



Gujarat University

B.COM-LL.B. Five-Year Integrated Law Programme

Revised Syllabus

2018

Gujarat University

B.COM-LL.B Five-Year Integrated Law Programme

COURSE MATRIX

FIRST YEAR			
SEMESTER I		SEMESTER II	
IL – 101	General English & Communication	IL – 107	English Literature & Legal Writing
IL-B.Com-102	Principles of Management-I	IL-B.Com – 108	Principles of Management-II
IL-B.Com – 103	Financial Accounting - I	IL-B.Com – 109	Financial Accounting - II
IL-B.Com - 104	Principles of Economics (Micro)	IL-B.Com – 110	Principles of Economics (Macro) - II
IL – 105	Law of Contract	IL – 111	Special Contract
IL – 106	Law of Tort including MV Accident and Consumer Protection Laws	IL – 112	Legal History

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COURSE MATRIX

SECOND YEAR			
SEMESTER III		SEMESTER IV	
IL-B.COM - 201	Corporate Accounting	IL-B.COM - 207	Cost Accounting
IL-B.COM - 202	Statistics	IL-B.COM - 208	Secretarial Practice
IL – 203	Law of Crimes – I	IL – 209	Company Law
IL – 204	Law of Crimes – II	IL – 210	Constitutional Law – I
IL – 205	Legal Theory / Jurisprudence	IL – 211	Constitutional Law – II
IL – 206	Family Law – I	IL – 212	Family Law – II

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COURSE MATRIX

THIRD YEAR			
SEMESTER V		SEMESTER VI	
IL-B.COM - 301	Management Accounting	IL-B.COM - 307	Auditing
IL – 302	Administrative Law	IL – 308	Law of Property
IL – 303	Public International Law	IL – 309	Environmental Law
IL – 304	Labour Law – I	IL – 310	Animal Protection Law
IL – 305	Labour Law – II	IL – 311	Human Rights Law and Practice
IL – 306	Interpretation of Statutes	IL – 312	Legal Language

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COURSE MATRIX

FOURTH YEAR			
SEMESTER VII		SEMESTER VIII	
IL – 401	Taxation Law	IL – 407	Health Law
IL – 402	Media Law	IL – 408	Land Laws
IL – 403	Criminal Procedure Code	IL – 409	Civil Procedure Code
IL – 404	Law of Evidence	IL – 410	Alternate Dispute Resolution
IL – 405	Principles of Banking Law, and Negotiable Instruments	IL – 411	Insurance Law
IL – 406	Rehabilitation of Criminals and Juveniles in Society and Law	IL – 412	Private International Law

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COURSE MATRIX

FIFTH YEAR			
SEMESTER IX		SEMESTER X	
IL – 501	Cyber Law	IL – 507	Public Interest Lawyering, Legal Aid, and Para-Legal Services
IL – 502	Intellectual Property Law	IL – 508	Professional Ethics
IL – 503	Competition Law	IL – 509	Advanced Drafting
IL – 504	Seminar and Project Work	IL – 510	Penology & Victimology
IL – 505	Drafting, Pleading and Conveyance	IL – 511	Forensic Science and Crime detections methods
IL – 506	Equity and Trust	IL – 512	Moot Court

Gujarat University
B.COM-LL.B Five-Year Integrated Law Programme

DETAILED SYLLABUS

Semester I:

Course Code	Subjects	Total Credits
IL – 101	1. General English & Communication	4
ILB.com – 102	2. Principles of Management - I	4
ILB.com – 103	3. Financial Accounting- I	4
ILB.com – 104	4. Principles of Economics (Micro) - I	4
IL – 105	5. Law of Contract	4
IL – 106	6. Law of Tort including MV Accident and Consumer Protection Laws	4

Total Credits: 24

Semester: I

IL – 101: General English & Communication:

- **Unit-I Comprehension and Composition**
 - a. The students will be required to read:
 - b. General Comprehension
 - c. Legal texts.
 - d. Guidelines for Petition and report writing

- **Unit-II: Language, Communication and Law**
 - a. What is communication, modes and types of communication will be explained with examples
 - b. Legal maxims has to be introduced with meaning and usage, modern communication
 - c. Interactive sessions

- **Unit-III: Legal Communication**
 - a. Legal drafting, types and methods
 - b. Legal Communication, Language to be used while mooted exercise
 - c. Reading and Analysis of Writings by Eminent Jurists (Cases, Petitions and Judgments)

- **Unit-IV: Literature and Law**
 - a) The play from English literature like
 - b) Proposed book: Merchant of Venice by Shakespeare
 - c) Book written by contemporary author that may help the students to understand importance of language in personal as well as in professional communication.
 - d) Proposed book: The ultimate gift by Jim Stovall

Suggested Reading:

1. David Gill and Bridget Adams. ABC of Communication Studies, published by Nelson Thorns, 1998.
2. John Snape and Gary Watt How to Moot: A Student Guide to Mooting, Oxford, 2013.
3. Karl Erik Rosengren Communication: An Introduction, SAGE Publication.
4. Mia B. Ingels Legal English Communication Skills, ACCO, 2006.
5. Rupert Haigh Legal English Fourth Edition, Routledge, 2015.
6. William Robert McKay and Helen E. Charlton Legal English Pearson/Longman, 2005.

Semester: I

ILB.COM- 102: PRINCIPLES OF MANAGEMENT - I

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

Management: Meaning and process of management.

Planning: Meaning; planning process; planning premises; types of plans – based on breadth and use.

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

Forecasting: Meaning; techniques of forecasting – Historical analogy method, survey method, business barometers, time series analysis, regression analysis, significance and limitations of forecasting

Decision making: Meaning; decision making process; techniques of decision making – Decision Tree, PERT and CPM.

UNIT III: **Organizing – Part 1**

A. Introduction - Meaning of organizing; principles of organizing.

B. Departmentation – Meaning; bases of departmentation – function wise, product wise, territory wise, process wise and customer wise.

C. Delegation – Meaning; elements of delegation; principles of effective delegation.

D. Centralization and decentralization – Meaning; factors affecting degree of centralization and decentralization.

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

A. Formal organizations: Line; Functional; Line and staff; Committee (only the meaning, advantages and limitations of all the four forms)

B. Informal organizations: Meaning; benefits; problems.

Text:

1. L. M. Prasad; Principles of Management; Sultan Chand and Sons, 6th edition.

2. Karminder Ghuman, Management – Concept, Practice and Cases; Tata McGraw Hill; 1st edition(2010)

Reference Book:

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

Semester: I

ILB.COM 103: Financial Accounting- I

Unit	Particulars	Marks
I	<p>A. FUNDAMENTALS OF ACCOUNTANCY: Meaning, Scope and Utility of Accounts, Methods of keeping Books of Accounts, Difference between Book Keeping and Accountancy, Users of Accounts, Fundamental Accounting Equation, Types of Accounts, Rules of Debit and Credit, Types of Transactions, Types of Assets and Liabilities</p> <p>B. CAPITAL, REVENUE, DEFERRED REVENUE EXPENSES, RESERVES, PROVISIONS AND CONTINGENT LIABILITY: Meaning and difference between Capital and Revenue Incomes and Expenses, Identification of Capital and Revenue Expenses and Incomes, Meaning of Deferred Revenue Expense, Difference between Reserves and Provisions, meaning of Contingent Liability</p> <p>C. ACCOUNTING CONCEPTS, CONVENTIONS & PRINCIPLES: Accounting Principles, Policies, Concepts and Conventions. Generally Accepted Accounting Principles, Identification of different Accounting concept applied in various transactions, its accounting entries and its presentation in Annual Financial Statement.</p>	25%
II	<p>ACCOUNTING FOR NON TRADING CONCERNS: Meaning of Non Trading Concern, Annual Financial Statements of Non Trading Concerns (NTC), How NTC differs from Trading Concern, Identification of Capital and Revenue Items for non trading organizations, Receipts and Payments Account, Income and Expenditure Account, Balance Sheet, Concept of different funds and their accounting treatment.</p>	25%
III	<p>FINAL ACCOUNTS OF SOLE PROPRIETARY CONCERN: Preparation of Final account of sole Trading.</p>	25%
IV	<p>ACCOUNTING ENTRIES IN TALLY 7.2 USING VOUCHERS: Relevant vouchers in printed/physical form to be provided to students as documentary evidence and accounting entries in Tally 7.2 (accounts only) to be passed and it will be evaluated on the basis of Day Book, Trial Balance, Profit and Loss Account and Balance Sheet. Opening balances of certain Ledger Accounts may also be given in case of continuing firm.</p>	25%

Reference Books:

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

Semester: I

ILB.Com – 104 Principles of Economics – I (Micro)

Unit :1 Basic Concepts and Definitions Utility, Goods and Services, Money and Wealth, Value and Price, Wealth and Welfare, Real Income and Monetary Income, Micro economics and Macro Economics, Positive Economics and Normative Economics, Consumer surplus, Scarcity of Resources and Problems of Choice- Economic Policy, Economic Regulation and Economic Law- Prof. Marshall and Prof.Samuelsons' Definitions of Economics, Demand function-Law of Demand- Determinants of Demand, Derivation of Demand through Indifference curve - Elasticity of Demand and its types – Methods for calculating Elasticity of Demand.

Unit : 2 Demand Analysis and Consumer Behaviour Types of Demand- Individual Demand and Market Demand, Industry Demand and Firm Demand. Demand for consumers goods and Demand For Producers Goods, Rational Demand, Demand for Durable and Demand for Perishable Goods. Estimation of Demand only on the basis of Price and Income and Basic survey and statistical methods for Demand forecasting- (Mathematical Approach is required) Seven Marks for mathematical Approach

Unit:3 Production, Cost and Revenue Analysis Production and Short run and Long run Production Function- Transformation Curve (Production Possibility Curve) Iso-quants and Isocost and equilibrium of firm – Basic Concepts of Economies and Diseconomies of Scale-Cost analysis Total Fixed Cost, Total Variable Cost, Total Cost, Average Fixed Cost, Average Variable Cost, Average Cost and Marginal Cost- Relationship between Average Cost and Marginal Cost,, Real cost, Sunk Cost, Opportunity Cost, Implicit Cost, Accounting cost, Money cost, Explicit cost- Basic concepts of Revenues i.e Total Revenue, Marginal Revenue and Average Revenue-Relationship between Average Revenue and Marginal Revenue.

Unit:4 Imperfect competition, Product Pricing & Factor Pricing Concept of Perfect Competition- Monopoly and Control of Monopoly-Price Discrimination and Dumping - Monopolistic Competitions- Price Determination in Monopolistic Competition-Selling cost and its Impacts Concepts of Duopoly and Oligopoly- Collusive Oligopoly,-Price Leadership Model and Kinked Demand Curve- Two persons zero sum Game Theory -Theory of Rent (Ricardian and Modern) – Rent and Quasi Rent- Profit Innovations and Risk and Uncertainty theories of Profit.

Recommended Reading:

- H.L.Ahuja, “Modern Micro Economics”, S. Chand Publication
- K.K. Dewett, “Micro economics”, S. Chand Publication
- M. C. Vaish, “Micro economics”.
- Paul Samuelson, “Economics”
- M. L. Sheth, “Micro Economics”
- Mishra and Puri, “Principles of Micro Economics”, Himalaya Publication House, 2009

Semester: I

IL 105: Law of Contract

Unit – I General Features and Nature of Contractual Obligations:

- a. Freedom of Contract. Standard and printed forms of contract-their nature and unilateral character
- b. Essential elements of valid contract; Proposal, Acceptance, Communication and Revocation thereof Means of Communication: Postal, Telephonic and Telex, E-mail Communication Section (2);
- c. Offer and invitation to offer, Kinds of offer; General, Specific, Cross, Standing offer, capacity to contract.

