

RANI DURGAVATI VISHWAVIDYALAYA, JABALPUR
SCHEME & SYLLABUS PRESCRIBED FOR THE DEGREE OF
BACHELOR
OF LAW LL.B. – V SEM
(COMPULSORY PAPERS)

Paper . No.	Subject	CCE	Theory	Total Marks
Paper-I	Code of Civil Procedure and Limitation Act-I	20	80	100
Paper-II	Family Law-II	20	80	100
Paper-III	Company Law and Indian Partnership Act.	20	80	100
Paper-IV	Legislative Drafting & Interpretation Statutes	20	80	100
Paper-V	Law of Taxation	20	80	100
Paper-VI	Criminology, Penology and Criminal Administration	20	80	100

Note:

Minimum Passing Percentage of Aggregate Marks – 48%

Minimum Passing CCE Marks - 08

Minimum Theory Passing Marks - 29

PAPER-I
Code of Civil Procedure –I

Max Marks -80

Min. Marks – 29

The details of syllabus of this papers are as under :- **Section A**

- 1 History of the code, Title Extent and Commencement.
- 2 Definitions (S- 2)
- 3 General Provisions Regarding to subordination of Courts and Application of the Code (S- 3-8)
- 4 Jurisdiction of the Courts (S- 9)
- 5 Res Subjudice (S -10)
- 6 Res Judicata (S-11)
- 7 Bar to further suit (S-12)
- 8 Foreign Judgment (S 13-14)
- 9 Place of Suing (S 15-21)
- 10 Transfer of Suits (S 22-25)
- 11 Institution and Parties of Suits (S- 26) (O- 1 & 4)
- 12 Frame of Suit (O- 2)
- 13 Summons (S -27-32) (O-5,16 & 16 A)
- 14 Pleadings Generally (O-6)
- 15 Plaint (O-7)
- 16 Written statement set off & Counter –Claim) (O-8)

Section -B

- 17 Appearance of Parties and Consequence of non-appearance (O-9)
- 18 Examination of the parties by the court (O-10)
- 19 Discovery, interrogatories and Inspection (O-11)
- 20 Admissions (O-12)
- 21 Production, Impounding and Return of documents (O-13)
- 22 Settlement of Issues (O-14)
- 23 Disposal of Suit at the First hearing (O-15)
- 24 Adjournment (O-17)
- 25 Hearing of the suit and examination of witness (O-18 & S- 138)
- 26 Affidavit (O-19 & S -30 & 139)
- 27 Judgment and Decree (O-20 S-33)
- 28 Interest and costs (S. 34, 35 A, 35-B) (O-20A & 25)
- 29 Execution of decrees and orders (S-36-74 and O-21)
- 30 Death, Marriage and insolvency of Parties (O-22)
- 31 Withdrawal and adjustment of suits and payment into court (O-23 & 24)

Section - C

Prescribe Cases

1. Kiran Singh & Others Vs. Chaman Pesharan and others, AIR 1954 SC 340.
2. P.G.H. Patil Vs. R.S. Patil & others AIR 1957 SC 363.
3. Mathura Prasad Vs. Dassi Bai, AIR 1971 SC 2355.
4. Mahabir Prasad Vs. Jage Ram AIR 1971 SC 742
5. Swamy Atmanand Vs. Sri Ramakrishna Tapovanam AIR 2005 SC 2392.

BOOK RECOMMENDED : (Latest editions of all books)

1. Mulla : Code of Civil Procedure, 1908.(Student edition)
2. S.C. Sarkar : The Law of Civil Procedure.
3. C.K. Takwani : Civil Procedure.
4. B.B. Mitra : The Limitation Act, 1963.

