SARDAR PATEL UNIVERSITY  
FACULTY OF LAW  
COURSE OF STUDY  
INTEGRATED DEGREE OF BACHELOR OF ARTS / COMMERCE/ BUSINESS  
ADMINISTRATION & LAW  
[BBA, LL.B.(HONS.), B.COM., LL.B.(HONS.), B.A., LL.B.(HONS.)]  
(Under Choice Based Credit Scheme Semester Degree Programme)  

R. Int. LLB 1: Candidates for the Integrated Degree of Bachelor of Arts/ Commerce/ Business Administration & Law [BBA, LL.B.(HONS.), B.COM., LL.B.(HONS.), B.A., LL.B.(HONS.)] must have completed Senior Secondary school Course (‘+2’) or equivalent (such as 11+1, ‘A’ level in senior school living certificate course) from recognized university of India or outside or from a senior secondary board or equivalent, constituted or recognized by the union or by state Government or from any equivalent institution from a foreign country recognized by the Government of that country for the purpose of issue of qualifying certificate on successful completion of the course with minimum of 45 % of the total marks in case of general category and 40% of marks in case of SC & ST candidates in the aforesaid qualifying examination may apply for and be admitted into the five year integrated law course of the university. However maximum age for seeking admission is limited to 20 years in case of General category of the applicant and 22 years in case of applicants from SC ST & OBC categories.  

R. Int. LLB 2: A student who has passed an equivalent examination from any other University or examining body and is seeking admission to a college affiliated to this University shall not be admitted without producing an Eligibility Certificate from the Sardar Patel University.  

R. Int. LLB 3: (1) Students will be required to earn stipulated credits per course per semester for obtaining BBA, LL.B.(HONS.), B.COM., LL.B.(HONS.), B.A., LL.B.(HONS.) Degree as shown below:  

<table>
<thead>
<tr>
<th>Semesters</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
<th>6</th>
<th>7</th>
<th>8</th>
<th>9</th>
<th>10</th>
<th>Total Credits</th>
</tr>
</thead>
</table>

(2) The credit per course is determined as one credit equivalent to one hour of study for the duration of fifteen weeks.  

(3) The Workload of a faculty shall be determined considering the total number of hours of study.  

R. Int. LLB 4: The students will be considered eligible for admission to next semester in respective course at BBA, LL.B.(HONS.), B.COM., LL.B.(HONS.), B.A., LL.B.(HONS.) program on attending the college at the immediate previous semester as per university norms.
R. Int. LLB 5: English shall be the medium of instruction in integrated five year course.

R. Int. LLB 6: In integrated stream of Arts & Law, Management & Law, Commerce & Law, etc as the case may be, one has to take such number of compulsory paper/subject and such optional with Honours in Law, as the case may be, from the specified area in addition to English, as may be prescribed by the University.

R. Int. LLB 7: For appearing at the First and subsequent semester external BBA, LL.B.(HONS.), B.COM., LL.B.(HONS.), B.A., LL.B.(HONS.) Degree examination, students ----

(i) Should have kept at least 80% of attendance in the respective semester at a College recognized for teaching courses of study in Integrated Law by the University,

(ii) Should have obtained at least 40% marks in aggregate in each of the papers in the internal tests conducted by the college,

(iii) Should have presented themselves for medical examination, if conducted by the College or University.

R. Int. LLB 8: For the purpose of deciding final results at the semester Examination, the ratio between internal assessment and final University examination shall be 50:50. For the purpose of internal assessment, the college concerned will conduct at least one test in each semester. The College may also arrange quizzes, term papers, assignments etc. The 50 marks of internal assessment shall be distributed as follows—Written test 30 marks, assignment/ seminar/ project work moot court 15 marks and attendance 5 marks. The concerned College may have its own policy for giving 5 attendance marks. The college shall have to maintain necessary daily records for attendance. The duration of University external examination shall be of TWO hours except in case of Practical Papers.

R. Int. LLB 9: For the purpose of deciding final results of the Practical Papers at the semester Examination, the ratio between internal assessment and final University Viva voice shall be 50:50. For the purpose of internal assessment, the college concerned will periodically evaluate the students through Practical record. The College may also arrange assignments etc. The college shall have to maintain necessary daily records for attendance. The University external examination shall be of Viva Voice from Eminent Advocate having minimum experience of 5 years at Bar or the Judges or Law Facilities from other Universities empanelled by the Sardar Patel University.

R. Int. LLB 10: (1) Students shall study courses of BBA, LL.B.(HONS.), B.COM., LL.B.(HONS.), B.A., LL.B.(HONS.) program as per the following structure in Five Years:
R. Int. LLB 11: In order to study BBA, LL.B.(HONS.), B.COM., LL.B.(HONS.), B.A., LL.B.(HONS.), in addition, a student should have undertaken Specialized Honours courses over seventh to tenth semesters.

R. Int. LLB 12: Following are the Courses to be offered to students by affiliated Colleges/Institutions for June 2012 - (Annexure 1, 2 & 3)

R. Int. LLB 13: Candidates desirous of appearing at the Semester Examinations must forward their applications in the prescribed form accompanied by a certificate of attendance to the Registrar through the Principal of the college on or before the date prescribed for the purpose under the relevant ordinance/s.

R. Int. LLB 14: Standard of passing:
To Pass the Semester Examination, candidate must obtain
(i) At least 40% marks in the University Examination in each paper, and
(ii) At least 40% marks in the Internal assessment and Examination in each paper.

Award of Class:
(a) The Candidate securing 75% and above marks in aggregate in each semester shall be placed O (Distinction).

(b) The Candidate securing 68% to 74% marks in aggregate in each semester shall be placed A (Excellent).

(c) The Candidate securing 61% to 67% marks in aggregate in each semester shall be placed B (Very Good).

(d) The Candidate securing 54% to 60% marks in aggregate in each semester shall be placed C (Good).

(e) The Candidate securing 47% to 53% marks in aggregate in each semester shall be placed D (Fair).

(f) The Candidate securing 40% to 46% marks in aggregate in each semester shall be placed E (Average).

(g) The Candidate securing below 40% marks in aggregate in each semester shall be placed F (Drop).

(h) The class shall be awarded at the end of 10 semesters considering all semester examinations.

R. Int. LLB 15: A.T.K.T.
1. A student who fails at the Semester Examination in any of the papers will be permitted to keep terms for the next Semester Courses.

2. There shall be no lateral entry on the plea of graduation in any subject or exit by way of awarding a degree splitting the integrated double degree course at an intermediary stage of integrated double degree course (Rule 13 BCI Act 1961).

3. A student, who is failing in any of the papers and allowed to keep terms in the subsequent Semester Courses, can take the examination in the Courses in which he/she is failing at the end of respective semester examination. A student can have **maximum 5 attempts after 10th Semesters excluding the attempt he/she has made at the end of 10th Semester**; however the Vice Chancellor may extend the period by one more year on behalf of executive counsel.

4. A student failing in any of the papers at a Semester Examination passes out such papers by 10 Semesters, such attempts will be considered as First Attempt.

5. Student getting ATKT will be exempted from appearing in the External examinations in such papers which he/she has passed out.
Courses of Study:

<table>
<thead>
<tr>
<th>Semester</th>
<th>Compulsory Courses</th>
<th>Courses for B Com</th>
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<tbody>
<tr>
<td>I</td>
<td>1. Law of Torts</td>
<td>1. English – I</td>
</tr>
<tr>
<td></td>
<td>2. Legal Methods</td>
<td>2. Economics-I</td>
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<td>3. Principles for Firms</td>
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<td>4. Principles of Business Management</td>
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<tr>
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<td>2. Constitution – I</td>
<td>2. Economics-II</td>
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<td>3. Corporate Accounting-I</td>
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<td>4. Organizational Behavior</td>
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<tr>
<td></td>
<td>2. Law of Crimes (IPC)</td>
<td>2. Economics-III</td>
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<tr>
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<td>4. Practical -I (Book &amp; Court Visit…)</td>
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<tr>
<td>IV</td>
<td>1. Family Law – I</td>
<td>1. English – IV</td>
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<td></td>
<td>2. Transfer of Property including Easements</td>
<td>2. Principles of Taxation</td>
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<td>4. Insurance Law, Consumer Protection Act &amp; MV Act</td>
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<td>V</td>
<td>1. Family Law –II</td>
<td>1. Accounting and Auditing</td>
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<td>2. Law of Evidence</td>
<td>2. Business Environment</td>
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<td>4. Civil Procedure Code and Limitation Act</td>
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<td>5. Practical- II (Prison, Police Station…)</td>
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<td>VI</td>
<td>1. Criminal Procedure Code</td>
<td>1. Cost and Management Account</td>
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<td>2. Labour Law -I</td>
<td>2. Financial Institutions and Market</td>
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<td>3. Intellectual Property Rights</td>
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<td></td>
<td>4. Criminology &amp; Penology</td>
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<td>5. Practical- III (State Commission, High Court…)</td>
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<td>2. Interpretation of Statutes</td>
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<td>3. International Law</td>
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<td>4. Information Technology Act</td>
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<tr>
<td></td>
<td>5. Honours Paper -I</td>
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</table>
| VIII | 1. Company Law  
| | 2. Human Rights Law & Practice  
| | 3. Cyber Crimes  
| | 4. Honours Paper - II  
| | 5. Honours Paper - III  
| | 6. Practical -V (Mock Trial Criminal Case…) | 1. Marketing Management  
| IX | 1. Environmental Law  
| | 2. Alternate Dispute Resolution  
| | 3. Research Methodology  
| | 4. Honours Paper- IV  
| | 5. Honours Paper -V (Seminar)  
| | 6. Moot Court |  
| X | 1. Drafting, Pleading and Conveyance  
| | 2. Taxation  
| | 3. Professional Ethics & Professional Accounting system  
| | 4. Honours Paper -VI  
| | 5. Honours Paper -VII  
| | 6. Honours Paper -VIII (Dissertation) |
## Component of Marks

<table>
<thead>
<tr>
<th>Course Type</th>
<th>Course Code</th>
<th>Name Of Course</th>
<th>Theory/Practical</th>
<th>Credit</th>
<th>Contact Hrs/Week</th>
<th>Exam Duration in hrs</th>
<th>Component of Marks</th>
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<tr>
<td>Core Course</td>
<td>UL01CBLH01</td>
<td>Law of Torts</td>
<td>Theory</td>
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<td>100/40</td>
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<td>Legal Methods</td>
<td>Theory</td>
<td>4</td>
<td>2</td>
<td>50/20</td>
<td>100/40</td>
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<td></td>
<td>UL01CBLH03</td>
<td>English – I</td>
<td>Theory</td>
<td>4</td>
<td>2</td>
<td>50/20</td>
<td>100/40</td>
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<td></td>
<td>UL01CBLH04</td>
<td>Economics – I</td>
<td>Theory</td>
<td>4</td>
<td>2</td>
<td>50/20</td>
<td>100/40</td>
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<tr>
<td></td>
<td>UL01CBCH01</td>
<td>Principles for Firms</td>
<td>Theory</td>
<td>4</td>
<td>2</td>
<td>50/20</td>
<td>100/40</td>
</tr>
<tr>
<td></td>
<td>UL01CBCH02</td>
<td>Principles of Business Management</td>
<td>Theory</td>
<td>4</td>
<td>2</td>
<td>50/20</td>
<td>100/40</td>
</tr>
</tbody>
</table>
Objectives of the course
With rapid industrialization, tort action came to be used against manufacturers and industrial units for products injurious to human beings. Presently, the emphasis is on extending the principles not only to acts, which are harmful, but also to failure to comply with standards that are continuously changing due to advancement in science and technology. Product liability is now assuming a new dimension in developed economics.

Syllabus
Unit: 1. Evolution of Law of Torts 25%
1.1. England - forms of action - specific remedies from case to case
1.2. India - principles of justice equity and good conscience - uncodified character advantages and disadvantages

Unit: 2. Definition, Nature, Scope and Objects 25%
2.1. A wrongful act- violation of duty imposed by law, duty which is owed to people generally (in rem) - damnum sine injuria and injuria sine damnum.
   - Tort distinguished from crime and breach of contract
   - The concept of unliquidated damages,
   - Changing scope of law of torts: expanding character of duties owed to people generally due to complexities of modern society
   - Objects- prescribing standards of human conduct, redressal of wrongs by payment of compensation, proscribing unlawful conduct by injunction.

2.2. Principles of Liability in Torts
   - Fault:
     - Wrongful intent
     - Negligence
   - Liability without fault
   - Violation of ethical codes
   - Statutory liability:
   - Place of motive in torts

2.3. Justification in Tort
   - Volenti non fit injuria
   - Necessity, private and public
   - Plaintiff's default
   - Act of God
   - Inevitable accident
   - Private defense
   - Statutory authority
   - Judicial and quasi-judicial acts
   - Parental and quasi-parental authority

2.4 Extinguishment of liability in certain situations
   - Action personalize moritur cum persona - exceptions
• Waiver and acquiescence
• Release
• Accord and satisfaction
• Limitation

2.5 Standing
• Who may sue - aggrieved individual - class action - social action group
• Statutes granting standing to certain persons or groups
• Who may not be sued?

1.6 Doctrine of sovereign immunity and its relevance in India

2.7 Nuisance
• Definition, essentials and types
• Acts which constitute nuisance- obstructions of highways, pollution of air, water, noise, and interference with light and air

2.8 Absolute/Strict liability
• The rule in Rylands v. Fletcher
• Liability for harm caused by inherently dangerous industries

2.9 Legal remedies
• Legal remedies:
  • Award of damages- simple, special, punitive
  • Remoteness of damage- foreseeability and directness
  • Injunction
  • Specific restitution of property
  • Extra-legal remedies- self-help, re-entry on land, re-caption of goods, distress damage feasant and abatement of nuisance.