Unit – II

- a) Consent, Free consent, elements vitiating free consent, (section 15–18);
- b) Nature of contract when consent is not free (section 19)

Unit – III

- a) Consideration (Section 2(d), 23, 24, 25);
- b) Void Agreements- Agreement in restraint of marriage (Section 26), Agreement in restraint of trade with exceptions (Section 27), Agreement in restraint of legal Proceedings with exceptions (Section 28),
- c) Uncertain Agreements (Section 29), Wagering Agreements – Definition and essentials – Exceptions (Section 30),
- d) Contingent Contracts (Section 31-36)
- e) Performance of Contract (Sections 37-61)

Unit – IV

- a) When time is essence of contract; Contracts which need not be performed – notation, rescission and alteration of contract, remission of performance (Sections 62 – 67)
- b) Quasi Contracts: Of certain relations resembling those created by Contract (Section 68-72) Breach of Contract and Remedies for Breach of Contract;
- c) Anticipatory Breach and Consequences of Breach (Sections 73-75)

Suggested Reading:

1. Mulla D: Indian Contract Act.
2. AvtarSingh : Law of Contract
3. Pollock &Mulla : Indian contract and Specific Relief Act
4. Anson A.g. : Law of Contract
5. Avtar Singh: Mercantile Law.
6. R.K. Bangia : Contract – I
7. N.D. Kapoor, Law of Contract

Semester: I

IL -106 Law of Tort including MV Accident and Consumer Protection Laws

Unit – I:

- a) Nature and Definition of Torts,
- b) General Defenses, Volenti non fit Injuria, Inevitable Accident, Act of God, Statutory Authority, Defence of Necessity,
- c) Vicarious Liability including Liability of the State,
- d) Defamation.

Unit – II:

- a) Trespass to person and property,
- b) Liability for Mis-statements,
- c) Nuisance,
- d) Negligence including contributory & Composite Negligence,
- e) Strict Liability including Absolute Liability.

Unit – III: The Consumer Protection Act, 1986

- a) Chapter –I: (Section -2)
- b) Chapter-II: Consumer Protection Councils
- c) Chapter-III: Consumer Disputer Redressal Agencies.

Unit-IV: The Motor Vehicles Act, 1988

- a) Chapter –I: section-2
- b) Chapter-XI: Insurance of Motor Vehicles against Third Party Risks
- c) Chapter-XII: Claims Tribunals
- d) Chapter-XIII: Offences, Penalties & Procedure
- e) Overview: Motor Vehicle (Amendment) Act, 2016

Suggested Readings:

1. R.K Bangia; Law of Torts
2. RatanLal; Law of Torts
3. Winfield ; Law of Torts 4. B.K. Aggarwal; Consumer Protection Act, 1986
4. Salmond and Henston; Law of Torts
5. RatanLal and DhirajLal ; Law of Torts
6. Avtar Singh; Law of Torts
7. UpendraBaxi and Thomas Paul (ed). ; Mass Disaster and Multi- national Liability.

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DETAILED SYLLABUS

Semester II:

Course Code	Course Titles	Total Credits
IL – 107	1. English Literature & Legal Writing	4
ILB.COM – 108	2. Principles of Management - II	4
ILB.COM - 10	3. Financial Accounting - II	4
ILB.COM - 110	4. Principles of Economics (Micro) - I	4
IL – 111	5. Special Contract	4
IL – 112	6. Legal History	4

Total Credits: 24

Semester II

IL 107: English Literature & Legal Writing

Unit-I

- a) The students will be required to write:
- b) Case comment
- c) Article/Editing of Law Journals
- d) head-notes

Unit-II

- a) Understanding modern idioms
- b) Prefixes and suffixes.
- c) Translation from Gujarati to English.
- d) Formation of words.
- e) Accurate formation of questions
- f) Presenting information and legal opinions

Unit-III

- a. Essay writing on topics of contemporary legal relevance like :
- b. Environmental Law. 2. Cyber crime/ Law. 3. Right to Information. 4. Indian Judiciary 5. Women Empowerment. 6. Consumer Protection 7. Panchayat Raj. 8. The changing Scenario of India Bureaucracy. 9. Democracy. 10. Socialism and secularism.
- c. Accurate modern letter writing styles
- d. Negotiating skills

Unit-IV

- a. Legal Terms-Meaning and Usage :
- b. Complaint, Written Statement, Plaintiff, Defense, Petition, Appeal, Magistrate, Judge Court, Tribunal, Divorce, Judicial Separation, Litigation, Public, Private, Legal, Illegal, Monogamy, Bigamy, Polygamy, Will Deed, Agency, Agreement, Bail, Bailable, NonBailable, Bailment, Minor, Misstatement, Pledge. * Comparing styles : legalese and plain English.

Suggested Reading:

1. FitiKides, T.J.: Common Mistakes in English
2. John B.Saunders: Words and Phrases Legally Defined, Vols. I to V.
3. Martin Hewing: Advanced English Grammar, Cambridge University Press
4. Grammar builder- A.Amin, R. Eravelly, F.J. Ibrahim(in IV Vol,) Cambridge University Press
5. English Idioms-Jennifer Seidl, W. McMordie, Oxford University Press
6. English Vocabulary in Use- Michael McCarthy, Felicity O'Dell, Cambridge University Press

Semester II

ILB.COM-108: Principles of Management-2

UNIT I: Staffing

Meaning;

- A. Human Resource Planning – Meaning; importance.
- B. Job Analysis – Meaning; importance.
- C. Recruitment – Meaning; only sources of recruitment.
- D. Selection – Meaning; only the selection process.
- E. Training – Meaning; methods of training – job rotation, lectures/conferences, vestibule.

UNIT II: Directing

Meaning; Principles of directing

- A. Motivation – Meaning; Theories of motivation - Herzberg's Two-Factor theory, McGregor's Theory X and Theory Y, Theory Z.
- B. Leadership – Meaning; Theories of leadership – Blake and Mouton's Managerial grid, Leadership Continuum.
- C. Communication – Meaning; importance.

UNIT III: Control

Meaning; nature of control; importance of control; the control process; essentials/principles of effective control system; techniques of control – Break-Even Analysis.

UNIT IV: Emerging issues in Management

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

Text:

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

Reference Book:

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

Semester II

ILB.COM-109: Financial Accounting – II

Unit	Particulars	Marks
I	A) Consignment: <ul style="list-style-type: none">➤ Meaning and Features of consignment, Sale and consignment➤ Important terms, Accounting records➤ Valuation of unsold stock & Loss of stock B) Joint Venture: (Excluding Conversion of Consignment into Joint Venture) <ul style="list-style-type: none">➤ Meaning and Features of Joint Venture,➤ Joint venture and partnership, Joint Venture and Consignment,➤ Accounting Records, when separate set of books are maintained,➤ When one venture keep Accounts, when all venture keep Accounts	25%
II	Branch accounts (excluding Foreign Branch)	25%
III	Insurance Claims : Claims for loss of Stock & Fixed assets Claim for profit or consequential loss	25%
IV	Business Purchase	25%

Reference Books:

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

Semester: II

ILB.COM-110: Principles of Economics (Macro)

UNIT – I

Introduction to Macro Economics:

Definition, Scope, Importance and Limitations of Macro Economics

National Income (NI) Accounting: Meaning of NI and Circular Flow of NI (in Four sector economy)

Stock and flow concept, NI at Current Price and NI at Constant Price Various concepts of NI (GNP, GDP, NNP, NDP), Personal Income, Disposable Income, Methods for measurement of NI, Difficulties in measurement of NI

UNIT – II

Theory of Income and Employment

Keynes' consumption function,

Investment function,

Keynesian theory of Income and employment

Investment multiplier

Interest rate theory - Liquidity Preference Theory

UNIT – III

Money: Definition and Functions, Stocks of Money (M1, M2, M3 and M4), Credit creation by Banks

Inflation: Meaning of Inflation, Deflation, Stagflation and Causes of inflation, Measures to Control Inflation

Business cycle: Meaning, characteristics and phases

UNIT – IV

Monetary policy: Meaning, Objectives and Tools

Fiscal policy: Meaning, Objectives and Tools

Balance of Payments: Meaning, Structure, Causes of Disequilibrium and Methods of Correcting Disequilibrium

Text Book

Macro Economics by D.M.Mithani (Himalaya Publication)

Macro Economics by R. Cauvery (S.Chand Publication.)

Semester: II

IL 111: Special Contract

Unit-I: Indemnity, Guarantee and Agency

- a. Distinction between Indemnity and Guarantee
- b. Right and Duties of Indemnifier and Discharge
- c. Rights and Duties of Bailor/Bailee, Lien, etc
- d. Definitions of Agent and Principal, Creation of Agency and its Termination

Unit-II: The Partnership Act, 1932

- a. Nature of Partnership Firm
- b. Rights /Duties of Partners inter se
- c. Incoming and Outgoing Partners, Position of Minor
- d. Dissolution and Consequences

Unit-III : The Sale of Goods Act, 1940

- a) Definitions, Distinction between Sale and Agreement to Sale
- b) Conditions and Warranties
- c) Passing of Property
- d) Rights of Unpaid Seller an

Unit – IV Specific Relief –

- a) Meaning and General Principles; Recovery of Possession of Immovable Property (Ss. 5 and 6), Recovery of Possession of Movable Property (Ss. 7 and 8),
- b) Contracts Which can be specifically enforced (Ss. 10 to 13), Contracts which cannot be specifically enforced (Sec. 14),
- c) Discretion of the Court (Sec. 20), Rectification of Instruments (Sec. 26), Rescission of Contracts (Ss. 27 to 30), Cancellation of Instruments (Ss. 31 to 33),
- d) Declaratory Decrees (Ss. 34 and 35), Preventive Relief /Injunctions (Ss. 36 to 42)

Suggested Readings:

1. Mulla, D.F : Indian Contract Act.
2. Bangia, R.K. : Indian contract Act-II.
3. AvtarSingh : Law of Contract
4. Pollock and Mulla : Indian contract and Specific Relief Act
5. Anson : Law of Contract
6. R.K. Bangia : The Specific Relief Act ,R.M.M. Dias: Jurisprudence d Remedies for Breach of Contract

Semester: II

IL 112: Legal History

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

Unit II: 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, The Second Law Commission
- e. Establishment of High Courts, 1861
- f. Privy Council and Federal Court: Appeals and working of Privy Council, Appraisal of Privy Council, Features of Federal Court
- g. Evaluation: Special Reference to Racial Discrimination, Merit and Demerits

Unit III: Legal Profession and Education

- a) Early Developments though Major's Court, Supreme Court, Company's Adalat, High Court, Legal Practitioners Act of 1879, The Chamier and Indian Bar Committer of 1951
- b) The Advocates Act of 1961: Provisions and Disciplinary powers
- c) Law Reporting: Theory of Precedents, Features of Law reporting from 1773 to 1950
- d) Legal Education: History and Basic Aims of Legal Education

Unit IV: 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

Suggested Reading:

1. D.D.Basu: Introduction to the Constitution of India
2. G.N.Singh: Landmark in Indian Constitutional & National Development
3. V.D.Kulshreshtha's Landmarks in Indian Legal & Constitutional History
4. J.N.Pandey : Constitutional Law of India
5. M.P.Jain: Indian Constitutional Law

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DETAILED SYLLABUS

Semester III

Course Code	Course Title	Total Credits
ILB.COM-201	1. Corporate Accounting	4
ILB.COM-202	2. Statistics	4
IL – 203	3. Law of Crimes - I	4
IL – 204	4. Law of Crimes - II	4
IL – 205	5. Legal Theory / Jurisprudence	4
IL – 206	6. Family Law - I	4

Total Credits: 24

Semester III

ILB.COM-201: Corporate Accounting

Unit	Particulars	Marks
I	A. Issue of Bonus Shares B. Buyback of Shares	25%
II	Alteration of share capital	25%
III	Company Final Accounts	25%
IV	Amalgamation and absorption	25%

Reference Books:

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

Semester III
ILB.COM-202: Statistics

Unit 1. Linear Programming Problem: Meaning of linear programming, its uses, assumptions and limitations, Explanation of basic terminologies, Mathematical form of linear programming problem, Solution of linear programming problem by using graphical methods, Simple formulation problems (for two variables).

Unit 2. Transportation Problem: Definition of balanced Transportation Problem (T.P.), General Transportation table and its mathematical form, Initial basic feasible solution and initial cost by using North-West Corner rule, Least Cost Method, Vogel's Approximation Method, Examples base on these methods.

