

Detailed Program
Bachelor of Law
(LL.B.)

Semester III
(2016-2019)

DOC201717040010



RNB
GLOBAL UNIVERSITY
Educating stars for tomorrow

RNB GLOBAL UNIVERSITY
RNB Global City, Ganganagar Road,
Bikaner, Rajasthan 334601.

OVERVIEW

RNB Global University follows Semester System along with Choice Based Credit System as per latest guidelines of University Grants Commission (UGC). Accordingly, each academic year is divided into two semesters, **Odd (July-December) and Even (January-June)**. Also, the university follows a system of continuous evaluation along with regular updating in course curricula and teaching pedagogy.

The curriculum for LL.B. program for Odd (July-December) Semester, 2017 along with Examination pattern is as follows:

Semester -III

S. No	Subject Code	Course Name	Credits
1.	16003800	Constitutional Law I	4
2.	16003900	Code of Civil Procedure and Limitation Act	4
3.	16004000	Company Law	4
4.	16004100	Special Contracts (Partnership, Sale of Goods)	4
5.	16004200	Law of Crimes-III (Socio-Economic offences etc.)	4
6.	16002400	Ability & Skill Enhancement Module-III	3
7.	99002000	NCC/NSS/Other Similar Activities	-
8.	99002100	Club Activities	-
Total Credits			23

EVALUATION SCHEME

The evaluation of the LL.B. program would be based on Internal and External Assessments. Internal Assessment would consist of 50% of the marks (50 marks) and external assessment (in form of End Term Exam) would consist of remaining 50% marks (50 marks). Detailed scheme of Internal and External Assessments as follows:

Internal Assessment

Type	Details	Marks
Mid Term	Two Mid-term Examinations	10+10
Marks obtained in various Tests, Assignments, Presentations, etc.	Average of marks obtained	15
Discipline	To be decided by concerned faculty	5
Attendance	80% - 5 marks and 0.25 percent for every one percent above 80 %	10
TOTAL		50

External Assessment

Type	Marks
Theory	50

EVALUATION SCHEME- NCC/NSS AND CLUB ACTIVITIES

1. NCC/NSS will be completed from Semester I – Semester IV. It will be evaluated internally by the institute. The credit for this will be given after IVth.
2. The students have to join club/clubs with the active participation in different activities of club. The students would be continuously assessed from Semester-I to Semester-IV and credits and marks would be given after IVth Semester.

CURRICULUM

Course Name: Constitutional Law- I

Course Code: 16003800

Course Outline:

Unit – I: Constitution

- a. Definition and Classification
- b. Sources of Constitution

- c. Constitutional Conventions
- d. Salient features of Indian Constitution
- e. Rule of Law
- f. Separation of powers

Unit - II: Distribution of Powers between Center and States

- a. Legislative Powers
- b. Administrative Powers
- c. Financial powers Relevant Doctrines: (a) Territorial Nexus (b) Harmonious Construction (c) Pith and Substance (d) Repugnancy

Unit - III: Constitutional Organs

- a. Parliament
- b. Parliamentary Sovereignty
- c. Parliamentary Privileges
- d. Anti-Defection Law
- e. Executive Power
- f. Collective Responsibility of Cabinet
- g. Judiciary - Jurisdiction of Supreme Court and High Courts
- h. Independence of Judiciary
- i. Public Interest Litigation
- j. Power of Judicial Review
- k. Doctrine of Political Question

Unit - IV: Emergency Provisions Amendment of Constitution Doctrine of Basic Structure

Course Name: Code of Civil Procedure and Limitation Act

Course Code: 16003900

Course Outline

Unit - I: Introduction

- a. Definitions: Decree, Judgement, Order, Foreign Court, Foreign Judgement, Mesne-Profit, Affidavit, Suit, Plaint, Written Statement
- b. Important Concepts: Res Sub-Judice, Res-judicata, Restitution, Caveat, Inherent powers of courts .

Unit – II: Initial steps in a suit

- a. Jurisdiction and place of suing
- b. Institution of suit
- c. Pleading: Meaning, object, General rules, Amendment of pleading
- d. Plaint and written statement
- e. Discovery, Inspection and production of documents
- f. Appearance and non-appearance of parties
- g. First hearing

Unit – III: Interim Orders

- a. Commissions
- b. Arrest before judgement
- c. Attachment before judgement
- d. Temporary Injunction
- e. Interlocutory orders
- f. Receiver
- g. Security of costs

Unit – IV: Suits in Particular Cases

Course Name: Company Law

Course Code: 16004000

Course Outline

Unit I: Formation, Registration and Incorporation of Company Meaning of Corporation Nature and kinds of company Promoters: Position duties and liabilities Mode and consequences of incorporation Uses and abuses of the corporate form lifting of corporate veil.

Unit II: Memorandum of Association, alteration and the doctrine of ultra vires Articles of Association and Memorandum of Association, binding nature, alteration, relation with memorandum of Association, Doctrine of Constructive Notice and Indoor Management-exceptions.

Unit III: Capital Formation of Regulation Prospectus: Issues, contents, kinds, liabilities for misstatement, statement in lieu of prospectus. The nature and classification of company securities Shares and general principles of allotment Statutory share certificate, its objects and effects Transfer of shares, restriction of transfer, issue of share at premium, types of

share capital, reduction of types of share capital Conversion of loans and debentures into capital Duties of court to protect *interests of creditors and shareholders*.

Unit IV: Corporate Administrations Directors: Kinds, Powers and Duties Managing Director and other managerial personnel.

