

OPJS UNIVERSITY,CHURU(RAJ.)



SYLLABUS

for

B.A, LL.B. 5 YEAR COURSE

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**School of Law
Opjs University,Churu(Rajasthan)**

2014-15

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B.A., LL.B. (5 Years)

(List of Courses Prescribed for I-Semester)

COMPULSORY COURSE

| <u>I-SEMESTER</u> | |
|--------------------------|-----------------------------------|
| Course Code | Course Title |
| LGE-101 | General English |
| LBA-102 | Political Science – I |
| LBA-103 | History – I |
| LAW-111 | Right to Information |
| LAW-112 | Contracts- I (General Principles) |

B.A. LL.B (Five Years Course)
I-SEMESTER
(LGE-101)
General English

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals)

SYLLABUS:

I.

1. Basis Sentence Patterns
2. Tenses
3. Transformation and Formations of Interrogative and Negative Sentences
4. Tag – Questions
5. Model Auxiliaries
6. Word-formation

II.

1. Passive Constructions
2. Narration : Direct and Indirect
3. Translation from Hindi to English and English to Hindi
4. Conditional Sentences
5. Word Formation (Conditional)

III.

1. Translation (Continued)
2. Determiners and Articles
3. Idioms and Phrases
4. Spelling Exercises

Suggested Readings:

1. A Practical English Grammar. Thomson and Martinet
2. Webster's Spelling Dictionary
3. Living English by Dr. R.P.Bhatnagar & Rajul Bhargava
4. Current English Usage. R.H.Flavell and L.H.Flavell
5. Legal English. R.L.Jain
6. General English. Mr.Rastogi
7. General English. Mr.Tanwar
8. J.S. Allen : 'English Grammar

B.A. LL.B (Five Years Course)
I-SEMESTER
(LBA-102)

Political Science-I

(FOUNDATIONS OF POLITICAL SCIENCE)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

SYLLABUS:

- I.** Political Science - Meaning, Nomenclature and Scope, Traditional and Contemporary perspectives of Political Science, Behaviouralism and Post-Behaviouralism, Inter-disciplinary approach in Political Science, Relation of Political Science with other Social Sciences (Economics, History, Geography, Psychology)
- II.** State: Theories of origin and development; Development of State as a welfare State, Sovereignty; Monistic and Pluralistic theories.
- III.** Concepts: Power, Authority, Legitimacy, Citizenship, Rights, Liberty, Equality and Justice.
- IV.** Democracy and Dictatorship, Political Parties, Pressure Groups, Theories of representation, Rule of law and Constitutionalism
- V.** Organs of Government and their functions (with reference to recent trends)

Suggested Readings:

- 1. A. Appadorai: Substance of Politics
- 2. A. Ashirvatham: Principles of Political Science
- 3. J. S. Bakes & R.B. Jain: Political Science in Transition
- 4. R.C. Vermani: Political Theory
- 5. J.C. Johri: Principles of Political Science
- 6. Dr. Pukhraj Jain : Foundations of Political Science
- 7. B.L. Fadiya : Political Theory

B.A. LL.B (Five Years Course)
I-SEMESTER
(LBA-103)

HISTORY-I

History of India (upto 1200 A.D.)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

- I.** (a) Main sources of Ancient Indian History.
(b) Prehistoric cultures in India.
(c) Harappan Culture-Origin, extent, Urban planning, Economy, Religion and contact with other cultures, Problem of decline.
(d) Society, Polity, Economy and Religion as reflected in Vedic Literature.
- II.** (a) Rise of Magadha upto the Nanda. Jainism and Buddhism and their contribution to Indian culture.
(b) Magdha Imperialism and role of Chandragupta Maurya.
(c) Ashoka- his policies, Dhamma, Mauryan Administration, Factors leading to disintegration of the Mauryan Empire.
(d) Maurayn Art and Architecture.
- III.** (a) Age of the Satvahanas and Foreign Powers : Contribution and achievements of
(i)Pushyamitra Sunga, (ii) Gautmiputra Satkarni (iii) Rudradaman I
(iv)Kanishka I.
(b) Economic progress in the Pre-Gupta period with special reference to trade and commerce.
(c) Kushan Art and Craft.
(d) Sangam Age: Literature, Society and culture.
- IV.** (a) Gupta Dynasty-Chandragupta I, Samudragupta, Chandragupta II, Skand gupta.
(b) Features of Gupta Administration, Land Revenue system.
(c) Economy, Trade and Commerce during Guptas.

(d) Art, Architecture, Literature, Philosophy Science and Technology during Guptas.

- V. (a) India in the Post-Gupta period, Formation and expansion of Vardhan Empire.
(b) Polity, Religion and Art : Pallav, Cholas-Chaulukyas and Rashtrakutas, features of Chola- Chaulukya administration.
(c) Tripartite struggle: Achievement of (i) Vignaraja Chahamana (ii) Bhoja Paramar and (iii) Mihir Bhoja.
(d) Factors leading to disintegration of Rajput States.

Suggested Readings:

1. R.S. Tripathi : History of Ancient India
2. A.L. Basham : The Wonder that was India
3. Nilkanta Shastri : A History of South India-from Pre-historic times to the Fall of Vijaynagar
4. R.S. Sharma : Aspects of Political Ideas and Institution in Ancient India
5. Romila Thapar : A History of India, Vol. I 6.

**B.A. LL.B (Five Years Course)
I-SEMESTER**

(LAW-111)

Right To Information

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.

An Introduction to Right to Information

Accountability through Law, Information as a Right

Why Should Information be a Right ?

How Right to Information Strengthens Democracy ?
Realizing Participatory Democracy
Making People the Centre of Development
Increases Trust Quotient in Government
Facilitates Market-Based Economic Growth
Rooting out Corruption, Enhances Vigilance of Media

II.

RIGHT TO INFORMATION LAW IN INDIA

[A] Historical Background

- (i) The Indian Evidence Act, 1872 [Section 76]
- (ii) The Factory Act, 1948
- (iii) The Water (Prevention and Control of Pollution) Act, 1974 [Section 25(6)]
- (iv) The Air (Prevention and Control of Pollution) Act, 1981
- (v) The Environment (Protection) Act, 1986
- (vi) The Representation of the Peoples Act, 1951
- (vii) The Protection of Women from Domestic Violence Act, 2005
- (viii) Trade Marks Act, 1999
- (ix) The Semiconductor Integrated Circuits Layout Design Act, 2000

[B] Constitutional Provisions and Judicial Trend on Right to Information in India before 2005

[C] Evolution of Right to Information Act, 2005

III.

Right to Information Act, 2005

Whole Act

The study of the provisions of the Act with the help of cases decided by High Courts,

Supreme Court and Chief Information Commissioner.

B.A. LL.B (Five Years Course)

I-SEMESTER

(LAW-112)

Contracts- I (General Principles)

(The Theory Paper shall be of 70 marks and of 3 hours duration.

The question asked may be objective and subjective both or subjective only.

30 Marks have been assigned for sessionals.)

1. Meaning

- (a) Elements and Characteristics of Contract.
- (b) Basis of Contract
- (c) Classification of Contract, Including the standard form contract.

2. Proposal :

- (a) Meaning, Elements and Characteristics of Proposal, Distinction between Proposal and Invitation of Proposal.
- (b) Acceptance : Meaning, Mode and Characteristics of Acceptance.'
- (c) Communication, Revocation & Termination of Proposal & Acceptance.

3. Consideration :

- (a) Meaning, Definition and Element of Consideration.
- (b) Unlawful consideration and object.
- (c) Concept of stranger to contract & exception to privity rule.
- (d) Exception to consideration.

4. Capacity to Contract :

- (a) Who cannot make a Contract, Who is minor and the place of minor under the law of Contract.
- (b) Person of unsound mind, nature of contract by person of Unsound Mind.
- (c) Person deprived of the capacity of contract.

5. Free Consent :

- (a) Meaning of Consent and free Consent.
- (b) Factors rendering Consent not free and their effect upon the validity of Contract.

6.Void Agreements :

- (a) Agreements of restraint of marriage : Freedom of trade and right to initiate legal proceedings.
- (b) Agreements involving uncertainty, wager and impossibility. Contingent Contract certain relations resembling to those created by Contract (Quasi-Contract).

7. Performance of Contract :

- (a) Who is liable to perform, joint rights and joint liability and performance of reciprocal promises.
- (b) Time, Place and Manner of Performance.
- (c) Discharge from liability to perform the contract.

8. Breach of Contract :

- (a) Meaning and Kinds
- (b) Remedies for breach of contract -
 - (1) Damages - Measure of damages and remoteness of damages ;
 - (2) Specific Performance and Contract and Injunctions under Specific Relief Act.

LeadingCases:

1. Carlil V Carbolic Smoke Ball Co. (1883) IQB 256
2. Bhagwandas V Girdhari Lal & Co. AIR 1966 SC 543
3. Motilal Padampur Sugar Mill Co. Ltd. Vs State of UP AIR 1979 SC 621
4. Lalman Shukia V Gauri Dutt All IJ (1913) 409
5. Mohori Bibi V Dhurmodas Ghosh(1903)I.A. 172

Suggested Readings:

1. D.F. Mulla : The Indian Contract Act (Student Edition)
2. T.R. Desai : The Indian Contract Act. Sale of Goods Act & Partnership Act.
3. Atiyeh P.S. : An Introduction to the Law of Contract.
4. P.R. Desai : Principles of Law of Contracts.
5. Avtar Singh : Law of Contract
6. Avtar Singh : Law of Contract (Hindi/English)
7. I.C. Saxena, R.L. ,Navalakha K. : Law of Contract
8. Kapoor, S.K. : Law of Contract
9. Kailash Rai : Law of Contract- I
10. Dr. Y.S.Sharma : Law of Contract- I
11. Ram Singh : Law of Contract

B.A., LL.B. (5 Years)**(List of Courses Prescribed for II-Semester)****COMPULSORY COURSE**

| <u>II-SEMESTER</u> | |
|---------------------------|--|
| Course Code | Course Title |
| LLE-201 | Legal English |
| LBA-202 | Political Science-II |
| LBA-203 | Economics-I |
| LAW-211 | Contracts- II (Specific Contracts) |
| LAW-212 | Law of Torts (including Consumer Protection Act) |

**B.A. LL.B (Five Years Course)
II-SEMESTER**

(LLE-201)

Legal English

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

CONTENTS:

Vocabulary:

1. Use of legal phrases and terms (list of legal terms given below)
2. Pairs of words.
3. One word substitution.
- 4 Latin Maxims (Listed Below)

List of legal terms which, are relevant for LLB. Students:

Abet Abstain Accomplice
Act of God Actionable Accused
Adjournment Actionable “ ‘ Admission
Affidavit Amendment Appeal
Acquittal Articles Assent
Attested Adornment Averment
Bail Bailment Citation
Clause Coercion Code
Cognizable Confusion p’ Compromise
Consent Conspiracy Contempt
Contingent Comorian . Conviction
Convention Corporate Custody

Damages Decree Defamation
Defense Escheat Estoppels
Eviction Executive Ex-parte
Finding Floating charge Forma Pauperise
Franchise Fraud Frustration
Good faith Guardian Habeas Corpus
Hearse Homicide hypothecation
Illegal indent Inheritance
Bench Bill Bill of attainder
Bill of rights Blockade Bonafide
By-laws Capital Punishment Charge
Chattles Justiciable Legislation
Legitimacy Liability Liberty
Licence Lieu Liquidation
Maintenance Malafide Malfeasance
Minor Misfeasance Mortgage
Murder Negligence Negotiable
Notification Nuisance Novation
Oath Obscence Offender
Order Ordinance over rule
Petilion Plaintiff Pledge
Preamble Pre-emption Prescription
Presumption Privilege Privit
Prize Process Promisson Note
Proof Proposal Prosecution
Remand Remedy Rent

List of Latin Maxims:

1. Ab initio (from the beginning)
2. Actio personalis moritur cum persona (Personal rights by action dies with the person).
3. Actus curae neminem gravabit (an act of the court shall prejudice no one).
4. Actus non facit reum, nisi mens sit rea (the act itself does not constitute guilt unless done with guilty intent).
5. Actus reus (wrongful act).
6. Ad interim (in the meantime)
7. Ad iudicium (for the suit).
8. Ad valorem (according to the value).
9. Alibi (plea of being elsewhere)
10. Amicus curiae (friend of the court).
11. Animus (intention).
12. Audi alteram partem (hear the other side).
13. Caveat emptor (buyer beware).
14. Convictio in reum non fit nisi per verba reus (a man is not convicted by things alone but by his words).
15. Damnum sine injuria (damage without injury).
16. De facto (in fact).
17. De jure (in law).

