

B.com.LL.B Semester-VI

Security Analysis and portfolio Management

Paper-I

Unit-I- Investment: concept, objectives and types investment and speculation, factors of sound management plan, Financial markets : meaning and types , investment opportunities available in India.

Unit-II- Concept of Return and Risk, Sources and types of risk, measurement of risk, concept of portfolio management, portfolio selection, Markowitz model, capital assets pricing model.

Unit-III- Fundamental Analysis : Economics analysis, industry analysis and company analysis
technical analysis : Dow theory Elliott Wave theory, charting, efficient market hypothesis.

Unit-IV- Stock Exchange in India , BSF. NSF, OTC. Interconnection of Stock Exchange in India, Stock

Indian and their computation, SEBI, Powers and functions

Unit-V- Emerging Trends in Indian Capital : Depositories and script less trading, Books building, stock lending scheme, rolling settlement , green shoe option , responsibilities and code for portfolio manager.

References Books :

- Francies Jack : Management of Investment, Tata Mcgraw Hill
- Singh Preeti : Investment Managemnt, Himalaya Publishing House
- Bhalla VK : investment Management , S chand & co. New Delhi.
- S. Guruswami : Secuty Analysis and portfolio Management
- R.P. Rastogi : investment Managemnt
- M.Y. Khan : Indian Financial System, Tata Mcgraw Hil

B.com.LL.B. Semester-VI

Business Environment

Paper-I I

Unit-I- An overview of business environment: type of environment : internal , external, micro and macro environment, competitive structure of industries, meaning, scope and characteristics of business , objectives of business, Business Environment- Concept, significances inter relationship between business and environment factors influencing business environment.

Unit -II- Business and society , socio cultural environment of business, social responsibilities of business, business ethics and morality, concept of trusteeship in Indian perspective.

Unit-III- Indian business environment: concept, components and importance, economic trends : income, savings and investment, industry, trade and balance of payment, problems of growth, unemployment, poverty, regional imbalances, social injustice, inflation, parallel economy, industrial sickness.

Unit-IV- Role of Government : monetary and fiscal policy, industrial licensing, privatization devaluation, export import policy, regulation of foreign investment, collaborations in the light of recent charges industrial policy, industrial policies since independence, new industrial policy and its effect.

Unit-V- International Business Environment: international trading environment, trends in world trade and the problems of developing countries, foreign trade and economic growth, international economic groupings, international economic institutions –GATT WTO, UNCTAD, World Bank, IMF, GSP, GSTP , BRICS .

References Books:

- **Sundaram & Black: The International Business Environment, Prentice Hall**
- **P. Chidambaram: Business Environment, Vikas Publishing**
- **Dutt R and Sundharam KPM : Indian Economy , S. Chand Publishing**
- **Chopra BK : Business Environment in India , Everest Publishing**
- **Suresh Bedi: Business Environemnt, Excel Books**

Upadhyay, Sharma, Dayal : Business Environment, RBD Publishing House Jaipur

INTELLECTUAL PROPERTY LAW
PAPER – III

UNIT-I Introduction

- The meaning of intellectual property
- Forms of intellectual property: copyright, trademarks, patents and designs
- New forms as plant varieties and geographical indications
- Introduction to the leading international instruments concerning intellectual property rights: the Berne Convention, Universal Copyright, Convention, the Paris Convention, Trips, the World Intellectual Property Rights Organization (WIPO) and the UNESCO

UNIT-II Selected aspects of the Law of copyright in India

- Historical evolution of the copyright law
- Meaning of copyright
- Copyright in literacy, dramatic and musical works
- Copyright in sound records and cinematograph films
- Ownership of copyright
- Assignment and licence
- Copyright authorities
- Infringement of Copy right and remedies including Anton Pillor injuntive relief in India

UNIT-III Trademarks

- The rationale of protection of trademarks as an aspect of commercial and of consumer rights
- Definition and concept of trademarks
- Registration of trademark- authorities under the trademark Act
- Passing off and infringement
- Remedies

UNIT-IV

Patents

- Concepts and Historical view of the patents
- Process of obtaining a patent, authorities
- Procedure for filling patents: patent co-operation treaty
- Prior publication or anticipation
- Rights and obligations of a patentee
- Compulsory licences
- Infringement - defences
- Injunctions and related remedies