PAPER –II
FAMILY LAW – II

Max Marks -80

Min. Marks – 29

The details of syllabus of this papers are as under :-

Section -A

Law Relating to Hindus

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|--|-----------------|
| 1. Joint Family. | 2. Coparcenary. |
| 3. Partition of joint family. | 4. Debts. |
| 5. Gifts. | 6. Wills. |
| 7. Hindu religious and charitable endowments. | |
| 8. Benami transactions (The Benami Transactions Prohibition Act, 1988) | |
| 9. Law of Succession (old Hindu Law and Hindu Succession Act, 1956). | |

Section -B

Law Relating to Muslim Law

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|---|-------------------------------------|
| 10. Gifts | 11. Wills |
| 12. Preemption. | 13. Death, Bed illnes transactions. |
| 14. Muslim Law of Succassion and inheritance | |
| 15. The Administration of Estates of deceased parsons property. | |

Indian Succession Act, 1925

16. Inter State Succession (Ss 29-56)
17. Testamentary Succession (Ss 57-191)

Section –C

Right of the Child :

18. Various Conventions on the Right of the Child (European Social charter, 1961, American
19. Convention on Human Rights, 1960, Declaration of the Rights of the Child, 1959.
20. Articles : 14, 15 (37, 23, 24, 28, 39 & 45 of the Indian Constitution.
21. Section 82, 83 of Indan Penal Code, Protecting of children under vanous personal laws i.e. Hindus and Muslims.

Prescribe Cases :

1. Union of India Vs Shree Ram Bohra and others, AIR 1965 SC 1531.
2. Brij Narayan Vs Mangala Prasad, 1924, 51 I.A. 139
3. Bai Vajia Vs Thakorbhai Chelabhai and other, AIR 1979 SC 993.
4. Gobind Dayal Vs Inayatullah (1885) 7 ILR 775.
5. Hussaina Bai V. Zohra Bai, AIR 1960 MP 60.
6. Unni Krishnan & others Vs. State of A.P., AIR 1993 SC 2178.

BOOK RECOMMENDED : (Latest editions)

- | | | |
|--------------------------|---|---|
| 1. Ramesh Chandra Nagpal | : | Modern Hindu Law. |
| 2. Paras Diwan | : | Modern Hindu Law. |
| 3. R.K. Agrawal | : | Hindu Law |
| 4. Babel, B.L. | : | Hindu Vidhi par pramukh Nirnaya(cases on Hindu law) |
| 5. Sharma K.P. | : | Hindu Vidhi |
| 6. Rashia Khalid | : | Muslim Law |
| 7. Rashik Khalid | : | Muslim Vidhi |
| 8. Fyzee (A.A.A.) | : | Outlines of Muhammadan law |
| 9. Paras Diwan | : | Muslim law |

10. Hafizur Rahman : Muslm Vidhi
11. Mulla : Mohammadan Law

PAPER III

COMPANY LAW AND PARTNERSHIP ACT

Max Marks -80

Min. Marks – 29

The details of syllabus of this paper are as under:

1. The Companies Act, 2013
2. Indian Partnership Act, 1932

SECTION A: The Companies Act, 2013

1. Types of business Organization
 - Sole Proprietorship
 - Partnership
 - Company
 - Co-Operative Societies
2. Meaning and Introduction of Company:
 - History, Meaning of Company and Essential Characteristics.
 - Theory of Corporate Personality.
 - Creation and Extinction.
 - Kinds of Companies:
 - Public and Private Companies,
 - Holding and Subsidiary Companies,
 - Limited and Unlimited Companies,
 - Shareholding and Guarantee Companies,
 - Producer Companies and Small Company,
 - One Person Company,
 - Government and Foreign Company,
 - Company and Limited Liability Partnership.
 - Difference between Corporate and Non-Corporate Organizations (Partnership and other association of person).
 - Comparative Analysis of provisions of Companies Act, 1956 and Companies Act, 2013.
3. Law relating to Companies: Public and Private:
 - Formation of a Company: Registration and Incorporation, Doctrine of Lifting of Corporate Veil.
 - Memorandum of Association: Meaning, Various Clauses, Alteration therein, Doctrine of Ultra Virus.
 - Articles of Association: Meaning, its relation with Memorandum of Association, Doctrine of Constructive Notice and Doctrine of Indoor Management.

- Prospectus: Meaning, Types, Issue, Contents, Liability for Misstatements, Statements in Lieu of Prospectus.
- Promoters: Position, duties and liabilities.

