

**Shri Rawatpura Sarkar University,
Raipur**



Examination Scheme & Syllabus

for

B.COM.-L.L.B.

Semester-VII

(Effective from the session: 2020-21)

**SHRI RAWATPURA SARKAR UNIVERSITY, RAIPUR CHHATTISGARH****School Of Law (VII)**

2020-21

B.COM.-L.L.B.- VII TH SEM.

| S. N | Name of Subject | Paper Code | Th /P r | Type of Paper | Teaching hours per week | | | | Examination Scheme | | | | Total Marks | |
|-----------------------------|------------------------------------|-------------|---------|---------------|-------------------------|---|---|----|--------------------|----|-----------|-----------------------|-------------|--|
| | | | | | L | T | P | TC | Theory | | Practical | | | |
| | | | | | | | | | EX | IN | EX | IN | | |
| 1 | Civil Procedure code | BCOML LB701 | Th | Core | 3 | 1 | | 4 | 70 | 30 | | | 100 | |
| 2 | Company Law | BCOML LB702 | Th | Core | 3 | 1 | | 4 | 70 | 30 | | | 100 | |
| 3 | Labour and Industrial Law-I | BCOML LB703 | Th | Core | 3 | 1 | | 4 | 70 | 30 | | | 100 | |
| 4 | Labour and Industrial Law-II | BCOML LB704 | Th | Core | 3 | 1 | | 4 | 70 | 30 | | | 100 | |
| 5 | Drafting Pleading and Conveyancing | BCOML LB705 | Th | Core | 3 | 1 | | 4 | 70 | 30 | | | 100 | |
| Total contact hrs. per week | | | | | 20 | | | | Total Credit: 20 | | | Grand Total Marks:500 | | |



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| Course Title | Civil Procedure code and Limitation Act | | | | |
| Course Code | BCOMLLB701 | | | | |
| Course Credits | L | T | P | TC | |
| | 3 | 1 | - | 4 | |
| Prerequisites | Introduction on Civil Procedure code and Limitation act | | | | |
| Course Objectives | <ul style="list-style-type: none"> Study of procedural law is important for a Law student. This course is designed to acquaint the students with the various stages through which a civil case passes through, and the connected matters. The course also includes law of limitation. The course teacher shall endeavor to familiarize the students with the case papers (like plaints, written statements, Interlocutory applications, etc.) involved in civil cases and touch upon the provisions of Evidence Act wherever necessary. | | | | |
| Course Contents. | <p>UNIT-I Civil Procedure code:- Historical Development, Definitions, Abadi, Agriculture, Agriculture Year, Bonafide Agriculturist, Board, Co-operative Society, Government, Forest, Government Lessee, Holding. Improvement, Land, Landless Person, Land Records, Legal Practitioner, Mango Grove, Orchard, Recognized Agent, Rent, Revision, Revenue Officer, Revenue Year, Sub-Division of Survey Number, Tenant, Tenure Holder, Timber Tree, Urban Area, Unoccupied Land, Village, To Cultivate Personally, Survey Number</p> <p>UNIT-II Parties to Suits, Plaintiff and Defendants, Representative Suit, Joinder, Misjoinder and non-joinder, (Order - I Rules 1-13), Frame of Suit, Recognised Agents and Pleader, Institution of Suits, Issue and Service of Summons (Order II - V), Pleading Generally, Plaint, Written-Statement, Set-off and Counter-Claim (Order VI-VIII), Appearance of Parties and Consequences of non-appearance, dismissal of suits and ex-parte Decree and Order, Examination of Parties by the Court, Discovery and Inspection, Admission, (Order IX-XII), Settlement of Issues and Determination thereof, Summary Disposal, Summoning Attendance and Examination of Witnesses, Adjournment of Hearing and Affidavit (Order XIV-XIX).</p> <p>UNIT-III Land Records, Boundaries And Boundary Marks and Survey Marks, Tenure Holders, Government Lessee and Service Land, Occupancy Tenants, Alluvial and Dilluvian, Consolidation of Holding, Village-Officers, Rights in Abadi and Unoccupied Land and its Produce.</p> <p>UNIT-IV Leases of immovable property Definition, Essential Elements of Leases, Modes of Leases, Rights and Liabilities of Lessor and Lessee, Doctrine of Waiver, Determination of Lease and Other Related Provisions (Ss 105-117), Exchanges</p> | | | | |



