

B. B.A. LL.B. (HONS.) SEMESTER - IX

PRINCIPLE OF TAXATION LAW
PAPER – I

UNIT- I Income Tax Act

- Basic concepts- basis of charges of tax
- Definitions
- Residential status of assesses – its impact on tax liability.

UNIT-II Heads of Income -

- General concepts-
- Chargeability to tax- admissible & inadmissible deductions, exclusions and deductions from income, Set off and carry forward of losses.
- salaries
- Income from House Property
- Income from Profits of Profession and business
- Capital Gains
- Income from other sources
- Clubbing of income

UNIT- III Income tax Authorities-

- Powers & functions,
- Assessment
- Allotment of permanent account number,
- Economic criteria scheme.

UNIT- IV Appeal, Revision and Reference

- Appeal,
- Revision,
- Reference
- Rectification, (Sec.269N, 269 UJ)

UNIT-V Prosecution and Penalties

- Prosecutions under Income Tax Act, 1961
- Non- compliance,
- Contravention,
- Avoidance
- Evasion of tax.
- Penalties

SELECTED BIBLIOGRAPHY

- Taxman : Tax Planning and Management, (1998), Taxman
- Agarwal, A.N. : Indian Economics (Selected Chapters) (1997) Wishwa Prakashini, N.Delhi.
- N.K. Palkhivala & B.A. Palkhivala (eds) : Kanga and Palkhivala's Income Tax Law and Practice (7th ed. 1976).
- Agrawal, V.S. : Taxation of Salaries with Tax Planning (1990), Professional Book Publishers, New Delhi.
- V.S. Sunderam : Law of Income Tax in India (11th ed. 1978).
- A.C. Sampat Iyengar : Three Taxes (6th ed. 1987).
- K. Chaturvedi and S.M. Pithisaria : Income Tax Law (3rd ed. 1981).
- V.P. Gandhi : Some Aspects of Indian Tax Structure : An Economic Analysis (1970)
- T. Mathew : Tax Policy (1975).
- H.M. Seervai : Constitutional Law of India (3rd ed. 1984)
- I.P.S. Siddhu : Company Taxation Cases.
- M.P. Jain : Indian Constitutional Law. (4th ed. 1994).
- Bhagwati Prasad : Direct Taxes : Law and Practice (1996) Wishwa Prakashan, New Delhi.
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B. B.A. LL.B. (HONS.) SEMESTER - IX
LOCAL SELF GOVERNMENT-INCLUDING PANCHAYAT ADMINISTRATION
PAPER – II

UNIT-I Concept

- Local self Government- meaning, evolution.
- Nature
- Doctrine of distribution of power.

UNIT-II Constitutional Provisions

- Constitutional Provisions-Directive principles,
- 73rd and 74th Amendment;
- Panchayats Constitution. and Composition.,
- Powers and responsibilities.
- Election, (Article 243. 243A-O) and 12th schedule.

UNIT-III Municipalities

- The Municipalities- Constitution and Composition,
- Reservation of seats,
- Powers and responsibilities Election.
- Wards Committees Finance Commission (relating to Municipalities) (Article 243 P, ZG and 280)
-

UNIT -IV

1. Panchayati Raj Act 1993.

UNIT-V

1. Nagar Palika Adhiniyam,

SELECTED BIBLIOGRAPHY

Dr. J.N. Pandey	Constitution Law of India
V. N. Shukla	Constitution Law of India
M.P. Jain	Indian Constitution
Basanti Lal Babel	Constitution of India

B.B.A. LL.B. (HONS.) SEMESTER - IX

MEDIA AND LAW PAPER – III

UNIT- I. Mass Media- Types of- Press Films, Radio Television

- Ownership Patterns :- Press - private-public A - Films, Private B - Radio & Television -
- Differences between visual and non - visual Media - Impact on peoples minds

UNIT - II Press-Freedom of Speech and Expression — Article 19 (1) (a)

- Includes Freedom of the Press
 - Laws of defamation, obscenity, blasphemy and sedition
 - Law relating to employees wages and service conditions of media, The working journalists and other news paper employee (condition of service) and Misc. Provisions Act, 1955, The working journalist (Fixation of Rates of wages) Act, 1958.
4. . Price and pages Schedule Regulation
- Newsprint Control order
 - Advertisement- is it included within freedom of speech and expression?
 - Press and the monopolies and Restrictive trade practices Act.
 - The working Journalist (Fixation of Rates of wages) Act, 1958.

