

**NAME OF SUBJECT: LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM**

**PAPER CODE: LAW- 901**

**MAXIMUM MARKS: 30+70=100**

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** This paper focuses on land reforms apart from land acquisition procedures and rent laws.

**MODULE-I : Land Reform: The Constitutional Provisions**

- a) **Constitutional Provisions on Agrarian Reform Legislations.**
- b) **Abolition of Zamindars and Intermediaries.**
- c) **Land Ceiling Legislation.**
- d) **State enactments prohibiting alienation of land by tribal to non-tribals.**
- e) **Consolidation of holdings.**

**MODULE-II: Evaluation of Land Reform**

- a) **Absence of Political will as an impediment.**
- b) **Role of Judiciary.**
- c) **Role of Administrative Agencies.**

**MODULE-III: Land Acquisition**

- a) **Land Acquisition Act, 1894.**
- b) **Purpose.**
- c) **Procedure.**
- d) **Compensation.**

**MODULE-IV: Rent Law- Concepts, Terms and Processes**

- a) **Rent Legislation in India.**
- b) **Definitions: Land Lord, Tenant, Land and Fair Rent.**
- c) **Fixation of Fair Rent.**

**MODULE-V: Eviction and Dispute Settlement Mechanism**

- a) **Grounds of Eviction: Non-payment of Rent; Sub-letting; Change of user; Material alteration; Non-occupancy; Nuisance; Dilapidation; Bonafide requirement of the landlord; Alternative accommodation; Building and re-construction and Limited Tenancy.**
- b) **Settlement of rent disputes.**

**MODULE-VI: Land Management in Uttarakhand.**

**MODULE-VII: Houses and Shops Rent Control Legislation in Uttarakhand.**

### **RECOMMENDED READINGS**

- 1. V.N. Shukla---Constitution of India.**
- 2. P.K. Sarkr--- Law of Land Acquisition in India.**
- 3. K.T.S. Tulsi--- Law of Rent Control in India.**

**NAME OF SUBJECT: COMPANY LAW**

**PAPER CODE: LAW- 902**

**MAXIMUM MARKS: 30+70=100**

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** This paper aims at providing insight into formation and winding up of companies besides Corporate Administration.

**MODULE-I: Formation, Registration and Incorporation of Company.**

- a) **Concept of Corporate Personality.**
- b) **Nature and kinds of Company.**
- c) **Formation of Companies.**
- d) **Promoters: Position, duties and liabilities.**
- e) **Mode and consequences of incorporation.**
- f) **Uses and abuses of the corporate personalities; lifting of corporate veil.**
- g) **Memorandum of Association; alteration and the doctrine of ultra-vires.**
- h) **Articles of association, alteration, relation with memorandum of association, doctrine of constructive notice and doctrine of indoor management- exceptions.**

**MODULE-II: Capital Formation**

- a) **Prospectus: Issues, contents. Kinds, liability for misstatements, Statement in lieu of prospectus.**
- b) **Nature and classification of company securities.**
- c) **Shares and general principles of allotment.**
- d) **Statutory share of certificate- its objects and effects.**
- e) **Transfer of shares.**
- f) **Share capital, reduction of share capital.**
- g) **Duties of court to protect interests of creditors and shareholders.**
- h) **Debentures, kinds, remedies of debenture holders.**
- i) **Dividends- Payment-Capitalization and Profit.**

**MODULE-III: Corporate Administration**

- a) **Member: Mode of membership; who can be a member; cessation of membership; registration of members.**
- b) **Directors- Kinds, Powers and Duties ,Position**
- c) **Insider Trading.**

**MODULE-IV: Meetings- Kinds, Procedures and Voting.**

### **The Balance of Powers within company**

- i. Majority control and minority protection.**
- ii. Prevention of oppression.**
- iii. Powers of Court and Central Government.**

### **Emerging trends**

- i. Corporate Social Responsibility.**
- ii. Legal liability of Company- Civil, Criminal, Tortuous and Environmental.**

### **MODULE-V: Winding up of Company**

- a) Kinds, consequences and reasons of winding up.**
- b) Role of the Court.**
- c) Liability of Past Members.**
- d) Payment of Liability.**

### **Reconstruction and Amalgamation**

### **SUGGESTED READINGS**

- 1. Indian Company Law--- Avatar Singh.**
- 2. Lectures on Company Law--- S.M. Shah.**
- 3. Company Law--- Palmer.**
- 4. Guide to Companies Act--- Ramiaya.**
- 5. Principles of Modern Company Law--- Grover.**
- 6. Company Law--- R.R. Pennington.**
- 7. Company Law Cases and Material--- G.M. Sen.**

