

JIWAJI UNIVERSITY, GWALIOR
SYLLABUS AND SCHEME OF EXAMINATION
SESSION 2022 - 2027
B.Com. LL. B (5YDC) IV SEMESTER

The candidate shall be examined by the university in the following subject/paper

Paper	Nomenclature of Paper	Max. Marks	Min. Marks	Internal Marks	Practical Marks	Min Marks	Min. Passing Marks
I	Audit & Account –IV (GST)	80	29	20	----	07	36
II	Company Law	80	29	20	----	07	36
III	English - II	80	29	20	---	07	36
IV	Law of Torts Including Consumer Protection Law	80	29	20	---	07	36
V	Administrative Law	80	29	20	---	07	36
VI	Family Law – II (Muslim Law)	80	29	20	---	07	36

The Percentage of marks required for Passing in B.Com. LL. B. (5YDC) IV Semester

Examination is as follows.

1. 36% ie . 36 in each of the above six subjects
2. 50% ie . 300 marks in aggregate of all the above subject/ paper

B.Com. LL.B. (Five Years Course)
IV Semester
Paper – I Audit & Account IV
(GST)

Unit 1: GST (CGST/SGST/IGST):-

Definitions and Important Terms under GST Act 2017, Basic Elements of GST.
Meaning and Types of GST.

Unit 2: GST: Supply- Meaning and Scope, Levy and Collection Tax.

Unit 3: GST: Time and Value of Supply of Goods and Services. Input Tax Credit.

Unit 4: Registration Under GST Act: Necessary Documentation, Filing of Return, Assessment, Payment of Tax.

Unit 5: GST: Maintenance of Accounts and Records, Composition Scheme, miscellaneous provisions.

BOOKS FOR REFERENCE

1. Dr. H.C. Mehrotra, Prof. VP Agarwal- Goods and Services Tax and Customs Duty
2. Shripal Sakleha and Anil Saklrha- Goods and Services Tax and Customs Duty
3. डॉ. एच.सी. मेहरोत्रा, प्रो. वी.पी. अग्रवाल – माल एवं सेवाकर तथा सीमा शुल्क
4. वस्तु एवं सेवाकर तथा सीमा शुल्क – श्रीपाल सकलेचा एवं अनिल सकलेचा



B.Com. LL.B. (Five Years Course)
IV Semester
Paper – II Company Law

UNIT – I

Meaning of Corporation

1. Theories of corporate Personality
2. Creation and extinction of corporations

UNIT – II

Forms of Corporate and non-corporate organization

1. Corporations, Partnership and other association of persons, state corporations Government companies, small scale, co- operative, corporate and joint sectors

UNIT – III

Law Relating to Companies – Public and Private – Companies Act, 2013

1. Memorandum of association – various clauses – alteration - therein – doctrine of ultra virus
2. Articles of association – binding force – alteration - its relation with memorandum of association – doctrine of constructive notice and indoor management – exceptions
3. Prospectus – issue – contents – liability for misstatements - statement in lieu of prospectus .
4. Share Capital and Debentures., Prospectus and allotment of securities ., Private placement., Acceptance of Deposits by companies., Registration of Charges, Management and Administration of Company., Declaration and payment of dividend, Accounts of Companies., Audit and Auditors.
5. Shares – general Principles of allotment, statutory restrictions transfer of shares – relationship between transferor and transferee
6. Shareholder – who can be And who cannot be shareholder – modes of becoming shareholder – calls on shares – forfeiture and surrender of shares – lien on shares
7. 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


3



UNIT – IV

Appointment Qualification and duties Directors. ,Removal of Directors.,Meeting of Directors., Meeting of Board and its powers., Contribution of Charitable funds and restriction, Appointment and remuneration of Managerial Personnel. , Inspection Inquiry and Investigation., Amalgamation, Compromise and arrange., Prevention of oppression and Mismanagement Registered Values. , Sick Companies and its Rehabilitation.

Winding up, Voluntary winding up, Powers of Liquidators., Winding up of unregistered companies.

UNIT – V

Companies Authorised to Register., Companies incorporated out side India., Government Companies., Registration offices act fees, Companies to Furnish information., Nidhis., National Company Law Tribunal and appellate Tribunal special Courts for Companies., Punishment for false statement, false Evidence repeated default wrongful with holding of property, improper are of Trade name., Prohibition of association or partnership.. Dissolution of Company Law Board.

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), Trijpathi, Bombay
7. Indian Company Law Act 2013.
8. Avtar singh – Introduction to Company Law.
9. Dr. N.V. Paranjap – New Company Law 2013.
10. Prachi Manakr – In side in to the New Company.
11. Karan Gupta – Introdrtic New coves
12. Sanjay Asher – Company Law ready Peckoner.

B.Com. LL.B. (Five Years Course)

**IV Semester
Paper – III English - II**

Unit – 1

Leaves from my personal life – V.R. Krishna Iyer, Gyan Publishing House (chapter 1-10).

Unit – 2

Report writing – Business Reports, Official Reports, Newspaper Reports and Legal Reports.

Unit- 3

Translation (English to M.I.L.), Transcoding Information from charts Graphs, Visual Images.

Unit- 4

Writing a job Application, Making a C.V., Avoiding Errors in Written English, Communications through Conversation and writing.

Unit-5

Writing Agenda, Notices, Minutes and Resolutions.

Suggested Readings:

Leaves from my personal life – V.R. Krishna Iyer, Gyan Publishing House.

