

LLB III SEMESTER

PAPER-I: JURISPRUDENCE

Unit-I:

Meaning and Definition of Jurisprudence — General and Particular Jurisprudence - Elements of Ancient Indian Jurisprudence — Schools of Jurisprudence — Analytical, Historical, Philosophical and Sociological Schools of Jurisprudence. Theories of Law — Meaning and Definition of Law — The Nature and Function of Law — The Purpose of Law — The Classification of Law — Equity, Law and Justice — Theory of Sovereignty.

Unit-II:

Sources of Law — Legal and Historical Sources — Legislation - Definition of legislation - Classification of legislation- Supreme and Subordinate Legislation - Direct and Indirect Legislation - Principles of Statutory Interpretation. Precedent — Definition of Precedent — Kinds of Precedent — Stare Decisis— Original and Declaratory Precedents — Authoritative and Persuasive Precedents. Custom - Definition of Custom - Kinds of Custom - General and Local Custom - Custom and Prescription - Requisites of a valid custom - Relative merits and demerits of Legislation , Precedent and Custom as a source of Law . Codification — Advantages and disadvantages of codification.

Unit-III:

Persons — Nature of personality — Legal Status of Lower Animals, Dead Persons and Unborn persons — Legal Persons — Corporations — Purpose of Incorporation — Nature of Corporate Personality Rights and Duties — Definition of Right — Classification of Rights and Duties — Absolute and Relative Rights and Duties — Rights and Cognate concepts like Liberty, Power, Immunity, Privilege etc.

Unit-IV:

Obligation — Nature of Obligation — Obligation arising out of Contract, Quasi Contract, trust and breach of obligation etc. — Liability — Nature and kinds of liability — Acts — Men's Rea — Intention and Motive — Relevance of Motive — Negligence — Strict Liability — Accident — Vicarious Liability — measure of Civil and Criminal Liability.

Unit-V:

Ownership — Definition and kinds of Ownership - Possession — Elements of Possession - Relation between Ownership and Possession — Possessory Remedies — Property — Meaning — Kinds of Property — Modes of Acquisition of Property — Legal Sanctions - Meaning of Sanction — Classification of Sanctions — Civil and Criminal Justice — Concept of Justice — Theories regarding purpose of Criminal Justice — Deterrent, Preventive, Reformatory and Retributive theories.

Suggested Readings:

1. Salmond: Jurisprudence, Universal Publishers.
2. Paton :Jurisprudence
3. Allen :Law in the Making Universal Publishers.
4. Mahajan V.D.: Legal Theory and Jurisprudence, Eastern Book Company, Lucknow,
5. Dias :Jurisprudence, Aditya Books.
6. Rama Jois, Legal and Constitutional History of India, Universal Law Publications, Delhi.
7. G.C.V. Subba Rao, Jurisprudence and Legal Theory, Eastern Book Company.

**PAPER-II:
LAW OF PROPERTY**

Unit-I:

Meaning and concept of property — Kinds of property — Transfer of property — Transferable and non-transferable property — Who can transfer — Operation of transfer — Mode of transfer — Conditional transfer — Void and unlawful conditions — Condition precedent and condition subsequent — Vested and contingent interest — Transfer to unborn persons

Unit-II:

Doctrine of Election — Covenants — Transfer by ostensible owner — Doctrine of Feeding the Grant by Estoppels — Doctrine of Lis Pen dens — Fraudulent Transfer — Doctrine of Part-performance.

Unit-III:

Sale- Essential features — Mode of Sale — Rights and liabilities of parties. Mortgage- Kinds of Mortgages- Rights and liabilities of mortgagor and mortgagee — Marshalling and Contribution — Charges.

Unit-IV:

Lease — Essential features — Kinds of leases — Rights and liabilities of lesser and lessee — Termination of lease — forfeiture — Exchange — Gifts — Different types of gifts — Registration of Gifts — Transfer of Actionable Claims.

Unit-V:

Easements — Definition of easement — Distinction between Lease and License — Dominant and Servant Tenements. Acquisition of property through testamentary succession — Will — Codicil — Capacity to execute Will — Nature of bequests — Executors of Will — Rights and Obligations of Legatees.

Suggested Readings:

1. Mulla :Transfer of Property, Butterworth's Publications.
2. Subba Rao GCV: Commentaries on the Transfer of Property Act.
3. Krishna Menon: Law of Property.
4. Upadhyaya's Common Matrix of Transfer of Property.
5. Avatar Singh, Textbook on The Transfer of Property Act, Universal Law

PublishingCompany.

**PAPER-III:
ADMINISTRATIVE LAW**

Unit-I:

Nature and scope of Administrative Law — Meaning, Definition and Evolution of Administrative Law— Reasons for the growth of Administrative Law — Relationship between Administrative Law and Constitutional Law.

Unit-II:

Basic concepts of Administrative Law — Rule of Law — Interpretation of Dicey's Principle of Rule of Law — Modern trends - Theory of Separation of Powers — Position in India, UK and USA

Unit-III:

Classification of Administrative functions — Legislative, Quasi-judicial, Administrative and Ministerial functions — Delegated Legislation — Meaning, Reasons for the growth and Classification of delegated legislation— Judicial and Legislative Control of Delegated litigation.

Unit-IV:

Judicial Control of Administrative Action - Grounds of Judicial Control — Principles of Natural Justice — Administrative discretion and its control - Wednesbury Principle (Doctrine of Proportionality) – Doctrine of Legitimate Expectation.

Unit-V:

Remedies available against the State — Writs — Lokpal and Lokayukta — Right to Information- Liability of the State in Torts and Contracts — Rule of Promissory Estoppels — Administrative Tribunals - Commissions of Inquiry — Public Corporations.

