

# **DETAILED SYLLABUS**

## **B.A.LL.B.**

# **Year- 1**

# **Semester -I**

**Paper 1 BAL 101****Political Science -1**

**OBJECTIVE:** This paper focuses on understanding the basic concepts, theories and international relations.

**UNIT-I****Introduction to Political Science**

Political science: Origin, Definition, Nature and Scope; Relationship of Political Science with Law, History, Sociology and Economics; Growth of Political Science; Modern Political Science: Nature and Scope

**UNIT-II****Concepts**

The State: Meaning and its essential elements; Theories regarding origin of state: Divine origin theory and Evolutionary Theory; Social contract Theory; Political System: Meaning, characteristics and Functions: sovereignty: Definition, Meaning and Characteristics, Kinds; Austin and Pluralistic concept of Sovereignty; Law and Rights: Meaning, Importance, Kinds; Liberty and equality: Meaning, Importance, Kinds.

**UNIT-III****Government**

Government: Classification of Governments; democracy and Dictatorship; Unitary and Federal; Parliamentary and Presidential; Organs of the Government – Legislature, Executive & Judiciary, Doctrine of Separation of Powers and Independence of Judiciary Montesquieu' Contribution to the theory of separation of powers; Merits and demerits of separation of powers; Conception of Representation, Public Opinion and Political participation.

**UNIT-IV****Major Political Theories**

Liberalism: classical and Contemporary; Principles of Liberalism and Principles of Marxism.

**Suggested Readings:**

- Bhatnagar, S: Political Theory, An Introduction

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- Gajendargadkar, P.B.: Law Liberty and Social Justice
- Joad, C.E.M: Introduction to Modern Political Theory
- Kapoor, A.D: Principles of Political Science.
- Rathore, L.S. and Haqqi, S.A.H : Political Theory and Organization
- Verma S.P. : Modern Political Theory
- AsirvathamAddi : Political Theory ( New Delhi, S. Chand & Co. 1988)
- Gauba, O.P., : An Introduction to Political Theory, Macmillan, New Delhi 2005
- Heywood, Andrew: Politics, Palgrave, New York, 2002.

**Paper-2; BAL 102****History – I**

**OBJECTIVE:** This paper focuses on broad features of legal institutions and administration in ancient, medieval India.

**UNIT-I****Definition and early Indian History**

What is History? Sources of Indian History; Features of Indus Valley Civilization; Social, Economic, Political and Religious Life during Rig Vedic and Later Vedic Period; Jainism and Buddhism; Village administration in Ancient India

**UNIT-II****. History and Law**

- a. Relevance of History to Law: Interdisciplinary Approach
- b. Rethinking History and Historian's Craft
- c. Indian Historiography: Orientalist, Utilitarians, Nationalists, Marxist, Religious Nationalist, Subalterns and Regional Histories

**UNIT-III****Ancient India**

- a. State, Polity and Governance: Nature of State, Notions of Kingship (Brahminic, Buddhist, Kautalyan), and administrative apparatus in Vedic Age, Age of Mauryas and Guptas
- b. Kinship, Caste and Class: Social Differentiation, Family, Patriliney, Rules of Marriage, *Gotra, Jatis* and *Varnas*, Access to Property and Gender
- c. Religious Traditions and Polity: Brahminism, Buddhism, Jainism

**UNIT-IV Medieval India**

- a. Kings and their Courts:

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- i. Cholas: Local Self-Government
  - ii. Delhi Sultanate: Theory of Kingship (Balban), Administrative Apparatus
  - iii. Vijayanagara State
  - iv. Mughals: Theory of Sovereignty (Akbar), Administrative Structure
- b. Bhakti-Sufi Tradition in relation with the State and Reconfiguration of Identity
- c. Peasant, Zamindars and the State: Market Reforms of Alauddin Khilji, Agrarian Reforms of Akbar

### Suggested Readings:

- E.H. Carr: What is history, Pelican Books, Harmondsworth, (Rep.) 1990.
- Romila Thapar: Early India, Penguin from the originst. AD 1300. New Delhi, 2002.
- RomilaThapar: Ashoka and the Decline of the Mauryas, OUP, Delhi (2nd Edition), 1997.
- D.N Jha: Ancient India in Historical Outline, Manohar, New Delhi (Revised Ed), 2001.
- Radha K. Mookerji : The Gupta Empire, Motilal Banarsidas, New Delhi (Rep.)
- A.L. Basham: Wonder that was India, Vol. 1, Rupa, New Delhi (Rep.) 1998.
- R.S. Sharma: Aspects of Political Ideas and Institutions in Ancient India, Motilal Banarsidas, Delhi, 1996.
- P.V Kane : The History of the Dharmashastras, 5 Vols, Bhandorkar Oriental Research Institute Poona, 1930-1932.
- Raymond and Bridget All chin, The Birth of Indian Civilization. Penguin, New Delhi, 1993.
- S. Ratnagar, Understanding Hareppan Civilization in the Greater Indus Valley, Tulika , New Delhi, 2001
- Satish Chandra: Medieval India: From Sultanate to the Mughals, 2 Volumes, Har-Anand Publications, New Delhi, 2003.
- J.F. Richards: The Mughal Empire, CUP/Foundation Books, New Delhi, 1993.
- I.H. Qureshi : The Administration of the Sultanate of Delhi, Munshiram Manoharlal, New Delhi, (Rep.), 1971.
- I.H .Qureshi : The Administration of the Mughal Empire, Janaki Prakashan, Patna, (Rep.), 1979.
- S.A.A. Rizvi: The Wonder that was India, Vol. II, Rupa, New Delhi, (Rep.) 2002.
- Ishwari Prasad: History of Medieval India.
- SarkarJ.N: Mughal Administration. Orient Longman, 1972.
- Sroenivasa Murthy, H.V : History of India Part I, II (for law student)
- Day, U.N.: The Mughal Government AD 1556-1707, New Delhi, 1970.

- Tara Chand : History of Freedom Movement in India, vol. I, Publication Divisim, New Delhi, 1965.
- Irfan Habib : The Agrarian System of Mughal India, 1556-1707. Second Revised Edition, OUP, New Delhi, 1999.
- SumitSarkar : Modern India, 1885-1947, Macmillan, Madras, 1986
- R.S. Tripathi : History of Ancient India, Motilal Banarsidass, Delhi, (Rept), 1977.
- B.D. Chattopedhyaya , The Making of Early Medieval India, OUP, New Delhi, 1977.
- For Early Medieval Indian Polity if it is to be Included in Unit II.
- Irfan Habid, Medieval India: The study of a Civilization, National Book Trust, New Delhi 2007.

**Paper-3 BAL 103****English-1**

**Objective:** The Objective of this course is to develop a student capability to write and speak in English correctly.

**Unit – I: Grammar and Usage**

- a. Tense and Composition
- b. Basic Transformations
  - i Active/Passive
  - ii Negatives
  - iii Questions
- c. Simple, Complex and Compound Sentences
- d. Reported Speech
- e. Some Common errors

**Unit – II: Comprehension and Composition**

- a. Reading Comprehension
- b. Comprehension of Legal Texts
- c. Paragraph and Precis writing
- d. Formal Correspondence
- e. Note Taking
- f. Drafting of Reports and Projects
- g. Abstracts

**Unit – III: Legal Maxims, Legal Terms**

Audi Alterm Partem; Delegatus Nonn Potest Delegare; Res Ipsa Lioquitur;  
Actus Non Facet Reum Nisi Sit Rea; Ignoratia fact Excusat Ignorantisa Juris  
Non Execusat; Actio Personal is Moritur Cum Persona  
Amicus Curie, Extradition, Forferiture, Habeas corpus, Hereditaments,

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Impeachment, Inalienable, infanticide, Judgment debtor, Jurisprudence, Laches, Legacy, Letters of Administration, License, Moratorium, Notary Public, Null and Void, Privilege of Witness, Prosecution, Punishment, Preponderance of Probabilities, Void and Voidable

- Unit – IV:** a. Common Hindi and Urdu words used in Courts  
b. Translation from Hindi to English and Vice Versa

**Text Books:**

1. Legal Language and Legal Writing – P.K. Mishra
2. English Grammar – Wren and Martin

**References:**

1. Legal Language, Writing and General English – J.S. Singh

## **Paper-4 ;BAL 104**

### **Sociology-1**

**Objective:** This paper is designed to familiarize the student with the historical background of the subject and certain relevant basic concepts.

#### **Unit-I: Introduction**

- a. Sociology: Growth, Scope, Definition
- b. Relationship with Law
- c. Law as a tool of Social Engineering: Durkheim, Weber, Pound and Bentham

#### **Unit-II: Basic Concepts**

- a. Social Groups: Cooley, Sumner, Community and Association
- b. Tribes
- c. Culture: Culture Relativism, Racism, Ethnicity and Ethnocentrism
- d. Socialization
- e. Status and Role

#### **Unit III: Social Change**

- a. Social Reform Movements in India – Raja Ram Mohan Roy, Jotiba Phule, Naicker, etc.,
- b. Modernization and Post Modernization
- c. Liberalization and Globalization
- d. Fordism and Mc Donaldization

#### **Unit IV: Social control**

- a. Custom as an Agency of Control
- b. Law as an Agency of Control
- c. Media as an Agency of Control
- d. Public Opinion as an Agency of Control

#### **Text Books:**

1. C.W. Mills, The Sociological Imagination, New York: Oxford University Press, (pp.3-24). 2000
2. Marc Galanter, Law and Society in Modern India, New Delhi: Oxford India, 1997

3. Andre Beteille, *Sociology: Essays on Approach and Method*, New Delhi: Oxford University Press, (pp. 13-27), 2009

### References:

1. Anthony Giddens, Duneier, Mitchell, Applebaum, Richard, *Introduction to Sociology*, Sixth Edition, New York: W.W. Norton and Company, (Chapter 1), 2007
  2. Haralambos & Holborn, *Sociology: Themes and Perspectives*, 6th ed, Collins Educational, 2004
  3. MacIver and Page, *Society: An Introductory Analysis*, (pp. 3-22), McMillon India Ltd.,1937
  4. Amita Baviskar, ed., *Contested Grounds: Essays on Nature, Culture and Power*, New Delhi, OUP, PP. 1-12, 2008.
  5. Immanuel M. Wallerstein, "The Construction of Peoplehood: Racism, Nationalism, Ethnicity", in I.M. Wallerstein and E. Balibar (eds.), *Race, Nation, Class: Ambiguous Identities*, Verso: London, (pp 71-85), 1991
  6. Ashutosh Varshney, *Ethnic Conflict and Civic Life*, Delhi: Oxford University Press, 2004
  7. George Ritzer, *The McDonaldization of Society*, New Delhi: Sage Publications, (pp.1-22; 24-41 and 213- 244), 2004
- T.B. Bottomore, *Sociology: A Guide to Problems and Literature*, London: George Allen & Unwin

## **Paper-5 ;BAL 105**

### **Law of contract**

**Objective:** The objective of this paper is to make students familiar with various principles of contract formation enunciated in the Indian Contract Act, 1872.

#### **UNIT I:**

##### **Formation of Contract**

Meaning and nature of contract

Offer/Proposal: Definition, Communication, Revocation, General/Specific offer, Invitation of treat

Acceptance: Definition, Communication, Revocation, Provisional acceptance,

Tenders/Auctions

Electronic contract.

Government Contract

Standard form of contract

#### **UNIT II: Consideration and Capacity, Validity,**

Consideration: Definition, Essentials, Privity of Contract, Exception Section 2(d) 25

Capacity to enter into a contract; Minor's Position, Nature/effect of minor's agreements

Free Consent

Coercion, Undue influence, Misrepresentation, Fraud, Mistake

Unlawful consideration and object

Effect of void, voidable, valid, illegal, unlawful and uncertain agreement/contracts

#### **UNIT III: Discharge of Contracts, Impossibility of performance**

Discharge of Contracts

Performance

Time and Place of performance

Agreement

Impossibility of performance and frustration

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Breach: Anticipatory & Present

**UNIT IV: Remedies and Quasi Contracts**

Remedies: Damages, Kinds, Remoteness etc., Injunction, Specific Performance, Quantum Meruit. Quasi Contract (Section 68-72)

**Books**

- Beatesen (ed.)-Anson's Law of Contract: (27th Ed. 1998)
- Anson-Law of Contract (1998), Universal, Delhi
- Pollock and Mulla-Indian Contract Act
- Avtar Singh-Law of Contract, Eastern Book Co.(Lucknow)
- S.K.Kapoor- Samvidha Vidhi (Hindi)

**Paper-6; BAL 106****Law of torts (Consumer Protection Act, 1986& Motor Vehicle Act, 1988)**

**OBJECTIVE:** The course is to develop understanding of evolution of modern legal system in India.

**UNIT I**

- Nature and definition of law
- Development of law of tort
- Tort distinguished from contract, crime and breach of trust
- General conditions of liability in torts including mental element
- Death in relation to torts

**UNIT II**

- Classification of torts- trespass, nuisance, defamation, liability for mis-statements, negligence.
- Strict liability and absolute liability
- Vicarious liability

**UNIT III**

- Remedies- damages, injunction, specific restitution and remedies under constitution
- Justification of torts- act of state, statutory authority, act of god, necessity, volenti non fit injuria, private defence and acts causing slight harm

**UNIT IV**

- **Consumer Protection Act, 1986-** Consumer protection council, consumer dispute redressal agencies,
- **Motor Vehicle Act, 1988-** insurance of motor vehicle against third party risk, claim tribunals, offences, penalties and procedure.

**Suggested Readings:**

- R.K Bangia; Law of Torts
- Ratan Lal; Law of Torts
- Winfield ; Law of Torts
- B.K. Aggarwal; Consumer Protection Act, 1986
- Salmond and Henston; Law of Torts
- Rattan Lal and Dhiraj Lal ; Law of Torts
- Avtar Singh; Law of Torts

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- UpendraBaxi and Thomas Paul (ed). ; Mass Disaster and Multi- national Liability.
- Consumer Protection Act, 1986: Bare Act.
- Motor Vehicles Act, 1988: Bare Act

# SEMESTER-2



**Paper-7; BAL 201**  
**Political science- 2**

**OBJECTIVE:** This paper focuses on understanding of theories of state and basic concepts and functioning of state & government and western politics.

