

B.A. LL.B. (Hons.) SEMESTER-V

LBC501 Political Science-V (Major)

LBC502 Administrative Law

LBC503 Labour & Industrial Law – I

LBC504 Law of Crimes–I (IPC)

LBC505 Company Law

LBE501 Hindi-III

Or

LBE502 English Literature-III

B.A. LL.B. (Hons.) Semester – V

POLITICAL SCIENCE - V (MAJOR)

Core Course LBC501

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

Unit – I

British Constitution- Salient features, Prime Minister, Crown, Parliament

Unit – II

Constitution of America - Salient features, President, Congress, Judiciary

Unit – III

Swiss Constitution- Salient features, federal assembly, federal council, direct democracy

Unit- IV

Constitution of China- Salient features, fundamental rights, Communist party, Polit Bureau

Unit - V

Comparative study- federal system of America and Switzerland, House of Lords and Senate, power and functions of President of America and the Prime Minister of U.K ,Political parties in China and U.S.A.

SELECT BIBLIOGRAPHY

D.D. Basu	:	Constitution of India
Dr. S.C. Singh	:	विभिन्न संविधान
Dr. Pukhraj Jain	:	विभिन्न संविधान

B.A. LL.B. (Hons.) Semester – V

ADMINISTRATIVE LAW

Core Course LBC502

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

UNIT - I

- 1.1 Meaning, Definitions, Nature and Scope of Administrative Law
- 1.2 Evolution, Development, Sources and Reasons for the Growth of Administrative Law and its relationship with Constitutional Law
- 1.3 Droit Administratif: Its characteristics, working, merits and demerits
- 1.4 Rule of Law and Separation of Powers
- 1.5 Classification of administrative functions/actions and distinction between them

UNIT – II

- 2.1 Delegated Legislation: Definition and Classification
- 2.2 Control over Delegated Legislation: Judicial, Legislative and Procedural Controls
- 2.3 Administrative Directions
- 2.4 Distinction between Delegated Legislation and Administrative Directions
- 2.5 Principles of Natural Justice: Rule Against Bias, Audi Alteram Partem, Reasoned Decision, Post Decisional Hearing, Institutional Decisions, Exclusion in some cases and Effects of the breach of the principles of natural justice

UNIT – III

- 3.1 Administrative Discretion: Introduction, Meaning and Definition
- 3.2 Judicial Review of Administrative Discretion: Extent of Review, Grounds of Review- Abuse of Discretion and Failure to Exercise Discretion

3.3 State Liability: Act of State, Tortious and Contractual Liability of the State

3.4 Judicial Review of Administrative Action I: Scope of Writ Jurisdiction- Art. 32 and 226, Principles for exercise of Writ jurisdiction, against whom it can be issued, Locus standi

3.5 Judicial Review of Administrative Action II: Prerogative Writs in particular: habeas corpus, mandamus, prohibition, quo warranto and certiorari

UNIT - IV

4.1 Government Privileges and Immunities in Legal Proceedings: Whether the State is bound by the Statute, privilege to withhold documents, Doctrine of Estoppel and Waiver, other miscellaneous privileges.

4.2 Official Secrets and Right to Information

4.3 Ombudsman I: Meaning, Definition, Origin, Importance, Working of Ombudsman in other countries namely New Zealand, England and Australia.

4.4 Ombudsman II (Indian Perspective): The Lokpal and Lokayukts Act, 2013: Lokpal for the Union, its establishment, composition, jurisdiction, powers and functions; Lokayukts for the States.

4.5 Central Vigilance Commission: composition, appointment and service conditions, status, jurisdiction and functions.

UNIT – V

5.1 Administrative Tribunals I: Merits, Demerits, Reasons for Growth, Distinction between Court and Tribunals

5.2 Administrative Tribunals II: Constitutional Basis, Administrative Tribunals Act, 1985, Administrative Tribunals and Judicial Review

5.3 Public Corporation – Definitions, Characteristics, Classification, Rights and Liabilities

5.4 Control on Public Corporations: Parliamentary, Judicial, Governmental and Public control

5.5 Ordinary remedies: Injunction, declaration, action for damages and social action for enforcement of public duties

Note: The above units will include all recent amendments and the study of important updated relevant cases decided by the judiciary.

