4	0	0	4
BCW-312	Corporate Tax Planning	4	0	0	4
BCW -313	Family Law-II (Muslim Law)	4	0	0	4
BCW-314	Jurisprudence	4	0	0	4
BCW-315	Civil Procedure Code and Law of Limitation	4	0	0	4
BCW-316	Property Law	4	0	0	4
Total		22	0	8	26

Sixth Semester

Paper Code	SUBJECTS	L	T	P	Credit
BBW-321	Income-Tax Practices	4	0	0	4
BBW-322	Law of Evidence	4	0	0	4
BBW-323	Public International Law	4	0	0	4
BBW-324	Law of Taxation	4	0	0	4
BBW-325	Legal Language and Legal Writing	4	0	0	4
BBW-326	Company Law	4	0	0	4
Total		24	0	0	24

FOURTH YEAR
Seventh Semester

Paper Code	SUBJECTS	L	T	P	Credit
BCW-411	Hindi	4	0	0	4
BCW-412	Labour Law – I	4	0	0	4
BCW-413	Intellectual Property Rights-I	4	0	0	4
BCW-414	Human Rights Law	4	0	0	4
BCW-415	Alternative Dispute Resolution	2	0	8	6
BCW-416	Drafting, Pleading and Conveyance	2	0	8	6
	Total	20	0	16	28

Eighth Semester

Paper Code	SUBJECTS	L	T	P	Credit
BCW-421	Labour Law – II	4	0	0	4
BCW-422	Intellectual Property Rights-II	4	0	0	4
BCW-423	U.P. Land Laws	4	0	0	4
BCW-424	Interpretation of Statutes	4	0	0	4
BCW-425	Information Technology Law	2	0	8	6
BCW-426	Professional Ethics and Professional Accounting System	4	0	0	4
	Total	22	0	8	26

FIFTH YEAR
Ninth Semester

Paper Code	SUBJECTS	L	T	P	Credit
BCW- 511	Environmental Law	4	0	0	4
BCW- 512	Administrative Law	4	0	0	4
Elective Groups (Choose any one group from the following)					
Group 1 – Constitutional Law Group					
BCW- 513	Indian Federalism	4	0	0	4
BCW- 514	Comparative Constitution	4	0	0	4
BCW- 515	Gender Justice and Feminine Jurisprudence	4	0	0	4
Group 2 –Criminal Law Group					
BCW- 516	Criminal Sociology	4	0	0	4
BCW- 517	Criminal Psychology	4	0	0	4
BCW- 518	History and Principles of Criminal Law	4	0	0	4
Group 3 – Business Law Group					
BCW- 519	Banking Law	4	0	0	4
BCW- 520	Financial Market Regulation	4	0	0	4
BCW- 521	Competition Law	4	0	0	4
Total		20	0	0	20

Tenth Semester

Elective Groups (Choose any one group from the following)

Elective Group 1 – Constitutional Law

Paper Code	SUBJECTS	L	T	P	Credit
BCW- 522	Judicial Process & Judicial Review	4	0	0	4
BCW- 523	Right to Information	4	0	0	4
BCW- 524	Health Law	4	0	0	4
BCW- 525	Media & Law	4	0	0	4
BCW- 526	Air & Space Law	4	0	0	4
Total		20	0	0	20

Elective Group 3 – Criminal Law Group

Paper Code	SUBJECTS	L	T	P	Credit
BCW- 527	Criminology and Penology	4	0	0	4
BCW -528	Forensic Sciences	4	0	0	4
BCW- 529	International Criminal Law	4	0	0	4
BCW -530	IT Offences	4	0	0	4
BCW- 531	Comparative Criminal Procedure	4	0	0	4
Total		20	0	0	20

Elective Group 3 – Business Law Group

Paper Code	SUBJECTS	L	T	P	Credit
BCW- 532	Insurance Law	4	0	0	4
BCW -533	Corporate Governance	4	0	0	4
BCW- 534	Merger and Acquisition	4	0	0	4
BCW -535	Investment Law	4	0	0	4
BCW- 536	International Trade Law	4	0	0	4
Total		20	0	0	20

ENGLISH - I

Sub. Code: BCW-111

L – 4, C – 4.

Unit I:

Functional Grammar: Grammar and Vocabulary (as contained in the first two sections of “Better your English – I)*

Oral: Students should be made to speak grammatically correct short sentences using proper vocabulary.

Unit II:

Communication: Meaning, Nature and Importance of Communication, Barriers to Effective Communication, Channels of Communication.

IAA, Vowels, Diphthongs and Consonants - Syllables – Intonation. Living Situations of Oral Communication: (a) In the Library (b) Invitation to Tea (C) At the Bank (d) At the Railway Station (e) At Birthday Party etc

Oral: Students should be asked to speak on different aspects of communication for if the students cannot communicate properly; the purposes of teaching communication are not fulfilled.

Unit III:

Requisites of Sentence writing: Essentials of good sentence construction, sentence structure, kinds of sentence. Cloze test

Describing (a) Yourself (b) Friends & Relatives, Describing (a) A day (b) A Journey

Oral: Practice in the class regarding sentence construction, use of words in a sentence by filling in the gaps etc.

Unit IV:

Reading cultural texts:

Short- Stories:

1. Eyes are not here – Ruskin Bond (Non- detailed study)
2. Renunciation – Rabindranath Tagore (Non- detailed study)

Unit V:

Short Essay:

1. How should one Read a book? – Virginia Woolf (Non- detailed study)
2. The Heritage of India – A. L. Basham (Non- detailed study)

ORAL: Discussion in detail, Critical appreciation, grammatical exercises and making student read the stories and essay so that they develop the reading habits with proper stress, intonation, pronunciation & rhythm.

FINANCIAL ACCOUNTING

Sub. Code: BCW-112

L – 4, C – 4.

Unit 1: (a) Theoretical Framework

- i. Accounting as an information system, the users of financial accounting information and their needs. Qualitative characteristics of accounting, information. Functions, advantages and limitations of accounting. Branches of accounting. Bases of accounting; cash basis and accrual basis.
- ii. The nature of financial accounting principles – Basic concepts and conventions: entity, money measurement, going concern, cost, realization, accruals, periodicity, consistency, prudence (conservatism), materiality and full disclosures.
- iii. Financial accounting standards: Concept, benefits, procedure for issuing accounting standards in India. Salient features of First-Time Adoption of Indian Accounting Standard (Ind-AS) 101. International Financial Reporting Standards (IFRS): - Need and procedures.

(b) Accounting Process

From recording of a business transaction to preparation of trial balance including adjustments

(c) Computerised Accounting Systems

Computerised Accounting Systems: Computerized Accounts by using any popular accounting software: Creating a Company; Configure and Features settings; Creating Accounting Ledgers and Groups; Creating Stock Items and Groups; Vouchers Entry; Generating Reports - Cash Book, Ledger Accounts, Trial Balance, Profit and Loss Account, Balance Sheet, Funds Flow Statement, Cash Flow Statement

Selecting and shutting a Company; Backup and Restore data of a Company

Unit 2: (a) Business Income

- i. Measurement of business income-Net income: the accounting period, the continuity doctrine and matching concept. Objectives of measurement.
- ii. Revenue recognition: Recognition of expenses.
- iii. The nature of depreciation. The accounting concept of depreciation. Factors in the measurement of depreciation. Methods of computing depreciation: straight line method and diminishing balance method; Disposal of depreciable assets- change of method.
- iv. Inventories: Meaning. Significance of inventory valuation. Inventory Record Systems: periodic and perpetual. Methods: FIFO, LIFO and Weighted Average. Salient features of Indian Accounting Standard (Ind-AS): 2

(b) Final Accounts

Capital and revenue expenditures and receipts: general introduction only. Preparation of financial statements of non-corporate business entities

Unit 3: Accounting for Hire Purchase and Installment Systems

Calculation of interest, partial and full repossession, Hire purchase trading (total cash price basis), stock and debtors' system; Concepts of operating and financial lease (theory only)

Unit 4: Accounting for Inland Branches

Concept of dependent branches; accounting aspects; debtors' system, stock and debtors system, branch final accounts system and whole sale basis system. Independent branches: concept-accounting treatment: important adjustment entries and preparation of consolidated profit and loss account and balance sheet.

Unit 5: Accounting for Dissolution of the Partnership firm

Accounting of Dissolution of the Partnership Firm Including Insolvency of partners, sale to a limited company and piecemeal distribution

Note:

1. The relevant Indian Accounting Standards in line with the IFRS for all the above topics should be covered.
2. Any revision of relevant Indian Accounting Standard would become applicable immediately.
3. There shall be 4 Credit Hrs. for Lectures + one Credit hr. (Two Practical Periods per week per batch) for Practical Lab + one credit Hr for Tutorials (per group)
4. Examination Scheme for Computerised Accounting Systems – Practical for 20 marks. The practical examination will be for 1 hour.
5. Theory Exam shall carry 80 marks

Suggested Readings:

1. Robert N Anthony, David Hawkins, Kenneth A. Merchant, *Accounting: Text and Cases*. McGraw-Hill Education, 13th Ed. 2013.
2. Charles T. Horngren and Donna Philbrick, *Introduction to Financial Accounting*, Pearson Education.
3. J.R. Monga, *Financial Accounting: Concepts and Applications*. Mayur Paper Backs, New Delhi.
4. M.C.Shukla, T.S. Grewal and S.C.Gupta. *Advanced Accounts. Vol.-I*. S. Chand & Co., New Delhi.
5. S.N. Maheshwari, and. S. K. Maheshwari. *Financial Accounting*. Vikas Publishing House, New Delhi.
6. Deepak Sehgal. *Financial Accounting*. Vikas Publishing H House, New Delhi.
7. Bhushan Kumar Goyal and HN Tiwari, *Financial Accounting*, International Book House
8. Goldwin, Alderman and Sanyal, *Financial Accounting*, Cengage Learning.
9. Tulsian, P.C. *Financial Accounting*, Pearson Education.
10. *Compendium of Statements and Standards of Accounting*. The Institute of Chartered Accountants of India, New Delhi

Note: Latest edition of the textbooks should be used.

MANAGEMENT PRINCIPLES AND APPLICATION

Sub. Code: BCW-113

L – 4, C – 4.

Unit 1: Introduction

- a. Concept: Need for Study, Managerial Functions – An overview; Co-ordination: Essence of Managership
- b. Evolution of the Management Thought, Classical Approach – Taylor, Fayol, Neo-Classical and Human Relations Approaches – Mayo, Hawthorne Experiments, Behavioral Approach, Systems Approach, Contingency Approach – Lawrence & Lorsch, MBO- Peter F. Drucker, Re-engineering - Hammer and Champy, Michael Porter – Five-force analysis, Three generic strategies and value-chain, analysis, Senge’s Learning Organization, ‘Fortune at the Bottom of the Pyramid’ – C.K. Prahalad.

Unit 2: Planning

- a. Types of Plan – An overview to highlight the differences
- b. Strategic planning – Concept, process, Importance and limitations
- c. Environmental Analysis and diagnosis (Internal and external environment) – Definition, Importance and Techniques (SWOT/TOWS/WOTS-UP, BCG Matrix, Competitor Analysis), Business environment; Concept and Components
- d. Decision-making – concept, importance; Committee and Group Decision-making, Process, Perfect rationality and bounded rationality, Techniques (qualitative and quantitative, MIS, DSS)

Unit 3: Organizing

Concept and process of organizing – An overview, Span of management, Different types of authority (line, staff and functional), Decentralization, Delegation of authority Formal and Informal Structure; Principles of Organizing; Network Organization Structure

Unit 4: Staffing and Leading

- a. *Staffing*: Concept of staffing, staffing process
- b. *Motivation*: Concept, Importance, extrinsic and intrinsic motivation; Major Motivation theories - Maslow’s Need-Hierarchy Theory; Herzberg’s Two-factor Theory, Vroom’s Expectation Theory.
- c. *Leadership*: Concept, Importance, Major theories of Leadership (Likert’s scale theory, Blake and Mouten’s Managerial Grid theory, House’s Path Goal theory, Fred Fielder’s situational Leadership), Transactional leadership, Transformational Leadership, Transforming Leadership.
- d. *Communication*: Concept, purpose, process; Oral and written communication; Formal and informal communication networks, Barriers to communication, Overcoming barriers to communication.

Unit 5: Control

- a. *Control*: Concept, Process, Limitations, Principles of Effective Control, Major Techniques of control - Ratio Analysis, ROI, Budgetary Control, EVA, PERT/CPM.
- b. Emerging issues in Management

Suggested Readings:

1. Harold Koontz and Heinz Weihrich, *Essentials of Management: An International and Leadership Perspective*, McGraw Hill Education.
2. Stephen P Robbins and Madhushree Nanda Agrawal, *Fundamentals of Management: Essential Concepts and Applications*, Pearson Education.
3. George Terry, *Principles of Management*, Richard D. Irwin
4. Newman, Summer, and Gilbert, *Management*, PHI
5. James H. Donnelly, *Fundamentals of Management*, Pearson Education.
6. B.P. Singh and A.K.Singh, *Essentials of Management*, Excel Books
7. Griffin, *Management Principles and Application*, Cengage Learning
8. Robert Kreitner, *Management Theory and Application*, Cengage Learning
9. TN Chhabra, *Management Concepts and Practice*, Dhanpat Rai & Co. (Pvt. Ltd.), New Delhi
10. Peter F Drucker, *Practice of Management*, Mercury Books, London

Note: Latest edition of textbooks may be used.

MICROECONOMICS

Sub. Code: BCW-104

L – 4, C – 4.

Unit 1: Demand and Consumer Behaviour

Concepts of revenue: marginal and Average: Revenue under conditions of Perfect and imperfect competition Elasticity of demand: price, income and cross. Consumer Behaviour: Indifference curve analysis of consumer behavior; Consumer's equilibrium (necessary and sufficient conditions). Price elasticity and price consumption curve, income consumption curve and Engel curve, price change and income and substitution effects. Indifference curves as an analytical tool (cash subsidy v/s. kind subsidy). Revealed Preference Theory.

Unit 2: Production and Cost

Production isoquants, marginal rate of technical substitution, economic region of production, optimal combination of resources, the expansion path, isoclines, returns to scale using isoquants. Cost of Production: Social and private costs of production, long run and short run costs of production. Economies and diseconomies of scale and the shape to the long run average cost. Learning curve and economies of scope.

Unit 3: Perfect Competition

Perfect competition: Assumptions. Equilibrium of the firm and the industry in the short and the long runs, including industry's long run supply curve. Measuring producer surplus under perfect competition. Stability Analysis – Walrasian and Marshallian. Demand - supply analysis including impact of taxes and subsidy.

Unit 4: Monopoly

Monopoly: Monopoly short run and long run equilibrium. Shifts in demand curve and the absence of the supply curve. Measurement of monopoly power and the rule of thumb for pricing. Horizontal and vertical integration of firms. The social costs of monopoly power including deadweight loss. Degrees of price discrimination.

Unit 5: Imperfect Competition

Monopolistic Competition and Oligopoly: Monopolistic competition price and output decision-equilibrium. Monopolistic Competition and economic efficiency Oligopoly and Interdependence – Cournot's duopoly model, Stackelberg model, Kinked demand model. Prisoner's dilemma, collusive oligopoly – price-leadership model – dominant firm, cartels, sales maximization, Contestable markets theory. Pricing Public Utilities.

Suggested Readings:

1. Pindyck, R.S., D. L. Rubinfeld and P. L. Mehta; *Microeconomics*, Pearson Education.
2. N. Gregory Mankiw, *Principles of Microeconomics*, Cengage Learning
3. Maddala G.S. and E. Miller; *Microeconomics: Theory and Applications*, McGraw-Hill Education.
4. Salvatore, D. *Schaum's Outline: Microeconomic Theory*, McGraw-Hill, Education.
5. Case and Fair, *Principles of Microeconomics*, Pearson Education
6. Koutsiyannis, *Modern Micro Economic Theory*.
7. C Snyder, *Microeconomic Theory: Basic Principles and Extensions*, Cengage Learning
8. Bilas, Richard A., *Microeconomics Theory: A Graphical Analysis*, McGraw-

Hill Education.

9. Paul A Samuelson, William D Nordhaus, *Microeconomics*, McGraw-Hill Education.

10. Amit Sachdeva, *Microeconomics*, Kusum Lata Publishers

Note: Latest edition of textbooks shall be used.

LEGAL METHOD

Sub. Code: BCW-115

L – 4, C – 4.

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 Law

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

Textbooks:

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

References:

- a. Benjamin N. Cardozo, The Nature of Judicial Process
- b. ILI Publication – Indian Legal System
- c. ILI Publication in Legal Research and Methodology

Essential Case Law:

1. Raj Kishore Jha v. State of Bihar, AIR 2003 S.C. 4664
2. Commissioner of Income Tax, Hyderabad v. PJ. 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 Kar2003 CR.L. J. 1003 Kar H.C.
20. Ram Jawaya Kapur v. State of Punjab, AIR 1955 S.C. 549, 556

Law of Torts Including M.V. Act and Consumer Protection laws

Sub. Code: BCW 116

L – 4, C – 4.

Unit-I:

Nature of Law of Torts - Definition of Tort - Elements of Tort - Development of Law of Torts in England and India - Wrongful Act and Legal Damage - *Damnum Sine Injuria* and *Injuria Sine Damnum* - Tort distinguished from Crime and Breach of Contract - General Principles of Liability in Torts - Fault - Wrongful intent - Malice - Negligence - Liability without fault - Statutory liability - Parties to proceedings.

Unit-II

General Defences to an action in Torts – Vicarious Liability - Liability of the State for Torts – Defence of Sovereign Immunity – Joint Liability – Liability of Joint Torfeasors – Rule of Strict Liability (*Rylands V Fletcher*) – Rule of Absolute Liability (*MC Mehta vs. Union of India*) – Occupiers liability – Extinction of liability – Waiver and Acquiescence – Release – Accord and Satisfaction - Death.

Unit-III

Specific Torts - Torts affecting the person - Assault - Battery - False Imprisonment - Malicious Prosecution - Nervous Shock - Torts affecting Immovable Property - Trespass to land - Nuisance - Public Nuisance and Private Nuisance - Torts relating to movable property – Liability arising out of accidents (Relevant provisions of the Motor Vehicles Act).

Unit-IV

Defamation - Negligence - Torts against Business Relations - Injurious falsehood - Negligent Misstatement - Passing off - Conspiracy - Torts affecting family relations - Remedies - Judicial and Extra-judicial Remedies – Damages – Kinds of Damages – Assessment of Damages – Remoteness of damage - Injunctions - Death in relation to tort - *Actiopersonalismoritur cum persona*.

Unit-V Consumer Laws:

An Introduction to Consumer Protection Law And Policies

Consumer Rights Legislative Framework on Consumer Protection In India

Salient Features Of Consumer Protection Act

Some Important Areas Covered Under The C.P. Act And Case Laws

Emerging Concerns In Consumer Protection And Law

Suggested Readings:

1. Winfield & Jolowicz: *Law of Tort*, XII edition, Sweet and Maxwell, London, 1984.
2. Salmond and Heuston: *Law of Torts*, XX edition, 2nd Indian reprint, Universal Book traders, New Delhi, 1994.
3. RamaswamyIyer: *The Law of Torts*, VII edition (Bombay, 1995).
4. Durga Das Basu: *The Law of Torts*, X edition, Prentice Hall of India, New Delhi, 1998.
5. RatanLal & Dhirajlal: *The Law of Torts*, 22nd edition, Wadhwa& Company Nagpur, 1992.

