

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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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

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- Avtar Singh Indian Company Law (2016). Eastern Lucknow
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- एन. व्ही. परांजपे : कम्पनी विधि

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

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 Lesees, 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 leasee 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

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- M.P. Land Revenue Code – 1959 (Jindal) 2008 Ed.
 - Basantilal Babel (Diglot) Vedpal Law in India 2007
 - के.के. निगम, सेन्द्रल लॉ एजेन्सी, इलाहाबाद 2008
4. बसंतीलाल बाबेल, ;Diglot) वेदपाल* – 2007
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B.B.A. 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.) Kharganvala 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.
- एच. पी. गुप्ता : बैंकिंग विधि

B.B.A. LL.B. (HONS.) SEMESTER – VII PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM PAPER-V

Note:

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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

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

B.B.A. 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-probans 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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- Indian Evidence Act, (Amendment up to date)
- Ratanlal, Dhirajlal: Law of Evidence (1994), Wadhwa Nagpur
- Polein Murphy, Evidence (51h Reprint 2000), Universal Delhi
- Albert S. Osborn, The Problem Proof (First Indian Reprint 1998). Universal Delhi
- Avtar Singh, Principles of Law of evidence (1992), Central Law Agency, New Delhi
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B.B.A. 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

SELECT BIBLIOGRAPHY

- Right to life and Right to Death : A study – The ICFAI University Press.
- HIV/Aids – Health Care and Human rights approach – The ICFAI University Press.
- Public Health : Enforcement and Law - The ICFAI University Press.
- Clinical Trials : Law and Regulations- The ICFAI University Press.
- 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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- E. Sutherland, White collar Crime (1949).
- Prof. N.V. Paranjape Criminology and penology.
- Dr. Yamuna Shankar Sharma penology.
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B.B.A. 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.B.A. LL.B. (HONS.) SEMESTER - VIII
ALTERNATE DISPUTE RESOLUTION
PAPER- V**

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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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- 2. Goyal : Arbitration and Conciliation Act
- 3. Shukla : Legal remedies
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- 5. अवतार सिंह : माध्यस्थम एवं सुलह अधिनियम