



# ILS LAW COLLEGE, PUNE

HANDBOOK FOR  
**FIFTH YEAR B.A. LL.B. 2018-19**  
(FIVE YEAR LAW COURSE)

# Welcome to ILS

- Founded on June 20th, 1924 as the Law College, Poona when the University of Bombay gave its sanction for a college of law in Poona.
- Graded A+ by National Assessment and Accreditation Council (NAAC), Bangalore, in 2004.
- Ranked 2nd in Top Private Law Colleges by the 'Week' in 2018.
- Ranked 4th in Best Colleges List of India by 'India Today' in 2018.
- Ranked 3rd in India's Top Professional Colleges by 'Outlook Magazine' in 2018.
- Ranked 2nd in Top Law School of Eminence Category and Top Law Schools by State (Maharashtra) Category by CSR-GHRDC Law School Survey in 2018.
- Awarded 'SILF-MILAT Institutional Excellence Award 2013' by Society of Indian Law Firms and Menon Institute of Legal Advocacy Training, Delhi.
- Awarded 'Best Private Education Institute 2012-13' in the Law School Category by WCRC Leaders Asia.
- Spread over a 195 acres campus in the heart of the city of Pune.
- A faculty comprising of highly qualified & committed people.
- A library rated one amongst the best in India, with over 64,162 books and bound volumes of periodicals along with national and international, journals and magazines.
- A boys' hostel with a capacity of over 190 students.
- Girls' hostel, to accommodate 222 lady students.
- An enormous range of student clubs and societies, particularly the Mooting, Debate and Drama societies, besides the sports, trekking and other extra curricular clubs.
- Funded by the Ford Foundation, USA during 1996-2000 to sustain our tradition of innovation in teaching techniques and methods of learning.
- 1<sup>st</sup> volume of ILS Law Review released, March 2008.
- LL.M. Programme started at ILS in 2010
- Women's Studies Centre established in 2011
- International Collaboration between the VU University, Amsterdam, Netherlands and ILS, comprising of Ph.D. programs and setting up of Law and Policy Action Lab at ILS Launched in December 2012.
- Ph. D. (Law) Research Centre affiliated to Savitribai Phule Pune University started in 2014.
- Tie-Up with Maharashtra Rajya Marathi Vishwakosh Nirmitee Mandal to institute a "Dnyanamandal", A Knowledge Committee, for the field of Law in 2016.
- Received Knowledge Steez Award of Excellence for Contribution in Social Justice and Legal Aid in June 2018.
- Selected by Government of India as one of the Premier Institutions eligible for Central Sector Scholarship Scheme of Top Class Education for Scheduled Tribe (ST) and Scheduled Caste (SC).

*The Syllabus of Savitribai Phule Pune University published in this handbook is for instruction purpose only.*

## 94 Years of Nation Building - Our Contribution...

- ♦ **Justice P.B. Gajendragadkar**  
*Chief Justice, Supreme Court of India (1964-66)*
- ♦ **Justice Y.V. Chandrachud**  
*Chief Justice, Supreme Court of India (1977-85)*
- ♦ **Justice E.S. Venkataramaiah**  
*Chief Justice, Supreme Court of India (1987-89)*
- ♦ **Shri K. M. Reddy**  
*Former Governor of Maharashtra*
- ♦ **Shri Y.B. Chavan**  
*Former Deputy Prime Minister of India*
- ♦ **Shri Mohan Dharwadkar**  
*Former Minister of Commerce*
- ♦ **Shri Sushilkumar Shinde**  
*Home Minister, Govt. of India & Former Chief Minister of Maharashtra*
- ♦ **Shri Vilasrao Deshmukh**  
*Former Chief Minister of Maharashtra*
- ♦ **Shri Arun Kirloskar**  
*Industrialist*
- ♦ **Dr. Prabha Aatre**  
*Indian Classical Vocalist*
- ♦ **Prof. S.P. Sathe**  
*Former Dir. Institute of Advanced Legal Studies (IALS) and Ex-Principal, ILS Law College*
- ♦ **Dr. Alice Jacob**  
*Former Director of Indian Law Institute and Ex-Member, Law Commission of India*
- ♦ **Dr. A.T. Markose**  
*First Director of Indian Law Institute  
Former Professor, Cochin University*

### ILS Law College

Address : Chiplunkar Road (Law College Road),  
Pune - 411 004

Information: Tel.: (+) 91-20-25656775, Ext. 121  
(+) 91-20-25656775, Ext. 140  
Fax : (+) 91-20-25658665  
E-mail : [ilslaw@ilslaw.in](mailto:ilslaw@ilslaw.in)  
Website : [www.ilslaw.edu](http://www.ilslaw.edu)

### College Office Working Hours:

Monday to Saturday : 9.00 am. - 4.00 pm.

