



GAUHATI UNIVERSITY :: GUWAHATI

**SYLLABUS OF FIVE YEAR INTEGRATED B.A., LL.B(HONS) COURSE ®**

(As per recommendation of Bar Council of India)

**SEMESTER-WISE COURSE STRUCTURE**

Code	FIRST SEMESTER	Code	SECOND SEMESTER
1.1	General English	2.1	English Literature, Legal Writing, Legal Citations, Legal Terms & Maxim
1.2	Political Science-I	2.2	Political Science-II
1.3	Sociology-I	2.3	Sociology-II
1.4	Law of Tort including MVA	2.4	Assamese-I / Hindi-I / French-I (Any one)
1.5	Law of General Contract-I	2.5	Law of Contract-II
1.6	History-I	2.6	History-II

Student can select major in History / Pol. Science / Sociology and any two minor subject.

Code	THIRD SEMESTER	Code	FOURTH SEMESTER
3.1	Communicative English & Legal Translation	4.1	Economics-I
3.2	Political Science –III	4.2	<b>Major-IV</b> (Pol Science / History / Sociology)
3.3	Sociology-III	4.3	<b>Major-V</b> (Pol Science / History / Sociology)
3.4	Assamese-II / Hindi-II / French-II (Any one)	4.4	Assamese-III / Hindi-III / French-III (Any one)
3.5	Constitutional Law of India -1	4.5	Constitutional Law of India-II
3.6	History-III	4.6	Jurisprudence-I

Code	FIFTH SEMESTER	Code	SIXTH SEMESTER
5.1	Economics-II (Legal Economics & Consumer protection)	6.1	<i>Code of Civil Procedure &amp; Limitation Act-I</i>
5.2	<b>Major-VI</b> (Pol Science/ History/ Sociology)	6.2	<i>Family Law-II</i>
5.3	Family Law-I	6.3	Law of Crimes (Indian Penal Code –II)
5.4	Law of Crimes (Indian Penal Code –I)	6.4	<i>Criminal Procedure Code-II</i>
5.5	<i>Criminal Procedure Code-I</i>	6.5	<b>Hons-I</b> (Any One) <i>IPL : Trade mark, copyright, patent &amp; Design</i> <i>Constitutional Law : Indian Federalism</i> <i>Criminology : Criminal Psychology</i>
5.6	<i>Jurisprudence-II</i>	6.6	<b>Hons-II</b> (Any one) <i>IPL : Information Technology-Cyber Law</i> <i>Constitutional Law : Comparative Constitution</i> <i>Criminology : Women &amp; Criminal Law</i>

Code	SEVENTH SEMESTER	Code	EIGHT SEMESTER
7.1	<i>Code of Civil Procedure &amp; Limitation Act-I</i>	8.1	<i>Law of evidence-1</i>
7.2	<i>Administrative Law</i>	8.2	<i>Labour &amp; Industrial Law-I</i>
7.3	<i>Company Law</i>	8.3	<i>Property Law</i>
7.4	<i>Drafting, Pleading &amp; Conveyanceing</i>	8.4	<i>Moot Court Exercise &amp; Internship (CCC-II)</i>
7.5	<b>Optional -I</b> (Any one) <i>Information Technology &amp; Computer Application / Criminology / Insurance Law</i>	8.5	<b>Optional-II</b> (Any one) IPL: Intellectual Property / Law of Sea / Right to Information
7.6	<b>Hons-III</b> (Any One) IPL : IPR management Constitutional Law :Local self Government including Panchayat Administration Criminology : Prison Administration	8.6	<b>Hons-V</b> (Any one) IPL : Patent Drafting & Specification Writing Constitutional Law : Interpretation of Statute & Principle of legislation Criminology : Penology & Victimology
7.7	<b>Hons-IV</b> (Any One) IPL : IPR management Constitutional Law :Local self Government including Panchayat Administration Criminology : Prison Administration	8.7	<b>Hons- VI</b> (Any one) IPL : IPL- Bio Diversity protection Constitutional Law : Media & Law Criminology : Offences against Child & Juvenile Justice
	<i>Seminar-I</i>		<i>Seminar -II</i>

Code	NINTH SEMESTER	Code	TENTH SEMESTER
9.1	<i>Law of Evidence-II</i>	10.1	<i>Principle of Taxation Law</i>
9.2	<i>Labour &amp; Industrial Law-II</i>	10.2	<i>Environmental Law</i>
9.3	<i>Public International Law</i>	10.3	<i>Professional Ethics and Professional Accounting System [CCC-iv]</i>
9.4	<i>Alternate Disputes Resolution (CCC-III)</i>	10.4	<b>Optional-V:</b> (Any one) Land Law including Tenancy Act / Private International Law / Women & criminal Law
9.5	<b>Optional - III</b> (Any one) Offence against Child & Juvenile offence / International Organizations / Banking Law	10.5	Optional-VI: Interpretation of Statues & Principles of Legislation / International Environmental Law
9.6	<b>Optional - IV</b> (Any one) Human Right Law & Practice / Humanitarian Law & Refugee Law	10.6	<b>Hons- VIII</b> (Any one) IPL : IPL- IPR Litigation in Copyright & Patent Constitutional Law : Citizenship & Immigration Law Criminology : IT Offences
9.7	<b>Hons- VII</b> (Any one) IPL : IPL- IPR Litigation in Trademarks & Design Constitutional Law : Health Law Criminology : White Collar Crime		<i>Seminar-IV</i>
	<b>Seminar-III</b>		

<b>Detailed Syllabus:</b>	<b>Marks</b>
1. General:	16
1.1 The Parts of Speech	
1.2 Verbs and Tenses	
1.3 Prepositions and Prepositional phrases	
2. Vocabulary	16
2.1 Consulting a dictionary and a thesaurus	
2.2 Synonyms, Antonyms and Homonyms	
2.3 Idioms and popular words/phrase	
2.3.1 Title ( of respect-formal)	
2.3.2 Interjection and casual reference	
2.3.3 Anomalous usage	
2.3.4 Words unique to or originating in Indian English ( in formal usage )	
2.4 Common errors	
3. Syntax and Concord	16
3.1 Punctuations	
4. Classification of sentences according to structure and meaning	16
4.1 Patterns of sentences	
4.2 Transformation of sentences:	
4.1 Voice	
4.2 Narration	
4.3 Synthesis	
5. Legal essays	16

**Prescribed Books:**

- |   |                     |   |                                 |                            |
|---|---------------------|---|---------------------------------|----------------------------|
| 1 | P C Wren & H Martin | : | English Grammar and Composition |                            |
| 2 | Brown, Gordon W.    | : | Legal Terminology               | Prentice Hall, New Jersey, |

**Recommended books:**

- |   |                               |   |   |                           |
|---|-------------------------------|---|---|---------------------------|
| 1 | N. Krishnaswami               | : | Modern English                              | Macmillan, 1975           |
| 2 | Longman's                     | : | Dictionary of Common Errors                 | Orient Longman            |
| 3 | M.P.Bhaskaran & D. Harsburgh: |   | Strengthen your English                     | OUP, 1973                 |
| 4 | Sarah Freeman :               |   | Written Communication in English            | Orient Longman, 1977      |
| 5 | P.H. Collin :                 |   | Law Dictionary                              | Universal, New Delhi.1993 |
| 6 | Bryan Garner's :              |   | Dictionary of Modern Legal Usage            | Oxford University Press   |
| 7 | S.C. Tripathi :               |   | Legal Language, Writing and General English | Turton, New Delhi         |
| 8 | Rupert Haigh :                |   | The Oxford Handbook of Legal Correspondence | Oxford University Press.  |

**BALLB 1.2 Political Science-I (Political Orgn.and its principles-State, Law, Sovereignty )**

Marks: 100 [ 80+20 ]

<b>Detailed Syllabus:</b>	<b>Marks</b>
<b>1. Nature and Scope of Political Science</b>	08
1.1 Political Science and other social science	
1.2 Approach to the study of Political Science	
<b>2. State</b>	16
2.1 Origin of the State	
2.1.1 Social Contract Theory	
2.1.2 Evolutionary Theory	
2.2 Function of the State	
2.2.1 Laissez Faire and Socialistic Theories	
2.2.2 Concept of Welfare State	
<b>3. Government</b>	32
3.1 Forms of Government	
3.1.1 Democracy, Dictatorship, Presidential	
3.1.2 Parliamentary Form -Unitary and Federal Forms	
3.2 Organs of Government- Concept	
3.2.1 Legislature, Executive and Judiciary	
3.2.2 Doctrines of Separation of Powers	
3.2.3 Parliamentary Sovereignty and independence of the judiciary	
3.3 Sovereignty : Characteristic and kinds	
3.3.1 Monistic and Pluralistic	
3.3.2 Analysis of Sovereignty	
3.3.3 Political and Legal Sovereignty	
<b>4. Justice, Liberty and Equality</b>	08
4.1 Power	
4.2 Authority of Law	
<b>5. Political Philosophy of</b>	16
5.1 Plato	
5.2 Aristotle	

**Prescribed Books:**

1. L.S. Rathore, S.A.H. Haqqi, Political Theory and Organisation for Law Students, EBC, Luchnow
2. S.P. Verma, Modern Political Theory, Vikas (1980)

**Recommended Books**

1. U.N. Ghosal, A History of Indian political Ideas , OUP (1959)
2. K.C. Wheare, Federal Government
3. Karl Lowenstein, Political Power and Government Process
4. Breacht, Political Theory
5. H.J. Laskey, The State in Theory and Practice

**BALLB-1. 3 Sociology- I [Principles, concepts, theories and methods ] Marks: 100 [80 + 20]**

Detailed Syllabus:	Marks
<b>1 Introduction to Sociology</b>	16
1.1 Institutionalizing sociology	
1.2 Twentieth century developments	
1.3 Sociology and other social sciences	
<b>2 Basic Concepts</b>	16
2.1 Structure and Function	
2.2 Status and Role	
2.3 Norms and Values	
2.4 Institution, Community, Association	
2.5 Social System and Social Organization	
<b>3 Social Institutions</b>	16
3.1 Marriage, family, Kinship	
3.2 Economic Institution	
3.3 Political Institution	
3.4 Religious Institution	
3.5 Educational Institution	
<b>4 Scope and topics of sociology</b>	16
4.1 Social action and Social change	
4.2 Deviance and social control	
4.3 Social stratification,	
4.4 Discrimination	
4.5 Social justice/injustice	
<b>5 Sociological research</b>	16
5.1 Methods of sociological inquiry	
5.2 Combining research methods	

**Prescribed Books:**

1. T. K.Oommen & C.N. Venugopal, Sociology for Law students (2007)-EBC, Lucknow
2. T.K. Oommen, T.K.&P.D. Mukerji (ed.), Indian Sociology (1986)-Popular Prakashan: Bombay

**Recommended Books:**

1. Edwin R.A. Seligman, Encyclopedia of the Social Sciences, Vol.II-V-Macmillan Co, New York
2. G.S. Ghurye, Caste and Race in India (1986)- Popular Prakashan: Bombay
3. Patricia Uberio, Family, Kinshp and Marriage in India (1993 ) -Oxford University Press: Delhi
4. Michael Freeman ( ed. ), Law and Sociology, (2006 ),Oxford University Press, Oxford
5. C.N.Shankar Rao-Sociology-S. Chand & Company, Delhi

<b>Detailed Syllabus:</b>	<b>Marks</b>
<b>1. Tort: Definition, Nature, Scope and Objects</b>	<b>20</b>
1.1. A wrongful act- violation of duty imposed by law, duty which is owed to people generally (in rem) - damnum sine injuria and injuria sine damnum.	
1.3. Justification in Tort	
1.3.1. Volenti non fit injuria	
1.3.2. Necessity, private and public	
1.3.3. Plaintiff's default	
1.3.4. Act of God	
1.3.5. Inevitable accident	
1.3.6. Private defense	
1.3.7. Statutory authority	
1.3.8. Judicial and quasi-judicial acts	
1.3.9. Parental and quasi-parental authority	
1.4. Doctrine of sovereign immunity and its relevance in India	
<b>2. Liability</b>	
<b>2.1 Principles of Liability in Torts</b>	
1.2.1. Fault:	
1.2.1.1. Wrongful intent	
1.2.1.2. Negligence	
1.2.2. Liability without fault	
1.2.3. Violation of ethical codes	
1.2.4. Statutory liability:	
1.2.5. Place of motive in torts	
<b>2.2 Vicarious Liability</b>	<b>10</b>
2.1. Basis, scope and justification	
2.1.1. Express authorization	
2.1.2. Ratification	
2.1.3. Abetment	
2.2. Special Relationships:	
2.2.1. Master and servant - arising out of and in the course of employment - who is master? - the control test - who is servant? - borrowed servant- independent contractor and servant, distinguished	
2.2.2. Principal and agent	
2.2.3. Corporation and principal officer	
<b>2.3 Motor Vehicles Accident: Motor Vehicles Act, 1988</b>	
2.3.1 Evolution of law relating to compensation in accidents involving motor vehicles.	
2.3.2 No fault liability	
2.3.3 Hit and run motor accident	
2.3.4 Insurance against third party risks-liability of insurer-owner-driver	
2.3.5 Compensation-who can claim-how to claim-where to claim	
<b>3. Torts against persons and property</b>	<b>10</b>
3.1. Assault, battery, mayhem	
3.2. False imprisonment	
3.3. Defamation- libel, slander including law relating to privileges	
3.4. Marital relations, domestic relations, parental relations, master and servant relations	
3.5. Malicious prosecution	
3.6. Shortened expectation of life	
3.7. Nervous shock	
<b>4. Torts generally &amp; remedies</b>	<b>20</b>
4.1. Trespass to land, trespass ab initio, dispossession	
4.1.1. Movable property- trespass to goods, detinue, conversion	
4.1.2. Torts against business interests - injurious falsehood, misstatements, passing off	

- 4.2 Negligence
  - 4.2.1. Basic concepts
  - 4.2.1. Theories of negligence
  - 4.2.2. Standards of care, duty to take care, carelessness, inadvertence
  - 4.2.3. Doctrine of contributory negligence
  - 4.2.4. Res ipsa loquitur and its importance in contemporary law
  - 4.2. Liability due to negligence : different professionals
  - 4.4. Liability of common carriers for negligence
  - 4.5. Product liability due to negligence : liability of manufacturers and business houses for their products
- 4.3. Nuisance
  - 4.3.1. Definition, essentials and types
  - 4.3.2. Acts which constitute nuisance- obstructions of highways, pollution of air, water, noise, and interference with light and air
- 4.4. Absolute/Strict liability
  - 4.4.1. The rule in Rylands v. Fletcher
  - 4.4.2. Liability for harm caused by inherently dangerous industries
- 4.5. Legal remedies
  - 4.5.1. Award of damages- simple, special, punitive
  - 4.5.2. Remoteness of damage- foreseeability and directness
  - 4.5.3. Injunction
  - 4.5.4. Specific restitution of property

## 5. Leading Cases

(10x2)

20

- 5.1. *Town Area Committee v. Prabhu Dayal*, AIR 1975 All. 132
- 5.2. *Ashby v. White* (1703) 2 Lord Raym 938
- 5.3. *Donoghue v. Stevenson* (1932) All ER Rep. 1
- 5.4. *Indian Medical Association v. V. P. Shantha*, AIR 1996 SC 550
- 5.5. *Jacob Mathew v. State of Punjab* (2005) 6 SCC 1
- 5.6. *Rylands v. Fletcher* (1868) LR 3 HL 330
- 5.7. *M. C. Mehta v. Union of India*, AIR 1987 SC 1086
- 5.8. *M. P. Electricity Board v. Shail Kumar*, AIR 2002 SC 551
- 5.9. *K.N. Kalita v. Jadab Chandra Patgiri*, A.I.R. 1976 LR 379
- 5.10. *Souma Mitra v. M. P. State Road Transport Corporation* AIR 1974 MP 68.

## Prescribed Legislation:

- 1. Motor Vehicles Act, 1988

## Prescribed Books:

- 1. W.V.H. Rogers, *Winfield & Jolowicz on Tort* (16th ed., 2002)
- 2. G.P. Singh, Ratanlal & Dhirajlal, *The Law of Torts* (24th ed., 2004)

## Recommended Books:

- 1. Avtar Singh (Rev.), P.S. Atchuthen Pillai, *Law of Torts* (9th ed., 2004)
- 2. P.S. Achuthan Pillai, *The law of Tort* (1994) Eastern, Lucknow
- 3. Salmond and Heuston - *On the Law of Torts* (2000) Universal, Delhi.
- 4. D.D. Basu, *The Law of Torts* (1982), Kamal, Calcutta.
- 5. A.S. Bhatnagar, *Motor Accident Compensation*, Orient Law House, New Delhi, 2008

## **BALLB 1.5 Contract-I ( General Principles of Contract Ss. 1-75 and Specific Relief )**

Marks: 100 [80+20]

Detailed Syllabus:

Marks

### **1. General Principles of Law of contract**

30

- 1.1. History and nature of contractual obligations
- 1.2. Formation of an Agreement: (Ss. 2-10 )
  - 1.2.1 Intention to create legal relationship
  - 1.2.2 Proposal and acceptance- their various forms, essential elements, communication and revocation- mode of revocation of offer- proposal and invitations for proposal
- 1.3 Making of an Agreement – Special Situations: ( Ss. 2-10 )
  - 1.3.1 Tenders and Auctions
- 1.4. Consideration ( Ss. 2(d), 2(f), 23 and 25 )
  - 1.4.1 Meaning- basis and the nature of consideration- kinds-essential elements
  - 1.4.2 Doctrine of Privity of Contract and of consideration, its exceptions (nudum pactum)
  - 1.4.3 Adequacy of consideration-present, past and adequate consideration
  - 1.4.4 Unlawful consideration and its effects views of Law Commission of India on consideration- evaluation of the doctrine of consideration.
- 1.5. Capacity to Contract [ Ss.10, 11, 12, 64, 65, 68 and Specific Relief Act, S. 33)
  - 1.5.1 Legal disability to enter into contract - Minors, persons of unsound mind - person under legal disability- lunatics, idiots
  - 1.5.2 Restitution in cases of minor's agreement- Liability for necessities supplied to the minor - fraud by a minor- agreements made on behalf of a minor's agreements and estoppel- evaluation of the law relating to minor's agreements- other illustrations of incapacity to contract.
- 1.6. Free consent- Its need and definition- factors vitiating free consent. (Ss.13- 22)
  - 1.6.1. Coercion- definition- essential elements- duress and coercion- various illustrations of coercion- doctrine of economic duress- effect of coercion
  - 1.6.2. Undue Influence- definition- essential elements- between which parties can it exist? Who is to prove it? Illustrations of undue influence- independent advice-pardahanashin women- unconscionable bargains - effect of undue influence.
  - 1.6.3. Misrepresentation - definition - misrepresentation of law and of fact- their effects and illustration.
  - 1.6.4. Fraud - definition - essential elements - suggestion falsi-suppressio veri - when does silence amounts to fraud? Active- concealment of truth - importance of intention.
  - 1.6.5. Mistake - definition - kinds- fundamental error - mistake of law and of fact - their effects - when does a mistake vitiate free consent and when does it not vitiate free consent?
- 1.7. Legality of objects : Limitations on Freedom of Contract ( Ss. 23-30)
  - 1.7.1. Void agreements - lawful and unlawful considerations, and objects – Distinction between void and voidable agreement, illegal and unlawful agreements and their effects.
  - 1.7.2. Unlawful considerations and objects:
    - 1.7.2.1. Forbidden by law
    - 1.7.2.2. Defeating the provision of any law
    - 1.7.2.3. Fraudulent
    - 1.7.2.4. Injurious to person or property
    - 1.7.2.5. Immoral
    - 1.7.2.6. Against public policy
  - 1.7.3. Void Agreements:
    - 1.7.3.1. Agreements without consideration
    - 1.7.3.2. Agreements in restraint of marriage
    - 1.7.3.3. Agreements in restraint of trade- its exceptions- sale of goodwill-



restrictions, under the partnership Act, trade combinations, exclusive dealing agreements, restraints on employees under agreements of service.	
1.7.3.4. Agreements in restraint of legal proceedings- its exceptions.	
1.7.3.5. Uncertain and ambiguous agreements	
1.7.3.6. Wagering agreement - its exception.	
1.8. Discharge of a contract and its various modes. (Ss. 37- 67 )	
1.8.1. By performance- conditions of valid tender of performance- How? By whom? Where? When? In what manner? Performance of reciprocal promises- time as essence of contract.	
1.8.2. By breach - anticipatory breach and present breach.	
1.8.3. Supervening Impossibility of performance- specific grounds of frustration- application to leases theories of frustration- effect of frustration- frustration and restitution.	
1.8.4. By period of limitation	
1.8.5. By agreement and Novation- rescission and alteration - their effect- remission and waiver of performance - extension of time- accord and satisfaction.	
1.9. Quasi-contracts (Ss. 68-72 )	
1.9.1 Certain relations or obligations resembling those created by contract	
1.9.2 Concept and classification	
1.10. Remedies for Breach of Contract: (Ss.73-74 )	
1.10.1 Damages-kinds-remoteness of damages- ascertainment of damages	
1.10.2 Mitigation of Damages- Penalty & Liquidated Damages	
1.10.2. Injunction- when granted and when refused- Why?	
1.10.3. Refund and restitution	
1.10.4. Specific performance- When? Why?	
<b>2. Government as a Contracting Party</b>	05
Constitutional provisions - government power to contract- procedural requirements- kinds of government contracts- their usual clauses- performance of such contracts- settlements of disputes and remedies.	
<b>3. Standard Form Contracts</b>	05
Nature, advantages - unilateral character, principles of protection against the possibility of exploitation- judicial approach to such contracts- exemption clauses - clash between two standard form contracts- Law Commission of India's views-4. Multi-national Agreement	
<b>4. Remedies</b>	20
4.1 Strategies and constraints to enforce contractual obligations	
4.1.1 Judicial methods- redressal forum, remedies	
4.1.2 Other methods like arbitration, Lok Adalat, Nyaya Panchayat and other such non formal methods	
4.1.3 Systemic constraints in settling contractual disputes	
4.1.3.1 Court fees, service of summons, injunctions, delay.	
4.2 Specific relief	
4.2.1. Specific performance of contract	
4.2.1.1. Contract that can be specifically enforced	
4.2.1.2. Persons against whom specific enforcement can be ordered	
4.2.2 Rescission and cancellation	
4.2.3 Injunction	
4.2.3.1. Temporary	
4.2.3.2. Perpetual	
4.2.4. Declaratory orders	
4.2.5. Discretion and powers of court	
<b>5. Leading Cases :</b>	(10x2) 20
1. Carlill v. Carbolic Smoke Ball (1891-4) All ER Rep. 127	
2. Bhagwandas Goverdhandas Kedia v. Girdharilal Parshottamdas & Co., AIR 1966 SC 543	
3. Kanhaiya Lal Aggarwal v. Union of India, AIR 2002 SC 2766	
4. Abdul Aziz v. Masum Ali, AIR 1914 All. 22	
5. Tarsem Singh v. Sukhminder Singh (1998) 3 SCC 471	
6. Bank of India v. O.P. Swarankar, AIR 2003 SC 858)	
7. M/s. Alopi Parshad & Sons Ltd. v. Union of India, AIR 1960 SC 588	
8. State of West Bengal v. S.K. Mondal & Sons, AIR 1962 SC 779	
9. Oil & Natural Gas Corporation Ltd. v. Saw Pipes Ltd. (2003) 4 SCALE 92	
10. Central Inland Water Transport Corpn. v. Brojo Nath AIR 1986 SC 1571	

**Prescribed Legislations:**

1. The Indian Contract Act, 1872
2. The Specific Relief Act, 1963
3. The Indian Majority Act, 1875

**Prescribed books: Contract-I & II**

1. P.S. Atiya, Introduction to the Law of Contract 1992 reprint ( Claredon Law Series)
2. Avtar Singh, Law of Contract & Specific Relief (9th Ed. 2005 ) Eastern, Lucknow
3. Anand and Aiyer, Law of Specific Relief (2008), Universal
4. T.R. Desai & S.T. Desai, Indian Contract Act and Sale of Goods Act.

**Recommended Books : Contract-I & II**

1. G.H. Treitel, Law of Contract, Sweet & Maxwell (1997 Reprint)
2. M.P.Furmston, Cheshire, Fifoot and Furmston's Law of Contract (15th ed., 2007)
3. H.K. Saharay, Dutt on Contract – The Indian Contract Act, 1872 (9th ed., 2000)
4. Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase (1998), EBC Lucknow
5. J. Beatson (ed.), Ansons' Law of Contract, (2002), Oxford, London

**BALLB-1.6 History-I (India with special emphasis on the history of Assam ) Marks: 100 [80+20]**

Detailed Syllabus	Marks
<b>1. Introduction</b>	16
1.1 History, sources; pre-history.	
1.2 First urbanization : The Harappan Culture	
1.3. Transition from Tribal Polity to State	
1.3.1 The Vedic period: Sources, Continuity and Change, Varnasramadharma	
1.4 Evolution of Law and Legal Institutions	
1.4.1 Brahmanical Tradition, Sutras, Epics, The Dharmasastras- Gautama, Baudhayana, Manu, Yajnavalkya, Narada,	
1.4.2 Buddhist Tradition	
<b>2. Empire:</b>	16
2.1 The Mauryan Empire:	
2.1.1 Sources (Arthasastra, Asokan, Edicts etc)	
2.1.2 Adminisitrative Organisation- Asoka's Dharma	
2.2 The Gupta Empire :	
2.2.1 Administrative Organisation,	
2.2.2 Cultural Developments	16
<b>3 Emergence of British</b>	
3.1 Emergence of English Law under East India Company- political power, De facto annexation of Bengal	
3.2 Consolidation of British Rule: Clive's Dual Government- Nizamat and Diwani functions, Regulating Act of 1773	
3.3 Bentinck's Reforms, Regulations against the practice of Sati and infanticide;	
3.4 Revolt of 1857: The Act for the Better Government of India (1858) Administrative changes	
<b>4. Indian National Movement: Formation, Partition of Bengal, Swadeshi Movement,</b>	16
Morley Minto Act (1909), World War-I, Rowlatt Act, Montague – Chelmsford Reforms (1919), Non Co-operation Movement, Civil Disobedience Movement, Government of India Act (1935), Quit India Movement, Partition and Transfer of Power	
<b>5. British occupation of Assam :</b>	16
Expansion- a brief overview; Administrative measures- Scott, Robertson, Boride, Revolt of 1857, Partition of Bengal, Non Co-operation movement, Civil Disobedience Movement Quit India Movement.	

**Prescribed books:**

- 1 H.V.Sreenivasa Murthy History of India, Part-I(2006) Eastern Book Co., Luchnow
- 2 Percival Spear A History of India-Vol.9 Penguin Books
- 3 R.K.Lahiri Annexation of Assam Firma KLM
- 4 Bipin Chandra Indias' Struggle for Independence

**Recommended books:**

- 1 G.L.Borooah Population Geography of AssamMittal
- 2 H.K. Borpujari Assam in the Days in the Company,
- 3 H.K.Borpujari North East India-Problems, Policies and Prospects,Spectrum, Guwahati
- 4 S.K.Chaube Hill Politics in North East India Orient Longman
- 5 M.Horam North-East India-Aprofile Cosmo, New Delhi
- 6 Sucheta Mahajan:Independence and partition: the erosion of colonial power in India Sage,
- 7 S.L. Baruah A Comprehensive History of Assam
- 8 S. C. Banerjee Dharmasastras A study in their origin and development , Calcutta, 1962
- 9 Sekhar Bandopadhyay
- From Plassey to political, A History of Modern India, Orient Longman, Hyderabad,2006
- 10 Michal H Fisher Politics of British Annexure of India 1757-1857
- 11 R.S.Tripathi History of Ancient India Delhi,1977

**BALLB-2.1- English Literature & Legal Writing including Legal citation, terms and Maxims.**

**Marks: 100 [ 80+20 ]**

**Detailed Syllabus**

**Marks**

<b>1. Introduction to Legal Language</b>	<b>05</b>
1.1. History of Legal Language	
1.2. Characteristics of Legal Language	
1.3. Legal Language in India-attention and awareness of practical legal import of sentences	
<b>2. Fundamental principles of Legal Writing</b>	<b>20</b>
2.1 Concision - clarity - cogency - simplicity of structure	
2.1.1 Brief writing, writing of case comment and drafting of law reports	
2.2 Legal citation	
<b>3. Legal terminology</b>	<b>15</b>
3.1 Terms used in civil law and criminal law	
3.2 Latin words and expressions- Law Register	
<b>4. Maxims</b>	<b>20</b>
4.1 <b><i>Aequitas sequitur legem</i></b> (Equity follows the law )	
4.2 <b><i>Affirmanti, non neganti, incumbit probatio</i></b> (The proof is incumbent upon the one who affirms, not on the one who denies)	
4.3 <b><i>Aequitas agit in personam</i></b> ( Equity acts in <i>personam</i> , not in <i>rem</i> )	
4.4 <b><i>Ex turpi causa non oritur actio</i></b> ( No action arises out of a wrongful consideration)	
4.5 <b><i>Exturpi causa non oritur action</i></b> ( He who seeks equity must come with clean hands )	
4.6 <b><i>Ignorantia facti excusat, Ignorantia juris non excusat</i></b> (Ignorance of fact is an excuse but ignorance of the law is no excuse )	
4.7 <b><i>Jus respicit aequitatem</i></b> ( The law pays regard to equity)	
4.8 <b><i>Lex est norma recti</i></b> ( The law is a rule of right )	
4.9 <b><i>Nemo potest esse simul actor et judex</i></b> ( No one can be at the same time both pursuer and judge )	
4.10 <b><i>Nemo debet bis puniri pro uno delicto</i></b> (No one should be punished twice for the same	
4.11 <b><i>Non jus ex regula sed regula ex jure</i></b> ( The law does not arise from the rule or maxim, but the rule or maxim from the law)	
4.12 <b><i>Qui prior est tempore, potior est jure</i></b> (Where there are equal equities, the first in time shall Prevail)	
4.13 <b><i>Salus populi est suprema lex</i></b> (The welfare of the people is the paramount Law)	
4.14 <b><i>Ubi jus ibi remedium</i></b> ( No wrong to be without remedy )	
4.15 <b><i>Vigilantibus et non dormientibus jura sub-veniunt</i></b> (The law assist those who are vigilant of their rights, not those who are careless of them or Delay defeats equity )	
<b>5. Legal Literature</b> :[Lessons 1,2,3 and 6 in ' <i>Law and Language</i> ', Dr M. Menon (Ed.)	<b>(4x5) 20</b>
5.1 Advice to a young man interested in going into Law : Felix Frankfurter	
5.2 The Language of the Law : Urban A. Laveery	
5.3 In the Court : Anton Chekov	
5.4 The Five Functions of the Lawyer : Arthur T. Vanderbilt	

**Prescribed Books:**

1. Bhatnagar, R. P. & R. Bhargava, Dr. M. Menon (ed.), *Law and Language* (1985), Macmillan, Delhi
2. P C Wren & H Martin, *English Grammar and Composition*
3. Brown, Gordon W., *Legal Terminology*, Prentice Hall, New Jersey
4. Maitland, *Equity*
5. Rana and Mulji, *An Epitome of the Principles of Equity*
6. Keeton, *Introduction to Equity*

**Recommended books:**

1. N. Krishnaswami, *Modern English*, Macmillan, 1975
2. Longman's, *Dictionary of Common Errors*, Orient Longman
3. M.P.Bhaskaran & D. Harsburgh, *Strengthen your English*, OUP, 1973
4. Sarah Freeman, *Written Communication in English*, Orient Longman, 1977
5. P.H. Collin, *Law Dictionary*, Universal, New Delhi.1993
6. Bryan Garner's, *Dictionary of Modern Legal Usage*, Oxford University Press
7. S.C. Tripathi, *Legal Language, Writing and General English*, Turton, New Delhi
8. Rupert Haigh, [\*The Oxford Handbook of Legal Correspondence\*](#), Oxford University Press.
9. Snell, *Principles of Equity*
10. Story, *Equity Jurisprudence*
11. Hanbury and Maudsley, *Modern Equity*
12. Nathan, *Equity through the Cases*
13. Randall, *Leading Cases in Equity*

## BALLB 2.2 : Political Science - II [ Political Obligations ]

Marks: 100 [80 + 20]

Detailed Syllabus	Marks
<b>1. Political Obligation</b>	<b>08</b>
1.1 Meaning,	
1.2 Characteristics	
<b>2. Political Obligation:</b> Theories of political obligation-Unlimited political obligation(Force theory, Divine theory, Conservative theory)- Limited political obligation(Consent theory, Idealist theory) - and theories against political obligation(Marxist theory, Anarchist theory)	<b>16</b>
<b>3. Conception of power, authority and legitimacy</b>	<b>32</b>
3.1 Meaning and characteristics of power, kinds of power, Marxian and Liberal view	
3.1.1 Legitimization of Power	
3.1.1.1 Karl Marx	
3.1.1.2 Emile Durkheim	
3.2 Meaning and characteristics of authority, kinds of authority, Max Weber's classification of authority, Differences between power and authority	
3.3 Meaning, sources types of authority	
<b>4. Utilitarianism</b>	<b>08</b>
4.1 Meaning	
4.2 Characteristics	
<b>5. Political thought on Utilitarianism</b>	<b>16</b>
5.1 Jeremy Bentham on utilitarianism	
5.2 J.S. Mill on utilitarianism	
5.3 Political implications of utilitarianism	

### Prescribed Books:

1. Rajani Kothari, *Democratic Policy and Social Change in India: crisis and opportunities*, Applied (1976)
2. Karl Lawernstein, *Poltical Power and Government Process*,
3. D'entrives, *The nation of the state*, P.1-10:Introduction, P.141-153: Legality and Legitimacy, OUP
4. R.A. Nisbet, *The Sociological Tradition*, Part-II:Ch-4: authority for Authority and Power,Heinemonn,(1967)
5. Robert Beirstedt , *Power and Progress*,Ch.13: Analysis of Social Power, Ch.14: Our Problem of Authority, McGraw-Hill, New York and Delhi 91974)
6. Flathamman, *Political Obligation*, Crom-Heim, London Richard (1972)
7. L.S. Rathore, S.A.H. Haqqi, *Political Theory and Organisation for Law Students*, EBC, Luchnow

### Recommended Books:

1. Conole Pateman, *The Problem of Political Obligation* , John wiley 7 Sons, New York (1979)
2. Burton Leiser, *Liberty, Justice and Morals* Ch.12: Civil Disobediance,
3. Iredell Johkin, *Social Order and Limits of Lawh*. XI. Authority, Leadership: Ch. XI, Prencenton (1980)
4. Articles on – *Authority and Power & Legitimacy* - in Encyclopedia of Social Science,
5. B.S Marthy, *International Relations and Organizations*, EBC, Luchnow
6. S.P. Verma, *Modern Political Theory*, Vikas (1980)
7. U.N. Ghosal, *A History of Indian political Ideas*, OUP (1959)

**BALLB 2.3 : Sociology – II [ Indian Social System ]**

**Marks: 100 [80 + 20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Development of Indian Society:</b>	<b>20</b>
1.1 Basic concept of Society-Community-Association-Institution, Status and Role	
1.2 India as a Plural Society- cultural and linguistic diversity	
1.3 Major Institutions of Indian Society-family-caste-village	
1.4 Trend of change in Indian Society	
<b>2. Family and Kinship</b>	<b>15</b>
2.1 Types, Functions, Changes in Family	
2.2 Types and Role of Kinship	
<b>3. Marriage</b>	<b>15</b>
3.1 Hindu Marriage	
3.2 Muslim Marriage	
3.3 Christian Marriage	
<b>4. Caste and Class System</b>	<b>15</b>
4.1 Meaning, Function	
4.2 Distinction with Varna and Class	
4.3 Changing Trends	
<b>5. Tribes in India</b>	<b>15</b>
5.1 Regional distribution	
5.2 Tribal Family, Marriage, Religion and Economy	
5.3 Status of Women in India	

**Prescribed Books:**

1. T. K.Oommen & C.N. Venugopal, *Sociology for Law Students* (2007), EBC, Lucknow
2. T.K. Oommen, T.K. & P.D. Mukherji (ed.) , *Indian Sociology* (1986), Popular Prakashan: Bombay
3. Kapadia, K.M: *Marriage and Family in India*, OUP, Calcutta, India, 1972.
4. Ahuja, R: *Indian Social System*, Rawat Publication, Jaipur, India, 1998
5. G.S. Ghurye, *Caste and Race in India* (1986), Popular Prakashan: Bombay
6. Patricia Uberio, *Family, Kinship and Marriage in India* (1993 ), Oxford University Press: Delhi

**Recommended Books:**

1. Ramesh Thapper, *Tribe, Caste and Religion in India*, Macmillan, New Delhi (1977)
2. Edwin R.A. Seligman , *Encyclopedia of the Social Sciences*. Vol. IIV , Macmillan Company: New York
4. Michael Freeman ( ed. ), *Law and Sociology* (2006 ), Oxford University Press, Oxford
5. C.N.Shankar Rao, *Sociology*, S. Chand & Company, Delhi
6. N.K. Bose, *The structure of Hindu Society*, Orient Longman, New Delhi ( 1975)
7. Andre Beteille, *The structure of Hindu Society*, Orient Longman, New Delhi ( 1975)
8. Mandelbaum, D.G: *Society in India*, , Vol 1, Popular Prakashan, Bombay 1980.
9. Haralambus, M., *Sociology-Themes and Perspectives* (1980), OUP, Delhi
10. Kapur, A.C., *Principles of Political Science*, S. Chand & Co, Delhi
11. Davis, K, *Human Society*, Surjeet Publications
12. Baylism, John and Smith, Steve, *The Globalisation of World Politics*, OUP
13. Asirvatham, Eddy and Misra, K.K., *Poltical Theory*, S. Chand & co., Delhi

**Detailed Syllabus**

	<b>Marks</b>
<b>1. Introduction: Necessity</b>	<b>8</b>
<b>2. Themes – salutations, presentation, making an inscription, use of ‘tu’ and “vous”</b>	<b>18</b>
2.1: L’alphabet (the alphabet)	
2.2: Les chiffres de 0 à 50 (Numbers from 0 to 50)	
2.3: L’article de défini, indéfini (definite, indefinite articles)	
2.4: Les présentateurs : c’est/ ce sont (presenters)	
2.5: Quelques verbes (some verbs)	
2.6: Pronom tonique (emphatic pronouns)	
<b>3. Themes- orientation of space.</b>	<b>18</b>
3.1: Les préposition (the prepositions)	
3.2: Les pluriels (plurals)	
3: L’article contracté (contracted article)	
3.4: Les présentateur “ il ya” (introductory “il ya”)	
3.5: Les chiffres de 50 à l’infini (the numbers from 50 onwards)	
<b>4. Themes- moments of the day, day to day to life, pastimes.</b>	<b>18</b>
4. 1: La négation (negative sentence)	
4.2: Le pronom ‘on’ (The pronoun ‘on’)	
4.3: Les présentateurs – voici, voila (the presenters voici, voila)	
4.4: Le pronom tonique (the emphatic pronoun)	
<b>5. Themes- Going for a picnic, places of tourist attraction, pastimes.</b>	<b>18</b>
5.1: Le future proche (the near future)	
5.2: L’interrogation (interrogative sentence)	
5.3: Les infinitifs (the infinitives)	
5.4: La question négative (negative questions)	

**Recommended books**

1. Jumelage Methoe de Français, Niveau-1 Manjiuri handekar, Roopa Lukkure, University of Lausanne and University of Pun,20004
2. Se for beginners- Francois Makoshi, Goel Publication,20000

<b>Syllabus</b>	<b>Marks</b>
1. Construction of sentences	15
2. Correction of sentences	10
3. Vocabulary Test	20
3:1 Synonym	
3:2 Antonym	
4. Translation	20
4:1 Paragraph	
4:2 Name of the Legal Acts	
5. Text ( Literature)	15
5.1. Sardha Bhakti	

**Prescribed Book**

1. Dr. Basudev Nandan Prasad, *Adhunik Hindi Byakaran Aur Rachana*
2. Ram Chandra Sukla, *Granth Nibandha Bikash*
3. Publ. Department, Gauhati University, *Gadya Parimal*

**BALLB 2.5 Contract - II [Indian Contract Act ( not covered in Contract-I ), Sale of Goods Act and Indian Partnership Act ]**

**Marks: 100 [80+20]**

**Detailed Syllabus**

**Marks**

<b>1. Indian Contract Act : [ not covered in Contract-I ]</b>	<b>25</b>
<b>1.1 Indemnity:</b> (Ss. 124-125)	
1.1.1. Definition of Indemnity	
1.1.2. Nature and extent of liability of the indemnifier	
1.1.3. Commencement of liability of the indemnifier	
<b>1.2 Guarantee:</b> (Ss. 126-147)	
1.2.1. Definition of guarantee: as distinguished from indemnity.	
1.2.2. Basic essentials for a valid guarantee contract.	
1.2.3. Continuing guarantee.	
1.2.4. Nature of surety's liability-duration and termination of such liability	
1.2.4.1 Rights of surety	
1.2.4.2 Extent of surety's liability.	
1.2.4.3 Discharge of surety's liability.	
<b>1.3 Bailment:</b> ( Ss. 148- 171)	
1.3.1. Definition of bailment	
1.3.2. Kinds of bailees	
1.3.3. Duties of Bailor and Bailee towards each other	
1.3.4. Rights of bailor and bailee	
<b>1.4 Pledge:</b> (Ss. 172-179)	
1.4.1. Pledge: comparison with bailment	
1.4.2. Definition of pledge under the Indian contract Act	
1.4.3. Rights of the pawner and pawnee.	
1.4.3.1. Pownee's right of sale as compared to that of an ordinary bailee	
1.4.4. Pledge by certain specified persons mentioned in the Indian Contract Act.	
<b>1.5 Agency:</b> ( Ss. 182-238)	
1.5.1. 'Agent' and 'Principal' defined	
1.5.2. Who may employ an agent- who may be appointed as agent	
1.5.3. Kinds of agents and agencies- essentials of a agency transaction	
1.5.3.1 Distinction between agent and servant.	
1.5.3.2 Various methods of creation of agency	
1.5.4 Rights, duties and liabilities of principal and agent- scope and limitation	
1.5.5. Delegation- ratification and revocation of authority	
1.5.6. Methods of termination of agency contract	
1.5.6.1 Liability of the principal and agent before and after such termination.	
<b>2. The Sale of Goods Act, 1930</b>	<b>20</b>
<b>2. 1 General : Formation of Contracts of Sale</b> ( Ss. 1-10 )	
2.1.1 Concept of 'Goods'	
2.1.2 'Sale' and 'Agreement to sell'	
2.1.3 Statutory Transactions	
2.1.4 Contract for 'Works'/ 'Labour'	
<b>2.2 Conditions and Warranties</b> (Ss. 11-17, 62, 63)	
2.2.1 Stipulations as to time	
2.2.2 Implied Conditions and Warranties – as to title, quality, fitness, etc.,	
2.2.3 Sale by Description and by Sample	
2.2.4 Treating conditions as warranties	
2.2.5 Doctrine of Caveat Emptor	
<b>2.3 Effects of the Contract</b> (Ss.18-30)	
2.3.1 Transfer of property;	
2.3.2 Doctrine of Nemo dat quod non habet	
2.3.3 Sale :	
2.3.3.1 by a person other than the owner,	
2.3.3.2 by joint owner,	
2.3.3.3 by mercantile agent,	
2.3.3.4 by seller or buyer in possession after sale	
2.3.3.5 under voidable contract,	
2.3.3.6 in Market Overt	



2.4 Performance of the Contract (Ss. 31-44)	
2.4.1 Duties of seller and buyer	
2.4.2 Rules relating to delivery of goods	
2.5 Rights of Unpaid Seller (Ss. 45-54)	
2.5.1 Who is an un-paid seller ?	
2.5.2 Un-paid Seller's Rights –	
2.5.3 Right of lien,	
2.5.4 Right of stoppage in transit;	
2.5.5 Transfer of goods by buyer and seller	
2.6 Suit for Breach of Contract (Ss.18-30)	
2.6.1 for price;	
2.6.2 non-delivery,	
2.6.3 non-acceptance,	
2.6.4 damages for breach of conditions and warranties;	
2.6.5 Repudiation of contract;	
2.6.6 Payment of damages and special damages	
2.7 Auction Sale (S. 64)	
<b>3. The Indian Partnership Act, 1932</b>	<b>10</b>
3.1 Nature of Partnership (Ss. 4-8 )	
3.1.1 Definition of “partnership”, “partner”, “firm” and “firm name” (S. 4)	
3.1.2 Partnership not created by status (S. 5)	
3.1.3 Mode of determining existence of partnership (S. 6)	
3.1.4 Partnership at will (S.7)	
3.1.5 Particular partnership (S.8)	
3.1.6 Partnership and private limited company-Advantages & disadvantages	
3.2 Relations:	
3.2.1 of Partners to One Another (Ss. 9-17)	
3.2.2 Relations of Partners to Third Parties ( Ss. 18-30)	
3.3 Incoming and Outgoing Partners ( Ss. 31-38)	
3.4 Dissolution of Firm ( 39-55)	
3.5 Registration of Firms ( Ss. 56-71)	
<b>4. Limited Liability of Partnerships (LLP) : The Limited Liability Partnership Act, 2008</b>	<b>10</b>
4.1 Concept and nature of Unlimited Liability Partnerships	
4.2 Distinction between a partnership, a limited liability partnership and a company	
4.3 Incorporation of LLPs	
4.4 Effect of registration	
4.5 Partners and their relations	
4.6 Liability of LLPs and its partners	
4.7 Holding out	
4.8. Protection to whistle blowers	
4.9 Investigation	
<b>5. Leading Cases:</b>	<b>(5x3) 15</b>
5.1 <u>The Indian Contract Act, 1872</u>	
1. <i>Kuchwar Lime and Stone Co. v. Dehri Rohtas Light Rly. &amp; Co. Ltd.</i> , AIR 1969 SC 193	
2. <i>Lakshminarayan Ram Gopal v. Govt. of Hyderabad</i> , AIR 1954 SC 367	
3. <i>Snow White Industrial Corpn. v. Collector of Central Excise</i> , AIR 1989 SC 1555	
5.2 <u>The Sale of Goods Act, 1930</u>	
1. <i>Mahadeo v. State of Bombay</i> , AIR 1959 SC 735	
2. <i>Sri Gopal Jalan &amp; Co. v. Calcutta Stock Exchange Assn. Ltd.</i> , AIR 1964 SC 250	
3. <i>Gopalakrishna Pillai v. K.M. Mani</i> (1984) 2 SCC 83 : AIR 1984 SC 216	
4. <i>Renusagar Power Co. Ltd. v. General Electric Co.</i> , AIR 1994 SC 60	
5.3 <u>The Indian Partnership Act, 1932</u>	
1. <i>Mahabir Cold Storage v. CIT</i> , AIR 1991 SC 1357 ( Nature of partnership )	
2. <i>C.I.T. v. Shah Mohandas Sadhuram</i> , AIR 1966 SC 15 (Relations to third parties )	
3. <i>Sharad Vasant Kotak v. Ramniklal Mohanlal Chawda</i> (1998) 2 SCC 171 (Dissolution)	

**Prescribed Legislations:**

1. The Indian Contract Act, 1872
2. The Sale of Goods Act, 1930
3. The Indian Partnership Act, 1932
4. The Limited Liability Partnership Act, 2008 (6 of 2009)

**Prescribed Books: Contract-I & II**

1. R.G. Padia (ed.), Pollock & Mulla, *Indian Contract and Specific Relief Acts* (13<sup>th</sup> Ed., 2006)
2. G.C ., Bharuka, *The Indian Partnership Act* (7<sup>th</sup> Ed., 2007)
3. Avtar Singh, *Law of Partnership* (3rd ed., 2001 with supplement 2003)
4. Sanjiv Agarwal and Rohini Agarwal, *Limited Liability Partnership : Law and Practice* (2009).
5. K. Ramamoorthy, *Pollock & Mulla The Sale of Goods Act* (7th ed., 2007)
6. V. Krishnamachari and Surender K. Gogia, T.S.Venkatesa Iyer's *Sale of Goods Act, 1930* (2002)
7. Avtar Singh, *Contract Act* (2000), Eastern, Lucknow.

