



**UNIVERSITY OF RAJASTHAN
JAIPUR**

SYLLABUS

B.A.L.L.B. FIVE YEAR (Integrated Course)

(SEMESTER SCHEME)

I & II Semester	2019-2020
III & IV Semester	2020-2021
V & VI Semester	2021-2022
VII & VIII Semester	2022-2023
IX & X Semester	2023-2024

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XXXIV – (For Affiliated Colleges)

- 1) There shall be an integrated Five years (Ten Semesters) course for the degree of B.A., LL.B. The Examination for each paper in each semester shall be of 100 marks.
- 2) A candidate, who passed 10+2 examination with 50% marks in aggregate, shall be eligible for admission to B.A., LL.B. I Semester class, provided that he is not of more than 21 years of age on 1st July in the year in which admission is sought i.e. (For the academic year 2010-2011 his date of birth should not be before 1st July, 1989). But a candidate belonging to SC/ST obtaining a minimum of 45% marks in aggregate in the qualifying examination shall be considered eligible for admission to the said class;
- 3) The admissions will be made through an Entrance Test to be conducted by the University or if authorized then by the Institution comprising of a written test, personal interview and group discussion.
- 4) A candidate admitted to Five Years (10 Semesters Course) for the degree of B.A., LL.B. Five Year Law Integrated Course has to complete his study within 8 academic years from the academic year in which he has first taken admission.
- 5) A candidate would have three additional chances to clear the due papers in immediate subsequent examinations when conducted for the same paper as per the syllabus then in force, failing which he has to clear all the papers of that semester as an ex-student.
- 6) A candidate, who has passed any one semester term examination in not less than three papers by securing at least 40% marks in each of those three papers and at least 50% marks in the aggregate of those papers shall be eligible for admission to the next semester. A candidate who has appeared in any one semester term examination and the result has not been declared, may be eligible for provisional admission to the next semester, if the teaching has commenced but such provisional admission shall stand canceled if he could not get the requisite eligibility on the declaration of his result of the term examination in which he has prepared.
- 7) A candidate who has completed a regular course of study in the I semester of B.A., LL.B. shall be eligible to appear at B.A., LL.B. I semester term examination.
- 8) A candidate who has obtained at least 50% marks in aggregate in at least 3 papers of Semester I and has completed a regular course of study of the II Semester of B.A., LL.B. shall be eligible to appear at the B.A., LL.B. II Semester examination.
- 9) A candidate who has obtained at least 50% marks in aggregate in at least 3 papers of Semester II and has completed a regular course of study of the III Semester of B.A., LL.B. shall be eligible to appear at the B.A., LL.B. III Semester examination.
- 10) A candidate who has obtained at least 50% marks in aggregate in at least 3 papers of Semester III and has completed a regular course of study of the IV Semester of B.A., LL.B. shall be eligible to appear at the B.A., LL.B. IV Semester examination.
- 11) A candidate who has obtained at least 50% marks in aggregate in at least 3 papers of Semester IV and has completed a regular course of study of the V Semester of B.A., LL.B. shall be eligible to appear at the B.A., LL.B. V Semester examination.
- 12) A candidate who has obtained at least 50% marks in aggregate in at least 3 papers of Semester V and has completed a regular course of study of the VI Semester of B.A., LL.B. shall be eligible to appear at the B.A., LL.B. VI Semester examination.

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- 13) A candidate who has obtained at least 50% marks in aggregate in at least 3 papers of Semester VI and has completed a regular course of study of the VII Semester of B.A., LL.B. shall be eligible to appear at the B.A., LL.B. VII Semester examination.
- 14) A candidate who has obtained at least 50% marks in aggregate in at least 3 papers of Semester VII and has completed a regular course of study of the VIII Semester of B.A., LL.B. shall be eligible to appear at the B.A., LL.B. VIII Semester examination.
- 15) A candidate who has obtained at least 50% marks in aggregate in at least 3 papers of Semester VIII and has completed a regular course of study of the IX Semester of B.A., LL.B. shall be eligible to appear at the B.A., LL.B. IX Semester examination.
- 16) A candidate who has obtained at least 50% marks in aggregate in at least 3 papers of Semester IX and has completed a regular course of study of the X Semester of B.A., LL.B. shall be eligible to appear at the B.A., LL.B. X Semester examination.
- 17) Instructions to each B.A., LL.B. class shall be imparted for a minimum period of six hours every day on 6 days of a week, including one hour of seminar/conference/debate, discussions.
- 18) A candidate, who after passing all the 10 semester examinations of B.A., LL.B., within eight years of his admission to Semester I of B.A., LL.B. Course and has completed a regular course of study in the University teaching Department of Law of affiliated colleges, subject to a provision of the Act, Ordinance, Statutes, Rules and Regulations shall be awarded a degree of B.A., LL.B.
- 19) There shall be a Clinical Paper in Semester X (Tenth) of B.A., LL.B. Five Year Course namely **Moot-Court Exercise and Internship** in which a candidate has to study in following three parts:
 - a) **Moot-Court (30 marks):** Every student may be required to do at least three Moot-Courts in a year with 10 marks for each. The moot-court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.
 - b) **Observance of Trial in two cases, one Civil and one Criminal (30 Marks):** Student may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.
 - c) **Interviewing Techniques and Pre-trial Preparations and Internship Diary (30 Marks):** Each student will observe two interviewing sessions of clients at the Layer's Office/Legal Aid office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and Court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.
 - d) The fourth component of this paper will be Viva-Voce examination on all the above three aspects. This will carry 10 marks.

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B.A. LL.B. Five year Integrated course for the session 2019-20 to onward

Sr. No.	Paper No.	Paper Name
Semester-I		
1.	1.1	English-I
2.	1.2	Political Science-I
3.	1.3	Constitutional Law- I
4.	1.4	Legal and Constitutional History
5.	1.5	Law of Torts-I
Semester-II		
6.	2.6	English-II
7.	2.7	Political Science-II
8.	2.8	Constitutional Law-II
9.	2.9	Computer Education
10.	2.10	Law of Torts-II(Consumer Protection Law and MV Act)
Semester-III		
11.	3.11	Economics-I
12.	3.12	Sociology-I
13.	3.13	Public International Law-I
14.	3.14	Political Science-III
15.	3.15	Contract-I
Semester-IV		
16.	4.16	Economics-II
17.	4.17	Sociology-II
18.	4.18	Foreign Language (French)
19.	4.19	Political Science-IV
20.	4.20	Contract-II
Semester-V		
21.	5.21	Family Law-I
22.	5.22	Labour Law-I
23.	5.23	Economics-III
24.	5.24	Sociology-III
25.	5.25	Political Science-V

Sr. No.	Paper No.	Paper Name
Semester-VI		
26.	6.26	Family Law-II
27.	6.27	Labour Law-II
28.	6.28	Company Law
29.	6.29	Political Science-VI
30.	6.30	Jurisprudence
Semester-VII		
31.	7.31	Law of Property
32.	7.32	Administrative Law
33.	7.33	Public International Law-II
34.	7.34	Law of Crimes-I
35.	7.35	Principles of Taxation Laws
Semester-VIII		
36.	8.36	Rajasthan Land Laws
37.	8.37	Environmental Law
38.	8.38	Alternative Dispute Resolution
39.	8.39	Law of Crimes-II
40.	8.40	Interpretation of Statues & Principles of Legislation
Semester-IX		
41.	9.41	Law of Evidence
42.	9.42	Criminal Procedure Code
43.	9.43	Professional Ethics and Professional Accounting
44.	9.44	Banking Law
45.	9.45	Intellectual Property Law
Semester-X		
46.	10.46	Code of Civil Procedure and Limitation
47.	10.47	Drafting Pleading, Conveyancing and Rules of Court
48.	10.48	Competition Law
49.	10.49	Moot-Court Exercise and Internship
50.	10.50	Cyber Laws

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ENGLISH-I

Paper 1.1

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aims / Learning Objectives

1. Enable the students to use the language correctly and effectively.
2. Enhance the comprehension and analytical skills of the students.
3. Enrich their vocabulary.
4. Help students acquire the ability to speak effectively in English in real-life situations
5. Develop the art of expression and train students in composition skills.

Module No.-1

The Joy of Reading (Orient Longman): The following stories

- (a) "An Astrologer's Day" R.K. Narayan
- (b) "The Child" Premchand
"The Gift of the Magi" O. Henry

Module No.-2

The Joy of Reading (Orient Longman): The following prose pieces

- (a) "Education: Indian and American" Anurag Mathur
- (b) (1) "Bangle Sellers" Sarojini Naidu
(2) "Where the Mind is Without Fear" Rabindranath Tagore

Module No.-3

The Joy of Reading (Orient Longman): The following poems

- (a) "My Financial Career" Stephen Leacock
- (b) "The World is Too Much with US" William Wordsworth

Module No.-4

The Joy of Reading (Orient Longman): The following Poems

- (a) Speech on Indian Independence Jawaharlal Nehru
- (b) (1) Sonnet: "When in disgrace..." William Shakespeare
(2) Success is Counted Sweetest" Emily Dickinson

Module No.-5

- (a) Legal Terms : FIR, plaint, written statement, plaintiff, defendant, appeal, tribunal, divorce, legitimate, illegitimate, adoption, maintenance, alimony, valid void, litigation, monogamy, bigamy, polygamy, crime, agreement, contract, fraud, minor, indemnity, guarantee, bailment, pledge, libel, slander, defamation, homicide, genocide, suicide, executive, legislature, judiciary, constitution, negligence, nuisance, precedent, prospective, mortgage, retrospective, summons, ultra vires, will, warrant, public, private
- (b) (1) Paragraph Writing
(2) Punctuation

Module No.-6

Transformation of sentences

- (a) Active/passive
- (b) Interrogative

Module No.-7

- (a) Tenses
- (b) (1) Tenses
(2) Comprehension

Text Book

1. The Joy of Reading (Orient Longman)

Reference Books

1. Thomson, A.J., and A.V. Martinet. *A Practical English Grammar*, New Delhi : OUP, 2005

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POLITICAL SCIENCE-I

Paper 1.2

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Objectives:

State and Government are the institutions which are regulating the behaviour of individual in society by its laws; Political Science is the subject which is dealing with these institutions. The objective of this course is to create awareness among the students about the various socio-economic and political issues, their Rights and Duties as well as to impart them the knowledge about the basic concept of political science which will lay the foundation for their study of law.

Module No.- 1

- (a) Political Science : Meaning, Nature and Scope, Traditional and Modern perspectives.
- (b) Behavioralism and post behavioralism.

Module No.- 2

- (a) State : (i) Meaning and elements
(ii) Distinction between State and Government
- (b) Theories and functions of State: Liberal Democratic, Authoritarian and Welfare State

Module No.- 3

- (a) Rights and Duties : (i) Meaning and types of Rights and Duties
- (b) UN Declaration of human rights

Module No.- 4

- (a) Liberty (i) Meaning and definition, Negative and Positive concept of Liberty.
(ii) Safeguards of liberty.
- (b) Property : Concept, Liberal and Marxian theory of Property.

Module No.- 5 Concepts:

- (a) Justice : Concept, legal political and socio-economic dimensions.
- (b) Equality : Meaning and definition, legal, political and socio-economic dimensions.

Module No.- 6 Law meaning, nature and liability and law

- (a) Democracy : Concept, Features and types.
- (b) Sovereignty: Concept Attributes.

Module No.- 7

- (a) Power, Authority and Legitimacy
- (b) The Elite Theory/Political Parties and Pressure Groups.

Reference Books

1. M.P. Jain, Political theory liberal and Marxian.
2. L. Asirvatham, Political theory Lucknow House
3. William Ebenstein, Modern Political thought (New Delhi Oxford and IBH)
4. V.D. Mahajan, Political theory
5. R.C. Aggarwal, Political theory
6. J.C. Johari, Political Science
7. O.P. Gaba, Political Science
8. Prof. S.P. Verma, Modern Political Theory
9. Prof. S.L. Verma, Modern Political Theory

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CONSTITUTIONAL LAW- I

Paper 1.3

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aims and Objectives of the Course

India is a democracy and her Constitution embodies the basic principles of the democratic government how it comes into being what are its powers functions, responsibilities and obligations how power is in various organs distributed. Whatever had been the original power base of the Constitution, today it seems to have acquired legitimacy as a highest norm of Public law. A good understanding of the Constitution and the law, which has developed through constitutional amendments, judicial pronouncement constitutional practice precedents and conventions is therefore, absolutely necessary for a student of law of study. He must also know the genesis, nature and special features and be aware of the social, political and economic influence on the Constitution.

The purpose of teaching constitutional law is to highlight its never-ending growth. Constitutional interpretation is bound to be influenced by social, economics or political predilections. A student must, therefore, learn how various interpretations of the constitution are possible and why a significant interpretation was adopted in a particular situation. Such a critical approach is necessary requirement in the study of constitutional law.

Judicial review is also one of the important aspect to constitutional law. India is the only country where the judiciary has the power to review even constitutional amendments. The application of basic structure objective in the evaluation of executive action is an insertion development of Indian constitutional law. The concept of secularism and federalism engraved in the constitution are to be interpreted progressively.

The following syllabus prepared with this perspective will comprise of about 7 units of 4 Hour each.

Module No.-1

- (a) i. Indian Constitution in the making
- ii. Nature and Special features of the Constitution.
- (b) Citizenship of India

Module No.-2

Equality and Social Justice

- (a) i. Equality before the law and equal protection of laws
- ii. Classification for differential treatment: constitutional validity
- (b) Justice to the weaker sections of society: scheduled castes, scheduled tribes and other backwards class, women and children.

Module No.-3

- (a) i. Speech and expression
- ii. Media, press and information
- (b) i. Freedom of speech and contempt of court
- ii. Freedom of assembly

Module No.-4

- (a) Right to life and personal liberty: meaning, scope and limitations
- (b) i. Rights of an accused-double jeopardy, self-incrimination and retroactive punishment
- ii. Preventive detention-constitutional policy

Module No.- 5

- (a) i. Concept of Secularism : historical perspective
- ii. Indian constitutional provisions relating Secularism
- (b) i. Freedom of religion and its scope
- ii. Religion and the State : its limitations and minority rights

Module No.-6

- (a) i. Directive Principles-directions for social change-A new social order.
- ii. Fundamental Rights and Directive Principles, inter-relationship-judicial balancing.
- (b) i. Constitutional amendments-to strengthen Directive Principles.
- ii. Reading Directive Principles into Fundamental Rights.

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Module No.-7

- (a) i. Methods of Constitutional amendments
ii. Limitations upon constitutional power of amendments
(b) i. Development of the basic Structure : Doctrine
ii. Judicial activism and its Restraint

Judgments

1. S.R. Bommai v. UOI, AIR 1994 SC 1918
2. S.P. Gupta v. UOI, AIR 1982 SC 1991
3. Sunil Batra v. Delhi Administration
4. Keshvanand Bharti v. State of Kerala, AIR 1995 SC 2299
5. Minerva Mills Ltd. v. UOI, AIR 1980 SC 1789
6. Hasinara Khaton v. Home Secretary State of Bihar, 1979 SC 136
7. A.K. Gopalan State of Madras, AIR 1950 SC 27
8. Sachidanand v. State of West Bengal, AIR 1987 SC 1109
9. Rural Litigation and Entitlement Kendra v. State of UP
10. T.M.A. Pai Foundation v. State of Karnataka
11. M.C. Mehta v. UOI(1987) ISCC 395 AIR 1987 1086
12. Rudul Shah v. State of Bihar, AIR 1983 SC 1086
13. Bikunth nath v. C.D.M.O., AIR 1992 SC 1368
14. Indra Gandhi v. Raj Narain, AIR 1995 SC 2299
15. P&O Stream Navigation Co. v. UOI, AIR (1997) ISCC
16. People Union Civil Liberties v. UOI, AIR (1997)ISCC
17. Air India v. Nargesh Mirza, AIR 1981 SC 1329
18. Unnikrishnan v. State of A.P., AIR 1993 SC 2178
19. Indira Sawheny v. UOI, AIR 1993 SC 2178
20. Maneka Gandhi v. UOI, AIR 1978 SC 1789
21. I.R. Coolho (Dead) Through L.R.S. v. State of Tamil Naidu & ors. 2007 SC 137
22. Raja Ram Pal v. The Hon'ble Speaker Loksabha and Ors.
23. Kehar Singh v. State (1989)
24. Dhanjaya Chaterjee v. State West Bengal, AIR 2004.

Recommended Books

1. Narinder Kumar 2006
2. Dr. J.N. Pandey 2006
3. Dr. D.D. Basu, Shorter Constitution of India
4. Dr. Seervai Constitution of India (1992) Vol. I/II/III

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LEGAL AND CONSTITUTIONAL HISTORY

Paper 1.4

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aim and Objective:

This course attempts to provide a basic introduction to evolution of Law in India. Study of law relating to a particular country is not complete without understanding the history and development of the Laws and legal institutions. A student of law should be exposed to the ancient social order and religious philosophy as well as to the systems of dispute settlement mechanisms existing in those days. The medieval period had influence in the development of legal system. The advent of the British was an event, which also had its influence.

The traditions of the past have made our modern legal system what it is, and still live on in it. Without a proper historical background, it may be difficult to appreciate as to why a particular feature of the system is as it is. The historical perspective throws light on the anomalies that exist have and their in the system.

Module No.- 1

- (a) i. Emergence of East India Company: Development of authority under charters
- ii. Administration of Justice in Madras 1639-1726
- (b) i. Administration of Justice in Bombay 1668-1726
- ii. Administration of Justice in Calcutta before 1726
- iii. The mayor's Courts and the Genesis of the Charter of 1726, Provisions of the charter, charter of 1753, defects of judicial system.