UNIT - III Films - It Included in freedom of speech and expressions?

- Censorship of films - constitutionality
- The Abbas case
- Differences between films and press - why pre-censorship valid for films but not for the press
- Censorship under the cinematograph Act

UNIT-IV Radio and television- Government Policy:

- The Press Council Act, 1978
- Regulatory Code of Conduct
- Report of the Chadha committee
- Government policy
- Commercial advertisement
- Internal scrutiny of serials etc

UNIT - V Constitutional Restrictions

- Radio and television subject to law of defamation and obscenity
- Power of legislate- Article 246 read with the seventh schedule
- Power of impose tax - licensing and licence fee
- Contempts of Court Act.

SELECT BIBLIOGRAPHY

- M.P. Jain, Constitutional Law of India (1994) Warchta
- H.M. Seervai, Constitutional Law of India Vol. (1991) Tripathi, Bombay
- John B. Haward, "The Social Accountability of Public Enterprises" in Law and community contn in New Development Strategies (International Center for law in Development 1980)
- Bruce Michael Boyd, "Film Censorship in India: A Reasonable Restriction on freedom of speech and expression" 14 J.I.L.I. 501 (1972)
- Rajeev Dhavan" On the Law of the Press in India" 26 J.I.L.1. 288 (1984)
- Rajeev Dhavan, "Legitimizing. Government Rhetoric; Reflections on some Aspects of Social press Commission" 26 J..I.L.I. 391 (1984)
- Soli Sorabjee, Law of press Censorship in India (1976)
- Justice E.S. Venkatramiah, freedom of press: Some Recent trends (1984)
- D.D. Basu, The Law of Press of India (1980)
- Students should consult relevant volumes of the Annual Survey of Indian Law Published by Indian Law Institute. (Constitutional Law 1 & 11 Administrative Law and Public Interest Litigation.
- V.N. Shukla Constitutional Law of India.
- Vidisha Bohra, Press and Law Media Manual.

Unit – I Introduction

- Definition nature and history of insurance
- Concept of Insurance and law of contract and law of torts future of insurance in globalized economy.
- History and development of insurance in India.
- Insurance Regulatory Authority - role and functions.

Unit-II General principles of law of Insurance

- Contract of Insurance - classification of contract of insurance, nature of various Insurance contracts parties thereto
- Principle of good faith, non-disclosure, misrepresentation in insurance contracts
- Insurable interest
- The risk
- The policy, classification of policies-its form and contents, its commencement, duration, cancellation, alteration, rectification, renewal, assignment, construction
- Conditions of the policy
- Alteration of the risk
- Assignment of the subject matter

Unit-III Insurance

- Nature and scope of life insurance, definition kinds of life insurances, the policy and formation of a life insurance contract
- Event insured against life insurance contract
- Circumstances affecting the risk
- Amounts recoverable under life policy
- Persons entitled to payment
- Settlement of claim and payment of money

Unit-IV Marine Insurance

- Nature and scope
- Classification of marine policies
- The Marine Insurance Act 1963
- Insurable interest, insurable value
- Marine insurance policy-conditions, express-warranties, construction of terms of policy
- Voyage - deviation
- Perils of the sea
- Partial loss of ship and of freight, salvage, general average, particular charges
- Measure of indemnity, total valuation, liability to third parties.