ENGLISH II

Sub. Code: BCW- 121

L-4, C-4

Unit-I: Foundation Grammar: Reading and Writing (as contained in the last two sections of “Better your English – I”)*.

ORAL: Students should be made to read passages and answer the questions asked for.

Unit II: Technical Communication: Nature, Origin and Development, Scope and Significance, Forms of Technical Communication, Differences Between Technical Communication and General Communication.

ORAL: Make the students speak on the points relevant to Technical Communication.

Unit III: The Structure of sentence: Sentences: Simple, Compound and Complex, Transformation of Sentence: Simple to Complex and vice-versa, Simple to Compound and vice – versa, Interrogative to Assertive and to Negative and vice – versa.

ORAL: Make the students answer questions on different types of sentences and transformation.

Unit IV:

Reading Cultural Texts:

Short – Story: (Non detailed study).

1. The Lament – Anton Chekov.
2. Barbers’ Trade Union – R. K. Narayan.

Short –Essay: (Non detailed study).

1. A Bookish Topic – R. K. Narayan.
2. The Gandhian Outlook – S. RadhaKrishan.

ORAL: Discussion in detail, critical appreciation, grammatical exercises and making students read the stories and essays so that they may develop the reading habits with proper stress, intonation, pronunciation & rhythm.

Textbooks:

1. Better your English – I, A Workbook for student, Macmillan India, New Delhi.
2. Singh R. P, An Anthology of English Short Stories –O.U.P., N. Delhi.
3. Singh R.P, An Anthology of English Essay –. O.U.P., N. Delhi.

Reference Books:

1. Raman Meenakshi& Sharma Sangeeta, Technical Communication Principle & Practice - O.U.P., N. Delhi.
2. Mohan Krishna &BanerjiMeera – Developing Communication Skill – Macmillan India Ltd: N. Delhi.

BUSINESS COMMUNICATION

Sub. Code: BCW-122

L – 4, C – 4.

Unit 1: Introduction:

Nature of Communication, Process of Communication, Types of Communication (verbal & NonVerbal), Importance of Communication, Different forms of Communication Barriers to Communication Causes, Linguistic Barriers, Psychological Barriers, Interpersonal Barriers, Cultural Barriers, Physical Barriers, Organizational Barriers

Unit 2: Business Correspondence:

Letter Writing, presentation, inviting quotations, sending quotations, Placing orders, Inviting tenders, Sales letters, claim & adjustment letters and social correspondence, Memorandum, Inter - office Memo, Notices, Agenda, Minutes, Job application letter, preparing the Resume.

Unit 3: Report Writing:

Business reports, Types, Characteristics, Importance, Elements of structure, Process of writing, Order of writing, the final draft, check lists for reports.

Unit 4: Vocabulary:

Words often confused, Words often misspelt, Common errors in English.

Unit 5: Oral Presentation:

Importance, Characteristics, Presentation Plan, Power point presentation, Visual aids.

Suggested Readings:

1. Bovee, and Thill, *Business Communication Essentials*, Pearson Education
2. Shirley Taylor, *Communication for Business*, Pearson Education
3. Locker and Kaczmarek, *Business Communication: Building Critical Skills*, McGraw Hill Education
4. Herta A Murphy, Herbert W Hildebrandt, Jane P. Thomas, *Effective Business Communication (SIE)*, McGraw Hill Education
5. Dona Young, *Foundations of Business Communication: An Integrative Approach*, McGraw Hill Education
6. Raymond V. Lesikar, Marie E. Flatley, Kathryn Rentz, Paula Lentz, and Neerja Pande,

Business Communication: Connecting in a Digital World (SIE), McGraw Hill Education

Note: Latest edition of textbooks may be used.

COST ACCOUNTING

Sub. Code: BCW-123

L – 4, C – 4.

Unit 1: Introduction

Meaning, objectives and advantages of cost accounting; Difference between cost accounting and financial accounting; Cost concepts and classifications; Elements of cost; Installation of a costing system; Role of a cost accountant in an organisation

Unit 2: Elements of Cost: Material and Labour

- a. *Materials*: Material/inventory control techniques. Accounting and control of purchases, storage and issue of materials. Methods of pricing of materials issues — FIFO, LIFO, Simple Average, Weighted Average, Replacement, Standard Cost. Treatment of Material Losses
- b. *Labour*: Accounting and Control of labour cost. Time keeping and time booking. Concept and treatment of idle time, over time, labour turnover and fringe benefits. Methods of wage payment and the Incentive schemes- Halsey, Rowan, Taylor's Differential piece wage.

Unit 3: Elements of Cost: Overheads

Classification, allocation, apportionment and absorption of overheads; Under- and over- absorption; Capacity Levels and Costs; Treatments of certain items in costing like interest on capital, packing expenses, bad debts, research and development expenses; Activity based cost allocation.

Unit 4: Methods of Costing

Unit costing, Job costing, Contract costing, Process costing (process losses, valuation of work in progress, joint and by-products), Service costing (only transport).

Unit 5: Bookkeeping in Cost Accounting

Integral and non-integral systems; Reconciliation of cost and financial accounts

Suggested Reading:

1. Charles T. Horngren, Srikant M. Datar, Madhav V. Rajan , *Cost Accounting: A Managerial Emphasis*, Pearson Education.
2. Drury, Colin. *Management and Cost Accounting*. Cengage Learning.
3. Jawahar Lal, *Cost Accounting*. McGraw Hill Education
4. Nigam, B.M. Lall and I.C. Jain. *Cost Accounting: Principles and Practice*. PHI Learning
5. Rajiv Goel, *Cost Accounting*. International Book House
6. Singh, Surender. *Cost Accounting*, Scholar Tech Press, New Delhi.
7. Jain, S.P. and K.L. Narang. *Cost Accounting: Principles and Methods*. Kalyani Publishers
8. Arora, M.N. *Cost Accounting – Principles and Practice*. Vikas Publishing House, New Delhi.

9. Maheshwari, S.N. and S.N. Mittal. *Cost Accounting: Theory and Problems*.

Shri Mahavir Book Depot, New Delhi.

10. Iyengar, S.P. *Cost Accounting*. Sultan Chand & Sons

11. H.V. Jhamb, *Fundamentals of Cost Accounting*, Ane Books Pvt. Ltd.

Note: Latest edition of textbooks may be used.

BUSINESS STATISTICS

Sub. Code: BCW-124

L – 4, C – 4.

Unit 1: Statistical Data and Descriptive Statistics

- a. Nature and Classification of data: univariate, bivariate and multivariate data; time-series and cross-sectional data
- b. Measures of Central Tendency
 - i. Mathematical averages including arithmetic mean, geometric mean and harmonic mean. Properties and applications.
 - ii. Positional AveragesMode and Median (and other partition values including quartiles, deciles, and percentiles) (including graphic determination)
- c. Measures of Variation: absolute and relative.
Range, quartile deviation, mean deviation, standard deviation, and their coefficients, Properties of standard deviation/variance
- d. Skewness: Meaning, Measurement using Karl Pearson and Bowley's measures; Concept of Kurtosis

Unit 2: Probability and Probability Distributions

- a. Theory of Probability. Approaches to the calculation of probability; Calculation of event probabilities. Addition and multiplication laws of probability (Proof not required); Conditional probability and Bayes' Theorem (Proof not required)
- b. Expectation and variance of a random variable
- c. Probability distributions:
 - i. Binomial distribution: Probability distribution function, Constants, Shape, Fitting of binomial distribution
 - ii. Poisson distribution: Probability function, (including Poisson approximation to binomial distribution), Constants, Fitting of Poisson distribution
 - iii. Normal distribution: Probability distribution function, Properties of normal curve, Calculation of probabilities

Unit 3: Simple Correlation and Regression Analysis

- a. **Correlation Analysis:** Meaning of Correlation: simple, multiple and partial; linear and non-linear, Correlation and Causation, Scatter diagram, Pearson's coefficient of correlation; calculation and properties (Proof not required). Correlation and Probable error;

Rank Correlation

- b. **Regression Analysis:** Principle of least squares and regression lines, Regression equations and estimation; Properties of regression coefficients; Relationship between Correlation and Regression coefficients; Standard Error of Estimate and its use in interpreting the results.

Unit 4: Index Numbers

Meaning and uses of index numbers; Construction of index numbers: fixed and chain base: univariate and composite. Aggregative and average of relatives – simple and weighted

Tests of adequacy of index numbers, Base shifting, splicing and deflating. Problems in the construction of index numbers; Construction of consumer price indices: Important

share price indices, including BSE SENSEX and NSE NIFTY

Unit 5: TimeSeries Analysis

Components of time series; Additive and multiplicative models; Trend analysis: Fitting of trend line using principle of least squares – linear, second degree parabola and exponential. Conversion of annual linear trend equation to quarterly/monthly basis and vice-versa; Moving averages; Seasonal variations: Calculation of Seasonal Indices using Simple averages, Ratio-to-trend, and Ratio-to-moving averages methods. Uses of Seasonal Indices

UNIT 6: Sampling Concepts, Sampling Distributions and Estimation: (5 Lectures)

Sampling: Populations and samples, Parameters and Statistics, Descriptive and inferential statistics; Sampling methods (including Simple Random sampling, Stratified sampling, Systematic sampling, Judgement sampling, and Convenience sampling)

Concept of Sampling distributions and Theory of Estimation: Point and Interval estimation of means (large samples) and proportions.

Practical Lab: 26

The students will be familiarized with software (Spreadsheet and/or SPSS) and the statistical and other functions contained therein related to formation of frequency distributions and calculation of averages, measures of Dispersion and variation, correlation and regression co- efficient.

Note: There shall be 4 Credit Hrs. for Lectures + one Credit hr. (Two Practical Periods per week per batch) for Practical Lab + one credit Hr for Tutorials (per group)

Latest edition of textbooks may be used.

Suggested Readings:

1. Levin, Richard, David S. Rubin, Sanjay Rastogi, and HM Siddiqui. *Statistics for Management*. 7th ed., Pearson Education.
2. David M. Levine, Mark L. Berenson, Timothy C. Krehbiel, P. K. Viswanathan, *Business Statistics: A First Course*, Pearson Education.
3. Siegel Andrew F. *Practical Business Statistics*. McGraw Hill Education.
4. Gupta, S.P., and Archana Agarwal. *Business Statistics*, Sultan Chand and Sons, New Delhi.
5. Vohra N. D., *Business Statistics*, McGraw Hill Education.
6. Murray R Spiegel, Larry J. Stephens, Narinder Kumar. *Statistics (Schaum's Outline Series)*, McGraw Hill Education.
7. Gupta, S.C. *Fundamentals of Statistics*. Himalaya Publishing House.
8. Anderson, Sweeney, and Williams, *Statistics for Students of Economics and Business*, Cengage Learning.

LAW OF CONTRACT–I

Sub. Code: BCW 125

L – 4, C – 4.

Unit I:

Definition and essentials of a valid Contract - Definition and essentials of a valid Offer - Definition and essentials of valid Acceptance - Communication of Offer and Acceptance - Revocation of Offer and Acceptance through various modes including electronic medium - Consideration - salient features - Exception to consideration - Doctrine of Privity of Contract - Exceptions to the privity of contract - Standard form of Contract.

Unit-II:

Capacity of the parties - Effect of Minor's Agreement - Contracts with insane persons and persons disqualified by law - Concepts of Free Consent - Coercion - Undue influence - Misrepresentation - Fraud - Mistake - Lawful Object - Immoral agreements and various heads of public policy - illegal agreements - Uncertain agreements - Wagering agreements - Contingent contracts - Void and Voidable contracts.

Unit-III:

Discharge of Contracts - By performance - Appropriation of payments - Performance by joint promisors - Discharge by Novation - Remission - Accord and Satisfaction - Discharge by impossibility of performance (Doctrine of Frustration) - Discharge by Breach - Anticipatory Breach - Actual breach.

Unit-IV:

Quasi Contract - Necessaries supplied to a person who is incapable of entering into a contract - Payment by an interested person - Liability to pay for non-gratuitous acts - Rights of finder of lost goods - Things delivered by mistake or coercion - Quantum meruit - Remedies for breach of contract - Kinds of damages - liquidated and unliquidated damages and penalty - Duty to mitigate.

Unit-V:

Specific Relief - Recovering possession of property - Specific performance of the contract - Rectification of instruments - Rescission of contracts - Cancellation of instruments - Declaratory Decrees - Preventive Relief - Injunctions - Generally - Temporary and Perpetual injunctions - Mandatory & Prohibitory injunctions - Injunctions to perform negative agreement.

Suggested Readings:

1. Anson: *Law of Contract*, Clarendon Press, Oxford, 1998.
2. Krishnan Nair: *Law of Contract*, S.Gogia & Co., Hyderabad 1995.
3. G.C.V. Subba Rao: *Law of Contract*, S.Gogia & Co., Hyderabad 1995.
4. T.S.VenkatesaIyer: *Law of Contract*, revised by Dr. Krishnama Chary, S. Gogia & Co.
5. Avtar Singh: *Law of Contract*, Eastern Book Company, Lucknow, 1998.

Legal History

Sub: Code: BCW- 126

L 4, C 4

Unit I: Early Developments (1600- 1836)

- a. Charters of the East India Company: 1600, 1661, 1726 and 1753
- b. Settlements: Surat, Madras, Bombay and Calcutta
- c. Courts: Mayor's Court of 1726 and Supreme Court of 1774
- d. Statutes: Regulating Act, 1773; Pitts India Act, 1784; The Act of Settlement 1781

Unit II: Early Developments (1600- 1836)

- a Conflict: Raja Nanad Kumar, Kamaluddin, Patna Case, and Cossijurah
- b Warren Hastings: Judicial Plans of 1772, 1774 and 1780
- c. Lord Cornwallis: Judicial Plans of 1787, 1790 and 1793
- d. Lord William Bentinck (With special focus on Appraisal of Criminal law)

Unit III: Evolution of Law and Legal Institutions

- a Development of Personal Laws
- b Development of Law in Presidency Towns
- c Development of Civil law in Mufassil: Special Emphasis on Justice, Equity and Good Conscience
- d Codification of Laws: Charter of 1833, The First Law Commission, the Charter of 1853,

Unit IV:

- a. The Second Law Commission
- b. Establishment of High Courts, 1861
- c. Privy Council and Federal Court: Appeals and working of Privy Council, Appraisal of
- d. Privy Council, Features of Federal Court
- e. Evaluation: Special Reference to Racial Discrimination, Merit and Demerits

Unit V: Constitutional History

- a. The Indian Councils Act, 1861
- b. The Indian Councils Act, 1892
- c. The Indian Councils Act, 1909
- d. The Government of India Act 1919
- e. The Government of India Act, 1935

Textbooks:

1. M.P. Jain – Outlines of Indian Legal History
2. V.D. Kulshreshtha – Landmarks of Indian Legal and Constitutional History

References:

1. M.P. Singh – Outlines of Indian Legal History
2. Abdul Hamid – Constitutional History of India

HUMAN RESOURCE MANAGEMENT

Sub. Code: BCW-211

L – 4, C – 4.

Unit 1: Introduction

Human Resource Management: Concept and Functions, Role, Status and competencies of HR Manager, HR Policies, Evolution of HRM, HRM vs HRD. Emerging Challenges of Human Resource Management; Workforce diversity; Empowerment; Downsizing; VRS; Human Resource Information System

Unit 2: Acquisition of Human Resource

Human Resource Planning- Quantitative and Qualitative dimensions; job analysis – job description and job specification; Recruitment – Concept and sources; Selection – Concept and process; test and interview; placement and induction

Unit 3: Training and Development

Concept and Importance; Identifying Training and Development Needs; Designing Training Programmes; Role-Specific and Competency-Based Training; Evaluating Training Effectiveness; Training Process Outsourcing; Management Development; Career Development.

Unit 4: Performance Appraisal

Nature, objectives and importance; Modern techniques of performance appraisal; potential appraisal and employee counseling; job changes - transfers and promotions; Compensation: concept and policies; job evaluation; methods of wage payments and incentive plans; fringe benefits; performance linked compensation.

Unit 5: Maintenance

Employee health and safety; employee welfare; social security; Employer-Employee relations- an overview; grievance-handling and redressal; Industrial Disputes: causes and settlement machinery

Suggested Readings:

1. Gary Dessler. *A Framework for Human Resource Management*. Pearson Education.
2. DeCenzo, D.A. and S.P. Robbins, *Personnel/Human Resource Management*, Pearson Education.
3. Bohlander and Snell, *Principles of Human Resource Management*, Cengage Learning
4. Ivancevich, John M. *Human Resource Management*. McGraw Hill.
5. Wreather and Davis. *Human Resource Management*. Pearson Education.
6. Robert L. Mathis and John H. Jackson. *Human Resource Management*. Cengage Learning.
7. TN Chhabra, *Human Resource Management*, Dhanpat Rai & Co., Delhi
8. Biswajeet Patanayak, *Human Resource Management*, PHI Learning

Note: Latest edition of textbooks may be used.

COMPUTER APPLICATION IN BUSINESS

Sub. Code: BCW-212

L – 4, C – 4.

Unit 1: Word Processing

Introduction to word Processing, Word processing concepts, Use of Templates, Working with word document: Editing text, Find and replace text, Formatting, spell check, Autocorrect, Autotext; Bullets and numbering, Tabs, Paragraph Formatting, Indent, Page Formatting, Header and footer, Tables: Inserting, filling and formatting a table; Inserting Pictures and Video; Mail Merge: including linking with Database; Printing documents

Creating Business Documents using the above facilities

Unit 2: Preparing Presentations

Basics of presentations: Slides, Fonts, Drawing, Editing; Inserting: Tables, Images, texts, Symbols, Media; Design; Transition; Animation; and Slideshow.

Creating Business Presentations using above facilities

Unit 3: Spreadsheet and its Business Applications

Spreadsheet concepts, managing worksheets; Formatting, Entering data, Editing, and Printing a worksheet; Handling operators in formula, Project involving multiple spreadsheets, Organizing Charts and graphs

Generally used Spreadsheet functions: Mathematical, Statistical, Financial, Logical, Date and Time, Lookup and reference, Database, and Text functions

Unit 4: Creating Business Spreadsheet

Creating spreadsheet in the area of: Loan and Lease statement; Ratio Analysis; Payroll statements; Capital Budgeting; Depreciation Accounting; Graphical representation of data; Frequency distribution and its statistical parameters; Correlation and Regression

Unit 5: Database Management System

Database Designs for Accounting and Business Applications: Reality- Expressing the Application; Creating Initial design in Entity Relationship (ER) Model; Transforming ER Model to Relational data model concepts; Implementing RDM design using an appropriate DBMS.

SQL and Retrieval of Information: Basic Queries in SQL; Embedded Queries in SQL; Insert, Delete and Update statements in SQL

DBMS Software: Environment; Tables; Forms; Queries; Reports; Modules;

Applying DBMS in the areas of Accounting, Inventory, HRM and its accounting, Managing the data records of Employees, Suppliers and Customers.

Note:

1. The General-Purpose Software referred in this course will be notified by the University Departments every three years. If the specific features, referred in the detailed course above, is not available in that software, to that extent it will be deemed to have been modified.
2. There shall be a practical examination of 100 Marks (Practical-80 Marks, Viva-10

Marks and Work Book- 10 Marks) and duration of Examination shall be 3 Hrs.

3. Teaching arrangement need to be made in the computer Lab

4. There shall be four lectures per class and 4 Practical Lab periods per batch to be taught in computer Lab.

Suggested Readings: The suggested readings and guidelines shall be notified by the university department at least once in three years based on the selected software.

Law of Contract - II

Sub. Code: BCW- 213

L – 4, C – 4.