Module No.- 2

- (a) Adalat System
 - i. Grant of Diwani
 - ii. Execution of Diwani Functions
 - iii. Judicial Plan of 1772
 - iv. Defects of the Plan
 - v. New Plan of 1774
 - vi. Reorganization of adalats in 1780
 - vii. Reforms of 1781
- (b) i. The Regulating Act of 1773
- ii. The Charter of 1774 and establishment of Supreme Court at Calcutta
- iii. Defects of the Supreme Court

Module No.- 3

- (a) i. Act of Settlement, 1781
- ii. Major Defects
- iii. Supreme Court of Calcutta, Bombay and Madras
- (b) i. Judicial Reforms of Lord Cornwallis
- ii. Reforms in Administration of Criminal Justice

Module No.- 4

- (a) i. The Indian High Court Act of 1861
- ii. The Indian High Court Act, 1911
- iii. The Indian High Court Act, 1915
- iv. High Court under the Act of 1935
- (b) i. The Federal Court of India
- ii. Privy Council (A Unique Institution)
- iii. Appeals from India

Module No.- 5

- (a) i. The Charter Act of 1833
- ii. The Charter Act of 1853. Main Provisions and Defects
- (b) i. Main Provisions of the Indian Council Act, 1861
- ii. The Indian Council Act of 1892

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Module No.- 6

- (a) i. The Govt. of India Act, 1909
- ii. Minto Morley Reforms
- iii. Defects of the Act
- (b) i. Montague Chelmsford Reforms 1919
- ii. Dual System

Module No.- 7

- (a) The Govt. of India Act, 1935 (Background)
 - i. Federalism
 - ii. Provisional Astronomy
- (b) Indian Independence Act, 1947

Some landmarks cases-

- (a) Issue of Raja Nand Kumar (1775): Whether a Judicial Murder ?
- (b) The Patna case (1777-79)
- (c) The Cossijurah case
- (d) The case of Kamaludin

Reference books-

- 1. M.P. Jain, Outlines of India Legal History
- 2. M. Rama Jois, Legal and Constitutional History of India
- 3. A.B. Keith, Constitutional History of India
- 4. Rankin G.C. Background to Indian Law
- 5. V.D. Kulshrestha, Landmarks in Indian Legal History

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LAW OF TORTS-I

Paper 1.5

Total Marks: 100 (80+20)
External Exam: 80
Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Objectives of the course

With rapid industrialization, tort action can be used against manufacturers and industrial units for products injurious to human beings. The emphasis is on extending the principles not only to acts, which are harmful but also to failure to comply with standards that are continuously changing due to advancement in science and technology. Law of Torts is developing fast in present scenario and the Supreme Court has created liabilities for injuries caused by hazardous and inherently dangerous industries.

The following syllabus has been prepared with this perspective and will comprise of 7 units.

Module No.- 1

- (a) Evolution, Definition, Nature, Scope of Law of Torts
 - i. Meaning and Evolution of Torts
 - ii. Torts: Distinguished from contract, Quasi-contract and crime.
 - iii. Constituents of Torts
- (b) General Defences
 - i. *Volenti non fit injuria*
 - ii. Necessity, Act of God, Inevitable Accidents, Private Defence
 - iii. Judicial Acts, Mistake Statutory Authority.

Module No.- 2

- (a) Vicarious Liability
 - i. Principles and basis of liability
 - ii. Principle and Agent Relationship
 - iii. Master and Servant relationship
 - iv. Doctrine of common employment
- (b) Vicarious Liability of State
 - i. Position in England
 - ii. Position in India

Module No.-3

- (a) Rules of strict and absolute liability
 - i. Rylands v. Fletcher
 - ii. M.C. Mehta v. Union of India
- (b) Negligence
 - i. Essentials of negligence
 - ii. Duty of care
 - iii. Principle of reasonable foreseeability
 - iv. Standard of care
 - v. Nervous Shock
 - vi. Res ipsa loquitur

Module No.-4

- (a) A Contributory negligence
 - i. Last opportunity rule
 - ii. Rules to determine contributory negligence
 - iii. Doctrine of alternative danger
 - iv. Difference between contributory and composite negligence
- (b) Remoteness of damages
 - i. Test of reasonable foresight
 - ii. Test of directness

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Module No.- 5

- (a) Defamation
i. Liable and Slander
ii. Essentials of defamation
iii. Defences
- (b) Trespass to person
i. Assault, battery, mayhem
ii. False imprisonment
iii. Malicious prosecution

Module No.- 6

- (a) Trespass to land
i. Trespass ab initio
ii. Entry with licence
iii. Remedies
- (b) Nuisance.
i. Definition and kinds
ii. Essentials
iii. Defences

Module No.- 7

- (a) Legal Remedies
i. Damages
ii. Injunctions
iii. Specific restitution of property
- b) Extra Judicial remedies
i. Abatement of nuisance
ii. Felonious Torts

Suggested Case Laws

1. Usna Ben v. Bhagyalaxmi Chitra Mandir, AIR 1978 Guj. 103
2. Ramanuja Mudali v. M. Gagan, AIR 1984 Mad. 103
3. R.K. Kranjia v. K.M. D. Thakersay, AIR 1970 Bom. 424
4. D.P. Chowdhary v. Manju Lata, AIR 1997 Raj. 170
5. State of Punjab v. Deshraj, AIR 2004 P&H 113
6. Municipal Corporation of Delhi v. Subhagwanti, AIR 1966 SC 1750
7. Y.S. Kumar v. Kuldip Singh, AIR 1972 P&H 326
8. Sumit Kumar v. Ladu Ram Sulania, AIR 2004 Raj. 30
9. Rajkot Municipal Corporation v. Manjul Ben Jayanlilal Nakum (1997) 9 SCC 552
10. Rakesh Saini v. Union of India, AIR 2004 Del 107

Suggested Reading

1. D.D. Basu, Law of Torts
2. Ratan Lal & Dhiraj Lal, The Law of Torts
3. R.K. Bangia, Law of Torts
4. G.S. Pande, Law of Torts
5. B.S. Sinha, Law of Torts
6. S.P. Singh, Law of Torts

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ENGLISH-II

Paper 2.6

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aims / Learning Objectives

1. Enable the students to use the language correctly and effectively.
2. Generate interest of student in English language.
3. Make the student write correctly in English language and help them to express their ideas.
4. Enrich their vocabulary
5. Train students in composition skills

Module No.-1

M.C. Chagla: *Roses in December* : The following chapter

- (a) The Bar (Page 49 – 62)
- (b) The Bar (Page 63 – 74)

Module No.-2

M.C. Chagla: *Roses in December* : The following chapter

- (a) Chief Justice (Page 147 – 158)
- (b) Chief Justice (Page 159 – 169)

Module No.-3

M.C. Chagla: *Roses in December* : The following chapter

- (a) Chief Justice (Page 170 – 180)
- (b) Chief Justice (Page 180 – 189)

Module No.-4

M.C. Chagla: *Roses in December* : The following chapters

- (a) International Court
- (b) Epilogue

Module No.-5

Foreign words:

- (a) axiom, joie-de vivre, judicature, jussoli, suo jure, suo loco, ad absurdum, addendum, a deux, ad extremum, ad fin, ad infinitum, ad initium, bon jour, monsieur, en masse, en route, sans, vis-à-vis, post script, post meridian, ante meridian, milieu, haute couture, petite, plaza, summum bonum, synopsis, virtuoso
- (b) Essential of brief writing; to make a brief about the loss of vehicle

Module No.-6

Vocabulary

- (a) Idioms
- (b) i. One Word Substitutions
ii. Prefixes/Suffixes, correction of verb

Module No.-7

- (a) Report Writing
- (b) Letter writing (letter to Editor, resume writing)

Text Book

M.C. Chagla: *Roses in December* : Mumbai: Bhatriya Vidya Bhavan, 2000.

References

1. Thomson, A.J., and A.V. Martinet. A Practical English Grammar, New Delhi: OUP, 2005.
2. Best, Wilfred D. The Students Companion, New Delhi: Rupa & Co., 2005

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POLITICAL SCIENCE-II

Paper 2.7

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

- (a) Manu: origin of state, saptang theory,
- (b) Manu: foreign relations, duties of king

Module No.-2

- (a) Kautilya: origin of state, saptang theory,
- (b) Kautilya: foreign relations, duties of king

Module No.-3

- (a) Raja Ram Mohan Roy: social and political ideas
- (b) DayanandSaraswati: social and political ideas

Module No.-4

- (a) Gopal Krishna Gokhale: political and economic ideas, political testament
- (b) BalGangadharTilak: swarajya, political ideas, economic ideas

Module No.-5

- (a) Mohan Das Karamchand Gandhi: views on non-violence, truth, state, satyagrah
- (b) Mohan Das Karamchand Gandhi: ideal state, trusteeship theory, sarvodaya, social reforms

Module No.-6

- (a) Jawaharlal Nehru: views on democratic socialism, economic ideas, political ideas
- (b) Dr.B.R.Ambedkar: social and political ideas

Module No.-7

- (a) Jayaprakash Narayan: sarvodaya, partyless democracy, total revolution
- (b) Challenegs to the Indian political system

Text books -

Verma, S.L.: Representative Indian Political Thinkers, 1999, Jaipur, Jain PrakashanMandir

Reference books -

2. Mehta, V.R.: Foundations of Indian Political Thought, 1992, Jaipur, Manohar

3. Varma, V.P.: Modern Indian Political Thought, 1992, Agra, Lakshmi Narayan Agarwal

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CONSTITUTIONAL LAW-II

Paper 2.8

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aims and Objectives of the Course

India is a democracy and her Constitution embodies the basic principles of the democratic government how it comes into being what are its powers functions, responsibilities and obligations how power is in various organs distributed. Whatever had been the original power base of the Constitution, today it seems to have acquired legitimacy as a highest norm of Public law. A good understanding of the Constitution and the law, which has developed through constitutional amendments, judicial pronouncement constitutional practice precedents and conventions is therefore, absolutely necessary for a student of law of study. He must also know the genesis, nature and special features and be aware of the social, political and economic influence on the Constitution.

The purpose of teaching constitutional law is to highlight its never-ending growth. Constitutional interpretation is bound to be influenced by social, economics or political predilections. A student must, therefore, learn how various interpretations of the constitution are possible and why a significant interpretation was adopted in a particular situation. Such a critical approach is necessary requirement in the study of constitutional law.

Judicial review is also one of the important aspect to constitutional law. India is the only country where the judiciary has the power to review even constitutional amendments. The application of basic structure objective in the evaluation of executive action is an insertion development of Indian constitutional law. The concept of secularism and federalism engraved in the constitution are to be interpreted progressively.

The following syllabus prepared with this perspective will comprise of about 7 units of 4 Hour each.

Constitution, History and Development

Module No.-1

- (a) i. Freedom of Trade/business
- ii. Emergency, meaning and scope
- (b) i. Proclamation of emergency-conditions and effect of emergency on Centre-state relations.
- ii. Emergency and suspension of fundamental rights

Module No.-2

- (a) i. President of India
- ii. Election, qualification, salary and impeachment
- (b) i. Power: legislative, executive and discretionary powers
- ii. Council of Ministers in union and states

Module No.-3

- (a) Prime Minister cabinet system-Collective Responsibility, individual responsibility.
- (b) i. Federalism-principles: comparative study
- ii. Indian Federalism: identification of federal features

Module No.-4

- (a) Legislative relation between union and states
- (b) i. Administrative Relations
- ii. Financial relations

Module No.-5

- (a) i. Governor and its role in States
- ii. Centers powers over the state-emergency
- (b) Challenges to Indian federalism

Module No.- 6

- (a) i. The Supreme Court
- ii. High Courts
- (b) i. Judges: appointment, removal, transfer and condition of service: judicial independence
- ii. Judicial review: nature and scope

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Module No.- 7

- (a) i. Freedom of Property: from fundamental right to constitutional right
ii. Doctrine of pleasure (Art.310) of the constitution
- (b) i. Protection against arbitrary dismissal, removal, or reduction in rank (Art. 311) of the constitutional
ii. Exceptions to Art. 311 of the constitution.

Judgments:

1. S.R. Bommai v. UOI, AIR 1994 SC 1918
2. S.P. Gupta v. UOI, AIR 1982 SC 1991
3. Sunil Batra v. Delhi Administration
4. Keshvanand Bharti v. State of Kerala, AIR 1995 SC 2299
5. Minerva Mills Ltd v. UOI, AIR 1980 SC 1789
6. Hasinara Khatoon v. Home Secretary State of Bihar, 1979 SC 136
7. A.K. Gopalan State of Madras, AIR 1950 SC 27
8. Sachidanand v. State of West Bangal, AIR 1987 SC 1109
9. Rural Litigatio and Entitlement Kendra v. State of U.P.
10. T.M.A. Pai Foundation v. State of Karnataka
11. M.C. Mehta v. UOI (1987) ISCC 395 AIR 1987 1086
12. Rudul Shah v. State of Bihar, AIR 1983 SC 1086
13. Bikunth nath v. C.D.M.O., AIR 1992 SC 1368
14. Indra Gandhi v. Raj Narain, AIR 1995 SC 2299
15. P & O Stream navigation Co v. Secy of State (1861) 5 HCR
16. People Union Civil Liberties v. UOI, AIR (1997) ISCC
17. Air India v. Nargesh Mirza, AIR 1981 SC 1829
18. Unnikrishnan v. UOI, AIR 1993 SC 2178
19. Indira Sawheny v. UOI Air 1993 SC 1789
20. Maneka Gandhi v. UOI, AIR 1978 SC 1789
21. I.R. Coolho (Dead) Through L.R.S. v. State of Tamil Naidu & ors, 2007 SC 137
22. Raja Ram Pal v. The Hon'ble Speaker Loksabha and Ors
23. Kehar Singh v. State (1989)
24. Dhanjaya Chaterjee v. State West Bengal, AIR 2004

Recommended Books

1. Dr. Narender Kumar 2006
2. Dr. J.N. Pandey 2006
3. Dr. D.D. Basu, Shorter Constitution of Indian
4. Dr. Seervai Constitution of India (1992) Vol. I/II/III
5. Dr. M.P. Singh (ed) V.N. Shukla

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COMPUTER EDUCATION

Paper 2.9

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

1. Computer Fundamentals: Characteristics of Computers (Versatility, Basic operations, speed accuracy, automation, storage, etc.).
2. Anatomy of Computer: Input Devices, Output Devices, Central Processing Unit, Storage Devices.
3. Classification of Computers: Micro, Mini, Mainframe, Super Computer).
4. Computer Software: Definition, Types of software—System and application software.
5. Operating System: Definition, Need, Types, Functions, Popular operating system and their applications.
6. Programming languages: Types of programming languages—Low level, high level programming languages and their evolution, oops.
7. Communication System: Data communication system, different data transmission mediums (twisted pair, Coaxial, Microwave, Communication Satellite. optical fiber) and their advantages.
8. Networking systems: Need, types, Internet working, Networking Standards.

Module No.-2 (Operating System—MS—Windows)

1. Windows: Definition, Evolution of Windows, components, moving, resizing and closing a window. Features (User interface, file naming, easier mailing facility, easier remote access,
2. Working with Dialog boxes: Text boxes, list boxes, drop-down list boxes, option button, check box.
3. Using Menus: Special indicators in window, a triangle, ellipses, a dot, a key combination, grey option using scroll bars.
4. Navigating Windows: Using Windows explorer, Searching files and folders. Accessing a drive. Creating and moving a shortcuts
5. File & Folders: Difference between file and folders, Creating a file in an application, Creating a folder, copying files in a folder.
6. Creating copy of a file, creating subfolders, moving and renaming files and folders.,
7. Customizing desktop: Customizing Task bar, Setting time & date of the system, using desktop themes, changing desktop of system, Setting patterns, Color palette, setting screen savers, changing appearance of a window.
8. Installing a printer, making a default printer, Printing a document.

Module No.-3 (MS—Word)

1. Word Processing: Definition, Advantages, Functions, Popular word processors.
2. Working with MS—Word: Word application window, Getting help, creating, saving, closing and opening a document.
3. Editing a document: Navigating a document, Undo and Redo, Character level editing, Forming a block, Text correction and deletion. Moving, copying, finding and replacing text.
4. Templates and Wizards: Introduction of templates, using documents on templates, using wizards to create a document.
5. Page Formatting: Meaning, Setting paper size, orientation, setting margins. Setting header and footer. Inserting page no. and date. Inserting page break. Text alignment and indentation. Setting Tabs.
6. Text Formatting: Copying removing characters, using styles, modifying the styles. Setting border and shading.
7. Tables: Creating a table, changing the display of table, adjusting row column width. Applying arithmetic computation in table.
8. Mail merging: Meaning, Setting up main document, creating data source, merging a document, Using labels and Envelop wizards.

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Module No.-4 (MS-Excel)

1. Electronic Spread sheet: Definition, History, Terminology, Features, Application and Advantages.
2. Basics of MS-Excel: Starting MS-Excel, Components, Workbook, Worksheet, online help. Creating a Workbook, Data Entry in a work book. Copying and moving data saving a work book. Saving and Retrieving a work book.
3. Editing: Editing a cell, selecting range, deleting cell, column, row, worksheet. Renaming, moving, copying and moving a worksheet. Protecting a workbook.
4. Formatting: Adjusting a column width, row height, hiding /unhiding rows and columns, aligning a worksheet data. Number, currency, date formats.
5. Functions: Types of function in MS-Excel, Syntax, Mathematical function, logical function, date/time function. Function Wizard
6. Formula: Entering a formula, referencing technique, naming range, moving & copying formula.
7. Charts: Creating Charts, Components of a chart, types of a chart, using chart wizard, Moving and resizing charts, saving & retrieving charts.
8. Printing: Defining page layouts, setting header and footers, hiding gridlines, print preview, printing a worksheet.