Unit 3. Assignment and Replacement Problems:

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

Unit 4. PERT and CPM Techniques:

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

Recommended Reading:

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

Semester III
IL – 203: Law of Crimes - I

Unit-I

- a) Operation and Applicability of the Code : Intra-Territorial Jurisdiction and Extra -Territorial Jurisdiction etc
- b) Stages of Crime, mens rea
- c) Relevant General Explanations
- d) Group Liability
- e) Common Intention & Common Object
- f) Criminal Conspiracy
- g) Abetment
- h) Concept related to Punishments
- i) Theories and Kinds of Punishment
- j) Death Sentence: Constitutionality & Judicial Approach

Unit-II

- a. General Exceptions
- b. Offences against the State
- c. Offences against the Public Tranquility
- d. Offences by or relating to Public Servants

Unit-III

- a. Offences relating to Elections
- b. Contempt of the lawful authority of Public Servants
- c. False evidence and offences against Public Justice

Unit-IV

- a) Offences relating to Weights and Measures
- b) Offences affecting the Public Health, Safety, Convenience, Decency and Morals
- c) Offences relating to Religion

Suggested Readings

1. Russell on Crime — Universal Law Publishing Co. (2 Volumes)
2. K. D. Gaur, Criminal Law Cases and Materials, Butterworths, India
3. Ratanlal&Dhirajlal's Indian Penal Code ,ButterworthsWadhwa, Nagpur
4. K. D. Gaur, A text Book on the Indian Penal Code, Universal Delhi.
5. P. S. Achuthan Pillai, Criminal Law Eastern Book Co.
6. B. M. Gandhi , Indian Penal Code, Eastern Book Co.
7. Kenny's Outlines of Criminal Law, (1998 Edition)
8. P.S. Achuthan Pillai – Criminal Law, Butterworth Co.

Semester III
IL – 204: Law of Crimes - II

Unit-I

- a. Offences affecting life
- b. Offences of Hurt and Grievous hurt
- c. Offences of wrongful restraint and wrongful confinement

Unit-II

- a) Offences relating to criminal force and assault
- b) Offences of Kidnapping and Abduction
- c) Sexual and Unnatural offences

Unit-III

- a. Theft & Extortion, Robbery and Dacoity, Distinction between them, receiving and disposing of Stolen Property & other related offences
- b. Criminal Misappropriation, Criminal Breach of Trust, Cheating, Mischief, forgery, counterfeiting
- c. Offences relating to Criminal Trespass

Unit-IV

- a) Offences relating to marriage
- b) Cruelty by Husband or Relatives of Husband
- c) Defamation
- d) Criminal Intimidation, Insult and Annoyance

Suggested Readings

- 1 Russell on Crime — Universal Law Publishing Co. (2 Volumes)
- 2 K. D. Gaur, Criminal Law Cases and Materials, Butterworths, India
- 3 Ratanlal&Dhirajlal's Indian Penal Code ,ButterworthsWadhwa, Nagpur
- 4 K. D. Gaur, A text Book on the Indian Penal Code, Universal Delhi.
- 5 P. S. Achuthan Pillai, Criminal Law Eastern Book Co.
- 6 B. M. Gandhi , Indian Penal Code, Eastern Book Co.
- 7 Kenny's Outlines of Criminal Law, (1998 Edition)
- 8 P.S. Achuthan Pillai – Criminal Law, Butterworth Co. 2000

Semester III
IL 205: Legal Theory / Jurisprudence

Unit 1 Introduction and sources of Law

- a. Meaning of the term 'jurisprudence', Importance, Indian Perspective
- b. Nature and definition of law, Relation between: Law and Morality. Law and Justice
- c. Sources of law: Legislation, custom, Precedents: concept of stare decisis, Juristic writings
- d. Linkage between jurisprudence and other sciences
- e. Classical Approach: Modern Trends

Unit 2 Schools of Jurisprudence

- a) Analytical positivism: Bentham and Austin's view, Criticism of Austin's theory of positivism
- b) Natural law School, Historical school, Sociological School
- c) Kelson's Pure Theory of Law, H.L.A. Hart's Theory
- d) Legal Realism

Unit 3 Legal Rights, duties, persons, Titles, liabilities etc.

- a) Rights, Duties and Wrongs: Definitions and relationship, Rights: kinds, Legal Rights as defined by Hohfeld, Right -Duty Correlations
- b) Status of the unborn, minor, lunatic, drunken and dead persons, slaves
- c) Titles: kinds
- d) Liabilities: conditions for imposing liabilities, Mens rea, Intention, negligence, vicarious liability, Strict Liability.

Unit 4 Ownership, Possession and Property

- a) Possession: Definition, concept and importance
- b) Kinds of possession, Essentials of possession: Corpus Possessiones and Animus Possidendi
- c) Ownership: Definition, concept, kinds of ownership
- d) Distinction between ownership and possession, Kinds of property

Suggested Readings

- 1 Bodenheimer Jurisprudence - The Philosophy and Method of Law (1996), Universal, Delhi.
- 2 Fitzgerald, (ed.) Salmond on Jurisprudence, Tripathi, Bombay.
- 3 W. Friedmann, Legal Theory, Universal, Delhi,
- 4 V. D. Mahajan, Jurisprudence and Legal Theory, Eastern, Lucknow M.D.A. Freeman (ed),
- 5 Lloyd's Introduction to Jurisprudence, Sweet & Maxwell Paton G. W., Jurisprudence Oxford, ELBS
- 6 H.L.A. Hart, The concept of law, Oxford, ELBS
- 7 Roscoe pond, Introduction to the philosophy of Law, Universal Delhi
- 8 Dias, Jurisprudence, Adithya Books New Delhi.
- 9 Dhyani S.N., Jurisprudence- A Study of Indian Legal Theory, Metropolitan, New Delhi.
- 10 Dr. S.R. Myneni, Jurisprudence (Legal Theory), 2013, Asia Law House, 2 edition.

Semester III
IL206: Family Law - I

Unit 1 General

- a) Concept of Family and Development of Family System, Types of Family
- b) Sources of Family Law
- c) Schools of Family Law
- d) Uniform Civil Code: Concept, reasons, Need to enact, problems, relevant Constitutional provisions, judicial pronouncements

Unit 2 Marriage

- a. Concept of Marriage, Essentials of valid Marriage under Different laws- Hindu, Muslim, Parsi, Christian laws and Special Marriage Act,
- b. Emerging concepts: MaitriSambandh (Live in Relationship) and divided home
- c. Regular, irregular and void marriages under different personal laws and effects thereof
- d. Iddat and its types under Muslim Law
- e. Guardianship in Marriage (Jabar) and option of puberty under Muslim law

Unit 3 Matrimonial Disputes and Remedies

- a) Non -judicial resolution of marital conflicts.
- b) Matrimonial Remedies: Restitution of Conjugal Rights, Judicial Separation, Reconciliation in matrimonial disputes
- c) Dissolution of Marriage;
- d) Customary dissolution of marriage
- e) Unilateral divorce
- f) Divorce by mutual consent
- g) Other modes of dissolution of marriage like cruelty, desertion, adultery etc.
- h) Emerging concept: Irretrievably breakdown Theory for granting divorce and judicial pronouncements
- i) Divorce under Muslim personal law —
- j) Talak and its kinds, Talaq-e-tafweez, Kinds of divorce
- k) Grounds for Divorce under the Dissolution of Muslim Marriages Act, 1939
- l) Re -marriage under different personal Laws Judicial resolution of marital conflicts: the family Court

Unit 4 Guardianship, Adoption, Alimony and Maintenance

- a) Guardianship under different personal laws
- b) Provisions for adoption under various family laws and CARA Guidelines for Adoption
- c) Maintenance and alimony under the Criminal Procedure Code and various personal Laws:
 - Maintenance of neglected wives and divorced wives
 - Maintenance of children and spouse
 - Maintenance of Parents and Grand Parents
 - Maintenance of divorced Muslim women under the Muslim Women (Protection of Rights on Divorce) Act, 1986: a critical review, judicial pronouncements on the issue

Suggested Readings

- 1 Paras Diwan, Law of Interstate and Testamentary Succession, Universal
- 2 Basu, N.D. Law of Succession, Universal
- 3 Kusem, Marriage and Divorce Law Manual, Universal
- 4 Machanda S. C. Law and Practice of Divorce in India, Universal
- 5 P.V. Kane, History of Dharmasastras V01.2 PL I at 624-632
- 6 Kuppaswami (ed) Mayne's Hindu Law and Usage Ch.4
- 7 Sivaramayys, Inequalities and the Law
- 8 K.C. Daiya, "Population control through family planning in India" Indian Journal of Legal Studies,
- 9 J.D.M. Derrett, Hindu Law Past and Present
- 10 J.D.M. Death of Marriage Law
- 11 A.A.A. Fyzce, Outline of Muhammadan Law, AlladiKuppaswami, Mayne's Hindu Law and Usage J.D.M. Derret, A Critique of Modern Hindu Law
- 12 Paras Diwan, Hindu Law

Gujarat University
B.COM-LL.B Five-Year Integrated Law Programme

DETAILED SYLLABUS

Semester IV

Course Code	Course Title	Total Credits
ILB.COM -207	Cost Accounting	4
ILB.COM -208	Secretarial Practices	4
IL – 209	Company Law	4
IL – 210	Constitutional Law – I	4
IL – 211	Constitutional Law – II	4
IL – 212	Family Law – II	4

Total Credits: 24

Semester IV

ILB.COM-207: Cost Accounting

Unit	Particulars	Marks
I	Introduction to Cost Accounting : Meaning and definition; Need for Cost Accounting; Advantage and limitations; Cost Accounting and Financial Accounting; Cost concepts and cost objects; Elements of cost and classification of costs; methods of costing; Techniques of costing (With emphasis on Uniform costing); Cost centre and Cost unit; Installation of good cost accounting system.	25%
II	Single or Unit Costing : Components of total cost; Expenses that are not treated as cost in cost sheet; Imputed costs; Treatment of work-in progress; Defective materials; Sale of scrap; Defective product; Normal & abnormal Loss of materials; Treatment of Finished goods; Preparation of Historical cost sheet, Estimated cost sheet, Estimate for work order (Tender/Quotation).	25%
III	Reconciliation of profit as per cost accounts with profits as per financial accounts : Reasons for disagreement in profits; Procedure for reconciliation; Preparation of Reconciliation Statement and Memorandum Reconciliation Account;	25%
IV	Marginal Costing: A. Break-even and CVP Analysis: Meaning and definition of Marginal Cost, Marginal Costing and Contribution; Marginal Costing vs. Absorption Costing; Features of Marginal Costing; Situations where Marginal Costing Technique is useful in managerial decision making; B. Methods of determination of Break-even point: Graphical Method: Traditional Break-even Chart and Contribution Breakeven Chart; Algebraic Method; Limitations of C/S Ratio; Margin of Safety, Angle of incidence and assumptions of Break-Even Analysis; Cost-Volume Profit Analysis; Key or Limiting Factors Analysis (analysis where more than one limiting factors exist is not expected); Optimizing of Product Mix (basic problems to highlight its application and limitations). C. Meaning of the following terms relating to ‘Decision-making process’ (only short objective type theoretical questions are expected): Relevant Cost, Incremental Cost, Sunk Cost, Opportunity Cost, Avoidable/unavoidable costs, Imputed or Notional Cost, Discretionary Costs, Common Costs, Traceable Costs, Joint Costs and Step Costs.	25%

Reference Books:

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

Semester IV

ILB.com - 208 Secretarial Practices

Note: All units carry equal weight age of marks.

Unit: 1.

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

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

Unit:2.

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

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

Unit:3.

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

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

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

Unit: 4.

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

Recommended Reading:

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

Semester IV

IL – 209: Company Law

Unit I

- a) Company: Definition, Theories of Corporate personality, Kinds of Companies, nature, advantages and disadvantages, Overview of Companies Act 2013,
- b) Registration and Incorporation of company
- c) Introduction, Memorandum & Article of Association
- d) Memorandum of Association, Various clauses, Alteration therein, Doctrine
- e) of ultra vires, Consequences of ultra vires transaction
- f) Articles of Association: Binding force, alteration, its relation with Memorandum, doctrine of constructive notice and indoor management.