UNIT-V

- Geographical indication Act
- New plant culture and breeds Act

SELECTED BIBLIOGRAPHY

- Cornish W.R. Intellectual Property, Patents, Trade Marks, Copy Right and Allied Right (1999), Asia Law House, Hyderabad.
- Vikas Vashishth, Law and practice of Intellectual Property 1999 Bharat Law House Delhi.
- P. Narayanan, Intellectual Property Law (1999), (ed) Eastern Law House, Calcutta
- Bibeck Debroy (ed). Intellectual Property Right (1998), Rajiv Gandhi Foundation, Delhi
- U.I.F. Anderfelt, International Patent Legislation and Developing Countries (1971)
- W.R. Cornish, Intellectual Property (3rd ed) (1996) Sweet and Maxwell
- K. Thairani, copyright: The Indian Experience (1987)
- W.R. Cornish, Para and Materials on Intellectual Property (1999) Sweet and Maxwell.
- जे. पी. मिश्रा : बौद्धिक संपदा अधिकार एक परिचय

B.Com. LL.B. (HONS.) SEMESTER - VI

GENDER JUSTICE & FEMINIST JURISPRUDENCE PAPER - IV

UNIT-I Women in Pre-Independence India

- Social and legal inequality
- Social reform movement in India
- Gandhian movement.
- Nehru's views – joint family etc.
- Karachi congress – Fundamental Rights Resolution.
- Equality of sexes.

UNIT-II Women in Post-Independence India

- Preamble of the Constitution – Equality provisions in fundamental Rights and Directive Principles of State Policy.
- Negative Aspects of the Constitution – Exploitation of sex not mentioned in Article 23.
- Different personal laws – unequal position of women.
- Uniform Civil Code towards gender justice.
- Indian tradition and family ideology: growth of feminism and schools of feminism.

UNIT-III Sex Inequality in Inheritance Rights

- Continuance of feudal Institutions of joint family – women's inheritance position under Hindu Law.
- Inheritance right of women under Christian law.
- Inheritance right of women under Parsi law.
- Inheritance right of women under Muslim law.

• Movement towards uniform Civil Code.
Unit-IV Matrimonial relations and its consequences

- Matrimonial Property.
- Separation of property.
- Maintenance of different system of personal law.
- Division of assets on divorce.

UNIT-V Social Welfare Laws for Women and Non-implementation of protective labour legislation.

- Maternity benefits Act.
- Equal remuneration Act.
- Factories Act.
- Inequality in the work place.
- Additional burden of domestic responsibilities.

SELECTED BIBLIOGRAPHY -

- Flevia Agn's et. al. Women and the Law
- Meynei Hindu Woman & Marriage

B.Com. LL.B. (HONS.) SEMESTER - VI

**LAW OF CRIMES -II (CRIMINAL PROCEDURE CODE)
PAPER - V**

UNIT-I Introduction

- The rationale of criminal procedure: the importance of fair trial, The constitutional perspectives
 - Pre trial Process: Arrest
 - The distinction between cognizable and non cognizable offences: relevance and adequacy problems
 - Steps to ensure accused's presence at trial: warrant and summons
 - Arrest with and without warrant (Section 70-73 and 41)
 - The absconder status (section 82, 83, and 85)
 - Right of the arrested person Right to know ground of arrest (section 50(1), 55,75)
 - Right to be taken to magistrate without delay (section 56,,57)
 - Right to not being detained for more than twenty- four hours (section 57): Vis-a-vis Article 22 (2) of the constitution of India
 - Right to consult legal practitioner. legal aid and the right to be informed about rights to bail.
 - Right to be examined by a medical practitioner (section 54)
- Search and Seizure (Pretrial Process)**
- Search warrant (section 83, 94,97, 98) and search without warrant
 - Police search during investigation (section 165, 166, 153)
 - General principles of search (section 100)

- Seizure (section 102)
- Constitutional aspects of validity of search and seizure proceedings

UNIT-II Pre-trial Process F.I.R.

- F.I.R. (section 154)
- Evidentiary value of F.I.R. (see section 145 and 157 of Evidence Act)

Pre-trial Process: Magisterial Powers to Take Cognizance

- Commencement of proceedings- (section 200, 201, 202)
- Dismissal of complaints (section 203, 204)
- Bail: concept, purpose: constitutional overtones
- Bailable and non- bailable offences (section 436, 437, 438)
- Cancellation of bail (section 437 (5)).
- Anticipatory bail (section 438)
- Appellate bail powers (section 389 (1), 395 (1), 437 (5))
- General principles concerning bond (section 441 - 450)

UNIT-III Fair Trial

- Conception of fair trial
- Presumption of innocence
- Venue of trial
- Right of the accused to know the accusation (section 221- 224) and accusation be held in the accused's presence
- Right of cross- examination and offering evidence in defence: the accused statement
- Right to speedy trial