Module No.-5 Power Point

Module No.- 6 (Internet)

1. Definition, Scope, History, Applications, services.
2. Getting Connected: Dial-up Connection, Direct& Dedicated connections.
3. World Wide Web: Meaning, Webpage, website, hyperlinks. Using web browsers. Domain name system. IP Address.TCP/IP Account (2 Lect.)
4. E-mailing: concept, Working, protocol, free email services.
5. HTML: Tags layout of HTML document, Creating HTML Document, Adding comment, Heading, color settings, inserting an image, Hyper link. (3 Lect.)

Module No.-7 (Networking system)

1. Concept of Networking: Meaning, Need, Types, Media.
2. Information System: Types of information, Levels , Quality, Components, functional areas.
3. Data Communication: Meaning, Elements, Modes, Speed, Mediums, Types of data transmission. (2 Lect.)
4. Computer Networks: definition, Terminology, Technology (LAN, WAN, MAN etc.), Server, client, Work group , Host, System administrator. (2 lect.)
5. Network Applications: Topologies and their advantages, Role of Protocols, Communication Protocols.
6. Internetworks: Definition, Advantages, Popular Internetwork in India.

Books:

1. Introduction to computers, Peter Norton, TMH
2. Computer Fundamentals, P.K.Sinha, BPB
3. MS-Word 2003 complete reference.
4. MS-Excel 2003 complete reference.
5. MS-Access 2003 complete reference.
6. Internet-An Introduction , CIStems-TMHseries.
7. Computer Sciences, D.P.Nagpal, PHI
8. Internet- Every Thing You Need To Know, D.E. Comer, PHI
9. Comdex Computer Course Kit, Vikas Gupta, Dreamtech, N.Delhi

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LAW OF TORTS-II (Consumer Protection Law and M.V. Act)

Paper 2.10

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No. -1

- (a) Consumer Protection – its necessity, Consumerism in India, Need of Consumer Protection Act, 1986, Objective and scope of Consumer Protection Act, 1986
- (b) Consumer, the concept, Definition of Consumer, Position of third party beneficiary, Voluntary and involuntary consumer, When a person is not a consumer;

Module No. -2

- (a) Consumer of goods
 - i. Meaning of defects in goods
 - ii. Standards of purity, quality, quantity and potency
 - iii. Price control
 - iv. Statutes: food and drugs, engineering and electrical goods
- (b) Unfair trade practices
 - i. Misleading and false advertising
 - ii. Unsafe and hazardous products
 - iii. Bargain price
 - iv. Falsification of trademarks;

Module No. -3

- (a) Consumer Protection Councils
 - i. Constitution and procedure of Central Consumer Protection Council
 - ii. Constitution and procedure of State Consumer Protection Council
 - iii. Consumer rights
- (b) Service
 - i. Deficiency – meaning
 - ii. Service rendered free of charge
 - iii. Service under a contract of personal service;

Module No. -4

- (a) Medical Service
 - i. How to determine negligence
 - ii. Patient is a consumer
 - iii. Denial of medical service violation of human rights
- (b) Insurance
 - i. Controversy regarding insurance claim
 - ii. Insurance interest
 - iii. Insurance service
 - iv. Beneficiary of group insurance is consumer;

Module No. -5

- (a) Public Utilities
 - i. Supply of electricity
 - ii. Postal service
 - iii. Telephone service
 - iv. Housing

(b) Redressal Mechanism

Part A

- i. Consumer dispute redressal agencies
- ii. Jurisdiction of District Forum, the State Commission and National Commission

Part B

- i. Power to set aside ex parte order, transfer of cases circuit benches, finality of orders

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Module No. -6

- (a) Enforcement of Consumer Rights
 - i. Execution of orders of district forum, State Commission and the National Commission
- (b)
 - i. Judicial Review
 - ii. Public interest litigation
 - iii. Class action
 - iv. Administrative remedies

Module No. -7

- (a) The Motor Vehicle Act, 1988, Basic Concepts, Licensing of Drivers of Motor Vehicle, Licensing of Conductors and Registration of Motor Vehicle,
- (b) Liability without fault in certain cases, Claims Tribunals, Offences, Penalties and Procedure

Suggested Judgements:-

1. Dr. LaxmanBalKrishna Joshi v. Dr. TrimbakBapuGodhbole and another, AIR 1969 SC 128
2. Dr. J.J. Merchant and others v. ShrinathChaturvedi, AIR 2002 SC 2931
3. India Medical Association v. Shanth (1995) 6 SCC 243
4. Lucknow Development Authority v. M.K. Gupta 1994 (1) SCC 243
5. Laxmi Engineering works v. P.S.J. Industrial Institute 1995 (2) CPJ 1 (SC)
6. New India Assurance Company Ltd. V.D.N. Sainani. AIR 1997 SC 1938
7. State of Karnataka v. Paramjit Singh and others ii (2006) SPJ6 (SC)
8. Smt. Shashi Gupta v. LIC and another (1995) Suppl. (i) 1 SSC 754
9. Synco Industries v. State Bank of Bikaner and Jaipur 2002(3) CPR 105(SC)
10. Top line shoes ltd v. Corporation Bank AIR 2002 SC 2487

References

1. Bangia, R.K. : Law of Torts
2. Desai, Kumud : Law of Torts (An Outline with Cases)
3. Kapoor, S.K. : Law of Torts
4. Pandey, J.N. : Law of Torts
5. Pillai, P.S. : Law of Torts
6. Ratanlal & Dhirajlal : Law of Torts
7. Salmond & Heuston : Law of Torts
8. Winfield : Law of Torts
9. Baxi, Upendra : Asian Regional Exchange for Nothing to Lose But Our Lives. Empowerment to oppose Industrial Hazards and Transnational World (1988).
10. Upendra Baxi & Thomas Paul (d.): Mass Disasters & Multinational Liability: The Bhopal Case (1986)

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ECONOMICS-I

Paper 3.11

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No. -1

- (a) Introduction to Economics: Definition, methodology and scope of economics, Forms of economic analysis – Micro vs. macro, partial vs. general, static vs. dynamic, positive vs. normative, short run vs. long run
- (b) Basic concepts and precepts – economic problems, economic rationality, Relation between economics and law– economic offences and economic legislation

Module No. -2

- (a) Basic concepts of Economics: Equilibrium, Utility, Opportunity cost, Marginal and indifference curve approach
- (b) Optimality Economic organization – market, command and mixed economy

Module No. -3

- (a) Theory of Demand: Demand for a Product, Individual demand, Market demand,
- (b) Determinants of demand, Elasticity of demand– Price, Income and Cross elasticity of demand and its determinants, Importance of elasticity of demand

Module No. -4

- (a) Theory of Supply: Supply of a product, Law of supply, supply function
- (b) Applications of demand and supply –tax floor and ceilings; applications of indifference curves– tax, labor and work

Module No. -5

- (a) Theory of Production and Costs: Law of variable proportions, Iso–quants, Economic region and optimum factor combination, Expansion path, Producers equilibrium, Returns to scale,
- (b) Internal and External economies, Ridge lines, Theory of cost in short run and long run, Revenue function

Module No. -6

- (a) Theory of Firm and Market Organization: Pricing under perfect competition, Pricing under monopoly, Price discrimination,
- (b) Pricing under monopolistic competition, Selling cost, Pricing under oligopoly, Kinked demand curve, and Price leadership

Module No. -7

- (a) Rent: Concept, Meaning, Types, Theories of Rent – Classical and Modern; Quasi Rent; Wages: Meaning, Kinds and Theories;
- (b) Interest: Concept, Gross and Net Interest, Theories of Interest: Classical, Neo – Classical, Liquidity Preference and Modern; Profit: Meaning, Characteristics, Gross and Net Profit, Theories of Profit.

Text books –

1. Dwivedi D. N., Principles of Economics, Vikash Publishing House Pvt. Ltd., New Delhi.
2. Jhingan M.L., Principles of Economics, Vrinda Publications (P) Ltd., Delhi.
3. Myneni S.R.: Principles of Economics, Faridabad, ALA.

Reference books –

1. Ahuja H. L., Advanced Economic Theory, S. Chand & Company Ltd., New Delhi.
2. Koutsoyiannis, A., Modern Microeconomics, Macmillan Press Ltd., London.
3. Stonier A.W. and D.C. Hague, A Textbook of Economic Theory, ELBS & Longman Group, London.
4. Samuelson P.A. and W.D. Nordhaus, Economics, Tata MacGraw–Hill Publishing Company Limited, New Delhi.
5. Seth, M.L., Principles of Economics, Lakshmi Narain Agarwal Educational Publishers, Agra.

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SOCIOLOGY-I

Paper 3.12

Total Marks: 100 (80+20)
External Exam: 80
Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No. -1

- (a) Sociology: Meaning, Nature and Scope of Sociology
- (b) Relation with other social sciences- history, anthropology and psychology

Module No. -2

- (a) Socialization: Meaning and Agencies of Socialization
- (b) Family: Meaning and Characteristics of Family, Types of Family

Module No. -3

- (a) Marriage: Meaning and Types of Marriage
- (b) Social Control: Meaning and Means of Social Control

Module No. -4

- (a) Important theoretical approaches- evolutionism, functionalism,
- (b) conflict theory, interactionist theory

Module No. -5

- (a) Auguste Comte: Law of three stages, Positivism and Religion of humanity
- (b) Emile Durkhiem: Social Solidarity, The theory of Division of Labour, theory of Religion and Suicide

Module No. -6

- (a) Karl Marx: Maxim Concept of Social change, Class struggle, Division of Labour
- (b) Max weber : Sociology of Religion, The Concept of authority and the Concept of Social action

Module No. -7

- (a) Sociology of Profession: Profession and Professionalisms, Distinction between Profession and Occupation
- (b) Society and Professional Ethics

Reference books -

1. Gisbert, P.: 2004, Fundamentals of Sociology, Kolkata, Orient Longman.
2. Harlambos, M.: 1998, Sociology: Themes and perspectives, New Delhi, Oxford University Press.
3. Allahabad, KitabMahal.
4. Srinivas, M.N.: 1998, Social Change, in Modern India, New Delhi, Orient Longman.

Text books -

5. Bottomore, T.B.: 1972, Sociology: A Guide to Problems and Literature, Bombay, George Allen and Unwin.
6. Rao, C.N.S. : 2005, Sociology, New Delhi, S.Chand.
7. Vidyabhushan and Sachdeva: 2005, An Introduction to Sociology, Allahabad, KitabMahal.
8. Johnson, H. M.: 1995, Sociology: A Systematic Introduction, New Delhi, Allied Publishers.
9. Giddens, A.: 1994, Sociology, Cambridge, Polity Press.

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PUBLIC INTERNATIONAL LAW-I

Paper 3.13

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aims and objectives :

To make students aware of law governing human conduct in global world.

Module No.- 1

- (a) i. Nature and scope of international law
ii. Definition, Significance and difference between private and public International law.
- (b) i. Sources of International law
ii. Subjects of International law
iii. Means of Acquisition of territory

Module No.- 2

Concepts of International Law

- i. Relationship between municipal law and International law
ii. Concept of Nationality and Treatment of Aliens

Module No.- 3

- i. Recognition of States
ii. Asylum, Extradition

Module No.- 4

- i. Intervention
ii. Diplomatic agents

Module No.- 5

- i. Law of the seas, Territorial water, Contiguous Zone, continental Shelf, Exclusive Economic Zone, High Seas
ii. Disarmament

Module No.- 6

- i. War
ii. Pacific and Compulsive means of Settlement of disputes
iii. Rules of Warfare

Module No.- 7

- (b) i. Neutrality
ii. War Crimes

Books referred

1. International Law and Human Rights, Dr. S.K. Kapoor
2. International Law and Human Rights, M.P. Tondon and Dr. V.K. Anand
3. International Law, Dr. Gurdip Singh

Cases referred

1. Harbhajan Singh v. Union of India, AIR 1987 SC 9
2. Century Twenty one (P) Ltd. v. Union of India, AIR 1987 Delhi p. 124
3. Daya Singh Lahoria v. Union of India, AIR 2001 SC p. 1716
4. Earth builders v. State of Maharashtra, AIR 1997 Bombay p. 148
5. Sagarmull Agarwala v. Union of India, AIR 1980 Sikkim p. 22
6. Mobarak Ali Ahmad v. State of Bombay AIR 1957 SC p. 857
7. Sugandha Roy v. Union of India, AIR 1983 Calcutta p. 468

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CONTRACT-I

Paper 3.15

Total Marks: 100 (80+20)
External Exam: 80
Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aims and Objectives of the Course

Every society is governed by some contractual obligation and certain general Principles of Contract. Making of a Contract is now a days a Common Phenomenon. The subject will ensure better understanding about the subject. It will acquaint students with the conceptual and operational parameters of the contractual obligations. Specific Enforcement of the contract is also an important aspect of the law of contracts, so it has been introduced alongwith the general principles of the contract.

Module No.- 1

- (a) History and nature of Contractual Obligations
- (b) Formation of Contract: Proposal and Acceptance

Module No.- 2

- (a) Consideration
- (b) Capacity to Contract

Module No.- 3

- (a) i. Coercion
- ii. Undue Influence
- iii. Misrepresentation
- (b) i. Fraud
- ii. Mistake

Module No.- 4

- (a) Void Agreements
- (b) Legality of Object and Consideration

Module No.- 5

- (a) Modes of discharge of contract
- i. Performance
- ii. Wagering Agreements
- (b) i. Impossibility of Performance
- ii. Anticipatory Breach

Module No.- 6

- (a) Quasi Contract
- (b) i. Breach of Contract and Damages
- ii. Measurement of Damages
- iii. Standard form of Contracts

Module No.- 7

Specific Relief Act, 1963

- (a) i. Contracts which are specifically enforceable
- ii. Contracts which are not specifically enforceable
- iii. Injunction
- (b) i. Rescission and Cancellation of Contract
- ii. Discretion of Court

Judgments

1. Bhagwandas Goverdhan Dass Nadia v. M.S. Girdari Lal Parshottam Dass and Co., AIR 1966 SC 548
2. Khan Gul and Ors v. Lakha Singh, AIR 1928 SC Lahore 609
3. Sonia Bhatia v. State of U.P., AIR 1981 SC 1274
4. Gheru Lal Parakh v. Mahadeo Das, AIR 1959 SC 781
5. Satya Brata Ghosh v. Mugneeram Bangur and Co., AIR 1954 SC 44
6. Puran Lal Shah v. State of U.P., AIR 1971 SC 712
7. Patel Engineering Ltd. and Anr. v. National Highway Authority of India and Anr., AIR 2005 Del. 298
8. Shree Balaji Coal Linkers, U.P. v. Bharat Sanchar Nigam Ltd and Ors., AIR 2004 All. 141
9. Prentice Hall India Pvt. Ltd. v. Prentice Hall Inc. and Ors., AIR 2003 Del. 236
10. M/s Harayna Telcom Ltd. v. Union of India and Anr., AIR 2006 Del. 339

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Suggested Readings :

1. Pollock and Mulla, Indian Contract Act and Specific Relief Act
2. Avtar Singh, Law of Contract
3. Beatesen (ed.), Ansen's Law of Contract
4. G.C. Cheshire and H.S. Fifoot and M.P. Furmgton, Law of Contract
5. Banerjee, S.C., Law of Specific Relief
6. Anand and Aiyer, Law of Specific Relief
7. Subha Rao, Law of Specific Relief

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ECONOMICS-II

Paper 4.16

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

- (a) Introduction: Meaning, Nature and Scope, Importance of macroeconomics,
- (b) Limitations of macroeconomics, Difference between micro and macroeconomics

Module No.-2

- (a) Circular Flow of Income: Stock and Flow, Comparative Static and Comparative Dynamic Model,
- (b) Circular flow of Income in Two-Sector and Three-Sector Model

Module No.-3

- (a) National Income Accounting: Meaning of National Income and National Product, Measurement of National Income,
- (b) Difficulties in the measurement of National Income, National Income as a measure of welfare and economic progress

Module No.-4

- (a) Theory of Income and Employment: Classical theory of output and employment, Say's law of markets, Keynesian theory of income determination,
- (b) Determinants of Macro equilibrium with aggregate demand and aggregate supply functions under employment, Keynes' criticism of Say's law and classical theory of income and employment, Theory of multiplier

Module No.-5

- (a) Business Cycles: Phases of business cycles, Features of business cycles, Theories of business cycles-Hawtrey's monetary theory,
- (b) Hayek's overinvestment theory, Keynes' view on trade cycle

Module No.-6

- (a) Theory of Money: Functions for money, classification, supply and demand for money, Effects of money on output and prices
- (b) Inflation and deflation, Monetary policy, Money markets and capital markets

Module No.-7

- (a) Commercial Banking-functions organization and operations
- (b) Central Banking- functions and credit control, Non-Banking Financial Institutions-meaning, role; distinction between banks and NBFI

Reference books -

1. Ahuja H. L., Macroeconomic Theory and Policy, S. Chand & Company Ltd., New Delhi.
2. Shapiro Edward, Macroeconomic Analysis, Galgotia Publications Pvt. Ltd, New Delhi.
3. Hejindra B.J. and F.V. Ploeg, Foundations of Modern Macroeconomics, Oxford University Press, London.
4. Vaish M.C., Macroeconomic Theory, Vikash Publishing House Pvt. Ltd., New Delhi.
5. Seth, M.L., Principles of Economics, Lakshmi Narain Agarwal Educational Publishers, Agra.

Text books -

1. Dwivedi D. N., Principles of Economics, Vikash Publishing House Pvt. Ltd., New Delhi.
2. Jhingan M.L., Principles of Economics, Vrinda Publications (P) Ltd., Delhi.

