



Progressive Education Society's

# Modern Law College,

Ganeshkhind, University Circle, Pune- 411016

Permanently Affiliated to the University of Pune, Recognised by the Government of Maharashtra and Approved by the Bar Council of India, New Delhi

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## Syllabus

**V<sup>th</sup> Year of the B.A. LL.B.**

**(Five-Year Law Course)**

**(From 2003-2004)**

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## **Rules for Standard of Passing, Benefit etc.**

### **1. Standard of Passing:**

To pass the I<sup>st</sup> and II<sup>nd</sup> year of B.A. LL.B. Examination (Five-Year law course), a candidate must obtain

- a) 40% of the full marks in each paper
- b) 40% of the total marks in the examination.

To pass the III<sup>rd</sup> year of B.A. LL.B. and IV<sup>th</sup> and V<sup>th</sup> year B.A. LL.B. (Five-Year Law Course) a candidate must obtain.

- c) 35% of the full marks in each paper and
- d) 50% of the total marks in the examination.

### **2. Entitlement to appear at the end of the academic year:**

A candidate who has completed his term for semester I, II, V, VII or IX of the five-year B.A. LL.B. Course, and has paid examination fees for such the examination for such Semester Examination, but has remained absent for any or all papers, or has failed in any or all papers at such Semester Examination, shall be entitled to appear for any or all of such papers respectively along with the Semester II, IV, VI, VIII or X examinations respectively.

Any student who has appeared for Semester I, III, V, VII or IX Examination of the B.A. LL.B. Course shall be entitled to re-appear for all or any of the paper along with the Semester II, IV, VI, VIII or X examinations for improving his marks.

### **3. Exemption:**

A candidate who obtains at least 50% of the full marks in a paper shall at his option be exempted from that paper at a subsequent examination. He shall however have to pass in the remaining paper or papers in accordance with the standard of passing laid down above. The benefit of exemption so earned may be available for six years only.

### **4. First-Second Class:**

At the end of the academic year, those of the successful candidates who obtain 50% or more of the total marks will be placed in the Second Class, and those who obtain 60% or more of the total marks will be placed in the First Class, and those who obtain 70% or more marks will be placed in First Class with Distinction.

### **5. Allowed to keep terms:**

A candidate who obtains at the I<sup>st</sup>, II<sup>nd</sup>, III<sup>rd</sup> year of B.A. LL.B., or IV<sup>th</sup> year of LL.B. (five-year B.A. LL.B. course) (hereafter earlier year) 50% of the full marks in the number of subjects given below out ofn the total number of papers prescribed for the respective academic year shall be allowed to keep terms respectively for next year, i.e. the II<sup>nd</sup>, III<sup>rd</sup> year of B.A. LL.B. and IV<sup>th</sup> and V<sup>th</sup> year of B.A. LL.B. Examination i.e. ATKT for 1/3 of the total subjects.

I<sup>st</sup> B.A. LL.B. examination- 4 subjects

II<sup>nd</sup> B.A. LL.B. examination- 4 subjects

III<sup>rd</sup> B.A. LL.B. examination- 5 subjects

IV<sup>th</sup> B.A. LL.B. examination- 5 subjects

Provided however that he shall be required to clear such subjects before he required to clear such subjects before he joins the class following such next year, or shall not be declared to have passed the V<sup>th</sup> year of B.A. LL.B. unless he has passed such subjects and the examination of the previous year.

Such a candidate shall not be eligible for a Class prize or scholarship awarded at the examination.

OR

Provided however that he shall not be declared to have passed the examination of such next year, i.e. II<sup>nd</sup> and III<sup>rd</sup> year of B.A. LL.B. and IV<sup>th</sup> and V<sup>th</sup> year of B.A. LL.B. unless he has passed such subjects and the remaining papers in the examination of such previous year according to the standard of passing laid down above.

Such a candidate shall not be eligible for a Class prize or scholarship awarded at the examination.

## Semester VII (June to October)

Paper 29 – Code of Civil Procedure and Limitation Act

Division of Marks :

1. Code of Civil Procedure 1908/ (As amend mended up to date) (80 Marks)
2. The Limitation Act, 1963. (20 Marks)

Recommended books and readings

1. Mulla – The Code of Civil Procedure.
2. Takwani, C. K. – The Code of Civil Procedure.
3. Civil Manuat- Issued by the High Court Bombay.
4. Ganguly, A. C.- Civil Court Practice and Procedure.
5. Mitra, B. R. – Limitation Act.
6. Taxman's – The Code of Civil Procedure 1908.
7. Rao, Sanjiwa - Civil Procedure Code.
8. THakkar (Takwani), C. K.- Code of civil and procedure.
9. Nyneri, S. R.- Code of Civil and Procedure and Limitation.