Unit: 3. Vicarious Liability

3.1. Basis, scope and justification
• Express authorization
• Ratification
• Abetment

3.2. Special Relationships:
• Master and servant - arising out of and in the course of employment - who is master?
• The control test - who is servant? - borrowed servant - independent contractor and servant, distinguished
• Principal and agent
• Corporation and principal officer

3.3 Wrongs affecting property
• Trespass to land, trespass ab initio, dispossession
• Movable property- trespass to goods, detinue, conversion
• Torts against business interests - injurious falsehood, misstatements, passing off
Unit: 4. Torts against persons and personal relations

1.1. Torts against persons and personal relations

- Assault, battery, mayhem
- False imprisonment
- Defamation- libel, slander including law relating to privileges
- Marital relations, domestic relations, parental relations, master and servant relations
- Malicious prosecution
- Shortened expectation of life
- Nervous shock

4.2. Negligence

- Basic concepts
- Theories of negligence
- Standards of care, duty to take care, carelessness, inadvertence
- Doctrine of contributory negligence
- Res ipsa loquitor and its importance in contemporary law
- Liability due to negligence: different professionals
- Liability of common carriers for negligence
- Product liability due to negligence: liability of manufacturers and business houses for their products

Select Bibliography
D.M.Gandhi, Law of Tort (1987), Eastern, Lucknow
P.S.Achuthan Pillai, The law of Tort (1994) Eastern, Lucknow
Winfield and Jolowiz on Tort (1999), Sweet and Maxwell, London.
Saraf, D.N., Law of Consumer Preotection in India (1995), Tripathi, Bombay
Unit – I: Meaning and Classification of Laws (Lectures– 10)  25%
Meaning and definition
Functions of law?
Classification of laws:
i. Public and Private Law
ii. Substantive and Procedural Law
iii. Municipal and International Law

Unit – II: Sources of Law (Lectures– 09)      25%
Custom
Precedent
Legislation

Unit – III: Basic Concepts of Indian Legal System (Lectures– 10)  25%
Common Law
Constitution as the Basic Law
Rule of Law
Separation of Powers
Judicial system in India

Unit – IV: Legal Writing and Research (Lectures – 10)    25%
Legal materials – Case law
Statutes, Reports, Journals, Manuals, Digests etc.
Importance of legal research
Techniques of Legal Research
Legal writings and citations

Text Books:
Glanville Willains – Learning the law
Nomita Aggarwal – Jurisprudence (Legal Theory)
B.N.M. Tripathi – An Introduction to Jurisprudence and Legal Theory
Benjamin N. Cardozo, The Nature of Judicial Process
ILI Publication – Indian Legal System
ILI Publication in Legal Research and Methodology

Essential Case Law:
Commissioner of Income Tax, Hyderabad v. PJ. Chemicals, 1994 Suppl. (3) S.C.C. 535
Air India v. Nargesh Mirza, AIR 1981 SC 1829
Geeta Hariharan v. Reserve Bank of India, AIR 1999 S.C. 1149
Dwrka Prasad Aggarwal v. B.D. Aggarwal, AIR 2003 S.C. 2686
Commissioner of Wealth Tax, Meerut v. Sharvan Kumar Swarup & Sons, 1994 (6) SCC 623
Grandphone Company v. B.B. Pandey, AIR 1984 S.C. 667
Peoples Union for Civil Liberties v. Union of India 1997 (1) S.C.C. 301
R.K. Tangkhul v. R. Simirei, AIR 1961 Manipur 1
Balusami v. Balkrishna, AIR 1957 Mad. 97
Superintendent and Remembrancer of Legal Affairs West Bengal v. Corporation of Calcutta AIR 1967 S.C. 997
State of Bihar v. Sonawati AIR 1961 S.C. 221, 231
## Sardar Patel University
B.COM., LL. B. (Hons.)
SEMESTER 1
English – I- UL01CBLH03
(4 Credits, 60 Hours)

<table>
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<tr>
<th>Sr. No.</th>
<th>Unit No.</th>
<th>Course Content</th>
<th>Pattern of Evaluation</th>
</tr>
</thead>
</table>
| 01.     | UNIT I : Understanding Language | • Human Language: A species specific activity  
• Language varieties: dialect, register, styles  
• Systems in language: Phonology, syntax, morphology, semantics | • Multiple Choice Questions  
• Long evaluative answers  
• Short answers |
| 02.     | UNIT II : Understanding Short Stories | • *How much Land does a Man Need?* - by Leo Tolstoy  
• *The Three Dancing Goats*: Anonymous | • Multiple Choice Questions  
• Long evaluative answers  
• Short answers |
| 03.     | UNIT III : Understanding One Act Plays | • *The Money’s Paw* – by W.W. Jacob  
• *A Marriage Proposal* - by Anton Chekhov | • Multiple Choice Questions  
• Long evaluative answers  
• Short answers |
| 04.     | UNIT IV : Understanding Novel | • *The Alchemist* - by Paulo Coelho | • Multiple Choice Questions  
• Long evaluative answers  
• Short answers |
| 05.     | UNIT V : Language Portfolio | Various tasks related to Language and Literature could be given throughout the semester. Students are expected to keep a portfolio, which, at the end of the semester, they would submit to the Coordinator(s). | Viva - Voce |
Sardar Patel University  
B.COM., LL. B. (Hons.)  
SEMESTER 1  
Economics – I (MICRO ECONOMICS)- UL01CBLH04  
(4 Credits, 60 Hours)

Unit 1 : INTRODUCTION TO ECONOMICS  25%
- Nature, Scope of Economics
- Subject matter of economics Micro and Macroeconomics,
- Robbins definition of Economics

Unit 2 : BASIC CONCEPTS  25%
- Basic Concepts : Goods, Price and value, Wealth and welfare, Consumer’s surplus, Standard of living, Production, Consumption, Entrepreneur
- Concept and types of utility
- Basic assumptions of economic theory

Unit 3 : PRODUCT PRICING  25%
- Demand, Law of demand, Determinants of demand, Change and shift in demand
- Supply – Law of supply, Determinants of supply, Change and shift in supply
- Equilibrium price

Unit 4 : COST, REVENUE AND FACTOR PRICING  25%
- Basic Cost Concepts – Total cost, fixed cost, Variable cost, Average cost and Marginal cost in short-run and long-run, Their behavior and relationship Economies and diseconomies of scale
- Concept of factors of production and factor payments
- Marginal productivity theory of distribution

REFERENCE BOOKS:
Unit-1 Types of business organization. 25%
1. Sole Trader, partnership Firm, co-operative society and joint stock company
2. Partnership: Definition, meaning, Characteristics of partnership.

Unit-2 Partnership: 25%
1. Ideal Partnership, Types of Partners, Partnership Deed
2. Mutual Rights and Obligations of partners

Unit-3 Partnership Firm: 25%
1. Registration of Partnership Firm, Content of Partnership deed.
2. Partnership Firm and Joint Stock Company
3. Drawbacks of partnership.

Unit-4 Partnership : 25%
1. Partnership Act 1932
2. Liabilities of partners
3. Partners as agents of firms.
4. Implied Authority of partner.
5. Dissolution of partnership and dissolution of firm.

Evaluation : Internal : 50 Marks (Theory)
: External : 50 Marks (Theory) – Two – Hour Examination

Reference:
2. Business Organization & Management. S. A. Sherlekar (HPH)
3. Partnership Act 1932
Sardar Patel University  
B.COM., LL. B. (Hons.)  
SEMESTER 1  
Principles of Business Management- UL01CBCH02  
(4 Credits, 60 Hours)

Unit 1 : 25%

**Introduction to management:** Concept, Functions, Significance, Managerial Roles & Skills  
**Planning and Decision Making:** Concept, Planning Process, Components of Plans, Decision Making Process

Unit 2 : 25%

**Organizing:** Concept, Guiding Principles  
**Types of organization structure:** Line, Functional, Line & Staff  
**Delegation of Authority:** Meaning and elements of Delegation  
Centralization Vs Decentralization

Unit 3 : 25%

**Directing:** Elements, Principles, Importance  
**Motivation:** Concept, importance  
**Theories of Motivation:** Maslow, Herzberg and Theory X & Y  
**Leadership:** Meaning and Styles of Leadership

Unit 4 : 25%

**Communication:** Concept, Process, Barriers, Corrective Measures  
**Controlling:** Concept, Importance, Process

Evaluation : Internal: 50 Marks (Theory)  
: External: 50 Marks (Theory) – Two – Hour Examination

References:

1. Principles and Practices of Management by L M Prasad  
2. Management by Koontz and Weighrich  
3. Management by Stoner and Freeman  
4. Principles & Practices of management by Sherlekar
## Component of Marks

<table>
<thead>
<tr>
<th>Course Type</th>
<th>Course Code</th>
<th>Name Of Course</th>
<th>Theory/Practical</th>
<th>Credit</th>
<th>Contact Hrs/Week</th>
<th>Exam Duration in hrs</th>
<th>Component of Marks</th>
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<tr>
<td>Core Course</td>
<td>UL02CBLH01</td>
<td>General Principles of Contract - I</td>
<td>Theory</td>
<td>4</td>
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<td>UL02CBLH02</td>
<td>Constitution - I</td>
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<td>Theory</td>
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<td>Corporate Accounting - I</td>
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<td>Organizational Behavior</td>
<td>Theory</td>
<td>4</td>
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</table>
Objectives of the course

Every man in his day to day life from dawn to dusk makes a variety of contracts. Man's contract making activities increase with the increasing trade, commerce and industry. In a way living in a modern society would be impossible if the law did not recognize this contract making power of a person. This prompted Roscoe Pound to make his celebrated observation: "Wealth, in a commercial age, is made up largely of promises". In this sense India is also a "promissory" society. The conferment and protection by the law of this contract making power of persons gives them a considerable leeway to strike best bargain for the contract making persons. In a way they are permitted to regulate and define their relations in a best possible manner they chose. However, the contours of contractual relations in a feudal, colonial and capitalist society of pre-independence India cannot necessarily be the same in an independent and developing Indian society. Whatever may be the nature of a given society, the contractual relations, as are obtained in that society, are governed by certain principles which are more or less of a general and basic nature. In India these general principles are statutised in the form of the Indian Contract Act 1972.

This course is designed to acquaint a student with the conceptual and operational parameters of these various general principles of contractual relations. Specific enforcement of contract is an important aspect of the law of contracts. Analysis of the kinds of contracts that can be specifically enforced and the methods of enforcement forms a significant segment of this study.

The following syllabus prepared with this perspective will comprise of about 84 Units of one-hour duration.

Unit: 1.

General Principles of Law of contract

- History and nature of contractual obligations
- Agreement and contract: definitions, elements and kinds.
- Proposal and acceptance- their various forms, essential elements, communication and revocation- proposal and invitations for proposal- floating offers- tenders dumping of goods.

Unit: 2.

Consideration - its need, meaning, kinds, essential elements – nudum pactum -privity of contract and of consideration- its exceptions- adequacy of consideration present, past and adequate consideration- unlawful consideration and its effects views of Law Commission of India on consideration- evaluation of the doctrine of consideration.

Capacity to contract- meaning- incapacity arising out of status and mental defect minor's agreements- definition of 'minor'- accessories supplied to a minor agreements beneficial and detrimental to a minor - affirmation- restitution in cases of minor's agreements- fraud by a minor- agreements made on behalf of a minor's agreements and estoppel- evaluation of the law relating to minor's agreements- other illustrations of incapacity to contract.

Unit: 3.
• **Free consent**- Its need and definition - factors vitiating free consent.
  - Coercion- definition- essential elements- duress and coercion- various illustrations of coercion- doctrine of economic duress- effect of coercion
  - Undue Influence- definition- essential elements- between which parties can it exist? Who is to prove it? Illustrations of undue influence- independent advice pardahanashi women- unconscionable bargains - effect of undue influence.
  - Misrepresentation - definition - misrepresentation of law and of fact- their effects and illustration.
  - Fraud - definition - essential elements - suggestion falsi - suppression - when does silence amounts to fraud? Active- concealment of truth - importance of intention.
  - Mistake - definition - kinds- fundamental error - mistake of law and of fact –their effects - when does a mistake vitiate free consent and when does it not vitiate free consent?

• **Legality of objects:**
  - Void agreements - lawful and unlawful considerations, and objects - void, voidable, illegal and unlawful agreements and their effects.
    - Unlawful considerations and objects:
      o Forbidden by law
      o Defeating the provision of any law
      o Fraudulent
      o Injurious to person or property
      o Immoral
      o Against public policy
  - Void Agreements:
    o Agreements without consideration
    o Agreements in restraint of marriage
    o Agreements in restraint of trade- its exceptions- sale of goodwill, section 11 restrictions, under the partnership Act, trade combinations, exclusive dealing agreements, restraints on employees under agreements of service.
    o Agreements in restraint of legal proceedings- its exceptions.
    o Uncertain agreements
    o Wagering agreement - its exception.

**Unit: 4.**

25%

• **Discharge of a contract and its various modes.**
  o By performance- conditions of valid tender of performance- How? By whom? Where?
  o By breach - anticipatory breach and present breach.
  o Impossibility of performance- specific grounds of frustration- application to leases theories of frustration- effect of frustration- frustration and restitution.
  o By period of limitation
  o By agreement- rescission and alteration - their effect- remission and waiver of performance - extension of time- accord and satisfaction.

• **Quasi-contracts or certain relations resembling those created by contract**

• **Remedies in contractual relations:**
  o Damages-kinds-remoteness of damages- ascertainment of damages
  o Injunction- when granted and when refused- Why?
  o Refund and restitution
  o Specific performance- When? Why?
- Specific relief
  - Specific performance of contract
  - Contract that can be specifically enforced
  - Persons against whom specific enforcement can be ordered
  - Rescission and cancellation
  - Injunction
  - Temporary
  - Perpetual
  - Declaratory orders
  - Discretion and powers of court

**Select bibliography**
Banerjee. S.C, Law of Specific Relief (1998), Universal
Anson, Law of Contract (1998), Universal
Dutt on Contract (2000), Universal
Anand and Aiyer, Law of Specific Relief (1999), Universal
Objective of the course
India is a democracy and the Constitution embodies main principles of the democratic government—how it comes into being, what are its powers, functions, responsibilities and obligations how power is limited and distributed. Whatever might have been the original power base of the Constitution, today it seems to have acquired legitimacy as a highest norm of public law. A good understanding of the Constitution and the law, which has developed through constitutional amendments, judicial decisions, constitutional practice and conventions is, therefore, absolutely necessary for a student of law. He must also know the genesis, nature and special features and be aware of the social, political and economic influence on the Constitution.

The purpose of teaching constitutional law is to highlight its never-ending growth. Constitutional interpretation is bound to be influenced by one’s social, economic or political predilections. A student must, therefore, learn how various interpretations of the constitution are possible and why a significant interpretation was adopted in a particular situation. Such a critical approach is necessary requirement in the study of constitutional law.

Judicial review is an important aspect of constitutional law. India is the only country where the judiciary has the power to review even constitutional amendments. The application of basic structure objective in the evaluation of executive actions is an interesting development of Indian constitutional law. Pari pasu the concept of secularism and federalism engraved in the constitution are, and are to be, interpreted progressively.

The following syllabus prepared with this perspective will comprise of about 84 Units of one-Hour duration.