### **ESSENTIAL CASE LAWS**

- 1) Salomon v. Salomon & Co., Ltd., -( Personality of a Company) p. 1**
- 2) Ashbury Railway Carriage and Iron Co., Ltd., v. Riche (Object Clause in Memorandum of Association)- p.8**
- 3) In Re Jon Beauforte London Ltd., (Memorandum of association)-p.11**
- 4) Bell House Ltd., City Wall Properties Ltd., (Ultra Vires)- p. 16**
- 5) Dr. A. Lakshmanaswami Mudaliar v. Life Insurance Corporation of India (Object Clause) - p.22**
- 6) Royal British Bank v. Trquand ( Doctrine of Indoor Management)—p.28**
- 7) Free Man v. BuckHurst k Properties Ltd., (Articles of Association) - p.29**
- 8) Percival v. Wright (Insider trading) - p.35**
- 9) Regal (Hastings) Ltd., v. Gulliver and others. (Insider trading) - p.37**
- 10) Newbome v. Sensolid (Great Britain) Ltd., (Duty of Promoters) - p.46**
- 11) Natal Land Co., Ltd., Pauline Colliery Syndicate Ltd., ( Duty of promoter)-p.49**
- 12) Erlanger v. New Sombrero Phosphate Co., (Duties of Promoters) - p.52**
- 13) Gluckstein v. Barnes (Duties of promoters) - p.54**
- 14) Lee v. Lee's Air Farming Co., Ltd., ( Personality of a company) - p.58**
- 15) Macaura v. Northern Insurance Co., Ltd., (Share holder has no insurable interest) - p.60**
- 16) Daimler Co., Ltd., Continental Tyre and Rubber Co., (Lifting of a corporate veil) - p.62**

**NAME OF SUBJECT: ENVIRONMENTAL LAW**

**PAPER CODE: LAW- 903**

**MAXIMUM MARKS: 30+70=100**

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** This paper aims at acquainting the students with the environmental issues and the measures taken for its protection along with the norms prevailing at national and international level.

**MODULE-I: Environmental Law: International and National Perspective**

**a) Introduction**

- i. Environment- Meaning.**
- ii. Environmental Pollution- Meaning and Issues.**
- iii. Protection of Environment- Issues and Problems.**
- iv. Constitution of India vis-à-vis Environment.**

**a) International Norms**

- i. Sustainable Development- Meaning and Scope.**
- ii. Precautionary Principles.**
- iii. Polluter pays Principle.**
- iv. Public Trust Doctrine.**

**b) Constitutional Mandate**

- i. Right to Wholesome Environment- Evolution and Application.**
- ii. Relevant Provisions- Art. 14, 19(1), 21, 48A, 51-A(g).**
- iii. Environment Protection through Public Interest Litigation.**

**c) Other Laws**

- i. Law of Torts.**
- ii. Law of Crime.**
- iii. Environmental Legislations.**

**MODULE-II: Prevention and Control of Water and Air Pollution**

**a) The Water (Prevention and Control of Pollution) Act, 1974**

- i. Water Pollution-Definition.**
- ii. Central and State Pollution Control Boards- Constitution, Powers and Functions.**
- iii. Water Pollution Control Areas.**
- iv. Sample of effluents- Procedure; Restraint Order.**
- v. Consent requirement- Procedure, Grant/ Refusal, Withdrawal.**
- vi. Citizen Suit Provision.**

**b) Air (Prevention and Control of Pollution) Act, 1981**

- i. Air Pollution- Definition.**

- ii. Central and State Pollution Control Boards- Constitution, Powers and Functions.
- iii. Air Pollution Control Areas.
- iv. Sample of effluents- Procedure; Restraint Order.
- v. Consent requirement- Procedure, Grant/ Refusal, Withdrawal.
- vi. Citizen Suit Provision.

#### **MODULE-III: Protection of Forests and Wild Life**

- a) Indian Forest Act, 1927
  - i. Kinds of Forests- Private, Reserved, Protected and Village Forests.
  - ii. The Forest (Conservation) Act, 1980.
- b) The Wild Life (Protection) Act, 1972
  - i. Authorities to be appointed and constituted under the Act.
  - ii. Hunting of Wild Animals.
  - iii. Protection of Specified Plants.
  - iv. Protected Areas.
  - v. Trade or Commerce in wild animals, animal articles and trophies; Its prohibition.