Unit-I:

Indemnity and Guarantee - Contract of Indemnity, definition - Rights of Indemnity holder - Liability of the indemnified - Contract of Guarantee - Definition of Guarantee - Essential characteristics of Contract of Guarantee - Distinction between Indemnity and Guarantee - Kinds of Guarantee - Rights and liabilities of Surety - Discharge of surety. Contract of Bailment - Definition of bailment - Essential requisites of bailment - Kinds of bailment - Rights and duties of bailor and bailee - Termination of bailment - Pledge - Definition of pledge - Rights and duties of Pawnor and Pawnee - Pledge by non-owner.

Unit-II:

Contract of Agency - Definition of Agent - Creation of Agency - Rights and duties of Agent - Delegation of authority - Personal liability of agent - Relations of principal and agent with third parties - Termination of Agency.

Unit-III:

Contract of Sale of Goods - Formation of contract - Subject matter of sale - Conditions and Warranties - Express and implied conditions and warranties - Pricing - *Caveat Emptor*.

Unit-IV:

Property - Possession and Rules relating to passing of property - Sale by non-owner - *Nemodat quad non habet* - Delivery of goods - Rights and duties of seller and buyer before and after sale - Rights of unpaid seller - Remedies for breach.

Unit-V:

Contract of Partnership - Definition and nature of partnership - Formation of partnership - Test of partnership - Partnership and other associations - Registration of firm - Effect of non-registration - Relations of partners - Rights and duties of partners - Property of firm - Relation of partners to third parties - Implied authority of partners - Kinds of partners - Minor as partner - Reconstitution of firm - Dissolution of firm.

Suggested Readings:

1. Anson's *Law of Contract*, 25th Ed. 1998, Oxford University Press, London.
2. Venkatesh Iyyer: *The Law of Contracts and Tenders*, Gogia & Company Hyderabad.
3. Cheshire & Fifoot: *Law of Contract*, Butterworth, London, 1976.
4. Mulla: *The Indian Contract Act*, N.M. Tripathi (P) Ltd. Bombay, 1984.
5. G.C.V. Subba Rao: *Law of Contracts*, S. Gogia & Co., Hyderabad, 1995.
6. Krishnan Nair: *Law of Contracts*, S. Gogia & Co. Hyderabad, 1995.
7. Avtar Singh: *Law of Contracts*, Eastern Book Company, Lucknow, 1998.
8. A Ramaiah's *Sale of Goods Act*, 4th Ed. 1998, The Law Book Co., Allahabad.
9. Benjamin's *Sale of Goods*, 1st Ed. 1978, Sweet & Maxwell, London.
10. P.S. Atiyah: *Sale of Goods Act*, 9th Ed. 1997, Universal Book Traders, Delhi.

Constitutional Law - I

Sub. Code: BCW- 214

L – 4, C – 4.

Unit-I

Constitution-Meaning and Significance - Evolution of Modern Constitutions -Classification of Constitutions-Indian Constitution - Historical Perspectives - Government of India Act, 1919 - Government of India Act, 1935 - Drafting of Indian Constitution - Role of Drafting Committee of the Constituent Assembly- Introduction; Concept Origin and Development; Magna Carta; The English Bill of Rights of 1689; The American Bill of Rights of 1791 The French Declaration of Rights of Man; The Universal Declaration of Human Rights, 1948, Need Fundamental Rights in India

Unit-II

Nature and Salient Features of Indian Constitution - Preamble to Indian Constitution - Union and its Territories-Citizenship - General Principles relating to Fundamental Rights (Art.13) - Definition of State

Unit-III

Right to Equality (Art.14-18) – Freedoms and Restrictions under Art.19 - Protection against Ex-post facto law - Guarantee against Double Jeopardy - Privilege against Self-incrimination - Right to Life and Personal Liberty - Right to Education – Protection against Arrest and Preventive Detention

Unit-IV

Rights against Exploitation - Right to Freedom of Religion - Cultural and Educational Rights - Right to Constitutional Remedies - Limitations on Fundamental Rights (Art.31-A, B and C)

Unit-V

Directive Principles of State Policy – Significance – Nature – Classification - Application and Judicial Interpretation - Relationship between Fundamental Rights and Directive Principles - Fundamental Duties – Significance - Judicial Interpretation

Suggested Readings:

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa& Co, Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Company, Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia& Co., Hyderabad
6. B.Shiva Rao: *Framing of India's Constitution* (in 5 Volumes), Indian Institute of Public Administration, New Delhi
7. J.N.Pandey, *Constitutional Law of India*, Central Law Agency, Allahabad

LAW OF CRIMES (I. P. C.)

Sub. Code: BCW 215

L – 4, C – 4.

Unit-I:

Concept of crime - Definition and meaning of crime - Distinction between crime and tort - Stages of crime - Intention, Preparation, Attempt and Commission of Crime - Elements of Crime - *Actus Reus and Mensrea* - Codification of Law of Crimes in India - Application of the Indian Penal Code - Territorial and Extra Territorial application - General Explanations - Punishments.

Unit-II:

General exceptions - Abetment - Criminal Conspiracy - Offences against the State - Offences against public peace and Tranquility.

Unit-III:

Offences affecting human body (offences affecting human life) Culpable Homicide and Murder – Hurt and Grievous Hurt - Wrongful restraint and Wrongful confinement - Criminal force and Assault - Kidnapping and abduction - Sexual offences - Unnatural offences.

Unit-IV:

Offences affecting the public health, safety, convenience, decency and morals - Offences against Property - Theft - Extortion - Robbery & Dacoity - Cheating - Mischief - Criminal Trespass – Criminal misappropriation and Criminal breach of trust.

Unit-V:

Offences by or relating to public servants - False Evidence and Offences against Public Justice - Offences relating to documents - Offences relating to Marriage - Cruelty by husband and relatives of husband - Defamation.

Suggested Readings:

1. RatanLal and DhirajLal: *Indian Penal Code*, Wadhwa& Co., 2000.
2. Achutan Pillai: *Criminal Law*, Butterworth Co., 2000.
3. Gour K.D.: *Criminal Law - Cases and Materials*, Butterworth Co., 1999.
4. Kenny's: *Outlines of Criminal Law*, (1998 Edition)

BASICS OF MOOT COURT

Sub. Code: BCW 216

L -0, P-8, C -4

This paper has three components of 30 marks each and viva-voce for 10 marks.

(A) Moot Court (30 marks): Every student is required to participate in at least three moot courts in the VI Semester with 10 marks for each. The moot court work will be on an assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

Marks will be given on the basis of written submission and oral advocacy. Written submissions shall include brief summary of facts, issues involved, provisions of laws and arguments, citation, prayer, etc. Marks for oral advocacy may be awarded for communication skills, presentations, language, provisions of law; authorities quoted, court manners, etc. Written Memorials submitted by the students shall be kept by the College for Further Verification.

The performance of student in the moot court shall be evaluated by a committee consisting of (i) Principal of the College (ii) an Advocate with 10 years' experience at the Bar; and (iii) the teacher concerned.

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

Students are required to attend courts to observe at least one civil and one criminal case. They shall maintain a record and enter the various steps observed during their attendance on different days in the court assignment. The Court Observation Record submitted by the students should be evaluated by a committee consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, and (iii) an Advocate with 10 years' experience at the Bar and average be taken. Court attendance shall be compulsory, and attendance has to be recorded in a register kept therefor. This may be carried under the supervision of a teacher of the college. This scheme will carry 30 marks.

(C) Interviewing Techniques and Pre-Trial Preparations and Internship Diary (30 marks):

Each student should observe two 'interview sessions' of clients either in the Lawyer's Office or in the Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student has to further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit / petition. This shall be recorded in the diary which will carry 15 marks.

The diary shall clearly indicate the dates on which the above observations are made, and they shall be authenticated by the advocate concerned.

Evaluation of the above diary shall be made by the committee consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, O.U.; and (iii) an Advocate with 10 years' experience at the Bar and average be taken.

(D) Viva-voce (10 marks): There shall be viva-voce examination on all the above three components. The Viva-voce Board consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law; and (iii) an advocate with 10 years' experience at the Bar shall evaluate the student in the Viva. The proceedings of the viva-voce shall be recorded.

Note:

- 1. Attendance of the students in all the four components of the paper shall be compulsory.**
- 2. The above records, diary certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University for Further Verification.**

Suggested Readings:

1. Dr. Kailash Rai: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law Publication.
2. Amita Danda: *Moot Court for Interactive Legal Education*, Gogia Law Agency, Hyderabad.
3. Blackstone's: *Books of Moots*, Oxford University Press.
4. Mishra: *Moot Court Pre-Trial Preparation and Participation in Trial Proceedings*, Central Law, Allahabad.

INDIAN ECONOMY

Sub. Code: BCW-221

L – 4, C – 4.

Unit 1: Basic Issues in Economic Development

Concept and Measures of Development and Underdevelopment; Human Development

Unit 2: Basic Features of the Indian Economy at Independence

Composition of national income and occupational structure, the agrarian scene and industrial structure

Unit 3: Policy Regimes

- a) The evolution of planning and import substituting industrialization.
- b) Economic Reforms since 1991.
- c) Monetary and Fiscal policies with their implications on economy

Unit 4: Growth, Development and Structural Change

- a) The experience of Growth, Development and Structural Change in different phases of growth and policy regimes across sectors and regions.
- b) The Institutional Framework: Patterns of assets ownership in agriculture and industry; Policies for restructuring agrarian relations and for regulating concentration of economic power;
- c) Changes in policy perspectives on the role of institutional framework after 1991.
- d) Growth and Distribution; Unemployment and Poverty; Human Development; Environmental concerns.
- e) Demographic Constraints: Interaction between population change and economic development.

Unit 5: Sectoral Trends and Issues

- a) *Agriculture Sector*: Agrarian growth and performance in different phases of policy regimes i.e. pre green revolution and the two phases of green revolution; Factors influencing productivity and growth; the role of technology and institutions; price policy, the public distribution system and food security.
- b) *Industry and Services Sector*: Phases of Industrialisation – the rate and pattern of industrial growth across alternative policy regimes; Public sector – its role, performance and reforms; The small scale sector; Role of Foreign capital.
- c) *Financial Sector*: Structure, Performance and Reforms. Foreign Trade and balance of Payments: Structural Changes and Performance of India's Foreign Trade and Balance of Payments; Trade Policy Debate; Export policies and performance; Macro Economic Stabilisation and Structural Adjustment; India and the WTO, Role of FDI, Capital account convertibility,

Suggested Readings:

1. Mishra and Puri, *Indian Economy*, Himalaya Publishing House
2. IC Dhingra, *Indian Economics*, Sultan Chand & Sons
3. Gaurav Dutt and KPM Sundarum, *Indian Economy*, S. Chand & Company.
4. Bhagwati, J. and Desai, P. *India: Planning for industrialization*, OUP, Ch 2.

AUDITING & CORPORATE GOVERNANCE

Sub. Code: BCW 222

L – 4, C – 4.

Unit I: Introduction- Auditing: Introduction, Meaning, Objectives, Basic Principles and Techniques; Classification of Audit, Audit Planning, Internal Control – Internal Check and Internal Audit; Audit Procedure – Vouching and verification of Assets & Liabilities.

Unit II: Audit of Companies- Audit of Limited Companies: Company Auditor- Qualifications and disqualifications, Appointment, Rotation, Removal, Remuneration, Rights and Duties Auditor’s Report- Contents and Types. Liabilities of Statutory Auditors under the Companies Act 2013

Unit III: Special Areas of Audit- Special Areas of Audit: Special features of Cost audit, Tax audit, and Management audit; Recent Trends in Auditing: Basic considerations of audit in EDP Environment; Auditing Standards; Relevant Case Studies/Problems;

Unit IV: Corporate Governance-Conceptual framework of Corporate Governance: Theories & Models, Broad Committees; Corporate Governance Reforms. Major Corporate Scandals in India and Abroad: Common Governance Problems Noticed in various Corporate Failures. Codes & Standards on Corporate Governance

Unit V: Corporate Social Responsibility (CSR): Concept of CSR, Corporate Philanthropy, Strategic Planning and Corporate Social Responsibility; Relationship of CSR with Corporate Sustainability; CSR and Business Ethics, CSR and Corporate Governance; CSR provisions under the Companies Act 2013; CSR Committee; CSR Models, Codes, and Standards on CSR

Suggested Readings:

1. Ravinder Kumar and Virender Sharma, Auditing Principles and Practice, PHI Learning
2. Aruna Jha, Auditing. Taxmann Publication.
3. A. K. Singh, and Gupta Lovleen. Auditing Theory and Practice. Galgotia Publishing Company.
4. Anil Kumar, Corporate Governance: Theory and Practice, Indian Book House, New Delhi

E-COMMERCE

Sub. Code: BCW 223

L – 4, C – 4.

Unit 1: Introduction:

Meaning, nature, concepts, advantages, disadvantages and reasons for transacting online, types of E-Commerce, e-commerce business models (introduction, key elements of a business model and categorizing major E-commerce business models), forces behind e-commerce.

Technology used in E-commerce: The dynamics of world wide web and internet (meaning, evolution and features); Designing, building and launching e-commerce website (A systematic approach involving decisions regarding selection of hardware, software, outsourcing vs. in-house development of a website)

Unit 2: Security and Encryption:

Need and concepts, the e-commerce security environment: (dimension, definition and scope of e-security), security threats in the E-commerce environment (security intrusions and breaches, attacking methods like hacking, sniffing, cyber-vandalism etc.), technology solutions (Encryption, security channels of communication, protecting networks and protecting servers and clients),

Unit 3: IT Act 2000 and Cyber Crimes

IT Act 2000: Definitions, Digital signature, Electronic governance, Attribution, acknowledgement and dispatch of electronic records, Regulation of certifying authorities, Digital signatures certificates, Duties of subscribers, Penalties and adjudication, Appellate Tribunal, Offences and Cyber-crimes

Unit 4: E-payment System:

Models and methods of e-payments (Debit Card, Credit Card, Smart Cards, e-money), digital signatures (procedure, working and legal position), payment gateways, online banking (meaning, concepts, importance, electronic fund transfer, automated clearing house, automated ledger posting), risks involved in e-payments.

Unit 5: On-line Business Transactions:

Meaning, purpose, advantages and disadvantages of transacting online, E-commerce applications in various industries like {banking, insurance, payment of utility bills, online marketing, e-tailing (popularity, benefits, problems and features), online services (financial, travel and career), auctions, online portal, online learning, publishing and entertainment} Online shopping (amazon, Snapdeal, Alibaba, Flipkart, etc.)

Unit 6: Website designing

Introduction to HTML; tags and attributes: Text Formatting, Fonts, Hypertext Links, Tables, Images, Lists, Forms, Frames, Cascading Style Sheets.

Note:

2. There shall be 3 Credit Hrs. for lectures + One Credit hr. (2 Practical

periods per week per batch) for Practical Lab
3. Latest edition of textbooks may be used.

Suggested Readings

1. Kenneth C. Laudon and Carlo Guercio Traver, *E-Commerce*, Pearson Education.
2. David Whiteley, *E-commerce: Strategy, Technology and Applications*, McGraw Hill Education
3. Bharat Bhaskar, *Electronic Commerce: Framework, Technology and Application*, 4th Ed., McGraw Hill Education
4. PT Joseph, *E-Commerce: An Indian Perspective*, PHI Learning
5. KK Bajaj and Debjani Nag, *E-commerce*, McGraw Hill Education
6. TN Chhabra, *E-Commerce*, Dhanpat Rai & Co.
7. Sushila Madan, *E-Commerce*, Taxmann
8. TN Chhabra, Hem Chand Jain, and Aruna Jain, *An Introduction to HTML*, Dhanpat Rai & Co.

Constitutional Law – II

Sub. Code: BCW 224

L – 4, C – 4.

Unit-I

Legislature under Indian Constitution - Union and State Legislatures - Composition, Powers, Functions and Privileges - Anti-Defection Law - Executive under Indian Constitution - President and Union Council of Ministers - Governor and State Council of Ministers - Powers and position of President and Governor

Unit-II

Judiciary under Constitution - Supreme Court - Appointment of Judges, Powers and Jurisdiction - High Courts - Appointment and Transfer of Judges - Powers and Jurisdiction - Subordinate Judiciary - Independence of judiciary - Judicial Accountability - Prerogative Writs – Habeas Corpus, Mandamus, Prohibition, Certiorari, Quo Warranto. – Writ Jurisdictions of Supreme Court and High Courts.

Unit-III

Centre-State Relations - Legislative, Administrative and Financial Relations - Cooperation and Coordination between the Centre and States - Judicial Interpretation of Centre-State Relations - Doctrines evolved by Judiciary

Unit-IV

Liability of State in Torts and Contracts - Freedom of Interstate Trade, Commerce and Inter course - Services under the State - All India Services - Public Service Commissions - Election commission – Composition, Powers and Functions, Role of EC in the Superintendence of Elections, Anti-defection Law, Representation of Peoples Act, 1951.

Unit-V

Emergency – Need of Emergency Powers - Different kinds of Emergency - National, State and Financial emergency - Impact of Emergency on Federalism and Fundamental Rights - Amendment of Indian Constitution and Basic Structure Theory

Suggested Readings:

1. M.P.Jain, *Indian Constitutional Law*, Wadhwa& Co, Nagpur
2. V.N.Shukla, *Constitution of India*, Eastern Book Company, Lucknow
3. Granville Austin, *Indian Constitution-Cornerstone of a Nation*, OUP, New Delhi
4. H.M.Seervai, *Constitutional Law of India* (in 3 Volumes), N.M.Tripathi, Bombay
5. G.C.V.Subba Rao, *Indian Constitutional Law*, S.Gogia& Co., Hyderabad
6. B.Shiva Rao, *Framing of India's Constitution* (in 5 Volumes), Indian Institute of Public Administration, New Delhi
7. J.N.Pandey, *Constitutional Law of India*, Central Law Agency, Allahabad

**CRIMINAL PROCEDURE CODE, LAW OF JUVENILE JUSTICE
AND PROBATION OF OFFENDERS**

Sub. Code: BCW 225

L -4, C -4

Unit-I:

The Code of Criminal Procedure, 1973 : The rationale of Criminal Procedure — The importance of fair trial — Constitutional Perspectives : Articles 14, 20 & 21 — The organization of Police, Prosecutor and Defence Counsel — Pre-trial Process — Arrest — Distinction between “cognizable” and “non-cognizable” offences — Steps to ensure presence of accused at trial -- Warrant and Summons cases — Arrest with and without Warrant — The absconder status — Rights of arrested persons under Cr.P.C. and Article 22 (2) of the Constitution of India.

Unit-II:

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

Unit-III:

Trial Process: Commencement of Proceedings — Dismissal of Complaint — Bail, Bailable and Non-bailable Offences — Cancellation of Bails — Anticipatory Bail — General Principles concerning Bail Bond — Preliminary pleas to bar trial — Jurisdiction — Time Limitations — Pleas of *Autrefois Acquit and Autrefois Convict* — Fair Trial — Concept of fair trial — Presumption of innocence — Venue of trial — Jurisdiction of Criminal Courts — Rights of accused -- Constitutional Interpretation of Article 21 as a right to speedy trial — Charge — Form and content of Charge — Trial before a Court of Session : Procedural steps and substantive rights.

Unit-IV:

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

Unit-V:

Probation and Parole: Authority granting Parole — Supervision — Conditional release -- suspension of sentence — Procedure under Probation of Offenders Act, 1958 -- Salient features of the Act. Juvenile Justice System -- Juvenile Justice (Care and Protection of Children) Act of 2000 -- Procedure under Juvenile Justice...Act — Treatment and Rehabilitation of Juveniles — Protection of Juvenile Offenders — Legislative and Judicial Role.