18. De minimis not curat lex (the law takes no account of trifling matters).
19. Decree msi (a decree which takes effect after a specified period), delegated).
20. Doll in capax (incapable in malice).
21. Doiiatio mortis causa (gifi by a person on the death bed).
22. Ejusdem generis (of the same category).
23. Eminent domain (the supreme right).
24. Ex..officio (by virtue of an office).
25. Ex-parte (not in the presence of the opposite party).
26. Ex-post4acto (by subsequent act).
27. Factum valet (the fact which cannot be altered).
28. Fait accompli (an accomplished fact).
29. Ignorentia legis nerninem excuset (ignorance of law is no excuse).
30. In pari materia (in an analogous case, cause or position)
31. Injuria sine damno (injury without damage).
32. Interest republicac Ut sit fins litiuin (it is in the interest of the republic that there should be anend of law suit).
33. intra vires (within the powers).
34. Jus terti (The right of a third party)
- 35 Lis pendens (pending suit).
36. Mens rea (a guilty mind)
37. Mesne profits (the profits received by a person on wrongful possession).
38. Nemo det quod non habet (no man can't transfer better little than be himself).
39. Neiw ck bis vn pro et idem causa (no man be tce xed for t1E sane cause).
40. Nemo in p acaijux ese et(no oi ought tobe ajixige in his ocase)
41. Nolle prosequi (to be unwilling to prosecute).
42. Obiter dicta (an opinion of law not necessary to the decision)
43. Onus probandi (the burden of proof)
- 44 Pacta sunt servanda (pact must be respected.
45. Pendenti lite (during litigation)
46. Per capita (per head)
47. Per incuriam (through inadvertence or carelessness).
48. Per stripes (by stocks)
49. Plenum dominium (full stocks)
50. Pro bono publico (for the public good)
51. Ratio decidendi (grounds for decision, principles of the case).
52. Res geste (connected facts forming the part of the same transaction).
53. Res ipsa loquitur (the thing speaks for itself)
54. Res judicala (a matter already adjudicated upon).
55. Res nallius (an ownerless thing)
56. Status quo (existing position).
57. Sub judice (in course of adjudication).
58. Sui juris (one's own right).
59. Suo motti (of ones own accord)
60. Ubi jus ibi reniediurn (where there is a right, there is remedy)

61. Ultra vires (beyond the powers of).
62. Volenti non fit injuria (Risk taken Voluntarily is not actionabale).

Suggested Readings:

1. GaInvile William : Learning the Law
2. Wren & Martin : English Grammar.
3. Ganga Sahai Sharraa: Fundamental of Legal Writing.
4. Hindi-English Legal glossary: Vidhi Sahitya Prakashan, New Delhi.
5. David Green : Contemporary English Grammar, structure and composition.
6. Ishtiaque Abidi: Law and Language
7. Dr. Anirudha Prasad: Legal Language & Writing.
8. Dr. Surendra Yadav : Legal Language, Legal Writing Including Gen. Eng
9. Dr. R.L. Jain : Legal Language, Legal Writing Including Gen. Eng
10. Dr. G.S.Sharma : Legal Language, Legal Writing
11. Dr. B.L. Babel : : Legal Language, Legal Writing

**B.A. LL.B (Five Years Course)
II-SEMESTER**

(LBA-202)

Political Science – II

(INDIAN POLITICAL THINKERS)

(The Theory Paper shall be of 70 marks and of 3 hours duration.

The question asked may be objective and subjective both or subjective only.

30 Marks have been assigned for sessionals.)

- I.** Manu: His writings, views on state : Dharam, Danda, Saptang theory, origin of state and his contribution. Kautilya: His writings, origin of state, organs of state, king, his qualifications and functions, Mandal theory and contribution. Shukra: His writings, Danda Neeti, state, state's functions, king and his functions, views on administration and justice.
- II.** Raja Ram Mohan Roy: His writings, views on individual, state, and social reforms, education, and his contribution. Swami Dayanand Saraswati : His writings, views on Indian nationalism, individual, state, social and religious views.
- III.** Gopal Krishna Gokhale: His writings, his views on individual, state,

spiritualisation of politics, his political methods, economic views and contribution. Bal Gangadhar Tilak: His writings, views on nationalism, individual, state, methods, Swaraj and his contribution.

- IV.** Mohan Das Karam Chand Gandhi : His writings: Hind Swaraj, My Experiments with Truth, his views on state, individual, ends and means, non-violence, truth, satyagrah, trusteeship and his contribution. Jawahar Lal Nehru: His writings, his views on individual, state, socialism, modern India, Panchsheel, democratic socialism, and his contribution.
- V.** Dr. Bhim Rao Ambedkar: His writings, his views on individual, state, social reforms, social justice and his contribution. M.N. Roy: His writings, his views on individual, state, humanism, Marx, his methods. Jai Prakash Narayan: His writings, his views on individual, state, socialism, total revolution, Party less democracy, and his contribution.

Suggested Readings:

1. Mahendra Kumar: International Politics
2. Friedman: Introduction to World Politics
3. Anam Jaitly: International Politics: Trends and Issues
4. Dr. Pukhraj Jain : Indian Political Thinkers

**B.A. LL.B (Five Years Course)
II-SEMESTER**

(LBA-203)

Economics-I

(MICRO ECONOMICS-I)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

Objective: The objective of this paper is to familiarize the student with basic Principles of Economics.

- I.** Introduction to Microeconomics: Definition & Scope, Production Possibility Curve, Demand, Quantity Demanded, Law of Demand, Supply, Quantity Supplied, Law of Supply, Shape & Characteristics of Demand & Supply Curve,
- II.** Consumer Theory I: Consumer Budget Constraint, Elasticity of Demand – its types, Types of Goods (Substitutes, Compliments etc.) & their elasticity.
- III.** Consumer Theory II: Concept of Utility (TU, MU), Law of Diminishing Marginal Utility (LDMU), Deriving law of demand using LDMU.

IV. Consumer Theory III: Indifference Curves (IC) (Properties, Types), Consumer Equilibrium using IC – Price & Substitution Effect.

V. Market Dynamics: Change/Shift in Demand & Supply curves & effect on Market Equilibrium, Consumer Surplus, Producer Surplus.

Suggested Readings:

1. Jhinga M.L., Microeconomics Theory, Vrinda Publishing House.
2. Samuelson & Nordhaus, Economics, Tata Mc Graw Hill.
3. Hal. R. Varian ,Intermediate Microeconomics, W.W. Norton & Company.
4. Koutsoyiannis A., Modern Microeconomics, Mac Millan Press.

**B.A. LL.B (Five Years Course)
II-SEMESTER**

(LAW-211)

Contracts- II (Specific-Contracts)

(The Theory Paper shall be of 70 marks and of 3 hours duration.

The question asked may be objective and subjective both or subjective only.

30 Marks have been assigned for sessionals.)

CONTENT:

1. Contract of Indemnity and Guarantees:

- (a) Meaning, Distinction between indemnity and guarantee and kind of guarantees.
- (b) Right of indemnity holder.
- (c) Rights of the surety, extent of liability of the surety.
- (d) Discharge of liability of the surety.

2. Contracts of Bailment and Pledge:

- (a) Meaning and kinds of contract of Bailment-Bailment without consideration
- (b) Rights and duties of bailee and bailor.
- (c) Termination of contract of Bailment.

- (d) Position of the finder of goods under law.
- (e) Contract of pledge - meaning and definition. Pledge by unauthorised persons.
- (f) Rights and duties of pawner and pawnee

3. Contract of Agency:

- (a) Definition, kinds and modes of creation of Agency.
- (b) Relations between the Principal and agent.
The Principal and third party and The agent and the third party.
- (c) Determination of agent's Authority :-
By the acts of parties and by operation of Law. Irrevocable authority.

4. Contract of Partnership:

- (a) Meaning definition, formation and the characteristics of contract of partnership.
- (b) Distinction between:
 - (i) Co-ownership and partnership
 - (ii) Joint Hindu Family firm and partnership ; and
 - (iii) Company and partnership
- (c) Position of Minor
- (d) Relations interest of partners and relation of partners with third parties.
- (e) Registration of partnership firm
- (f) Dissolution of partnership and of firm.

Leading cases:

1. National Bank of India Ltd. V Sohanlal, AIR 1962 Punj.534.
2. Amritlal Goverdhan Lallan V State Bank of Travancore, AIR 1960 SC 1432.
3. Patnaik & Co. V State of Orissa, AIR 1965 S.C. 1655.
4. State of Gujarat V Maman Mohd. AIR 1967 SC 1885.

Suggested Readings:

1. Atiyah P.S. : An introduction to the law of contract.
2. Pollock : Principles of the Law of contract.
3. Dr.R.L.Rathi : Law of contract (Hindi)
4. V.G. Rarnchandran : The law of Contract in India.
5. V.G. Ramchandran : Law of Agency.
6. Desai S.T. : The law of partnership in India and Pakistan.
7. Avtar Singh: Law of contract (English & Hindi)
8. Avtar Singh: Law of partnership (English & Hindi)
9. Kapoor N. D. Mercantile Law.
10. Ram Singh : Law of contract (Hindi)

**B.A. LL.B (Five Years Course)
II-SEMESTER**

(LAW-212)

Law of Torts

(including Consumer Protection Act.)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

CONTENTS:

1. Definition, nature, scope, objects and elements of Tort, Maxims, Extinction or Discharge of Tortious Liability, Joint Tort -Feasors.
2. General Defences of Tortious Liability. Vicarious Liability Doctrine of common employment, State Liability. Absolute or Strict Liability.
3. Remedies, Kinds and measure of damages, Remoteness of damages.
4. Torts to person and property including Negligence. Nuisance, nervous shock. interference with contract or business, intimidation, conspiracy, deceit or fraud, malicious prosecution, defamation.
5. Consumer protection Act, 1986. Definitions, Consumer protection councils, Consumer Dispute Redressal agencies- Establishments, Jurisdiction Procedure and orders.

Leading Cases:

1. Ushaben V. Bhagva Laxmi Chitra Mandir. AIR 1970 GUJ. 18.
2. Municipal Corpn. of Delhi V. Subhagwati. AIR 1966 SC 1750.
3. Rylands V. fletcher(1869) IRHT 330.
4. Dipal Girish Bhai v/s United Insurance Company, 2004 AIR, S.C.W. 1864.

Suggested Readings:

1. Winfield: Law of Torts.
2. Rarnaswami lyar: Law of Torts.
3. B.S. Saba : Law of Torts.
- 4 Dr.J.N.Panday: Law of Torts.(Hindi/English)
- 5.Dr.M.N.Sukla:Principal of Tort
- 6.Dr,R.K.Bangiya : Law of Torts.
7. Avtar Singh : Law of Consumer Protection

B.A., LL.B. (5 Years)

(List of Courses Prescribed for III-Semester)

COMPULSORY COURSE

| <u>III-SEMESTER</u> | |
|----------------------------|-----------------------------|
| Course Code | Course Title |
| LBA-301 | History – II |
| LBA-302 | Sociology-I |
| LAW-311 | Family Law- I(Hindu Law) |
| LAW-312 | Constitutional Law- I |
| LAW-313 | Family Law –II (Muslim Law) |

B.A. LL.B (Five Years Course)

III-SEMESTER

(LBA-301)

History – II

(Outline of History of Western World (15th to 20th Century))

(The Theory Paper shall be of 70 marks and of 3 hours duration.

The question asked may be objective and subjective both or subjective only.

30 Marks have been assigned for sessionals.)

- I.** (a) Decline of Feudalism and beginning of Capitalism.
(b) Renaissance: Meaning, Causes, Expansion, Development of Literature, Art and Science and Geographical Discoveries, Importance of Renaissance
(c) Reformation: Causes, Early reformer, Role of Martin Luther, Progress of Reformation, Counter Reformation, Results and Impact.
(d) American War of Independence (1776): Causes, Main events, Results and significance.
- II.** (a) Agricultural and Industrial Revolution: Causes and consequences, Emergence of new Social Class.
(b) French Revolution (1789): Causes, Main events and its Impact.
(c) Napoleon Bonaparte: Achievements and causes of downfall.
- III.** (a) Age of Conservatism.
(b) Liberalism and Nationalism in Europe : Unification of Italy and Germany.
(c) Eastern question with special reference to Crimean War and Berlin Settlement.
(d) Exploitation of Asia, Africa and Latin American Countries by European Powers.
- IV.** (a) First World War - Causes, Main events and Results
(b) Versailles Settlement
(c) Birth of Socialist Ideas, Causes and consequences of Bolshevik Revolution, Economic and Social reconstruction in Russia.
(d) World Economic Depression, Nazism and Fascism.
- V.** (a) Second World War - Causes, Main events and Results
(b) Organisation and achievements of League of Nations and UNO
(c) Cold War and Non-Aligned Movement
(d) Soviet disintegration.

