

RAJESH PANDEY COLLEGE OF LAW

ILLFATGANJ ROAD AKBARPUR AMBEDKAR NAGAR (U.P.)

AFFILETED TO

DR. RAM MANOHAR LOHIA AWADH UNIVERSITY, AYODHYA (U.P.)

SYLLABUS

OF

B.A.LL.B. (Hons.)
(FIVE YEAR INTEGRATED COURSE)

B.A.LL.B. 7th SEMESTER

I. Political Science-III

**II. Property Law (Transfer of
Property Act, 1882 and Indian
Easement Act.)**

III. Company Law

IV. Women and Law

V. Criminal Procedure Code-I

**VI. Professional Ethics, Professional
Accounting System and Bar-Bench Relations**

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B.A.LL.B. Seventh Semester

PAPER-I

Maximum Marks: 100

POLITICAL SCIENCE – III (REPRESENTATIVE WESTERN POLITICAL THINKERS)

UNIT-I

Plato (Republic), Aristotle,

UNIT-II

St. Thomas Aquinas, Machiavelli, Montesquieu,

UNIT-III

Hobbes, Locke, Rousseau,

UNIT-IV

J.S. Mill, T.H. Green, Bodin, Bentham,

UNIT-V

Karl Marx, Mao Tse Tung,

RRPSL

B.A.LL.B. Seventh Semester

PAPER-II

Maximum Marks: 100

**PROPERTY LAW (TRANSFER OF PROPERTY
ACT, 1882 AND INDIAN EASEMENT ACT.)**

UNIT-I

Concept and meaning of property

Kinds of property movable and immovable property, tangible and intangible property, intellectual property.

Important terms-immovable property; actionable claim.

“Transfer of property” defined.

What may be transferred?

Transfer for the benefit of unborn persons.

Rule against perpetuity.

Vested interest

Contingent interest; difference between vested and contingent interest.

UNIT-II

Conditional Transfer; fulfillment of condition precedent and fulfillment of condition subsequent.

Election-election when necessary, doctrine of election, rights of disappointed transferee.

Apportionment

Restrictive covenant. Transfer by ostensible owner.

Transfer by unauthorized person.

Transfer by one co-owner.

Transfer by co-owner of share in common property.

UNIT-III

Transfer of property pending suit relating there to (Lispendens)

Fraudulent transfer.

Part-performance.

Sale-its Definition and nature

Rights and Duties of buyer and seller

COMPANY LAW

UNIT-I

Company-Need of company for development; definition; kinds of company-public and private company, limited and unlimited company, Government Company, holding and subsidiary company.

Distinction between company and corporation; company and partnership and other associations of persons.

Formation of a company-registration and incorporation.
Theory of corporate personality.

UNIT-II

Memorandum of association-various clauses; doctrine of ultra vires.

Articles of association-its relation with memorandum of association; doctrine of constructive notice; indoor management-its exceptions.

Prospectus-issue, contents, liability for misstatement, statement in lieu of prospectus.
Promoters-position, duties and liabilities.

UNIT-III

Members of company-acquisition, suspension and termination of membership.

Share-general principles of allotment, statutory restriction.

Share capital-its objects and effects, transfer of shares, restrictions on transfer, procedure for transfer, refusal of transfer; relationship between transfer and transferee; issue of shares at premium and discount; depository receipts; dematerialised shares (DEMAT).

Shareholder-who can be and who cannot be a Shareholder; modes of becoming a shareholder; forfeiture and surrender of shares; lien on shares; share warrant and share warrant holder.

Share capital-kinds; alteration and reduction of share capital; further issue of capital; duties of courts to protect the interests of creditors and investors.

Debenture-meaning, kinds of debentures; shareholder and debenture holder; remedies of debenture holders.

UNIT-IV

Directors-position, appointment, qualifications, vacation of office, removal, resignation; power and duties of directors; meetings, registers; role of nominee directors; managing directors and other managerial personnel.

Meetings-kinds, procedure, voting.
Dividends-payment, capitalization, profit.
Company Law Board.
National Company Law Tribunal.

UNIT-V

Majority powers and protection of minority rights

Protection of oppression and mismanagement, who can apply?-powers of the company, court and of Central Government.

Investigation

Amalgamation and reconstruction

Winding up-types-by courts, reasons, grounds, who can apply/-procedure; powers of liquidators; consequences of winding, up order; voluntary winding up by members and creditors, winding up subject to supervision of courts; winding up of unregistered company.

Legal liabilities of company-civil and criminal.

ACTs

Companies Act, 1956.

BOOKs

Avtar Singh: Company Law, (EBC, Lucknow).

LCB Gower: Principles of Modern Company Law, (Sweet and Maxwell) SM

Shah: Lectures on Company Law (Tripathi, Bombay)

Palmers' Company Law (Stevens).