Suggested Readings:

1. Kelkar R.V.: *Criminal Procedure*, 3rd Edn. Eastern Book Co., Lucknow, 1993.
2. Ratanlal and Dhirajlal: *The Code of Criminal Procedure*, 15th Edn. Wadhwa & Co.,

3. Padala Rama Reddi: *The Code of Criminal Procedure*, 1973, Asia Law House, Hyderabad.
4. Prof. S.N. Misra: *The Code of Criminal Procedure*, Central Law Agency.
5. M.P. Tandon: *Criminal Procedure Code*, Allahabad Law Agency.
6. ShoorvirTyage: *The Code of Criminal Procedure*, Allahabad Law Agency.

FAMILY LAW–I (Hindu Law)

Sub. Code: BCW-226

L – 4, C – 4.

Unit-I:

Sources of Hindu Law – Scope and application of Hindu Law – Schools of Hindu Law - Mitakshara and Dayabhaga Schools – Concept of Joint Family, Coparcenary, Joint Family Property and Coparcenary Property – Institution of Karta- Powers and Functions of Karta - Pious Obligation - Partition – Debts and alienation of property.

Unit-II:

Marriage - Definition - Importance of institution of marriage under Hindu Law – Conditions of Hindu Marriage – Ceremonies and Registration – Monogamy – Polygamy.

Unit-III:

Matrimonial Remedies under the Hindu Marriage Act, 1955 - Restitution of Conjugal Rights – Nullity of marriage – Judicial separation – Divorce – Maintenance *pendente lite* – importance of conciliation.

Unit-IV:

Concept of Adoption - Law of Maintenance - Law of Guardianship - Hindu Adoption and Maintenance Act, 1956 – Hindu Minority and Guardianship Act 1956.

Unit-V:

Succession – Intestate succession – Succession to the property of Hindu Male and Female; Dwelling House – Hindu Succession Act, 1956 as amended by the Hindu Succession (Andhra Pradesh Amendment) Act, 1986 & the Hindu Succession (Amendment) Act, 2005 – Notional Partition – Classes of heirs – Enlargement of limited estate of women into their absolute estate.

Suggested Readings:

1. Paras Diwan : *Modern Hindu Law*, 13th Edition 2000, Allahabad Agency, Delhi.
 2. Paras Diwan: *Family Law*, 1994 Edition, Allahabad Agency, Delhi.
 3. Mayne: *Hindu Law - Customs and Usages* , Bharat Law House, New Delhi.
- 4Sharaf: *Law of Marriage and Divorce* , 1999.

FUNDAMENTALS OF FINANCIAL MANAGEMENT

Sub. Code: BCW-311

L – 4, C – 4.

Unit 1: Introduction

Nature, scope and objective of Financial Management, Time value of money, Risk and return (including Capital Asset Pricing Model), Valuation of securities – Bonds and Equities

Unit 2: Investment Decisions

The Capital Budgeting Process, Cash flow Estimation, Payback Period Method, Accounting Rate of Return, Net Present Value (NPV), Net Terminal Value, Internal Rate of Return (IRR), Profitability Index, Capital budgeting under Risk – Certainty Equivalent Approach and Risk- Adjusted Discount Rate.

Unit 3: Financing Decisions

Cost of Capital and Financing Decision: Sources of long-term financing Estimation of components of cost of capital. Methods for Calculating cost of equity capital, Cost of Retained Earnings, Cost of Debt and Cost of Preference Capital, Weighted Average cost of capital (WACC) and Marginal cost of capital. Capital structure –Theories of Capital Structure (Net Income, Net Operating Income, MM Hypothesis, Traditional Approach). Operating and financial leverage; Determinants of capital structure

Unit 4: Dividend Decisions

Theories for Relevance and irrelevance of dividend decision for corporate valuation; Cash and stock dividends; Dividend policies in practice

Unit 5: Working Capital Decisions

Concepts of working capital, the risk-return trade off, sources of short-term finance, working capital estimation, cash management, receivables management, inventory management and payables management.

Note:

- 1. In addition, the students will work on Spreadsheet for doing basic calculations in finance (Unit 2 and 3 above) and hence can be used for giving students subject related assignments for their internal assessment.**
- 2. There shall be 4 Credit Hrs. for Lectures + one Credit hr. (Two Practical Periods per week per batch) for Practical Lab + one credit Hr for Tutorials (per group)**
- 3. Latest edition of textbooks may be used.**

Suggested Readings

1. James C. Van Horne and Sanjay Dhamija, *Financial Management and Policy*, Pearson Education
2. Levy H. and M. Sarnat . *Principles of Financial Management*. Pearson Education
3. Brigham and Houston, *Fundamentals of Financial Management*, Cengage Learning
4. Khan and Jain. *Basic Financial Management*, McGraw Hill Education
5. Prasanna Chandra, *Fundamentals of Financial Management*. McGraw Hill Education

6. Singh, J.K. *Financial Management- text and Problems*. Dhanpat Rai and Company, Delhi.
7. Rustagi, R.P. *Fundamentals of Financial Management*. Taxmann Publication Pvt. Ltd.
8. Singh, Surender and Kaur, Rajeev. *Fundamentals of Financial Management*. Mayur Paperback, New Delhi.
9. Pandey, I.M. *Financial Management*. Vikas Publications.
10. Bhabatosh Banerjee, *Fundamentals of Financial Management*, PHI Learning

CORPORATE TAX PLANNING

Sub. Code: BCW 312

L – 4, C – 4.

Unit 1: Introduction

Tax planning, tax management, tax evasion, tax avoidance; Corporate tax in India; Types of companies; Residential status of companies and tax incidence; Tax liability and minimum alternate tax; Tax on distributed profits

Unit 2: Tax Planning-1

Tax planning with reference to setting up of a new business: Locational aspect, nature of business, form of organization; Tax planning with reference to financial management decision - Capital structure, dividend including deemed dividend and bonus shares; Tax planning with reference to sale of scientific research assets

Unit 3: Tax Planning-2

Tax planning with reference to specific management decisions - Make or buy; own or lease; repair or replace Tax planning with reference to employees' remuneration Tax planning with reference to receipt of insurance compensation Tax planning with reference to distribution of assets at the time of liquidation

Unit 4: Special provisions relating to non-residents

Double taxation relief; Provisions regulating transfer pricing; Advance rulings; Advance pricing agreement

Unit 5: Tax Planning with reference to Business Restructuring

Amalgamation, Demerger, Slump sale, Conversion of sole proprietary concern/partnership firm into company, Conversion of company into LLP, Transfer of assets between holding and subsidiary companies

Suggested Readings:

1. Vinod K. Singhania and Monica Singhania, *Corporate Tax Planning*. Taxmann Publications Pvt. Ltd., New Delhi.
2. Girish Ahuja and Ravi Gupta. *Corporate Tax Planning and Management*. Bharat Law House, Delhi.
3. Shuklendra Acharya and M.G. Gurha. *Tax Planning under Direct Taxes*. Modern Law Publication, Allahabad.
4. D.P. Mittal, *Law of Transfer Pricing*. Taxmann Publications Pvt. Ltd., New Delhi.
5. IAS – 12 and AS – 22.
6. T.P. Ghosh, *IFRS*, Taxmann Publications Pvt. Ltd. New Delhi.

Journals

1. *Income Tax Reports*, Company Law Institute of India Pvt. Ltd., Chennai.
2. *Taxman*, Taxman Allied Services Pvt. Ltd., New Delhi.
3. *Current Tax Reporter*, Current Tax Reporter, Jodhpur

Note: Latest edition of text books may be used

Family Law – II (Muslim Law)

Sub. Code: BCW 313

L – 4, C – 4.

Unit-I:

Origin and development of Muslim Law - Sources of Muslim Law - Schools of Muslim Law - Difference between the Sunni and Shia Schools – Sub-schools of Sunni Law - Operation and application of Muslim Law - Conversion to Islam - Effects of conversion - Law of Marriage, nature of Muslim Marriage - Essential requirements of valid Marriage - Kinds of Marriages - distinction between void, irregular and valid marriage - Dower (Mahr) - Origin, nature and importance of dower, object of dower and classification of dower.

Unit-II:

Divorce - Classification of divorce - different modes of Talaq - Legal consequences of divorce - Dissolution of Muslim Marriage Act, 1939 - Maintenance, Principles of maintenance, Persons entitled to maintenance - The Muslim Women (Protection of Rights on Divorce) Act, 1986 - Effect of conversion on maintenance and difference between Shia and Sunni Law.

Unit-III:

Parentage - Maternity and Paternity - Legitimacy and acknowledgment - Guardianship - Meaning - Kinds of guardianship - Removal of guardian - Difference between Shia and Sunni Law. Gift - Definition of Gift - Requisites of valid gift - Gift formalities - Revocation of gift - Kinds of gift. Wills - Meaning of Will - Requisites of valid Will - Revocation of Will - Distinction between Will and Gift - Difference between Shia and Sunni Law.

Unit-IV:

Waqf _ Definition - Essentials of Waqf - Kinds of Waqf – Creation of Waqf - Revocation of Waqf - Salient features of the Waqf Act, 1995 – Mutawalli - Who can be Mutawalli - Powers and duties of Mutawalli - Removal of Mutawalli and Management of Waqf property. Succession - Application of the property of a deceased Muslim - Legal position of heirs as representatives - Administration - Waqf Tribunals and Jurisdiction.

Unit-V:

Special Marriage Act, 1954 - Salient features of Indian Divorce Act, 1869 - Domicile - Maintenance to dependents/ Spouses - Intestate succession of Christians under the Indian Succession Act, 1925.

Suggested Readings:

1. Tahir Mahmood: *The Muslim Law of India*, 1980, Law Book Company, Allahabad.
2. Aquil Ahmed: *Textbook of Mohammadan Law*, 5th Edition 1992, Central 4. Law Agency, Allahabad.
3. Prof. G.C.V. Subba Rao: *Family Law in India*, 6th Edition, 1993, S.Gogia & Company, Hyderabad.
5. Asaf A.A. Fyzee: *Outlines of Mohammadan Law*, 4th Edition, 1999, Oxford University Press, Delhi.

Jurisprudence

Sub. Code: BCW-314

L – 4, C – 4.

Unit-I:

Meaning and Definition of Jurisprudence — General and Particular Jurisprudence - Elements of Ancient Indian Jurisprudence — Schools of Jurisprudence — Analytical, Historical, Philosophical and Sociological Schools of Jurisprudence. Theories of Law — Meaning and Definition of Law — The Nature and Function of Law — The Purpose of Law — The Classification of Law — Equity, Law and Justice — Theory of Sovereignty.

Unit-II:

Sources of Law — Legal and Historical Sources — Legislation - Definition of legislation - Classification of legislation- Supreme and Subordinate Legislation - Direct and Indirect Legislation - Principles of Statutory Interpretation. Precedent — Definition of Precedent — Kinds of Precedent — *Stare Decisis* — Original and Declaratory Precedents — Authoritative and Persuasive Precedents. Custom – Definition of Custom – Kinds of Custom – General and Local Custom – Custom and Prescription - Requisites of a valid custom - Relative merits and demerits of Legislation, Precedent and Custom as a source of Law. Codification — Advantages and disadvantages of codification.

Unit-III:

Persons — Nature of personality — Legal Status of Lower Animals, Dead Persons and Unborn persons — Legal Persons — Corporations — Purpose of Incorporation — Nature of Corporate Personality - Rights and Duties — Definition of Right — Classification of Rights and Duties — Absolute and Relative Rights and Duties — Rights and Cognate concepts like Liberty, Power, Immunity, Privilege etc.

Unit-IV:

Obligation — Nature of Obligation — Obligation arising out of Contract, Quasi Contract, trust and breach of obligation etc. — Liability — Nature and kinds of liability — Acts — *Mens Rea* — Intention and Motive — Relevance of Motive — Negligence — Strict Liability — Accident — Vicarious Liability — Measure of Civil and Criminal Liability.

Unit-V:

Ownership — Definition and kinds of Ownership - Possession — Elements of Possession - Relation between Ownership and Possession — Possessory Remedies — Property — Meaning — Kinds of Property — Modes of Acquisition of Property — Legal Sanctions - Meaning of Sanction — Classification of Sanctions — Civil and Criminal Justice — Concept of Justice — Theories regarding purpose of Criminal Justice — Deterrent, Preventive, Reformatory and Retributive theories.

Suggested Readings:

1. Salmond: *Jurisprudence*, Universal Publishers 12th Edn. 1966.
2. Rama Jois, *Legal and Constitutional History of India*, Universal Law Publications, Delhi.
3. N.V. Pranjape – Jurisprudence
4. S.R. Dhyani – Jurisprudence

CIVIL PROCEDURE CODE AND LAW OF LIMITATION

Sub. Code: BCW 315

L -4, C -4

Unit-I:

Codification of Civil Procedure and Introduction to CPC — Principal features of the Civil Procedure Code — Suits — Parties to Suit — Framing of Suit — Institution of Suits — Bars of Suit - Doctrines of *Sub Judice* and *Res Judicata* — Place of Suing — Transfer of suits — Territorial Jurisdiction — ‘Cause of Action’ and Jurisdictional Bars — Summons — Service of Foreign summons.

Unit-II:

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

Unit-III:

Appearance and Examination of parties & Adjournments — *Ex-parte* Procedure — Summoning and Attendance of Witnesses — Examination — Admissions — Production, Impounding, Return of Documents — Hearing — Affidavit — Judgment and Decree — Concepts of Judgment, Decree, and Interim Orders and Stay — Injunctions — Appointment of Receivers and Commissions — Costs -- Execution — Concept of Execution — General Principles of Execution — Power of Execution — Power of Executing Courts — Procedure for Execution — Modes of Execution -- Arrest and detention — Attachment and Sale.

Unit-IV:

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

Unit-V:

Law of Limitation — Concept of Limitation — Object of limitation - General Principles of Limitation — Extension — Condonation of delay — Sufficient Cause — Computation of limitation -- Acknowledgment and Part-payment — Legal Disability — Provisions of the Limitation Act, 1963 (Excluding Schedule)

Suggested Readings:

1. Mulla: *Code of Civil Procedure*:
2. Tripathi (Abridged Edition), 11th Edn.(StudentEdition) Edited by P.M. Bakshi, Bombay, 1985.
3. A.N. Saha: *Code of Civil Procedure*.
4. C.K. Takwani: *Civil Procedure*, 4th Edn. Eastern Book Co., Lucknow, 1974.
5. B.B. Mitra: *Limitation Act*, 17th Edn. Eastern Law House, Calcutta, 1974, Allahabad.
6. Sanjiva Row: *Limitation Act*, 7th Edn. (in 2 Vols), Law Book Co., Allahabad,

LAW OF PROPERTY

Sub. Code: BCW 316

L – 4, C – 4.

Unit-I:

Meaning and concept of property — Kinds of property — Transfer of property — Transferable and non-transferable property — Who can transfer — Operation of transfer — Mode of transfer — Conditional transfer — Void and unlawful conditions — Condition precedent and condition subsequent — Vested and contingent interest — Transfer to unborn person

Unit-II:

Doctrine of Election — Covenants — Transfer by ostensible owner — Doctrine of Feeding the Grant by Estoppel — Doctrine of Lis Pendens — Fraudulent Transfer — Doctrine of Part-performance.

Unit-III:

Sale - Essential features — Mode of Sale — Rights and liabilities of parties. Mortgage - Kinds of Mortgages - Rights and liabilities of mortgagor and mortgagee — Marshalling and Contribution — Charges.

Unit-IV:

Lease — Essential features — Kinds of leases — Rights and liabilities of lessor and lessee — Termination of lease — forfeiture — Exchange — Gifts — Different types of gifts — Registration of Gifts — Transfer of Actionable Claims.

Unit-V:

Easements — Definition of easement — Distinction between Lease and License — Dominant and Servient Tenements. Acquisition of property through testamentary succession — Will — Codicil — Capacity to execute Will — Nature of bequests — Executors of Will — Rights and Obligations of Legatees.

Suggested Readings:

1. Mulla: *Transfer of Property*, Butterworths Publications.
2. Subba Rao GCV: *Commentaries on the Transfer of Property Act*.
3. Krishna Menon: *Law of Property*.
4. Upadhyaya's *Common Matrix of Transfer of Property*.

INCOME TAX AND PRACTICES

Sub. Code: BCW-321

L – 4, C – 4.

Unit 1: Introduction

Basic concepts: Income, agricultural income, person, assessee, assessment year, previous year, gross total income, total income, maximum marginal rate of tax; Permanent Account Number (PAN) **Residential status**; Scope of total income on the basis of residential status Exempted income under section 10

Unit 2: Computation of Income under different heads-1

Income from Salaries; Income from house property

Unit 3: Computation of Income under different heads-2

Profits and gains of business or profession; Capital gains; Income from other sources

Unit 4: Computation of Total Income and Tax Liability

Income of other persons included in assessee's total income; Aggregation of income and set-off and carry forward of losses; Deductions from gross total income; Rebates and reliefs. Computation of total income of individuals and firms; Tax liability of an individual and a firm; Five leading cases decided by the Supreme Court

Unit 5: Preparation of Return of Income

Filing of returns: Manually, On-line filing of Returns of Income & TDS; Provision & Procedures of Compulsory On-Line filing of returns for specified assesses.

Note:

- 1. There shall be a practical examination of 20 Marks on E-filing of Income Tax Returns using a software utility tool. The student is required to fill appropriate Form and generate the XML file.**
- 2. There shall be 4 Credit Hrs. for Lectures + one Credit hr. (Two Practical Periods per week per batch) for Practical Lab + one credit Hr for Tutorials (per group)**
- 3. Latest edition of textbooks and Software may be used.**

Suggested readings:

1. Singhanian, Vinod K. and Monica Singhanian. *Students' Guide to Income Tax, University Edition*. Taxmann Publications Pvt. Ltd., New Delhi.
2. Ahuja, Girish and Ravi Gupta. *Systematic Approach to Income Tax*. Bharat Law House, Delhi.

Journals

1. *Income Tax Reports*. Company Law Institute of India Pvt. Ltd., Chennai.
2. *Taxman*. Taxman Allied Services Pvt. Ltd., New Delhi.
3. *Current Tax Reporter*. Current Tax Reporter, Jodhpur.

Software

1. Vinod Kumar Singhanian, *e-filing of Income Tax Returns and Computation of Tax*, Taxmann Publication Pvt. Ltd, New Delhi. Latest version
2. 'ExcelUtility' available at incometaxindiaefiling.gov.in

LAW OF EVIDENCE

Sub. Code: BCW-322

L – 4, C – 4.

Unit-I:

The Indian Evidence Act, 1872 — Salient features of the Act – Meaning and kinds of Evidence — Interpretation clause — May Presume, Shall presume and Conclusive proof - Fact, Fact in issue and Relevant facts — Distinction between Relevancy and Admissibility - Doctrine of *Res Gestae* — Motive, preparation and conduct — Conspiracy — When Facts not otherwise relevant become relevant — Right and custom — Facts showing the state of mind etc.

Unit-II:

Admissions & Confessions: General Principles concerning Admissions — Differences between "Admission" and "Confession" — Confessions obtained by inducement, threat or promise – Confessions made to police officer - Statement made in the custody of a police officer leading to the discovery of incriminating material — Admissibility of Confessions made by one accused person against co-accused.
Dying Declarations and their evidentiary value — Other Statements by persons who cannot be called as Witnesses — Admissibility of evidence of witnesses in previous judicial proceedings in subsequent judicial proceedings.

