

**ADMINISTRATIVE LAW**

1. Introduction - Definition, nature and scope of Administrative Law - Causes for the growth of Administrative law - Difference between Constitutional Law and Administrative Law - Droit Administratif.
  2. Rule of law - Evolution of Dicey's thesis - Its importance on the development of administrative law.
  3. Theory of separation of powers and its impact on the growth of administrative law.
  4. Delegated Legislation - Factors leading to the growth of delegated legislation- Constitutionality of delegated legislation - Essential and non-essential legislative functions - Control of delegated legislation - Judicial control, parliamentary and procedural control.
  5. Administrative directions - Distinction between direction and rule - Enforceability of direction.
  6. Principles of natural justice - Audi alteram partem and rule against bias.
  7. Administrative powers and discretion - Restraints on the conferment of administrative discretion and fundamental rights - Judicial control of administrative action.
  8. Judicial review of administrative action – Principles of judicial review - Writ jurisdiction - Scope of Article 32 and Article 226 - Concept of locus standi - Public interest litigation - Exhaustion of remedies - Laches - Res judicata - Grounds of judicial review through writs - Special leave of appeal to the Supreme Court under Article 136 and High Court's power of superintendence under Article 227. - Exclusion of jurisdiction of courts
  9. Liability of the administration - Contractual liability - Tortious liability- Statutory remedies - Injunction - Declaration - Damages - Promissory estoppel
  10. Privileges and immunities of administration - Notice under Section 80 of the Code of Civil Procedure - Privilege to withhold documents - Immunity from Statute operation - Other privileges.
1. Public corporation - Classification - Control of public corporations - Parliamentary control, governmental control, judicial control and public control.
  2. Administrative Tribunals - Constitutional validity of the Administrative Tribunals Act, 1986 - Ombudsman - Development in England, U.S.A. and India.

**Statutory Materials**

1. Administrative Tribunals Act, 1986

**Books Recommended:**

1. H. W. R. Wade -Administrative Law
2. S. A. De Smith - Judicial Review of Administrative Action

3. Dr. A. T. Markose - Judicial Review of Administrative Action
4. Indian Law Institute - Delegated Legislation
5. M. P. Jain & S. N. Jain -Principles of Administrative Law
6. I. P. Massey - Administrative Law
7. Indian Law Institute - Cases and Materials on Administrative Law.
8. Dr. S. P. Sathe - Administrative Law

**Five Years LL. B.:**  
**Fourth Year - Eighth Semester**  
**PAPER – II**

**Three Year LL.B:**  
**Third Year – Fifth Semester**  
**PAPER-III**

**TAXATION LAWS**

Part A

1. Constitutional back ground of the term taxation : Tax fees – Different between
  - A. Direct taxes and indirect taxes
  - B. Tax and fee

- C. No tax shall be levied or collected except by an authority of law (Vide Act .265)
2. Essential feature of the term income 'Income and tax' "Total income' (see sec 4) types of residential status.
  3. List of income, which do not form the total income of assessor ( see Sec 10,11,12,12A and 13 as well ).
  4. Sources of income
    - i. Salary.
    - ii. Interest on securities.
    - iii. Income from house property.
    - iv. Profit and gain arising of business or profession
    - v. Capital gain
    - vi. Residual head of income (Sec 4/5 56.)
  5. Provision relating to income of other person included in assesses total income (Sec 60 to 65)
  6. Rules pertinent to
    - A. Computation of aggregation of income.
    - B. Set of for carry forward of loss.
  7. Deduction in general and deduction of followings
    - A. In respect of certain payments
    - B. In respect of certain incomes
    - C. Other deductions.
  8. Provision relating to double taxation agreements.
  9. The concept assessment and kinds of the same.
  10. Special provision relating to assessment of firms.
  11. Powers and function of income tax authorities.
  12. Provisions relating to appeal and revisions.
    - A. Appeals to A.A.C.
    - B. Appeals to appellate tribunal
    - C. Appeals to S.C.
    - D. Reference to H.C.
    - E. Revision by commissioner.