**Recommended Books: Contract-I & II**

1. V.P. Verma (Rev.), S. D. Singh and J.P. Gupta, *Law of Partnership in India* (5<sup>th</sup> Ed., 1996)
2. Krishnan Nair, *Law of Contract*, (1999) Orient
3. Avtar Singh, *Principles of the Law of Sale of Goods and Hire Purchase* (1998), Eastern, Lucknow
4. J.P.Verma (ed.), Singh and Gupta, *The Law of Partnership in India* (1999), Orient Law House, Delhi.
5. A. G. Guest (ed.), *Benjamin's Sale of Goods* (1992), Sweet & Maxwell.
6. Beatson (ed.), *Ansons' Law of Contract*, (1998), Oxford, London
7. Ramnainga, *The Sales of Goods Act* (1998), Universal

**BALLB 2.6 History- II [ Legal History ]****Marks: 100 [80 + 20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction:</b> <ol style="list-style-type: none"> <li>1.1 Necessity</li> <li>1.2 East India Company <ol style="list-style-type: none"> <li>1.2.1. Trading body to a territorial power- the subsequent charters.</li> <li>1.2.2. Administration of Justice in Madras (1639 to 1726), Bombay (1668 to 1726) and Calcutta ( 1690 to 1726 ).</li> </ol> </li> </ol>	<b>16</b>
<b>2. Adalat System</b> <ol style="list-style-type: none"> <li>2.1. Judicial plan of 1772, Defects of the plan, New plan of 1774.</li> <li>2.2. Reorganization of Adalats in 1780.</li> <li>2.3. Reforms of 1781.</li> </ol>	<b>16</b>
<b>3. The Regulating Act 1773</b> <ol style="list-style-type: none"> <li>3.1. Charter of 1774 and the Supreme Court of Calcutta.</li> <li>3.2. Act of Settlement 1781, defects.</li> </ol>	<b>16</b>
<b>4. The Regulating Act 1773: Land mark cases</b> <ol style="list-style-type: none"> <li>4.1 Issue of Raja Nand Kumar (1775)</li> <li>4.2 The Patna Case (1777- 79)</li> <li>4.3 The Cossijurah Case (1779-80)</li> </ol>	<b>16</b>
<b>5. Establishment of Courts.</b> <ol style="list-style-type: none"> <li>5.1 The Indian High Courts Act, 1861 <ol style="list-style-type: none"> <li>5.1.1 The High Courts after Indian Independence</li> <li>5.1.2 Constitution</li> </ol> </li> <li>5.2. The Supreme Court of India- Constitution-Jurisdiction- Powers</li> </ol>	<b>16</b>

**Prescribed Books:**

1. V.D.Kulshreshtha, rev. by B.M.Gandhi, *Landmarks in Indian Legal and Constitutional History*
2. N.V. Paranjape, *Indian Legal & Constitutional History*
3. M.P. Jain, *Outlines of Legal History*, Tripathi, Bombay
4. M.P. Jain, *Constitutional Law of India*, (1987), Tripathi, Bombay

**BALLB- 3.1 : Communicative English and Legal Translation**

Marks: 100 [80+20]

## Detailed Syllabus

Marks

<b>1. Essentials of English Grammar (Functional)</b>	20
1.1 Parts of speech- Noun, Pronoun, Adjective, Adverb, Verb, Preposition, Interjection and conjunction	
1.2 Structures of sentences	
1.3 Sequence of Tenses	
1.4 Determiners	
1.5 Subject- Verb - Agreement	
1.6 Tenses	
<b>2. Vocabulary</b>	10
2.1 Antonym, Synonym, Paronym	
2.2 Generic Vocabulary used in every day situations	
2.3 Words showing respect for different situations and persons etc.	
<b>3. Word Structure</b>	10
3.1 Elements of structure	
3.2 Affixes	
3.3 Stem	
3.4 Prefixes	
3.5 Suffixes	
<b>4. Practical Exercises</b>	20
4.1 Phonetics-	
4.1.1 Only introductory portion(Sounds of English Words)	
4.1.2 Vowels and Consonants	
4.1.3 Syllable	
4.1.4 Accent	
4.1.5 Intonation	
4.1.6 Pitches and Pauses and pronunciation (British English)	
4.2 Reading comprehension	
Listening comprehension with occasional Audio session with appropriate C.D.s	
4.3 Speaking	
4.3.1 Everyday speaking	
4.3.2 Practicing session	
4.3.3 One to one conversation on any generic social topics with preparation and without preparation	
<b>5. Composition</b>	20
5.1 Letter writing	
5.2 Report Writing	
5.3 Precise Writing	
5.4 Translation: Assamese/Hindi to English & vice-versa	
5.5 CV or Resume Writing etc.	

**Prescribed books:**

1. Krishna Mohan & Minakshi Rahman- Effective English Communication.
2. P. C. Wren & Martin – High School English Grammar & Composition
3. Norman Lewis – Word, Power Made Easy
4. Longman's – Dictionary of Common Errors
5. T. Balasubramaniam – A Text Books of Phonetics

**BALLB 3.2 : POLITICAL SCIENCE – III (Indian Constitution)****Marks: 100 [80 + 20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction:</b>	
1.1 Historical Background	<b>10</b>
1.1.1 Growth of Indian Nationalism	
1.1.2 Government of India Act 1935	
1.1.3 Indian Independence Act 1947	
1.1.4 Framing of the Constitution	
1.2. Preamble - Basic features of the Indian constitution	
<b>2. Fundamental Rights and Duties</b>	<b>20</b>
2.1 Meaning and Characteristics	
2.2 Right to Equality, Right to Freedom, Right against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights, Right to Constitutional Remedies	
2.3 Fundamental Duties	
<b>3. Directive Principles of State Policy</b>	<b>10</b>
<b>4. Federalism</b>	<b>10</b>
4.1 Meaning, Characteristics	
4.2 Relations:	
4.2.1 Administrative relations between the Union & the State	
4.2.2 Legislative relations between the Union & the State	
4.2.3 Financial relations between the Union & the State	
<b>5. The Government</b>	<b>30</b>
<b>5.1 Union Government</b>	
5.1.1 Executive	
5.1.1.1 President –Election, powers & functions;	
5.1.1.2 Vice President – Election, powers & functions	
5.1.1.3 Union Council of Ministers-Composition, powers & functions	
5.1.1.4 Prime Minister – powers and functions	
5.1.2 Legislature	
5.1.2.1 Lok Sabha- composition, powers & functions	
5.1.2.2 Rajya Sabha-composition, powers & functions	
5.1.2.2.1 Relationship between the Lok Sabha & the Rajya Sabha	
5.1.2.3 The Speaker – powers & functions	
5.1.3 Judiciary- Supreme Court – Composition, powers & functions	
<b>5.2 State Government</b>	
5.2.1 Executive	
5.2.1.1 Governor – Appointment, powers & functions	
5.2.1.2 Council of Ministers- Composition,powers & functions	
5.2.1.3 Chief Minister – powers & function	
5.2.2 Legislature	
5.2.2.1 Legislative Assembly – Composition, powers & functions	
5.2.2.2 Legislative Council – Composition , powers & functions	
5.2.3 Judiciary - High Court – Composition , powers & functions	

**Prescribed Books :**

1. A.S. Narang, *Indian Government & Politics*
2. O.P. Tiwari, *Federalism & Centre State Realisms in India*
3. Subhas Kashyap, *Indian Constitution*
4. K.L. Bhatia, *Federalism & functions in Centre – State Relations*

Detailed Syllabus	Marks
<b>1. Social Bases of Law</b>	15
1.1 Law and Society	
1.2 Law and Social Change	
<b>2. Social Control</b>	15
2.1 Meaning, Functions and Dysfunctions	
2.2 Formal and Informal Social Control	
2.3 Agencies of Social Control	
<b>3. Social Conformity and Deviance</b>	20
3.1 Meaning and Types	
3.2 Factors and Significance	
<b>4. Social Disorganization</b>	15
4.1 Concept and Characteristics	
4.2 Causes and Remedial Measures	
<b>5. Crime and Punishment</b>	15
5.1 Concept and Types	
5.2 Theories of Punishment: Retributive, Deterrent, Reformatory	

**Prescribed Books:**

1. Oomen ,T.K and Venugopal, C.N: *Sociology for Law Students*,2007, EBC, Lucknow.
2. Shankar Rao, C.N: *Sociology*, S.Chand & Company

**Recommended Books**

1. Williams, Frank P and Marilyn D. Meshere, *Criminological Theory*, New Jersey: Prentice Hall, 1998
2. Williamson , Herald E, *The Correctional Profession*, Sage Publication, New Delhi
3. Ahuja, Ram: *Criminology*, Rawat Publications, Jaipur

**BALLB 3.4 French-II**

Marks: 100 [80+20]

Detailed Syllabus	Marks
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- 1. Theme- alimentation, shopping for grocery.**
  - 1: L'article partitif (partitive articles)
  - 2: Les expressions de quantité (expressions of quantity)
  - 3: Les adjectifs (adjectives)
  - 4: L'impe'ratif (the imperative)
- 2. Themes- preparing for a journey, at the station.**
  - 1: Le passé récent (the recent past)
  - 2: La future (future tense)
  - 3: Les adjectifs possessifs (adjective possessives)
  - 4: Les adjectifs de'monstratifs (adjective demonstratives)
  - 5: La comparaison (comparison)
  - 6: IL faut (use of IL faut)
- 3. Theme- at the hotel.**
  - 1: Le passé compose' (the past perfect)
  - 2: Les nombres ordinaux (the ordinal numbers)
  - 3: Les comple'ment de temps (tenses)
  - 4: Les formes de ne'gation (forms of negation)
  - 5: Le superlatif (the superlative)
  - 6: Le pronom interrogatif (the interrogative)

**Prescribed Books**

1. Jumelage Methoe de Français , Niveau-1 Manjiuri handekar, Roopa Lukkure, University of Lausanne and University of Pun,20004
2. Frenchmade easy,A course for beginners- Francois Makoshi, Goel Publication,20000

**BALLB- 3.5 CONSTITUTIONAL LAW OF INDIA - I** [ Principles of Federalism, Citizenship, Fundamental Rights, Directive Principles of State Policy, Fundamental Duties ]

**Marks: 100 [80+20]**

**Detailed Syllabus**

**Marks**

**1. Introduction: Historical Perspective**

**10**

- 1.1. Constitutional developments since 1858 to 1947
- 1.2. Making of Indian Constitution: Aims & objectives
- 1.3. Nature and salient features of the constitution
  - 1.3.1 Theory of Basic Structure
  - 1.3.2 Principles of Federalism
    - 1.3.2.1 Identification of federal features
      - 1.3.2.1.1 Legislative relations
      - 1.3.2.1.2 Administrative relations
      - 1.3.2.1.3 Financial relations .
  - 1.3.3 Governor's role
  - 1.3.4 Centre's powers over the states - emergency
  - 1.3.5. J & K - special status
  - 1.3.6 Nature of the Indian Constitution – Federal, Unitary, Quasi-federal

**2. The Union, its Territory and Citizenship**

**10**

- 2.1 The Union, its Territory
  - 2.1.1 Power to cede Indian territory to a Foreign Nation
  - 2.1.2 Power to create/extinguish a State
  - 2.1.3 Alteration of name, area and boundary of existing states–Procedure (Articles 1- 4)
- 2.2 Citizenship
  - 2.2.1 Citizenship at the commencement of the Constitution
  - 2.2.2 Parliament to regulate right of citizenship
  - 2.2.3 The Citizenship Act 1955

**3. Fundamental Rights & Duties**

**30**

- 3.1 **General-** Article 12 & 13
  - 3.1 'State' under Article 12
  - 3.2 'Law' under Article 13 ( Ref. Articles 31A, 31B, 31C, 368 )
    - 3.2.1 Doctrine of Eclipse
    - 3.2.2 Waiver of Fundamental Rights
    - 3.2.3 Severability
  - 3.3 Power of Parliament to modify the fundamental rights (Article 33)
  - 3.4 Martial Law (Article 34)
- 3.2 **Equality and Social Justice** : Right to Equality (Articles 14 – 18)
  - 3.2.1. Equality before the law and equal protection of laws
    - 3.2.1.1 Equality among Equals; Treating un-equals as equals violates equality clause
  - 3.2.2 Classification for differential treatment: constitutional validity
  - 3.2.3. Gender justice: Special provisions for women and children; requirements relating to residence; requirement of a particular religion being professed by the incumbent of an office related to a religious or denominational institution
  - 3.2.4 Protective Discrimination-Justice to the weaker sections of society: scheduled castes, scheduled tribes and other backwards classes- Reservations in appointments and promotions
  - 3.2.5. Strategies for ameliorative justice
    - 3.2.5.1 The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995
    - 3.2.5.2 The Central Educational Institutions (Reservation in Admission) Act, 2006
  - 3.2.6 Abolition of Untouchability (Articles 17, 35)
    - 3.2.6.1. The Protection of Civil Rights Act, 1955
    - 3.2.6.2 The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989
  - 3.2.7 Abolition of Titles (Article 18)

### **3.3 Freedoms and Social Control- Right to Freedom (Articles 19 - 22)**

- 3.3.1 Freedom:
  - 3.3.1.1 Freedom of Speech and expression
    - 3.3.1.1.1 Media, press and information
  - 3.3.1.2. Freedom of speech and contempt of court
  - 3.3.1.3. Freedom of assembly peaceably and without arms
  - 3.3.1.4. Freedom of association or union
  - 3.3.1.3. Freedom to move freely throughout the territory of India
  - 3.3.1.6. Freedom to reside and settle in any part of the territory of India
  - 3.3.1.7. Freedom to practise any profession, or to carry on any occupation, trade or business.
  - 3.3.1.8. Property: from fundamental right to constitutional right
- 3.3.2 Social Control
  - 3.3.2.1. Reasonable restrictions under Article 19 (2) to (6)
  - 3.3.2.2 The Right to Information Act, 2003
  - 3.3.2.3 The Sports Broadcasting Signals (Mandatory Sharing with Prasar Bharati) Act, 2007
- 3.3.3 Protection in respect of conviction for offences (Article 20)
  - 3.3.3.1 Ex-post Facto Law
  - 3.3.3.2 Doctrine of Double Jeopardy
  - 3.3.3.3 Right against Self Incrimination
- 3.3.4 Protection of life and personal liberty- meaning, scope and limitations (Article 21)
- 3.3.3 Right to Education (Article 21A)
- 3.3.6 Protection against arrest and detention- constitutional policy (Article 22)

### **3.4 Right against Exploitation (Articles 23, 24)**

### **3.5 Secularism- Right to Freedom of Religion (Articles 23 – 28)**

- 3.5.1. Concept of secularism : historical perspective
- 3.5.2. Religion and the state: the limits
- 3.5.3. Minority rights
- 3.5.4. Freedom of religion – scope
  - 3.5.4.1 The Madhya Pradesh Dharma Swatantraya Adhiniyam, 1968
  - 3.5.4.2 The Orissa Freedom of Religion Act, 1965
  - 3.5.4.3 The T.N. Prohibition of Forcible Conversion Act, 2002
  - 3.5.4.4 The Gujarat Freedom of Religion Act, 2003

### **3.6 Educational and Cultural Rights (Articles 29, 30)**

- 3.6.1 Right to establish and administer educational institutions – rights of minorities and non minorities
- 3.6.2 Degree of State Control in aided and non-aided educational institutions

### **3.5 Right to Constitutional Remedies (Article 32)**

- 3.5.1 Nature and scope of relief- Res judicata; Laches, Rule of locus standi, Public Interest Litigation; Existence of alternative remedies;
- 3.5.2 Power of Judicial Review under Article 32
- 3.5.3 Concurrent jurisdiction of the High Courts under Article 226

### **3.6 Fundamental Duties (Article 31A)**

- 3.6.1. The need and status in constitutional set up
- 3.6.2. Interrelationship with fundamental rights and directive principles

## **4. Directive Principles of State Policy (Articles 36 - 31)**

- 10 4.1. Directive Principles- directions for social change- A new social order.
- 4.2. Fundamental Rights and Directive Principles - inter-relationship - judicial balancing.
- 4.3. Constitutional amendments - to strengthen Directive Principles.
- 4.4. Reading Directive Principles into Fundamental Rights

## **5. Leading Cases :**

(10x2)

20

- 5.1 *Zee Telefilms Ltd. v. Union of India* (2003) 4 SCC 649
- 5.2 *Keshavan Madhava Menon v. State of Bombay*, AIR 1933 SC 128 : 1931 SCR 228
- 5.3 *Chiranjit Lal Chaudhary v. Union of India*, AIR 1931 SC 41
- 5.4 *M. Nagraj v. Union of India* (2006) 8 SCC 212
- 5.5 *Bennett Coleman & Co. v. Union of India*, AIR 1953 SC 106
- 5.6 *Maneka Gandhi v. Union of India*, AIR 1958 SC 395
- 5.7 *People's Union for Civil Rights v. Union of India*, 2003 (10) SCALE 965
- 5.8 *N. Adithayan v. Travancore Devaswom Board* (2002) 8 SCC 106
- 5.9 *Inamdar v. State of Maharashtra*, AIR 2003 SC 32

**Prescribed Legislation:**

The Constitution of India, 1930

**Prescribed Books for Constitutional Law –I & II**

1. H.M. Seervai, *Constitutional Law of India*, (Vol 1-3 )
2. M.P. Jain, *Indian Constitutional Law*
3. Mahendra P. Singh, V. N. Shukla's *Constitution of India* (11<sup>th</sup> ed., 2008 ).
4. D.D. Basu, *Shorter Constitution of India* (14th ed., 2009)

**Recommended Books/Reports for Constitutional Law –I & II**

1. Granville Austin, *The Indian Constitution: Cornerstone of a Nation* (1966)
2. Granville Austin, *Working a Democratic Constitution - A History of the Indian Experience* (1999)
3. B. Shiva Rao, *The Framing of India's Constitution – Select Documents* (1965)
4. Report of the Commission on Centre - State Relations ( Sarkaria Commission) (1985)
3. Report of the National Commission to Review the Working of the Constitution (2002)
6. Constituent Assembly Debates Vol. 1 to 12 (1989)
5. M. Galanter, *Competing Equalities - Law and the Backward Classes in India* (1984) Oxford
8. B. Sivaramayya, *Inequalities and the Law* (1984) Eastern, Lucknow.
9. S.C.Kashyap, *Human Rights and Parliament* (1958) Metropolitan, New Delhi
10. N. Sanjaoba (ed.) *Basic Issues on Centre-State Relations*

**BALLB- 3.6 History- III ( Legal and Constitutional History )**

Marks: 100 [80+20]

Detailed Syllabus	Marks
<b>1. Indian Legislatures under British Crown</b>	<b>10</b>
1.1 Government of India Act, 1858, 1861 Acts	
1.2 Indian Councils Act, 1892	
<b>2. Indian Nationalism and Legislatures</b>	<b>10</b>
2.1 Swadeshi Movement, 1905	
2.2 Morley- Minto Reforms 1909	
2.3 Home Rule Movement 1916	
2.4 Government of India Act 1919	
<b>3. Constitutional Development</b>	<b>20</b>
3.1 Government of India Act, 1935	
3.2 Cripps & Cabinet Missions	
<b>4. India gets Freedom</b>	<b>20</b>
4.1 The Interim Government	
4.2 Mount Batten Plan	
4.3 Indian Independence Act, 1947	
4.4 Features of Indian Constitution	
<b>5. Growth of the Legal Profession</b>	<b>20</b>
5.1 The Legal Practitioners' Act, 1879	
5.2 The Indian Bar Council Act, 1926	
5.3 The Advocates Act, 1961	

**Prescribed Books**

1. V.D.Kulshreshtha, rev by B. M.Gandhi, *Landmarks in Indian Legal and Constitutional History*
2. N. V. Paranjape, *Indian Legal & Constitutional History*
3. J. K. Mittal, *Indian Legal and Constitutional History*,
4. A.B. Keith, *A Constitutional History of India*

**Recommended Book**

1. M.P.Jain, *Outlines of Legal History*



**BALLB 4.1 Economics - I : ( General Principles with special reference to India )**

**Marks: 100 [80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction</b>	<b>10</b>
1.1 Economics as a science and its relevance to Law	
1.2 Economics as a basis of Social Welfare	
1.3 Free Enterprise, Planned Economics and Mixed Economics	
<b>2. Basic concepts</b>	<b>10</b>
2.1 Production possibilities, opportunity cost, and efficiency	
2.2 Specialization, division of labour, and gains from trade	
2.3 Money: origin, nature and function	
2.4 Supply and demand	
2.5 Prices and quantities	
2.6 Marginalism	
<b>3. Areas and classifications in economics</b>	<b>30</b>
3.1 Analysis of the economy	
3.1.1 Microeconomics	
3.1.2 Macroeconomics	
3.2 Mathematical and quantitative methods	
3.2.1 Mathematical economics	
3.2.2 Econometrics	
3.2.3 National accounting	
3.3 Selected fields	
3.3.1 Agricultural economics	
3.3.2 Development and growth economics	
3.3.3 Economic systems	
3.3.4 Environmental economics	
3.3.5 Financial economics	
3.3.6 Information economics	
3.3.7 International economics	
3.3.8 Labour economics	
3.3.9 Law and economics	
3.3.10 Public finance	
3.3.11 Welfare economics	
<b>4. Developed, under developed and developing countries: Indian Economy</b>	<b>20</b>
4.1 Basic features and characteristics with special reference to India	
4.2 Indian Economy	
4.2.1 Features and characteristics	
4.2.2 The Logic of India's Development strategy	
4.2.2.1 Planning Process	
4.2.2.2 Priorities between agriculture and industry	
4.2.2.3 Choice of Technology	
4.2.2.4 The role of Public, Private and Joint Sectors	
4.2.2.5 Large, Medium and Small Industries	
<b>5. History and schools of economics</b>	<b>10</b>
5.1 Early economic thought	
5.2 Classical economics	
5.3 Marxist economics	
5.4 Keynesian economics	

**Prescribed Books:** For Economics – I and II

1. Gopalakrishnan, K.C., *Legal Economics*, (Int. Dimensions of Economics and Law ) EBC, Lucknow
2. Bach, G.L. (1977), *Economics*, Prentice Hall of India, New Delhi.
3. Datt, R. and K.P.M. Sundharam (2001), *Indian Economy*, S. Chand & Co., Delhi.
4. Myneni, Dr. S.R., *Indian Economy*
5. Seth, M.L., *Principles of Economics*

**Recommended Books:**

1. Misra, S.K. & V.K. Puri (2001), *Indian Economy-Its Development Experience*, Himalaya Publ, Mumbai.
2. Jalan, B. (1996), *India's Economic Policy - Preparing for the Twenty-first Century*, Viking, N.Delhi.
3. Ahluwalia, I.J. and I.M.D. Little (Eds.) (1999), *India's Economic Reforms and Development* (Essays in honour of Manmohan Singh), Oxford University Press, New Delhi.

**BALLB- 4.2 History- IV [ History of India - I (1750-1857) ]**

Maj-4

Marks: 100 [80+20]

Detailed Syllabus	Marks
<b>1. Decline and disintegration of the Mughal Empire</b>	<b>25</b>
1.1 Decline and disintegration of the Mughal Empire and the growth of regional powers – Bengal, Hyderabad, Awadh and the Marathas.	
1.2 The Anglo-French Rivalry for supremacy in India	
1.3 The Battle of Plassey and the Battle of Buxar- establishment of the rule of East India Company	
1.4 Estimate of Robert Clive	
<b>2. Expansion and Consolidation</b>	<b>20</b>
2.1 <i>Expansion and Consolidation of Company's rule in India – governorship of Warren Hastings and Lord Cornwallis</i>	
2.2 <i>British relations with the Marathas and the Mysore</i>	
2.3 <i>Lord Wellesley and the policy of Subsidiary Alliance</i>	
2.4 <i>Lord Hastings and the relations with the Indian States</i>	
<b>3. Lord Bentinck's reforms</b>	<b>15</b>
3.1 Lord Bentinck and his reforms	
3.2 Development of Western education since 1833-Wood's Despatch , Hunter Commission	
<b>4. The growth of Sikh power</b>	<b>05</b>
4.1 The growth of Sikh power under Ranjit Singh- 1 <sup>st</sup> and 2 <sup>nd</sup> Sikh Wars.	
<b>5. Lord Dalhousie's expansion</b>	<b>15</b>
5.1 Lord Dalhousie-expansion-the Doctrine of Lapse-Annexation of Punjab, Lower Burma and Oudh.	
5.2 Viceroyalty of Lord Canning	

**Prescribed Books :**

1. Banerjee, A.C, *History of India*.
2. Spear, Percival, *Modern India*, Penguin Books, New Delhi, 1992
3. Dodwell, W. (ed), *The Cambridge History of India*, (Vol.V), S. Chand & Co., Delhi, 1990

**Recommended Books:**

1. Mazumder, R.C., (ed), *British Paramountcy and the Indian Renaissance*, Bharatiya Vidya Bhavan, Pune, 1963
2. Smith, Vincent: *The Oxford History of British India*, Oxford University Press, New Delhi, 1999

**BALLB- 4.2 Political Science - IV ( International Relations & Organisations )**

Maj-4

Marks: 100 [80+20]

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. History of</b>	<b>06</b>
1.1 International Relations	
1.2 International Organisation	
<b>2. Theory</b>	<b>10</b>
2.1 Collaboration	
2.2 Conflict and Conflict Resolution	
2.3 State Power	
2.4 Settlement of Disputes	
2.5 Avoidance of Arm/Conflict	
<b>3. Concepts in International Relations</b>	<b>16</b>
3.1 Systemic level concepts	
3.1.1 Power	
3.1.1.1 Polarity	
3.2 Interdependence	
3.3 Dependency	
3.4 Systemic tools of international relations	
<b>4. Institutions in International Relations</b>	<b>32</b>
4.1 United Nations	
4.2 I. L.O.	
4.3 Economic institutions	
4.2.1 Asian Development Bank	
4.2.2 International Monetary Fund	
4.2.3 World Trade Organization	
4.2.4 World Bank	
4.4 International legal bodies	
4.4.1 Human rights	
European Court of Human Rights	
Human Rights Committee	
Inter-American Court of Human Rights	
International Criminal Court	
United Nations Human Rights Council	
4.4.2 Legal	
African Court of Justice	
European Court of Justice	
International Court of Justice	
International Tribunal for the Law of the Sea	
<b>5. Regional security arrangements</b>	<b>16</b>
5.1 ASEAN	
5.2 Arab League	
5.3 CIS	
5.4 CSCAP	
5.5 Maritime Security Regime	
5.6 NATO	
5.7 RECAAP	
5.8 SCO	

**Prescribed Books:**

1. B.S Marthy, *International Relations and Organizations*, EBC, Luchnow
2. L.S. Rathore, S.A.H. Haqqi-*Political Theory & Organisation for Law Students*, EBC, Luchnow
3. S.P. Verma, *Modern Political Theory*, Vikas (1980)
4. U.N. Ghosal, *A History of Indian political Ideas*, OUP (1959)

**Recommended Books:**

1. R. Kothari-*Democratic Policy and Social Change in India: crisis and opportunities*-Applied Publishers (1976)
2. Karl Lawernstein-*Poltical Power and Government Process-*
3. D'entrives-*The nation of the state*, Page 1-10 : Introduction, Page 141-153: Legality and Legitimacy-OUP (1967)

4. R.A. Nisbet -*The Sociological Tradition*, Pt-II:Ch-4: Authority for Authority and Power, Heinemann, London
5. Robert Beirstedt -*Power and Progress*, Ch.13: Analysis of Social Power, Ch.14: Our Problem of Authority,-McGraw-Hill, New York and Delhi 9 (1974)
6. Flathaman, *Political Obligation*, Crom-Heim, London Richard (1972)
7. Conole Pateman-*The Problem of Political Obligation*, -John wiley & Sons, New York (1979)
8. Burton Leiser, *Liberty, Justice and Morals*, Ch.12: Civil Disobediance
9. Iredell Johkin, *Social Order and Limits of Law* Ch. XI. Authority, Leadership: Ch.XI, Prencenton University Press
10. Articles on – *Authority and Power & Legitimacy* - in Encyclopedia of Social Science

**BALLB- 4.2 Sociology- IV ( Sociology of Social Change )**

Maj-4

**Marks: 100 [80+20]**

<b><u>Detailed Marks</u></b>	<b><u>Syllabus</u></b>
<b>1. Social Change</b>	<b>15</b>
1.1 Meaning and Scope	
1.2 Evolution, Progress and Development	
<b>2. Theories of Social Change</b>	<b>15</b>
2.1 Evolutionary Theory-Herbert Spencer	
2.2 Conflict- Karl Marx	
<b>3. Factors of Social Change</b>	<b>15</b>
3.1 Demographic, Economic, Technological, Cultural	
<b>4. Processes of Social Change</b>	<b>20</b>
4.1 Structural Process: Industrialisation, Urbanization, and Modernization	
4.2 Cultural Process: Sanskritization, Westernization, and Secularization	
<b>5. Social Change and Mobility</b>	<b>15</b>
5.1 Concept and Forms	

***Prescribed Books:***

1. Moore,W.E., *Social Change*, Prence Hall of India, Pvt Ltd, New Delhi,1992.
2. Srinivas,M.N., *Social Change in Modern India*, Orient Longman,New Delhi,1995
3. Lapier,R.I., *Social Change*, Mc Graw, Hill Inc, New York,1965
4. Dube, S.C., *Contemporary India and its Modernization*, Vikash Publishing House,1975
5. Kuppuswamy B., *Social Change in India*, Konark Publishers Pvt Ltd., Delhi 1993

**BALLB- 4.3 History- V [ History of India -II (1750-1857) ]**

Maj-5

**Marks: 100 [80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Revolt of 1857</b>	<b>20</b>
1.1 Causes of the Revolt of 1857	
1.2 Nature of the Revolt of 1857	
1.3 Causes of the failure of Revolt of 1857	
1.4 Result of the Revolt of 1857	
1.5 The End of the East India Company's rule over India and the Government of India Act of 1858	
<b>2. Reforms</b>	<b>12</b>
2.1 Reforms of Lord Ripon	
2.2 Reforms of Lord Curzon	
2.3 Foreign Policy of Lord Curzon	
<b>3. British Policy</b>	<b>15</b>
3.1 British Policy towards Indian States-Mysore, Sindh, Oudh	
3.2 British Policy towards Nepal-War with Nepal –Treaty of Sagauli	
3.3 Conquest of Burma-1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> Anglo-Burmese Wars	
3.4 Relations with Afganistan- 1 <sup>st</sup> and 2 <sup>nd</sup> Afgan Wars	
<b>4. Religious and Social Movements and Rise of Nationalism</b>	<b>15</b>
4.1 Religious and Social Movements of 19 <sup>th</sup> Century-Brahmo Samaj, Prarthana Samaj, Theosophical Society, Ramkrishna Mission, Arya Samaj	
4.2 Rise of Nationalism	
4.3 Establishment of the Indian National Congress	
<b>5. Gandhi in Indian Politics</b>	<b>15</b>
5.1 Swadeshi Movement	
5.2 The entry of Gandhi in Indian Politics-the Khilafat and the Non-co-operation Movement, the Civil Disobedience	
5.3 The growth of Communal politics in India	
5.4 The Quit India Movement-the INA, Partition of India	

**Prescribed Books:**

1. Bandyopadhyaya, Sekhar., *From Plassey to Partition: A history of Modern India*, Orient Longman Ltd., Hyderabad, 2004
2. Chandra. B. Mukherjee., *India's Struggle for Independence*, Penguin Books, New Delhi, 2003
3. Sarkar, Sumit., *Modern India, 1885-1947*, Mc Millan, New Delhi, 2001

Detailed Syllabus	Marks
<b>1. Political Philosophy of Plato</b> 1.1 Platonic theory of Justice 1.2 Platonic theory of Education 1.3 Platonic theory of Communism of Wives & Property 1.4 Plato's views on Philosopher King 1.5 Plato's views on Ideal State 1.6 Plato's views on Democracy 1.7 Plato's theory of Second Best State	15
<b>2. Political Philosophy of Aristotle</b> 2.1 Aristotle's justification of slavery 2.2 Aristotle's classification of constitution 2.3 Aristotle's views on revolution 2.4 Aristotle's views on citizenship 2.5 Aristotle's views on best state 2.6 Aristotle's views on justice 2.7 Aristotle's views on democracy	15
<b>3. Political Philosophy of Machiavelli</b> 3.1 Machiavelli on human nature 3.2 Machiavelli's views on morality & religion 3.3 Machiavelli's views on state	10
<b>4. Political Philosophy of T. H. Green</b> 4.1 Green on state 4.2 Green on General Will 4.3 Green on freedom 4.4 Green on rights 4.5 Green on war	10
<b>5. Political Philosophy- India</b> 5.1 Political Philosophy of M.N. Roy 5.1.1 Roy's views on Democracy, Organised Democracy, Economic Democracy 5.1.2 M.N. Roy on Revolution 5.1.3 M.N. Roy on Nationalism 5.2 Political Philosophy of Gandhi 5.2.1 Concept of Satyagraha 5.2.2 Concept of state 5.2.3 Concept of truth 5.2.4 Concept of non violence 5.2.5 Religion & Politics 5.2.6 Property & Trusteeship 5.2.7 Sarvodaya 5.3 Political Philosophy of Jawaharlal Nehru 5.3.1 Nehru on democracy 5.3.2 Nehru on secularism 5.3.3 Nehru on socialism 5.3.4 Nehru on mixed economy	30

**Prescribed Books:**

1. Sushila Ramaswamy & S.Mukherjee, *A History of Political Thought- Plato to Marx*
2. V.V. Rao, *Ancient Political Thought*

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Rise and Growth of Sociological thought</b>	<b>20</b>
1.1 Emergence of Sociology	
1.2 Development of Sociology	
<b>2. August Comte</b>	<b>15</b>
2.1 Law of Three Stages	
2.2 Social Statics and Dynamics	
<b>3. Emile Durkheim</b>	<b>15</b>
3.1 Social fact	
3.2 Suicide	
3.3 Forms of Social Solidarity	
<b>4. Karl Marx</b>	<b>15</b>
4.1 Historical Materialism	
4.2 Class and Class Struggle	
4.3 Alienation	
<b>5. Max Weber</b>	<b>15</b>
5.1 Social Action	
5.2 Ideal Types	
5.3 Protestant Ethic and Spirit of Capitalism	

**Prescribed Books:**

1. Barnes, H.E, *An Introduction to the History of Sociology*, University of Chicago Press. Chicago, Illinois, 1958
2. Aron, Raymond, *Main Currents in Sociological thought*, Vol I & 2, Pelican Books, 1983 ( paperback)
3. Fletcher, R, *Making of Sociology*, Vol I, Rawat Publications, Jaipur, 1994

**Recommended Books:**

1. Bottomore, T.B & Ruble Maxmilien, *Selected Writings in Sociology and Social Philosophy*, Penguin Books, 1984
2. Hussain, M, *A Prologue to Five Sociologists*, Dibrugarh University, T.L Baruah, Dibrugarh, P.Box No:81996

**BALLB 4.4 Hindi-III**

Marks: 100 [80+20]

## Detailed Syllabus

## 1. Essay Writing

## 2. Legal Writing

- 2.1 Prathamiki(FIR)
- 2.2 Baina Patra
- 2.3 Bikri Patra (Sale Deed)

## 3. Life History

- 3:1 Sur Das
- 3:2 Kabir Das
- 3:3 Prem Chand

**Prescribed Books**

1. Dr. Basudev Nandan Prasad, Adhunik Hindi Byakaran Aur Rachana
2. Shyamachandra Kapur, Saral Nibandh, Prabhat Prakashan , New Delhi

**BALLB 4.4 French-III**

Marks: 100 [80+20]

## Detailed Syllabus

1. Themes : Leaving for an excursion
  1. Le passé composé (Suite) (the Past perfect)
  2. Le passé composé avec la négation (the past perfect in the negative)
  3. l'interrogation (interrogative)
  4. Les Connecteurs de temps (the connectors of time)
  5. Le gérondif (the gerund)
2. Themes : Then and Now
  1. L'imparfait (past tense)
  2. Imparfait et passé composé ( Past tense and past perfect Tense)
  3. Identifier l'objet direct et indirecte (Identifying the direct and indirect object.
  4. Les pronoms relatifs (relative pronouns)
  5. Les adverbes (adverbs)
  6. Les pronoms neutres (neutral pronouns)

**Recommended books**

1. Jumelage Methoe de Français , Niveau-1 Manjiuri handekar, Roopa Lukkure, University of Lausanne and University of Pun,20004
2. Frenchmade easy,A course for beginners- Francois Makoshi, Goel Publication,20000