Unit-III:

Relevancy of Judgments — Opinion of witnesses — Expert's opinion — Opinion on Relationship especially proof of marriage — Facts which need not be proved — Oral and Documentary Evidence - General Principles concerning oral evidence and documentary evidence — Primary and Secondary evidence — Modes of proof of execution of documents — Presumptions as to documents — General Principles regarding Exclusion of Oral by Documentary Evidence.

Unit-IV:

Rules relating to Burden of Proof - Presumption as to Dowry Death — Estoppel — Kinds of estoppel — Res Judicata, Waiver and Presumption.

Unit-V:

Competency to testify — Privileged communications - Testimony of Accomplice — Examination in Chief, Cross examination and Re-examination — Leading questions — Lawful questions in cross examination — Compulsion to answer questions put to witness — Hostile witness — Impeaching the credit of witness — Refreshing memory — Questions of corroboration — Improper admission and rejection of evidence.

Suggested Readings:

1. BatukLal: *The Law of Evidence*, 13th Edition, Central Law Agency, Allahabad, 1998.
2. M. Munir: *Principles and Digest of the Law of Evidence*, 10th Edition (in 2 vols), Universal Book Agency, Allahabad, 1994.
3. Vepa P. Saradhi: *Law of Evidence* 4th Edn. Eastern Book Co., Lucknow, 1989.
4. Avtar Singh: *Principles of the Law of Evidence*, 11th Edn. Central Law Publications.
5. V. Krishnama Chary: *The Law of Evidence*, 4th Edn. S.Gogia & Company, Hyderabad.

PUBLIC INTERNATIONAL LAW

Sub. Code: BCW 323

L – 4, C – 4.

Unit-I:

Definition, Nature, Scope and Importance of International Law — Relation of International Law to Municipal Law — Sources of International Law — Codification.

Unit-II:

State Recognition — State Succession — Responsibility of States for International delinquencies — State Territory — Modes of acquiring State Territory

Unit-III:

Position of Individual in International Law — Nationality — Extradition — Asylum — Privileges and Immunities of Diplomatic Envoys — Treaties – Formation of Treaties - Modes of Consent, Reservation and termination.

Unit-IV:

The Legal Regime of the Seas – Evolution of the Law of the Sea – Freedoms of the High Seas – Common Heritage of Mankind – United Nations Convention on the Law of the Seas – Legal Regime of Airspace – Important Conventions relating to Airspace – Paris, Havana, Warsaw and Chicago Conventions – Five Freedoms of Air – Legal Regime of Outer space – Important Conventions such as Outer space Treaty, Agreement on Rescue and Return of Astronauts, Liability Convention, Agreement on Registration of Space objects, Moon Treaty - Unispace.

Unit-V:

International Organizations — League of Nations and United Nations — International Court of Justice — International Criminal Court - Specialized agencies of the UN — WHO, UNESCO, ILO, IMF and WTO.

Suggested Readings:

1. S.K. Kapoor, *Public International Law*, Central Law Agencies, Allahabad.
2. H.O. Agarwal, *International Law and Human Rights*, Central Law Publications, Allahabad.
3. S.K. Verma, *An Introduction to Public International Law*, Prentice Hall of India.

Law of Taxation

Sub. Code: BCW 324

L4, C4

Unit -I: Basic Concept

- a. Types of Taxes and Distinction between Direct and Indirect tax
- b. Previous Year and Assessment Year
- c. Definition of Certain Terms: Persons, Assessee, Income, Application of Income and Diversion of Income by overriding Titles
- d. Assessee and Assessment
- e. Capital Receipt and Revenue Receipt
- f. Rates of Income Tax: Proportional and Progressive Rate of Taxation
- g. Agricultural Income

Unit -II: Residential Status, Chargeability

- a. Meaning and Rules for Determining Residential status of an Assessee
- b. Charge of Income Tax and Scope of Total Income
- c. Income Exempted from Tax and Deduction under Income Tax Law
- d. Heads of Income and its Justification
- e. Tax Treatment to Salary, Perquisites etc

Unit -III: Heads of Income and Rules of Tax

- a. Tax Treatment to Income from House property
- b. Profits and Gains of Business & Profession
- c. Capital Gain Taxation

Unit – IV: Residual Income and Procedure for Assessment

- a. Income from other Sources
- b. Set off and Carry Forward of Losses
- c. Deductions, Refund and Tax Authorities
- d. Return of Income and Assessment
- e. Penalty and Prosecution for Tax Evasion
- f. Search and Seizure

Unit – V: GST

- a. Definitions, Authorities, Assessment, Taxing Power, Cenvat Credit Rules.

Textbooks:

1. Dinesh Ahuja and Ravi Gupta, Systematic approach to Income Tax, (Latest Edition)
2. Singhania, Student Guide to Income Tax, Taxmann (Latest Edition).

References:

1. N.A. Palkwllah's Income Tax Act (Two Volume)
2. Iyer's Income Tax Act
3. Chaturvedi's Direct Tax Act (Three Volume)

Legal Language

Sub. Code: BCW 325

L -4, C -4

Unit I: Meaning and uses of legal terms

Commonly used Latin terms in courts

Ab initio', Res judicata, Res– subjudice, Adhoc, Adinfinitum, Adinterim, Adjourn sine die, Ad litem, Advalorem, Alibi, Aliter, Almamater, AmicusCuriae, Animus ,Animus possidendi, Alumini, Anti-meridiem, Bonafide, BonaVacantia, Causecausans, Coram non judice, CorpusPossessionis, CustodiaLegis, Composmentis, Cypres, Defacto, DeJure, Denovo, Donation mortis cause, Enventresamere, Enroute, Exofficio, Exgratia, Exparte, Ex post facto, Factumvalet, Femesole, Filiusnullius, In forma pauperis, Ibid, Inlimine, Inmemoriam, Inparimaterial, Intelligibledifferentia, Interalia, Interse, Ipso jure, Intoto, Ipsofacto, Ininvitum, Inlocoparentis, Inpais, Inpari delicto, potiorest condition possidentis (or defendentis), In rem, Intervivos, Intra-vires, Justertii, Juscivile, Jusdivinum, LexFori, Lex Loci delicti, Lispendens, Locusstandi, Malafide, MensRea, Modusoperandi, ModusVivendi, Non compos mentis, Nonfeasance, NudumPactum, Onusprobandi, PactaSuntServanda, PariPassu, Pendente lite, Perannum, Percapita , Perdiem, Permensem, Perstripes, Persona non grata, Postmeridiem, Postmortem, Primafacie, Probonopublica, Prorata, Protanto, Protem, Quasi-judicial, Quid pro quo, Ratiodecidenti, Raison d'etre, Res Gestae, Resintegra, Resnullius, Sine qua non, Sinedie, Solatium, Staredecisis, Statusquo, Sub-judice, Suppressovery, Scier, Trespasser ab initio, Ultra-vires, ViceVersa, Vis-à-vis, Vis major

Unit II: Legal maxims

1. Absolutasententiaexpositore non-indiget
2. A bundanscautela non nocet.
3. Actio-personalismoritur-cum persona
4. Actoriincumbit onus probandi
5. Actus curiae neminemgravabit
6. Actus deineminifacitinjuriam
7. Actus reus
8. Actus legisneminestdamnosus
9. Actus non-facitreum nisi mens sit rea
10. Ejusdem Generis
11. Exturpi causa non oriter action
12. Noscitur o socii
13. Novus actusinterviniens
14. Respondent superior
15. Falsus in unofalsus in omnibus
16. Acquitas sequitur legem
17. Alleganscontraria non estaudiendus
18. Audi alterampartem
19. Caveat emptor
20. Damnum sine injuria
21. De minimis non curatlex
22. Dolomalopactum se non servabit
23. Delegates non-potestdelegare
24. Fiat Justitia ruatcaelum

25. Ignorantia legis neminem excusat
26. Injuria sine damno
27. Interest republicae ut sit finis litium
28. Lex non cogit ad impossibilia
29. Nemo dat quod non habet
30. Nemo debet esse iudex in propria causa
31. Quantum meruit
32. Qui approbat non-reprobat
33. Qui facit per alium per-se
34. Res ipsa loquitur
35. Salus populi est Suprema Lex
36. Ubi-jus ibi-remedium
37. Vigilantibus non-dormientibus jura subveniunt

Unit III: Paragraph & Precise Writing of Legal Texts

Unit IV: Writing of Moot Memorials

Unit V: Translate Hindi to English & English to Hindi of case laws

Suggested Reading:

1. Myneni S.R., Legal language and Legal Writing, Central Law Agency, Allahabad.
2. Jain R.L., Legal Language, Central Law Agency, Allahabad.
3. Prasad Anirudh, Legal Language, Central Law Publications, Allahabad.

Company Law

Sub. Code: BCW 326

L – 4, C – 4.

Course Objective

The purpose of this course is to study the fundamental concepts related to company. It also talks about the internal functioning of a company. In this course the student will be introduced to the basic power and structure in a company and the law relating to appointment of directors, director's duty, and matters governing board meetings. The course also outlines the modes of winding up of company and distribution of assets in the event of winding up.

Course Outcome

On completion of the course the student will be able to:-

CO1 Explain the process of formation of different kinds of companies and commencement of business.

CO2 Describe the methods of giving security for repayment of loan or other liabilities of a company.

CO3 Explain the legal issues in the administration and management of a registered company.

CO4 Elucidate how winding up is done in a company.

UNIT I: Historical development of concept of incorporation; emergence of principle of limited liability and development of company law in India. Distinction among Partnership Firm, Company and Business of HUF

Formation, Registration and Incorporation of Company Meaning of Corporation Nature and kinds of company Promoters: Position, duties and liabilities Mode and consequences of incorporation Uses and abuses of the corporate form, lifting of corporate veil.

UNIT II: Memorandum of Association, alteration and the doctrine of ultra vires Articles of Association, binding nature, alteration, relation with memorandum of Association, Doctrine of Constructive Notice and Indoor Management-exceptions

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

Rules of issuance of shares, Call on shares, Buy-back of shares, Transfer and transmission of shares. Share certificate, Share warrant Forfeiture and surrender of shares Dividends- Payment-Capitalization and Profit. Debentures, stock, bonds, kinds, remedies of debenture holders, Debenture trust deed and trustees

UNIT IV: Corporate Administrative Directors: Kinds, Powers and Duties Role of nominee Directors, Managing Director and other managerial personnel. Legal position of director, Member: Mode of acquiring membership; who can be a member; cessation of membership; registration of members, Requisites of Valid Meeting, procedure relating to convening and proceeding of general and, other meeting .- notice, quorum, mode of voting, proxy.

Division of powers between Board and Shareholders; monitoring and management.

Law relating to majority powers and minority rights.

Prevention of Oppression and Mismanagement - Rule in Foss v/s Harbottle (1843)

Unit V: Corporate Social Responsibility and Corporate Liquidation (Lectures-8)

a. Evolution of Corporate Social Responsibility, Corporate Criminal liability, Corporate Environmental Liability

Reconstruction – Merger, Amalgamation, Compromise and Arrangement of a company
National Company Law Tribunal, Insider Trading,

b. Different Types of Winding up of Company

c. Role of Courts in Winding up of Company

d. Merger and Acquisition of Company (eg. like Arcelor Mittal and Air India Case)

e. Cross Border Merger, Takeover Code: Role of SEBI

Act- The Companies Act, 1956

Books- 1. L.C.B.Gower, Principles of Modern Company Law, 1997 Sweet & Maxwell, London

2. A. Ramaiya, Guide to the Companies Act, 1998 Wadhwa

3. Palmer, Palmer's Company Law, 1987 Stevens, London

4. Avtar Singh, Indian Company Law, Eastern Book Co.

5. R.K.Bangia, Company Law

HINDI (विधिक संचार एवं हिंदी भाषा ज्ञान)

Sub. Code : BCW-411

L 4, C 4

Unit I : हिंदी भाषा का सामान्य परिचय और स्वरूप:-

1:- भाषा, बोली, राजभाषा और राष्ट्रभाषा, सामान्य परिचय।

2:- हिंदी भाषा का उदभव और विकास।

3:- विश्व में हिंदी भाषा की वर्तमान स्थिति और भावी संभावनाएं।

हिंदी वाक्य विचार

1:- वाक्य से आशय।

2:- वाक्य के प्रकार : साधारण, संयुक्त तथा मिश्रित वाक्य।

3:- वाक्य रूपान्तर: संयुक्त/मिश्रित से साधारण....

4:- वाक्य रचना की अशुद्धियाँ (Correction of sentence)।

Unit II :

- 1:- विराम चिन्हों का प्रयोग।
- 2:- सूक्ति वाक्यों का पल्लवन (Paragraph writing)।
- 3:- संक्षेपीकरण।

Unit III :

- 1:- पत्रलेखन ।
- 2:- औपचारिक कार्यालयीय पत्रों का प्रारूप।

Unit IV :

- 1:- विधिक शब्दावली
- 2:- विधिक शब्दों का अंग्रेजी से हिंदी में अनुवाद।
- 3:- विधिक शब्दों का हिंदी से अंग्रेजी में अनुवाद।

Unit V :

- 1:- विधिक विषय पर संक्षिप्त/विस्तृत शब्दों में निबन्ध।
- 2:- विधिक विषय पर रिपोर्ट ।

Books :

1. Legal Glossary = Govt. Of india Publication.
विधिक शब्दावली = भारत सरकार प्रकाशन
- 2:- अपनी हिंदी सुधारें = डॉ विजय अग्रवाल, सूचना एवं प्रसारण मंत्रालय, भारत सरकार, नई दिल्ली।
3. अच्छी हिंदी = रामचंद्र वर्मा
4. अच्छी हिंदी = डॉ हरदेव बाहरी
5. शुद्ध हिंदी = डॉ हरदेव बहरी।

LABOUR LAW –I

Sub. Code: BCW 412

L – 4, C – 4.

Course objective

The prime object of this subject is to enable the student to understand the history and nature of the jurisprudence. The course is made with the objective to acquaint the student with the conceptual and operational parameters of the various issues related to the industrial relation between employer and employee and its impact on the labour relation in India. The course will also provide an overview of judicial prospective on the labour legislation and to deal with the latest trend and development in the labour law.

Course Outcome

At the End of the course students will be able to:-

CO1 Explain the evaluation of industrial jurisprudence and the role played by yellow in this regard

CO2 Identify and appreciate the need for a law relating to resolution of industrial dispute in India

CO3 Explain the paramount of standing orders and domestic enquiry which is guided by the principle of natural justice as an effective tool of insurance working as wellbeing and smooth functioning of industrial undertaking.

CO4 Significance of trade union in the present-day society and the crucial role played in collective bargaining for maintaining industrial peace and well-being of the workmen.

Unit-I

Evolution of labour laws in India. Trade Unions: History of Trade Union Movement, **Trade unionism** - The Trade Union Act 1926 – Definitions - Registration – Rights and Liabilities of Registered Trade Unions – **Immunities .Amalgamation and dissolution of Unions – Reorganization of Trade Unions.** Immunities and privileges, Civil and Criminal liability of Registered Trade Union. Recognition of trade union, Mode of registration of trade union. Closed shop and union shop. **Workers’ Right to form Union vis a vis Indian Constitution: the membership of trade union** **Amalgamation and dissolution of Unions**

Unit-II

Prevention and Settlement of Industrial Disputes in India - The role of State in Industrial Relations – The Industrial Disputes Act 1947 - Definition of industry - Industrial Dispute – Individual Dispute - workman- Lay off – Retrenchment - Closure -Award - Strike – Lockout **Procedure and Compensation relating to lay-off and retrenchment.**

Unit-III

Authorities under the ID Act – Works committee – Conciliation - Court of inquiry - Labour Courts- Tribunal – Powers and functions of authorities - Voluntary Arbitration - Provisions under Chapter V-A & V- B of the Act- Alteration of conditions of service – Management rights of action during pendency of proceedings – Recovery of money due from employer – Unfair labour practices - miscellaneous provisions of the Act.

The role of State in Industrial Relations, Prevention and Settlement of Industrial Disputes
National Industrial Tribunal- Constitution, powers and functions, Award of Tribunal

Unit-IV

Standing Orders -Concept and Nature of Standing Orders – scope and coverage- Certification process – its operation and binding effect – Modification and Temporary application of Model Standing Orders – Interpretation and enforcement of Standing Orders and provisions contained in the Industrial Employment (Standing Orders) Act 1946.

Unit-V

Disciplinary Proceedings in Industries - Charge sheet – Explanation – Domestic enquiry - Enquiry officer – Enquiry report – Punishment – Principles of Natural Justice.

Collective Bargaining- Meaning, concept and requisites
Unfair labour practice- meaning and remedies

Suggested Readings:

1. Srivastava: *Law of Trade Unions*, Eastern Book Company, Lucknow
 2. Goswami: *Labour and Industrial Law*, Central Law Agency.
 3. R.F. Rustomji: *Law of Industrial Disputes*: Asia Publishing House, Mumbai
 4. S.N. Misra: *Labour and Industrial Law*
 5. J.N. Malik: *Trade Union Law*
 6. Khan & Khan: *Labour Law*, Asia Law House, Hyderabad
 7. S.C. Srivastava: *Industrial Relations and Labour Law*, Vikas Publishing House.
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Intellectual property Law-I

Sub. Code: BCW-413

L -4, C -4

Unit-I:

Meaning, Nature, Classification and protection of Intellectual Property — The main forms of Intellectual Property — Copyright, Trademarks, Patents, Designs (Industrial and Layout) -- Geographical Indications - Plant Varieties Protection and Biotechnology.

Unit-II:

Introduction to the leading International instruments concerning Intellectual Property Rights — The Berne Convention — Universal Copyright Convention — The Paris Union — Patent Co-operation Treaty -- The World Intellectual Property Organization (WIPO) and the UNEESCO, International Trade Agreements concerning IPR — WTO — TRIPS.

UNIT-III: The Copyrights (Indian Copyright Act, 1957)

- a. Introduction to Copyright Law
- b. Brief Introduction to related International Treaties and Conventions
- c. Subject Matter of Copyright, Economic and Moral Rights (ss2,13,14,15,16, 57)
- d. Authorship and Ownership (s17), Term of Copyright and Assignment-Licensing (ss18-31)
- e. Infringement and Remedies (ss50-61)
- f. Exceptions: Fair Dealing
- g. International Copyright Order (ss40-41)
- h. Issues in Digital Copyrights

UNIT-IV: Patent (The Patents Act, 1970) (Lectures-12)

- a. Introduction to Patent Law
- b. Brief Introduction to related International Treaties and Conventions
- c. Definitions (s2), Criteria for Patents, Patentable Inventions
- d. Non-Patentable Inventions (s3)

- e. Procedure for Filing Patent Application (ss6-53)
- f. Revocation of Patent (s64), Licensing, Compulsory Licensing (ss82-92A)
- g. Parallel Import (s107A)
- h. Rights of Patentee, Patent Infringement and Defences (ss47-48,s104 and s107)

Suggested Readings:

1. P. Narayanan: *Patent Law*, Eastern Law House, 1995.
 2. Roy Chowdhary, S.K. & Other: *Law of Trademark, Copyrights, Patents and Designs*, Kamal Law House, 1999.
 3. Dr. G.B. Reddy, *Intellectual Property Rights and the Law* 5th Ed. 2005 GogiaLaw Agency.
 4. John Holyoak and Paul Torremans: *Intellectual Property Law*.
 5. B.L. Wadhera: *Intellectual Property Law*, Universal Publishers, 2nd Ed. 2000.
 6. W.R. Cornish: *Intellectual Property Law*, Universal Publishers, 3rd Ed. 2001.
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HUMAN RIGHTS LAW

Sub. Code: BCW- 414

L -4, C -4

Unit-I

Meaning and definition of Human Rights - Evolution of Human Rights - Human Rights and Domestic Jurisdiction

Unit-II

Adoption of Human Rights by the UN Charter - U.N. Commission on Human Rights - Universal Declaration of Human Rights - International Covenants on Human Rights (Civil and Political; Economic, Social and Cultural).

