



LL.B. (Three Year Course) IVth Semester & B.S.L. (Five Year Course) VIIIth Semester

Paper- I Company Law

Paper- II Contract – II

Paper- III Property Law

Paper- IV Family Law-II

Paper- V Alternate Dispute Resolution (Practical) (Cont.)

Company law

Chapter-1

Preliminary

1. Companies

1.1 One Person Company

1.2 Private Company

1.3 Small Company

2. Roles and Responsibilities

2.1 Officer

2.2 Key Managerial Personnel

2.3 Promoter

2.4 Independent Director

5. Audit and Accounts

5.1 Mandatory Auditor Rotation and joint Auditors

Chapter-II

Incorporation of a Company

1. One Person Company

2. Memorandum of Associations

3. Articles of Associations

4. Incorporation of Company

5. Formation of a Company with Charitable Object

6. Commencement of Business

7. Registered Office of Company

8. Alteration of Memorandum

9. Subsidiary Company not to hold Shares in the Holding Company

Chapter-III

Prospectus and Public Offer

1. Issue of Prospectus
2. Variation in Terms of Contract or Objects
3. Offer of Sale of Shares by Certain Members of the Company
4. Shelf Prospectus
5. Global Depository Receipts
6. Private Placement

Chapter-IV

Share capital and debentures

1. Voting rights
2. Variation of shareholder's rights
3. Application of premiums received on issue of shares
4. Prohibition on issue of shares at a discount
5. Issue and redemption of preference shares
6. Refusal of registration and appeal against registration
7. Further issue of share capital
8. Issue of bonus shares
9. Unlimited company to provide for reserve capital on conversion into limited company
10. Reduction of share capital
11. Power of the company to purchase its own securities

Chapter-V

1. Annual return
2. Place of keeping registers and returns
3. General meetings
4. Other matters

Chapter-VI

DIRECTORS

GENERAL

1. Woman director
2. Number of directorship
4. Independent directors
5. Appointment of an additional director
5. Additional compliance requirements for private companies

Chapter-VII

Meetings of the board and its powers

1. Audit Committee
2. Nomination and remuneration committee and stakeholders relationship committee
3. Contributors to charitable funds and political parties
4. Discloser of interest by director
5. Loans and investments by a company
6. Related party transactions

Chapter-VIII

Appointment and remuneration of managerial personnel

1. Appointment of managing director whole those director or manager [196 of 2013 Act].
2. Overall maximum managerial remuneration and managerial remuneration in case of absence or inadequacy of profits [section 198 of 2013 Act].
3. Calculation of profits [section 198 of 2013 Act]
4. Recovery of remuneration in certain cases [section 199 of 2013 Act]
4. Appointment of key managerial personnel [section 203]

Chapter-VIII

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3. Calculation of profits [section 199 of 2013 Act]
4. Appointment of key managerial personnel [section 203]

Chapter VIII

Accounts and Audits

Accounts

1. Books of accounts
2. Cognisance of accounting standards
3. Consolidated financial statements
5. Financial year

Audit and auditors

1. Appointment of auditors
2. Mandatory firm rotation
3. Non-audit services to audit clients
4. Joint audits
5. Auditory liability
6. Additional responsibilities

Chapter IX

1. Declaration of dividend
2. Transfer of shares to the investor education and protection fund (IEPF)

Chapter-X

Compromises, Arrangements and Amalgamation

Chapter-XI

Reveal and Reestablishment of Sick Companies

Chapter-XII

Corporate social responsibility

- Eradicating extreme hunger and poverty
- Promotion of education
- Promoting gender equality and empowering women
- Reducing child mortality and improving maternal health
- Combating human immunodeficiency virus, acquired immune deficiency syndrome, malaria and other diseases
- Ensuring environmental sustainability
- Employment enhancing vocational skills
- Social business projects
- Contribution to the prime ministers national relief fund or any other fund or any other fund set-up by the central government or the state government for socio-economic development and relief, and funds for the welfare of the scheduled castes and tribes, other backward classes, minorities and women
- Such other matters as may be prescribed

Chapter XIII

Implications on private companies

Chapter XIV

Miscellaneous

1. Acceptance of deposits
2. Outstanding deposits
3. Protection of depositors

Registered Valuers

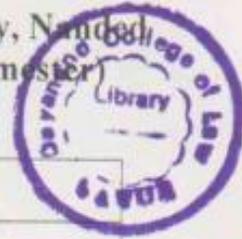
Winding-up

Dealing with fraud

Shareholder democracy

1. Shareholder rights or protection
2. Special consideration to small share holders

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LL. B II(IVth Semester) & BSL IV(VIII th Semester)
Contract - II