Charge

- Framing of charge
- Form and content of charge (section 211, 212, 216)
- Separate charge for distinct offence (section 218, 219, 220, 221, 223)
- Discharge – pre- charge evidence

Preliminary Pleas to Bar the Trial

- Jurisdiction (section 26, 177- 189, 461, 462, 479)
- Time limitations: Rationale and scope (section 468 - 473)
- Pleas of autrefois acquit and autrefois convict (section 300, and Art 22d)
- Estoppel
- Compounding of offences

- Trial before a Court of Sessions: Procedural Steps and Substantive Rights
- Summary Trial (Sec 260-265)

UNIT-IV Judgment

- Form and content (section 354)
- Post conviction orders in lieu of punishment(section 360, 361, 31): emerging penal policy (Plea Bargaining)
- Compensation and cost (section 357,358)
- Modes of providing judgement (section 353, 362, 363)

Appeal, Review, Revision

- No appeal in certain cases (section 372, 375, 376)
- The rationale of appeals, review, revision
- The multiple ranges of appellate remedies
- Appeal before Supreme Court of India and High Courts (section 374, 379) and (Article 31,132, 134, 136 of constitution of India)
- Appeal to Sessions Court (section 374)
- Special right to appeal (section 380)
- Government appeal against sentencing (section 377, 378)
- Judicial power in disposal of appeal (section 368)
- Legal aid in appeals
- Revisional jurisdiction (section 397- 405)
- Transfer of cases (section 406, 407)

UNIT-V Juvenile Delinquency

- Nature and magnitude of the problem
- Causes
- Juvenile court system
- Treatment and rehabilitation of juveniles
- Juvenile and adult crime
- Legislative and judicial protection of juvenile offender
- Juvenile justice (Protection and Care) Act 2000

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- Ratanlal Dhirajlal, Criminal Procedure Code (1999), Universal, Delhi
- Chandrasekharan Pillai, ed., Kelkar Lectures on Criminal Procedure (2001), Eastern Lucknow
- Principles and commentaries on the Code of Criminal Procedure. 2 Vol. (2000) Universal.
- Woodroffe: Commentaries on Code of criminal Procedure, 2. vol. (2000) Universal

- बसंतिलाल बाबेल, दंड प्रक्रिया संहिता
- 6. सूर्य नारायण मिश्र, दंड प्रक्रिया संहिता 7. एन. व्ही. परांजपे, दंड प्रक्रिया संहिता

B.Com. LL.B. (HONS.) SEMESTER - VI
INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION
PAPER – VI

UNIT-I Interpretation of Statutes

- Meaning of the term statute, Kinds of statutes
- Commencement, operation, repeal of statutes
- Purpose of interpretation of statutes
- Meaning of construction and interpretation – their difference

UNIT-II Aids to Interpretation

Internal aids

- Titles
- Preamble
- Heading and marginal notes
- Sections and sub- sections
- Punctuation marks
- Illustrative exceptions, provisos and saving clauses
- Schedules
- Non - obstante clause

External aids

- Dictionaries
- Translations
- Travaux preparatoires
- Statutes in pari materia
- Contemporanea Exposition
- Debates, inquiry commission reports and Law commission reports
- General Clauses Act

Unit-III Principles and Rules of Statutory Interpretation

- Primary rules
- Literal rule
- Golden rule
- Mischief rule (rule in the Heydon's case)
- Rule of harmonious construction

- Noscitur a sociis
- Eiusdem generis
- Reddendo singula singulis

UNIT-IV Interpretation with reference to the subject matter and purpose

- Restrictive and beneficial construction
- Taxing statutes
- Penal statutes
- Welfare legislation and principles of legislation
- Presumption

Unit-V Principle of Constitutional Interpretation

- Harmonious constructions
- Doctrine of pith and substance
- Colourable legislation
- Ancillary powers
- "Occupied field"
- Residuary power
- Doctrine of repugnancy

SELECT BIBLIOGRAPHY

- G.P. Singh, Principle of Statutory Interpretation, (7th ed.), 1999 Wadhwa Nagpur.
- P.S. Langan (ed.), Maxwell on The interpretation of Statutes (1976, N.M. Tripathi, Bombay
- K. Shanmukham, N.S. Bindras' Interpretation of Statutes (1997) The Law Book Co. Allahabad.
- V. Sarathi, Interpretation of Statutes (1984), Eastern & Co.
- M.P. Jain, Constitutional Law of India, (1994) Wadhwa & Co.
- M.P. Singh, (ed.) V.N. Shukla's Constitution of India (1994) Eastern Lucknow
- U. Baxi, Introduction to Justice K.K. Mathews, Democracy Equality and Freedom (19780 Eastern Lucknow.
- Theories of Legislation by Jeremy Bentham, Tripathi Publication
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UNIT-I Introduction