Unit-III

Regional Conventions on Human Rights - European Convention on Human Rights - American Convention on Human Rights - African Charter on Human Rights (Banjul).

Unit-IV

International Conventions on Human Rights - Genocide Convention, Convention against Torture, CEDAW, Child Rights Convention, Convention on Statelessness, Convention against Slavery, Convention on Refugees - International Conference on Human Rights (1968) - World Conference on Human Rights (1993).

Unit-V

Human Rights Protection in India - Human Rights Commissions - Protection of Human Rights Act - National Human Rights Commission (NHRC) - State Human Rights Commissions - Human Right Courts in Districts.

Suggested Readings:

- 1 P.R. Gandhi (ed): *Blackstone's International Human Rights Documents*, Universal Law Publishing Co. Delhi.
- 2 Richard B. Lillich and Frank C. Newman: *International Human Rights - Problems of Law and Policy*, Little Brown and Company, Boston and Toronto.
3. Frederick Quinn: *Human Rights and You*, OSCE/ ODIHR, Warsaw, Poland
4. T.S. Batra: *Human Rights – A Critique*, Metropolitan Book Company Pvt. Ltd., New Delhi.
5. Dr.U. Chandra: *Human Rights*, Allahabad Law Agency Publications, Allahabad.

ALTERNATE DISPUTE RESOLUTION

Sub. Code: BCW-415

L-2, P-8 C -6

The written examination of this paper will be for 50 marks and the remaining 50 marks for record and *viva voce*. There shall be classroom instruction on the following topics:

Unit-I:

Alternate Dispute Resolution — Characteristics — Advantages and Disadvantages—
Unilateral — Bilateral — Triadic (Third Party) Intervention — Techniques and processes --
Negotiation — Conciliation — Arbitration — Distinction between Arbitration, Conciliation
and Negotiation.

Unit-II:

The Arbitration and Conciliation Act, 1996 — Historical Background and Objectives of the
Act — Definitions of Arbitration, Arbitrator, Arbitration Agreement -- Appointment of
Arbitrator — Termination of Arbitrator -- Proceedings in Arbitral Tribunal -- Termination of
Proceedings — Arbitral Award -- Setting aside of Arbitral Award — Finality and
Enforcement of Award — Appeals – Enforcement of Foreign Awards. Conciliation –
Appointment of Conciliators – Powers and Functions of Conciliator -- Procedure –
Settlement of disputes through conciliation.

Unit-III:

Other Alternative Dispute Resolution Systems —Tribunals -- Lokpal and Lokayukta — Lok
Adalat's — Family Courts. Section 89 and Order X, Rules 1A, 1B and 1C of Civil Procedure
Code.

Practical Exercises (30 marks)

(a) The students are required to participate in 5 (five) simulation proceedings relating to Arbitration, Conciliation, Mediation and Negotiation. Participation in each such simulation proceeding shall be evaluated for a maximum of 4 (four) marks (Total 5x4=20marks).

(b) Students are required to attend and observe the proceedings of Lok Adalat's, Family Courts, Tribunals and other ADR Systems. Each student shall record the above observations in the diary which will be assessed. Record submitted by the student shall be evaluated for 10 marks by the teacher concerned. The Records of the students duly certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University before the commencement of the theory examinations

Viva- voce (20marks): There shall be viva-voce examination on the above components. The Viva-voce Board consisting of (i) Principal of the College/the teacher concerned (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law, and (iii) an advocate with 10 years' experience at the Bar shall evaluate the student in the Viva. The proceedings of the viva-voce shall be recorded.

Note: Attendance of the students in all the four components of the paper (written examination, participation in simulation proceedings, submission of record and attendance in viva) shall be compulsory.

Suggested Readings:

1. O.P. Tiwari: *The Arbitration and Conciliation Act* (2nd Edition): Allahabad Law Agency.
2. Johar's: *Commentary on Arbitration and Conciliation Act, 1996*: Kamal Law House.
3. Acharya N.K.: *Law relating to Arbitration and ADR*, Asia Law House, Hyderabad
4. Tripathi S.C.: *Arbitration, Conciliation and ADR*, Central Law Agency, Allahabad.
5. Avatar Singh: *Arbitration and Conciliation*, Eastern Law Book House, Lucknow.

DRAFTING, PLEADINGS AND CONVEYANCING

Sub. Code: BCW-416

L -1, P-8, C -6

Class-room instruction and simulation exercises on the following items shall be extended.

Unit-I

Drafting: General Principles of Drafting and relevant Substantive Rules shall be taught.

Unit-II

Pleadings: (i) Civil—Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision.

(ii) Petition under Article 226 and 32 of the Constitution of India - Drafting of Writ Petition and PIL Petition.

(iii) Criminal— Complaint, Criminal Miscellaneous Petition, Bail Application, Memorandum of Appeal and Revision.

Unit-III

Conveyancing: Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed

Practical Exercises

Apart from teaching the relevant law, the course includes not less than 15 (fifteen) practical exercises in drafting of pleadings carrying a total of 45 marks (3 marks for each) and 15 (fifteen) exercises in conveyancing carrying another 45 marks (3 marks for each exercise) and remaining 10 marks for viva-voce.

These 30 exercises shall be recorded. Each student shall be served with different problems for the purpose of exercise. These exercises shall be assessed and marks may be allotted.

These exercises shall be evaluated by a common committee consisting of (i) Principal of the College/the concerned teacher (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, Board of Studies in Law, O.U.; and (iii) an Advocate with 10 years experience at the Bar. The same committee will also conduct viva-voce on the above concepts. The proceedings of the viva-voce shall be recorded.

Note:

1. Attendance of the students for viva-voce shall be compulsory.

2. The above records certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University for Further Verification

Suggested Readings:

1. R.N. Chaturvedi: *Pleadings and Conveyancing*, Central Law Publications.
2. De Souza: *Conveyancing*, Eastern Law House.
3. Tiwari: *Drafting, Pleading and Conveyancing*, Central Law Agency.
4. Mogha: *Indian Conveyancer*, Eastern Law House.
5. Mogha: *Law of Pleadings in India*, Eastern Law House.
6. Shiv Gopal: *Conveyancing, Precedents and Forms*, Eastern Book Company

LABOUR LAW-II

Sub. Code: BCW 421

L – 4, C – 4.

Course Objective

This course is an attempt to study relating to the social security, wages and other benefits and industrial safety. It aims to introduce the students to the concepts of social security and welfare of the worker which is all the more important in the era of privatization.

Course Objective

At the end of the course the Student will be able to:-

CO1 Have a nice the undercurrent of the social security constitutional provisions and development at the international level.

CO2 Behind the constitutional and statutory provisions relating to minimum wages.

CO3 Apply the legal provisions in the contemporary debate on employee provident fund and workers vulnerability in India

CO4 Provisions relating to the compensation for industrial accident for answering problem-based question are especially concerning the time any place.

CO5 Understand this statutory provision relating to the maternity leave benefit in a holistic perspective.

Unit-I

Employment – Rights and obligation of workers and employers, Role of ILO

- a) **The Concept, Importance of Welfare Activities, Constitutional perspectives, Labour reforms.** Constitutional validity of the Minimum wages Act, 1948.

The Remunerative Aspects – Wages – Concepts of wages - Minimum, Fair, Living Wages - Wage and Industrial Policies - Whitley Commission Recommendations -Provisions of Payment of Wages Act 1936 - Timely payment of wages - Authorised deductions – Claims - Minimum Wages Act 1948 - Definitions - Types of wages -Minimum rates of wages - Procedure for fixing and revising Minimum Wages – Claims -Remedy.

Unit-II

Bonus – concept - Right to claim Bonus – Full Bench formula - Bonus Commission - Payment of Bonus Act 1965 - Application – Computation of gross profit, available, allocable surplus - Eligibility of Bonus - Disqualification of Bonus - set on – set off of allocable surplus- Minimum and Maximum Bonus-Recovery of Bonus.

Unit-III

Employees Security and Welfare aspect - Social Security - Concept and meaning - Social Insurance - Social Assistance Schemes. Social Security Legislations - Law relating to workmen’s compensation - The Workmen’s Compensation Act 1923 – Definitions - Employer’s liability for compensation - Nexus between injury and employment.

Scope of arising out of and in the course of employment.

Doctrine of notional extension.

When employer is not liable.

- payment of compensation - penalty for default - Employees State Insurance Act 1948 – Application - Benefits under the Act - Adjudication of disputes and claims – ESI Corporation.

Unit-IV

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

Unit-V

The Factories Act 1948 - Concept of “factory”, “manufacturing process”, “workers” and “occupier”.

Chapters dealing with Health, Safety and Welfare of Labour.- Working hours of adults.

Employment of young person and children.

Annual leave with wages.

Additional provisions regulating employment of women in factory

Child Labour - Rights of child and the Indian Constitution - Salient features of the Child Labour(Prohibition and Regulation) Act 1986.

Suggested Readings

1. S.N.Misra, *Labour and Industrial Laws*, Central law publication-22nd edition. 2006.
2. N.G. Goswami, *Labour and Industrial Laws*, Central Law Agency.
3. Khan &Kahan, *Labour Law-Asia Law house*, Hyderabad
4. K.D. Srivastava, *Payment of Bonus Act*, Eastern Book Company
5. K.D. Srivastava, *Payment of Wages Act*
6. K.D. Srivastava, *Industrial Employment (Standing Orders) Act 1947*
7. S.C.Srivastava, *Treatise on Social Security*
8. Jidwitesukumar Singh, *Labour Economics*, Deep& Deep, New Delhi
9. V.J.Rao, *Factories Law*

Intellectual property Law-II

Sub. Code: BCW-422

L -4, C -4

UNIT-I: Industrial Design (The Designs Act, 2000) (Lectures-08)

- a. Introduction to Designs Law
- b. Brief Introduction to related International Treaties and Conventions
- c. Definitions (s2), Registration of Designs and Procedure (ss3-9, s16, s21)
- d. Cancellation of Registration of Design (s19)
- e. Piracy of Registered Design (s22) and Remedies
- f. Overlapping Between Designs Copyrights and Trademark

UNIT-II: Trademarks (The Trademarks Act, 1999)

- a. Introduction to Trademark Law
- b. Brief Introduction to related International Treaties and Conventions
- c. Definitions (s2), Registration of Trademarks, Procedure, Grounds of Refusal and Well Known Trademarks (ss9-12, ss18-23 and s33)
- d. Passing Off, Infringement and Exceptions to Infringement Actions, Remedies (ss27-30, s34, ss134-135)
- e. Assignment and Licensing (ss48-53)
- f. Intellectual Property Appellate Board (ss83-100)
- g. Conflicts of Trademarks with Domain Name
- h. Unconventional Trademarks

UNIT-III: Law relating to Geographical Indications Introduction, meaning and salient features of Geographical Indication of Goods under the Geographical Indication of Goods (Registration and Protection) Act, 1999 Procedure for Registration, Duration and Renewal, Right conferred by registration, Infringement of Geographical Indication, Remedies, Offences and Penalties.

UNIT-IV: Law relating to Plant Varieties & Farmer's Rights

UTTAR PRADESH LAND LAWS

Sub. Code: BCW 423

L-4, C-4

Unit I: Introduction

Interpretation Clause, Objects and Clause of UP Zamindari Abolition and Land Reforms Act 1950, Characteristics of Act.

Unit II: Classes and Rights of Tenure Holder

Bhumidhar with Transferable Rights, Bhumidhar with Non-Transferable Rights, Asami, Government Lease.

Unit III: Succession

General Order of Succession, Succession as per strips, Critical Approach to Law of Succession, Succession for Females.

Unit IV: Ejectment

Ejectment of Tenure Holder from the Land of Public Utility, Ejectment of Trespasser, Ejectment of Bhumidhar, Ejectment of Asami, Abandonment and Surrender.

Unit V: UP Land Revenue Act, 1901

Authorities under the Act, Procedure of Collecting Land Revenue, Bar on Jurisdiction of Civil Courts, Records of Rights, Mutation and Boundary Disputes.

Leading Cases for Detail Study

- *Abdul Saeed And Another Vs State of Uttar Pradesh & Others
- *Smt. Mainia Vs Dy. Director Consolidation
- *Satyendra Singh Vs State of UP
- *Lalsa Vs State of UP
- *InduBhushan Vs State of UP

Suggested Reading:

1. MauryaR.R.,Uttar Pradesh Land Laws,Central Law Publications,Allahabad.
2. Singh C.P., Uttar Pradesh Land Laws, Central Law Agency,Allahabad.

Interpretation of Statutes

Sub. Code: BCW 424

L – 4, C – 4.

Unit-I:

Meaning and Definition of Statutes — Classification of Statues — Meaning and Definition of Interpretation — General Principles of Interpretation — Rules of Construction under the General Clauses Act, 1897.

Unit-II:

Grammatical Rule of Interpretation — Golden Rule of Interpretation – Rule of Interpretation to avoid mischief.

Unit-III:

Interpretation of Penal Statutes and Statutes of Taxation — Beneficial Construction — Construction to avoid conflict with other provisions — Doctrine of Harmonious Construction.

Unit-IV:

External Aids to Interpretation — Statement of objects of legislation, Legislative debates, identification of purpose sought to be achieved through legislation — Internal Aids to Interpretation — Preamble, title, interpretation clause, marginal notes, explanations etc. — Presumptions.

Unit-V:

Effect of Repeal — Effect of amendments to statutes — Conflict between parent legislation and subordinate legislation — Methods of interpreting substantive and procedural laws.

Suggested Readings:

1. Vepa P. Sarathi: *Interpretation of Statutes*, Eastern Book Co, 4th Edition, 1976.
2. Chatterjee: *Interpretation of Statutes*.
3. G.P. Singh: *Principles of Statutory Interpretation*, Wadhwa and Company, 8th Ed., 2001.

INFORMATION TECHNOLOGY LAW

Sub. Code: BCW 425

L -4, C -4

Unit-I

Concept of Information Technology and Cyber Space- Interface of Technology and Law - Jurisdiction in Cyber Space and Jurisdiction in traditional sense - Internet Jurisdiction - Indian Context of Jurisdiction - Enforcement agencies - International position of Internet Jurisdiction - Cases in Cyber Jurisdiction

Unit-II

Information Technology Act, 2000 - Aims and Objects — Overview of the Act – Jurisdiction - Electronic Governance – Legal Recognition of Electronic Records and Electronic Evidence - Digital Signature Certificates - Securing Electronic records and secure digital signatures - Duties of Subscribers - Role of Certifying Authorities - Regulators under the Act - The Cyber Regulations Appellate Tribunal - Internet Service Providers and their Liability – Powers of Police under the Act – Impact of the Act on other Laws .

Unit-III

E-Commerce - UNCITRAL Model - Legal aspects of E-Commerce - Digital Signatures - Technical and Legal issues - E-Commerce, Trends and Prospects - E-taxation, E-banking, online publishing and online credit card payment - Employment Contracts - Contractor Agreements, Sales, Re-Seller and Distributor Agreements, Non-Disclosure Agreements- Shrink Wrap Contract ,Source Code, Escrow Agreements etc.

Unit-IV

Cyber Law and IPRs-Understanding Copy Right in Information Technology - Software - Copyrights vs Patents debate - Authorship and Assignment Issues - Copyright in Internet - Multimedia and Copyright issues - Software Piracy –Patents - Understanding Patents - European Position on Computer related Patents - Legal position of U.S. on Computer related Patents - Indian Position on Computer related Patents –Trademarks - Trademarks in Internet - Domain name registration - Domain Name Disputes & WIPO -Databases in Information Technology - Protection of databases - Position in USA,EU and India

Unit-V

Cyber Crimes - Meaning of Cyber Crimes – Different Kinds of Cybercrimes – Cybercrimes under IPC, Cr.P.C and Indian Evidence Law - Cybercrimes under the Information Technology Act,2000 - Cybercrimes under International Law - HackingChild Pornography, Cyber Stalking, Denial of service Attack, Virus Dissemination, Software Piracy,Internet Relay Chat (IRC) Crime, Credit Card Fraud, Net Extortion, Phishing etc - Cyber Terrorism - Violation of Privacy on Internet - Data Protection and Privacy

Suggested Readings:

1. Kamlesh N. &MuraliD. Tiwari(Ed), *IT and Indian Legal System*, Macmillan India Ltd, New Delhi
2. K.L. James, *The Internet: A User's Guide* (2003), Prentice Hall of India, New Delhi
3. Chris Reed, *Internet Law-Text and Materials*, 2nd Edition, 2005, Universal Law Publishing Co., New Delhi

**PROFESSIONAL ETHICS AND PROFESSIONAL
ACCOUNTING SYSTEM**

Sub. Code: BCW 426

L -4, C -4

The written examination of this second clinical paper will be for 60 marks and the remaining 40 marks for record and *viva voce*. There shall be classroom instruction on the following topics:

Unit-I: Development of Legal Profession in India — The Advocates Act, 1961 — Right to Practice — a right or privilege? - Constitutional guarantee under Article 19(1) (g) and its scope — Enrolment and Practice — Regulation governing enrolment and practice — Practice of Law — Solicitors firm — Elements of Advocacy.

Unit-II : Seven lamps of advocacy — Advocates duties towards public, clients, court, and other advocates and legal aid ; Bar Council Code of Ethics.

Unit-III: Disciplinary proceedings — Professional misconduct — Disqualifications — Functions of Bar Council of India/State Bar Councils in dealing with the disciplinary proceedings —Disciplinary Committees -- Powers and functions - Disqualification and removal from rolls.

Unit-IV: Accountancy for Lawyers — Nature and functions of accounting — Important branches of accounting — Accounting and Law – Bar Bench Relations.

Record (30 marks): Each student shall write 50 selected opinions of the Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court of India in the Record. The Record shall be evaluated for 30marks by the teacher concerned. The Records of the students duly certified by the University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law shall be submitted to the University before the commencement of the theory examinations.

Viva- voce (10marks): There shall be viva-voce examination on the above components. The Viva-voce Board consisting of (i) Principal of the College/the teacher concerned (ii) University Representative appointed by the Controller of Examinations in consultation with the Chairman, BOS in Law, and (iii) an advocate with 10 years' experience at the Bar shall evaluate the student in the Viva. The proceedings of the viva-voce shall be recorded.

Note: All the three components of the paper (written examination, submission of record and attendance in viva) shall be compulsory.

Suggested Readings:

1. Myneni S.R.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
2. Gupta S.P.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Asia Law House, Hyderabad.
3. Kailash Rai: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation, Allahabad Law Agency.

Environmental Law

Sub. Code: BCW 511

L – 4, C – 4.

Unit-I

The meaning and definition of environment – Ecology - Ecosystems-Biosphere - Biomes - Ozone depletion - Global Warming - Climatic changes - Need for the preservation, conservation and protection of environment - Ancient Indian approach to environment- Environmental degradation and pollution - Kinds, causes and effects of pollution.

Unit-II

Common Law remedies against pollution - trespass, negligence, and theories of Strict Liability & Absolute Liability - Relevant provisions of I.P.C. and Cr.P.C. and C.P.C., for the abatement of public nuisance in pollution cases - Remedies under Specific Relief Act - Reliefs against smoke and noise - Noise Pollution.