Syllabus
Unit: 1.  
- Historical Perspective  
  o Constitutional developments since 1858 to 1947  
  o Gandhi Era - 1919 to 1947: social, political, economic and spiritual influence.  
  o Making of Indian Constitution  
  o Preamble of Indian Constitution  
  o Sources of Constitution  
  o Salient features of Indian Constitution  
  o Rule of Law & Separation of Power

Unit: 2.  
- Distribution of Powers between Center and States  
  o Federalism Principles.  
  o Legislative Powers  
  o Administrative Powers  
  o Financial Powers  
  o Jammu & Kashmir Special Status.

Unit: 3.
• **Constitutional Organs**
  - President of India (-Election, qualifications, impeachment and Powers).
  - Governors (Appointment, Qualification, Removal and Powers)
  - Prime Minister, Chief Minister & Council of Ministers
  - Parliamentary Sovereignty and Privileges.
  - Anti Defection Law
  - Judiciary Jurisdiction of Supreme Court & High Court.
  - Independency of Judiciary

**Unit: 4.**

• **Emergency Provisions**
  - Emergency Provision meaning & Scope
  - Proclamation of emergency
  - Emergency and suspension of fundamental rights
  - Amendment of Constitution
  - Doctrine of Basic Structure

**Select bibliography**

J N Pandey, The Constitutional Law of India,
Constituent Assembly Debates Vol. 1 to 12 (1989)
H.M.Seervai, Constitution of India, Vol.1-3(1992), Tripathi, Bombay
G. Austin, Indian Constitution: Cornestone of a Nation (1972).
<table>
<thead>
<tr>
<th>Sr. No.</th>
<th>Unit No.</th>
<th>Course Content</th>
<th>Pattern of Evaluation</th>
</tr>
</thead>
</table>
| 01. | UNIT I : Understanding Communication | • What is communication?  
• Barriers to communication  
• Types of Communication  
• Theoretical Models of Communication | • Multiple Choice Questions  
• Long evaluative answers  
• Short answers |
| 02. | UNIT II : Understanding Communication Skills | • Listening  
• Speaking  
• Reading  
• Writing | • Multiple Choice Questions  
• Long evaluative answers  
• Short answers  
• Practical Tasks  
• Group Discussion |
| 03. | UNIT III : Understanding Poetry | **Selected Poems and Experience**  
**Songs of Innocence**  
• The Echoing Green  
• Infants Joy  
• The Shepherd | • Multiple Choice Questions  
• Long evaluative answers  
• Short answers |
| 04. | UNIT IV : Understanding Novel | **The Old Man and the Sea** - by Earnest Hemingway | • Multiple Choice Questions  
• Long evaluative answers  
• Short answers |
| 05. | UNIT V : Language Portfolio | Various tasks related to Language and Literature could be given throughout the semester. Students are expected to keep a portfolio, which, at the end of the semester, they would submit to the Coordinator(s). | Viva - Voce |
Unit 1 : INTRODUCTION AND OVERVIEW  
- Nature and scope of Macro Economics,
- Why study Macroeconomics?
- Macroeconomics goals and instruments
- Stocks and Flows
- Indian economy vis-à-vis world economy

Unit 2 : MEASURING ECONOMY’S PERFORMANCE  
- Circular flow of product and Income
- Equilibrium level of Income
- Concept and measurement of National Income
- Nominal and Real Income,
- India’s National Income accounts and sources of data on Indian Economy

Unit 3 : THE CLASSICAL THEORY OF INCOME DETERMINATION  
- The classical postulates
- Say’s law of Markets
- Determination of Income and Employment in classical system
- Keynes’ objection to the classical theory

Unit 4 : THE KEYNESIAN THEORY OF INCOME DETERMINATION  
- Consumption function- average and Marginal propensity to consume
- Investment multiplier, Theory of Investment- autonomous and induced investment
- Marginal Efficiency of capital

REFERENCE BOOKS:
Gupta, S. B. (1994), Monetary Economics, S.Chand, Delhi
Sardar Patel University
B.COM., LL. B. (Hons.)
SEMESTER 2
Corporate Accounting – I- UL02CBCH01
(4 Credits, 60 Hours)

Unit-1 Company Accounts: Shares   25%
• Share Capital of a company
• Issue of shares, calls in arrears, calls in advance, discount and premium.
• Examples for Issue of Shares.
• Redemption of Shares (Examples)

Unit-2 Preference Shares:        25%
• Meaning of preference Shares
• Types of preference Shares
• Issue of preference shares.
• Redemption of preference shares. (Examples)

Unit-3 Debentures      25%
• Debentures, bonds, types of debentures.
• Issue of debentures.
• Redemption of debentures.(Examples)

Unit-4 Company Final Account  :  25%
• Company Profit & loss Account and balance sheet.
• Schedule VI of Company’s Act 1956
• Examples of Company final Account, Profit & loss account, Profit & loss appropriation account and balance sheet.

Evaluation : Internal : 50 Marks (Theory)
             : External: 50 Marks (Theory) – Two – Hour Examination

Reference:
1. Advance Account Shukla & Grewal.
2. Company Account by Ratnam.
   Company Accounts R.L. Gupta.
Sardar Patel University
B.COM., LL. B. (Hons.)
SEMESTER 2
Organizational Behaviour- UL02CBCH02
(4 Credits, 60 Hours)

Unit-1 Basic Understanding of Organizational Behavior: 25%

- What is Organizational Behavior
  - What Managers Do?
  - Enter Organizational Behavior.
- What is Leadership?
  - Managerial Grid.
  - Inspirational Approaches to Leadership
  - Contemporary Leadership Roles.

Unit-2 Understanding dynamics of Individual behavior: 25%

- Attitudes
- Job Satisfaction
- Personality
- Values
  - Importance of Values
- Transactional Analysis
- What is Perception
  - Factors Influence Perception.

Unit-3 Understanding dynamics of Group behavior 25%

- Understanding Groups
  - Meaning
  - Stages of Group Development
  - Group Properties: Roles, Norms, Status, Size & Cohesiveness.
  - Group Decision Making.
- Understanding Teams
  - Types of Teams
- Communication
  - Direction of Communication
  - Interpersonal Communication
  - Organizational Communication

Unit-4 Understanding Organizational dynamics of behavior: 25%

- What is Organizational Culture?
- Managing Conflict
- Negotiation
- Resistance to Change
  - Overcoming to Resistance to Change.
- Work Stress & Its Management
- Understanding Power
- Bases of Power
- Power Tactics
- Politics: Power in Action

Evaluation: Internal: 50 Marks (Theory)
- External: 50 Marks (Theory) – Two – Hour Examination

Reference:
### SARDAR PATEL UNIVERSITY
#### FACULTY OF LAW

#### INTEGRATED DEGREE OF BACHELOR ARTS/COMMERCE/BUSINESS ADMINISTRATION & LAW

**B.Com, LL.B.(HONS.) Programme**  
**Semester - III**  
**Under Choice Based Credit System**  
*(Five years - 10 Semester integrated Program)*

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Objectives:

(a). To give comprehensive idea of the juristic basis, scope and content of each Fundamental Rights as enshrined in the Indian Constitution, the limitations planed on the right, and an evaluation of the manner in which the judiciary has attempted to establish a balance between Fundamental Rights and State control. Importance of directive principles of State Policy as laying down the perspective for the preferred values of the society, and their relationship to Fundamental Rights would also be studied. To study the value system, which emanate from the enforcement of fundamental Rights in the social context?

(b). To study the Center-State relations in India in all their aspects, the conflict, that have generated and the possible solutions. Since the contents and the limits of the above provision have essentially been worked out through the decisions of superior courts evaluation of the leading decisions and other materials in the context of social needs, and the extent to which our policy has succeeded in balancing the various conflicting interests. To study the Constitutional Recognition and Enforcement of Human Rights

Duration: The course will comprise of 60 units of one hour duration.

Syllabus:

UNIT I 25%

Introduction to Governing Principles of Constitution

1.1. Historical Development, features and object of Constitution:

   i. Historical development of Indian Constitution
   ii. Important features of Indian Constitutional Law
   iii. Comparison of Indian Constitution with other major Constitutions (USA & U.K)
   iv. Main objects of Indian Constitutional Law

1.2. Federalism:

   i. What is a federal Govt.?
   iii. Patterns of federal Govt. – USA and India.
   iv. Application of principle of federalism in India.
   v. Division of powers between Center and State.
   vi. Residuary power compare with USA
   vii. New trends in federalism – Cooperative Federalism
   viii. India – Central control versus State autonomy
   ix. Political factors influencing federalism.
   x. Impact of coalition Govt. in Center on federalism in India.
xi. Implications of Panchayat Raj for federalism.

xii. Comparison between parliamentary and federal systems.

1.3. **Preamble, Territory of the Union, and Citizenship:**

i. Preamble & its importance

ii. State & Union Territories (Part I: Article 1-4)

iii. Citizenship (Part II: Article 5-11)

**UNIT II**

Entrenched Bill of Right: (Part III of Indian Constitution: Article 12-35):

2.1. **Introduction:**

i. Parliament’s Power of limit application of Fundamental Rights.

ii. Amendability of Fundamental Rights. Basic features doctrine.

2.2. **Enforceability of Fundamental Rights:**

i. Significance of the Article 12

ii. Scope and concept of ‘State under Article 12.

iii. Whether any other authorities include public authorities like Company …

iv. Functional analysis of definition of ‘State’.

2.2. **Definition and nature of Law under Part III of Indian Constitution:**

i. Inter relationship between Article 12(1) and Article 13(2)

ii. Whether Personal Laws are covered by phrases ‘Existing Laws’ & ‘Laws in Force’.

iii. Doctrine of Eclipse.

iv. Whether the doctrine is applicable to post Constitutional legislations?

v. Whether Law under Article 13 covers amendment in the light of Doctrine of basic structure

vi. Doctrine of severability and waiver.

**UNIT III**

3.1. **Right to Equality:** Fundamental Principles of Equality (Art. 14)

i. Classical view of equality (Doctrine of reasonable classification)

ii. Modern view of equality (Equality as absence of arbitrariness)

iii. Interrelationship of Article 14 with Articles 15 and 16.

iv. Safeguard against Discrimination in Public Life:

v. Need for definition of discrimination.

vi. Affirmative action in favour of women, children, educationally and socially backward classes and SCs, STs [Article 15 (3) and 15 (4)]

vii. Combating Discrimination in Public Employment: (Article 16)

viii. Reservation in appointment and post in favour of backward classes, and distinction between Art. 15(4) and 16 (4)

ix. Judicial interpretations of Articles 15 and 16

x. Pre & Post Mandal scenario and case laws

xi. Determination of Criteria for backward classes

xii. Doctrine of creamy Layer

xiii. Mandal Commission.
3.2. **Right to Freedoms: Art 19-22**

i. Availability of fundamental freedoms under Article 19 to Citizens only

ii. Can legal persons enjoy protection under Article 19?


iv. Freedoms under Article 19(1) (a) to (g).

v. Safeguard against abuse of criminal law (Article 20: Freedom against self-incrimination, Protection against double jeopardy, Protection against retrospective operation of criminal law.


vii. Right to education Art. 21-A

viii. Preventive detention and fundamental rights (Article 22).

3.3. **Right against exploitation under Article 23-24**

3.4. **Right to religious freedom (Art 25), Protection of freedom of Religious Denominations (Art 26), Scope of Article 27 and Article 28.**

3.5. **Cultural and Educational Rights of Minorities & Right to establish educational institution of minority (Article 29-30)**

3.6. **Right to enforce fundamental rights Article 32-35, and Constitutional remedies under Art 32 & 226.** (Interrelationship between article 32 and 226. -Writ jurisdiction of Supreme Court and High Courts writs. -Nature and application of the writs. -Public interest litigation (PIL), conditions to resort to the litigation. -Judicial attitude towards the litigation. -Significant and recent precedents.)

**UNIT IV** 25%

4. Directive Principals of State Policy (Art 36-51), Fundamental Duties (Art 51A) & Introduction to Human Rights:

4(a). Directive Principals of State Policy (Art 36-51), Fundamental Duties (Art 51A)

i. Importance of directive principles of State Policy as lying down the Perspective (outlook) for the preferred values of the society.

ii. Relationship between Fundamental Rights & Directive Principles of State Policy.

iii. Fundamental duties

4(b). Introduction to Human Rights

i. Concept and development of Human Rights

ii. Constitutional Recognition and Enforcement of Human Rights

iii. Statutory enforcement of human rights
iv. Human rights of special groups such as Women, Children, Aged and disabled, Scheduled castes and scheduled tribes, Minorities (religious and educational)

v. Collective Rights such as Right to clean environment, Right to development, Right of self-determination

vi. Role of Media, Civil society (NGO) in protection of Human Rights

**Required Reading:**

1. Dr. J. N. Pandy
5. B.N. Cardozo, Growth of Law (1961)
9. Julius Stone, Legal System and Lawyers Reasoning (1964)

**Additional Reading**

2. John Bell, Policy Arguments in Judicial Decisions (1947)
4. Julius Stone, Recent Trends in English Precedents (1945)
5. Julius Stone, Social Dimensions of Law and Justice (1966)

**Evaluation components**

Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end university examination, and 50% for continuous evaluation by the concerned course teachers.
Sardar Patel University
B.COM., LL. B. (Hons.)
SEMESTER 3
Law of Crimes (ipc) - UL03CBLH02
(4 Credits, 60 Hours)

Objectives:

This paper is to deal with the basic principles of criminal law determining criminal liability and punishments thereof and to focus on the study of substantive crimes under the Indian Penal Code 1860. The Indian security system has been one that has gone through a lot of tests and examinations throughout the time. This is due to the political as well as the social situation and standing of the country. The disputes amongst the people are very common. The cultural diversity is such that there are disputes and clashes of interest between different states, ethnic to particular cultural consortiums. To counter crimes and breach of law, a document has been formulated, that covers each of these situations separately and lists out the penalties for those found guilty under any of the mentioned offences. This is document is known as the Indian Penal Code. The Indian Penal code, in its basic form, is a document that lists all the cases and punishments that a person committing any crimes is liable to be charged with. The Indian Penal Code is thus the most fundamental document of all the law enforcer as well as the entire judiciary in India.