- Concept and meaning of property,
- Various definitions given under Transfer of Property Act,
- Kinds of property
 - movable and immovable property
 - tangible and intangible property
- intellectual property-copyright, patents and designs, trademarks

UNIT-II Law relating to Transfer of Property under Transfer of Property Act, 1882

- General principles of transfer of property whether movable or immovable What may be transferred
- Competence, operation, conditions of restraining, alienation and repugnant to interest
- Other Conditions – determinable on insolvency, transfer to unborn person, Rule against perpetuity, accumulation, transfer for benefit of Public in perpetuity
- Conditional transfers – Condition precedent and subsequent, Vested and Contingent interest, Void condition, Election – Doctrine and Apportionment

UNIT-III Transfers of Immovable Properties and Movable Properties

- Sale
- Mortgage
- Gift
- Leases
- Exchanges
- Actionable claims

UNIT-IV M.P. Accommodation Control Act 1961

- Preamble, Definitions and Provisions Regarding Rent
- Control of Evictions of Tenants
- Eviction on grounds of bonafide Requirement
- Deposit of Rents

UNIT-V Rent Controlling Authority

- Appointment
- Powers and Functions of Rent Controlling Authority
- Procedure
- Appeals
- Special obligations and penalties of Land Lords

- Miscellaneous provisions

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Mulla	:	Transfer of Property Act
V.P. Sarthy	:	Transfer of Property
R.K. Sinha	:	Law of Transfer of Property
जे.पी. त्रिपाठी	:	सम्पत्ति अन्तरण अधिनियम
डॉ. मुरलीधर चतुर्वेदी	:	सम्पत्ति अन्तरण अधिनियम 1882

B. B.A. LL.B. (HONS.) SEMESTER - VII

COMPANY LAW-2013 PAPER - II

UNIT-I Meaning of Company

- Theories of corporate personality
- Creation and exemption of corporations

- Lifting the corporate veil

UNIT-II Forms of corporate and non-corporate organization

- Corporations
- Partnership and other association of persons,
- State corporations

- Government companies, small scale, cooperative, corporate and joint sectors

UNIT-III Law relating to Companies - Public and Private

- Promoters and its position
- Need of company for development, formation of a company, registration and incorporation
- Memorandum of association - various clauses - alteration therein - doctrine of ultra vires
- Articles of association-binding force-alteration-its relation with memorandum of association-doctrine of constructive notice and indoor management- exceptions
- Prospectus- issue - contents- liability for misstatements in lieu of prospectus
- Shares-general principles of allotment, statutory restrictions, transfer of shares, relationship between transferor and transferee
- Shareholder-who can be? And who cannot be shareholder- modes of becoming shareholder- calls on shares- forfeiture and surrender of shares lien on shares
- Share capital-kinds-alteration and reduction of share capital, further issue of capital- conversion of loan and debentures into capital-duties of courts to protect the interests of creditors and share holders

UNIT-IV Management of corporate structure

- Directors - position- appointment-qualifications-vacation of office-removal-resignation- powers and duties of

- directors - meeting, registers, loans - remuneration of directors - role of nominee directors - companies for loss of office - managing directors and other managerial personnel
- Meetings – kinds, procedure – voting
- Dividends payment - capitalization – profit
- Audit and accounts
- Borrowing powers, effect of unauthorized borrowing - charges and mortgages – investments
- Debentures - meaning - fixed and floating charges - kinds of debentures, share holder and debenture holder, remedies for debenture holders
- Protection of minority rights
- Protection of oppression and mismanagement - who can apply? Powers of the company, court and of the central Government
- Investigations, powers
- Private companies - nature and advantages- government companies-holding and subsidiary companies

UNIT – V Winding up and corporate liability

- Winding up -types – Concept (Dissolution and liquidation)
 - by court - reason - ground who can apply - procedure -
 - powers of liquidator - powers of court - consequences of winding up order
 - voluntary winding up
 - subject to supervisions of courts
 - liability of past members - payment of liability preferential payment, unclaimed dividends
 - winding up of unregistered company.
- Legal liability of companies-civil and criminal
- Remedies against civil, criminal and tortuous - specific relief Act, writs, liability under special statutes