## **BALLB- 4.5 Constitutional Law of India - II**

[The Union and States, Distribution of Legislative Powers between the Centre and the States, Union and State Executive; Freedom of Trade, Commerce and Intercourse; Parliament and State Legislatures, Judiciary and Emergency provisions, Amendment, Service under union & States]

**Marks: 100 [80+20]**

### **Detailed Syllabus**

**Marks**

#### **1. The Union and State**

**20**

##### **1.1 The Union and State Executive**

- 1.1.1 The President and Vice President – Qualifications, Election, Term of Office, Powers, Impeachment (Articles 52-72)
- 1.1.2 Governor – Appointment and Powers (Articles 153 – 161)
- 1.1.3 Nature, Scope and Extent of Executive Power of the Union and States (Art. 73, 162)
- 1.1.4 Union Council of Ministers – Powers and Position of the President (Articles 74-75)
- 1.1.5 State Council of Ministers (Articles 163-164)
- 1.1.6 Relationship of the President/Governor with the Council of Ministers (Articles 74, 75, 77, 78, 111, 102, 103(2), 217(3), 163)
- 1.1.7 Scope and Extent of Judicial Review of Executive Actions
- 1.1.8 Legislative Power of the Executive (Ordinances)-Essential Conditions for promulgation of an Ordinance: 'Ordinance' under Article 13; Judicial Review; Validity of Successive Promulgation of the same Ordinance (Articles 123, 213)

##### **1.2 Parliament and State Legislatures**

- 1.2.1 Composition of Parliament and State legislatures
- 1.2.2 Qualification/Disqualification of Members
- 1.2.3 Legislative Procedure, Legislative Privilege (Articles 79 – 122, 168 – 212)

##### **1.3 Union and State Judiciary**

- 1.3.1 Judicial process- Court system
- 1.3.2 Union Judiciary-Supreme Court of India (Articles 124-147) – Composition, Appointment and Removal of Judges of Supreme court (Art. 124-130, Procedure (Article 145)
- 1.3.3 State Judiciary-High Courts in the States (Articles 214-231)
- 1.3.4 Jurisdiction of Supreme Court – Original Exclusive (Articles 71, 131), Original Concurrent Jurisdiction of Supreme Court and High Courts (Art. 32, 226 ).
  - 1.3.4.1 Appellate Jurisdiction of Supreme Court – Civil, Criminal and in other Matters (Arts. 132, 135)
  - 1.3.4.2 Statutory Appeals on Enlargement of Jurisdiction (Arts. 138)
  - 1.3.4.3 Special Leave to Appeal (Art. 136)
  - 1.3.4.4 Power of Review (Art. 137)
  - 1.3.4.5 Advisory Jurisdiction (Art. 143)

##### **1.4 Writs-Habeas Corpus, Mandamus, Prohibition, Quo Warranto and Certiorari**

##### **1.5 Public Interest Litigation (Concept of pro bono publico)**

##### **1.6 Judicial review : nature and scope**

#### **2. Legislative Powers**

**15**

##### **2.1 Distribution of Legislative Powers (Articles 245 – 255, Schedule VII)**

- 2.1.1 Doctrine of Territorial Nexus (Article 245)
- 2.1.2 Subject-matter of laws made by Parliament and Legislatures of States (Art 246)
- 2.1.3 Interpretation of legislative lists:
  - 2.1.3.1 Plenary and Ancillary Power of Legislation
  - 2.1.3.2 Effect of Non Obstante Clause
  - 2.1.3.3 Doctrine of Harmonious Construction
  - 2.1.3.4 Doctrine of Pith and Substance
  - 2.1.3.5 Colourable exercise of Legislative Power
  - 2.1.3.6 Residuary Power of Legislation (Article 248)
  - 2.1.3.7 Parliament's Power to Legislate in List II (State List) – Articles 246 (4), 247, 249 – 253, 356
  - 2.1.3.8 Doctrine of Repugnancy (Article 254)

2.2. Freedom of Trade, Commerce and Intercourse ( Art. 301-307 )	
2.2.1 Meaning of Freedom of trade, commerce and intercourse	
2.2.2 Power of Parliament	
2.2.3 Restrictions	
2.3 Schedules of the Constitution	
3. Emergency and Amendment Provisions	15
3.1 Emergency Provisions- meaning and scope	
3.1.1 Proclamation of Emergency on grounds of war, external aggression and armed rebellion (Articles 352, 358, 359)	
3.1.2 Power of Union Executive to issue directions (e.g. Articles 256, 257) and the effect of non-compliance (Article 365);	
3.1.3 Duty of the Union to protect the States against external aggression and internal disturbance (Article 355)	
3.1.3 Imposition of President's Rule in States – Grounds, Limitations, Parliamentary Control, Judicial Review (Articles 356-357)	
3.1.4 Financial Emergency (Article 360)	
3.1.5 Emergency and suspension of fundamental rights	
3.2 Amendment : Constitutional Processes of Adaptation and Alteration: (Article 368)	
3.2.1. Methods of constitutional amendment- Power and Procedure to amend the Constitution	
3.2.2. Limitations upon constituent power- Doctrine of Basic Feature/Structure;	
3.2.3. Development of the Basic Structure : Doctrine of Judicial Activism and Restraint	
3.2.4. Judicial Review of Legislations included in the Ninth Schedule	
4. Services under the Union and the States:	10
4.1. Doctrine of pleasure (Art. 310)	
4.1.1 Protection against arbitrary dismissal, removal, or reduction in rank (Art.311)	
4.1.2 Exceptions to Art.311	
5. Leading Cases :	(10x2) 20
5.1 <i>Kesavananda Bharati v. State of Kerala</i> , AIR 1973 SC 1461	
5.2 <i>In re Berubari Union and Exchange of Enclaves</i> , AIR 1960 SC 845	
5.3 <i>Samsher Singh v. State of Punjab</i> , AIR 1974 SC 212	
5.4 <i>Rameshwar Prasad v. Union of India</i> , AIR 2006 SC 980	
5.5 <i>R. K. Garg v. Union of India</i> , AIR 1981 SC 2138	
5.6 <i>In re Special Reference No. 1 of 1998</i> (Judges Appts case), AIR 1999 SC 1	
5.7 <i>M.C. Mehta v. Union of India</i> , AIR 1987 SC 1086	
5.8 <i>Tata Iron &amp; Steel Co. Ltd. v. State of Bihar</i> , AIR 1958 SC 452	
5.9 <i>Jindal Stainless Ltd. v. State of Haryana</i> , AIR 2006 SC 2550	
5.10 <i>Atiabari Tea Co. v. State of Assam</i> , AIR 1961 SC 232	

## BALLB- 4.6 Jurisprudence - I : Legal Method & Indian Legal System

Marks: 100 [80 +20]

Detailed Syllabus:	Marks
<b>1. Introduction</b>	<b>10</b>
1.1 Definition:	
1.1.1. Meaning of the term 'jurisprudence'	
1.1.2. Norms and the normative system.	
1.1.2.1. Legal system as a normative order: similarities and differences of the Legal system with other normative systems.	
1.1.3. Nature and definition of law	
1.2. Purpose of Law	
2.1. Justice	
2.1.1. Meaning and kinds	
2.1.2. Justice, Order and the Rules of Law: approaches of different schools	
2.1.3. Power of the Supreme Court of India to do complete justice in a case: Article 142	
2.1.4. Feminist jurisprudence	
1.3. Administration of Justice	
<b>2. Sources of Law</b>	<b>10</b>
2.1 Meaning and kinds	
2.2 Legislation	
2.3 Precedents: concept of stare decisis	
2.4 Customs	
2.5 Juristic writings	
<b>3. Legal process and Legal System</b>	<b>20</b>
3.1 Introduction to the Legal Process: Nature and Functions of the Legal System	
3.2 Major Legal Systems of the world: Civil Law System, Common Law System	
3.3 Schools of Law	
3.3.1. Analytical positivism	
3.3.2. Natural law school	
3.3.3. Historical school	
3.3.4. Sociological school	
3.3.5. Realist School	
3.3.6. Economic interpretation of law	
<b>4. Technique of Judicial Process</b>	<b>10</b>
<b>5. Indian Legal System</b>	<b>30</b>
5.1. Administration of Justice during the British Period	
5.1.1 Early Administration of Justice at Madras, Bombay and Calcutta	
5.1.2 The Mayor's Courts (1725)	
5.1.3 The Adalat System: Reforms of Warren Hastings	
5.1.4 The Supreme Courts at Calcutta, Madras and Bombay	
5.1.5 The Regulating Act, 1773	
5.1.5.1 Working of the Court	
<i>Raja Nand Kumar, Patna , Cossijurah &amp; Other Cases.</i>	
5.1.5.2 The Act of Settlement, 1781	
5.1.6. Reforms of Cornwallis	
5.2. High Courts	
5.2.1. Establishment of High Courts	
5.2.2 History of writ Jurisdiction	
5.3. Growth of the Indian Legal Profession	
5.3.1 Nyaya Panchayats, Lok Adalats and Legal Aid	
5.3.2 The Constitution of India, 1950 ( relevant provisions )	
5.3.3 The Legal Services Authorities Act, 1987	
5.4 History of the Indian Legal Profession	
5.4.1 The Advocates Act, 1961	

### Prescribed Legislations:

1. The Legal Services Authorities Act, 1987
2. The Gram Nyayalayas Act, 2008 (No. 4 of 2009)
3. The Advocates Act, 1961

**Prescribed Books for Jurisprudence I & II**

1. R.W.M. Dias, *Jurisprudence*, (5<sup>th</sup> Ed., 1985)
2. P.J. Fitzgerald, *Salmond on Jurisprudence*, (12<sup>th</sup> Ed., 1999), Tripathi, Bombay
3. H.L.A. Hart, *The Concept of Law*, (3<sup>rd</sup> ed., 1970), Oxford, ELBS
4. M.D.A. Freeman, *Lloyd's Introduction to Jurisprudence*, (7<sup>th</sup> Ed. 2001), Sweet & Maxwell
5. M.P. Jain, *Outlines of Indian Legal & Constitutional History*, (6<sup>th</sup> Ed., 2006)
6. A. Lakshminath, *Judicial Process : Precedent in Indian Law*, (3<sup>rd</sup> Ed., 2009)
7. V.D. Mahajan, *Jurisprudence and Legal Theory* (1996 re-print) , Eastern, Lucknow
8. Dhyani S.N., *Jurisprudence: A study of Indian Legal Theory* (1985), Metropolitan, New Delhi.

**Recommended Books for Jurisprudence-I & II**

1. Lon. L. Fuller, *Anatomy of the Law*, (1976)
2. David P. Dertam (ed.) *A textbook of Jurisprudence* by G.W. Paton (4<sup>th</sup> Ed. 1972)
3. Hans Kelsen, *Pure Theory of Law*, (Translated by Max Knight from 2<sup>nd</sup> German Ed. (1970).
4. Bodenheimer, *Jurisprudence - The Philosophy and Method of Law*, (1996), Universal , Delhi.
5. Paton G.W., *Jurisprudence* ,(1972) Oxford, ELBS
6. Roscoe Pond, *Introduction to the Philosophy of Law*, (1998 Re-print) Universal, Delhi.
7. Benjamin N. Cardozo, *The Nature of The Judicial Process*,
8. W. Friedmann, *Legal Theory*, (1999) Universal, Delhi.
9. W. Friedman, *Law in a Changing Society*, (2<sup>nd</sup> Ed., 1972)
10. Glanville Williams, *Learning the Law*, (13<sup>th</sup> Ed., 2006)

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Nature and Scope of Public Finance</b>	<b>10</b>
1.1 Public finance and national income	
1.2 Distinction between public finance and private finance	
1.3 Source of public revenues	
1.3.1 Tax and non-tax revenue	
1.4 Direct and indirect taxes	
1.4.1 Effects of taxation on production and distribution	
1.4.2 Incidence and burden of taxation	
1.4.3 Factors determining taxable capacity	
1.5 Tax Evasion and tax avoidance	
<b>2. Fiscal Policy</b>	<b>10</b>
2.1 Its role in a developing economy with special reference to India	
2.2 Fiscal policy and monetary policy- their limitation	
<b>3. Law and Economics</b>	<b>20</b>
3.1 Origin and history	
3.2 Relationship to other disciplines and approaches	
3.3 Positive and normative law and economics	
3.4 Positive law and economics	
3.5 Normative law and economics	
<b>4. Contemporary developments</b>	<b>10</b>
4.1 Game theory	
4.2 Behavioral economics	
4.3 Statistical and econometrics techniques	
<b>5. Consumer Protection</b>	<b>30</b>
<b>5.1. Consumer, the concept</b>	
5.1.1 General Perspectives	
5.1.2 Statutory and government services: to be included or not?	
5.1.3 Definition and scope: the Consumer Protection Act 1986 (CPA)	
5.1.3.1 Who is not a consumer ?	
<b>5.2. Unfair Trade Practices</b>	
5.2.1 Misleading and false advertising	
5.2.2 Unsafe and hazardous products	
5.2.3 Disparaging competitors	
5.2.4 Business ethics and business self-regulation	
5.2.5 Falsification of trade marks.	
<b>5.3. Consumer of goods</b>	
5.3.1 Defects in goods- meaning	
5.3.1.1 Standards of purity, quality, quantity and potency	
5.3.1.1.1 Statutes: food and drugs, engineering and electrical goods.	
5.3.1.1.2 Common law: decision of courts	
5.3.1.2. Price control	
5.3.1.2.1 Administrative fixation	
5.3.1.2.2 Competitive market	
5.3.1.3 Supply and distribution of goods	
5.3.2. Defects in Service- meaning	
5.3.1 Deficiency - meaning	
5.3.2 Professional services	
5.3.2.1 Medical Services	
5.3.2.2 How to determine negligence	
5.3.2.3 Violation of statute	
5.3.2.4 Denial of medical service: violation of human rights	
5.3.2.5 Lawyering services: duty-towards-court and duty-to-client dilemma, break of confidentiality - negligence and misconduct.	
5.3.3 Public Utilities	
5.3.3.1 Supply of electricity	
5.3.3.2 Telecommunication and Postal Services	
5.3.3.3 Housing	
5.3.3.4 Banking	

#### 5.4. Enforcement of consumer rights

##### 5.4.1 Consumer forum under CPA: Jurisdiction, Powers and Functions

###### 5.4.1.1 Execution of orders

###### 5.4.1.2 Judicial review

##### 5.4.2 PIL

#### Prescribed Books: Consumer Protection Law

1. D.N.Saraf, Law of Consumer Protection in India (1995), Tripathi, Bombay
2. Avtar Singh, The Law of Consumer Protection: Principles and Practice (2007), EBC, Lucknow

#### Recommended Books : Consumer Protection Law

1. J.N.Barowalia, Commentary on Consumer Protection Act 1986 (2008), Universal, Delhi.
2. R.M. Vats, Consumer and the Law (1994), Universal, Delhi
3. P.K. Bangia : Consumer Protection Laws & Procedure 1997.

### **BALLB- 5.2 History- VI ( History of Assam )**

**Maj-6**

**Marks: 100 [80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Sources and Foundation</b>	<b>20</b>
1.1 Sources: Archaeological, Epigraphic, Literary, Numismatic and Accounts of the Foreign Travelers	
1.2 Foundation of Ahom Kingdom	
1.3 Contemporary states in Brahmaputra Valley	
1.3.1 The Chutiya, Kachari and the Koch States.	
<b>2. Expansion and consolidation</b>	<b>20</b>
2.1 Expansion and consolidation of Ahom Kingdom in the 16 <sup>th</sup> Century	
2.1.1 Reign of Suhungmung Dihingiya Raja	
2.1.2 Conquests of neighbouring states and territories	
2.1.3 Administrative reforms	
2.2 Rule of Pratap Singha- Ahom- Mughal Wars	
2.2.1 The treaty of 1639 - administrative developments	
2.3 Invasion	
2.3.1 Mirjumla's Assam Invasion	
2.3.1.1 Causes and results	
2.3.2 Invasion of Ram Singha	
2.3.2.1 The Battle of Saraighat –its results	
<b>3. Court Crisis – Rule of Gadadhar Singha</b>	<b>05</b>
<b>4. Ahom Rule</b>	<b>15</b>
4.1 Zenith of Ahom Rule – Rule of Rudra Singha	
4.2 Decline and fall of the Ahom Kingdom	
4.2.1 The three Moamaria rebellions	
4.2.1.1 The Burmese invasions	
4.2.1.2 Appearance of East India Company in Assam politics	
4.2.1.3 The Treaty of Yandaboo and Assam.	
<b>5. Ahom system of administration</b>	<b>20</b>
5.1 The Ahom system of administration	
5.2 Ahom Policy towards the Neighbouring Hill Tribes	
5.3 Socio-economic condition of Assam under the Ahoms	
5.3 Religious Life	
5.3.1 Sankardeva and the rise of Neo - Vaishnavism	

#### **Prescribed Books :**

1. Acharyya, N.N, *A Brief History of Assam*
2. Baruah, S.L, *A Comprehensive History of Assam*
3. Borpujari, H.K, *Assam in the days of the Company*
4. Borpujari, H.K, *The Comprehensive History of Assam*, Vol. II, III
5. Gait, E.A, *A History of Assam*.

**BALLB- 5.2 Political Science- VI ( Public Administration)**  
**Maj-6**

**Marks: 100 [80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Nature &amp; Scope of Public Administration</b>	<b>15</b>
1.1 Meaning & Definition	
1.2 Evolution & Growth	
1.3 Public & Private Administration	
1.4 New Public Administration	
<b>2. Theories of Organisation</b>	<b>20</b>
2.1 Scientific Management	
2.2 Classical Theory	
2.3 Human Relations Theory	
2.4 Bureaucratic Theory	
2.5 Post Weberian Models	
<b>3. Principles of Organisation</b>	<b>10</b>
3.1 Hierarchy	
3.2 Unity of Command	
3.3 Span of Control	
3.4 Authority	
<b>4. Structure of Organisation</b>	<b>15</b>
4.1 Types of Chief Executive	
4.2 Functions of the Chief Executive	
4.3 Line, Staff & Auxiliary Agencies	
4.4 Departments, Boards & Commissions	
<b>5. Administration</b>	<b>20</b>
5.1 Financial	
5.1.1 Meaning, Characteristics, Types, Significance of Budget	
5.1.2 Preparation & Execution of Budget	
5.2 Control over Public Administration	
5.2.1 Legislative control	
5.2.2 Executive control	
5.2.3 Judicial control	

**Prescribed Books :**

1. Rumki Basu, *Public Administration-Concepts & Theories*
2. Avasti Maheswari, *Public Administration*
3. Mohit Battacharya, *Public Administration*

**BALLB- 5.2 Sociology- VI (Techniques of Social Research )**

Maj-6

**Marks: 100 [80+20]**

Detailed Syllabus	Marks
<b>1. Social Surveys and Social Research</b>	<b>15</b>
1.1 Meaning and Nature	
1.2 Objectives and Significance	
<b>2. Research Design</b>	<b>20</b>
2.1 Meaning and Types	
2.2 Formulation of Research Problem	
2.3 Hypothesis	
<b>3. Sampling and Sources of Data</b>	<b>15</b>
3.1 Meaning and Types	
3.2 Sources of Data	
<b>4. Data Collection and Data Analysis</b>	<b>20</b>
4.1 Techniques of Data Collection	
4.1.1 Questionnaire	
4.1.2 Observation	
4.1.3 Interview	
4.1.4 Case Study	
4.2 Tabulation, Analysis and Interpretation	
<b>5. Statistics in Social Research</b>	<b>10</b>
5.1 Mean, Median, Mode	
5.2 Standard Deviation	

**Prescribed Books:**

1. Goode, W.J & Hatt, Paul, K, *Methods in Social Research*, Delhi, Mc Graw Hill Book (1981)
2. Young, P.V, *Scientific Social Survey and Research*, Prentice Hall of India, New Delhi,(1984)
3. Ghosh, B.N, *Scientific Method and Research*, Sterling Publishers, New Delhi (1982)

**Recommended Book**

1. Jehoda, Marie, Deutsch, Morton and Cook, Stuart W., *Research Methods in Social Relations*, Dryden, New York



## BALLB 5.3 Family Law - I

Marks: 100 [80+20]

Detailed Syllabus	Marks
<b>1. Sources and Schools of Hindu Law</b>	<b>10</b>
1.1. Evolution of the institution of marriage and family.	
1.1.1 Schools and Sources of Hindu Law: the Mitakshara school and the Dayabhaga school or Bengal school.	
1.1.2. Role of religious rituals and practices in marital relations	
1.1.3. Types of family based upon	
1.3.1. Lineage- patrilineal matrilineal	
1.3.2. Authority structure- patriarchal and matriarchal	
1.3.3. Location- patrilocal and matrilocal	
1.3.4. Number of conjugal units - nuclear, extended, joint and composite.	
<b>2. Hindu Marriage-The Hindu Marriage Act, 1955</b>	
2.1 Applicability of legislation (section 2)	
2.2 Concept and forms of marriage	
2.3 Conditions for the validity of marriage (sections 3 and 5)	
2.4 Solemnisation of marriage (section 7)	
2.5 Registration of Marriage (section 8)	
2.6 Void and Voidable marriages (sections 11 and 12)	
<b>2. Restitution of Conjugal Rights, Judicial separation, Divorce and maintenance</b>	<b>20</b>
2.1 Restitution of Conjugal Rights (Section 9)	
2.2 Judicial Separation [sections 10 and 13 (IA)]	
2.3 Divorce [sections 13(1), (2), 13(1A), 13A, 13B]	
2.3.1 Theories of Divorce	
2.3.2 Grounds of Divorce main emphasis on Cruelty, Desertion, Option of Puberty, Breakdown of Marriage, Mutual Consent, Irretrievable Breakdown of Marriage	
2.4 Maintenance	
The Hindu Marriage Act, 1955, sections 24 and 25	
The Hindu Adoptions and Maintenance Act, 1956, section 18	
The Criminal Procedure Code, 1973, section 125	
<b>3. Adoption and Guardianship</b>	<b>10</b>
3.1 The Hindu Adoptions and Maintenance Act, 1956	
3.2 Minority and Guardianship	
The Hindu Minority and Guardianship Act, 1956	
<b>4. Inheritance :The Hindu Succession Act 1956.</b>	<b>20</b>
4.1 Concept of joint Hindu family and coparcenary under Mitakshara and Dayabhaga law and their incidents.	
4.2 Property in Hindu Law	
4.2.1 Kinds and Sources of property: Coparcenary and separate property, Gift from paternal ancestor and property inherited from maternal ancestor.	
4.2.2 Karta	
4.2.2.1 Who can be a karta	
4.2.2.2 Position of a karta	
4.2.2.3 Powers, duties and liabilities of karta	
4.3 Alienation of Joint Hindu Family Property	
4.3.1 Alienation by karta; Sale, mortgage, gifts and wills	
4.3.2 Alienation by father	
4.3.3 Alienee's rights, duties and remedies	
4.4 Partition	
4.4.1 What is partition	
4.4.2 Subject matter of partition	
4.4.3 Partition how effected	
4.4.4 Persons who have a right to claim partition and who are entitled to a share	
4.4.5 Rules relating to division of property	
4.5 Succession to Property of a Male Intestate	

- 4.5.1 General introduction and the application of the Hindu Succession Act, 1956
- 4.5.2 Devolution of Mitakshara property under the Act
- 4.5.3 General principles of inheritance
- 4.5.4 Disqualifications of heirs
- 4.6 Succession to the Property of Female Intestate
  - 4.6.1 Hindu women's estate
  - 4.6.2 Law relating to inheritance

## 5. Leading Cases :

(10x2)

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1. *Dr. Surajmani Stella Kujur v. Durga C. Hansdah*, AIR 2001 SC 938 [ The Hindu Marriage Act, 1955]
2. *Asha Qureshi v. Afaq Qureshi*, AIR 2002 M.P. 263 [ The Hindu Marriage Act, 1955]
3. *Seema v. Ashwani Kumar* (2006) 2 SCC 578 [ The Hindu Marriage Act, 1955]
4. *Naveen Kohli v. Neelu Kohli*, (2006) 4 SCC 558 [ Judicial Separation & Divorce]
5. *Padmja Sharma v. Ratan Lal Sharma*, AIR 2000 SC 1398 [Maintenance]
6. *G. Appaswami Chettiar v. R. Sarangapani*, AIR 1978 SC 1051 : (1978) 3 SCC 55 [Adoption]
7. *Githa Hariharan v. Reserve Bank of India* (1999) 2 SCC 228 [Minority and Guardianship]
8. *S. Narayanan v. Meenakshi*, AIR 2006 Ker. 143 [Hindu Succession Act, 1956]
9. *Bhagat Ram v. Teja Singh*, AIR 2002 SC 1

## Prescribed Legislations:

1. The Hindu Marriage Act, 1955
2. The Hindu Adoptions and Maintenance Act, 1956
3. The Hindu Minority and Guardianship Act, 1956
4. Prohibition of Child Marriages Act, 2006
5. Hindu Succession Act, 1956.
6. The Protection of Women from Domestic Violence Act, 2005

## **Prescribed Books for Family-I & II:**

1. Satyajeet A. Desai, *Mulla's Principles of Hindu Law*, Vol. I & II (20<sup>th</sup> ed., 2007)
2. Paras Diwan and Peeyushi Diwan, *Modern Hindu Law* (18<sup>th</sup> ed., 2008)
3. M. Hidayatullah and Arshad Hidayatullah, *Mulla's Principles of Mahomedan Law* (19<sup>th</sup> ed., 2008)
4. Basu, N.D., *Law of Succession* (2000), Universal, Delhi
5. Pares Diwan, *Family Law: Law of Marriage and Divorce in India*, (1984).
6. Paras Diwan, *Law of Adoption, Minority, Guardianship and Custody* (2000), Universal, Delhi
7. D. Pathak, *Hindu Law*

## **Recommended Books for Family-I & II:**

1. Ranganath Misra, *Mayne's Treatise on Hindu Law & Usage* (15th ed., 2006)
2. Poonam Pradhan Saxena, *Family Law Lectures, Family Law– II*, (2nd ed., 2007)
3. Duncan M. Derrett, *A Critique of Modern Hindu Law* (1970)
4. Asaf A.A. Fyzee, *Outlines of Muhammadan Law* (2008)
5. Paras Diwan, *Law of Intestate and Testamentary Succession* (1998), Universal
6. A.M.Bhattacharjee, *Muslim Law and the Constitution* (1994) Eastern Law House, Calcutta.
7. A.M.Bhattacharjee, *Hindu Law and the Constitution* (1994) Eastern Law House, Calcutta.
7. Machanda, S.C., *Law and Practice of Divorce in India* (2000) Universal
9. Law Commission of India- 71st Report of

**BALLB- 5.4 Law of Crimes (I.P.C.) - I [ General Principles of Criminal Liability & Exceptions ]**

**Marks: 100 [80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1.Introduction</b>	<b>10</b>
1.1 General Principles	
1.1.1 Conception of crime	
1.1.2. Pre-colonial notions of crime as reflected in Hindu, Muslim and Tribal law.	
1.1.3. Macaulay's draft based essentially on British notions.	
1.2. Distinction between crime and other wrongs.	
1.3. Applicability of I.P.C.- Territorial- Personal	
1.4. Salient features of the I.P.C	
1.5 Elements of criminal liability -Principle of <i>Mens Rea</i> and Strict Liability	
1.5.1. Author of crime - natural and legal person- human being	
1.5.2. Common Law principle of <i>actus non facit reum, nisi mens sit rea</i>	
1.5.2.1 Men rea - evil intention	
1.5.2.2 Importance of mens rea	
1.5.2.3 Exceptions to this principle - Strict Liability Offences	
1.5.3 Act in furtherance of guilty intent	
1.5.4 Omission	
1.5.5 Injury to another	
<b>2. Group liability-( Ss. 34, 141, 149 )</b>	<b>20</b>
2.1. Stringent provision in case of combination of persons attempting to disturb peace.	
2.2. Common intention	
2.3. Abetment:	
2.3.1. Instigation, aiding and conspiracy	
2.3.2. Mere act of abetment punishable	
2.4. Unlawful assembly:	
2.4.1. Basis of liability	
2.5. Criminal conspiracy	
2.6. Rioting as a specific offence	
<b>3. Stages of a crime- four stages in the commission of a crime ( Ss. 511, 307 )</b>	<b>15</b>
3.1. Intention to commit an offence: Guilty intention - mere intention not punishable	
3.2. Preparation	
3.2.1. Preparation not punishable	
3.2.2. Exception in respect of certain offences of grave nature or of peculiar kind such as possession of counterfeit coins, false weights and measures.	
3.3. Attempt:	
3.3.1. Attempt when punishable - specific provisions of IPC	
3.3.2. Tests for determining what constitutes attempt - proximity, equivocality and social danger	
3.3.3 Impossible attempt	
3.4 Forbidden consequence ensuing from the act of the accused after the stage of preparation is over	
<b>4. General Exceptions :Factors negating guilty intention ( Ss. 76, 79, 84, 85-86, 96-106 )</b>	<b>15</b>
4.1. Mental incapacity	
4.1.1. Minority	
4.1.2. Insanity- impairment of cognitive faculties, emotional imbalance	
4.1.3. Medical and legal insanity	
4.2. Intoxication - involuntary	
4.3. Private defence- justification and limits	
4.3.1. When private defence extends to causing of death to protect body and property	
4.3.2. Necessity	
4.3.3. Mistake of fact- Principles of ignorantia facti excusat and ignorantia juris (legis) non (neminem) excusat	

## 5. Leading Cases:

(10x2)

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- 5.1 *Bachan Singh v. State of Punjab* (1980) 2 SCC 684
- 5.2 *Rahmat Ali v. State of Assam* (1985) 2 GLR 323
- 5.3 *State of Maharashtra v. Mayer Hans George*, (1965) 1 SCR 123 : AIR 1965 SC 722
- 5.4 *State of Orissa v. K. Rajeshwar Rao*, AIR 1992 SC 240
- 5.5 *James Martin v. State of Kerala*, (2004) 2 SCC 203
- 5.6 *T.N. Lakshmaiah v. State of Karnataka*, (2002) 1 SCC 219
- 5.7 *Mahbub Shah v. Emperor* AIR 1945 PC 118
- 5.8 *Madan Singh v. State of Bihar*, (2004) 4 SCC 622
- 5.9 *Abhayanand Mishra v. State of Bihar*, AIR 1961 SC 1698
- 5.10 *Gian Kaur v. State of Punjab*, (1996) 2 SCC 648

**Prescribed legislation:** for Law of Crimes- I & II:  
The Indian Penal Code, 1860

**Prescribed Books:** for Law of Crimes- I & II:

1. Y.V.Chandrachud & V.R.Manohar (ed.), Ratan Lal & Dhiraj Lal's *Indian Penal Code*, (2008 ) Wadhwa
2. V. Suresh and D. Nagasaila (ed.), P.S.A. Pillai's *Criminal Law* (9th edn., 2000)
3. K.D. Gaur, *Criminal Law – Cases and Materials* (2008 ) Butterworths, India

**Recommended books:** for Law of Crimes- I & II:

1. R. C. Nigam, *Law of Crimes – Principles of Criminal Law*, Vol. 1 (1965)
2. Syed Shamsul Huda, *The Principles of the Law of Crimes in British India* (1902)
3. V.B. Raju, *Commentary on Indian Penal Code, 1860* (Vol-I & II) (5th edn., 2002)
4. K.N.C. Pillai & Shabistan Aquil (Rev.) *Essays on the Indian Penal Code* (ILI, 2005)
5. K.N.Chandrasekharan Pillai, *General Principles of Criminal Law* (2003)
6. K.D.Gaur, *A Text Book on the Indian Penal Code* (2008), Universal, Delhi.
7. P.S.Achuthan Pillai, *Criminal Law* (2008) Eastern, Lucknow.
8. K.I. Vibhute (Rev.), P.S.A. Pillai's *Criminal Law*, (10<sup>th</sup> ed., 2008)

**Detailed Syllabus****Marks**

<b>1. Introductory</b>	<b>05</b>
1.1. The rationale of criminal procedure: the importance of fair trial.	
1.1.1 Importance of Criminal Procedure	
1.1.2 Hierarchy of Criminal Courts	
1.1.3 Functionaries under the Criminal Procedure Code	
1.2. Constitutional perspectives: Articles 14, 20 & 21.	
1.3. Criminal procedures for trial of special offences, especially, offences under the Prevention of Corruption Act and Narcotic Drugs and Psychotropic Substances Act )	
1.4. The organisation of police, prosecutor, defence counsel and prison authorities and their duties, functions and powers.	
<b>2. Pre-trial process :</b>	<b>20</b>
<b>2.1 Arrest</b>	
2.1.1. The distinction between cognisable and non-cognisable offences: relevance and adequacy problems.	
2.1.2. Steps to ensure accused's presence at trial : warrant and summons.	
2.1.3. Arrest with and without warrant (Ss.70-73 and 41).	
2.1.4. The absconder status (Ss. 82, 83, 84 and 85)	
2.1.5. Right of the arrested person	
2.1.5.1 Fundamental rights of arrested persons guaranteed under Articles 20, 21 and 22 of the Constitution of India	
2.1.5.2 Right to know grounds of arrest and right to bail (Ss.50(1), 50A, 55, 75).	
2.1.5.3 Right to be taken to magistrate without delay (Ss.56, 57).	
2.1.5.4 Right of not being detained for more than twenty-four hours (s.57)	
2.1.5.5 Right to be examined by a medical practitioner (S. 54).	
2.1.5.6 ight of the accused to consult and to be defended by a Lawyer of his choice (S. 303 )	
2.1.5.7 Legal Aid to accused at State expense in certain cases ( S. 304 )	
2.1.5.8 Trial to be held in open court ( S. 327 )	
<b>2.2 Search and Seizure</b>	
2.2.1. Search warrant (Ss.83, 94, 97, 98) and searches without warrant (S.103)	
2.2.2. Police search during investigation (Ss. 165, 166, 153)	
2.2.3. General principles of search (S. 100)	
2.2.4. Seizure (S. 102)	
2.2.5. Constitutional aspects of validity of search and seizure proceedings	
<b>2.3 FIR</b>	
2.3.1. F.I.R. (S. 154)	
2.3.2. Evidentiary value of F.I.R. (See Ss. 145 and 157 of Evidence Act)	
<b>2.4 Magisterial Powers to Take Cognizance</b>	
<b>3. Trial</b>	<b>25</b>
<b>3.1 Trial Process</b>	
3.1.1. Commencement of proceedings: (Ss. 200, 201, 202)	
3.1.2. Dismissal of complaints (Ss. 203, 204)	
3.1.3. Bail: concept, purpose : constitutional overtones	
3.1.3.1. Bailable and Non- Bailable offences (Ss. 436, 437, 439)	
3.1.3.2. Cancellation of bail (S. 437 (5) )	
3.1.3.3. Anticipatory bail (S. 438)	
3.1.3.4. Appellate bail powers (Ss.389(1), 395 (1), 437(5))	
3.1.3.5. General principles concerning bond (Ss. 441-450)	

### 3.2 Fair Trial

#### 3.1. Basic Features of Fair Trial

- 3.1.1 Evidence to be taken in presence of accused (S. 273)
- 3.1.2 Person once convicted or acquitted not to be tried for same offence (S.300)
- 3.1.3 Power to examine the accused ( S. 313 )
- 3.1.4 No influence to be used to induce disclosure ( S. 316 )
- 3.1.5 Provision for inquiries and trial being held in the absence of accused in certain cases ( S. 317)
- 3.1.6 Withdrawal from prosecution ( S. 321 )
- 3.1.7 Power of Supreme Court to transfer cases and appeals ( S. 406 )
- 3.1.8 Cases in which the Judge or Magistrate is personally interested ( S. 479 )

#### 3.2. Presumption of innocence.

#### 3.3. Venue of trial.

#### 3.4. Right of the accused to know the accusation (S. 221-224)

#### 3.5. Right of cross -examination and offering evidence in defence: the accused's statement

#### 3.6. Right to speedy trial

### 3.3 Trial Before a Court of Sessions: Procedural Steps and Substantive Rights

#### 3.4 Preliminary pleas to bar the trial

- 3.4.1. Jurisdiction (Ss. 26, 177-188, 461,462,479)
- 3.4.2. Time limitations: rationale and scope (S.468-473)
- 3.4.3. Pleas of autrefois acquit and autrefois convict (S. 300, 22D)
- 3.4.4. Issue- Estoppel
- 3.4.5. Compounding of offences

### 4. Charge & Plea Bargaining

10

#### 4.1 Charge

- 4.1.1. Framing of charge
- 4.1.2. Form and content of charge (Ss. 211, 212, 216)
- 4.1.3. Separate charges for distinct offence (Ss. 218, 219, 220,221,223)
- 4.1.4. Discharge - pre-charge evidence

#### 4.2 Plea Bargaining

- 4.2.1 The concept of Plea Bargaining, its justification and applicability (Ss. 265A-L )
- 4.2.2 154th Report of the Law Commission of India, pp. 51-54 (1996)

### 5. Leading Cases

(10x2)

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- 5.1 *State of Haryana v. Dinesh Kumar*, (2008)3 SCC 222
- 5.2 *Madhu Bala v. Suresh Kumar*, (1997) 8 SCC 476
- 5.3 *State v. Captain Jagjit Singh*, (1962) 3 SCR 622
- 5.4 *Prahlad Singh Bhati v. NCT, Delhi*, (2001) 4 SCC 280
- 5.5 *Abdul Karim v. State of Karnataka*, (2000) 8 SCC 710
- 5.6 *Zahira Habibulla H. Shiekh v. State of Gujarat*, (2004) 4 SCC 158

#### Prescribed Legislation:

The Code of Criminal Procedure, 1973

#### Prescribed Books: for Criminal Procedure Code et al I & II

- 1. Ratan Lal & Dhiraj Lal's, *Criminal Procedure Code*, (2008) Universal, Delhi.
- 2. K.N.Chandrsekharan Pillai (Rev.), *R.V. Kelkar's Criminal Procedure*, ( 2008)

#### Recommended Books: for Criminal Procedure Code et al I & II

- 1. K.N.Chandrsekharan Pillai (Rev.), *R.V. Kelkar's Lecture on Crminal Procedure* (2008)
- 2. Woodroffe: *Commentaries on Code of Criminal Procedure*, 2 vol. (2000) Universal, Delhi
- 3. Chandrasekharan Pillai (ed.) *Kelkar's Outlines of Criminal Procedure* (2001), Eastern, Lucknow.

