

UNIVERSITY COLLEGE OF LAW
KAKATIYA UNIVERSITY, WARANGAL, TELANGANA
LL.B. (5YDC) COURSE SYLLABUS (WITH EFFECT FROM 2020-2021)
LL.B (5YDC) IV Year: Semester – VII
PAPER-I:
JURISPRUDENCE

Theory

6 Hours/Per Week

Marks:100 (External Exam)

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 — *Mens 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, Reformative and Retributive theories.

Suggested Readings :

1. Salmond: *Jurisprudence*, Universal Publishers, 1966.
2. Paton : *Jurisprudence*
3. Allen : *Law in the Making*, Universal Publishers, 2001.
4. Mahajan V.D.: *Legal Theory and Jurisprudence*, Eastern Book Company, Lucknow, 1977.
5. Dias : *Jurisprudence*, Aditya Books, 1985.

PAPER-II:
PROPERTY LAW

Theory

6 Hours/Per Week

Marks:100 (External Exam)

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 person.

Unit-II :

Doctrine of Election — Covenants — Transfer by ostensible owner — Doctrine of Feeding the Grant by Estoppel — Doctrine of Lis Pendens — 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 lessor 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 Servient 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*, Butterworths Publications.
2. Subba Rao GCV: *Commentaries on the Transfer of Property Act*.
3. Krishna Menon: *Law of Property*.
4. Upadhya's *Common Matrix of Transfer of Property*.

PAPER-III:
ADMINISTRATIVE LAW

Theory

6 Hours/Per Week

Marks:100 (External Exam)

Unit-I:

Definition , Nature and Scope of Administrative Law - Reasons for growth of Administrative law- Relationship between Administrative law and Constitutional law -Basic concepts of Administrative law - Rule of law - Dicey's concept of Rule of law - Theory of Separation of Powers - Position in India, UK and USA - Classification of Administrative Functions - Legislative ,Quasi Legislative, Judicial, Administrative and Ministerial Functions.

Unit-II:

Delegated Legislation - Reasons for the growth of Delegated Legislation - Forms of Delegated Legislation - Constitutionality of Delegated Legislation - Kinds of Delegated Legislation - Sub-Delegation - Controls on Delegated Legislation -Judicial Control - Legislative Control - Other Controls - Judicial Review and Policy Decisions - Limited power of judicial review of the Courts over policy matters like Policy of Reservation, Disinvestment, Privatization etc.

Unit-III:

Remedies available against the State – Statutory Remedies - Writs - Res judicata and Writ Petitions - *Locus Standi* - Public Interest Litigation -Privileges and Immunities of Government in legal proceedings - Administrative Discretion –Controls over Administrative Discretion - Fundamental Rights and Discretionary Powers - Doctrine of Proportionality- Doctrine of Legitimate Expectations - Liability of State in Torts and Contracts.

Unit-IV:

Principles of Natural Justice - Meaning and Development - Rule against Bias - Types of Bias - Exceptions to the rule against Bias - Rule of Fair Hearing - Ingredients of Fair Hearing - Exceptions to the rule of Audi alteram partem - Reasoned Decisions – Concept of post decisional hearing - Effect of breach of Natural Justice - Ombudsman , Lokpal , Lokayukta – Working of Institution of Lokpal and Lokayukta–The Commission of Inquiry Act, 1952 - Power of Central/State Government to appoint a Commission of Inquiry- Power and Procedure of the Commission of Inquiry -Submission of Report and follow up action.

Unit-V:

Meaning and nature of Administrative Tribunals – Characteristics of Tribunals - An overview of Administrative Tribunals established under Article 323 A and 323B of the Constitution of India - Administrative Tribunals Act ,1985 -Working of Administrative Tribunals – Procedure and Powers - Finality of Decisions- High Court's Superintendence over Tribunals-Appeal to Supreme Court - Merits and Demerits of Administrative Tribunals – Public Corporations - Characteristics - Classification of Public Corporations - Rights, Duties and Liabilities of Public Corporations - Controls over Public Corporations- Government Control -Parliamentary Control - Judicial Control - Public Control.

Suggested Readings:

1. Griffith and Street : *Principles of Administrative Law*.
2. H.W.R.Wade: *Administrative Law*, Oxford Publications, London, 2000.
3. De Smith: *Judicial Review of Administrative Action*, Sweet and Maxwell, 1998.
4. S.P. Sathe: *Administrative Law*, Butterworths, 1998.
5. I.P.Massey: *Administrative Law*, Eastern Book Company, 2001.

PAPER-IV:
PUBLIC INTERNATIONAL LAW

Theory

6 Hours/Per Week

Marks:100 (External Exam)

Unit-I:

Definition, Nature, Scope and Importance of International Law – Relation of International Law to Municipal Law – sources of International Law – Codification.

Unit-II:

State Recognition – State Succession – Responsibility of States for International delinquencies – State Territory – Modes of acquiring State Territory.

Unit-III:

Position of Individual in International Law – Nationality – Extradition – Asylum – Privileges and Immunities of Diplomatic Envoys – Treaties – Formation of Treaties – Modes of Consent, Reservation and termination.

Unit-IV:

The Legal Regime of the Seas – Evolution of the Law of the Sea – Freedoms of the High Seas – Common Heritage of Mankind – United Nations Convention on the Law of the Seas – Legal Regime of Airspace – Important Conventions relating to Airspace – Paris, Havana, Warsaw and Chicago Conventions – Five Freedoms of Air – Legal Regime of Outer space – Important Conventions such as Outer Space Treaty, Agreement on Rescue and Return of Astronauts, Liability Convention, Agreement on Registration of Space objects, Moon Treaty – Unispace.

Unit-V:

International Organizations – League of Nations and United Nations – International Court of Justice – International Criminal Court – Specialized agencies of the UN – WHO, UNESCO, ILO, IMF and WTO.

Suggested Readings :

1. J. G. Starke: Introduction to International Law, Aditya Books, 1989.
2. J.I. Brierly: The Law of Nations, Oxford Publishers, London.
3. Ian Brownlie: Principles of Public International Law, Oxford Publications, London.
4. S.K. Kapoor, Public International Law, Central Law Agencies, Allahabad.
5. H.O. Agarwal, International Law and Human Rights, Central Law Publications, Allahabad.
6. S.K. Verma, An Introduction to Public International Law, Prentice Hall of India.

PAPER-V:
LABOUR AND INDUSTRIAL LAW –I

Theory

6 Hours/Per Week

Marks:100 (External Exam)

Unit-I

Trade Unions: History of Trade Union Movement - The Trade Union Act 1926 – Definitions - Registration – Rights and Liabilities of Registered Trade Unions – Immunities – Amalgamation and dissolution of Unions – Recognition of Trade Unions.

Unit-II

Prevention and Settlement of Industrial Disputes in India - The role of State in Industrial Relations – The Industrial Disputes Act 1947 - Definition of industry - Industrial Dispute – Individual Dispute - workman- Lay off – Retrenchment - Closure -Award - Strike – Lockout.

Unit-III

Authorities under the ID Act – Works committee – Conciliation - Court of inquiry - Labour Courts- Tribunal – Powers and functions of authorities - Voluntary Arbitration - Provisions under Chapter V-A & V- B of the Act- 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 Act.

Unit-IV

Standing Orders - Concept and Nature of Standing Orders – scope and coverage- 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 Employment (Standing Orders) Act 1946.

Unit-V

Disciplinary Proceedings in Industries - Charge sheet – Explanation – Domestic enquiry - Enquiry officer – Enquiry report – Punishment – Principles of Natural Justice.

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*
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 Publishing House