UNIT I . 25%

1.1. Introduction to Criminal Law:

i. Preamble, Extent and operation of the Indian Penal Code, (Sec 1 to 5)
ii. Definition of Crime,
iii. Difference between Crimes, Torts and Breach of Contracts
iv. Fundamental elements of crime,
v. Stages in commission of a crime,
vi. Intention,
vii. Preparation,
viii. Attempt.
ix. Theories of Punishments and its types. Sec 53

1.2. Definitions

i. Judge (Sec 19)
ii. Court of Justice (Sec 20)
iii. Public Servant (Sec 21)
iv. Movable Property (Sec 22)
v. Wrongful gain Wrongful loss (Sec 23)
vi. Dishonesty (Sec 24)
vii. Fraudulently (Sec 25)
viii. Counterfeit (Sec 28)
ix. Electronic Record (Sec 29 A)
x. Valuable Security, Will (Sec 30, 31)
xi. Act & omission (Sec 33)
xii. Voluntarily (Sec 39)
xiii. Actus reus
xiv. Mens reus
xv. Offences (Sec 40)
xvi. Good faith (Sec 52)
xvii. Others important definitions.

1.3. General Explanations and Exceptions: (Sec 76 to 106)
   i. Mistake,
   ii. Judicial and Executive acts,
   iii. Accident,
   iv. Necessity,
   v. Infancy,
   vi. Insanity,
   vii. Intoxication,
   viii. Consent,
   ix. Good faith,
   x. Private defense.

1.4. Abetment & Abettor (Sec 107, 108)

1.5. Criminal Conspiracy: (Sec 120A)

UNIT II. 25%

2.1. Offences Against State (Sec 121 to 130)
   i. Waging war against State.

2.2. Offences against Public Tranquility: (Sec 141 to 160)
   i. Unlawful Assembly.
   ii. Rioting
   iii. Affray.

2.3. Offences relating to Elections: (Sec 171A to 171I)
   i. Candidate
   ii. Bribery,
   iii. Undue Influence,

1.4. Offences effecting life: (Sec 299 to 374)
   i. Homicide
   ii. Culpable Homicide
   iii. Murder
iv. Causing death by negligence
v. Dowry Death
vi. Attempt to commit suicide
vii. Causing Miscarriage or injuries to unborn children.
viii. Hurt
ix. Grievous Hurt
x. Wrongful restraint & Confinement
xi. Kidnapping
xii. Abduction
xiii. Others

UNIT III .

3.1. Offences against Women & Property (Sec 375 to 462)
   i. Rape,
   ii. Unnatural Offence
   iii. Theft,
   iv. Extortion,
   v. Robbery
   vi. Dacoity,
   vii. Criminal misappropriation
   viii. Criminal breach of trust,
   ix. Cheating
   x. Criminal Trespass

1.2. Offence relating to Marriage (Sec 493 to 498A)
   i. Bigamy
   ii. Adultery
   iii. Cruelty

UNIT IV .

4. Defamation and offences relating to documents and property marks
   i. Defamation, (Sec 499)
   ii. Forgery, (Sec 463)
   iii. Counterfeiting (Sec 231)

Required Reading:
1. Indian Penal Code By Ratanlal & DhirajLal. Published by Wadhwa & Company.
2. Indian Penal Code By Shailander Malik. Published by Allahabad Law Agency.
4. The Indian Penal Code By K D Gaur. Published by Universal Law Publishing Co.
5. Indian Penal Code By Bhattacharya.

Evaluation components

Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end university examination, and 50% for continuous evaluation by the concerned course teachers.
Objectives:

This course is to be taught after the students have been made familiar with the general principles of contract in which the emphasis is on understanding and appreciating the basic essentials of a valid contract and on the existence of contractual relationship in various instances. Obviously, a course on special contracts should initiate the students to different kinds of contracts with emphasis on the intricacies therein. This course also should provide an insight into the justification for special statutory provisions for certain kinds of contracts.

Duration: The course will comprise of 4 credits of 60 hours duration.

Syllabus

Unit 1
1.1. Indemnity (Section 124 & 125 of Indian Contract Act, 1872)
   i. The concept
   ii. Definition of Indemnity
   iii. Insurance Contract, if contract of indemnity India
   iv. Rights of Indemnity Holder
   v. When can an indemnifier be made liable? Can he claim to be indemnified before he is indemnified

1.2. Guarantee (Section 126 to 147 of Indian Contract Act, 1872)
   i. The concept
   ii. Definition of guarantee: as distinguished from indemnity.
   iii. Basic essentials for a valid guarantee contract
   iv. The place of consideration and the criteria for ascertaining the existence of consideration in guarantee contracts
   v. Continuing guarantee
   vi. Nature of surety's liability
   vii. Duration and termination of such liability
   viii. Illustrative situations of existence of continuing guarantee
   ix. Rights of surety
   x. Position of surety in the eye of law
   xi. Various judicial interpretations to protect the surety
   xii. Co-surety and manner of sharing liabilities and rights
   xiii. Discharge of surety's liability

Unit 2
2.1. Bailment (Section 151 to 169 of Indian Contract Act, 1872)
i. Definition of bailment
ii. Essentials of Bailment
iii. Duties of Bailor and Bailee towards each other
iv. Rights of bailee
v. Finder of goods as a bailee.

2.2. Pledge  (Section 172 to 180 of Indian Contract Act, 1872)

i. Pledge: comparison with bailment
ii. Definition of pledge under the Indian contract Act
iii. Rights of the pledgee or pawnee.
iv. Right of suit against pawnor
v. Right of sale of the pledged goods

Unit 3
3.1. Agency  (Section 183 to 238 of Indian Contract Act, 1872)

i. Establishing Agency
ii. Different kinds of Agent
iii. Distinction between agent and servant
iv. Essentials of a agency transaction
v. Various methods of creation of agency
vi. Duties and rights of agent
vii. Scope and extent of agent's authority
viii. Liability of the principal for acts of the agent including misconduct and tort of the agent
ix. Liability of the agent towards the principal
x. Personal liability towards the parties
xi. Methods of termination of agency contract
xii. Liability of the principal and agent before and after such termination

3.2. Sale of Goods Act, 1930 (Section 4 to 73)

i. Law pertaining to sale of goods
ii. Definition of Contract of Sale
iii. Effect of Goods perishing
iv. Auction Sale
v. Conditions and Warranties i.e Implied conditions
vi. The rule of caveat emptor
vii. Implied Warranties
viii. Transfer of property and title
ix. Performance of the Contract
x. Rights of Unpaid Seller against the goods
xi. Suits for breach of contract

Unit 4

4.1. Partnership Act, 1932 (Section 4 to 69 (4) (b))
i. Nature of partnership: definition
ii. Essentials of Partnership
iii. Mutual relationship between partners (Relations Interse with partners and third parties)
iv. Incoming of partners
v. Outgoing of partners
vi. Registration of Partnership
vii. Dissolution of Partnership

4.2. Negotiable Instruments Act, 1881 (Section 5 to 147)

i. The definition
ii. Various kinds of Negotiable Instrument
iii. Promissory note and its characteristics, Bills of exchange and its characteristics, Acceptance, ambiguous instruments, cheques and other kind of instruments
iv. Holder and holder in due course: meaning, essential conditions rights and privileges of holder in course, endorsee from the holder in due course and parties
v. Negotiation and Liability
vi. Presentment of the instrument
vii. Modes of discharge from liability
viii. Cheques: Kinds of crossing cheque and Protection of collecting banker
ix. Miscellaneous provisions i.e notice of dishonour of cheque and its effect
x. Special rules of evidence

Required Reading:
Contract II- R.K. Bangia Publication Allahabad Law Agency
Krishnan Nair, Law of Contract,(1999) Orient
Bhashyam and Adiga, The Negotiable Instruments Act (1995), Bharath, Allahabad
M.S.Parthasarathy (ed.), J. S. Khergamvala, The Negotiable Instruments Act
Saharay, h.k., Indian Partnership and Sale of Goods Act (2000), Universal

Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
Objective of the course:

This course is to be taught for the better understanding the judicial systems of the land. The students will be taught in classroom as well as court. The basic activities happening in the District court will be taught and the students will have to go to court compulsorily and to make a note of the things happening in the courts. The same shall be reduced in writing in the ledger exclusively provided for the same. There will be periodical assessment of the ledger and at the end of the course the Viva will be taken by the external examiner. Obviously, Practical I will be first step for the law students to understand the basic things happening in the court with emphasis on the stages & the activity happening in the court. This course also shall provide an insight into the justification for statutory provisions of Court activity.

Ledger writing.

i. Development of Court system in India.
ii. Hierarchy of Courts in India.
iii. District Court Anand.
iv. Civil Cases
v. Criminal Cases
vi. Juvenile Cases
vii. District Legal Service Authority
viii. Mediation, Conciliation, Arbitration.
ix. Lok Adalath.
x. Court Visit and the observation made therein.

References
Civil Procedure Code. MP Tandon
Civil Procedure Code. TP Tirpathi
Civil Procedure Code. Rao
Drafting Pleading and Conveyance Majumdar

Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for Viva Voice and 50% for continuous evaluation by the concerned course teachers and Practical record submitted.
Objectives:

(a) To enable the students to know the functional aspects of English language so that they can use it in their day to day life i.e. introductions; asking personal information and they will be able to understand Technical conversation with ease.

(b) To hone basic Communication Skills (Listening, Speaking, Reading, Writing) of the students by exposing them to the key communication techniques.

Duration: The course will comprise of 60 units of one hour duration.

Syllabus:

Unit I

1. Professional Communication and Networks

i. An introduction to professional communication
ii. Principles of professional communication
iii. Communication networks: personal sanctum, professional sanctum, inner circle, and outer circle; managing the networks
iv. Communication strategies: communicator, audience, message, channel choice, culture
v. Ethos, pathos, logos and kairos in professional communication

Unit II

1. Cross-cultural Communication

i. Globalization and communication across the cultures
ii. Getting started with cross cultural communication
iii. Cross-cultural communication conflicts and tactics
iv. Hot spots in cross cultural communication

Unit III

1. Understanding Functional English

i. Grammar and Vocabulary
ii. Tenses and the Concept of Time, Active and Passive Constructions, Direct – Indirect Speeches, Prepositions and Conditionals, Idioms, Confusables, One-word Substitutes, Synonyms, Antonyms.
iii. Introductions; asking personal information, possession; your name/his name, stating position/destination
Unit I V  

1. Language Portfolio
Various tasks related to Language and Literature could be given throughout the semester. Students are expected to keep a portfolio, which, at the end of the semester, they would submit to the Coordinator(s).

Understanding Popular Literature (Self Study)

*Revolution 2020 by Chetan Bhagat*

Reference books:


Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
Objectives:

At the end of this course, students will be able to
1. Describe the concepts and objectives of the economics.
2. Explain the behavioral pattern of various economic entities and their inter-relationships within the framework of economic theory.
3. Explain the relevance of economic theory at a Micro level

Duration: The course will comprise of 60 units of one hour duration.

UNIT I : (25%)
Price Determination and Equilibrium
i. Markets : Types and Features
ii. Cost and Revenue analysis
iii. Price determination in a perfectly competitive market
iv. Short run and long run equilibrium of a perfectly competitive firm

UNIT II : (25%)
Theory of Distribution
i. Wages : Marginal Productivity Theory Of Wages
ii. Interest : Elements Of Interest, Theory Of Interest Rate Determination
iii. Rent : Concept Of Economic Rent
iv. Profit : Gross Profits And Net Profits, Theories Of Profit

UNIT III : (25%)
Money And Banking
i. Money : Meaning , Types and Functions
ii. Value Of Money : Quantity Theory Of Money
iii. Banking : Functions Of Commercial Banks and Functions Of Central Bank
iv. Banking Sector Reforms In India

UNIT IV : (25%)
Public Finance
i. Principles of Public Finance
ii. Sources of Revenue
iii. Types of Taxes
iv. Types of Government Expenditure

References:
K.K.Dewett And J.D. Verma : Elementary Economic Theory
K.P.M. Sundaram : Elementary Economic Theory

Evaluation components

Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end university examination, and 50% for continuous evaluation by the concerned course teachers.
Sardar Patel University
B.COM., LL. B. (Hons.)
SEMESTER 3
Corporate Accounting II- UL03CBCH01
(4 Credits, 60 Hours)

Objectives:

Objective: 21st century corporate world is not restricted to single business and national boundaries. The Corporate need to a global perspective and grow accordingly. The objective of including corporate accounting is to give a clear understanding and knowledge to the students in the area of corporate accounting and other related matters.

Duration: 60hours

Syllabus

Unit: 1

1. VALUATION OF GOODWILL

   i. Defining Goodwill
   ii. Factors affecting value of goodwill
   iii. Goodwill in Accounting Standard
   iv. Need for valuation of goodwill
   v. Methods of valuation of goodwill
      a. Arbitrary Assessment of goodwill
      b. Valuation of goodwill based on the turnover
      c. Valuation based on certain number of years purchase of Average profits
      d. Valuation based on certain number of years purchase of Weighted average profits
      e. Valuation based on certain number of years purchase of Super profits
      f. Valuation based on capitalization of average profits
      g. Valuation based on capitalization of super profits
      h. Valuation based on Annuity Method

Unit: 2

2. VALUATION OF SHARES

   i. Introduction to valuation of shares
   ii. Factors affecting valuation of shares
   iii. Need for valuation of shares
   iv. Methods of valuation of share
      a. Net Assets valuation Method or Asset Backing Method or Intrinsic Value Method
      b. Yield Method or Earning capacity valuation Method
      c. Fair value method
UNIT: 3

3. AMALGAMATION ACCOUNTS
   i. Introduction
   ii. Meaning of Amalgamation, Absorption and Reconstruction
   iii. Purpose of Amalgamation and Absorption
   iv. Computation of Purchase consideration- Net payment Method, Net Assets Method
   v. Accounting basis for Amalgamation
   vi. Accounting treatment in the books of Transferor Company
   vii. Accounting treatment in the books of Transferee Company
   viii. Amalgamation in nature of merger
   ix. Amalgamation in nature of purchase
   x. Methods of Accounting for amalgamation
      a. Pooling of interest method
      b. Purchase Method
   xi. Difference between pooling of interest method and purchase method
   xii. Accounting treatment as per AS-14.
   xiii. Illustration

UNIT: 4

4. COMPANY LIQUIDATION ACCOUNTS
   i. Introduction
   ii. Meaning of liquidation
   iii. Modes of winding up
      a. Compulsory winding up
      b. Voluntary winding up by member
      c. Winding up subject to the supervision of the tribunal
   iv. Circumstances and mode of voluntary winding up
   v. Members’ of voluntary winding up
   vi. Duties of the liquidator
   vii. Disbursement by the Liquidator
   viii. Distribution of capital deficiency
   ix. Consequence of winding up
   x. Liquidators statement of account of winding up

EVALUATION:
Internal 50 Marks (Practical & Theory) -- TWO Hour Examination
External 50 marks (Practical & Theory) – TWO Hour Examination
REFERENCE BOOKS
2. S.P. Jain and K.L. Narang, Corporate Accounting, Kalyani Publishers
3. R.L. Gupta, Radhaswamy, Advanced Accounting, Volume 2, Sultan Chand and Company, Delhi
4. M.C. Shukla and Grewal, Advanced Accounting, Volume 2, Sultan Chand and Company, Delhi
5. P.C. Tulsian, Corporate Accounting, Tata McGraw-Hill Education, Delhi
7. M.B. Kadkol – Corporate Accounting.
9. 2nd edition, Corporate Accounting, Ane’s Student edition, Nirmal Gupta & Chhavi Sharma
### SARDAR PATEL UNIVERSITY
FACULTY OF LAW

INTEGRATED DEGREE OF BACHELOR ARTS/COMMERCE/BUSINESS ADMINISTRATION & LAW

B.Com, LL.B.(HONS.) Programme
Semester - IV
Under Choice Based Credit System
(Five years - 10 Semester integrated Program)

<table>
<thead>
<tr>
<th>Course Type</th>
<th>Course Code</th>
<th>Name Of Course</th>
<th>Theory/Practical</th>
<th>Credit</th>
<th>Contact Hrs/Week</th>
<th>Exam Duration in hrs</th>
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<td>Family Law - I</td>
<td>Theory</td>
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<td>Theory</td>
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<td>50/20</td>
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</table>
Objectives:

The course structure is designed mainly with three objectives in view. One is to provide adequate sociological perspectives so that the basic concepts relating to family are expounded in their social setting. The next objective is to give an overview of some of the current problems arising out of the foundational inequalities writ large in the various family concepts. The third objective is to view family law not merely as a separate system of personal laws based upon religions but as the one cutting across the religious lines and eventually enabling us to fulfill the constitutional directive of uniform civil code. Such a restructuring would make the study of familial relations more meaningful.