Topic/subject	No. of Hours/ Period
1. Indemnity and guarantee- Indian Contract Act, 1872 1. Contract of Indemnity a. Definition, b. Rights of Indemnity holder c. Liability of the indemnifier.	Units 3
2. Contract of Guarantee : a) Definition b) Essential characteristics of contract of guarantee C) Distinction between contract of indemnity and contract of guarantee d) kinds of guarantee e) Rights and liabilities of surety f) Discharge of surety	Units 8
3. Bailment: contract of bailment (sec. 148-181 of Indian contract act, 1872) 1) Definition 2) Essential requisites of Bailment 3. Kinds of bailment 4. Rights and duties of bailor and bailee 5. Termination of bailment 6. Pledge: Definition, Rights and duties of pawnor and pawnee, pledge by Non Owners.	Units 8
4. Contract of agency (sec. 182-238 of the Indian Contract Act 1872) 1) Definition of Agents 2) Creation of Agency 3. Rights and Agent 4 Delegation of authority 5. Personal liability of Agent 6. Relations of Principal with Third parties 7. Termination of Agency.	Units 10
5. Contract of Sale of goods (The Indian sale of goods Act, 1920) 1) Formation of contract 2) Subject. Matter of contract of sale 3. Conditions and warranties 4. Express and implied conditions and warranties 5. Caveat Emptor 6. Property, Possession and risk 7. Passing of property 8. Sale by non-owners 9. Delivery of goods 10. Rights and duties of seller and buyer before and after sale. 11. Rights of unpaid seller.	Units 16
6. Contract of Partnership (The Indian Partnership Act, 1932) 1) Definition and nature of partnership 2) Formation of partnership 3) Test of partnership 4) Partnership and other associations 5) Registration of firm 6) Effects of non-registration	Unit 18

7) Relation of partners 8) Rights and duties of partners 9) Properties of the firm 10) Relation of partners with other parties 11) Implied authority of a partner 12) Kinds of partners 13) Minor as partner 14) Reconstitution of a firm 15. Dissolution of firm.	
7. Negotiable Instruments: 1) The concept 2) Various kinds 3) Essential elements of Negotiable Instruments 4) Dishonour of cheque and its effect and Remedies	Units 08

SELECT BIBLIOGRAPHY:

1. RK Abhichandoni (Ed) Pollock and Mulla on Contract and Specific Relief Act (1999) Tripathi
2. Avtar Singh, Law of Contract (2000) Eastern. Lucknow
3. Krishna Nair, Law of Contracts (1999) Orient
4. Avatar Singh. Principles of the Law of Sale of Goods and Hire purchase (1998) Eastern
5. J.P. Verma (ed.), Singh and Gupta, the Law of Partnership in India (1999), Orient
6. AG.Guest (edO), Benjamin's Sale of Goods (1992) Sweet & Maxwell
7. Bhashyam and Adiga, the Negotiable Instruments Act (1995) Bharath, allahabad
8. M.S. Parthasarathy(ed). J.S. Khergamvala, the Negotiable Instruments Act.
9. Beatson (ed), Anson's Law of contract, (1998) Oxford. London.
10. Saharay, H. K. Indian Partnership and Sale of Goods Act, (2000), Universal
11. Ramnainga, The sales of Goods Act, (1998) Universal

Swami Ramanand Teerth Marathwada University, Nanded
Syllabus for LL.B II (IVth Semester) & BSL IV (VIIIth Semester)
w.e.f 2011-12

Paper III

Property Laws Including Transfer Of Property Act & Easement Act.

- | | |
|---|----------------|
| 1. Jurisprudential Contours of Property: | Unit-5 |
| 1. Concept and meaning of property-New Property-Governmental largesse. | |
| 2. Kinds of property- Movable and immovable property-tangible and intangible property | |
| 2. Resources Use Patterns and Concepts in India: Who owns land? | |
| Sovereign or the subject? | Unit-5 |
| 1. Pre-colonial position 2. Hindu Law 3. Muslim theory 4. Tribal approaches | |
| 5. Position under colonial administration 6. Introduction to permanent settlement. | |
| 7. Ryotwari settlement 8 Evaluation of eminent domain under company administration. | |
| 9. Effects of colonial revenue administration 10 Intermediaries. | |
| 3. Forms of control Urban Property. | Unit-3 |
| 1. Right to Housing and shelter. 2. Slum Clearance or slum improvement? 3. Housing Policy. | |
| 4. Urban development authority. 5. Master plan. 6. Zonal development plan | |
| 7. Declaration of development areas. 8. Powers of the authority | |
| 4. Law Relating to Transfer of Property | Unit-22 |
| 1. General Principles of Transfer of Property-Transfer of Property defined-what may be Transferred- whether movable or immovable -persons competent to transfer. | |
| 2. Transfer of Property -in favour of unborn persons-Rule Against perpetuity-object of Rule-Maximum Remoteness of vesting. | |
| 3. Direction for accumulation-vested Interest-Contingent Interest- Doctrines of Election- Election when necessary-Rights of Disappointed transferee | |
| 4. Transfer of Property pending suit relating thereto-Doctrines of lis pendens -Basis of lis pendens-effect-fraudulent transfer | |
| 5. Part performance-part performance under section 53-A of T.P. act. | |
| 6. Specific Transfers of Immovable Property:- | Unit-15 |
| 1. Sale- Definition-Essentials of valid sale -Rights & liabilities of Buyer and seller-sellers Rights & duties- marshalling of subsequent purchaser. | |
| 2. Mortgage: -Definition-Essential elements-Kinds of mortgage-Rights of mortgagor to redeem-once a mortgage always a mortgage-clog on redemption. | |
| 3. Leases -definition-lessor, lessee, Premium & rent defined, essential elements of lease, Duration of certain Lease, Tenant- at -will, Tenant at sufferance, lease How made-, Rights and liabilities of lessor & lessee. | |
| 4. Exchange-definition-rights and liabilities of parties. | |
| 5. Gift-definition-essential elements-modes of making gift-onerous gift-universal donat-Transfer of actionable claim-liability of parties | |