Paper 30 –Land Laws including ceiling and other local laws

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 Land on Holdings ceiling Act 1961 (10 Marks)

#### Recommended books and readings

1. Barolekar, D. V. - the Bombay Tenancy and Agricultural Land Act, 1948.
2. Choudhary, D. H. - The Maharashtra Land Revenue Code, 1966.
3. Govt Publication- Agricultural Land Ceiling Act, 1961.
4. Gupte, A. K. and Dighe, S. D. – Maharashtra Land Revenue Code, 1966.
5. Gupte, K.S.- Bombay Tenancy and Agricultural Land Act, 1948.
6. The Maharashtra Rent Control Act, 1999.

#### Paper 31 – Interpretation of Statutes

1. Introduction:  
Meaning and objects of Interpretation, General Clauses Act.
2. General Principles of Interpretation  
Literal Rule, Golden Rule, Mischief Rule, Statute must be read as a whole, Statute to be constructed to make it effective and workable, omissions not to be inferred. Every word in a statute to be given a meaning.
3. Internal Aid to Construction  
Preamble, Definition, Sections, Heading, Marginal Notes, Punctuation, Illustrations, Provisions, Explanation and Schedule.
4. External Aid to Construction  
Parliamentary History, Historical Facts and Surrounding circumstances, sociopolitical and economic developments, reference to other statutes, contemporaneous exposition and other external aids.
5. Subsidiary Rules  
Same word same meaning, use of different words, Rule of Last Antecedent, Not Obstinate Clause, Legal Fiction, Mandatory and Directory Provisions, Conductive and Disjunctive words 'or/' 'and', construction of general words- Noscitur A Socis Rule of ejusdem generis, words of rank, Redendo Singula Singulis etc.
6. Interpretation of Statute affecting Jurisdiction of Courts-  
General Principles, the extent of exclusion of Jurisdiction of superior Courts
7. Interpretation of Penal and Taxing Statutes  
Rule of Strict Interpretation, General Principle, Limits of the Rule of Strict Construction, Mens Rea in statutory offences and Indian Penal code, Vicarious responsibility in statutory offences.

8. Interpretation of Remedial Statutes  
Distinction between Remedial and Penal Statutes. Liberal construction of remedial statutes.
9. Commencement, Operation, Expiry and Repeal of Statutes  
Commencement, Effect of Expiry of Temporary Statutes, Express or Implied Repeal, Consolidating and codifying Statutes.
10. Interpretation of constitutional Documents  
Rules of Interpretation of constitutional documents as developed by the Courts of India.

#### Recommended books and readings

1. Rupert Cross: Statutory Interpretation (London Butterworths)
2. Singh, G.P.: Interpretation of Statute (Eastern Book Company)
3. Maxwell: Interpretation of statute (Sweet and Maxwell)
4. Sarathivepa, P: Interpretation of Statute
5. Bindra N. S.: Interpretatio

### Paper 32 Legal Writing

The object of the paper is to lay the foundation of legal language and legal drafting. The course intends to encourage the students to handle both Hindi/ Marathi and English with fluency, accuracy and precision. Moreover it is expected that it will help to develop argumentative skills (Legal reasoning) amongst the students. Exposure to specimens of legal writing and active practice in handling language are the desired effects.

1. Introduction to Legal writing
  - a. Words, phrases and abbreviations in common use in legal language
  - b. How to use thesaurus and legal encyclopedias
  - c. Selected legal terms (50)
2. Legal reasoning and Judicial Process
  - a. Meaning of Judicial Process
  - b. Judicial discretion how do judges exercise it
  - c. Legal reasoning
  - d. ]Doctrine of Precedent and rules of Precedent.
3. Comprehension
4. Essay on the topic related with Law.
5. Drafting a legal notice, statutory notice and replies.
6. Critical Analysis of decided cases as mentioned below.

#### Reference Books:-

1. Ishtiaq Abidi- Law and Language.
2. R. P. Bhanthnagar and Rajual Bhargava- Law and Language, M C Macmillan
3. Avhad S. E.- Draftsman.