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SOCIOLOGY-II

Paper 4.17

Total Marks: 100 (80+20)
External Exam: 80
Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

- (a) Society: Concept and Characteristics
- (b) Community: Concept and relation with Society

Module No.-2

- (a) Social Group: Concept and Characteristics, Types- Primary Group and Secondary Group, In- Group and Out- Group
- (b) Status: Concept and types

Module No.-3

- (a) Role: Concept and Nature
- (b) Culture: Meaning and characteristics of Culture

Module No.-4

- (a) Civilization: Concept, interrelationship and distinction between Culture and Civilization
- (b) Social Change: Concept and Characteristics, Causes of Social Change, Sanskritization, Westernization, Modernization

Module No.-5

- (a) Social Stratification: Meaning and Characteristics of Social Stratification, Caste and Class
- (b) Religion, family and state

Module No.-6

- (a) Sociology of Law
- (b) Relationship between Law and Society

Module No.-7

- (a) Social welfare: meaning, scope and evolution of social welfare
- (b) Social legislation

Reference books -

1. Gisbert, P.: 2004, Fundamentals of Sociology, Kolkata, Orient Longman.
2. Harlambos, M.: 1998, Sociology: Themes and perspectives, New Delhi, Oxford University Press.
3. Allahabad, KitabMahal.
4. Srinivas, M.N.: 1998, Social Change, in Modern India, New Delhi, Orient Longman.

Text books -

5. Bottomore, T.B.: 1972, Sociology: A Guide to Problems and Literature, Bombay, George Allen and Unwin.
6. Rao, C.N.S. : 2005, Sociology, New Delhi, S.Chand.
7. Vidyabhushan and Sachdeva: 2005, An Introduction to Sociology, Allahabad, KitabMahal.
8. Johnson, H. M.: 1995, Sociology: A Systematic Introduction, New Delhi, Allied Publishers.
9. Giddens, A.: 1994, Sociology, Cambridge, Polity Press.

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FOREIGN LANGUAGE (French)

Paper 4.18

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

- i The alphabet
- ii The accents
- iii Elision
- iv Liaison
- v To spell one's name
- vi Numbers 1-10
- vii Subject Pronouns
- viii verbs : être and s'appeler
- ix To present oneself
- x Greet someone
- xi To take leave
- xii Understand a short dialogue [salutation]

Module No.-2

- i Definite articles
- ii Nationalities and Professions
- iii Numbers 11 - 69
- iv verbs : avoir, habiter, apprendre
- v Understand short dialogues in which one talks about oneself [2]
- vi Filling up an official form

Module No.-3

- i Indefinite articles
- ii Interrogation using "est-ce que..?" [oui / non]
- iii Negation
- iv Interrogation using "quel, où?"
- v Numbers after 70
- vi Understand short dialogues in which one present oneself [3]
- vii To ask someone to present himself

Module No.-4

- i Possessive Adjectives [1]
- ii Verbs : aimer, adorer, préférer, detester [verbs ending -er]
- iii Hobbies [faire du / de la]
- iv Understand a short dialogues in which one talks about ones' likes and dislikes
- v To speak about ones likes and dislikes

Module No.- 5

- i Interrogation using "Qui, Qu'est-ce que? [C'est..]
- ii On = Nous
- iii Writing a short letter : starting and ending a letter
- iv Understanding a short letter giving information about oneself
- v To write a short letter informing about oneself

Module No.- 6

- i Months of the year, seasons, expressions with "avoir"
- ii Interrogation using "Quand"
- iii Verbs : aller, pouvoir, vouloir
- iv Making polite requests
- v Activities during vacations
- vi Recent past
- vii Near future
- viii Nouns [plurals]
- ix Understand / write a short letter talking about one's vacation

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POLITICAL SCIENCE-IV

Paper 4.19

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

- (a) **The Constitution of United Kingdom of Great Britain and Northern Ireland:** Sources of the British Constitution, Salient Features of the British Constitution, The British Executive: The Crown and the Cabinet
- (b) The British Parliament, British Judiciary, Political Parties

Module No.-2

- (a) **The Constitution of United States of America** Salient Features of the American Constitution, The American Federalism, The American Presidency
- (b) The Congress, The Senate, The Federal Judiciary, Political Parties

Module No.-3

- (a) **The Constitution of Switzerland,** Salient Features of the Swiss Constitution, The Federal Legislature, The Federal Executive
- (b) Federal Judiciary, Direct Democracy in Switzerland, Political Parties in Switzerland

Module No.-4

- (a) **The Constitution of Japan,** Growth and Evolution of Japanese Constitution, Salient Features of the Current Japanese Constitution, Japanese Executive: The Emperor and the Cabinet
- (b) The Diet, The Judiciary, Political Parties

Module No.-5

- (a) **The Constitution of China:** Salient Features of the Chinese Constitution, National People Congress of China. President of China and Standing Committee of NPC
- (b) Judicial System of China, party system

Module No.-6

- (a) **The Constitution of France:** Salient Features of the French Constitution, French Legislature, Executive
- (b) Judiciary, Political parties, Droitadministratif and Dual Courts System

Module No.-7

- (a) Indian Political system compared with USA, UK and France
- (b) Indian Political system compared with Switzerland, China and Japan

Text Book:-

1. Bhagwan, V. & Bhushan, Vidya: World Constitutions- A Comparative study, 2009, New Delhi, Sterling Publishers Pvt Ltd

Reference Books:-

1. Almond, G.A. & Powell, G.B.: Comparative Politics: a Developmental Approach, 1966, Boston, Little Brown
2. Johri, J.C.: Comparative Politics, 1993, New Delhi, Sterling Publishers Pvt Ltd
3. Kapur, A.C. & Mishra, K.K.: Select Constitutions, 2002, New Delhi, S.Chand & Co
4. Mahajan, V.D.: Select Modern Governments, 2000, New Delhi, S.Chand & Co

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Module No.- 7

- i Pronom Tonique
- ii Telling / asking the time
- iii Making an appointment
- iv Verbs : venire, sortir, connaître, savoir
- v Inviting a friend
- vi Accepting / refusing an invitation

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CONTRACT-II

Paper 4.20

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aims and Objectives of the Course

The Subject is introduced for understanding and appreciating the Basic essentials of a valid contract. It will provide understanding of the contractual relationship in various instances. The subject is emphasizing on the intricacies of the Contract concerned. It provides an insight into the justification for the statutory provisions for certain kinds of the Contract.

Module No.- 1

Indian Contract Act

- (a) Indemnity and Guarantee
- (b) Bailment

Module No.- 2

- (a) i. Pledge
ii. Government as a Contracting Party
- (b) Agency

Module No.- 3

Sale of Goods Act, 1930

- (a) Concept of Sale and Agreement to sell
- (b) Implied Conditions and Warranties

Module No.- 4

- (a) Transfer of Title and Property
- (b) Performance of Contract

Module No.- 5

- (a) i. Rights of Unpaid Seller
ii. Suit for Breach of Contract
- (b) Indian Partnership Act, 1932
Nature and Definition

Module No.- 6

- (a) Relationship of Partners Interse, Registration of Firm
- (b) Relationship of Partners with Third Party

Module No.- 7

- (a) Incoming and Outgoing Partners
- (b) Dissolution of Firm

Judgments

1. Maharashtra State Electricity Board v. Official Liquidator, AIR 1988 SC 1497
2. Bank of Bihar v. State of Bihar, AIR 1971 SC 1210
3. P.S.N.S.A.C. and Co. v. Express Newspapers, AIR 1968 SC 741
4. Collector of Customs v. Pednekar and Co., AIR 1978 SC 1408
5. Vijaya Bank and Ors. V. Naveen Mechanised Construction Ltd., AIR 2004 Bom. 362
6. Veer Prabhu Marketing Ltd. and Ors. V. State of Maharashtra
7. Veer Prabhu Marketing Ltd and Ors. V. State of Maharashtra
8. Suresh Kumar Rajinder Kumar v. K. Assan Koya and Sons, AIR 1990 AP 20
9. Jute Distributors v. Sushil Kumar Gupta, AIR 1974 Ca. 386
10. M/s Devi Dayal Sales Pvt. Ltd. v. National Supply Corp. and Ors., AIR 2006 Cal. 301
11. Shivagodia Ravjit Patel v. Chander Kant Neelkanth Sadalgo, AIR 1965 SC 212
12. Narayanappa v. Bharkara Krishnappa, AIR 1966 SC 1300

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Suggested Readings

1. Pollock and Mulla, Law of Contract
2. Avtar Singh, Law of Contract
3. G.C. Cheshire and H.S. Fifoot and M.P. Furnston, Law of Contract
4. Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase
5. J.P. Verma (ed.), The Law of Partnership in India
6. H.K. Saharay, Indian Partnership and Sales of Goods Act
7. Ramnainga, The Sales of Goods Act
8. A.G. Guest (ed.), Benjamin's Sale of Goods
9. Avtar Singh, Law of Partnership

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FAMILY LAW-I

Paper 5.21

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Objectives of the Course

The Course structure is designed mainly with three objectives in view. One is to provide adequate sociological perspectives so that the basic concepts relating to family are expounded in their social setting. The next objective is to give an overview of some of the current problems arising out of the foundational inequalities writ large in the various family concepts. The third objective is to view family law not merely as a separate system of personal laws based upon religious but as the one cutting across the religious lines and eventually enabling us to fulfill the constitutional directive of uniform civil code. Such a restructuring would make the study of familial relations more meaningful.

Module No.- 1

- (a) Application of Hindu Law
 - i. Who are Hindus
 - ii. Followers of Jainism, Sikhism and Buddhism
 - iii. Hindus by declaration, Birth
 - iv. Converts and reconverts to Hinduism
- (b) i. when one or both parents are Hindu
- ii. Persons who are not Muslims, Christians, Parsis or Jews by Religion Schedule Tribe

Module No.- 2

- (a) Concept of Marriage
 - i. Hindu Marriage a Sacrament or Contract
 - ii. Marriage under Hindu Marriage Act, 1955
 - iii. Forms of Marriage
- (b) i. Capacity to Marry : Mental Capacity : Age
- ii. Ceremonies of Marriage
- iii. Guardianship in Marriage
- iv. Intercaste & Inter religious Marriages
- v. Marriages between Hindus and Non Hindus

Module No.- 3

- (a) i. Sapinda Relationship and Degree of Prohibited Relationship
- ii. Bigamy : should bigamy be permitted in some limited cases
- (b) i. Matrimonial Remedies
- ii. nullity of Marriages
- iii. Option of Puberty
- iv. Restitution of Conjugal Rights
- v. Judicial Separation

Module No.- 4

- (a) i. Divorce : Desertion, Cruelty, Adultery & other grounds for Matrimonial Relief
- ii. Wife's Special grounds for Divorce
- (b) i. Divorce by Mutual Consent
- ii. Theories of Divorce : Guilt Theory, Consent Theory, Irretrievable Breakdown of Marriage Theory of Divorce

Module No.- 5

- (a) i. Bars to Matrimonial Relief
- ii. Doctrine of Strict Proof
- (b) i. Taking Advantage of one's own wrong
- ii. Accessory
- iii. Connivance
- iv. Condonation
- v. Collusion
- vi. Delay
- vii. Other legal Grounds, Reconciliation

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Module No.- 6

Muslim Marriage

- (a) i. Concept of Marriage
- ii. Capacity to Marry
- iii. Kinds of Marriage
- (b) i. Classification of Marriages
- ii. Shahih Marriage
- iii. Batil Marriage
- iv. Fasid Marriage
- v. Guardianship in Marriage
- vi. Essential Validity

Module No.- 7

- (a) i. Mahr
- ii. Specified & Proper
- iii. Dower as Debt : Its nature and enforcement
- (b) i. Divorce
- ii. Express Talaq
- iii. Implied & Contingent Talaq
- iv. Delegated Talaq
- v. Formalities of Talaq
- vi. Talaq at the Instance of Wife

Case Laws:

1. Bhaurao v. State of Maharashtra, AIR 1965 SC 1564
2. Mahendra v. Sushila, AIR 1965 SC 364
3. Shamim Ara v. State of U.P., 2002(4) RCR Civil 340
4. Kailashwati v. Ayodhia Prakash, 1977 PLR 216
5. M.M. Malhotra v. UOI & others, AIR 2006 SC 80
6. Seema v. Ashwani Kumar, AIR 2006 SC 1159
7. Vinita Saxena v. Pankaj Pandit, AIR 2006 SC 1662
8. Naveen Kohli v. Neelu Kohli, AIR 2006 SC 1676
9. Mohd. Ahmed Khan v. Shah Bano Begum, AIR 1985 SC 945
10. Daiel Latifi v. UOI, 2001 (7) SC 40

Reference :

1. Paras Diwan, Hindu Law (1985)
2. Paras Diwan, Muslim Law
3. Mulla, Muslim Law
4. Fyzee, Outlines of Muslim Law
5. Tahir Mahmood, Hindu Law
6. Jaspal Singh, Law of Marriage and Divorce in India
7. N.D. Basu, Law of Succession

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LABOUR LAW-I

Paper 5.22

Total Marks: 100 (80+20)
External Exam: 80
Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.- 1

The Industrial Disputes Act, 1947

- (a) Historical Development of Industrial Disputes, Legislation in India.
- (b) Object, scope and reasons
- (c) Definition of important terms.

Module No.- 2

- (a) Various modes of Settlement of disputes under I.D. Act, 1947
- (b) Voluntary Arbitration and compulsory Adjudication

Module No.- 3

- (a) Strike and Lock-out
- (b) Lay off and Retrenchment

Module No.- 4

The Trade Union Act, 1926

- (a) (i) Definitions
(ii) Registration of Trade Unions
- (b) (i) Rights and Liabilities of Registered Trade Unions.
(ii) Recognition of Trade Unions

Module No.- 5

The Minimum Wages Act, 1948

- (a) (i) Concept of Wage.
(ii) Minimum, Fair and Living Wages
- (b) Fixation and revision of minimum wages

Module No.- 6

Maternity Benefits Act, 1961

- (a) Nature of benefits, eligibility, other privileges available
- (b) Forfeiture of Maternity Benefit, Role of Inspectors.

Module No.- 7

The Payment of Bonus Act, 1965

- (a) Concept and basis for the Calculation of Bonus
- (b) Eligibility and disqualification for Bonus.

Suggested Readings

1. Vaid K.N. : Labour Welfare in India
2. Kothari G.L. : Wages Dearness Allowances and Bonus
3. Chopra D.S. : Payment of Bonus Act, 1965
4. Misra S.N. Labour and Industrial Laws
5. Srivastava K.D. : Commentary on Industrial Disputes Act, 1947
6. Srivastava K.D. : Commentary on Minimum Wages Act, 1948
7. Srivastava K.D. : Commentary on Trade Union Act, 1926
8. Seth D.D. : Commentary on Industrial Disputes Act, 1948
9. O.P. Malhotra : The Law of Industrial Disputes
10. O.P. Malhotra : Law of Industrial Disputes
11. Bagri - Industrial Disputes Act.

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ECONOMICS-III

Paper 5.23

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

- (a) An introduction to Law and Economics
- (b) Brief review of micro and Macro economic theory

Module No.-2

- (a) Comparison of Tort v. Contract Law, Breach of Duty, Proximate Cause of Harm,
- (b) Hand Rule (Cost-benefit analysis), Economic Theory of Tort Law: Product Liability

Module No.-3

- (a) Legally enforceable contracts, Principal-Agent Problem (Introduction to Game Theory),
- (b) Principal-Agent Problem (Introduction to Game Theory),

Module No.-4

- (a) Rule of Hadley, Economic Theory of Contract law,
- (b) Judicial Approach and Economic efficiency.

Module No.-5

- (a) Elements of a Crime, Comparison of Criminal v. Tort Law,
- (b) Economic analysis of Crime and Criminal.

Module No.-6

- (a) Ownership: Private, Public. Possession, Intellectual property rights,
- (b) Economic Theory of Property.

Module No.-7

- (a) Indian Economic System: chief characteristics
- (b) Challenges of Indian Economic System

TEXT & REFERENCES:

1. Robert Cooter, Thomas Ulen: Law and Economics
2. Gopal Krishnan: Law and Economics
3. Mitchell Polinsky: Handbook of Law and Economics

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SOCIOLOGY-III

Paper 5.24

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

- (a) Development of Indian Society Development from Vedic and Post Vedic Society, Indian traditional order, Ashram and Varna System, Sanskars
- (b) Features of Indian Society

Module No.-2

- (a) Composition of Indian Society Rural and Urban Society, Meaning and their characteristics, Rural-Urban Linkage
- (b) Religious and ethnic minorities

Module No.-3

- (a) Basis of social stratification in Indian society—caste, class and tribes; d. Scheduled caste, scheduled tribe and other backward classes
- (b) Positive discrimination and affirmative action

Module No.-4

- (a) Joint family : meaning, characteristics, merits and demerits
- (b) Kinship— definition and forms; kinship system in north and south India—important features

Module No.-5

- (a) Trends of Social change in India: A Shift from Tradition to Modernity.
- (b) Process of Westernization, Modernization, Globalization, Liberalization,

Module No.-6

- (a) social justice in India, Children and youth, Aged, Physically challenged members of the society
- (b) National building and Women empowerment

Module No.-7

- (a) Social change through sanskritization, universalization and parochilization
- (b) Change initiated through state agencies—education, administrative policies, development processes

Books recommended

1. Mandelbaum, D.G. Society in India; Volume I and Volume II; Popular Prakashan, Mumbai; 1992
2. Bhushan, V. and D.R. Sachdeva An Introduction to Sociology; KitabMahal, Allahabad; 1999
3. Prabhu, H.P. Hindu Social Organisation: A study in Socio-Psychological and Ideological Foundations; Popular Prakashan, Bombay; 1963 (With effect from the Academic Session 2008-2009) 31
4. Beteille, A. Caste, Class and Power: Changing Patterns of Stratification in a Tanjore Village; Oxford University Press, New Delhi; 2002
5. Singh, Y. Social Change in India : Crisis and Resilience; har-Anand Publications Pvt. Ltd. New Delhi; 1993
6. Srinivas, M.N. Social Change in Modern India; Orient Longman Ltd. 1980
7. Sabharwal, G. Ethnicity and Class: Social Divisions in an Indian City; Oxford Unviesity Press; New Delhi; 2006
8. Vir, Dharam Kinship, Family and Marriage: Changing Perspectives (Edited); New Academic Pub. New Delhi; 2006.