**Part B: Wealth tax.**

1. Introduction to scheme of the Act – nature and scope of the term" net wealth "
2. Meaning of the term "asset"- exempted asset- rules pertinent to valuation of asset.
3. Provision relating to :
  - A. Valuation date
  - B. Valuation officer and
  - C. Registered valuer.

**Part C: Gift Tax:**

1. Introduction to scheme of the act – definition of the term 'gift' under Act and its difference with that of T.P.Act
2. Position of 'Deemed Gift' – exempted gift.
3. Assessment procedure of 'gift; an enshrined under the Act.

**Part D: Sales Tax Law with special reference to P G S T and T N G S T Act**

1. Introduction to scheme of the act.
2. Definition of the term, such as – sale- goods- dealer- turnover- taxable turnover Etc.

3. Position of exempted goods.
4. Distinction between
  - A. Casual dealer and
  - B. Registered dealer
5. Provision relating to procedure for registration.
6. Different types of assessments.
7. Position of taxing authorities.
8. Importance and provision relating to check post

Part E: Central sales tax Act.

1. Constitutional background and scheme of the act.
2. Rules pertinent to :
  - A. When a sale or purchase of goods said to take place in the course of interstate trade or commerce.
  - B. When a sales or purchase of goods said to take place in course of outside a state.
  - C. When a sales or purchase of goods said to take place in course of import or export.
3. Provision relating to liability for tax on interstate sales
4. Provision relating to goods of special importance in interstate trade or commerce.
5. Important term : (1)Appropriate state. (2) Place of business. (3) Dealer. (4) Sales price.(5) Turnovers.

Books Prescribed:

1. Indian income tax- law and practice – Sukumar Bhattacharya.
2. Income tax law and practice or three direct taxes- R.R.Gupta
3. Sales tax law in tamilnadu – M.V.B.Baskaran
4. Central sales tax act – Chathurvedi

Books recommended:

1. Income tax-palkhiwala N.A.
2. Madras sales Tax- varadharajan and krishnamoorthy.
3. All India sales tax manual Vol. I & II - nabhi

**Five Years LL. B.:**  
**Fourth Year - Eighth Semester**  
**PAPER – III**

**Three Year LL.B:**  
**Second Year – Fourth Semester**  
**PAPER-II**

**COMPANY LAW**

1. Evolution of the concept - Company and 'Joint Stock Company '- The nature and advantages of incorporation - Doctrine of lifting the corporate veil.
2. Kinds of company- Distinctive features of each kind - Holding and subsidiary company, Government, Foreign Company, Deemed public company, Illegal association.
3. Memorandum of Association - Object clause - Doctrine of ultra vires and the European Community Act of 1972 - Alteration of Memorandum - Articles of Association and its contents - Constructive notice rule - Doctrine of indoor management.
4. Prospectus and its contents - Remedies for misrepresentation - Liability for untrue statement in the prospectus - Criminal and civil liability - Statement in lieu of prospectus - The role of promoter- Duties and liability for pre-incorporation contracts.
5. Share and share holder - Allotment of shares - Kinds of shares - Transfer of shares - Restrictions on the transfer of shares - Forfeiture of shares - Surrender of shares - Share

- capital - Ordinary and preference share holder - Alteration of share capital - Reduction of capital - Further issue of capital - Right shares - Share warrant.
6. Role and status of director - Appointment and removal director –Qualification and disqualification of director – duties of director – Fiduciary obligation Appointment of Managing Agents and Company Secretary.
  7. Kinds of meetings - Power of Company Law Board to call meetings - Kinds of resolutions - Vote of proxy.
  8. Borrowing power of company - Consequences of unauthorized borrowings - Charge - Fixed and floating charge - Registration of charge - Kinds of debentures - Debenture holder and share holder.
  9. Rights of minority share holders against majority share powers - Rule in Foss Vs Harbottle and its exceptions - Oppression and mismanagement in companies - Power of court and the Central Government to intervene- Investigation.
  10. Winding up of company - Modes of winding up - Who can apply for winding up - Grounds of winding up - Consequences - Powers of court, Official Liquidator, contributories and nature of their liability.

