BU LLB 4 SEMESTER SYLLABUS

Paper- 1 Company Law

Meaning of Corporation

1. Theories of corporate personality
2. Creation and exemption of corporations

Forms of corporate and non-corporate organization

1. Corporations partnership and other association of persons, state corporations Government companies, small scale, co-operative, corporate and joint sectors

Law relating to Companies- Public and Private-

Companies Act, 1956

1. Need of company for development, formation of a company, registration and incorporation.
5. Promoters- positions- duties and liabilities.
6. Shares- general principles of allotment, statutory restrictions- share certificate its objects and effects-transfer of shares- restrictions of transfer- procedure for transfer- refusal of transfer 7 role of public finance institutions relationship between transferor and transferee- issue share at premium and discount-depository receipts- dematerialized shares (I) EMATE
7. Shareholder- who? Can be and who cannot he shareholder- modes of becoming a shareholder-calls on shares- forfeiture and surrender of shares- lien on shares
8. Share capital- kinds- alteration and reduction of share capital- further issue of capital-conversion of loan and debentures into capital- duties of courts to protect the interests of creditors and share holders.
10. Meetings- kinds procedure- voting
11. Dividends payment- capitalization- profit
12. Adult and accounts
13. Borrowing powers- powers- effect of unauthorized bowrorring- charges and mortgages- loans to other companies- investments- contracts by companies
14. Debentures- meaning- fixed and floating charges- kinds of debentures share holder and debenture holder remedies for debenture holders
15. Protection of minority rights
16. Protection of oppression and mismanagement- who can apply? Powers of the company, court and of the central Government

17. Investigations- powers

18. Private companies- nature and advantages- government companies- holding and subsidiary companies

19. Regulation and amalgamation

20. Winding up- types- by court- reason- ground- who can apply- procedure- powers of liquidator- powers of court- consequences of winding up order voluntary winding up subject to supervisions of courts- liability of past members- payment of liability preferential payment, unclaimed dividends- winding up, of unregistered company

Law and Multinational Companies

1. International norms for control

2. National law FEMA (Foreign exchange management Act 1999), controls joint ventures- investment in India- repatriation of projects

3. Collaboration arrangement for technology transfer

Corporate Liability

1. Legal liability of companies- civil and criminal

2. Remedies against them civil, criminal and tortuous-specific relief Act, writs liability under special statues.
Arbitration: meaning scope and types

Arbitration Agreement
1. Essentials
Kinds
2. Who can enter into arbitration agreement?
Validity
3. Reference to arbitration
4. Interim measures by court

Arbitration Tribunal
1. Appointment
2. Challenge
Jurisdiction of arbitral tribunal
3. Powers
4. Grounds of challenge
5. Procedure
Court assistance

Award
1. Rules of guidance
2. From and content
Correction and interpretation
3. Grounds of setting aside an award
4. Want of proper notice and wearing
5. Contravention of composition and procedure
Breach of confidentiality
6. Impartibility of the arbitrator
7. Bar of limitations, res judicata
8. Consent of parties
11. Enforcement

Appeal and revision

Enforcement of foreign awards
1. New York convention Award
2. Geneva convention Awards

Conciliation
1. Distinction between "conciliation", "negotiation", "mediation", and "arbitration",

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2. Appointment
3. Interaction between conciliator and parties
4. Communication
5. Suggestions by parties
6. Resort to judicial proceedings
7. Costs

**Rule making Power**
1. High Court
2. Central Government

**Legal Service Authorities Act: Scope**
Paper- III A Environmental Law

Concept of Environment and Pollution
1. Environment
2. Meaning and contents
3. Pollution
4. Meaning
5. Kinds of pollution
6. Effects of pollution

Constitutional Perspectives
1. Constitution making- development and property oriented approach
2. Directive principles
3. Status, role and interrelationship with fundamental rights and fundamental duties
4. Fundamental Duty
5. Contents
6. Judicial approach
7. Fundamental Rights
8. Rights to clean and healthy environment
9. Right to education
10. Right to information
11. Environment V Development
12. Enforcing agencies and remedies
13. Courts
14. Tribunal
15. Constitutional, statutory and judicial remedies
16. Emerging principles
17. Polluter pays: public liability insurance
18. Precautionary principles
19. Public trust doctrine
20. Sustainable development

