

**Andhra University**  
**Regulations relating to**

**LL.B Integrated Double Degree Course leading to B.A. LL. B**  
**(Five-Year LL.B Double Degree Integrated Programme)**  
**(Semester System- 10 semesters)**

**Regulations**

(Effective from the Academic Year 2013-14)

**Admission** into 5 Year LL.B Integrated Double Degree Course is subject to Bar Council of India/LAWCET/University Rules and Regulations. Admissions are made by LAW CET Convener in accordance with the Rules prescribed by Government of Andhra Pradesh vide G.O Ms No 26 Higher Education dtd 24-2-2004.

**For the award of 5 Year B.A. LL.B Degree, the** candidate shall be required to have i) received instruction and training for the prescribed course of study as full-time students for five academic years, and ii) passed all the examinations prescribed for the award of 5 Year B.A. LL.B Integrated Double Degree Course.

**Duration:** 5 Year Double Degree LL.B Integrated Course has to be pursued in ten semesters stretching over five academic years. Each academic year comprises of two Semesters.

**Medium of Instruction** will be in English language

**Attendance:** In order to be eligible to take the examination in any subject, candidate is required to put in 75% of attendance in each subject which includes lectures, tutorials and practical training.

Provided that if a student for any exceptional reasons fails to attend 75% of the classes held in any subject, subject to the payment of the fee prescribed by the University from

time to time he/she may be condoned for the shortage of attendance if the student concerned attended at least 66% of the classes held in the subject concerned.

### **Prohibition against lateral entry and exit**

There shall be no lateral entry on the plea of graduation in any subject or exit by way of awarding a degree splitting the integrated double degree course, at any intermediary stage of integrated double degree course.

**Credits:** All papers carry six credits each except the Paper on Seminar and Clinical Legal Education which carries only two credits. Total credits of the B.A.LL.B are 282.

### **Question Paper Pattern for semester end written examination**

(i) *For Pre r Law Papers: (General English, Political Science, Sociology and Economics)*

Question paper consists of three parts.

**Part A** consists of short answer questions. In this Part carrying a total of 18 marks, nine questions will be given and the candidate has to answer any six questions. Each question carries 3 marks.

**Part B** consists of short essay questions. In this Part carrying a total of 32 marks, six questions will be given and the candidate has to answer any four questions. Each question carries 8 marks.

**Part C** consists of essay questions. In this Part carrying a total of 30 marks, four questions will be given and the candidate has to answer two questions. Each question carries 15 marks.

(ii) *For Law Papers other than practical papers*

Question paper consists of three parts.

**Part A** consists of short answer questions. In this Part, nine questions will be given and the candidate has to answer any six questions. . Each question carries 4 marks carrying a total of 24 marks.

**Part B** consists of essay questions. In this Part carrying a total of 36 marks, four questions will be given and the candidate has to answer two questions. Each question carries 18 marks.

**Part C** consists of hypothetical problems. In this part carrying a total of 20 marks, four questions will be given and the candidate has to answer two questions. The answer shall cover recitation of facts, framing of issues, reasoned decisions and citation of authority. Each question carries 10marks.

*(iii) For Practical Papers*

*Practical Training Paper I on Drafting, Conveyancing and Pleading*

The Semester end paper carrying 50 Marks consists of 8 essay questions out of which the candidate has to answer any five questions.

*Practical Training Paper II on Professional Ethics and Professional Accounting System*

The Semester end paper carrying 50 Marks consists of 8 essay questions for 50 Marks out of which the candidate has to answer any five questions.

*Practical Training Paper III on Alternate Dispute Resolution (ADR)*

The semester end written examination carrying a total of 50 marks, consists of 8 essay questions out of which the candidate has to answer any five questions

### **Allotment of Marks**

All papers carry a total of 100 Marks. Except the practical papers mentioned below, the allotment of Marks is as follows.

80 Marks are allotted to the Semester End written examination.

20 Marks are allotted to internal tests break up of which is as follows;

*Test* - 10 Marks (There will be two midterm tests. One t test will be in objective mode consisting of not less than 10 questions)

*Assignment* -5 Marks (One Assignment to be given)

*Semester end Viva*- 5 Marks

For all practical papers 50 Marks are allotted to internal component and 50 marks are allotted to external component

Practical Papers:

- (i) Paper Local Language (Introduction to Telugu) in Sixth Semester,
- (ii) Practical Training Paper I (Drafting, Conveyancing and Pleading) in Tenth semester
- (iii) Practical Training Paper II,(Professional Ethics and Professional Accounting System), Tenth semester
- (iv) Practical Paper III, (Alternate Dispute Resolution), Tenth semester
- (v) Practical Paper IV, (Moot Court Exercise and Internship) Tenth semester
- (vi) Papers on Seminar and Clinical Legal Education,

**Examination:**

- Candidate shall take examination in each of the subjects prescribed for the study at the end of the semester by registering for that semester examination and obtaining hall ticket for the same. Duration of the examination is three hours.
- The semester end examination shall be based on the question paper set by an external paper setter.
- For qualifying in the examination the candidate has to secure a minimum of 40% in the theory papers excluding internal sessionals and a minimum of 50% in the practical papers.

**Practical papers** in B.A. LL.B (5YDC) are Seminar and Clinical Legal Education paper of all the semesters, Paper on Local Language (Introduction to Law in Telugu) in sixth semester and Practical Training Papers I, II, III and IV of the tenth semester.

- Grafting/Grace is permitted. Grafting allows a candidate an opportunity to utilize the excess marks he earned in a paper for filling up the shortage of marks in the paper in which the candidate failed. Eg, A candidate who secured only 35 Marks, would fail having fallen short by 5 Marks of the required minimum pass mark

which is 40 Marks. However, If such candidate happened to secure 45 marks in another paper, the extra five marks which is in excess of what is required for a pass could be notionally added to fill the deficit of 5 marks of the paper in which the candidate actually failed and thereby declare the candidate to have been passed in such paper.

Note: Grafting can be availed only when the candidate will be able to pass in the whole examination due to grafting. Grafting to the extent of one mark per hundred marks of each semester can be added to a maximum of two papers only.

- .5 or more will be rounded up to the higher value of 1 only for the purpose of obtaining pass mark or class elevation, third class to second class or second class to first class. 4.96 will be treated as 5.0. Similarly, 5.45 becomes 5.5

➤ **Scheme of Grading**

S. No	Range of Marks	Grade	Grade Point
1	91-100	O	10.0
2	81-90	A	9.0
3	71-80	B	8.0
4	61-70	C	7.0
5	51-60	D	6.0
6	40-50	E	5.0
7	<40 (0-39)	F (Fail)	0.0
8	<b>Incomplete</b> (Subsequently changed into pass or E to O or F grade on subsequent appearance of the examination)	I	0.0

- **Classification** of successful candidates is based on CGPA as follows:
  - Distinction --- CGPA 8.0 or more
  - I Class --- CGPA 6.5 or more but less than 8.0
  - II Class --- CGPA 5.5 or more but less than 6.5
  - Pass --- CGPA 5.0 or more but less than 5.5

Note: Only those candidates who appear and pass the examination in all the papers of the First semester, all the papers of the Second semester, all the papers of the Third semester,

and similarly all the papers of the Fourth semester, at first appearance are eligible to be placed in O grade.

- **Awards:**

No candidate who has not passed all the papers relating to any semester at the first appearance shall be eligible for the Award of Medals or Prizes by the University and to receive certificates of rank obtained by them in the examination.

Explanation:

Credits, Grade Letter Grade Points, Credit Points

**Credit** means the unit by which the course work is measured. One credit means one hour of teaching work or one hour of practical work per week.

**Grade Letter** is an index to indicate the performance of a student in a particular course (Paper).

It is the transformation of actual marks secured by a student in a course/paper. It is indicated by a Grade letter O, A, B, C, D, E. There is a **range of marks** for each Grade Letter.