Functions of English Students Book- Leo jnes – Cambridge, University Press.

Keep Talking: Communication Fluency Activities for Language Teaching Cambridge University Press Klippell Friederike.

University Press Klippell Friederike.

Dr. S.R. Myneni – English Usage Communication, Allahabad Law Agency.



B.Com. LL.B. (Five Years Course)

Semester- IV

Paper- IV

Law of Torts

UNIT – I

Evolution of Law of Torts

1. England forms of action – specific remedies from case to case
2. India – Principles of justice equity and good conscience – unmodified character- advantages and disadvantages

Definition, Nature, Scope and objects

1. A wrongful act- violation of duty imposed by law, duty that is owed to people generally (in rem) – *damnum sine injuria* and *injuria sine damnum*
2. Tort distinguished from crime and breach of contract
3. The content of unliquidated damages
4. Changing scope of law of torts: expanding character of duties owed to people generally due to complexities of modern society
5. Objects – Prescribing standards of human conduct, redressal of wrongs by payment of compensation, proscribing unlawful conduct by injunction

UNIT – II

Justification in Tort

1. Volenti non-fit injuria
2. Necessity, private and public
3. Plaintiff's default
4. Act of god
5. Inevitable accident
6. Private defense
7. Statutory authority
8. Judicial and quasi-judicial acts
9. Parental and quasi- parental authority
10. Extinguishments of liability in certain situations

UNIT – III

Doctrine of sovereign immunity and its relevance in India

1. Vicarious liability
2. Torts against persons and personal relations
3. Defamation
4. Parental relations, master and servant relation
5. Trespass to land



UNIT- IV

Negligence

1. Basic concepts
2. Theories of negligence

Nuisance

1. Definition, essentials and types
2. Acts, obstructions
3. Absolute/Strict liability
4. Legal remedies
5. Award of damages
6. Injunction
7. Extra-legal remedies

UNIT- V

Consumer Protection Act

1. Consumer, the concept
2. Unfair trade Practices
3. Supply of essential commodities
4. Service
5. Enforcement of consumer rights
6. Consumer of goods.

UNIT- VI

Motor Vehicle Accident Laws

Selected bibliography

1. Salmond and Heuston – On the Law of Torts (2000) Universal Delhi
2. D.D. Basu, The Law of Torts (1982), Kamal Calcutta
3. P.S. Achuthan Pillai , The Law of Torts (1994), Eastern Lucknow
4. D.M. Gandhi, Law of Torts (1987), Eastern Lucknow
5. Ratanlal and Dherajlal The Law of Torts (1997), Universal Delhi



B.Com. LL.B. (Five Years Course)
IV Semester
Paper – V Administrative Law

UNIT – I

Meaning, definitions, nature, historical development, sources, relationship with Constitutional law, Droit administrative, rule of law and separation of powers, classification of administrative function and distinction between them

UNIT – II

Delegated legislation and its kinds, administrative directions and distinction between delegated legislation and administrative directions, control over delegated legislation procedural, judicial and parliamentary control, principles of natural justice

UNIT – III

Administrative discretion and judicial control of discretionary powers, act of State, tortious and contractual liability of the State

UNIT – IV

Government privileges in legal proceedings, Estoppel and Waiver, official secrets and right to information, lokpal, lokayukt and central Vigilance Commissions, Commission of inquiry

UNIT – V

Administrative Tribunals – merits, demerits, reasons for growth distinction between court and tribunals
Public corporation – classification characteristics, control
Remedies Constitutional and ordinary

Books Recommended:-

- Administrative Law – C.K. Takwani
- Administrative Law – I.P. Massey
- Administrative Law – K.C. Joshi
- Administrative Law – Rajneesh Kumar
- Administrative Law – Kailash Rai
- Administrative Law – Jay Jay Updhaya
- प्रशासनिक विधि – यू.पी.डी. केसरी
- प्रशासनिक विधि – एस. पी. साठे
- प्रशासनिक विधि – डॉ गंगा सहाय शर्मा



B.Com. LL.B. (Five Years Course)

IV Semester Paper – VI Family Law II (Muslim Law)

UNIT – I

Origin and development of Muslim, who is Muslims, conversion to Islam
Nature and history of Mohammedan law, schools of Muslim law and sources of
Muslim law Siya and Sunnie

UNIT – II

1. Marriage, Iddet, Muta Marriage, Option of Puberty Divorce, Dissolution of Muslim Marriage Act 1939

UNIT – III

1. Guardianship – elements, types.
2. Maintenance, liability Mehar – types

UNIT – IV

1. Will, Hiba (gift), Doctrine of Musha pre-emption, waqf

UNIT – V

1. Parentage and acknowledgement
2. Succession and death bed transaction

Books Recommended:

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| 1. अकील अहमद | मुस्लिम विधि |
| 2. Mulla | Mohammedan Law |
| 3. Dr. Paras Diwan | Muslim Law in Modern India |
| 4. Aquil Ahmed | Mohammedan Law |
| 5. पारस दीपान | आधुनिक मुस्लिम विधि |
| 6. शुक्ला | भारतीय उत्तराधिकार अधिनियम |
| 7. मौर्य | मुस्लिम विधि |
| 8. Fyzee | Introduction to Mohammedan Law |
| 9. Schat | Mohammedan Jurisprudence |
| 10. Coulson | Principles of Mohammedan |
| 11. Jhavala | Principles of Mohammedan law |