Unit-III

The law relating to the preservation, conservation and protection of forests, wild life and endangered species, marine life, coastal ecosystems and lakes etc. - Prevention of cruelty towards animals - The law relating to prevention and control of water pollution - Air Pollution - Environment pollution control mechanism - Law relating to environment protection – National Environmental Tribunal and National Environmental Appellate Authority **BIO-DIVERSITY-Legal control, Convention on Biological Diversity, 1992, Biodiversity Act, 2002 Control of eco-unfriendly experimentation on animals, plants, seeds and micro organism.**

Unit-IV:

Art. 48A and Art. 51A(g) of the Constitution of India - **Constitutional making - development and property-oriented approach, Directive principles, Status, role and interrelationship with fundamental rights and fundamental duties, Fundamental Duty, Judicial approach, Fundamental Rights, Rights to clean and healthy environment, Environment v. Development-Right to wholesome environment - Right to development - Restriction on freedom of trade, profession, occupation for the protection of environment - Immunity of Environment legislation from judicial scrutiny(Art.31C) - Legislative powers of the Centre and State Government - Writ jurisdiction - Role of Indian Judiciary in the evolution of environmental jurisprudence.**

Unit-V

International Environmental Regime - Transactional Pollution - State Liability - Customary International Law - Liability of Multinational Corporations/Companies - Stockholm Declaration on Human Environment, 1972 - The role of UNEP for the protection of environment - Ramsar Convention 1971 – Bonn Convention (Migratory Birds) 1992 - Nairobi Convention, 1982 (CFCC) - Biodiversity Convention (Earth Summit), 1992 - Kyoto Protocol 1997, Johannesburg Convention 2002.

Suggested Readings:

1. Paras Diwan: *Studies on Environmental Cases.*
2. S.N. Jain (ed.): *Pollution Control and the Law.*
3. Armin Rosencranz and Shyam Divan: *Environmental Law and Policy in India.*
4. A.Agarwal (ed.): *Legal Control of Environmental Pollution*
5. Chetan Singh Mehta: *Environmental Protection and Law*

6. V.K. Krishna Iyer: *Environment Pollution and Law*
7. Shah: *Environmental Law*
8. Paras Diwan: *Environmental Law and Policy in India*, 1991
9. Dr. N. MaheshwaraSwamy, *Environmental Law*, Asia Law House, Hyderabad.

ADMINISTRATIVE LAW

Sub. Code: BCW 512

L – 4, C – 4.

Course Objective

This course is designed to serve as a general introduction to jurisprudence – the philosophy of law. During the semester, we will consider the philosophical nature of law, legal reasoning and argument, legal rights, as well as justice and equality under the law. For theory, we will read a mix of classic and modern jurisprudential texts. Applying theory to practice, we will also engage in a series of case studies examining major Supreme Court that turn on deeper jurisprudential debates. The course should also give students an opportunity to think carefully about the values that ought to underpin a country's legal system.

Course Outcome

By the end of this course, successful students will be able to:

- CO1 Explain the differences between the different schools of jurisprudence concerning the nature of law;
- CO2 Identify the major and minor premises of legal arguments and analyse legal debates using appropriate rhetorical vocabulary;
- CO3 Invent and defend arguments about the requirements of justice in legal disputes that reference and extend the themes of the course.
- CO4 Devise a correct way of handling the legal problem

Unit-I:

Movement from Laissez-faire to a Social Welfare State. Nature, Scope and Development of Administrative Law. . Droit Administratif.

Nature and scope of Administrative Law — Meaning, Definition and Evolution of Administrative Law—Reasons for the growth of Administrative Law — Relationship between Administrative Law and Constitutional Law.

Unit-II:

Basic concepts of Administrative Law — Rule of Law — **Interpretation** of Dicey's Principle of Rule of Law — Modern trends - Theory of Separation of Powers — Position in India, UK and USA

Unit-III:

Classification of Administrative functions — Legislative, Quasi-judicial, Administrative and Ministerial functions — Delegated Legislation — Meaning, Reasons for the growth and Classification of delegated legislation, **constitutionality of delegated Legislation; Retrospective delegated legislation** — Judicial and Legislative Control of Delegated litigation.

Unit-IV:

Judicial Control of Administrative Action - Grounds of Judicial Control — Principles of Natural Justice- Rule against bias and right of fair hearing, *Audi Alteram Partem*, Reasoned decisions. Administrative discretion and its control.

Nature of Tribunals- Constitution, Powers, Procedures, Rules of evidence, Administrative Tribunals, Institutional Decisions

Unit-V:

Remedies available against the State — Writs — Ombudsman : its origin, developments, nature and purpose; Lokpal and Lok Ayukta — Liability of the State in Torts and Contracts — Rule of Promissory Estoppel — Administrative Tribunals - Commissions of Inquiry — Public Corporations- their nature, liability, constitutionality and controls of statutory. Central Vigilance Commission, legitimate expectation;

Suggested Readings:

1. Griffith and Street: *Principles of Administrative Law*.
2. H.W.R.Wade: *Administrative Law*, Oxford Publications, 8th Edn. 2000, London.
3. De Smith: *Judicial Review of Administrative Action*, Sweet and Maxwell, 1998.
4. S.P. Sathe: *Administrative Law*, Butterworths, 6th Edn. 1998.
5. I.P.Massey: *Administrative Law*, Eastern Book Company, 5th Edn. 2001.

INDIAN FEDERALISM

Sub. Code: BCW 513

L – 4, C – 4.

Unit-I: Federalism

- 1 What is a federal government?
- 2 Difference between confederation and Federation
- 3 Condition requisites for federalism
- 4 Patterns of Federal Government – USA, Australia, Canada and India

Unit-II: Union – State Financial Relations

- 1 Centre- State relations
- 2 Factors responsible for sub-ordination of States
- 3 Distribution of Fiscal Power - Scheme of Allocation of taxing - Extent of Union Power of Taxation - Residuary Power- inclusion of fiscal power

- 4 Restriction of fiscal power - Fundamental Rights - Inter-Government tax immunities - Difference between tax and Fee
- 5 Distribution of Tax Revenue
- 6 Borrowing power of the State
- 7 Planning and Financial Relations

Unit- III: Legislative Relations

- 1 Territorial Jurisdictions
- 2 Distribution of Legislature powers
- 3 Principles of Interpretations
- 4 Repugnancy
- 5 Residuary Power
- 6 Parliamentary Legislation in the State field
- 7 Distributions of powering other Federations, Canada, USA, Australia

Unit-IV: Administrative Relations

- 1 Distribution of Executive Power
- 2 Central- State Administrative Co-ordination
- 3 Power to carry on Trade
- 4 States not to impede the Centre
- 5 Centre's Directives to the States

Unit- V: Local Government Administration

- 1 Concept of local government - Aims and objectives of local government
- 2 Local government in historical perspective
- 3 Categories of local government - organizational set up of local government
- 4 Powers of local government - taxing, prosecuting, advising, legislative, judicial and summary.
- 5 State - local government relation - judicial control of local government

Suggested Readings:

- Austin, Granville, The Indian Constitution: Cornerstone of a Nation
- Dicey, A V, An Introduction to the study of the Law of the Constitution,
- Federalism: A Foreword, 86 Yale Law Journal 1019 (1977)
- Seervai, H.M., Constitutional Law of India

COMPARATIVE CONSTITUTION

Sub. Code: BCW 514

L – 4, C – 4.

UNIT-I CONSTITUTION & CONSTITUTIONALISM

- Constitution: Concept, Nature and Importance of Constitution-Evolution of Constitutional Values-Requisites of Ideal Constitution-Historical Evolution of Constitutional Government • Constitutionalism: Concept-Evolution-Limitations on Government Power, Constitutional Supremacy-Separation of Power

UNIT-II COMPARATIVE CONSTITUTIONS

- Scope of Comparative Constitutional Law: Need for Comparative Study of Constitutional Law in Constitution Making • Types of Constitutions: Written Constitutions-U.S.A, Canada, Australia and India; Unwritten Constitutions-England

UNIT-III JUDICIAL REVIEW & CIVIL RIGHTS • Judicial Review-Fundamental Rights; Writ Jurisdiction-A Comparative Study • Civil Liberties/Rights: Structure-Enforcement-Individual Rights-Group Rights-National Security

UNIT-IV FEDERALISM

• Federalism: Concepts of Federalism and Federal Government-Conditions Essential for Federalism; Patterns of Federal Government: U.S.A, Australia, Canada and India • New Trends in Federalism: Cooperative Federalism-Political factors Influencing Federalism, Central Control v. State Autonomy-Dynamics of Federalism

REFERENCES-

1. M. P. Jain: Indian Constitutional Law, LexisNexis India, Gurgaon.
2. M. P. Singh: V.N Shukla's Constitutional Law, Eastern Book Company, Lucknow.
3. D. D. Basu: Comparative Constitution Law, LexisNexis India, Gurgaon.
4. D. D. Basu: Introduction to the Constitution of India, Lexis-Nexis, New Delhi.

Gender Justice and Feminist Jurisprudence

Sub. Code: BCW 515

L – 4, C – 4.

UNIT-I Concept of Gender Justice and Feminist Jurisprudence; United Nations and Human Rights of Women, Universal Declaration of Human Rights, 1948; Convention on Elimination of All forms of Discrimination Against Women, 1979; Declaration on Elimination of Violence Against Women, 1993. Leading Case: Vishakha v. State of Rajasthan AIR 1997 SC 3011

UNIT-II Constitutional Safeguards for the Protection of Women – Right to equality, Right to life and personal liberty, Right against exploitation, Directive Principles of State Policy, Protection of Women from Sexual Harassment at Workplace, National Commission for Women- Composition, Powers and Functions.

Leading Case: Air India v. Nargesh Mirza AIR 1981 SC 1929

UNIT-III The Dowry Prohibition Act, 1961- Definition of Dowry, Penalty for giving, taking and demanding dowry; Ban on advertisement; Dowry for the benefit of the wife or her heirs; Cognizance of offences; Dowry prohibition officers; Dowry Prohibition (Maintenance of Lists of Presents to the Bride and Bridegroom) Rules, 1985; The Protection of Women from Domestic Violence Act, 2005 – Definition of Domestic Violence, Powers and duties of Protection Officers, Service Provider etc.; Procedure for obtaining orders of reliefs. Leading Case :S.R. Batra v. Taruna Batra, AIR 2007 SC 1118.

UNIT-IV The Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994- Preliminary regulation of genetic counseling centers, Genetic laboratories and genetic clinics; Regulation of pre-natal diagnostic techniques; Central Supervisory Board; Appropriate authority and Advisory Committee; Offences and Penalties. Protection of Women under Immoral Traffic (Prevention) Act 1956 – an Overview Leading Case: Centre for Enquiry into Health and Allied Themes (CEHAT) and others v. Union of India and others, (2001) 5 SCC 2007.

Suggested Readings

1. Paras Diwan: Law relating to Dowry, Dowry Death, Bride Burning, Rape and Related Offences.
2. J.N. Pandey: Constitutional Law of India
3. V.N. Shukla: Constitution of India
4. Tripathi and Arora: Law Relating to Women & Children
5. Devender Singh: Human Rights, Women and Law
6. Shobha Sexena: Crimes against Women and Protective Laws
7. Indira Jaisingh: Handbook on Law of Domestic Violence
8. Indira Jaisingh: Pre-conception & Pre-Natal Diagnostic Techniques Act: Users Guide to the Law
9. Anjani Kant: Law relating to Women and Children
10. Mamta Rao: Law Relating to Women and Children
11. A.S. Anand: Justice for Women: Concerns and Expressions.

JUDICIAL PROCESS

Sub. Code: BCW – 522

L-4, C-6

UNIT I. Nature of judicial process – Judicial process as an instrument of social ordering – Tools and techniques of judicial creativity and precedent- ratio decidendi and obiter dictum – method of determining ratio decidendi – stare decisis and exceptions – precedents in common law and civil law countries.

UNIT II. Logic and growth in law both under code system and common law – judicial discretion in judicial reasoning – varieties of judicial and juristic activism – problem of accountability and judicial law making.

UNIT III. Judicial process in India – search for the legislative intention – method of judicial interpretation – the independence of judiciary and the political nature of judicial process -

institutional liability of courts – Indian debate on the role of judges and on the notion of judicial review.

UNIT IV. The judge as legislator – conscious and sub conscious elements in the judicial process social philosophy of the judges and its impact on judicial divisions – committed judiciary. 5. Judicial creativity vis-a-vis the constitution, legislation and precedents- limitation on judicial decision making – Theories Equivalence theories – Dependence theories – Independence of justice theories.

Select Bibliography: 1. Julius Stone – The Province and Function of Law (2000), Universal, New Delhi. 2. Cardozo – The Nature of Judicial Process (1995), Universal, New Delhi.

3. Henry J. Abraham – the Judicial Process (1998), Oxford.

4. Julius Stone – Precedent and the Law: Dynamics of Common Law Growth (1985) Butterworth.

5. W. Friedmann – Legal Theory (1960), Stevens, London.

6. U. Baxi – the Indian Supreme Court and Politics (1980), Eastern, Lucknow.

7. Julius Stone – Social Dimensions of Law and Justice (1966) Chapter 1,6,7.

8. Rupert Cross – Precedent in English Law (1968).

9. Allen – Law in the making (1963) Chapters 3,4.

10. N.K. JayaKumar – Judicial Process in India.

RIGHT TO INFORMATION & ELECTION LAW

Sub. Code: BCW – 523

L-4, C-6

UNIT-I: RTI Act

Definitions, Nature and Scope of Right to Information Act. Right to Information and Obligations of Public Authorities. The Central and State Information Commission, its Powers and Functions. Appeal and Penalties.

UNIT-II: Meaning and Concept of Election and Election Dispute

- a. Challenge to Election: Whom and How to Make
- b. Forum for filing Election Petition
- c. Parties to Election Petition
- d. Contents of Election Petition

- e. Grounds of Challenge to Election
- f. Trial of Election Petition
- g. Recriminatory Petition
- h. Withdrawal, Abatement and Appeal
- i. Election to President and Vice President
- j. Composition and Powers of Election Commission (Part XV-Article 324-329 of the Constitution of India)

UNIT-III: Qualification and Disqualification of Candidates

- a. Meaning and Distinction Between Qualification and Disqualification
- b. Qualifications and Disqualifications Provisions under Indian Constitution and the Representation of Peoples' Act, 1951
- c. Office of Profit
- d. Government Contract
- e. Disqualifications on Convictions under the Representation of Peoples' Act, 1951
- f. Anti-Defection Law

UNIT-IV: Nomination (Sections 30-39, s100(1)(c), s100(1)(d) of the Representation of Peoples' Act, 1951

- a. Meaning of Valid Nomination
- b. Procedure for Filing of Nomination Security Deposits etc.
- c. Grounds of Rejection of and Withdrawal of Nominations
- d. Voter's Right to Know Antecedent of the Candidates
- e. Recognition of Political Parties and Election Symbols

UNIT-V: Corrupt Practices

- a. Meaning and Distinction between Corrupt Practices and Electoral Offences
- b. Substantive Corrupt Practice: Bribery, Undue Influence, Character, Assassination of Candidates, Appeal on the Grounds of Religion, Race, Caste, etc.
- c. Needs of Educational Qualification for Candidates
- d. Criminalization of Politics
- e. Election Expenses
- f. Model Code of Conduct
- g. Use of Government/Private Electronic Media and Social Media by Political Parties
- h. Opinion and Exit Polls
- i. Defacement of Public and Private Properties
- j. Reservation for Women in Parliament and State Legislatures

Textbooks:

1. V.S. Rama Devi & S.K. Mehendiratta, *Election Law, Practice and Procedure*, Butterworths Publishers, 2013
2. P.C. Jain & Kiran Jain, *Election Law and Practice*, Chawla Publishers, 2012

HEALTH LAW

Sub. Code: BCW – 524

L-4, C-6

Unit – I: Introduction to Health Care Law

1. Interrelation between law and Health Care Protection
2. Constitutional Protection about Health Care
3. National Health Care Policy
4. National Health Care Plans

Unit – II: Global Health Care Protection

1. WHO and Its Role
2. Sustainable Health and Millennium Development Goal
3. Global Health Policy

4. Health Care Tourism

Unit-III: Clinical Investigation Laws

1. Transplantation of Human Organs Act
2. Blood Transfusion Act
3. Medical termination of Pregnancy Act
4. Natal Diagnostic Techniques Regulation and Prevention of Miscarriage Act
5. Drugs and Cosmetics Act

Unit – IV: Medical Negligence and Malpractices

1. Ingredients
2. Role of consent in medical practice
3. Error of judgment and gross negligence
4. Wrongful diagnosis and negligent diagnosis

Unit – V: Remedies for Medical negligence

1. Law of Torts
2. Law of Crimes
3. Consumer Protection Law

Suggested Readings

1. Vijay Malik – Drug and Cosmetic Act, Verghees Publishing Agency, Mumbai
2. Anoop K. Kaushal – Medical Negligence & Legal Remedies, Universal Law Publication, Delhi
3. Dr. Jagdish Singh – Medical negligence Compensation, Jain Book Agency, Delhi

MEDIA & LAW

Sub. Code: BCW – 525

L-4, C-6

Unit-I:

Mass Media- Types of –Press, Films, Radio and Television Ownership patterns-Press-Private-Public Ownership patterns-Films-Private Ownership patterns-Radio and Television, Difference between visual and non-visual Media- impact on People’s minds. Role of Internet as Mass media

Unit-II:

Press-Freedom of Speech and Expression-Article 19 (1) (a) Includes Freedom of the Press, Laws of defamation, obscenity, blasphemy and sedition, The laws relating to employees’ wages services conditions, Price and Page Schedule Regulation, Newsprint Control Order, Advertisement is it included within freedom of speech and expression, Press and the Monopolies and Restrictive Trade Practices Act

Unit –III:

Films-How far included in freedom of speech and expression, Censorship of films-constitutionality, The Abbas Case, Difference between films and press-why pre-censorship valid for films but not for the Press, Censorship under the Cinematography Act

Unit-IV:

Radio and Television-Government monopoly- Why Government Department? Should there be an autonomous corporation? Effect of Television on People, Report of the Chanda Committee, Government Policy. Commercial Advertisement, Internal scrutiny of services, etc. Judicial Review of Doordarshan decisions: Freedom to telecast.

Unit-V:

Constitutional restrictions, Radio and television subject to law of defamation and obscenity, Power to legislate-Article 246 read with the Seventh Schedule. Power to impose tax-licensing and license fee.

Selected Bibliography:

1. M.P.Jain Constitutional Law of India (1994) wadhwa
2. H.M.Seervai, Constitutional Law of India Vol.1 (1991) Tripathi, Bombay.
3. John B.Howard, “The Social Accountability of Public Enterprises” in Law and Community Controls in New Development Strategies (International Centre for Law in Development 1980) .

AIR AND SPACE LAW

Sub: Code – BCW – 526

L4, C4.

Unit-I Nature and Historical Development of Air and Space Law - Sovereignty over air space, Theories regarding air spaces, Role of space law in International System. Aerial Navigation, Paris Convention on Aerial Navigation, 1919.

Unit-II Havana Convention, 1928; Warsaw Convention, 1929; Chicago Convention on International Civil Aviation, 1944; Aircraft Hijacking- Meaning and Definition of Hijacking, Universal Jurisdiction in respect of crime of Hijacking.

Unit-III Outer Space- Meaning and Scope; Outer Space Treaty; Vienna Conference on the Exploration and Peaceful use of Outer Space, Demarcation between Air Space and Outer Space

Unit-IV Arms Control in Outer Space; Strategic Arms Limitation Treaty (SALT); Aero Space Weapons: Causes, Growing threats from Sophisticate Weapons; International Cooperation in Outer Space.