**Grade Point** is Weightage allotted to each grade letter depending on the marks awarded in a course/paper

**CGPA:** CGPA means Cumulative Grade Point Average. It will be calculated from 2<sup>nd</sup> semester onwards.

**SGPA** means Semester Grade Point Average. This is calculated for each semester of the programme

CGPA x 10 will be the overall percentage of the marks obtained by the candidate

## Course Pattern

### B.A.LL.B (Double Degree Integrated Course)

#### FIRST YEAR

##### FIRST SEMESTER

Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	E	I	
1	1	General English-I	5	1	-	80	20	6
2	2	Political Science-I (Principles of Political Science Theory and Organization)	5	1	-	80	20	6
3	3	Economics –I ( General Principles of Economics)	5	1	-	80	20	6
4	4	Law Of Contracts (General Principles of Contract (Secs.1 to 75) including Specific Relief Act)	5	1	-	80	20	6
5	5	Seminar & Clinical Legal Education	-	-	4	50	50	2
<b>TOTAL</b>								<b>26</b>

##### SECOND SEMESTER

Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	E	I	
1	1	General English-II	5	1	-	80	20	6
2	2	Political Science-II (Foundations of Political Obligations)	5	1	-	80	20	6
3	3	Sociology-I (General Principles of Sociology)	5	1	-	80	20	6
4	4	Special Contracts	5	1	-	80	20	6
5	5	Seminar & Clinical Legal Education	-	-	4	50	50	2
<b>TOTAL</b>			<b>32</b>					<b>26</b>

## SECOND YEAR

### THIRD SEMESTER

Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	E	I	
1	1	Political Science – III ( Indian Political Thought)	5	1	-	80	20	6
2	2	Economics –II (Indian Economic Policy)	5	1	-	80	20	6
3	3	Torts Including M V Accident and Consumer Protection Law	5	1	-	80	20	6
4	4	Constitutional Law - I	5	1	-	80	20	6
5	5	Seminar & Clinical Legal Education	-	-	4	50	50	2
6		Ethics and Values (Non Credit Paper)	1					
<b>TOTAL</b>								<b>26</b>

### FOURTH SEMESTER

Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	E	I	
1	1	Political Science – IV (Principles of Public Administration)	5	1	-	80	20	6
2	2	Sociology – II (Sociological Theories)	5	1	-	80	20	6
3	3	Constitutional Law - II	5	1	-	80	20	6
4	4	Law of Crimes – I (IPC)	5	1	-	80	20	6
5	5	Seminar & Clinical Legal Education	-	-	4	50	50	2
<b>TOTAL</b>								<b>26</b>

## THIRD YEAR

### FIFTH SEMESTER



Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	E	I	
1	1	Political Science – V ( International Relations and Organization)	5	1	-	80	20	6
2	2	Economics –III ( Money, Banking and Fiscal Policy)	5	1	-	80	20	6
3	3	Family Law –I (Family Relations)	5	1	-	80	20	6
4	4	Environmental Law including Laws for the Protection of the Wild Life and other Living Creatures including Animal Welfare	5	1	-	80	20	6
5	5	History of Courts, Legislatures and Legal Profession in India	5	1	-	80	20	6
6	6	Seminar & Clinical Legal Education	-	-	4	50	50	2
<b>TOTAL</b>								<b>32</b>

#### SIXTH SEMESTER

Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	E	I	
1	1	Political Science – VI (Local-Self Government)	5	1	-	80	20	6
2	2	Sociology-III ( Rural, Urban and Tribal Sociology of India)	5	1	-	80	20	6
3	3	Family Law – II: (Testamentary and Intestate Succession)	5	1	-	80	20	6
4	4	Jurisprudence (Legal Method, Indian Legal system and Basic Theory of Law)	5	1	-	80	20	6
5	5	Local Language (Introduction of Law in Telugu)	5	1	-	<b>20</b>	<b>80</b>	6
6	6	Seminar & Clinical Legal Education	-	-	4	50	50	2
<b>TOTAL</b>								<b>32</b>

#### FOURTH YEAR

#### SEVENTH SEMESTER

Sl.	Paper	Subject	Hours	Max	
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No	No		per week			Marks		Credits
			L	T	P	E	I	
1	1	Property Laws including Transfer of Property Act and Easements Act	5	1	-	80	20	6
2	2	Labour and Industrial Law-I	5	1	-	80	20	6
3	3	Company Law	5	1	-	80	20	6
4	4	Administrative Law	5	1	-	80	20	6
5	5	Interpretation of Statutes and Principles of Legislation	5	1	-	80	20	6
6	6	Seminar & Clinical Legal Education	-	-	4	50	50	2
<b>TOTAL</b>								<b>32</b>

### EIGHTH SEMESTER

Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	E	I	
1	1	Labour and Industrial law-II	5	1	-	80	20	6
2	2	Public International Law	5	1	-	80	20	6
3	3	Principles of Taxation Law	5	1	-	80	20	6
4	4	Intellectual Property Rights Litigation	5	1	-	80	20	6
5	5	Land Laws Including Tenure And Tenancy System (Optional Paper-III)/ Investment Law including Securities	5	1	-	80	20	6
6	6	Seminar & Clinical Legal Education	-	-	4	50	50	2
<b>TOTAL</b>								<b>32</b>

### FIFTH YEAR

#### NINTH SEMESTER

Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	E	I	
1	1	Civil Procedure Code and Limitation Act	5	1	-	80	20	6
2	2	Law of Crimes – II (Criminal Procedure Code, Juvenile Justice Act and Probation of Offenders	5	1	-	80	20	6

		Act)						
3	3	Law of Evidence	5	1	-	80	20	6
4	4	Banking Law including Negotiable Instrument Act/ Law of Insurance (Optional Paper-I)	5	1	-	80	20	6
5	5	Media Law including Right to Information /International Human Rights (Optional Paper-II)	5	1	-	80	20	6
6	6	Seminar & Clinical Legal Education	-	-	4	50	50	2
<b>TOTAL</b>								<b>32</b>

#### TENTH SEMESTER

Sl. No	Paper No	Subject	Hours per week			Max Marks		Credits
			L	T	P	I	E	
1	1	Practical Training-I (Drafting, Pleading, Conveyancing)			6	50	50	3
2	2	Practical Training-II (Professional Ethics and Professional Accounting System)			6	50	50	3
3	3	Practical Training III: Alternate Dispute Resolution (ADR)			6	50	50	3
4	4	Practical Training -IV (Moot Court Exercise and Internship)			6 -	50	50	3
5	5	Penology and Victimology (Optional Paper-III)/ Women and Criminal Law (Law Relating to Violence against Women) (Optional Paper-IV)	5	1	-	20	80	6
<b>TOTAL</b>								<b>18</b>
<b>GRAND TOTAL</b>								<b>282</b>

## SYLLABUS

## **SEMESTER -I**

### **PAPER-I: GENERAL ENGLISH-I**

#### **Unit-I: Grammar and Usages (Communication Skills)**

##### **1. Parts of Speech**

- i) Noun
- ii) Pronoun
- iii) Adjective
  - a) Degrees of Comparison
- iv) Verb
  - a) Tense and concord
  - b) Active voice & passive voice
  - c) Reported Speech d) Conditions
- v) Adverb
- vi) Preposition
- vii) Conjunction
- viii) Interjection

##### **2. Articles**

##### **3. Sentences**

- i) Simple, Compound & Complex sentences (one clause) their phrase
- ii) Negatives, questions
- iii) Modifiers (determiners, phrases, clauses)

##### **4. Question Tags & Short Responses**

##### **5. Some common errors**

#### **Unit-II: Vocabulary**

- 1. Legal terms (relevant to the subject)
- 2. Use of legal terms and idiomatic expressions

### **Unit-III: Comprehension skills**

1. Reading comprehension principles and practice
2. Listening comprehension

### **Unit-IV: Composition skills.**

1. Paragraph writing
2. Formal correspondence
3. Note taking
4. Translation from regional language into English and Vice-Versa.

### **Unit-V: Literature**

#### **A) Prose: Masters of English Prose**

- i) Of Friendship – Francis Bacon
- ii) Of Youth and Age- Francis Bacon
- iii) The Spider and the Bee – Jonathan Swift
- iv) City Nightpiece – Oliver Goldsmith
- v) The convalescent-Charles Lamb
- vi) The Maid servant – Deigh Hunt
- vii) Manners – R,W, Emersion
- viii) Of Myself – Abraham Cowley
- ix) The Golden Age- A.Gardiner
- x) Forgetting-Robert Lynd

#### **B) Non-Detail: M.K.Gandhi – The Law and the Lawyers**

### **Books recommended:**

1. Ishtiaque Abidi-Law and Language, Univeristy Publishers, Aligarh.1978.
2. Johnson,K-Communication in Writing Longman,1981.