Selected Readings:

1 J.H. Hayes: A Political and Cultural History of Modern Europe (Vol I & II)

- 2 C.D. Hazen: Modern European History
- 3 E.J. Hobsbawm: The age of Revolution, Europe (1789-1849)
- 4 Henry S. Lucas: A Short History of Civilization
- 5 Meenaxi Phukan: Rise of the Modern West
- 6 H.E. Barner: A History of Western Civilization
- 7 J.E. Swain: History of World Civilization
- 8 Jain & Mathur: World History (1500-1950)

**B.A. LL.B (Five Years Course)
III-SEMESTER**

(LBA-302)

Sociology-I

(Principles of Sociology)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

- I. Nature, Meaning of Sociology, Sociological Perspective, Scientific and Humanistic Orientation to Sociological Study.
- II. Introduction to Sociology : Applied uses of Sociology, Basic Concepts : Culture, Society, Community, Association and Institution, Social Groups :Meaning and types , Social Structure, Status and Role.
- III. Relation of Individual and Society, Socialisation : Meaning and Theories, Social Mobility, Social Control, Social Norms.
- IV. Social Norms, Values and Social Sanctions, Concept of Social Change, Forms of Social Change, Factors of Social Change.

Selected Readings:

1. Prof.M.L.Gupta & Dr. D.D..Sharma
2. Jayaram, N., Introductory Sociology, Macmillan India, Madras.
3. Bhushan, Vidya, An Introduction to Sociology, Kitab Mahal Publication, Lucknow.
4. Mukherjee, Ravindra and Kumar, Principles of Sociology, Rawat Publication, Jaipur.

B.A. LL.B (Five Years Course)

III-SEMESTER

(LAW-3II)

Family Law- I(Hindu Law)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

CONTENTS:

1. Hindu Law : Sources, School and application, Coparcenary. Joint *family* property and self acquired property. Karta & his power and obligation. Religious and Charitable Endowments -Essentials of an endowment, kinds. Shebait and Mahant.
2. The Hindu Marriage Act, 1955: Condition of Hindu Marriage its ceremonies and registration .Void and voidable marriages. Restitution of conjugal rights. Judicial separation, legitimacy of children, void-voidable marriages. Divorce, alternative relief in divorce, proceedings of divorce by mutual consent. One year bar to divorce, divorce persons when may marry again, Jurisdiction and procedure.
3. The Hindu Succession Act, 1956-Succession to the property of a Hindu Male. Succession to interest in coparcenary property, property of Hindu female. Succession to the property of Hindu female. General rules and disqualifications of Succession Escheat.
4. The Hindu Adoption and Maintenance Act, 1956: Requisites of valid adoption. Succession to take an adoption. Effect of adoption, persons who may be adopted, other condition for a valid adoption. Effect of Adoption: Miscellaneous provisions of adoptions. Maintenance.
5. The Hindu Minority and Guardianship Act, 1956: Natural guardians and their powers.Testamentary guardians and their powers. De-facto guardian, general provisions of guardianship.
6. Partition Under Hindu Law: Meaning property for partition, persons entitled to sue for partition and allotment of shares, partition, how affected. Determination of shares. Re-opening of partition. Re-union. Debts-Doctrine pious obligation

Leading Cases:

1. Shastri Yajna Purushasji V. Muldas AIR 1966 SC 11153
2. Hanooman Prasad, V. Mussamat Babooce Munraj Koonwaree (1856) 6 M.1.A. 305.
3. Bipin Chandra V. Prabhavati AIR 1957 S.C. 176.

4. Dr. N.G. Dastanee V. Sucheta Dastanee AIR 1975 S.C. 1534.
5. Dharmendra Kumar V. Usha Kumar AIR 1977 S.C. 2218.

Suggested Readings:

1. Mulla : Principles of Hindu Law.
- 2 Raghvachariar : Hindu Law-Principles and precedents.
3. Paras Diwan:HinduLaw.
4. Tahir Mahmood: Hindu Law.
5. Dr.Parsh Diwan : Modern Hindu Law (Hindi/English)
6. Dr.U.P.D. Kesari : Hindu Law.
7. Dr.R.R. Morya : Hindu Law.

**B.A. LL.B (Five Years Course)
III-SEMESTER**

(LAW-3I2)

Constitutional Law-I

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.

Nature and Salient features of Constitution

Preamble

The Union and its Territory

Citizenship

State (Art. 12)

II.

Fundamental Rights – To Whom Available

Judicial Review (Art. 13)

Right to Equality (Art. 14-18)

Right to Freedom (Art. 19-22)

III.

Right Against Exploitation (Art. 23 and 24)

Freedom of Religion (Art. 25-28)

Cultural and Educational Rights (Art. 29 and 30)

Directive Principles of State Policy

IV.

Fundamental Duties

Union Judiciary

State Judiciary

Writs Jurisdictions of Higher Courts including Judicial Activism in India

Leading Cases:

1. Minerva Mills V. Union of India, AIR 1 978 SC, 1789.
2. Maneka Gandhi V. Union of India. AIR 1978 SC 597.
3. Keshavanand Bharti V. State of Kerala AIR 1973 SC 1476

Suggested Reading:

1. H.M. Seervai : Constitutional Law of India
2. M.P. Jain : Indian Constitution Law
3. D.D. Basu : Introduction of Constitution
4. J.N. Pandey : Constitutional Law of India
5. Kailash Rai : The Constitutional Law of India
6. Dr.Upadhyay : The Constitutional Law of India

B.A. LL.B (Five Years Course)
III-SEMESTER

(LAW-313)

Family Law-II (Muslim Law)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

CONTENTS

1. **Mohammedan Law** : Origin development sources, schools. Application, interpretation and conversion.
2. **Marriage** : Nature of marriage, essential of marriage Khyar-ul-bulug Iddat. Khilwat-us-sahih, Matrimonial stipulations, kinds of marriage and effects of marriage.
3. **Mahr**: Meaning, nature, kinds, Objects and subject matter. Wife's right on non-payment of dower. Dissolution of marriage : Talaq, ha, Zihar Mahr: Meaning, nature, kinds. object and subject matter. Matter. Wife's right on non-payment of dower. Dissolution of marriage : Talaq, ha, Zihar, Talaq-ulTafweez, Mubarat, Khula, Lien, Fashk, Section 2 of the Dissolution of Muslim Marriage Act, 1939. Legal effects of divorce.
4. **Pre-emption**, Meaning, nature and classification of Haq shufa (Pre-emption) Right of preemption when conflict of law, subject matter and formalities of pre-emption, legal effects of Pre-exemption. Devices for evading preemption.
5. **Gift Hiba**: Meaning and requisites of gift (Hiba): Gift of Musha, Conditional and future gifts. Life estate, Life interest, I-Hiba-bil-awaz, Hiba-bil-shart-ulawaj.
6. **Will (Vasiyat)**: Competancy of testator and legatee, valid subject of will Testamentary limitations, formalities of a will and abatement of legacy.
7. **Legitimacy and acknowledgment** : Legitimacy and legitimation, presumption of legitimacy under Muslim law and section 112 of the Indian Evidence Act, conditions of a valid acknowledgment.
8. **Maintenance** : Persons entitled to maintenance, Principles of maintenance, The Muslim Women (Protection of Rights on Divorce) Act, 1986.
9. **Death Bed Transactions** : Meaning and effect of Marj-ul-maut.
10. **Wakf**: Meaning, essential and kinds. Beneficiaries of wakf. The Wakf validating Act, 1913. Formalities for creation wakf, wakf of Musha, Muslim religions institutions and officers. Administration of Wakfs, Mutawali.

Leading Cases:

1. Mama Bibi V. Chaudhary Vakil Ahmed (1923)52 la 145.
2. HabiburRehman V. AltafAli(1921)481A 114.
3. Moonshree Buzul-ul-Rahem V. Luteefun Nissa, (1861)3 MIA 379.
4. Abdul Fata V. Russomoy Choudhary (1894)221 A 76.

5. Mohd. Abmad Khan V. ShahBano Begum, AIR 1985 S.C.945.

Suggested Readings:

1. Fyzee : Mohammedan Law.
2. Mulla : Principles of Mohammedan Law.
3. Verma B.R.: Islamic Law.
4. Aquil Ahmed: Mohammedan Law.(English & Hindi)
5. Amir Au: Mohammedan Law.
- 6 K.P.Sharma : Mohammedan Law. (English & Hindi)
- 7.Amir Ali: Outline of Mohammedan Law.
- 8-Hfizurahman : Mohammedan Law.

B.A., LL.B. (5 Years)

(List of Courses Prescribed for IV-Semester)

COMPULSORY COURSE

| <u>IV-SEMESTER</u> | |
|---------------------------|----------------------------------|
| Course Code | Course Title |
| LBA-401 | History-III |
| LBA-402 | Sociology-II |
| LAW-411 | Jurisprudence- I |
| LAW-412 | Constitutional Law- II |
| LAW-413 | Crime and Punishment -I (I.P.C.) |

**B.A. LL.B (Five Years Course)
IV-SEMESTER**

(LBA-401)

History – III

(History of Courts, Legislature & Legal Profession in India)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

- I. Importance of necessity of legal history : Charter of 1726 and establishment of Mayor's Court : Charter of 1753 ; The Regulating Act, 1773. The Supreme Court of Calcutta, Bombay and Madras Act of Settlement, 1781 ; Nand Kumar Trial, Patna case Cosijurah case.
- II. The beginning to the adalat system ; The judicial plan of 1772 and 1774 introduced by warren hastings. Judicial reforms of Cornwallis and William bentick.
- III. The high court : Dual judicature before 1986 : Indian high court act 1861 ; Privy Council ; Federal Court, and good conciences), Development of Criminal Law. Charter Act of 1833 Condification of Law : Law Commission, Legislative Concil, First, Second and Third Law Commissions. The Lex Loci Report.
- IV. Government of India Act, 1858 and 1892 Act of 1909 ; Morley Minto reforms, Government of India Act, 1919.
- V. Simmon Commission, Round Table Conference : Federalism – Nature and Characteristics under Government of India Act, 1935 ; Provincial Authonomy, Cabinet Mission ; Crips Mission ; Indian Independence Act, 1947 ; Abolition of jurisdiction of Privy Council ; Constituent Assembly – Its formation, working, contributions.

LEADING CASES :

1. Trial of Raja Nand Kumar 1775.
2. Patna Case, 1777-79
3. Cossijurah Case, 1789-90

Selected Readings:

1. Jain, M.P. : Outlines of Indian Legal History (Hindi & English)
2. Keith, A.B. : Constitution History of India (Chapter VII, VIII, X,XI, XII)
3. Banerjee : The making of the Indian Constitution
4. Mahajan, V.D. : Constitutional History of India.

5. Sinha, B.S. : Legal & Constitutional History of India.
6. Kulshrestha, V.D. : Land marks in Indian legal and Constitutional history (English & Hindi)
7. Bhansali, S.R. : Legal System of India.
8. Dr.N.V.Paranjpe. Legal & Constitutional History of India.

**B.A. LL.B (Five Years Course)
IV-SEMESTER**

(LBA-402)

Sociology–II

(Social Anthropology)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

(Objective: The focus of this paper is to provide a comparative analysis of different cultures and study the institutions and human relationship of primitive of the past and present.)

Anthropology and Anthropological Perspective: Nature, Scope and Subject Matter of Social Anthropology, Methods of Social Anthropology: Historical, Comparative and Functional, Development of Social Anthropology in India. Conceptual Explanations of Tribe: Primitive, Economic and Political System with reference to Indian Tribes. Culture Components and Change – Diffusion, Acculturation, Assimilation Institutional Overview: Family and Marriage in Tribal Society, Religion and Magic among Tribes.