SELECTED BIBLIOGRAPHY

- Avtar Singh Indian Company Law (2016). Eastern Lucknow
- L.C.B. Gower. Principles of Modern Company Law (1997) Sweet and Maxwell London.
- Palmer Palmers Company Law (1987). Stevens, London
- R.R. Pennington. Company Law (1990). Butterworths
- A. Ramiya. Guide to the Companies Act. (1998), Wadhwa
- S.M. Shah Lectures on Company Law (1998), Tripathi, Bombay
- अवतारसिंह : कम्पनी विधि
- जयनारायण पान्डे : कम्पनी विधि
- एन. व्ही. पराजपे : कम्पनी विधि

LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM
PAPER - III

Unit - I Concept

- Objects and Reasons and Basic features of enacting Madhya Pradesh Land Revenue Code, 1959.
- Definitions : Abadi, Agriculture, Agriculture and Revenue years, Board, Bonafide Agriculturist, Co-operative Society, Government Forest, Government Lessee, Holding, Improvement, Land, Landless Person, Land Records, Mango grove, Orchard, Plot number, Rents, Revenue Officer.
- Tenant, Tenure-holder,

Unit - II Revenue Board and Revenue officer

- Constitution and Conditions of service of members.
- Jurisdiction of Board and Powers of Board.
- Revenue Officers, Their Classes and Powers and Procedure of Revenue Officer and revenue courts.
- Powers of State Government to alter the limits
- Powers of State Government of appointing Revenue Officers
- Sub-Divisional Officers
- Powers to transfer Cases
- Conferral of Status of Courts, Inherent Powers and other Powers of Revenue Courts
- Appeal, Revision and Review
- Appellate, Authorities and their powers and limitation for appeals,
- Revision
- Review of orders
- Stay of execution of orders

Land and Land Revenue

- State ownership in all lands, Liability of land to pay land revenue, land exempted from payment of land revenue, and variation of land revenue
- Assessment, Reassessment,
- Revenue Survey and Settlement in Non Urban Area.
- Appointment and Powers of Settlement Officers,
- Revenue Survey,
- Settlement of Rent,
- Assessment and Re-Assessment of Land in Urban Area,
- Land Records
- Formation of circles and appointment of Patwari and Revenue Inspectors,
- Land Records, Field Map, Record of rights,
- Realisation of Land Revenue

Unit – III Tenure Holders

- Bhuswami
- Right of Transfer, Forfeiture, lease, set aside of transfer, Reversion of land of members of aboriginal tribes, Diversion of land, Relinquishment, abandonment, disposal and partition of holding,
- Occupancy Tenants,

Unit – IV Government lease and service land rights and liabilities of

Government leasee

- Government lease - Appointment, Termination of lease, Service Land
- Alluvion and Deluvion
- Consolidation of Holding
- Village Officers
- Patels
- Kotwars

Unit – V Rights in Abadi and unoccupied Land

- Gram Sabha
- Wajib-ul-arz
- Nistar Patrak
- Rights in forest Easement
- Exclusive Jurisdiction of Revenue Courts
- Miscellaneous Provisions

SELECT BIBLIOGRAPHY

- M.P. Land Revenue Code – 1959 (Jindal) 2008 Ed.
- Basantilal Babel (Diglot) Vedpal Law in India 2007
- के.के. निगम, सेन्दल लॉ एजेन्सी, इलाहाबाद 2008
- 4. बसंतिलाल बाबेल, कपहसवजद्ध वेदपाल – 2007
- 5th मोहम्मद नजमी : म.प्र. भू राजस्व संहिता

B.COM LL.B. (HONS.) SEMESTER - VII

BANKING LAW
PAPER – IV

UNIT-I - Introduction

- Evolution of Banking institution in India, banking definition, banking company in India, banking legislation in India- common law and statutory,
- System and Classification of banks – essential functions and special functions
- Agency services
- E Banking and recent trends in banking

UNIT-II Banker and Customers

- Customer, Banker – definition and nature
- Legal character of banker - customer relationship
- Special types of customers: Lunatics, minors, agents administrators and executors, partnership firms and companies
- Duties and liabilities of banks and customers

UNIT – III Negotiable Instrument

- Cheque- Meaning and characteristics, Duties and liabilities of banks payment of cheques by bank, liabilities of the banker in case of dishonour, protection of paying banker - forged cheques, alteration of cheque, collection of cheques and drafts- protection of collecting banker.
- Crossing of cheques
- Bill of exchange, promissory note – Meaning and characteristics and types of hundi, notary public noting protest, acceptance for honour, payment for honour
- Holder and holder in due course- Definition and distinction between a holder and holder in due course,
- Endorsement and its kinds, Acceptance, Presentment and Payment
- Dishonour and discharge of negotiable instrument

UNIT-IV Central Banking Theory and RBI

- Characteristics and function of central banks
- The Reserve Bank of India as central bank of India
- Objectives and organizational structure of RBI
- Functions, Regulations of the monetary system, Monopoly of note issue
- Credit control, Determination of bank rate policy, Open market operations, Banker's Bank, Banker of Government, Control over non- banking financial institutions, Economic and statistical research, Staff training, Control and supervisions of other banks.