3. O'Connor J.D, Better English Pronunciation, C.P.U.2nd ed.1980.
4. Procter, A.S.P.Longman Students Dictionary of English, Longman, 1982.
5. Homby. A.S. Oxford Advanced Learners Dictionary of English
6. Aiyers, Law Terms and Phrases, Law Book Co., Allahabad (1973)
7. Bhakaran and Horsburghm Strengthen Your English.OUP Second Edition
8. Hill,L.A. and others, English Language Course for Colleges Book, OUP 1971.
9. Concise Legal Dictionary-Pioneer Publishers, New Delhi.
10. Collins Cobuild students Grammar
11. Wren and Martin: English grammar and composition
12. JE. Eroform and Home Macmillan; Essay, Précis, composition and comprehension
13. TE Berry: the most common mistakes in English
14. Ishtiaque Ahidi: Land and Language
15. Indian language speech reading, published by central institute of English and Foreign languages
16. Legal English, drafting conveyancing and glossary, M.MDHU, Asia Law House, Hyderabad
17. Hartin Hewings, Advanced English Grammar- Cambridge
18. Prose – Masters of English Prose – L.S.Krishna SastryPublishers – Macmillan Company of India Ltd
19. Non-detail: M.K.Gandhi – The Law and the Lawyers – S.B.Kher Publishers

## **Paper-II: Political Science-I**

### **PRINCIPLES OF POLITICAL SCIENCE: THEORY AND ORAGANISATION**

#### ***Political Theory:***

- (a) Nature of State: Theories of origin of the State; State as a conceived by different schools of thought; forms of Government Constitution of Government.
- (b) Main Currents of western political thought: Natural Law and Natural Rights; Liberalism; Socialism and Marxism.
- (c) Conception of Political and Legal Sovereignty.
- (d) The Totalitarian State.

#### ***Political Organisation:***

- (a) Organisation of Government: Unitary, Federal, Quasi-Federal and Confederal Constitutions-one party democracies; military rule, Presidential and Parliamentary forms with reference to India, U.K. and U.S.A.

- (b) The Legislature, Executive and Judiciary, the Doctrine of Separation of Powers, Parliamentary sovereignty and independence of the judiciary.
- (c) Conceptions of representation, public opinion and participation.

***Books Recommended:***

1. H. Finer: Theory and Practice of Modern Government;
2. Appadorai: Substance of Politics;
3. Dunning: History of Political Thought;
4. S.P. Varma: Modern Political Theory;
5. Gokhale B.K.: - A Study of Political theory
6. Rathore and Haqqe: - Political theory and Organization
7. Gokhale B.K. and Johari: - A Study of Political theory.
8. H.J. Lasky: The State of Political Thought;
9. R.C. Gettel: History of Political Thought
10. K.C. Wheare: Federal Government.

**Paper-III: Economics -I**

**GENERAL PRINCIPLES OF ECONOMICS**

**Unit-1:** Economics as a Science and its relevance of Law, Economics as a basis of Social Welfare and Social Justice. The Enterprise planned Economics and Mixed Economics.

**Unit-2:** General Principles: 1. Demand and Supply. 2. Markets determination of prices Business organizations;

**Unit-3:** Markets: Perfect competition, monopoly, monopolistic competition,

**Unit-4:** Oligopoly control of monopolies and prevention of economic concentration.

**Unit-5:** Labour and wages

**Unit-6:** Capital and Money

***Books Recommended:***

1. Samuelson - Economic: An introductory Analysis International Student Edition – Mc Graw Hill Book Company, Seventh Edition;
2. H.L. Ahuja, Advanced Economic Theory, Sultan Chand, 2004.
3. Commission Report: Worth South - A Programme for survival.... Books,
4. Development Report: Public by World Bank Oxford.

5. K.C.Gopalakrishnan, Legal Economics(International Dimensions of Economics and Law) Pre-Law Education Series, EBC.

**Paper - IV: LAW OF CONTRACT**  
**(General Principles of Contract (Secs.1 to 75) including Specific Relief Act)**

**Unit-1;** History and nature of contractual obligations - writs of debt, covenant and account actions on the case and on assumption of consideration - moral basis for contractual obligations subjective and objective theories sanctity of contracts.

**Unit-2:** Agreement and contract definitions, elements and different kinds.

**Unit-3:** Proposal and acceptance - their various forms, essential elements, communication and revocation-proposal and invitations for proposal-floating offers-tenders-dumping of goods.

**Unit-4:** Consideration-nudum pactum-its need, meaning, kinds, essential elements-privity of contract and of consideration-its exceptions-adequacy of consideration-present, past and adequate consideration-unlawful consideration and its effects-views of Law Commission of India on consideration-evaluation of the doctrine of consideration.

**Unit-5:** Capacity to contract-meaning-incapacity arising out of status and mental defect-minor's agreements-definition of minor - accessories supplied to a minor-agreements beneficial and detrimental to a minor affirmation-restitution in cases of minor's agreements-fraud by a minor-ratification in cases by a person of an agreement made by him while he was a minor-agreements and estoppel-evaluation of the law relating to minor's agreements-other illustrations of incapacity to contract.

**Unit-6:** Free consent-its need and definition-factors vitiating free consent , Coercion-definition-essential elements-duress and coercion-various illustrations of coercion doctrine of economic duress-effect of coercion-evaluation of Sec. 15., Undue Influence-definition-essential elements-between which parties can it exist? Who is to prove it? Illustrations of the undue influence-independent advice-pardahanash in women-unconscionable bargains effect of undue influence., Misrepresentation-definition-misrepresentation of law and of fact-their effects and illustration, Fraud-definition-essential elements-suggestio falsi suppressio veri-When does silence amounts to fraud? Active concealment of truth-importance of intention.

**Unit-7:** Legality of Object: Void agreement-lawful and unlawful considerations, objects-void, voidable, illegal and unlawful agreements their effects. Unlawful consideration and objects: Forbidden by law, Defeating the provision of any law, Fraudulent , Injurious to person or property, Immoral , Against public polity, Void Agreements, Agreements without



consideration, . Agreements in restraint of marriage, Agreements in restraint of trade-its exceptions-sale of goodwill, Sec. II restriction, under the Partnership Act, trade combinations

exclusive dealing agreements, restraints on employees under agreement of service. Agreements in restraint of legal proceedings-its exceptions, Uncertain agreements, . Wagering agreements-its exceptions.

**Unit-8:** Discharge of a contract and its various modes:, By performance-conditions of valid tender of performance-how? By Whom? Where? When? In what manner? Performance of reciprocal promises-time essence of contract., By breach-anticipatory breach and present breach, Impossibility of performance-specific grounds of frustration -effect of frustration-frustration and restitution, . By period of limitation , By agreement-rescission and alteration-their effect-remission and waiver of performance extension of time-accord and satisfaction.

**Unit-9:** Quasi-contracts or certain relations resembling those created by contract.

**Unit 10:** formation of E Contracts, Authentication of E Contract, Problems relating to Internet Contracts

**Unit-11:** Remedies in contractual relations:, Damages-kinds-remoteness of damages-ascertainment of damages, Injunction-When granted and when refused? Why? Refund and restitution, Specific performance-When? Why?

**Unit-12: Specific Relief:** Specific Relief Act, 1969; Definition, Recovering possession of property, Specific performance of contracts, Rectification of instruments, Rescission of contracts, Cancellation of Instruments, Declaratory decrees, Preventive relief

***Books Recommended:***

1. T.S. Venkatesa Iyer. Law of Contract revised by Dr. Krishnamachary, S. Gogia & Co., Hyderabad , 1995
2. Avatar Singh: Law of Contract and Specific Relief Act- Eastern Book Company, Lucknow, 1998
3. G.C.V. Subba Rao : Law of Contract, S. Gogia & Co., Hyderabad 1995.
- 6.V.Kesava Rao, Contract 1- Case and Materials, Butterworths
- 7, Anson: Law of Contract, Clarendon Press, Oxford, 1998
- 8.. Cheshire and Fifoot, Law of Contract

**Paper V Seminar and Clinical Legal Education**

**SEMESTER-II**

**Paper-VI: GENERAL ENGLISH-II**

## **Unit-1: Vocabulary**

1. Foreign words and phrases (important Latin and English affixes)
2. Certain set expressions and phrases
3. One word substitutes
4. words often confused

## **Unit-2: Comprehension skills**

1. Common logical fallacies
2. Comprehension of legal texts

## **Unit-3: Composition skills**

1. Letter writing
2. Use of cohesive devices (Legal drafting)
3. Précis writing summarizing and briefing
4. Brief writing and drafting of reports
5. Essays writing on topics of legal interest
6. Various of sentence structures and verb patterns
7. Translation (from English to regional languages and from regional languages to English)

## **Unit-4: Speech Training**

1. Reading aloud (knowledge of proper pauses)
2. Key sound their discrimination and accent
3. Consulting a pronouncing dictionary
4. Rapid reading and debating exercise

## **UNIT-5: Literature**

### **1) Prose Mosaic :Modern English Prose**

- i) On doing nothing- JB Priestly
- ii) Arguing-Robert Lynd
- iii) Education and the Training of character – Richard Livingstone
- iv) The Secret of Work-Swami Vivekananda
- v) The Population Bomb – PR Enrlich
- vi) Life's Philosophy- Jawaharlal Nehru
- vii) Gandhi: Through the fire: Krishna Kripalnai

B) Non-Detail: Edmund Bruke: Speeches on American Taxation and conciliation with America)

c) Drama: Shakespere: The Merchant of Venice (Narin;s Sercs-J. Lahir)

### **Books Recommended:**

1. Ishtiaque Abidi-Law and Language, Univeristy Publishers, Aligarh.1978.
2. Johnson,K-Communication in Writing Longman,1981.

