

# RJSL-VGU

## Syllabus For BBA-LLB

VIII SEMESTER  
CORPORATE LAW – II

**Course Code: BAL801**  
**Maximum Marks: 100**

**L-T-P: 3-1-0**  
**Course Type: Core**

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### **Module I: Share Capital**

- 1.1 Issue and allotment of shares
- 1.2 Transfer and transmission of shares
- 1.3 Forfeiture and buyback of shares
- 1.4 Share certificate and share warrant

### **Module II: Debentures & Charges**

- 2.1 Borrowing Powers, effect of unauthorized borrowings
- 2.2 Debentures: Definition, Kinds, Distinction between Debenture and share.
- 2.3 Company Charges: Kinds of Charges, Crystallisation
- 2.4 Inter-corporate Loans (S-186)
- 2.5 Dividend: Rules & Procedure

### **Module III: Company Auditors, Investigation and Inspection**

- 3.1 Legal Position, Appointment, Removal, Duties and Powers.
- 3.2 Distinction between Investigation and Inspection, Power of Inspection

### **Module IV: Majority Rule and Rights of Minority shareholder**

- 4.1 The Rule in Foss v Harbottle, exceptions
- 4.2 Prevention of Oppression and Mismanagement

### **Module V: Winding up of Companies**

- 5.1 Modes of Winding up, who may file petition of Winding up.
- 5.2 Winding up by Tribunal
- 5.3 Voluntary Winding up
- 5.4 Liability of past members

### **Suggested Readings:**

- Avtar Singh , “Company Law”, Eastern Book Company, Allahabad
- K. Majumdar & Dr. G.K. Kapoor, “Company Law”, 15<sup>th</sup> Edition, Taxmann Publication, New Delhi.
- A Ramaiya’s Guide to the COMPANIES ACT, LexisNexis Publication, Nagpur
- Sharma J.P, “ An easy Approach to Corporate Laws”, Anne Books Pvt Ltd, New Delhi
- Bharat Law House, New Delhi, “ Manual of Companies Act, Corporate Laws and SEBI Guidelines”
- Wadhwa and company,” A Ramaiya Guide to Companies Act, Nagpur.
- Kannal, S., & V.S. Sowrirajan.” Company law Procedure”, Taxman’s Allied Services (P) Ltd., New Delhi
- “Singh Harpal,” Indian Company Act” Galgotia Publishing, Delhi  
Charlsworth & Mores,” Company Law”, Sweet & Maxwell”, London U.K

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### VIII SEMESTER

### COMPETITION LAW

Course Code: BAL802  
Maximum Marks: 100

L-T-P: 3-0-0  
Course Type: Core

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#### UNIT - I

1. **An Introduction** - Definition of Competition - Definition of Competition Law - Objectives of Competition Law
2. **History of Competition Law (USA, UK, Europe) Relevant provisions of Sherman's Act** - Indian scenario with an overview of MRTP Act, 1969 - Raghavan Committee Report
3. International co-operation for competition - WTO agreements and the Act

#### UNIT - II

1. **Anti-competitive Agreement** - Appreciable adverse effect - Horizontal and Vertical agreements - Effects doctrine
2. **Prohibition of anti-competitive agreements** - Concerted practices and parallel behaviour - Cartel and Cartelisation - Bid rigging and collusive bidding - Tie-in-arrangements - Exclusive supply agreement - Resale price maintenance agreement
3. Abuse of Dominant Position - Relevant market - Predatory behaviour - Predatory pricing - Discriminatory practices - Relevant market

#### UNIT - III

1. **Combination** - Value of Assets - Turnover - Acquisition - Conglomeration - Joint Venture - Merger and Amalgamation - Notification

#### UNIT- IV

1. **Competition Commission of India** - Establishment and composition - Duties - Procedure for inquiry - Powers - Competition fund
3. Competition Advocacy - Competition Policy

#### UNIT - V

1. **Consumer Protection Act, 1986 and its applicability to Competition Law** - Definition of Consumer - Definition of Service - Deficiency in Service - Unfair Trade Practices - Overlapping areas

Books Recommended:

1. Mittal D.P., Taxmann's Competition Law (2007)
2. Universal Guide to Competition Law in India-2003, Universal Law Publishing Company, New Delhi.
3. Ramappa. T., Competition Law in India- Policy, Issues and Development (2006) Oxford University Press.
4. Nahar. S. Mahala, Law, Practice and Procedure (2006), Commercial Law Publishers.
5. Dhall .Vinod, Competition Law Today, (ed.) 2007, Oxford University Press
6. Bangia R.K., A Handbook of Consumer Protection Laws and Procedure, 2004, Allahabad Law Agency.
7. Singh Avtar, Law of Consumer Protection; Principles and Practice, 2005, Eastern Book Company.
8. Verma S.K. & M.Afzal Wani, A Treatise on Consumer Protection Laws, (ed.) 2004, Indian Law Institute.
9. Anoop K. Kaushal, Universal's Practical Guide to Consumer Protection Law, 2006, Universal law Publishing Company, New Delhi.