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| | <p>(Ss 118-121), Gift (Ss 122-129), Transfer of Actionable Claims (Ss 130-137).</p> <p>UNIT-V</p> <p>Leading Cases -P.G.H. Patil Vs. R.S. Patil and others AIR 1957, SC 363.,M.P. Shrivastava Vs. Mrs. Veena AIR 1967, SC 1193,. Kiran Singh & Others Vs. Chaman Paswan and others AIR 1954, SC 340,State Vs. Administrator AIR 1972, SC 749,Hindustan Auaeronautics Vs. Ajit Prasad AIR 1973, SC 76</p> |
| Course Outcomes | <ul style="list-style-type: none">• After studying this subject students will have: _• Sound knowledge of civil procedural laws which are provided in civil procedure code 1908.• Acquire knowledge regarding trial of civil suits Acquire knowledge regarding order and suits• Also they will acquire knowledge relating to law of limitation which is provided under limitation act 1963. |
| Text Books | <ol style="list-style-type: none">1. Civil Procedure Code - Mulla2. Civil Procedure Code - Viswanath Iyer3. Code of Civil Procedure - P.K. Majumdar |
| Reference Books | <ol style="list-style-type: none">1. Civil Procedure Code - M.P. Jain2. Law of Limitation & Prescription - U.N. Mitra3. Law of Limitation - Dr. N.M. Swami4. Limitation Act – Sarkar. |



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| Course Title | Company Law | | | | |
| Course Code | BCOMLLB702 | | | | |
| Course Credits | L | T | P | TC | |
| | 3 | 1 | - | 4 | |
| Prerequisites | Introduction regarding Company law | | | | |
| Course Objectives | <ul style="list-style-type: none"> Companies play a very vital role in an economy. In India, the Companies Act, 2013 primarily regulates the formation, financing, functioning and winding up of companies. The students will be elaborately taught about the regulatory mechanism regarding all relevant aspects including organizational, financial and managerial aspects of companies. Regulation of financial and managerial aspects constitutes the main focus of the subject | | | | |
| Course Contents | <p>UNIT-I Introduction, History and Definition of Company, Registration of Corporate Entity, Corporate Veil, Company and Hindu undivided Family, company and Partnership, Club, Association of Persons, Advantages and Disadvantages of Incorporation, Kinds Companies and Application of the Act. Interpretation and Definitions of Various Terms.</p> <p>UNIT-II Formation of Companies, Promotion, Promotor and his Rights and Liabilities, Incorporation, Memorandum of Association and Articles of Association, Doctrine of Ultra-Vires, Prospectus, Definition, Contents of Prospectus Punishment for Misrepresentation in the Prospects, Members of the Company, Members and Shareholders and Public Trustees.</p> <p>UNIT-III Share and Share Capital, Allotment of Share, Statutory Restriction on Allotment, General Principles as to Allotment, Company which cannot issue prospectus, Irregular Allotment, Return as to Allotment, Issue of Share at Discount, Underwriting Commission, Brokerage, Issue of Share at Premium, Share Capital : Definition, Nature of Share Certificate, Position of Transferor and Transferee, Procedure, Blank Transfer, Right to Refuse Registration, Restriction on the Acquisition and Transfer of Share, Certificate of Transfer, Kinds of Share, Power of Company to Accept Payment in Advance of Calls. Reserve Liability, Alteration of Capital Reorganisation of Share Capital. Reduction of Capital, Share Warrant. Directors, Position of Directors, Appointment, Powers and Duties of Directors, Other Office Bearers of the Company.</p> <p>UNIT-IV Dividend, Debenture, Accounts and Audit, Borrowing Powers of the Company, Investment and Contract, Majority Powers and Minority Rights and Rule of Foss and Harbottle, Mismanagement and Remedies, Compromise Arrangement,</p> | | | | |