3. O'Connor J.D, Better English Pronunciation, C.P.U.2nd ed.1980.
4. Procter, A.S.P.Longman Students Dictionary of English, Longman, 1982.
5. Homby. A.S. Oxford Advanced Learners Dictionary of English
6. Aiyers, Law Terms and Phrases, Law Book Co., Allahabad (1973)
7. Composition skills \_ David Green, Contemporary English Grammar Book
8. M.Madhu-Legal English Asia Law Housie, Hyderabad
9. Wren & Martin – English Grammar U Composition
10. JE Eroform and Home Macmillan \_ Essay Précis, composition and Comprehension
11. TE Bery – the Most Common Mistakes in English
12. Prose-Mosaic: Modren English Prose –VA Shahane; Publishers; The Macmillan India Ltd
13. Non-Detail-Edmund Bruke: Speeches on America Taxation and conciliation with America-  
V Venkata Subbaish Publishers; The Macmillan India Ltd
14. Drama – Shakespeare: The Merchant of Venice.

## **Paper-VII, Political Science - II**

### **FOUNDATIONS OF POLITICAL OBLIGATION**

**Unit 1.** Conceptions of State, Power, Authority and Legitimation, Sovereignty, Justice

**Unit 2.** How does power become legitimate power or why people ought to obey the State? Examination of classical (Hobbes, Locke, Rousseau) and modern (Max Weber, Marx, Emile Durkheim) approaches to the notion of political obligation.

**Unit 3.** Utilitarianism (both rule and act utilitarianism) as approaches to political obligation.

**Unit 4.** The problem of civil disobedience and political obligation, with particular reference to Gandhian and Neo-Gandhian thought.

**Unit 5.** The problem of obedience to unjust laws.

**Unit 6.** Why should we honour promises and contracts?  
(Foundations of promissory and contractual liability)

**Unit 7.** The problem of punishment: When is use of force by State against the citizen just and justifiable? (The Base of criminal sanction)

**Unit 8.** The contemporary crisis of legitimation.

**Unit 9.** Western political thought: Plato, Aristotle

**Unit 10.** Medieval political thought, St. August, St. Thomas Aquinas

**Unit 11.** European political thought, Machiavelli, Bodin

***Books Recommended:***

1. Rajani Kothari - Democratic Policy and Social Change in India : Crisis and Opportunities, Allied Publishers
2. Kar Lowernestein: Political Power and the Government Process;
3. Gokhale B.K.:- A Study of Political theory.
4. Gettle:- Political Science
5. Ramphe:- Problems of Political Science
6. Hart H.L.A.:- Essay on Punishment and Responsibility
7. Nisbet R.A.: The Sociological Tradition. Heinemann, Londs Part-II, Chapter-4: Authority for authority and power;
8. Bierstedt Robert: Power and Progress, McGraw-Hill, New York and Delhi;
9. Leiser: (Ch. 12 - Civil Disobedience) Liberty, justice and hope Burton;
10. George Lich Theim: A Short History of Socialism
11. LS Rathor and SAH Haqqi. Political Theory and Organization, EBC.

**Paper- VIII: Sociology-I**  
**GENERAL PRINCIPLES OF SOCIOLOGY**

**Unit 1.** Nature, Definition and Scope of Sociology.

**Unit 2.** Sociology and law, sociology and economics, sociology and political science, sociology and history.

**Unit 3.** Social Status and Roles, Meaning of Status, Status and Society, Determination of Status, Concept of Role, Definition of Role, conformity, deviance, coherence of Role.

**Unit 4.** Social groups, classification of groups, Chief characteristics of group life, Importance of primary group, secondary groups, clan, sib, Caste and Tribe. Social Stratification, nature and types, Critical appraisal of caste, Critical appraisal of class, Concept of Social Justice, Constitutional aspirations, Preamble.. Different Acts aimed at Social Justice.

**Unit 5.** Social Institutions: Family, characteristics, types, functions of family, changes in modern family, disorganization of family, modern families and their problems. Marriage, types of marriages, polygamy and polyandry, bigamy, etc. and Family Relations Law.

**Unit 6.** Other Social Institutions: Economic institutions, Political institutions, Religious institutions and educational institutions.

**Unit 7.** Social organization and disorganization: Organisation and disorganisation as a process, characteristics of disorganization, distinction between social organization and disorganization. Causes of social disorganization.

**Unit 8.** Problems and Status of SCs, STs, BCs, and Minorities and the Legal Regime.

**Unit 9.** Problems and Status of Women, Children and the Legal Control.

***Books Recommended:***

1. T.B. Bottamore, Sociology, A Guide to problems and Literature, London allen and Unwin.
2. T.K.Oommen&C.N.Venugopal, Sociology, Pre Law Education Series, EBC
3. Harvy Johnson, Sociology - A Systematic Introduction
4. M. Harlambos, Sociology- Themes and Perspective, Oxford University Press, Delhi
4. Peter Worsley et al, Introducing Sociology, Harmondsworth, Penguin Books
5. N.K. Bose, The Structure of Hindu Society, New Delhi, Orient Longman
6. David G. Mandelmaum, Society in India, Bombay, Popular Prakashan
7. Romesh Thappar (ed), Tribe caste and Religion in Indian, New Delhi, Macmillan,
8. Andre Betelle, Inequality and Social Change, Delhi, Oxford University Press,
9. Andre Betelle, The Backward Classes and the New Social Order, Delhi, Oxford University Press

**Paper- IX – SPECIAL CONTRACTS**

**Unit-1** Indemnity and Guarantee: Indian Contract Act, 1872, Contract of Indemnity and guarantee (Secs. 134, 127); Definition, Rights to Indemnity holder, Liability of the Indemnifier, Contract of Guarantee, Definition of Guarantee, Essential characteristics of contract of Guarantee, Distinction between contract of indemnity and contract of Guarantee, Kinds of guarantee, Rights and liabilities of surety, Discharge of surety, Contract of Bailment (Secs. 148-181 of Indian Contract Act, 1872).

**Unit-2:** Bailment: Definition, Essential requisites of Bailment, Kinds of Bailment, Rights and Duties of Bailor and Bailee, Termination of Bailment, Pledge, Definition, Rights and duties of Pawn or and Pawnee, Pledge by Non Owners.

**Unit-3:** Contract of Agency: (Secs. 182-238 of the Indian Contract Act 1872), Definition of Agent, Creation of Agency, Rights and duties of Agent, Delegation of authority, Personal liability of Agent, Relations of Principal with Third parties, Termination of Agency.

**Unit-4:** Contract of Sale of Goods: (The Indian Sale of Goods Act, 1934), Formation of Contract, Subject-matter of Contract of Sale, Conditions and Warranties, Express and implied conditions and warranties, Caveat Emptor, Property, Possession and risk, Passing of Property, Sale of non-owners, Delivery of goods, Rights and duties of Seller and buyer before and after sale, Rights of unpaid seller.

**Unit-5:** Contracts of Partnership: (The Indian Partnership Act, 1932), Definition and nature of Partnership, Formation of Partnership, Test of Partnership, Partnership and other associations, Registration of Firm, Effect of non registration, Relation of Partners, Rights and duties of Partners, Properties of the Firm, Relation of Partners to third parties, Implied authority of a partner, Kinds of partners, Minor as partner, Reconstitution of a firm, Dissolution of firm.

**Unit-6:** Hire purchase

**Unit-7:** Negotiable Instruments Act, 1881: Definition of negotiable instrument, essential features of promissory note, bill of exchange and cheque, holder, holder in due course, payment in due course, dishonor of cheque.