**UNIT-I**

**Introduction**

International Relations: Its meaning nature and scope

Foreign Policy: Its definition and determinant the role of National Interests and ideology in formulation policy

Diplomacy: Its meaning, nature and objective type of Diplomacy, Importance Of Diplomacy in the world of today and its future.

**UNIT-II**

**Nationalism & internationalism**

Nationalism- meaning, factors responsible for growth of nationalism, merits & demerits.

Internationalism- meaning, factors responsible for growth of internationalism, factors hindering internationalism, is international law really a law?

**UNIT-III**

**International Dispute Settlement and Human Rights**

The Present International Economic order: The struggle for the new International economic order. The North – South Dialogue in United Nations and Outside.

Human rights: Its meaning, nature and Universal Declaration of Human Rights 1948; concepts of world Community and World Government.

**UNIT-IV**

**Cold war and New Developments**

Cold War: Its origin, causes, nature and impact on international relations;

Détente: Its meaning and impact on International relations; Non alignment: Its meaning, Non – Alignment Movement and impact on present International Scenario.

**Suggested Readings:**

- Hans J. Morgenthau: Politics Among Nations, Scientific Book Agency, Calcutta  
Palmar and Perkins: International Relations, Scientific Calcutta
- Sprout and Sprout: Foundations of International Politics, Van No strand, New York.

## **Paper 8 ;BAL 202**

### **History-2**

#### **Unit I: Early Developments (1600-1836)**

Charters of the East India Company: 1600, 1661, 1726 and 1753

Settlements: Surat, Madras, Bombay and Calcutta

Courts: Mayor's Court of 1726 and Supreme Court of 1774

Statutes: Regulating Act, 1773, Pitts India Act, 1784, The Act of Settlement, 1781

Conflict: Raja Nand Kumar, Patna Case and Cossijurah

Warren Hastings : Judicial Plans of 1772, 1774 and 1780

Lord Cornwallis: Judicial Plans of 1787, 1790 and 1793

Lord William Bentinck (With special focus on Appraisal of Criminal Law)

#### **Unit II : Evolution of law and legal institutions**

Development of personal laws

Development of law in Presidency Towns

Development of Civil law in Mufassil: Special emphasis on justice, equity and good conscience

Codification of laws: Charter of 1833, the First Law Commission, the Charter of 1853, The Second Law Commission

Establishment of High Courts, 1861

Privy Council and Federal Court: Appeals and working of Privy Council, Appraisal of Privy Council, Features of Federal Court

Evaluation: Special Reference to Racial Discrimination, Merit and Demerits

#### **Unit III: Legal Profession and Education**

Early Development through Mayor's Court, Supreme Court, Company's Adalat, High Court,

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Legal Practitioners Act of 1879, The Chamier and Indian Bar Committee of 1951

The Advocates Act of 1961: Provisions and Disciplinary powers

Law Reporting: Theory of Precedent, Features of Law Reporting from 1773 to 1950

Legal Education: History and Basic Aims of Legal Education

#### **UNIT-4 British Judicial System**

Judicial Reforms of Warren Hastings, Cornwallis and Bentinck.

Early Judicial Structures: Mayor's Courts in Presidency Towns. Supreme Court.

Establishment of High courts, Federal Courts and Privy Council.

#### **Text Books:**

1. M.P. Jain – Outlines of Indian Legal History
2. V.D. Kulshretha – Landmarks of Indian Legal and Constitutional History

#### **References:**

1. M.P. Singh – Outlines of Indian Legal History
2. Abdul Hamid – Constitutional History of India

**Paper-9; BAL-203****English and Communication Skills**

**Objective:** This course will focus on enhancement of their thoughts, ideas and vision for practical application in their professional life. Combined with communication skills, the paper will help in developing critical and analytical skills among the students.

**Unit-I: Legal Essays**

- 1) Public Interest litigation,
- 2) New pattern of legal education
- 3) India and Parliamentary Ethics
- 4) Uniform civil code
- 5) Election Reforms
- 6) Judicial Activism
- 7) Parliamentary System in India
- 8) Fundamental Duties
- 9) Globalization and its impact.
- 10) Computer and Law

**Unit-II: Language, Communication and Law**

- a. Meaning and Communication Approaches
- b. Types, Directions and Challenges
- c. Formal & Informal Communication
- d. Barriers to Communication
- e. Culture and Language Sensitivity
- f. Non-verbal Communication: Importance, Types (Paralanguage, Body Language, Proximity etc.)
- g. Legal Counselling and Interviewing

**Unit-III: Legal Communication**

- a. Legal Communication
- b. Mooting
- c. Reading and Analysis of Writings by Eminent Jurists (Cases, Petitions and Judgements)

**Unit-IV: Literature and Law**

- a. Play 'Justice' by John Galsworthy (*Justice* was a 1910 crime play by the British writer [John](#) Galsworthy) and *Arms and the Man* by George Bernard Shaw
- b. Play 'Final Solutions' by Mahesh Dattani

- c. Mahashweta Devi's story 'Draupadi' on Gender Inequality
- d. 'The Trial of Bhagat Singh'
- e. Biography/Autobiography of Martin Luther and Nelson Mandela

**Paper-10; BAL-204****Sociology II**

**Objective:** This paper formally introduces the student to the key issues around which the everyday life in India is constructed.

**Unit-I: Kinship, Family and Marriage**

- a. Descent: Patrilineal and Matrilineal, Comparative study of Northern and Southern Kinship
- b. Concepts: Principles of Kinship, Consanguinity, Filiations, Incest Taboo and Affinity
- c. Forms of Marriage; Monogamy/Polygamy; Endogamy/Exogamy; Sororate/Levirate
- d. Forms of Family: Joint and Nuclear family

**Unit-II: Religion**

- a. Sacred and Profane
- b. Rites and Rituals
- c. Communalism and Fundamentalism
- d. Secularism

**Unit-III: Social Stratification**

- a. Caste: Features, Mobility, Dominant Caste
- b. Class and status: Marx and Weber
- c. Gender: Equality, Neutrality and Third gender

**Unit IV: Marginalised Groups and Deviants**

- a. Theories: Positivist Approach, Labelling Theory, Functionalist Theory, Subculture Theory
- b. Social Problems and Social Legislation: Women and Children
- c. Sexual Violence against Women & Children: Myths and Realities
- d. Marginalised Groups: Differently abled.

**Text Book:**

1. A. Giddens, Sociology, New Delhi: Wiley India Pvt Ltd, (Chapter 21), 2013

2. R. Crompton and M. Mann (eds.), *Gender and Stratification*, Cambridge: Polity Press, (Chapter 3, pp 23-39),1986
3. Haralambos, *Themes and Perspectives*, Oxford, (406-451)

**References:**

1. A.R.Radcliffe-Brown, and Daryll Forde, “ Introduction” in Radcliffe-Brown and Daryll Forde (eds.), *African Systems of Kinship and Marriage*, London: Oxford University Press, (pp 1-39), 1950
2. A. M. Shah, “Changes in the Indian Family: An Examination of Some Assumptions”, in A.M. Shah, *The Family in India: Critical Essays*, pp. 52-63(Orient Longman,1998.
3. E. Durkhiem, *Elementary Forms of Religious Life*. A New Translation by Carol Cosman, OUP: Oxford, (pp 25-46; 87-100 and 153-182), 2001
4. A. Van Gennep, *The Rites of Passage*, Routedge and Kegan Paul: London, (Introduction, pp 1-14; 65-70; 74-77; 85-90; 101-107; 116-128; 130-135 and 141-165), 1960
5. T.N.Madan, *Modern Myths, Locked Minds: Secularism and Fundamentalism in India*, Delhi: Oxford University Press, (pp.1-38), 1997
6. M.N.Srinivas, *Caste: It’s Twentieth Century*, New Delhi: Avtar Viking Penguin,1996
7. Gupta, “Hierarchy and Difference”, in Dipankar Gupta (ed.), *Social Stratification*, Delhi: Oxford University Press, (pp 1-21), 1991
8. A. Beteille, *Caste, Class and Power*, Oxford University Press, 1971, (Chapter.1)
9. S. Jackson and S. Scott (eds.), 2002, *Gender: A Sociological Reader*, London: Routledge, Introduction, (pp 1-26)
10. Katherine Williams, *Text Book on Criminology*, Universal Law Publishing Co. Pvt. Ltd., (pp. 142-167, 197-259 and 343- 369), 1997

**Paper-11; BAL-205**

**LAW OF CONTRACT II WITH SALES OF GOODS, 1930 AND INDIAN PARTNERSHIP ACT, 1932.**

**OBJECTIVE:** This paper is to impart knowledge various special contract, law of agency and partnership and specific reliefs.

**UNIT-I: Indemnity and Guarantee (Sec.124-147)**

Indemnity & Guarantee-the Concept, Definition, Methods Commencement of liability of the indemnifier Nature of indemnity clauses Distinction between indemnity and Guarantee Right/Duties of Indemnifier, Indemnified and Surety Discharge of Surety's liability. Kinds of Guarantee

**UNIT-II: Bailment, Pledge and Agency**

Meaning and Distinction

Rights and Duties of Bailor and Bailee, Pawnor/Pawnee Lien Termination of Bailment

Commercial utility of pledge transactions Definitions of Agent and Principal Essentials of relationship of agency Creation of agency: by agreement, ratification and law Relation of principal/agent, subagent and substituted agent Termination of agency

**UNIT III:**

**Sale of Goods Act, 1930**

**UNIT IV**

**Indian Partnership Act, 1932**



**Text Books**

Mercantile Law; Avtar Singh

**Suggested Readings:**

1. Mulla, D.F : Indian Contract Act.
2. Bangia, R.K. : Indian contract Act-II.
3. Avtar Singh : Law of Contract
4. Pollock and Mulla : Indian contract and Specific Relief Act
5. Anson : Law of Contract
6. R.K. Bangia : The Specific Relief Act ,R.M.M. Dias: Jurisprudence

**Paper-12; BAL-206**

**Jurisprudence**

**Unit –I: Introduction**

Nature and scope of Jurisprudence

Need for study of Jurisprudence

Linkage between Jurisprudence and other sciences

**Unit – II: Schools of Jurisprudence**

Natural Law with Indian Perspective

Analytical Positivism, Pure Theory, Legal Realism

Historical Jurisprudence

**Unit – III: School of Jurisprudence-II**

Sociological Jurisprudence with Indian Perspective

Administration of Justice

Civil and Criminal Justice System

**Unit – IV: Sources of Law**

Custom

Legislation

Precedent

**Books**

Boderheimer-Jurisprudence-The Philosophy & Method of Law (1996) Unversal, Delhi

R.W.M. Dias-Jurisprudence (1994) Indian Reprint-Adithya Books, Delhi

Fitzgerald-Salmond on Jurisprudence (1999), Tripathi, Bombay

Dhyani SN-Jurisprudence-A Study of Indian Legal Theory (

# **SEMESTER III**

**Paper-13; BAL-301**

**Political science-3**

**OBJECTIVE:** This paper focuses on understanding international relations and emerging issues in the relations between states.

**UNIT –I**

Comparative study of constitution of U.S.A. and India: President, separation Of power, Judiciary.

**UNIT –II**

United Nations Organization (UNO).

**UNIT –III**

Settlement of dispute: Pacific means of settlement of disputes and role of (UNO).Disarmament.

**UNIT –IV**

Regional organization: Organization of American state (OAS), organization of African unity (OAU), The Arab league, The South Asian Association of Regional Cooperation (SAARC), The Association of South East Arian Nations (ASEAN) and European Union (EU) and their role in international relations.  
Crisis in west Asia with special reference to Arab- Israel conflict.

**Suggested Readings:**

- Hans J. Morgenthau: Politics Among Nations, Scientific Book Agency, Calcutta
- Palmer and Perkins: International Relations, Scientific Calcutta
- Sprout and Sprout: Foundations of International Politics, Van No strand, New York.
- Mahendra Kumar: The Theoretical Aspects of International Politics, Shiv Lal Aggarwal, Agra.

**Text Books:**

- Joll, James, Europe since 1815
- Ketelby, C.D.M., A History of Modern Times from 1789
- Thomson, David, Europe Since Napoleon

**Reference:**

- Burns, Edward McNall, et.al, World Civilizations, Volumes B and C

## **Paper-14; BAL-302**

### **History -3**

**OBJECTIVE:** The course is to develop understanding of evolution of modern legal system in India as and constitutional history.

#### **UNIT-1;Legal and Constitutional History of India**

Administration of Justice in the Presidency Towns (1600-1773) and the development of courts and judicial institutions under the East India Company. Charter of 1726 and 1753. Establishment of Mayor's court in 1726.

**Leading Cases:** (i) Raja Nand Kumar Trial; (ii) Patna Case; (iii) Cossijurah Case.

#### **UNIT – II**

##### **Constitutional Development (a)**

Regulating Act of 1773; The Charter of 1813, 1833 and 1853. The Indian Councils Acts of 1861 and 1892.

#### **UNIT-III**

##### **Constitutional Development (b)**

The Indian Council Act, 1909; The Government of India Act, 1919; and the Government of India Act 1935.

#### **UNIT – IV Modern and Contemporary India**

- a. Colonialism and Imperialism: Stages of Colonialism, Impact on Economy (Industry, Agriculture and Trade), Permanent Settlement and Emergence of the idea of land as a commodity
- b. Nationalist and Civil Disobedience Movement: Only Gandhian Movements
- c. Partition: Politics and Communalism
- d. Changing notions of Justice and Gender from Ancient to Modern times: A Post-Colonial Discourse

**Suggested Readings:**

- Bipan Chandra, India's struggle for independence, 1857-1947. Penguin Books, New Delhi, 2001.
- Sumit Sarkar, Modern India 1885-1947, Macmillan, New Delhi, (Rep.), 1995.
- Sekhar Bandyopadhyay, From Plassey to Partition: A History of Modern India, Orient Longman, New Delhi, 2004.
- Kenneth W. Jones, Socio-Religious Reform Movements in British India Cambridge University Press/Foundation Books, New Delhi, 1994.
- M.P. Jain, Constitutional History of India, Wadhwa and Corg. New Delhi , 2006.
- V.K. Kulshrestha, Indian Legal and Constitutional History.
- R.C. Aggarwal Constitutional Development and National movement of India.