Kinship Primitive Kinship System: Types, Relation and Usages of Kinship Behaviour (Joking Relation, Avoidance, Avunculate, Teknonymy) Problems and Welfare of Indian Tribes: Problems and Changes among Indian Tribes, Constitutional Provisions for Scheduled Tribes, Evolution of Welfare Programmes

Suggested Readings:

1. Das Veena., Social anthropology, Eastern Book Corp, New Delhi.
2. Srinivas, N.M., Essays in Indian Social Anthropology, Oxford Univ. Press, New.
3. Gupta, L.M. & Sharma, D.D, Social Anthropology, Sahitya Bhawan Publications,

Agra.
4. Narayan, S. Indian Anthropology ,Gyan PublishingHouse, New Delhi.

**B.A. LL.B (Five Years Course)
IV-SEMESTER**

(LAW-411)

Jurisprudence-I

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I: Introduction

Nature and scope of Jurisprudence

Need for study of Jurisprudence

Linkage between Jurisprudence and other sciences

II: Schools of Jurisprudence

Natural Law with Indian Perspective

Analytical Positivism, Pure Theory, Legal Realism

Historical Jurisprudence

III: School of Jurisprudence-II

Sociological Jurisprudence with Indian Perspective

Administration of Justice

Civil and Criminal Justice System

IV: Sources of Law

Custom

Legislation

Precedent

Suggested Readings:

1. Boderheimer-Jurisprudence-The Philosophy & Method of Law (1996)
2. R.W.M. Dias-Jurisprudence (1994)
3. Fitzgerald-Salmond on Jurisprudence (1999),
4. Dhyani SN-Jurisprudence-A Study of Indian Legal Theory (1985)
5. Dr. N.V. Paranjpe : Jurisprudence
6. Dr. Anirudh Prasad : Jurisprudence

**B.A. LL.B (Five Years Course)
IV-SEMESTER**

(LAW-412)

Constitutional Law-II

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.

Union Legislature including the Speaker

State Legislature

Privileges of Legislature and Anti Defection Law

II.

Union Executive

State Executive

Legislative Relations between Union and States

Administrative Relations between Union and States

III.

Liability of State in Torts and Contracts

Emergency Provisions

Election Commission : Constitution Powers and Functions

IV.

Freedom of Trade, Commerce and Inter-Course

Services under the Union and the States including Public Service Commission

Constitutional Provisions Relating to Tribunals and Administrative Tribunals

Amendments of the Constitution including the Doctrine of Basic Structure.

Leading cases:

1. Union of India. V. Tulsidas, AIR 1985 SC 1416.

2. Kedar Singh V. Union of India, AIR 1989 SC 653.

Suggested Readings

H.M. Seervai : Constitutional Law of India

M.P. Jain : Indian Constitution Law

D.D. Basu : Introduction of Constitution

J.N. Pandey : Constitutional Law of India(Hindi &English)

Kailash Rai : The Constitutional Law of India

**B.A. LL.B (Five Years Course)
IV-SEMESTER**

(LAW-413)

Crime and Punishment-I (I.P.C.)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I: Introduction to Substantive Criminal Law :

- a. Extent and operation of the Indian Penal Code
- b. Definition of Crime
- c. Fundamental elements of crime
- d. Stages in commission of a crime
- e. Intention, Preparation, Attempt

II: General Explanations and Exceptions:

- a. Definitions
- b. Constructive joint liability
- c. Mistake
- d. Judicial and Executive acts
- e. Accident
- f. Necessity
- g. Infancy
- h. Insanity
- i. Intoxication
- j. Consent
- k. Good faith
- l. Private defence

III: Abetment and Criminal Conspiracy

IV: Punishment

- a. Theories: Deterrent, Retributive, Preventive, Expiatory and Reformative Theory
- b. Punishment under the IPC: Fine, Imprisonment, Capital Punishment

Leading Cases:

- 1. Barendra Kumar Ghosh v. King Emperor – AIR 1925 PC
- 2. Basdev v. Stat of Pepsu – AIR 1956 SC 488
- 3. Delhi Judicial Service Association, Tis Hazari Court v. State of Gujrat AIR 1991 SC

2176

4. M Naughton's Case – (1843) 4St Tr (NS) 847
5. Rupan Deol Bajaj v. KPS Gill – AIR 1996 SC 309
6. Mahaboob Shah v. King Emperor – AIR 1945 pc 118
7. Kehar Singh v. State (Delhi Administrator) – AIR 1988 SC 1883

Suggested Readings

1. Ratanlal & Dhirajlal – The Indian Penal Code
2. H.S. Gaur – Penal Law of India
- T.Bhacharya :Indian Penal Code (English/Hindi)
- Ram Yadav: Indian Penal Code(Hindi)
5. N.V.Paranjpe : Indian Penal Code (English/Hindi)

3.

4 .Raja

B.A., LL.B. (5 Years)

(List of Courses Prescribed for V-Semester)

COMPULSORY COURSE

| <u>V-SEMESTER</u> | |
|--------------------------|------------------------|
| Course Code | Course Title |
| LBA-501 | Economics-II |
| LBA-502 | Political Science -III |
| LAW-511 | Jurisprudence- II |
| LAW-512 | Company Law- I |
| LAW-513 | Property Law-I |

B.A. LL.B (Five Years Course)

V-SEMESTER

(LBA-501)

Economics-II

(Micro Economics-II)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

Objective: The objective of this paper is to familiarize the student with the concepts of production, revenue, cost & dynamism of different market forms.

- I.** Production Theory: Production Function, Production (TP) curve, Laws of variable proportions, Returns to Factor (Average and Marginal Product) and Scale (IRS, CRS, and DRS) & relationship between them.
- II.** Revenue & Cost theory: General theories and types of Cost (FC, VC), Cost concepts & Curves (TC, AC, MC) & relationship between them, SR & LR Cost theory (SAC, SMC, LAC, LMC etc.), Revenue – Types, Curves & Characteristics (TR, MR, AR etc.) Profit Maximization & Cost Minimization.
- III.** Types & Characteristics [PC, Monopoly (inclusive of price discrimination), Oligopoly, Monopolistic Competition], Market Equilibrium (SR & LR) of firm & Industry under PC, Monopoly, Characteristics of Collusive oligopoly – cartelization.
- IV.** Market Dynamics: Effect of Shift in Market Demand & Supply & Shift in Firms Production & Cost Curves on market /firm equilibrium
- V.** Game Theory: Basics, Strategy, Payoff Matrix, Zero Sum game, Prisoner's Dilemma.

Suggested Readings:

1. Jhingan M.L., Microeconomics Theory, Vrinda Pub.
2. Samuelson & Nordhaus, Economics, Tata Mc Graw Hill.
3. Hal.R.Varian, Intermediate Microeconomics, W.W. Norton & Company.
4. Koutsoyiannis A., Modern Microeconomics, Mac Millan Press.

B.A. LL.B (Five Years Course)

V-SEMESTER

(LBA-502)

Political Science-III

(International Relations)

(The Theory Paper shall be of 70 marks and of 3 hours duration.

The question asked may be objective and subjective both or subjective only.

30 Marks have been assigned for sessionals.)

- I. Introduction to Industrial Relations - Evolution of State as a player in Industrial Relations – Industrial Relations in ancient, medieval and modern periods - relationship between International Relations and International Law.
- II. Theories of International Relation - Moralism Theory - Merits and Demerits - Liberalism and International Relations - merits and demerits - Realist theory merits and demerits - Marxian theory merits and demerits - Neo-realist and neo-liberalist theories of modern World - Alternative approaches to Theories of International Law.
- III. Feminist, Post-colonial, Post-modern theories - concept of Political power - Importance and relevance of political power of the state - concept of National power - Elements of national power - Limitations on national power
- IV. Role of political power in International Relations - struggle for political power – consolidation of political power - war as a method of wielding power - (military, economic and cultural) imperialism in I.R. - Two World Wars and their impact.
- V. Balance of Power in I.R. - Patterns of Balance of Power - Methods of Balance of Power - Divide and rule - compensations - Armament - Alliances - Importance and relevance of Balance of Power.
- VI. Balance of Power and International morality - Balance of Power and World Public opinion - Balance of Power and International Law - Ideological differences and Balance of Power - Bipolar World - Cold War - end of Cold War
- VII. Role of wars in international relations - Wars in International Law - Armament - developments in Warfare - Total War - Alliances & Counter alliances - Non-aligned movement - Disarmaments - Treaties - changing character of War - Conventions and the development of International Law through international relations – League of Nations and United Nations - SALT-I, II - Regional arrangements
- VIII. Diplomacy - functions of diplomacy - future of diplomacy - types of diplomacy - Diplomacy and Terrorism - contemporary developments - U.N's role in international peace & security.

Selected Readings:

1. Hans J. Morgenthau, Politics Among Nations: The Struggle for Power & Peace,
2. Norman D. Palmer & Howard C. Perkins, International Relations: The World Community in Transition,
3. John Baylis, Steve Smit & Patricia Owens, The Globalization of World Politics,
4. Charls W. Kagley JR & Eugene R. Wittkopt, World Politics: Trend & Transformation, 4th ed.
5. B.L.Fadiya ; International Relations.

**B.A. LL.B (Five Years Course)
V-SEMESTER**

(LAW-511)

Jurisprudence-II

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

**I.
State, Sovereignty and Law**

Nature and functions of a State and its relationship with law
Nature and development of Sovereignty
Nature and Kinds of law and theories of justice

**II.
Law and Legislation**

Law and Morality
Law and Religion
Law and Social change

**III.
Concepts of Law**

Rights and Duties
Personality
Possession, Ownership and Property

**IV.
Principles of Liability**

Liability and Negligence
Absolute Liability
Immunity

Suggested Readings:

1. Boderheimer-Jurisprudence-The Philosophy & Method of Law (1996)
2. R.W.M. Dias-Jurisprudence (1994) Indian Reprint-Adithya Books, Delhi
3. Fitzgerald-Salmond on Jurisprudence (1999), Tripathi, Bombay
4. Dhyani SN-Jurisprudence-A Study of Indian Legal Theory (1985)
5. Dr. N.V. Pranjpe- Jurisprudence
6. Dr. Anirudh Prasad- Jurisprudence

**B.A. LL.B (Five Years Course)
V-SEMESTER**

(LAW-512)

Company Law-I

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.

Formation, Registration and Incorporation of Company

Meaning of Corporation

Nature and kinds of company

Promoters: Position, duties and liabilities

Mode and consequences of incorporation

Uses and abuses of the corporate form, lifting of corporate veil

Theory of Corporate personality

II.

Memorandum of Association, alteration and the doctrine of ultra vires

Articles of Association, binding nature, alteration, relation with memorandum of Association, Doctrine of Constructive Notice and Indoor Management-exceptions

III.

Capital Formation of Regulation

Prospectus: Issues, contents, kinds, liabilities for misstatement, statement in lieu of prospectus The nature and classification of company securities Shares and general principles of allotment Statutory share certificate, its objects and

effects Transfer of shares, restriction of transfer, relationship between transferor and transferee, issue of share at premium, role of public finance institutions Share Capital, reduction of share capital Conversion of loans debentures into capital Duties of court to protect interests of creditors and shareholders.

IV. Corporate Administrative

Directors: Kinds, Powers and Duties

Role of nominee Directors, Managing Director and other managerial personnel.

Suggested Readings:

1. L.C.B.Gower, Principles of Modern Company Law, 1997
2. A. Ramaiya, Guide to the Companies Act, 1998 Wadhwa
3. Palmer, Palmer's Company Law, 1987 Stevens, London
4. Avtar Singh, Indian Company Law, Eastern Book Co.
5. R.K.Bangia, Company Law
6. Dr.V.N.Pranjpe, Company Law.

B.A. LL.B (Five Years Course) V-SEMESTER

(LAW-513)

Property Law-I

(The Theory Paper shall be of 70 marks and of 3 hours duration.

The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I. Concept of Property and General Principles Relating to Transfer of Property

Concept of property: distinction between moveable and immoveable Property, Definition clause: Immovable property, Attestation, Notice, Actionable claim

Definition to transfer of property (Sec.5)

Transfer and non-transfer property (Sec.10-12)

Transfer to an unborn person and rule against perpetuity (Sec.13, 14)

Vested and Contingent interest (Sec.19 & 21)
Rule of Election (Sec.35)

II. General Principles Governing Transfer of Immoveable Property

Transfer by ostensible owner
Rule of feeding the grant by estoppel
Rule of Lis pendens
Fraudulent transfer
Rule of part performance
Vested and contingent interest
Conditional transfer

Prescribed Books :-

- 1.Sarathi V.P. Law of Transfer of Property
- 2.Shah S.M. Principles of the Law of Transfer
- 3.Mulla on Transfer of Property Act
- 4.Lahiri M.M. Transfer of Property Act
- 5.Mitra B.B. Transfer of Property Act
- 6.Shukla S.N. Transfer of Property Act
- 7.Gupta R.R. Transfer of Property Act (English/Hindi)

B.A., LL.B. (5 Years)

(List of Courses Prescribed for VI-Semester)

COMPULSORY COURSE

| <u>VI-SEMESTER</u> | |
|---------------------------|---------------------|
| Course Code | Course Title |
| LBA-601 | Economics-III |
| LBA-602 | Sociology-III |
| LAW-611 | Property Law-II |
| LAW-612 | Company Law- II |
| LAW-613 | Labour Law- I |

**B.A. LL.B (Five Years Course)
VI-SEMESTER**

(LBA-601)

Economics-III

(Introduction to International Trade, Development & Public Economics)

(The Theory Paper shall be of 70 marks and of 3 hours duration.