***Books Recommended:***

1. Anson's Law of Contract, Oxford University Press, London
2. Venkatesh Iyer: The Law of Contracts and Tenders. Gogia & Co., Hyderabad
3. Cheshire & Fifoot: Law of Contract, Buttersworth, London,
4. Mulla: The Indian Contract Act, N.M. Tripathi (P) Ltd. Bombay
5. G.C.V. Subba Rao: Law of Contract, S. Gogia & Co., Hyderabad
6. K. Krishnan Nair: Law of Contract, S. Gogia & Company, Hyderabad
7. Avtar Singh: Law of Contract, Eastern Book Company, Lucknow,
8. A. Ramaiah's Sale of Goods Act, 4th Edition 1998, The Law Book Co. Allahabad
9. Benjamins Sale of Goods, 1st Edition. 1978, Sweet & Maxwell, London
10. P.S. Atiyah: Sale of Goods Act 1997, Universal Book Traders, Delhi
11. Chales D. Drale: Law of Partnership, Sweet & Maxwell, London
12. Bowstead on Agency, Sweet and Maxwell, London.

**Paper X Seminar and Clinical Legal Education**

**SEMESTER-III**

**Paper-XI: Political Science – III**

**INDIAN POLITICAL THOUGHT**

Indian political thought of the following persons:

1. Manu
2. Koutilya
3. Gandhism
4. Nehru
5. Jayaqpraksh Narayana
6. Dr. B.R Ambedkar
7. Goutham Budda

8. M.N. Roy
9. Hindu Concept of State and Islamic Concept of State
10. Gandhism and Sarvodaya in political thought
11. Liberalism and Marxism in India

**Books Recommended:**

1. Urmila sarma and S.K.sarma, Indian Political Thought, Atlantica Publishers
2. Padhy K.S, Indian Political Thought
3. Bidyut Chakrabarty, Modern Indian Political thought, Sage Publishers
4. Mahendra Prasad Singh, Dr. Himanshu Roy, Indian Political Thought, Themes and Thinkers, Pearson Education
5. Viswanath Prasad Varma, Modern Indian Political Thought,P Lakshmi Narayan Agarwal, Modern Indian Political Thought, 1971
6. Harihara Das, Indian Political Thought, National Publishing House, 2005

**Paper-XII: Economics –II**

**INDIAN ECONOMIC POLICY**

**Unit-1:** Introduction to Indian Economy:

- a) Trends in population growth.
- b) Estimates of National Income in India.
- c) Post-independence economic policies in India.

**Unit-2:** Poverty and Income Distribution :

- a) Trends and inter-regional variations in the incidence of rural poverty.
- b) Unemployment trends and employment generation schemes.
- c) Labour, Productivity and Wages.

**Unit-3:** The Logic of India's Development Strategy :

- a) Planning Process.
- b) Priorities between agriculture and industry.
- c) Choice of technology.
- d) The role of public, private and joint sectors.
- e) Large, medium and small industries.

**Unit-4:** Problem of Controlling Economic Concentration :

- a) Regulation of the Private Corporate Sector (Controls, License, Quotas).
- b) Anti-monopolies and Restrictive Practices; Regulation.
- c) Deficit Financing.
- d) Pricing.

e) Labour Relations.

**Unit-5:** Export and Import Policies: Import substitution and export promotion.

**Unit-6:** Agricultural Economics :

- a) Basic characteristics of the economy and its transformation since Independence.
- b) Evolution of Agrarian Relations. Integrated rural development.
- c) Commercialisation of Agriculture.
- d) Economics of Farm Management.
- e) Agricultural credit.

**Books Recommended:**

1. Rudder Datt and Sundaram: Indian Economy, Delhi, S. Chand and Co., ;
2. A.N. Agarwala: Indian Economics, New Delhi Vikas,
3. K.K. Dewett - Indian Economics;
4. Gunnar Myrdag: Challenge of World Poverty;
5. C.T. Kurien: Planning Poverty and Social Transformation, Allied Publications,
6. C.H. Hanumantha Rao and P.C. Joshi: Reflections of Economic Development and Social Change – Essays in Honour of V.K.R.V. Rao Allied Publishers.

### **Paper - XIII : TORTS INCLUDING M V ACCIDENT AND CONSUMER PROTECTION LAW**

**Unit-1:** Evolution of Law of Torts:, Its development by courts in England, Forms of Action, Emergence of specific remedies from case to case, Reception of Law of Torts in India, Principles of Equity, Justice and Good Conscience, Uncodified character-advantages and disadvantages.

**Unit-2:** Definition, Nature, Scope and Objects: A Wrongful act-violation of a duty (in rem) imposed by law, duty which is owed to people generally, Legal damage-Damnum sine injuria and Injuria sine damnum., Tort distinguished from Crime, Breach of Contract etc., , The concept of unliquidated damages, . Changing scope of Law of Torts: Expanding character of duties owed to people generally due to complexities of modern society-scientific and technological progress, industrialisation, urbanisation, specialization, occupational hazards, . Objects-Prescribing standards of human conduct, redressal of wrongs by payment of compensation, proscribing unlawful conduct by injunctions.



**Unit-3:** Principles of Liability in Torts: Fault, Wrongful intent, Negligence, . Liability without fault, . Violation of Ethical codes, Statutory liability, Fatal Accidents Act, Railway Act, . Workmen's Compensation Act, Motor Vehicles Act, Carrier Act, Insurance Laws, Place of motive in Torts.

**Unit-4:** Justification in Torts: Volenti non fit injuria - What is free consent?: Informed consent, mere knowledge and knowledge coupled with assumption of risk, . Necessity, Private and Public, . Plaintiff's default, . Act of God and Inevitable Accident, Private defence, . Statutory authorization, . Judicial and Quasi-judicial Acts, Parental and quasi parental authority.

**Unit-5:** Extinguishment of Liability in Certain situations: Death, actio personalis moritur cum persona Exceptions, Law Reform (Miscellaneous Provisions) Act. 1934, Waiver and acquiescence, Release, Accord and satisfaction, Limitation.

**Unit-6:** Standing: Who may sue in torts, Aggrieved individuals, Class Action, O 1 R 8, Social Action Groups, Statutes granting standing to certain persons groups, . Who may not be sued, . Ambassadors, Lunatics, Infants.

**Unit-7:** Doctrine of Sovereign immunity and its Relevance in India: Liability of States-Sovereign and non-sovereign functions, Crown Proceedings Act of U.K., Federal Tort Claims Act of U.S.A. Constitution of India, Arts 299 and 300, Act of State.,

**Unit-8:** Vicarious Liability: Basis, scope and justification, Express authorization, Ratification, Abetment, Special Relationship, Master and servant-arising out of and in the course of employment who is master? - Control test who is servant? Borrowed servant Independent Contractor, Principal and Agent, Corporation and Principal Officer.,

**Unit-9:** Torts Against Persons and Personal Relations: Assault, Battery, Mayhem, False Imprisonment, Defamation-Libel, slander including law relating to privileges, Marital Relations, domestic Relations, parental Relations Master and Servant relations, Malicious prosecution, Shortened Expectation of life, Nervous shock, . Defences.

**Unit-10:** Wrongs Affecting Property: Trespass to land, Trespass ab initio, Dispossession, Movable Property-Trespass to goods, Detinue, conversion, Torts against Business interests-Injurious falsehood, misstatements, passing off, Defences.

**Unit-11:** Negligence: Basic concepts, Theories of Negligence, . Standards of care, Duty to take care carelessness inadvertence, Doctrine of contributive negligence, Res ipsa loquitur and its importance in contemporary, . Professional liability due to Negligence with special reference to consumer Protection Law.

**Unit-12:** Absolute/Strict Liability: The Rule in Ryland vs. Fletcher. Principle for application of these rules, Storing of dangerous things, . Escape of dangerous things - application of principles in concrete cases of damage arising out of industrial activity. (The Bhopal Disaster, Oleam Gas Escape, Machua Dam Burst, M.C. Mehta Case, Nuclear Installations and their hazards), Defences, . Liability under Motor Vehicle Act, Railway Act etc.

**Unit-13:** Nuisance: Definition, Essentials, Types, Acts which constitute nuisance-obstructions of highways, pollution of air, water, noise, interference with light and air.