**Paper-15; BAL-303**

**English-3**

**Unit-I;Short Stories**

Short stories I-5, Part-I, The Threshold, Jagdip Singh and Praveen Kumar (ed.).

The students will be tested on questions based on character sketch and theme form short stories.

**Unit-II; Phonology & Translation**

The Phonology of English- symbols for consonants and Vowels, Familiarity with Work Accent and Intonation [In Phonology, the students are to be trained for Consultation of pronouncing dictionaries]  
Hindi to English, English to Hindi

**Unit-III;Vocabulary**

Legal terms, Legal Maxims, Idioms, One word substitution, some common error.

**Unit-IV**

**Introduction to Law**

Sources of Law, Distinction between civil and criminal law, Law and Custom, Law And morals, Law of crimes and Law of Torts, Substantive law and procedural law, Public Law and private law, Law of contract and Law of torts, Law and fact, Law and equity.

**Suggested Readings:**

1. Jagdip Singh and Praveen Kumar (ed.).The Threshold, Macmillan India Ltd.
2. Nesfield, J.C: English Grammar Composition and Usage.
3. Fiti Kides, T, J.: Common Mistakes in English.
4. Allen, W.S.: Living English Structure.

## **Paper-16; BAL-304**

### **Constitutional law-1**

**OBJECTIVE:** The objective of this paper is to provide understanding of basic concepts of Indian Constitution and various organs created by the constitution including their functions.

#### **UNIT – I**

Salient features of the Indian Constitution.

Preamble

Definition of State (Art. 12)

Doctrines of Ultra-vires, severability, eclipse, waiver (Art, 13)

#### **UNIT-II**

Right to equality (Art. 14)

Prohibition of discrimination, Rights to equality of opportunity (Art. 15-16)

Right to freedom under Article 19: Freedom of association; Freedom of movement;

Freedom of residence; Freedom of assembly; Freedom of association; Freedom of movement; Freedom of residence; Freedom of occupation, trade and business;

Right to take out processions; Right of the State to impose reasonable restrictions

#### **UNIT – III**

Protection in respect of Conviction under Article 20,

Ex-post-facto law; Double jeopardy; Self-incrimination;

Right of Life and Personal Liberty (Act. 21),

Protection in respect of arrest and detention

Right to freedom of religion (Articles 25-28)

#### **UNIT – IV**

Cultural and Education Rights (Articles 29-30)

Enforcement of Fundamental Right, Writ Jurisdiction of the Supreme Court and High Court (Article 32, 226)

[Type text]



Right to property before and after the Constitution 42nd Amendment Act, 1976

Abolition of Untouchability, Titles (Articles 17-18)

Right against exploitation (Articles 23, 24)

**Suggested Readings:**

- Austin Granville: Constitution of India: Cornerstone of a Nation; and Working A Democratic constitution
- NarenderKumar : Constitutional Law of India.
- Basu D. D : Shorter Constitution of India
- Jain, M.P.: Constitutional Law of India,
- Seervai, H.M. : Constitutional Law of India, Vols. I-III
- Shukla, V.N. : Constitutional of India (ed. M.P.Singh)
- B.R. Sharma : Constitutional Law and judicial Activism
- M.C. Jain Kagzi : The constitution of India
- B. Shiva Rao: The Framing of India's Constitution

**Paper-17; BAL-305****Family law-1**

**OBJECTIVE:** The objective of the paper is to apprise the students with the laws relating to family matters applicable to different communities in India.

**UNIT – I**

- Who is a hindu, Sources of hindu law, schools of hindu law.
- Hindu Marriages: essentials of valid marriage, void marriage, voidable marriage
- Matrimonial causes
- Concept and grounds for matrimonial reliefs
  - Restitution of conjugal rights,
  - Nullity of marriage
  - Divorce
  - Judicial separation
- Legitimacy of children-legal status of children born of void and voidable marriages

**UNIT – II****The Hindu Adoptions and Maintenance Act, 1956**

- Concept of Adoption,
- Who may take and give in adoptions, ceremonies of adoption,
- effect of adoption,
- Relationship of the adopted child,
- concept of maintenance,
- maintenance as a personal obligation to wife, Children, aged or infirm parents, maintenance of dependents, maintenance of joint family members,
- quantum of maintenance as charge on property,
- Alteration of maintenance.

**UNIT – III****The Hindu Minority and Guardianship Act, 1956**

- Guardianship of the person – Natural, testamentary, and de facto guardians,

[Type text]

- Guardianship of minor's property, rights, powers and liabilities of guardian.
- Removal of guardian

#### UNIT – IV

- Sources of muslim law
- Schools of muslim law
- Marriage- concept of marriage
- Kinds of marriage
- Classification of marriage
- Formal validity
- Essential validity
- Degrees of prohibited degree relationship
- Relative Impediments
- Dower or mahr
- Dissolution of marriage and matrimonial reliefs talak ,
- acknowledgement of Paternity
- **Maintenance of Muslim Women**

The Muslim Women's (Protection of Right on Divorce) Act, 1986, Dissolution of Muslim Marriage Act, 1939

#### **Suggested Readings:**

- Mulla : D.N. Hindu Law
- Paras Diwan : Modern Hindu Law
- Paras Diwan : Muslim Law in Modern India.
- Fyzee : Outlines of Mohammedan Law
- Derrett, IDM : Introduction to Modern Hindu Law
- The Hindu Marriage Act 1955 : Bare Act
- The Hindu Adoptions and Maintenance Act, 1956 : Bare Act
- The Hindu Minority and Guardianship Act, 1956 : Bare Act
- The Muslim Women's (Protection of Right on Divorce) Act, 1986 : Bare Act
- Dissolution of Muslim Marriage Act, 1939 : Bare Act

**Paper-18 ;BAL-306**

**Administrative law**

**OBJECTIVE:** The purpose of this paper is make students aware of various aspects of administrative law including quasi-legislative, quasi-judicial and other ministerial functions of administration and control thereof.

**UNIT I**

Definition, Nature and Scope of Administrative Law, Conceptual Objections to the growth of administrative Law

Rule of Law, Separation of Powers

Administrative discretion: Meaning, Need, and Judicial Control

**UNIT II:**

Legislative Power of Administration: Necessity, Merits and Demerits,

Constitutionality of Delegated Legislation; Legislative and Judicial Control of delegated Legislation

**UNIT III:**

Principles of Natural Justice and their Exceptions Rule against Bias, Concept of Fair hearing

Judicial review of administrative action through writs;

Judicial control through suits for damages, injunction and declaration

Administrative Tribunals: Need and reasons for their growth, characteristics, jurisdiction and procedure of administrative Tribunals.

**UNIT IV:**

Government Privilege to withhold evidence in public interest

Liability of the administration: Contractual liability, tortuous liability. Public Undertakings, their necessity and Liabilities, governmental Control, Parliament Control, Judicial Control

[Type text]

Ombudsman: Lokpal and Lokayukta

Right to information ACT, 2005 (S.1-S.20)

### **Books**

- Wade, Administrative Law (VII Ed.) Indian Print, Universal
- M.P.Jain, Principles of Administrative Law, Universal Delhi
- S.P.Sathe, Administrative Law, Butterworths, Delhi
- C.K.Thakkar, Administrative Law, Eastern Book Co.
- Jain and Jain: Principles of Administrative law.
- I. P. Massey: Administrative law
- Kesari, U.P.D: Lectures on Administrative Law, 15<sup>th</sup> Ed, 2005
- Stott, David & Felix Alexandra: Principles of Administrative

# SEMESTER-4

**Paper-19 BAL-401****Sociology-3**

**Objective:** The Objective of this paper is to focus on basic concepts of sociology relevant for better understanding of Indian Society.

**Unit I : Features of Indian Society**

- a. Diversity- linguistic, racial, ethnic and religious
- b. Unity-through processes of assimilation, accommodation, pilgrimage and political and administrative efforts
- c. Basis of social stratification in Indian society-caste, class and tribes;
- d. Scheduled caste, scheduled tribe and other backward classes: issue of reservation

**Unit II: Development of Indian Society**

Development from Vadic to Post Vedic Society, Indian traditional order, Ashram and Varna System, Sanskars, Indian Cultural Values and their importance

**Unit III: Identity, dignity and social justice in India**

- a. Children and youth
- b. Women
- c. Aged
- d. Physically challenged
- e. Religious and ethnic minorities

**Unit IV: Social Change in India**

- a. Internal social processes of change-sanskritization, universalization and parochilization
- b. External sources- modernization and westernization
- c. Change initiated through state agencies-education, administrative policies,

[Type text] development processes

**Text Books:**

1. Harlambos, M. Sociology: Themes and Perspectives; Oxford University Press, 1980
2. Bottomore, T.B. Sociology: A Guide to Problems and Literature; Blackie and So India Ltd; 1971
3. Horton. P.b. and C.L. Hunt Sociology; McGrew- Hill book Company, Singapore. 1984.
4. Giddens, A. Sociology; Polity Press, UK; 1993

**References:**

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



**Paper-20; BAL-402**

**History-4** (History of Modern Europe: 1740 -1947)

**OBJECTIVE:** The objective of this paper is to familiarize students of law with the history of Europe as many international laws/ human rights/ humanitarian laws emanate from developments in Europe.

**UNIT – I:**

Europe from 1740-1815

Industrial revolution in England

The French Revolution: Reasons, Girondins and Jacobins, The Directory

Napoleonic Era and Europe

**UNIT - II:**

Europe from 1815-1850

Vienna Settlement and the Concert of Europe : Role of Metternich

The Democratic and Nationalist aspirations of Europe: Independence of Belgium,

Developments in Great Britain, France, Portugal, Italy, Germany, Austria-Hungary

Working Class Movement: Socialism and Marx

Women's Movement

**UNIT III:**

Europe from 1850-1871

Crimean War (1853-56)

Russia

The Unification of Italy

The Unification of Germany

Near Eastern Question

**UNIT IV:**

Europe from 1871-1945 (Imperialism and Colonialism)

France after 1870: Third Republic and its Constitution

German Empire

Partition of Africa, Militant Nationalism and the armament race

International Relations and event leading to First World War : League of Nations

Interwar years and the Second World War

Humanitarian Concerns and United Nations.

**Text Books:**

1. Joll, James, Europe since 1815
2. Ketelby, C.D.M., A History of Modern Times from 1789
3. Thomson, David, Europe Since Napoleon

**Reference:**

1. Burns, Edward McNall, et.al, World Civilizations, Volumes B and C

**Paper-21 BAL-403**

**English-4**

**UNIT – I. Vocabulary**

Foreign words and phrases 2. Set expressions and phrases. 3. One word substitution 4. Words often confused 5. Synonyms and Antonyms, especially Legal words

**UNIT – II Speech Writing**

1. Reading aloud (knowledge of proper pausing)
2. key sounds, their discrimination and account
3. Consulting a pronouncing dictionary.
4. Rapid reading and debating exercise

**UNIT – 3**

**UNIT – 4- Communication Skills**

a. Self Image b. Body Language c. Effective Public Speaking d. Leadership Skills.

**Books;**

David Green; Contemporary English Grammar, Structure Composition (Mac Milan)  
Communication Skills for Professionals ; Konar Nira , New Arrivals – PHI.

**Paper-22 ;BAL-404****Constitutional law-2**

**OBJECTIVE:** This paper is to orient students with constitutional rights and duties: perspective as well as remedies.

**UNIT – I**

The Union & State executives : The President – Election/Impeachment.

The Governor in the State.

The council of Minister at the Union and State.

Discretionary powers and immunities of the President/Governor,

Power of pardon and Ordinance making power of the Governor/President.

The Vice-President. (Article 52 to 78, 153 to 167, 361)

**UNIT-II**

Union Parliament & State Legislatures.

Composition; Sessions Qualification/disqualification of Members etc. (Article 79-104, 168-193)

Legislative Procedure,

Ordinary bills, Money bills, Ordinances (Article 107-123, 169-123).

Parliamentary Privileges (Article 105-194)

**UNIT – III**

The Judiciary in India: Independence of the Judiciary.

The Supreme Court

Appointment and removal of Judges,

Jurisdiction – Original, appellate, Special Leave to Appeal,

Advisory, Other Powers of the Court, Power of contempt (Article 124-146)

The High Court in the States:

Appointment, Removal and Transfer of Judges, Power of Contempt (Articles 217-225)

**UNIT – IV**

Services under the Union & State,

Doctrine of Pleasure,

Constitutional Safe guards to civil servants (Articles 309 to 323)

Emergency Provisions (Articles 352 to 360)

Amendment of the Constitution and Basic structure Theory (Articles 368).

**Suggested Readings:**

- Austin Granville: Constitution of India: Cornerstone of a Nation; and Working A Democratic constitution
- Narender Kumar: Constitutional Law of India.
- Basu D. D: Shorter Constitution of India
- Jain, M.P.: Constitutional Law of India,
- Seervai, H.M. : Constitutional Law of India, Vols. I-III
- Shukla, V.N. : Constitutional of India (ed. M.P.Singh)
- Bare Act: Constitutional Law India.
- M.C. Jain Kagzi : The Constitution of India
- B. Shiva Rao: The Framing of India's Constitution

**Paper-23; BAL-405****FAMILY LAW-2**

**OBJECTIVE:** The objective of the paper is to apprise the students with the laws relating to family matters governing succession, partition and religious endowments.