Course Name: Special Contracts (Partnership, sale of Goods)

Course Code: 16004100

Course Outline

Unit-I: Indian Partnership Act History, Nature and Definition & Kinds of Partnership, Test of Determining, Distinction form Company and Joint Family Business, Co-ownership (Sec.4 to 8) General and Specific Duties of Partner, Rights of Partner to Each other (Sec.9 to 17), Partners to be agent of the Firm: Implied authority, Emergency Power Effect of Admission & Notice, Liabilities: Joint & Several, Liability for wrongful acts & Misapplication of Money

Unit-II: Incoming & Outgoing Partners (Sec31 to 38), Dissolution of Firm (Sec 39 to 55), Registration of Firm (Sec 56 to 71)

Unit-III: Sales of Goods Definition, Conditions and Performance, Formation of Contract (Sec 4 to 17), Effect of Contract (Sec 18 to 31)

Unit IV: Sale of Goods: Right of Parties and Remedies, Performance of Contract (Sec 31 to 44), Rights of Unpaid Seller (Sec 45 to 54), Suits for Breach of Contract (Sec 55 to 61)

Course Name: Law of Crimes III

Course Code: 16004200

Course Outline

Unit I White- Collar Crimes – Sutherland’s description per his theory of ‘Differential Association; Socio-Economic Offences: Nature and Scope thereof; __Distinctive characteristics of Socio-Economic Offences, White Collar Crimes and of Traditional Crimes; *Mens Rea* and the Concept of Punishment and Forms of Punishment_Nature of Liability, Burden of Proof and the Sentencing Policy; _Reported observations regarding the Socio-Economic Offences in India: (The Santhanam Committee Report, 1964 and Report of the Law Commission of India, 1972);

Unit II Human Trafficking – History, Development and Magnitude thereof;_Constitutional and other Statutory/ Penal Provisions dealing with Human Trafficking;_The Immoral Traffic (Prevention) Act, 1956; _64th Report of the Law Commission of India, 1975

Case- study:

1. Krishnamurthy @ Tailor Krishnan v. Public Prosecutor, Madras, AIR 1967 SC 567; 1967 SCR (1) 586 30;
2. Chitan J. Vaswani & Anr v. State of West Bengal & Anr., AIR 1975 SC 2473; 1976 SCR (2) 300 33;
3. Vishal Jeet v. Union of India & Ors, (1990) 3 SCC 318; AIR 1990 SC 1412; and
4. Gaurav Jain v. Union of India & Ors, 1997 (8) SCC 114.

Unit III Introduction to the relevant law (FEMA) and certain technical terms: Authorized person; person resident in India; currency; Indian currency; currency notes; export; import; foreign currency; foreign exchange; capital account transaction; objectives of the law; repatriate to India; security; and service. Regulatory provisions dealing with the Management of Foreign Exchange. Powers of RBI for inspection and for issuing directions.

Adjudicatory authority and Enforcement of its Orders. Penalties for Contraventions of the law.

Case- study:

- 1 Sukh Ram Versus Directorate Of Enforcement & Anr., 2017 (3) TMI 1059 (Del.)
- 2 Brajesh Kr Srivastava @ Brajesh Kr, Son of Surendra Pd Srivastava Versus The State of Bihar, 2017 (4) TMI 4 (Pat.)
- 3 Unioin of India v. M/s Kiran Overseas Ltd., 2017 (6) TMI 983 (Mad.)

Unit IV Introduction to the relevant laws (ECA 1955 and FSSA 2006) and certain technical terms: Hoarding of Essential Commodities; Black-marketing; adulterated food; noxious food; contaminant. objectives of the Essential Commodities Act 1955/ Food Safety and Standards Act, 2006. Prohibition of import of certain articles of food; Licensing and registration of food business; Scientific Panels/ Committee; Food Safety and Standards Authorities of India and the State Food Safety and Standards authority Cognizance and the trial of offences; Penalties for contravention.

Suggested Readings:

1. Taxmann's Corporate Laws (29th Ed. August 2013) Taxmann Publications Pvt. Ltd. New Delhi- 110 005.
2. S. S. Gulshan; Business Laws (4th Ed. 2012) Excel Books New Delhi- 110 028.
3. Ravinder Kumar; Legal Aspects of Business (2013) Cengage Learning India Pvt. Ltd. Delhi- 110 092.
4. Report of the Santhanam Committee 1964.
5. 64th Report of the Law Commission of India 1975.
6. *Dr. B.K.Sharma, Dr. Vijay Nagpal & K.K. Khandelwal, A Treatise on Economic & Social Offences (III Ed.)* Jain Book Agency, Chandigarh.
7. *Dr. J.P. Sirohi, Socio-Economic Offences Laws (2011)* Universal Law Publishing, Delhi.

8. *Manish Mahajan, Socio-Economic Offences Laws (2015) Global India Publications Pvt. Limited, New Delhi.*
9. Bare Acts: a) The Immoral Trafficking (Prevention) Act, 1956;
b) The Foreign Exchange Management Act (42 of) 1999;
c) The Essential Commodities Act 1954;
d) The Prevention of Food Adulteration Act 1955;
e) The Food Safety and Standards Act 2006.
10. Relevant AIRs, SCRs, Unreported Judgments and SCCc etc.

Note: The review of Syllabus happens on periodic basis for the benefit of the students. In case there are changes in curriculum due to review, students would be intimated in writing.

----- **End of document**-----