### College Timings

Morning Session : 7.15 am onwards  
Day Session : 10.50 am onwards



**ILS LAW COLLEGE, PUNE**

**HANDBOOK FOR  
FIFTH YEAR B.A. LL.B.  
(FIVE YEAR LAW COURSE)  
2018-2019**

## *Our Mission*

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“ कृण्वन्तो विश्वमार्यम् ।” - Rigveda, Mandala-9, Sukta-63, R.ca-5

We will make the whole world “Aaryam”. The word “Aaryam” refers to moral, cultural and spiritual excellence leading to eternal happiness. It shall be the ideal of this Society, for accomplishment of which, its efforts will always be directed towards an all round elevation of the entire population of this vast country. It should be raised to a level of equality on a higher plane ensuring everlasting peace, prosperity and higher mentality. The Society looks forward to a period of time when as a result of advancement of the people in their morals and outlook on life, the distinctions on the ground of birth will disappear by reason of all reaching a higher level of mental and moral excellence. The prayer of the Society will be to raise the nation to that ideal and its efforts will always be directed with that end in view :

“ कृण्वन्तो विश्वमार्यम् ।”

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# Rules

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- ◆ It is mandatory for every student to attend at least 75% of total lectures held in each term in the college, as per Ordinance No. 68 of the Savitribai Phule Pune University.
- ◆ Strict Disciplinary Action will be taken against students indulging in any kind of Ragging activity (as defined by 'The Maharashtra Prohibition of Ragging Act 1999') inside or outside the college.
- ◆ Law courses taught in the college are Professional Courses and Students must dress appropriately for the same. Shorts, short tops, short skirts and bermudas are not allowed. Teacher's instructions in this respect shall be followed.
- ◆ Dress code for Girls
  - Full Jeans / Trousers and Tops
  - Salwar Kameez
  - Sarees
- ◆ Dress code for Boys
  - Full Jeans / Trousers
  - Shirts / T-Shirts
- ◆ Students must wear Identity card around their neck.
- ◆ Visit [www.unipune.ac.in](http://www.unipune.ac.in) for examination pattern and rules of passing.

# Useful Information

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|   |   |                    |                    |
|---|---|--------------------|--------------------|
| <b>College Timings</b>                    | : | Morning Session    | 07.15 am onwards   |
|   |   | Day Session        | 10.50 am onwards   |
| <b>College Office :<br/>Working Hours</b> |   | Mon to Sat         | 9.00 am to 4.00 pm |
|   |   | Lunch Time         | 1.00 pm to 1.30 pm |
| <b>Library Timings</b>                    | : | 9.30 am to 9.00 pm |                    |

## **Computer and Internet Facilities :**

Computer Lab for students  
Dedicated lease line for Internet Connectivity  
Wi-Fi connectivity in the Library, Class Rooms and Girls' Hostel.  
Internet connectivity in Boys' and Girls' Hostels

## **E-Resources provided by the Library :**

AIR database including Supreme Court and all High Court Reports  
Supreme Court Weekly  
Criminal Law Journal  
SCC on-line including reports of Supreme Court and High Courts, Privy Council, Constituent Assembly Debates, Law Commission Reports, International Case Laws and Statutory materials.  
Manupatra on-line  
Lexis Nexis on-line covering International Case Laws and Articles from 1106 International Law Reviews and Journals  
Lexis India on-line (e-books) providing access to electronic version of commentaries on various law subjects published by Lexis Nexis  
Corporate Law Adviser (CLA) on-line  
West Law International  
N-LIST Programme of INFLIBNET providing access to more than 9000 e-journals and 57000 e-books.  
Tax Sutra

## **Cells established and working with student initiative and participation :**

Legal Aid Centre  
Gender Studies Cell  
Equal Opportunity cum Enabling Cell  
Human Rights Cell  
Hariyali- The Environment Cell  
Corporate Law Cell  
Intellectual Property Rights (IPR) Cell  
Moot Court Society  
Debating Society  
ILS Quiz Club  
Criminal Law Cell  
Centre for International Law Cell  
ILS History Club  
ILS Literary Club  
Centre for Public Law

## **Committees working for Students' Welfare :**

Anti-Ragging Committee  
Grievance Redressal Committee  
Internal Committee for Prevention of Sexual Harassment  
Internal Quality Assurance Cell  
Academic and Research Coordinator