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POLITICAL SCIENCE-V

Paper 5.25

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

- (a) **Plato:** Life and Works, Ideal State, Rule of Philosopher King, Theory of Education
- (b) **Plato:** Communism of Wives and Property, Theory of Justice, Changes in Platonic Stand from 'The Statesman' to 'The Laws', Plato's Contribution to Political Thought

Module No.-2

- (a) **Aristotle:** Life and Works, Theory of State and Ideal State or the Best State, Theory of Justice
- (b) **Aristotle:** Revolution, Slavery, Citizenship, Aristotle's Contribution to Political Thought

Module No.-3

- (a) **Nicolo Machiavelli:** Life and Works, Machiavelli as a Modern Thinker, Machiavelli on Human Nature, Ideas Morality and Religion, Ideas on State and Its Preservation as reflected in Prince, Machiavelli's Contribution to Political Thought
- (b) **Thomas Hobbes:** Ideas on Human Nature, State of Nature, Social Contract, Ideas on Sovereignty, Law, Rights and Liberties, Hobbes as an Individualist as well as Absolutist, Hobbes' Contribution to Political Thought

Module No.-4

- (a) **John Locke:** Ideas on Human Nature, State of Nature, Social Contract, Theory of Rights, Locke as an Individualist, Locke's Contribution to Political Thought
- (b) **Jean Jacques Rousseau,** Life and Works, Ideas on Human Nature, State of Nature, Social Contract, Theory of General Will and Popular Sovereignty, Rousseau's Contribution to Political Thought

Module No.-5

- (a) **Jeremy Bentham:** Life and Works, Utilitarianism of Bentham, Bentham on State and Government
- (b) **Bentham:** On Reforms in Law and Justice Administration System, On Punishment and Prison Reforms, Bentham's Contribution to Political Thought

Module No.-6

- (a) **John Stuart Mill:** Life and Works, Utilitarianism of Mill, Mill's Ideas on Liberty
- (b) **John Stuart Mill :** Ideas on State and Representative Government, Mill as a champion of Women's Rights, Mill's Contribution to Political Thought

Module No.-7

- (a) **Hegel:** Life and Works, Dialectical Idealism, views on State
- (b) **Karl Marx:** Life and Works, Dialectical Materialism, Class struggle, Economic Determinism, theory of Surplus Value, Communism, Contribution to Political Thought

Text book-

1. Mukhi, H.R.: Western Political Thought, Delhi, SBD Publisher's Distributors

Reference Books-

1. Mukherjee, S. & Ramaswamy, S.: A History of Political Thought- Plato to Marx, New Delhi, Prentice Hall
2. Sabine, G.H. & Thomsan, T.L.: A History of Political Theory, New Delhi, Oxford & IBH
3. Singh, S.: Western Political Thought, Vol I & II, New Delhi, Rastogi Publishers

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FAMILY LAW-II

Paper 6.26

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

Child and the Family

- (a) i. Legitimacy
- ii. Adoption
- (b) i. Custody, Maintenance and Education
- ii. Guardianship and Parental rights. Welfare of the child principle

Module No.-2

Inheritance

- (a) i. Succession to Property of a Hindu male dying intestate under the provisions of HAS 1956
- ii. Succession to property of Hindu Female dying intestate Disqualification relating to succession
- (b) i. General rules of Succession & exclusion from Succession
- ii. Heirs and their shares and distribution of Property

Module No.-3

Joint Family & Coparcenary

- (a) i. Mitakshara Joint family
- ii. Mitakshara Coparcenary – formation & incidents
- iii. Property under Mitakshara law–Separate Property and Coparcenary property
- (b) i. Dayabhaga Coparcenary –Formation & incidents
- ii. Property under Daybhaga law

Module No.-4

- (a) i. Partition and reunion
- ii. Property Jointly Acquired by Coparceners
- iii. Income of hereditary Profession
- iv. Property thrown into Common stock and blended property
- (b) Karta of Joint Family–his position, powers, privilege and obligations

Module No.-5

- (a) i. Alienation of Property
- ii. Separate Property
- iii. Coparcenary Property
- (b) i. Debts–Doctrines of Pious Obligations
- ii. Antecedent debt

Module No.-6

- (a) i. Alimony & Maintenance
- ii. Maintenance as a Personal obligation
- iii. Neglected Wives, Divorced Wives
- (b) i. Quantum of Maintenance
- ii. Arrears of Maintenance
- iii. Maintenance as a charge on property
- iv. Alternation of the amount of Maintenance
- v. Alimony & Maintenance as an Ancillary relief

Module No.-7

- (a) Maintenance of neglected wives, divorced wives, minor children, disabled children and parents who are unable to support themselves under the code of Criminal Procedure 1973
- (b) Special Marriage Act: Who and how a person can marry under the Act.
Right to Property to people who marry under special Marriage Act.

Case Laws

1. K.V. Narayana v. K.V. Ranganathan, AIR 1976 SC 1715
2. Commissioner of Wealth Tax v. Chandersen, AIR 1986 SC 1754
3. Raghavamma v. Chanchamma, AIR 1964 SC 136
4. Balmukund v. Kamlawati, AIR 2006 SC 3282
5. Anar Devi & others v. Parmeshwari Devi & others, AIR 2006 SC 3332
6. M/s Bay Berry Apartments Pvt. Ltd. & Anr v. Shobha & ors, AIR 2007 SC 226
7. Gurupad v. Hirabai, AIR 1978 SC 1239
8. Ritu Dutta & Anr v. Subhendu Dutta, AIR 2006 SC 189
9. Sharad Subramanyam v. Saumi Mazumdar & Ors, AIR 2006 SC 1993
10. Bhogadi Kannababu & Ors v. Vuggina Pydamma, AIR 2006 SC 2403

Reference:

1. Paras Diwan, Hindu Law (1985)
2. Paras Diwan, Muslim Law
3. Mulla, Muslim Law
4. Fyzee, Outlines of Muslim Law
5. Tahir Mahood, Hindu Law
6. Jaspal Singh, Law of Marriage and Divorce in India
7. N.D. Basu, Law of Succession

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LABOUR LAW-II

Paper 6.27

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

Concept and Philosophy of Labour Welfare

- (a) Theories of Labour Welfare
- (b) Role of Labour Welfare Officers and Trade Unions

Module No.-2

The Child Labour Prohibition and Registration Act, 1986

- (a) Definitions
- (b) Prohibition of Employment of Children in certain occupations and processes.

Module No.-3

The Factories Act, 1948

- (a) (i) Definition and concept of factory
- (ii) Manufacturing process
- (b) Provisions relating to health, safety and labour welfare

Module No.-4

(a) Working hour's leaves and Holidays under F.A., 1948

- (b) Protection to Women and Children

Module No.-5

The Payment of Wages Act, 1936

- (a) Definitions
- (b) Payment of Wages and deductions from wages.

Module No.- 6

International Labour Organisation

- (a) Aims, Objectives, origin and development
- (b) Constitution and organs

Module No.-7

Ratification of I.L.O. Convention by India, reasons of non ratification

Suggested Readings :

1. Misra S.N. : Labour and Industrial Law
2. Srivastava K.D. : Commentary on Factories Act, 1948
3. Dhyan S.N. : I.L.O. and India.
4. Chopra D.S. : Payment of Wages Act
5. Report of National Commission Labour
6. K.A. Vaid : Labour Welfare in India
7. Moorthy : Principles of Labour Welfare.
8. Johnson : I.L.O.

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COMPANY LAW

Paper 6.28

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

- (a) Definition, Evolution, Characteristic and Nature of Company, Advantages and Disadvantages of Incorporation,
- (b) Corporate Personality, Doctrine of Lifting of Corporate Veil and expectation , Kinds of Companies, Registration and Incorporation

Module No.-2

- (a) Promoters and Pre-incorporation Contracts, Memorandum of Association and Articles of Association , Alteration of MoA and AoA,
- (b) Doctrine of Ultra Vires, Constructive Notice of MoA&AoA, Doctrine of Indoor Management

Module No.-3

- (a) Prospectus and its kinds
- (b) Civil and Criminal liabilities for misrepresentation in prospectus

Module No.-4

- (a) Share capital, Shares, Transfer & Transmission of shares, procedures, restrictions on transfer,
- (b) Call, forfeiture, surrender of shares, Share certificate, share warrant, Debentures, Borrowing powers, Charge , Membership of Company

Module No.-5

- (a) Directors and its kinds, position, appointment, Powers and duties of Directors & Board, Others Managerial Personnel, appointment, their powers, duties, liabilities, functions,
- (b) Meetings and its Kinds, voting, Resolutions, Majority powers and Minority Rights, NCLT& Appellate Tribunal, Special Courts

Module No.-6

- (a) Oppression and Mismanagement,
- (b) Compromise, Reconstruction and Amalgamation,

Module No.-7

- (a) Winding up of Companies, Dissolution of Companies, Legal liability of Companies – Civil and Criminal,
- (b) Remedies against them: Civil, Criminal and Tortious

Leading Cases :

1. Avon Soloman v. Soloman Co. Ltd. (1897) AC 22.
2. Royal British Bank v. Turquand, (1856) 6 E & B 327
3. Ramkrishna Das Dhanuka v. SatyaGharan, AIR 1950 PC 51
4. Tata Engineering and Locomotive Ltd. v. State of Bihar, AIR 1965 SC 40.
5. Bajaj Auto Ltd., Poona v. N.K. Florida, AIR 1971 SC 321
6. Ashbury Railway Carriage and Iron Co Ltd v Riche (1875) LR 7 HL 653
7. Foss. v. Harbottle(1843) 67 ER 189

Suggested Readings:

1. Shah, S.M. : Lectures on Company Law
2. AvtarSingh : Company Law (English & Hindi)
3. Sen, G.M. : Company Law (cases and Materials)
4. Sanghal, P.S. : National and Multinational companies
5. Dhingra, L.C. : Principles of Company Law

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POLITICAL SCIENCE-VI

Paper 6.29

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

- (a) International relations: meaning, nature and scope
- (b) Science of International Politics and major developments

Module No.-2

- (a) Theories in international relations: Idealism, Realism,
- (b) Theories in international relations: Neo-realism, System theory, Marxist Approach

Module No.-3

- (a) National Interest: meaning and elements
- (b) Balance of power: meaning and features

Module No.-4

- (a) Cold war: Causes, Phases and Case studies – Korean Crisis, Vietnam Crisis, Cuban Crisis, Afghanistan Crisis, Gulf War-I
- (b) Post Cold War- Ongoing missions – Gulf War -II, Ethiopia, Somalia

Module No.-5

- (a) Foreign Policy – Alliances- NATO, CENTO, SEATO and WARSAW Pact and Non-Aligned Movement.
- (b) Indian Foreign Policy: Determinants of Foreign Policy, Panchsheel Agreement, Gujara Doctrine, Main features and India's relation with US, Pakistan and China

Module No.-6

- (a) United Nations: organs and functions of UN, demand for reforms
- (b) Efforts for regional cooperation; ASEAN, SAARC, BRICS, India's role in regional cooperation

Module No.-7

- (a) Nuclear Issues and disarmament: NPT, CTBT and India's nuclear policy
- (b) International terrorism

Books Recommended:

1. Rumki Basu, The United Nation: Structure and Function of an International Organisation, South Asia Books, 1993.
2. Chandra Prakash and Prem Arora, International Relations, Cosmos Bookhive, 2008.
3. E. H. Carr, International Relations Between Two World 1919-1939, Macmillan, 2004.
4. Shakti and Indrani Mukherjee, International Relations, World Press Pvt. Ltd., 2001.

Further Readings:

1. Hans J. Morgenthau, Politics Among Nations: The Struggle for Power and Peace, Revised, (New York: Alfred A. Knopf), 1978.
2. J.G. Starke, An Introduction to International Law, Butterworths, (Revised 1993).
3. Prof. M.P. Tandon, International Law and Human Rights, Allahabad Law Agency, 2005.
4. Joshua S. Goldstein, International Relations, Sixth Edition, Pearson Education, 2008.
5. J.N. Dixit, India's Foreign Policy and its Neighbours, Gyan Books, 2001.

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JURISPRUDENCE

Paper 6.30

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.- 1

INTRODUCTION

- A) Nature and scope of Jurisprudence
Relation of Jurisprudence with other Social Sciences
- B) Definition of Law: AUSTIN, SALMOND, HOLLAND, STONE

Module No.- 2

- A) NATURAL LAW SCHOOL : Ancient and Medieval Period
- B) NATURAL LAW SCHOOL : The Period of Renaissance

Module No.- 3

- A) NATURAL LAW SCHOOL : (Modern Period) Nineteenth, Twentieth, Post Independence
- B) ANALYTICAL LAW SCHOOL : Bentham, Austin

Module No.- 4

- A) ANALYTICAL LAW SCHOOL: H.L.A. Hart
- B) Kelsen: Pure theory of law

Module No.- 5

- A) HISTORICAL SCHOOL OF LAW: Puchta and Von Savigny
- B) HISTORICAL SCHOOL OF LAW: Sir Henry Maine

Module No.- 6

- A) SOCIOLOGICAL SCHOOL OF LAW: Ihering, Ehrlich
- B) SOCIOLOGICAL SCHOOL OF LAW: Duguit, Rosco Pound

Module No.- 7

- A) REALIST SCHOOL OF LAW (American Realism): Karl Llewellyn, Jerome Frank, Holmes, Arnold
- B) REALIST SCHOOL OF LAW (Scandinavian Realism): Hagerstrom, Olivecrona, Ross

Case Laws:

1. Hussainara Khatoon v. State of Bihar [AIR 1979 SC 360]
2. Keshavanand Bharti v. State of Kerala [AIR 1973 SC 1461]
3. Maneka Gandhi v. Union of India [AIR 1978 SC 597]

Reference Books:

1. Dias, Jurisprudence, Aditya Books (ND)
2. Dhyani, S.N., Fundamentals of Jurisprudence
3. Mahajan, V.D., Jurisprudence and Legal Theory
4. Paranjape, Dr. N.V., Studies in Jurisprudence and Legal Theory

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LAW OF PROPERTY

Paper 7.31

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Objectives of the Course:

Possession of property is considered a highly prestigious asset of a family. The law relating to transfer of immovable property must be understood in minute details as the complexities of law with regard to transfer of property must be necessarily be understood by the students of law. Any derivative transfer may give rise to a new series of crimes arising out of the holding of property. The prevalent system of various types of mortgages and various other encumbrances on the property should necessarily be understood by the student of law. With the regulation of rent laws of the urban property it is considered that the transfer of immovable property by way of lease has been modified in different states but the theme of regulation of transfer is still controlled by Transfer of Property Act, 1882. The study of Transfer of Property Act 1882 would make the student to understand the significance of property law in different jurisdiction.

Module No.- 1

- (a) i. Concept and meaning of property
- ii. Kinds of property movable property, immovable property, tangible intangible property
- (b) i. Intellectual property copyright patents and trademarks
- ii. Law relating to registration of documents affecting property relations
- iii. Documents of which registration is compulsory.

Module No.- 2

- (a) i. Transfer of Property Act 1882; Object, Scope and Scheme
- ii. Immovable Property, Concept of Property, Kinds
- (b) i. Attestation, Notice
- ii. Actionable Claim

Module No.- 3

- (a) i. Transfer of Property, What may be Transferred, Persons competent to transfer, Operation of transfer, Oral transfer.
- ii. Conditions restraining Alienation, enjoyment, Transfer for the benefit of unborn person
- (b) i. Direction for accumulation, vested and contingent interest
- ii. conditional Transfers. Condition precedent, condition subsequent and collateral conditions

Module No.- 4

- (a) i. Doctrine of Election
- ii. Doctrine of *lis pendens*
- (b) i. Fraudulent Transfer
- ii. Doctrine of part performance

Module No.- 5

- (a) i. Sale Definition, right and duties of seller and buyer
- ii. Lease definition, Duration, lease making
- iii. Right and liabilities of lessor and lessee, Determination of lease
- (b) i. Waiver of forfeiture, Waiver of notice to quit, Relief against forfeiture for non-payment of rent and in certain other cases.
- ii. Effect of holding over, exemption of leases for agriculture purposes.