4. Mac Cormik- Legal Reasoning and Legal Theory.
5. Paul Rylance- Legal Writing and Drafting.
6. Mishra- Legal Language and Legal Writing, Pioneer Publications.
7. Dr. Sen Amit- Legal Language, legal writing and Legal Drafting, Kar5nal Law House, Calcutta
8. Tandon M. P. – Legal Language and Legal Writing.

**CASES:-**

1. Sarbati Devi v. Usha Devi, AIR 1984 SC 346  
Succession and Nomination
2. R. D. Saxena v. Balaram Prasad Sharma, AIR 2000 SC 2912  
Advocate's right to retain documents
3. Sarita Sharma v. Sushil Sharma, AIR 2000 SC 1019  
Custody of child: Orders of foreign Court
4. Ratan Cond v. State of Bihar, AIR 1959 SC 18  
Extra judicial confession.
5. Paniben v. State of Fujarat, AIR 1992 SC 1817  
Dying declaration
6. Dr. Surajmani Stella Kujur v. Durga Charan Hansdah, AIR 2001 SC 938  
Applicability of Hindu Marriage Act to Scheduled Tribes, and Offence of Bigamy.
7. Gautam Paul v. Debi Rani Paul, AIR 2001 SC 61  
Right of cosharer, obligation to sell to other sharer
8. Balaji Raghvan v. Union of India, AIR 1996 SC 770  
Abolition of titles under Constitution of India
9. Chairman Railway Board v. Chandrima Das, AIR 2000 SC 988  
Compensation to victim of rape.
10. Daniel Latifi v. Union of India, AIR 2001 SC 3958  
Term 'Provision' under the Muslim Women (Protection of Rights on Divorce) Act.

**POINTS:**

1. Provisions of law involved.
2. Principles of law involved.
3. Finding the facts and arguments for both the sides
4. Drawing issues involved and answers to the issues.
5. How the case reached the Supreme Court, history of the litigation.
6. Drawing the ratio, if any.
7. Various views about the questions arisen.
8. Criticism of the judgment
9. Debate on the decision
10. Relevance of the law settled by the Supreme Court today.

## Paper 33 Administrative Law

Nature and Scope of administrative Law.

1. Necessity of Administrative Law in Modern State
2. Rule of Law and Separation of Powers.
3. Delegated Legislation:
  - a. Nature Meaning and Growth.
  - b. Constitutional Validity.
  - c. Judicial Control, doctrine of ultravires, legislative control (Parliamentary Control) Sub Delegation.
4. Administrative tribunals:
  - a. Nature, growth and need.
  - b. Judicial control on administrative Tribunals Doctrine of Ultravires lack of Jurisdiction delinking Jurisdiction.
  - c. Principles of Natural Justice bias. Audi alteram partem Hearing, Administrative discretion
    - i. Judicial review of administrative discretion
    - ii. Judicial control of exercise of administrative discretion.
5. Commission of Inquiry:
  - a. Nature, Scope, need and functions.
  - b. Procedure and legal status.
6. Judicial control of administrative action through writs:
7. Public Corporations:
  - i. Growth need, rights and liabilities of Public Corporations.
  - ii. Parliamentary 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 administrative action.  
Ombudsman in India- The Lokpal and Lokayukta

Text Books:-

1. Administrative Law-S.P. Sathe
2. Principles of Administrative Law- M.P. Jain and S. N. Jain
3. Lectures by Thakwani K. C. on Administrative Law
4. Administrative Law by Massey.

Recommended Reference Books:-

1. Comparative Administrative Law: - D.D. Basu
2. Indian Administrative Law – M. C. Jain



## Semester X (November- April)

### Paper 34: Code of Criminal Procedure, Juvenile Justice (Care and Protection of Children) Act and Probation of Offenders Act

1. Code of Criminal Procedure, 1973 (as amended upto date) 80 Marks
2. The Juvenile Justice Act ( Care and 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

Recommended Books:-

1. Rantlal and Dhiraj Lal-The code of Criminal Procedure.
2. Kelkar R. V. – Outline on Criminal Procedure Code.
3. Kelkar R. V.- The Lectures on Criminal Procedure Code.
4. Vedkumari- Juvenile Justice Act.
5. Pareanjape- The Law Relating to Probation of Offenders in India.
6. K.S. Varma- The Juvenile Justice Act ( Care and Protection of Children) Act, 2000
7. R. B. Sethi- Probation of offenders Act.
8. BASU'S Code of criminal Procedure Vol.1 and Vol. 2.