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| | <p>Reconstruction and Amalgamation, Investigation and Liquidation and Consequences of Winding up of the Companies.</p> <p>UNIT-V</p> <p>Leading Cases;1.Saloman Vs. Soloman and Company Ltd., 1897, PC 22.,2.Income Tax Commissioner Vs. Shri Meenakshi Mills, A.I.R., 1967, SC 819.3.Nareshchand Vs. Calcutta Stock Exchange Association AIR 1971, SC 422.4.N. Goverdhandas & Company Vs. N.W. Industries Pvt. Ltd. AIR 1971, SC 2600.5.Official Liquidator Vs. P.A. Tandolkar AIR 1973, SC 1104.6.R. Methlone Vs. Bombay Life Insurance Corporation Ltd. AIR 1953, SC 195.</p> |
| Course Outcomes | <ul style="list-style-type: none">• After completion of course students will have Sound knowledge of corporate laws.• Students will acquire knowledge relating to company law, formation of company, its functioning and means by which company's existence can be dissolved.• Also students will acquire knowledge relating to company restructuring, mergers and amalgamations.• Also students will get to know about company law board and its functioning. |
| Text Books | <ol style="list-style-type: none">1. Company Lax - Philip. K. Thayil.2. Lectures on Company Law - S.M. Shah.3. Indian Company Law - Awtar Singh.4. Company Law - R.R. Maurya. |
| Reference Books | <ol style="list-style-type: none">1. Company Law - Dr. Ramchandran.2. Students Guide to Company Law – Taxmann3. Company Law- N.V Paranjape. |



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| Course Title | Labour Laws and Industrial laws-I |
| Course Code | BCOMLLB703 |
| Course Credits | L T P TC |
| | 3 1 - 4 |
| Prerequisites | Introduction regarding Labour law and Industrial law |
| Course Objectives | <ul style="list-style-type: none">To know the development and the judicial setup of Labour Laws. To learn the salient features of welfare and wage Legislations. To learn the laws relating to Industrial Relations, Social Security and Working conditions. To understand the laws related to working conditions in different settings. |
| Course Contents | <p>UNIT-I</p> <p>(1) General Introduction-Industrial Jurisprudence, Labour Policy in India, Industrial Revolution of India, Evil of Industrialization, Labour Problems, Principles of Labour Legislation, Growth of Labour Legislation in India, Classification of Labour and Industrial Legislations,(2) The Industrial Disputes Act, 1947—Preliminary, (Sec. 1-2), Authorities under this Act (Sec. 3-9), Notice of change (Sec. 9A -9 B), Reference Of Certain Individual Disputes To Grievance Settlement Authorities (Sec. 9C), Reference of Disputes to Boards, Courts or Tribunals (Sec. 10- 10A), Procedure, Power and Duties of Authorities (Sec. 11-21), Strikes and Lockouts (Sec. 22-25), Lay-Off and Retrenchment (Sec. 25A-25J), Unfair Labour Practice (Sec. 25T-25U), Penalties (Sec. 26-31).</p> <p>UNIT-II</p> <p>(3) The Trade Unions Act, 1926-- Preliminary,(Sec. 1-2), Registration of Trade Unions (Sec. 3-14), Rights and Liabilities of Registered Trade Unions (Sec. 15-28), Regulations (Sec. 29-30), Penalties and Procedure (Sec. 31-33), (4) The Workmen’s Compensation Act, 1923-- Preliminary, (Sec. 1-2), Workmen’s Compensation (Sec. 3-18), Commissioners – Reference to Commissioners, Appointment and Powers of Commissioners, Powers and Procedure of Commissioners, Appeals (Sec. 19-21), Rules 32-36, All Schedules, All Schedules and amendments made from time to time.</p> <p>UNIT-III</p> <p>(5) The Payment of Wages Act, 1936-- Preliminary, (Sec. 1-2), Responsibility for Payment of Wages (Sec. 3-6), Deductions which may be made from wages (Sec. 7-13), Authorities under the Act, Inspectors, Facilities to be afforded to Inspectors, Authorities to hear claims, Single application in respect of claims from unpaid group, Appeal (Sec. 14-17), Power of authorities appointed under section 15 (Sec. 18-19), Miscellaneous Provisions (Sec. 20-26).</p> <p>UNIT-IV</p> <p>(6) The Minimum Wages Act, 1948-- Preliminary, (Sec. 1-2), Fixing of minimum rates of wages (Sec. 3-6), Advisory Board (Sec. 7-9), Wages in kind</p> |