**Unit-14:** Legal Remedies: Legal Remedies, Award of damages-simple, special, punitive, . Remoteness of Damages-Foreseeability and directness tests, Injunction, Specific Restitution of Property, Extra-Legal Remedies-self help, Re-entry in land, Recapture of goods, distress damage feasant abatement to nuisance.,

**Unit-15:** Judicial Process in Tort: Dilatoriness, Complicated rules of procedures and evidence, Experts in trial process, Reports of Testing labs, Court fees, Problems of access.

**Unit-16:** Tort and Consumer Protection Law: Duty to take care and liability for negligence: Manufacturers and traders and providers of services such as lawyers, doctors and other professional, Caveat emptor and caveat venditor, Deceit and false advertisement, Liability for hazardous and inherently dangerous industrial activity, Product liability - EEC directives, Right to common property resources-right to pass and repass on pathways, Consumer Protection Act, 1986.

**Unit-17:** Motor Vehicles Act, 1988.

***Books Recommended:***

1. Winfield & Jolowicz: Tort, XII Edition, Sweet and Maxwell, London - 1994
2. Salmond and Heuston: Law of Torts, India reprint Universal Books Traders, New Delhi - 1994.
3. Ramaswamy Iyer: The Law Torts
4. Achutan Pillai: The Law of Torts, Eastern Book Co., Lucknow.
5. Durga Das Basu: The Law of Torts, X Edition Prentice Hall of India, New Delhi
6. Ratna Lal & Dhiraaj Lal: The Law of Torts, Wadhwa & Company, Nagpur, 1992
7. R.K. Bangia: The Law of Torts, Allahabad Law Agency, Allahabad, 1999
8. J.N. Panday: The Law of Torts, Central Law Publications, Allahabad, 1999
9. Vivienne Harpwood: The Law of Torts, Cavandish Publishing Ltd., London, 1993
10. Hepple & Mathews: Tort - cases and materials, Butterworth, London, 1980.
11. D.N. Saraf, Law of Consumer Protection in India, MN Tripathi, Bombay.

**Paper - XIV: CONSTITUTIONAL LAW -I**

**Unit-1:** Historical Perspective: Constitutional Developments since 1858 to 1947 Morle Minto Reforms-Dyarchy-Montague-Chelmsford Reforms. Indian National Congress 1885 Various Trends of opinion-social Reform vs. Political Independence. Protest against British Repression. Jalianwala Baag. Rowlatt Act- Sedition Trials of Tilak.

**Unit-2:** Making of India's Constitution - concept of constitution and Constitutionalism-Salient features - Constituent Assembly - Sovereignty. Preamble- Status and its goals.

**Unit-3:** Concept of state and law (Articles 12 & 13)

**Unit-4:** Equality and Social Justice: Equality before the law and Equal protection of Laws-meaning-Constitutional provisions - Total conspectus - Articles 14, 15, 16, 17, 29 (2), 325, Classification for Differential Treatment, Gender Justice, Arts. 15 (1), (2), (3), 16, 29 (2), Administrative discretion and Equality, Compensatory Discrimination for Backward Class/SC & ST.

**Unit-5:** Freedoms and Social Control: Freedom of speech and expression, Freedom of the press, . Freedom of Speech and contempt of court, Freedom of Assembly, Freedom of Association, Freedom of Movement, Freedom to Reside and Settle, Freedom of profession/business. etc., Property and social control 1950 to 1978, Property and social control - After 1978.

**Unit-6:** Personal Liberty: Rights of an accused - Double Jeopardy, Right against self-incrimination, Right against Retroactive Punishment, Right to life and Personal Liberty-Meaning of - Art. 21, Gopalan, case. Personal Liberty-Meaning of-Maneka Gandhi, Sunil Batra, etc., case. Procedure established by law-Gopalan, Kharak Singh, case. Procedure established by law - Due process - Maneka Gandhi and after.

**Unit-7:** Preventive Detention-Constitutional Policy Art. 22, Preventive Detention Safeguard under the constitution and Art. 23

**Unit-8:** Secularism: Concept of Secularism-Indian Constitutional provisions, Historical Perspective of India Secularism, Religion and State-in India-State control and non-interference with Religion. Concept of Secularism; American Model - Separation of State-Church-Is it Relevant to India? Tradition in India-Equal Respect for All Religions?

**Unit-9:** Minority Rights-Why? Scope-Meaning of Minority, Minority Rights to Educational Institutions.

**Unit-10:** Constitutional Remedies: Supreme Court & High Courts.

**Unit-11:** Fundamental Rights and Directive Principles: Directive Principles-Reasons for incorporation, Directive Principles-Directions of Social Change - A new social order  
Fundamental Rights and Directive Principles - Interrelationship -Judicial balancing, Constitutional amendments - Arts, 31A, 31-B and 31-C to strengthen Directive Principles, Judicial policy towards Directive Principles from Champakam to Minerva Mills.  
Relationship between Fundamental Rights , Directive Principles and Fundamental Duties.

***Books Recommended:***

1. Shukla V.N, Constitution of India, Eastern Books Company, Lucknow.
2. Pandey J.N, Constitutional Law of India, Central Law Agency, Allahabad..
3. Austin, Granwille, The Indian constitution - Corner Stone of a Nation, Oxford . University, Press, New Delhi (Indian Reprint 2000).
4. Basu D.D: Constitutional Law of India, Prentice Hall of India, New Delhi.
5. Jain, M.P., Indian Constitutional Law, Wadhwa & Co., Nagpur.
6. Subba Rao, GCV, Indian Constitutional Law, Eastern Books Company, Lucknow.
7. Tope T.K. : Constitutional Law of India, , Eastern Book Company, Lucknow.
8. Shiva Rao B.: The Framing of India's Constitution (in 5 volumes), Indian Institute of Public Admn., New Delhi.
9. Seervai, H.M.: Constitutional Law of India (in 3 volumes), M.M. Tripathi, Bombay.
10. Constituent Assembly Debates (5 books) - Official report, Lok Sabha Secretariat, New Delhi.

## **Paper XV Seminar and Clinical Legal Education**

### **SEMESTER-IV**

#### **Paper-XVI: Political Science – IV**

#### **PRINCIPLES OF PUBLIC ADMINISTRATION**

**Unit-1:** Introduction: Nature and scope of public administration, its importance with special reference to developed societies, Relations with other Social Sciences: Politics, Sociology, Economics and Law, Differences between Public Administration and Private Administration , Evolution of Public Administration as a Classical, Neo Classical and Behavioral discipline and Evolution of Public Administration – New Public Administration and onwards.

**Unit-2:** Classical and Behavioral theories: Luther Gullick, Henry Fayol, F.w. Taylor, Max Weber, Chester Bernard and Herbert Simon.

**Unit-3:** Development and emerging Trends: Waldo, Weidner, F.W. Riggs, Dror, Ostrom.

**Unit-4:** Public Personnel Administration: Concept and Importance, Methods and machinery of recruitment, Training and Development, Motivation , Grievances and Human Relations.

**Unit-5:** Financial Administration: Nature, Scope and importance of financial administration, Agencies of Financial Administration, Principles of Budgeting, Preparation and passing of Budget, Public Enterprises, Planning Commission and Evaluation.

#### **Books Recommended:**

1. S.P. Naidu, Public Administration, Concepts and Theories, Tata McGraw Publishing Co, 2011
2. M.Laxmikant, Public Administration, Tata McGraw Publishing Co, 2011
3. Mohit Bhattacharya, New Horizons of Public Administration, Jawahar Publishers and Distributors, 2009
4. S.R. Maheswari Indian Administration, Oriental Blackswan,2000
5. Nicholas Henry, Public Administration and Public Affairs, PHI Learning, 2012

## **Paper XVII: Sociology-II**

### **SOCIOLOGICAL THEORIES**

**Unit 1.** Social Thought Theories- Max Weber, Durkheim- Karl Marx- M.N. Srinivas

**Unit 2.** The Concept of State: Different theories. Social Contract theory, Separation of Powers theory, Command theory – Historical theory.

**Unit 3** Social Change in Modern India and the concepts of Sanskritisation, Westernisation, Sociolisation and Secularisation.

**Unit 4.** Effects and consequences of Globalisation on Indian Society.

**Unit 5.** Theories of Social Change: Factors of Social Change, Results of Social Change, Technology as an agent of social change, literacy as a means to social change.

**Unit 6.** Is Change progressive or retrograde. Cultural Lag- Culture and Civilization.. Social Transformation. Social Disorganization.

**Unit 7.** Social thinkers in India: Mahatma Gandhi, Ram Manohar Lohia- Dr. B.R. Ambedkar and Amartya Sen. Socialist and Communist Ideology. Fundamentalism-Secularism- Socialism - Feminism, Consumerism, Social Integration, Nationalism.