UNIT-V Merchant Banking

- Merchant banking in India.
- SEBI (Merchant Bankers) Regulations. 1992.
- Recovery of Debts Due to Bank and Financial institutions Act. 1993

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- M.S. Parthasarthy (ed.) Kherganvala on the Negotiable Instruments Act (1998), Butterworth, New- Delhi
- M.L. Tannon, Tannon's Banking Law and Practice in India, (2000) India Law House, New Delhi.
- S.N. Gupta, The Banking Law in Theory and Practice, (1999), Universal New Delhi.

- G.S.N. Tripathi (ed.), Sethi's Commentaries on Banking Regulation Act 1949 and Allied Banking Laws (2000), Law Pub. Allahabad.
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B.COM LL.B. (HONS.) SEMESTER – VII
PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM
PAPER-V

Note:

- The written exam of this paper will have 80 marks and viva-voce will carry 20 marks.
- Written examination will be conducted by the University.
- Viva-voce of this paper will be conducted by a panel of two examiners out of which one external examiner shall be appointed by the examination committee of the University and internal examiner shall be appointed by the Principal/Director/Head of the Institution concerned. The remuneration shall be as per D.A.V.V. norms.

Unit – I Admission, Enrolment & Rights of Advocate

- Importance of Legal Profession.
- Persons who may be admitted as advocate on a State roll.
- Disqualification for enrolment
- Rights of Advocates
- State Bar Councils
 - Establishment and Organisation
 - Powers and Functions
- Bar Council of India
 - Organisation
 - Powers and Functions

Unit – II Ethics of Legal Profession

- Meaning, Nature and Need
- Duty to the Client

Unit – III Punishment for Professional or Other Misconduct

- Professional or other Misconduct- Meaning and Scope
- The Body or Authority empowered to punish for professional or other misconduct.
 - State Bar Council and its disciplinary committee
 - Bar Council of India- and its disciplinary committee
- Complaint against advocates and procedure to be followed by the Disciplinary Committee.
- Remedies against the order of punishment.

Unit – IV Bench Bar Relation

- Role of Judge on Maintaining Rule of Law
- Mutual Respect
- Maintenance of orderly society

- Invaluable aid of advocates to Judges
- Privilege of Advocates
- Duty to avoid interruption of Council
- Administration of Justice clean & Pure
- Uncourteous conduct, Misconduct of lawyers and Insulting Language.

Unit – V Meaning and Categories of Contempt of Court

- Contempt of Court- Its meaning and Nature
- Kinds of Contempt
 - Criminal Contempt
 - Civil Contempt
- Contempt by Lawyers
- Contempt by Judges, Magistrates or other persons acting judicially
- Contempt by State, Corporate bodies & other officers

Selected Bibliography

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|----|---------------|---|--|
| 1. | J.P.S. Sirohi | : | Professional Ethics, Lawyer's Accountability, Bench- Bar Relationship. |
| 2. | Kailash Rai | : | Legal Ethics, Accountability, for Lawyer's , Bar-Bench Relation. |
| 3. | कैलाश राय | : | विधिक आचार, अधिवक्ता की जवाबदेही एवं बेंच बार संबंध |

B.COM LL.B. (HONS.) SEMESTER - VIII

LAW OF EVIDENCE
PAPER – I

UNIT-I Introductory

- The main features of the Indian Evidence Act 1861
- Applicability of Evidence Act
- Administrative Tribunals
- Industrial Tribunals
- Commissions of enquiry
- Court- Martial

Central Conceptions in Law of Evidence

- Facts: section 3 definition: distinction - relevant facts/facts in issue
- Evidence: oral and documentary
- Circumstantial evidence and Direct evidence

- Presumption
- "Proving" "not proving" and "disproving"
- Witness
- Appreciation of evidence

Unit-II Facts: Relevancy

- The Doctrine of res gestae
- The problems of relevancy of "otherwise" irrelevant facts (section ii)
- Facts concerning bodies and mental state