Duration: The course will comprise of 4 credits of 60 hours duration.

Syllabus

Unit I 25%

1. Introduction
   i. Introduction-Hindu, Muslims, Christians and Parsis,
   ii. Schools of Law-Hindu Law and Muslim Law,
   iii. Migration Domicile, Residence and Problem of Conflict of Personal Laws
   iv. Concept of Marriage and Theories of Divorce,
   v. Marriages under Hindu, Muslim, Christian and Parsi Law, Dowry, Dower, Consortium, Cohabitation and Matrimonial Home

Unit II 25%

2. Matrimonial Remedies
   i. Non-judicial resolution of marital conflicts. Customary dissolution of marriage - unilateral divorce, divorce by mutual consent and other modes of dissolution.
   ii. Divorce under Muslim personal law - talaq and talaq-e-tafweez.
   iii. Judicial resolution of marital conflicts: the family court
   iv. Nullity of marriage
   v. Option of puberty
   vi. Restitution of conjugal rights
   vii. Judicial separation
   viii. Desertion: a ground for matrimonial relief
   ix. Cruelty: a ground for matrimonial relief
   x. Adultery: a ground for matrimonial relief
   xi. Other grounds for matrimonial relief
   xii. Divorce by mutual consent under: Special Marriage Act 1954;
xiii. Hindu Marriage Act 1955; Muslim law (Khula and Mubaraat).
xiv. Bar to matrimonial relief: Doctrine of strict proof - Taking advantage of one's own wrong or disability- Accessory-Connivance-Collusion-Condonation-Improper or unnecessary delay
xv. Residuary clause - no other legal ground exists for refusing the matrimonial relief.

Unit III  

3. Alimony and maintenance  
   ii. Hindu Adoption and Maintenance Act 1956.
   iii. Alimony and maintenance as an ancillary relief
   iv. Maintenance of divorced Muslim women under the Muslim Women (Protection of Rights on Divorce) Act 1986

Unit IV  

4. Child and the Family  
   i. Legitimacy
   ii. Adoption
   iii. Custody, maintenance and education

Required Reading:  
1. Hindu Law - Paras Diwan  
2. Muslim Law of India - Tahir Mahmood  
3. Paras Diwan – Family Laws

Evaluation components  
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
Objectives:

Transfer of Property Act, regulate the law relating to transfer of property by the acts of the parties. The Act provides a clear, systematic and uniform law for the transfer of immovable property. It completes the Code of Contract since it is an enacted law for transfers that take place in furtherance of a contract. With provision for inter-vivos transfers, the T P Act, 1882 provides a law parallel to the existing laws of testamentary and intestate transfers. It is not exhaustive and provides scope to apply the principles of Justice, Equity and Good Conscience if a particular case is not governed by any provision of law.

Duration: The course will comprise of 60 units of one hour duration.

Syllabus:

Unit I 25%

1. Concept and meaning of property
   i. Introduction & Meaning
   ii. Kinds of property.
   iii. Movable and Immovable property.
   iv. Tangible and Intangible property,
   v. Private and Public property.
   vi. General Principles of transfer of property,
   vii. What property cannot be transferred?
   viii. Condition retraining alienation,
   ix. Condition restraining enjoyment,
   x. Vested and contingent interest,
   xi. Condition precedent and condition subsequent,
   xii. Transfer to unborn person
   xiii. Rule against perpetuity.

Unit II 25%

2. Mortgages:
   i. Kinds of mortgages.
   ii. when registration is necessary.
   iii. Rights of mortgagor.
   iv. Right to redeem,
   v. Clog on redemption,
vi. Partial redemption,
vii. Rights and of mortgagee,
viii. Right to foreclose or sale,
ix. Right to sue for mortgage money,
x. Accession to mortgaged property,
xi. Rights of mortgages in possession,
xii. Substituted securities,
xiii. Liabilities of a mortgagee in possession,
xiv. Marshalling and contribution,
xv. subrogation - legal subrogation and conventional,
xvi. "Redeem up and foreclose down"

Unit III

3 Doctrine of election, Sale, Lease, Gifts

3.1. Doctrine of election

i. Covenants-
   ii. Transfer by ostensible owner,
   iii. Doctrine of estoppel,
   iv. Doctrine of acquiescence,
   v. Doctrine of lis pendens,
   vi. Fraudulent transfer,

3.2. Sale

i. Definition,
   ii. Contract for sale,
   iii. Rights and liabilities of seller and buyer

3.3. Lease

i. Definition,
   ii. Right and liabilities of lessor and lessee,
   iii. Kinds of leases.
   iv. Tenancy-at-will,
   v. Tenancy by-holding-over,
   vi. Tenancy-at-sufferance

3.4. Gifts

i. Definition,
   ii. Essentials,
   iii. Onerous gift,
   iv. Conditional gifts,
   v. Universal donee,
   vi. Donatio mortis causa.
   vii. Exchange of Properties,
viii. Actionable claims.

Unit IV  

4. Indian Easement Act, 1882

i. Definition,
ii. Nature and characteristics of easements,
iii. Acquisition or creation of easements,
iv. Classification or kinds of easement,
v. Termination or determination of easements,
vi. Difference between easement and licence.

Required Reading:

1. Transfer of Property Act By Mulla By Butterworths Publication.
2. Commentaries on Transfer of Property Act By Subba Rao
5. Transfer of Property by Grover.

Evaluation components

Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end university examination and 50% for continuous evaluation by the concerned course teachers.
Objectives:

(a). At the heart of the legal enterprise is the concept of law. Without a deep understanding of this concept neither legal education nor legal practice can be a purposive activity oriented towards attainment of justice in society. In fact, basic nature and purpose of law should be clear to every student and that it should be the very foundation of law teaching needs little argument. A course in jurisprudence should, primarily, induct the student into a realm of questions concerning law so that he is able to live with their perplexity or complexity and is driven to seek out answers for himself.

(b). It may not be possible that a one semester jurisprudence course can impart knowledge of doctrines about law and justice, developed over the years, in various nations and historical situations. At best an undergraduate course should impart the analytical skill and equip the student with the basic problems concerning law and the types of solutions sought. Thus, the student not only will be able to use this skill in practice but also is motivated to take up detailed historical studies on his own after the course. Since a basic idea in the designing of this course is to bring jurisprudence closer to our reality, in the selection of cases and reading materials the teacher should try to make use of the Indian material as far as possible.

Duration: The course will comprise of 60 units of one hour duration.

Syllabus:

Unit I  
Introduction to Jurisprudence and Legal Theory  
1. Introduction
   i. Meaning of the term 'jurisprudence'.
   ii. Nature & Scope of Jurisprudence
   iii. Norms and the normative system.
      a) Different types of normative systems, such as of games, languages, religious orders, unions, clubs and customary practice.
      b) Legal system as a normative order: similarities and differences of the legal system with other normative systems.

Unit II

2. Schools of Jurisprudence
2.1. Natural law

i. Classical era of Natural Law.
   a) ST Thomas Aquinas.
   b) Grotious.
   c) Hobbes.
   d) Locke.
   e) Rousseau.

ii. German Transcendental Idealism-Kant.

iii. Revival of Natural Law.
   a) Stammler.
   b) Fuller
   c) John Finnis.


2.2. Analytical positivism

i. Austin’s analytical theory of Law.


2.3. Historical School – Sir Henry Maine-Savigny.

2.4. Sociological School – Prof. Pound-Social Engineering Theory.

2.5. Economic interpretation of Law

2.6. The Bharat jurisprudence
   (i) The Ancient: the concept of ‘Dharma’,
   (ii) The Modern: PIL, social justice, compensatory jurisprudence

Unit III 25%

3 Purposes of Law & Sources of Law

3.1. Purpose of Law:
   i. Justice
   ii. Meaning and kinds
   iii. Justice and law: approaches of different schools
   iv. Power of the SC of India to do complete justice in a case: Art 142
   v. Administration of Justice: Theories of Punishment
   vi. Feminist jurisprudence

3.2. Sources of Law:
   i. Legislation
   ii. Precedents: concept of stare decisis
   iii. Customs
   iv. Juristic writings

Unit IV 25%
Legal Concepts:
4.1. Legal Rights: the Concept
   i. Rights: kinds
   ii. Right & duty correlation

4.2. Nature of personality
   i. Status of the unborn, minor, lunatic, drunken and dead persons]
   ii. Corporate personality
   iii. Dimensions of the modern legal personality: Legal personality of non-human beings

4.3. Possession: the Concept
   i. Kinds of possession

4.4. Ownership: the Concept
   i. Kinds of ownership
   ii. Difference between possession and ownership

4.5. Obligation:
   i. Nature and kinds
   ii. Sources of obligation

Required Reading:
4. V.D. Mahajann, Jurisprudence and Legal Theory (1996 re-print) , Eastern, Lucknow

Additional Reading
8. Durga Bhagvat, Early Buddhist Jurisprudence (1939)
Evaluation components

Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end university examination and 50% for continuous evaluation by the concerned course teachers.
Objectives:

This course is to be taught after the students have been made familiar with the general principles of contract. Insurance law includes all forms of insurance like fire, marine as they are the contract of indemnity except life insurance. Insurance is a special contract whereby one party promises in return for a money or money’s worth on the happening of an uncertain event more or less adverse to the interest of the insured.

It also includes Motor Vehicles Act and IRDA Act, 1999 and Consumer Laws as it operates in disputes relating to the quality of goods supplied and services rendered and in those areas relating to damage suffered by consumers. The law relating to consumer protection, lying scattered in myriad provisions of various legislation and judicial decisions in India, so connected with the human rights for a healthy life and environment, has now a core subject to be taught as an indispensable part of a socially relevant curriculum.

Duration: The course will comprise of 4 credits of 60 hours duration.

Unit 1

Law of Insurance and Life Insurance

i. Introduction of Basic Insurance and definition of Insurance
ii. Law Relating to Insurance Contract
iii. Terms Condition and Exceptions of Policy
iv. Classification, Commencement, Duration and Revival of Policy
v. Indemnity, Subrogation and Contribution
vi. Risk, Proximate Cause and Reinsurance
vii. Introduction to Life Insurance Contract
viii. Insurable Interest, Proposal and Policy of Life Insurance
ix. Non-disclosure and misrepresentation of Life Insurance
x. Representation and Warranties of Life Insurance
xi. Policy as property i.e. Assignment, Nomination of Life Insurance
xii. Claim and Title policy of Life Insurance
xiii. Judicial Interpretation (Case Laws)

Unit 2

Marine Insurance and Fire Insurance

i. Scope and Nature of Marine and Fire Insurance
ii. Insurable Interest of Marine and Fire Insurance  
iii. Disclosure and Representation of Marine Insurance  
iv. Warranties in Marine Insurance  
v. Insured Perils in Fire and Marine  
vi. Proximate Cause in Fire and Marine Insurance  
vii. Loss and abandonment in case of Marine Insurance  
viii. Measure of Indemnity in Marine Insurance  
ix. Rights of Insurer on payment in Marine Insurance  
x. Standard Fire Policy  
xi. Non-Disclosure and Misrepresentation in Fire Insurance  
ii. Judicial Interpretation (Case Laws)

Unit 3

Consumer Protection Act, 1986

i. Introduction and definitions, Salient features  
ii. Rights of Consumer  
iii. Deficiency in service  
iv. Redressal Mechanism: District Consumer Forum, State Commission National Commission and Appeal Provisions in the Supreme Court of India  
v. Judicial Interpretation (Case Laws)

Unit 4

Motor Vehicle Accident Act 1988 & IRDA Act 1999

i. Scope and Nature of Motor Insurance and Accident insurance  
ii. M.V. insurance Judicial Interpretation of essential legal parameters  
iii. Compulsory insurance of motor vehicle  
iv. Motor Accident Claim Tribunals  
v. Insurance Regulatory And Development Authority Act, 1999  
vi. Judicial Interpretation (Case Laws)

Books recommended:

i) M.N. Srinivasan  Principles of Insurance Law Publication Waddhwa & Co.Nagpur  
ii) Dr. Avtar Singh- Insurance Laws Publication Eastern Book Company

Important Cases

Kiran Singh V. Oriental Insurance Company Ltd.AIR 2001Jhar 59  
LIC of India V. Vishwanathan Verma AIR 1995 SC.189,192  
LIC of India V. Smt. Kiran Sinha AIR 1985 SC 1263  
LIC of India V. Asha Goel 2001 2 SCC 160  
Castellain V. Preston 1883 11 QBD 380  
Manifset Shipping & Co. Ltd. V. Uni-Polaris Insurance Comp. Ltd  
Pront Engineering (Singapore) Pte Ltd. V. Sturge 1996  
Pramila Malhotra V. LIC 1995 1 CPJ 371
Saushish Diamonds Ltd. National Insurance Co. Ltd. 1998 8 SCC 357
West V. Shephard 1963 2 All ER 625
Suresh Chandra V. UOI AIR 1983 All 15
State of U.P V. Vinod Kumar AIR 1984 All 344
Hunt V. Severs 1994 2 All ER 385, 389

Evaluation components

Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
Objectives:

(a) To Develop Technical Writing Skills of the students (Technical Documents, Manuals, WEB page, BLOGs, Letters / e-mails)
(b) To improve presentation skills of students.
(c) To develop behavior skills of the students.
(d) To enable them effectively utilize the latest content management approaches and systems for better organization.