Unit II

- a) Prospectus, Promoters, Shares, Share holder & Members, Share Capital
- b) Meetings, Prospectus: Contents, Shelf Prospectus, Misrepresentation in prospectus, Remedies for misrepresentation and liabilities thereof, IPO, Listing Agreement
- c) Promoters, Shares: General Principles for allotment, statutory restrictions, Share Certificates, Transfer of shares, dematerialized shares (DEMAT)
- d) Shareholder and members of company: Distinction, Modes of becoming members of company, Rights and Privileges of Shareholders
- e) Share Capital: Kinds, alteration and reduction of share capital, Buy- back of shares

Unit III

- a) Directors, Dividends, Audit, Accounts, Oppression & Mismanagement
- b) Directors: Position, appointment, qualifications, vacation of office, removal, resignation, powers and duties of directors, Managing Director, Independent Directors, Role of Nominee Directors.
- c) Dividends, Audits, Auditors, Accounts, Debentures, Fixed and Floating charges, kinds of debentures, protection of minority rights
- d) Prevention of Oppression and Mismanagement
- e) Overview of CSR

Unit IV

- a) Reconstruction, Amalgamation & Winding up/Dissolution of company
- b) Reconstruction and Amalgamation of Company, Mergers and Acquisitions, (Takeover Code)
- c) Statutory Bodies- SEBI, CCI, Introduction to BPO and LPO
- d) Types of winding up: Voluntary and Involuntary, powers of liquidator, powers of court
- e) Corporate liability: Civil and Criminal, uses and abuses of the corporate form, Lifting the corporate veil, Insider Trading

Suggested Readings

1. Avtar Singh, Company Law, Eastern Book Company, 2015
2. Karn Gupta, Introduction to Company Law, LexisNexis 2013
3. K.S Anantharaman, Company Law and the Competition Act Including Secretarial Practice, LexisNexis 2013
4. N.D. Kapoor, Elements of Mercantile Law, Sultan Chand & Sons, 2010
5. Avtar Singh, Introduction to Company Law, Eastern Book Company, 2014
6. Ramaiya, Guide To The Companies Act, LexisNexis, 2014 (5-volumes)
7. Gower & Davies, Principles of Modern Company Law, Sweet & Maxwell, 2013
8. Palmer's Company Law (Eds. Professor Geoffrey Morse), Sweet & Maxwell, 2015
9. N.D. Kapoor, Business Law: Including Company Law, Sultan Chand & Sons, 2014
10. Robert R. Pennington, Pennington's Company Law, LexisNexis (Butterworths), 2001
11. S.M. Shah 's lectures on company law, N M Tripathi Bombay , 1990

Semester IV

IL 210: Constitutional Law - I

Unit I. Introduction to Indian Constitution

- a) Salient features of the Indian Constitution
- b) Preamble: Objective resolutions, Purpose, Objectives, Importance, Amendment
- c) Concept of Citizenship
- d) Definition of State
- e) Doctrine of Ultra vires, severability, eclipse, waiver

Unit II. Fundamental Rights - I

- a) Right to Equality
- b) Equality before Law
- c) Prohibition of discrimination
- d) Equality of Opportunity in matters of public employment
- e) Abolition of Untouchability and Titles
- f) Right to Freedom
- g) Protection of certain rights regarding freedom of speech etc.
- h) Protection in respect of conviction of Offences
- i) Protection of life and personal liberty
- j) Right to Education
- k) Protection against arrest and detention

Unit III: Fundamental Rights - II

- a. Right against Exploitation
- b. Right to freedom of Religion
- c. Cultural and Educational Rights
- d. Remedies for the enforcement of Fundamental Rights, Writs, Types of Writs, Distinction between Article 32 and Article 226

Unit IV: Directive Principles of State Policy and Fundamental Duties

- a) Directive Principles: Nature, ideals, Distinction from Fundamental
- b) Rights & Inter -relationship with fundamental rights
- c) Non -enforceability of Directive Principles before the court
- d) Classification of Directive Principles, Uniform Civil Code
- e) Reading Directive Principles into Fundamental Rights
- f) Fundamental Duties

Suggested Readings:

- 1 Austin Granville: Constitution of India: Cornerstone of a Nation; and Working A Democratic Constitution
- 2 Narender Kumar: Constitutional Law of India.
- 3 Basu D. D : Shorter Constitution of India
- 4 Jain, M.P.: Constitutional Law of India,
- 5 Seervai, H.M. : Constitutional Law of India, Vols. I-III
- 6 Shukla, V.N. : Constitutional of India (ed. M.P.Singh)
- 7 B.R. Sharma : Constitutional Law and judicial Activism
- 8 M.C. Jain Kagzi : The Constitution of India
- 9 B. Shiva Rao: The Framing of India's Constitution

Semester IV
IL 211: Constitutional Law – II

Unit I Union & State Executives

- a. Union Executive: President, Vice President, their qualifications, powers and duties, Election & Impeachment, Doctrine of Pleasure, position of the President vis-a-vis Prime Minister, Prime Minister & Council of Ministers
- b. Nature & Extent of Executive power of the President
- c. Relation between President and Council of Ministers
- d. State Executive: Governor, Chief Minister, Powers, Council of Ministers

Unit II Legislatures

- a) Union Parliament & State legislatures
- b) Composition, Sessions, Qualifications & Disqualifications of Members, Attorney General etc.
- c) Legislative Procedures
- d) Ordinary bills, Money Bills, Ordinances
- e) Parliamentary Privileges

Unit III: Judiciary

- a) The Judiciary in India: An Introduction
- b) The Supreme Court of India
- c) Appointment and Removal of Judges of Supreme Court, Independence of Judiciary
- d) Jurisdiction of Supreme Court - Original, Appellate, Special Leave to Appeal, Advisory
- e) Other Powers of the Supreme Court, Power of Contempt
- f) The High Court in the States: Role, Powers and Functions

Unit 4: Miscellaneous

- a) Emergency Provisions
- b) Amendment of the Constitution & Basic structure theory
- c) Constitutional Bodies
- d) Comptroller and Auditor General of India
- e) Finance Commission
- f) Election Commission of India
- g) Freedom of Trade, Commerce and Intercourse
- h) Relations between Union and State: Legislative, Administrative and Financial, Schedule VII

Suggested Readings

- 1 Austin Granville: Constitution of India: Cornerstone of a Nation; and Working A Democratic Constitution
- 2 Narender Kumar: Constitutional Law of India.
- 3 Basu D. D: Shorter Constitution of India
- 4 Jain, M.P.: Constitutional Law of India,
- 5 Seervai, H.M. : Constitutional Law of India, Vols. I-III
- 6 Shukla, V.N. : Constitutional of India (ed. M.P. Singh)
- 7 Bare Act : Constitutional Law India.
- 8 M.C. Jain Kagzi : The constitution of India

Semester IV

IL 212: Family Law II

Unit 1. Joint Hindu Family

- a. Origin & Nature of Joint Hindu Family, Karta, Coparcenary & its characteristics, Distinction between the Joint Hindu Family & Coparcenary.
- b. Mitakshara Coparcenary - (Formation and types of Mitakshara property)
- c. Dayabhaga Coparcenary - (Formation and types of Dayabhaga property)
- d. Alienation of property - Separate and Coparcenary.
- e. Partition and Re-union.

Unit II. Inheritance

- a. Hindus: Succession to property of a Hindu male & female dying intestate under the provisions of the Hindu Succession Act, 1956.
- b. Devolution of interest in Mitakshara Coparcenary with reference to the provision of Hindu Succession Act, 1956
- c. Disqualification relating to succession, General rules of succession
- d. Muslims: General rules of succession and exclusion from succession.
- e. Classification of heirs under Hanafi and Ithana Ashria School and their share and distribution of property

Unit III. Indian Succession Act

- a) Non-Testamentary Succession: Rules of Inheritance among Christians, Parsis and Jews.
- b) Testamentary Succession:
- c) Testamentary succession under Hindu, Muslim and Christian Law.
- d) Limitations to bequest under various Personal laws. Construction of Will in brief: Void bequest, void wills, administration of will, Codicil, Lapse, Abatement and Ademption of legacies, Probate, letters of administration and succession certificate.

Unit IV: Miscellaneous

- a) Salient Features of the Family Courts Act, 1984
- b) Salient Features of the Protection against the Domestic Violence Act, 2005
- c) Gift:
 - Essentials of valid gifts under different Personal laws
 - Kinds of Gift: Competency of donor and donee, Subject matter of gift, Properties which can be and cannot be the subject matter of gift, Void gifts.
 - Essentials of valid Hiba (Gift) under Muslim Law, Kinds of Hiba, Sadquah, Marz- ul-maut, Revocation of gift, Pre-emption.

Suggested Readings

1. Ahmad, Aqil, Text book of Mohammedan Law, 25th Edn., Central Law Agency.
2. B.M. Gandhi, Family Law Volume-II, Eastern Book Company.
3. Basu N.D., Law of Succession, 5th Edn., Eastern Law House.
4. Kane P. V., History of Dharmasastra, Vol. II Part I, Bhandarkar Oriental Research , Poona, 1941.
5. Kesari U.P.D., Modern Hindu Law, Central Law Publications, 2013.
6. MullaDinshawFardunji, Hindu Law, LexisNexis ButterworthsWadhwa.
7. MullaDinshawFardunji, Principles of Mahomedan Law, 20th Edn., LexisNexisButterworthsWadhwa Nagpur 2013.
8. Paras Diwan, Family Law, 10th Edn., Allahabad Law Agency.
9. Paras Diwan, Modern Hindu Law, Allahabad Law Agency, 2013.
10. Qureshi M.A., Muslim Law, Central Law Publications, 2012.
11. Saxena Poonam Pradhan, Family Law Lectures Family Law II, Lexis NexisButterworthsWadhwa Nagpur 2015.
12. Verma B.R., Commentaries Mohammedan Law, Law Publishers (India) Pvt. Ltd., 2013.
13. Universal Handbook on “PWDV Act and Rules” by P.K.Das (Universal Law Publication Co.)

Gujarat University

B.COM-LL.B Five-Year Integrated Law Programme

DETAILED SYLLABUS

Semester V

Course Code	Course Title	Credits
ILB.COM-301	Management Accounting	4
IL – 302	Administrative Law	4
IL – 303	Public International Law	4
IL – 304	Labour Law – I	4
IL – 305	Labour Law – II	4
IL – 306	Interpretation of Statutes	4

Total Credits: 24

Semester V
ILB.COM-301: Advance Accounting

Unit 1:

- Valuation of Goodwill, Origin of Goodwill
- Factors affecting Goodwill, Meaning of Goodwill
- Provision regarding Goodwill in various accounting standards
- Need for valuation of goodwill
- Methods of valuation of Goodwill
- Arbitrary Assessment
- Average profit method (Simple average, Weighted Average and Annuity method)
- Super Profit method
- Capitalization of profit method (Capitalization of average profit and Super profit)

Unit 2:

- Circumstances of valuation of shares
- Factors affecting valuation of shares
- Methods of valuation of shares
- Valuation of fully paid-up and partly paid-up equity shares and preference shares by NetAssets method
- Valuation of fully paid-up and partly paid-up equity shares by Yield method
- Fair value of fully paid-up and partly paid-up equity shares
- Valuation of Right Shares
- Valuation of Bonus Shares

Unit 3: Liquidation of Company

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

Unit 4:

- **In the nature of merger:** Under Pooling of Interests Method (AS 14).
- **In the nature of purchase:**

Note: Includes additional points arising on Amalgamation/
Absorption: Inter-company transactions (except Inter-company Holdings and exchange of shares based on 'intrinsic values').

References :

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

Semester V

IL 301 - Administrative Law

- Unit – I
Evaluation, Nature and Scope of Administrative Law, Conceptual Objections to the growth of administrative Law- Rule of Law, Separation of Powers, Administrative discretion- Meaning, Need, and Judicial Control, Laissez-faire State, Social Welfare State, and Modern State
- Unit-II
Legislative Power of Administration- Necessity, Merits and Demerits, Constitutionality of Delegated Legislation; Legislative and Judicial Control of delegated Legislation
- Unit-III
 - Principles of Natural Justice and their Exceptions- Rule against Bias, Concept of Fair hearing judicial review of administrative action through writs; Judicial control through suits for damages, injunction and declaration; Exclusion of Judicial review.
 - Administrative Tribunals: Need and reasons for their growth, characteristics, jurisdiction and procedure of administrative Tribunals.
- Unit-IV
 - Government Privilege to withhold evidence in public interest Liability of the administration: Contractual liability, tortious liability.
 - Public Undertakings, their necessity and Liabilities, governmental Control,
 - Parliament Control, Judicial Control
 - Ombudsman – Lokpal and Lokayukta

Suggested Readings:

1. Jain and Jain: Principles of Administrative law.
2. C.K. Thakkar : Administrative law
3. S.P. Sathe : Administrative law
4. H.W.R. Wade : Administrative law
5. I. P. Massey : Administrative law
6. S.P. Sathe: Administrative Law
7. Cann, Steven J: Administrative Law 3rd Ed., 2002
8. Kesari, U.P.D : Lectures on Administrative Law, 15th Ed, 2005
9. Massey, I.P. : Administrative Law, 5th Ed. 2003
10. Stott, David & Felix Alexandra: Principles of Administrative Law
11. Wade & Forsyth: Administrative Law

Semester V

IL 302: Public International Law

- UNIT-I
 - Nature, definition, origin and basis of International Law; Sources of International Law; Relationship between Municipal and International Law; Subjects of International Law.
- UNIT-II
 - States as subjects of International Law: States in general; Recognition; State territorial sovereignty. State Jurisdiction: Law of the sea; State Responsibility; Succession to rights and obligations.
- UNIT-III
 - State and Individual - Extradition, Asylum and Nationality; the agents of international business; diplomatic envoys, consuls and other representatives; the law and practice as to treaties.
- UNIT-IV
 - The United Nations Organization - Principal organs and their functions; World Trade Organisation- Main features; International Labor Organization.