4. Share Capitals and Debentures:

- Share: Kind of Shares, General Principles of Allotments of shares, Share Certificate, Transfer of Shares- Procedure for Transfer, Restrictions on Transfer, Refusal of Transfer, Issue of Shares at premium and Discount, Depository Receipts, Dematerialized shares (DEMAT).
- Share Holder: Modes of becoming a shareholder, Calls on Shares, Forfeiture and Surrender of Shares, Lien on Shares.
- Share Capital: Kinds, alteration and reduction of share capital, conversion of loans and Debentures into Capital.
- Reduction of Share Capital and Buy Back of Shares
- Debentures: Meaning, Kinds, Fixed and Floating Charge, Shareholder and Debenture holder, Remedies of Debenture Holder.

5. Management and control of management:

- Directors: Position, Appointment, Qualification, Vacation Of Office, Removal, Resignation, Powers And Duties Of Directors, Managing Directors And Other Managerial Personnel, Independent Directors, Mandatory Women Directors, Directors Identification Number.
- Meeting: Kinds, Procedure, Voting.
- Audit and Accounts.
- Prevention of Oppression and Mismanagement
- Borrowing powers.
- Protection of oppression and mismanagement.
- Investigation powers.

6. Corporate liability:

- Legal liability of Companies: Civil and Criminal.
- Remedies against them: Civil, Criminal and Tortuous, Specific Relief Act, Writs, Liability under Special Statues.

7. Special regulation and winding up:

- Corporate Social Responsibility (CSR).
- Serious Fraud Investigation Officer.
- NCLT/ Special Court.
 - Winding up:
 - Kinds of Winding Up
 - Consequences and Reasons for Winding Up
 - Role of Court

- Liability of the past members
- Payment of Liabilities
- Reconstruction and Amalgamation

SECTION B: Indian Partnership Act, 1932

1. Short title, extent and commencement (Sec. 1-3).
2. The nature of partnership (Sec. 4-8).
3. Relation of Partners to one another (Sec. 9-17).
4. Relation of Partners to third parties (Sec. 18-30).
5. Incoming and Outgoing Partners (Sec. 31-38).
6. Dissolution of Firms (Sec. 39-55).
7. Registration of Firms (Sec. 56-71).
8. Mode of giving public notice (Sec. 72-74).

SECTION C: Prescribed Cases

- Salomon v Salomon & Co Ltd (1897)
- In C.I.T. v. Meenakshi Mills Ltd. (AIR 1967 SC 819)
- Daimler company ltd. v Continental Tyre and Rubber Company (Great Britain), [1916] 2 AC 307 13
- Union Bank of India v. Khader International Construction and Other [(2001) 42 CLA 296 SC]
- New Horizons Ltd. and another v. Union of India (1995) 1 Comp. LJ 100 SC
- Vodafone International Holdings B.V. v. Union of India & Another [S.L.P. (C) No. 26529 of 2010]
- Kapila Hingorani v. State of Bihar, 2003(4) Scale 712
- UOI v. R. Gandhi President Madras Bar Association, AIR (2015) SC 1571

Selected Bibliography:

1. Philip K. Thayil: Company law
2. Avtar Singh: Company Law
3. R.R. Maurya: Company Law
4. Ramiaya Guide to Companies Act
5. Desa : Indian Partnership Act
6. सुरेन्द्र नाथ: कंपनी विधि
7. एन. व्ही. परांजपे: कंपनी विधि

PAPER -IV

LEGISLATIVE DRAFTING & INTERPRETATION OF STATUTES

Max Marks -80

Min. Marks – 29

The details of syllabus of this papers are as under :-

Section - A

Legislative Drafting :

Meaning of legislative drafting.

Legislative drafting both Science and Art.

Basic principles and rules of drafting.

Draftman-his art and skill.

Preparation made by a draftsman before he starts.

Drafting and Act.

Preparation and passing of a bill.

Structure of an Act.

Classification of Statutes.

History of legislative drafting in India.

General Clause Act of legislative drafting in India.

Section - B

Interpretation of Statutes :

Meaning of interpretation.

necessity of interpretation for delivering justice, basic principles of interpretation, legislative intention of interpretation, beneficial construction, harmonious construction, strict construction, strict construction of penal statutes, construction of penal laws, external aid for constructing statutes, internal aid for construction of statutes, mandatory and directory statutes, express and implied interpretation of statutes, delegated legislation, repeal of statutes, retrospective operation of statutes.