Unit-V

Social Insurance in India

- Important elements in social insurance, its need.
- Commercial insurance and social insurance
- Workmen's compensation- scope, risks covered, industrial accidents, occupational diseases, cash benefits, incapacity, amount of compensation, nature of injuries, dependents, schedule
- Sickness insurance, Adarkar scheme, Stack and Rao scheme for wage earners and others, risks covered, maturity and other benefits
- Old age, premature death and invalidity insurance or pension insurance, public provident fund.
- Fire Insurance
- Social insurance for people like seamen, circus workers and agricultural, workers
- Public Liability Insurance
- The scheme
- Authorities

SELECT BIBLIOGRAPHY

- Singh, Bridge Anand, New Insurance Law (2000) Union Book Publishers, Allahabad.
- Ivamy, Case Book on Insurance Law(1984), Butterworths.
- Jvamy, General Principles of insurance Laws (1993), Butterworths
- John Birds, Modern Insurance Law(1988), Sweet and Maxwell
- Sreenivasan. M.N., Principles of insurance Law (1 997), Ramaniya Publishers, Bangalore.
- M.N. Mishra – Law of Insurance – Central Law Agency, Allahabad.

B.B.A. LL.B. (HONS.) SEMESTER - IX

Moot Court Exercise and Internship : PAPER – V

Note : 1. Three components of 30 marks each and viva for 10 marks shall be conducted by University.

- Each component and viva-voce examination of this paper will be conducted by a panel of two examiners out of which one external examiner shall be appointed by the examination committee of the University and Internal examiner who may be retired professor/ Judges shall be appointed by the Principal/Director/Head of the Institution concerned. The remuneration shall be as per D.A.V.V. norms.
- (a) Moot Court (30 Marks). Every student will be required to participate in moot courts in a year. The moot court work will be on assigned problem.
- Observance of Trial in two cases, one Civil and one Criminal (30 marks) :

Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

- Interviewing techniques and Pre-trial preparations and Internship diary (30 marks) :

Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

- The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

B.B.A. LL.B. (HONS.) SEMESTER - X
CIVIL PROCEDURE CODE AND LIMITATION ACT
PAPER – I

UNIT-I Introduction

Concepts.

- Affidavit, order, judgment, decree, plaint, restitution, execution. decree-holder, judgment- debtor, mense profits, written statement.
- Distinction between decree and judgment and between decree and order

Jurisdiction

- Kinds
- Hierarchy of courts
- Suit of civil nature- scope and limits
- Res subjudice and resjudicata
- Foreign judgment - enforcement
- Place of suing
- Institution of suit
- Parties to suit: joinder mis- joinder or non-joinder of parties representative suit
- Frame of suit: cause of action
- Alternative disputes resolution (ADR)
- Summons

Unit-II Pleading

- Rules of pleading, signing and verification
- Alternative pleading
- Construction of pleadings
- Plaint: particulars
- Admission, return and rejection
- Written statement: particulars, rules of Evidence
- Set off and counter claim: distinction
- Discovery, inspection and production of documents
- Interrogatories
- Privileged documents
- Affidavits

Unit-III Appearance, Examination, Trial and Suit in particular cases

- Appearance
- Ex-parte procedure
- Summary and attendance of witnesses
- Trial
- Adjournments
- Interim orders: commission. arrest or attachment before judgment, injunction and appointment of receiver.
- Interests or costs
- Execution - concept General principles
- Power for execution of decrees
- Procedure for execution (section 52-54)
- Enforcement, arrest and detention (ss 55-56)
- Attachment (ss 65-64)
- Sale (ss 65-97)
- Delivery of property
- Stay of execution

Suits in Particular Cases -

- By or against government (ss 79-82).
- By aliens and by or against foreign rules or ambassadors (ss 83-87-A)
- Public nuisance (ss. 91-93)
- Suits by or against firm

- Mortgage
- Interpleader suits
- Suits relating to public charities
- Indigent (Pauper) suits