## ILS Law College, Pune 411 004

## Fee Structure for V BA LLB (Five Year Law Course) : Academic Year 2018-2019

| Sr. No. | Head of Fees                            | Vth BA LL.B. (BC Students) | Vth BA LL.B. (within State) | Vth BA LL.B. (out of State) | Vth BA LL.B. (NRI-Bhutan, Nepal, Srilanka, Bangladesh) | Vth BA LL.B. (NRI) |
|---------|---|----------------------------|-----------------------------|-----------------------------|--|--------------------|
| 1       | Tuition Fee                             | 0                          | 2500                        | 5000                        | 5000   | 7500               |
| 2       | Admission Fee                           | 0                          | 20                          | 20                          | 40   | 60                 |
| 3       | Library Fee                             | 0                          | 100                         | 100                         | 200  | 300                |
| 4       | Gymkhana Fee                            | 0                          | 100                         | 100                         | 200  | 300                |
| 5       | Medical Fee                             | 0                          | 0                           | 0                           | 0  | 0                  |
| 6       | Student Welfare Fund                    | 0                          | 100                         | 100                         | 200  | 300                |
| 7       | Computerization Fee                     | 0                          | 50                          | 50                          | 100  | 150                |
| 8       | Pro Rata Contribution for Ashwamegh     | 0                          | 30                          | 30                          | 60   | 90                 |
| 9       | Disaster Management                     | 0                          | 20                          | 20                          | 40   | 60                 |
| 10      | Development Fee                         | 0                          | 250                         | 250                         | 500  | 750                |
| 11      | Student Safety Insurance                | 0                          | 10                          | 10                          | 20   | 30                 |
| 12      | Student Aid Fund                        | 0                          | 10                          | 10                          | 20   | 30                 |
| 13      | Registration Fee                        | 0                          | 25                          | 25                          | 50   | 75                 |
| 14      | Gathering & Prize Distribution Fee      | 0                          | 200                         | 200                         | 400  | 600                |
| 15      | Terminal / Tutorial Fee                 | 0                          | 150                         | 150                         | 300  | 450                |
| 16      | Identity Card Charges                   | 0                          | 150                         | 150                         | 300  | 450                |
| 17      | Magazine Fee                            | 0                          | 200                         | 200                         | 400  | 600                |
| 18      | Eligibility Fee                         | 0                          | 0                           | 0                           | 0  | 0                  |
| 19      | NSS Fee                                 | 0                          | 10                          | 10                          | 20   | 30                 |
| 20      | Field Work Fee                          | -----                      | -----                       | -----                       | 0  | 0                  |
|         | <b>Other Activities Fees</b>            |                            |                             |                             | 0  | 0                  |
| 21      | Debating Fee                            | 800                        | 800                         | 800                         | 1600   | 2400               |
| 22      | Seminar Fee                             | 1500                       | 1500                        | 1500                        | 3000   | 4500               |
| 23      | Moot Court Fee                          | 3500                       | 3500                        | 3500                        | 7000   | 10500              |
| 24      | Legal Aid Fee                           | 1000                       | 1000                        | 1000                        | 2000   | 3000               |
| 25      | Law Review Fee                          | 500                        | 500                         | 500                         | 1000   | 1500               |
| 26      | Physical Fitness (Swimming / Gymnasium) | 2500                       | 2500                        | 2500                        | 5000   | 7500               |
| 27      | Abhivyakti Law Journal                  | 500                        | 500                         | 500                         | 1000   | 1500               |
| 28      | Cultural Activities Fee                 | 2350                       | 2350                        | 2350                        | 4700   | 7050               |
| 29      | Maintenance of Equipment                | 2050                       | 2050                        | 2050                        | 4100   | 6150               |
| 30      | Research Activities                     | 655                        | 655                         | 655                         | 1310   | 1965               |

## ILS Law College, Pune 411 004

## Fee Structure for V BA LLB (Five Year Law Course) : Academic Year 2018-2019

|    |   |              |              |              |              |               |
|----|---|--------------|--------------|--------------|--------------|---------------|
| 31 | Training Placement & Skills Development | 2000         | 2000         | 2000         | 4000         | 6000          |
| 32 | Barcouncil Registration                 | 100          | 100          | 100          | 200          | 300           |
| 33 | E-learning Equipments                   | 5000         | 5000         | 5000         | 10000        | 15000         |
|    | 1. Computer Lab                         | 0            | 0            | 0            | 0            | 0             |
|    | 2. LCD (Classroom)                      | 0            | 0            | 0            | 0            | 0             |
|    | 3. Wi-fi access                         | 0            | 0            | 0            | 0            | 0             |
| 34 | Print Resources                         | 3500         | 3500         | 3500         | 7000         | 10500         |
|    | 1. Text Books                           | 0            | 0            | 0            | 0            | 0             |
|    | 2. Reference Book                       | 0            | 0            | 0            | 0            | 0             |
|    | 3. Law Reports                          | 0            | 0            | 0            | 0            | 0             |
|    | 4. Law Journal                          | 0            | 0            | 0            | 0            | 0             |
|    | 5. Govt. Publications (gazettes)        | 0            | 0            | 0            | 0            | 0             |
| 35 | Electronic Resources                    | 4500         | 4500         | 4500         | 9000         | 13500         |
|    | 1. E-books                              | 0            | 0            | 0            | 0            | 0             |
|    | 2. E-journals                           | 0            | 0            | 0            | 0            | 0             |
|    | 3. E-data bases legal                   | 0            | 0            | 0            | 0            | 0             |
| 36 | Email facility                          | 1000         | 1000         | 1000         | 2000         | 3000          |
| 37 | Games & Recreation                      | 2000         | 2000         | 2000         | 4000         | 6000          |
| 38 | Prospectus Fee                          | 0            | 300          | 300          | 300          | 300           |
|    | <b>TOTAL</b>                            | <b>33455</b> | <b>37680</b> | <b>40180</b> | <b>75060</b> | <b>112440</b> |

**SAVITRIBAI PHULE PUNE UNIVERSITY**  
**FIFTH YEAR OF THE FIVE YEAR LAW COURSE (BA LL.B.)**

**SYLLABUS**

**SEMESTER IX : JUNE – OCTOBER**

| <b>Paper No.</b> | <b>Subject</b>                                   | <b>Marks</b> |
|------------------|--|--------------|
| 29               | The Code of Civil Procedure and Limitation Act   | 100          |
| 30               | Land Laws including Ceiling and other Local Laws | 100          |
| 31               | Interpretation of Statutes                       | 100          |
| 32               | Administrative Law                               | 100          |