Suggested Readings:

1. Griffith and Street: Principles of Administrative Law.
2. H.W.R.Wade: Administrative Law, Oxford Publications, London.
3. De Smith: Judicial Review of Administrative Action, Sweet and Maxwell.
4. S.P. Sathe: Administrative Law, Butterworths.
5. I.P.Massey: Administrative Law, Eastern Book Company.

**PAPER-IV:
COMPANY LAW**

Unit- I:

Corporate Personality - General Principles of Company Law - Nature and Definition of Company - Private Company and Public Company - **One Person Company**- Characteristics of a Company - Different kinds of Company - Registration & Incorporation of Company - Lifting the Corporate Veil – Company distinguished from Partnership , HUF and LLP.

Unit – II

Promoters - Memorandum of Association - Doctrine of Ultravires - Articles of Association - Doctrine of Indoor Management - Prospectus - Civil and Criminal – **Compounding of offences under Sec. 441 - decriminalization** - Liability for misstatement in prospectus - Statement in lieu of Prospectus - Pre- incorporation Contracts - Membership in a Company - Borrowing Powers – Debentures & Charges – **insider trading of company shares.**

Unit- III

Shares & Stock - Kinds of shares - Statutory restrictions on allotment of shares - Intermediaries – Call on shares for future of shares- Transfer of shares – Transmission of shares – Reduction on transfer of shares - Rectification of register on transfer - Certification and issue of certificate of transfer of shares - Limitation of time for issue of certificates - Object and effect of share certificate.

Unit – IV

Directors – **women director – Independent director – code for independent directors**– Different kinds of Directors - Appointment, position , qualifications and disqualifications- powers of Directors - Rights and Duties of Directors - Meetings and proceedings - kinds of meetings - Statutory meeting- Statutory report - Annual General Meeting - Extraordinary meeting - Power of the Tribunal to order meeting - class meetings - Requisites for a valid meeting - Chairman for meetings - Duties of Chairman - Proxy - Resolutions – Minutes-Shareholders Activism - *Corporate Social Responsibility*.

Unit – V

Accounts and Audit - Inspection and Investigation - Compromises, Reconstruction and Amalgamation - Majority rule and Rights of minority share holders - Prevention of oppression and mismanagement – **class action** - Revival and rehabilitation of sick industrial companies - Mergers, Amalgamation and Takeover - Dissolution of a company – Winding up of companies-Modes of winding up of companies – consequences of winding up - *The insolvency and Bankruptcy Code, 2016 in relation to winding up of companies* –*Authorities under the Act*- Department of Company Affairs - NCLAT, NCLT, Company Law Board, Regional Directors, ROC, Public

Trustee or Advisory Committee & SFIO -*Their powers and functions*- – Jurisdiction of Courts – **Corporate governance and certain relaxations in the light of pandemic.**

Suggested Readings:

1. Shah :*Lectures on Company Law*, N.M.Tripati,Bombay.
2. AvtarSingh :*Company Law*, Eastern BookCompany.
3. Charlesworth: *Company Law*, Sweet andMaxwell.
4. Ramaiah: *Company Law*, Wadhwa&Co.
5. Dutta: *Company Law*, Eastern Law House,Calcutta.
6. The Companies Act, 2013.
7. Executive Programme Study Material on Company Law, The Institute of Company Secretaries of India, New Delhi available at www.icsi.edu.
8. Gower: *Principles of Modern Company Law*
9. J.M. Thomson: Palmer's CompanyLaw

SEMESTER-II

Paper-V

LABOUR LAW-I

(Trade Union Laws and Industrial Dispute Act)

Unit -1

Concept of Labour through the ages- Trade Unions: History of Trade Union Movement-**The Trade unions according to Industrial Relations code, 2020**- Definitions- Registration-Rights and Liabilities Of Registered Trade Union-Immunities- Amalgamation and Dissolution of unions--Reorganization of Trade Unions.

Unit-II

Prevention and Settlement of Industrial Disputes in India-**The role of State in Industrial Relations under new Industrial Relations Code 2020**- Definition of industry- Industrial Dispute- Individual Dispute- Workmen-special provisions relating Lay Off- Retrenchment- Closure-Award- Strike-Lockout under chapter X of the code.

Unit-III

Authorities under the ID Code - Works Committee- Conciliation -Limitation to raise dispute-Court Of inquiry-- Tribunals - Powers and Functions of Authorities - Voluntary Arbitration - Alteration of conditions of service -Management rights of

action during pendency of proceedings - Recovery of money due from employer-
Unfair labour practices- **miscellaneous provisions of the Code**

Unit-IV

Standing Orders - concept and Nature of Standing Orders- Certification process- its operation and binding effect- modification and Temporary application of Model standing Orders - Interpretation and enforcement of Standing Orders and provisions contained in **the Industrial relations Code 2020**.

Unit-V

Disciplinary proceedings in Industries-Termination of employment, and the notice thereof to be given by employer and workers. - Suspension or dismissal for misconduct, and acts or omissions which constitute misconduct- Means of redress for workers against unfair treatment or wrongful executions by the employer or his agents or servants.

Suggested Readings:

1. Srivastava: *Law of Trade Unions* , Eastern Book Company,Lucknow
2. .Goswami :*Labour and Industrial Law*, Central Law Agency.
3. R.F. Rustomji: *Law of Industrial Disputes* : Asia Publishing House,Mumbai
4. S.N. Misra :*Labour and Industrial Law*, Central Law Agency,Allahabad.
5. J.N. Malik : *Trade Union Law*
6. Khan & Khan : *Labour Law* , Asia Law House,Hyderabad
7. S.C. Srivastava :*Industrial Relations and Labour Law*, Vikas PublishingHouse.
8. Nick Humphreys, Trade Union Law and Collective EmploymentRights