UNIT-IV Appeals, Review, Reference and Revision

- Appeals from decree and order general provisions relating to appeal
- Transfer of cases
- Restitution
- Caveat
- Inherent powers of courts
- Law Reform : Law Commission on Civil Procedure - Amendments

Unit-V Limitation

- The concept- the law assists the vigilant and not those who sleep over the rights.
- object of the law of Limitation
- Distinction with laches, acquiescence, prescription.
- Extension and suspension of limitation
- Sufficient cause for not filing the proceedings.
- Illness.
- Mistaken legal advise.
- Mistaken view of law.
- Poverty, minority and purdha.
- Imprisonment
- Defective vakalatnama
- Legal liabilities
- Acknowledgement- essential requisites
- Continuing tort and continuing breach of contract
- Foreign rule of limitation : contract entered into under a foreign law

SELECTED BIBLIOGRAPHY

- Mulla, Code of Civil procedure (1999), Universal Delhi
- C.K. Thakker, Code of Civil Procedure (1999), Universal Delhi
- M.R. Mallick (ed.) B.B. Mitra on Limitation Act (1998), Eastern Lucknow.
- Majumdar P.K. and Kataria R.P. Commentary on the Code of Civil Procedure.1908 (1998), Universal Delhi.
- Saha A.N. The Code of Civil Procedure (2000) Universal Delhi
- Sarkar Law of Civil Procedure Vols. (2000) Universal Delhi.
- Universal's Code of Civil Procedure (2000).
- वी.एन.पाण्डे – सिविल प्रक्रिया संहिता
- राधारमण गुप्ता – सिविल प्रक्रिया संहिता

PROBATION AND PAROLE
PAPER II

UNIT-I Criminology

- The concept of Crime
- Nature and scope of criminology
- Schools of criminology
- Causation of Crime (Etiology)

UNIT-II Nature of Punishment

- Theories of punishments- deterrent, preventive, retributive, reformatory and expiatory theory
- Kinds of punishment and judicial sentencing
- Capital punishment
- The police system
- Criminal laws Courts protection to the accused
- Strict construction of penal statutes
- Penal law not to be retrospective in operation

UNIT-III Organised Crime

- Definition Main characteristics of organized crime.
- Organised Predatory Crime
- Crime Syndicate
- Criminal Rackets
- Political grafts

Unit-IV Probation

- Application of probation – utility and misconception
- Conditions of Probation
- Probation of offenders Act 1958
- Power of Court to release certain offenders after admonition
- Power of Court to release certain offenders on probation of good conduct
- Power of Court to require released offenders to pay compensation and costs.
- Restrictions on imprisonment of offenders under twenty-one years of age.
- Report of probation officer to be confidential
- Variation of conditions of probation
- Procedure in case of offender failing to observe conditions of bond
- Provisions as to Sureties

Unit-V

Parole

- The concept of Parole and object of parole
- Parole and Probation Compared
- Parole Distinguished from Furlough
- Parole in India
- Structural set up of Parole Boards and their functions
- Conditions of Parole
- Judicial Trend
- Parole Violation

SELECT BIBLIOGRAPHY

- Katherine S. Williams, Text Book on Criminology (1997) Blackstone, London.
- A. Siddique, Criminology, problems and perspectives (1997).
- D.C. Pandey, Habitual offenders and the law.
- Prof. N.V. Paranjape criminology and penology.
- Prof. S.S. Shrivastava Criminology and criminal administration.
- Prof. V.B. Agrawal and R.K. Raizada Crime and Criminology.
- Probation of offenders Act. 1958

B.B.A. LL.B. (HONS.) SEMESTER - X

WOMEN AND CRIMINAL LAW PAPER – III

UNIT-I Introduction

- Crimes against women
- Nature and kinds
- International commitments.

UNIT-II Major Hardships to woman and Indian laws

- Rape, sexual harassment of working women in workplace
- Indecent representation of women-meaning, protection under Indian laws.