**UNIT – I****Hindu Joint Family System**

- Mitakshara Hindu Joint Family: composition Structure and Characteristics
- Coparcenery: Who is coparcener, Incidents of coparcenery
- Joint family property: Classification – Unobstructed Heritage, Obstructed Heritage, Ancestral Property, Separated Property, Joint Acquisition and Accretions.
  - Point of Distinction between the Mitakshara Joint Family and Dayabhaga Hindu Joint Family

**UNIT – II****Hindu Law of Partition**

- Subject matter of partition,
- Persons who have a right to partition and Persons who are entitled to a share on partition, How partition is effected,
- Rules relating to distribution of property and modes of partition, reopening of partition and
- Re-union, Position, Status, Liability and Powers of the Karta in the Hindu Joint Family.

**UNIT – III****Hindu Succession Act, 1956**

- Definition
- Succession to the Property of a Male Hindu – Legal heirs and their classification,
  - Succession to the property of a Mitakshara Hindu;
  - Women's Property Succession to the property of a Hindu female,
  - General provisions Relating to Succession, Disqualification of heirs, Testamentary Succession.

**UNIT – IV****Muslim Law of Gift and Will**

[Type text]

- Who can make a valid gift? Essential requirements of a valid gift, Subject matter of gift. Gift of Musha – Exceptions thereof, Revocation of gifts under Shia and Sunni Law

- General Principles of Inheritance of Muslim Law, Will: Who can make Will? Subject matter of a will; Restrictions on the powers of a Muslim to make a Will; Abatement of Legacy; Creation of Life Estates and its validity; Revocation of Will

**Suggested Readings:**

- Paras Diwan : Modern Hindu Law
- Badrudin Tayyabji : Mohammedan Law
- Fyzee : Outlines of Mohammedan Law
- Paras Diwan : Muslim Law
- Hindu Succession Act, 1956 : Bare Act
- Mulla, Hindu Law.

**Paper-24; BAL-406**

**Company law**

**OBJECTIVE:** The objective of this paper is to study the formulation, capital formation of company law.

**UNIT I**

**Formation, Registration and Incorporation of Company**

**Company and its classification**

Meaning of Company

Distinction between company and other associations

Nature and kinds of company

**Formation, promotion and incorporation of companies**

Promoters: Position, duties and liabilities

Mode and consequences of incorporation

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

Theory of Corporate personality

**Memorandum of Association:** Meaning, purpose and contents, alteration and binding nature of memorandum of association,

Doctrine of ultra vires

**Articles of Association:** Meaning, form and contents, binding nature, alteration, relation with memorandum of Association

Doctrine of Constructive Notice of Memorandum and Articles

Doctrine of Indoor Management and its exceptions

**UNIT 2**

**Capital Formation of Regulation**

**Prospectus:** Contents, statement in lieu of prospectus, registration of prospectus and remedies against misrepresentation in the prospectus, prospectus of foreign Companies

**Shares:** meaning and kinds of shares, allotment of shares, general principles regarding allotment, statutory restrictions on allotment

Statutory share certificate, its objects and effects

**Transfer of shares:** Procedure for transfer of shares and restrictions on transfer of shares, certification of transfer relationship between transferor and transferee

Share Capital, reduction of share capital

**UNIT 3**

Directors: Kinds, Powers and Duties, legal position of directors and liabilities of directors

[Type text]



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

### **Insider trading**

Meeting, Kinds and Procedure

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

### **UNIT 4;**

#### **Winding up of Companies**

Kinds, Consequences and reasons of winding up of companies.

Role of the Court in winding up of company

Liability of past members Payment of liabilities Reconstruction and amalgamation

### **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

**Books:** The Companies Act, 2013

### **Books**

- L.C.B. Gower, Principles of Modern Company Law, 1997 Sweet & Maxwell, London
- A. Ramaiya, Guide to the Companies Act, 1998 Wadhwa
- Palmer, Palmer's Company Law, 1987 Stevens, London
- Avtar Singh, Indian Company Law, Eastern Book Co.
- R.K. Bangia, Company Law

# SEMESTER-5

**Paper-25; BAL-501****Economics-1**

**Objective:** The objective of this paper is to provide broad understanding of basic concepts of economics and understanding of relationship between economics and law.

**Unit - I: Introduction to Economics**

- a. Definition, methodology and scope of economics
- b. Forms of economic analysis – Micro vs. macro, partial vs. general, static vs. dynamic, positive vs. normative, short run vs. long run
- c. Basic concepts and precepts – economic problems, economic rationality, optimality
- d. Economic organization – market, command and mixed economy
- e. Relation between economics and law- economic offences and economic legislation

**Unit - II: Demand and Supply**

- a. Theories of demand- demand function, law of demand
- b. Concept of utility and utility theory-utility approach, indifference curve approach
- c. Law of supply, supply function
- d. Price determination; shift of demand and supply
- e. Elasticity of demand and supply; consumer surplus
- f. Applications of demand and supply –tax floor and ceilings; applications of indifference curves- tax, labor and work

**Unit - III: Production Analysis, costs and market structure**

- a. Concepts of Production- production isoquants, returns, returns to factor, returns to scale
- b. Cost and revenue concepts
- c. Classification of markets-pure and perfect competition; monopolistic and imperfect competition; monopoly, duopoly and oligopoly; cartels;
- d. Concept of Dumping- to be substantiated with the cases of International Courts of Justice, Competition law

**Unit - IV: Theory of determination of factor prices, rent, interest, wages and profit**

- a. Labour supply and wage determination
- b. Role of trade unions and collective bargaining in wage determination; minimum wage legislation
- c. Exploitation of labour
- d. The theory of rent, interest and profits

**Text Books:**

1. Gould and Lazear Micro Economic Theory; AITBS; 1989
2. Lipsey Introduction to Positive Economics; ELBS
3. Samuelson Economics;

**Reference:**

1. Bilas Microeconomic theory; Mc Graw Hill Intedn; 2<sup>nd</sup> edition
2. Hirshleifer Price Theory and Applications; Prentice Hall; 1978
3. Hal Varian Intermediate Micro-economics; Norton & Co.
4. Myneni, S.R. Principles of Economics; Allahabad law Agency; Faridabad
5. Dewett, K.K.Modern Economic Theory;

**Paper-26 BAL 502****Sociology – 4**

**Objective:** The Objective is this paper is to focus on basic concepts of sociology relevant for understanding law and bring out the relationship between law and society.

**Unit - I: Social Basis of Law**

- a. Relation between law and society
- b. Customary law- some case studies
- c. Role of courts and lawyers as social engineers
- d. Social legislation and social justice
- e. Social change and law

**Unit II: Social Problems and Social Legislation**

- a. Issues of ethnic and inter – caste conflicts
- b. Communalism and fundamentalism
- c. Alcoholism and drug addiction
- d. Terrorism
- e. Poverty

**Unit III: Social Control**

- a. Social Control- its meaning; mechanisms and agents of social control, functions and dysfunctions of social control
- b. Distinction between formal and informal social control
- c. Informal Agencies of social control-customs, folkways, mores and religion
- d. Formal Agencies- public opinion, media, propaganda and law

**Unit IV: Social Deviance**

- a. Meaning and types of deviance
- b. Forms of crime-violent crime, property crime, white collar crime, organized crime, sex crimes, environmental crime, cyber crimes
- c. Issues of domestic violence and juvenile delinquency
- d. Some important theories of deviance-biological, psychological, anomie, sub-culture, learning and social disorganization

**Text Books:**

1. Harlambos, M. Sociology: Themes and Perspectives; Oxford University Press, 1980
2. Bottomore, T.B. Sociology: A Guide to Problems and Literature; Blackie and Sons India Ltd; 1971
3. Horton. P.b. and C.L. Hunt Sociology; McGrew- Hill book Company, Singapore, 1984.
4. Giddens, A. Sociology; Polity Press, UK; 1993

**References:**

1. Prasad, S.K. Social Problems in India; Mohit Publications Ltd. India; 2000
2. Anleu. S. and N.L. Roach Law and social changes; Sage Publications Ltd. Delhi; 2000
3. Saxena, D.r. Law, Justice and Social Change; Vedam Books, Delhi; 1996
4. Fanon, F. Wretched of the Earth; Penguin, London; 1965
5. Laqueur, W. The Age of Terrorism; Goerge Weidenfeild and Nicholson Ltd. London; 1987
6. Williams, K.S. Criminology; Universal Law Publication (Indian Reprint); Delhi, 2001.

**PAPER 27 BAL 503****PUBLIC INTERNATIONAL LAW**

**OBJECTIVE:** The objective of this paper is to make the students aware of the nature of the public laws and international public law.

**UNIT-I****Introduction to Public International Law**

Definition, Nature and Basis of International Law

Sources of International Law- International Conventions, International Custom, General Principles of Law Recognized by Civilized States, Decisions of Judicial Tribunals, Juristic works, Decisions or Determinations of Organs of United Nations, Other sources; Relationship between International and Municipal Law.

Subjects of International Law: States, Individuals, Non State Entities, Importance of Individuals under International Law

**UNIT-II****State**

Definition of State, State Jurisdiction; Recognition, Recognition of states, governments, insurgency and belligerency, Theories, Modes of recognition, Legal effects; Acquisition and loss of territory- Occupation, Prescription, Accretion, Cession, Annexation, State succession; Intervention.

**UNIT-III****Law of Sea, Air and Outer Space**

Law of Sea -Territorial Sea, Contiguous Zone, Continental Shelf, Exclusive Economic Zone, Law of Air and Outer Space, Air Craft Hijacking under Air Law, Development of Outer Space Law.

**UNIT-IV****Settlement of International Disputes**

Peaceful settlement of International Disputes-Negotiations, Mediation, Conciliation, Good Offices, Arbitration, Judicial Settlements of Dispute under ICJ Modes of Short of War for settlement of International Disputes- Retortion, Reprisals, Intervention, Embargo, Pacific Blockade, War and its Effects, Definition of war and total war; International Armed Conflict and Non International Conflict; Effects of outbreak of war, War Crimes, Pows; Asylum, Extradition.

**Books;**

**Public international law; V.K.Ahuja**

**Suggested Readings:**

- J.G Starke : Introduction to International Law
- H. Oppenheim: International Law
- J.L. Brierly: Law of Nations
- Black Stone : International Law Documents
- Malcom Shaw : International Law



**PAPER 28 BAL 504****LAW OF CRIMES**

**OBJECTIVE:** This paper is to focus on the study of substantive crimes under the Indian Penal Code

**UNIT-I**

- Crime: meaning and definition, elements of crime & stages of crime.
- Application and jurisdiction (sections 1 -5)
- Of punishments (sections 53-75)
- Concept of joint and constructive liability (section 34, 38 & 149), difference between section 34 and 149.

General exceptions:

- Mistake of fact (section 76&79)
- Judicial acts (section 77&78)
- Accident and misfortune (section 80 & 81)
- Infancy (section 82 & 83)
- Insanity (section 84)
- Intoxication (section 85 & 86)
- Consent (sections 87 – 94)
- Trivial acts (section 95)
- Private defence (section 96-106)

**UNIT –2**

- Abetment (section 107- 120)
- Criminal conspiracy (section 120 A- section 120B)
- Offences against state: waging war (section 121-130), sedition (section 124A)
- Offences against public tranquility (section 141- 160): unlawful assembly, riot, affray, promoting enmity between classes.
- False evidence & offences against public justice (section 191- 229)
- Hurt and grievous hurt (section 319- 325)
- Wrongful restraint & wrongful confinement (sections 339-342)

**UNIT-3**

[Type text]

Homicide (section 299 – 309): culpable homicide, murder, death by negligence, attempt to commit murder & culpable homicide, suicide & dowry death.

Criminal force & assault

Sexual offences: rape & unnatural offences (section 375 – 377)

Offences against property:

Theft, extortion, robbery & dacoity

Criminal misappropriation & breach of trust, receipt of stolen property

Cheating (section 415-420)

Criminal trespass (section 441-462)

#### **UNIT-4**

Kidnapping & abduction

Offences relating to marriage (sections 494 -498A): mock marriages, bigamy, adultery, criminal elopement, cruelty by husband or relatives.

Defamation (section 499 – 502)

Criminal intimidation, insult & annoyance (section 503 – 509)

Attempt: the law of inchoate crime (section 511).

#### **Suggested Readings:**

- Rattan Lal Dhiraj Lal; The code of Criminal Procedure (Student edition).
- R.B. Kelkar's; Criminal Procedure Code.
- M.B. Pranjapee ; Criminology and Penology.
- R.B. Sethi; The Probation of Offenders Act, 1958.
- D.D. Basu; Criminal Procedure code- II.
- Woddroffe; Commentaries on Code of Criminal Procedure, 2 Volumes.
- K.N. Chandrashekhara Pillai (ed.) Kelkar's Lectures on Criminal Procedure.
- S. C. Sarkar: The Law of Criminal Procedure.

**Paper 29; BAL 505****International human right**

**OBJECTIVE:** This paper is to focus on the study of law relating to Human Rights in the international perspective

**UNIT-I**

Human Rights, Concept, Nature and scope; Human Rights under the U.N. Charter; Universal Declaration of Human Rights; Meaning and concept of Human Rights, International Protection of Human Rights under-International Bill of Human Rights- Universal Declaration of Human Rights, 1948, International Covenant of Civil and Political Rights, 1966, International Covenant on Economic, Social and Cultural Rights, 1966, United Nations Millennium Declaration, 2000

**UNIT-II**

International Convention on the Elimination of All Forms of Racial Discrimination, 1965, Convention on the Elimination of All Forms of Discrimination against Women, 1979, Convention on the Rights of the Child, 1989 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 1990, Convention on the Rights of Persons with Disabilities, 2006

**UNIT-III**

Regional conventions on Human rights- African Charter on human and People's Rights, 1981 American Convention on Human Rights, 1969 European Social Charter, 1961. European Convention for protection of Human Rights and fundamental freedoms, 1950 Development through World Conferences on Human Rights- Tehran Conference, 1968, Vienna Conference, 1993, World Conferences on Women- Mexico, Copenhagen, Nairobi, Beijing.