Water and Air Pollution
1. Meaning and standards
Culprits and victims
2. Offences and penalties
3. Judicial approach

Noise pollution
Legal control
1. Court's of balancing: permissible and impermissible noise

Environment Protection
1. Protection agencies: power and functions
2. Protection: means and sanctions
Emerging protection through delegated legislation
3. Hazardous waste
4. Bio-medical waste
5. Judiciary: complex problems in administration of environment justice

**Town and Country Planning**
1. Law: enforcement and constrain
2. Planning- management policies

**Forest and Greenery**
1. Greenery conservation laws
2. Forest conservation
3. Conservation agencies
4. Prior approval and non-forest purpose
5. Symbiotic relationship and tribal people
6. Denudation of forest: judicial approach
7. Wild life
8. Sanctuaries and national parks
9. Licensing of zoos and parks
10. State monopoly in the sale of wild life and wild life article
11. Offences against wild life

**Bio- diversity**
1. Legal control
2. Control of eco-unfriendly experimentation on animal, plants, seeds and microorganism

**International Regime**
1. Stockholm conference
2. Green house effect and ozone depletion
3. Rio conference
4. Bio-diversity
5. 1¹.N. deceleration on right to development
6. Wetlands.
Paper- IV : Indian Trust & Fiduciary Relationship

Introduction
1. The concept of trust: distinction with agency and contract
2. Development of law: common law and equity
3. Trust: classification

Definition and Nature of trusts under the Indian law
1. Creation of trusts: rules

Duties of trustees
1. Execution
2. Acquaintance with the nature of property
3. Duties in respect of title
4. Duty of care
5. Conversion
6. Impartiality
7. Prevention of waste
8. Keeping of accounts and giving of information
9. Investment
10. Sale
11. Liability for breach of trust

Right of trustees
1. Title deed
2. Reimbursement

Indemnity
3. Seeking direction from court

Settlement of accounts
4. General authority

Powers of Trustees
1. Sale
2. Varying of investment
3. Property of minors
4. Giving receipts
5. Power to compound, compromise and settle
6. Exercising authority on death or disclaimer of one of the trustee
7. Suspension of trustee's power

Disabilities of trustees

Right of Beneficiaries
1. Rents and profits

Specific execution
2. Inspection and information
3. Transfer
Suit for execution
4. To have proper trustees

Right to compel the trustee to the duties
5. S. Right on wrongful purchase or acquisition by trustees
9. Follow up of trust properties in the hands of third parties
10. Blending of property by trustee
11. Wrongful application of trust property by partner trustee for partnership purpose.

Liabilities of Beneficiaries
-- Discharge of Trustees
-- Appointment of New Trustees
— Extinction of Trust
— Construction Trust: the equitable and fiduciary relationship
1. Transfer without intent to dispose beneficial interest
2. Trust incapable of execution and trusts executed fully without exhausting property- the cypress doctrine
3. Transfer and request for illegal purpose
4. Transfer pursuant to rescindable contract
5. Debtor becoming creditor's representative
6. Advantage from undue influence
7. Advantage by qualified owner
8. Property acquired with notice of existing contract
9. Purchase by person contracting to buy property to be held on trust
10. Possession of property without whole beneficial interest
11. Duties of constructive trustees
12. Right of bonafide purchasers

Special Legislation
1. Charitable and religious trust

Common property resources and public trust doctrine
Paper- V : Public Interest Lawyering

1. Class Room Teaching
2. Public Interest Lawyering
3. M.P. Legal Aid Act, Lok Adalat Act
4. Extension Programme
5. Para Legal Training, participation in Lok Adalat, Legal Aid campus
6. Legal Literacy Camp, Negotiation, Counseling
7. Use of computer in Legal work
8. Legal Research
9. Writing
10. Editing of law
11. Law office management