Suggested Readings:

1. J. G. Starke- An Introduction to International Law.
2. P.W. Bowett- International Institutions.
3. J. B. Brierly - The Law of Nations.
4. D. H. Harris - International Law (Cases and Materials).
5. Oppenheim - International Law(Volume I, Peace)
6. S. K. Kapoor - International Law.
7. Bhagirathlal Das – World Trade Organization.

Semester V

IL 303: Labour Law - I

Unit - I General Introduction

- a) Approach to Labour Law
- b) Basis of Labour Law
- c) Historical Aspects - Master and slave relationship
- d) Social Justice and Labour Law
- e) Constitutional Perspective and Labour Law
- f) Approaches of Indian Judiciary and Judicial Legislation on Industrial Relations
- g) International labour Organization and its influence on Indian labour laws

Unit–II Industrial Disputes Act, 1947

- a) Scope, objects and features of the Act
- b) Definitions: Industry
- c) Industrial Disputes (Industrial and Collective)
- d) Workman
- e) Strikes and Lock-outs,
- f) Lay-off
- g) Retrenchment
- h) Closure
- i) Unfair Labour Practices and Role of Government;
- j) Authorities under the Act : Works Committee, Conciliation Officer, Boards of conciliation, Court of Inquiry, Labour Court, Tribunals

Unit -III Trade Unions Act, 1926 & Gujarat Industrial Relations Act & Collective Bargaining:

- a) History and development of Trade Union In India
- b) Registration of Trade Union & privileges of registered trade union
- c) Rights and Liabilities of Registered Trade Union
- d) Meaning and importance of Industrial Relations
- e) Classification of Unions: Primary union, Qualified Union, Representative union
- f) Concept & importance of Principle of Collective Bargaining

Unit–IV The Industrial Employment (Standing Orders) Act, 1946

- a) Meaning and application of the Act
- b) Standing orders & Model Standing Orders
- c) Certificate & Cancellation of Standing Orders
- d) Provision of Appeal
- e) Disciplinary Procedures: Departmental Inquiries

Recommended Books

- S. N Mishra - Labour Laws S. C Srivastava - Social Security and Labour Laws.
- Malhotra O. P - Industrial Disputes Act Vol. I and II.
- Madhavan Pillai - Labour and Industrial Laws.
- Srivastava K. D - Commentaries on Industrial Disputes Act, 1947.
- V. V Giri - Labour problems in Indian Industry.
- Labour Law and Labour Relations Published by Indian Law Institute.

Semester V

IL305: Labour Law II

Unit-I: The Minimum Wages Act, 1948

- a. Concept of Minimum Wage, Fair Wage, Living Wage and Need Based Minimum Wage
- a. Constitutional Validity of the Minimum Wages Act, 1948
- b. Procedure for Fixation and Revision of Minimum Wages
- c. Fixation of Minimum Rates of Wage by Time Rate or by Piece Rate
- d. Procedure for Hearing and Deciding Claims

Unit-II: The Payment of Wages Act, 1936

- a. Object, Scope and Application of the Act
- b. Definition of Wage
- c. Responsibility for Payment of Wages
- d. Fixation of Wage Period
- e. Time of Payment of Wage
- f. Deductions which may be made from Wages
- g. Maximum Amount of Deduction

Unit-III: The Factories Act, 1948

- a. Approval, Licensing and Registration of Factories
- b. Concept of “Factory”, “Manufacturing Process”, “Worker”, and “Occupier”
- c. General Duties of Occupier
- c. Measures to be taken in Factories for Health, Safety and Welfare of Workers
- d. Working Hours of Adults
- e. Employment of Young Person and Children
- f. Annual Leave with Wages
- g. Additional Provisions Regulating Employment of Women in Factory

Unit-IV: The Employee’s Compensation Act, 1923

- a) Definition of Dependant, Workman, Partial Disablement and Total Disablement
- b) Employer’s Liability for Compensation
- i. Scope of Arising out of and in the Course of Employment
- ii. Doctrine of Notional Extension
- iii. When Employer is not liable
- c) Employer’s Liability when Contract or is engaged
- d) Amount of Compensation
- e) Distribution of Compensation
- f) Procedure in Proceedings before Commissioner
- g) Appeals Retirement Benefits
- 97 i. Employee’s Provident fund and miscellaneous provisions Act, 1952
- ii. Employees Pension Scheme, 1995 and Family Pension Scheme

Suggested Readings:

1. Indian Law Institute, Cases and Materials on Labour Law and Labour Relations, 1963
2. PL Malik, Industrial Law, Eastern Book Company, 2013
3. Surya Narayan Misra, An Introduction to Labour and Industrial Law, Allahabad Law Agency, 1978

4. S.C. Srivastava, Industrial Relations and Labour Law, Vikas Publishing House, New Delhi, 6th Edn., 2012
5. Chaturvedi, Labour and Industrial Law, Central Law Agency, 2004
6. S.C. Srivastava, Commentaries on the Factories Act, 1948, Universal Law Publishing House, Delhi, 2002
7. H.L. Kumar, Workmen's Compensation Act, 192, Universal Law Publishing, 2009 98

Semester V

IL306: Interpretation of Statutes

Unit – I: Introduction

- a. Meaning of Interpretation
- b. Need for Interpretation and Purpose of interpretation of statutes
- c. Meaning of the term 'statutes'

- d. Commencement, operation and repeal of statutes,

- e. Different parts of a Statute -Parts, Chapters, Sections, Subsections, Paragraphs and Subparagraphs, etc.

Unit – II: Rules of Interpretation

- a. Literal Rule
- b. Golden Rule
- c. Mischief Rule
- d. Rule of Harmonious Construction
- e. Secondary Rules- Noscitur a sociis, Ejusdem generis, Reddendosingulusingulis.

Unit –III. External and Internal aids of construction

A. Internal aids

- a. Title
- b. Preamble
- c. Headings and marginal notes.
- d. Sections and sub-sections
- e. Punctuation marks.
- f. Illustrations, exceptions, provisos and saving clauses
- g. Schedules
- h. Non-obstante clause

B. External aids

- a. Dictionaries
- b. Translations
- c. Statutes in parimateria
- d. ContemporaneaExposito
- e. Debates, inquiry commission reports and Law Commission reports

Unit –IV:

Maxims of Statutory Interpretation

- a. Delegatus non potestdelegare
- b. Expressiouniusexclusioalterius
- c. Generaliaspecialibus non derogant
- d. In pari delicto potioresetconditiopossidentis
- e. Utres valet potior quam pareat
- f. Expressum facit cessaretacitum
- g. In bonam partem

Interpretation of Various Statutes

- a. Principles of Legislation
- b. Constitutional Statutes
- c. Construction of Taxing and Fiscal statutes;
- d. Remedial and Penal statutes

Suggested Readings

1. Maxwell's on Interpretation
2. G.P. Singh's Interpretation
3. Craies on Interpretation
4. Crawford on Interpretation

Gujarat University

B.COM-LL.B Five-Year Integrated Law Programme

DETAILED SYLLABUS

Semester VI

Course Code	Course Title	Credits
ILB.COM-307	Auditing	4
IL – 308	Law of Property	4
IL – 309	Environmental Law	4
IL – 310	Animal Protection Law	4
IL – 311	Human Rights Law and Practice and Humanitarian Law	4
IL – 312	Legal Language	4

Total Credits: 24

Semester VI
ILB.COM-307: Auditing

Unit	Particulars	Marks
I	<p>Introduction</p> <ul style="list-style-type: none"> • Definition, objective of audit • Advantages and limitations of audit • Types of audit - Stationary audit, internal audit, branch audit, cost audit, management audit, property audit (only concept) • Basic principles governing an audit <p>(B) Company Auditor</p> <ul style="list-style-type: none"> • Qualification and disqualification • Appointment and removal • Remuneration and status • Rights and duties • Lien of an auditor 	25%
II	<ul style="list-style-type: none"> • Internal control meaning and significance • Organizing audit work: Audit program, Audit note book, working papers, routine checking, test checking, surprise checking, commencement of new audit. 	25%
III	<p>Vouching</p> <ul style="list-style-type: none"> • Meaning and significance vouching of cash transactions 	25%
IV	<p>Verification and Valuation of assets and liabilities</p> <ul style="list-style-type: none"> • Meaning and auditor's duties • Verification and valuation of followings: - Goodwill, Building machinery, investment, Inventory, secured loans and contingent liabilities. 	25%

References :

- (1) Auditing University Edition By Arun Jha Taxmann's Publication
- (2) Auditing: Theory & Practice By N K Sharma Shree Niwas Publication

Semester VI
IL 308: Law of Property

UNIT – I

- a. General principles of Transfer of Property by Act of parties involves-
- b. Concept and meaning of immovable property Transferable Immovable Property-
- c. Persons Competent to transfer –
- d. Operation of Transfer-
- e. Conditions restraining alienation and restrictions repugnant to the interest created-
- f. Rule against perpetuity and exceptions- Direction for accumulation-
- g. Vested and Contingent interest.

UNIT – II

- a) Doctrine of election- transfer by ostensible and co-owner Apportionment-
- b) Priority of rights-
- c) Rent paid to holder under defective title-
- d) Improvements made by bonfire holder Doctrine of Lis pendens-
- e) Fraudulent transfer and part performance.

UNIT – III

- a) Mortgages of Immovable property: Definition-
- b) Kinds of mortgages and their features-
- c) Rights and liabilities of mortgagor and mortgagee-
- d) Priority of securities-
- e) Marshalling and contribution- Charges.
- f) Sale of immovable property: Rights and liabilities of seller and buyer before and after completion of sale-
- g) Difference between sale and contract for sale;
- h) Leases of immovable property: Definition-
- i) Scope- creation of lease- rights and liabilities of lesser and lessee-
- j) Determination and holding over; Exchange: Definition and mode-
- k) Actionable Claims; Gifts: Scope- meaning mode of transfer- universal gifts- onerous gifts.

UNIT -IV

- a) Law of Trusts with Fiduciary Relations: Definitions of Trust and its comparison with other relationships like Debt, Ownership, Bailment, Agency and Contract
- b) Kinds of Trusts- Creation of Trust Appointment of Trustees
- c) Duties and Liabilities of Trustees Rights and Powers of Trustees
- d) Disabilities of Trustee
- e) Rights and Liabilities of the Beneficiary
- f) Vacating the office of trustee and Extinction of Trusts

Suggested Readings

1. Mulla – Transfer of Property Act, 1882. M. P. Tandon – Indian Trust Act.
2. Subbarao – Transfer of Property
3. Shah – Principles of the Law of Property
4. Shukla – Transfer of Property Act
5. Menon – Property Law
6. M. P. Tandon – Indian Trust Act

Semester VI
IL 309: Environmental Law

UNIT – I

- a) The Idea of Environment: Ancient and Medieval Writings,
- b) Traditions, Natural and Biological Sciences – Perspectives: Modern concept,
- c) Conflicting dimensions, recent issues –
- d) Environment and sustainable development – National and International Perspectives –
- e) Population and Development.