Duration: The course will comprise of 60 units of one hour duration.

Syllabus:

Unit I 25%

1. Introduction to Writing and Importance of effective writing
   i. Paragraph Development,
   ii. Supporting Sentence, Authentication, and Examples
   iii. Letter Writing and Resume Making
   iv. Drafting…press notes, memo, circulars, notices, telegrams, agenda, minutes etc

Unit II 25%

2. Team Dynamics and Leadership
   i. Understanding teams and their structures
   ii. Roles and functions in a team
   iii. Group processes and procedures
   iv. Responsibilities, functions, styles of a leader
   v. Maintaining teams through effective communication

Unit III 25%

3. Negotiation Skills
   i. Definition and process
   ii. Types and Stages
   iii. Negotiation Styles
   iv. Negotiation situations
4. **Training in Group Discussion (GD) and Personal Interview (PI)**

   i. Group Discussions: Concepts and Practice;
   
   ii. effective interview techniques, mock interviews, stress interviews; review and feedback
   
   iii. Language Portfolio

**Reference books:**

1. David A McMurrey and Joanne Buckley: Handbook on Technical Writing.
5. Bill Trippe: Perspectives on Content Management.

**Evaluation components**

Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
Sardar Patel University  
B.COM., LL. B. (Hons.)  
SEMESTER 4  
Principles of Taxation- UL04CBCH01  
(4 Credits, 60 Hours)

Objectives:  
(a) To gain advanced knowledge of the provisions of direct tax laws,  
(b) To acquire the ability to apply the knowledge of the provisions of direct tax laws to various situations in actual practice.

Contents:  
I. The Income-tax Act, 1961 and Rules there under  
II. The Wealth-tax Act, 1957 and Rules there under

While covering the direct tax laws, students should familiarize themselves with considerations relevant to tax management. These may include tax considerations with regard to specific management decisions, foreign collaboration agreements, international taxation, amalgamations, tax incentives, personnel compensation plans, inter-relationship of taxation and accounting, with special reference to relevant accounting standards and other precautions to be observed to maximise tax relief. Further, they should have a basic understanding about the ethical considerations in tax management and compliance with taxation laws.

Note – If new legislations are enacted in place of the existing legislations relating to income tax and wealth tax, the syllabus will accordingly include such new legislations in the place of the existing legislations with effect from the date to be notified by the Institute.

Duration: The course will comprise of 4 credits of 60 hours duration

SYLLABUS

UNIT – I:  

1. Introduction:  
   i. Concept of Tax:  
      a. History- Background of Income tax Act, 1961  
      b. Definition: Meaning of Assessment year, Previous year, Person, Assessee, Income, Gross Total Income, Taxable income, Agricultural Income.  
   ii. Residential Status of an assessee. (Sections 4 to (theory & Problems)  
      a. Determination of residential status  
      b. Incidence of tax on residential status  
   iii. Income exempt from tax
UNIT-II

2. Determination of income under the head Salary: (SECTIONS 15 TO 17)
   i. Salary income introduction
   ii. Different form of salary
   iii. Items included in salaries
   iv. Bonus & Commission
   v. Gratuity & Pension
   vi. Allowances & Perquisites
   vii. Valuation of perquisites
   viii. Valuation of fringe benefits

UNIT-III

3. Determination of income under the head: House property, Business Profession, Capital gain, Other sources
   i. Income from House Property: (Sections 22 to 27)
   ii. Profits and Gains of Business or Profession (Computation of taxable profit under the head (sections 28, 29, 30, 31, 32, 34, 35, 36, 37 and 40).
   iii. Capital Gains: (Sections 45 to 51, 54, 54B, 54D, 54EC, 54 ED (54F and 55)
   iv. Income from other Sources: (Section 56 to 59)

UNIT-IV

4. Computation of “TOTAL INCOME”
   i. Exempted Incomes under Section 10 (applicable to Individual assessee only)
   ii. Income of other persons included in assessee Total Income: (Sections 60 to 65)
   iii. Aggregation of Income and set-off and carry-forward of losses: (Sections 66, 68, 69, 69A to 69D, 70, 71, 71A, 71B, 72, 72A, 73, 74, 74A and 75)
   iv. Deductions to be made in computing Total Income (of an Individual Assesse): u/s 80C, 80CCC, 80CCD, 80D, 80DD, 80 DDB 80E, 80G, 80QQB, 80RRB & 80U

Required Reading:
1. Vinod K. Singania: Direct Taxes Laws & Practice.(Taxmanns Publication)
2. Students’ Guide to Income Tax : Taxmann Publications Dr. V.K Singania & Dr. Monica Singania
3. Direct Tax Law by T.N. Manoharan – Snowwhite Publications(P) Ltd
5. Corporate Tax Planning : Girish Ahuja and Dr. Ravi Gupta.
   (Bharat Law House Pvt.Ltd
   Limited, Delhi

Notes:
1. Provisions of respective laws applicable as on 31st March immediately preceding the date of commencement of current academic year shall be considered.

Page 63 of 96
2. Whenever any section (included in the present syllabus) is deleted or replaced by a new section as per the amendments to be made by a Finance Act, it will automatically become a part of the syllabus and will be implemented in the relevant assessment year.

Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.

Sardar Patel University
B.COM., LL. B. (Hons.)
SEMESTER 4
Business Statistics-UL04CBCH02
(4 Credits, 60 Hours)

Objectives:
Since a basic idea in the designing of this course is to bring business statics closer to our business reality, in the selection of case study and reading materials the teacher should try to make use of the Indian material as far as possible.

Syllabus:

UNIT I
1. Correlation 25%
   i. Introduction and meaning
   ii. Co-efficient of correlation and its interpretation
   iii. Methods to study Correlation : Scatter diagram, Karl Person’s and Spearmen’s Rank Correlation

UNIT II
2. Regression 25%
   i. Introduction and meaning
   ii. Regression lines, Regression equation, Regression Co-efficient
   iii. Properties of Regression

UNIT III
3. Analysis of time series 25%
   i. Time Series : Definition, meaning, uses
   ii. Components of Time series
   iii. Methods of finding Trend
      (a). Moving Average Method (with period 3, 4 & 5 years)
      (b). Least Squares Method (Only Linear trend)
   iv. Computation of seasonal indices by simple average method
UNIT IV

4. Probability Theory
   i. Definitions of Random Experiment, Sample space, Events, Mutually exclusive events, Equally likely events, Exhaustive events, Dependent events and independent events.
   ii. Definitions of Probability.
   iii. Addition and Multiplication Theorems (without proof)

References books:
   3) S.C.Gupta: Fundamental of Statistics
   4) B.L.Agrawal : Basic Statistics
   5) Ken Blank : Business Statistics
   6) Prof H.R. Vyas : Business Statistics, B.S. Shah Prakashan

Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end university examination and 50% for continuous evaluation by the concerned course teachers.
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<td>Civil Procedure Code &amp; Limitation Act</td>
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Resource Persons (Guest Lectures): Research Scholars, Judiciary & Academia

Objectives:

The course structure is designed mainly with three objectives in view. One is to provide adequate sociological perspectives so that the basic concepts relating to family are expounded in their social setting. The next objective is to give an overview of some of the current problems arising out of the foundational inequalities writ large in the various family concepts. The third objective is to view family law not merely as a separate system of personal laws based upon religions but as the one cutting across the religious lines and eventually enabling us to fulfill the constitutional directive of uniform civil code. Such a restructuring would make the study of familial relations more meaningful.

Syllabus

Unit 1. Marriage and Kinship

i. Evolution of the institution of marriage and family.
ii. Role of religious rituals and practices in moulding the rules regulating to martial relations
iii. Types of family based upon.
iv. Lineage- patrilineal matrilineal
v. Authority structure- patriarchal and matriarchal
vi. Locations- patrilocal and matrilocal
vii. Number of conjugal units- nuclear, extended, joint and Composite.
viii. Emerging concepts: Live in relationship

Unit 2 Family and its changing Patterns and Joint Family

i. New emerging trends
ii. Working women and their impact on spousal -Relationship: composition of family, status and role of women
iii. New property concepts, such as skill and job as new forms of property
iv. Processes of social change in India: sanskritization westernization, secularization, universalization, parochialization, modernization, industrialization and urbanization
v. Mitakshara joint families
vi. Mitakshara coparcenary- formation and incidents
vii. Property under Mitakshara law- separate property and coparcenary property
viii. Davabhaga coparcenary- formation and incidents
ix. Property under Dayabhaga law.
x. Karta of the joint family- his position, powers, privileges an obligations
xi. Alienation of property- separate and coparcenary
xii. Debts – doctrines of pious obligation and antecedent debt.
Partition and re-union as well as Joint Hindu family as a social security institution and impact of Hindu Gains of Learning Act and various tax laws on it

**Unit 3 Inheritance I and Inheritance II:**

i. Hindus

ii. Historical perspective of traditional Hindu law as a background to the study of


iv. Succession to property of a Hindu male dying intestate under the Provisions of


vi. Devolution of interest in Mitakshara coparcenary with reference to the provisions of Hindu Succession Act 1956.

vii. Succession to property of a Hindu female dying intestate under the Hindu Succession Act 1956 and disqualification relating to succession

viii. General rules of succession

ix. Marumakkattayam and Aliyasantana laws governing people living in Travancore – Cochin and the districts of Malabar and South Kanara Muslims

x. Succession under Muslim Law- General rules of succession and exclusion from succession.

xi. Classification of heirs under Hanafi- Shia Law of Inheritance- Disqualifications

xii. Wills under Muslim Law

xiii. Gifts under Hindu Law

xiv. Hiba

xv. Endowments and Wakfs

xvi. Muslim Wakf

**Unit 4 Establishment of Family Courts and Uniform Civil Code**

i. Constitution, power and functions of Family Courts

ii. Connotations of the directive contained in Article 44 of the Constitution. Impediments to the formulation of the Uniform Civil Code

iii. Uniform Civil Code.

**Reference:**

3. Nandini Chavan and Qutub Jehan Kidwai, ‘Personal Law Reforms and Gender Empowerment’, Hope India
Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
Objectives:

On completion of this subject students should have developed skills of analyzing the objective of the Evidence Act and to prevent laxity and negligence in the admissibility of evidence and to introduce a full-proof and uniform rule of practice than what was previously used. The main principles which emphasize the law of evidence are- evidence must be confined to the matter in issue, hearsay evidence is no evidence and hence it must not be admitted, best evidence must be given in all cases, The Indian Evidence Act has no application to enquiries by Tribunals, even though they may be judicial in nature. The Law only requires that rules of Natural Justice must be maintained at the time of conducting enquiries and in an event when such rules have been adhered to, the decisions of the Tribunals are not liable to be challenged.

Unit – I: Nature and Functions of the Law of Evidence

i. The Central Conceptions in Law of Evidence.
ii. Definition of Judicial Proceedings, Evidence
iii. Classifications of Evidence, Proved, Disproved, Not Proved
v. Appreciation of Evidence
vi. Presumptions, May Presume, Shall Presume and Conclusive Proof
vii. Motive, Preparation and Previous or Subsequent Conduct
viii. Facts necessary, Identification Parade, Facts not relevant become relevant, Alibi
ix. Conspiracy, Damages, Right to Custom, State of mind
x. Similar Occurrences.

Unit – II: Admissions and Confessions

i. Admissions
ii. Proof of Admissions against persons making them
iii. Non admission of Confession
iv. Judicial and Extra judicial Confession
v. Confession to Police Officers
vi. Retracted Confession
vii. Admissible Confessions
viii. Confession to Co-Accused

Unit-III: Judgments and Burden of Proof

i. Judgments of Courts of Justice when relevant
ii. Fraud in obtaining judgment, Judgement in Rem and Personam
iv. Opinion as to Handwriting, Existence of right or custom, Usages, Tenents, Opinion on Relationship.
v. Relevancy of Character, Facts which need not be proved.
vi. Oral Evidence and hearsay evidence, Documentary evidence, Primary and secondary, Public and Private Documents
vii. Presumption of Documents, Ancient Documents
viii. Estoppels of Oral Evidence by Documentary Evidence, Ambiguous Documents
ix. Burden of Proof, Life and Death, Proving Relationship.
x. Presumption of Legitimacy, Abetment of Suicide, Dowry death
xi. Presume, Presumption as to absence of Consent in certain Prosecution of Rape

Unit – IV: Examination of Witnesses
i. The Witnesses
ii. Privileged Communications, Privilege of Judges and Magistrates, Communication during marriage
iii. State Privilege, privilege to Police Officer and Revenue officers, Privilege to Professional Communication
iv. Privilege to produce Title deeds, Electronic records
v. Criminating Answers, Accomplice
vi. Production and Examination of Witnesses
vii. Leading Questions, Procedure in asking Questions
viii. Evidence as matters in writing
ix. Hostile Witnesses, Impeaching credit of Witness
x. Corroborative Evidence, Refreshing Memory, Production of Documents
xi. Power of Judge to put questions or order production
xii. Improper Admission and rejection of evidence.

Text books:
1. Rattan Lal Dheeraj Lal – Evidence
2. Avtar Singh – Evidence
3. Monir – Evidence

Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
Administrative Law UL05CBLH03
Resource Persons (Guest Lectures): Research Scholars, Judiciary & Academia

Objectives:

On completion of this subject students should have developed skills of analyzing the law that governs the activities of administrative agencies of Government. Government agency action includes rule making, adjudication, or the enforcement of a specific regulatory agenda. Administrative law is considered a branch of public law. The decision-making of administrative units of government (for example, tribunals, boards or commissions) that are part of a national regulatory scheme in such areas as police law, international trade, manufacturing, the environment, taxation, broadcasting, immigration and transport. The students of law shall be aware of various aspects of administrative law including quasi-legislative, quasi-judicial and other ministerial functions of administration and control thereof.

Unit – I: Evolution and Scope of Administrative Law

Nature, Scope and Development of Administrative Law
Rule of law and Administrative Law
Separation of powers and its relevance
Relationship between Constitutional law and Administrative Law
Classification of functions of Administration

Unit – II:

A. Classification of Administrative Action.

i. Administrative Process or administrative action.

ii. Legislative and judicial function: Distinction.

iii. Legislative and executive function: Distinction.

iv. Administrative and quasi-judicial function: Distinction.

v. Licensing & Public inquires: Distinction.