**Statutory Materials:** 1. Companies Act, 1956

**Books Recommended:**

1. Gover - Principles of Modern Company Law
2. Ramayya - Company Law
3. Paimar - Company Law.
4. M. J. Sethu - Company Law (Vol. 1)

**Five Years LL. B.:**  
**Fourth Year - Eighth Semester**  
**PAPER – IV**

**Three Year LL.B:**  
**Second Year – Fourth Semester**  
**PAPER-IV**

**ALTERNATE DISPUTE RESOLUTION LAW**

1. Introduction - Huge pendency of cases and crisis of delay in justice delivery system - Reasons - Attitude of the State as sovereign and as a major litigant - Object and utility of pre-suit notice under Section 80 of the Code of Civil Procedure, 1908 - Review of its performance and the scope for its retention - Need for out of court settlement - Litigation management through ADR - Reinduction of Section 89 of the Code of Civil Procedure, 1908 - Scope and object.
2. Arbitration and Conciliation Act, 1996 - Object - Domestic and international commercial arbitration - Arbitration agreement - Appointment and removal of arbitrators - Jurisdiction of arbitral tribunal - Powers - Arbitral award - enforcement.
3. Foreign awards - Enforcement - Newyork Convention Awards and Geneva Convention Awards.
4. Conciliation - Appointment and removal of conciliators - Powers and functions - Procedure - Settlement - Enforcement.
5. State Legal Services Authority and Lok Adalat under Legal Services Authority Act, 1987.

### **Statutory Materials:**

1. Arbitration and Conciliation Act, 1996.
2. Legal Services Authorities Act, 1987 ( Relevant provisions)

### **Books Recommended:**

1. Avtar Singh - Law of Arbitration and Conciliation.
2. Basu - On Law of Arbitration and Conciliation

### **Five Years LL. B.: Fifth Year – Ninth Semester**

### **Three Year LL.B: Third Year – Fifth Semester**

#### **PAPER I: CODE OF CIVIL PROCEDURE**

1. Definition - Decree - Preliminary and final - Judgment - Order – Distinction between decree and order - Legal Representative - Mesne Profit.
2. Suits in general - Jurisdiction of the courts - Kinds of jurisdictions - Suits of civil nature - Stay of suit - Res judicata - Difference between Res judicata and estoppel - Foreign judgments - Finality of foreign judgments - Presumption as to foreign judgments.
- 3 Place of suing - Court of first instance - Suits relating to moveable and immoveable property - Suits for compensation for wrongs to person or movables - Other suits - Objection to jurisdiction.
- 4.. Institution of suits and amendment of pleadings - General principles and rules relating to pleadings as contained in Orders I, II, IV, VI, VII and VIII.- Affidavits
  1. Summons and discovery - Summons to defendants and witness - Service of foreign summonses - Power of court to order discovery - Penalty for default.
  2. Judgment and decree - Cost and interest.
  3. Execution - Courts competent to execute decrees - Percepts - Questions to be determined by the executing court - Procedure in execution - Arrest and detention, attachment and sale.
  4. Incidental Proceedings - Commissions - Power of the court to issue commissions - Commission to another court - Commission issued by the foreign courts.
  5. Suits in particular cases - Suits by or against the Government or public officers - Interpleader suits.

6. Suits by or against minors and persons of unsound mind - Suits by indigent persons.
7. Supplemental Proceedings - Arrest and attachment before judgment - Temporary injunctions and interlocutory orders - Receiver.
8. Appeals from original and appellate decrees - Appeals from Orders - Reference, Review and revision.
9. Exemption from appearance and arrest under civil process - Application for restitution - Right to lodge Caveat - Saving of inherent powers of courts.
10. Law of Limitation - Object and scope - Limitation of suits, appeals and applications - Computation of period of limitation.

**Statutory Materials:**

1. Code of Civil Procedure, 1908
2. Limitation Act, 1963

**Books Recommended:**

1. Mulla - Law of Civil Procedure Code
2. Takwani - Law of Civil Procedure Code