**BALLB - 5.6 Jurisprudence – II (Basic Theory of Law & Concepts )**

**Marks: 100 [80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Basic theory:</b>	<b>35</b>
1.1 Austin's Command and Sovereignty Theory- Positivism	
1.2 Kelsen's Theory of Law - Pure Theory of Law- General Theory of Law and State	
1.3 Hart's Legal System- Law as the Union of Primary and Secondary Rules- The Foundations of a Legal System	
1.4 Karl Von Savigny's Theory of Law - System of Modern Roman Law	
1.5 Henry Maine's Historical Materialism- Historical and Anthropological Approaches- Ancient Law	
1.6 Roscoe Pound's Theory of Law - Interests	
1.7 Revival of Natural in Law in the Twentieth Century	
<b>2. Legal Concepts: Legal Rights and Legal Duties</b>	<b>15</b>
2.1 Legal Rights and duties	
2.2 Rights: kinds	
2.3 Right duty correlation : Jurisprudential Analysis	
2.3.1 Hohfeld's analysis of the concept of 'rights'	
2.4 Right duty correlation : Philosophical Analysis	
2.4.1 The Modern Conception of Right- the Right to be Human	
<b>3. Legal Concept: Persons</b>	<b>10</b>
3.1 Definition of Persons	
3.2. Nature of personality - Theories of the Nature of Legal Persons	
3.3. Status of the unborn, minor, lunatic, drunken and dead persons]	
3.4. Corporate personality	
3.5. Dimensions of the modern legal personality:	
3.5.1 Legal personality of non-human beings	
<b>4. Legal Concepts: Property -Possession and ownership</b>	<b>10</b>
4.1 Property-meaning and concept	
4.1 Possession	
4.1.1 Kinds of possession	
4.2 Ownership	
4.2.1. Kinds of ownership	
4.2.2. Difference between possession and ownership	
<b>5. Legal Concepts: Obligation &amp; Liability</b>	<b>10</b>
5.1 Obligation: Nature and kinds	
5.1.1 Sources of obligation	
5.1.2 Obligation in Torts	
5.1.3 Obligation in Contract	
5.2 Liability- Civil and Criminal	



**BALLB 6.1 Civil Procedure Code and Limitation Act –I ( The Code of Civil Procedure )**

**MARKS: 100 [80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction and Jurisdiction</b>	<b>15</b>
<b>1.1. Concepts ( S. 2 )</b>	
1.1.1. Affidavit, order, judgment, decree, plaint, restitution, execution, decree-holder, judgment-debtor, mesne profits, written statement.	
1.1.2. Distinction between decree and judgment and between decree and order.	
1.1.3. Sections, Order and Rules	
<b>1.2. Jurisdiction</b> -Jurisdiction of Courts, Principle of Res subjudice and Res judicata (Ss.9-14) and Order II, Rules 1 and 2 - Suit to include the whole claim	
1.2.1. Kinds	
1.2.1.1. Hierarchy of courts	
1.2.2. Suit of civil nature - scope and limits	
1.2.3. Res-subjudice and Resjudicata	
1.2.4. Foreign judgment - enforcement	
1.2.5. Place of suing (Ss. 15 to 21-A)	
1.2.5.1 Power to Transfer Suits (Ss. 22 to 25)	
1.2.6. Institution of suit	
1.2.6.1. Parties to suit: joinder, mis-joinder or non-joinder of parties : rep. suit.	
1.2.6.1.1. Frame of suit : cause of action	
1.2.6.2 Suits in particular cases	
1.2.6.2.1. By or against government (ss.79-82)	
1.2.6.2.2. By aliens and by or against foreign rulers or ambassadors (ss.83-87A)	
1.2.6.2.3. Public nuisance (ss.91-93)	
1.2.6.2.4. Suits by or against firm	
1.2.6.2.5. Suits in forma pauperis	
1.2.6.2.6. Mortgages	
1.2.6.2.7. Interpleader suits	
1.2.6.2.8. Suits relating to public charities	
1.2.6.2.9. Alternative disputes resolution (ADR) (S. 89)	
1.2.6.2.10. Summons	
<b>1.4 Miscellaneous</b>	
1.4.1. Transfer of cases (Ss.22 to 25)	
1.4.2. Restitution	
1.4.3. Caveat	
1.4.4. Inherent powers of courts	
<b>2. Pleadings</b>	<b>10</b>
2.1. Rules of pleading, signing and verification.	
2.1.1. Alternative pleadings	
2.1.2. Construction of pleadings	
2.2. Plaint : particulars	
2.2.1. Admission, return and rejection	
2.3. Written statement : particulars, rules of evidence	
2.3.1. Set off and counter claim : distinction	
2.4. Discovery, inspection and production of documents.	
2.4.1. Interrogatories	
2.4.2. Privileged documents	
2.4.3. Affidavits	



### 3. Appearance, examination and trial

- 3.1. Appearance
- 3.2. Ex-parte procedure
- 3.3. Summary and attendance of witnesses
- 3.4. Trial
- 3.5. Adjournments
- 3.6. Interim orders: commission, arrest or attachment before judgment, injunction and appointment of receiver
- 3.7. Interests and costs

### 4. Judgment, Decree and Execution

- 4.1 Judgment & Decree ( S. 33 )
- 4.2 Execution (Ss 51, 55, 58, 60-62, Order XXI ,Rules 96-106)
  - 4.2.1. The concept
  - 4.2.2. General principles
  - 4.2.3. Power for execution of decrees
  - 4.2.4. Procedure for execution (ss. 52-54)
  - 4.2.5. Enforcement, arrest and detention (ss. 55-59)
  - 4.2.6. Attachment (ss. 60-64)
  - 4.2.7. Sale (ss.65-97)
  - 4.2.8. Delivery of property
  - 4.2.9. Stay of execution

### 5. Leading Cases:

(10x2)

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1. *Union Carbide Corporation v. Union of India*, AIR 1992 SC 248
2. *Indian Bank v. Maharashtra State Cooperative Marketing Federation Ltd*, AIR 1998 SC 1952
3. *State of U.P. v. Nawab Hussain*, AIR 1977 SC 1680
4. *Niralal Patni v. Kalinath* AIR ,1962 SC 199
5. *Jang Singh v. Biraj Lal*, AIR 1966 SC 1631
6. *Kalu Mazi v. Nabin Bora and others* 1987 GLR 281
7. *Samarendra Nath Sinha v. Krishan Kumar Nag*, AIR 1967 SC 1440

### Prescribed Legislations:

Code of Civil Procedure, 1908 (Amendment) Act, 22 of 2002

### Prescribed Books :

1. B. M. Prasad & S. K. Sarvaria, *Mulla's Code of Civil Procedure* (17<sup>th</sup> ed., 2007)

### Recommended Books:

1. Mulla, *Code of Civil Procedure* (2008), Universal, Delhi.
2. C.K.Thacker, *Code of Civil Procedure* (2008), Universal, Delhi.
3. Majumdar.P.K and Kataria.R.P., *Commentary on the Code of Civil Procedure*, 1908 (2008),Universal
4. Saha. A.N., *The Code of Civil Procedure* (2008), Universal, Delhi.
5. S.Sarkar & V.R. Manohar, *Sarka on Law of Civil Procedure*, (2008), Wadhwa & co., Nagpur

Detailed Syllabus	Marks
<b>1. Sources, Schools, Marriage and Divorce in Islamic Jurisprudence</b>	<b>15</b>
1.1 <b>Sources and Schools of Muslim Law</b>	
1.2 <b>Marriage</b> ( Nikah )- Solemnisation of marriage – conditions for validity- classification and types- Dower- Maintenance (Nafaqa )	
1.3 <b>Divorce</b> ( Talaq)	
1.3.1 Extra-judicial - Talaq, Khula, Mubarat	
1.3.2 Judicial - The Dissolution of Muslim Marriages Act, 1939	
<b>2. Paternity, Guardianship and Inheritance</b>	<b>10</b>
2.1 <b>Acknowledgement of Paternity</b> , Wakfs ( Trust) and Endowments	
2.2 <b>Guardianship</b> ( Wilayat )-meaning-kinds-removal-cessation	
2.2 <b>Law relating to Inheritance</b>	
2.2.1 Classification of heirs & Entitlement of primary heirs	
2.2.2 General rules of inheritance of Sunnis and Shias and exclusion from succession.	
2.2.3 Classification of heirs under Hanafi and Ithna Ashria schools and their shares and distribution of property.	
2.2.4 Death Bed Transaction ( Marz-ul-maut )	
<b>3. Gift, Will, Trust and Pre-emption</b>	<b>15</b>
3.1 <b>Law relating to Gifts</b> ( Hiba )	
3.1.1 Meaning and essentials of a valid gift	
3.1.2 Gift of Mushaa	
3.1.3 Gift made during Marz-ul-Maut	
3.2 <b>Law relating to Wills</b> (Washyat )	
3.2.1 Capacity to make Will	
3.2.2 Subject matter of Will	
3.2.3 To whom Will can be made	
3.2.4 Abatement of legacies	
3.3 <b>Trust</b> ( Waqf )	
3.3.1 Definition and essentials	
3.3.2 Kinds of Waqf	
3.3.3 The Waqf Act, 1913	
3.3.4 Mutawallis	
3.4 <b>Pre-emption</b> ( Shufa )- Definition, nature and Constitutional validity	
<b>4. Indian Succession Act of 1925, Family Court &amp; Uniform Civil Code</b>	<b>20</b>
4.1 <b>Inheritance in Christians, Parsis and Jews</b>	
4.1.1 Heirs and their shares in property under the Indian Succession Act of 1925	
4.2 <b>Establishment of Family Courts</b>	
4.2.1. Constitution, power and functions	
4.2.2. Administration of gender justice	
4.3 <b>Uniform Civil Code</b> - need for	
4.3.1. Religious pluralism and its implications	
4.3.2. Connotations of the directive contained in Article 44 of the Constitution	
4.3.3. Impediments to the formulation of the Uniform Civil Code	
<b>5. Leading Cases :</b>	<b>(10x2) 20</b>
5.1 <i>Mt. Ghulam Kubra Bibi v. Mohd. Shafi Mohd. Din</i> , AIR 1940 Pesh. 2	
5.2 <i>Chand Patel v. Bismillah Begum</i> , 1 (2008) DMC 588 (SC) 201	
5.3 <i>Shamim Ara v. State of U.P.</i> , 2002 Cr LJ 4726 (SC) 212	
5.4 <i>Sakina v. Falak Sher Allah Baksh</i> , AIR 1950 Lah. 45	
5.5 <i>Rawther v. Sowramma</i> , AIR 1971 Ker. 261	
5.6 <i>Danial Latifi v. Union of India</i> , (2001) 7 SCC 740	
5.7 <i>Noor Saba Khatoon v. Mohd. Quasim</i> , AIR 1997 SC 3280	
5.8 <i>Mohammed Ahmed Khan v. Shah Bano Begum</i> , AIR 1985, SC 945	
5.9 <i>Walad Mahammed Shaffi v. Kadar Bax</i> , AIR 1928 PC 108	
5.10 <i>Valia Peedikakkandi K. Umma v. Pathakkalan N. Kunhamu</i> , AIR 1964 SCC 275	

**Prescribed Legislations:**

1. The Waqf Act, 1913
2. Indian Succession Act of 1925
3. The Muslim Personal Law ( Shariat ) Application Act, 1937
4. The Dissolution of Muslim Marriages Act, 1939
5. The Special Marriage Act, 1954
6. The Muslim Women ( Protection of Rights on Divorce ) Act, 1986

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Types of punishment</b>	<b>10</b>
1.1. Death:	
1.1.1. Social relevance of capital punishment	
1.1.2. Alternatives to capital punishment	
1.2. Imprisonment - for life, with hard labour, simple imprisonment	
1.3. Forfeiture of property	
1.4. Fine	
1.5. Discretion in awarding punishment:	
1.5.1. Minimum punishment in respect of certain offences	
<b>2. Specific offences against human body</b> :(Ss. 299-302, 304 read with Ss. 8-11, 21, 32, 33, 39, 52)	<b>20</b>
2.1. Causing death of human beings	
2.1.1. Culpable homicide - amounting to murder	
2.1.2. Culpable homicide – not amounting to murder	
2.2. Distinction between culpable homicide and murder	
2.2.1. Specific mental element : requirement in respect of murder	
2.3. Exceptions: situation justifying treating murder as culpable homicide not amounting to murder	
2.3.1. Grave and sudden provocation	
2.3.2. Exceeding right to private defense	
2.3.3. Public servant exceeding legitimate use of force	
2.3.4. Death in sudden fight	
2.3.5. Death caused by consent of the deceased- euthanasia and surgical operation	
2.3.6. Death caused of person other than the person intended	
2.3.7. Miscarriage with or without consent	
2.4. Rash and negligent act causing death- not amounting to Culpable homicide (Section 304A)	
2.4.1 Distinction between intention, knowledge, negligence and rashness as forms of mens rea	
2.4.2 mens rea required is criminal negligence (inadvertent) or criminal rashness(advertent)	
2.5. Hurt- grievous and simple-(Sections 319-325)	
2.5.1 Definitions - section 319 and 320	
2.5.2 Offence of voluntarily causing grievous hurt -section 322 read with section 325 IPC.	
2.6. Assault and criminal force	
2.7. Wrongful restraint and wrongful confinement- kidnapping from lawful guardianship and from outside India.	
2.8. Abduction	
<b>3. Offences against women</b>	<b>20</b>
3.1. Insulting the modesty of woman	
3.2. Assault or criminal force with intent to outrage the modesty of woman	
3.3. Causing miscarriage without woman's consent:	
3.3.1. Causing death by causing miscarriage without woman's consent	
3.4. Kidnapping or abduction : (Sections 359-363 read with section 18)	
3.4.1 Distinction between 'Kidnapping' and 'Abduction'.	
3.4.2 Distinction between taking, enticing and allowing a minor to accompany	
3.4.3 Ingredients of the offence of kidnapping from lawful guardianship (section 362)	
3.4.4 Kidnapping from lawful guardianship is a strict liability offence (section 363)	
3.5. Buying a minor for purposes of prostitution	
3.6. Rape: (Sections 375-376 read with section 90)	
3.6.1. Custodial rape	
3.6.2. Marital rape	
3.7. Prevention of immoral traffic	
3.8. Cruelty by husband or his relatives	
3.8.1 Dowry Death (Section 304B read with section 498-A)	
3.8.2 Prevention of Sati	
3.9. Prohibition of indecent representation of women	
<b>4. Offences against Property</b>	<b>20</b>
4.1 Offences of Theft & Extortion - (Ss. 378 & 379 read with Ss 22-25, 44) and (Ss. 383 & 384 read with Ss. 29 & 30)	
4.2 Distinction between Theft, Extortion,	

- 4.3 Robbery and dacoity
- 4.4 Mischief and Cheating
- 4.5 Criminal misrepresentation and criminal breach of trust-(Ss. 403-406, 415-417 and 420 read with Ss 29-30)
  - 4.5.1 Distinction between :
    - 4.5.1.1 Theft and criminal misappropriation,
    - 4.5.1.2 Criminal misappropriation and criminal breach of trust
    - 4.5.1.3 Theft, Extortion and cheating

<b>5. Leading cases</b>	(10x2)	<b>20</b>
1. <i>In re Thavamani</i> , AIR 1943 Mad 571		
2. <i>Rawalpenta Venkalu v. State of Hyderabad</i> , AIR 1956 SC 171		
3. <i>Prahlad Kushant Patil v. State of Maharashtra</i> , (2006) 9 SCC 211		
4. <i>Emperor v. Mt. Dhirajia</i> , AIR 1940 All. 486		
5. <i>K.M. Nanavati v. State of Maharashtra</i> , AIR 1962 SC 605		
6. <i>Dhirajbhai Gorakhbhai Nayak v. State of Gujarat</i> (2003) 9 SCC 322		
7. <i>Mohammed Aynuddin v. State of Andhra Pradesh</i> , (2000) 7 SCC 72		
8. <i>Ram Badan Sharma v. State of Bihar</i> , (2006) 10 SCC 115		
9. <i>S. Vardarajan v. State of Madras</i> , AIR 1965 SC 942		
10. <i>Bhupinder Singh v. UT of Chandigarh</i> , (2008) 8 SCC 531		
11. <i>Pyare Lal Bhargava v. The State of Rajasthan</i> , AIR 1963 SC 1094		
12. <i>Shri Bhagwan S.S.V.V. Maharaj v. State of A.P.</i> , AIR 1999 SC 23		

BALLB- 6.4 **Criminal Procedure Code- II** (incl. Juvenile Justice Act and Probation of Offender's Act )

**Marks: 100 [80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Trial</b>	<b>15</b>
1.1 Trial of Warrant-Cases by Magistrate ( Ss. 238-250)	
1.2 Trial of Summons-Cases by Magistrate ( Ss. 251-259 )	
1.3 Summary Trials ( Ss. 260-265 )	
<b>2. Administration of Justice</b>	<b>10</b>
2.1. Evidence in Inquiries and Trials ( Ss. 272-299 )	
2.2. Offences affecting the Administration of Justice ( Ss. 340-352 )	
<b>3. Judgment, Appeal, Review and Revision</b>	<b>20</b>
<b>3.1 Judgment</b>	
3.1.1. Form and content (S. 354)	
3.1.2. Summary trial	
3.1.3. Post-conviction orders in lieu of punishment: emerging penal policy (Ss. 360,361 )	
3.1.4. Compensation and cost (Ss. 357, 358)	
3.1.5. Modes of providing judgment (Ss. 353, 362, 363)	
<b>3.2 Appeal, Review, Revision</b>	
3.1. No appeal in certain cases (Ss. 372, 375, 376)	
3.2. The rationale of appeals, review, revision.	
3.3. Appellate remedies:	
3.3.1. Supreme Court of India (Ss. 374, 379, Articles 31, 132,134,136 )	
3.3.2. High Court (S. 374)	
3.3.3. Sessions court (S. 374)	
3.3.4. Special right to appeal (S. 380)	
3.3.5. Governmental appeal against sentencing (Ss. 377, 378)	
3.3.6. Judicial power in disposal of appeals (S. 368)	
3.3.7. Legal aid in appeals.	
3.4. Revisional jurisdiction (Ss. 397-405)	
3.5. Transfer of cases (Ss. 406, 407)	

- 4. Juvenile delinquency & Probation** **15**
- 4.1 Juvenile delinquency**
- 4.1.1 Nature and Causes
  - 4.1.2 Juvenile court system
  - 4.1.3 Treatment and rehabilitation of juveniles
  - 4.1.4 Juveniles and adult crime
  - 4.1.5 Legislative and judicial protection of juvenile offender
  - 4.1.6 Salient features of the Juvenile Justice Act (Care and Protection of Children) Act, 2000
- 4.2 Probation**
- 4.2.1. Salient features of the General study of the Probation of Offender's Act, 1458
  - 4.2.2. The judicial attitude
  - 4.2.3. Mechanism of probation : standards of probation services.
  - 4.2.4. Problems and prospects of probation
  - 4.2.5. The suspended sentence
- 5. Leading Cases:** (10x2 ) **20**
- 5.1 *Mohd, Ahmed Khan v. Shah Bano Begum* AIR 1985 SC 945.
  - 5.2 *Peoples Union for Human Rights v. Union of India*, (1992)2 GLR 1
  - 5.3 *Raj Kapoor v. State of Delhi* AIR 1980 SC 258
  - 5.4 *Jagiah Singh v. State of Punjab* (1980) Cr.L.J 1511
  - 5.5 *State of U.P. v. Rathsagar Yadav*, (1986) Cr.L.J. 886 SC

**BALLB 6.5 Constitutional Law- Indian Federalism**

Hons-1

**Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Federalism</b>	<b>20</b>
1:1 Definition and characteristics of federalism	
1:2 Backgrounds of federal principle under the Indian Constitution	
1.3 Advantage & Disadvantage	
2:1 Advantages and disadvantages of Federal Constitution	
2:2 Advantages and disadvantages of Unitary Constitution	
<b>2. Modification of the strict federal principle under Indian Constitution</b>	<b>15</b>
2:1 Governor's role	
2:2 Centre's powers over the State Emergency	
2:3 Jammu and Kashmir Special status	
<b>3. Comparative study on federalism in</b>	<b>15</b>
3:1 India	
3:2 U.K. and	
3:3 USA	
<b>4. Centre-State Relations—</b>	<b>15</b>
4:1 Legislative Relation	
4:2 Administrative Relation	
4:3 Financial Relation	
<b>5. Types of Federalism</b>	<b>15</b>
5:1 Confederation	
5:2 Co-operative Federalism	

**Prescribed Books:**

- 1. Basu, D.D., *Federalism*
- 2. Gupta, U.N., *Federalism in India*

**BALLB 6.5: Criminology- Criminal Psychology**  
Hons-1

**Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction</b>	<b>15</b>
1:1 Nature and history of criminal behaviour 1:2 Techniques of studying criminal behaviour	
<b>2. Analysis of Crime</b>	<b>15</b>
2:1 Biological Perspectives 2:2 Sociological Perspectives 2:3 Psychological Perspectives	
<b>3. Special Offender Groups</b>	<b>15</b>
3:1 Types 3:2 Causes and interventions with respect to the following- 3:2:1 Juvenile delinquency 3:2:2 Substance abuse 3:2:3 Terrorism	
<b>4. Special Offences</b>	<b>20</b>
4:1 Types 4:2 Causes and interventions with respect to the following- 4:2:1 Crime against women 4:2:2 Suicide 4:2:3 homicide	
<b>5. Rehabilitation</b>	<b>15</b>
5.1 In Family and Society 5.2 The Role of Law-Enforcement Voluntary Agencies in Social Defense	

**Prescribed Books:**

1. Chockalingam,K.(1991), *Reading in Victimology*, R.R. Publications, Madras
2. Curra,J.(1999) ,*The Relativity of Deviance*, Sage,Delhi
3. Feldman,M.P.(1977), *Criminal Behaviour : A psycho-social analysis*,Wiley,London
4. Joshi, A.C., & Bhatia, V.B.(1981),*Reading in social Defense*, Wheelers Pub.Co. Delhi

**Recommended Book**

Kushe, W.W.(1998), *The Future of Terrorism*, Sage, Delhi

## **BALLB 6.5 HONS: IPL: Trade Marks, Copyright, Patents and Designs**

Hons-1:

Marks: 100 [80+20]

### **Detailed Syllabus**

**Marks**

#### **1. Introduction**

**20**

##### **1.1 Nature of Intellectual Property**

- 1.1.1 Introduction to Intellectual property-Concept-Theories of Protection  
Types of Intellectual property under WTO-TRIPS - Trade Marks, Copyright, Patents, Designs, Geographical Indications( Geographical Indications Act,1999), Integrated Circuits, Confidential information
- 1.1.2 International Institutional mechanism including various conventions and WIPO
- 1.1.3 Economic importance of Intellectual property

##### **1.2 Trade Marks Act, 1999**

- 1.2.1 Meaning, Functions, Trade marks for goods or services
- 1.2.2 Registration of trade mark for goods/services - Procedure (S.18 -23), Grounds of Refusal (S.9 & 11), Prior/Vested Rights (s.34 36), Rectification of register (S.57)
- 1.2.3. Section 9(2) - 'Mark of the nature as to deceive public or cause confusion'-  
Wide power –no mention of goods /services
- 1.2.4. Infringement & Passing off Action of Trade mark (S. 29 )
  - 1.2.4.1 Difference between passing off and infringement Passing off Injunction against registered trade marks
  - 1.2.4.2 Passing off for similar goods/ different goods/ based on transborder reputation
- 1.2.5. Protecting Domain Names as Trade Marks

#### **2. The Copyright Act, 1957**

**20**

- 2.1 Classes of Works in which copyright subsists – S.13, Copyright only in expression No Copyright in Ideas,
  - 2.1.1 Definitions of various works: Artistic work s. 2(c), dramatic work s. 2(h), Literary work s.2(o), musical work s.2(p), computer programmes s.2(ffc), cinematograph films s.2(f), sound recordings s.2(xx)
  - 2.1.2 Meaning of 'Original' & – a prefix to s 13(1)(a)
  - 2.1.3 Literary work
- 2.2 Meaning of Copyright – S.14 – Bundle of Rights
  - 2.2.1 Enumeration of rights in s 14 – reproduction , issue of copies, communication to public, translation, adaptation,
  - 2.2.2 Other important rights in, Computer programmes, cinematograph film, sound recordings; rental rights
  - 2.2.3 Abridgement of the work s 14(a)(vi), 2(a) adaptation, meaning of abridgement, Copyright in abridged work
  - 2.2.4 Author's Special (Moral) Rights – S.57
  - 2.2.5 Right to Assign and License – S. 18-19A, 30 to 32
  - 2.2.6 Rights of Broadcasting Organizations and Rights of Performers -S.37-38  
Exceptions s 39
- 2.3 Ownership of copyright
  - 2.3.1 The first owner – S.17
  - 2.3.2 Who is an author – S. 2(d) and s 2 (g) (s), S.2(uu), authorship of computer generated works,2(d) (vi), Proviso (c) to s 17; employment; Joint authorship - tests for:
- 2.4 Infringement and Exceptions
  - 2.4.1 Infringement – S. 51, Relationship with s 14,
  - 2.4.2 Exceptions to Infringement – S.52 Rights of Public – Fair Dealing, News and current events, Teaching and Research, and others incl Communication to the public  
of sound recording in religious ceremonies –S.52 (1) (a) & (b), S.52 (1) (h), S.52(1)(za)

<b>3. The Patents Act, 1970</b>	<b>10</b>
3.1 Object of Patent System – Encouraging Inventions and working of Inventions in country concerned. After TRIPS Imports suffice as working.	
3.2 Patentable Inventions – S.2(1)(j), S.2(1)(ja)	
3.3 Non Patentable Inventions – S.3 in particular clause (d)	
3.4 Procedure for filing Patent Application with emphasis on specifications & claims, application for examination, rights of patentees	
3.5 Anticipation – Prior public knowledge, prior public use	
3.6 Grounds of Opposition & Revocation – S.25 – Pre-grant, post –grant	
<b>4. The Designs Act, 2000</b>	<b>10</b>
4.1 What is design, S.2(d), new and original,	
4.2 Copyright in Design (duration)– S.11	
4.3 Registration of design for articles – Ss.3-9	
4.4 Rights in registered design	
4.4.1 Cancellation of Design- S.19	
4.5 Piracy or Infringement of copyright in Design – S.22	
<b>5. Leading Cases:</b>	<b>(10x2 ) 20</b>
5.1. <i>M/s Hindustan Dev. Corpn. v. The Deputy Registrar of Trade Marks</i> , AIR 1955 Cal 319	
5.2. <i>The Imperial Tobacco Co. of India v. The Registrar of TradeMarks</i> , AIR 1977 Cal 413	
5.3. <i>Sony Kabushuki Kaisha v. Samrao Masker</i> , AIR 1985 Bom 327	
5.4. <i>K. R. Krishna Chettiar v. Sri Ambal &amp; Co</i> , AIR 1970 SC 146	
5.5. <i>Cadila Health Care Ltd v. Cadila Pharmaceuticals Ltd</i> , 2001 PTC 541 (SC)	
5.6. <i>Bharti Cellular Ltd and Anr v. Jai Distillers P. Ltd.</i> , 2006 (33) PTC 220 (Bom.)	
5.7. <i>Zee Entertainment Enterprises Ltd. v. Gajendra Singh</i> , 2008 (36) PTC 53(Bom)	
5.8. <i>AmarNath Sehgal v. Union of India</i> , (2005) 30 PTC 253	
5.9. <i>Canadian General Electric Co. Ltd. v. Fada Radio Ltd.</i> , AIR 1930 PC 1	

**Prescribed Legislations:**

1. Trade Marks Act, 1999
2. Copyright Act, 1957
3. Design Act, 2000
4. Patents Act, 1970

**Prescribed Books:**

1. Ashwani Kr. Bansal, *Law of Trade Marks in India* (2<sup>nd</sup> ed., 2006)
2. V.K. Ahuja, *Law Relating to Intellectual Property Rights* (2007)
3. P. Narayanan, *Copyright and Industrial Designs* (2007)
4. P. Narayanan, *Law of Trade Marks and Passing off* (6<sup>th</sup> ed., 2004)
5. P. Narayanan, *Patent Law* (4<sup>th</sup> ed., 2006)

**Recommended Books:**

1. Ashwani Kr. Bansal, *Materials on Copyright* (2004)
2. V.K. Ahuja, *Law of Copyright and Neighbouring Rights: National and International*
3. Alka Chawla, *Copyright and Related Rights: National and International Perspectives* (2007)



**BALLB 6.6 Constitutional Law - Comparative Constitution**

Hons-2

**Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Salient features of -</b>	<b>15</b>
1:1 Basic features	
1.1.1. Constitution of U.K.,	
1.1.2. Constitution of USA, and	
1.1.3. Constitution of India	
1.2 Doctrine of Separation of Power under the Constitution of-	
1.2:1 U.K	
1.2:2 USA and	
1.2:3 India	
<b>2. Comparative study on the</b>	<b>20</b>
2.1. Methods of amendment under the Constitution of –	
2.1.1. U.K.,	
2:1 2. USA and	
2:1 3. India.	
2.2. Composition and jurisdiction of	
2.2.1. USA Judicial System	
2.2.2. Indian Judicial System	
2.3. Provisions of trade, commerce and intercourse under the	
2.3.1. Constitution of India and	
2.3.2. Constitution of USA	
<b>3. Rule of Law</b>	<b>15</b>
3:1 Meaning	
3:2 Exception to the rule of law	
3:3 Rule of law under the Constitution of U.K., USA and India	
<b>4. Natural Justice</b>	<b>15</b>
4:1 Principles	
4:2 Applicability of natural justice principles under the Constitution of	
4.2.1. U.K.	
4.2.2. USA and	
4.2.3. India	
<b>5. Doctrine of Judicial Review in</b>	<b>15</b>
7:1. U.K.,	
7:2. USA and	
7:3. India	

**Prescribed Books**

1. Dr. D. D. Basu, *Comparative Constitutional Law*, Wadhwa & Co. Ltd.
2. Vishnoolal Bhagwan and Vidya Bhushan, *World Constitution*
3. Anup Chand Kapoor & K.K. Mishra, *Select Constitution*, S. Chand & Co. Ltd.

Detailed Syllabus	Marks
<b>1. Introduction</b>	<b>10</b>
1.1 Status of Women in India	
1.2 Status of Women – International concerns	
1.3 Constitution of India & Women	
1.3.1 Preamble	
1.3.2 Equality Provision	
<b>2. Personal Laws and Women</b>	<b>15</b>
2.1 Unequal position of women – different personal laws and Directive principles of State Policy	
2.2 Uniform Civil Code towards gender justice	
2.3 Sex inequality in inheritance	
2.4 Guardianship	
<b>3. Criminal Laws and Women</b>	<b>15</b>
3.1 Adultery	
3.2 Rape	
3.3 Outraging Modesty	
3.4 Domestic Violence	
<b>4. Women Welfare Laws</b>	<b>30</b>
4.1 General laws	
4.1.1 The Dowry Prohibition Act, 1961	
4.1.2 Pre-natal Diagnostic Techniques (Regulation & Prevention of Misuse) Act, 1994	
4.1.3 Indecent Representation of Women (Prohibition) Act, 1986	
4.1.4 Immoral Traffic (Prevention) Act, 1987	
4.1.5 Family Courts Act, 1984	
4.2. Labour Welfare Legislations	
4.2.1 Maternity Benefit Act,	
4.2.2 Factories Act,	
4.2.3 Equal Remuneration Act,	
4.2.4 Implementation of Wage Laws and Legislation on Women Employment	
<b>5. Leading cases</b>	<b>10</b>
1. <i>Sumithra Vishnu v. Union of India</i> 1985 SC 1618	
2. <i>Vellore Citizens' Welfare Forum v. Union of India</i> (1996) 5 SCC 647	
3. <i>Vishaka v. State of Rajasthan</i> , AIR 1997 SC 3011 : (1997) 6 SCC 241	
<b>Prescribed Legislations:</b>	
1. The Constitution of India ( Relevant provisions )	
2. Dowry Prohibition Act( Relevant provisions )	
3. Indian Penal Code( Relevant provisions )	
4. Criminal Procedure Code ( Relevant provisions )	
5. Indian Evidence Act( Relevant provisions )	
6. Harassment at the Work Place and Public Place, Immoral Traffic (Prevention) Act, 1956	
7. The Indecent Representation of Women (Prohibition) Act, 1986	
8. The Medical Termination of Pregnancy Act, 1978	
9. Equal Remuneration Act, 1988	
<b>Prescribed Books:</b>	
1. Revasia & Revasia, <i>Women Social Justice &amp; Human Right</i> (1998), P.H. Publishing, New Delhi	
2. Ajnes, Flavia, <i>Law as Gender Inequality</i> , (SecIV: Gen. Conl & Recomm) OUP, Delhi (1999)	
3. Dr. Sayed Maqsood, <i>Law relating to Women</i>	
4. Dr. S.C. Tripathi, <i>Law relating to Women</i>	
<b>General reading:</b>	
1. 42 <sup>nd</sup> Report of Law Commission [Dissenting note of Justice Anna Chandy on Adultery, P.366]	
2. <i>Towards Equality- Report of the Committee on the Status of Women</i> (Govt. of India), Ch. IV	
3. Balram - <i>Women workers labour legislation in India</i> 1984 (2) I.L.J. 1527.	
4. Lotika Sarkar, <i>The Law Commission of India</i> (1988).	
5. U.Baxi, <i>Law and Poverty: Critical Essays</i> (1988), Eastern, Luknow	
6. S.N. Jain ed, <i>Child and the Law</i> (1979) Indian Law Institute, New Delhi	
7. Prof. Nomita Aggarwal, <i>Women and Law</i>	
8. Dr. Manjula Batra, <i>Women and Law</i>	

Detailed Syllabus	Marks
<b>1. Background</b>	<b>10</b>
<b>1.1 Meaning of Cyber Law</b>	
1.1.1 Cyber World and Cyber Law	
1.1.2 The internet and online resources	
1.1.2.1 Security of information	
1.1.2.2 Digital signature	
1.1.3 Cyber Law and Cyber Crimes	
<b>1.2 Regulation of cyber space</b> – introducing cyber law	
1.2.1 Scope of Cyber laws – e-commerce - online contracts - IPRs (copyright, trademarks And software patenting) - e-taxation - e-governance and cyber crimes	
1.2.2 Cyber law in India- Information Technology Act, 2 000	
<b>2. Information Technology Act-2000</b>	<b>30</b>
2.1 History of the Act	
2.2 Essence of the Act	
2.2.1 Legal Recognition of Electronic Documents	
2.2.2 Legal Recognition of Digital Signatures	
2.2.3 E-Governance	
2.2.4 Regulation of Certifying Authorities	
2.2.5 Duties of Subscribers	
2.2.6. Offences and Contraventions- Penalties and Adjudications	
2.2.7. Justice Dispensation System for Cybercrimes	
2.2.8 Making of Rules and Regulations etc.	
<b>3. The Evidence Aspect in Cyber Law</b>	<b>10</b>
3.1 Applicability of the Indian Evidence Act on Electronic Record	
<b>4. The Intellectual Property Aspect in Cyber Law</b>	<b>20</b>
4.1 The WIPO initiative- rectification- GII initiative	
4.2 Electronic Copy Right Management System (ECMS)	
4.3 Copyrights Act on Soft Propriety Works	
4.4 Patents Act on Soft Propriety Works	
<b>5. The global trends in Cyber Law</b>	<b>10</b>

**Prescribed Legislations:**

1. Information Technology Act, 2000
2. Information Technology Rules, 2000
3. Cyber Regulation Appellate Tribunal Rules, 2000
4. The Indian Penal Code, 1860
5. The Indian Evidence Act, 1872
6. Bankers Book Evidence Act.1891
7. Reserve Bank of India Act, 1934

**Prescribed Books:**

1. Farooq Ahmed, *Cyber Law in India*, Pioneer Books, New Delhi-110009
2. Vakul Sharma, *Information Technology Law and Practice*, Universal, Delhi :

**Recommended Books:**

1. Arun Baweja, *Information Technology and Development*, Kalpar Publication, Delhi
2. P.S. Yivek Shane, Banerjee, *Science and Society*, Himalaya Publishing House, Bombay
3. Ashok Korde, A. Sawant, *Science and Scientific Method*, Himalaya Pub. House, Bombay
4. B.B.Batra, *Information Technology*, Kalpar Publications, Delhi
5. Nandan Kamamth, *Guide to Information Technology Act*, University Law Pub.Co. Delhi-33
6. Suresh T. Viswanathan, *The Indian Cyber Laws*, Bharat Law House, New Delhi-83.
7. Ankit Fadia and Jaya Bhattacharjee, *Encryption-Protecting your Data*
8. P. Narayan, *Intellectual Property Law*, Eastern Law House, New Delhi

**BALLB 7.1 Civil Procedure Code and Limitation Act - II**  
( Code of Civil Procedure- & Limitation Act )

**MARKS: 100 [80+20]**

**Detailed Syllabus**

**Marks**

**1. Appeals** (Ss 96 to 107, Order XLI, Rule 27 )

- 1.1. Appeals from original decree
- 1.2. Appeals from appellate decree
- 1.3. Appeals from orders
- 1.4. General provisions relating to appeal
- 1.5. Appeal to the Supreme Court
- 1.6. Production of additional evidence at appellate stage ( Order XLI, Rule 27)

**2. Review, reference and revision** (Ss. 113- 115 read with Order XLVII.)

**3. Miscellaneous**

- 3.1. Exemptions ( Ss. 132-135-A)
- 3.2. Transfer of cases (Ss 22 to 25)
- 3.3. Restitution
- 3.4. Caveat
- 3.5. Inherent powers of courts
- 3.6. Law reform: Law Commission on Civil Procedure - Amendments

**4. Law of Limitation**

- 4.1. The concept - the law assists the vigilant and not those who sleep over the rights.
- 4.2. Object
- 4.3. Distinction with laches, acquiescence, prescription.
- 4.4. Extension and suspension of limitation
- 4.5. Sufficient cause for not filing the proceedings
  - 4.5.1. Illness
  - 4.5.2. Mistaken legal advice
  - 4.5.3. Mistaken view of law
  - 4.5.4. Poverty, minority and Purdha
  - 4.5.5. Imprisonment
  - 4.5.6. Defective vakalatnama
- 4.6. Legal liabilities
- 4.7. Foreign rule of limitation : contract entered into under a foreign law
- 4.8. Acknowledgement - essential requisites
- 4.9. Continuing tort and continuing breach of contract.

**5. Leading Cases:**

(10x2)

**20**

1. *Chunilal V. Mehta v. Century Spinning and Manufacturing Co. Ltd.*, AIR 1962 SC1314
2. *Shivajirao Nilangekar Patil v. Dr. Mahesh Madhav Gosavi* AIR 1987 SC 294
3. *Haridas Das v. Smt. Usha Rani Banik*, 2006 (3) SCALE 287
4. *Mahant Ram Dass v. Mahant Ganga Dass*, AIR 1961 SC 882
5. *Dwarka Das v. State of M.P.* (1999) 3 SCC 500
6. *ONGC Ltd. v. State Bank of India*, AIR 2000 SC 2548
7. *Salem Advocate Bar Assn. Tamil Nadu v. Union of India*, AIR 2005 SC 3353
8. *Bhanu Kumar Jain v. Archana Kumar*, AIR 2005 SC 626

**Prescribed Legislation**

Indian Limitation Act

**Prescribed Book :**

M.R..Mallick (ed.), *B.B.Mitra on Limitation Act* (2008), Eastern, Lucknow

**Recommended Book:** CPC and Limitation Act –I & II

K.K.Srivastava, *Indian Limitation Act* (2007)

**Detailed Syllabus**

**Marks**

**1. Introduction**

**25**

**1.1 Evolution, Nature and Scope of Administrative Law**

- 1.1.1. From a laissez-faire to a social welfare state
- 1.1.2. Evolution of administration as the fourth branch of government- necessity for delegation of powers on administration.
- 1.1.4. Definition and scope of administrative law
- 1.1.5. Relationship between constitutional law and administrative law
- 1.1.6. Theory of Separation of powers
- 1.1.7. Rule of law- Dicey's Rule of Law

**1.2. Legislative Powers of Administration**

- 1.2.1. Meaning and necessity for delegation of legislative power
- 1.2.2. Constitutionality of delegated legislation - powers of exclusion and inclusion and power to modify statute
- 1.2.3. Requirements for the validity of delegated legislation
  - 1.2.2.1. Consultation of affected interests and public participation in rule-making
  - 1.2.2.2. Publication of delegated legislation
- 1.2.4. Administrative directions, circulars and policy statements
- 1.2.5. Legislative control of delegated legislation
  - 1.2.5.1. Laying procedures and their efficacy - procedural safeguards
  - 1.2.5.2. Committees on delegated legislation - their constitution, function and effectiveness
  - 1.2.5.3. Hearings before legislative committees
- 1.2.6. Judicial control of delegated legislation
- 1.2.7. Sub-delegation of legislative powers
- 1.2.8. (i) The General Clauses Act, 1897, (Ss.20-24 )  
(ii) Report of the Committee on Ministers' Powers  
(Donoughmore Committee), pp.8-70

**1.3 Judicial Powers of Administration - Principles of Natural Justice**

- 1.3.1. Need for devolution of adjudicatory authority on administration
- 1.3.2. Administrative tribunals and other adjudicating authorities : their ad-hoc character
- 1.3.3. Tribunals - need, nature, constitution, jurisdiction and procedure
  - 1.3.3.1 Advantages of Justice by Tribunals-Openness, Fairness, Impartiality, Absence of Technicalities of Evidence and Procedure, Cheapness
  - 1.3.3.2 Overview of Tribunals in India with particular reference to Administrative Tribunals established under the Administrative Tribunals Act, 1985, Constitution of India, Articles 323A and 323B
  - 1.3.3.3 Report of the Committee on Administrative Tribunals and Enquiries, 1957 (Franks Committee)
- 1.3.4. Jurisdiction of administrative tribunals and other authorities
- 1.3.5. Distinction between quasi-judicial and administrative functions- lis inter partes
- 1.3.6. The right to hearing- norms of fair hearing- audi alteram partem rule
  - 1.3.6.1. No man shall be judge in his own cause
  - 1.3.6.2. No man shall be condemned unheard
- 1.3.7 Nemo judex in causa sua (rule against bias)
- 1.3.8. Rules of evidence - no evidence, some evidence and substantial evidence rules
- 1.3.9. Requirement of passing Speaking- Reasoned decisions/order
- 1.3.10 The right to counsel- legal representation
- 1.3.11 Right of cross-examination
- 1.3.12 Institutional decisions- Pre-and post-decisional hearing
- 1.3.13 Requirement of supplying enquiry report - Effect of non-supply
- 1.3.11 Administrative appeals

## **1.4 Administrative Discretion**

- 1.4.1. Meaning and Need for administrative discretion
- 1.4.2. Administrative discretion and rule of law
- 1.4.3. Limitations on exercise of discretion
  - 1.4.3.1. Malafide exercise of discretion
  - 1.4.3.2. Constitutional imperatives and use of discretionary authority
  - 1.4.3.3. Irrelevant considerations
  - 1.4.3.4. Non-exercise of discretionary power

## **1.5 Judicial Control of Administrative Action - Judicial Review**

- 1.5.1 Review and Appeal distinguished,
  - 1.5.1.1 Power of Judicial Review of the Supreme Court and the High Courts – Articles 32, 136, 226 and 227 of the Constitution of India- Ouster clauses (constitutional and statutory exclusion)
- 1.5.2 Rules restricting judicial review – locus standi, laches, res judicata, exhaustion of Alternative/administrative remedies
- 1.5.3 Standing : standing for Public interest litigation, collusion, bias
- 1.5.4 Grounds
  - 1.5.4.1. Jurisdictional error/ultra vires/ Bad faith, ill-will, motive, mala fides
  - 1.5.4.2. Abuse and non exercise of power on the basis of self imposed rules or policy decisions
    - 1.5.4.3. Error apparent on the face of the record
    - 1.5.4.4. Violation of principles of natural justice
    - 1.5.4.5. Violation of public policy
    - 1.5.4.6. Unreasonableness/ Arbitrariness/discrimination
    - 1.5.4.7. Legitimate expectation
    - 1.5.4.8. Ignoring relevant considerations or reliance on irrelevant considerations
- 1.5.5. Remedies in judicial Review- writs and curative petitions
  - 1.5.5.1. Statutory appeals
  - 1.5.5.2. Mandamus- to command the performance of a statutory or public duty
  - 1.5.5.3. Certiorari- to decide the legality of an order/decision
  - 1.5.5.4. Prohibition- to decide the legality of on going/pending proceedings
  - 1.5.5.5. Quo-Warranto- to decide the legal authority of a person to hold public office
  - 1.5.5.6. Habeas Corpus- to decide the legality of an arrest/detention.
  - 1.5.5.7. Declaratory judgments and injunctions
  - 1.5.5.8. Specific performance and civil suits for compensation

## **2. Liability for Wrongs (Tortious and Contractual)**

**10**

- 2.1. Tortious liability: sovereign and non-sovereign functions
- 2.2. Statutory immunity
- 2.3. Act of state
- 2.4. Contractual liability of government
- 2.5. Government privilege in legal proceedings- state secrets, public interest
- 2.6. Transparency and right to information
  - 2.6.1 Freedom of Information- The Right to Information Act, 2005
  - 2.6.2 Object of legislation – ‘Effective and Responsive Government’
  - 2.6.3 Right to freedom of information – Extent and scope of the freedom
  - 2.6.4 Obligation of public authorities to supply information
- 2.7. Estoppel and waiver

## **3. Corporations and Public Undertakings**

**10**

- 3.1. State monopoly- remedies against arbitrary action or for acting against public policy
- 3.2. Liability of public and private corporations - departmental undertakings
- 3.3. Legislative and governmental control
- 3.4. Legal remedies
- 3.5. Accountability- Committee on Public Undertakings, Estimates Committee, etc.