### Paper 35 Company Law

1. Introductory:  
Definition and characteristics of company, lifting of corporate veil, company and partnership firm, classes of companies.
2. Formation of company:  
Registration, documents to be filed with the registrar, promoter, preincorporation contract
3. Memorandum of association:  
Meaning, purpose, form, contents, alterations, doctrine of ultra virus.
4. Articles of Association  
Meaning, purpose, form, contents, alteration, 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:-

Members and share holders, qualifications, modes of becoming member, cessation of membership rights and liabilities, registrar 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 numbers appointments restrictions on their appointments position of directors disqualification's. their duties and liabilities, board of directors:

Meaning and powers.

11. Meetings:

Meaning, Kinds of Meeting, Notice of Meeting, Contents of notice, conduct of meetings, quorum, minutes, proxies, voting and poll resolutions kinds of resolutions appointment of auditor, powers rights and liabilities of auditor

12. Majority rule and minority rights:

Foss V/s Harbottle case.

13. Prevention of Oppression and mismanagement:-

Meaning who can apply to company law board, powers of company law board and central government.

14. Compromises and arrangements reconstruction and amalgamation.

15. Winding up:

Meaning types of Winding up petition for winding up commencement of winding up Liquidator: his rights duties and liabilities Contributors, consequences of winding up dissolution of company.

The Companies Amendment Act, 2001 and 2002

Books Recommended:-

1. The companies act 1956 as amended up to the date
2. S.M. Shah: Lectures on Company Law
3. Avtar Sing : Company Law
4. Dutta on Company Law
5. N.D. Kapoor on Company Law

Note:- Those Students who have been exempted in company

law in second LL.B. 3 Year new course should opt for Law of Evidence.

### Paper 36: Practical Training- Paper I (100 Marks) Moot court, Pre Trial Preparations and Participation in Trial Proceedings

This paper will have three components of 30 Marks each and a viva 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 the all written submissions and assignments will be written in the journal 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 an 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:-

- I. Moot Court Pre Trial, preparation and participation in trial.

II.	Proceeding (10 Marks for each Moot court, 5 Marks for written submissions, 5 Marks for oral submissions)	Marks	30
III.	Observance of trial in two cases		30
	Interview Techniques And Pre Trial Preparations		30
IV.	Viva-Voce		10
Total			100 Marks

{ 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 and Participation in trial proceeding.
4. Tewari, O.P. - Moot Court Pre Trial Preparation and Viva – Voce.
5. Sirohi, J.P.S.- Moot Court, Pre Trial Preparation and Participation in trial proceeding.
6. Tewari, O.P.- Moot Court, Pre Trial Preparation and Participation in trial proceeding.
7. Dhanda, Amit - Moot Court for Interactive Legal education

### Paper 37: Drafting, Pleadings, and Conveyancing

#### I. CIVIL

##### 1. Plaint.

- 1) Specific performance of a contract.
- 2) Recovery of money on the basis of a promissory note.
- 3) Recovery of money for price of goods sold or work done.
- 4) Partition of Joint Hindu Family property.
- 5) Suit for dissolution of partnership and accounts.
- 6) Permanent injunction ( Public nuisance ).
- 7) Damages for Defamation.
- 8) Suit for possession against a trespasser.
- 9) Mesne profits.

- 10) Suit for Cancellation of sale deed.
- 11) Suit for possession by Landlord against tenant under the Maharashtra Rent Control Act, 1999.
- 1. (a) Affidavit
- 2. Execution Petition : i.e. Dakhast on the basis of 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
  - Succession certificate.
  - Probate on the basis of will.
- 5. Petition under Article 32 and 226 of the Constitution of India :
  - 1) Habeas Corpus
  - 2) Mandamus
  - 3) Prohibition
  - 4) Certiorari
  - 5) 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
  - i) Taking adjournment
  - ii) Substituted Service
  - iii) Amendment of the plaint or written statement
  - iv) Granting leave to deliver Interrogatories on record
  - v) Bringing legal heirs and representative on record
  - vi) Setting aside and abatement of the suits.
  - vii) Appointment of a commission
  - viii) Attachment of the property of the defendant before judgement
  - ix) Appointment of receiver
  - x) Permission to sue as Indigent person
  - xi) 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 Instrument Act.
- 2) (i) Application for maintenance or written statement to the same.
    - (ii) Application for execution of maintenance order already passed in favour of a wife.
    - (iii) 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 section 451, 452 of Cr.P.C.