#### **MODULE-IV: General Environmental Legislations**

- a) Environmental (Protection) Act, 1986.
  - i. Meaning of 'Environment', 'Environment Pollutant', 'Environment Pollution'.
  - ii. Powers and Functions of Central Government.
  - iii. Citizen Suit Provision.
- b) Principle of 'No Fault' and 'Absolute Liability'
  - i. Public Liability and Insurance Act, 1991.
  - ii. The National Environment Tribunal Act, 1995.
- c) The National Appellate Environmental Authority Act, 1997
  - i. Constitution, Powers and Functions.

#### **MODULE-V: Noise Pollution**

- a) Noise Pollution and its control.
- b) Noise Pollution (Control and Regulation) Rules, 2000.
- c) Noise Pollution and Judicial Approach.

#### **SUGGESTED READINGS**

1. Environmental Law & Policy in India – Shyam Diwan, Armin Rosencranz
2. Environmental Law in India – P. Leelakrishnan
3. Environmental Law in India – Gurdip Singh
4. Environmental Administration, Law and Judicial Attitude – Paras Diwan, Peeyushi Diwan.
5. The Environmental Law in India--- P. Leela Krishnan. Butterworths- India.
6. Environmental Law--- P.S. Jaswal, Allahabad Law Agency.

7. Environmental Law--- Stuart Bell and Donald McGillicray. Oxford.
8. Environment Pollution and the Laws--- V.R. Krishna Iyer. 1984.
9. Protect Global Environment--- A.B. Srivastava. 1984. Chugh Publications, Allahabad.
10. Legal Control of Environmental Pollution--- S. Agarwal.
11. Law on Protection of Environment--- R.G. Chaturvedi.

#### STATUTES

1. The Water (Prevention and Control of Pollution) Act, 1974
2. The Air (Prevention and Control of Pollution) Act, 1981
3. The Indian Forest Act, 1927
4. The Forest (Conservation) Act, 1980
5. The Wild Life Protection Act, 1972
6. The Environment (Protection) Act, 1986
7. The Public Liability Insurance Act, 1991
8. The National Environment Tribunal Act, 1995
9. The National Environment Appellate Authority Act, 1997

#### ESSENTIAL CASE LAW

- s1. Subhash Kumar v. State of Bihar, AIR 1991 SC 420
2. M.C. Mehta v. Union of India, AIR 1997 SC 734
3. M.C. Mehta v. Kamal Nath, AIR 2000 SC 1997
4. M/s Abhilash Textiles v. Rajkot Municipal Corprn., AIR 1988 Guj. 57
5. Indian Council for Enviro-Legal Action v. Union of India, AIR 1996 SC 1446
6. Vellore Citizen Welfare Forum v. Union of India, AIR 1996 SC 2715
7. A.P. Pollution Control Board v. M.V. Nayudu, AIR 1999 SC 812
8. Narmada Bachao Andolen v. Union of India, AIR 2000 SC 3751
9. M.C. Mehta v. Union of India, AIR 2002 SC 1696
10. M.C. Mehta v. Union of India, AIR 1988 SC 1037
11. M.c. Mehta v. Union of India, AIR 1988 SC 1115
12. M/S. Delhi Bottling Co. Pvt. Ltd. v. Central Board for the Prevention and Control of Water Pollution, AIR 1986 Del. 152
13. Tata Tea Ltd. v. State of Kerala, 1984 K.L.T. 645
14. M.C. Mehta v. Union of India, AIR 2001 SC 1948
15. M.C. Mehta v. Union of India, 1998 (4) SCALE 196
16. Orissa State Pollution Control Board v. M/s. Orient paper Mills, AIR 2003 SC 1966
17. Tarun Bharat Singh v. Union of India (1994) 2 SCALE 68
18. T.N. Godavarman Thirumulkpad v. Union of India, AIR 1998 SC 769
19. Vellore Citizens Welfare Forum v. Union of India, AIR 1996 SC 2715
20. S. Jagannath v. Union of India, AIR 1997 SC 811
21. M.C. Mehta v. Union of India, AIR 2002 SC 1696
22. M.C. Mehta v. Union of India, AIR 1987 SC 965
23. M.C. Mehta v. Union of India, AIR 1987 SC 982
24. M.C. Mehta v. Union of India, AIR 1987 SC 1086

**NAME OF SUBJECT: DRAFTING, PLEADING AND CONVEYANCING**

**PAPER CODE: Law- 904**

**MAXIMUM MARKS: 30+70=100**

**TIME ALLOWED: 3 HRS.**

**INTERNAL ASSESSMENT: 30 MARKS**

**TERM-END EXAMINATION: 70 MARKS**

**OBJECTIVE:** This paper intends to train students in the art of drafting both for court purposes and for other legal forums.