The question asked may be objective and subjective both or subjective only.

30 Marks have been assigned for sessionals.)

- I. Features of International Trade, Gains From Trade, Trade Theories- Adam Smith, Ricardo, Haberler, Mill and H-O Theory (Elementary Treatment).
- II. Free Trade & Protection, Foreign Exchange Market & Exchange rate, Balance of Trade & Balance of Payment-Definition & Structure, WTO- Scope & Impact.
- III. Economic Growth & Development- Factor Affecting Economic Growth, Development & Underdevelopment, Measures of Development Lewis, Theory of Unlimited Supply of Labour, Concept of Poverty & Inequality.
- IV. Nature & Scope of Public Finance, Role of Government in the Economy, Optimal Budgeting, Public goods & Private goods, Public Revenue- Canons of Taxation, Incidence, Impact and Shifting of Taxation, Direct & Indirect Taxation, Public Expenditure- Canons of Public Expenditure, Classification and Effect on Production & on Distribution, Public Debt- Meaning Objectives, Burden & Theories of Public Debt.

Suggested Readings:

1. R.A.Musgrave & P.B. Musgrave, Public Finance in Theory & Practice.
2. S. Ganguli, Public Finance
3. H.L.Bhatia, Public Finance
4. K.C.Rana & K.N.Verma, International Economics(Hindi/English)

**B.A. LL.B (Five Years Course)
VI-SEMESTER**

(LBA-602)

Sociology–III

(Society in India)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

- I. The textual and the field view of Indian society;** the significance of the field view; the interface between the present and the past.
- II. The structure and composition of Indian society:** villages, towns, cities; rural-urban linkages, tribes, weaker section, Dalits, women and minorities, population profile and related issues.
- III. Cultural and ethnic diversity:** historically-embedded diversities in respect of language case, religious belief and practices and cultural patterns. Basic institutions of Indian society: caste, kinship, family, marriage, religion; caste and class; changing dimensions.
- IV. Convergence and integration;** the sharing of material traits, cultural space, language and regional ethos; the evolution of composite cultural legacy; change and transformation in Indian society; nation-building and national identity;
- V. Dimension of Social Change** – urbanization and family change – subalterns, Dalits and social transformation – sanskritization –
- VI. Rural society:** concepts, agrarian social structure, social stratification – changing rural society – agrarian unrest - **Peasant Movements;** Movements of pre-independence and post independence period. Environmental Movements, Students movements, Dalit Movement and Women's Movement
- VII. Sociology of Law in India:** Law and Disadvantaged Group: Issue of Reservation Caste and Women's Empowerment. Law and Social Change: Approaches and concepts to understand the process of social change in India. Social Perception of law in the globalize era. Social role of Judiciary: Legal profession and Indian society. Public Interest Litigation

Suggested Readings:

1. Bose, N.K.1967, Culture and Society in India..
2. Bose,N./K.1975: Structure of Hindu Society. New Delhi.
3. Dube.S.C.1990 : Society in India (New Delhi: National Book Trust)
4. Dube.S.C.1995 : Indian Village (London : Routledge)
5. Dube.S.C.1958 : India's Changing Villages Paul)

**B.A. LL.B (Five Years Course)
VI-SEMESTER**

(LAW-611)

Property Law–II

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

(A) Specific Transfers

1. Sale (54-57)
2. Mortgage and charge(58-104)
3. Leases of immovable property (Ss 105-117)
4. Exchanges (Ss 118-121)
5. Gifts (Ss 122-129)
6. Transfer of actionable claims (Ss 130-137)

(B) The Indian Partnership Act, 1932

- a. Nature of partnership firm
- b. Relations of partners to one another and outsiders
 - i. Rights /Duties of partners inter se
 - ii. Partnership Property
 - iii. Relations of Partners to third parties
 - iv. Liability for holding out
 - v. Minor as a partner
- c. Incoming and outgoing partners
- d. Dissolution
 - i By consent,
 - ii By agreement,
 - iii compulsory dissolution,
 - iv contingent dissolution,
 - v By notice,
 - vi By Court.
 - vii Consequences of dissolution
 - viii Registration of firms and effects of non registration

(C) The Indian Easements Act 1882

1. Easements (Ss 1-51)
2. Licenses (Ss 52-64)

Prescribed Books :-

1. Sarathi V.P. Law of Transfer of Property
2. Shah S.M. Principles of the Law of Transfer
3. Mulla on Transfer of Property Act
4. Lahiri M.M. Transfer of Property Act
5. Mitra B.B. Transfer of Property Act
6. Shukla S.N. Transfer of Property Act
7. Gupta R.R. Transfer of Property Act (English/Hindi)
8. Avtar Singh, Law of Contract and Specific Relief

9. R.K. Bangia, Law of Contracts

**B.A. LL.B (Five Years Course)
VI-SEMESTER**

(LAW-612)

Company Law-II

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.

Dividends-Payments-Capitalization-profit; Audit to Account.

Debentures, Kinds, shareholders and debenture holders, remedies of debenture holders.

Borrowing powers and effect of unauthorized borrowings, charges and mortgages,
Loans to other
companies, Instruments, contracts by companies.

II.

Insider trading

Meeting: Kinds and Procedure

The balance of powers within companies-Majority control and minority protection,

III.

Winding up of Companies

Kinds, Consequences and reasons of winding up

Role of the Court

Liability of past members

Payment of liabilities

Reconstruction and amalgamation

IV.

Law and Multinational Companies, International norms for control, FEMA 1999-
Controls joint ventures, Investment in India-Repatriation of project, Collaboration
agreements for technology transfer- Prevention of oppression and powers of court
and central government Emerging trends in Corporate social responsibility, legal
liability of company-civil, criminal, tortuous and environmental.

Suggested Readings:

1. L.C.B.Gower, Principles of Modern Company Law, 1997
2. A. Ramaiya, Guide to the Companies Act, 1998 Wadhwa

3. Palmer, Palmer's Company Law, 1987 Stevens, London
4. Avtar Singh, Indian Company Law, Eastern Book Co.
5. R.K.Bangia, Company Law
6. Dr.V.N.Pranjpe, Company Law

**B.A. LL.B (Five Years Course)
VI-SEMESTER**

(LAW-613)

Labour Law-I

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

1. Trade Unions Act, 1926 Main features and the following :-

- . History of Trade Unionism in India
- . Development of Trade Union Law in India
- . Right to Trade Union as a part of fundamental right to freedom of association under the Indian Constitution.

Definition of Trade Union and Trade Dispute

- . Distinction between Trade Dispute and Individual Dispute.
- . Registration of Trade Unions
- . Rights and Liabilities of Registered Trade Unions
- . Recognition of Trade Unions
- . Collective Bargaining and Trade Disputes

2. The Industrial Disputes Act, 1947 – Main features and the following :-

- . Definitions of Employer, Industry, Lay off, Lock out, Retrenchment, Strike, Unfair Labour Practice and workman.
- . Authorities, Procedure, Powers & duties of Authorities.
- . Reference of Disputes to Boards, Courts, Tribunals.
- . Strike and Lock outs
- . Lay off and Retrenchment
- . Unfair Labour Practices
- . Penalties

3. The Minimum Wages Act, 1948 – Main features and the following :-

- . Concept of wages – Minimum wages, fair wages, living wages.
- . Definitions – Employer, Wages, Employee, Wage Structure
- . Fixation of Minimum Rates of wages, Working hours and Determination of wages & claims etc.

4. The Factories Act, 1948 - Main features and the following :-

- . Definitions – Manufacturing Process, Worker, Factory and Occupation
- . Provisions relating to Health.
- . Provisions relating to Safety.
- . Provisions relating to Hazardous Processes.
- . Provisions relating to welfare.
- . Penalties.

Suggested Readings:

1. John Bowers & Simon Honey Ball, Text Book on Labour Law (1996) Blackstone, London
2. K.M.Pillai, Labour and Industrial Laws
3. V.G.Goswami, Labour and Industrial Laws, 1999
4. Dr. S.K.Puri, Labour and Industrial Laws (New Ed.)
- 5 D.D.Seth, Commentaries on Industrial Disputes Act, 1998

B.A., LL.B. (5 Years)

(List of Courses Prescribed for VII-Semester)

COMPULSORY COURSE

| <u>VII-SEMESTER</u> | |
|----------------------------|---------------------|
| Course | Course Title |

| Code | |
|-------------|--|
| LAW-701 | Public Interest Layering |
| LAW-702 | Labor Law- II |
| LAW-703 | Alternate Dispute Resolution and Legal Aid Legal |
| LAW-704 | Women and Law |
| LAW-705 | Public International Law-I |

**B.A. LL.B (Five Years Course)
VII-SEMESTER**

(LAW-701)

Public Interest Layering

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.

Meaning, Nature, Scope and object of public interest Litigation (PIL). PIL against the state and other public bodies. Difference between Public interest litigation and Private interest litigation; Meaning of Social action litigation, Concept of Locus Standi.

II.

Legal Aid under the -

1. Constitution;
2. Code of Criminal Procedure;
3. Code of Civil procedure

The Legal Services Authorities Act, 1987, Legal Aid and Law School, Legal Aid and voluntary organization, Legal Aid and legal profession; District Legal Aid Committee

III.

Lok Adalats - Its Jurisdiction, Working and Powers under the Legal Service Authority Act, 1987.

IV.

Writing of PIL Petitions Writings of Applications for Legal Aid

Leading Cases :

1. Bandhua Mukti Morcha v/s. Union of India (1984)3 SCC 161
2. Olga Tellis V/s. Bombay Municipal Corporation(1985) 3 SCC 545
3. Sheel Barse V/s State of Maharashtra, AIR 1988

Suggested Readings:

1. P.N. Bhagwati :Legal Aid as a Human Right
2. Sujan Singh : Legal Aid - Human Right of Equality
3. Sunil Dhesta :Lok Adalats in India - Genesis and Functioning
4. L.M. Singhvi : Law and Poverty Cases and Material
5. Awadh Prasad : Lok Adalat
6. S.S. Sharma : Legal Assistance to Poor
7. P.N. Bajpayee :Legal Aid & the Bar Council

(LAW-702)

Labor Law-II

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.

The Remunerative Aspects – Wages – Concepts of wages - Minimum, Fair, Living Wages - Wage and Industrial Policies - Whitley Commission Recommendations - Provisions of Payment of Wages Act 1936 - Timely payment of wages - Authorised deductions – Claims - Minimum Wages Act 1948 - Definitions - Types of wages - Minimum rates of wages - Procedure for fixing and revising Minimum Wages – Claims - Remedy.

II.

Bonus – concept - Right to claim Bonus – Full Bench formula - Bonus Commission - Payment of Bonus Act 1965 - Application – Computation of gross profit, available, allocable surplus - Eligibility of Bonus - Disqualification of Bonus - set on – set off of allocable surplus- Minimum and Maximum Bonus-Recovery of Bonus.

III.

Employees Security and Welfare aspect - Social Security - Concept and meaning - Social Insurance - Social Assistance Schemes. Social Security Legislations - Law relating to workmen's compensation - The Workmen's Compensation Act 1923 – Definitions -Employer's liability for compensation - Nexus between injury and employment - payment of compensation - penalty for default - Employees State Insurance Act 1948 – Application - Benefits under the Act - Adjudication of disputes and claims – ESI Corporation.

IV.