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| | <p>(Sec. 10-17), Maintenance of Registers and Records, etc. (Sec. 18-21), Penalties, etc. (Sec. 22-26), Power of Govt. to make rules (Sec. 27-31), All Schedules and all amendments made from time to time</p> <p>UNIT-V</p> <p>LEADING CASES: A Maikenji Vs. J.S. Ishaq AIR 1970 SC 1906, Bangalore Water Supply and Sewerage Board Vs. A. Rajappa and Others AIR 1978 SC 553, Pottery Majdoor Panchayat Vs. The Perfect Pottery Co. Ltd. A.I.R. 1979, S.C. 1356.</p> |
| Course Outcomes | <ul style="list-style-type: none">• After completion of course students will have Students will know the development and the judicial setup of Labour Laws.• They will learn the salient features of welfare and wage Legislations also to integrate the knowledge of Labour Law in General HRD Practice.• Students will learn the laws relating to Industrial Relations, Social Security and Working conditions and also learn the enquiry procedural and industrial discipline. |
| Text Books | <ol style="list-style-type: none">1. O.P. Malhotra - The law of Industrial Disputes (1998) Universal Delhi.2. V.G. Goswami - Labour and Industrial laws, CLA Allahabad.3. P.K. Padhi –Labour and Industrial Laws, Prentice Hall of India Pvt. Ltd. New Delhi. |
| Reference Books | <ol style="list-style-type: none">1. S.C. Shrivastava - Treatise on social security and labour laws EBC Lucknow.2. S.N. Mishra - Labour & Industrial laws CLA Allahabad.3. P.L. Malik - Hand Book of Labour and Industrial laws, EBC Lucknow. |



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| Course Title | Land laws and Industrial laws -II | | | | |
| Course Code | BCOMLLB704 | | | | |
| Course Credits | L | T | P | TC | |
| | 3 | 1 | - | 4 | |
| Prerequisites | Introduction regarding Labour laws and Industrial Laws | | | | |
| Course Objectives | <ul style="list-style-type: none">To know the development and the judicial setup of Labour Laws. To learn the salient features of welfare and wage Legislations. To learn the laws relating to Industrial Relations, Social Security and Working conditions. To understand the laws related to working conditions in different settings. | | | | |
| Course Contents | <p>UNIT-I</p> <p>(1) The Employees' State Insurance Act, 1948—Preliminary (Definitions) (Sec. 1-2), Corporation, Standing Committee and Medical Benefit Council (Sec. 3-25), Finance and Audit (Sec. 26-37), Contributions (Sec. 38-45), Benefits (Sec. 46-59), Adjudication of Disputes and Claims (Sec. 74-83), Penalties (Sec. 84-86),(2) The Factories Act, 1948-- Preliminary (Definitions) (Sec. 1-7), Inspecting Staff (Sec. 8-10), Health (Sec. 11-20), Safety (Sec. 21-41), Welfare (Sec. 42-50), Working hours of Adults (Sec. 51-66), Employment of Young persons (Sec. 67-77), Annual leave with wages (Sec. 78-84).</p> <p>UNIT-II</p> <p>(3) The Child Labour(Prohibition and Regulation) Act, 1986- Preliminary (Definitions) (Sec. 1-2), Prohibition of Employment of Children in certain occupations and processes (Sec. 3-5), Regulation of conditions of work of children (Sec. 3-5), Miscellaneous (Sec. 14-26).Causes of child labour and Present prospect of child labour in India.</p> <p>UNIT-III</p> <p>(4) The Maternity Benefits Act, 1961-- Preliminary (Definitions) (Sec. 1-3), Employment of, or work by woman prohibited during certain period , Right to payment of maternity benefit, Notice of claim for maternity benefit and payment thereof, Payment of maternity benefit in case of death of a woman, Payment of medical bonus, Leave for miscarriage, Other leaves, Nursing breaks, Dismissal during absence of pregnancy, Deduction of wages, Appointment of Inspectors, Powers and duties of Inspectors (Sec. 4-22), Cognizance of Offence (Sec. 23).</p> <p>UNIT-IV</p> <p>(5) The Gratuity Act, 1972-- Preliminary (Definitions) (Sec. 1-2), Controlling Authority, Payment of Gratuity, Nomination (Sec. 3-6), Determination of the amount of gratuity (Sec. 7), Inspector , Recovery of gratuity, Penalties (Sec. 8-9), Cognizance of Offences (Sec. 11-14), Power to make rule (Sec. 15)</p> <p>UNIT-V</p> <p>LEADING CASES:.(!) B.Shah Vs. Labour Court AIR 1978 SC 12,(2)</p> | | | | |