Admission and Confessions

- General principles concerning admission
- Differences between "admission" and "confession"
- Non- admissibility of confessions caused by "any inducement, threat or promise"
- Inadmissibility of confession made before a police officer
- Admissibility of custodial confessions
- Admissibility of "information" received from accused person in custody; with special reference to discovery based on "joint statement"
- Confession by co-accused
- The problems with the judicial action based on a "retracted confession"

UNIT-III Dying Declarations

- The justification for relevance of dying declarations
- The judicial standards for appreciation of evidentiary value of dying declarations
- Conclusive Evidence

Relevance of Judgments

- Admissibility of judgments in civil and criminal matters
- "Fraud" and "Collusion".

Expert Testimony

- Who is an expert? : types of expert evidence
- Opinion on relationship especially proof of marriage
- Judicial defence to expert testimony

UNIT IV Oral Documentary Evidence

- General principles concerning oral evidence, Primary / Secondary evidence.
- General principles concerning documentary evidence.

- General principles regarding exclusion of oral by documentary evidence, public & private documents.
- Special problems: re-hearing evidence
- Estoppel

Witness Examination and cross Examinations

- Competency to testify
- State privilege
- Professional privilege
- Approval testimony
- General principles of examination and Cross examination
- Leading questions
- Lawful questions in Cross-examination
- Reexamination
- Compulsion to answer questions put to witness
- Hostile witness
- Impeaching of the standing or credit of witness

UNIT V Burden of Proof

- General principles conception of onus-probands and onus-probandi
- General and special exceptions to onus probandi
- The justification of presumption and of the doctrine of judicial notice
- Justification as to presumption as to certain offences
- Presumption as to dowry
- The scope of the doctrine of judicial notice

Estoppel

- Why estoppel? The rationale
- Tenomacy Estoppel
- Estoppel, res-judicial and waiver and presumption
- Question of corroboration
- Improper admission and of witness in civil and criminal cases

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B.COM LL.B. (HONS.) SEMESTER - VIII

**HEALTH LAW
PAPER – II**

UNIT-I Concept

- Concept & Definition of Health.
- Right to health
- International law & health.
- Indigenous and Allopathic health system

UNIT-II Constitution of India

1. Constitutional protection – Fundamental Right & Directive principle.

UNIT-III Public health offences and Law

- Offence affecting the Public Health, (Chapter XIV of IPC)
- Nuisance, Miscarriage, (312.3.313 IPC), relevant provision of CrPC.

UNIT-IV Special critical problems

- Immoral trafficking,
- Female foeticides
- Kidnapping and abduction – National protections.

UNIT-V Health and Legal Protection

- Health and Legal protection – Environments law, J.J. Act, prenatal diagnostic technique, regulation & prevention of misuses,
- Factory Act, Mental Health Act 1987, Maternity Benefit Act.

UNIT-VI Jurisprudence of health services

- Health law & Judiciary.
- Types of health insurance
- Public service related situations – Negligence (Private eye sterilization camp etc.)
- Disposal of medical and surgical waste
- Health Care Units (Public/Private) Liabilities

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- Right to Public Health and Impact of Patents - The ICFAI University Press.

B. B.A. LL.B. (HONS.) SEMESTER - VIII
PENOLOGY AND VICTIMOLOGY
PAPER – III

UNIT-I Evolution and nature of punishment

- Kinds of punishment
- Corporeal punishment
- Capital Punishment
 - Death Penalty by Public hanging
 - Capital punishment in India
 - Death Penalty or life imprisonment
 - Rarest of the rare cases
 - Constitutionality and grounds of capital punishment
 - Minority judgement of justice Bhagwati

UNIT-II Imprisonment

- Simple Imprisonment
- Rigorous Imprisonment
- Solitary confinement
- Imprisonment for life
- Monetary Punishment
 - Fines
 - Forfeiture of Property

Unit-III Prison Administration

- Prisons in India
- Indian Jail Reforms Committee Report 1919-20 (Recommendations)
- Plea for setting up Prison Panel
- Role of Prisons in Modern Penology
- The problem of Overcrowding in prisons
- The problem of prison Discipline
- The problem of Prisoners' Health
- The problem of Criminality in Prisons
- Self-Government in Prisons
- Prison Labour

- The Prison Community
- Classification of Prisoners and Jail Reform Committee's Report (1980-83), Views on classification of prisoners
- The Problem of Undertrial Prisoners
- Prison Reforms
- Custodial torture in Prisons
- Open Prisons in India

Unit-IV Victimology

- Nature and Development, categories
- Compensation
- Compensation to persons groundlessly arrested
- Exgratia payment
- Application of articles 21 and 301A - Comparison
- National Police commission 1977-80

Unit-V White Collar Crimes

- Historical Background, Definition
- Contributing factors
- White collar crime in India
- Hoarding, Black marketing and adulteration.
- Tax evasion
- White collar crime in certain profession – medical, engineering, legal, educational, Business deal
- Disposal by anti-corruption and vigilance departments of state & UTs under Prevention of corruption Act 1983 and related sections of I.P.C.