**UNIT-IV**

Indian Constitution and International Covenants on Human Rights, Role of National Commission on Human Rights: Its powers and functions, Protection of Human Rights Act, 1993.

**Suggested Readings:**

- J.G. Starke: Introduction to International Law.
- S. K. Kapoor : International Law.
- Arjun Dev and others (ed): Human Rights – A Source Book, 1996.
- S. K. Verma : Introduction to International Law.
- Henkin Louis; The International Bill of Rights: The Covenant and Civil and Political
- Rights. (New York: Columbia University Press, 1981).

- H.O.Agarwal; International Law And Human Rights (Allahabad: Central Law Publications, 1999).

**Paper 30 ;BAL 506****Equity and trust**

**OBJECTIVE:** The objective is to study the concept of equity and trust.

**UNIT-I**

Concept of Equity Definition, Nature and origin of equity, Equity as a Court of conscience, transformation of equity, the relation between common law and equity, Judicature Acts of 1873 and 1875, the nature of equitable rights, classification of equitable rights

**UNIT-II**

Equitable doctrines: Conversion and reconversion, election, performance and satisfaction; The Maxims of equity – Equity will not suffer a wrong to be without a remedy; Equity follows the law; where equities are equal, the law shall prevail; where equities are equal, first in time shall prevail.

**UNIT-III**

He who seeks equity must do equity; He who comes to equity must come with clean hands; Delay defeats equity; equality is equity; equity looks to the intent rather than to the form; equity looks on that as done which ought to have been done; equity imputes an insertion to fulfill an obligation; equity acts in personam

**UNIT-IV**

The Indian Trust Act 1882: Definition (sec 3); Creation of Trusts Rules (sections 4-10); Duties and Liabilities of the Trustees (Sections 11-30); Public and private Trusts and Doctrine of Cyprus. Rights and powers of Trustees (Sections 31-45); Disabilities of Trustees (Sections 46-54); rights and Liabilities of Beneficiaries (Sections 55-69); Vacating the office of Trustee and Extinction of Trusts (sections 70-79).

**Suggested Readings:**

- Singh G.P. Principles of Equity with special reference to trust and specific relief.
- Tandon M.P. Principles of Equity with trusts and Specific Relief.
- Basu, D.D. Equity, Trusts and Specific Relief.
- Snell; Principles of Equity.
- B.M. Gandhi Equity, Trust and specific Relief.

# **6<sup>TH</sup> SEMESTER**

**PAPER 31 BAL 601****Economics-2**

**Objective:** The objective of this paper is to provide broad understanding of basic concepts of economics and understanding of relationship between economics and law.

**Unit – I: Overview of Macroeconomics**

- a. Interdependence of micro and macro economics
- b. Development of macroeconomics-Schools of Thought-Classical, Keynesian and Post-Keynesian
- c. Goals of macroeconomic policy
- d. Basic concepts-Stocks and Flows, National Product and Domestic Product, Aggregate Consumption, circular Flow of Income
- e. Alternative measures of National Output, Real and Nominal GNP
- f. The Principle of Effective Demand-Aggregate Demand and Aggregate Supply

**Unit – II: Theory of Money and Banking**

- a. Functions for money, classification, supply and demand for money
- b. Effects of money on output and prices
- c. Inflation and deflation
- d. Monetary policy
- e. Money markets and capital markets
- f. Commercial Banking-functions organization and operations
- g. Central Banking- functions and credit control
- h. Non-Banking Financial Institutions-meaning, role; distinction between banks and NBFIs

**Unit – III: Principles of Public Finance**

- a. Tax system- its meaning and classification
- b. Public Finance vs. Private Finance
- c. Fiscal Policy- concept, objectives and instruments
- d. Central Budget
- e. Burden of deficits and debts

**Unit – IV: Poverty, Business Cycles and Unemployment**

- a. Concept, causes and policy measures of poverty
- b. Features of business cycles
- c. Economic interpretation of unemployment

**Text Books:**

1. Dwivedi, D.N. Macroeconomics; Tata Mc Graw Hill; 2005
2. Shapiro, E. Macroeconomic Analysis; Tata Mc Graw Hill; 2003
3. Seth. M.L. Money, Banking, International Trade and Public Finance;

**Reference:**

1. Dewett, K.K. Modern Economic Theory;
2. Myneni, S.R. Principles of Economics: Allahabad Law Agency; Faridabad
3. Bhatia, H.L. Public Finance;
4. Mishra, S.K. and V.K. Puri Modern Macroeconomic Theory; Himalaya Publishing House; 2003
5. Jhingan, M.L. Macroeconomic Theory;



**Paper -32; BAL 602**

**Legal language**

**UNIT – 1 Introduction to Legal Language**

1. Characteristics of Legal Language
2. History of Legal Language
3. Legal Language in India
- 4 English as a medium of communication for legal transaction in India

**Introduction to oral communication skills**

1. Passive and active listening - questioning - non-verbal communication
2. Listening comprehension
3. Passive and active listening - questioning - non-verbal Communication

**UNIT –2 Legal terminologies**

1. Terms used in civil law and criminal law
2. Latin words and expressions - law register

**UNIT –3 Fundamental principles of Report writing and Legal Writing**

1. Concision - clarity - cogency - simplicity of structure
2. Attention and awareness of practical legal import of sentences
3. Brief writing and drafting of report writing viz-Road accident, convocation held in University, Decision of Court (Civil and Criminal), Minutes of meeting, Complaint to police regarding Offence

**UNIT –4 General Legal writings in English**

1. Writing of case comments
  - (i) Ashby v/s White and others 2 Id Rayon 938
  - (ii) Donoughe v/s Stevenson, House of Lords (1932) Ac 562 (1932) All Er Rep.-1

- (iii) Keshvananda Bharti v/s State of Kerala (AIR 1973 SC 1461)
- (iv) Mohiri Biwi v/s Dharmdas Ghosh Privy Council (1903) 30 IA114.
- (v) Balfour v/s Balfour (1919) 2 KB 57.
- (vi) Menka Gandhi v/s Union of India AIR 1978 SC 597.
- (vii) Subhagwanti v/s Delhi Municipal Corporation AIR 1966 SC 1750

- 2. Essay writing on topics of legal interest
- 3. General guidelines relating to legal writing

### **SELECT BIBLIOGRAPHY**

- 1. Abbet Parry, Seven Lamps of Advocacy
- 2. Mogha's, Conveyancing
- 3. Mogha's, Forms and Precedents
- 4. Mogha's, Pleadings
- 5. Law and Language
- 6. Bhatnagar, R.P. & R. Bhargava, Law and Language, New Delhi: Macmillan,
- 7. Brown, Gordon W. Legal Terminology, New Jersey: Prentice Hall, 1990  
35
- 8. Cochrane, Michael, Legal English, Paris Cujas, 1979
- 9. Cross, fan et al. Skills for Lawyers, Jordan Publishing Co., Bristol.
- 10. Cutts, Martin, The Plain English Guide, Oxford University Press, 1995
- 11. Garner, Bryan, A Dictionary of Modern Legal Usage, New York: OUP, 1987
- 12. Gibbons, John, (ed.) Language and the Law, Longman, 1996 London.
- 13. Gibbons, John, (ed.) "Language and the Law", Annual Review of Applied
- 14. Linguistics (1999) 19, 156-173.
- 15. Kelkar, Ashok R. "Communication and Style in Legal Language", Indian Bar Review Vol.10 (3) 1993.
- 16. Lord Denning, "Command of Language", The Discipline of the Law, New Delhi: Aditya 1993.
- 17. Lord Denning, "Plain English", The Closing Chapter, New Delhi: Aditya

Books, 1993.

18. Melinkoff, David, *The Language of the Law*, Boston: Little Brown & Co., 1963.
19. Molynenux, Hael. *Legal Problems*, Macmillan, London
20. Herbert Brown, *A Selection of Legal Maxims* (Reprint 1998) Sweet and Maxwell.
21. M.C.Setalvad, *My Life, Law Other things*, (2000), Universal, Delhi.
22. Olivercrona, K. 'Legal Language and Reality' In M.D.A. Freeman, *Introduction to Jurisprudence*
23. Riley, Alison, *English for Law*, London: Macmillan, 1991.
24. Williams, Glanville, "Language and the Law" in Freeman, pp.1350-53.
25. Thomson, A.J. & A.V. Martinet, *A Practical English Grammar*, Oxford: OUP
26. N.D.7 J.B. Heaton, *Longman Dictionary of Common Errors*
27. Williams, Glanville, *Language and the Law*, in Freeman. PP.1350-53.
28. Williams, Glanville, *Learning The Law*, (2000), Universal, New Delhi:
29. *Black& Law Dictionary*, (2000). Universal, New Delhi.
30. *Broom's Legal Magazines* (2000), Universal, New Delhi.
31. James and Stebbings, *A Dictionary of Legal Quotations*(1997) Universal, New Delhi.
32. *Latin For Lawyers*, (1997), Sweet and Maxwell, Universal, New Delhi.
33. *Trayner's Latin Magazines*, (1997) University, New Delhi.

## **Paper 33; BAL 603**

### **Law of property**

**OBJECTIVE:** The objective of this paper is to study the laws related to property and easement.

#### **UNIT-I:**

##### **Concept of Property and General Principles Relating to Transfer of Property**

Concept of property: distinction between moveable and immovable property

Definition clause: Immovable property, Attestation, Notice, Actionable claim

Definition to transfer of property, kinds of transfer, competence to transfer and modes of transfer

Transfer to an unborn person and rule against perpetuity

Vested and Contingent interest

#### **UNIT-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

Doctrine of part performance

#### **UNIT-III:**

##### **Specific Transfers**

Sale; definition of sale and contract to sell, Rights and liabilities of buyer and seller,

Mortgage, Definition of Mortgage, forms of mortgage, right of mortgager to redeem and

**UNIT-IV:** Lease, Definition and kinds of leases, modes of creation and determination of lease, distinction between Lease and Licence ,Gift, definition of gifts, modes of creation and revocation of gifts

##### **Acts.**

- The Transfer of Property Act, 1882
- The Indian Easement Act, 1882

##### **Books**

- G.P.Tripathi, Transfer of Property Act, 2007
- Mulla, Transfer of Property Act, 1999, Universal Delhi
- V.P.Sarathy, Transfer of Property, 1995 Eastern Book Co.
- S.N.Shukla, Transfer of Property Act, 2007

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## **Paper 34; BAL 604**

### **Law of evidence**

**OBJECTIVE:** This paper is to orient students with importance of evidence for establishment of claims and the related rules and principles.

#### **UNIT – I**

Preliminary (Sections 1-3)

May Presume, Shall Presume and Conclusive proof (section 4),

Relevancy of Facts (Sections 5-16);

Admissions (Section 17-23, 31),

Confessions (Sections 24-30)

#### **UNIT– II**

Statement by persons who cannot be called as witnesses (Sections 32-33),

Statement made under special circumstances (Sections 34-39),

Judgment of Courts of Justice when relevant (Sections 40-41)

Opinion of third person when relevant (Sections 45-51),

#### **UNIT– III**

Oral Evidence (Sections 59-60),

Documentary Evidence (Sections 61-78),

Burden of Proof (Sections 101-110),

Presumption as to certain offences (Sections 111-114 A),

#### **UNIT – IV**

Estoppels (sections 115-117),

Witnesses, Privileged Communications (Sections 118-132),

Accomplice (Sections 133).

Examination of Witnesses:

Number of Witnesses (sections 134),

Examination in Chief, Cross Examination, Re-examination, Leading Questions

#### **Books Recommended:**

- Rattan Lal and Dheeraj Lal: The Law of Evidence.
- Batuk Lal: Law of Evidence.
- C.D. Field: Law of Evidence.
- Munir : Law of Evidence

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**Paper 35; BAL 605**

**Code of Criminal Procedure**

**UNIT I**

**Introduction and Investigation**

Object, Scope and Extent of Cr.P.C Definition, Constitution of criminal courts and their powers

Arrest, Search and Seizure Processes to Compel Appearance Information to Police Power to Investigate

**Proceedings before Magistrate**

Jurisdiction of Criminal Courts inquires and arrests Cognizance and initiation of proceeding before Magistrate Complaints to Magistrate and commencement of proceedings

**UNIT III**

**Public Order and Alimony**

Security for peace and good behavior Maintenance of Public order and Tranquility Charge

Trial by Session Court

**UNIT IV**

**Trials**

Warrant Trial

Mode of taking and recording

Evidence

Summons Trial in summons cases

Summary Trial

General provision as to Enquiries and Trial

Judgment and plea bargaining

**UNIT V**

**Appeal, Revision, Reference and bail**

Appeals and Appellate Authorities in Criminal cases

Revision

Reference and inherent power of High Court

Execution of Sentence

Suspension, Remission and Commutation of Sentences

Provision as to Bail

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Opportunity of hearing concept before criminal courts  
Limitation for taking cognizance  
Maintenance of Wife, Children and Parents

### **Acts**

The Code of Criminal Procedure, 1973

### **Books**

- Chandrasekharan Pillai, Kelkar Lecturer on Criminal Procedure, 1998 Eastern Book Co.
- Ratan Lal & Dheeraj Lal, Cr.PC, Universal, Delhi
- Woodroffe, Commentaries on Cr.P.C. 2000 Universal

**Paper -36; BAL 606****Civil Procedural Law**

**OBJECTIVE:** This paper is to focus on the study of civil procedure under the CPC.

**UNIT-I**

Concept of procedure and suit-Distinction between Civil and Criminal Procedure; substantive and procedural law; significance of procedural law for a just society; history of a civil procedure in India

Scheme of the code of Civil Procedure- Meaning of Suit and Essentials of a suit, pleadings generally (Orders-VI), plaint (Order-VII R.1-13), written statement, set-off, counter claim (Order-VIII), Jurisdiction of Civil Court-Meaning of Jurisdiction and consent, lack of Jurisdiction and irregular exercise of Jurisdiction; Decision as to Jurisdiction; kinds of Jurisdiction; Courts to try all suits of a civil nature unless barred (Ss.6, 9)

Bar and Suit - General Conditions of Res judicata; Matters directly and substantially in issue; constructive Res judicata; Res judicata and Res Subjudice; Res judicata and Estoppel; Res judicata between Co-defendants and Co- plaintiffs (Ss. 10-11)

**UNIT-II**

Foreign judgment- Meaning of Foreign judgment (section 2 (5) 2 (6);

Conclusiveness of foreign judgement; its enforcement and execution (Ss. 13, 14, 44A),

Parties to suit and Frame of suit- Joinder, Non-joinder and Misjoinder of parties;

Representative suit (Order-I): Joinder of causes of action and misjoinder (Order-II); split of cause of action (Order II rule 2) and Res judicata.