**SEMESTER X : NOVEMBER – APRIL**

| <b>Paper No.</b> | <b>Subject</b>   | <b>Marks</b> |
|------------------|--|--------------|
| 33               | The Code of Criminal Procedure, 1973, The Juvenile Justice (Care and Protection of Children) Act, 2000 and Probation of Offenders Act, 1958  | 100          |
| 34               | Company Law  | 100          |
| 35               | Practical Training Paper-I Moot Courts, Pre-Trial Preparations and Participation in Trial Proceedings. (To be Conducted throughout the academic year. Viva-voce will be Held at the conclusion of academic year) | 100          |
| 36               | Drafting, Pleading and Conveyancing (Theory Paper)   | 100          |
| 37               | Optional Papers (Any One)  |              |
|                  | a. Law of Taxation   | 100          |
|                  | b. Banking Laws including Negotiable Instruments Act   | 100          |
|                  | c. Co-operative Law  | 100          |
|                  | d. Investment and Securities Laws  | 100          |

## SEMESTER IX

### PAPER NO. 29 : THE CODE OF CIVIL PROCEDURE AND LIMITATION ACT – 100 MARKS

|   |  |          |
|---|--|----------|
| 1 | The Code of Civil Procedure, 1908 (as amended upto date) | 80 marks |
| 2 | Limitation Act, 1963                                     | 20 marks |

#### ***Books recommended :***

1. Civil Manual – Issued by the High Court of Bombay
2. Ganguly A.C. – Civil Court Practice and Procedure
3. Mulla – The Code of Civil Procedure
4. Rao Sanjiva – Civil Procedure Code
5. S.R. Myneni – Code of Civil Procedure and Limitation
6. Sanjiva Rao – Civil Procedure Code
7. Singh S.N. – Code of Civil Procedure
8. Takwani C.K. – The Code of Civil Procedure
9. Tandon M.P. – Civil Procedure Code
10. Taxman's – The Code of Civil Procedure, 1908
11. Thakkar C.K. – Code of Civil Procedure
12. Awasthi S.K. – Law of Limitation
13. Jain J.D. – Indian Limitation Act
14. Mitra B.R. – Limitation Act
15. Mitra U.M. – Law of Limitation in 2 Vol.



## SEMESTER IX

### PAPER NO. 30 : LAND LAWS INCLUDING CEILING AND OTHER LOCAL LAWS – 100 MARKS

|   |  |          |
|---|--|----------|
| 1 | The Maharashtra Rent Control, Act, 1999                            | 30 marks |
| 2 | The Maharashtra Land Revenue Code, 1966                            | 30 marks |
| 3 | The Bombay Tenancy and Agricultural Lands Act, 1948                | 30 marks |
| 4 | The Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961 | 10 marks |

#### ***Books Recommended :***

1. Choudhary D.H. – The Maharashtra Land Revenue Code, 1966
2. Dalal J.H. – Maharashtra Rent Control Act, 1999
3. Govt. Publication – Agricultural Land Ceiling Act, 1961
4. Gupte A.K. – Land Laws in Maharashtra, The Maharashtra Rent Control Act, 1999
5. Gupte A.K. and Dighe S.D. – Maharashtra Land Revenue Code, 1966
6. Gupte K.S. – Bombay Tenancy and Agricultural Lands Act, 1948
7. Gupte K.S. - Bombay Tenancy and Agricultural Lands Act, 1948
8. Parulekar D. – The Bombay Tenancy and Agricultural Land Act, 1948
9. A.K. Gupte – The Maharashtra Agricultural Lands (Ceiling on Holdings) Act, 1961
10. K.N. Shah – The Maharashtra Rent Control Act
11. D.V. Barolekar – The Bombay Tenancy and Agricultural Land Act, 1948

## **SEMESTER IX**

### **PAPER NO. 31 : INTERPRETATION OF STATUTES – 100 MARKS**

1. Introduction :

Meaning and objects of Interpretation – The General Clauses Act, 1897

2. General Principles of Interpretation

Literal Rule, Golden Rule, Mischief Rule, Statute must be read as a whole in its context, Statute to be construed to make it effective and workable, Omissions not to be inferred, Every word in a statute to be given a meaning.

3. Internal Aids to Construction

Preamble, Definition, Sections, Heading, Marginal Notes, Punctuation, Illustrations, Proviso, Explanation and Schedules

4. External Aid to Construction

Parliamentary history, Historical facts and surrounding circumstances, Social, Political and Economic Developments, Reference to other statutes, Contemporanea exposition and other external aids, Codifying statutes and Consolidating statutes

5. Subsidiary Rules

Same word same meaning, Use of different words. Rule of last antecedent, Non Obstante Clause, Legal fiction, Mandatory and directory provisions, Conjunctive and disjunctive words 'or' and 'and', Construction of general words – Noscitur A Sociis, Rule of ejusdem generis, Words of rank, Reddendo Singula Singulis etc.

6. Interpretation of Statutes affecting Jurisdiction of Courts

General Principles, The extent of exclusion, Exclusion of Jurisdiction of superior Courts

7. Interpretation of Penal and Taxing Statutes

Rule of Strict Construction of Taxing Statutes, General Principles of Strict Construction, Limits of the Rule of Strict Construction, Mens Rea in statutory offences and Indian Penal Code, Vicarious Liability in statutory offences

8. Interpretation of Remedial Statutes

Distinction between Remedial and Penal Statutes, Liberal construction of remedial statutes.