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- Dr. Yamuna Shankar Sharma penology.
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B.COM LL.B. (HONS.) SEMESTER - VIII

LAW ON CORPORATE FINANCE
PAPER – IV

UNIT-I

Introduction

- Meaning, importance and scope of corporate finance.
- Capital Needs, capitalization, working capital, securities, borrowings, deposits, debentures.
- Objectives of corporate finance – profit maximization and wealth maximization.
- Constitutional perspectives – The following entries 37, 38, 43, 44, 45, 46, 47, 52, 82, 85 and 86 of List I (Union List); entry 24 of List II (State List).

UNIT-II Equity finance

- Share Capital
- Prospectus – information disclosure.
- Issue and allotment.
- Shares without monetary consideration.
- Non-opting equity shares.

Debt Finance

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

UNIT-III Conservation of corporate finance

- Regulation by disclosure.
- Control on payment of dividends.
- Managerial remuneration.
- Payment of commissions and brokerage.
- Inter-corporate loans and investments.
- Pay-back of shares.
- Other corporate spending.

UNIT-IV Protection of creditors

- Need for creditor protection
- Preference in payment.
- Rights in making company decisions affecting creditor interests.
- Creditor self-protection.
- Control over corporate spending.

Protection of Investors

- Individual share holder right.
- Corporate membership right.
- Derivative actions.
- Qualified membership right
- Conversion, Consolidation and Re-organisation of shares.
- Transfer and transmission of securities.
- Dematerialisation of securities

UNIT-IV Corporate Fund Raising

- Depositories – IDR (Indian Depository Receipts), ADR (American Depository Receipts), GDR(Global Depository Receipts).
- Public financing institution – IDBI, ICICI, IFC, and SFC.
- Mutual fund and other collective investment schemes
- Institutional investments – LIC, UTI and Banks.
- FDI and NRI investment – Foreign institutional investments (IMF and World Bank).

UNIT-V Administrative regulation on Corporate Finance

- Inspection of accounts.
- Central government control.
- Control by Registrar of companies.
- RBI control.
- SEBI control, status of SEBI

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- Jonathan Charkham : Fair Shares : The Future of Shareholder Power and Responsibility (1999), Oxford.
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**B.COM LL.B. (HONS.) SEMESTER - VIII
ALTERNATE DISPUTE RESOLUTION
PAPER- V**

Note:

- The written exam of this paper will have 80 marks and viva-voce will carry 20 marks.
- Written examination will be conducted by the University.
- Viva-voce of this paper will be conducted by a panel of two examiners out of which one external examiner shall be appointed by the examination committee of the University and internal examiner shall be appointed by the Principal/Director/Head of the Institution concerned. The remuneration shall be as per D.A.V.V. norms.

Unit-I Concept

- Arbitration : Meaning scope and types
- Arbitration Agreement- Essentials, Kinds
- Who can enter into arbitration agreement ?
- Validity
- Reference to arbitration
- Interim measures by court

Unit-II Arbitration Tribunal

- Composition
- Jurisdiction
- Grounds of challenge
- Powers
- Procedure
- Court assistance
- Award, Rules of guidance, Form and content, Correction and interpretation
- Grounds of setting aside an award-Want of proper notice and hearing, Contravention of composition and procedure.

- Impartiality of the arbitrator
- Bar of limitations, res judicata
- Consent of parties
- Enforcement
- Appeals

Unit-III Conciliation

- Distinction between "conciliation", "mediation", and "arbitration".
- Appointment of conciliator
- Interaction between conciliator and parties
- Communication, disclosure and confidentiality
- Suggestions by parties
- Settlement agreement and its effect
- Resort to judicial proceedings, legal effect
- Costs and deposit

Unit-IV International Arbitration

- Enforcement of Foreign Award
- New York convention Award
- Geneva Convention Award

Unit-V Rule making Power

- Legal Service Authorities Act, 1987
- Lok Adalat
- Legal Litreacy and Legal Aid Camp.

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