Institution of suit- Section 26, Order IV; place of suing (Section 15-2; Objections of jurisdiction (S. 21, 21A).

**UNIT-III**

Summons- Issues and services of Summons to defendants (Ss. 27-29, Order V);

Summons to witness (Ss. 30-32, Order XVI).

Appearance of parties and consequence of non-appearance. Dismissal of suit for default,

Ex parte proceedings; Setting Aside ex parte decree (Order IX); Judgment and

Decree, Definitions of judgment, decree and Order; (S. 2(2), (9), (14)), Distinction between decree and Order.

**UNIT-IV**

Interim Orders- Commissions (Section 75-78) (Order XXVI); Arrest and

Attachment before Judgment (Order XXXVIII); temporary injunctions (Order XXXIX);

Appointment of Receiver (Order XL), Security for costs (Order XXV); Supplemental

proceedings (Ss. 94-95) Suits in particular Cases and special proceedings-Suits by or against

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government or public officer 9Ss. 79-82); Suits by Alien and by Foreign rules etc. (Ss. 83-87B); Inter pleader suit (S.88, Order XXXV); suits by Indigent persons (Order XXXIII) special case (S. 90, Order XXXVI), Suits relating to public nuisance and public charities (Ss. 91-93).

**Suggested Readings**

- Mulla; The Code of Civil Procedure, Lexis NexisButterworths Publications
- C.K. Takwani; Civil Procedure, Eastern Book Company
- Sarkar; Code of Civil Procedure, Wadhawa Publications Nagpur.
- M.P. Jain; The Code of Civil Procedure, Wadhawa Publications, Nagpur
- M.P. Tandon: The Code of Civil Procedure

# **7<sup>TH</sup> SEMESTER**

**PAPER 37 BAL 701****ECONOMICS-3**

**UNIT-I Indian Economics:** a) Main Features; Geographic size, Endowment of Natural Resources b) Population; Size, Composition, Population Problem: Population Control c) Planning in India: Objective Strategies and Achievements d) Latest Five Year Plan

**UNIT-II a) India's Agriculture:** Basic Characteristics, Problems b) Trends in Agri Prod., Productivity, Causes of Low Productivity c) Land Reforms d) Green Revolution

**UNIT-III India's Industrial Development:** a) Comparative role of public, private and joint sectors b) Small Scale Industry-Role-Problem and Govt. Policy c) Industrial Relation d) Regulation and Control of Private Corporate Sector -42-

**UNIT-IV ; Major Problems,** Poverty; Extent, Nature, Causes ;Unemployment; Dimension, nature and causes ; Inequality; Extent of inequality ;Inflation in India.

**BOOKS RECOMMENDED**

- Aggarwal A.N.: Indian Economy (World Press Calcutta Latest Edition)
- Rudder Dutt & KPM Sunderam: Indian Economy (Schand and Co. New Delhi)
- Misra & Puri : Indian Economy C.H. Hanumanthao Rao & :Reflections of Economic Development and Social
- R.C. Joshi Change (Essays in honour of RV Rao, Alied 1979)
- Kamal Nayan Kabra :Development Planning in India, Sege publications New Delhi 1997
- Subhmoy Chakraverti :Development Planning the Indian Experience – Oxford University Process Oxford, 1987

**Paper -38; BAL 702****Environment Law****UNIT-I**

Dimensions of Environmental Problems, Pollution & its Kinds , Sustainable development, Constitutional Provisions & Judicial Activism (Principles-Precautionary principle, Polluter pays principle, public trust doctrine)

**UNIT-II**

The Water (Prevention & Control of Pollution) Act, 1974 ; Definition, Central and State Pollution

The Air (Prevention & Control of Pollution) Act, 1981; Definition, Central and State Pollution

Control Boards: Constitution, power and function; Sample of effluents, Citizen Suit Provision

**UNIT-III**

The Environment (Protection) Act, 1986, The National Environment Tribunal Act, 1955 and The National Environment Appellate Authority Act, 1997

**UNIT-IV**

Indian Forest Act, 1927

Kinds of forest-private, Reserved, Protected and Village Forest, The Forest (Conservation) Act, 1980

The Wild Life (Protection) Act, 1972; Authorities to be appointed and constituted under the Act, Hunting of wild animals, Protection of Specified Plants, Trade or Commerce in Wild Animals, animals articles and trophies; Its prohibition.

**Acts**

- The Water (Prevention and Control of Pollution) Act, 1974
- The Air ((Prevention and Control of Pollution) Act, 1981
- The Environment (Protection) Act, 1986
- The National Environment Tribunal Act, 1955
- The National Environment Appellate Authority Act, 1997

**Books**

- ShyamDiwan, Armin Rosencranz, Environmental Law & Policy in India
- P. Leelakrishnan, The Environmental Law in India
- Dr.P.S.Jaswal, Environmental Law

## **Paper 39; BAL 703**

### **Drafting, Pleading, Conveyancing and Computer Skills**

**OBJECTIVE:** The object of this paper is to train students in the art of drafting both for court purposes as well as for other legal forums.

#### **UNIT I**

Fundamental Rule of Pleading

Meaning and Definition of Pleading, History/Object and Interpretation; Rules of Pleading : General and Fundamental, Amendment of Pleading.

Civil: Plaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Article 226 and 32 of the Constitution of India.

#### **UNIT II**

Criminal: Complaint, Criminal Miscellaneous petition, Bail Application, Memorandum of Appeal and Revision.

#### **UNIT III**

Model Draft of Application

Application for Restoration of Suit; Amendment in the Pleading, Implements of Parties, Substitution of Parties, Setting aside ex parte decree, Alimony, Bail, Matrimonial petition, legal notice, Appointment of receiver/ local commission; Compromise of Suit, condonation of delay and application for execution etc., Drafting of Writ petition and PIL petition.

#### **UNIT IV**

Conveyancing: Theory and Model Draft

Definition and essential part of a deed, Model deed: Sale-deed, Mortgage deed, Gift-deed, Will-deed, Trust deed, Lease-deed, Promissory Note, General Power of Attorney, Partnership deed; Tenancy deed; Relinquishment deed etc.

#### **Books**

- Banerjee and Awasthi, Guide to Drafting
- Michael, Haewood, Conveyancing
- William, M. Ross, Pleading
- G.C. Mogha & K.N. Goyal, Indian Conveyancer

**Paper- 40; BAL 704****Professional Ethics and Professional Accounting**

**OBJECTIVE:** The paper aims to imbue students with importance of Ethics in Legal profession. It also focuses on Court craft as part of Legal Profession.

**UNIT I**

Historical development of Legal Profession in India; Constitution, Function, Powers and Jurisdiction of State Bar Council and Bar Council of India Admission and enrolment of Advocates

**UNIT II**

Profession ethics and Advocacy, Standards of Professional Conduct and Etiquette, Conflict between interest and duty, Duty to court, Duty to Client, Duty to opponent, Duty to Colleagues, Duty towards Society and obligation to render legal aid

**UNIT III:**

Bench-Bar Relationship

Reciprocity as partners in administration of Justice; Professional Misconduct; Rights and Privileges of Advocates

**UNIT IV:**

Contempt of Court Act, 1971

Historical development of Contempt of Court Act in India, Object and Constitutional validity of Contempt of Court Act. Definition, Kinds of Contempt; Contempt by Judges, Magistrates, Lawyers and other persons; Cognizance, Procedure, Appellate provisions regarding Contempt Defences, Punishment and Remedies against punishment for Contempt of Court and Punishment for Contempt, Defences under contempt of court.

**Acts**

- The Advocate Act, 1961
- Contempt of Court Act, 1971
- The Advocates Welfare Fund Act, 2001
- The Bar Council of India Rules, 1961

**Books**

- Holland Avrom Shree, Advocacy, 1994 Universal, Delhi
- Keith Evam, The Golden Rules of Advocacy, 1994, Universal, Delhi

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- SandeepBhalla, Advocates Act & Professional Misconduct, Nasik Law House
- JPS Sirohi, Professional Ethics, Lawyer's Accountability, Bench-Bar Relationship, ALA
- Mr. Krishna Murthy Iyer's Book on Advocacy
- The Bar Council Code of Ethics

**Paper -41; BAL 705****Law Of Taxation**

**OBJECTIVE:** Concept of income tax, heads of income, including foreign income assessment procedures, adjudication and settlement of tax disputes are the focus points of study in this paper.

**UNIT I**

History of Tax Law in India, Constitutional provisions relating to Taxation Nature and Scope of Tax, Definition: Persons, Assesses, Tax Pays, Previous year, Assessment years, Financial year, Income, Gross Taxable Income, Taxable Income, Agricultural Income, Tax Evasion and Tax Avoidance

**UNIT II**

Direct Tax

Income Tax, Residential Status: Rules (Sec.6), Tax Liability

Exemption (Sec.10), Deduction (Sec.80), related to individual, Expenses & Income, Rebate (Sec.88 & 88 B), Deemed income and clubbing of income, Carried Forward and Set of losses.

**UNIT III**

Income Tax

Heads of Income: Income from Salary, House property, Business and Profession, Capital Gain and other sources

Calculation of Gross Total and Taxable income, Tax rebate and Computation of Tax Liability, Tax Collection at source and Advance Tax

**UNIT IV**

Assessment Procedure, Types of Assessment, Income Tax Authority: Their function, Duties and Powers, Appeal, Offences, Fines and Penalties, Settlement of grievances and Prosecution, Income Tax Act, 1961, Income Tax Rules

**Books:**

- Ramesh Sharma, Supreme Court on Direct Taxes, (1998)
- SampatIyengar, Law of Income Tax, (1998)
- Kanga and Palkiwala, The Law and Practice of Income Tax



# **8<sup>TH</sup> SEMESTER**

**PAPER- 42; BAL 801****Economics-4**

**Objective:** The objective of this paper is to provide broad understanding of basic concepts of economics and understanding of relationship between economics and law

**Unit – I Economies of Development**

1. Concepts of Economic Development and Growth
2. Factors of Economic Growth – Economic and Non-economic
3. Obstacles of Economic Development
4. Inequalities of income

**Unit – II Issues in Economic Development**

1. Debate on State vs. Markets
2. Public vs. Private Sectors
3. Economic Planning in India-meaning and significance of planning, size of the plans, strategy of the plans, pattern of resource allocation, assessment of performance during plans
4. Infrastructure and development

**Unit – III International Trade**

1. Free Trade and Protection
2. Fixed and Flexible Exchange Rates
3. Balance of Trade and Balance of Payments
4. International Institutions- IMF, WB, WTO

**Unit – IV : Liberalization, globalization and related issues**

1. New Economic Policy- Structural Adjustment Programme (SAP)
2. Second Generation Reforms
3. Regional Trading Blocks and Bilateral Trade Treatise

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4. SEZ, FDI, Inclusive Growth

**Text Books:**

1. Todaro, M. Economic Development in the Third World;
2. Myint, H. The Economics of Developing Countries;
3. Economic Survey- Latest Issue

**References:**

1. Jhingan, M.L. Development Economics;
  2. Dhingra, I.C. Indian Economy;
  3. Mishra, S.K. and V.K. Puri Indian Economy ; Himalaya Publishing House;
  4. Mathur, B.P. Public Enterprise Management;
- Myneni, S.R. Indian Economics

**Paper -43; BAL 802****Banking law**

**OBJECTIVE:** The objective of this paper is to study the functioning of the bank and its negotiable instruments.

**UNIT – I**

Historical Development of Banking Institutions in India, Relationship of Banker and Customer, Special classes of Customer and Nature and Type of Accounts, Obligation to Maintain Secrecy.

**UNIT – II**

The Banking Regulation Act, 1949- Definitions, business of Banking Companies; Control over Management, Regulation regarding Share capital Suspension of Business and Winding up of Banking companies. Balance Sheet, Audit and Inspection, Amalgamation and Reconstruction, recent Trends of Banking System: New Technology, Automatic Teller Machine and use of Internet, Smart Cards, Credit Cards and use of expert system.

**UNIT – III**

Banking Securities: Pledge, hypothecation, Charge, Lien and Mortgage; Bank frauds: Definition, Classification of Frauds and Action required by Banks, fraud prone areas in different accounts – Saving Bank Accounts, Current Accounts, Thefts, Burglary and Fraud in cases of advances, Fraud in cases of remittances and preventive measures.

**UNIT – IV**

Negotiable Instrument Act, 1881: Definition; kinds of Negotiable Instruments; Holder and Holder in due course; Payment in due course, Capacity of Parties Negotiation, Modes of negotiations, Endorsement and its kinds, Acceptance and dishonor of Cheque Penalties in case of dishonour of Cheque and Crossing of cheque.

**Suggested Readings:**

- B.R. Sharma and R.P. Nainta: Principles of Banking Law and Negotiable Instruments Act.
- M.L. Tannen, Tannen's Banking Law and Practice in India, Indian Law House, New Delhi.
- S.N. Gupta, Banking Law in Theory and Practice, Universal, New Delhi.
- G.S.N. Tripathi (ed.), Sethi's Commentaries on banking Regulation Act, 1949.
- Bahsyam and Adiga, The negotiable Instruments Act, Barath Law House, New

Delhi.