9. Operation of Statutes

Commencement, Retrospective Operation

10. Expiry and Repeal of Statutes

Perpetual and Temporary Statutes, Effect of Expiry of Temporary Statutes, Express or implied Repeal, Consequences of Repeal

11. Interpretation of Constitutional Documents

Rules of Interpretation of Constitutional Documents as developed by the Courts of India.

***Recommended books and Reading :***

1. Bhattacharya T. – Interpretation of Statutes
2. Bindra N.S. - Interpretation of Statutes
3. G.P. Singh - Interpretation of Statutes (Eastern Book Company)
4. Maxwell - Interpretation of Statutes (Sweet and Maxwell)
5. Rupert Cross – Statutory Interpretation (London Butterworths)
6. Sarathi Vepa P. - Interpretation of Statutes
7. Shrivastava R.D. – Text book of Interpretation of Statutes
8. Singh Avtar – Introduction to Interpretation of Statutes
9. Swarup – Legislation and Interpretation
10. Tandon M.P. – Interpretation of Statutes

## SEMESTER IX

### PAPER NO. 32 : ADMINISTRATIVE LAW – 100 MARKS

1. Definition Nature and Scope of Administrative Law, Necessity of Administrative Law in Modern State. Reasons for growth.
2. Rule of Law and Separation of Powers
3. Delegated Legislation
  - a. Nature, Meaning and Growth
  - b. Constitutional Validity
  - c. Judicial Control : Doctrine of *ULTRA VIRES*; Legislative Control (Parliamentary Control) Sub Delegation
4. Administrative Tribunals
  - a. Nature, Growth and Need
  - b. Judicial Control on Administrative Tribunals, Doctrine of *ULTRA VIRES*, Lack of Jurisdiction
  - c. Principles of Natural Justice : Bias, Audi Alteram Partem or Rule of Fair Hearing
5. Administrative Discretion
  - a. Judicial Review of Administrative Discretion
  - b. Judicial Control of Exercise of Administrative Discretion
6. Commission of Enquiry
  - a. Nature, Scope, Need and Functions
  - b. Procedure and Legal Status
7. Judicial Control of Administrative Action through Writs
  - a. General Conditions for using of Writs
  - b. The Writs
  - c. The Scope of Review through Writs
8. Public Corporations
  - a. Growth, Needs, Rights and Liabilities
  - b. Parliamentary Control, Judicial Control, Government Control

9. Suits against the Govt. in Torts and Contract, Court Privileges in Legal Proceeding
10. The Ombudsman : The Necessity of Ombudsman. Judicial Control of Ombudsman in India – The Lokpal and Lokayukta
11. The Right to Information Act, 2005

***Text Books :***

1. Basu D.D. – Administrative Law
2. D.D. Basu – Comparative Administrative Law
3. Jain M.P. and S.K. Jain – Principles of Administrative Law
4. Kagazi - Administrative Law
5. Takwani K.C. – Lectures on Administrative Law
6. Massey - Administrative Law
7. Rai Kailash - Administrative Law
8. Sathe S.P. - Administrative Law

## SEMESTER X

### PAPER NO. 33 : THE CODE OF CRIMINAL PROCEDURE, JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, THE PROBATION OF OFFENDERS ACT – 100 MARKS

|   |  |          |
|---|--|----------|
| 1 | The Code of Criminal Procedure, 1973 (as amended upto date)        | 80 marks |
| 2 | The Juvenile Justice Act (Care & Protection of Children) Act, 2000 | 10 marks |
| 3 | The Probation of Offenders Act, 1958                               | 10 marks |

All the above Acts with latest amendments are required to be studied.

#### ***Books recommended :***

1. BASU's Code of Criminal Procedure Vol. 1& 2
2. K.S. Varma – The Juvenile Justice Act (Care and Protection of Children) Act, 2000
3. Kelkar R.V. – Outline on Criminal Procedure Code
4. Kelkar R.V. – The lectures on Criminal Procedure Code
5. Paranjape – The Law relating to Probation of Offenders in India
6. R.B. Sethi – Probation of Offenders Act
7. Ratanlal and Dhirajlal – The Code of Criminal Procedure
8. Vedkumari – Juvenile Justice Act
9. Chowdhary – Juvenile Justice



## **SEMESTER X**

### **PAPER NO. 34 : COMPANY LAW – 100 MARKS**

1.    Introductory  
      Definition and characteristics of a company, Lifting of Corporate Veil, Company and Partnership firm, Kinds of company
2.    Formation of Company  
      Registration, documents to be filed with the registrar, promoter, pre-incorporation contracts
3.    Memorandum of Association  
      Meaning, purpose, form, contents, alteration, doctrine of ultra vires
4.    Articles of Association  
      Meaning, purpose, form, contents, alterations, doctrine of indoor management, relation between Memorandum and Articles
5.    Prospectus  
      Definition, contents, registration, effects of misstatement, penalty, statement in lieu of prospectus
6.    Membership in a Company  
      Member and shareholders, qualifications, modes of becoming member, cessation of membership, rights and liabilities, register of members, index of members
7.    Share Capital  
      Meaning, kinds, alterations, reductions, voting rights, buy back of shares
8.    Shares  
      Definition, nature, types, issues, allotment of share, share transfer, surrender, forfeiture, transmission of shares, share certificate, share warrant, dividends
9.    Borrowing Powers  
      Debentures, kinds of debentures, creation of charges, fixed and floating charges, effects of winding up on floating charge
10.   Management and Administration  
      Directors : maximum number, appointments, restrictions on their appointments, position of directors, disqualifications, their duties and liabilities, board of directors – meaning and powers
11.   Meetings  
      Kinds of meetings, notice of meetings, contents of notice, conduct of meetings, quorum, minutes, proxies, voting and poll resolutions, kinds of resolutions, appointment of auditor, powers, rights and liabilities to auditor.