#### 4. Remedial Procedure

15

##### 4.1 Informal Methods of Settlement of Disputes and Grievance Redressal Procedures

- 4.1.1. Conciliation and mediation through social action groups
- 4.1.2. Use of media, lobbying and public participation
- 4.1.3. Public inquiries and commissions of inquiry
  - 4.1.3.1 The Commissions of Inquiry Act, 1897 - Object and Scope of Legislation-to inquire into any definite matter of public importance
  - 4.1.3.2 Power of Central/State Government to appoint a Commission of Inquiry – discretionary and mandatory nature of power;
  - 4.1.3.3 Powers of Commission of Inquiry
  - 4.1.3.4 Submission of report and follow up action - effectiveness
- 4.1.4. Ombudsman - Lok Pal- Lok Ayukta
- 4.1.5. Vigilance Commission- The Central Vigilance Commission Act, 2003  
Constitution- Powers and Functions
- 4.1.6. Congressional and Parliamentary Committees

##### 4.2 Regulatory Bodies

- 4.2.1 Need of Regulatory Bodies- Composition, powers, functions and procedure
- 4.2.2 The Securities and Exchange Board of India Act, 1992
- 4.2.3 Telecom Regulatory Authority of India Act, 1997
- 4.2.4 The Insurance Regulatory and Development Authority Act, 1999
- 4.2.5 The Electricity Act, 2003 (Electricity Regulatory Commission)
- 4.2.6 The Competition Act, 2002.

#### 5. Leading Cases

( 10x2 ) 20

- 1. *In re Delhi Laws Act*, AIR 1951 SC 332
- 2. *Asif Hameed v. State of J. & K.*, AIR 1989 SC 1899
- 3. *Raj Narain v. Chairman, Patna Administration Committee*, AIR 1954 SC
- 4. *Kerala Samsthana Chethu Thozhilali Union v. State of Kerala*(2006) 4 SCC 327
- 5. *A.K. Kraipak v. Union of India*, AIR 1970 SC 150
- 6. *G.N. Nayak v. Goa University*, AIR 2002 SC 790
- 7. *Hira Nath Mishra v. Principal, Rajendra Medical College* AIR 1973 SC 1260
- 8. *S. N. Mukherjee v. Union of India*, AIR 1990 SC 1984
- 9. *Surya Dev Rai v. Ram Chander Rai*, AIR 2003 SC 3044
- 10. *Bar Council of India v. Aparna Basu Mallick* AIR 1994 SC 1334

#### Prescribed Books:

- 1. G.P. Singh & A. Aradhe (Rev.), *M.P. Jain and S.N. Jain's Principles of Administrative Law* (2007)
- 2. I.P. Massey, *Administrative Law* (2008)
- 3. S.P. Sathe, *Administrative Law* (2004) Butterworths-India, Delhi
- 4. S.N.Jain, *Administrative Tribunals in India* (1977)
- 5. S.P. Sathe, *The Tribunal System in India* (1996)

#### Recommended Readings:

- 1. H.W.R. Wade and C.F. Forsyth, *Administrative Law* (8th ed., 2000)
- 2. B. P. Banerjee and Bhasker Banerjee, *Judicial Control of Administrative Action* (2001)
- 3. H.M. Seervai, *The Position of the Judiciary under the Constitution of India* (1970)
- 4. D. D. Basu, *Comparative Administrative Law* (1998)
- 5. M. P. Jain, *Cases and Materials on Indian Administrative Law*, Vol.I and II (1996), Universal, Delhi.
- 6. Indian Law Institute, *Cases and Materials on Administrative Law in India*, Vol.I (1996), Delhi
- 7. S.A. De Smith, *Judicial Review of Administrative Action*
- 8. Peter Cane, *An Introduction to Administrative Law* (1996) Oxford
- 9. A.T. Markose, *Judicial Control of Administrative Action in India*
- 10. Franks, *Report of the Committee on Administrative Tribunals and Inquiries*, HMSO, 1959



**Detailed Syllabus****Marks**

<b>1. Introduction</b>	<b>20</b>
<b>1.1 Nature and Meaning of Corporation</b> 1.1 'Company' – Definition- Illegal associations (s. 11) - Company v. Partnership Effects, Advantages and Disadvantages of Incorporation 1.2. Theories of corporate personality/Separate Legal Entity, Limited liability of members/shareholders, Holding and disposal of property, Management divorced from capital, Perpetual succession, Transferable shares, Power to sue and being sued 1.3. Theory of 'Corporate Personality' : Company not a citizen of India - Lifting of the Corporate Veil – Tax Evasion, Enemy Character, Fraud or Improper conduct, Statutory Exceptions to Limited Liability - Reduction in number of members below minimum (s.45), Mis-description of Company's Name (s. 147), Holding and Subsidiary Relationship (ss. 4 and 212), Personal liability of promoters, directors, etc. for fraudulent conduct of business (s. 542) <b>1.2 Forms of Corporate and Non-Corporate Organisations</b> 2.1 Kinds of Companies – Public and Private Companies (ss. 3, 43)- Holding and Subsidiary Companies (s. 4); Limited and Unlimited Companies (ss. 12(2) (c), 27, 32)- Share-holding and Guarantee Companies (ss. 12, 37)- Producer Companies (Part – IXA, ss. 581A – 581ZT)- Provisions relating to Un-registered Companies (ss. 582-590)- Foreign Companies (ss. 591-608)- Application of the Companies Act, 1956 to Companies governed by Special Acts e.g. insurance, banking, electricity supply, etc. (s. 616)- Government Companies (s. 617) 2.2 Need of company for development- formation of a company- registration and incorporation. 2.3 Company's Constitutional Documents 2.3.1 Memorandum of association - various clauses - alteration therein - doctrine of ultra vires- Effect of ultra vires transactions 2.3.2. Articles of association - binding force - alteration - its relation with memorandum of association. 2.3.3 Doctrine of Indoor Management- Binding Nature of Articles of Association between members/shareholders inter se and also outsiders- Rule of Constructive Notice - 'Indoor Management'- Exceptions – knowledge of irregularity, suspicion of irregularity, forgery, representation through articles 2.4 Prospectus - issue - contents - liability for misstatements - statement in lieu of prospectus.	
<b>2. Promoters &amp; Directors</b>	<b>15</b>
<b>2.1 Promoters</b> - position - Rights, Powers and Duties as Trustee- Contract with the company- Liability for Negligence and Personal Profit <b>2.2 Board of Directors:</b> Qualifications- Share qualifications- Minimum number of directors- Subscribers to memorandum deemed to be directors- Restriction on number of directorships- vacation of office by directors- Managing Director- Number of companies of which one person may be appointed Managing Director- Powers of Directors/Board- Duties of Directors - Fiduciary Duties as Trustees- Duty of Care and Skill- Insider Trading-Enforcement of Duties- Liability for Breach of Duties- Position of Share holders vis- à-vis Board of Directors (Ss. 252-323, 388B – 388E)	
<b>3. Shares, Debentures and Dividends</b>	<b>10</b>
<b>3.1 Shares</b> - general principles of allotment- 4.1 statutory restrictions 4.2 share certificate -its objects and effects 4.3 transfer of shares 4.3.1 restrictions on transfer 4.3.2 procedure for transfer - refusal of transfer- 4.3.3 role of public finance institutions 4.3.4 relationship between transferor and transferee 4.3.5 issue of shares at premium and discount 4.3.6 depository receipts - dematerialised shares(DEMAT) 4.4 Shareholder - who can be and who cannot be a shareholder - modes of becoming a	



shareholder - calls on shares - forfeiture and surrender of shares -lien on shares	
4.5 Share capital - kinds - alteration and reduction of share capital - further issue of capital - conversion of loans and debentures into capital - duties of courts to protect the interests of creditors and share holders	
3.2 <b>Debentures</b> - meaning - fixed and floating charge - kinds of debentures – shareholder and debenture holder - remedies of debenture holders	
3.3 <b>Dividends</b> - payment - capitalisation – profit	
<b>4. Minority Right, Winding up and Corporate Liability</b>	<b>15</b>
4.1 <b>Protection of minority rights:</b> Prevention of Oppression and Mismanagement	
8.1. Protection of oppression and mismanagement - who can apply? - powers of the company, court and of the central government	
8.2. Investigation – powers of Tribunal and Central Government;	
8.3 Prevention of Oppression and Mismanagement- Foss v. Harbottle Rule - Exceptions – acts ultra vires, fraud on minority, acts requiring special majority, wrongdoers in control, etc. (ss. 397 – 409)	
4.2 <b>Winding up</b> - types - by court -reasons - grounds - who can apply - procedure - powers of liquidator - powers of court - consequences of winding up order - voluntary winding up by members and creditors - winding up subject to supervision of courts- liability of past members - payment of liabilities - preferential payment, unclaimed dividends - winding up of unregistered company	
4.3 <b>Corporate Liability</b>	
10.1. Legal liability of companies - civil and criminal	
10.2. Remedies against them civil, criminal and tortuous - Specific Relief Act, writs, liability under special statutes.	
4.4 <b>Adjudicatory Bodies</b>	
11.1 National Company Law Tribunal	
11.2 National Company Law Appellate Tribunal –Constitution, Powers, Jurisdiction, Procedure, Judicial Review (ss.10FB – 10GF)	
<b>5. Leading Cases :</b>	(10x2) <b>20</b>
5.1. <i>Foss v. Harbottle</i> (1843) 2 Hare 461 : (1843) 67 ER 189	
5.2. <i>Salomon v. Salomon &amp; Co., Ltd.</i> (1897) A.C. 22 (H.L.) :(1895-95) All ER Rep. 33	
5.3. <i>R.C. Cooper v. Union of India</i> (1970) 3 SCR 530	
5.4. <i>Kapila Hingorani v. State of Bihar</i> (2003) 6 SCC 1	
5.5. <i>Dr. A. Lakshmanaswami Mudaliar v. Life Insurance Corpn. of India</i> , AIR 1963 SC 1185	
5.6. <i>Institute of Chartered Accounts v. P.K. Mukherjee</i> AIR 1968 SC 1104.	
5.7. <i>Seth Mohan Lal v. Grain Chambers Ltd.</i> , AIR 1968 SC 772	
5.8. <i>M.S.D.C. Radharamanan v. M.S.D. Chandrasekara Raqja</i> , AIR 2008 SC 1738	

#### Prescribed Books:

1. Paul L. Davies, *Gower and Davies Principles of Modern Company Law* (8<sup>th</sup> ed., 2008)
2. Avtar Singh, *Indian Company Law* (2008 ), Eastern, Lucknow.
3. L.C.B. Gower, *Principles of Modern Company Law* (1997) Sweet and Maxwell, London
4. A. Ramaiya, *Guide to the Companies Act*, (2007), Wadha.

#### Recommended Books

1. Palmer, *Palmer's Company Law* (1987), Stevens, London.
2. R.R. Pennington, *Company Law* (1990), Butterworths.
3. A. Ramaiya, *Guide to the Companies Act*, (2007), Wadha.
4. S.M. Shah, *Lectures on Company Law* (1988), Tripathi, Bombay

## **BALLB-7.4 Drafting, Pleading and Conveyance [ Compulsory Clinical Course-I ]**

**Marks: 100 [50+50]**

**Note 1:** This course will be taught through class room instructions and simulation exercises and case studies, preferably with assistance of practising lawyers/retired judges/judicial officer etc. Apart from teaching the relevant provisions of law, the course will include:

- 1.1 Minimum fifteen (15) practical exercises in Drafting and
- 1.2 Minimum fifteen (15) practical exercises in Conveyancing, on topics identified by the teacher concerned.

**Note 2:** Evaluation is divided between theory & internal examination, as follows:-

- 2.1 Theoretical Paper through Written Examination : **50 marks**
- 2.2 Internal Practical Exercises and evaluation incl. Viva Voce Examination (20+20+10)

Internal practical evaluation or assessment of the student shall be done as follows:

- 2.2.1 Fifteen (15) practical exercises in Drafting **20 marks**
- 2.2.2 Fifteen (15) practical exercises in Conveyancing **20 marks**
- 2.2.3 Viva Voce Examination: **10 marks**

### **Detailed Syllabus**

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- 1 **Drafting:-** General principles of drafting and relevant substantive rules.
- 2. **Pleadings:**

- 2.1 Pleadings in General
  - 2.1.1 Object of pleadings
  - 2.1.2 Fundamental Rules of Pleadings
- 2.2. Civil :
  - 2.2.1. Complaint
  - 2.2.2. Written Statement
  - 2.2.3. Interlocutory Application
  - 2.2.4. Original Petition
  - 2.2.5. Affidavit
  - 2.2.6. Execution Petition
  - 2.2.7. Memorandum of
    - 2.2.7.1 Appeal
    - 2.2.7.2. Revision
- 2.3. Petition under
  - 2.3.1. Article 226 and
  - 2.3.2. Article 32 of the Constitution of India.
- 2.4. Criminal :
  - 2.4.1. Complaints
  - 2.4.2. Criminal Miscellaneous petition ,
  - 2.4.3. Bail Application and
  - 2.4.4. Memorandum of Appeal and Revision.
- 2.5 Forms of Pleadings: Practical exercise on the following topics:
  - 2.5.1. Suit for recovery under Order XXXVII of the Code of Civil Procedure 1908
  - 2.5.2. Suit for Permanent Injunction
  - 2.5.3. Application for Temporary Injunction Under Order 39 Rules 1 and 2 of the Code of Civil Procedure, 1908
  - 2.5.4. Application under Order 39, rule 2-A of the Code of Civil Procedure, 1908
  - 2.5.5. Suit for Ejectment and Damages for Wrongful Use and Occupation.
  - 2.5.6. Petition for Restitution of Conjugal Rights under S. 9 of the Hindu Marriage Act, 1955
  - 2.5.7. Petition for Judicial Separation under S. 10 of the Hindu Marriage Act, 1955
  - 2.5.8. Petition for Dissolution of Marriage by Decree of Divorce under S. 13 of the Hindu Marriage Act, 1955
  - 2.5.9. Petition for Dissolution of Marriage by Decree of Divorce under S. 13B(1) of the Hindu Marriage Act, 1955
  - 2.5.10. Petition for Grant of Probate in High Court
  - 2.5.11. Petition for Grant of Letters of Administration

- 2.5.12. Contempt Petition under Ss. 11 and 12 of the Contempt of Courts Act, 1971 before the High Court
- 2.5.13. Writ Petition under Article 226 of Constitution of India
- 2.5.14. Caveat under s. 148-A of the Code of Civil Procedure, 1908
- 2.5.15. Caveat for Special Leave Petition (Civil) under Art. 136 of the Constitution of India
- 2.5.16. Special Leave Petition (Civil) under Article 136 of the Constitution of India
- 2.5.17. Counter Affidavit in Special Leave Petition (Civil)
- 2.5.18. Application for Bail
- 2.5.19. Application for Grant of Anticipatory Bail
- 2.5.20. Complaint under Section 138 of the Negotiable Instruments Act, 1881
- 2.5.21. Application U/S. 125 of the Code of Criminal Procedure, 1973
- 2.5.22. Special Leave Petition (Criminal) under Article 136 of the Constitution of India
- 2.5.23. Transfer Petition (Civil) U/S. 25 of the Code of Civil Procedure, 1908
- 2.5.24. Curative Petition under Articles 129, 137, 141 and 142 of the Constitution of India
- 2.5.25. Complaint under Section 12 of the Consumer Protection Act, 1986
- 2.5.26. Written Statement to the Complaint under the Consumer Protection Act, 1986

### 3. Conveyancing:

- 3.1 Conveyancing in General
  - 3.1.1 Object of Conveyancing
  - 3.1.2 Component parts of a deed
- 3.2 Forms of deeds and notices: practical exercise on the following topics: ( any fifteen)
  - 3.2.1. Sale Deed
  - 3.2.2. Mortgage Deeds
  - 3.2.3. Lease Deed,
  - 3.2.4. Gift Deed
  - 3.2.5. Promissory Note
  - 3.2.6. Power of Attorney- General and Special Power of Attorney
  - 3.2.6. Will.
  - 3.2.8. Relinquishment Deed
  - 3.2.9 Partnership Deed
  - 3.2.10 Deed of Dissolution of Partnership
  - 3.2.11 Hire-Purchase Agreement
  - 3.2.12 Deed of Family Settlement between Rival Claimants of an Estate
  - 3.2.13 Lease Deed
  - 3.2.14 Mortgage Deed
  - 3.2.15 Notice of Ejectment to the tenant under s.106 of the T.P.Act, 1882
  - 3.2.16 Notice under Section 80 of the Code of Civil Procedure, 1908

### 4. Case Laws:

- 4.1 *Prakash Chndra v. Secy., Govt. of India*, AIR 1986 SC
- 4.2 *Ram Sarup Gupta v. Bishun Narain Inter College*, AIR 1987 SC 1242
- 4.3 *Hari Chand v. Daulat Ram*, AIR 1987 SC 94
- 4.4 *Dhoom Singh v. Prakash Ch. Sethi*, (1975) 1 SCC 597
- 4.5. *Delhi Development Authority v. Durga Chand* AIR 1973 SC 2609

( Sl. 1 to 4 : 40 marks )

### 5. Viva-Voce examination

( Viva-voce : 10 marks )

Viva voce examination will test the understanding of legal practice in relation to Drafting, Pleading and Conveyancing.

### Prescribed Legislation:

The Code of Civil Procedure, 1908, Orders VI to VIII

### Prescribed Book:

1. M.C. Agarwal and G.C. Mogha, *Mogha's The Law of Pleadings in India*
2. J.M. Srivastava and G.C. Mogha, *Mogha's The Indian Conveyancer*

### Recommended Books

1. M.R. Mallick, Ganguly's, *Civil Court: Practice and Procedure*
2. C.R. Datta and M.N. Das, *De Souza's, Forms and Precedents of Conveyancing*
3. N.S. Bindra, *Conveyancing*, Vol 1-5, Law Publisher, Allahabad

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Nature and Scope of Criminology</b>	<b>10</b>
1.1. Nature and extent of crime in India	
1.2. General approaches to crime control.	
1.3. Crimes of the powerful	
1.3.1. Organised crime - smuggling, traffic in narcotics.	
1.3.2. White collar crime - corruption in public life	
1.3.3. Socio-economic crime: adulteration of foods and drugs; fraudulent trade practices.	
1.3.4. Crimes in the professions - medical, legal, engineering.	
1.3.5. Criminality by agencies of the state.	
1.4. Perpetrators of ordinary crime	
1.4.1. The situational criminal.	
1.4.2. The chronic offender.	
1.4.3. Criminality of women	
1.4.4. Young offenders	
1.4.5. Criminal gangs.	
<b>2. Schools and Theories of Criminology</b>	<b>30</b>
2.1 Schools of Criminology	
2.1.1 Pre-Classical School	
2.1.2 The Classical School	
2.1.3 The Neo-Classical School	
2.1.4 The Positive School	
2.2. Theories of Crime causation	
2.2.1 Sociological theory of crime	
2.2.2 Tentative theory of crime	
2.2.3 Economic structure and Criminology	
<b>3. Different Types of Crime</b>	<b>20</b>
3.1 Organized Crime	
3.2 Sex offences	
3.3 White Collar Crime	
3.4 Alcoholism, Drug addiction and Crime	
<b>4. Concepts of Penology</b>	
4.1 Definition of Penology	
4.2 Parole and Probation	
4.3 Prison System	
<b>5. Leading cases</b>	<b>(10x2) 20</b>
1. <i>Bishnu Deo v. State of West Bengal</i> AIR 1979 SC 964	
2. <i>Munna v. State of U.P.</i> AIR 1982 SD 806	
3. <i>Sammder Singh v. State of Rajasthan</i> AIR 1987 SC 737	
4. <i>Dharan Bir v. State of U.P.</i> (1979) 3 SCC 645	
5. <i>Sunil Batra v. Delhi Admn.</i> AIR 1980 SC 1579.	

**Prescribed Books :**

1. J.M. Sethna, *Society and the Criminal* (1980)
2. A. Siddique, *Criminology : Problems and Perspectives* (1997).
3. Sutherland, E. and Cressy, *Principles of Criminology* (1978).
4. Conrad, John. P.: *Crime and its Correction: An international survey of Attitudes and Practices*.
5. N.V. Paranjape- *Criminology and Penology*

**Recommended Books :**

1. Katherine S Williams, *Text Book on Criminology* (1997), Blackstone, London
2. Loveland, *The Frontiers of Criminality* (1995), Sweet & Maxwell.
3. Martin Wasik, *Emmins on Sentencing* (1998), Blackstone, London.
4. Hall, J. Law, *Social Science and Criminal Theory* (1982).
5. Manheim, H., *Comparative Criminology : A Text Book* (1965).
6. Ross, H. (Lawrence Ed.), *Law and Deviance* (1981).
7. Walker, N., *Crime and Criminology : A Critical Introduction* (1987).
8. S. Rao, *Crime in Our Society*, (1983).
9. E. Sutherland, *White Collar Crime* (1949).

<u>Detailed Syllabus</u>	<u>Marks</u>
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<b>1. Background:</b>	<b>10</b>
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- 1.1 Meaning of Cyber Law
  - 1.1.1 Cyber World and Cyber Law
  - 1.1.2 The internet and online resources
    - 1.1.2.1 Security of information
    - 1.1.2.2 Digital signature
  - 1.1.3 Cyber Law and Cyber Crimes
  - 1.1.4 The Intellectual Property aspect in Cyber Law
- 1.2 Regulation of cyber space – introducing cyber law
  - 1.2.1 Scope of Cyber laws – e-commerce - online contracts - IPRs (copyright, trademarks And software patenting) - e-taxation - e-governance and cyber crimes
  - 1.2.2 Cyber law in India- Information Technology Act, 2000

<b>2. Information Technology Act-2000</b>	<b>30</b>
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- 2.1 Essence of the Act
  - 2.1.1 Legal Recognition of Electronic Documents
  - 2.1.2 Legal Recognition of Digital Signatures
  - 2.1.3 E-Governance
  - 2.1.4 Regulation of Certifying Authorities
  - 2.1.5 Duties of Subscribers
  - 2.1.6. Offences and Contraventions- Penalties and Adjudications
  - 2.1.7. Justice Dispensation System for [Cybercrimes](#)
  - 2.1.8 Making of Rules and Regulations etc.

<b>3. The Evidence Aspect in Cyber Law</b>	<b>10</b>
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- 3.1 Applicability of the Indian Evidence Act on Electronic Record

<b>4. The global trends in Cyber Law</b>	<b>10</b>
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<b>5. Computer application:</b>	<b>20</b>
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- 5.1 Introduction to Computer Science
  - 5.1.1 Microcomputers in the Legal World
  - 5.1.2 Use of computer in legal work
    - 5.1.2.1 Legal software
    - 5.1.2.2 Legal Process Outsourcing
- 5.2 Computer network
- 5.3 Computer and the Technology Law Practice
- 5.4 Special Topics
  - 5.1 Access
  - 5.2 Excel
  - 5.3 PowerPoint
  - 5.4 Word

**Prescribed Legislations:**

1. Information Technology Act, 2000
2. Information Technology Rules, 2000
3. Cyber Regulation Appellate Tribunal Rules, 2000
4. The Indian Penal Code, 1860
5. The Indian Evidence Act, 1872
6. Bankers Book Evidence Act. 1891
7. Reserve Bank of India Act, 1934

**Prescribed Books:**

3. Farooq Ahmed, *Cyber Law in India*, Pioneer Books, New Delhi-110009
4. Vakul Sharma, *Information Technology Law and Practice*, Universal, Delhi :

**Recommended Books:**

6. Arun Baweja, *Information Technology and Development*, Kalpar Publication, Delhi
7. P.S. Yivek Shane, Banerjee, *Science and Society*, Himalaya Publishing House, Bombay
8. Ashok Korde, A. Sawant, *Science and Scientific Method*, Himalaya Pub. House, Bombay
9. B.B. Batra, *Information Technology*, Kalpar Publications, Delhi
10. Nandan Kamamth, *Guide to Information Technology Act*. University Law Pub. Co. Delhi-33
11. Suresh T. Viswanathan, *The Indian Cyber Laws*, Bharat Law House, New Delhi-83.
7. Ankit Fadia and Jaya Bhattacharjee, *Encryption-Protecting your Data*
8. P. Narayan, *Intellectual Property Law*, Eastern Law House, New Delhi

**BALLB 7.5 Insurance Law**  
Optional-1

Marks: 100 [ 80+20]

Detailed Syllabus	Marks
<b>1. Introduction:</b>	<b>20</b>
1.1 Nature of insurance contract	
1.1.1 Kinds of insurance- proposal- policy- parties	
1.1.2 Consideration- need for utmost good faith	
1.1.3 Insurable interest- Indemnity- Insurance policy	
1.2 Law of contract and law of torts –	
1.2.1 Future of insurance- need, importance and place of insurance,	
1.3 Constitutional perspectives-	
1.3.1 List-I: Union List - Entries 24, 25, 29, 30 and 47	
1.3.2 List III: Concurrent List- Entries 23 and 24	
<b>2. General Principles of Law of Insurance:</b>	<b>20</b>
2.1 Definition, nature and history,	
2.1.1 The risk - commencement, attachment and duration	
2.1.2 Assignment and alteration,	
2.1.3 Settlement of claim and subrogation	
2.1.4 Effect of war upon policies	
2.2 Indian Insurance Law: General, History and development,	
2.2.1 The Insurance Act 1938 and the Insurance Regulatory Authority Act 2000,	
2.2.2. Mutual insurance companies and cooperative life insurance societies,	
2.2.3 Double Insurance and re-insurance	
<b>3. Life Insurance:</b>	<b>10</b>
3.1 Nature and scope	
3.2 Event insured against life insurance contract	
3.3 Circumstances affecting the risk	
3.4 Amounts recoverable under life policy	
3.4.1 Persons entitled to payment	
3.4.2 Settlement of claim and payment of money	
<b>4. Insurance against Accidents:</b>	<b>20</b>
4.1 The Fatal Accidents Act, 1855- Objects and reasons	
4.2 Assessment of compensation,	
4.2.1 Contributory negligence	
4.2.2 Apportionment of compensation and liability,	
4.3 The Personal Injuries (Compensation insurance) Act 1963,	
4.3.1 Compensation payable under the Act	
4.3.2 Compensation insurance scheme under the Act	
4.3.2.1 Compulsory insurance	
<b>5. Property Insurance- Insurance Against Third Party Risks</b>	<b>10</b>

**Prescribed Books:**

1. Banerjee, *Law of Insurance* (1994), Asia Law House, Hyderabad.
2. Birds, *Modern Insurance Law* (1997) Sweet & Maxwell
3. Colinvaux's *Law of Insurance* (1997), Sweet & Maxwell

**Recommended Books:**

1. John Hanson and C. Henly, *All Risks Property Insurance*, LLP Asia, Hongkong.
2. Peter M.D.Eggers and P.Foss, *Good Faith and Insurance Contracts*, LLP Asia, Hongkong
3. JCB Gilmar and Mustill, *Arnold on the Law of Marine Insurance*, (1981), Sweet & Maxwell
4. Mitra B.C, *Law Relating to Marine Insurance* (1997) Asia Law House, Hyderabad

**BALLB 7.6: Constitutional law- Local self Government incl. Panchayat Administration**  
**Hons-3**

**Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Composition of Gram Sabha</b>	<b>10</b>
<b>2. Panchayat-</b>	<b>20</b>
2:1 Composition	
2:2 Qualification and disqualification of membership	
2:3 Election to the Panchayat	
2:4 Reservation of backward classes	
<b>3. Municipalities</b>	<b>15</b>
3:1 Composition	
3:2 Qualification and disqualification of membership	
3:3 Election to the Panchayat	
3:4 Reservation of backward classes	
<b>4. Finance Commission on Panchayat and Municipalities</b>	<b>15</b>
<b>5. Local Self Government—</b>	<b>20</b>
5:1 Municipal Corporation	
5:2 Zila Parishad	
5:3 Village Panchayat	
5:4 Nyaya Panchayat	
5.4.1 Nyaya Panchayat Act, 2009	

**Prescribed Legislations:**

1. Assam Panchayat Act, 1994
2. Nyays Panchayat Act, 2009

**Prescribed Book:**

1. V.V. Rao & Dr. Niru Hazarika, *Hundred Years Of Local Self Government of Assam*

**BALLB 7.6: Criminology- Prison Administration**  
**Hons-3**

**Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1 Introduction</b>	<b>20</b>
1.1 Prison in India	
1.2 Role of Prison in Modern Penology	
1.3 Self Government in Prison	
1.4 The Prison Community and Classification of Prisoners	
<b>2 Problems in Prison</b>	<b>20</b>
Overcrowding in Prison	
Prison Discipline	
Prisoner's Health	
Criminality in Prison	
<b>3 Prison Reforms</b>	<b>10</b>
<b>4 Judicial Mandates</b>	<b>20</b>
4.1 Judicial Mandates for Prisoners and Detainees	
4.2 Judicial Mandates for General Administration of Prisons	
4.3 The Repatriation of Prisoners Act, 2003	
<b>5 International Penal and Penitentiary Commission and Prison Reforms</b>	<b>10</b>

**Prescribed Legislation:**

The Repatriation of Prisoners Act, 2003

**Prescribed Books :**

1. N.V. Paranjape, *Criminology and Penology*
2. Sutherland, *Principles of Criminology*
3. Siddiqui, *Criminology*
4. Sethna, *Society and Criminal*
5. Jones, *Crime and Penal System*



**BALLB 7.6 : IPR Management [ International Protection of IPR ]**  
**Hons-3**

**Marks: 100 [ 80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. The International Trade Organization and the GAIT</b>	<b>10</b>
1.1 The GAIT, its working and salient features	
1.2 Negotiating history' of the WTO, the Dunkel Draft and the Agreement stabilizing the WTO 1994.	
1.3 Paris Convention for protection of Industrial Property	
<b>2. Agreement</b>	<b>20</b>
<b>2.1 Agreement on Agriculture</b>	
2.1.1 Agreement on Textiles and clothing	
2.1.2 Agreement on Import licensing Procedure	
2.1.3 The Agreement on Safeguards	
2.1.4 General Agreement on Trade in Services	
<b>2.2 The Agreement on Trade Related Aspects of Intellectual Property Rights [ TRIPS]</b>	
2.2.1 General Provisions and Basic Principles	
2.2.2 TRIPS and Patent Co-operation Treaty, 1970	
<b>3. Protection of Specific Intellectual Property Rights under TRIPS</b>	<b>20</b>
3.1 Copyrights and related Rights'	
3.2 Trademarks	
3.3 Geographical indications, protection plant, varieties	
3.4 Industrial designs	
3.5 Patents	
3.6 Layout Designs	
3.7 Undisclosed information	
3.8 Control of anti-competitive Practices in Contractual Licenses	
<b>4. Enforcement of Intellectual Property Rights</b>	<b>20</b>
4.1 Civil and Administrative procedures and Remedies	
4.2 Provisional Measures	
4.3 Special Requirements Related to Border measures	
4.4 Dispute Prevention and Settlement	
4.5 Rules and procedure governing the Settlement of Disputes	
<b>5. Role of Intellectual Property in Economic Development</b>	<b>10</b>

**Prescribed Books:**

1. M. B. Rao, *WTO and International Trade*
2. Michael Balkency, *Trade Related aspects of Intellectual*
3. Property Rights, *A Concise Guide to the Trips Agreement.*

**BALLB 7.6 : IPL- Patent Right Creation and Registration**  
**Hons-4**

**Marks: 100 [80+20]**

<b>Detailed syllabus</b>	<b>Marks</b>
<b>1. Introduction</b>	<b>10</b>
1.1 Patent and its importance	
1.1.1 Theories of Protection	
1.1.2 Economic importance of Patent	
1.1.3 International Regime Relating to Patents –	
1.1.3.1 Convention and Treaties	
1.1.3.2 Relevant provisions under TRIPS and laws in US, UK and EU.	
<b>2. The Patents Act, 1970 and the Patents (Amendment) Act, 1999.</b>	<b>20</b>
2.1 Meaning of Patent	
2.2 Patents & Traditional Knowledge	
2.2 How to obtain a patent	
2.3 Specific Issues–Bio-patents, drug patents vis-à-vis public health, software patents, etc.	
2.4 Protection of traditional knowledge–domestic as well as international issues.	
2.5 Patent drafting	
<b>3. Register of Patents and Patent Office</b>	<b>15</b>
3.1 Register of patent	
3.2 Patent office	
3.3 Power of the Controller	
3.4 Power of Central Government	
3.5 Appeal	
<b>4. Rights and obligations of a patentee</b>	<b>15</b>
4.1 Nature of patent rights	
4.2 Limitation of the patentees' rights	
4.3 Obligation of patentee	
<b>5. Transfer of Patent Rights – concept of Exhaustion of Rights</b>	<b>20</b>
5.2 Compulsory Licenses and Licenses of Right	
5.3 Revocation and surrender of patents	
5.4 Infringement of Patents and penalties	
5.5 International and global patent information retrieval system[ European Patent Treaty ]	
5.6 Patent Co-operation treaty [PCT]	

**Prescribed Books**

1. Prabudh Ganguli, *Gearing up for Patents*
2. Prabudh Ganguli, *Intellectual Property Rights*
3. P. Narayanan, *Intellectual Property Law*
4. Wadehra B.L., *Patents, Trademarks, Designs and Geological Indications.*
5. Cornish P., *Intellectual Property Law.*
6. P. Narayanan, *Patent Law* (4<sup>th</sup> ed., 2006)

**BALLB 7.7 : Constitutional Law- Right to Information**  
**Hons-4**

**Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
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<b>1. Introduction</b>	<b>10</b>
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- 1.1 Classification of Information
- 1.2 Meaning of Information
- 1.3 Right to Information in India
- 1.4 Legal & Constitutional Perspective
- 1.5 Importance & Necessity of Right to Information

<b>2. Right to Information in India</b>	<b>20</b>
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- 2.1 Judicial Interpretation
- 2.2 Freedom of Press & Freedom Of Information
- 2.3 Right to know under Article 19 (1)(a) & Contempt of Court
- 2.4 Voter's Right to Know
- 2.5 Consumer's Right to Know
- 2.6 Right to Information of the arrested person
- 2.7 Hazards of noise pollution - S.C. Guidelines

<b>3. Right to Information &amp; Public Interest Litigation</b>	<b>10</b>
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<b>4. Salient features of</b>	<b>20</b>
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- 4.1 Right to Information Act, 2005
- 4.2 The Assam Right to Information Act, 2001

<b>5. Leading Cases:</b>	<b>( 10x2 ) 20</b>
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- 5.1 *Union of India v. Association for Democratic Reforms*, AIR 2002 SC 2112 : (2002) 5 SCC 294
- 5.2 *Secretary, Ministry of Information and Broadcasting, Govt. of India v. Cricket Association of Bengal*, AIR 1995 SC 1236: (1995) 2 SCC 161
- 5.3 *People's Union for Civil Liberties v. Union of India*, AIR 2003 SC 2363: (2003) 4 SCC 399
- 5.4 *Indra Sawhney v. Union of India*, AIR 1993 SC 477
- 5.5 *Union of India v. Raghubir Singh*, AIR 1989 SC 1933
- 5.6 *P.V.Narashimha Rao v. State*, AIR 1998 SC 2120

**Prescribed Legislations:**

- 1. Right to Information Act, 2005
- 2. The Assam Right to Information Act, 2001

**Prescribed Books:**

- 1. Justice P.S. Narayan, G.B. Reddy, *Right to Information and Law*
- 2. R.K. Verma, *Right to Information Law and Practice*
- 3. Dr. D.N. Barowalia, *Commentary on the Right to Information*, Universal, Delhi (2007)

**BALLB 7.7.: Criminology- Probation and Parole**  
**Hons-4**

**Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Probation</b>	<b>20</b>
1.1 Definition of Probation	
1.2 Object of Probation	
1.3 Origine of Probation system	
1.3.1 Probation in USA	
1.3.2 Probation in UK	
1.3.3 Probation in India	
1.3.3.1 Probation under Criminal Procedure Code ( S.360)	
1.3.3.2 The Probation of Offender's Act, 1958	
<b>2. Parole</b>	<b>15</b>
2.1 Definition of Parole	
2.2 Object of Parole	
2.3 Origin of Parole	
2.3.1 Parole in USA	
2.3.2 Parole in U.K.	
2.3.3 Parole in India	
<b>3. Essentials of Parole System</b>	<b>15</b>
3.1 Parole Board	
3.2 Condition of Parole system	
<b>4. Differences between Parole and Probation</b>	<b>15</b>
<b>5. Judicial Trend</b>	<b>15</b>

**Prescribed Books:**

1. N.V. Paranjape, *Criminology and Penology*
2. Sutherland, *Principles of Criminology*
3. Siddiqui, *Criminology*
4. Sethna, *Society and Criminal*
5. Jones, *Crime and Penal System*

**BALLB-8.1 Law of Evidence - I**

[ General issues relating to Law of Evidence, Relevancy and Admissibility of Facts ]

**Marks: 100 [ 80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introductory</b>	<b>10</b>
1.1 The main features of the Indian Evidence Act 1872.	
1.2 Evidence under the Adversarial System and Inquisitorial System of Justice	
1.3 Relationship between law of Evidence and substantive laws (Criminal and Civil laws) and procedural laws (Code of Criminal Procedure and Civil Procedure Code).	
<b>2. Central Conceptions in Law of Evidence</b>	<b>10</b>
2.1. Facts- (Section 3) : distinction -Relevant facts/Facts in issue	
2.2 Proved, Not Proved and Disproved	
2.3. Evidence : Oral and Documentary.	
2.4. Circumstantial evidence and Direct evidence	
2.5. Presumption (Ss. 4, 113A-113-B, 114 )	
2.6. Witness	
2.7. Appreciation of evidence	
<b>3. Relevancy and Admissibility of facts:</b>	<b>20</b>
3.1 Facts : relevancy	
3.1.1 Logically relevant facts-The Doctrine of res gestae (Ss. 6-9, 11)	
3.1.2 Evidence of common intention-relating to conspiracy (Section 10)	
3.1.3 The problems of relevancy of "Otherwise" irrelevant facts (Section 11)	
3.1.4 Relevant facts for proof of custom (Section 13)	
3.1.5 Facts concerning bodies & mental state (Ss. 14, 15)	
3.1.6 Facts which need not be proved ( Ss. 56-58 )	
3.2 Admissions and confessions	
3.2.1. General principles concerning admission (Ss. 17- 23)	
3.2.2 General principles concerning confession (Ss. 24- 30)	
3.2.3 Differences between "admission" and "confession"	
3.2.4 The problems of non-admissibility of confessions caused by "any inducement, threat or promise" (Section 24)	
3.2.5 Inadmissibility of confession made before a police officer (Section 25)	
3.2.6 Admissibility of custodial confessions (Section 26)	
3.2.7 Admissibility of "information" received from accused person in custody- with special reference to the problem of discovery based on "joint statement" (S. 27)	
3.2.8 Confession by co-accused (Section 30)	
3.2.9 The problems with the judicial action based on a "retracted confession"	
3.2.10 Improper Admission and Rejection of Evidence	
<b>4. Miscellaneous provisions</b>	<b>20</b>
<b>4.1 Dying Declarations</b>	
4.1.1. The justification for relevance on dying declarations (Section 32)	
4.1.2. The judicial standards for appreciation of evidentiary value of dying declarations.	
<b>4.2 Opinion of Third Person when relevant – (Ss. 45-51)</b>	
<b>4.3 Other Statements by Persons who cannot be called as Witnesses</b>	
4.3.1. General principles.	
4.3.2. Special problems concerning violation of women's rights in marriage in the law of evidence	
<b>4.4 Relevance of Judgments</b>	
4.4.1. General principles	
4.4.2. Admissibility of judgments in civil and criminal matters (Section 43)	
4.4.3. "Fraud" and "Collusion" (Section 44)	
<b>4.5. Expert Testimony</b>	
4.5.1. General principles	
4.5.2. Who is an expert? : types of expert evidence	
4.5.3. Opinion on relationship especially proof of marriage (Section 50)	
4.5.4. The problems of judicial defence to expert testimony.	

## 5. Leading Cases

(10x2)

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1. *State of Maharashtra v. Prafulla B. Desai (Dr.)* (2003) 4 SCC 601
2. *Mirza Akbar v. Emperor*, AIR 1940 PC 176
3. *Badri Rai v. State of Bihar*, AIR 1958 SC 953
4. *Bishwanath Prasad v. Dwarka Prasad*, AIR 1974 SC 117
5. *Central Bureau of Investigation v. V.C. Shukla*, AIR 1998 SC 1406
6. *Bodhraj v. State of J. & K.* (2002) 8 SCC 45
7. *Khushal Rao v. State of Bombay*, AIR 1958 SC 22
8. *Patel Hiralal Joitaram v. State of Gujrat* (2002) 1 SCC 22
9. *Laxman v. State of Maharashtra* (2002) 6 SCC 710
10. *Ram Narain v. State of U.P.*, AIR 1973 SC 2200 : (1973) 2 SCC 86

**Prescribed Legislation :** for Evidence I & II  
The Indian Evidence Act, 1872

**Prescribed Books:** for Evidence I & II

1. Sarkar and Manohar, *Sarkar on Evidence* (2008), Wadha & Co., Nagpur
2. Rattan Lal, Dhirajal: *Law of Evidence* (2008), Wadhwa, Nagpur
3. Vepa P. Sarathi, *Law of Evidence* (6th ed., 2006)
4. Woodroffe and Amir Ali, *Law of Evidence*

**Recommended Books:** for Evidence I & II

1. M. Monir, *Law of Evidence* (14th ed., 2006)
2. Polein Murphy, *Evidence* (5th Edn. Reprint 2000), Universal, Delhi.
3. Albert S. Osborn, *The Problem of Proof* (Reprint 1998), Universal, Delhi.
4. Avtar Singh, *Principles of the Law of Evidence* (1992), Central Law Agency, New Delhi.