Select Bibliography

1. M.P. Jain and S.N. Jain, Principles of Administrative Law, Lexis Nexis Butterworths
2. I.P. Massey, Administrative Law, Eastern Book Company
3. J.J.R. Upadhyaya, Administrative Law, Central Law Agency
4. HWR Wade and Forsyth, Administrative Law, Oxford University Press
5. C.K. Takwani, Lectures on Administrative Law, Eastern Book Company
6. S.P. Sathé, Administrative Law, Lexis Nexis Butterworths
7. U.P.D. Kesari, Lectures on Administrative Law, Central Law Publications
8. J.J.R. Upadhyaya, Prashasnik Vidhi, Central Law Agency
9. C.K. Takwani, Prashasnik Vidhi, Eastern Book Company
10. U.P.D. Kesari, Prashasnik Vidhi, Central Law Publications

B.A. LL.B. (Hons.) Semester – V

LABOUR & INDUSTRIAL LAW – I

Core Course LBC503

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

UNIT – I

General Introduction

- 1.1 Industrial jurisprudence
- 1.2 Labour policy in India
- 1.3 Industrial revolution in India
- 1.4 Evils of industrializations
- 1.5 Labour proLBEmS
- 1.6 Principles of Labour Legislation
- 1.7 Growth of Labour legislation in India

UNIT- II

Industrial dispute Act, 1947

- 2.1 Definitions: Industry, Industrial Dispute, Industrial establishment, Unfair Labour Practice, Wages, Workman
- 2.2 Authorities & Notice of change
- 2.3 Reference of certain industrial dispute to grievance settlements authorities, board, courts and tribunals
- 2.4 Power procedure & duties of authorities
- 2.5 Strike, lock out, lay-off, Retrenchment
- 2.6 Penalties

UNIT – III

Trade Union Act, 1926

- 3.1 History and Development of Trade Union in India
- 3.2 Definitions: Registrar, Trade Dispute, Workman, Trade Union
- 3.3 Registration of trade union
- 3.4 Rights & liabilities of registered trade union
- 3.5 Recognition of Trade Union, Regulations
- 3.6 Penalties & Procedure
- 3.7 Collective Bargaining and Trade Disputes

UNIT – IV

Minimum wages Act, 1948

- 4.1 Object, Constitutional validity and Salient features of the Act
- 4.2 Definitions: Adolescent, Adult, Child, Cost of living index number, Employer, Scheduled employment, Wages, Employee, Wage Structure
- 4.3 Minimum wages; fixation & procedure
- 4.4 Authorities under the Act
- 4.5 Fixation of hours of work & wages
- 4.6 Claims & their determination
- 4.7 Cognizance of offence

UNIT – V

Factories Act 1948

- 5.1 Introduction and changes introduced by the Act
- 5.2 Definition: Hazardous process, Manufacturing process, Worker, Factory, Occupier
- 5.3 Registration & licensing
- 5.4 The inspecting staff
- 5.5 Health & Safety
- 5.6 Working hours of adult
- 5.7 Annual leave with wages
- 5.8 Penalties & provisions

Note: Note: The above units will include whole Acts with recent amendments and the study of important updated relevant cases decided by the Judiciary.

Selected Bibliography

1. Chaturvedi, S.M. : Labour and Industrial Laws
2. Malik P.L.&Malik Sumeet : Handbook of Labour and Industrial Law
3. Ghosh : Industrial Relations and Labour Laws
4. Mishra, S.N. : Labour and Industrial Laws
5. Jain, J.N. & Bhola, Ajay : Modern Industrial Relations and Labour Laws
6. Goswami V.G. : Labour and Industrial Laws
7. Vohra Amit : Industrial labour and General Laws
8. Mishra, S.N. : Shramik Vidhiyan
9. Singh, Indrajeet : Shramik Vidhiyan

B.A. LL.B. (Hons.) Semester – V

LAW OF CRIMES - I (INDIAN PENAL CODE)

Core Course LBC504

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

UNIT-I Introduction

- 1.1 Historical background of criminal law in India
- 1.2 Concept of crime
- 1.3 Definition of Crime
- 1.4 Elements of Crime. Men rea- evil intention
- 1.5 Stages of a Crime
- 1.6. Distinction between crime and other wrongs
- 1.7 Salient features of the I.P.C.
- 1.8 IPC: A reflection of different social and moral values
- 1.9 Applicability of I.P.C. - territorial and personal

UNIT-II

- A. 2.1 Person definition - natural and legal person
- 2.2 Recent trends to fix liability without mens rea in certain socio- economic offences
- B. 2.3 Types of Punishment
 1. Death
 2. Social relevance of capital punishment
 3. Imprisonment- for life, with hard labour, simple imprisonment
 4. Forfeiture of property
 5. Fine
 6. Discretion of court in awarding punishment
 7. Minimum punishment in respect of certain offences
- C. Common Intention and Common Object

