



RAMA UNIVERSITY

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FACULTY OF JURIDICAL SCIENCES

Course : LL.B. 1st Semester

SUBJECT: Jurisprudence

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LECTURE: 35

NAME OF FACULTY: Ms. Anjali Dixit

Assistant Professor

Lecture-35



OWNERSHIP UNDER ANCIENT HINDU LAW

Ancient Hindu jurists have said much about the means of acquiring ownership. Manu declared that there are seven virtuous means of acquisition of wealth viz. inheritance, gain, purchase, conquest, application, employment of the work and of and acceptance of gifts from proper persons. Gautama gives almost the same seven ways of acquiring ownership but he puts some modification to the list given by Manu.

Narada enters in to more details and says that there are twelve different modes of acquiring wealth of which three are general i.e. open to all caste and the rest are peculiar to several castes.

These specific modes of acquiring wealth are proper for several castes and any contravention is reprehensible unless by pressing necessity.

MODERN LAW AND OWNERSHIP

Under modern law there are the following modes of acquiring ownership which may be broadly classed under two heads, viz.,

1. Original mode
2. Derivative mode

The original mode is the result of some independence personal act of the acquire himself. The mode of acquisition may be three kinds

- a. Absolute when a ownership is acquired by over previously ownerless object
- b. Extinctive, which is where there is extinctive of previous ownership by an independence adverse act on the part of the acquiring. This is how a right of easement is acquiring after passage of time prescribed by law.
- c. Accessory that is when requisition of ownership is the result of accession. For example, if three fruits, the produce belongs to the owner unless he has parted with to the same. When ownership is derived from the previous version of law then it is called derivate acquisition. That is derived mode takes place from the title of s prior owner. It is derived either by purchase, exchange, will, gift etc. Indian Transferee Acts of property rules for the transfer of immovable

property, Sale of goods Acts for the transfer of property of the firm and the companies Act for the transfer of company property.

SELF-TEST QUESTIONS

S.NO	Question	Option (a)	Option (b)
1.	Manu declared that there are seven virtuous means of acquisition of wealth viz. inheritance, gain, purchase, conquest, application, employment of the work and of and acceptance of gifts from proper persons	True	False
2.	Gautama gives almost the same seven ways of acquiring ownership but he puts some modification to the list given by Manu.	True	False
3.	Narada enters in to more details and says that there are twelve different modes of squiring wealth of which three are general i.e. open to all caste and the rest are peculiar to several castes.	True	False
4.	Original mode is the modern mode of acquiring ownership	True	False
5.	Derivative mode is the modern mode of acquiring ownership	True	False

Answers: 1-(b),2-(a), 3-(a),4-(a), 5-(a)