## BALLB 8.2 Labour and Industrial Laws - I

Marks: 100 [80+20]

### Detailed Syllabus

Marks

- |  |           |
|--|-----------|
| <b>1. Historical perspectives on Labour:</b>   | <b>10</b> |
| 1.1 Labour through the ages - slave labour -caste basis -labour during feudal days.  |           |
| 1.2 Colonial labour law and policy   |           |
| 1.3 From laissez faire to welfarism and to globalisation: transition from exploitation to protection and from contract to status : changing perspectives on labour.  |           |
| <b>2. Trade unionism : The Trade Unions Act, 1926</b>  | <b>15</b> |
| 2.1 Evolution and Growth of Trade Unions in India  |           |
| 2.1.1 Historical reasons for the formation of combinations of workers, legal impediments;  |           |
| 2.1.2 Constitutional freedom to form associations and unions – Constitution of India, Articles 19(1)(c), (4) and 33  |           |
| 2.1.3 International Labour Organisation - its influence in bringing changes in national legislations.  |           |
| 2.2 Trade Union – Definition, Registration and Recognition   |           |
| 2.2.1 Definitions of 'trade union', 'workman' and 'trade dispute' - The Trade Unions Act, 1926, Ss. 2(g) and (h), 3-13, 15, 22   |           |
| 2.2.2 Legal control and protection of trade union: registration, amalgamation, rights, immunities, liabilities and dissolution.  |           |
| 2.2.3 Problems: multiplicity of unions, over politicisation – intra-union and inter-union rivalry, outside leadership, closed shop and union-shop, recognition of unions.                                  |           |
| 2.3 Immunities – Criminal and Civil  |           |
| 2.3.1 The Trade Unions Act, 1926, Ss. 17 and 18<br>The Indian Penal Code, Ss. 120-A, 120-B   |           |
| <b>3. Industrial Disputes - the Industrial Disputes Act,1947</b>   | <b>20</b> |
| 3.1 Aims and Objects of the Industrial Disputes Act  |           |
| 3.1.1 Industry – Conceptual Analysis   |           |
| 3.1.2 The Industrial Disputes Act, 1947, S. 2(j)   |           |
| 3.2 Industrial Dispute v. Individual Dispute - Contrast  |           |
| 3.2.1 The Industrial Disputes Act, 1947, S. 2(k), 2A   |           |
| 3.3 Concept of Workman   |           |
| 3.3.1 Distinction between contract <i>for</i> services and contract <i>of</i> service:<br>Due control and supervision test; Predominant nature of duty test,<br>The Industrial Disputes Act, 1947, S. 2(s) |           |
| 3.4 Strike & Lock out  |           |
| 3.4.1 Concepts, legality and justification   |           |
| 3.4.2 The Industrial Disputes Act, 1947, Ss. 2(q), 2(l), 2(n), 10(3), 10A(3A), 22-28   |           |
| 3.4.3 The Industrial Employment (Standing Orders) Act, 1946  |           |
| 3.4.4 The Essential Services Maintenance Act, 1981   |           |
| 3.5 Lay off, Retrenchment & Closure  |           |
| 3.5.1 Analysis of the Concepts, Pre-requisites,  |           |
| 3.5.2 The Industrial Disputes Act, 1947, Ss. 2(cc), 2(kkk), 2(oo), Chapters VA, VB   |           |
| 3.5.3 The Industrial Employment (Standing Orders) Act, 1946  |           |
| <b>4. State Regulation of Industrial Relations</b>   | <b>15</b> |
| 4.1. Theoretical foundations: social justice, labour welfare, public interest, productivity, industrial peace and development and price control.   |           |
| 4.2. Methods of regulation:  |           |
| 4.2.1. Recognition of mutual arrangements  |           |
| 4.2.2. State prescription of machinery: reference for adjudication, the adjudicatory mechanisms – comparison with courts, award and its binding nature, judicial review of awards.                         |           |
| 4.2.3. State prescription of standards in lay off, strike, lockout, retrenchment, closure and transfer of under takings  |           |
| 4.3 Workers' participation in Industrial management: Advantages and Disadvantages  |           |
| 4.4. Unfair labour practices.  |           |
| 4.5 The Assam Shops and Establishment Act, 1961: Salient features of the Act   |           |

## 5. Leading Cases :

(10x2)

20

1. *Rangaswami v. Registrar of Trade Unions*, AIR 1962 Mad. 231
2. *Chairman, SBI v. All Orissa State Bank Officers Association*, AIR 2002 SC 2279
3. *Rohtas Industries v. Its Union*, AIR 1976 SC 425
4. *Bangalore Water Supply and Sewerage Board v. A. Rajappa*, AIR 1978 SC 548
5. *State of U.P. v. Jai Bir Singh* (2005) 5 SCC 1
6. *Workmen of Dimakuchi Tea Estate v. Management of Dimakuchi Tea Estate*, AIR 1958 SC 353
7. *Indian Banks Association v. Workmen of Syndicate Bank*, AIR 2001 SC 946 : (2001) 3 SCC 36
8. *Gujarat Steel Tubes Ltd. v. Gujarat Steel Tubes Mazdoor Sabha* (1980) 2 SCC 593
9. *State of Rajasthan v. Rameshwar Lal Gahlot*, AIR 1996 SC 1001
10. *U.P. State Brassware Corporation Ltd. v. Uday Narain Pandey* (2006) 1 SCC 479

## Prescribed Legislations:

1. The Trade Unions Act, 1926
2. The Industrial Disputes Act, 1947
3. The Industrial Employment (Standing Orders) Act, 1946
4. The Assam Shops and Establishment Act, 1961

## Prescribed Books: For Labour and Industrial Laws – I & II

1. O.P. Malhotra, *The Law of Industrial Disputes*,
2. G.B. Pai, *Labour Law in India*
3. P.L. Malik's *Industrial Law* (21st ed., 2008)
4. S.C. Srivastava (Rev.) *Labour Law and Labour Relations : Cases and Materials* (ILI, 2007)

## General Readings: For Labour and Industrial Laws – I & II

1. Report of the National Commission on Labour (1969)
2. Report of the Second National Commission on Labour (2002)
3. Report of the Committee on Fair Wages (1948)

## Recommended Books : For Labour and Industrial Laws – I & II

1. R.C. Saxena, *Labour Problems and Social Welfare* Chapters 1, 5 and 6.
2. V.V. Giri, *Labour Problems in Indian Industry* Chs. 1 and 15
3. Indian Law Institute, *Labour Law and Labour Relations*
4. B.P.Todi, *Assam Shops and establishment Act and Review*
5. P.L. Malik, Srivastava's *Law Relating to Trade Unions and Unfair Labour Practices in India*
6. P.L. Malik (Rev.), K.D. Srivastava's *Industrial Employment (Standing Orders) Act, 1946*
7. E. M. Rao, O.P. Malhotra's *The Law of Industrial Disputes*
8. K.D. Srivastava, *Minimum Wages Act, 1948*
9. P.L. Malik, K.D. Srivastava's *Commentaries on Payment of Wages Act, 1936*
10. P.L. Malik, K.D. Srivastava's *Commentaries on The Payment of Bonus Act, 1965*
11. Srivastava. K .D., *Commentaries on Factories Act 1948* (2000), Eastern, Luknow



**BALLB 8.3 Property Law ( Transfer of Property Act and Easement Act )**

**Marks: 100 [80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction: Jurisprudential Controls of Property</b>	<b>10</b>
1.1 Concept and meaning of property	
1.2 Kinds of property - movable and immovable property (Sec. 3)- tangible and Intangible property - intellectual property - copyright - patents and designs - Trade marks	
1.3 Meaning of “things attached to earth” and concept of “Doctrine of fixtures”	
1.4 The concept of common property resources	
1.5 Possession and ownership - property relationship - finder of lost goods.	
1.6 Attestation (Sec. 3) :	
1.6.1 Importance of attestation	
1.6.2 Who is a competent witness;	
1.6.3 Mode of attestation- attestation by a Pardanashin woman.	
1.7 Notice (Sec. 3):	
1.7.1 Relevance of doctrine of Notice	
1.7.2 Actual and Constructive Notice	
1.7.3 Wilful abstention from making an inquiry and gross negligence	
1.7.4 Actual Possession	
1.7.5 Registration and Notice to agent as Constructive Notice	
<b>2. General principles of transfer of property [ Ss. 5, 6(a) and 43 ]</b>	<b>15</b>
2.1 Meaning of ‘Transfer of Property’ under the Act	
2.2 Transfer intervivos	
2.3 Living person distinguished from juristic person	
2.4 Status of partition of joint family property	
2.5 Kind of Property that can be transferred [Ss. 6(a) and 43]	
2.5.1 Transfer of “Spes Successionis”	
2.5.2 Transfer by heir apparent	
2.5.3 Legacy on the death of a kinsman;	
2.5.4 Fraudulent and erroneous unauthorized transfers	
2.5.5 Doctrine of “Feeding the grant by estoppel”	
2.5.6 Status of bonafide transferee for consideration and without notice.	
<b>3. Transfers subject to a condition or limitation (Ss. 10 and 11)</b>	<b>20</b>
<b>3.1 General principles</b>	
3.1.1 Absolute and partial restraints on transfer	
3.1.2 Exception in case of lease and married women	
3.1.3 Restrictions repugnant to interests created	
3.1.4 Restrictions for beneficial enjoyment of one’s own land	
3.1.5 Positive and negative covenants	
<b>3.2 Vested and Contingent interests (Secs. 19 and 21)</b>	
3.2.1 Definitions	
3.2.2 Distinction between vested and contingent interests.	
<b>3.3 Transfer for the benefit of unborn persons (Ss. 13-18)</b>	
3.3.1 Creation of prior interests and absolute interests in favour of unborn persons	
3.3.2 Rule against perpetuity- Period of perpetuity	
3.3.3 Rule of possible and actual events	
3.3.4 Transfer to a class	
3.3.5 Transfer when prior interest fails	
3.3.6 Directions for accumulation of income	
3.3.7 Exceptions	
<b>3.4 Transfer during pendency of litigation (Sec. 52)</b>	
3.4.1 Concept of “Lis Pendens” -meaning of proceedings	
3.4.2 Collusive suits	
3.4.3 Commencement and conclusion of suits	
3.4.4 Specific rights in specific immovable property	
3.4.5 Voluntary and involuntary alienations	

#### 4. Specific transfers

15

##### 4.1 Sales

##### 4.2 Mortgages (Ss. 58-60, 100)

- 4.2.1 Definition of Mortgage
- 4.2.2 Kinds of mortgages
- 4.2.3 Mode of execution of mortgages
- 4.2.4 Redemption and Foreclosure of mortgages;
- 4.2.5 Clog on equity of redemption
- 4.2.6 Distinction between mortgage and charge.

##### 4.3 Lease and License (Ss. 105, 106, Indian Easement Act, 1882, S. 52 )

- 4.3.1 Definition of lease
- 4.3.2 Absolute and derivative lease
- 4.3.3 Lease for a specific time
- 4.3.4 Periodic lease and lease in perpetuity;
- 4.3.5 Distinction between lease and license.
- 4.3.6 Salient features of the Indian Easement Act, 1882
  - 4.3.6.1 Nature, characteristics and extinction
  - 4.3.6.2 Creation of easements
  - 4.3.6.3 Riparian rights

##### 4.4 Gift (Ss. 122-126)

- 4.1 Definition of gift
- 4.2 Mode of execution of gift
- 4.3 Suspension and Revocation of gifts

#### 5. Leading Cases

(10x2) 20

1. *Lakhi Pprasad Bhar v. Kulendra Ch. Das* (1985)2GLR 289
2. *Shantabai v. State of Bombay*, AIR 1958 SC 532
3. *Kumar Harish Chandra Singh Deo v. Bansidhar Mohanty*, AIR 1965 SC 1738
4. *Ram Niwas v. Bano*, AIR 2000 SC 2921
5. *Mohar Singh v. Devi Charan*, AIR 1988 SC 1365
6. *Kartar Singh v. Harbans Kaur* (1994) 4 SCC 730
7. *R. Kempraj v. Burton Son & Co*, AIR 1970 SC 1872
8. *Jayaram Mudaliar v. Ayyaswamy*, AIR 1973 SC 569
9. *Shivdev Singh v. Sucha Singh*, AIR 2000 SC 1935
10. *Delta International Ltd. v. Shyam Sunder Ganeriwalla*, AIR 1999 SC 2607

#### Prescribed Legislation:

The Transfer of Property Act, 1882.

#### Prescribed Books:

1. Solil Paul (Rev.), Mulla's *The Transfer of Property Act*, Universal, Delhi
2. Poonam Saxena, '*Property and Easement*', Halsbury Laws of India; Vol. 12.
3. Vepa. P. Sarathi (Rev.) G.C.V. Subba Rao's *Law of Transfer of Property*, Eastern, Lucknow.
4. Sen Gupta (Rev.), Mitra's *Transfer of Property Act*

#### Recommended Books

1. B.Sivaramayya, *The equalities and the Law*, Eastern Book Co., Lucknow.
2. P.C.Sen, *The General Principles of Hindu Jurisprudence*, Allahabad Law Agency
3. B.H.Baden-Powell, *Land Systems of British India*, Vol.1 to 3., Oxford.
4. V.P.Sarathy, *Transfer of Property*, Eastern, Lucknow.
5. Poonam Pradhan Saxena, *Property Law*
6. S.M. Lahiri, *Transfer of Property Act*

**BALLB 8.4 Moot Court Exercise and Internship**  
[ Compulsory Clinical Course-II ]

**Marks: 100 [ 90+10 ]**

This paper will have three components of 30 marks each, and the fourth component will be a viva-voce examination for 10 marks.

**1. Moot Court ( 30 Marks )**

Every student will do at least 3 (three) moot court in a year with 10 marks for each. Each moot court work will be on assigned problem and it will be evaluated as follows:

- 1.1 Written submissions : 5 marks
- 1.2 Oral advocacy : 5 marks

**2. Observance of Trial in two cases ( 30 marks )**

- 2.1 One Civil case : 15 marks
- 2.2 One Criminal case : 15 marks

Students in a group of not more than 10(ten) students will attend two trials in the course of the last two or three years of law course. They will maintain a record and enter the various steps observed during their attendance on different days in the court assignment.

**3. Interviewing techniques and Pre-trial preparations ( 30 marks )**

- 3.1 Two interviewing sessions of clients : 15 marks
- 3.2 Observation of the preparation of documents and court papers : 15 marks

Each student will observe 2 (two) interviewing sessions of clients at the Lawyers' Office/Legal Aid Office and record the proceedings in a diary which will carry 15 marks. Each student will further observe the preparation of documents and court papers by the Advocate and the procedure for the filing of the suit/petition. This will be recorded in the diary which will carry 15 marks.

**4. Viva Voce examination [ on all the above three aspects ] ( 10 marks )**

**BALLB 8.5 Intellectual Property Rights : Trade Marks, Copyright, Patents and Designs**  
**Optional-2**

**Marks: 100 [80+20]**

**Detailed Syllabus**

**Marks**

**1. Introduction**

**20**

**1.1 Nature of Intellectual Property**

- 1.1.1 Introduction to Intellectual property-Concept-Theories of Protection  
Types of Intellectual property under WTO-TRIPS - Trade Marks, Copyright, Patents, Designs, Geographical Indications( Geographical Indications Act,1999), Integrated Circuits, Confidential information
- 1.1.2 International Institutional mechanism including various conventions and WIPO
- 1.1.3 Economic importance of Intellectual property

**1.2 Trade Marks Act, 1999**

- 1.2.1 Meaning, Functions, Trade marks for goods or services
- 1.2.2 Registration of trade mark for goods/services - Procedure (S.18 -23), Grounds of Refusal (S.9 & 11), Prior/Vested Rights (s.34 36), Rectification of register (S.57)
- 1.2.3. Section 9(2) - 'Mark of the nature as to deceive public or cause confusion'– Wide power –no mention of goods /services
- 1.2.4. Infringement & Passing off Action of Trade mark (S. 29 )
  - 1.2.4.1 Difference between passing off and infringement Passing off Injunction against registered trade marks
  - 1.2.4.2 Passing off for similar goods/ different goods/ based on transborder reputation
- 1.2.5. Protecting Domain Names as Trade Marks

**2. The Copyright Act, 1957**

**20**

- 2.1 Classes of Works in which copyright subsists – S.13, Copyright only in expression No Copyright in Ideas,
  - 2.1.1 Definitions of various works: Artistic work s. 2(c), dramatic work s. 2(h), Literary work s.2(o), musical work s.2(p), computer programmes s.2(ffc), cinematograph films s.2(f), sound recordings s.2(xx)
  - 2.1.2 Meaning of 'Original' & – a prefix to s 13(1)(a)
  - 2.1.3 Literary work
- 2.2 Meaning of Copyright – S.14 – Bundle of Rights
  - 2.2.1 Enumeration of rights in s 14 – reproduction , issue of copies, communication to public, translation, adaptation,
  - 2.2.2 Other important rights in, Computer programmes, cinematograph film, sound recordings; rental rights
  - 2.2.3 Abridgement of the work s 14(a)(vi), 2(a) adaptation, meaning of abridgement, Copyright in abridged work
  - 2.2.4 Author's Special (Moral) Rights – S.57
  - 2.2.5 Right to Assign and License – S. 18-19A, 30 to 32
  - 2.2.6 Rights of Broadcasting Organizations and Rights of Performers -S.37-38 Exceptions s 39
- 2.3 Ownership of copyright
  - 2.3.1 The first owner – S.17
  - 2.3.2 Who is an author – S. 2(d) and s 2 (g) (s), S.2(uu), authorship of computer generated works,2(d) (vi), Proviso (c) to s 17; employment; Joint authorship - tests for:
- 2.4 Infringement and Exceptions
  - 2.4.1 Infringement – S. 51, Relationship with s 14,
  - 2.4.2 Exceptions to Infringement – S.52 Rights of Public – Fair Dealing, News and current events, Teaching and Research, and others incl Communication to the public of sound recording in religious ceremonies –S.52 (1) (a) & (b), S.52 (1) (h), S.52(1)(za)

<b>3. The Patents Act, 1970</b>	<b>10</b>
3.1 Object of Patent System – Encouraging Inventions and working of Inventions in country concerned. After TRIPS Imports suffice as working.	
3.2 Patentable Inventions – S.2(1)(j), S.2(1)(ja)	
3.3 Non Patentable Inventions – S.3 in particular clause (d)	
3.4 Procedure for filing Patent Application with emphasis on specifications & claims, application for examination, rights of patentees	
3.5 Anticipation – Prior public knowledge, prior public use	
3.6 Grounds of Opposition & Revocation – S.25 – Pre-grant, post –grant	
<b>4. The Designs Act, 2000</b>	<b>10</b>
4.1 What is design, S.2(d), new and original,	
4.2 Copyright in Design (duration)– S.11	
4.3 Registration of design for articles – Ss.3-9	
4.4 Rights in registered design	
4.4.1 Cancellation of Design- S.19	
4.5 Piracy or Infringement of copyright in Design – S.22	
<b>5. Leading Cases:</b>	<b>(10x2 ) 20</b>
5.1. <i>M/s Hindustan Dev. Corpn. v. The Deputy Registrar of Trade Marks</i> , AIR 1955 Cal 319	
5.2. <i>The Imperial Tobacco Co. of India v. The Registrar of Trade Marks</i> , AIR 1977 Cal 413	
5.3. <i>Sony Kabushuki Kaisha v. Samrao Masker</i> , AIR 1985 Bom 327	
5.4. <i>K. R. Krishna Chettiar v. Sri Ambal &amp; Co</i> , AIR 1970 SC 146	
5.5. <i>Canadian General Electric Co. Ltd. v. Fada Radio Ltd.</i> , AIR 1930 PC 1	

**Prescribed Legislations:**

5. Trade Marks Act, 1999
6. Copyright Act, 1957
7. Design Act, 2000
8. Patents Act, 1970

**Prescribed Books:**

1. Ashwani Kr. Bansal, *Law of Trade Marks in India* (2<sup>nd</sup> ed., 2006)
2. V.K. Ahuja, *Law Relating to Intellectual Property Rights* (2007)
3. P. Narayanan, *Copyright and Industrial Designs* (2007)
4. P. Narayanan, *Law of Trade Marks and Passing off* (6<sup>th</sup> ed., 2004)
5. P. Narayanan, *Patent Law* (4<sup>th</sup> ed., 2006)

**Recommended Books:**

1. Ashwani Kr. Bansal, *Materials on Copyright* (2004)
2. V.K. Ahuja, *Law of Copyright and Neighbouring Rights: National and International*
3. Alka Chawla, *Copyright and Related Rights: National and International Perspectives* (2007)

**BALLB 8.5 Law of Sea**  
**Optional-2**

**Marks: 100 [80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Historical background</b>	<b>20</b>
1.1 Mare Liberum	
1.2 Mare Clausum	
1.3 Truman Declaration, 1945	
1.4 UN Conference on the Law of the sea	
1.5 Pardo Proposal, 1967	
1.6 Package Deal Convention	
1.7 Seabed Committee	
1.8 Negotiating by Consensus	
1.8.1 Passive Consensus	
1.8.2 Active Consensus	
<b>2. Indian Constitutional Provision on the law of sea</b>	<b>10</b>
2.1 Territorial Sea	
2.1.1 Legal Nature of the Rights of Coastal States in the Territorial Sea	
2.1.2 Innocent Passage	
2.1.3 Breadth of the Territorial Sea	
2.1.4 Measurement of the Territorial Sea	
2.1.5 Delimitation of the Territorial Sea between States with Opposite or Adjacent Coasts	
2.2 Contiguous Zone- Indian Position	
<b>3. Continental Shelf</b>	<b>10</b>
3.1 Geological Concept	
3.2 Historic Perspective	
3.3 Geneva Convention on the Continental Shelf	
3.4 UN Convention on the law of sea	
3.5 Indian Position	
3.6 Delimitation of Continental Shelf	
<b>4.1 Exclusive Economic Zone</b>	<b>10</b>
4.1.1 Limit of the Exclusive Economic Zone	
4.2 Rights and Duties of the States	
<b>4.2 High Seas</b>	<b>05</b>
4.2.1 Freedom of High Seas	
4.2.2 Sea Piracy	
4.2.3 Criminal jurisdiction for Collision	
<b>4.3 Sea Minings</b>	<b>05</b>
4.3.1 Constitution, Powers	
4.3.2 Function of International Seabed Authority	
<b>5. Leading Cases</b>	<b>20</b>
	(10x2)
1. <i>United Kingdom v. Norway (Anglo-Norwegian Fisheries Case)</i> , ICJ Rep. 1951, p. 116	
2. <i>North Sea Continental Shelf Case</i> , ICJ Rep. 1969, p. 3 84	
3. <i>Libya v. Tunisia Continental Shelf</i> , ICJ Rep. 1982, p. 17 90	
4. <i>Libyan Arab Jamahiriya v. Malta</i> , ICJ Rep. 1985, p. 35 95	
5. <i>Qatar v. Bahrain (Maritime Delimitation and Territorial Questions between Qatar and Bahrain)</i> , ICJ Reports 2001, p. 40	

**Prescribed books**

1. Gurdip Singh, *International Law*, Macmillan India Ltd
2. Martin Dixon et al, *Cases and Materials on International Law*, Lawman (India ) Pvt Ltd
3. S.K. Kapoor, *International Law and Human Rights*, CLA

**BALLB 8.5 Right to Information**  
**Optional-2**

**Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction</b>	<b>10</b>
1.6 Classification of Information	
1.7 Meaning of Information	
1.8 Right to Information in India	
1.9 Legal & Constitutional Perspective	
1.10 Importance & Necessity of Right to Information	
<b>2. Right to Information in India</b>	<b>20</b>
2.1 Judicial Interpretation	
2.2 Freedom of Press & Freedom Of Information	
2.3 Right to know under Article 19 (1)(a) & Contempt of Court	
2.4 Voter's Right to Know	
2.5 Consumer's Right to Know	
2.6 Right to Information of the arrested person	
2.7 Hazards of noise pollution - S.C. Guidelines	
<b>3. Right to Information &amp; Public Interest Litigation</b>	<b>10</b>
<b>4. Salient features of</b>	<b>20</b>
4.1 Right to Information Act, 2005	
4.2 The Assam Right to Information Act, 2001	
<b>5. Leading Cases:</b>	<b>( 10x2 ) 20</b>
5.1 <i>Union of India v. Association for Democratic Reforms</i> , AIR 2002 SC 2112 : (2002) 5 SCC 294	
5.2 <i>Secretary, Ministry of Information and Broadcasting, Govt. of India v. Cricket Association of Bengal</i> , AIR 1995 SC 1236: (1995) 2 SCC 161	
5.3 <i>People's Union for Civil Liberties v. Union of India</i> , AIR 2003 SC 2363: (2003) 4 SCC 399	
5.4 <i>Indra Sawhney v. Union of India</i> , AIR 1993 SC 477	
5.5 <i>Union of India v. Raghubir Singh</i> , AIR 1989 SC 1933	
5.6 <i>P.V.Narashimha Rao v. State</i> , AIR 1998 SC 2120	
<b>Prescribed Legislations:</b>	
1. Right to Information Act, 2005	
2. The Assam Right to Information Act, 2001	
<b>Prescribed Books:</b>	
4. Justice P.S. Narayan, G.B. Reddy, <i>Right to Information and Law</i>	
5. R.K. Verma, <i>Right to Information Law and Practice</i>	
6. Dr. D.N. Barowalia, <i>Commentary on the Right to Information</i> , Universal, Delhi (2007)	

**BALLB 8.6 : IPL- Patent Drafting and Specification Writing**  
**Hons-4**

**Marks: 100 [80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction-</b> Patent and its importance	<b>10</b>
<b>2. Patent drafting</b>	<b>20</b>
<b>3 Specification</b>	<b>20</b>
3.1 General	
3.2 Provisional Specification	
3.3 Complete Specification	
3.3.1 Priority date and state of the art	
3.3.2 Drafting of Specification	
3.4 Construction of Specification	
3.5 Amendment of Specification	
<b>4. Opposition to Grant of Patent</b>	<b>10</b>
4.1 Procedure	
4.2 Discretion of Controller	
4.3 Disclaimer and References	
4.4 Grounds of opposition	
<b>5. Leading Cases</b>	<b>20</b>
1. <i>Excerpts from Canadian General Electric Co. Ltd. v. Fada Radio Ltd.</i> , AIR 1930 PC 1	
2. <i>Hoffmann-La Roche Ltd v. Cipla Limited</i> , 2008 (37 ) PTC 71 (Del)	

**Prescribed Books**

1. Prabudh Ganguli, *Gearing up for Patents*
2. Prabudh Ganguli, *Intellectual Property Rights*
3. P. Narayanan, *Intellectual Property Law*
4. Wadehra B.L., *Patents, Trademarks, Designs and Geological Indications.*
5. Cornish P., *Intellectual Property Law.*
6. P. Narayanan, *Patent Law* (4<sup>th</sup> ed., 2006)



**1. Introduction:**

**10**

**1.1 Principles of Legislation**

- 1.1.1. Law-making - the legislature, executive and the judiciary
- 1.1.2. Principle of utility
- 1.1.3. Relevance of John Rawls and Robert Nozick - individual interest to community interest
- 1.1.4. Operation of these principles upon legislation
- 1.1.5. Distinction between morals and legislation

**1.2 Interpretation of Statutes**

- 1.2.1 Meaning, Objects and Scope of 'interpretation' , 'construction' and 'statute'
- 1.2.2 Nature and Kinds of Indian Laws: Statutory, Non-statutory, Codified, Uncodified, State-made and State-recognised laws
- 1.2.3. Commencement, operation and repeal of statutes
- 1.2.4. Purpose of interpretation of statutes.
  - 1.2.4.1 Basic Sources of Statutory Interpretation
    - (i) The General Clauses Act, 1897: Nature, Scope and Relevance (Ss.6- 8)
    - (ii) Definition clauses in various Legislations: Nature and Interpretative Role

**2. Interpretation**

**20**

**2.1 Aids to Interpretation (Parts of the statute and their interpretative role )**

- 2.1.1 Internal aids
  - 2.1.1.1. Title
  - 2.1.2. Preamble
  - 2.1.3. Headings and marginal notes.
  - 2.1.4. Sections and sub-sections
  - 2.1.5. Punctuation marks.
  - 2.1.6. Illustrations, exceptions, provisos, saving clauses, explanations and schedules
  - 2.1.8. Non-obstante clause.
- 2.1.2 External aids
  - 2.2.1 Role of Constituent Assembly debates in the interpretation of the Constitution of India
  - 2.2.2 Legislative history- Legislative Intention, Statement of objects and reasons, legislative debates, Committee reports, Law Commission reports etc.
  - 2.2.3 International-law and human-rights documents
  - 2.2.4 Dictionaries-Translations
  - 2.2.5. Statutes in pari materia

**2.2 Rules of Statutory Interpretation**

- 2.2.1 Primary Rules
  - 2.2.1.1. Literal rule
  - 2.2.1.2. Golden rule
  - 2.2.1.3. Mischief rule (rule in the Heydon's case)
  - 2.2.1.4. Rule of harmonious construction
- 2.2.2. Secondary Rules
  - 2.2.2.1. Noscitur a sociis ( Associated words )
  - 2.2.2.2. Ejusdem generis
  - 2.2.2.3. Reddendo singula singulis

**2.3 Presumptions in statutory interpretation**

- 2.3.1. Statutes are valid
- 2.3.2. Statutes are territorial in operation
- 2.3.3. Presumption as to jurisdiction
- 2.3.4. Presumption against what is inconvenient or absurd
- 2.3.5 Presumption against intending injustice
- 2.3.6. Presumption against impairing obligations or permitting advantage from one's own wrong
- 2.3.7. Prospective operation of statutes

## 2.4 Maxims of Statutory Interpretation

- 2.4.1. Delegatus non potest delegare
- 2.4.2. Expressio unius exclusio alterius
- 2.4.3. Generalia specialibus non derogant
- 2.4.4. In pari delicto potior est conditio possidentis
- 2.4.5. Utres valet potior quam pareat
- 2.4.6. Expressum facit cessare tacitum
- 2.4.7. In bonam partem

## 3. Interpretation with reference to the subject matter and purpose

15

- 3.1. Restrictive and beneficial construction
  - 3.1.1. Taxing statutes
  - 3.1.2. Penal statutes
  - 3.1.3. Welfare legislation
- 3.2. Interpretation of substantive and adjunctival statutes
- 3.3. Interpretation of directory and mandatory provisions
- 3.4. Interpretation of enabling statutes
- 3.5. Interpretation of codifying and consolidating statutes
- 3.6. Interpretation of statutes conferring rights
- 3.3. Interpretation of statutes conferring powers.

## 4. Principles of Constitutional Interpretation

15

- 4.1. Harmonious construction
- 4.2. Doctrine of pith and substance
- 4.3. Colourable legislation
- 4.4. Ancillary powers
- 4.5. "Occupied field"
- 4.6. Residuary power
- 4.7. Doctrine of repugnancy

## 5. Leading Cases

(10x2)

20

1. *Girija K. Phukan v. State of Assam* 1984 (2) LR 488
2. *Bengal Immunity Co. Ltd. v. State of Bihar* 1955 2 SCR 603
3. *Smti Charu Deka v. Umeswari Nath & other* AIR 1995 Gau 9.
4. *P. Ramachandra Rao v. State of Karnataka* (2002) 4 SCC 578
5. *Bhatia International v. Bulk Trading S.A.* (2002) 4 SCC 105
6. *R.M.D.C. v. Union of India*, AIR 1957 SC 628
7. *Avtar Singh v. State of Punjab*, AIR 1955 SC 1107
8. *A.S. Sulochana v. C. Dharmalingam*, AIR 1987 SC 242
9. *ShashiKant Laxman Kale v. Union of India*, AIR 1990 SC 2114 :(1990) 4 SCC 366

### Prescribed Legislation:

The General Clauses Act, 1897

### Prescribed Books:

1. P. St. J. Langan, *Maxwell on the Interpretation of Statutes* (12th ed., 1969)
2. Vepa P. Sarathi, *Interpretation of Statutes* (4th ed., 2003)
3. G.P. Singh, *Principles of Statutory Interpretation* (11th ed., 2008)

### Recommended Books:

1. S.G.G. Edgar, *Craies on Statute Law* (1999)
2. Swarup Jagdish, *Legislation and Interpretation*
3. P. St. Langan (Ed.). *Maxwell on The Interpretation of Statutes* (1976) N.M.Tripathi, Bombay
4. K.Shanmukham, *N.S.Bindras's Interpretation of Statutes*, (1997) The Law Book Co. Allahabad.
5. V.Sarathi, *Interpretation of Statutes*, (1984) Eastern, Lucknow
6. M.P.Jain, *Constitutional Law of India*, (1994) Wadhwa & Co.
7. M.P.Singh, (Ed.) *V.N.Sukla's Constitution of India*, (1994) Eastern, Lucknow.
8. U.Baxi, *Introduction to Justice K.K.Mathew's, Democracy Equality and Freedom* (1978) Eastern, Lucknow

**BALLB 8.6 Criminology- Penology and Victimology**  
**HONS - 5**

**Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction- Penology</b>	<b>20</b>
<b>1.1 Definition of Penology</b>	
<b>1.2 Punishment</b>	
1.2:1 Concept of Punishment	
1.2:2 Object of	
1.2:3 Theories of	
1.2:3:1 Deterrent theory of Punishment	
1.2:3:2 Retributive theory of Punishment	
1.2:3:3 Preventive theory of Punishment	
1.2:3:4 Reformative theory of Punishment	
<b>1.3 Capital Punishment</b>	
1.3:1 Capital Punishment in India	
1.3:2 Constitutionality of Capital Punishment	
1.3:3 Judicial Trend	
<b>2. Sentencing and Imprisonment</b>	<b>10</b>
<b>2.1 Approaches to Sentencing</b>	
2.1:1 Alternatives to Imprisonment	
2.1:2 Probation	
2.1:3 Compensation	
2.1:4 Fines	
<b>2.2 Imprisonment</b>	
2.2:1 Jail System	
2.2:2 Classification of Prisoners	
2.2:3 Open Prison	
<b>3 The Police System</b>	<b>10</b>
3:1 Police Force in India	
3:2 The role of Police	
3:3 Functions of Police	
<b>4. Victimology</b>	<b>20</b>
4:1 Need for Compensation	
4:2 Compensation and Rehabilitation	
4:3 Compensation as a Mode of Punishment	
4:4 Constitutional Perspective of Compensation	
<b>5. Leading Cases</b>	<b>20</b>
1. <i>Bishnu Deo v. State of West Bengal</i> AIR 79 SC 964	(10x2 )
2. <i>Munna v. State of UP</i> AIR 82 SC 806	
3. <i>Sammder Singh v. State of Rajasthan</i> AIR 87 SC 737	
4. <i>Dharan Bir v. State of UP</i> (1979) 3 SCC 645	
5. <i>Sunil Batra v. Delhi Administration</i> , AIR 1980 SC 1579	

**Prescribed books**

1. N.V. Paranjape, *Criminology and Penology*
2. Sutherland, *Principles of Criminology*
3. Siddiqui, *Criminology*
4. Sethna, *Society and Criminal*
5. Jones,,*Crime and Penal System*

**BALLB 8.7: Constitutional Law- Media and Law****Hons-6****Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Need of Law in Media</b>	<b>20</b>
1:1 Freedom of Speech and Expression under the Indian Constitution and Restrictions	
1:2 Media Personal Privileges	
1:3 Print Media and Press Law	
1:4 Broadcasting and its privileges	
1:5 Performer's Rights	
<b>2. Copy Right Act, 1999</b>	<b>20</b>
Indian Copy Right Act as amended	
<b>3. Defamation-</b>	<b>10</b>
3.1 Provisions embodied in the Indian Penal Code	
3.2 Indecent Representation Act, 1986	
<b>4. Print Media and Registration Act, 1867</b>	<b>20</b>
4.1 National Security Act, 1980	
<b>5. Leading Cases-</b>	<b>10</b>
1. <i>Zee Telefilms Ltd. v. Union of India</i> (2005) 4 SCC 649	
2. <i>Bennett Coleman and Co. v. Union of India</i> AIR 1973 SC 106	

**Prescribed Books:**

1. Madhavi Goradia, *Facet Of Media Law*
2. *Media , Press and Telecommunication Law, 2007*
3. DR. A. Verma, *Cyber Crimes & Law*

**BALLB 8.7 : Criminology- Offence against Child and Juvenile Justice**  
**Hons-6**

**Marks: 100 [ 80 + 20 ]**

**Detailed Syllabus**

**Marks**

<b>1. Constitutional and International Legal Status of Child</b>	<b>15</b>
1.1. Special status of child - national policy	
1.2. Constitutional concern – Art. 15(3), 24 , 39(e) & (f) and 45	
1.3. International concern and endeavour for the welfare of the children:	
1.3.1. Minimum Age conventions	
1.3.2. Child rights conventions	
1.3.3. U.N. Declaration of the rights of the child, 1924, 1959.	
1.3.4. Contributions - UNESCO, UNICEF.	
<b>2. Legal Control of Child Labour</b>	<b>15</b>
2.1. Regulation of the employment: protection of the health and well-being	
2.2. International conventions and recommendations of the ILO.	
2.3. Recommendations of the National Commission of Labour.	
2.4. Legislation relating to factories, plantation labour, mines, merchant shipping, motor transport workers, apprentices, shop & establishments and child labour:	
2.4.1 The Factories Act, 1948	
2.4.2 Apprentice Act, 1961	
2.4.3 The Child Labour Act, 1986	
<b>3. Child and Criminal Liability</b>	<b>15</b>
3.1. Crimes committed by child; crimes committed by others in relation to children;	
3.2. Implementation of social policy through criminal sanctions in relation to child;	
3.3. Variation of procedure in case of child offender	
3.4. Judicial proceedings in criminal cases relating to children	
3.5. Statutory provisions –	
3.5.1 Sections 82 , 83, 299 Exp.3, 363A, 372 and 376 of IPC	
3.5.2 Sec 27 of the Cr. P.C.	
3.5.3 Suppression of Immoral Traffic Act 1956 (SITA)	
3.5.4 Child Marriage Restraint Act 1929 as amended in 1978	
3.5.5 Young Persons Harmful Publications Act 1956	
3.5.6 The Children Act 1960	
3.5.7 Reformatory Schools Act 1897	
<b>4. Juvenile Offence: Juvenile Delinquency</b>	<b>15</b>
4.1 Concept of Juvenile Delinquency	
4.2 Legal Position in India	
4.2.1 Juvenile Delinquency Act, 1986	
4.2.2 The Juvenile Justice ( Care and Protection of Children ) Act, 2000	
<b>5. Leading Cases</b>	<b>20</b>
1. <i>Raghubir v. State of Haryana</i> , AIR 1981 SC 2037	
2. <i>Sanjay Suri v. Delhi Administration</i> , AIR 1988 SC 414	
3. <i>Pratap Singh v. State of Jharkhand</i> 2005 (1) SCALE 763	
4. <i>Sudesh Kumar v. State of Uttarakhand</i> (2008) 3 SCC 111	

**Prescribed Legislations:**

10. The Constitution of India ( Relevant provisions )
11. Indian Penal Code (Relevant provisions- Ss. 82 , 83, 299 Exp.3, 363A, 372 and 376)
12. Criminal Procedure Code ( Relevant provisions- Sec 27 )
13. Indian Evidence Act( Relevant provisions )
14. Child Marriage Restraint Act 1929 as amended in 1978
15. Young Persons Harmful Publications Act 1956
16. The Children Act 1960
17. Reformatory Schools Act 1897
18. Juvenile Delinquency Act, 1986,
19. The Juvenile Justice ( Care and Protection of Children ) Act, 2000

**Prescribed Books:**

1. S.N. Jain ed, *Child and the Law* (1979) Indian Law Institute, New Delhi

**General reading:**

1. Lotika Sarkar, *The Law Commission of India* (1988).
2. U.Baxi, *Law and Poverty: Critical Essays* (1988), Eastern, Luknow
3. Ajnes, Flavia, *Law as Gender Inequality*, New Delhi, Oxford (1999)  
(Section IV : General Conclusions & Recommendations)
4. S.C. Tripathy, *Law relating to Women & Children*
5. Anjani Kant, *Law relating to Women & Children*
6. Mamta Rao, *Law relating to Women & Children*
7. Agarwal & Agarwal, *Law relating to Women & Children*

**BALLB 8.7 : IPL- Bio Diversity Protection****Hons-6****Marks: 100 [80+20]****Detailed syllabus****Marks**

<b>1. Introduction:</b>	<b>16</b>
1.1 Rights, Property Rights, Intellectual Property Rights and Bio-technology	
1.2 Scope and need for protection of Bio Diversity	
1.2.1 Biotechnology patent	
1.2.1.1 Nature and types of biotechnology patent	
1.2.2 Patent over new form of life: TRIP obligations	
1.2.3 Plant patenting	
1.2.3.1 Sui generis protection for plant varieties	
1.2.3.2 Multinational ownership	
<b>3. Bio-Diversity Act-1999</b>	<b>16</b>
3.1 Objectives of the legislation	
3.2 Principles of Bio-diversity	
3.3 Protection of Bio-diversity as Sovereign Rights	
3.4 Mechanism of Monitoring bio-diversity	
3.5 Remedies for infringement	
<b>4. Protection of Plant Varieties and Farmers Rights Act, 2001</b>	<b>16</b>
4.1 Objective of the legislation	
4.2 Conceptualization of Plant varieties, breeding, culture, farmers rights etc.	
4.3 Period of protection	
4.4 Infringements	
<b>5. Geographical Indications Act, 2001</b>	<b>16</b>
5.1 Concept of appellations of origin, indication of source and Geographical Indication	
5.1.1 International conventions/ agreements	
5.2 The Geographical Indications of goods (Registration and Protection) Act, 2000	
5.2.1 Objectives of the Act	
5.2.2 Procedure for registration, duration of protection and renewal	
5.3 Geographical Indications and Biotechnology	
5.4 Protection of Geographical Indications	
5.5 Authorities for monitoring protection	
5.6 Infringement, penalties and remedies	

**Prescribed Legislations:**

1. The Patents Act, 1970 and the Patents (Amendment) Act, 1999.
2. Bio-Diversity Act-1999
3. Protection of Plant Varieties and Farmers Rights Act, 2001.
4. Geographical Indications Act, 2001

**Recommended Books:**

1. B. L. Wadehra : *Patents, Trademarks, Copyright, Designs and Geographical Indications*
2. P. Narayanan : *Intellectual Property Law*
3. Cornish P. : *Intellectual Property Law*
4. Prabudh Ganguli : *Gearing up for Patents*
5. Prabudh Ganguli : *Intellectual Property Rights*
6. Iver P. Cooper, *Biotechnology and Law* (1998), Clerk Boardman Callaghan, New York