12. Majority Rule and Minority Rights  
Rule in Foss v/s Harbottle case
13. Prevention of Oppression and Mismanagement  
Meaning, who can apply to National Company Law Tribunal, Powers of National Company Law Tribunal and Central Government
14. Reconstruction and Amalgamation – Compromises and Arrangements
15. Winding Up  
Meaning, types of winding up, petition of winding up, commencement of winding up, liquidator : his rights, duties and liabilities, Contributors, consequences of winding up, dissolution of company.

The Companies Act, 1956 (as amended upto date)

***Books recommended :***

1. Dutta on Company Law
2. Kapoor N.D. on Company Law
3. Shah S.M. – Lectures on Company Law
4. Singh Avtar - Company Law
5. Taxmann's – Corporate Laws
6. The Companies Act, 1956 as amended upto the date

## SEMESTER X

### **PAPER NO. 35 : PRACTICAL TRAINING PAPER-I MOOT COURT, PRE-TRIAL PREPARATIONS AND PARTICIPATION IN TRIAL PROCEEDINGS – 100 MARKS**

This paper will have three components of 30 marks each and a viva-voce for 10 marks.

1. Moot Court

Every student should participate in at least three Moot Courts in a year. The Moot Court work will be on assigned problems

2. Observance of trial

It is expected that students should observe trial at least in two cases, one civil and one criminal. A student will maintain a Journal for the year's work and all the written submission and assignments will be written in the journals provided by the College. A student will maintain a record of all steps observed in the trials (including the facts of the case, the arguments and findings of the Court)

3. Interviewing techniques and pretrial preparations

Each student should observe two interviewing sessions of clients at the lawyer's office / legal aid office and record the proceedings in the journal. Each student will further observe the preparation of documents and court papers by the Advocate and the Procedure for the suit/ petition. This will be recorded in the Journal.

4. Viva-voce

The fourth component of this paper will be viva-voce on the basis of above mentioned topics

Distribution of marks :

|   |  |                  |
|---|--|------------------|
| 1 | Moot Court Pre Trial Preparation and participation in trial Proceeding (10 marks for each Moot Court i.e. 5 marks for written submissions and 5 marks for oral submissions) 10 x 3 | 30 marks         |
| 2 | Observance of trial in two cases   | 30 marks         |
| 3 | Interview Techniques and Pre Trial Preparations  | 30 marks         |
| 4 | Viva-voce  | 10 marks         |
|   | <b>TOTAL</b>   | <b>100 marks</b> |

(Note: The marks for the journal will be awarded by the College after evaluating the Journal)

***Reference books :***

1. Gupta S.P. – Moot Court Pre Trial Preparation and participation in trial proceeding
2. Liberhan M.S. – Moot Court for Interactive Education (Nalsar Law University Hyderabad)
3. Rai Kailash - Moot Court Pre Trial Preparation & participation in trial proceeding
4. Tewari O.P. - Moot Court Pre Trial Preparation and viva-voce

## **SEMESTER X**

### **PAPER NO. 36: DRAFTING, PLEADING AND CONVEYANCING (THEORY PAPER) – 100 MARKS**

#### **DRAFTING / PLEADING**

##### **I. CIVIL**

1. Plaint in a suit for :
  - a. Specific performance of a contract
  - b. Recovery of money on the basis of a promissory note
  - c. Recovery of money for price of goods sold or work done
  - d. Partition of Joint Hindu Family Property
  - e. Suit for dissolution of partnership and accounts
  - f. Permanent injunction (public nuisance)
  - g. Damages for Defamation
  - h. Suit for possession against a trespasser
  - i. Mesne profits
  - j. Suit for cancellation of sale deed
  - k. Suit for possession by landlord against tenant under the Maharashtra Rent Control Act, 1999
  - l. Written statement of the above suits.
- 1-A. Affidavit
2. Execution petition i.e. Darkhast on the basis of a civil court
3. Matrimonial  
(Original Petition)  
Petition under the Hindu Marriage Act, 1955 and the Special Marriage Act, 1954.
  - a. Restitution of conjugal rights
  - b. Judicial separation
  - c. Divorce
  - d. Divorce by mutual consent
4. Petition for
  - a. Succession certificate
  - b. Probate on the basis of will
5. Petition under Article 32 and 226 of Constitution of India
  - a. Habeas Corpus
  - b. Mandamus
  - c. Prohibition

- d. Certiorari
  - e. Quo Warranto
- 6. Application for compensation before the Motor Accidents Claims Tribunal under the Motor Vehicles Act, 1988
- 7. Complaint under the Consumer Protection Act, 1986.
- 8. Interlocutory Application (Interim Relief)
- 9. Memorandum of Appeal, revision and review
- 10. Application under the Code of Civil Procedure, 1908
  - a. Taking adjournment
  - b. Substituted service
  - c. Amendment of the plaint of written statement
  - d. Granting leave to deliver interrogatories order
  - e. Bringing legal heirs and representative on record
  - f. Setting aside and abatement of the suits
  - g. Appointment of a commission
  - h. Attachment of the property of the defendant before judgment
  - i. Appointment of receiver
  - j. Permission to sue as Indigent person
  - k. Caveat application