**MODULE-I: Introduction**

- a) **Fundamental Rules of Pleadings.**
- b) **Plaint Structure.**
- c) **Parties to the suit.**
- d) **Written Statement.**
- e) **Appeals.**
- f) **Reference, Review and Revisions.**
- g) **Execution.**

**MODULE-II: Ordinary Suit for Recovery**

- a) **Suit under Order XXXVII of CPC and difference between the suits.**
- b) **Suit for Permanent Injunction.**
- c) **Application for temporary injunction Order XXXIX of CPC.**
- d) **Suit for Specific Performance.**
- e) **Petition for eviction under the Delhi Rent Control Act, 1958.**

**MODULE-III: General Principles of Criminal Pleadings**

- a) **Application for bail.**
- b) **Application under Section 125 Cr.P.C.**
- c) **F.I.R. under Section 154 Cr.P.C.**

**MODULE-III: Forms of Pleadings**

- a) **Suit for recovery under order XXXVII of the Code of Civil Procedure.**
- b) **Written Statement.**
- c) **Suit for permanent injunction.**
- d) **Suit for specific performance.**
- e) **Petition for dissolution of marriage under Hindu Marriage Act.**
- f) **Petition for eviction under Delhi Rent Control Act, 1958.**
- g) **Petition for grant of probate / letter of administration.**
- h) **Application for grant of succession certificate.**
- i) **Application for grant of compensation under section 166 of the Motor Vehicles Act, 1988.**
- j) **Application for maintenance under Section 125 of the Criminal Procedure,1973.**
- k) **Application for grant of bail.**



- l) Application for grant of anticipatory bail.
- m) Application for temporary injunction under Order 39 Rules 1 and 2 of The Code of Civil Procedure.
- n) Application under Order 39 Rule 2A of the Code of Civil Procedure.
- o) Application for execution of a decree.
- p) Caveat under section 148 of the Code of Civil Procedure.
- q) Criminal Complaint.
- r) Statement of Claim in Arbitration.
- s) Appeal / Revision.
- t) Writ Petition under Article 126 and 32.
- u) Special Leave Petition under Article 136 of the Constitution of India.

#### **MODULE-IV: Conveyancing**

- a) Component of a Deed.
- b) Forms of Deed and Notices
  - i. Will.
  - ii. Agreement to sell.
  - iii. Sale-deed.
  - iv. Indemnity Bond.
  - v. Lease-deed.
  - vi. General Power of Attorney.
  - vii. Special Power of Attorney.
  - viii. Relinquishment deed.
  - ix. Partnership deed.
  - x. Deed of dissolution of partnership.
  - xi. Mortgage deed.
  - xii. Deed of gift.
  - xiii. Deed of reference to arbitration.
  - xiv. Notice to the tenant.
  - xv. Notice under Section 80 C.P.C.
  - xvi. Notice under Section 434 of the Companies Act.
  - xvii. Reply to notice.
  - xviii. Articles of Association of a Company.
  - xix. Hardware Sale and Installation Agreement.
  - xx. Hardware maintenance Agreement.
  - xxi. Software License Agreement.

**Note:** The forms of pleadings, deeds and notices enlisted above are only illustrative and not exhaustive. Therefore students are expected to draft the pleadings, deeds and notices on different grounds / facts / requirements as well.

### RECOMMENDED READINGS

1. N.S. Bindra--- Conveyancing.
2. A.N. Chaturvedi--- Conveyancing.
3. Mogha's Law of Pleading.
4. D'Souza--- Conveyancing.
5. D.T. Jaibhave--- Pleading, Conveyancing and Advocacy.
6. D.C. Monga--- The Law of Pleading in India.
7. B.P. Singh--- Pleading Conveyancing and Drafting Punjab and Haryana High Court Rules and Orders.
8. Advocate Act, 1961 and Rules.
9. Rose William M--- Pleading without Tears.
10. Evans Keith--- Advocacy in Court.
11. Evans Keith--- Golden Rules of Advocacy.
12. S.K. Mitra--- Law of Notices.