#### ***Books Recommended:***

1. T.B. Bottomse: Sociology, A Guide to Problems and Literature, London, Allen and Erwin, 1982
2. Harvy Johnson: Sociology - Systematic Instruction
3. Sharma : Sociology
4. Mao-Iwer and Page - Sociology
5. Kingslary Davis : Human Society
6. Peter Worsley et al, Introducing Sociology, Hamondaworth, Penguin Books 1970;

7. M. Haralambos: Sociology - Themes and Perspectives, Delhi, Oxford University Press, 1981
8. N.K. Bose: The Structure of Hindu Society, New Delhi, Orient Longman, 1975
9. David G. Mandelstam: Society in India, Bombay, Popular Prakashan, 1972
10. Romesh Thappar (ed): Tribe, Caste and Religion in India, New Delhi, Macmillan, 1977
11. Andre Betelle: Inequality and Social Change, Delhi, Oxford University Press, 1972
12. Andre Betelle: The Backward Classes and New Social Order, Delhi, Oxford University Press, 1981
13. A.R Desai, Rural Sociology
14. M.N. Srinivas, Caste in Modern India
15. Mac. Iver and Page, Sociology

### **Paper XVIII - CONSTITUTIONAL LAW- II**

**Unit-1:** Parliamentary Government: Westminster Model-Indian experience before Independence-choice of Parliamentary Government, President of India-Election Qualifications, Impeachment, Salary, etc., Council of Minister-President's Constitutional position, Governor and State Government-President's constitutional relationship. Legislative Process Privileges, Freedom of Speech. Practice of law-making, etc., Legislative Privileges-vs. Fundamental Rights, In re. Art 143 of the constitution of India, Prime Minister - Cabinet system - collective responsibility -Individual responsibility President P.M. Relationship. Party System- Anti-defection Law. Freedom of an M.P./M.L.A. to dissent.

**Unit-2:** Federalism: Federalism-principles-Comparative study of other Federations. Why India has a federal Government, Indian Federalism-President of India-Council of State Process of Constitutional amendment. Identification of Federal Features, Legislative Relations between the Centre and the States Administrative relations-Centre-States, Financial Relations-Centre-States, Governor's position from the perspective of Federalism, Centre's Powers over the States-Art. 356, J & K - Special Status, Critical problems of India Federalism Sarkaria Commission-Greater autonomy vs Central Control one party domination. Emergence of Political Federalism. Growth of Regional parties.

**Unit-3:** Governor under the constitution: Powers and functions

**Unit-4:** Independency of the Judiciary and Judicial process: Judicial process under the Constitution: Judicial Review - Art. 32, 226, 227, Nature of Judicial Review, Court system in India: Backlogs, Arrears, alternatives. Lok Adalats etc. Judges; Appointments, Conditions of service, etc. Subordinate Judiciary, Jurisdiction of Supreme Court and High Court, Advisory Jurisdiction of the Supreme Court, Public Interest Litigation.

**Unit-5** Freedom of Trade and Commerce:

**Unit-6:** Services under the Constitution: Doctrine of pleasure (Art. 310), Protection against Arbitrary Dismissal, Removal, or Reduction in Rank (Art. 311), Tulsiram Patel case- Exceptions to Art. 311.

**Unit-7;** Election Commission of India: Powers and functions

**Unit-8:** Emergency Provisions under the constitution: Emergency. Need for such a provision. Types of Emergencies. Experience in other democracies , Proclamation of Emergency-conditions-Art. 352- Effect of Emergency on Centre-State relations, Emergency and suspension of fundamental rights. Arts. 358, 359 - Makhan Singh Tarasikha to A.D.M. Jabbalpore, Financial Emergency.

**Unit-9:** Amendment to the Constitution: Constitutional Processes of Adaptation & Alteration: Methods of constitutional Amendment-Written-Unwritten-Rigid-Flexible Constitutions, Provisions which can be amended by ordinary procedure. Special procedure, review of Constitutional Amendments, Limitations upon constitutional amendments Shankari Prasad, Sajjan Singh, Golak Nath vs. Punjab - Why should Fundamental Rights be immune from the process of constitutional Amendment, Basic Structure Doctrine as a limitation-Kesavananda Bharati. Development of the Basic Structure Doctrine Constituent power of the Supreme Court. Waman Rao, Minerva Mills, etc., Indira Gandhi Vs Raj Narain; Judicial consensus on Basic Structure, Legislative and Judicial Attempts to bury the Basic Structure Doctrine; Legitimation of the Basic Structure Doctrine, Special Bench to reconsider the Basic Structure Issue. Forty-Second Constitutional Amendment. Forty-Fourth constitutional Amendment.

Minerva Mills and subsequent developments of the Basic Structure Doctrine. Responsibility of the court; Activism vs. Restraint.

***Books Recommended:***

1. Shukla V.N.: Constitution of India, Eastern Books Company, Lucknow.
2. Pandey J.N.: Constitutional Law of India, Central Law Agency, Allahabad.
3. Austin, Granville: The Indian Constitution - Corner Stone of a Nation, 1966, Oxford University, Press, New Delhi.
4. Basu D.D.: Constitutional Law of India, Prentice Hall of India, New Delhi.
5. Jain, M.P.: Indian Constitutional Law, Wadhwa & Co., Nagpur.
6. Subba Rao, GCV.: Indian Constitutional Law, Eastern Books Company, Lucknow.
7. Tope T.K.: Constitutional Law of India, Eastern Book Company, Lucknow.
8. Shiva Rao B.: The Framing of India's Constitution (in 5 volumes), Indian Institute of Public Admn., New Delhi.
9. Seervai, H.M.: Constitutional Law of India (in 3 volumes), M.M. Tripathi, Bombay.
10. Constituent Assembly Debates (5 books) - Official report, Lok Sabha Secretariat, New Delhi.

**Paper XIX - LAW OF CRIMES-I (IPC)**

**Unit-1:** General: Conception of Crime, State's power to determine acts or commissions as crimes, State's responsibility to detect, control and punish crime, Distinction between crime and other wrongs., Pre-colonial notion of crime as reflected in Hindu, Muslim and Tribal Law, The colonial reception-Macaulay's Draft based essentially on British notions, IPC a reflection of different social and moral-values, Applicability of I.P.C., Salient Features of the I.P.C.

**Unit-2:** . Elements of Criminal Liability, Author of crime-natural person and a fit subject for punishment, companies and corporations, Mens rea-Evil intention, Importance of mens rea, Recent Trends to fix liability without mens rea in certain socio-economic offences, An act in furtherance of guilty intent, An omission as specifically includes in the code, Injury to another

**Unit - 3:** Group Liability:, Stringent provision in case of combination of persons attempting to disturb peace, Common intention, . Abetment, Instigation, aiding and conspiracy, Mere act of abetment punishable, Unlawful Assembly, Basis of liability, Criminal conspiracy, Rioting as a specific offence.

**Unit-4:** Stages of Crime :, Guilty intention - Mere intention not punishable , Preparation, Preparation not punishable, Exception in respect of certain offences of grave nature or of a peculiar kind such as possession, counterfeit coins, false weights and measures, Attempt, Attempt when punishable specific IPC provisions, Tests for determining what constitutes attempt proximity, equivocality and social danger, Impossible attempt

**Unit-5:** Factors Negating Guilty Intention :, Mental incapacity, Minority, Insanity-impairment of cognitive facilities, emotional imbalance, Medical and legal insanity, Intoxication-involuntary, Private Defence-justification and limits, When private defence extends to causing of death to protect body and property, Necessity, Mistake of fact.

**Unit-6:** Types of Punishment : , Death, Social relevance of capital punishment, Alternatives to capital punishment, Imprisonment-for life, with hard labour, simple imprisonment, Forfeiture of property, Fine, Discretion in awarding punishment, Minimum punishment in respect of certain offences

**Unit-7:** Specific Offence Against Human Body :, Causing death of human beings , Culpable homicide, Murder, Distinction between culpable homicide and murder, Specific mental element requirement in respect of murder, Situation justifying treating murder as culpable homicide not amounting to murder, Grave and sudden provocation, Exceeding Right to Private Defence, Public servant exceeding legitimate use of force, Death in sudden fight, Death caused by consent of the deceased-Euthanasia, Death caused of person other than the person intended , Miscarriage with or without consent, Rash and negligent act causing death, Hurt-grievous and simple, Assault and criminal force, Wrongful Restraint and Wrongful Confinement - kidnapping from lawful guardianship and from outside India, Abduction.