### III. CONVEYANCING

- I. Sale Deed
- II. Mortgage Deed
- III. Lease Deed
- IV. Gift Deed
- V. Promissory Note
- VI. Power of Attorney
- VII. Will Deed
- VIII. Legal Notices, License
- IX. Assignments, Deed Of Exchange
- X. Adoption Deed
- XI. Deed Of Dissolution Of Partnership
- XII. Deed of Public Trust.
- XIII. Partition Deed
- XIV. Partnership Deed
- XV. 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 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 Favras
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. Divekar, G.M. - Conveyancing
18. Retwade – Legal Drafting ( Paper book )
19. Mukherjee - Law of Civil Appeals, Revisions, References and 13  
Revisions and Law of Criminal Appeals, Revisions
20. Banerjee & Awasthi - Guide to Drafting
21. Retwade – Drafting, Pleading and Conveyancing.

## Paper 38 - Optional Paper

### (a) Investment and Securities Laws

- I. (A) Historical evolution of securities laws.
  - a) International perspective
  - b) Indian perspective
    - I. Pre – Independence period.
    - II. Post Independence period.
    - III. History of capital markets in India.
 (B) Need for securities legislation and investor protection.
- II. Statutory provisions regarding securities.
  - a) Classification of securities :  
Ownership instruments, Shares , Stocks.
  - b) Debt instruments :  
Debentures and Bonds.
- III. Offer documents.  
Prospectus.  
Norms of disclosure under :
  - (i) The companies Act, 1956.
  - (ii) The Securities Contract Regulation Act, 1957.
  - (iii) The Securities Exchange Board of India Act, 1988.

#### IV. Concept of Securities Market.

Primary Market :

- A) Scheme of Primary Market -  
Advantages and Dis-advantages to companies and investors.
- B) Players in Primary Market -  
Underwriters, Brokers to an issue, Managers to the issue,  
Bankers to the issue and Registrar to the issue.

Secondary Market :

Players in Secondary Market – Brokers, Over the Country  
Exchange of India { OCTEL }

#### V. 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) The Stock Exchange Act.

#### VI. Investors Protection.

Role and functions of SEBI Tribunal.

Depositories Act.

Dematerialization.

Advantages and Dis-advantages

#### VII. A) Investment in Mutual Funds.

B) Investment by :

- 1. Financial Institutions.
- 2. 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



2. Public Debt Act
3. Reserve Bank of India Act

In addition to above in order to get the latest information regarding this law students can go through the following website.

[http // www.sebi.com](http://www.sebi.com)

## Paper 37 - Optional Paper

### (b) Law of Taxation

For this paper the following Statutes are Prescribed :

- i. The Income Tax Act, 1961 { Up-to-date } 60 Marks
- ii. The Wealth Tax Act, 1958 { Up-to-date } 15 Marks
- iii. The Central Excise Act, 1944 { Up-to-date } 25 Marks

Books Recommended:-

1. V.K. Singhania Student guide to Direct Taxes
2. Nani Palkhiwala Income Tax Law & Practice
3. Taxman Taxation Law

## Paper 37 - Optional Paper

### (c) Banking Laws including Negotiable Instruments Act

For this paper the following Statutes 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, 1981 35 Marks

Books Recommended :-

1. K.B. Dawra and Alok Mishra Banking Laws [Vinod Laws Publications, Lucknow]
2. Seth's Commentaries on Banking Regulation Act - 1949 (Law Publishers India Pvt. Ltd)

- |                       |                                 |
|-----------------------|---------------------------------|
| 3. Bhashyam and Adiga | Negotiable Instrument Act, 1881 |
| 4. Khergamvala        | Negotiable Instrument Act, 1881 |
| 5. Bangia, R.K.       | Negotiable Instrument Act, 1881 |
| 6. Avtar Singh        | Negotiable Instrument Act, 1881 |

Paper 38 - Optional Paper  
(d) Co-operative Law

1. Theory and Definition of Co-operation
2. Principles of Co-operation
3. History and Growth of Co-operative movement in India
  - A) Before independence
  - B) After independence through five year plans

15 Marks
4. History of Co-operative Legislation.  
This topic consists of the study of –
  - [ A ] The Maharashtra Co-operative Societies Act, 1960 and  
and Rules 1961. 60 Marks
  - [ B ] (a) The Maharashtra Ownership Flats { Regulation,  
Promotion, Construction and Sale } Management and  
Transfer Act, 1963.  
(b) The Maharashtra Apartment Ownership Act, 1970.  
25 Marks

Recommended Reference Books : -

1. A.D. Chaudhari & D.H. Chaudhari Co-operative Societies Act, 1960  
with Rules of 1961.
2. K.S. Gupta