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10. Pavleen, Consumer Decision- Making, 2006, Deep & Deep Publication. 11. Aggarwal, Prof. V. K., Consumer and Protection Law and Practice, 6th Ed. (2008).

### VIII SEMESTER JURISPRUDENCE II

**Course Code: BAL803**  
**Maximum Marks: 100**

**L-T-P: 3-0-0**  
**Course Type: Core**

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**UNIT I:** Concept and Sources of Law Definition and Kinds of Law - Various Sources of law - Legal and Historical Sources - Custom – Definition of Custom – Kinds of Custom – General and Local Custom – Custom and Prescription - Requisites of a valid custom - Legislation - Definition of legislation - Classification of legislation- Supreme and Subordinate Legislation - Direct and Indirect Legislation - Precedent — Judge made laws - Definition of Precedent — Kinds of Precedent — Ratio Decidenti - Stare Decisis — Obiter Dicta - Original and Declaratory Precedents — Authoritative and Persuasive Precedents - When precedents become weak law- method of deriving judgments , inductive and deductive --- Relative merits and demerits of Legislation, Precedent and Custom as a source of Law.

**UNIT II:** Legal Status of Persons Person - Definition and Nature of Personality - Legal Status of Unborn Children, Minor, Lunatic, Drunken, and Dead Persons - Legal Status of Animals – Legal Persons - Legal Personality of State - Status of Corporate Personality – Theories of Corporate Personality.

**UNIT III:** Rights and Duties Nature & Characteristics - Theories of Rights - Kinds of Legal Rights - Hohfeld's Analysis of Legal Rights – Duties – Nature & Characteristics – Classification of Duties - Correlation of Rights and Duties - Cognate concepts like Liberty, Power, Immunity, Privilege etc.

**Module IV:** Ownership, Possession and Property Ownership - Nature & Incidents of Ownership - Kinds of Ownership - Role of Ownership in Modern Times – Possession - Nature & Concept - Theories of Possession -Possession in Law & Possession in Fact - Kinds of Possession - Concept of Property - Types

**UNIT V:** Obligation and Liability Definition and Nature of Obligation - Sources of Obligation -Liability - Definition and Nature - Kinds of Liability - Theories of Liability - General Conditions of Liability - Theories of Punishment - Retributive Theory - Deterrent Theory - Expiatory Theory - Reformatory Theory - Rehabilitative Theory -Constitutionality of Capital Punishment.

**Suggested Reference-**

Paton, A Textbook of Jurisprudence

Salmond, Jurisprudence

H.L.A.Hart, The Concept of law

Atar Krishna Koul, A Textbook of jurisprudence

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Dias, Jurisprudence

Ronal Dworkin, Social Rules and Judicial legislation Yale L.J

### VIII SEMESTER INDIAN EVIDENCE ACT

**Course Code: BAL804**

**Maximum Marks: 100**

**L-T-P: 3-1-0**

**Course Type: Core**

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- UNIT-I**      **Preliminary :** Application of Indian Evidence Act, Definition : Court, Fact – fact in issue and relevant fact, Evidence - meaning and its kinds, proved, disproved, not proved, may presume, shall presume and conclusive proof, presumptions of fact and law. Relevancy of facts : Explaining - Res-gestae, occasion, cause, effect, motive, intention, preparation, previous and subsequent conduct, introductory and explanatory facts, facts and otherwise relevant become relevant, accidental and incidental facts.  
Facts which need not be proved, improper admission and rejection of facts.
- UNIT-II**      **Admission and Confession :**  
(a) Admission : Definition, whose admission is relevant, relevancy of admission in civil cases, admission is not conclusive proof, admission as an estoppel.  
(b) Confession : Definition, its kinds, confession caused by inducement, threat or promise, confession to police officer, confession in the custody of police, Confession to Magistrate, Confession by co-accused.  
(c) Difference between admission and confession. Relevancy of statements:  
(i) Statements by persons who cannot be called as witness.  
(ii) Statement made under special circumstances.  
(iii) Relevancy of judgement of a Court of Law  
(iv) Opinion of third person  
(v) Opinion of experts  
(vi) Relevancy of character
- UNIT-III**      **Evidence :** Oralevidence, documentary evidence, kinds of documentary evidence, when secondary evidence is relevant, public and private document. Exclusion of oral evidence by documentary evidence, Application of this principle, its exceptions, ambiguous documents, kinds of ambiguity.  
**Burden of Proof :** Meaning, general principles of burden of proof in civil and criminal cases and exceptions to it. When burden of proof shifts, proof of legitimacy of child, proof in dowry deaths and in the matters of rape.
- UNIT-IV**      **Estoppel :** Meaning, essentials, nature and its kinds.  
**Witnesses :** Competency of witness, when persons can be compelled to appear as witnesses, privileged communications and documents, accomplice, hostile witness.
- UNIT-V**      **Examination of Witnesses :** Order of examinations, kinds of examinations, leading question, impeaching the credit of witness, questions which can and which

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cannot be asked, refreshing the memory of witness, production of document, Judge's power to put questions and to order production. Effect of improper acceptance or rejection of evidence.