Employees Provident Fund and Miscellaneous Provisions Act 1952 – Contributions -Schemes under the Act - Benefits. The Maternity Benefit Act 1961 - Definitions- Application - Benefits. The Payment of Gratuity Act 1972 – Definitions – application - Payment of gratuity - eligibility – forfeiture – Nomination - Controlling authorities

Suggested Readings:

1. S.N.Misra, *Labour and Industrial Laws*, Central law publication-22nd edition. 2006.
2. N.G. Goswami, *Labour and Industrial Laws*, Central Law Agency.
3. Khan & Kahan, *Labour Law-Asia Law house*, Hyderabad
4. K.D. Srivastava, *Payment of Bonus Act*, Eastern Book Company
5. K.D. Srivastava, *Payment of Wages Act*
6. K.D. Srivastava, *Industrial Employment (Standing Orders) Act 1947*
7. S.C.Srivastava, *Treatise on Social Security*
8. Jidwitesukumar Singh, *Labour Economics*, Deep& Deep, New Delhi

9. V.J.Rao, *Factories Law*
10. G.S.Sharma: Labour Laws

**B.A. LL.B (Five Years Course)
VII-SEMESTER**

(LAW-703)

Alternate Dispute Resolution and Legal Aid

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.The Arbitration and Conciliation Act, 1996

- Definitions
- Form of Arbitration Agreement
- Constituents of Arbitration Agreement

- Composition of Arbitral Tribunal
- Removal of arbitrator
- Termination of Mandate and substitution of Arbitration
- Setting aside of arbitral award
- Enforcement of award.

II.The Arbitration and Conciliation Act, 1996

- Scope of Conciliation
- Appointment of Conciliators
- Role of Concilator
- Settlement agreement
- Status and effect of settlement agreement
- Confidentiality
- Termination of Conciliation proceedings
- Resort to arbitral or Judicial proceedings
- Difference between Conciliation and Mediation
- Distinction between Mediation and Arbitration

III.Alternative Means of Settlement of Disputes

- Merits of ADR
- Demerits of ADR

- Negotiation
- Essential Ingredients of Negotiation
- Sources of Negotiation
- Kinds of approaches to negotiation
- Obstructions to Negotiation

IV-Lok- Adalats & Legal Aid

- Concept of Lok-Adalat
- Establishment of Lok-Adalats
- Jurisdiction of Lok-Adalats
- Powers of the Lok-Adalats
- Award of the Lok-Adalats
- Legal Aid under Constitution of India, 1950
- Free Legal Services under the Legal Services Authorities Act, 1987

Suggested Readings:

1. Dr. Avtar Singh, Law of Arbitration & Conciliation
2. S.C. Tripathi, Arbitration and Conciliation Act, 1996
3. Dr. N.V. Paranjape, Arbitration & Alternative Dispute Resolution
4. Dr. S.S. Mishra, Law of Arbitration & Conciliation in India
5. N.V. Paranjape, Public Interest Litigation, Legal Aid & Services, Lok Adalats & Para- Legal Services.
6. S.S. Mishra, Legal Services, Public Interest Litigation and Para-Legal Services
7. Dr. Anupam Kulwal, An Introduction to ADR - A text book for Indian Law Students, Centre Law Publication (2011).

- The Arbitration & Conciliation Act, 1996 (Bare Act)
- The Legal Services Authorities Act, 1987 (Bare Act)

**B.A. LL.B (Five Years Course)
VII-SEMESTER**

(LAW-704)

Women and Law

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I. Constitutional Rights :

Equality of women – Art 14 -15 equality in public employment Art 16
Constitutional Directives to the States – Art 39 and 39 A
Fundamental duty towards the dignity of women.

II. Women Rights under Criminal Law.

Indian Penal Code. - Sec. 493-498, 498 A
Criminal Procedure Code. - Sec 125 to 128
Indian Evidence Act 1872 - Sec 112, 113 A, 113 B, 114 A, 122

III. Social Welfare Legislation

Dowry Prohibition Act 1961 - Sec 1 to 8
Indecent, Representation of Women (Prohibition) Act 1986
Sec 1 to 6 Equal Remuneration Act 1976 Sec 4 and 5
Maternity Benefit Act 1961 Sec 4 to 12

IV. Protection of Women under National Legal framework -

National Commission for Women Act 1990
Protection of Women from Domestic Violence Act 2005
Sec 3. Definition Sec 4 to 10 Powers Duties of Protection officers
Sec 18 to 22 – Relief

V. Rights of Women under International law (Human Rights)

Suggested Readings:

1. Prof. Nomita Aggarwal, Women and Law
2. Dr. Manjula Batra, Women and Law
3. G.P.Reddy, Women and Law

**B.A. LL.B (Five Years Course)
VII-SEMESTER**

(LAW-705)

Public International Law-I

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.

Definition and nature, General and Regional rules of International Law, Distinction between public International Law and Private International Law, Hugo Grotius, Is International Law true Law? Sanctions of observance of International Law, Sources of International Law (Article 38, Statute of the International Court of Justice), Relationship between international law and municipal law (Monism, Dualism, British, American and Indian Practice), Subject of international law, Individual as subject of international law characteristics of a State in International Law, Micro States, Sovereignty of States,

II.

Recognition Definition of State Recognition, Recognition of Government, Theories of Recognition, Recognition De Jure and De Facto, The Duty to Recognize, Legal Effect of Recognition, Withdrawal of Recognition, Retroactive effect of Recognition. States Succession :Definition and Kinds of Succession consequences of state succession, Succession in respect of International Organisation . Intervention Definition and its Prohibition, Grounds of Intervention. Intervention by invitation. State Jurisdiction Territorial Jurisdiction and its limitations. State Responsibility: Kinds of State Responsibility, Consequences of State Responsibility.

III.

State Territory: Concept, modes of acquisition, International Rivers Air Space Various Theories, Aerial Navigation (Five freedom of Air), Outer Space Treaty, 1967 Maritime Belt, Contiguous Zone, Continental Shelf, Exclusive Economic Zone, The High Seas, Land Locked States, International Tribunal..

IV.

Extradition: Definition, Purpose of Extradition, Legal Duty, Extradition of Political Offenders, Doctrine of Double Criminality, Rule of Speciality
Asylum: Meaning, Right of Asylum, Types of Asylum
Diplomatic Agents: Who are Diplomatic Agent? Classification of Heads of Mission, Function of Diplomatic Agents, The basis of Immunities and Privileges, Privileges and Immunities, Waiver of Immunity, Termination of Diplomatic Mission.
Consuls: Classification, function, privileges and Immunities.
International Treaties: Meaning, kinds formation, Pacta Sunt Servanda, Rebus Sic Stantibus, Jus Cogens, Reservations and Termination.

Suggested Readings:

1. Starke, Introduction to International Law
2. Rebecca Wallace, International Law
3. Brownlie, Principles of International Law
4. S.K.Kapoor, Public International Law
5. M.P.Tandon, Public International Law, ALA
6. K.C.Joshi, International Law

B.A., LL.B. (5 Years)

(List of Courses Prescribed for VIII-Semester)

COMPULSORY COURSE

| <u>VIII-SEMESTER</u> | |
|-----------------------------|-----------------------------|
| Course Code | Course Title |
| LAW-801 | Public International Law-II |
| LAW-802 | Human Right & Practice |
| LAW-803 | Administrative Law |
| LAW-804 | Interpretation of Statutes |
| LAW-805 | Competition Law |

B.A. LL.B (Five Years Course)

VIII-SEMESTER

(LAW-801)

Public International Law-II

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.

International Organizations :Definition, the condition which should exists for their development, Their Legal Personality, capacity to enter into international treaties,, Privilege and Immunities,

League of Nations: Principal Organs, Its weaknesses, Mandate System.

II.

United Nations: Establishment, Preamble, Purpose & Principles of UN, Membership, suspension, expulsion and with drawl. Principal Organs of the UN, Amendment to the Charter.

III.

Settlement of International disputes, Pecific and compulsive, War: Definition, Non-war armed conflict, Declaration, Legal Regulation, Effects of the Outbreak of War. The Law of Warfare-Need, Laws of Land, Maritime and aerial Warfare, War crime-Nuremberg and Tokyo Trials, Genocide : Meaning, Main provisions of the Genocide Convention.

IV.

Neutrality –Meaning under the UN Charter, Rights and duties of neutral and Belligerent States,End of Neutrality, Right of Angary, Contraband and the Doctrine of Continuous Voyage, Blockade, Right of Visit and Search, Prize Courts,

Suggested Readings

1. S.P.Gupta, International Organisation, ALA
2. H.O.Agrawal, International Law and Human Rights
3. S.K.Kapoor : International Law and Human Rights

**B.A. LL.B (Five Years Course)
VIII-SEMESTER**

(LAW-802)

Human Right & Practice

(The Theory Paper shall be of 70 marks and of 3 hours duration.

The question asked may be objective and subjective both or subjective only.

30 Marks have been assigned for sessionals.)

I.

Jurisprudence of Human Rights; Nature, definition, origin and theories of Human Rights.

II.

Universal Protection of Human Rights; United Nations and Human Rights- Universal Declaration of Human Rights, 1948. Various International Covenants about Human Rights.

III.

Protection of Human Rights in India; National Human Rights Commissions and State Human Right Commissions.

IV.

Human Rights and the Constitution of India; Judicial trends about Protection of Human Rights in India.

V.

Human Rights and Vulnerable Groups; Rights of Women, Children, Disabled, Tribal, Aged and Minorities.

Leading Cases :

1. Bandhua Mukti Morcha v Union of India, AIR 1984 SC 802.
2. Vishakha v State of Rajasthan, AIR 1987 SC 579.
3. Sunil Batra v Delhi Administration, AIR 1978 SC 1675.

Suggested Readings :

1. UNO Charter.
2. Universal Declaration of Human Rights, 1948.
3. Human Rights and the Constitution Act, 1993.
4. S.K. Kapur : International law (English and Hindi)
5. M.P. Tondon : International Law (English and Hindi)
6. Nagendra Singh : Lectures on International Law.
7. Agrawal, H.O.: International law and Human Rights.

**B.A. LL.B (Five Years Course)
VIII-SEMESTER**

(LAW-803)

Administrative Law

(The Theory Paper shall be of 70 marks and of 3 hours duration.

The question asked may be objective and subjective both or subjective only.

30 Marks have been assigned for sessionals.)

I: Evolution and Scope of Administrative Law

- a. Nature, Scope and Development of Administrative Law
- b. Rule of law and Administrative Law
- c. Separation of powers and its relevance
- d. Relationship between Constitutional law and Administrative Law
- e. Administrative Law vis-à-vis privatization
- f. Classification of functions of Administration

II: Legislative Functions of Administration

- a. Necessity and Constitutionality
- b. Forms and requirements
- c. Control
 - i. Legislative
 - ii. Judicial
 - iii. Procedural
- d. Sub-delegation

III: Judicial Functions of Administration

- a. Need for devolution of adjudicatory authority on administration
- b. Nature of tribunals – Constitution, powers, procedures, rules of evidence
- c. Administrative Tribunals
- d. Principles of Natural Justice
 - i. Rule against bias
 - ii. Audi Alteram Partem
 - iii. Reasoned decisions
- e. Rules of evidence – no evidence, some evidence and substantial evidence
- f. Institutional Decisions

IV: Administrative Discretion and Judicial Control of Administrative Action.

A. Administrative Discretion

- a. Need and its relationship with rule of law
- b. Constitutional imperatives and exercise of discretion
- c. Grounds of judicial review
 - i. Abuse of discretion
 - ii. Failure to exercise discretion
- d. Doctrine of legitimate expectations

B. Judicial Control of Administrative Action

- i. Introduction
- ii. Court as the final authority to determine the legality of administrative action
- iii. Exhaustion of Administrative remedies
- iv. Locus standi
- v. Res judicata

C. Methods of judicial review

- i. Statutory appeals
- ii. Writs
- iii. Declaratory judgements and injunctions
- iv. Civil Suits for Compensation

Leading Cases:

1. Ram Jawaya v. State of Punjab (AIR 1955 SC 549)
2. A.K. Kraipak v. Union of India (AIR 1950 SC 150)
3. Maneka Gandhi v. Union of India (AIR 1978 SC 597)

Suggested Readings :

1. Principles of Administrative Law – M.P. Jain & S.N. Jain
2. Administrative Law – I.P. Massey

References:

1. Administrative Law – Wade
2. Lectures on Administrative Law – C.K. Takwani
3. Administrative Law – S.P. Sathe
4. U.P.D. Kesri : Administrative Law.

B.A. LL.B (Five Years Course) VIII-SEMESTER

(LAW-804)

Interpretation of Statutes

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

1. Interpretation of Statutes

- 1 Meaning of the term 'Statutes', classification of statutes
- 2 The duties of a Judge and legislation.
- 3 Purpose of Interpretation of statutes.
- 4 Utility of rules of interpretation.
- 5 Commencement, Repeal of statutes.