7. Trusts:

1. Definition and classification
2. Trust distinguished from agency, Bailment and wakf
3. Charitable trusts, Resulting and constructive trusts.

Unit-5

8. Easements:

1. Nature, Characteristics and Extinction.
2. Creation of easements.
3. Riparian rights
4. Licenses.

Unit-5

9. Recordation of Property Rights:

1. Law relating to registration of documents affecting property relations. Exemptions of leases and mortgages in favor of Land Development Bank from registration.
2. Recordation of rights in agricultural land with special reference to respective states.
3. Investigation of title to property.
4. Law relating to stamp duties: of the liability of instruments of duty.
5. Duties by whom payable.
6. Effect of not duly stamping instruments: examination and impounding of instruments; inadmissibility on evidence; impounding of instruments.

Unit-10

N.B: Internal evaluation for 20 marks is to be completed in 14 Units

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 Revised Syllabus LL. B II (IVth Semester) & BSL (VIIIth Semester)



Family Law II

Topic/subject	No. of Hours/ Period
1. Joint Hindu Family (Mitakshara and Dayabhaga) 1. Mitakshara joint family 2. Mitakshara coparcenary - formation and incidents. 3 Property under Mitakshara law separate Property and coparcenary property 4. Dayabhaga coparcenary formation and incidents 5. Property under dayabhaga law 6. Karta of the joint family, his position, powers, privileges and obligations. 7 Alienation of property, separate and coparcenary 8. Debts doctrines of pious obligation and antecedent debt 9. Partion and re-union 10. Joint Hindu family as a social security institution and impact of Hindu Gains of Learning Act, 1930 and various tax laws on it.	Units 24
2. Inheritance: 1 Hindus: Historical perspective of traditional Hindu law as a background to the study of Hindu Succession Act, 1956 2. succession to property of a Hindu male dying intestate under the provisions of Hindu Succession Act, 1956. Devolution of interest in mitakshara coparcenary with reference to the provisions of Hindu Succession Act, 1956 succession to property of Hindu female dying intestate under the Hindu Succession Act, 1956 disqualifications relating to succession, general rules of succession Marumakkattayam and Aliyasantan laws governing people living in Travancore- Cochin and Malabar and South Kanara	Units 28
3. New property concepts, such as skill, job etc. as new forms of property	Units 4
4. Settlement of spousal property : A need for development	Units 4
5. Muslim and Christian succession - General rules of Muslim succession Exclusion from inheritance Heirs, Hanafi, Ithna, Ashari, Christian and Parsi Succession under Indian succession Act 1925.	Units 10

• SELECT BIBLIOGRAPHY :

1. Paras Diwan, Law of Intestate and Testamentary Succession (1998), Universal,
 2. Basu, N.D. Law of Succession (2000), Universal
 3. Kusem, Marriage and Divorce Law manual (2000), Universal,
 4. Machanda S.C., Law and Practice of Divorce in India (2000), Universal.
 5. PV Kane, History of Dharmasastras Vol. 2 pt. 1 at 624-632 (1974)
 6. A Kuppaswami (ed.) Mayne's Hindu law and Usage, chapter 4 (1986)
 7. BSivaramayys, Inequalities and the Law (1985)
 8. K. C Daiya, "Population control through family planning in India," Indian journal of legal studies, 85(1979)
 9. J.D.M. Derrett, Death of Marriage Law
 10. AAA Fyzee, Outline of Mumammadan Law (1998)
 11. Alladi Kuppaswami, (Ed) Mayne's Hindu law and Usage, (1986)
 12. JD.M. Derret, A Critique of Modem Hindu Law (1970)
 13. Paras Diwan, Hindu law (1985)
 14. SI Desai (Ed) Mulla's Principles of Hindu law. (1998) Butterworths - India
 15. Paras Diwan, Family Law: Law of Marriage and Divorce in India (1984)
 16. AM. Bhattacharjee, Muslim Law and the Constitution (1994) Eastern Law House, Calcutta.
 18. Paras Diwan, Law of Adoption, Minority, Guardianship and Custody (2000), Universal.
- (All books latest editions have to be followed)