Section - C

Prescribed CASES :

1. Harla Vs State of Rajasthan, AIR 1951 SC 467.
2. K.M. Nanawati Vs. State of Bombay, AIR 1961 SC 112.
3. Express Mill Vs. Municipal Committee, Wardha AIR 1958 SC 341.
4. Income Tax Commissioner Vs. Soda Devi, AIR 1957 SC 882.

BOOK RECOMMENDED :

1. G.P. Singh : Principles of Interpretation of Statutes.
2. Bhawani Lal : Principles of Interpretation of Statutes.
3. C.R. Raja Gopal : The Drafting of Laws.
4. P.N. Bakshi : An Introduction to the Study of legislative drafting.

**PAPER V
LAW OF TAXATION**

Max Marks -80

Min. Marks – 29

The Details of Syllabus of This Paper Are As Under:

SECTION A

1. Income Tax Act, 1961
(As amended upto date) (Whole Act)

SECTION B

1. Goods And Services Act, 2017
(As amended upto date) (Whole Act)

SECTION C

Prescribed Cases:

1. Commr. of Income Tax V. Sutlej Cotton Mills Supply Agencies Ltd. (1975) 100 ITR 706, 711 (SC).
2. Manglore Electric Supply Co. Ltd. V. Commr of I.T. (1978) 113 ITR 635 (SC).
3. Civil Appeal No. 10177 Of 2018 (Arising Out Of SLP(C)No.25415 Of 2017) Union Of India & Anr. V. Mohit Mineral Pvt. Ltd. (Reportable)- Constitutional Validity Of GST Act, 2017

Selected Bibliography :

1. A.K. Saxena : Income Tax Act
2. Kailash Rai : Income Tax Act
3. V.K. Singhania : Students Guide to Income Tax
4. H.C. Mahrotra : Income Tax
5. C.R. Latta : The Income Tax Law.
7. बसन्ती लाल बाबेल : प्रत्यक्ष कर विधियां (अपराध, अभियोजन एवं शास्तियां)

PAPER –VI

CRIMINOLOGY, PENOLOGY AND CRIMINAL ADMINISTRATION

Max Marks -80

Min. Marks – 29

The details of syllabus of this papers are as under :-

Section –A

1. Origin and concept of crime, definitions, scope.
2. Classification of crimes, theories of criminology.
3. Emergency patterns of Crimes.
4. crimes and criminals, white collar crimes,
5. Offences against-person and property legal and social-aspects.
6. Punishment : Theories, Objectives and Types.
7. Institutional and Non-Institutional treatment of Offenders.
8. Criminology : Causation
9. Schools of thought in Criminology

Section -B

10. History of Institutional correction.
11. Correctional Institution for juvenile and adults.
12. Facilities and amenities for in a mates.
13. Special correctional institutions latest-development.
14. Non-institutional methods of corrections.
15. Crime prevention and eradication.
16. Prisons Probation and Parole.
17. Latest development on the subject -
18. Police organization, investigation, case diary,
19. Arrest and seizure.

Section -C

Prescribed Enactments :

1. The Prison Act, 1900
2. Probation of Offenders Act, 1958.
3. Police Act, 1860.

Preseibed Cases :

1. Maru Ram Vs. India, (1981) 1 SCC 107
2. Jugal Kishore Prasad Vs. State of Bihar, AIR 1972 SC 2522
3. Bachchan Singh Vs. Punjab, (1980) 2 SCC 684
4. Ram Naresh Pandey Vs State of M.P., AIR 1974 SC 35
5. Masarullah Vs. State of T.N., AIR 1983 Sc 654.

Prescribed Book :

1. Sulher land : Principles of Criminology
2. Snell : Society on the Criminals
3. Ved Kumari : Treatise on the Juvenile Justice Act, 1986.
4. Ahmad Siddique : Criminology-Problems and Perspectives
5. N.V. Paranjpe : Criminology and Penology
6. बसन्ती लाल बाबेल : अपराध शास्त्र
7. यमुना शंकर शर्मा : दण्ड शास्त्र