B. Legislative Functions of Administration & Delegated legislation

Administrative authorities and delegation of powers
Judicial control of administrative discretions
Nature, Types, advantage & disadvantages of delegated Legislations
Judicial control & publication of delegated Legislations.
Parliamentary control over delegated legislation

Unit-III: Administrative Tribunals & Judicial Control & Ombudsmen
Need for devolution of adjudicatory authority on administration
Nature of tribunals – Constitution, powers, procedures, rules of evidence
Administrative Tribunals
Principles of Natural Justice
Jurisdiction of High Courts and Supreme Courts over administrative Tribunals.
Alternative Remedy & Delay.
Ex turpi causa non oritur actio and uberrimae fidei
Concept of Ombudsmen in India.
Appointment, tenure & functions of Lokpal & Lokayukata
Constitutional set up and the office of Lokpal & Lokayukata

Unit – IV: Writs, Liability of Government in torts and Contract & Public Corporations

Writs in particular Habeas Corpus,
Mandamus,
Prohibition,
Certiorari
Quo warranto.
Contractual Liability of Government.
Vicarious Liability of State.
Act of State.
Suits against Government
Public Corporations ie; Government undertaking,
 Constitutional Position
Parliamentary Control
Instances of Public Corporations.

Text books:
1. Lectures on Administrative Law – C.K. Takwani

References:
1. Administrative Law – Wade
3. Administrative Law – S.P. Sathe

Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
Sardar Patel University
B.COM., LL. B. (Hons.)
SEMESTER V
CIVIL PROCEDURE CODE AND LIMITATION ACT- UL05CBLH04
(4 Credits, 60 Hours)

Resource Persons (Guest Lectures): Research Scholars, Judiciary & Academia

Objective:

Civil Procedure Code is a subject of daily use by the courts and lawyers and a student cannot afford to have scant knowledge of civil procedure when he goes out to practise as a lawyer. True that it is through experience one gets expert knowledge of civil procedure. However, it is necessary to have good grounding in the subject before one enters the profession. While the substantive law determines the rights of parties, procedural law sets down the norms for enforcement. Whenever civil rights of persons are affected by action, judicial decisions will supply the omissions in the law.

The Code of Civil Procedure in India has a chequered history and lays down the details of procedure for redressal of civil rights. Many questions may prop up when one goes to indicate one's civil rights. The court where the suit is to be filed, the essential forms and procedure for institution of suit, the documents in support and against, evidence taking and trial, dimensions of an interim order, the peculiar nature of the suits, the complexities of executing a decree and provisions for appeal and revision are all matters which a lawyer for any side is to be familiar with.

A delay in filing the suit, besides indicating the negligence of the plaintiff in effectively agitating the matter on time, may place courts in a precarious situation. They may not be in a position to appreciate the evidence correctly. Evidence might have been obliterated. Hence, the statute of limitation fixes a period within which a case has to be filed.

Duration: The course will comprise of 4 credits of 45 hours duration.

Syllabus

Unit I Introduction and concepts

i. Introduction and Concepts
ii. Affidavit, order, judgement, decree, plaint, restitution, execution, decree-holder,
iii. judgment-debter, mesne profits, written statement.
iv. Distinction between decree and judgment and between decree and order.
v. Jurisdiction
vi. Kinds
vii. Hierarchy of courts
viii. Suit of civil nature - scope and limits
ix. Res-subjudice and Res judicata
x. Foreign judgment - enforcement
xi. Place of suing
xii. Institution of suit
xiii. Parties to suit: joinder, mis-joinder or non-joinder of parties: representative suit.
xiv. Frame of suit: cause of action
xv. Summons, Pleadings
xvi. Rules of pleading, signing and verification.
xvii. Alternative and inconsistent pleadings
xviii. Construction of pleadings
xix. Plaint: particulars
xx. Admission, return and rejection
xxi. Written statement: particulars, rules of evidence
xxii. Set off and counter claim: distinction
xxiii. Discovery, inspection and production of documents.
xxiv. Interrogatories
xxv. Privileged documents
xxvi. Affidavits

Unit II Appearance, Attachments, Sale, Suits

i. Appearance, examination and trial
ii. Appearance
iii. Ex-parte procedure
iv. Summary and attendance of witnesses
v. Trial
vi. Adjournments
vii. Interim orders: commission, arrest or attachment before judgment, injunction and appointment of receiver and interest and costs
viii. Execution
ix. The concept
x. General principles
xi. Power for execution of decrees
xii. Procedure for execution (ss. 52-54)
xiii. Enforcement, arrest and detection (ss. 55-59)
xiv. Attachment (ss. 60-64)
xv. Sale (ss. 65-97)
xvi. Delivery of property
xvii. Stay of execution
xviii. Suits in particular cases
xix. By or against government (ss. 79-82)
xx. By aliens and by or against foreign rulers or ambassadors (ss. 83-87A)
xxi. Public nuisance (ss. 91-93)
xxii. Suits by or against firm
xxiii. Suits in forma pauperis
xxiv. Mortgages
xxv. Interpleader suits
xxvi. Suits relating to public charities
Unit III Appeals

i. Appeals
ii. Appeals from original decree
iii. Appeals from appellate decree
iv. Appeals from orders
v. General provisions relating to appeal
vi. Appeal to the Supreme Court
vii. Review, reference and revision
viii. Miscellaneous
ix. Transfer of cases
x. Restitution
xi. Caveat
xii. Inherent powers of courts
xiii. Law reform: Law Commission on Civil Procedure- amendments

Unit IV Law of Limitation

i. Law of Limitation
ii. The concept - the law assists the vigilant and not those who sleep over the rights.
iii. Object
iv. Distinction with latches, acquiescence, prescription.
v. Extension and suspension of limitation
vi. Sufficient cause for not filing the proceedings
vii. Illness
viii. Mistaken legal advise
ix. Mistaken view of law
x. Imprisonment
xi. Defective vakalatnama
xii. Legal liabilities
xiii. Foreign rule of limitation: contract entered into under a foreign law
xiv. Acknowledgement - essential requisites
xv. Continuing tort and continuing breach of contract.

References:

Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
Sardar Patel University  
B.COM., LL. B. (Hons.)  
SEMESTER V  
PRACTICALS – II- UL05CBLH05  
(4 Credits, 60 Hours)

**Resource Persons** (Guest Lectures): Research Scholars, Judiciary & Academia

**Objective of the course:**

This course is to be taught for the better understanding the judicial systems of the land. The students will be taught in classroom as well as court. The basic activities happening in the Labour Courts & Family Courts will be taught and for the students will have to go to court compulsorily and to make a note of the things happening in the courts. The students shall be aware about the Prison as well as Juvenile homes where the prisoners and under trials and the juvenile are kept for the better understanding of the criminal law system in India. The same shall be reduced in writing in the ledger exclusively provided for the same. There will be periodical assessment of the ledger and at the end of the course the Viva will be taken by the external examiner. Practical I will be first step for the law students to understand the basic things happening in the court with emphasis on the stages & the activity happening in the court. This course also shall provide an insight into the justification for statutory provisions of Court activity.

**Unit I Visits to various Authorities and courts**

i. Visit to Police Station  
   a) Crime 1 day  
   b) Civil 1 day  

ii. Visit to Consumer Courts Anand 3 days.  

iii. Visit to Labour Courts Anand 2 Full days.  

iv. Visit to Family Courts Anand 3 Full days.  

v. Visit to Prison Ahmadabad 1 Full day.  

vi. Visit to Juvenile Home Ahmadabad 1 Full day.  

vii. Ledger writing about all the visits.  

**Unit II**

i. Viva Voice (University)

**Evaluation components**
Maximum marks allotted for the paper is 100 out of which 50% is allotted for Practical Records and 50% for Viva-Voice from the external panel members.
Objective:

The development of modern accountancy and the growth of auditing profession in India and indeed, in the world as a whole must be seen in the context of the enormous expansion of the industry, trade and commerce which has taken place in the last decade. The auditing profession is now going beyond the duties prescribed by the companies act. At present the scope of audit is not restricted to only financial audit under the companies Act but has been extended to other fields such as cost accounts, managerial policies, system application etc. In the light of the above, the objective of this syllabus is to develop the accounting knowledge, apply modern tool and techniques of auditing and its application in different fields and also to develop practical knowledge of auditing.

Duration: 60hours

Syllabus

UNIT-1: Introduction to Auditing

i. Origin and evolution
ii. Definition, Meaning, Features of auditing
iii. Objectives of auditing, Advantages and Disadvantages of auditing
iv. Classification of Auditing
v. Preparatory Steps before commencement of auditing
vi. Principles and techniques of auditing
vii. Techniques and Procedure of Auditing
viii. Detection and prevention of errors and frauds

UNIT –II: Internal Control, Internal Check And Internal Audit

i. Meaning, characteristics, Internal check, Internal audit and Internal control
ii. Auditors duties regarding internal check and internal audit
iii. Concepts, objectives and importance of vouching
iv. Vouching and verification
v. Vouching and routine checking
vi. Meaning of Verification and valuation of assets and liabilities
vii. Difference between verification and vouching
viii. Depreciation, Reserves and Provisions

UNIT – III: INVESTIGATION

i. Meaning definition and objectives of investigation
ii. Difference between investigation and auditing
iii. Points to be considered while conducting the investigation
iv. Duties of investigator
v. Investigation report
vi. Qualities of investigator
vii. Legal views regarding investigation

UNIT –IV: COMPANY AUDIT, NEW AREAS OF AUDITING AND SPECIAL AUDIT

i. Preliminaries before commencement of company audit
ii. Audit of share capital transactions
iii. Special provisions for Accounts in companies Act
iv. Company Auditors
v. Special Auditor
vi. Branch Auditor
vii. Legal view on auditors liability
viii. Cost audit, management audit, human resource audit, operational audit
ix. Forecast audit, social audit, tax audit, forensic audit, environmental audit
x. Special audit

Reference:
1. Auditing Principles and Techniques, S.K. Basu (Pearson Education)
2. Fundamentals of Auditing, Kamal Gupta
3. Auditing Principles and Practice, S.D.Sharma, (Taxmann’s Publication)
4. Description of Auditing: Principles and Practice, Ravinder Kumar & Virender Sharma (Prentice Hall India)

Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
Resource Persons (Guest Lectures): Academia

Objectives: To acquaint students with emerging issues in business at national and international level in the light of New economic policies.

Unit I: An Overview of Business Environment:


Unit II: Indian Business Environment:

Concept, components and importance. Economic Trends : Income; Savings and investment; Industry; Trade and Balance of Payments, Money ; Finance ; Prices. Problems of Growth: Unemployment; Poverty; Regional imbalances; Social injustice; Inflation, Parallel economy; Industrial sickness.

Unit III: Role of Government:

Monetary and fiscal policy; Industrial licensing, Privatization; Devaluation; Export-import policy; Regulation of foreign investment; Collaborations in the light of recent changes. Industrial Pollicy : Industrial Policies since Independence, New Industrial Policy and its Effect.

Unit IV: International Business Environment:

International trading environment; Trends in world trade and the problems of developing countries; Foreign trade and economic growth; International economic groupings; International economic institutions – GATT, WTO, UNCTAD, World Bank, IMF; GSP; GSTP.

Suggested Readings:

2. P. Chidambaram, Business Environment, Vikas Publishing
3. Dutt R and Sundharam KPM, Indian Economy, S. Chand
5. Suresh Bedi, Business Environment, Excel Books

components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
SARDAR PATEL UNIVERSITY  
FACULTY OF LAW  

INTEGRATED DEGREE OF BACHELOR ARTS/COMMERCE/BUSINESS ADMINISTRATION & LAW  

B.Com, LL.B.(HONS.) Programme  
Semester - VI  
Under Choice Based Credit System  
(Five years - 10 Semester integrated Program)

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Objective:

The criminal process involves increasing expenditure of government resources. At the same time it confronts a crisis of intrusion into individual rights in order to protect the common weal. Obviously, criminal procedure has to be just, fair and reasonable to the accused as well as to the victims.

Undoubtedly the process is to be carried out in an objective manner. Criminal procedure, thus, makes a balance of conflicting interests. This imposes a duty upon those connected with the working of the criminal process to abide by the law and to exercise discretion conferred on them in the best manner. Code of Criminal Procedure, originally enacted years ago, had undergone many trials and experiments, too enormous to be placed within a class room discussion. However, the students should obtain a fair idea how the code works as the main spring of the criminal justice delivery system and should be exposed to the significant riddles of the procedure.

Juvenile justice and probation of offenders are combined with the study of criminal procedure.

Unit 1 Introduction

i. Preliminary and Constitution of Criminal Courts and Offices
ii. Powers of Court- Powers of Superior Officers of Police- Aid to the Magistrate and the Police
iii. Arrest of Persons
iv. Processes to Compel Appearance
v. Warrant of Arrest
vi. Proclamation and attachment
vii. Other rules regarding processes
viii. Process to Compel the Production of Things
ix. Summons to produce

Unit 2 Search Warrant and Summary Trials

i. Search- warrant
ii. General Provisions relating to searches
iii. Miscellaneous
iv. Reciprocal Arrangements for Assistance in Certain matters and procedure for attachment and forfeiture of property
v. Security of keeping the peace and for good behaviour
vi. Order for maintenance of wives, children and parents
vii. Maintenance of Public Order and Tranquillity
viii. Public nuisances
ix. Urgent cases of nuisance or apprehended danger
x. Dispute as to immovable property
xi. Preventive action of the Police
xii. Information to the Police and their powers to investigate
xiii. Jurisdiction of the Criminal Courts in Inquiries and Trials
xiv. Condition Requisite for Initiation of Proceedings
xv. Trial of Summons- Cases by Magistrates
xvi. Summary Trials

Unit 3 Plea bargaining

i. Plea Bargaining
ii. Attendance of Persons confined or detained in Prison
iii. Evidence in Inquiries and Trials- Mode of taking and recording evidence-
iv. Commission for the examination of witnesses
v. General provisions as to inquiries and trials
vi. Provisions as to accused persons of unsound mind
vii. Provision as to offences affecting administration of Justice

Unit 4 Judgement

i. Submission of Death sentence for confirmation
ii. Suspension, remission and commutation of sentences
iii. Provision as to Bail and Bonds
iv. Disposal of Property
v. Irregular proceedings
vi. Limitation for taking cognizance of certain offences
vii. Miscellaneous

References:
- Princip's, Commentaries on the Code of Criminal Procedure, 2 vol.(2000) Universal

Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
In this course, the students are to be acquainted with the Industrial relations framework in our country. Further, the importance of the maintenance of Industrial peace and efforts to reduce the incidence of Strikes and Lockout and Industrial Strike are to be emphasised. The main theme underlying the Programme is to critically examine the provisions in the Trade Unions Act, 1926; the machineries contemplated under the provisions of the Industrial Disputes Act for the prevention and settlement of Industrial Disputes. Further, the objectives underlying the Industrial Employment (Standing Orders) Act, 1946 and Disciplinary Enquiry for Misconduct are to be studied with a view to acquaint misconduct and the procedure to be followed before imposing punishment for misconduct alleged and established. Further, the students are to be acquainted with Social Security Framework prevailing in our Country. It is necessary to know the concept of social security, its importance and also constitutional basis for the same in India. The importance of ensuring the health, safety and welfare of the workmen and social assistance and social Insurance Schemes under various legislations are to be emphasised. The main theme underlying the Programme is to critically examine the provisions in the Employee’s Compensation Act, 1923, the machinery provided for protecting the interests of workers. Further, the objectives underlying the Factories Act, 1948, are to be studied with a view to acquaint the students with various rights and benefits available to the workmen under the legislations.