Suggested Readings

1. Bhatt, S: Studies in Aerospace Law
2. Kapoor S.: Public International Law
3. Nicolas: Legal Implication Remote Sensing from Outer Space
4. Tandon, M.P.: Public International Law
5. Harris, D.J: Cases and Material of International law

CRIMINOLOGY AND PENOLOGY

Sub: Code – BCW – 527

L4, C4.

Unit – I: Understanding Crime

- a. Crime: Definition and Concept
- b. Causal approaches to explanations and difficulties of applications of casual analysis to human behaviour
- c. Specific Theories: Biophysical explanations, Psychodynamic approaches, Social learning theories of Crime causation, Social learning through sub-cultures of deviance, Social disorganization theories, and Economistic approaches The Constitutional School of Criminology, Lombroso and others, Hereditary and mental retardation as causes of Crime, Sociological theories Anomies, Modern Sociological Theories: Sutherland's differential Association theory, Reckless Social vulnerable theory. Multiple Causation Theories

Unit – II: Deviations

- a. Legislation
 - b. Treatment
 - c. Judicial Approach
- Socio-Economic Crimes
- a. White collar crimes
 - b. Drug Abuse

Unit – III: Punishment

- a. Theories of Punishment: Deterrent, Retributive, Preventive and Reformative
- b. Alternatives to imprisonment: Probation, Open jail, Parole etc.
- c. Prison reform and the Judicial Response
- d. Capital Punishment

Unit – IV: Victimology

- a. Compensation, Restitution, Assistance and Rehabilitation
- b. Compensation as a mode of punishment
- c. Constitutional perspective of compensation

Textbooks:

1. Sutherland and Crssey – Criminology
2. Ahmed Siddique – Criminology
3. Mrs. Vedkumari – Juvenile Justice

FORENSIC SCIENCES

Sub: Code – BCW – 528

L4, C4.

UNIT-I

Objective and Introduction

Legal Procedure in Criminal Courts: Criminal Courts & their powers, Examination in Chief, Cross Examination, Re-Examination, Court Questions.

Evidence-(a) Documentary Evidence: Medial Certificates, Medico-Legal Reports, Dying Declaration, Death Certificate. (B) Oral Evidence: Dying Declaration-Deposition of a Medial Witness taken in a Lower Court.

UNIT-II

Personal Identity: Definition, Race, Sex Determination, Anthropometry, Dactylography, Footprints, Scars, Deformities, Tattoo Marks, Occupational Marks, Handwriting, Clothes Personal Articles, Speech & Voices, DNA, Finger Printing Gait.

Post-mortem Examination: Objectives, Rules, External Examination, Internal Examination, Cause of Death

Examination of the Biological Stains & Hairs: Blood, Semen, Saliva Stains, Hairs & Fibers

UNIT III

Death and its Medico-Legal Aspect-Definition, Mode of Death, Sudden Death, Sign of Death, Time since Death, Presumption of Death, Presumption of Survivorship

Deaths from Asphyxia: Introduction, Hanging, Strangulation, Suffocation, Drowning.

Injuries by Mechanical Violence: Introduction, Business & Contusions, Abrasions, Wounds, Introduction to Firearms & ammunitions

Medico-Legal aspect of Wounds: Nature of injury, Examination of Injured Persons, Cause of Death from Wounds, Power of Volitional, Acts after receiving a Fatal injury, Difference between wounds inflicted during life & after

Difference between Suicidal, Homicidal & Accidental Wounds

UNIT IV

Insanity in its Medico-Legal Aspect: Introduction, Cause of Mental ill Health, Indication of Mental Health, Classification of Mental Diseases, Feigned Mental ill health, Criminal Responsibility

Torture & Medicine: Introduction & Definition, Reasons for Torture, Types of Torture, Medico- Legal Aspects of Torture, Post-mortem Detection of Torture.

Toxicology: Law relating to Poisons, Action of Poisons, Asphyxiates (Irrespirable Cases), Carbon di-Oxide, Carbon Mono-Oxide, War Gases

Book

Modi: Medical Jurisprudence

INTERNATIONAL CRIMINAL LAW

Sub: Code – BCW – 529

L4, C4.

Unit-I Introduction and General Features of International Criminal Law; Sources of International Criminal Law; General Principles of International Criminal Law; The Principle of Individual Criminal Responsibility; The Principle of Legality of Crimes; The Principle of Legality of Penalties

Unit-II International Crimes: War crimes; Crimes against Humanity; Genocide; Torture as a Discrete Crime and Aggression; Terrorism as an International Crime;

Unit-III Circumstances Excluding International Criminal Liability: Justification and Excuses Other Excuses: Superior order, Necessity, Duress and Mistake Immunities

Unit-IV The Establishment of International Criminal Tribunals Nuremberg and Tokyo Trial Criminal procedures of ICTY, ICTR: Charges, sentencing and penalties International Criminal Court: Origin, Development, Jurisdiction, Admissibility International criminal procedure: focus on the rights of the accused The role of the UN Security Council

Statutory Material 1. Statute of the International Court of Justice

2. Hague Conventions of 1899 and 1907, Geneva Conventions

3. Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (Ottawa Treaty)

4. Rome Statute of the International Criminal Court entered into force on 1 July 2002.

Suggested Readings 1. Fanner, Toni. P: International Criminal Tribunals, ICRC, Switzerland, 2006.

2. ICC- India: International Criminal Court: Conversations with Indian Parliamentarians ICC – India, Mumbai, 2005

3. Albeek, Rosanne Van: Immunity of States and their officials in international Criminal Law and International Human Rights Law, Oxford University Press, New York., 2008.

4. Banerjee, Dipankar: International Criminal Court, KDF, New Delhi, 2006.

5. Bantekas, Llias: International Criminal Law, (ed.) Rout Ledge, London, 2003.

6. Broomhall, Bruce: International Justice and International Criminal Court: Between Sovereignty and the Rule of Law, Oxford University. Press, New York, 2004.

7. Cassese: Rome Statue of International Criminal Court: A Commentary Materials, Oxford University Press, New York, 2002.

8. Dormaan, Knut and Beck, Louise Doswald: Elements of War Crimes under the Rome Statue of the International Criminal Court: Sources and Commentary, Cambridge University, U.K., 2008.

9. International Criminal Court: International Criminal Court: International Criminal Court, Netherlands, 2010.

I T OFFENCES

Sub: Code – BCW – 530

L4, C4.

UNIT I. Cyber Forensic and Computer Crimes and types. Crimes targeting Computers: Definition of Cyber Crime & Computer related Crimes, Classification & Differentiation between traditional crime and cybercrimes. (a) Data Theft (b) Hacking (c) Spreading Virus & Worms (d) Phishing (e) Cyber Stalking / Bullying (f) Identity Theft & Impersonation (g) Credit card & Online Banking Frauds (h) Obscenity, Pornography & Child Pornography (i) Cyber Defamation, Defacement, (j) Illegal online selling & Gambling (k) Denial of Service Attacks (l) Cyber terrorism (m) Software Piracy & illegal downloading

UNIT II. Reasons for Cyber Crimes: Cyber Criminal Mode and Manner of Committing Cyber Crime. Prevention of Cyber Crimes & Frauds Critical analysis & loopholes of The IT Act, 2000 5. Cyber Crimes: Freedom of speech in cyber space & human right issues

UNIT III. Investigation of Cyber Crimes. Investigation of malicious applications. Agencies for investigation in India, their powers and their constitution as per Indian Laws. Procedures followed by First Responders; Search and Seizure Procedures of Digital Evidence. Securing the Scene, Documenting the Scene, Evidence Collection and Transportation (a) Data Acquisition (b) Data Analysis (c) Reporting

UNIT IV-Regulation of cyber- crimes: Issues relating to Investigation. Issues relating to Jurisdiction. Issues relating to Evidence. Relevant provisions under Information Technology Act, 2000, Indian Penal Code, Pornography Act and Evidence Act etc.

COMPARATIVE CRIMINAL PROCEDURE

Sub: Code – BCW – 531

L4, C4.

Unit I: Organisation of Courts and Prosecuting Agencies

Hierarchy of criminal courts and their jurisdiction, Nayaya Panchayats in India, Panchayats in tribal areas, Organisation of prosecuting agencies for prosecuting criminals, Prosecutors and the Police, Withdrawal of Prosecution.

Unit II: Pre-Trial Procedure

Arrest and questioning of the accused, the rights of the accused, The evidentiary value of statements/articles seized/collected by the police, Right to counsel, Roles of the prosecutor and the judicial officer in investigation

Unit III: Trial Procedure

The accusatory system of trial and the inquisitorial system, Role of the judge, the prosecutor and defence attorney in the trial, Admissibility and inadmissibility of evidence, Expert evidence, Plea bargaining.

Unit IV: Correction and Aftercare service

The role of the court in correctional programmes in India - **Preventive Measures in India:** Provisions in the Criminal Procedure Code, Special enactments

Unit V: Public Interest Litigation:

Directions for criminal prosecution.

Select Bibliography:

1. Vernon Fox - Introduction to Criminology
2. Sutherland and Cressy - Criminology
3. Sethna - Society and the Criminal
4. Ahmad Siddique – Criminology
5. K.D.Gaur – A Textbook on The Indian Penal Code.
6. Videh Upadhyay - Public Interest Litigation In India: Concepts, Cases Concerns 1st Edition
7. S. K Agrawala - Public interest litigation in India: A critique (K.M. Munshi memorial lectures)
8. N.V. Paranjape – Criminology Penology & Victimology.

INSURANCE LAW

Sub: Code – BCW – 532

L4, C4.

Unit-I General Principles of Law of Insurance: Nature and History of Insurance; Definition: Insurance, Insurable Interest, Premium, Risk and Insurance. Assignment of the Insurance Policy, Preparation of Policy, Conditions of Policy. Life Insurance: Definition, Nature of Life Insurance, Formation of Life Insurance Contract; General Nature of a Contract, Offer & Acceptance, Consideration, Competence of Parties, Legality of the Object, Free Consent of the Parties, Insurable Interest. Utmost Good Faith, Representation and Warranties, Performance of Insurance Contract: Preparation of Policy, Rights of Property in Life Insurance Contract. Leading Case: Reserve Bank of India v. Peerless General Finance and Investment Co., AIR 1987 SC 1023

Unit–II The Life Insurance Corporation of India Act, 1956: Object, Policy, Establishment of L.I.C; Functions of L.I.C; Persons entitled to payment; Settlement of Claim and Payment of Money; Policy holder as a consumer. Leading Case: General Assurance Society Ltd. v. L.I.C. AIR 1964 SC 892.

Unit–III Motor Vehicles Act, 1988: Necessity for Insurance Against Third Party Risk; Requirement of Policies and Limits of Liability; Validity of Policies of Insurance in Reciprocating Countries, Rights of Third Parties Against Insurance on Insolvency of the Insured; Duty to Give Information as to Insurance; Settlement between Insurers and Insured Person; Effect of Death on Certain Causes of Action; Claims Tribunal; Procedure and Powers of Claims Tribunals, Appeals, Recovery of Money from Insurer as arrears of Land Revenue. Leading Case: New India Assurance Co. Ltd. v. Rulia and Others, AIR 2000 SC 1082.

Unit–IV Public Liability Insurance Act, 1991: Nature, Scope and Object, Liability to Give Relief in certain cases on Principles of No Fault (Sec. 3); Duty of Owner to Take Out Insurance Policies (Sec. 4); Verification and Publication of Accident by Collector (Sec. 5); Application for Claim for Relief (Sec. 6); Award of Relief (Sec. 7); Establishment of Environment Relief Fund (Sec. 7 A); Provision as to Other Right to Claim Compensation for Death (Sec. 8); Powers of Collector (Sec. 9 to 13); Penalty for Contravention (Sec. 14); Penalty for Failure to Comply With Direction (Sec.15); Offences by Companies and Government Departments (Sec. 16, 17). Leading Case: Charan Lal Sahu v. Union of India, AIR 1990 SC 1480.

Statutory Material -The Life Insurance Corporation of India Act, 1956 Motor Vehicles Act, 1988 Public Liability Insurance Act, 1991

Suggested Readings 1. Srinivasan, M.N.: Law and the Life Insurance Contract.

2. Banerjee, B.N.: The Law of Insurance.

3. Jee Bhattacharya: The Life Insurance Corporation Act, 2002.

4. Mishra, M.N.: Law of Insurance, 2000

5. Vats, R.M.: Law Relating to Insurance, rpt, 2001.

6. Murthy & Sharma: Modern Law of Insurance

CORPORATE GOVERNANCE

Sub: Code – BCW – 533

L4, C4.

Unit I - Corporate Incorporation and Management

Certificate of Incorporation, Memorandum and Articles of Association, Doctrine of Ultra Vires, Doctrine of Indoor Management.

Directors: Appointment, Removal, Position, Powers and Duties of Directors.

Audit Committee: Its Role. Company Secretary: Qualification, Appointment and Duties.

Officer who is in default: Definition of Officer who is in default. Liability of independent directors. Meetings: Types of Meetings, Procedure of calling meeting, Company's resolutions and its kinds

Unit II - Oppression & Mismanagement and Investigation

(Sections 397 to 408; Sections 235 to 251)

Rule in Foss v. Harbottle, Prevention of Oppression, Prevention of Mismanagement, Role & Powers of the Company Law Board, Role & Powers of Central Government. Company Investigation

Unit III - Corporate Liquidation

Winding up of Companies, Mode of winding up of the companies, Compulsory Winding up under the Order of the Tribunal, Voluntary winding up, Contributories, Payment of liabilities

Unit IV - Corporate Governance and Social Responsibility

Importance of Corporate Governance, Different system of Corporate Governance, Impact of Legal Traditions and the Rule of Law on Corporate Governance, Legal Reforms of Corporate Governance in India, Reports of the various Committees on Corporate Governance, Emerging Trend based on the recommendation of the Committees in the, Companies Act 1956 and the Listing Agreement with Special reference to Clause 49.

Corporate Social and Environmental Responsibility.

Selected Bibliography:

1. Smith and Keenan's, *Company Law* (2002)
2. Andrew Lidbetter, *Company Investigations and Public Law* (1999)
3. Saleem Sheikh & William Rees, *Corporate Governance & Corporate Control* (2002).
4. Avtar Singh, *Company Law*, 2007 Eastern Book Company, Lucknow.
5. Gower's *Principles of Company Law* 8th Edition 2008, R. Cambay & Co. Pvt. Ltd.
6. Smith and Keenan's *Company Law*.
7. S. K. Verma & Suman Gupta, *Corporate Governance and Corporate Law Reform in India*. (2005).
8. Companies Act, 1956

MERGER & ACQUISITION

Sub. Code: BCW- 534

L -4, C -4

UNIT I-Mergers and Amalgamations : Concept; legal, procedural, economic, accounting, taxation and financial aspects of mergers and amalgamations including stamp duty and allied matters; interest of small investors; merger aspects under competition law; jurisdiction of courts; filing of various forms; Amalgamation of banking companies and procedure related to Government companies; Cross border mergers.

UNIT II-Takeover: Meaning and concept; types of takeovers; legal aspects - SEBI takeover regulations; procedural, economic, financial, accounting and taxation aspects; stamp duty and allied matters; payment of consideration; bail out takeovers and takeover of sick units; takeover defences; cross border takeovers.

UNIT III- Corporate Demergers and Reverse Mergers: Concept of demerger; modes of demerger - by agreement, under scheme of arrangement; demerger and voluntary winding up; legal and procedural aspects; tax aspects and reliefs; reverse mergers – procedural aspects and tax implications.

UNIT IV-Out of Court Restructuring: Corporate Debt Restructuring Mechanism (CDRM), RBI Guidelines for CDRM and other procedural aspects

UNIT V-Funding of Mergers and Takeovers : Financial alternatives; merits and demerits; funding through various types of financial instruments including equity and preference shares, options and securities with differential rights, swaps, stock options; ECBs, funding through financial institutions and banks; rehabilitation finance; management buyouts/leveraged buyouts.

INVESTMENT LAW

Sub. Code: BCW- 535

L -4, C -4

Unit-I: Investment and Securities Laws

- a. Evolution of Securities and Investment Laws in India
- b. Concept of Securities and Kinds of Securities
- c. Regulatory Framework to Govern Securities in India: The Securities Contracts (Regulation) Act, 1956 - Delisting of Securities; Role of Stock Exchange under It - Powers and Functions under SEBI Act, 1992; The Depositories Act, 1996 - Dematerialisation of Shares

Unit-II: Banks and Securities

- a. Role of Banks to Issue Securities
- b. Changing Functions of Banks from Direct Lending to Modern System of Investment Banking.
- c. Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002: Its Background, Importance, The Debt Recovery Tribunals and Important Case Law

Unit-III: Foreign Investment Laws

- a. Role of the Foreign Exchange Management Act, 1999 to Regulate Foreign Trade - Difference from FERA, Administration of Exchange Control, Adjudicatory Powers
- b. Foreign Trade (Development & Regulation) Act, 1992
- c. Joint ventures in India and Foreign Collaborations: Concept of Transnational Corporations and Multinational Corporations – UNCTAD model
- d. Foreign Direct Investment, Foreign Institutional Investors: Its Regulatory Mechanism in India, Concept of Special Economic Zone (SEZ)

Unit-IV: The Competition Law in India

- a. Evolution of Competition Law in India, Difference from the MRTP Act
- b. Anti-Competitive Agreements, Vertical and Horizontal Agreements, Predatory Pricing
- c. Abuse of Dominance
- d. Combinations and its Regulations
- e. Powers and Functions of Competition Commission of India, Appellate Authorities, Competition Advocacy.
- f. Brief concept of the Development of Competition Laws in USA and UK

Textbooks:

- 1. Richard Whish & David Bailey, *Competition Law*, Oxford University Press, 2012 (7th Edn)
- 2. Avtar Singh, *Competition Law*, Eastern Book Company, 2012

INTERNATIONAL TRADE LAW

Sub. Code: BCW- 536

L -4, C -4

Unit-I: Introduction of International Trade Law

- a. Economic Theories: -
 - i. Mercantilism
 - ii. Adam Smith's Absolute Cost Advantage Theory
 - iii. David Ricardo's Comparative Advantage Theory
 - iv. Hecksher: Ohlin's Factor Endowment Theory
 - v. Raymond Vernon's Product Life Cycle Theory
 - vi. National Competitive Theory (Porter's Diamond)
- b. *Lex Mercatoria* and Codification of International Trade Law
- c. Sources and Principles of International Trade Law

Unit-II: Development of International Trade: GATT, 1947 - WTO 1994

- a. Historical Background of GATT 1947
- b. Uruguay Round and Marrakesh Agreement
- c. GATT 1994
- d. Dispute Settlement Understanding

Unit-III: WTO Agreements (Lectures-10)

- a. Agreement on Agriculture
- b. Agreement on Subsidies and Countervailing Measures
- c. Agreement on Anti-Dumping
- d. General Agreement on Trade in Services

Unit-IV: Contemporary Issues: International Trade and Regionalism

- a. Trade and SAPTA and SAFTA
- b. Trade and Environment
- c. Doha Development Agenda

Textbooks:

1. Raj Bhalla, *International Trade Law: Theory and Practice*, Lexis Nexis, 2001 (2nd Edn)
101
2. A.K. Kaul, *Guide to the WTO and GATT: Economics, Law and Politics*, Kluwer Law International, 2006
3. Craig VanGrasstek, *The History and the Future of the WTO*, WTO Publications,
2013