UNIT-III

A.3.1 Mistake of fact

3.2 Accident/Necessity

3.3 Infancy

3.4 Insanity-Medical and legal insanity

3.5 Intoxication

3.6 Private defense- justification and limits. When private defense extends to causing of death to protect body and property

B. 3.7 Abetment. Instigation, aiding and conspiracy

3.8Criminal Conspiracy

3.9 Unlawful Assembly

3.10 Rioting as a specific offences

C. Sediton

UNIT-IV Offences against human body

4.1CulpaLBE homicide

4.2 Murder

4.3 Distinction between CulpaLBE homicide and Murder

4.4 When CulpaLBE homicide is not murder

4.5 Hurt – grievous and simple

4.6Assault and criminal force

4.7 Wrongful restraint and wrongful confinement

4.8 kidnappings- from lawful guardianship, outside India

4.9Abduction

UNIT-V Offences against property

- 5.1 Theft, Extortion, Robbery, Dacoity.
- 5.2 Criminal misrepresentation and criminal breach of trust
- 5.3 Cheating and Mischief
- 5.4 Criminal Trespass
- 5.5 Forgery
- 5.6 Defamation

Note: The above units will include whole Act with recent amendments and the study of important updated relevant cases decided by the Judiciary.

SELECTED BIBLIOGRAPHY

1. K.D. Gaur, : Criminal Law: Cases and Materials
(1999), Butterworths, India
2. Ratanlal- Dhirajlal's, : Indian Penal Code (1994 reprint)
3. K.D. Gaur, : A Text Book on the Indian Penal Code
(1998), Universal Delhi
4. R.N.Saxena : Indian Penal Code
5. N.V. Paranjape : Bhartiya Dhand Sanhita

6. P.S. Achuthan pillai, : Criminal Law (1995) Eastern, Lucknow
7. Hidaythullaw, M., et.al.
Ratanlal and Dhirajlal, : The Indian Penal Code (1994 reprint),
Wadhwa & Co. Nagpur
8. B.M. Gandhi, : Indian Penal Code (1996), Eastern Nagpur

B.A. LL.B. (Hons.) Semester – V

COMPANY LAW

Core Course LBC505

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

UNIT – I Corporation

1. Meaning of Corporation
2. Characteristics of Corporation
3. Theories of corporate personality
4. Creation of corporations
5. exemption of corporations

UNIT – II Forms of corporate and non-corporate organization

1. Classification of corporations
2. Corporations, partnership and other association of persons.
3. State corporations Government companies, small scale, co- operative, corporate and joint sectors
4. Control of public corporation.

UNIT – III Law relating to companies –Companies Act, 2013.

1. History and development of company
2. Promoters
3. Need of company for development, formation of a company registration and incorporation
4. Memorandum of association – various clauses – alteration therein – doctrine of ultra virus
5. Articles of association – binding force – alteration– its relation with memorandum of association – doctrine of constructive notice and indoor management – exceptions

6. Prospectus – issue – contents- liability for misstatements in lieu of prospectus
7. Position
8. Shares – general principles of allotment, statutory restrictions transfer of shares – relationship between transferor and transferee
9. Shareholder – who can be? And who cannot be shareholder- modes of becoming shareholder- calls on shares- forfeiture and surrender of shares – lien on shares
10. Share capital – kinds – alteration and reduction of share capital- further issue of capital – conversion of loan and debentures into capital – duties of courts to protect the interests of creditors and share holders

UNIT – IV Corporate Administrative Directors

1. Directors – position- appointment – qualifications – vacation of office – removal – resignation – powers and duties of directors – meeting, registers, loans – remuneration of directors – role of nominee directors – companies for loss of office – managing directors and other managerial personnel
2. Meetings – kinds procedure – voting
3. Dividends payment – capitalization – profit
4. Audit and accounts
5. Borrowing powers – powers – effect of unauthorized borrowing – charges and mortgages – investments
6. Debentures – meaning – fixed and floating charges – kinds of debentures share holder and debenture holder remedies for debenture holders
7. Protection of minority rights
8. Protection of oppression and mismanagement – who can apply? Powers of the company, court and of the central Government
9. Investigations – powers
10. Classification of companies
11. Nature and advantages- government companies- holding and subsidiary companies, one person company.
12. Winding up –types – by court – reason – ground – who can apply – procedure – powers of liquidator – powers of court – consequences of winding up order voluntary winding

up subject to supervisions of courts- liability of past members – payment of liability preferential payment, unclaimed dividends – winding up of unregistered company

UNIT - V Corporate Liability

1. Legal liability of companies – civil and criminal
2. Remedies against them civil, criminal and tortuous – specific relief Act, writs liability under special statutes viz SEBI Act, 1992; Securities Contracts (Regulation) Act, 1956 and Rules, FEMA Act, 1999; and Competition Act, 2002.

