

RJSL - VGU
Syllabus For BA-LLB

VIII SEMESTER
COMPETITION LAW

Course Code: BAL802

Maximum Marks: 100

L-T-P: 3-1-0

Course Type: Core

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

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

UNIT - V

- 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.

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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.
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

ENVIRONMENTAL LAW II

Course Code: BAL803
Maximum Marks: 100

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

UNIT-I

The Idea of Environment:

Ancient and Medieval Writings, Traditions, Natural and Biological Sciences - Perspectives: Modern concept, Conflicting dimensions, Recent issues -Environment and sustainable development - National and International Perspectives - Population and Development

UNIT-II

Environmental Policy and Law:

Environmental Policy: Pre & Post Independence Period; From Stockholm to Johannesburg Declaration (Rio) and Role of Government - Five year Plans - Forest Policy – Conservation strategy - Water Policy Conservation of Natural Resources and its Management Constitution and Environment: Right to Environment - Constitutional provisions on Environment and its

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Protection - Role of Judiciary on Environmental issues - Evolving of new Principles – Polluter pays principle - Precautionary principle - Public trust doctrine

UNIT - III

International Law and Environmental Protection:

International conventions in the development of Environmental Laws and its Policy – From Stockholm to recent conventions (Special Emphasis on Major conventions & Protocols) - Control on Marine Pollution Common Law aspects of Environmental Protection Remedies under other Laws (IPC, CRPC, CPC) Riparian rights and prior-appropriation

UNIT – IV

Pollution of Water, Sources, Legal Control, The Water Act 1974 - Pollution of Air, Modalities of control, The Air Act, 1981 - Noise Pollution and its control. Noise Pollution control order - Disposal of Waste, laws on waste, disposal and its control - Trans-boundary Pollution hazards & Regulation Biological Diversity and Legal Order: Bio-diversity and Legal regulation - Utilization of flora and fauna - Experimentation on animals Legal and Ethical issues – Genetic Engineering - Wildlife Protection Act 1972 - Forest Conservation Act, 1980 -Prevention of Cruelty against animals - Problems in Legal regulation of medicinal plants - The plant varieties Act – Wetland Conservation

UNIT - V

Environment Protection Act 1986 including, Environment Protection Rules, Coastal Zone Regulation, ECO-Mark, Environment Impact Assessment, Environmental Audit, Public Participation in Environmental decision making, Environment information, public hearing, Regulation on BioMedical Waste

Prescribed Books:

- 1 Armin Rosen Cranz - Environmental Law and Its Policy in India
- 2 P Leelakrishnan - Environmental Law in India / Cases
- 3 Lai's commentaries on Water and Air Pollution laws along with Environment (protection) Act and Rules, 1986, Delhi: Delhi Law Houses

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Reference Books:

- 1 Simon ball Stuart Bell - Environmental Law
- 2 Sanjay Upadhyay and Videh Upadhyay - Handbook on Environmental Laws
- 3 Introduction to Environmental Law - S Shantha Kumar
- 4 Relevant Bare Acts / Notifications

VII SEMESTER CORPORATE LAW – II

Course Code: BAL801
Maximum Marks: 100

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

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

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- 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”, 15th 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 Publising, Delhi
- Charlsworth & Mores,” Company Law”, Sweet & Maxwell”, London U.K.

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VIII SEMESTER
INDIAN EVIDENCE LAW

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 :** Oral evidence, documentary evidence, kinds of documentary evidence, when secondary evidence is relevant, public and private document. Exclusion of oral evidence by documentary evidence,

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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 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. Sarathi : Law of Evidence

VIII SEMESTER

CIVIL PROCEDURE CODE – II & LIMITATION ACT

Course Code: BAL805
Maximum Marks: 100

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

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 a caveat
Inherent powers of court, Amendment of judgement, decrees, orders.

UNIT-IV Sections 75 to 78 order IX, XVII, XXVI, XXXII, XXXIII

UNIT-V The Limitation Act, 1963
General Rules (Civil), 1986)

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SUGGESTED READINGS :

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

VIII SEMESTER
LABOUR AND INDUSTRIAL LAWS

Course Code: BAL806
Maximum Marks: 100

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

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- UNIT-I** Industrial Dispute Act, 1947 :
- UNIT-II** Trade Unions Act, 1926 :
- UNIT-III** The Factories Act, 1948 :
- UNIT-IV** The Minimum Wages Act, 1948 :
- UNIT-V** Payment of Wages Act, 1936 :
The Workman's Compensation Act, 1923

SUGGESTED READINGS :

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| 1. Sethi, R.B. | : | Payment of Wages & Minimum Wages Act |
| 2. Malik | : | Industrial Law |
| 3. Jaroli, U.L. | : | Sharamik Vidhi |
| 4. Indian Law Institute | : | Law & Labour Management Relations in India |
| 5. Rustamajee | : | Law of Industrial Disputes |
| 6. Srivastava, K.D. | : | Commentary on industrial Disputes Act, 1947 |
| 7. Srivastava, K.D. | : | Commentary on Minimum Wages Act, 1948 |
| 8. Myres, Charles | : | Industrial Relations in India |
| 9. Malhotra, O.P. | : | Law of Industrial Disputes, Vol. 1 |
| 10. Darwell & Karr | : | Law of Service Industry, Vol. 2, 1956 |
| 11. Srivastava, K.D. | : | Commentary on Trade Union Act, 1926 |
| 13. Mishra, S.N. | : | Labour & Industrial Law Hindi & English |