

RANI DURGA VA TI VISHW A VIDY ALA Y A. JABALPUR
SCHEME & SYLLABUS PRESCRIBED FOR THE DEGREE OF

BACHELOR
OF LAW LL.B. - V SEM
(COMPULSORY PAPERS)



Fifth Semester

		Maximum Mark	Minimum Marks
Paper-I	Code of Civil Procedure and Limitation Act-I	100	36
Paper-II	Family Law-II	100	36
Paper-III	Company Law and Indian Partnership Act.	100	36
Paper-IV	Legislative Drafting & Interpretation Statutes	100	36
Paper-V	Law of Taxation	100	36
Paper-VI	Criminology, Penology and Criminal Administration	100	36



PAPER-I
CODE OF CIVIL PROCEDURE 1908

Max. Marks -100

Min. Marks - 36

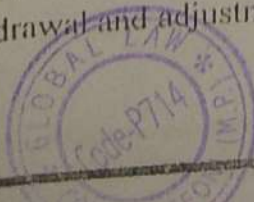
The details of syllabus of this papers are as under :-

Section A

- 1 History of the code, Title Extent and Commencement.
- 2 Definitions (S- 2)
- 3 General Provisions Regarding to subordination of Courts and Application of the Code (S- 3-8)
- 4 Jurisdiction of the Courts (S- 9)
- 5 Res Subjudice (S -10)
- 6 Res Judicata (S-11)
- 7 Bar to further suit (S-12)
- 8 Foreign Judgment (S 13-14)
- 9 Place of Suing (S 15-21)
- 10 Transfer of Suits (S 22-25)
- 11 Institution and Parties of Suits (S- 26) (0- 1 & 4)
- 12 Frame of Suit (0- 2)
- 13 Summons (S -27-32) (0-5,16 & 16 A)
- 14 Pleadings Generally (0-6)
- 15 Plaint (0-7)
- 16 Written statement set off & Counter -Claim) (0-8)

Section -B

- 17 Appearance of Parties and Consequence of non-appearance (0-9)
- 18 Examination of the parties by the court (0-10)
- 19 Discovery, interrogatories and Inspection (0-11)
- 20 Admissions (0-12)
- 21 Production, Impounding and Return of documents (0-13)
- 22 Settlement of Issues (0-14)
- 23 Disposal of Suit at the First hearing (0-15)
- 24 Adjournment (0-17)
- 25 Hearing of the suit and examination of witness (0-18 & S- 13 8)
- 26 Affidavit (0-19 & S -30 & 139)
- 27 Judgment and Decree (0-20 S-33)
- 28 Interest and costs (S. 34,35 A, 35-B) (0-20A & 25)
- 29 Execution of decrees and orders (S-36-74 and 0-21)
- 30 Death, Marriage and insolvency of Parties (0-22)
- 31 Withdrawal and adjustment of suits and payment into court (0-23 & 24)



Section - C

Prescribe Cases

1. State Vs. Administrator, AIR 1972, SC 719.
2. Hindustan Aeronautics Vs. Ajit Prasad, AIR 1973, SC 76.
3. Kiran Singh & Others Vs. Chaman pesharan and others, AIR 1954 SC 340.
4. P.G.H. Patil Vs. R.S. Patil & others AIR 1957 SC 363.
5. Mathura Prasad Vs. Dassi Bai, AIR 1971 SC 2355.

BOOK RECOMMENDED: (Latest editions of all books)

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



PAPER-II
FAMILY LAW - II

Max. Marks -100
Min.Marks - 36

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

Law Relating to Hindus

Section -A

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

Section -B

Section: Law Relating to Muslim Law

10. Gifts
11. Wills
12. Preemption.
13. Death, Bed illness transactions.
14. Muslim Law of Succession and inheritance
15. The Administration of Estates of deceased persons property.

Section: Indian Succession Act, 1925:

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

Section -C

Right of the Child:

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

Notable Cases:

1. Union of India V s Shree Ram Bohra and others, AIR 1965 SC 1531.
2. Brij Narayan Vs Mangala Prasad, 1924,51 LA. 139
3. Bai Vajia V s Thakorbbhai Chelabhai and other, AIR 1979 SC 993.



Abind Dayal Vs Inayatullah (1885) 7 ILR 775.
 Asstina Bai V. Zohra Bai, AIR 1960 MP 60.
 Anu Krishnan & others Vs. State of A.P., AIR 1993 SC 2178.

RECOMMENDED: (Latest editions)

- | | | |
|-----------------------------------|---|---------------------------------------------------------|
| Chandrasekharendra Chandra Nagpal | : | Modern Hindu Law. |
| Diwan | : | Modern Hindu Law. |
| K. Agrawal | : | Hindu Law |
| Chandrasekharendra, B.L. | : | Hindu Vidhi par pramukh Nirnaya
(cases on Hindu law) |
| Chandrasekharendra K.P. | : | Hindu Vidhi |
| Chandrasekharendra Khalid | : | Muslim Law |
| Chandrasekharendra Khalid | : | Muslim Vidhi |
| Chandrasekharendra (A. A. A.) | : | Outlines of Muhammadan law |
| Chandrasekharendra Diwan | : | Muslim law |
| Chandrasekharendra Rafiqur Rahman | : | Muslim Vidhi |
| Chandrasekharendra Mulla | : | Mohammadan Law |



PAPER-III
COMPANY LAW & PARTNERSHIP ACT.