UNIT-III Particular and General offences

- Dowry death
- Assault
- Unnatural offences – National protections.

UNIT-IV Special offending act

- Immoral trafficking
- female foeticide
- kidnapping and abduction – National protections.

UNIT-V Cruelty and violence

- Cruelty and domestic violence against women - National protections.

SELECTED BIBLIOGRAPHY -

- Indian Penal Code- Ralanlal Dhirajlal-Wadhwa
- SITA (Suppression of Immoral Trafficking in Women)
- Domestic Violence Act, 2005 – Dr. Preeti Mishra
- Vishaka's Case, Chandrima Das Case.
- Indira Jaising – Hand book on law of Domestic Violence.
- Lawyers collective – Law relating to sexual harassment at work place-Universal Delhi.
- Krishna Pal Malik – Women & Law – Allahabad Law Agency
- Manjula Batra – Women and Law - Allahabad Law Agency.

B.B.A. LL.B. (HONS.) SEMESTER - X INFORMATION TECHNOLOGY LAW PAPER – IV

UNIT-I Introduction

- Concept and Definition – Computer, Digital Signature, Key Pair, Subscriber, Verification
- Globalisation and ECommerce – U.S./U.K.
- I.T. Act 2000 – Aim and object, E-mail, Torts & contract on Internet, Offences and Cyber Crimes, Stalking, Hacking, tempering, Junk Spaming – publication of obscene material, offences of computer, worms & virus Defamation and internet
- Loop holes in I.T. Act.

UNIT-II Adjudication and penalties

- Powers of Police Officers
- The Cyber Regulations Appellate Tribunal
- Appeal to High Court
- Compounding of contravention and Recovery of penalty

UNIT-III Protection of Consumers and Victims

- Protection of consumer & unfair Terms
- Protection of person when person is not consumer
- Proposed Amendments
- R.B.I. Guideline for A.T.M. Transactions

UNIT-IV International sphere of Global Regime

- Civil Jurisdictions
- Minimum contact Doctrine in U.S.A.
- E mail on Internet
- Danger for computer software failure

UNIT-V Right of Privacy (on Internet) Media Law

- Right to Privacy – Breach of (Defamation, Trespass, Nuisance)
- Breaching confidence and harassment
- Privacy on Internet
- Real Victims of Virtual Crime

SELECT BIBLIOGRAPHY

- I.T. Tech. Law : Gupta & Agrawal – Premier Publication, Allahabad

B.B.A. LL.B. (HONS.) SEMESTER - X DRAFTING, PLEADING AND CONVEYANCE

PAPER- V

Note: 1. This paper shall have Diary of 90 (45+45) marks and viva- voce of 10 marks, which shall be evaluated by a panel of two examiners out of which one external examiner shall be appointed by the examination committee of the University and Internal examiner shall be appointed by the Principal/Director/Head of the Institution concerned. The remuneration shall be as per D.A.V.V. norms.

- (a) Drafting : General principles of drafting and relevant substantive rules shall be taught
- Pleadings :-
 - Civil : Complaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.
 - Criminal : Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision.
 - Conveyance : Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed
 - Drafting of writ petition and PIL petition

The course will be taught through class instructions and simulation exercises, preferably with assistance of practicing lawyers/retired judges.

Apart from teaching the relevant provisions of law, the course may include not less than 15 practical exercises in drafting carrying a total of 45 marks (3 marks for each) and 15 exercises in conveyancing carrying another 45 marks (3 marks for each exercise) remaining 10 marks will be given for viva voce.

Select Bibliography

- R.N. Chaturvedi : Pleading, Drafting and Conveyancing,
- Manohar Murli : The art of Conveyancing and Pleading
- ए. एन. पांडे : अभिवचन एवं प्रलेख शास्त्र
- एस. सी. दीक्षित : अभिवचन प्रारूपण एवं हस्तांतरण पत्र लेखन