### SUGGESTED READINGS :

1. Ratan Lal : The Law of Evidence
2. Batuklal : Law of Evidence
3. Vepa P. Sarath: Law of Evidence

### VIII SEMESTER

#### CIVIL PROCEDURE CODE – II

**Course Code: BAL805**  
**Maximum Marks: 100**

**L-T-P: 3-1-0**  
**Course Type: Core**

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#### The Code of Civil Procedure, 1908

- UNIT-I** Supplemental proceedings, Attachment before judgement, Arrest before judgement, Temporary injunction and Appointment of Receiver, Commission.
- UNIT-II** Appeals – Appeals against order and appeals against decree, review, revision and reference.
- UNIT-III** Misc. Proceedings – Exemption of certain persons, Enlargement of time, Right to lodge caveat Inherent powers of court, Amendment of judgement, decrees, orders.
- UNIT-IV** Sections 75 to 78 orders IX, XVII, XXVI, XXXII, XXXIII
- UNIT-V** The Limitation Act, 1963  
General Rules (Civil), 1986)

### SUGGESTED READINGS:

1. Mulla : Civil Procedure Code
2. Singh, S.N. : Civil Procedure Code
3. Sahai : On Civil Procedure
4. Tandon, M.P. : Civil Procedure Code

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**VIII SEMESTER**  
**TAXATION LAW**

**Course Code: BAL806**  
**Maximum Marks: 100**

**L-T-P: 3-0-0**  
**Course Type: Core**

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**UNIT-I** Indian Income Tax Act. 1961 :

Definitions - Assessment Year, Previous year, Agriculture, Income Assessment, Capital Asset, Dividend, Income, Casual Income, Total Income, Gross Total Income, Maximum and Minimum Marginal Rate, Person, Resident – Non Resident, Transfer.

Basis of Charge - Charges of Income-Tax, Scope of total income, Residence in India, Income deemed to be received, Dividend Income deemed to accrue or arise in India.

**UNIT II** Income which do not form part of total income.

Computation of total income - Head of income - Salaries, Interest on Securities Income from House Property, Profit & Gains of Business or Profession, Capital Gains, Income from other sources.

Income of other persons included in assessee's total income.

Deductions to be made in computing total income.

Relief in respect of Income- tax.

Determination of tax in certain specific cases.

Income tax authorities - Appointment and Control, Jurisdiction, Powers Procedure for Assessment, Liability in special cases, Collection and recovery tax, Appeals, Revision and Reference.

**UNIT-III** Central Sales Tax Act, 1956 :

Sale or Purchase of Goods in the course of Interstate Trade or Outside a State or in the course of import or export.

Liability to tax on inter-state sales, burden of proof.

Registration of dealers.

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Determination of turnover, levy & collection of tax.

Penalty and offences.

Restrictions and conditions in regard to tax on sale or purchase of declared goods within a state.

**UNIT-IV** Value Added Tax, 2003 : Rajasthan Value Added Tax Act 2003 : Important Terms and Definitions, Incidence to Tax, Exempted Sales, Points of tax, Registration of deals, Filing of returns and assessment, maintenance of books of Accounts Rules of Tax Credit, charging of the interest, penalties, composition scheme and prosecutions, Appeals and Revisions.

**UNIT V** GST

#### **SUGGESTED READINGS:**

1. Gupta, R.R. : Income-tax and Practice.
2. Kanga & Palkiwala : The Law and Practice of Income-tax
3. Agrwal, S.E. : Law and Practice relating to Central Sales Tax Act, 1956.
4. A.K. Saxena : Income Tax Act (English & Hindi).
5. Singh, S.D. : Law of Central Sales Tax.

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**VIII SEMESTER**  
**MOOT COURT**

**Course Code: BAL807**  
**Maximum Marks: 100**

**L-T-P: 0-0-2**  
**Course Type: Core**

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**MOOT COURT (100 Marks)**

**REQUIREMENTS:**

- 1 Three Moot Courts in the year
- 2 10 Marks for each
- 3 The Moot Court shall be based on assigned problem to be prepared by the faculty concerned
- 4 Evaluation by principal/ head concerned, an advocate and teacher concerned
- 5 Out of 100 Marks allotted for each problem 50 Marks are to be allotted for written Submission and 50 Marks for oral advocacy a Written submission shall include brief summary of facts, issues involved revisions of land agreements, citation, prayer etc. b Marks for oral advocacy may be awarded for communications skills, presentation, language, provisions of law, authorities quoted, court manners etc.

**SUGGESTED READINGS:**

1. Myneni .S.R- Moot Court Pre-trial Preparation & Participation in trial Proceedings & Viva-voce
2. Hill & Jeffry: A Prctical Guide to Mooting, 2009
3. Narayana.P.S-Law Relating to Lok Adalat 4th ed., r/p 2010
4. Rai, Kailash-Moot Court, 4th ed 2009
5. Sarkar.S.K-Law Relating Lok Adalat, 2nd ed-2006
6. Sirohi.J.P.S.-Moot Court, Pre-Trial Preparation 1st ed-2006
7. Tewari,O.P-Moot Court, Pre-Trail, 1st ed.2007