Unit – I: Trade Unions and Collective Bargaining

i. Trade Unionism in India
ii. Definition of trade union and trade dispute
iii. Registration of trade unions
iv. Legal status of registered trade union
v. Mode of registration
vi. Powers and duties of Registrar
vii. Cancellation and dissolution of trade union
viii. Procedure for change of name
ix. Amalgamation and dissolution of trade union
x. Disqualifications of office-bearers, Right and duties of office-bearers and members
xi. General and Political funds of trade union
xii. Civil and Criminal Immunities of Registered trade unions
xiii. Recognition of trade union Collective bargaining

Unit – II: Standing Orders Act & Industrial Disputes Act

i. Concept and nature of standing orders
ii. Certification process, Posting of standing orders
iii. Modification and temporary application of model Standing Orders  
iv. Interpretation and enforcement of Standing Orders  
v. Penalties and procedure  
vi. Industrial dispute and individual dispute  
vii. Definitions, Arena of interaction and Participants– Industry, workman and employer  
viii. Settlement of industrial dispute  
ix. Unfair Labour Practice  
x. Concept of strike & Lock-out  
xi. i. Concept of Lay off & Retrenchment  
xii. Disciplinary action and domestic enquiry  

**Unit – III: Factories Act**  
i. Concept of “factory”, “manufacturing process” “worker” and “occupier”  
ii. General duties of occupier  
iii. Measures to be taken in factories for health, safety and welfare of workers  
iv. Working hours of adults  
v. Employment of young person and children  
vi. Hazardous Process  
vii. Annual leave with wages  
viii. Additional provisions regulating employment of women in factory  

**Unit – IV: Payment of Wages Act, Minimum Wages Act and Employees compensation Act**  
i. Definition of wage, Object, scope and application of the Act  
ii. Fixation of wage period, time of payment of wage  
iii. Deductions which may be made from wages, maximum amount of deduction  
iv. Concept of minimum wage, fair wage, living wage and need based minimum wage  
v. Constitutional validity of the Minimum wages Act, 1948  
vi. Procedure for fixation and revision of minimum wages  
vii. Fixation of minimum rates of wage by time rate or by piece rate  
viii. Definition of dependant, workman, partial disablement and total disablement  
ix. Employer’s liability for compensation, Scope of arising out of and in the course of employment  
x. Doctrine of notional extension, When employer is not liable  
xii. Employer’s Liability when contract or is engaged  
xiii. Amount of compensation  
xiv. Procedure in proceedings before Commissioner  

Text books:  

References:  
1. O.P. Malhotra, Industrial Disputes Act, Vol. I & II
Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.

Sardar Patel University
B.COM., LL. B. (Hons.)
SEMESTER VI
INTELLECTUAL PROPERTY RIGHTS- UL06CBLH03
(4 Credits, 60 Hours)

Resource Persons (Guest Lectures): Research Scholars, Judiciary & Academia

Objectives:
The importance of this branch of the law is to be sufficiently realized in the Indian legal education. Compendious courses on the law of copyright, trademarks and patents are offered in few law schools as optional courses, but these do not either integrate the significance of these subject matters under any comprehensive aspect of ‘modernization’ or ‘development’ nor do they spread even emphasis between and among the subject areas represented by these three interconnected bodies of the law. The three areas are now internationally conceptualized as representing intellectual property. It is often the case that while the law of patents and trademarks is referred to as industrial property, the law relating to copyright is named intellectual property. While both these terms could be suitably invoked, we here speak of intellectual property as signifying all the three bodies of the law as well as the law on industrial designs.

Unlike other forms of property, intellectual property refers to regimes of legal recognition of, primarily, the products of the mind or imagination. The subject matter of property relations is here preeminently based on mental labour. The law relating to intellectual property protects the right to mental labour.

The law confers rights of proprietary nature on relative intellectual labour primarily on the basis that it is in the interests of society and state to promote creativeness and inventiveness. Limited monopoly provides incentive for greater inventive and innovative efforts in society. An important aspect of the exploration in this course would be the ways in which the laws strike a fair balance between the interests and rights of the intellectual labourers on the one hand and organized industrial enterprises on the other. Another dimension is a study of the ways in which this regime of laws militates against, or favours, community property in national cultures.

Syllabus

Unit 1 Introduction

i. Legal concept of Property
ii. Introduction to Intellectual property
iii. International Regimes of Intellectual Property Rights
Unit 2 Copyrights

i. Law Relating to Copyrights in India
ii. Subject matter of Copyright protection
iii. Copyright law in India
iv. Ownership of Copyright and Rights of the owner
v. Rights of owners of copyrights
vi. Term of Copyright
vii. Authorities and Institutions under the Copyright Act
viii. Infringement of Copyright
ix. Remedies Against Infringement of Copyright

Unit 3 Patents

i. Law Relating to Patents in India
ii. Evolution of Patent Law
iii. Salient Features of Patent
iv. Product patenting of Drugs and Pharmaceuticals in India- Impact of TRIPS Agreement
v. Acquisition of Patent
vi. Rights of Patentee and Others
vii. Transfer of the Patent Rights
viii. Surrender and Revocation of Patents
ix. Infringement of Patents
x. Exclusive Marketing Rights

Unit 4 Trademark and Designs

i. An overview of the Patent Law in India
ii. Law Relating to Trade Marks
iii. Service Marks, Certification Marks Collective Marks and Well Known Trade Marks
iv. The Trade Marks Legislation in India
v. Procedure for Acquisition of Registered Trade Mark
vi. Distinctiveness of Trade Mark
vii. Distinct Marks
viii. Deceptive Similarity
ix. The Register and Conditions for Registration
x. Rights Conferred by Registration of Trade Mark
xi. Remedies for Infringement of Trade Marks
xii. Subject matter of Trade Marks
xiii. Passing – Off Action
xiv. Law Relating to Designs in India
xv. Definition of Design
xvi. Essentials of Design
xvii. Registration of Design
xviii. Rights granted to Design Holder
xix. Infringement of Design
xx. Layout- designs of Integrated Circuits
xxi. Intellectual Property Rights and Other Emerging Areas
xxii. Geographical indications protection
xxiii. Debate on microorganisms and patentability
xxiv. Protection of new varieties of plants traditional knowledge- protection under the law

Text References:
• Dr. G.B. Reddy’s Intellectual Property Rights and the Law- Gogia Law Agency
• P. Narayan Intellectual Property Law, Eastern Law House

Case References:
Angath Arts Pvt.Ltd. V Century Communications Ltd and another AIR 2009 Bom. 26
B. Kishore Jain V. Navratna Khazana Jewellers 2009 (2) R.A.J. 80 (Mad)
Chancellor Maslers and Scholars of the University of Oxford V. Narenddia Publishing
House 2009 (2) R.A. J.210 (Del.)

Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
Sardar Patel University
B.COM., LL. B. (Hons.)
SEMESTER VI
CRIMIOLOGY, PENOLOGY, VICTIMOLOGY JUVINILE JUSTIE & PROBATION
OF OFFENDERS ACT- UL06CBLH04
(4 Credits, 60 Hours)

Resource Persons (Guest Lectures): Research Scholars, Judiciary & Academia

Objectives

On completion of this subject students should have developed skills of analysis, evaluation and synthesis in cost and management accounting and, in the process, created an awareness of current developments and issue in the area. The subject covers the complex modern industrial organizations within which the various facets of decision-making and controlling operations take place; the subject includes discussion of costing systems and activity based costing, activity management, and implementation issues in modern costing systems.

Unit I. Criminology

i. Definition, Nature and scope of criminology
ii. Schools of Criminology, Classical, Positive, Typological, Socialistic, Sociological, Anthropological and Multiple Factors School
iii. The concept of crime, types and classification
iv. Causes of crime, Social, Economical, Physical, Mental, Geographical, Political causes.
 v. Female delinquency
vi. Prostitution
vii. Crime against women
viii. Suicide

Unit II. Penology

i. Definition, Nature and scope of Penology
ii. Characteristics and Schools
iii. Theories of punishment
iv. Kinds of Punishments
v. Capital Punishment
vi. Prison and Prison Reforms
vii. Classification of Prisoners, Prison Discipline
viii. Police, Investigation, Role of Police, Cognizable and Non- cognizable Offences
ix. Courts, Hierarchy of Criminal Courts
x. Inquiry and Trials
xi. Role of Judiciary on incubate Crimes.

Unit III. Victimology

i. Introduction, History, Philosophy and Concept of Victimology
ii. Rights of the Victims
iii. Theories of Victimology
iv. TUN General Assembly Declaration – Justice for Victim and Abuse of Power
v. Victimology and Compensation Indian Experience
vi. Victimology - European Experience
vii. Victimology – American Experience
viii. World Society of Victimology
ix. Victim and Witness Assistance Programmes
x. Restitution and Victim Compensation
xi. Role of Courts and National Human Rights Commission.

Unit IV Juvenile Justice Act and Probation of Offenders Act

i. Juvenile delinquency
ii. Nature and magnitude of the problem
iii. Causes
iv. Juvenile court system
v. Treatment and rehabilitation of juveniles
vi. Juveniles and adult crime
vii. Legislative and judicial protection of juvenile offender
viii. Probation
ix. Probation of offenders law
x. The judicial attitude
xi. Mechanism of probation : standards of probation services.
xii. Problems and prospects of probation
xiii. The suspended sentence
xiv. Reform of criminal procedure

Recommended books and readings
1. Siddique Ahmed, Criminology
2. Sethna M J, Society and the Criminal
3. Sirohi J P S, Criminology and Criminal Administration
4. Paranjape N V, Criminology and Penology
5. Mehta Rohinton, Crime and Criminology
6. Sutherland E H, and Cressy D R, Principles of Criminology
7. Sutherland E H, White Collar Crime
8. Reckless W C. The Crime Problem
9. Bhudhan Vidya, Prison System in India
10. Mulla Committee Report

Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
Resource Persons (Guest Lectures): Research Scholars, Judiciary & Academia

Objective of the course:

This course is to be taught for the better understanding of Higher judicial systems of the state. The students will be taught in classroom as well as court. The basic activities happening in the High Courts & State Consumer Forums will be taught and the students will have to go to court compulsorily and to make a note of the things happening in the courts. The same shall be reduced in writing in the ledger exclusively provided for the same. There will be periodical assessment of the ledger and at the end of the course the Viva will be taken by the external examiner. Practical III will be first step for the law students to understand the basic things happening in the High court with emphasis on the stages & the activity happening in the court. This course also shall provide an insight into the justification for statutory provisions of Court activity.

Unit I Visits to various Authorities
i. Visit to High Court of Gujarat.
ii. Visit to State Consumer Forum.
iii. Ledger writing about all the visits.

Unit II

Viva Voice (University)

Evaluation components
Maximum marks allotted for the paper is 100 out of which 50% is allotted for Practical Records and 50% for Viva-Voice from the external panel members.
Objective: On completion of this subject students should have developed skills of analysis, evaluation and synthesis in cost and management accounting and, in the process, created an awareness of current developments and issues in the area. The subject covers the complex modern industrial organizations within which the various facets of decision-making and controlling operations take place; the subject includes discussion of costing systems and activity-based costing, activity management, and implementation issues in modern costing systems.

UNIT-1: Introduction To Cost Accounting And Material Cost

i. Meaning of cost, costing and cost accounting
ii. Objective, functions, Advantages and limitations of cost accounting
iii. Financial Accounting and Cost accounting
iv. Methods and techniques of costing
v. Essentials of good cost accounting system
vi. Meaning and importance of material control
vii. Techniques of inventory control
   a. Economic order quantity
   b. Stock levels – Minimum, maximum and reorder levels
   c. Methods of pricing (LIFO, FIFO, Weighted average)

UNIT-2 Overhead Cost And Unit Costing

i. Meaning of overheads- Classification of overheads cost
ii. Allocation, Apportionment and Absorption of overheads.
iii. Costing procedure
iv. Preparation of cost sheet
v. Treatment of stock
vi. Cost sheet (Example)

Unit-3 Management Accounting And Analysis Of Financial Statement

i. Characteristics and nature of Management Accounting
ii. Meaning of financial Statements
iii. Principal tools of Analysis
iv. Comparative financial Statements
v. Common-size financial statements
vi. Ratio- Analysis
UNIT-4 Marginal Costing And Cost-Volume-Profit Analysis

i. Meaning, characteristics, advantages and disadvantage of Marginal costing
ii. Cost volume profit analysis, break even analysis, Marginal costing equation
iii. Profit volume ratio,
iv. Margin of safety
v. key factor
vi. Break-even analysis

Reference:
2. Cost Accounting M.N.Arora. (Vikas Publication)

Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.
Resource Persons (Guest Lectures): Academia

Objectives: To acquaint the students with the basic structure of financial institutions and markets and their operations in India. The course also aims at exposing the students to new financial instruments and their implications in the existing regulatory framework.

Unit I: Financial System:

Introduction, components, structure, features of Indian Financial system, deficiencies and recent development

Unit II:

Financial Markets:

Concepts, nature, features, functions, structure types, role of financial markets in Economics development

Unit III:

Financial Institutions:

Major Indian Financial Institution – IDBI, IFCI, ICICI, IRCI, SG’s- management working operations and performance and recent development

Investment Bankers: UTI, LIC, GIC and Mutual funds and their role, investment policy performance and recent development.

Unit IV:

Non-Banking Financial Institutions:

Objectives, Functioning, Regulations, and Recent Development, Thrift and Credit Institutions.

Suggested Readings:-


Maximum marks allotted for the paper is 100 out of which 50% is allotted for semester end examination and 50% for continuous evaluation by the concerned course teachers.