UNIT – II

- a) Environmental Policy and Law: Environmental Policy : Pre & Post Independence Period; From Stockholm to Johannesburg Declaration (Rio) and
- b) Role of Government - Five year Plans - Forest Policy - Conservation strategy - Water Policy; Conservation of Natural Resources and its Management; Constitution and Environment:
- c) Right to Environment - Constitutional provisions on Environment and its Protection –
- d) Role of Judiciary on Environmental issues - Evolving of new Principles - Polluter pays principle –
- e) Precautionary principle - Public trust doctrine. International Law and Environmental Protection:
- f) International conventions in the development of Environmental Laws and its Policy - From Stockholm to recent conventions (Special Emphasis on Major conventions & Protocols)
- g) Control on Marine Pollution; Common Law aspects of Environmental Protection; Remedies under other Laws (I.P.C., Cr.P.C, C.P.C.) - Riparian rights and prior appropriation.

UNIT – III

- a) Prevention and Control of Pollution: Pollution of Water, Sources, Legal Control, The Water Act, 1974 - Pollution of Air, Modalities of control,
- b) The Air Act, 1981 - Noise Pollution and its control, Noise Pollution control order
- c) Disposal of Waste, laws on waste, disposal and its control –
- d) Trans-boundary Pollution hazards & Regulation;
- e) Biological Diversity and Legal Order: Bio-diversity and Legal regulation - Utilization of flora and fauna - Experimentation on animals - Legal and Ethical issues –
- f) Genetic Engineering - Wildlife Protection Act, 1972 - Forest Conservation Act, 1980 –
- g) Prevention of Cruelty against animals - Problems in Legal regulation of medicinal plants - The plant varieties Act - Wetland Conservation.

UNIT - IV

- a) Environment Protection Act, 1986 including,
- b) Environment Protection Rules,
- c) Coastal Zone Regulation, ECO-Mark, Environment Impact Assessment, Environmental Audit,
- d) Public Participation in Environmental decision making,
- e) Environment information, public hearing, Regulation on Bio-Medical Waste.

Suggested Readings

1. Armin Rosencranz - Environmental Law and Its Policy in India.
2. P. Leelakrishnan - Environmental Law in India /Cases.
3. Lal's commentaries on Water and Air Pollution laws along with Environment (Protection) Act and Rules, 1986.
4. Simon Ball Stuart Bell - Environmental Law.
5. Sanjay Upadhyay and VidehUpadhyay - Handbook on Environmental Laws.
6. S. Shantha Kumar- Introduction to Environmental Law.

Semester VI
IL 310: Animal Protection Laws

Unit-I

- a) Historical Perspective of Animal Protection Laws,
- b) Nature , Object and Scope of the Animal Protection Laws.
- c) Constitutional Provisions, Provisions Under Indian Penal Code and Criminal Procedure Code, Consumer Protection Laws,
- d) International Perspective: Universal Declaration on Animal Welfare, Animal Welfare Standards in International Trade, Treaties and Free Trade Agreement.
- e) Case: Maneka Gandhi v. Union Territory of Delhi, ILR 1995 Delhi 49.

Unit-II

- a. Wildlife Protection Act,1972: Definitions, Authorities, Hunting of Wild Animals, Sanctuaries, National Park and Closed areas,
- b. Trade or Commerce in Wild Animals,
- c. Animal Articles and Trophies; Preventions and Detection of Offences, Miscellaneous.
- d. Forest Rights, Animals v. Humans, National Zoo Policy.
- e. Case: AfjalBaig v. State of Orissa CBLAPL No. 2002 of 2015

Unit-III

- a) The Prevention of Cruelty to Animals Act,1960: Definitions, Animal Welfare Board of India,
- b) Cruelty to Animals generally, Experimentation on animals, Performing animals, Offences and Penalties, Miscellaneous.
- c) Prohibition of Animal for Entertainment, Experimentation, Business, Food, Sports and Transport.
- d) Case: LaxmiNarain Modi v. Union of India (2014(3) SCC 143)

Unit-IV

- a) Cattle Trespass Act, 1971: Objective and scope; pounds keepers, Duties of pound keepers, Impounding cattle, Delivery or sale of cattle, penalties.
- b) Elephant's Prevention Act, 1879: Object, scope and salient features of the Act,
- c) Powers of Government to declare what are main road and canals and to make rules as to licences, penalties.
- d) Animal Health and Welfare Act, 2013:
- e) Prevention and Control of Animal Diseases,
- f) Animal Welfare, Regulations relating to Animal Health and Welfare, Enforcement Machinery, Local Authority.
- g) Case: Ram Ratan alias RatanAhr&Ors. v. State of Bihar &Ors. 1965 AIR 926, 1965 SCR(1) 293.

Suggested Books:

1. Animal Laws of India, Raj Panjwani, Qzair Husain, Maneka Gandhi
2. Animal Rights: A very Short Introduction, David DeGrazia
3. Current Debates and New Directions (edited by Cass Sunstein and Martha Nussbaum)
4. An introduction to the Policy Process, Thomas Birkland
5. Animal Property and the Law, Gary L Francione
6. Animal Law: Welfare, Interest and Rights, David Favre

Semester VI
IL 311: Human Rights Law and Practice

- Unit – I
 - Jurisprudence of Human Rights; Nature, definition, origin and theories of human rights.
- Unit – II
 - Universal protection of human rights- United Nations and Human Rights- Universal Declaration of Human Rights, 1948; International Covenant on Civil and Political Rights, 1966; International Covenant Economic, Social and Cultural Rights, 1966.
- Unit - III
 - Regional Protection of Human rights- European system- Inter American System- African System
- Unit– IV
 - Protection of Human Rights at national level; Human rights and the Constitution; The Protection of Human rights Act, 1993. Human Rights and Vulnerable Groups: Rights of Women, Children, Disabled, Tribals, Aged and Minorities - National and International Legal Developments.

Suggested Readings

1. Meron Theodor- Human Rights and International Law: Legal and Policy Issues, 2 Vols.
2. S.K.Kapoor- Human rights Under International Law and Indian Law.
3. Henkin Luis- Rights of Man Today.
4. Singh Nagendra- Enforcement of Human Rights in Peace and War and the future of humanity.
5. Relevant International Instruments.
6. United Nations Charter, 1945.
7. Universal Declaration of Human Rights, 1948.
8. International Convention on the Elimination of All Forms of Racial Discrimination, 1948.
9. International covenant on civil and Political Rights, 1966.
10. International covenant on Economic and Cultural Rights, 1966. Convention on Elimination of All forms of Discrimination against Women, 1979. Convention on the Rights of the Child, 1989.

Semester VI
IL 312: Legal Language

UNIT -I Characteristics of Legal Language

- a. Meaning of Legal Language
- b. Scope and Domain of Legal Language
- c. Problems of Legal Language
- d. Problems of Legal Language in Drafting

UNIT –II Legal Terminology

- Ad hoc, Ad interim, Animoattestandi, Alibi, Ad valorem, Ambiguities – patent, Ambiguities – latent, Amicus Curiae, Animus possidenti, Bona Fide(s), Corpus juris civilis, Caveat emptor, De facto, De jure, Detenu, En masse, Ex officio, Ex-cathedra, Ex-parte, Ex-gratia, En-route, Enslegis, Ex post facto, Factum valent, In pari delicto, In pari material, In lieu of, In personam, In rem, Inter se, Impasse, In situ, Inter alia, In toto, Ipso facto, Intra vires, Jure Divino, Jus in rem, Jus ad rem, Jus tertii, Jus in re aliena, Jus in re propria, Jus gentium, Jus natural, Laissez faire, Legalis homo, Lex loci, Locus standi, Magnum bonum, Magnum opus, Mala fides, Modus operandi, Mutatis and mutandis, Note bene, Novus homo, Onus probandi, Obiter dictum, Prima facie, Quid pro quo, Res integra, Res nullius, Sine qua non, Sociuscriminis, Sans, Status quo, Suomotu, Ultra vires, Voxpopulivoxdei.

UNIT -III – Legal Maxims

- a. Actusdeineminifacitinjuriam
- b. Actus non facitreumnisimens sit rea
- c. Actuspersonalismoritur cum persona
- d. Audi alterampartem
- e. Communis error facit jus
- f. Damnum sine injuria
- g. Delegates non potestdelegare
- h. Ex turpi causa non oritur action
- i. Falsus in unofalius in omnibus
- j. Generaliaspecialibus non derogant
- k. Ignorantiafacitexcusatignorantia juris non excusat
- l. Injuria sine damno
- m. Nemo dat quod non habet
- n. Novus actusinterveniens or nova causa interveniens
- o. Noscitur a sociis
- p. Par in partem imperium non habet
- q. Qui facit per aliumfacit per se
- r. Respondeat superior
- s. Res ipsaloloquitur
- t. Res non potestpeccare
- u. Ubi jus ibi idem remedium
- v. Vigilantibuset non domientibus, jurasubveniunt
- w. Volenti non fit injura

UNIT –IV Fundamental Principles of Legal Writing

- a) Concision, clarity and cogency

- b) Simplicity of structure
- c) Title
- d) Heading
- e) Use of italics
- f) Numbers
- g) Definition of terms
- h) Contractions
- i) Use of first person
- j) Ellipses & alterations
- k) Citations, references and foot notes

Suggested Readings:

1. Legal Language – Dr.Madabhishi Sridhar
2. Legal Language and Legal Writing – S. K. Mishra
3. Legal Language, Legal writing and general English – Prof.Dr. Saria Gupta and B. P. Agrawal
4. Outline of Legal language in India – Dr.AnirudhPrashad
5. Legal Language and Legal rights – S. N. Mishra
6. Legal language and Legal rights – Tandon

Gujarat University

B.COM-LL.B Five-Year Integrated Law Programme

FOURTH YEAR

SEMESTER VII

DETAILED SYLLABUS

Course Code	Course Name	Credit Points
IL – 401	Taxation Law	4
IL – 402	Media Law (Credit 4)	4
IL – 403	Criminal Procedure Code (Credit 4)	4
IL – 404	Law of Evidence (Credit 4)	4
IL – 405	Principles of Banking Law, and Negotiable Instruments (Credit 4)	4
IL – 406	Rehabilitation of Criminals and Juveniles in Society and Law (Credit 4)	4

Semester VII: 24 Credits

SEMESTER VII
IL 401: Taxation Laws

UNIT – I: Constitutional Perspectives relating to Taxation Laws and Inter-State Goods & Service Tax :

- a. Concept of Tax- Nature and characteristics of taxes-
- b. Constitutional Provisions Art. 265 to 289 –Article 279-A :
- c. GST Council - Direct and Indirect taxes Tax evasion and tax avoidance-
- d. Scope of taxing powers of Parliament,
- e. Doctrine of Unjust Enrichment
- f. Integrated Goods and Services Tax Act, 2017 : Object, Reasons, Salient Features, Goods and Services :
 - Place of supply –Imported into or Exported from India,
 - Location of Supplier/recipient is in India or outside India, Refund, apportionment of tax and settlement of fund, Transfer of Input Tax Credit

UNIT- II Income Tax Act

- a) The Income Tax Act: Basis of taxation of Income- Incomes exempted from tax-Various Heads of Income and taxability- Taxability of Agriculture Income, Taxation of individuals, HUF, firms, association of persons, Co-operative Societies and Non-residents. Capital Gain and its taxability
- b) TDS, Advance Payment of Income Tax, Resident, Non-Resident and Ordinary Resident
- c) Income Tax Authorities- Their appointment- Jurisdiction Powers and functions, Provisions relating to collection and recovery of Income Tax- Refund of tax, appeal and revision provisions, offences and penalties.