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| | Ahemdabad Private Primary Education Association Vs. Administrative Officers (2004) I SCC 755,(3) Peoples Union for Democratic Rights Vs. Union of India AIR 1982 SC 1480 |
| Course Outcomes | <ul style="list-style-type: none">• After completion of course students will have Students will know the development and the judicial setup of Labour Laws.• They will learn the salient features of welfare and wage Legislations also to integrate the knowledge of Labour Law in General HRD Practice.• Students will learn the laws relating to Industrial Relations, Social Security and Working conditions and also learn the enquiry procedural and industrial discipline. |
| Text Books | <ol style="list-style-type: none">1. O.P. Malhotra - The law of Industrial Disputes (1998) Universal Delhi.2. V.G. Goswami - Labour and Industrial laws, CLA Allahabad.3. P.K. Padhi –Labour and Industrial Laws, Prentice Hall of India Pvt. Ltd. New Delhi. |
| Reference Books | <ol style="list-style-type: none">1. S.C. Shrivastava - Treatise on social security and labour laws EBC Lucknow.2. S.N. Mishra - Labour & Industrial laws CLA Allahabad.3. P.L. Malik - Hand Book of Labour and Industrial laws, EBC Lucknow. |



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| Course Title | Drafting pleading conveyancing | | | | |
| Course Code | BCOMLL705 | | | | |
| Course Credits | L | T | P | TC | |
| | 3 | 1 | - | 4 | |
| Prerequisites | Introduction regarding Drafting pleading conveyancing | | | | |
| Course Objectives | <ul style="list-style-type: none">The students should be trained in drafting of pleadings and conveyances and other essential documents. The skill of drafting can be acquired and sharpened by undertaking the exercises under the supervision of an expert in the field. The course aims at equipping the students with drafting skills. Without sound ethics and the enforcement of proper ethical conduct, people would lose confidence in the court and judicial process to perilous effect. | | | | |
| Course Contents | <p>UNIT-I</p> <p>Pleading: (i) Civil: General Principles of Pleadings with Special Reference to the Following :- Plaint and written statement with reference to the suits mentioned below :- (a) Money Suit, (b) Ejectment Suit, (c) Injunction, (d) Interlocutory application under the provisions of C.P.C. (e) Suits under Hindu Marriage Act, 1955 (f) Suits for Specific Performance of Contract (g) Original Petition (h) Affidavit (i) Execution Petition (j) Memorandum of Appeal and Revision (k) Petition under Articles 226 and 32 of the Constitution of India.</p> <p>UNIT-II</p> <p>Criminal: - Criminal Pleadings with respect to the following:- (a) Drafting of First Information Report (FIR U/S 154, Cr.P.C.) (b) Drafting of Challan /Chargesheet (under section 173, Cr.P.C.) (c) Drafting of Charge by the Court (d) Complaints for Commission of offences u/s 294, 323/324, 325, 341, 352 and 506 of the Indian Penal Code. (e) Criminal Miscellaneous Petition. nterlocutory Application.</p> <p>UNIT-III</p> <p>(a) Drafting of Bail Application u/s 436 and 437 of Cr.P.C. (b) Drafting of Anticipatory Bail Application u/s 438, Cr.P.C. (c) Drafting of Cancellation of bail application u/s 439 (i) and (ii) of Cr.P.C. (d) Maintenance application u/s 125-128, Cr.P.C. (e) Memorandum of Appeal and Revision.</p> <p>UNIT-IV</p> <p>Conveyancing : General Principles of Conveyancing with special reference to the following :- (a) Sale Deed (b) Mortgage Deed (c) Lease Deed (d) Exchange Deed (e) Gift Deed (f) Will Deed (g) General Power of Attorney (h) Promissory Note</p> <p>UNIT-V</p> <p>(a) C.G. High Court Rules and Orders (Civil), (b) C.G. High Court Rules and Orders (Criminal)</p> | | | | |



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| Course Outcomes | <p>After completion of course students will be able to draft documents such as complaints, written statement, legal notices, petitions etc.</p> <ul style="list-style-type: none">• In addition they also acquire knowledge of drafting writ petitions and conveyance deeds. |
| Text Books. | <ol style="list-style-type: none">1. Mogha's - Pleading2. Mogha's - Conveyancing3. N.S. Bindra - Pleading and Practice |
| Reference Books | <ol style="list-style-type: none">1. Murli Manohar - Art of Conveyancing and Pleading2. Shiv Gopal - Conveyancing, Precedents & Forms.3. A.K. Banerjee and S.k. Awasthi – Guide to Drafting. |