WOMEN AND THE LAW

UNIT-I

Women in India:

Pre-Independence period: social and legal inequality in ancient and medieval India Social reforms movement in India

Post-independence period: preamble of the Constitution; equality provisions in Fundamental Rights and Directive Principles of State Policy

Personal laws-unequal position of women

International Conventions and National Commission for Women

UNIT-II

Gender Inequality in Personal Laws:

Inheritance and succession: position of women in Hindu law and Muslim law Matrimonial property

Maintenance under personal laws and under Section 125 of the Cr. P.C. Guardianship: right of women to adopt a child; problems of women guardianing Domestic violence; causes and cure

UNIT-III

Women and Criminal Law:

Insulting the modesty of woman

Dowry death

Rape

Adultery

Cruelty by husband or his relative for dowry Dowry prohibition

Female foeticide

UNIT-IV

Women and Employment:

Women in employment: causes, extent and importance

Equal remuneration for men and women

Maternity benefit

Other provisions for welfare and safety of women in industrial laws Exploitation and harassment of women in work places

UNIT-V

Protection and Enforcement Agencies:

Courts Family

Courts

National and State Commission for Women

NGOs

BOOKS

A.S. Altekar: The position of Women in Hindu Civilisation

Revasia & Revasia: Women, Social Justice and Human Rights Agnes,

Flavia: Law and Gender Inequality

Balram: Women Workers, the Labour Legislation in India

Towards Equality-Report of the Committee on the Status of Women (Govt. of India)

B.A.LL.B. Seventh Semester

PAPER-V

Maximum Marks: 100

CRIMINAL PROCEDURE CODE – I

UNIT-I

The rationale of criminal procedure, the importance of fair trial.

Definition and distinction: Bailable and non-bailable offence; cognizable and non-cognizable offence; inquiry and investigation; complaint; compoundable and non-compoundable offence; and police report.

Criminal courts: Classes, constitution, powers and jurisdiction.

The Police-functions and organization of the police. (The Police Act, 1861)

Public Prosecutor and Asst. Public Prosecutors-duties, function and powers.

UNIT-II

Importance of procuring accused's presence at trial.

How to procure the presence of the accused at the trial-summons and warrant.

Arrest with or without a warrant

Arrest by a Private person

Arrest by Magistrate Arrest

how made

Rights of arrested persons

First information Report

Evidentiary value of F.I.R,

UNIT-III

Investigation

Search Warrant

Search by police officer

General provisions relating to searches

Seizure

UNIT-IV

Complaints to Magistrates

Commencement of proceedings before Magistrates

Bail-Object and meaning of bail

Cancellation of bail

Anticipatory bail

Powers of appellate court to grant bail

General Principles concerning bond

Charge, framing of charge, form and contents of charge and its exceptions Separate charges for distinct offence

Discharge-pre-charge evidence.

Commencement of proceedings before Magistrates
Bail-Object and meaning of bail
Cancellation of bail
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Powers of appellate court to grant bail
General Principles concerning bond
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Discharge-pre-charge evidence.

UNIT-V

Conception of fair trial
Presumption of innocence
Place of trial
Rights of the accused to know the accusation

Rights of cross-examination and offering evidence in defence: The accused's statement Right to speedy trial
Doctrine of 'autrefois acquit' and 'autrefois convict'.

ACTs

Criminal Procedure Code, 1973

Police Act, 1861.

BOOKs

RatanLalDhirajLal, Criminal Procedure Code.

Kelkar, Lectures on Criminal Procedure, (EBC, Lucknow). Kelkar, Outlines of Criminal Procedure, (EBC, Lucknow).

Woodroffe, Commentaries on Code of Criminal Procedure (Universal, Delhi)

**B.A.LL.B. Seventh Semester
PAPER-VI**

Maximum Marks: 80 + 20

**PROFESSIONAL ETHICS. PROFESSIONAL
ACCOUNTING SYSTEM AND BAR-BENCH
RELATIONS**

UNIT-I

Development and importance of legal profession.

Legal profession during British period: Under Mayor's Court and Supreme Court of Judicature.

Legal Profession under the Indian High Courts Act, 1861.

Legal Profession under the Legal Practitioners' Act, 1879, Indian Bar Committee, 1923, and the Indian Bar Council Act, 1926.

Legal Profession after Independence-(1) legal profession under All India Bar Committee, 1951, and (2) legal profession under the Advocates Act, 1961.

UNIT-II

Bar Council of India-constitution, powers and functions.

State Bar Councils-constitution, powers and functions.

Admission and enrolment of advocates-persons who may be admitted as advocates; disqualifications for enrolment.

Disposal of application for admission as an advocate.

Rights of an advocate.

UNIT-III

Professional ethics-meaning and necessity.

Standard of professional conduct and etiquette-duty to the court, duty to the client, duty to the opponent, duty to the colleagues, and residual duties.

Professional misconduct-meaning and scope.

Disciplinary Committee of the Bar Council of India-powers and procedure. Powers and procedure for initiating cases of misconduct by the State Bar Council.

UNIT-IV

Law of contempt.

Contempt of Courts Act, 1971-its object.

Contempt of court-meaning, categories of contempt of court-civil and criminal. Contempt jurisdiction of High Courts and the Supreme Court.

Contempt by lawyers, judges, State and corporate bodies.

Defences in contempt proceedings-civil and criminal.

Remedies against the order of punishment.

UNIT-V

Bar-Bench relations.

The personality of an advocate.

Art of advocacy.

Seven Lamps of advocacy.

ACTs

Indian Advocates Act, 1961.

Contempt of Courts Act, 1971.

BOOKs

Krishnamurthy Iyer on Advocacy. The
Contempt Law and Practice. Bar Council
Code of Ethics.

S.P. Gupta, Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations, (CLA, Allahabad)

50 selected opinions of the Disciplinary Committee of Bar Council of India and 10 major judgements of the Supreme Court.

Important Note:

The remaining 20 marks will be given in a Viva-voce examination which will test the knowledge of the subject. The viva-voce shall be conducted by a Board of Examiners consisting one external examiner and one internal examiner appointed by the Board of Studies.