## **II. CRIMINAL**

- 1. A Private Criminal complaint in court relating to :
  - a. Criminal Trespass, hurt, abuses and threatening
  - b. Cheating
  - c. Defamation
  - d. Bigamous marriage
  - e. Under Section 498-A
  - f. Complaint under Section 138 of the Negotiable Instruments Act
- 2.
  - a. Application for maintenance of written statement to the same
  - b. Application for execution of maintenance order already passed in favour of a wife
  - c. Application for enhancement of maintenance
- 3. Memorandum of Appeal and Revision
- 4. Application for :
  - a. Bail before a magistrate
  - b. Bail before a session court



- c. Anticipatory bail
- d. Bail before the court convicting an accused who intends to present an appeal
- e. Application for cancellation of bail
- f. Cancellation of warrant issued against the accused
- g. Calling and recalling of witness
- h. Disposal of property under Sections 451, 452 of Cr.P.C.

### **III. CONVEYANCING**

- a. Sale Deed
- b. Mortgage Deed
- c. Lease Deed
- d. Gift Deed
- e. Promissory Note
- f. Power of Attorney
- g. Will Deed
- h. Legal Notices
- i. Assignments, Deed of Exchange
- j. Adoption Deed
- k. Deed of Dissolution of Partnership
- l. Deed of Public Trust
- m. Partition Deed
- n. Partnership Deed
- o. Leave and License

#### ***List of books for reference :***

1. Banerjee B.N. – Criminal Pleading
2. Batuklal – Law of Evidence
3. Bindra N.S. – Conveyancing Draftsman Interpretation Deed
4. Chaturvedi A.N. – Law of Pleadings and Conveyancing
5. D'souza – Conveyancing
6. G.M. Kothari – Drafting, Conveyancing and Pleading
7. Gupte and Dighe – Civil Manual
8. Gupte and Dighe – Criminal Manual
9. Mitra B.B. – Law of Limitation
10. Mogha P.C. – Indian Conveyancing
11. Mogha's Law of Pleading
12. Shiva Gopal – Conveyancing Precedent and Forms

13. Stone and Iyer – Pleading
14. Taxman's – The Code of Civil Procedure, 1908
15. Taxman's – The Code of Criminal Procedure, 1973
16. Tijoriwala M.T. – Law and Practice of Conveyancing
17. G.M. Divekar – Conveyancing
18. Retawade – Legal Drafting (Paper Book)
19. Mukherjee – Law of Civil Appeals, Revisions References and 13 Revisions and  
Law of Criminal Appeals, Revisions
20. Banerjee and Awasthi – Guide to Drafting
21. Retawade – Drafting, Pleading and Conveyancing
22. R. N. Chaturvedi – Pleading, Drafting and Conveyancing

## SEMESTER X

### PAPER NO. 37 : OPTIONAL PAPER – ANY ONE – 100 MARKS

#### (A) LAW OF TAXATION (OPTIONAL)

For this paper, the following Acts are prescribed :

|   |  |                  |
|---|--|------------------|
| 1 | The Income Tax Act, 1961 (upto date)     | 60 marks         |
| 2 | The Wealth Tax Act, 1958 (upto date)     | 15 marks         |
| 3 | The Central Excise Act, 1944 (upto date) | 25 marks         |
|   | <b>TOTAL</b>                             | <b>100 marks</b> |

#### ***Books recommended :***

1. Bharat – Systematic approach to Income Tax
2. Myneni S.R. – Law of Taxation
3. Singhanian V.K. – Students Guide to Income Tax
4. Singhanian Vinod – Taxman's Direct Taxes Laws and Practice
5. Taxman's – Income Tax Act
6. Manoharan T.N. – Direct Taxes Laws
7. Ahuja Girish and Ravi Gupta – Bharat's Direct Taxes

## SEMESTER X

**PAPER NO. 37 : OPTIONAL PAPER – ANY ONE – 100 MARKS**

### **(B) BANKING LAWS INCLUDING NEGOTIABLE INSTRUMENTS ACT**

For this paper, the following Acts are prescribed :

|   |                                      |                  |
|---|--------------------------------------|------------------|
| 1 | The Reserve bank of India Act, 1934  | 35 marks         |
| 2 | The Banking Regulations Act, 1949    | 30 marks         |
| 3 | The Negotiable Instruments Act, 1881 | 35 marks         |
|   | <b>TOTAL</b>                         | <b>100 marks</b> |

#### ***Books recommended :***

1. [A] Bhashyam and Adiga – Negotiable Instruments Act, 1881
2. [B] Khergamvala - Negotiable Instruments Act, 1881
3. [C] Bangaria R.K. - Negotiable Instruments Act, 1881
4. [D] Singh Avtar - Negotiable Instruments Act, 1881
5. Bangia R.K. – Banking Law
6. K.B. Dawara and Alok Mishra – Banking (Vinod Laws Publications, Lucknow) Law Publishers (India) Pvt. Ltd.
7. Seth's Commentaries on Banking Regulation Act, 1949
8. Tannan – Banking Law and Practice in India
9. Mukherjee – Banking Law and Practice
10. Saharay - Negotiable Instruments Act, 1881