Max. Marks - 100
Min. Marks - 36

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

1. Indian Company Act, 1956.
2. Indian Partnership Act, 1932.

Section -A

1. INDIAN COMPANY ACT, 1956.

1. **Introduction**
2. **History and definition of Company-Registration**, Theory of corporate entity, corporate veil, Company and Hindu Joint Family, Company and Partnership, clubs association of persons, advantage and disadvantages of incorporation, formalities, Publicity and expense, kinds of companies, application of the Act.
3. **Definition of terms :**
Articles; Associate; Associate of Secretaries and Treasures, Debentures; Company law Board, Financial year; Manager and Managing agent; Secretaries and Treasures; Secretary Managing Director, Memorandum officer prospectus; Private Company, Public Company; Deemed Public Companies; holding and subsidiary; Control over Board of Directors when voting power not counted, officer who is in default, relative.
4. **Formation of Companies.**
Promotion, Promoter, Promoter's Position; Incorporation, Memorandum and Articles of Association, Doctrine of Ultra Vires.
5. **Members of Company.**
Member Shareholder, Statutory Member.
6. **Capital**
Definition, liabilities. share certificate, transfer of shares; position of transfer and transferee, procedure, blank transfer, right to refuse registration, restrictions on the acquisition and transfer of shares, certificate of transfer, share warrant kinds of shares; power of company to accept payment in advance of calls, reserve liability; alternation of capital, reorganisation of share capital produce; reduction of capital; allotment of share, opening of the subscription list, rule as to allotment, company which does not issue prospectus, irregular allotment.
7. **Prospectus.**
8. **Calls for forfeiture, surrender lien, dividend, interest, annual return and pledge of shares.**
9. **Directors.**



Business of a Company.

Meeting. General, Statutory meeting, importance and business.

Auditors

Rehabilitation, Compromise, arrangement re-construction and amalgamation.
Prevention of oppression and management.

Private companies.

Government companies.

Foreign companies

Administration of a company.

Government control over companies.

Managing agent, sole selling agents, secretaries and treasurers, Manager and Managing Agent.

Provisions regarding minority share holders under the Companies Act.

Winding up.

Section - B

INDIAN PARTNERSHIP ACT, 1932.

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

Section -C

Noted Cases:

- Saloman V s Saloman and Company Ltd. 1897 AC 22.
 Chunnilal Vs Adhyarv, AIR 1956 SC 655.
 Gaya Sugar Mills V Nand Kishore Bajoria, AIR 1955 SC 44.
 R. Methlone Vs Bombay Life Insurance Co. Ltd. AIR 1953 SC 195.

Noted Bibliography:

- Philip K. Thayil : Company Law.
 A. V. Singh : Company Law.
 R. R. Maurya : Company Law.
 D. S. : Indian Partnership Act.
 : कम्पनी विधि
 : कम्पनी विधि



PAPER -IV

LEGISLATIVE DRAFTING & INTERPRETATION OF STATUTES

Max. Marks -100

Min.Marks - 36

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

Section - A

Legislative Drafting:

- Meaning of legislative drafting.
- Legislative drafting both Science and Art.
- Basic principles and rules of drafting.
- Draftman-his art and skill.
- Preparation made by a draftsman before he starts.
- Drafting and Act.
- Preparation and passing of a bill.
- Structure of an Act.
- Classification of Statutes.
- History of legislative drafting in India.
- General Clause Act of legislative drafting in India.



Section - B

Interpretation of Statutes:

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

Section - C

Prescribed CASES:

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

BOOK RECOMMENDED:

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



PAPER-V

LAW OF TAXATION

Max. Marks -100

Min.Marks - 36

of syllabus of this papers are as under:-

Section -A

Income Tax Act 1961

(amended upto date) (whole Act)

Section -B

Central Sales Tax Act, 1956

(amended upto date) (whole Act)

Section -C

Vanjiakar Adhinyam, 1994

(amended upto date) (whole Act)

Important Cases:

Commissioner of Income Tax Vs. Sulej Cotton Mills Supply Agencies Ltd. (1975) 100

ITR 706, 711 (SC).

Shri. Ramesh Chandra Electric Supply Co. Ltd. Vs. Commr of I.T. (1978) 113 ITR 635 (SC).

Bibliography:

- | | | |
|----------------|---|---------------------------------------------------------------|
| Saxena | : | Income Tax Act |
| Dash Rai | : | Income Tax Act |
| Singhania | : | Students Guide to Income Tax
(Including Central Sales Tax) |
| Mahrotra | : | Income Tax |
| Latta | : | The Income Tax Law. |
| Gang | : | Central Sales Tax Law in India. |
| श्री लाल बाबेल | : | प्रत्यक्ष कर विधियां (अपराध, अभियोजन एवं शास्तियां) |
| डॉ. सिद्धानिया | : | स्टूडेंट गाइड टू इनकम टैक्स (केन्द्रीय बिक्री कर सहित) |



PAPER-VI
 CRIMINOLOGY, PENOLOGY AND CRIMINAL
 ADMINISTRATION

Max. Marks -100
 Min.Marks - 36

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

Section -A

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



Section -B

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



Section -C



Statutory Enactments:

- The Prison Act, 1900
- Probation of Offenders Act, 1958.
- Police Act, 1860.

Judicial Cases:

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

Recommended Book:

- | | | |
|------------------|---|--------------------------------------------|
| Sulher land | : | Principles of Criminology |
| Snell | : | Society on the Criminals |
| Ved Kumari | : | Treatise on the Junenile Justice Act. 1986 |
| Ahmad Siddique | : | Criminology-Problems and Perspectives |
| N.V. Paranjpe | : | Criminology and Penology |
| बसन्ती लाल बाबेल | : | अपराध शास्त्र |
| यमुना शंकर शर्मा | : | दण्ड शास्त्र |

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9755 131796