- S.N. Gupta, Banks and the Consumer Protection Law, Universal, Delhi.
- Mujherjee T.K., Banking Law and Practice.
- Chandhary R. M, Banking Laws.

**PAPER- 44; BAL 803**

**Alternative Dispute Redressal System**

**OBJECTIVE:** The objective of this paper is to acquaint students with various modes of ADR

**UNIT I**

Concept, Need and Development, Advantages. Arbitration and Conciliation Act, 1996: Object, Development and Salient features Arbitration: Definition, Sources, Kinds, Scope and Differences to Court Arbitration Agreement, Composition of Arbitral Tribunal

**UNIT II**

Jurisdiction of Arbitral Tribunal, Conduct of Arbitral Proceeding, Making of Arbitral Award and Termination of Proceedings

**UNIT III**

Recourse against Arbitral Award, finality and Enforcement of Arbitral Award, Appeal, Enforcement of Certain Foreign Awards

**UNIT IV**

Conciliation, Mediation, Lok- Adalat& Permanent Lok-Adalat, Negotiation, midArb.media, Summary trials, etc.

**Acts**

- Arbitration and Conciliation Act, 1996
- Legal Service Authority Act, 1987

**Books**

- B.P.Saraf& M.Jhunjunwala, Law of Arbitration & Conciliation, (2000) Snow White, Mumbai
- Gerald R.William (ed.), The New Arbitration & Conciliation Law of India
- P.C.Rao& William Sheffield, Alternative Disputes Resolutions, (1997) Universal, Delhi
- Johari, Commentary on Arbitration and Conciliation Act. 1999 Universal, Delhi
- G.K.Kwatra, The Arbitration & Conciliation Law of India, (2000), Universal, Delhi
- B.D.Singh, ADR System, (2007) New Royal Book Co. Lucknow

**Paper -45; BAL 804****Law of Intellectual Property**

**OBJECTIVE:** The objective of this course is to acquaint the students with basics of intellectual property rights with special reference to Indian law and practice.

**UNIT I**

Meaning of Intellectual Property: International Instruments: Paris Union, TRIPS, WIPO, and UNESCO

The Patents Act, 1970

Introduction, Aims, Objective, Features & Principles, Inventions (Sec.2j) Invention not patentable (Sec.3 to 5), Application (Sec.6 to 8), Specification (Sec.9 to 10), Opposition (Sec.25), Grant & Sealing of Patent (Sec.43), Conditions for grant of patent (Sec.47)

**UNIT II**

Rights of Patents (Sec.47), Term of Patent (Sec.53). Patents of Addition (Sec.54 & 55), Surrender & Revocation (Sec. 63 to 66) Patents Office (Sec. 73 to 74 r.4(2), Compulsory Licenses (Sec.84), License of right (Sec.86 to 88), Government use (Sec. 99), infringement (Sec.104 to 115), Patent Agents (Sec.125 to 132), International Arrangements (Sec.133 to 139), Paris convention, 1999Amendment Act, 17 of 1999, Sec.5 amended, Exclusive Marketing Right (Sec.24A-24F).

**UNIT III**

The Trade Marks Act, 1999

Introduction (Sec.2), Registration (Sec .4 to 17), Procedure (Sec.18 to 26), Effect of Registration (Sec.27 to 32), Deceptive Similarity, Infringement, Passing off. Intellectual Property in Trade Mark

**UNIT IV**

Law relating to Geographical Indications

Introduction, meaning and salient features of Geographical Indication of Goods under the Geographical Indication of Goods (Registration and Protection) Act, 1999, Procedure for Registration, Duration and Renewal, Right conferred by registration, Infringement of Geographical Indication, Remedies, Offences and Penalties.

**BOOKS;**

1. Cornish W.R. Intellectual Property, Patents, Trade Marks, Copy Right and Allied Right (1999), Asia Law House, Hyderabad.
2. Vikas Vashishth, Law and practice of Intellectual Property 1999 Bharat Law House Delhi.
3. P. Narayanan, Intellectual Property Law (1999), (ed) Eastern Law House, Calcutta
4. Bibeck Debroy (ed). Intellectual Property Right (1998), Rajiv Gandhi Foundation, Delhi
5. U.I.F. Anderfelt, International Patent Legislation and Developing Countries (1971)
6. W.R. Cornish, Intellectual Property (3rd ed) (1996) Sweet and Maxwell
7. K. Thairani, copyright: The Indian Experience (1987)
8. W.R. Cornish, Para and Materials on Intellectual Property (1999) Sweet and Maxwell.



**Paper- 46; BAL 806****Cyber Law**

**UNIT-1;** Introduction; Jurisprudence of cyber law: overview of computer and web technology, Freedom of expression on the internet: global value, Internet and problems of geography, Sovereignty, e-commerce.

**UNIT-2;****The Information Technology Act, 2000 and International Legal Regime** Aims and objects, Overview of the Act, Jurisdiction, Electronic governance, Legal recognition of electronic records and electronic evidence, Digital signature certificates, Securing electronic records and digital signature, European Convention on cyber crimes, UNCITRAL model on electronic commerce, 1996.

**UNIT-3;****Cyber Crimes** Meaning of cyber crimes, Cyber crimes under Indian Penal Code, 1860, Criminal Procedure Code, 1973, and Indian Evidence Act, 1872, Cyber crimes under the Information Technology Act, 2000, Cyber crimes under International law, Legal implications of social networking, Investigation and jurisdiction over cyber crimes.

**UNIT-4; Intellectual Property Issues and Cyberspace**

The Indian perspective: overview of intellectual property related legislation, Copyright law and cyberspace, Trademark law and cyberspace, Law relating to semi-conductor layout and design.

**Act and Statute (As Amended)**

1. The Information Technology Act, 2000 Text Books

1. Suri, Preeti and Associates; Open Source And The Law; LexisNexis
2. Gupta, Apar; Commentary on Information Technology Act; LexisNexis

**Reference Books**

1. Seth, Karnika; Computers Internet and New Technology Laws; LexisNexis

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2. Gangopadhyay, Shubhashis, Singh, Manisha G. and Singh, Nirvikar; *Waiting to Connect*; LexisNexis
3. Viswanathan, Aparna; *Cyber Law*; LexisNexis
4. Bhansali, S.R.; *The Information Technology Act*, Bharat Law House

# **9<sup>TH</sup> SEMESTER**

## **Paper -47; BAL 901**

### **Competition Law**

#### **Unit-1; Introduction;**

- Restraint of Trade under Indian Contract Act, monopolistic trade practices, restrictive trade practices.
- Provisions of Sherman's Act, Aims, objects and salient features of The Competition Act, 2002, its relationship with the Monopolies and Restrictive Trade Practices Act,
- Comparison between MRTP Act and Competition Act , 1969, Raghavan Committee Report,
- Definition of competition and competition Law.

#### **Unit-2; Anti-Competitive Agreements, Abuse of Dominant Position and Regulation of Combinations**

- Horizontal and vertical Agreement, dominant position.
- Abuse of dominant position, regulation of combinations viz. mergers and acquisitions.
- Combination, protection of consumers, anti-competitive.

#### **Unit-3; Competition Commission of India**

- Establishment, composition, powers, duties and functions,
- Distribution of business amongst commission and benches,
- Jurisdiction of benches and procedure for adjudication,
- Penalties for offence under the Competition Act, 2002.

#### **Unit-4; Competition Appellate Tribunal**

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- Composition, functions, powers and procedure ,
- Award Compensation ,power to punish for contempt ,
- Execution of orders.

### **Text Books**

- Aggarwal, V.K; Bharat Law House.
- .Dugar, S. M.; Commentary on the MRTP Law, Competition Law and Consumer Protection Law; LexisNexis.

### **Suggested Reading**

- .K.S. Anantaranan : Lectures on Company Law and MRTP
- Dr. R.K. Singh : Restriction Trade Practices and Public Interest
- Suzan Rab- Indian Competition Law- An International Perspective
- S.M. Dugar's MRTP Law, Competition Law and Consumer Protection
- Report of the Monopolies Inquiries Commission, Govt. of India 1965 (Dr. Hazari Report)
- Sachar Committee Report, High Powered Committee on MRTP Act & Company Act, 1980 and other related work
- A.E. Rodrigues, Ashok Menon- The limits of Competition Policy, the shortcomings of Economics
- Taxmann's competition Law and Practice.

**Paper -48; BAL 902****LABOUR LAW -1**

**OBJECTIVE:** This paper focuses on various aspect of management of labour relation and dispute settlement bodies and techniques.

**UNIT-I**

Industrial Relation, Labour Problem and Labour Policy in India

Trade Union Act, 1926 (Labour Management Relation); History and Development of Trade Union Movement , Registration of Trade Union, Rights and Liabilities of Registered Trade Union, Penalties and procedure, Collective Bargaining-Process, Merit and Demerit

**UNIT-II**

Industrial Dispute Act, 1947

Scope of Industry, Workmen, Employers, Industrial Disputes, Authorities under the Industrial Dispute Act, 1947; Procedure, Power and Duties of Authorities, Reference of Disputes to Boards, Courts or Tribunals

**UNIT-III**

Strike, Lock Out, Lay Off, Retrenchment and Closure

Unfair Labour Practices, Penalties, Offences by Companies, etc.

Industrial Employment (Standing Order) Act, 1946

**UNIT-IV**

Philosophy of Labour Welfare, Historical Development of Labour Welfare, The Factories Act, 1948: Interpretation-competent person, Hazardous process, manufacturing process, Worker, Factory, Occupier, Health, Safety and Welfare, Working House of Adults, Employment of young persons, Inspectors-Appointment and Powers .

**Acts**

- Trade Union Act, 1926
- Industrial Dispute Act, 1947
- Factories Act, 1948

**Sugested Books**

- John Bowers & Simon Honey Ball, Text Book on Labour Law (1996) Blackstone, London

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- K.M.Pillai, Labour and Industrial Laws
- V.G.Goswami, Labour and Industrial Laws, 1999
- Dr. S.K.Puri, Labour and Industrial Laws (New Ed.)
- D.D.Seth, Commentaries on Industrial Disputes Act, 1998

**Paper -49; BAL 903****Moot Court Exercise and Internship**

**OBJECTIVE:** The objective of having moot courts is to give the students practical training how the proceedings of the court takes place.

**The Paper will have following components**

- Moot Court: Every student may be required to do at least three moot courts in a year. The moot court work will be on assigned problem.
- Observance of Trial in two cases, one Civil and one Criminal.
  - Students may be required to attend two trials in the course of the last two or three years of LL.B. studies. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment.
- Interviewing techniques and Pre-trial preparations and Internship diary.
  - Each student will observe two interviewing sessions of clients at the Lawyer's Office/Legal Aid Office and record the proceedings in a diary. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition.
- The fourth component of this paper will be Viva Voce examination on all the above three aspects.
- Student will be required to undertake legal awareness programme in association with N.S.S. and other authorities as directed by the Faculty.



**Paper- 50; BAL 904**  
**Insurance Law**

**OBJECTIVE:** It is to study the indepth knowledge of various risks covered under various insurances.

**INSURANCE LAW**

**UNIT – I**

General Principles of Law of Insurance- Definition, Nature and History of Insurance, Contract of Insurance, Insurable Interest, Premium, Classification of Policies, Form and Contents, Commencement, Assignment, Construction, and Conditions of Policy.

**UNIT-II**

The Life Insurance Corporation Act 1956 and The Life Insurance (Emergency Provisions), Act 1956- Object of the Law, Nature and Scope of Life Insurance Contract, Definitions, Kinds of Life Insurance, the Policy and Formation of a Life Insurance Contract, Circumstances affecting the Risk, Amounts Recoverable under Life Policy Persons Entitled to Payment, Settlement of Claim and Payment of Money, Establishment of LIC, Functions of LIC, Transfer of Existing Life Business to LIC, Compensation for Insurance business.

**UNIT-III**

Motor Vehicle Act, 1988- Definitions, Necessity for Insurance against Third Party Risk, Requirements of Policies and Limits of Liability, Validity of Policies of Insurance issued in reciprocating countries, Duties of Insurer to satisfy judgment and awards against persons insured in respect of third party risks, Rights of Third Party against Insurers on Insolvency of the Insured, Duty to give information as to insurance, Settlement between insurer and insured persons, Effect of death on certain causes of action, Effect of Certificate of Insurance, Transfer of Certificate of Insurance, Claims Tribunal, application for compensation, Option regarding claims regarding Compensation in certain cases, Award of Claims Tribunal, Procedure and Powers of Claims Tribunal, Awards of Claims Tribunal, Bar on Jurisdiction of the Civil Courts.

**UNIT-IV**

Public Liability Insurance Act, 1991- Definitions, Nature, Scope and Object, Liability to give relief in certain cases on principles of no fault, Duty of owner to take out insurance policies, A Verification and publication of accident by Collector, Application for claim for relief, Award of Relief.

Establishment of Environmental Relief Fund, Provision as to other right to claim compensation for death, Powers of entry, inspection, search and seizure, Penalty for contravention, Penalty for failure to comply with directions; Offences by companies and Government Departments.

**Suggested Reading:**

- The Life Insurance Corporation Act 1956: Bare Act.
- The Life Insurance (Emergency Provisions), Act 1956: Bare Act.
- Motor vehicle Act, 1988: Bare Act.
- Public Liability Insurance Act, 1991: Bare Act.
- K.S.N Murthy and Dr. K.V.S. Sharma: Modern Law of Insurance (Butterworth's).
- M. N. Mishra: Insurance Principles and Practices.
- B.N. Banerjee: The Law of Insurance.
- BrijNandan Singh: New Insurance Law.

**Paper -51; BAL 905****Interpretation of Statutes**

**OBJECTIVE:** The paper is to equip the students with various tools of interpretation of statutes.

**UNIT I**

Law Making: Legislature, Executive and the Judiciary, Principle of Utility, Law and Public Opinion, Law and Social Control, Relevance of John Rawls and Robert Nozick-individual interest to community interest. Law and Morals

**UNIT II**

Meaning of the term Statute, Enactment, Interpretation and Construction, Kinds of Statutes, Statutes are valid, Intention of the Legislature, Commencement, operation, repeal and revival of statutes, Statute must be read as a whole in its context.