## SEMESTER X

### PAPER NO. 37 : OPTIONAL PAPER – ANY ONE – 100 MARKS

#### (C) CO-OPERATIVE LAW

- I. (A) Theory and Definition of Co-operation  
(B) Principles of Co-operation  
(C) History and Growth of Co-operative Movement in India  
    i) Before Independence  
    ii) After Independence through five year plans  
15 marks
- II. History of Co-operative Legislation  
This topic consists of the study of :  
(A) The Maharashtra Co-operative Societies Act, 1960 and Rules 1961  
60 marks  
(B) i) The Maharashtra Ownership Flats  
(Regulation, Promotion, Construction and Sale)  
Management and Transfer Act, 1963  
ii) The Maharashtra Apartment Ownership Act, 1970  
25 marks

#### ***Recommended Reference Books :***

1. Bedi R.O. – Theory History and Practice of Co-operation
2. Chaudhari A.D. and D.H. Chaudhari – Co-operative Societies Act, 1960 with Rules of 1961
3. Damohhe S.S. – Maharashtra Co-operative Societies Act, 1960
4. Dhige Sunil – Ownership of Flats and Apartments in Maharashtra
5. G.N. MC – Law relating to Ownership of Flats and Apartments in Maharashtra
6. Gupta K.S. – Co-operative Societies Act, 1960
7. Gupta K.S. – Maharashtra Co-operative Societies Act in 2 Vol.
8. Mathur B.S. – Co-operation in India
9. G.M. Divekar – Maharashtra Ownership Flats Act
10. A.K. Gupte and S.D. Dighe – The Maharashtra Co-operative Societies Act, 1960 with rules 1961
11. R.K. Pillai – The Maharashtra Co-operative Societies Act, 1960

## **SEMESTER X**

### **PAPER NO. 37 : OPTIONAL PAPER – ANY ONE – 100 MARKS**

#### **(D) INVESTMENT AND SECURITIES LAWS**

1. (A) Historical Evolution of Securities Laws :
  - a. International perspective
  - b. Indian perspective
  - c. Pre-independence period
  - d. Post independence
  - e. History of Capital Markets in India
- (B) Need for Securities Legislation and Investor Protection
  - Statutory Provisions regarding Securities :
    - a. Classification of Securities : Ownership Instruments, Shares, Stocks
    - b. Debit Instruments : Debentures and Bonds
  - Offer Documents :  
Prospectus  
Norms for Disclosure under :
    - a. The Companies Act, 1956
    - b. The Securities Contract Regulation Act, 1957
    - c. The Securities Exchange Board of India Act, 1988
    - d. Bombay Stock Exchange Act
  - Concept of Securities Market :  
Primary Market :
    - a. Scheme of Primary Market. Advantage and Disadvantage to companies and investors
    - b. Players in Primary Market. Players in the Secondary Market.
    - c. Brokers
    - d. Over the Counter Exchange of India (OCTEL)
  - Stock Exchange and Listing of Shares
    - a. Trading
    - b. Spot Delivery Contract
    - c. Badla Contract
    - d. Future Contracts
    - e. Options



- f. Derivatives
- g. Listing of Shares

Relevant Provisions of :

1. The Companies Act, 1956
  2. The Securities Exchange Board of India Act, 1988
  3. The Securities Contract Regulation Act, 1957
  4. Bombay Stock Exchange
- Investors Protection
    - Role and Functions of SEBI Tribunal
    - Depositories Act
    - Dematerialisation
    - Advantages and Disadvantages
    - Role and Functions of Rating Agencies
  - (a) Investment in Mutual Funds
    - (b) Investment by :
      - i. Financial Institutions
      - ii. Foreign Financial Institutions

Note :

In addition to the Acts mentioned above, relevant provisions of the following Acts must be studied in the appropriate places :

1. Law regarding Foreign Exchange Management Act, 1999
2. Public Debt Act
3. Reserve Bank of India Act, 1934

In addition to above, in order to get the latest information regarding this law, students can go through the web sites.

### ***Recommended books***

1. Myneni S.R. – Law of Investment and Securities
2. Investments by Sharpe W.F.
3. Investment by Cowdell Jane
4. Portfolio Management by Barua S.K.
5. Investment Management Security and Portfolio Management by Singh Preet

## विविध शिष्यवृत्ती योजना

१. भारत सरकार मॅट्रीकोत्तर शिष्यवृत्ती योजना
२. राज्य शासनाची शिक्षण फी, परीक्षा फी, प्रतिपूर्ती योजना
३. अल्पसंख्याक शिष्यवृत्ती
४. उच्च शिक्षण विभागातर्फे राबविण्यात येणाऱ्या शिष्यवृत्ती
५. राजर्षी छत्रपती शाहू महाराज शिक्षण शुल्क शिष्यवृत्ती योजना
६. पंडीत दीनदयाल उपाध्याय स्वयंम योजना - अनु. जमातीसाठी)
७. Central Sector Scheme of Top Class Education of SC students.
८. अपंग शिष्यवृत्ती
९. डॉ. बाबासाहेब आंबेडकर स्वआधार योजना

अधिक माहितीसाठी <http://ilslaw.edu/scholarship/>

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