Module No.- 6

- (a) i. Mortgage, Its kinds, Mortgage when to by assurance.
- ii. Right and liabilities of mortgagor and mortgagee
- (b) i. Marshalling, contribution and Charge
- ii. Person who may sue for redemption, Subrogation

Module No.- 7

- (a) i. Gift; definition, suspension or revocation, onerous gift.
- ii. Easement; definition, types
- (b) i. Creation, Suspension, Revival
- ii. Licenses Creation, suspension, transfer and revocation

Leading Cases

1. R.K. Kempraj v. Burton Sons & Co., AIR SC 1872
2. Om Prakash v. Prakash Chand, AIR 1992 SC 885
3. Nathu Lal v. Phool Chand, AIR 1970 SC 546
4. Bhratham Prakash v. Manbir Singh, AIR 1963 SC 1607
5. Cheriyan Sosamma and Others v. Sundaressan Pillai, AIR 1999 SC 947
6. Ramamurthy Subudhi v. Gopinath, AIR 1968 SC 919
7. Vishwa Nath v. Ramraj and Others, AIR 1991 All. 193
8. Rajbir Kaur v. S. Chokosiri and Co., AIR 1988 SC 1845

Bibliography

1. Mulla, Transfer of Property Act (1999) Universal, Delhi
2. Subbarao, Transfer of Property Act (1994), C. Subbiah Chetty, Madaras
3. V.P. Sarathy, Transfer of Property (1995), Eastern, Locknow
4. S.N. Shukla Transfer of Property Act, Allahabad Law Agency, Allahabad

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ADMINISTRATIVE LAW

Paper 7.32

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Objectives of the Course:

Control of government for ensuring the exercise of public power according to the constitution and the rule of law is the function of administrative law. The scope of this law is as broad and involved as the extent of government itself. This course will examine the history of this branch of law, its nature, scope and functions, the nature and control of delegated power including the rule making, the regulation of administrative direction and principles of administrative adjudication. The subject will be handled in a comparative perspective wherever desired.

Module No.- 1

- (a) Evolution, Nature and Scope of Administrative Law;
 - i. From a Laissez-Faire to a social welfare state;
 - ii. Administrative law, Scope of - Administration and Administration Law;
 - iii. Classification of Administrative Action.
- (b) Administrative Law, Scope of - Contd-
 - i. Rule of Law and Administrative Law;
 - ii. Constitutional Background of Administrative Law;
 - iii. Some Representative definitions of Administrative Law;
 - iv. Relationship between Administrative Law and Constitutional Law.

Module No.- 2

- (a) Evolution of Administration as the fourth branch of Government-
 - i. Necessity for Separation of Powers and Delegation of Power on administration
 - ii. Separation of powers;
 - iii. Delegation of legislative power-
 - iv. Constitutionality of delegated legislation - Powers of exclusion and inclusion and the power to modify the statute.
- (b) Delegation of powers - contd:
 - i. Subordinate, Conditional and delegated Legislation;
 - ii. What delegation is permissible, what functions cannot be delegated by the legislature, the power 'to remove difficulties';
 - iii. Requirements for the validity of delegated legislation and legislative control of delegated legislation;
 - iv. Publication of delegated legislation; laying procedures and their efficacy.

Module No.- 3

- (a) Delegated Legislation contd:
 - i. Judicial control of delegated legislation;
 - ii. Sub-Delegation of legislative powers
- (b) Administrative Tribunals and other adjudicating authorities:
 - i. Their ad-hoc character.
 - ii. Tribunals-need, nature, constitution, jurisdiction and procedures;
 - iii. Jurisdiction of administrative and other authorities

Module No.- 4

- (a) Administrative Functions and Control:
 - i. Distinction between quasi-judicial and administrative functions
 - ii. Rules of natural justice
 - iii. Reasoned decisions
- (b) i. Institutional decisions
ii. Administrative Appeals

Module No.- 5

- (a) Judicial Control:
 - i. Judicial Control of Administrative action;
 - ii. Exhaustion of administrative remedies;
 - iii. Standing: Standing for Public interest litigation (social action litigation) collusion, bias.
- (b) i. Laches, Res Judicata
ii. Jurisdictional error/ultra vires-
 - 1) Abuse and non exercise of jurisdiction;
 - 2) Error apparent on the face of the record;
- iii. Violation of principles of natural justice;
- iv. Unreasonableness.

Module No.- 6

- (a) Remedies in judicial review:
i. Statutory appeals;
ii. Writs.
- (b) i. Declaratory judgments and injunctions
ii. Specific performance and civil suits for compensation

Module No.- 7

- (a) Administrative Discretion:
i. Need for administrative discretion;
ii. Administrative discretion and rule of law;
iii. Limitations on the exercise of discretion;
iv. Constitutional imperatives and use of discretionary authority;
v. Irrelevant considerations;
vi. Non-exercise of discretionary power.
- (b) Informal methods of settlement of disputes and grievance redressal procedures;
i. Conciliation and mediation through social action groups;
ii. use of media, lobbying and public participation;
iii. public inquires and commissions of inquiry;
iv. Ombudsman: Lok Pal and Lok Ayukta;
v. Vigilance Commission

Referred Case Laws:

1. Asif hameed v. State of J&K, AIR 1989 SC 1899
2. Ram Jawaya Kapoor v. State of Punjab., AIR 1955 SC 549
3. In re Delhi Laws Act, AIR 1951 SC 332
4. Lachmi Narayan v. Union of India, AIR 1992 SC 1848: (1992) 4 SCC 28
5. A.K. Kraipak v. Union of India, AIR 1970 SC 150
6. Amar nath Choudhary v. Braithwaite & Co. Ltd. (2002) 2 SCC 290: AIR 2002 SC 1260
7. Bharat Petroleum Corpn. Ltd. v. Maharashtra General Kamgar Union (1999) 1 SCC 626
8. Maneka Gandhi v. Union of India (1978) 1 SCC 248
9. H.L. Trehan v. Union of India (1989) 1 SCC 764
10. S.N. Mukherjee v. Union of India (1990) 4 SCC 594: AIR 1990 SC 1984
11. State of U.P. v. Harendra Arora (2001) 6 SCC 392
12. Indian Rly. Construction Co. Ltd. v. Ajay Kumar (2003) 4SCC 579
13. Dwarka Prasad Laxmi Narain v. State of U.P. (1954) SCR 803
14. A.N. Parasuraman v. State of Tamil Nadu, AIR 1990 SC 40
15. Shri Lekha Vidhyaathi v. State of U.P., AIR 1991 SC 537
16. G. Sadananadan v. State of Kerala, AIR 2001 SC 343: (2001) 2SCC590
17. Express Newspapers (Pvt)Ltd. v. Union of India, AIR 1986 SC 872
18. State of Bombay v. K.P. Krishnan (1961) 1SCR 227: AIR 1960 SC 1233
19. Shri Ram Sugar Industries Ltd. v. State of A.P. (1974) 1 SCC 534: AIR 1974 SC 1745
20. T.K. Rangarajan v. Govt. of Tamil nadu, AIR 2003 SC 3032
21. Surya Dev Rai v. Ram Chander Rai, AIR 2003 SC 3044
22. S.P. Gupta v. President of India, AIR 1982 SC 149 (Locus Standi)
23. Syed Yakoob v. K.S. Radha Krishna (1964) 5 SCR 64: AIR 1964 SC 477
24. Anadi Mukta Sadguru S.M.V.S.S. J.M.S. Trust v. V.R. Rudani (1989) 2 SCC 691: AIR 1989 SC 1607
25. Common Cause v. Union of India, AIR 2003 SC 4493 (No mandamus for the exercise of discretionary power)
26. Rupa Ashok Hurra v. Ashok Hurra, AIR 2002 SC 1771
27. India Jai Singh v. Registrar, 2003(4) SCALE 643
28. Chandra Kumar v. Union of India, AIR 1997 SC 1125

Bibliography

1. C.K. Allen, law and orders (1985)
2. D.D. Basu, Comparative Administrative law (1998)
3. Wade, Administrative law (Seventh Edition, Indian Print 1997), Universal, Delhi

PUBLIC INTERNATIONAL LAW-II

Paper 7.33

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Objectives:

In present International scenario develop as well as developing Nations are interacting with each other for the fulfillment of their national interests but some IGO's as well as NGO's are controlling and guiding the behavior of these Nation in International environment, so the objective of this course is to provide the knowledge to students about the origin, nature and functioning of various International Institutions.

Module No.- 1

- (a) International Institutions : meaning and features
- (b) League of Nations: Origin, Organs, Role and causes failure

Module No.- 2

- (a) United Nations: UN Charter, Features and Provisions.
- (b) UN General Assembly: Composition, Functions and powers, Uniting for peace Resolution.

Module No.- 3

- (a) UN Security Council: Composition, Voting procedure, Functions and Powers
- (b) Limitations and Demands of U.N. Security Council

Module No.- 4

- (a) Contribution of U.N. Security Council in the maintenance of peace and security. (By peaceful means)
- (b) Contribution of U.N. Security Council in the maintenance of peace and security. (By forceful methods)

Module No.- 5

- (a) Economic and Social Council : Composition, Functions and Role.
- (b) U.N. and Protection of Human Rights.

Module No.- 6

- (a) International Courts of Justice: Composition, Jurisdiction, Powers and Functions.
- (b) Contribution of International Court of Justice in Settlement of International disputes

Module No.- 7

- (a) Specialized Agency of UN: IMF, IBRD (World Bank) : Origin, Objectives, Functions and Role.
- (b) WHO, ILO: Objectives, Origin, Functions and Role.

Reference Books

1. Rumki Basu – The United Nations and functions of an international organization 1993
2. K.P. Sakesena – Reforming the United Nations the challenge of relevance (New Delhi 1993)
3. S.K. Kapoor - International Law and Human Rights
4. D.N. Bowett – The law of International Institutions
5. Priyag Singh – International Institutions.

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LAW OF CRIMES-I

Paper 7.34

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aims and objectives :

Crimes take place in almost all societies. Therefore, almost every country has criminal laws. Criminal law of a country must contain the substantive criminal law, the procedural criminal law and law relating to evidence. The basic core substantive criminal law in India is contained in the Indian Penal Code, 1860. The procedural criminal law is in the form of Code of Criminal Procedure, 1973 and the evidence law has been codified in the Indian Evidence Act, 1872. It is necessary for the students of law to know these laws. The Indian Penal Code, 1860 has been divided under two parts – Criminal Law-I and Criminal Law-II which deal with general principles and specific offences respectively and are part of the syllabus of Seventh and Eight semesters in that order.

Module No.- 1

1. Nature and definition of crime
2. Crime and offence
3. Crime and Tort
4. Criminal Law and Criminal Science
5. Principle of criminal liability – Et actus non facit reum nisi mens sit rea. Applicability of this principle to India.
6. Burden of proof on the prosecution – presumption of innocence of accused
7. Interpretation of Penal Statutes
8. Theories of Punishment – Retributive, Expiatory, Deterrent, Preventive and Reformative.
9. Protection in respect of conviction for offences (Article 20, Constitution of India)
10. Protection against arrest and detention in certain cases (Article 22, Constitution of India)

Module No.- 2

1. Title and extent of operation of the Indian Penal Code (Section 1)
2. Territorial jurisdiction (Sections 2, 3, 4)
3. Certain Laws not to be affected by the Indian Penal Code (Section 5)
4. General explanations (Sections 6 to 52-A, Except section 34 to 38 which are part of Module 7)
5. Punishments (Sections 53, 54, 55, 55-A, 57, 60, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75)

Module No.- 3

1. Stages of crime – (1) mental, (2) preparation, (3) attempt and (4) completion
2. Mental stage generally not punishable
3. Preparation generally not punishable. But when is a preparation punishable ?
4. Inchoate crime – Meaning and contents
5. Attempt – (1) Impossible, (2) Possible
6. Impossible attempt – Impossible attempt to body offence generally not punishable but impossible attempt to property offences generally punishable.
7. Possible attempt – mainly sections 307 and 309. Possible attempt generally punishable
8. Constitutionality of attempt of commit suicide section 309

Module No.- 4

Abetment and Abettor (Mainly sections 107, 108, 108-A, 111, 113, 305 306, 109 and 114)

Module No.- 5

General exceptions (Sections 76, 79, 84, 85, 86, 96, to 106)

Module No.- 6

General exceptions (Sections 77, 78, 80, 81, 82, 83, 87, 88, 89, 90, 91, 92, 93, 94, 95)

Module No.- 7

1. Joint liability, constructive liability, vicarious liability (Sections 34, 35, 36, 37, 38, 141, 142, 143, 145, 146, 147, 148, 149, 153-A, 153-B, 159, 160)
2. Criminal Conspiracy (Sections 120-A, 120-B). Difference between criminal conspiracy and abetment by conspiracy

Important decided Cases:

1. R.S. Nayak v. A.R. Antulay AIR 1984 SC 684
2. Ranjan Rai v. State of Bihar 2006 CrLJ 163 (SC)
3. Dalip Singh v. State AIR 1993 SC 2119
4. Shrikant Anandrao Bhosale v. State of Maharashtra 2002 CrLJ 4356 (SC)
5. Guljara Singh v. State 1971 CrLJ 498 (SC)
6. Munshi Ram v. Delhi Administration AIR 1968 SC 702
7. State (NCT of Delhi) v. Navjot Sandhu 2005 CrLJ 3950 (SC)
8. Bhimrao v. State of Maharashtra 2003 CrLJ 1204 (SC)
9. Kallu v. State of Madhya Pradesh 2006 CrLJ 799 (SC)
10. Gyan Kaur v. State of Punjab JT (1996) 3 SC 339

Suggested Readings:

1. Hari Singh Gour : Penal Law of India
2. Ratan Lal & Dhiraj Lal : The Indian Penal Code
3. Prof. T. Bhattacharyya : The Indian Penal Code
4. Prof. S.N. Misra : The Indian Penal Code
5. P.S. Pillai : Criminal Law
6. K.N.C. Pillai : General Principles of Criminal Law
7. K.D. Gaur : A Text Book on the Penal Code

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PRINCIPLES OF TAXATION LAWS

Paper 7.35

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aims and Objectives of the Course:

The power to tax is an incident of sovereignty; and since the Constitution of India is the supreme law of the land, all other laws, including the Income-tax Act, are subordinate to the Constitution and must be read and interpreted in the light of the constitutional provisions. In *India Cement Ltd. v. State of Tamil Nadu*, a seven-judge Bench of the Supreme Court observed that the Constitution is the mechanic/sm under which the laws are to be made and not merely an Act which declares what the law is to be one of the most important provisions of the Constitution relating to taxation is art 265, which provides. No tax shall be levied or collected except by authority of law. Therefore, not only the levy but also the collection of a tax must be under the authority of some law. Law means law enacted by a competent legislature and cannot include an executive order, or a rule without express statutory authority, or a custom. Thus, any act of the state that seeks to impose a tax without legislative authority will be void.

The following syllabi prepared with this prospective in view comprise of about 7 units of 4 hours each.

Module No.-1

Income Tax Act 1961

Concepts and Definition:-

- i. Certain Important Definition
- ii. Basis of Charge
- iii. Residence of Assessee

Module No.-2

Computation of Total Income (Part-A)

- i. Salaries
- ii. Income from House Property
- iii. Income from other Source

Module No.-3

Computation of Total Income (Part - B)

- i. Profits & gains from Business or Profession
- ii. Capital Gain

Module No.-4

Clubbing & Aggregation of Income

Module No.-5

Set off or Carry forward and set off

Module No.-6

Exemption / Deductions:

- i. Exempted Income
- ii. Deduction from total income
- iii. Deduction in respect of payments
- iv. Deduction in respect of certain income

Module No.-7

Procedure for assessment:

- i. Filing of return
- ii. Assessment and Re-assessment
- iii. Rectification of mistake
- iv. Appeals and Revision

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Case Law:

1. Travanco Tea estate co. Ltd. v. Commissioner of income tax ITR 154 (1985)
2. Sutlej Cotton Mills Ltd appellant Commissioner of income tax (vc) to ITR 1991
3. Hindustan Steel Ltd. v. State of Orisa 25 S T C 211 (SC)
4. Income tax appeal 585 of 2005 (O.M.) Ashok Kumar Gupta v. Commissioner of income tax
5. Income tax act (2006) 31 Rep 166 ITAT Amritsar Chitty Co. operative society Pathankot income tax officers ward I Pathankot
6. ITA/185/2006 DATED 18.8.2006 Commissioner of Income Tax v. Glocom Incomplete Ltd.

Books Recommended:

1. Gupta, RR- Income Tax and Practice
2. Kanga & Palkiwala - The Law and Practice of Income Tax
3. Income Tax Act - A.K. Saxena (English & Hindi).

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RAJASTHAN LAND LAWS

Paper : 8.36

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

Rajasthan Tenancy Act, 1955

Preliminary: object and reason, Definition- Agriculture year, Agriculture, Agriculturalist, Crops, Estate, Estate holder, Grove-land, Holding, Improvement, Khudkasht, land, land cultivated personally, Land holder, Pasture land, Rent, Revenue, Sayar, Tenant, Nalbat. Classes of Tenants, Primary Right of Tenant, Surrender, Abandonment and Extinction.

Module No.-2

Rajasthan Tenancy Act, 1955

Determination and modification of Rent, Payment and recovery of rent, Ejectment of Tenants, Remedies for Wrongful Ejectment of tenants. Question of proprietary rights in Revenue court, Question of tenancy Right in civil court

Module No.-3

Rajasthan Revenue Act, 1956

The Board of Revenue, Revenue Courts and Officers, Appeal, Reference, Revision and Review, Survey, records of right, Maintenance of maps and record, annual register

Module No.-4

Rajasthan Revenue Act, 1956

Settlement operation, rent rates, collection of revenue

Module No.-5

Rajasthan Rent Control Act, 2001

Preliminary: object and reasons, Definition-Amenities, Landlord, Premises, Tenant. Revision of rent, limited period tenancy, eviction of tenants, right of landlord to recover immediate possession in certain cases, restoration of possession of illegally evicted tenant and procedure there of.

Module No.-6

Rajasthan Rent Control Act, 2001

Constitution of tribunals, procedure for revision of rent and eviction, Appeal and Execution Amenities.