**BALLB- 9.1 Indian Evidence Act- II [ On Proof, Production & Effect of Evidence ]**

**Marks: 100 [ 80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Evidence</b>	<b>20</b>
<b>1.1 Oral and Documentary Evidence</b>	
1.1.1. General principles concerning oral evidence ( Ss. 59-60 )	
1.1.1. General principles concerning Documentary Evidence ( Ss. 67-90 )	
1.1.3. General Principles Regarding Exclusion of Oral by Documentary Evidence( Ss.91-92 )	
1.1.4. Special problems: re-hearing evidence	
1.1.5. Issue estoppel	
1.1.6. Tenancy estoppel ( Section 116 )	
<b>1.2 Accomplice Evidence</b> – section 133 read with section 114 (b)	
<b>1.3 Medical Jurisprudence-</b> evidence part	
<b>2. Witnesses, Examination and Cross Examination</b>	<b>20</b>
2.1. Competency to testify- Child Witness- s.118, Dumb Witness-s.119, Hostile Witness- s.154	
2.2. State privilege (Section 123)	
2.3. Professional privilege (Ss. 126, 127, 128 129 )	
2.4. Approval testimony ( Section 133 )	
2.5. General principles of examination, cross examination and re-examination (Ss. 135-166)	
2.6. Leading questions (Ss. 141-143 )	
2.7. Lawful questions in cross-examination ( Section 146 )	
2.8. Compulsion to answer questions put to witness	
2.9. Hostile witness (Section 154)	
2.10. Impeaching of the standing or credit of witness ( Section 155 )	
<b>3. Burden of Proof</b>	<b>10</b>
3.1. The general conception of onus probandi ( Section 101 )	
3.2. General and special exceptions to onus probandi	
3.3. Presumptions : ( Ss. 4, 41, 105, 111-A, 112, 113, 113-A, 113-B, 114 and 114-A )	
3.3.1 The justification of presumption and of the doctrine of judicial notice	
3.3.2. Justification as to presumptions as to certain offences (Section 111A)	
3.3.3 Presumption as to dowry death (Section 113-B)	
3.4. The scope of the doctrine of judicial notice (Section 114)	
<b>4. Estoppel - Facts which the parties are prohibited from proving</b>	<b>10</b>
4.1. Why estoppels ? The rationale ( Section 115)	
4.2. Estoppel, res judicata and waiver and presumption	
4.3. Estoppel by deed	
4.4. Estoppel by conduct	
4.5. Equitable and promissory estoppel	
4.6. Questions of corroboration (Ss. 156-157)	
4.7. Improper admission and of witness in civil and criminal cases.	
<b>5. Leading Cases</b>	<b>( 10x2 ) 20</b>
1. <i>R. S. Maddanappa v. Chandramma</i> (1965) 3 SCR 283	
2. <i>Madhuri Patel v. Addl. Commissioner, Tribal Development</i> , AIR 1995 SC 94	
3. <i>Sanatan Gauda v. Berhampur University</i> , AIR 1990 SC 1075	
4. <i>M.C. Vergheese v. T.J. Ponnann</i> , AIR 1970 SC 1876	
5. <i>State of U.P. v. Raj Narain</i> , AIR 1975 SC 865	
6. <i>Bhuboni Sahu v. The King</i> , AIR 1949 PC 257	
7. <i>Haroon Haji Abdulla v. State of Maharastra</i> , AIR 1975 SC 856	
8. <i>Ravinder Singh v. State of Haryana</i> , AIR 1975 SC 856	
9. <i>State of Bihar v. Laloo Prasad</i> (2002) 9 SCC 626	
10. <i>Goutam Kundu v. State of West Bengal</i> , AIR 1993 SC 2295	

**Detailed Syllabus****Marks**

<b>1 The Industrial Disputes Act ( Contd )</b>	<b>15</b>
1.1 Investigation & Settlement of Industrial Disputes – General (sections 3 to 15)	
1.2 Dispute Settlement Machinery: Conciliation and Adjudication	
1.2.1 Conciliation/Mediation as a Dispute Settlement Mechanism	
1.2.2 Adjudication : Voluntary Adjudication/Arbitration and Compulsory Adjudication	
1.2 Reference of the Industrial Dispute	
1.2.1 Nature & Scope of the Power of the Appropriate Government under section 10	
1.2.2 Jurisdiction of Adjudicatory Authorities.	
1.3 Awards and Settlements	
1.3.1 Settlement : Nature, Duration and Termination	
1.3.2 Awards : Nature and Duration	
1.3.3 Judicial Review of Industrial Awards	
1.4 Managerial Prerogative	
1.4.1 Domestic Enquiry and Disciplinary actions with special reference to the Industrial Employment (Standing Orders) Act, 1946	
1.5 Powers of the Adjudicatory Authorities	
1.5.1 Power in cases of Discharge/Dismissal (section 11A)	
1.6 Restraints on Managerial Prerogatives (section 33 and 33A)	
<b>2. Wage – Concept and Kinds of Wages</b>	<b>15</b>
2.1 Concept – National Wage Policy	
2.1.1 Theories of wages : marginal productivity, subsistence, wages fund, supply	
2.2 Kinds of wages- (a) Minimum Wage; (b) Fair Wage; (c) Living Wage	
2.3 Components of wages : dearness allowance, principle of fixation.	
2.4 The Minimum Wage Act, 1948	
2.5 Machinery under the Act for the Fixation of Minimum Wage	
2.6 The Payment of Wages Act, 1936 : Salient Features	
2.6.1 Protection of wages : non-payment, delayed payment,	
2.6.2 Unauthorised deductions - remedial measures.	
<b>3. Bonus</b>	<b>10</b>
3.1 Concept of Bonus - computation of bonus	
3.2 Salient features of the Payment of Bonus Act, 1965	
<b>4. Health and Safety: legislative controls : factory, mines and plantations.</b>	<b>20</b>
4.1 The Workmen's Compensation Act, 1936	
4.1.1 Entitlement for Compensation	
4.1.2 Concept of injury "arising out of and in the course of employment"	
4.1.3 Disablement : Partial and Total ; Temporary and Permanent	
4.1.4 Quantum of Compensation – principles for determination	
4.2 The Factories Act, 1948 : A General Study of the Act	
<b>5. Leading Cases</b>	<b>20</b>
1. <i>Bharat Bank Ltd. v. Employees</i> , AIR 1950 SC 188	(10x2)
2. <i>Karnal Leather Karamchari Sanghatan v. Liberty Footwear Co.</i> , AIR 1990 SC 247	
3. <i>The State of Madras v. C.P. Sarathy</i> , AIR 1953 SC 53	
4. <i>J.K. Synthetics Ltd. v. K.P. Agrawal</i> (2007) 2 SCC 433	
5. <i>Delhi Cloth and General Mills Ltd. v. Kushal Bhan</i> , AIR 1960 SC 806	
6. <i>Debotosh Pal Choudhary v. Punjab National Bank</i> , AIR 2002 SC 3276	
7. <i>Neeta Kaplish v. Presiding Officer, Labour Court</i> , AIR 1999 SC 698	
8. <i>The Management, Hotel Imperial v. Hotel Workers Union</i> , AIR 1959 SC 1342	
9. <i>Crown Aluminum Works Ltd. v. Workmen</i> , AIR 1958 SC 130	
10. <i>Jalan Trading Co. (P.) Ltd. v. Mill Mazdoor Sabha</i> , AIR 1967 SC 69	
<b>Prescribed Legislations:</b>	
2. The Industrial Disputes Act, 1947	
3. The Industrial Employment (Standing Orders) Act, 1946	
4. The Minimum Wages Act, 1948	
5. The Payment of Wages Act, 1936	
6. The Workmen's Compensation Act, 1936	
7. The Payment of Bonus Act, 1965	
8. The Factories Act, 1948	



Detailed Syllabus	Marks
<b>1. Nature and Development of International Law</b>	<b>10</b>
1.1 Definition of International Law	
1.2 International Law as "Law" - Basis of International Law - Jurisprudential Theories	
1.3 Codification of International Law	
1.4 Sanctions of International Law	
1.5 Subjects of International Law	
1.6 Approach of Developing Countries towards International Law	
<b>2. Sources of International Law</b>	<b>20</b>
2.1. Statute of the International Court of Justice, 1945, Article 38	
2.1 International Treaties and Conventions;	
2.2 International Custom;	
2.3 General Principles of Law Recognized by Civilized Nations;	
2.4 Judicial Decisions, Juristic Opinion	
2.5 <i>Ex aequo et bono</i>	
2.2. Other Sources of International Law:	
2.2 Resolutions of General Assembly;	
2.3 Resolutions of Security Council	
2.3. Treaties and Statutes	
2.3.1. Geneva Convention on Territorial Waters and Contiguous Zone, 1958	
2.3.2. Geneva Convention on Continental Shelf, 1958	
2.3.3. Geneva Convention on Conservation of Fishing Resources, 1958	
2.3.4. Geneva Convention on High Seas, 1958	
2.3.5. United Nations Convention on Law of the Sea, 1982	
2.3.6. Agreement relating to the Implementation of Part XI of the United Nations Convention of 1994 on the Law of the Sea of 10 December 1982	
2.3.7. The Territorial Waters, Continental Shelf, Exclusive Economic Zone and Maritime Zones Act, 1976	
2.4 Relationship Between International Law and Municipal Law	
2.4.1. Theories :	
2.4.1.1 Monistic Theory	
2.4.1.2 Dualistic Theory	
2.4.2 Practice of States : India, United Kingdom, United States of America	
<b>3. State Responsibility</b>	<b>15</b>
3.1. Basis of International Responsibility	
3.2. Constituent Elements of International Responsibility: Damage Theory; Fault Theory; Absolute Liability and Risk Theory	
3.3. The Act of State (Rules of Attribution)	
3.3. International Crimes and Delicts	
3.5. Forms of Reparation :	
3.5.1 Restitution;	
3.5.2 Indemnity;	
3.5.3 Satisfaction;	
3.5.4 Guarantee against Repetition	
3.6. Expropriation of Property of Aliens:	
3.6.1 Calvo clause	
3.6.2 Position of Shareholders and Nationality of Corporation	
3.6.3 Nationality by Naturalisation	
3.6.4 Rule of Exhaustion of Local Remedies	
3.7. ILC Draft Code on Responsibility of States for Internationally Wrongful Acts, 2001	

#### 4. Law of The Sea

15

- 4.1. Maritime Zones: Territorial Sea, Contiguous Zone, Continental Shelf, Exclusive Economic Zone and the High Seas
- 4.2. Delimitation of Adjacent and Opposite Maritime Boundaries
- 4.3. Concept of "Common Heritage of Mankind" Relating to the Resources of International Seabed Area
- 4.4. International Seabed Mining – Parallel System of Mining
- 4.5. Indian Maritime Interests, Policy and Law
- 4.6. International Tribunal for the Law of the Sea

#### 5. Leading cases

(10x2)

20

1. *Libya v. Tunisia Continental Shelf Case*, ICJ Rep. 1982, p. 17
2. *Nicaragua Case (Nicaragua v. USA)* ICJ Rep.1986, p. 14
3. *Libyan Arab Jamahiriya v. Malta*, ICJ Rep. 1985, p. 35
4. *In Re Berubari Union No. (I)*, AIR 1960 SC 845 : (1960) 3 SCR 250
5. *Ram Kishore Sen v. Union of India* (1966) 1 SCR 430 : AIR 1966 SC 644
6. *Jolly George Varghese v. Bank of Cochin*, AIR 1980 SC 470 (1980) 2 SCC 360
7. *Gramophone Co. of India Ltd. v. Birendra Bahadur Pandey*, AIR 1984 SC 667:(1984)2SCC 534
8. *Union of India v. Sukumar Sengupta*, AIR 1990 SC 1692 :1990 Supp. SCC 545
9. Right of Passage over Indian Territory (Merits) (*Portugal v. India*), ICJ Rep. 1960, p. 6
10. Asylum Case (*Columbia v. Peru*), ICJ Rep. 1950, p. 266

#### Prescribed Books:

1. Robert Jennings and Arthur Watts (eds.), *Oppenheim's International Law* [Vol. I-Peace] (1996)
2. I. Brownlie, *Principles of Public International Law* (7th ed., 2008)
3. I.A. Shearer, *Starke's International Law* ( 2007)
4. D.J. Harris, *Cases and Materials on International Law* (6th ed., 2004)
5. Gurdip Singh, *International Law* ( 2003 )
6. S.K. Verma, *An Introduction to Public International Law* ( 1998 )

#### General Readings:

1. Advisory Opinion of ICJ on the Effect of Awards of Compensation made by the United Nations Administrative Tribunal , 1954 International Law Reports 310
2. Treaties:
  - i) Charter of the United Nations
  - ii) Statute of the International Court of Justice

## **BALLB-9.4 Alternative Dispute Resolution [ Compulsory Clinical Course- III ]**

Outline of the Course: Negotiation skills, conciliation skills, Arbitration Law and Practice incl. International Arbitration and Arbitration Rules.

**Note 1:** The course is required to be conducted by senior legal practitioners /retired judges/judicial officer etc

through simulation and case studies.

**Note 2:** Evaluation is divided between theoretical part and internal practical exercises in the ratio 50:50 as follows:-

**2.1** Theoretical Paper through Written Examination : (50 marks)

**2.2** Internal Practical Exercises and evaluation incl. Viva Voce Examination (50 marks)

**Marks: 100 [ 50 +50 ]**

### **Detailed Syllabus**

**Marks**

#### **Part-A: Theory ( 50 marks)**

#### **1. Arbitration : meaning, scope-importance and kinds** **10**

##### 1.1. Distinctions between

1.1.1. 1940 law and 1996 law: UNCITRAL model law

##### 1.1.2. Arbitration and conciliation

1.1.2.1 General Provisions (Ss.2-6) - Definitions,

1.1.2.2 Waiver of right of object

1.1.2.3 Extent of judicial intervention

##### 1.1.3. Arbitration and expert determination

#### **1.2 Arbitration agreement (sections 7-9)**

##### 1.2.1. Essentials

##### 1.2.2. Kinds

##### 1.2.3. Who can enter into arbitration agreement

##### 1.2.4. Validity

1.2.5. Reference to arbitration- power to refer parties to arbitration where there is an arbitration agreement

##### 1.2.6. Interim measures by court

#### **2. Arbitration Tribunal – Award- Appeal and Revision** **10**

##### **2.1 Arbitration Tribunal**

##### 3.1 Composition of Arbitral Tribunal (Ss. 10-15)

3.1.1 Number of arbitrators-appointment of arbitrators

##### 3.2 Jurisdiction of arbitral tribunal (Ss.16-17)

3.2.1. Powers- Competence of arbitral Tribunal to rule on its jurisdiction and Interim measures ordered by Arbitral Tribunal

##### 3.2.2. Grounds for challenge

##### 3.3 Conduct of arbitral proceedings (Ss.18-27) - Challenge procedure

##### 3.4 Failure or impossibility to act, and termination of mandate and substitution of arbitrator

##### 3.5. Court assistance

#### **2. 2 Award :**

##### 2.2.1. Rules of guidance

##### 2.2.2. Form and content

##### 2.2.3. Correction and interpretation

##### 2.2.4 Making of arbitral award and termination of proceedings (Ss. 28-33)

##### 2.2.5 Grounds of setting aside an award (S. 34)

2.2.5.1. Can misconduct be a ground

2.2.5.2. Incapacity of a party, invalidity of arbitration agreement

2.2.5.3. Want of proper notice and hearing

2.2.5.4. Beyond the scope of reference

2.2.5.5. Contravention of composition and procedure

2.2.5.6. Breach of confidentiality

2.2.5.7. Impartiality of the arbitrator

2.2.5.8. Bar of limitation, res judicata

2.2.5.9. Consent of parties

##### 2.2.6 Finality and enforcement of arbitral awards (Ss.35-36)

2.3 Appeal and revision ( S. 37)	
<b>3. International Commercial Arbitration - Enforcement of foreign awards</b>	<b>10</b>
3.1. Foreign Awards under New York convention (S. 44) - New York convention awards	
3.2. Geneva Convention awards (S. 53)	
3.3 Enforcement Foreign award (Ss. 49 and 58)	
3.3 Foreign Awards when binding and when enforcement may be refused (Ss.46, 48,55, 57 )	
<b>4. Conciliation (Ss. 61-81)</b>	<b>10</b>
4.1. Distinction between "Conciliation", "negotiation", "mediation", and "arbitration".	
4.2. Appointment	
4.3. Statements to conciliator	
4.4. Interaction between conciliator and parties	
4.4.1. Communication	
4.4.2. Duty of the parties to co-operate	
4.4.3. Suggestions by parties	
4.4.4. Confidentiality	
4.5. Resort to judicial proceedings	
<b>5. Leading Cases</b>	<b>(5x2) 10</b>
1. <i>K.K. Modi v. K.N. Modi &amp; Others</i> AIR 1998 SC 1297: (1998) 3 SCC 573 101	
2. <i>National Insurance Co. v. Amal Kumar Das</i> AIR 1998 Gau 1	
3. <i>Bhatia International v. Bulk Trading S.A.</i> , AIR 2002 SC 1432	
4. <i>Narayan Prasad Lohia v. Nikunj Kumar Lohia</i> , AIR 2002 SC 1139	
5. <i>SBP &amp; Co. v. Patel Engg. Ltd.</i> , 2005 (8) SCC 618	
6. <i>Union of India v. Popular Construction Co</i> (2001) 8 SCC 470	
7. <i>Krishna Bhagya Jala Nigam Ltd. v. G. Arisandra Reddy</i> (2007) 2 SCC 720	
8. <i>Bhatia International v. Bulk Trading SA</i> , AIR 2002 SC 1432	
9. <i>Oil &amp; Natural Gas Corporation Ltd. v. Saw Pipes Ltd.</i> ,2003 (4) SCALE 92 185	
10. <i>Haresh Dayaram Thakur v. State of Maharashtra</i> ,AIR 2000 SC 2281	

#### **Part-B: Practical –Internal Assessment: (50 marks)**

**Note:** Internal assessment of the student shall be done through periodical written test/case study / field survey, participation in seminars and projects work where the students are expected to research and write report of project work / / practical exercises / persuasive memoranda on topics identified by the teacher concerned / principal in the above subjects. The distribution of marks are as follows:

1. Case Study / Simulation programme / Seminar	<b>20</b>
2. Project /Dissertation writing/ Seminar participation report	<b>20</b>
3. Viva voce examination	<b>10</b>

#### **Prescribed Legislation:**

1. The Arbitration and Conciliation Act, 1996
2. Legal Services Authorities Act, 1986

#### **Prescribed Books:**

1. O.P. Malhotra and Indu Malhotra, *The Law and Practice of Arbitration and Conciliation* ( 2006)
2. N.D. Basu, *Law of Arbitration and Conciliation* (2008), Universal, Delhi
3. Prafulla C. Pant, *The Arbitration and Conciliation Act, 1996* (6th ed., 2001)
4. P.C.Rao & William Sheffield, *Alternative Disputes Resolution- What it is and How it works?* (1997), Universal, Delhi

#### **Recommended Books:**

1. David St. John Sutton, John Kendall and Judith Gill, *Russell on Arbitration* (21st ed., 1997)
2. H.C. Johari, *Commentary on Arbitration and Conciliation Act, 1996*, (2008 ed.), Universal, Delhi
3. B.P.Saraf and M.Jhunjhunwala, *Law of Arbitration and Conciliation* (2008), Snow white, Mumbai
4. Markanda.P.C, *Law relation to Arbitration and Conciliation* (2008) Universal, Delhi
5. Gerald R.Williams (ed.), *The New Arbitration and Conciliation Law of India*, Indian Council of Arbitration (1998), New Delhi
6. A.K.Bansal, *Law of International Commercial Arbitration* (1999) , Universal, Delhi
7. David St. John Sutton, John Kendall and Judith Gill, *Russell on Arbitration* (21st ed., 1997)

**Detailed Syllabus**

**Marks**

<b>I. Banking System in India</b>	<b>20</b>
1.1 Kinds of banks and their functions	
1.2 Banking Regulation Laws	
1.2.1 Reserve Bank of India Act, 1934	
1.2.2 Banking Regulation Act, 1949	
1.3 Relationship between banker and customer	
1.3.1 Legal Character	
1.3.2 Contract between banker & customer	
1.3.3 Banking duty to customers	
1.3.4 The Banking Ombudsman Scheme, 1995	
1.3.5 Liability under Consumer Protection Act, 1986	
<b>2. Lending, Securities and Recovery by Banks</b>	<b>20</b>
2.1 Principles of Lending	
2.2 Position of Weaker Sections	
2.3 Nature of Securities and Risks Involved	
2.4 Recovery of debts with and without intervention of courts / tribunal:	
2.4.1 Recovery of Debts due to Banks and Financial Institutions Act, 1993	
2.4.2 Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interests Act, 2002.	
<b>3. Banking Frauds</b>	<b>10</b>
3.1 Nature of Banking Frauds	
3.2 Legal Regime to Control Banking Frauds	
3.3 Recent Trends in Banking: Automatic Teller Machine and Internet Banking, Smart Cards, Credit Cards	
<b>4. Negotiable Instrument Act, 1981: Salient features</b>	<b>10</b>
[ as amended by the Banking, Public Financial Institutions and Negotiable Instruments Laws ( Amendment ) Act, 1988 ]	
<b>5. Leading cases</b>	<b>( 10x2 ) 20</b>
1. Amrit Lal Goberdhan Lalan v. State Bank of Travancore, AIR 1968 SC 1432	
2. M.S. Anirudhan v. Thomco's Bank Ltd, AIR 1963 SC 746	
3. Chandrama & Anr v. State Bank of Hyderabad, AIR 1988 AP 289	
4. Gurbax Rai and Others v. Punjab National Bank and Anr, AIR 1984 SC 1012	
5. State of Maharashtra v. Dr. M.N. Kaul, AIR 1967 SC 1634	

**Prescribed Books**

1. Sharma and Nainta, *Banking Law & Negotiable Instruments Act*
2. R.P. Namita, *Banking System, Frauds and Legal Control*
3. M.N. Mishra, *Law of Insurance*
4. C. Rangarajan, *Handbook of Insurance and Allied Laws*
5. M.L. Tannan, *Banking Law & Practice in India*, Orient Law House, Delhi

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction to International Organization</b>	<b>10</b>
1:1 Meaning	
1:2 Characteristics	
1:3 Aims and Purposes	
1:4 Classifications	
1:5 Evolution of International Organization	
<b>2. The League of Nations</b>	<b>10</b>
2:1 Origin	
2:2 Organs	
2:3 Functions of	
2:4 Defects	
<b>3. The United Nations</b>	<b>30</b>
3:1 Origin	
3:2 Preamble of United Nations Charter	
3:3 Purposes of United Nations	
3:4 The General Assembly	
3.4:1 Composition	
3.4:2 Powers and Functions	
3:5 The Security Council	
3.5:1 Composition	
3.5:2 Powers and Functions	
3.5:3 Relationship with General Assembly	
3:6 The Economic and Social Council-	
3.6:1 Composition	
3.6:2 Powers and Functions	
3:7 The Trusteeship Council-	
3.7:1 Composition	
3.7:2 Powers and Functions	
3:8 The Secretariat-	
3.8:1 Composition	
3.8:2 Functions of Secretary-General	
<b>4. The International Court of Justice</b>	<b>10</b>
4:1 Composition	
4:2 Jurisdiction	
4:3 Interim Measures	
4:4 Enforcement of the Judgment of ICJ	
4:5 Contribution of ICJ for the development of International Law	
<b>5. The Specialized Agencies-</b>	<b>20</b>
5:1 ILO	
5:2 WHO	
5:3 UNESCO	
5:4 FAO	
5:5 ICAO	
5:6 World Bank	
5:7 IMF	

**Prescribed Books-**

1. S.K. Kapoor, *International Law and Human Rights*,
2. B.S Murthy, *International Relations and Organisations*
3. S.R Myneni, *International Relations and Organisations*

Detailed Syllabus	Marks
<b>1. Constitutional and International Legal Status of Child</b>	<b>15</b>
1.1. Special status of child - national policy 1.2. Constitutional concern – Art. 15(3), 24 , 39(e) & (f) and 45 1.3. International concern and endeavour for the welfare of the children: 1.3.1. Minimum Age conventions 1.3.2. Child rights conventions 1.3.3. U.N. Declaration of the rights of the child, 1924, 1959. 1.3.4. Contributions - UNESCO, UNICEF.	
<b>2. Legal Control of Child Labour</b>	<b>15</b>
2.1. Regulation of the employment: protection of the health and well-being 2.2. International conventions and recommendations of the ILO. 2.3. Recommendations of the National Commission of Labour. 2.4. Legislation relating to factories, plantation labour, mines, merchant shipping, motor transport workers, apprentices, shop & establishments and child labour: 2.4.1 The Factories Act, 1948 2.4.2 Apprentice Act, 1961 2.4.3 The Child Labour Act, 1986	
<b>3. Child and Criminal Liability</b>	<b>15</b>
3.1. Crimes committed by child; crimes committed by others in relation to children; 3.2. Implementation of social policy through criminal sanctions in relation to child; 3.3. Variation of procedure in case of child offender 3.4. Judicial proceedings in criminal cases relating to children 3.5. Statutory provisions – 3.5.1 Sections 82 , 83, 299 Exp.3, 363A, 372 and 376 of IPC 3.5.2 Sec 27 of the Cr. P.C. 3.5.3 Suppression of Immoral Traffic Act 1956 (SITA) 3.5.4 Child Marriage Restraint Act 1929 as amended in 1978 3.5.5 Young Persons Harmful Publications Act 1956 3.5.6 The Children Act 1960 3.5.7 Reformatory Schools Act 1897	
<b>4. Juvenile Offence: Juvenile Delinquency</b>	<b>15</b>
4.1 Concept of Juvenile Delinquency 4.2 Legal Position in India 4.2.1 Juvenile Delinquency Act, 1986 4.2.2 The Juvenile Justice ( Care and Protection of Children ) Act, 2000	
<b>5. Leading Cases</b>	<b>20</b>
1. <i>Raghubir v. State of Haryana</i> , AIR 1981 SC 2037 2. <i>Sanjay Suri v. Delhi Administration</i> , AIR 1988 SC 414 3. <i>Pratap Singh v. State of Jharkhand</i> 2005 (1) SCALE 763 4. <i>Sudesh Kumar v. State of Uttarakhand</i> (2008) 3 SCC 111	(10x2)
<b>Prescribed Legislations:</b>	
20. Child Marriage Restraint Act 1929 as amended in 1978 21. Young Persons Harmful Publications Act 1956 22. The Children Act 1960 23. Reformatory Schools Act 1897 24. Juvenile Delinquency Act, 1986, 25. The Juvenile Justice ( Care and Protection of Children ) Act, 2000	
<b>Prescribed Books:</b>	
1. S.N. Jain ed, <i>Child and the Law</i> (1979) Indian Law Institute, New Delhi	
<b>General reading:</b>	
1. Lotika Sarkar, <i>The Law Commission of India</i> (1988).	
2. U.Baxi, <i>Law and Poverty: Critical Essays</i> (1988), Eastern, Luknow	
3. Ajnes, Flavia, <i>Law as Gender Inequality</i> , New Delhi, Oxford (1999)	
4. S.C. Tripathy, <i>Law relating to Women &amp; Children</i>	
5. Anjani Kant, <i>Law relating to Women &amp; Children</i>	



**BALLB 9.6 Human Right Law and Practice**

Optional-4

**Marks: 100 [80+20]****Detailed Syllabus****Marks**

<b>1. Theoretical Foundations of Human Rights and International Law :</b>	<b>10</b>
1.1. Basic principles : sovereign equality of states - non-intervention - non use of force - international co-operation - peaceful settlement of disputes	
1.2. Individuals as subjects of international law	
1.3. State jurisdiction on terrorism, hijacking, narcotics, war crimes and crimes against peace	
1.4. Treatment of aliens	
<b>2. Historical development of the concept of human rights</b>	<b>10</b>
2.1. Human rights in Indian tradition : ancient, medieval and modern	
2.2. Human rights in Western tradition	
2.2.1. Concept of natural law	
2.2.2. Concept of natural rights	
2.3. Human rights in legal tradition: International Law and National Law	
2.3.1 Traditional Human Rights: Civil and Political Rights: Economic, Social and Cultural Rights	
2.3.2. Third Generation Human Rights (Solidarity Rights)	
<b>3. UN and Human Rights : Implementation of Human Rights</b>	<b>20</b>
<b>3.1 At International Level</b>	
3.1.1 Treaties and Statutes:	
3.1.1. Universal Declaration on Human Rights, 1948- individual and group rights	
3.1.2. International Covenant on Civil and Political Rights, 1966	
3.1.3. International Covenant on Economic, Social and Cultural Rights, 1966	
3.1.4. Optional Protocol of International Covenant of Civil and Political Rights,	
3.1.5. European Convention on Human Rights, 1950,	
Protocol 9 of 1990 and Protocol 11 of 1994	
3.1.6. The Protection of Human Rights Act, 1993 (India)	
3.1.7. Vienna Declaration and Programme of Action, 1993	
3.1.8. I LO and other Conventions and Protocols –I and II dealing with human right	
3.1.2. Solidarity rights	
3.1.3. Disarmament: threat to human rights	
3.1.4. International HR Commission	
3.1.4.1. Mandates to States	
3.1.5. Right to development	
<b>3.2 Role of Regional Organizations</b>	
3.2.1. European Convention on Human Rights	
3.2.2. American Convention on Human Rights	
3.2.3. African Convention on Human Rights	
3.2.4. SAARC	
<b>3.3 Protection agencies and mechanisms</b>	
3.3.1. International Commission of Human Rights	
3.3.1.1. Amnesty International	
3.3.1.2. Non-Governmental Organizations (NGOs)	
3.3.2. European Commission on Human Rights/Court of Human Rights.	
3.3.3. U.N. Division of Human Rights	
3.3.4. International Labour Organization	
3.3.5. UNESCO	
3.3.6. UNICEF	
<b>4. Impact and implementation of international human rights norms in India</b>	<b>20</b>
4.1 The Protection of Human Rights Act, 1993	
4.1. Human rights norms reflected in fundamental rights in the Constitution	
4.2. Directive Principles: legislative and administrative implementation of international human rights norms	
4.3. Implementation of international human rights norms through judicial process	



- 4.4 Enforcement of Human Rights in India
  - 4.1. Role of courts: the Supreme Court, High Courts and other courts
  - 4.2. Statutory commissions- human rights, women's, minority and backward class
    - 4.2.1 National Human Rights Commission (NHRC)
    - 4.2.2 State Human Rights Commission ( SHRC )

## 5. Leading Cases

(10x2)

20

1. *Vishaka v. State of Rajasthan*, AIR 1997 SC 3011
2. *CIT v. P.V.A.L. Kulandagan Chettiar* (2004) 6 SCC 235
3. *Chairman, Rly. Board v. Chandrima Das* (2000) 2 SCC 465
4. *Naga Peoples Movement for Human Rights Vs. Union of India*, 1997(III)GLT(SC)50
5. *Nilabati Behera Vs State of Orissa*, AIR 1993 SC 1960
6. *D.K. Basu, Vs West Bengal*, AIR 1997 SC, 610
7. *Potsangbam Ningom Thokchom Vs GOC*, 1997(7) SCC 7250
8. *Sebastain Hongray Vs Assam*, 1995(3) SCC 743.

### Prescribed Legislation:

The Protection of Human Rights Act, 1993

### Prescribed Books:

1. Nirmal.C.J. (ed.), *Human Rights in India* (2000), Oxford
2. E.S. Venkataramiah, *Human Rights in the Changing World*
3. P.R.Gandhi, *International Human Rights Documents* (1999) Universal, Delhi.
4. S.K.Varma, *Public International Law* (1998), Prentice-Hall, New Delhi
5. N. Sanajaoba, *Human Rights*, 1994

### Recommended Books :

1. Peter J. Van Krieken (ed.), *The Exclusion on Clause* (1999), Kluwer
2. Human Rights Watch Women's Rights Project, *The Human Rights Watch Global Report on Women's Human Rights* (2000), Oxford
3. Ermacora, Nowak and Tretter, *International Human Rights* (1993), Sweet & Maxwell.
4. Wallace, *International Human Rights: Text & Materials* (1996), Sweet & Maxwell
5. Muntarbhorn, *The Status of Refugees in Asia* (1992), Oxford.
6. *Human Rights and Global Diversity* (2001), Frank Cass, London
7. Nirmal.B.C., *The Right to Self determination in International Law* (1995), Deep & Deep.
8. J. G. Starke, *Introduction to International Law*
9. Hari Om Agarwal, *International Law*
10. Harris, *Cases and Materials on International Law*
11. Lauterpacht, *International Law* ( 2 Vols )
12. International Committee of Red Cross, Geneva, Conventions, 1949 and Additional Protocols, 1977.
13. S. K. Avesti and R.P.Kataria, *Law Relating to Human Rights*, Ch. IV, V, VIII, XIV, XXIX and XXXIX, (2000) Orient, New Delhi

**BALLB 9.6 Humanitarian Law and Refugee Law**

Optional-4

**Marks: 100 [80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1 Concept of</b>	<b>10</b>
1.1 Humanitarian Law	
1.2 Refugee Law	
<b>2 Origin of Humanitarian Law</b>	<b>20</b>
2.1 Geneva Convention	
2.2 Common Article 3	
<b>3 International Armed Conflict</b>	<b>20</b>
3.1 Non International Armed Conflict	
3.2 War Crime	
<b>4 Refugees Law</b>	<b>20</b>
4.1 Rights of Refugees	
4.2 Persons excluded from the Convention	
4.3 Refugees under Organisation of African Unity	
4.4 Protection of Refugees	
4.5 Refugees Law Convention, 1951	
<b>5 Global Problem of Refugees</b>	<b>10</b>

**Prescribed Books**

1. S.K. Kapoor, *International Law and Human Rights*
2. H. O. Agarwal, *Human Rights*
3. *Bulletin on International Humanitarian and Refugee Law* Vol-3 (July – December 1998)

**BALLB 9.7 : Constitutional Law- Health law**

Hons-7

**Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus:</b>	<b>Marks</b>
<b>1. Introductory</b>	<b>10</b>
1:1 The right to health as emergent from parts III and IV of the Constitution	
1:2 National Health Policy	
<b>2. Organization of public health care in India</b>	<b>20</b>
2:1 Legal Organization of public hospitals	
2:2 Medico-legal cases and duties of hospitals	
2:3 Liability for medical negligence in public hospitals	
2:4 Mental health care public hospitals: duties and liabilities	
2:5 Rural health care	
<b>3. Organization of public health care</b>	<b>15</b>
3:1 Legal aspects of private medical practice	
3:2 Medical negligence	
<b>4. Cost and Insurance</b>	<b>15</b>
4:1 Types of Health Insurance in India	
4:2 Employee's Health Insurance Corporation	
4:3 Cost of Health Care and Weaker Sections of Society	
<b>5. Leading Cases</b>	<b>(10x2) 20</b>
1. <i>CESC Ltd. v. Subhash Ch. Bose</i> AIR 1992 SC 573	
2. <i>K.P. Singh v. Union of India</i> (2001) 10 SCC 167	
3. <i>State of Tripura v. Amrita Bala Sen</i> 2005 1 GLR 7	
4. <i>Ram Datt Sharma v. State of Rajasthan</i> AIR 2005 RAJ 317	
5. <i>Directorate of Enforcement v. Ashok Kumar Jain</i> (1998) 2 SCC 105	
6. <i>Marri Yadamma v. State of Andhra Pradesh</i> AIR 2002 AP 164	

**Prescribed Books**

1. Nandita Adhikari – *Law and Medicine*
2. R.M. Jhala & K. Kumar (rev), Jhala & Raju's *Medical Jurisprudence*, (1997)

**BALLB 9.7: Criminology-White Collar Crime**

Hons-7

**Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction</b>	<b>15</b>
1.1 Meaning and Definition	
1.2 Historical Backgrounds	
1.3 Differences between White Collar Crime and traditional crime	
<b>2. White Collar Crime in India</b>	<b>15</b>
<b>3. Main factors</b>	<b>10</b>
<b>4. White Collar Crime in certain professions</b>	<b>30</b>
4.1 Medical profession	
4.2 Engineering profession	
4.3 Legal profession	
4.4 Educational professions	
4.5 Business related White Collar Crime	
4.6 Computer related White Collar Crime	
<b>5. Remedial Measures</b>	<b>10</b>

**Prescribed Books**

1. N.V. Paranjape, *Criminology and Penology*
2. Sutherland, *Principles of Criminology*
3. Siddiqui, *Criminology*
4. Sethna, *Society and Criminal*
5. Jones, *Crime and Penal System*

**Detailed Syllabus**

**Marks**

<b>1. Trademarks : Trademarks Act, 1999</b>	<b>15</b>
1.1 Definition and concept of trademarks	
1.1.1 Distinction between trademark and property mark	
1.2 Need for Protection of Trademarks-rationale	
1.2.1 As an aspect of commercial and	
1.2.2 As consumer rights.	
1.3 Procedural Requirements for Protection of Trademarks	
1.4 Kinds of Trademarks-Registration	
1.5 International Legal Instruments on Trademarks	
<b>2. Indian Trademark Law</b>	<b>15</b>
2.1 Content of the Rights, Exhaustion of Rights	
2.2 Assignment and Licensing	
2.3 Infringement, Right of Goodwill, Passing Off	
2.3.1 Criteria of infringement	
2.3.2 Standards of proof in passing off action	
2.4 Remedies	
<b>3. Designs- The Designs Act, 2000</b>	<b>15</b>
2.1 Definition of design - Copyright in Design (duration)	
2.1.1 Need for protection of industrial designs	
2.1.1 Subject matter of protection and requirements	
2.1.2 Procedure for obtaining design protection	
2.1.2 Registration of design for articles	
2.1.3 Rights in registered design	
2.1.3.1 Transfer of rights	
2.1.3.1 Cancellation of Design	
2.1.4 Piracy or Infringement of copyright in Design	
2.1.5 Remedies	
<b>4. Layout – Designs of Integrated Circuits</b>	<b>05</b>
2.2.1 The Semiconductor Integrated Circuits Layout	
2.2.2 Requirements and procedure for registration	
2.2.3 Duration and effect of registration	
2.2.4 Assignment and transmission	
<b>5. Case Laws ( Litigations)</b>	<b>30</b>
5.1 The Trade Marks Act, 1999	(10x3)
5.1.1 Use of trade mark on goods/services: <i>N.R. Dongre v. Whirlpool</i> (1996) 5 SCC 714	
5.1.2 Protecting Domain Names as Trade Marks: <i>Satyam Infoway Ltd v. Sifynet Solutions Pvt. Ltd</i> , AIR 2004 SC 3540	
5.1.3 Registration of trademark for goods/services: <i>Geep Flash Light Industries v. Registrar of Trade Marks</i> , AIR 1972 Del 179	
5.1.4 Relative Grounds of Refusal: <i>Carrefour v. Subburaman</i> , 2007(35) PTC 225	
5.1.5 Infringement & Passing off Action of Trade mark:	
5.1.5.1 <i>Parley Products v. J P &amp; Co</i> , AIR 1972 SC 1359	
5.1.5.2 <i>Bata India Ltd. v. Pyare Lal &amp; Co.</i> , AIR 1985 All 242	
5.1.5.3 <i>Milmet Oftho Industries v. Allergen Inc.</i> (2004) 12 SCC 624	
5.1.5.4 <i>Balkrishna Hatcheries v. Nandos International Ltd.</i> , 2007(35) PTC 295(Bom)	
5.1.6 Protection of Trade Dress & Colour combinations:	
5.1.5.1 <i>N Ranga Rao v. Anil Garg</i> , 2006 (32) PTC 15 (Del)	
5.1.5.2 <i>Pepsi Co Inc v. Hindustan Coca Cola Ltd</i> , 2003 (27) PTC 305 (Del)	
5.1.5.3 <i>Dabur India Ltd. v. Colgate Palmolive</i> , 2004 (29) PTC 401 (Del.)	
5.1.5.4 <i>Hawkins Cookers Limited v. Murugan Enterprises</i> , 2008 (36) PTC 290 (Del)	
<b>5.2. The Designs Act, 2000</b>	
5.2.1 <i>Bharat Glass Tube Limited v. Gopal Glass Works Limited</i> , 2008 (37) PTC 1 (SC)	
<b>Prescribed Legislations:</b>	
1. Trade Marks Act, 1999	
2. Design Act, 2000	

**Prescribed Books:**

1. Ashwani Kr. Bansal, *Law of Trade Marks in India* (2<sup>nd</sup> ed., 2006)
2. V.K. Ahuja, *Law Relating to Intellectual Property Rights* (2007)
3. P. Narayanan, *Copyright and Industrial Designs* (2007)
4. P. Narayanan, *Law of Trade Marks and Passing off* (6<sup>th</sup> ed., 2004)

**Recommended Books:**

1. Ashwani Kr. Bansal, *Materials on Copyright* (2004)
2. V.K. Ahuja, *Law of Copyright and Neighbouring Rights: National and International*
3. Alka Chawla, *Copyright and Related Rights: National and International Perspectives* (2007)
4. Wadhera, B.L., *Law Relating to Patents, Trademarks, Copyrights, Designs & Geographic Indications*
5. Mittal, D.P., *Trademarks, Passing Off & Geographical Indications of Goods, Law and Procedure*, (2002)
6. Vashisth, V., *Law and Practice of Intellectual Property in India*, (1999)

## BALLB 10.1 Principles of Taxation Law

MARKS: 100 [80+20]

### Detailed Syllabus

### Marks

#### 1. Introduction

10

##### 1.1 General Perspective

- 1.1. History of tax law in India
- 1.2. Fundamental principles relating to tax laws
- 1.3. Governmental financial policy, tax structure and their role in the national economy.
- 1.4. Concept of tax:
  - 1.4.1. Nature and characteristics of taxes
  - 1.4.2. Distinction between:
    - 1.4.2.1. Tax and fee
    - 1.4.2.2. Tax and cess
    - 1.4.2.3. Direct and indirect taxes
    - 1.4.2.4. Tax evasion and tax avoidance
- 1.5. Scope of taxing powers of Parliament, State Legislature and Local Bodies.