UNIT- III : Intra State Goods and Service Tax :

(Note : the following provisions will have to be studied under the Central Goods and Services Tax Act, 2017 and Gujarat Goods and Services Tax Act, 2017)

- a) Concept, Object and Reasons of Goods and Service Tax Act : Minimal interface between Tax Payer and Authorities, Defects of structure of old Indirect Tax Provisions in India, Goods and Service Tax : meaning, advantages- benefits of GST – Prevention of evasion of tax- frauds
- b) Important Definitions of the Gujarat GST Act and Central GST Act :
- c) Adjudicating Authority, Aggregate Turnover, Assessment, Business, Business Vertical, Composite Supply, Continuous Supply of Goods, Continuous supply of Services, Drawback (Rebate of Duty), Input Service Distributor, Input Tax, Output Tax, Place of Business, Recipient, Turnover in State, Works Contract
- d) Input Tax Credit, Levy and Exemption of Input Tax Credit : Conditions, Registration – Persons liable and not liable for registration, Procedure, Deemed Registration, Cancellation and Revocation of Registration

- e) Payment of Tax, interest, penalty etc., Tax Deduction at Source and Collection of Tax at source, filing of various returns : Monthly, Quarterly, annually, Refund of Tax, interest on delayed refunds, Consumer Welfare Fund
- f) Assessment : self and provisional, Scrutiny of returns, Audit , Powers of Inspection, Search, Seizure and Arrest, Provisions relating to Appeal and Reasons, ADR Mechanism
- g) Offences and Penalties under the GST Act

Suggested Readings:

1. V. Ramachandran & T.A. Ramakrishnan (eds) A. N. Aiyar's Indian Tax
2. Laws (2000) Company Law Institute of India Pvt. Ltd. Chennai.
3. S. Bhattacharya & H. R. .Garg, Hbandbook of Direct Taxes (1990) Eastern Law House, Calcutta.
4. Bhalla Monish, Commercial's GST DECODED (2017) Commercial Law Publishers (India) Pvt. Ltd.
5. V. S. Datey, TAXMANN'S GST Ready Reckoner, (2017)
6. Garg Rakesh, Garg Sandeep, GST Laws Manual (2017), Bloomsbury Publishers, New Delhi
7. Bare Act : Gujarat Goods and Services Act, 2017
8. Constitution of India (101th Amendment) Act, 2016

SEMESTER VII

IL – 402: Media Law

• Unit I

- a) Understanding the concept of Media
- b) History of Media
- c) Theories of Media
- d) Evolution of Media
- e) Types of Media – (i) Print, (ii) Electronic, (iii) Mass, (iv) Visual and non-visual media – difference
- f) Code of Ethics of Legal Journalism laid down in Stockholm Symposium, 1991

• Unit II

- a) Constitutional Perspectives
- b) Legal Dimensions of Media:
 - Media & Criminal Law (Defamation / Obscenity/Sedition)
 - Media & Tort Law (Defamation & Negligence)
 - Media & Legislature – Privileges of the Legislature
 - Media & Judiciary – Contempt of Court
 - Media & Executive – Official Secrets Act
 - Media & Journalists – Working Journalists (Conditions of Service) Act & Press Council Act
- a. Self-Regulations and Other Issues:
 - Media and Ethics
 - Self-Regulation Vs Legal regulation
 - Media & Human Rights
 - Issues relating to entry of Foreign Print Media

• Unit III

- a) Evolution of Broadcast Sector
- b) Prashar Bharti Act 1990
- c) Cinematography Act 1952
- d) Cable T.V.Networks (regulation) Act of 1995
- e) Newspaper Act, 1956
- f) Press council Act, 1978

• Unit IV

- a) Concept of Advertisement
 - Advertisement and Ethics – Misleading advertisements Vs. Consumer rights
 - Advertisement Act, 1954
 - ASCI
- h) The New Media of Internet
 - Evolution of Internet as new media
 - Regulating the Internet - IT Act of 2000
 - Media Convergence Bill (to be enacted)

- Regulatory commissions of new media

Suggested Readings:

1. M.P. Jain, Constitutional Law of India
2. H.M. Seervai, Constitutional Law of India
3. Geoffrey Roberson, Media law, Penguin books, 4th edition 2012
4. David Kohler, Media and the Law, Lexisnexus, 2009
5. D.D. Basu, The Law of Press India (1980)

SEMESTER VII

IL – 403: Criminal Procedure Code

Unit -1 Introduction:

- a) Peculiarity between substantial and Procedural law
- b) Object and Importance of Cr.P.C
- c) Constitution and jurisdiction of Criminal Courts
- d) Classification of Offences
- e) Functionaries under the Cr.P.C
- f) Basic Concepts(Definition):
 - i. Bailable and Non-Bailable Offences, Cognizable and Non-cognizable Offence, Compoundable and non-compoundable offences, First Information Report and Complaint, Charge, Investigation, Inquiry and Trial, Summons Case, Warrant Case

UNIT-II: Arrest, Pre-Trial Proceedings, Search and Investigation

- a) Provision for Bail under the Code
- b) Process to Compel Appearance of Person
- c) Process to Compel Production of Things
- d) Condition Requisites for Initiation of Proceeding
- e) Complaint to Magistrate
- f) Commencement of Proceeding before Magistrate

UNIT-III: Trial Proceedings

- a) Power of police to arrest without warrant
- b) Framing of Charges and Joinder of Charges
- c) Jurisdiction of the Criminal Courts in Inquiries and Trials
- d) Types of trials: Sessions Trial, Warrant Trial, Summons Trial, Summary Trial
- e) Maintenance of wife, children and parents
- f) Judgment and Sentences under the Code
- g) Submission of Death Sentences for Confirmation
- h) General Provisions as to Inquiries and Trial g. Execution, Suspension, Remission and Commutation of Sentences

UNIT-IV: Miscellaneous:

- a) **Appeals :**
 - concept – creation of statute – cannot be filed as a matter of right
 - Kinds of appeal
 - When appeal is not permissible
 - Special Right to prefer appeal(appeal in non-appealable cases)
 - Powers of Appellate Court
- b. Reference and Revision –**
 - Reference - purpose and significance
 - Revision - purpose and significance
 - When Revision is permissible?
 - Revisional Courts and their Powers
- c. Bail and Bond**

- Bail in Bailable and Non – Bailable Offences & related provisions
- Anticipatory Bail
- Approach of the Apex Court in granting Bail

d. **Miscellaneous:**

- Inherent Power of High Courts
- Power of quash FIR, Criminal Complaints and Criminal Proceedings
- Judicial approach and guidelines given by the Apex Court while exercising quashing powers by High Courts

Suggested Readings:

1. Ratanlal & Dhirajlal, Criminal Procedure, Lexis Nexis Butterworths Wadhwa, Nagpur, 2012
2. S.C. Sarkar, The Law of Criminal Procedure, Wadhawa & Co. , Nagpur, 2007
References: 1. K.N. Chandrasekharan Pillai, R.V. Kelkar's Lectures on Criminal Procedure, Eastern Book Company, 2013 2. K.N. Chandrasekharan Pillai, Criminal Procedure, Eastern Book Company, 2004
3. Aiyer, Mitter, Law of Bails- Practice and Procedure, Law Publishers(India) Pvt. Ltd., 2012
4. P.V. Ramakrishna, Law of Bail, Bonds, Arrest and Custody, Lexis Nexis, 2008
5. P.K. Majumdar, Law of Bails, Bonds and Arrest, Orient Publication, 2012
6. Justice P.S. Narayana, Code of Criminal Procedure, ALT Publications, 2012
7. Bare Act of Code of Criminal Procedure, 1973

SEMESTER VII

IL – 404: Law of Evidence

UNIT-I:

- a) Introduction to Law of Evidence Generally
- b) The Indian Evidence Act, 1872 — Salient features of the Act
- c) Meaning and kinds of Evidence — Interpretation clause
- d) Objects, Definitions (S.1 – 4) – “Proved”, “Disproved”, “May Presume”, “Shall presume”, “Conclusive proof”
- e) Facts, Facts in issue and Relevant facts (S.5 – 16)
 - 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

UNIT -II:

- a) Admissions & Confessions: General Principles concerning Admissions — Differences between "Admission" and "Confession" – (S.17 – 31)
- b) 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
- c) 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 – (S.32 – 39)

UNIT -III:

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

UNIT -IV:

- a) Rules relating to Burden of Proof
- b) Presumption as to Dowry Death
- c) Estoppel — Kinds of estoppel
- d) Res Judicata, Waiver and Presumption.
- e) Competency to testify — privileged communications
- f) 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. Batuk Lal: 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.
6. The Law of Evidence, Ratanlal & Dirajlal

SEMESTER VII

IL – 405: Principles of Banking Law and Negotiable Instruments

UNIT - I Introduction

- a) Indian Banking Structure - Origin - Evolution of Banking Institutions
- b) Types and functions of banks - Commercial banks - functions - Banking companies in India
- c) RBI - Constitution, Management and Functions, RBI as Central Bank
- d) Relation of Banker and Customer and Their rights and duties -Special features of relation between Banker and customer

UNIT -II Banking Regulation Act, 1949

- a) Introduction Applicability of the act –Business of banking companies
 - Shares and Share Capital of Banking Companies -Loan and Advance- Management of banking Companies- Control over Management – Suspension of Business and Winding-up of the Banking Companies
 - SEBI (Merchant Banker) Regulations 1992
- b) E-banking
- c) Banking Ombudsman
- d) Negotiable Instruments Act, 1881

UNIT -III Negotiable Instruments Act, 1881

- a) History and nature of Negotiable Instruments - Different kinds of Negotiable Instruments viz.
- b) Parties to Notes, Bills, Cheques and their Liabilities
- c) ‘Holder’ and ‘Holder in Due Course’
- d) Transfer of Negotiable Instruments

UNIT IV

- a) Presentment
- b) Negotiation
- c) Crossing of Cheques
- d) Law of dishonor of cheques-Criminal liability of drawer for issuing cheques without fund/due to insufficient fund;
- e) absence of mens rea - prosecution against drawer under the Act;
- f) Penalty provisions; compounding powers of magistrate under the Act -Cognizance of offences and Jurisdiction,
- g) Judicial approach relating to provisions of dishonor of cheque and compounding of offences under the Act

Suggested Reading:

1. Banking law by S.R. Mineni
2. Banking and Negotiable instruments by Avtar Singh
3. Banking By Gupta
4. Lord Chorely – Law of Banking

5. L. Tanna Banking Law and Practice In india
6. Sheldon Practice and Law of Banking L.C. Goyle, Law of Banking.

SEMESTER VII

IL – 406: Rehabilitation of Criminals and Juveniles in Society and Law

Unit I: Introduction:

- a) Basic concept of Rehabilitation of Criminals
- b) Man is not born as criminal but circumstances compel him to do crime.
- c) Various theories of causation of Crimes: Lombroso, Enrico Ferri, Freud.
- d) Differential Association Theory of Crime (Sutherland's Theory)
- e) Punishment: Meaning, need and object
- f) Kinds of Punishment:
- g) Different Theories of Punishment in civil Society Retributive Theory
- h) Deterrent Theory
- i) Preventive Theory
- j) Expiation Theory
- k) Reformatory Theory

Unit II: Constitutional and legislative measures towards rehabilitation of criminals on their good behaviour:

- a. Constitutional Provisions
 - Powers of the President of India to tender the pardon the criminal
 - Powers of the Governor of State to tender the pardon to the criminal
 - Powers of the Supreme Court under Article 142 (Complete Justice)
- b. Criminal Procedure Code
 - Security for Good Behaviour
 - Tender of pardon to accomplice
 - Order to release on Probation of good conduct or after admonition
- c. Indian Penal Code
 - Commutation of Death Sentence and Life Imprisonment
- d. Parole and Furlough to the prisoners: concept, facilities and rules
- e) Probation of Offenders' Act, 1958
 - Powers of the court To release certain offenders after admonition
 - To release certain offenders on probation of good conduct
 - Restriction on imprisonment of offenders under 21 years of age
 - Powers and duties of the probation officer
- f. POSCO Act, 2012
 - Object and salient features of the Act
- g. United Nation Convention on the Rights of Child

Unit III: Legislative Protection and Care for Juveniles

- a) History and concept of juvenile justice in India

- b) Juvenile Justice (Care and Protection of Children) Act, 2015
- c) Object, reasons and salient features of the Act
- d) Definitions: child in need of care and protection, Juvenile, Juvenile in conflict with law

Unit IV: Machineries for taking care and rehabilitation of juveniles

- a) Remand Homes, Observation Homes, Shelter Homes, Special Homes : Roles and functions
- b) Juvenile Justice Board, Child Welfare Committee : Constitution, Functions and Powers
- c) Provisions relating to protection, employment and rehabilitation of Juveniles
- d) Rehabilitation and social integration of Juveniles
- e) Approach of the society towards rehabilitation of Criminals and Juveniles : Role of parents, society, Government and NGOs

Suggested Readings

1. Criminology and Penology : Prof N.V.Paranjape
2. Rehabilitation, Crime and Justice: Peter Roynor and Gwen Robinson
3. Sutherland: Principles of criminology (latest Edition)
4. Criminology : Ahmad Siddique
5. New Horizons in Criminology by Barnes and Tetter.
6. Alf Ross, On Guilt, Responsibility and Punishment (1975)
7. S. Chhabbra, The Quantum of Punishment- in Criminal Law (1970) H.L.A.
8. Hart, Punishment and Responsibility (1968)
9. K.S.Shukla, Adolescent Offender (1985)
10. Dr. Pratap S. Malik: Protection of children from Sexual Offences Act(POSCO)
11. Malik's Law of Juvenile Justice in India