2. Aids to Interpretation Internal aids

- 1 Title
- 2 Preamble
- 3 Heading and marginal notes
- 4 Punctuation marks
- 5 Illustrations, exceptions, provisions and saving clauses.
- 6 Schedules
- 7 Non-obstinate clause

External aids

- 1 Dictionaries
- 2 Translations
- 3 Travaux Preparatoires
- 4 Stare decisis
- 5 Statutes in para materia
6. Parliamtary History
7. Foreign Judgments

3. Rules of Statutory Interpretation

Primary Rules

- 1 Literal rule
- 2 Golden rule
- 3 Mischief rule (Rule in the Heydon's case)
- 4 Rule of harmonious construction

Secondary Rules

- 1 Noscitur a sociis
- 2 Eiusdem generis
- 3 Reddendo singula singulis

4. Presumptions in Statutory Interpretation

- 1 Statutes are valid
- 2 Statutes are territorial in operation
- 3 Presumption as to jurisdiction
- 4 Presumption against violation of International Law
- 5 Prospective operation of statutes

5. Maxims of Statutory Interpretation

- 1 Contemporence expositio est fortissime in lege
- 2 Expressio unius est exclusio alterius
- 3 Generalia specialibus non derogant
- 4 Ut res magis valet quam pereat

6. Interpretation with reference to the subject matter and purpose

- 1 Taxing Statutes
- 2 Penal Statutes
- 3 Interpretation of directory and mandatory provisions

7. Principles of Constitutional Interpretation

- 1 Harmonious construction
- 2 Doctrine of pith and substance
- 3 Colorable legislation
- 4 Doctrine of eclipse

Suggested Readings :

1. V.P. Sarathi : Interpretation of Statutes
2. G.P. Singh : Principles of Statutory Interpretation
3. Jagdish Swarup : Legislation and Interpretation
4. T.Bhattacharya : Interpretation of Statutes

B.A. LL.B (Five Years Course) VIII-SEMESTER

(LAW-805)

Competition Law

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I. Introduction

- a. Basic economic and legal principles
- b. Restraint of Trade under Indian Contract Act
- c. Monopolistic Trade Practices
- d. Restrictive Trade Practices

II. Development of law from MRTP to Competition Act 2002

- a. Aims, Objects and Salient features
- b. Comparison between MRTP Act and Competition Act
- c. Anti-Competitive Agreement
- d. Abuse of Dominant Position
- e. Combination
- f. Protection of consumers

III. Competition Commission Of India

- a. Structure and function of CCI
- b. Regulatory role

IV. Competition Appellate Tribunal.

- a. Composition, Functions, Powers and Procedure
- b. Award Compensation
- c. Power to punish for contempt
- d. Execution of orders

Suggested Reading:

1. K.S. Anantaranan : Lectures on Company Law and MRTP
2. Dr. R.K. Singh : Restriction Trade Practices and Public Interest
3. Suzan Rab- Indian Competition Law- An International Perspective
4. S.M. Dugar's MRTP Law, Competition Law and Consumer Protection
5. Sachar Committee Report, High Powered Committee on MRTP Act & Company
Taxmann's competition Law and Practice

B.A., LL.B. (5 Years)

(List of Courses Prescribed for IX-Semester)

COMPULSORY COURSE

| |
|---------------------------|
| <u>IX-SEMESTER</u> |
|---------------------------|

| Course Code | Course Title |
|--------------------|--|
| LAW-901 | Law of Evidence |
| LAW-902 | Crime and Punishment- II (Cr.P.C.) |
| LAW-903 | Civil Procedure Code & Limitation Act. |
| LAW-904 | Drafting, Pleading and Conveyancing |
| LAW-905 | Land Laws |
| LAW-906 | Intellectual Property Law |

**B.A. LL.B (Five Years Course)
IX-SEMESTER**

(LAW-901)

Law of Evidence

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.

Definitions and Relevancy of Facts

-Admissions and Confessions

-Statements by Persons who cannot be called as witnesses

Statements made under special Circumstances

How much of a statement is to be proved

Judgement of Courts of Justice when relevant

II.

Opinions of Third Persons when relevant

Character when relevant

Facts which need not be proved

Of Oral Evidence

Of Documentary Evidence

III.

Of the Exclusion of Oral by Documentary Evidence

Of the Burden of Proof

- Estoppel

IV.

Of Witnesses

Of the Examination of Witnesses

Of Improper Admission and Rejection of Evidence

Suggested Readings:

: Law of Evidence

Evidence

: Law of Evidence

Batuklal

: Law of Evidence

5. Monir

: Evidence

6. Raja Ram Yadav

: Law of Evidence

1. Avtar Singh

2. Rattan Lal & Dhiraj Lal : The Law of

3. S.R. Myneni

4.

**B.A. LL.B (Five Years Course)
IX-SEMESTER**

(LAW-902)

Crime and Punishment-II (Cr.P.C.)

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.

The Code of Criminal Procedure, 1973 : The rationale of Criminal Procedure — The importance of fair trial — Constitutional Perspectives : Articles 14, 20 & 21 — The organization of Police, Prosecutor and Defence Counsel — Pre-trial Process — Arrest — Distinction between —cognizable|| and —non-cognizable|| offences — Steps to ensure presence of accused at trial -- Warrant and Summons cases — Arrest with and without Warrant — The absconder status — Rights of arrested persons under Cr.P.C. and Article 22 (2) of the Constitution of India.

II.

Search and Seizure — Search with and without warrant — Police search during investigation — General Principles of Search — Seizure — Constitutional aspects of validity of Search and Seizure proceedings.

III.

Trial Process: Commencement of Proceedings — Dismissal of Complaint — Bail, Bailable and Non-bailable Offences — Cancellation of Bails — Anticipatory Bail — General Principles concerning Bail Bond — Preliminary pleas to bar trial — Jurisdiction — Time Limitations — Pleas of *Autrefois Acquit and Autrefois Convict* — Fair Trial — Concept of fair trial — Presumption of innocence — Venue of trial —Jurisdiction of Criminal Courts — Rights of accused -- Constitutional Interpretation of Article 21 as a right to speedy trial — Charge — Form and content of Charge — Trial before a Court of Session : Procedural steps and substantive rights.

IV.

Judgment: Form and content -- Summary trial — Post-conviction orders in lieu of punishment — Modes of providing judgment copy — appeals, review and revisions- Reforms in Criminal Procedure Code .

V.Preventive Measures- removal of Public Nuisance- Security Provisions- Maintenance of wife, children & parents .

VI. Probation and Parole: Authority granting Parole — Supervision — Conditional release -- suspension of sentence — Procedure under Probation of Offenders Act, 1958 -- Salient features of the Act. Juvenile Justice System -- Juvenile Justice (Care and Protection of Children) Act of 2000 -- Procedure

under Juvenile Justice...Act — Treatment and Rehabilitation of Juveniles —
Protection of Juvenile Offenders — Legislative and Judicial Role.

Suggested Readings:-

- 1.Ratanlal & Dhirajlal- Criminal procedure Code
- 2.ShailedraMalik,The Code Of Criminal Procedure Code
- 3.R.N. Choudhari,Juvenile Justice In India
- 4.K.L.Sethi,The Probation of offender Act,1958
5. N.V.Pranjpe : Criminal procedure Code
- 6.B.L.Babel : Criminal procedure Code

**B.A. LL.B (Five Years Course)
IX-SEMESTER**

(LAW-903)

Civil Procedure Code & Limitation Act.

(The Theory Paper shall be of 70 marks and of 3 hours duration.

The question asked may be objective and subjective both or subjective only.

30 Marks have been assigned for sessionals.)

I.

Codification of Civil Procedure and Introduction to CPC — Principal features of the Civil Procedure Code — *recent Amendments* in CPC -Hierarchy of courts--Suits — Parties to Suit — Framing of Suit —Institution of Suits — Bars of Suit - Doctrines of *Sub Judice* and *Res Judicata* — Place of Suing — Transfer of suits — Territorial Jurisdiction — ‘Cause of Action’ and Jurisdictional Bars — Summons — Service of Foreign summons.

II.

Pleadings — Contents of pleadings — Forms of Pleading — Striking out / Amendment of Pleadings - Plaint— Essentials of Plaint - Return of Plaint— Rejection of Plaint—Production and marking of Documents— Written Statement — Counter claim — Set off — Framing of issues.

III.

Appearance and Examination of parties & Adjournments — *Ex-parte* Procedure — Summoning and Attendance of Witnesses — Examination — Admissions — Production, Impounding, Return of Documents — Hearing — Affidavit — Judgment and Decree — Concepts of Judgment, Decree, and Interim Orders and Stay — Injunctions — Appointment of Receivers and Commissions — Costs -- Execution — Concept of Execution — General Principles of Execution — Power of Execution — Power of Executing Courts — Procedure for Execution — Modes of Execution -- Arrest and detention — Attachment and Sale.

IV.

Suits in Particular Cases — Suits by or against Government — Suits relating to public matters;— Suits by or against minors, persons with unsound mind, - Suits by indigent persons – Interpleader suits — Incidental and supplementary proceedings - Appeals, Reference, Review and Revision — Appeals from Original Decrees — Appeals from Appellate Decrees — Appeals from Orders — General Provisions Relating to Appeals.

V.

Law of Limitation — Concept of Limitation — Object of limitation - General Principles of Limitation — Extension — Condonation of delay — Sufficient Cause — Computation of limitation -- Acknowledgment and Part-payment — Legal Disability — Provisions of the Limitation Act, 1963 (Excluding Schedule).

Suggested Readings:-

1. Mulla, Code of Civil Procedure Code
2. C.K. Thakkar, Code of Civil Procedure Code.
3. M.R. Mallik (ed) B.B. Mitra, On Limitation Act
4. P.K. Majumdar and R. P. Kataria, Commentary On The Code of Civil Procedure Code-1908
5. P.K. Mukharjee, Limitation Act
6. Shailendra Malik, Code Of Civil Procedure ,
7. Dr. Avtar Sing, Code of Civil Procedure,
8. Sarkars Commentary on The Civil Procedure Code , Dwivedi , Allahabad Law Agency.
9. B.L. Babel : Civil Procedure Code.

**B.A. LL.B (Five Years Course)
IX-SEMESTER**

(LAW-904)

Drafting, Pleading and Conveyancing

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I

- Meaning, Scope and Object of Pleadings
- Plaint and written statement
- Fundamental rules of Pleadings
- Place of Suing
- Frame of suits and its essentials
- Parties to suit

II.

- Plaint in suit for injunction
- Plaint in suit for specific performance
- Plaint in suit for breach of contract
- Plaint in suit for accounts by the Principal against the agent
- Suit for partition and possession
- Suit for damages for malicious prosecution
- Application for eviction of tenant under the East Punjab Rent Restriction Act, 1949
- Application to set aside *ex parte* decree
- Application for appointment of guardian of a minor
- Written Statements

III.

- Petition for Dissolution of Marriage under Section 13 of the Hindu Marriage Act, - Petition for Restitution of Conjugal Rights under Section 9 of the Hindu Marriage Act,
- Petition for Decree of Nullity of Marriage under Section 11 & 12 of the Hindu Marriage Act,
- Petition for Judicial Separation under Section 10 of the Hindu Marriage Act, 1955

- Complaint for Maintenance of Peace and Order under Section 107 of the Code of Criminal Procedure, 1973

- Complaint for Public Nuisance

- Complaint for defamation

- Application for Maintenance under Section 125 of the Code of Criminal Procedure,
- Application for Bail
- Application for Anticipatory Bail

IV.

Meaning, Object and Functions of Conveyancing
Components of deeds
Agreement to sell property
Sale Deed
Gift Deed
Mortgage Deed
Lease Deed
Deed of Exchange
Will
Power of Attorney
Notice

Suggested Readings:-

1. Mogha : Pleadings
2. Mogha : Conveyancing
3. A.N. Chaturvedi : Pleadings & Conveyancing
4. Bindra N.S. : Pleading & Practice

**B.A. LL.B (Five Years Course)
IX-SEMESTER**

(LAW-905)

Land Laws

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

Acts of Study :

1. Rajasthan Tenancy Act, 1955.
2. Rajasthan Land Revenue Act, 1956.
3. The Rajasthan Imposition of ceiling on Agriculture Holding Act 1973.