##### 1.2 Legislative power to levy taxes: Constitutional Provisions

- 2.1 Distribution of Legislative Powers between the Union and States with particular reference to Taxing Powers
  - 2.1.1 General Scheme of Distribution of Legislative Powers (Articles 245 – 254)
  - 2.1.2 Distribution of Taxing Powers
    - 2.1.2.1 Entry 97 and Entry 86 of List I (Union List)
    - 2.1.2.2 Entry 49, List II (State List)

#### 2. Taxation System in India

15

- 2.1 Taxes Levied by Central Government
  - 2.1.1 Direct Taxes
    - 2.1.1.1 Tax on Corporate Income
    - 2.1.1.2 Capital Gains Tax
    - 2.1.1.3 Wealth Tax
    - 2.1.1.4 Personal Income Tax
    - 2.1.1.5 Tax Incentives
    - 2.1.1.6 Double Taxation Avoidance Treaty
  - 2.1.2 Indirect Taxes
    - 2.1.2.1 Excise Duty
    - 2.1.2.2 Customs Duty
    - 2.1.2.3 Service Tax
    - 2.1.2.4 Securities Transaction Tax
- 2.2 Taxes Levied by State Governments and Local Bodies
  - 2.2.1 Sales Tax/VAT (Value Added Tax)
  - 2.2.2 Other State Taxes:
    - 2.2.2.1. Municipal/Local Taxes
    - 2.2.2.2. Octroi/entry tax: - Some municipal jurisdictions levy octroi/entry tax on entry of goods
    - 2.2.2.3 Stamp duty on transfer of assets
    - 2.2.2.4 Property/building tax levied by local bodies
    - 2.2.2.5 Agriculture income tax levied by State Governments on income from plantations
    - 2.2.2.6 Luxury tax levied by certain State Government on specified goods

#### 3. Income Tax

20

- 3.1 Basic Concepts:
  - 3.1.1. Income [Definition : S. 2(24)]
    - 3.1.1.1 Capital Receipt v. Revenue Receipt – ‘Salami’-Tests to distinguish
    - 3.1.1.2 Agricultural Income – Meaning of Agricultural Income[S. 2(1A), 10(1)]
  - 3.1.2 Income not included in total income
  - 3.1.3 Deemed income
  - 3.1.4 Clubbing of income
- 3.2 Assessee- Assessment year- Previous Year (S. 3)

3.2.1 Residential status of Assessee (S. 6)		
1.2.1.1 Incidence of tax varies with residential status of an assessee		
3.2.2 Total income of assessee (Ss. 4 and 5)		
3.2.3 Income deemed to accrue or arise in India (S. 9)		
3.3 Person		
3.4 Tax Planning		
3.5 Chargeable income: Basis of charge (Receipt, Accrual, and Arisal)		
3.5.1 Heads of income: (S. 14), Rationale- Heads, whether mutually exclusive		
3.5.1.1 Salaries : (Ss. 15 to 17) – Chargeability - Meaning of Salary; Perquisites; Profits in lieu of salary		
3.5.1.2 Income from house property: (Ss. 22 to 27) - Ingredients of section 22 - Annual Value how to be determined - Deductions under section 24 - Deemed owner (S. 27)		
3.5.1.3 Income from business or profession: (Ss. 28 to 44) –Applicability – Deductions - Bad debts		
3.5.1.4 Capital gains: (S. 45 to 55)		
3.5.1.5 Income from other sources: (Ss. 56 to 59)		
3.5.1.6 Income of other Persons included in Assessee's Total Income (Ss.60-64) -clubbing of income – justifiability - throwing of separate property into the common stock of Joint Hindu Family and subsequent partition of the same.[ S. 64(2)]		
3.5.2 Deductions, relief and exemptions		
6.5.2. Set Off, Carry Forward and Set off of Losses (Ss. 70-71B, 72-74A)		
3.5.3 Rate of income tax		
3.6 Income Tax Authorities:		
3.6.1. Power and functions		
3.6.1.1 Search and Seizure (Ss.132, 132A, 132B)		
3.6.1.2 Best Judgment Assessment; Income escaping assessment (Ss. 139, 142, 143, 144, 145(2), 147, 148, 149, 150, 151 and 153)		
3.7 Offences and penal sanctions:		
3.8 Settlement of grievances:		
3.8.1 Authorities, powers and functions		
<b>4. Salient features of</b>		<b>15</b>
4.1 Central Sales Tax Act, 1956		
4.2. Wealth Tax Act, 1957		
4.3 The Assam General Sales Tax Act, 1992		
4.4 The Assam Agricultural Income Tax Act, 1929		
4.5 The Assam Shops and Establishment Act and Rules		
<b>5. Leading Cases</b>	(10x2)	<b>20</b>
1. <i>Atiabari Tea Estate v. State of Assam</i> AIR 1961 SC		
2. <i>Western Electronic Ltd. v. State of Gujarat</i> AIR 1988 SC 2038		
3. <i>Comm.of I.T. Patna v. Bokaro Steel Ltd.</i> AIR 1999 SC 387		
4. <i>Com of .I.T. v. Benoy Kumar Sahas Roy</i> , AIR 1957 SC 768		
5. <i>Bacha F. Guzdar v. C.I.T., Bombay</i> , AIR 1955 SC 74		
6. <i>CIT v. G.R. Karthikeyan</i> , 1993 Supp (3) SCC 222		
7. <i>K. Lakshmanan &amp; Co. v. C.I.T.</i> (1999) 239 ITR 597 (SC)		
8. <i>Ram Pershad v. C.I.T.</i> (1972) 2 SCC 696 : AIR 1973 SC 637		
9. <i>B.D. Bharucha v. C.I.T.</i> , AIR 1967 SC 1505		
10. <i>C.I.T. v. Jalan Trading Co. (Pvt.) Ltd.</i> (1985) 155 ITR 536 (SC)		
<b>Prescribed Legislation :</b>		
1. Constitution of India, 1950		
2. The Wealth Tax Act, 1957		
3. The Income Tax Act, 1961		
4. Central Sales Tax Act, 1956		
5. The Assam General Sales Tax Act, 1992		
6. The Assam Agricultural Income Tax Act, 1929		
<b>Prescribed Book :</b>		
1. Vinod K. Singhania & Kapil Singhania, <i>Taxmann's Direct Taxes- Law &amp; Practice</i>		
2. Girish Ahuja & Ravi Gupta, <i>Direct Taxes – Law and Practice</i>		
3. B.P. Todi, <i>Assam General Sales Tax Act and Rules</i>		
4. B.P. Todi, <i>Assam shops and Establishment Act and Rules</i>		



**Recommended Books:**

1. Kanga and Palkiwala, *The Law and Practice of Income Tax* (2008), Wadha, Nagpur.
2. K. Parameswaran, *Power of Taxation under the Constitution* (2008), Eastern, Lucknow
3. S.Bhattacharya & H.R. Garg, *Handbook of Direct Taxes* (2008) Eastern Law House, Calcutta.
4. C.A. Gularickar, *Law and Practice of Wealth Tax and Valuation* (2008), Gularikar, Mumbai.
5. Walter R. Mahler, *Sales and Excise Taxation in India* (2008) Orient Longman, Delhi.
6. R.V.Pattel, *The Central Sales Tax Act* (2008) Thripathi, Bombay.
7. S.D. Singh, *Principles of Law of Sales Tax* (2008), Eastern, Lucknow
8. Remesh Sharma, *Supreme Court on Direct Taxes* (2008), Bharath Law House, New Delhi.
9. Sampath Iyengar, *Law of Income Tax* (2008), Bharath Law House, New Delhi.

**BALLB 10.2 Environmental Law****Marks: 100 [80+20]****Detailed Syllabus****Marks****1. Concept of Ecology and Environment****10**

- 1.1. Ecology and Environment - Meaning and contents
- 1.2. Pollution
  - 1.2.1. Meaning
  - 1.2.2. Kinds of pollution-Air, Water, Soil
  - 1.2.3. Causes and Effects of pollution-green house effect-ozone layer depletion-acid rain
- 1.3. Fundamental Principles of Environmental Protection- Constitutional Perspectives
  - 1.3.1. Human Right to a Healthy Environment
  - 1.3.2. Directive principles- Articles 38,39-B, 39-C, 42, 47, 48, 48-A and 51
  - 1.3.3. Fundamental Duty- Article 51-A(g)
- 1.4 Legal control: need
  - 1.4.1 Hazardous substances -Hazardous waste- Bio-medical waste - Genetic engineering
  - 1.4.2 Industrial Accidents –Principle of ‘No fault ‘ and ‘Absolute’ Liability
  - 1.4.3 Public Liability Insurance – The Public Liability Insurance Act, 1991
  - 1.4.4 The National Environment Tribunal Act, 1995
  - 1.4.5. Enforcing agencies and remedies
    - 1.4.5.1 Courts -Tribunal
    - 1.4.5.2 Constitutional (Article-32, 226 ), statutory and judicial remedies
    - 1.4.5.3 Public Interest Litigation - Nature – Non-Adversarial,
      - 1.4.5.3.1 Collaborative, Co-operative and Investigative
      - 1.4.5.3.2 Locus Standi - Pro Bono Publico
      - 1.4.5.3.3 Representative Standing; Citizens’ Standing
- 1.5 Concept of Sustainable Development

**2. Prevention and control of Water and Air Pollution****15****2.1 Water Pollution-The Water (Prevention and Control of Pollution) Act, 1974**

- 2.2.1. Meaning and standards
- 2.2.2 Central and State Pollution Control Boards –Constitution, Powers and Functions
- 2.2.3. Water Pollution Control Areas
- 2.2.4 Samples of Effluents – Procedure
- 2.2.5 Consent Requirement-Procedure,
- 2.2.6 Restraint Order
- 2.2.7 Citizen Suit Provision
- 2.2.8. Offences and penalties
- 2.2.9. Judicial approach- The Water Cess (Prevention and Control of Pollution)Act, 1977

**2.2. Air Pollution- The Air (Prevention and Control of Pollution) Act, 1981**

- 2.2.1. Meaning and standards-Causes- balancing : permissible and impermissible noise
- 2.2.2 Central and State Pollution Control Boards –Constitution, Powers and Functions
- 2.2.3. Air Pollution Control Areas
- 2.2.4 Samples of Effluents – Procedure
- 2.2.5 Consent Requirement – Procedure, Grant/Refusal, Withdrawal
- 2.2.6 Restraint Order
- 2.2.7 Citizen Suit Provision
- 2.2.8. Offences and penalties
- 2.2.9. Judicial approach- Noise Pollution (Regulation and Control) Rules, 2000

### **3. Environment Protection –The Environment (Protection) Act, 1986 and Rules made thereunder 20**

- 3.1 Aims and objective
- 3.2 Meaning of Environment and Environmental Pollutant
- 3.3 Protection agencies: constitution, power and functions
- 3.4 Protection : means and sanctions
- 3.5 Delegation Powers: Emerging protection through delegated legislation
  - 3.5.1 Disaster emergency preparedness
  - 3.5.2 Environment Impact Assessment Notification, 2006
  - 3.5.3 Coastal zone management-Coastal Regulation Notification, 1991
  - 3.5.4 Environmental Audit and Eco Mark
- 3.6 Effectiveness of the Act - Offences/Penalties
- 3.7 Judiciary : complex problems in administration of environmental justice
- 3.8 The National Environment Appellate Authority Act, 1997
  - Constitution, Powers and functions

### **4. Protection and Conservation of Forests and greenery- 15**

- 4.1. Greenery conservation laws
  - 4.1.1. Forest conservation-
    - 4.1.1.1 The Indian Forest Act, 1927
    - 4.1.1.2 The Forest (Conservation) Act, 1980
    - 4.1.1.3 National Forest Policy, 1988 as amended
    - 4.1.1.4 Guidelines, 1994
- 4.2 Kinds of Forest Land
  - 4.2.1 Private, Reserved, Village, Protected
  - 4.2.2 De-reservation of Forests
  - 4.2.3 Non-Forest Use of Forest Land
  - 4.2.4 Symbiotic relationship and tribal people- Rights of Tribal- Forest Dwellers
- 4.3 Use of Forest Land - Mining, Eco-Tourism, Mega Projects
- 4.4 Wild life- Protection of Wildlife - The Wildlife (Protection) Act, 1972
  - 4.4.1. Sanctuaries and National Parks.
  - 4.4.2. Licensing of Zoos and Parks
  - 4.4.3. State monopoly in the sale of wild life and wild life articles
  - 4.4.4. Offences against wild life.
- 4.5 Bio-diversity –
  - 4.5.1 The Protection of Plant Varieties and Farmer's Rights Act, 2001
  - 4.5.2 The Biological Diversity Act, 2002
    - 4.5.2 Legal control of eco-unfriendly experimentation on animals, plants, seeds and Micro organism.

### **5. Leading cases (10x2) 20**

1. *Indian Council for Enviro-Legal Action v. Union of India*, AIR 1996 SC 1446 (Bichhri Village case)
2. *Narmada Bachao Andolan v. Union of India*, AIR 2000 SC 3751
3. *M.C. Mehta v. Union of India*, AIR 2002 SC 1696 (CNG Vehicles case)
4. *Rural Litigation and Entitlement Kendra v. State of U.P.*, AIR 1982 SC 652 (Dehradun-Mussorie Hills quarrying case)
5. *M.C. Mehta v. Union of India*, AIR 1997 SC 734 (Taj Trapezium case)
6. *M.C. Mehta v. Union of India*, (2006) 3 SCC 399 (Closure of industries in Delhi)
7. *M.C. Mehta v. Union of India*, AIR 1988 SC 1037 (Kanpur Tanneries case)
8. *M.C. Mehta v. Union of India*, AIR 1988 SC 1115 (Municipalities case)
9. *M.C. Mehta v. Union of India*, AIR 1987 SC 965 (Oleum Gas Leakage)
10. *U.P. Pollution Control Board v. Dr. Bhupendra Kumar Modi* (2009) 2 SCC 147

#### **Prescribed Legislations:**

1. The Water (Prevention and Control of Pollution) Act, 1974
2. The Air (Prevention and Control of Pollution) Act, 1981
3. The Environment (Protection) Act, 1986
4. The Public Liability Insurance Act, 1991
5. The National Environment Tribunal Act, 1995
6. The National Environment Appellate Authority Act, 1997
7. The Biological Diversity Act, 2002 (18 of 2003)
8. The Wildlife (Protection) Act, 1972
9. The Forest (Conservation) Act, 1980
10. The Indian Forest Act, 1927
11. The Scheduled Tribes and Other Traditional Dwellers (Recognition of Forest Rights) Act, 2007.

**Prescribed Books:**

1. Shyam Diwan and Armin Rosencranz, *Environmental Law and Policy in India – Cases, Materials and Statutes* (2nd ed., 2001)
2. P. Leelakrishnan, *Environmental Law Case Book* (2nd ed., 2006)
3. Gurdip Singh, *Environmental Law in India* (2005)
4. P. Leelakrishnan, *Environmental Law in India* (3rd ed., 2008)

**Recommended References/Books:**

1. The National Environment Policy, 2006
2. The National Forest Policy, 1988
3. The National Water Policy, 2002
4. The Wildlife Conservation Strategy, 2002
5. The World Commission on Environment and Development, *Our Common Future*, 1987
6. C.S.E., The State of India's Environment 1984-85, *The Second to Fifth reports 1986-1999*
7. IPCC Fourth Assessment Report (AR4). "Climate Change 2007".
8. Armin Rosencranz, et al., (eds.), *Environmental Law and Policy in India*, (2000), Oxford
9. R.B.Singh & Suresh Misra, *Environmental Law in India* (1996), Concept Publishing Co., New Delhi.
10. Richard L.Riversz, et.al. (eds.) *Environmental Law, the Economy and Sustainable Development* (2000), Cambridge.
11. Indian Journal of Public Administration, Special Number on Environment and Administration, July-September 1988, Vol. XXXV, No.3, pp.353-801
12. Leelakrishnan, P et. al. (eds.), *Law and Environment* (1990), Eastern, Lucknow
13. Leelakrishnan, P, *The Environmental Law in India* (1999), Butterworths-India
14. Department of Science and Technology, Government of India, *Report of the Committee for Recommending Legislative Measures and Administrative Machinery for Ensuring Environmental Protection* (1980) (Tiwari Committee Report).
15. Stuart Bell & Donald Mc Gillivray, *Environmental Law* (7th ed., 2008)
16. World Commission on Environment and Development, *Our Common Future* (1987), Oxford.

**BALLB 10.3 Professional Ethics and Professional Accounting System**  
[ Compulsory Clinical Course- IV ]

**Note 1:** The course is required to be conducted by senior legal practitioners /retired judges/judicial officer etc

through simulation and case studies.

**Note 2:** Evaluation is divided between theoretical part and internal practical exercises in the ratio 50:50 as follows:-

**2.1** Theoretical Paper through Written Examination : (50 marks)

**2.2** Internal Practical Exercises and evaluation incl. Viva Voce Examination (50 marks)

**Marks: 100 [ 60 +40 ]**

**Detailed Syllabus**

**Marks**

**Part-A: Theory ( 60 marks)**

<b>1. Mr. Krishnamurthy Iyer's book on "Advocacy".</b>	<b>05</b>
<b>2. The Contempt Law and Practise.</b>	<b>10</b>
<b>3. The Bar Council Code of Ethics: Rules Governing Advocates</b>	<b>05</b>
3.1 Restrictions on Senior Advocates	
3.2 Standards of Professional Conduct and Etiquette	
3.3 Rules relating to Advocates' Right to take up Law Teaching	
-Anees Ahmed v. University of Delhi, AIR 2002 Del. 440	
<b>4. Fifty (50) selected opinions of the Disciplinary Committees of Bar Councils</b>	<b>20</b>
<b>5. Cases on Professional Misconduct:</b> (10x2)	<b>20</b>
1. Salil Dutta v. T.M. and M.C. (P) Ltd. (1993) 2 SCC 185	
2. Vinay Chandra Mishra, In re (1995) 2 SCC 584	
3. C. Ravichandran Iyer v. Justice A.M. Bhattacharjee (1995) 5 SCC 457	
4. P.D. Gupta v. Ram Murti (1997) 7 SCC 147	
5. R.D. Saxena v. Balram Prasad Sharma (2000) 7 SCC 264	
6. D.P. Chadha v. Triyugi Narain Mishra (2001) 2 SCC 221	
7. Shambhu Ram Yadav v. Hanuman Das Khatry (2001) 6 SCC 1	
8. Pravin C. Shah v. K.A. Mohd. Ali (2001) 8 SCC 650	
9. Bhupinder Kumar Sharma v. Bar Assn., Pathankot (2002) 1 SCC 470	
10. Ex-Capt. Harish Uppal v. Union of India (2003) 2 SCC 45	

**Part-B: Practical –Internal Assessment: (40 marks)**

**Note:** Internal assessment of the student shall be done through periodical written test/case study / field survey, participation in seminars and projects work where the students are expected to research and write report of project work / / practical exercises / persuasive memoranda on topics identified by the teacher concerned / principal in the above subjects. The distribution of marks are as follows:

4. Case Study / Simulation programme / Seminar	<b>10</b>
5. Project work/report / dissertation writing / Seminar participation report	<b>20</b>
3. Viva voce examination	<b>10</b>

**Prescribed Legislation:**

The Advocates Act, 1961

**Prescribed Book**

Mr. Krishnamurthy Iyer's book on Advocacy.

**Recommended Books**

1. Bhagavati, P.N., *Challenges to the Legal Profession - Law and Investment in Developing Countries*
2. J.B.Gandhi, *Sociology of Legal Profession and Legal System* (1987).
3. Sathé, Kunchur, Kashikar - "Legal Profession: Its Contribution to Social Change" in 13 ICSSR
4. Research Abstracts Quarterly 111-127 (1984) Also see 10 Indian Bar Rev. 47-81 (1983).
5. K.L.Sharma "Sociology of Law and Legal Profession: Cross Cultural Theoretical perspective" 24 J.I.L.I. 528 (1982).
6. A.N.Veeraraghavan "Legal Profession and the Advocates Act, 1961" 14 J.I.L.I. 229 (1972)
7. Upendra Baxi, "The Pathology of the India Legal Profession", 13 Ind. Bar. Rev. 455 (1986)
8. S.P.Sathé, *Administrative Law* (1998)
9. K.L.Bhatia, *Socio-Legal Study of Occupational Status of Law Graduates*, (1994)

**BALLB 10.4 : Land Laws incl. Tenancy System**  
Optional-5

**Marks: 100 [80+20]**

**Marks: 100 [80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Constitutional provisions</b>	<b>05</b>
1.1. Fundamental Rights	
1.1.1. Agricultural reform	
1.2. Property as legal right – Article 300A	
1.3. Legislative powers	
1.3.1. The Union	
1.3.2. States	
1.3.3. Local bodies	
<b>2. State Legislations: Land Revenue</b>	<b>20</b>
2.1 The Assam Land & Revenue Regulations, 1886	
<b>3. State Legislations: Tenancy</b>	<b>20</b>
3.1 The Assam ( Temporary) Settled Areas Tenancy Act, 1971	
3.2 The Assam Non-Agricultural Urban Areas Tenancy Act, 1955	
<b>4. State Legislations: Rent Control</b>	
4.1 The Assam Urban Areas Rent Control Act, 1972	
<b>5. Leading Cases :</b>	<b>(10x2) 20</b>
5.1. <i>Swarna Brahma v Assam Board of Revenue</i> AIR 1972 Gau,121	
5.2. <i>Rafiqunnessa v. Lal Bahadur Chetri</i> AIR 1964 SC 1511	
5.3. <i>Kali Kumar Sen v. Moahulal Biswas</i> AIR 1969 A & N 66 (FB)	
5.4. <i>Variety Emporium v. V.R.M. Md. Ibrahim Naina</i> AIR 1985 SC 207.	
5.5. <i>Satyaranjan v. Assam Board of Revenue</i> AIR 1977 Gau.83(FB)	
5.6. <i>V. Dhanpal Chettiar v. Yesodai Ammal</i> AIR 1979 SC 1745.	

**Prescribed Legislations**

The Assam Land & Revenue Regulations, 1886  
The Assam ( Temporary) Settled Areas Tenancy Act, 1971  
The Assam Non-Agricultural Urban Areas Tenancy Act, 1955  
The Assam Urban Areas Rent Control Act, 1972

**Prescribed Books :**

1. B. K. Goswami, *The Assam Urban Area Rent Control Act. 1972*,
2. B. K. Goswami, *The Assam Non-Agricultural Urban Areas Tenancy Act.1955*.
3. J. N. Das, *Land Laws of Assam*

4. K.N. Saikia, *Assam Land & Revenue Regulations,1986*

**Recommended Book**

1. K.C. Mazumdar et al, *Commentaries on the Land laws of Assam*, (2002 ed.) Assam Law House,Guwahati-3

**BALLB 10.4 Private International Law [ Conflict of Laws ]**  
Optional-5

**Marks: 100 [80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction</b>	<b>15</b>
1:1 Origin and development of Private International Law	
1.2 Nature and basis of Private International Law	
1.2.1 Choice of jurisdiction	
1.2.2 Choice of law	
1.2.3 Recognition and enforcement of foreign judgment	
1.3 Distinction between Private International Law and Public International Law	
1.4 Theories of Conflict of Laws	
<b>2. Domicile - Nationality - Residence – Property</b>	<b>20</b>
2.1 Fundamental Principles of Domicile - Nationality	
2.2 Property	
2.2.1 Assignment of movable property	
2.2.2 Testamentary Succession ( Wills)	
2.2.3 Trusts	
<b>3. Matrimonial</b>	<b>15</b>
3.1 Marriage- Assignment of property on marriage	
3.2 Matrimonial causes and Disputes	
3.2.1 Divorce	
3.2.2 Nullity of Marriage	
3.2.3 Judicial Separation	
3.2.4 Restitution of Conjugal Rights	
3.3 Legitimacy – Legitimation and Adoption	
<b>4. Doctrine of Renvoi- Theories of Renvoi</b>	<b>10</b>
4.1 Partial Renvoi	
4.2 Foreign Court Tehory	
<b>5. Foreign Law</b>	<b>20</b>
5.1 Recognition and Enforcement of	
5.1.1 Foreign Judgments	
5.1.2 Arbitral Award	
5.2 The limits of Application of Foreign Law	

**Prescribed Books:**

1. R.H. Graveson, *Conflict of Laws*
2. S.L. Khanna, *Conflict of Laws*
3. Paras Diwan, *Private International Law*
4. G.C.Cheshire, *Private International Law*

Detailed Syllabus	Marks
<b>1. Introduction</b>	<b>10</b>
1.3 Status of Women in India	
1.4 Status of Women – International concerns	
1.3 Constitution of India & Women	
1.3.1 Preamble	
1.3.2 Equality Provision	
<b>2. Personal Laws and Women</b>	<b>15</b>
2.1 Unequal position of women – different personal laws and Directive principles of State Policy	
2.2 Uniform Civil Code towards gender justice	
2.3 Sex inequality in inheritance	
2.4 Guardianship	
<b>3. Criminal Laws and Women</b>	<b>15</b>
3.1 Adultery	
3.2 Rape	
3.3 Outraging Modesty	
3.4 Domestic Violence	
<b>4. Women Welfare Laws</b>	<b>30</b>
4.1 General laws	
4.1.1 The Dowry Prohibition Act, 1961	
4.1.2 Pre-natal Diagnostic Techniques (Regulation & Prevention of Misuse) Act, 1994	
4.1.3 Indecent Representation of Women (Prohibition) Act, 1986	
4.1.4 Immoral Traffic (Prevention) Act, 1987	
4.1.5 Family Courts Act, 1984	
4.2. Labour Welfare Legislations	
4.2.1 Maternity Benefit Act,	
4.2.2 Factories Act,	
4.2.3 Equal Remuneration Act,	
4.2.4 Implementation of Wage Laws and Legislation on Women Employment	
<b>5. Leading cases</b>	<b>10</b>
4. <i>Sumithra Vishnu v. Union of India</i> 1985 SC 1618	
5. <i>Vellore Citizens' Welfare Forum v. Union of India</i> (1996) 5 SCC 647	
6. <i>Vishaka v. State of Rajasthan</i> , AIR 1997 SC 3011 : (1997) 6 SCC 241	
<b>Prescribed Legislations:</b>	
26. The Constitution of India ( Relevant provisions )	
27. Dowry Prohibition Act( Relevant provisions )	
28. Indian Penal Code( Relevant provisions )	
29. Criminal Procedure Code ( Relevant provisions )	
30. Indian Evidence Act( Relevant provisions )	
31. Harassment at the Work Place and Public Place, Immoral Traffic (Prevention) Act, 1956	
32. The Indecent Representation of Women (Prohibition) Act, 1986	
33. The Medical Termination of Pregnancy Act, 1978	
34. Equal Remuneration Act, 1988	
<b>Prescribed Books:</b>	
1. Revasia & Revasia, <i>Women Social Justice &amp; Human Right</i> (1998), P.H. Publishing, New Delhi	
2. Ajnes, Flavia, <i>Law as Gender Inequality</i> , (SecIV: Gen. Conl & Recomm) OUP, Delhi (1999)	
3. Dr. Sayed Maqsood, <i>Law relating to Women</i>	
4. Dr. S.C. Tripathi, <i>Law relating to Women</i>	
<b>General reading:</b>	
1. 42 <sup>nd</sup> Report of Law Commission [Dissenting note of Justice Anna Chandy on Adultery, P.366]	
2. <i>Towards Equality- Report of the Committee on the Status of Women</i> (Govt. of India), Ch. IV	
3. Balram - <i>Women workers labour legislation in India</i> 1984 (2) I.L.J. 1527.	
4. Lotika Sarkar, <i>The Law Commission of India</i> (1988).	
5. U.Baxi, <i>Law and Poverty: Critical Essays</i> (1988), Eastern, Luknow	
6. S.N. Jain ed, <i>Child and the Law</i> (1979) Indian Law Institute, New Delhi	
7. Prof. Nomita Aggarwal, <i>Women and Law</i>	
8. Dr. Manjula Batra, <i>Women and Law</i>	
9. G.P. Reddy, <i>Women and Law</i>	



**BALLB 10.5 International Environmental Law**

Optional-6

**Marks: 100 [ 80+20]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction</b>	<b>20</b>
1.1 Human Right to Healthy Environment- Rights to clean and healthy environment	
1.1.1 Convention on Access to Information- Right to information	
1.1.2 Public Participation in Decision-making and Access to Justice in Environmental Matters, 1998 (Aarhus Convention)	
1.1.3 U.N. Conference on Human Environment, 1972 – Stockholm Principles, Establishment of Environmental Institutions like UNEP.	
<b>2 World Charter for Nature, 1982</b>	<b>20</b>
2.1. Ozone Protection – Montreal Protocol for the Protection of Ozone Layer, 1987 as amended	
2.2. U.N. Conference on Environment and Development, 1992 - Rio Principles (Earth Summit)	
2.2.1 U.N. Convention on Biological Diversity, 1992	
2.2.2 Cartagena Protocol on Bio-safety, 2000	
2.2.3 U.N. Convention on Climate Change 1992	
2.2.3.1 Green House Effect	
2.2.4 Kyoto Protocol, 1997	
2.2.5 Johannesburg Conference, 2002	
2.2.6. Delhi Summit, 2002	
<b>3. International regime</b>	<b>10</b>
4.1 Stockholm Conference	
4.2 Green House Effect and Ozone Depletion	
4.3 Rio Conference	
4.4 Bio-Diversity	
4.5 U.N. Declaration on Right to Development.	
4.6 Wetlands	
<b>4. Legal protection of the Ozone Layer</b>	<b>20</b>
4.1 Montreal Protocol	
4.2 Phase out Schedule	
4.3 Multilateral Fund	
4.4 Transfer of Technology	
<b>5. World Summit on Sustainable Development</b>	<b>10</b>
5.1 Sustainable Development Commission	

**Prescribed Books**

1. Gurdip Singh, *International Law*
2. Kaushik & Kausgik, *Perspective in Environmental Studies*
3. P.S. Ramakrishna, *Ecology and Sustainable Development*
4. P.D. Sharma, *Ecology and Environment*
5. I. A. Khan, *Text book of Environmental Laws*
6. Richard L. Riversz, et.al. (eds.) *Environmental Law, the Economy and Sustainable Development* (2000), Cambridge.
7. World Commission on Environment and Development, *Our Common Future* (1987), Oxford.



**1. Introduction:**

**10**

**1.1 Principles of Legislation**

- 1.1.1. Law-making - the legislature, executive and the judiciary
- 1.1.2. Principle of utility
- 1.1.3. Relevance of John Rawls and Robert Nozick - individual interest to community interest
- 1.1.4. Operation of these principles upon legislation
- 1.1.5. Distinction between morals and legislation

**1.2 Interpretation of Statutes**

- 1.2.1 Meaning, Objects and Scope of 'interpretation' , 'construction' and 'statute'
- 1.2.2 Nature and Kinds of Indian Laws: Statutory, Non-statutory, Codified, Uncodified, State-made and State-recognised laws
- 1.2.3. Commencement, operation and repeal of statutes
- 1.2.4. Purpose of interpretation of statutes.
  - 1.2.4.1 Basic Sources of Statutory Interpretation
    - (i) The General Clauses Act, 1897: Nature, Scope and Relevance (Ss.6- 8)
    - (ii) Definition clauses in various Legislations: Nature and Interpretative Role

**2. Interpretation**

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**2.1 Aids to Interpretation (Parts of the statute and their interpretative role )**

- 2.1.1 Internal aids
  - 2.1.1.1. Title
  - 2.1.2. Preamble
  - 2.1.3. Headings and marginal notes.
  - 2.1.4. Sections and sub-sections
  - 2.1.5. Punctuation marks.
  - 2.1.6. Illustrations, exceptions, provisos, saving clauses, explanations and schedules
  - 2.1.8. Non-obstante clause.
- 2.1.2 External aids
  - 2.2.1 Role of Constituent Assembly debates in the interpretation of the Constitution of India
  - 2.2.2 Legislative history- Legislative Intention, Statement of objects and reasons, legislative debates, Committee reports, Law Commission reports etc.
  - 2.2.3 International-law and human-rights documents
  - 2.2.4 Dictionaries-Translations
  - 2.2.5. Statutes in pari materia

**2.2 Rules of Statutory Interpretation**

- 2.2.1 Primary Rules
  - 2.2.1.1. Literal rule
  - 2.2.1.2. Golden rule
  - 2.2.1.3. Mischief rule (rule in the Heydon's case)
  - 2.2.1.4. Rule of harmonious construction
- 2.2.2. Secondary Rules
  - 2.2.2.1. Noscitur a sociis ( Associated words )
  - 2.2.2.2. Eiusdem generis
  - 2.2.2.3. Reddendo singula singulis

**2.3 Presumptions in statutory interpretation**

- 2.3.1. Statutes are valid
- 2.3.2. Statutes are territorial in operation
- 2.3.3. Presumption as to jurisdiction
- 2.3.4. Presumption against what is inconvenient or absurd
- 2.3.5 Presumption against intending injustice
- 2.3.6. Presumption against impairing obligations or permitting advantage from one's own wrong
- 2.3.7. Prospective operation of statutes

## 2.4 Maxims of Statutory Interpretation

- 2.4.1. Delegatus non potest delegare
- 2.4.2. Expressio unius exclusio alterius
- 2.4.3. Generalia specialibus non derogant
- 2.4.4. In pari delicto potior est conditio possidentis
- 2.4.5. Utres valet potior quam pareat
- 2.4.6. Expressum facit cessare tacitum
- 2.4.7. In bonam partem

## 3. Interpretation with reference to the subject matter and purpose

15

- 3.1. Restrictive and beneficial construction
  - 3.1.1. Taxing statutes
  - 3.1.2. Penal statutes
  - 3.1.3. Welfare legislation
- 3.2. Interpretation of substantive and adjunctival statutes
- 3.3. Interpretation of directory and mandatory provisions
- 3.4. Interpretation of enabling statutes
- 3.5. Interpretation of codifying and consolidating statutes
- 3.6. Interpretation of statutes conferring rights
- 3.3. Interpretation of statutes conferring powers.

## 4. Principles of Constitutional Interpretation

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- 4.1. Harmonious construction
- 4.2. Doctrine of pith and substance
- 4.3. Colourable legislation
- 4.4. Ancillary powers
- 4.5. "Occupied field"
- 4.6. Residuary power
- 4.7. Doctrine of repugnancy

## 5. Leading Cases

(10x2)

20

- 10. *Girija K. Phukan v. State of Assam* 1984 (2) LR 488
- 11. *Bengal Immunity Co. Ltd. v. State of Bihar* 1955 2 SCR 603
- 12. *Smti Charu Deka v. Umeswari Nath & other* AIR 1995 Gau 9.
- 13. *P. Ramachandra Rao v. State of Karnataka* (2002) 4 SCC 578
- 14. *Bhatia International v. Bulk Trading S.A.* (2002) 4 SCC 105
- 15. *R.M.D.C. v. Union of India*, AIR 1957 SC 628
- 16. *Avtar Singh v. State of Punjab*, AIR 1955 SC 1107
- 17. *A.S. Sulochana v. C. Dharmalingam*, AIR 1987 SC 242
- 18. *ShashiKant Laxman Kale v. Union of India*, AIR 1990 SC 2114 :(1990) 4 SCC 366

### Prescribed Legislation:

The General Clauses Act, 1897

### Prescribed Books:

- 1. P. St. J. Langan, *Maxwell on the Interpretation of Statutes* (12th ed., 1969)
- 2. Vepa P. Sarathi, *Interpretation of Statutes* (4th ed., 2003)
- 3. G.P. Singh, *Principles of Statutory Interpretation* (11th ed., 2008)

### Recommended Books:

- 9. S.G.G. Edgar, *Craies on Statute Law* (1999)
- 10. Swarup Jagdish, *Legislation and Interpretation*
- 11. P. St. Langan (Ed.). *Maxwell on The Interpretation of Statutes* (1976) N.M.Tripathi, Bombay
- 12. K.Shanmukham, *N.S.Bindras's Interpretation of Statutes*, (1997) The Law Book Co. Allahabad.
- 13. V.Sarathi, *Interpretation of Statutes*, (1984) Eastern, Lucknow
- 14. M.P.Jain, *Constitutional Law of India*, (1994) Wadhwa & Co.
- 15. M.P.Singh, (Ed.) *V.N.Sukla's Constitution of India*, (1994) Eastern, Lucknow.
- 16. U.Baxi, *Introduction to Justice K.K.Mathew's, Democracy Equality and Freedom* (1978) Eastern, Lucknow

**BALLB 10.6 : Constitutional law – Citizenship and Immigration Law**

Hons-8

**Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction</b>	<b>20</b>
1:1 Meaning and Definition of Citizenship	
1:2 Citizenship under the Indian Constitutional provisions and Citizenship Act, 1955	
<b>2. Modes of-</b>	<b>20</b>
2:1 Acquisition of Citizenship	
2:2 Termination of Citizenship	
2:3 Overseas Citizenship	
2:4 Commonwealth Citizenship	
<b>3. Kinds of Citizenship</b>	<b>10</b>
3:1 Single Citizenship	
3:2 Dual Citizenship	
<b>4. Meaning of Immigration</b>	<b>10</b>
<b>5. Migration</b>	<b>20</b>
5:1 Fundamental Right for movement	
5:2 Migration, Growth of informal sector and quality of life: Problems for the Indian Population	
5:3 Illegal Migrations	
5:3:1 Migration into Assam-Historical Background	
5:3:2 Contributory factors of Illegal Migration	

**Prescribed Books**

1. Mazhar Hussain, *The Law relating to Foreigners, Passport and Citizenship in India*
2. Seth, *Citizenship and Foreigner Act*
3. *Immigration Reform & Control Act, 1986*
4. M.P. Jain, *Indian Constitutional Law*
5. D. D. Basu, *Shorter Constitution of India*
6. V.N. Shukla, *Constitution of India*

**BALLB 10.6 : Criminology- IT Offences**

Hons- 8

**Marks: 100 [ 80 + 20 ]**

<b>Detailed Syllabus</b>	<b>Marks</b>
<b>1. Introduction to Cyber Crime &amp; Cyber Laws</b>	<b>10</b>
1.1 Freedom of Expression in Cyberspace	
<b>2. The Cyber Regulations Appellate Tribunal</b>	<b>10</b>
2.1 Composition	
2.2 Power and Procedure	
2.3 Limitation	
2.4 Appeal to High Court	
2.5 Recovery of Penalty	
<b>3. Offences under the Information Technology Act, 2000</b>	<b>10</b>
3.1 The Cyber Offences	
<b>4. Offences:</b>	<b>30</b>
4.1 Tampering with computer Source Documents	
4.2 Hacking with Computer System	
4.3 Publishing of Obscene Information in Electronic Form	
4.4 Acts and Omissions Against the Controller	
4.5 Breach of Confidentiality and Privacy	
4.6 Related to Digital Signature Certificate	
4.7 Contravention Committed outside India	
<b>5. Leading Cases</b> (10x2)	<b>20</b>
1. <i>Shrimant Shamrao Surryavanshi v. Pralhad Bhairoba Suryavanshi</i> , (2002) 3 SCC 676	
2. <i>Ajay Goswami v. Union of India</i> (2007) 1 SCC 170	
3. <i>District Registrar and Collector v. Canara Bank</i> (2005) 1 SCC 496, AIR 2005 SC 186	

**Prescribed Books**

1. J.A. Senn, *Information Technology in Business* – J. A. Senn
2. C.S.V. Murthy, *E- Commerce*, Himalaya Publishing House
3. Rohnay D. Ryder, *Guide to Cyber Crime*, Wadhwa Nagpur
4. Devid Whiteley, *E- Commerce*, Mc Graw Hill

Detailed syllabus	Marks
<b>1. Copyright: Introduction:</b>	<b>10</b>
1.1 Historical evolution of the law	
1.2 Meaning of copyright	
1.3 Subject Matter of Copyright	
1.4 International Conventions and Treaties	
1.5 The Copyright Act, 1957	
<b>2. Copyright in</b>	<b>10</b>
2.1 Literary, dramatic and musical works	
2.2. Sound records and cinematograph films	
2.3. Computer programme	
2.4 Multimedia works	
2.5 The Cyber World	
<b>3. Ownership of copyright –infringement and remedies</b>	<b>10</b>
3.1 Assignment of copyright	
3.2 Author's special rights	
3.2.1 Authorship,	
3.2.1.1. Ownership,	
3.2.1.2 Transfer and Duration of copyright	
3.2.2 Renewal and termination of copyright	
3.3.3 Neighbouring rights	
3.3 Notion of infringement	
3.3.1 Criteria of infringement	
3.3.2 Infringement of copyright by films of literary and dramatic works.	
3.3.3 Importation and infringement	
3.3.4 Piracy in internet	
3.4 Aspects of copyright justice	
3.4.1 Remedies- injunctive relief in India.	
<b>4. Patent : Introduction</b>	<b>20</b>
4.1 Concept of patent	
4.1.1 Paris convention	
4.1.2 Patent cooperation treaty	
4.1.3 Patent and WTO – TRIPS	
4.1.3.1 Harmonization of TRIPS & CBD	
4.1.4 Historical view of the patents law in India	
4.2 The Patents Act, 1970 with its amendments	
4.2.1 Patentable subject matter, patentability criteria	
4.2.4 Revocation, patent infringement and remedies	
4.2.1. Criteria of infringement	
4.2.2. Onus of Proof	
4.2.3. Modes of Infringement : the Doctrine of Colourable Variation	
4.2.4. Defences in suits of infringement	
4.2.5. Injunctions and related remedies.	
<b>5. Case Laws [Litigation]</b>	<b>(10x3 ) 30</b>
<b>5.1 The Copyright Act, 1957</b>	
5.1.1 <i>R.G. Anand v. Deluxe Films</i> , AIR 1978 SC 16 (Subject Matter of Copyright )	
5.1.2 <i>Eastern Book Co. v. D.B. Modhak</i> , 2008 (36) PTC 1 (SC) (Subject Matter of Copyright)	
5.1.3 <i>Macmillan v. K J Cooper</i> , AIR 1924 PC 75 181 (Ownership and Rights )	
5.1.4 <i>Gee Pee Films Pvt. Ltd. v. Pratik Chowdhury</i> , 2002(24) PTC 392 (Cal) 190 (Ownership)	
5.1.5 <i>R G Anand v. Deluxe Films</i> , AIR 1978 SC 1613 (Infringement and Exceptions )	
<b>5.2 The Patents Act, 1970</b>	
5.2.1 <i>Canadian General Electric Co. Ltd. v. Fada Radio Ltd.</i> , AIR 1930 PC 1	
5.2.2 <i>Hoffmann-La Roche Ltd v. Cipla Limited</i> , 2008 (37 ) PTC 71 (Del) 219	
<b>Prescribed Legislations:</b>	
9. Copyright Act, 1957	
10. Patents Act, 1970	

**Prescribed Books:**

1. V.K. Ahuja, *Law Relating to Intellectual Property Rights* (2007)
2. P. Narayanan, *Copyright and Industrial Designs* (2007)
3. P. Narayanan, *Patent Law* (4<sup>th</sup> ed., 2006)

**Recommended Books:**

1. Ashwani Kr. Bansal, *Materials on Copyright* (2004)
2. V.K. Ahuja, *Law of Copyright and Neighbouring Rights: National and International*
3. Alka Chawla, *Copyright and Related Rights: National and International Perspectives* (2007)
4. Wadhera, B.L., *Law Relating to Patents, Trademarks, Copyrights, Designs & Geographic Indications*
5. Mittal, D.P., *Trademarks, Passing Off & Geographical Indications of Goods, Law and Procedure*
6. Vashisth, V., *Law and Practice of Intellectual Property in India*, (1999)
7. Mittal, D.P., *Indian Patents Law* (1997)