Note: The above units will include whole Act with recent amendments and the study of important updated relevant cases decided by the Judiciary.

Selected Bibliography

1. Avtar Singh Indian Company Law (1999), eastern Lucknow
2. L.C.B. Gower, Principles of Modern Company Law (1997) Sweet and Maxwell, London
3. Palmer Palmer's Company Law (1987), Stevens, London
4. R.R. Pennington, Company Law (1990), Butterworths
5. A. Ramiya, Guide to the Companies Act, (1998), wadhwa
6. S.M. Shah Lectures on Company Law (1998), Tripathi, Bombay
7. S. C. Kuchal- Corporation Finance: Principles and proLBEmS.
8. Y. D. Kulshreshta- Government regulation of financial management of private corporate sector in India.
9. Dr. N.V.Paranjpe New Companies Act.

B.A. LL.B. (Hons.) Semester – V

HINDI LANGUAGE - III

Elective Course LBE501

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

इकाई 1. प्रशासनिक शब्दावली राज्यों और केन्द्र में हिन्दी की स्थिति

1. प्रशासनिक शब्दावली
2. प्रमुख लेटिन सुत्रों को हिन्दी में अभिव्यक्त करना
3. राज्य में हिन्दी की स्थिति
4. केन्द्र में हिन्दी की स्थिति

इकाई 2 दीवानी एवं व्यवहार विधि में प्रयुक्त होने वाले शब्द ;जमतउद्धतकेद्ध

1. संविदा, प्रसंविदा, अभिसमय, प्रस्थापना प्रस्ताव के लिए आमंत्रण, सहमति, स्वीकृति.
2. प्राड - न्याय, केविएट, याचिकायें, निष्पादन, उपचार, परितोष, मुजरई,
3. आज्ञापित्या, अनुज्ञापित्यां, प्रतिकर, पट्टे, वसीयत (इच्छा)
4. संज्ञेय, असंज्ञेय, शमनीय, अशमनीय,
5. पुनरीक्षण, पुनरावलोकन/पुनर्विलोकन, अपील

इकाई 3 निर्णय लेखन के सिद्धांत विशेषताएँ, एवं विषय सामग्री

1. निर्णय एवं विनिश्चय
2. निर्णय लेखन के सिद्धांत
3. निर्णय लेखन की विशेषताएँ
4. विषय सामग्री की व्यवहारिक विधि एवं अपराधिक विधि

इकाई 4 विधियों का वर्गीकरण

1. व्यवहार विधि एवं अपराध विधि
2. संवैधानिक विधि, अपकृत्यविधि
3. सारवान एवं प्रक्रियात्मक विधि
4. संविधि एवं अधिनियम अनुसूची, अध्यादेश

इकाई 5 संक्षिप्त शोध लेखन

1. निबंध एवं शोध निबंध का अर्थ एवं परिभाषा
2. विषय से संबंधित सहायक सामग्री
3. लेखन के लिए सिद्धांत

ठववा त्मबवउउमदकमक

- | | |
|--|--------------------------|
| 1. हिन्दी शब्द शक्ति और पारिभाषिक शब्दावली | बालेन्द्र शेखर तिवारी |
| 2. प्रयोजनमूलक हिन्दी | माधव सोनटके |
| 3. राष्ट्रभाषा हिन्दी समस्याएँ एवं समाधान | देवेन्द्र नाथ शर्मा |
| 4. भाषा प्रौद्योगिकी एवं भाषा प्रबंधन | डा. सूर्य प्रसाद दीक्षित |
| 5. हिन्दी राष्ट्रभाषा जनभाषा राजभाषा | शंकरदयाल सिंह |

B.A. LL.B. (Hons.) Semester – V

ENGLISH LITERATURE – III

Elective Course LBE502

Credit 04

Continuous Evaluation 40 marks

Term End Examination 60 marks

Comprehensive *Viva-Voce*

Credit 04

Comprehensive *viva-voce* of 4 virtual credits will be conducted at the end of each semester of the programme by a board of examiners. The grades awarded in the *viva-voce* shall be shown separately in the grade-sheet.