**UNIT III**

Necessity for Rules of Interpretation, Literal Rule, Mischief Rule, Golden Rule. Harmonious Construction. *Noscitur a sociis*, *Ejusdem generis*, *Reddendo Singula Singulis*, *ut res magis valeat quam pereat*, *In bonam partem*, *Delegatus non potest delegare*, *Expressio unius exclusio alterius*.

**UNIT IV**

Interpretation of Directory and Mandatory provision, Beneficial Construction, Taxing Statutes, Penal Statutes, Internal and External Aids to Interpretation.

**Books:**

- P.St.Langan (Ed.), Maxwell on the Interpretation of Statutes, (1997), N.M.Tripathi, Mumbai
- Vepa, Sarathi, Interpretation of Statutes
- Bawa & Roy, Interpretation of Statutes
- Bentham Theory of Legislation, Eastern Book Co.
- G.P.Singh, Principles of Statutory Interpretation, 1999 Wadhwa

# **10<sup>th</sup> semester**

**Paper -52; BAL 101**

**Penology and Victomology**

**OBJECTIVE:** To study the preventive and reformative techniques for the prevention of crime.

**UNIT-I**

Deterrence, Prison reform, Prisoner abuse, Prisoners' rights, Rehabilitation, Recidivism, Retribution, Utilitarianism

Theories of Punishment; (i) Retribution (ii) Deterrence, (iii) Reformation, (iv)Prevention.

Kinds of Punishment (i) Fine, (ii) Imprisonment (iii) Death Penalty & (iv) externment.

**UNIT – II:**

Police System: (i) Origin, (ii) Development (iii) Functions, (iv)Judicial attitude.

**UNIT- III:**

Prison System: (i) General Aspects (ii) Indian Prison System, (iii) Constitutional Rights of Prisoners/ under trials

**UNIT-IV:**

Victimology, Victim support and allied disciplines, United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, 1985

**Suggested Readings:**

- E. Sutherland, and Cress: Principles of Criminology.
- Ahmed Siddique : Criminology – Problems and Perspectives.
- N.Y. Paranjpe: Criminology and Penology
- Ahmed Sidaque: Criminology : Problems and Perspective
- Edwin Sutherland: Principles of Criminology
- Stephe Jones: Criminology
- Robert Winslow & S. Zhang : Criminology a Global Perspective
- John Tierny: Criminology Theory and Context
- Frank: Criminology Today: An Integrative Introduction
- Schmalleger: Criminology
- John Conklin: Criminology
- Donald Taft: Criminology

**Paper -53; BAL 102**

**Labour and industrial law-2**

**Objective:** The paper will focus on wages, wage policies, compensation, social security and retirement benefits during the course of employment and working conditions of employees

**Unit-I: The Minimum Wages Act, 1948**

- a. Concept of Minimum Wage, Fair Wage, Living Wage and Need Based Minimum Wage
- a. Constitutional Validity of the Minimum Wages Act, 1948
- b. Procedure for Fixation and Revision of Minimum Wages
- c. Fixation of Minimum Rates of Wage by Time Rate or by Piece Rate
- d. Procedure for Hearing and Deciding Claims

**Unit-II: The Payment of Wages Act, 1936**

- a. Object, Scope and Application of the Act
- b. Definition of Wage
- c. Responsibility for Payment of Wages
- d. Fixation of Wage Period
- e. Time of Payment of Wage
- f. Deductions which may be made from Wages
- g. Maximum Amount of Deduction

**Unit-III: The Factories Act, 1948**

- a. Approval, Licensing and Registration of Factories
- b. Concept of “Factory”, “Manufacturing Process”, “Worker”, and “Occupier”
- c. General Duties of Occupier
- c. Measures to be taken in Factories for Health, Safety and Welfare of Workers
- d. Working Hours of Adults
- e. Employment of Young Person and Children
- f. Annual Leave with Wages
- g. Additional Provisions Regulating Employment of Women in Factory

**Unit-IV: The Employee’s Compensation Act, 1923**

- a. Definition of Dependant, Workman, Partial Disablement and Total Disablement
- b. Employer’s Liability for Compensation
  - i. Scope of Arising out of and in the Course of Employment

- ii. Doctrine of Notional Extension
    - iii. When Employer is not liable
  - c. Employer's Liability when Contract or is engaged
  - d. Amount of Compensation
  - e. Distribution of Compensation
  - f. Procedure in Proceedings before Commissioner
  - g. Appeals
- Retirement Benefits
- i. Employee's Provident fund and miscellaneous provisions Act, 1952
  - ii. Employees Pension Scheme, 1995 and Family Pension Scheme
  - iii. Social Security for the unorganised Sector

**Paper -54; BAL 103****International Trade Law**

**Objective:** The objective of the course is to introduce the conceptual background of the subject along with existing and ongoing developments in the area of International Trade and World Trade Organisation's (WTO) Agreements. Special reference should also be made to India's response towards international trade and WTO

**Unit-I: Introduction of International Trade Law**

- a. Economic Theories:-
  - i. Mercantilism
  - ii. Adam Smith's Absolute Cost Advantage Theory
  - iii. David Ricardo's Comparative Advantage Theory
  - iv. Heckscher: Ohlin's Factor Endowment Theory
  - v. Raymond Vernon's Product Life Cycle Theory
  - vi. National Competitive Theory (Porter's Diamond)
- b. *Lex Mercatoria* and Codification of International Trade Law
- c. Sources and Principles of International Trade Law

**Unit-II: Development of International Trade: GATT, 1947 - WTO 1994**

- a. Historical Background of GATT 1947
- b. Uruguay Round and Marrakesh Agreement
- c. GATT 1994
- d. Dispute Settlement Understanding

**Unit-III: WTO Agreements**

- a. Agreement on Agriculture
- b. Agreement on Subsidies and Countervailing Measures
- c. Agreement on Anti-Dumping
- d. General Agreement on Trade in Services

**Unit-IV: Contemporary Issues: International Trade and Regionalism**

- a. Trade and SAPTA and SAFTA
- b. Trade and Environment
- c. Doha Development Agenda

**Text Books:**

1. Raj Bhalla, *International Trade Law: Theory and Practice*, Lexis Nexis, 2001 ( 2<sup>nd</sup> Edn)



2. A.K.Kaul, *Guide to the WTO and GATT: Economics, Law and Politics*, Kluwer Law International, 2006
3. Craig VanGrasstek, *The History and the Future of the WTO*, WTO Publications, 2013

**References:**

1. WTO, *Doha Development Agenda*, WTO, 2013.
2. Peter Van den Bossche, *The Law and Policy of the WTO*, Cambridge Publications, 2013
3. Gabriel Moens and Peter Gillies, *International Trade and Business: Law, Policy and Ethics*, Routledge, 2006
4. Daniel , *Oxford Handbook on International Trade Law*, Oxford University Press, 2009
5. *Results of the Uruguay Round of Multilateral Trade Negotiations: The Legal Texts* (Geneva: GATT Secretariat, 1994)
6. Francesco, ed. *Environment, Human Rights & International Trade*, Oxford: Hart, 2001
7. J. Frank, *Trade, Inequality and Justice: Towards a Liberal Theory of Just Trade*, New York: Transnational 2003
8. Anil Arora, Jai Narayan Sharma, *The International Trade Theories and Current Trend in the Globalised World*, Deep & Deep Publications Pvt. Ltd., 2008
9. A. K. Dixit & V. Norman, *Theory of International Trade*, Cambridge University Press, 1980
10. Robert E. Hudec, *Developing Countries in the GATT Legal System*, London: Gower Press for the Trade Policy Research Centre, 1987
11. John H. Jackson, *World Trade and the Law of GATT*, Indianapolis: Bobbs-Merrill, 1969
12. Pratap Ravindra, *India at the WTO Dispute Settlement System*, New Delhi: Manak Publications, 2004
13. T. N., Srinivasan, *Developing Countries and the Multilateral Trading System: From the GATT to the Uruguay Round and the Future*, Delhi: Oxford University Press, 1998
14. Philip A., Akakwam, “The Standard of Review in the 1994 Antidumping Code: Circumscribing the Role of GATT Panels in Reviewing National Antidumping Determination”, *Minnesota Journal of Global Trade*, vol. 5, no. 2 (1996), p 277
15. Jagdish Bhagwati and Robert E Hudec, *Fair Trade and Harmonization: Prerequisites for Free Trade*, Cambridge, Mass.: MIT Press, 1996, Vol. 2 (Legal Analysis)
16. Rainer M. Bierwagen, *GATT Article VI and the Protectionist Bias in Anti-Dumping Law*, Deventer: Kluwer, 1990
17. B. S. Chimni, “WTO Dispute Settlement and Sustainable Development”, World Wide Fund for Nature-India, Discussion Paper, May 1999, p 1

18. Nick Covelli, "Public International Law and Third Party Participation in WTO Panel Proceedings", *JWT*, vol. 33, no. 2 (1999), p 125.
19. John Croome, *Reshaping the World Trading System: A History of the Uruguay Round*, The Hague: Kluwer, 1999
20. Kenneth. W.Dam, *The GATT: Law and International Economic Organization* Chicago: University of Chicago Press, 1970

**Paper- 55; BAL 104****Election Law**

**Objective:** Democracy is one of the basic features of the Constitution and free and fair elections is the cornerstone for constructive realization for democratic ideals and aspirations of the people of a country. This paper is intended to acquaint the students regarding the significance of free and fair elections and various intricacies of the Elections Law, including electoral corrupt practices, which will facilitate them to choose responsive representatives for good governance

**UNIT-I: Meaning and Concept of Election and Election Dispute**

- a. Challenge to Election: Whom and How to Made
- b. Forum for filing Election Petition
- c. Parties to Election Petition
- d. Contents of Election Petition
- e. Grounds of Challenge to Election
- f. Trial of Election Petition
- g. Recriminatory Petition
- h. Withdrawal, Abetment and Appeal
- i. Election to President and Vice President
- j. Composition and Powers of Election Commission (Part XV-Article 324-329 of the Constitution of India)

**UNIT-II: Qualification and Disqualification of Candidates**

- a. Meaning and Distinction Between Qualification and Disqualification
- b. Qualifications and Disqualifications Provisions under Indian Constitution and the Representation of Peoples' Act, 1951
- c. Office of Profit
- d. Government Contract
- e. Disqualifications on Convictions under the Representation of Peoples' Act, 1951
- f. Anti-Defection Law

**UNIT-III: Nomination (Sections 30-39, s100(1)(c), s100(1)(d) of the Representation of Peoples' Act, 1951**

- a. Meaning of Valid Nomination
- b. Procedure for Filing of Nomination Security Deposits etc.
- c. Grounds of Rejection of and Withdrawal of Nominations
- d. Voter's Right to Know Antecedent of the Candidates

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- e. Recognition of Political Parties and Election Symbols

#### **UNIT-IV: Corrupt Practices**

- a. Meaning and Distinction between Corrupt Practices and Electoral Offences
- b. Substantive Corrupt Practice: Bribery, Undue Influence, Character, Assassination of Candidates, Appeal on the Grounds of Religion, Race, Caste, etc.
- c. Needs of Educational Qualification for Candidates
- d. Criminalization of Politics
- e. Election Expenses
- f. Model Code of Conduct
- g. Use of Government/Private Electronic Media and Social Media by Political Parties
- h. Opinion and Exit Polls
- i. Defacement of Public and Private Properties
- j. Reservation for Women in Parliament and State Legislatures

#### **Text Books:**

1. V.S. Rama Devi & S.K. Mehendiratta, Election Law, Practice and Procedure, Butterworths Publishers, 2013
2. P.C. Jain & Kiran Jain, Election Law and Practice, Chawla Publishers, 2012

#### **References:**

1. P.M. Bakshi, The Constitution of India, Universal Publishing Company Ltd., 2014
2. The Representation of Peoples' Act, 1950 (Bare Act), Universal Publishing Company Ltd., 2014
3. The Representation of Peoples' Act, 1951(Bare Act), Universal Publishing Company Ltd., 2014
4. The Presidential and Vice-Presidential (Election) Act, 1952(Bare Act), Universal Publishing Company Ltd., 2014
5. The Registration of Elector Rules, 1960(Bare Act), Universal Publishing Company Ltd., 2014
6. The Conduct of Election Rules, 1961(Bare Act), Universal Publishing Company Ltd., 2014

**Paper -56; BAL 105**  
**Health Care Law**

**Objective:** This paper focuses on various aspects of health care law including the constitutional perspective, obligations and negligence of medical professionals and remedies available to consumers of health care.

**Unit – I: Medicine and Healthcare**

- a. Healthcare as an issue at the national and international level
- b. Constitutional provisions
  - Right to Health as a Fundamental Right
  - Remedies available under the Indian Constitution
  - Right to health vis-à-vis the right to confidentiality
  - Access to medical records

**Unit – II: Professional Obligations of Doctors**

- a. Transplantation of Human Organs Act, 1994
- b. Pre Conception & Pre Natal Diagnostic Techniques (Prohibition of sex selection) Act, 1994
- a. International Code of Medical Ethics
- b. Indian Medicine Central Council Act, 1970
- c. Dentists Act, 1948
- d. The Homeopathy Central Council Act, 1973
- e. The Drugs and Cosmetics Act, 1940

**Unit – III: Medical Negligence**

- a. Ingredients
- b. Role of consent in medical practice
- c. Error of judgment and gross negligence
- d. Wrongful diagnosis and negligent diagnosis

**Unit – IV: Remedies for Medical negligence**

- a. Law of Torts
- b. Law of Crimes
- c. Consumer Protection Law

**Text book:**

1. Vijay Malik – Drug and Cosmetic Act, 1940
2. Anoop K. Kaushal – Medical Negligence & Legal Remedies

**References:**

1. Dr. Jagdish Singh – Medical negligence Compensation
2. B.K. Dutta – Drug Controntrrole.

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