Module No.-7

Land Acquisition Law

Preliminary: object and reason, Definition: affected family, agriculture land, cost of acquisition, displaced family, infrastructure project, marginal farmer, market value, person interested, public purpose, and resettlement area. Determination of social impact and public purpose, special provision to safeguard food security, Notification and Acquisition, Rehabilitation and Resettlement Award and procedure relating to it. Procedure relating to land acquisition, rehabilitation and resettlement authority, apportionment and payment of compensation.

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ENVIRONMENTAL LAW

Paper : 8.37

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

- (1) Constitutional provision in relation with preservation and protection of Environment
- (2) International Law and environment protection; The Stockholm Declaration 1972; Agenda 21; WTO and Environment; The Copenhagen Conference 2009

Module No.-2

1. Environment (Protection) Act 1986; Its definition and other related terms
2. Power of the Central Government under the Act

Module No.-3

1. Duties of the persons handling hazardous substances under the Act, 1986
2. Offences under the Act, 1986

Module No.-4

1. The Water (Prevention and Control of Pollution) Act, 1974; Definitions, Central and State Pollution control Boards- Powers and Functions
2. Discharge of sewage and trade pollutants; Offences under the Act; Pollution Control Boards under the Act 1986.

Module No.-5

1. The Air (Prevention and Control of Pollution) Act, 1981; Definitions, Pollution Control Boards
2. Functions and Powers of the Board; Offences under the Act of 1981.

Module No.-6

1. Environment Protection and Sustainable Development
2. The National Environment Tribunal Act 1995

Module No.-7

- (1) The Public Liability Insurance Act, 1991

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ALTERNATIVE DISPUTE RESOLUTION

Paper : 8.38

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Objectives of the course

The major concern of law is dispute resolution. Familiarization with the modalities of resolution of conflict is a necessary component in the efforts of developing expertise in juridical exercise. The traditional justice delivery system through adjudication by the court had already given way to a large extent to many alternative modes of dispute resolution in the common law countries. The study of ADR is highly significant in molding the student of law to act as soldiers of justice. The course aims to give an insight into the processes of arbitration, conciliation and mediations in areas where the traditional judicial system had its way in the past and in the new areas of conflicts that demand resolution by alternative methods. The course has to be taught with comparative and international prospective with a view to bringing out the essential awareness of the national and international systems of resolving the disputes.

Module No.- 1

- (a) i. Meaning of dispute, Necessity of Dispute Resolution
- ii. Mechanism of Dispute Resolution, ADRs and their importance
- (b) i. Alternatives to Judicial Process, Negotiation, Mediation, Compromise, Conciliation
- ii. Arbitration, Lok Adalats, Panchayats
- iii. Distinction between ADR & Judicial Dispute Resolution

Module No.-2

- (a) i. Historical background of Arbitration in India
- ii. THE ARBITRATION Act, 1940 & its shortcomings
- (b) i. UNCITRAL Model Law
- ii. HISTORICAL Background of Arbitration & Conciliation Act, 1996
- iii. Aims and objects of Arbitration and Conciliation Act, 1996

Module No.- 3

- (a) i. Concept of Arbitration, Kinds of Arbitration, International Commercial Arbitration
- ii. Arbitration Agreement, Essentials, Validity, Reference to Arbitration, Interim Measure by Court
- (b) i. Arbitration Tribunal – Composition, Jurisdiction, Appointment
- ii. Challenge to appointment, Powers
- iii. Procedures and Court Assistance

Module No.- 4

- (a) i. Conduct of arbitral proceedings
- ii. Arbitral award—forms and contents, ground of validity of award
- iii. Corrections and Interpretations, nature and contents of award. Form of award. Grounds of setting aside an award
- (b) i. Finality of arbitral award
- ii. Enforcement of an award
- iii. Appeals and Revision, costs.

Module No.- 5

- (a) i. Foreign Arbitral Award
- ii. Enforcement of Foreign Awards
- (b) i. New York convention, 1958
- ii. Geneva Convention, 1928

Module No.- 6

- (a) i. Conciliation—appointment, Communication, Role of Conciliator
- ii. Termination of Conciliation Proceedings
- iii. Nature of Awards Costs.
- (b) i. Conciliation proceedings in CPC
- ii. Conciliation proceedings under Industrial Dispute Act
- iii. Conciliation in Family Disputes

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Module No.- 7

- (a) i. Legal Services Authorities Act
ii. Formation of Lok Adalats, Enforcement of Awards
- (b) i. Role of NGOs in Dispute Settlement
ii. Settlement of International Disputes by Peaceful means.

JUDGMENTS:

1. Bombay Gas Company v. Parmeshwar Mittal, AIR 1998 Bom. 118
2. Tamil Nadu Electricity Board v. Bridge Tunnel Construction, AIR 1997 SC 1376
3. M/s ITI limited Allahabad v. Distt. Allahabad AIR 1998 All. 318
4. Grid Corporation of Orissa ltd. v. Indian Charge Chrome ltd. AIR 1998 SC 1761
5. Kulbir Singh Rattan Sing v. New Delhi Municipal Council, AIR 1998 Del 230
6. M.M.T.C. Ltd v. Sterlite industries Ltd., AIR 1997 SC 605
7. K.K. Modhi v. K.N. Modhi, AIR 1998 SC 1297
8. Indian Oil Corporation Ltd. v. Kiran Construction Co., AIR 2003 Del. 282
9. Oil and Natural Gas Commission v. Saw Pipes, AIR 2002 SC 2629
10. NTPC v. Singer Company, AIR 1993 SC 998

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LAW OF CRIMES-II

Paper : 8.39

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aims and objectives :

Crimes take place in almost all societies. Therefore, almost every country has criminal laws. Criminal law of a country must contain the substantive criminal law, the procedural criminal law and law relating to evidence. The basic core substantive criminal law in India is contained in the Indian Penal Code, 1860. The procedural criminal law is in the form of Code of Criminal Procedure, 1973 and the evidence law has been codified in the Indian Evidence Act, 1872. It is necessary for the students of law to know these laws. The Indian Penal Code, 1860 has been divided under two parts – Criminal Law-I and Criminal Law-II which deal with general principles and specific offences respectively and are part of the syllabus of Seventh and Eight semesters in that order.

Module No.- 1

Miscellaneous

1. Waging, or attempting to wage war or abetting waging of war, against the Govt. of India (Section 121)
2. Conspiracy to commit offences punishable by Section 121 (Section 121-A)
3. Sedition (Section 124-A)
4. Giving false evidence (Section 191)
5. Fabricating false evidence (Section 192)
6. Threatening any person to give false evidence (Section 195-A)
7. Causing disappearance of evidence of offence, or giving false information to screen offender (Section 201)
8. Disclosure of identity of the victim of certain offences, etc. (Section 228-A)
9. Failure by person released on bail or bond to appear in court (Section 229-A)
10. Definitions of Coin & Indian Coin (Section 230)
11. Counterfeiting Coin and Indian Coin (Sections 231,232)
12. Public Nuisance (Section 268)
13. Keeping lottery office (Section 294-A)
14. Deliberate and malicious acts intended to outrage religious feelings of any class by insulting its religion or religious beliefs (Section 295-A)

Module No.- 2

1. Culpable homicide (Section 299)
2. Murder (Section 300)
3. Difference between culpable homicide not amounting to murder and murder

Module No.- 3

1. Culpable homicide by causing death of person other than person whose death was intended (Section 301)
2. Punishment for murder (Section 302)
3. Punishment for murder by life convict (Section 303)
4. Constitutionality of Section 303
5. Punishment for culpable homicide not amounting to murder (Section 304)
6. Causing death by negligence (Section 304-A)

Module No.- 4

1. Dowry death (Section 304-B)
2. Husband or relatives of husband of a woman subjecting her to cruelty (Section 498-A)
3. Assault or Criminal force to woman with intent to outrage her modesty (Section 354)
4. Word, gesture or act intended to insult the modesty of a woman (Section 509)
5. Rape (Section 375)
6. Punishment for rape (Section 376)
7. Intercourse by a man with his wife during separation (Section 376-A)
8. Intercourse by public servant with woman in his custody (Section 376-B)
9. Intercourse by superintendent of jail, remand home etc. (Section 376-C)
10. Intercourse by any member of the management or staff of a hospital with woman in that hospital (Section 376-D)
11. Bigamy (Section 494)
12. Adultery (Section 497)

Module No.- 5

1. Thug (Section 310)
2. Causing miscarriage (Section 312)
3. Hurt (Section 319)
4. Grievous Hurt (Section 320)
5. Wrongful restraint (Section 339)
6. Wrongful confinement (Section 340)
7. Force (Section 349)
8. Criminal Force (Section 350)
9. Assault (Section 351)
10. Kidnapping from India (Section 360)
11. Kidnapping from lawful guardianship (Section 361)
12. Difference between kidnapping from lawful guardianship and abduction

Module No.- 6

1. Theft (Section 378)
2. Extortion (Section 383)
3. Difference between theft and extortion
4. Robbery (Section 383)
5. Dacoity (Section 391)
6. Difference between robbery and dacoity
7. Dishonest Misappropriations of Property (Section 403)
8. Difference between theft and dishonest misappropriation of property
9. Dishonest misappropriation of property possessed by deceased person at the time of his death (Section 404)
10. Criminal breach of Trust (Section 405)
11. Difference between criminal misappropriation and criminal break of trust
12. Stolen property (Section 410)

Module No.- 7

1. Cheating (Section 415)
2. Cheating by personation (Section 416)
3. Mischief (Section 425)
4. Criminal Trespass (Section 441)
5. House Trespass (Section 442)
6. Lurking house trespass (Section 443)
7. Lurking house trespass by night (Section 444)
8. House breaking (Section 445)
9. House breaking by night (Section 446)
10. Forgery (Section 463)
11. Making a false document (Section 464)
12. Defamation (Section 499)
13. Criminal intimidation (Section 503)
14. Difference between criminal intimidation and extortion

Decided Important Cases:

1. Reg. v. Govinda (1876) 1 Bom. 342
2. Laxman Kalu v. State of Maharashtra, AIR 1968 SC 1390
3. Dalip Singh v. State AIR 1993 SC 2119
4. Virsa Singh v. State of Punjab AIR 1958 SC 465
5. Prabhudayal v. State AIR 1993 SC 2164
6. Bachan Singh v. State of Punjab AIR 1980 SC 898
7. Mithu Singh v. State AIR 1983 SC 473
8. Reema Agarwal v. Annpam 2004 CrLJ 892 (SC)
9. ICICI Bank Ltd. v. Prakash Kaur AIR 2007 SC 1349
10. GV Rao v. LHV Prasad 2002 CrLJ 3487 (SC)

Suggested Readings:

1. Hari Singh Gour : Penal Law of India
2. Ratan Lal & Dhiraj Lal : The Indian Penal Code
3. Prof. T. Bhattacharyya : The Indian Penal Code
4. Prof. S.N. Misra : The Indian Penal Code
5. P.S. Pillai : Criminal Law
6. K.N.C. Pillai : General Principles of Criminal Law
7. K.D. Gaur : A Text Book on the Penal Code

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INTERPRETATION OF STATUTES & PRINCIPLES OF LEGISLATION

Paper : 8.40

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.- 1

- (i) Different Parts of Statutes
- (ii) Classification of Statutes
- (iii) Interpretation and Construction
- (iv) Literal Interpretation
- (v) Mischief Rule of Interpretation
- (vi) The Golden Rule of Interpretation
- (vii) Harmonious Construction

Module No.- 2

- (i) The Statute should be read as a whole
- (ii) Construction ut res magis valeat quam pereat
- (iii) Identical expressions to have same meaning
- (iv) Construction noscitur a sociis
- (v) Construction ejusdem generis

Module No.- 3

- (i) Construction expressio unius est exclusio alterius
- (ii) Construction contemporanea expositio est fortissima in lege
- (iii) Beneficial construction
- (iv) Strict construction of penal statutes
- (v) Strict constructions of taxing (fiscal) statutes

Module No.- 4

- (i) Interpretation of statutes in pari materia
- (ii) Interpretation of amending statutes
- (iii) Interpretation of consolidating statutes
- (iv) Interpretation of codifying statutes
- (v) Mandatory and directory enactments
- (vi) Conjunctive and disjunctive enactments

Module No.-5

- (i) Internal aids to interpretation
- (ii) External aids to interpretation
- (iii) Presumptions regarding jurisdiction
- (iv) Commencement of legislation
- (v) Repeal of legislation
- (vi) Revival of legislation
- (vii) Retrospective operation statutes

Module No.- 6

Interpretation of the Constitution

- (i) Principle of implied powers
- (ii) Principle of incidental and ancillary powers
- (iii) Principle of implied prohibition
- (iv) Principle of occupied field
- (v) Principle of pith and substance
- (vi) Principle of colourable legislation
- (vii) Principle of territorial nexus
- (viii) Principle of severability
- (ix) Principle of prospective over ruling
- (x) Principle of eclipse

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Module No.- 7

(i) Principles of legislation

- Principle of utility (Chapter-I)
- The Ascetic Principle (Chapter-II)
- The Arbitrary Principle (or the principle of sympathy and antipathy) (Chapter-III)
- Different kinds of Pleasures and Pains (Chapter-VI)

(ii) Principles of the Civil Code – Objects of the Civil Law

- Rights and obligations (chapter-I)
- Ends of Civil Law (Chapter-II)

(iii) Principles of the Penal Code

- Classification of offences : subdivision of offences and some other divisions (Chapter-II &II)
- Punishments which ought not to be inflicted (Chapter-I)
- Proportion between offences and punishments (Chapter-II)
- The kinds of punishments (Chapter-VII)

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LAW OF EVIDENCE

Paper 9.41

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Objectives of the course:

The law of evidence is an indispensable part of both substantive and procedural laws. It imparts credulity to the adjudicatory process by indicating the degree of veracity to be attributed to facts before the form. This paper enables the students to appreciate the concept and principle underlying the law of evidence and identify the recognized forms of evidence and its sources. The subjects seek to impart to the student the skill of the examination and appreciation of oral and documentary evidence in order to find out the truth. The art of examination and cross-examination and the shifting nature of burden of proof are crucial topics. The concepts in by amendments to the law of evidence are significant parts in this course.

Module No.- 1

- (a) Main Features of Indian Evidence Act, 1872
 - i. Other Acts which deals with evidence (C.P.C & Cr.P.C.)
 - ii. Extent and Applicability
- (b) Fact—(Sections-3 to5)
 - i. Evidence –oral and documentary, circumstantial and direct evidence Presumption – (Section-4)
 - ii. Witness
 - iii. Appreciation of evidence

Module No.- 2

- (a) The doctrine of RES-GESTAE—(Sections 6, 7, 8, 9)
 - i. Evidence of common intention – (Section-10)
- (b) Relevance of 'otherwise' irrelevance facts – (Sections-11, 12)
 - I. Relevance of facts for proof of customs—(Section-13)
 - ii. Fact concerning State – (Sections-14, 15)

Module No.- 3

- (a) Admission and confession—
 - i. General principles concerning admission – (Sections 17-23)
 - ii. Different between 'admission' and 'confession'
 - iii. Non admissibility of confession caused by inducement threats or promise – (Section-24)
- (b) Inadmissibility of confession made before police (Section-25)
 - i. Admissibility of custodial confess (Section-26)
 - ii. Admissibility of 'information' received from accused person in custody (Sections 27, 28, and 29)
 - iii. Confession by co-accused (Section -30)

Module No.- 4

- (a) Dying declaration
 - i. Justification for relevance on dying declaration (Section-32)
 - ii. Judiciary standard for appreciation of evidentiary value of dying declarations
- (b) Statement made under special circumstances— (Sections 34 to 39)

Module No.- 5

- (a) Relevancy of judgments
 - i. General principles
 - ii. Admissibility of judgments in civil and criminal matters (Section-43)
 - iii. Fraud and Collusion (Section-44)
- (b) Expert opinion
 - i. General principle
 - ii. Who is an expert? Types of expert evidence
 - iii. Opinion on relationship especially proof of marriage (Section-50)
 - iv. The problems of judicial defense to expert testimony

Module No.- 6

- (a) Oral and documentary Evidence
- i. General principals of concerning oral evidence (Sections- 59, 60)
 - ii. Documentary evidence (Sections 67 to 90)
 - iii. Principals regarding exclusion of oral by documentary evidence-(Sections 91 to 100)
- (b) Burden of Proof-
- i. General conception of onus probandi (Section-101)
 - ii. General and special exceptions to onus probandi
 - iii. Justification as to dowry death (Section 113-B)
 - iv. The Scope of the doctrine of judicial notice (Section 114)

Module No.- 7

- (a) Estoppels
- i. Estoppel, the rational (Section-115)
 - ii. Tenancy and bill of exchange Estoppels (Section-116)
 - iii. Estoppel and res judicata and promissory estoppels
 - iv. Witnesses
- (b) Approval testimony (Section-133)
- i. Examination and cross-examination (Sections-135, 136)
 - ii. Leading question (Section-141-143)
 - iii. Lawful question in cross-examination (Section-146)
 - iv. Compulsion to answer question put to witness.
 - v. Hostile witness (Section-154)
 - vi. Impeaching of the credit of witness (Section-155)
 - vii. Improper Admission and Rejection of Evidence (Section-167)

Selected cases

1. Limbaji v. State of Maharastra, AIR 2002 SC 491
2. State of M.P. v. Paltan Mallah, AIR 2005 SC 733
3. State of Punjab v. Gian Kaur, AIR 1998 SC 2809
4. Bikan Panday v. State of Bihar, AIR 2004 SC 997
5. Ram Swaroop v. State of U.P., AIR 2000 SC 715
6. Manjoor Ali v. Kishmat Ali, AIR 2004 SC 384
7. Dault Ram v. Sodha, AIR 2004 SC 233
8. Dastagir Singh v. State of Karnatka, AIR 2004 SC 2638
9. State of Orissa v. Mangalam Timber Products Ltd., AIR 2004 SC 297
10. Ramadhar Basu v. State of W.B., AIR 2005 SC 908.