(All the acts are in full course)

LEADING CASES :

1. Jagdish Singh v. State of Rajasthan, 1990, RRD, 493.
2. Executors of Estate of Late Maharana Shri Bhagwat Singh (Mewar)v. State of Rajasthan, 1992, RRD, 686.
3. Madanlal v. Murti Mandir Shri Ramlal Ji, 1992, RRD, 79 (DB).
4. Damodar v. Smit. Sundri, 1986, RRD, 55 H.C. (DB).
5. Bal Kishan v. State of Rajasthan, Purshottam Lalv. State of Rajasthan, 1981, RRD, Page 686.

SUGGESTED READINGS :

1. Shyam Lal Gupta : The Rajasthan Tenancy Act.
2. Dutt, S.K. : Tenancy Law in Rajasthan
3. Dutt, S.K. : Rajasthan Land Revenue Act.
4. Suresh Chand H. Mathur : Law of Tenancy in Rajasthan
5. Karkara, G.S. : Rajasthan Land Laws (English &Hindi)
6. Babel, B.L. : Rajasthan Land Laws (Hindi)
7. Gehlot : The Rajasthan Tenancy Act. 1955.

**B.A. LL.B (Five Years Course)
IX-SEMESTER**

(LAW-906)

Intellectual Property Law

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I: Copyright

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

II: Patents

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

III: Trademarks

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

IV: Designs

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

Suggested Readings:-

1. Paris Convention for the Protection of Industrial Property, 1883;
3. Indian Copyright Act, 1957;
4. Indian Patents Act, 1970;
5. Agreement on Trade-Related Aspects of Intellectual Property Rights, 1994 Agreement);
6. Indian Trademarks Act, 1999;
7. Indian Designs Act, 2000

B.A., LL.B. (5 Years)

(List of Courses Prescribed for X-Semester)

COMPULSORY COURSE

| X-SEMESTER | |
|--------------------|---|
| Course Code | Course Title |
| LAW-1001 | Environmental Law |
| LAW-1002 | Professional Ethics & Bar Bench Relation |
| LAW-1003 | Legal Education and Research Methodology |
| LAW-1004 | Insurance Law |
| LAW-1005 | Criminology |
| LAW-1006 | Moot Court, Pre – Trial Preparation and Participation in Trial Proceedings. |

**B.A. LL.B (Five Years Course)
X-SEMESTER**

(LAW-1001)

Environmental Law

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

(1) General Background :

- (a) Problems of Environmental Pollution and Protection
- (b) History of Indian Environmental Laws
- (c) Importance and Scope of Environmental Laws
- (d) International Perspective of Environmental Law

(2) Constitutional Aspects :

- (a) Distribution of Legislative Power
- (b) Directive Principles of State Policy
- (c) Fundamental Duties
- (d) Fundamental Rights

(3) Select Legal Controls -

The Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981.

- (a) Salient Features of the Acts
- (b) Definitions
- (c) Authorities - Composition, Power and Function
- (d) Mechanism to Control the Pollution
- (e) Sanctions

(4) Environment (Protection) Act, 1986 :

- (a) Definition of 'Environment'
- (b) Salient Features of the Act
- (c) Authorities - Composition, Powers, Functions
- (d) Mechanism to Control Environmental Pollution
- (e) Sanctions

(5) Control of Noise Pollution :

- (a) Legal Control
- (b) Judicial Control

(6). Emerging Principles : Historical Background and Judicial Approach in India

- (a) Polluter Pays Principle
- (b) Precautionary Principle
- (c) Public Trust Doctrine
- (d) Sustainable Development

(7). Environmental Dispute and Grievance Settlement Mechanism :

- (a) National Environment Tribunal Act, 1995-
Powers, Functions and Jurisdiction of the
National Environmental Tribunal
- (b) National Environment Appellate Authority Act, 1997- Powers,
Functions and Jurisdiction of the National Environment Appellate
Authority.

Leading Cases:

- (a) M.C. Mehta vs. Union of India (AIR 1987 SC 965, 982, 1086)
- (b) M.C. Mehta vs. Union of India (AIR 1988 SC 1037, 1115)
- (c) Municipal Council, Ratlam vs. Vardhichand and Others (AIR 1980 SC 1622)

Suggested Readings:-

- 1. Dr. R.L. Rathi : Environment Law.
- 2. Dr. Anirudh Prashad : Environment Law.

**B.A. LL.B (Five Years Course)
X-SEMESTER**

(LAW-1002)

Professional Ethics & Bar Bench Relation

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

- 1. Nature and Characteristics of :
 - (a) Professional Ethics
 - (b) Legal Profession
- 2. Historical Perspective and Regulation of Legal Profession
- 3. Contempt of Court by the Lawyers :
 - (a) Civil Contempt
 - (b) Criminal Contempt
 - Punishment
 - Defences
- 4. Strike by the Lawyers
- 5. Extent of Professionalisation of Legal Profession
- 6. Code of Ethics for Lawyers
- 7. Professional Misconduct and its Control
- 8. BENCH BAR RELATION:
Meaning and Kinds of Contempt of Court
 - I – Contempt of Court – Its meaning, Nature and main features
 - II – Kinds of contempt of courts
 - 1. Difference between civil contempt and criminal contempt
 - 2. Kinds
 - III-Civil Contempt
 - Meaning and Nature
 - 1. Disobedience of the order, decree, etc. of the court or breach of undertaking given to the court.

2. Wilful disobedience or breach

IV-Criminal Contempt

.Contempt Proceedings – Nature and Main Features

1. Nature and main features

2. Cognizance and Procedure in case of contempt in face of the court.

A. Contempt in the face of the Supreme Court or High Court.

B. Contempt in the face of the Subordinate Courts.

3. Contempt outside the court (Constructive Contempts)

4. Period of Limitation for initiation of contempt proceedings

5. Parties to contempt proceedings.

B.A. LL.B (Five Years Course)

X-SEMESTER

(LAW-1003)

Legal Education and Research Methodology

(The Theory Paper shall be of 70 marks and of 3 hours duration.

The question asked may be objective and subjective both or subjective only.

30 Marks have been assigned for sessionals.)

I.

1. Objective of Legal Education.

2. Lecture Method of Teaching – Merits and demerits

3. The problem method

4. Discussion methods and its suitability at post graduate level teaching

5. The seminar method of teaching

6. Examination System and problems in evaluation – external and internal assessment

7. Student participation in law school programmes, Organization of seminars, publication of journals and assessment of teachers

8. Clinical legal education – legal aid, legal literacy, legal survey and law reform

II.

1. Socio-Legal Research

2. Doctrinal and non-doctrinal

3. Relevance of empirical research

4. Introduction and deduction

5. Identification of problem of research –what is a research problem

6. Survey of available literature and bibliographical research

7. Legislative materials including subordinate legislation, notification and policy Statements

III.

1. Decisional materials including foreign decision; methods of discovering the 'rule of the case' tracing the history of important cases and ensuring that these have not been overruled; discovering judicial conflict in the area pertaining to the research problem and the reason thereof.
2. Juristic writings – a survey of Juristic literature relevant to selected problem in India and foreign periodicals
3. Compilation of list of reports or special studies conducted relevant to the problem.
4. Formulation of the Research problem
5. Devising tools and techniques for collection of data : Methodology
6. Methods for the collection of statutory and case material and juristic literature
7. Use of historical and comparative research materials
8. Use of observation studies
9. Use of questionnaires/interview
10. Use of case studies
11. Sampling procedures design of sample, types of sampling to be adopted
12. Use of scaling techniques

IV.

1. Computerized Research – A Study of legal research programme such as Lexis and West law coding
2. Classification and Tabulation of data – use of cards for data collection Rules for tabulations Explanation of tabulated data
3. Analysis of data

Suggested Readings:-

1. High Brayal, Negel Dunean and Richard Crimes : Clinical Legal Education : Active Learning in your Law School, (1988), Blackstone Press Ltd., London
2. S.K. Agarwal (ed.): Legal Education in India (1973), Tripathi, Bombay
3. N.P. Madhava menon (ed.) : A Handbook of Clinical Legal Education, (1998) Eastern Book Company, Lucknow.
4. M.O. Price, H. Bitner and Bysieqiez : Effective Legal Research (1978)
5. Pauline V.Young : Scientific Social Survey and Research (1962)
6. William. J.Grade and Paul K. Hatt. : Methods in Social Research , McGraw Hill Book Company, London
7. H.M.Hyman : Interviewing in Social Research (1965)
8. Erwin C. : Surrency, B.Field J. Crea : A Guide to Legal Research

B.A. LL.B (Five Years Course)

X-SEMESTER

(LAW-1004)

Insurance Law

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.

Introduction, Meaning of Insurance, Historical Aspect, Characteristic of Insurance,
Nature of Insurance Contract

II.

Theory of Cooperation, Theory of Probability, Principles of Insurance, Utmost
Good Faith, Insurance Interest

III.

Re-Insurance, Double Insurance, Insurance & Wages, Types of Insurance:
Life Insurance
Marine Insurance
Fire Insurance &
Miscellaneous Insurance

IV.

Indemnity, Subrogation, Causa Proxima, Mitigation of Loss, Attachment of Risk,
Contribution Constitution, Function and Powers of Insurance Regulatory and
Development Authority Application of Consumer Protection Act, 1986.

Suggested Readings:-

1. M.N.Mishra, Law of Insurance
2. C.Rangarajan, Handbook of Insurance and Allied Laws

**B.A. LL.B (Five Years Course)
X-SEMESTER**

(LAW-1005)

Criminology

(The Theory Paper shall be of 70 marks and of 3 hours duration.
The question asked may be objective and subjective both or subjective only.
30 Marks have been assigned for sessionals.)

I.

Criminology: Definition. nature and scope, method of studying, importance, and classification of crimes. Crime and social process: Economic Motivation. Socio cultural Motivations, home and community influence, white collar crime, Female offender, juvenile Delinquency, influence of mass-media, Alcoholisms and Drugs.

II.

Schools of Criminological Thought
(Factors in causation of Criminal Behaviors)

1. Ancient School
 - (a) Demonological
 - (b) School of Free will
2. Classical School.
3. Cartographic or Ecological School.
4. Typological School
 - (a) Italian or Positive School.
 - (b) Mental Testers School.
 - (c) Psychiatrists School.
5. Sociological School
6. Multi factor School.

III.

Control of Crime: Police and Law courts, Prison system, Re-socialisation of the offender, Rehabilitation of discharged prisoners in the administration of Criminal justice, prevention of crime delinquency.

IV.

Constitutional Guarantees -Principles of natural Justice as applicable to procedural law, Protection to arrested persons, Under-trials, detenu and convicted persons. Double jeopardy and self-incrimination, rights to life and legal aid.

The Probation of offenders Act, 1958 :

Definitions - Power of court to require released offenders after admonition on probation of good conduct - power of Court to require released offenders to pay compensation under twenty one years of age. Variations of conditions of probation. Probation in case of 'Offender' failing to observe conditions of bond, provision as to sureties, Probation Officers, Duties of Probation Officer.

Leading Cases :

1. Gura singh v. State of Rajasthan, 1984 Cr. LJ 1423 (1428).
2. R.K. Garg v. Union of India (1981) 133 ITR 239
3. Mithu v. State of Punjab, AIR 1983 SC 473.

Suggested Readings :

1. Pillai, K.S. - Criminology.
2. Edwin, H. Sutherland and Donald R. Grussey - Principles of Criminology.
3. Shamshul Huda - Tagore Law Lectures on Criminal Law.

4. N.V. Paranjape - Criminology and Penology.
5. M.S. Chauhan – Criminology & Principle of Criminal Science.
6. B.L. Babel – Criminology.
7. The Criminal Procedure Code.
8. The Constitution of India.

B.A. LL.B (Five Years Course)
X-SEMESTER
(LAW-1006)

Moot Court, Pre – Trial Preparation and
Participation in Trial Proceedings

This paper will have Two components:

- | | |
|----------------|------------|
| (A) Moot Court | (60 marks) |
| (B) Viva-Voce | (40 marks) |

(A) Moot Court

Every student will do at least three moot courts in a year with 20 marks for each. The moot court work will be on assigned problems and it will be evaluated for 10 marks for written submission and 10 marks for oral advocacy.

(B) Viva-Voce

The Second component of this paper will be viva-voce Examination on all the above aspects. This will carry 40 marks.

The Viva-voce examination shall be conducted by a committee of three persons. In the committee, there shall be two internal examiner and one external examiner. The committee shall award marks on the basis of preparations of above components and performance at the Viva-voce Examination.

School of Law

Opjs University,Churu(Rajasthan)