Gujarat University

B.COM-LL.B Five-Year Integrated Law Programme

FOURTH YEAR

SEMESTER VIII

DETAILED SYLLABUS

Course Code	Course Name	Credit Points
IL – 407	Health Law	4
IL – 408	Land Laws	4
IL – 409	Civil Procedure Code	4
IL – 410	Alternate Dispute Resolution	4
IL – 411	Law of Insurance	4
IL – 412	Private International Law(4 Credits)	4

SEMESTER VIII – 24 Credits

SEMESTER VIII

IL – 407: Health Laws

Unit I

- a) International perspective of health
- b) Health scenario under TRIPS
- c) ALMATA Declaration
- d) DOHA Declaration
- e) Role of WHO

Unit II

- a) Constitutional provisions relating to health
- b) Privacy, confidentiality and informed consent
- c) Code of ethics in medical profession
- d) Bioethics
- e) Legal aspects of Health Care,
- f) Public Health Policies – Government of India

Unit III

- a) Legal and medical aspects of Medical Practice
- b) Medical Evidence and Medical witness
- c) Medical negligence : Civil and Criminal Liability
- d) Examination of living person in medico –legal service
- e) Postmortam examination

Unit IV

- a) Mental health care bill
- b) Euthanasia, living will
- c) Aayushman Bharat Bill
- d) Reproductive technologies- surrogacy
- e) Medical termination of pregnancy
- f) Prenatal diagnostic techniques
- g) Role of judiciary in regulating the medical profession

Suggested Readings

1. Freeman- Law and medicine
2. Micheal Davies- Textbook on Medical law
3. Jonathan Herring- Medical Law and Ethics
4. R.K. Bag- Medical Negligence and Compensation
5. S. V. Jogarao- Current Issues in Criminal Justice and Medical

SEMESTER VIII

IL – 408:Land Laws

Unit – I: Land Reforms

- a) Land Reforms Enactments
- b) Constitutional Provisions : Articles 31A, 31-B, 31-C and Schedule IX, Article 300-A
- c) Doctrine of Eminent Domain
- d) Land Ceiling Legislation
- e) Assessment of Non Agricultural Land

Unit – II: The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013

- a) Purpose and object to replace Land Acquisition Act 1894 by 2013 Act
- b) Procedure for Acquisition for public purpose and for companies : Notification, Declaration, Notice to person interested
- c) Compensation, Award by the collector
- d) Provisions relating to rehabilitation and Resettlement

Unit – III: Eviction and Dispute Settlement Mechanism

- a) Grounds of eviction : Non-payment of Rent, Sub-letting, Change of user, Material, alterations, Non-occupancy, Nuisance, Dilapidation, Bonafide requirement of the landlord, Alternative accommodation, Building and re-construction and Limited Tenancy
- b) Settlement of rent disputes

Unit – IV: Miscellaneous:

- a) The Bhoodan moment and its legislation
- b) Tenancy Law : Object, Reasons and Salient Features
- c) The Benami Transaction Act,1988 : Salient Features
- d) Millennium Reform
- e) RERA[Real Estate Regulation Act] : Object, Reasons and Salient Features

Suggested Readings

1. Constitution of India – V.N. Shukla
2. Law of Acquisition of land in India – P.K. Sarkar
3. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013
4. Delhi Rent Law – Jaspal Singh?
5. Law of Rent Control in India – K.T.S. Tulsi

SEMESTER VIII
IL – 409: Civil Procedure Code

UNIT – I

- a) Civil Procedure Code Introduction;
- b) Distinction between procedural law and substantive law-
- c) History of the code, extent and its application, definition;
- d) Suits: Jurisdiction of the civil courts-
- e) Kinds of jurisdiction-Bar on suits- Suits of civil nature (Sec.9);
- f) Doctrine of Res sub judice and Res judicata (Sec. 10, 11 and 12);
- g) Foreign Judgment (Sec. 13, 14);
- h) Place of Suits (Ss. 15 to 20);
- i) Transfer of Cases (Ss. 22 to 25).

UNIT-II

- a) Institution of suits and summons: (Sec. 26 and Sec. 27, 28, 31 and);
- b) Interest and Costs (Sec. 34, 35, 35A, B);
- c) Pleading: Fundamental rules of pleadings- Plaint and Written Statement Return and rejection of plaint-
- d) Defenses- Set off- Counter claim;
- e) Parties to the suit : Joinder, misjoinder and non-joinder of parties-
- f) Misjoinder of causes of action- Multifariousness.

UNIT-III

- a) Appearance and examination of parties -
- b) Discovery, inspection and production of documents -
- c) First hearing and framing of issues - Admission and affidavit -
- d) Adjournment - Death, marriage-Insolvency of the parties -
- e) Withdrawal and compromise of suits -
- f) Judgment and Decree ; Execution (Sec. 30 to 74,):
- g) General principal of execution Power of executing court- Transfer of decrees for execution Mode of execution-
- h) Arrest and detention, Attachment,
- i) Sale. Suits in particular cases; Suits by or against Governments (Sec. 79 to 82);
- j) Suits by aliens and by or against foreign rulers, ambassadors (Sec. 85 to 87);
- k) Suits relating to public matters (Sec. 91 to 93);
- l) Suits by or against firms ; Suits by or against minors and unsound persons ; Suits by indigent persons ; Inter-pleader suits (Sec. 88);
- m) Interim Orders; Commissions (Sec. 75);
- n) Arrest before judgment and attachments before judgment ;
- o) Temporary injunctions ;
- p) Appointment of receivers; Appeals (Ss. 90 to 109,, 42, 43, 45); Reference- Review and Revision (Ss. 113, 114, 115, O.46, O.46); Caveat (Sec. 144.A)- Inherent powers of the court (Ss. 148, 149, 151).

UNIT-IV

- a) Limitation Act.

Suggested Readings

1. Mulla - Civil Procedure Code. Now Butterworth's
2. Sanjiwa Rao - Civil Procedure Code.
3. Karnataka Civil Rules of Practice – Bare Act.
4. Reference Books: P. M. Bakshi - Civil Procedure Code.
5. C. K. Takwani - Civil Procedure Code.

SEMESTER VIII

IL – 410: Alternate Dispute Resolution

UNIT-I

- a) General Introduction
- b) Disputes – meaning and kinds of disputes
- c) Different methods of dispute resolution - Inquisitorial method; Adversarial method; Other methods- both formal and informal- like Arbitration, Conciliation, Negotiation, Mediation, etc.; Advantages and disadvantages of above methods;
- d) International commitments;
- e) Domestic needs;
- f) Suitability of ADRs to particular types of disputes;
- g) Civil Procedure Code and ADRs
- h) Dispute resolution at grass root level:
 - LokAdalats
 - Nyaya Panchyats
 - Legal Aid
 - Preventive Strategic legal aid
 - Ombudsman
 - Lok pal and Lokayukta

UNIT-II

- a) Arbitration: Meaning and need of arbitration;
- b) Attributes of arbitration;
- c) General principles of arbitration;
- d) Different kinds of arbitration;
- e) Process of Arbitration
- f) Appointment and Qualities and qualifications of an arbitrator;
- g) Arbitration agreement and its drafting;
- h) Principal steps in arbitration;
- i) Arbitral award;
- j) Arbitration under Arbitration and Conciliation Act, 1996.

UNIT-III

- a) Conciliation: Meaning and need of conciliation,
- b) Different kinds of conciliation- facilitative, evaluative, court-annexed, voluntary and compulsory;
- c) Qualities of a conciliator;
- d) Duties of a conciliator;
- e) Role of a conciliator;
- f) Stages of conciliation;
- g) Procedure;
- h) Conciliation under statutes Industrial Disputes Act, 1947; Family Courts Act, 1984; Hindu Marriage Act, 1955; Arbitration and Conciliation Act, 1996.
- i) Negotiation:
- j) Meaning;
- k) Different styles of negotiation;
- l) Different approaches to negotiation;

- m) Phases of negotiation;
- n) Qualities of a negotiator;
- o) Power to negotiate.
- p) Difference between negotiation and conciliation

UNIT-IV

- a) Mediation: Meaning;
- b) Qualities of mediator;
- c) Role of mediator;
- d) Essential characteristics of the mediation process – voluntary, collaborative, controlled, confidential, informal, impartial & neutral, self-responsible;
- e) Different models of mediation;
- f) Code of conduct for mediators.
- g) ADR application – Commercial and financial disputes, real estate and land disputes, consumer disputes, accident claims, matrimonial disputes.

Suggested Readings

1. Sridhar Madabhushi- Alternative Dispute Resolution.
2. Rajan R.D. - A Primer on Alternative Dispute Resolution.
3. Sampath D.K. - Mediation.
4. Gold Neil, et.al. - Learning Lawyers Skills (Chapter-7).
5. Michael Noone- Mediation, (Chapters-1, 2&3).

SEMESTER VIII

IL – 411: Law of Insurance

UNIT – I Introduction

- a) History, Definition and Nature of Insurance
- b) Development and growth of Insurance business in India
- c) Purpose and need (importance) of insurance
- d) Classification of Insurance.
 - Life Insurance
 - General Insurance
 - Social Insurance

Unit – II Concepts and Principles of Insurance Law

- a) Utmost Good Faith
- b) Insurable Interest
- c) Indemnity, Subrogation and Contribution
- d) Special features of Insurance Contract – Aleatory Contract, Contract of Adhesion etc.
- e) The Risk, Premium, Proximate Cause, Re-Insurance

Unit III: Types of Insurance

A. Life Insurance:

- Establishment and Functioning of Life Insurance Corporation (LIC) of India
- Management
- Tribunal

B. Marine Insurance:

- Origin, development and Nature of Marine Insurance, The Marine Insurance Act, 1906, The Marine Insurance Act, 1963
- The marine Policy and various types of policies
- Classification of Marine Insurance

C. Fire Insurance:

- Nature of fire Insurance Contract
- General Rules and Regulations of Fire Insurance Policy
- Subrogation, Double Insurance, Contribution and Average
- Standard fire policy

Unit – IV: Miscellaneous

- a) Insurance Act, 1938
- b) Salient Features of the Insurance Act, 1938
- c) Aviation Insurance
- d) Agricultural Insurance
- e) Theft and Burglary Insurance
- f) Insurance for Nuclear Activities

- g) Travel Insurance
- h) Property Insurance
- i) Social Insurance
- j) Sports and Entertainment Insurance
- k) Public Liability Insurance
- l) Insurance Regulatory and Development Authority (IRDA)

Suggested Readings:

1. Dr. S R Myneni – Law of Insurance
2. Avtar Singh, Principles of Insurance law, 7th ed (Nagpur; Wadhwa & Co, 2002).
3. E.R. Hardy Ivamy, General Principles of Insurance Laws, 6th ed. (London; Butterworth's, 1993).
4. K.S.N Murthy & Dr. KVS Sharma, Modern Law of Insurance in India, 4th ed. (New Delhi; Lexis Nexis Butterworths, 2002)
5. Tom Baker, Insurance Law And Policy: Cases, Materials And Problems, 3d ed. (Aspen Publishing 2003)

SEMESTER VIII

IL – 412: Private International Law

Unit: 1: Introduction

- a) Introduction, Definition, Nature, Scope of Private international law
- b) Evaluation And Sources of Private international law
- c) Private international law in Pre-Independent and Post- Independent India
- d) Unification of Private International Law

Unit: II Choice of Law

- a) Choice of Jurisdiction
- b) Choice of Law – its Stages, Steps
- c) Doctrine of Renvoi
- d) Choice of Law rule in Marriage and Divorce issue
- e) Choice of Law rule in Property Issue
- f) Choice of Law rule in Obligations Issue

Unit –III Law of Domicile and Nationality

- a) Domicile—Nature, Kinds , residence and Domicile , Domicile under Indian Succession Act
- b) Nationality, Difference between Domicile and Nationality

Unit–IV

- a) Hague Convention
- b) Enforcement of Foreign Judgments and Decrees
- c) Enforcement of Foreign Arbitral Awards

Suggested Readings

1. Private international law , Indian & English- Paras Diwan
 2. Private international law - K.B Agarwal
 3. Conflict of Law in India- Oxford University Press
 4. Conflict of Law in India, 3rd edition Lexis Nexis, 2014 - Atul M. Setalvad
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