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CRIMINAL PROCEDURE CODE

Paper : 9.42

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Objectives of the course:

The criminal procedure code is very important subject for law students. Criminal procedure has to be just, fair and reasonable to the accused as well as to the victims. This imposes duty upon those connected with the criminal process to abide by law and to exercise discretion conferred on them in the best manner. Code of Criminal Procedure, originally enacted years ago, had undergone many trials and experiments, two enormous to be placed with in a class room discussion.

Juvenile Justice and Probation of Offenders Act are combined with the study of Criminal Procedure. These topics also do have their roots in Criminal Procedure. The rubrics under their head are intended to render an essential grasp of the areas.

Module No.- 1

- (a) i. Definition (sec-2)
- ii. Constitution of Courts (sec 6-25)
- (b) i. Power of Courts (sec 26-36)
- ii. Arrest of Persons (41-60)

Module No.- 2

- (a) Process to compel appearance (sec 61-94)
- (b) Security for Keeping Peace (sec 106-124)

Module No.- 3

- (a) Maintenance of wives (sec 125-128)
- (b) Maintenance of Public order (sec 129-148)

Module No.- 4

- (a) Information to police and their power to investigate (sec 154-176)
- (b) i. conditions requisite for initiation of proceedings (sec 190-199)
- ii. Commencement of proceedings before Magistrate (sec 204-210)

Module No.- 5

- (a) i. The charge (sec 211-224)
- ii. Trial before Court of Sessions (sec 225-237)
- iii. Trial of warrant cases by Magistrate (sec.238-250)
- (b) i. Summary Trial (sec 260-265)
- ii. Appeals (372-394)

Module No.- 6

- (a) Reference, Revision (395-405)
- (b) Bail (436-450)

Module No.- 7

- (a) Juvenile Delinquency
 - i. Treatment and Rehabilitation of Juveniles
 - ii. Juveniles and Adult Crimes
- (b) i. Mechanism of Probation : Standards of Probation Services
- ii. Problems and Prospects of Probation

Judgments :

1. Khatri v. State of Bihar (1981) SCC 193
2. Sanjay Suri v. Delhi Admn., AIR 1988 SC 444
3. Ram Chander v. State of Haryana AIR 1981 SC 1036
4. Dagdu v. State of Maharashtra, AIR 1977 SC 1579
5. Dr. Vijaya Manohar Arbat v. Kashirao (1987) 1 SCJ 524
6. Madhu Limaya v. SDM Monghar, AIR 1971 SC 2486
7. Moti Ram & Ors v. State of M.P., AIR 1978 SC 1594
8. Madhu Limaya v. State of Maharashtra, AIR 1982 SC 47
9. Arnit Das v. State of Bihar AIR 2000 SC 2264
10. State of Maharashtra v. Jagmohan Singh & Ors (2004) 7 SCC 659
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Suggested Readings:

1. Rattanlal Dhirajlal, Criminal Procedure Code
2. R.V. Kelkar, Criminal Procedure Code
3. S.N. Mishra, he Code of Criminal Procedure Code
4. D.D. Basu, Criminal Procedure Code
5. Chandershekhar Pillai (ed)., Kelkar's Outlines of Criminal Procedure Code.

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PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING

Paper : 9.43

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

This Course comprises of seven Modules of eight hour teaching duration. Each Module has been divided in to two units again to be discussed in four hours in one week.

Module No.- 1

- (i) Professional conduct of a lawyer
- (ii) Professional conduct
- (ii) Professional misconduct

Module No.- 2

- (i) Professional responsibility of advocates
- (ii) Conduct of advocate in general
- (iii) Arguments in appeals and revisions

Module No.- 3

- (i) Skill of attracting clients
- (ii) Persuasion through arguments

Module No.- 4

- (i) Preparation of brief
- (ii) Future problems of advocacy

Module No.-5

- (i) Fee structure
- (ii) Maintaining accounts of clients fee

Module No.- 6

- (i) Contempt of courts and lawyers
- (ii) Strikes, protests and demonstrations by legal professions

Module No.- 7

- (i) Information technology and legal profession
- (ii) Advocates and political activities

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BANKING LAW

Paper 9.44

Total Marks: 100 (80-20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Objectives : To acquaint student with operational parameters of Banking law
To teach General Principles of Banking law

Module No.-1

History of Banking in India
Social control of the Banking companies
Licensing of Banking Companies

Module No.-2

Reserve Bank of India - Structure and Functions
Types of Banking Institution - Commercial Bank Regional Bank Rural Bank

Module No.-3

Promissory Note Bills of Exchange Hundis Cheques Bank Draft
Dishonor of Cheques and criminal Liability on Dishonor of Cheques

Module No.-4

Banker and Customer relationship
Loans and Advances and Different Kinds of Accounts

Module No.-5

Securities for Bankers Loan
Guarantee pledge Lien Mortgage
Banking ombudsman

Module No.-6

Modern Aspect of Banking
Internet Banking ATM, RBI Guidelines for Internet Banking E- Commerce
Frauds In Banking Copying Hacking Fund Transfer Duplication Credit Card Abuse

Module No.-7

History of Micro Finance Micro Finance in India Microfinance and Social Intervention Standard and
Principals Role of Foreign Donors

Leading cases :

- 1 Bharat Bank Ltd vs Kashyap Industries
- 2 Uco Bank vs Hem Chandra Sarkar
- 3 Claytons case
- 4 Pramod Malhotra vs Union of India
- 5 Yuan -Kun -Yeu vs AG of Hong Kong

Suggested Readings:

Banking Law	Advocate BDutta
Banking Law	RN Choudhary
Banking Law	CA Ketan M Bhatt

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INTELLECTUAL PROPERTY LAW

Paper 9.45

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

Basic Concept:

- (a) Overview of the concept of property; Industrial property and non-industrial property;
- (b) Historical background of IPR;
- (c) Importance of human creativity in present scenario;
- (d) Different form of IP and its conceptual analysis

Module No.-2

Copyright:

- (a) Nature and Meaning
- (b) Scope of protection
- (c) Procedure for protection
- (d) Enforcement and Remedies

Module No.-3

Patents:

- (a) Nature and Meaning
- (b) Scope of protection
- (c) Procedure for protection
- (d) Enforcement and Remedies

Module No.-4

Trademarks:

- (a) Nature and Meaning
- (b) Scope of protection
- (c) Procedure for protection
- (d) Enforcement and Remedies

Module No.5

Designs:

- (a) Nature and Meaning
- (b) Scope of protection
- (c) Procedure for protection
- (d) Enforcement and Remedies

Module No.-6

Geographical Indications:

- (a) Nature and Meaning
- (b) Scope of protection
- (c) Procedure for protection
- (d) Enforcement and Remedies

Module No.-7

Information Technology Related Intellectual Property Rights:

- (a) Computer Software and Intellectual Property-Objective, Copyright Protection, Reproducing, Defences, Patent Protection.
- (b) Database and Data Protection-Objective, Need for Protection, UK Data Protection Act, 1998, US Safe Harbor Principle, Enforcement.
- (c) Protection of Semi-conductor Chips-Objectives Justification Protection, Criteria, Subject-matter of Protection, WIPO Treaty, TRIPs, SCPA.
- (d) Domain Name Protection-Objectives, domain name and Intellectual Property, Registration of domain names, disputes under Intellectual Property Rights, Jurisdictional Issues, International Perspective.

Text Books / Compulsory Readings (latest editions only):

1. Paris Convention for the Protection of Industrial Property, 1883
2. Berne Convention for the Protection of Literary and Artistic Works, 1886
3. Indian Copyrights Act, 1957
4. Indian Patents Act, 1970
5. Agreement on Trade-Related Aspects of Intellectual Property Rights, 1994 (the TRIPS Agreement)
6. Indian Trademarks Act, 1999
7. Indian Designs Act, 2000
8. Patents Amendment Ordinance, 2004

Reference :

1. Gornish, W.R., Intellectual Property (London Sweet & Maxwell, 1996)
2. Dhar et al. Regime of Intellectual Property Protection for Brochete Developing Country Perspective (N. Delhi RIS, 2001).

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CODE OF CIVIL PROCEDURE AND LIMITATION

Paper 10.46

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Module No.-1

Code of Civil Procedure, 1908

- (a) Application of the Code, Definitions, Jurisdiction of the Civil Courts,, Res-Judicata, Presumptions as to Foreign Judgment, Place of Suits, Transfer of Suits and Appeal, Institution of Suit,
- (b) Joinder, Non-joinder and Mis-joinder of arties and Causes of Action, Service of summon, Pleading-Plaint and written statement, Appearance of the parties and consequences of non appearance.

Module No.-2

- (a) Examination of the Parties, Admissions, Production of documents, Settlements of Issues,
- (b) Hearing of the Suit and Examination of Witnesses, Judgment and Decree.

Module No.-3

- (a) Execution of Decrees and Orders, Courts by which Decrees may be executed, Powers of the Court executing the decrees, Questions to be determined by the Court Executing the decree.
- (b) Transfer of decrees for execution, Stay of Execution. Modes of Execution- arrest and detention in civil prison, attachment of properties, sale and other modes.

Module No.-4

- (a) Death, Marriage and Insolvency of the Parties, Withdrawal and Adjustment of the Suits,
- (b) Security of Costs, Commission, Suits of Special Nature and Supplemental Proceedings.

Module No.-5

- (a) Appeals from Original Decrees, Appeals from Appellate Decrees, Appeals from Orders,
- (b) Appeals before the Supreme Court, Reference, Review and Revision.

Module No.-6

- (a) The Limitation Act, 1963 (Omitting the Schedule) Purpose, Policy, Nature and Scope of the Act.,
- (b) Definitions : Applicant, bond, defendant, easement, good faith, plaintiff, period of limit at on.

Module No.-7

- (a) Relationship between Limitation, Laches, Acquiescence, Estoppels and Res Judicata; Limitation of Suits, Appeals and Applications, Disability,
- (b) Computation of Period of limitation, acknowledgement and part payment, acquisition of ownership by prescription.

Leading Cases :

1. Bhanu Kumar Jain v. Archana Kumar, AIR 2005 SC 626
2. C.T. Nikam v. Municipal Corporation of Ahmedabad, AIR 2002 SC 997
3. Md. Sirajuddin v. Md. Abdul Khaliq, AIR 2005 Gauhati 40
4. Shri Sinha Ramanju v. Ramanuja, AIR 1961 SC 1720
5. Narain Bhagwantrao v. Gopal Vinayak, AIR 1960 SC 104
6. Garilapati Veerava v. N. Subhia Choudhary, AIR 1957 SC 540
7. Deoki Nadan v. Murlidhar, AIR 1957 SC 133
8. Dety Pattabhirama Swamy v. Hanmayya, AIR 1959 SC 57
9. S.M. Jakati v. B.M. Borker, AIR 1959 SC 282

Suggested Reading :

1. Takwani, C.K. – The Code of Civil Procedure
2. Mulla – Civil Procedure Code
3. Singh, S.N. – Civil Procedure Code

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DRAFTING, PLEADING AND CONVEYANCING AND RULE OF COURT

Paper : 10.47

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aims and Objectives :

Drafting is a primary stage of writing. A good writing is an outcome of a good draft, similarly Pleadings being the backbone of Legal Profession and paramount requirement of a good lawyer. Whole case of the party depends upon how skillfully it is drafted by an advocate. So a great care should be exercised while drafting the pleadings. So this subject will help to make good lawyers with proficient art of pleadings.

Module No.- 1

- (a) Drafting
- i. General principles of drafting
 - ii. What are deeds and its kinds?
- (b) i. Components of deeds
ii. Kinds of writs

Module No.- 2

- (a) Pleadings
- i. What are pleadings?
 - ii. Functions of Pleadings.
 - iii. When Pleadings will be Dispensed with?
 - iv. Forms of modern pleadings
 - v. Cardinal rules of pleadings
 - vi. Material facts.
- (b) Civil Suits:
- i. Suits in contracts
 - ii. Suits in Torts

Module No.- 3

- (a) i. Suits for others; i.r.t. civil: miscellaneous
ii. Written statements for contracts
iii. Written statement for torts
- (b) i. Written statement for others (miscellaneous)
ii. Interlocutory Application
iii. Petition for the Winding up of the company

Module No.- 4

- (a) i. Affidavit
ii. Execution application for final decree
iii. Memo of appeal
- (b) i. Memorandum of revision
ii. Writ of Certiorari
iii. Writ of Habeus Corpus.

Module No.- 5

- (a) Criminal
- i. complaints
 - ii. Application for exemption from appearance
- (b) i. Bail Application
ii. Memo of appeal
iii. Memo of revision

Module No.- 6

- (a) Conveyancing
- i. What is conveyancing ?
 - ii. Things to be considered while conveyancing
 - iii. Sale deed.
- (b) i. Mortgages deed
ii. Lease deed
iii. Gift deed

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Module No.- 7

- (a) i. Promisory Note
- ii. Power of Attorney
- iii. Will
- (b) i. Separation deed
- ii. Service contracts
- iii. Hire-Purchase Agreements
- iv. Patents

Suggested Readings:

1. Pleading, Drafting and Conveyancing by R.N. Chaturvedi
2. The law of Pleadings, drafting and conveyancing by R.D. Srivastava law of pleadings in India by Mogha
3. Indian Conveyance by Mogha

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COMPETITION LAW

Paper : 10.48

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

This Course comprises of seven Modules of eight hour teaching duration. Each Module has been divided in to two units again to be discussed in four hours in one week.

Module No.- 1

The Competition Act, 2002

Origin of Anti-Trust Laws

Global developments on Competition Law

Abuse of dominant position

Module No.- 2

(i) Consumer interest and public interest

(ii) Mergers and efficiency

(iii) Entry barriers

(iv) Exist barriers

(v) Price Controls

Module No.- 3

(i) Liberalization

(ii) Delicensing

(iii) State monopolies

(iv) Privatization and regulation

(v) Cartel

(vi) Predatory pricing mechanism

(vii) Corporate Governance and competition

Module No.-4

Objects and reasons of the Competition Act, 2002

Anti-competitive agreements

Abuse of dominant position

Regulation of combination

Module No.- 5

(i) Composition of Competent Commission of India

(ii) Duties, powers and functions of the Commission

Module No.- 6

(i) Enquiry into agreements and dominant position of enterprise

(ii) Procedure for investigation of combinations

Module- 7

(i) Penalties for contravention of orders of commission

(ii) Competition advocacy

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MOOT-COURT EXERCISE AND INTERNSHIP

Paper 10.49

Max Marks 100

(a) Moot-Court: Every student may be required to do at least Three Moot-Courts in a year with 10 marks for each. The moot court work will be on assigned problem and it will be evaluated for 5 marks for written submissions and 5 marks for oral advocacy.

(b) Observance of Trail in two cases, one Civil and one Criminal (30 Marks). Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment. This scheme will carry 30 marks.

(c) Interviewing techniques and Pre-trial Preparations and Internship diary (30 Marks): Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid office and record the proceedings in a diary, which will carry 15 marks. Each student will further observe the preparation of documents and Court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary, which will carry 15 marks.

(d) The fourth component of this paper will be Viva-Voce examination on all the above three aspects. This will carry 10 Marks.

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CYBER LAWS

Paper : 10.50

Total Marks: 100 (80+20)

External Exam: 80

Internal Marks: 20 (10 Internal Exam
10 Project & Viva)

Aims and Objectives :

- To understand emerging issues in cyber space
- To provide effective mechanism for resolution of cyber issues

Module No.- 1

- (a) i. Genesis object and scope of IT Act
ii. Definitions
- (b) i. E Commerce and Digital Signature
ii. E Governance

Module No.- 2

- (a) i. Dispatch and Receipt of Electronic Records
ii. Security and Receipt under IT Act
- (b) i. Regulation of Certifying Authorities
ii. Digital Signature Certificate

Module No.- 3

- (a) i. Duties of Subscriber
ii. Penalties and Adjudication
- (b) i. Cyber Regulation Appellate Tribunal

Module No.- 4

- (a) i. Offences under IT Act
ii. Tampering with Computer Source documents
- (b) i. Hacking with Computer System
ii. Publishing of obscene Information in electronic form

Module No.- 5

- (a) i. Breach of confidentiality and privacy
ii. Offences related to digital signature certificate
- (b) i. Computer Forensic and Process of confirmation
ii. Liability of network service providers

Module No.- 6

- (a) i. Power of Police Officer
ii. Miscellaneous provisions under IT Act
- (b) i. Amendment to IPC 1860
ii. Amendment to Evidence Act 1872
iii. Amendment to Banker's Books Evidence Act 1891
iv. Amendment to Reserve Bank of India Act 1934

Module No.- 7

- (a) i. Issue of jurisdiction of Cyber Space
ii. Issue of Online defamation
- (b) i. Copyright issue in digital medium
ii. Trade Mark in online medium

References:

1. Computer Law: Reed Cherish, Eastern Book Company, New Delhi
2. Information Technology and Cyber Law : S.R. Bhansali
3. Cyber Law in India : Dr. Farooq Ahmed
4. Information Technology Law and Practice : Vakul Sharma

Cases referred

1. United States v. Simpson 152 F. 3d 1241(10th cir. 1998) USA
2. United States v. 1992 U.S. App. LEXIS 9562 (4th cir. May 4, 1992)
3. Miller v. California 413 U.S.1524 (1973)
4. Ranjit D. Udeshi v. State of Maharashtra, AIR 1965 SC 881
5. United States v. Moris, 928 F. 2d 504, 505 (2nd cir 1991)
6. Director of Public Prosecutions v. Murdoch (1993) IVR 406

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