**Unit-8:** Offences against Women :, Insulting the modesty of a woman, Assault or criminal force with intent to outrage the modesty of a women, Causing miscarriage without woman's



consent, Causing death by causing miscarriage without woman's consent, Kidnapping or abducting woman to compel her to marry or force her to illicit intercourse, Buying a minor for purposes of prostitution, Rape, Custodial rape, Marital rape, . Cruelty by husband or relatives of the husband, Common law remedies to protect against obscene / indecent depiction of women, Internet crimes.

**Unit-9:** Offences Against Property: Theft, Cheating, Extortion, Robbery and Dacoit, Mischief, Criminal misrepresentation and criminal Breach of Trust,

**Unit-10:** Forgery, Defamation and Trespass and Offences against the State.

**Unit-11:** Prevention of Corruption Act 1986.

***Books Recommended:***

1. Ratan Lal and Dhiraj Lal: Indian Penal Code, Wadhwa & Co., Nagapur
2. Achutan Pillai: Criminal Law, Butterworth Co.,
3. Gour K.D.: Criminal Law - Cases and material, Butterworth Co.,
4. Kenny's: Outlines of Criminal Law,

**Paper XX Seminar and Clinical Legal Education**

**SEMESTER-V**

**Paper-XXI: Political Science - V**

**INTERNATIONAL RELATIONS AND ORGANIZATION**

The course is divisible into two major parts: Part I: International Relation and Part II: International Organization

**Part-I:** The world community; sovereign states, transnational political parties, and transnational non-official organizations such as the churches, multinational corporations, scientific, cultural and other organizations. Components of national power- population, geography, resources, economic organization, technology and military force. Limitations on national power; international morality, public opinion, international law, fear of violence and destruction, war with conventional and nuclear weapons. Major sources of conflict: East and West and North and South rivalries, territorial claims, resources, population migrations, international trade, balance of payments and protectionism.

Causes of I World War, II World War, Study of various Treaties

Avoidance of war and facilitation of peaceful change: Alliance and balance of power approach: Collective security and disarmament, diplomacy and peaceful resolution of conflicts by negotiation, mediation, conciliation and resource to international organisation arbitration and judicial settlement; the cultural approach and the UNESCO; promotion of international

cooperation and the functional approach, the Specialised Agencies. The case for against world government.

**Part II:** Inter-governmental organizations and their constituent instruments; the standard pattern of organization: The annual or periodical plenary conference, the committee or council to take decision during the period between the plenary conferences, the secretariat. The special features of the I.L.O. and international financial institutions. The United Nations and its principal organs, the relationship between the United Nations and Regional Organisations, Specialized Agencies and International Non-Government Organizations.

***Books Recommended:***

7. B.S.Murthy, International Relations and Organisations, Pre Law Education series, EBC
8. Naik J.A.:- A Text book of International Relations.
9. Roy and Dutta:- Introduction to International Relations
10. Myneni S R International Relations and Organisations
11. Mahendra Kumar:- Theoretical Aspects of International Politics
12. Palmer and Perking : International Relations;
13. D.W. Bowett: International Institutions, London, Methuen
14. Verson Van Dyke : International Politics
15. E.H. Hentmen: The Relations of Nations;
16. Quincy Wright: Study of International Relations, New York, Appleton -Century Crofts,
17. Hans Morgenthau: Politics among Nations: The Struggle for Power and Peace, . New York, Knopt,.

**Paper-XXII, Economics –III**

**MONEY, BANKING AND FISCAL POLICY**

**Unit -1:** Money – Meaning, function and classification of money, theories of money, fisher’s quantity theory of money, Cambridge Approach.

**Unit -2:** Banking – functions of commercial banks . Process of credit creation functions of RBI, Methods of credit control.

**Unit-3:** foreign investment and foreign trade, international investment, international aid, international corporations export promotion and import substitution.

**Unit-4:** Meaning demand full inflammation, cost push inflation effects of inflation

**Unit-5:** Fiscal policy: Objective of fiscal policy, role of fiscal policy in under developed

countries, fiscal policy and equitable distribution fiscal policy and price stability, fiscal policy and budget deficit.

***Books Recommended:***

1. KPM Sundaram, Money, Banking and International trade, Sultan Chand, 2006.
2. R.Dorn Bush, S Fisher and R.Stantz, Macro Economics. Tata Mc Grow Hill Co, 2004.
3. Bhyrathi V Tathak, the Indian Financial System Market , Institutions and Services, Pearson, 2008.
4. Dingra, IC Indian Economy, Sultan Chand, 2007
5. United Nations world development Report oxford University Press, 1990-2008 (Different Editions)
6. Michel P.Todorao, Economic Duct, Longman co, 1996.

**Paper-XXIII: FAMILY LAW –I (Family Relations)**

**Unit -1:** Concept of family, nuclear family and joint family, Joint Hindu Family (Mitakshara and Dayabhaga): Mitakshara joint family Mitakshara coparcenary - formation and incidents, Property under Mitakshara law-separate property and Coparcenary property, Dayabhaga coparcenary - Formation and incidents, Property under Dayabhaga Law, Karta of the joint family-his position, powers, privileges and obligations, Alienation of property-separate and coparcenary, Debts-doctrines of pious obligation and antecedent debt. Partition and Reunion Joint Hindu Family as a social security institution and impact of Hindu Gains of Learning Act and various tax laws on it.

**Unit-2:** Marriage And Kinship: Evolution and importance of institutions of marriage and family. Role of Religions, Indian Family Law., Impact of customs on marriage and family.

**Unit-3:** Applicability & Sources of Law: Who is a Hindu, who is a Muslim, who is a Christian, Sources of Hindu Law, Sources of Muslim Law, Schools of Law. Hindu and Muslim laws.

**Unit-4:** Essential Conditions of Marriage State intervention through various legal measures, Essentials conditions of valid Hindu Marriage Hindu Marriage Act, essential conditions of valid Muslim marriage, concept of dower, essential conditions of marriage for valid Christian Marriage 4/ Indian Christian Marriage Act, 1882, special marriage Act, kinds of marriages under Hindu and Muslim systems, kinds marriage.

**Unit-5:** Matrimonial Remedies: Annulment, RCR Judicial separation, Divorce Conditions for grant of matrimonial remedies under Hindu Marriage Act, Indian Divorce Act; Matrimonial Remedies for Muslims (Talaq, Ila, Zihar, Tafwiz, khula, Mubara) Muslim wife's grounds of divorce 4/ Dissolution of Muslim Marriage Act, 1939, Bars to Matrimonial Relief.

**Unit-6:** Maintenance: Maintenance of divorced wives, neglected wives, minor children and parents under Hindu Marriage Act & Hindu Adoptions and Maintenance Act; Maintenance of Muslims wives during and after divorce; Protection of Rights on Divorce Act, 1986 S.125 of Cr.P.C.

**Unit- 7:** Child and the family: Legitimacy, Adoption, Custody and Maintenance 4/ Hindu Law (HMA,1956) & Muslim law Guardianship, guardianship law of Hindu and Muslims.

**Unit-8:** Customary practices and the law: Dowry and Dowry Prohibition Act, 1961 Child Marriage and Child Marriage Restraint Act, 1929. Sati and Sati Act, 1987

**Unit-9:** Family Courts, Need for UCC: composition, power and functions of Family Courts (Family Courts Act 1984) Article 44 of the Indian Constitution

***Books Recommended:***

1. Maine's Treatise on Hindu Law and Usage, Bharat Law House, Delhi
2. Muslim Law; the Personal Law of Muslim in India on Pakistan, Faiz Badruddin Tyabji , N.M Tripathi Publications, N. Delhi
3. Paras Divan, Modern Hindu Law, Central Law Agency.
4. Paras Divan, Family Law, Central Law Agency.
5. Mohammedan Law, Dr.Mohammed Nazmi Central Law Agency
6. Vasudha, Towards Uniforms Civil Code, ILI, Delhi
7. Marriage and Family Law Reforms in India, Archana Parasher Sage Publications.
8. JD.M. Derret, A Critique of Modern Hindu Law (1970)

**Paper - XXIV: ENVIRONMENTAL LAW INCLUDING LAWS FOR THE PROTECTION OF THE WILD LIFE AND OTHER LIVING CREATURES INCLUDING ANIMAL WELFARE**

**Unit -1:** Basic Aspects: Meaning and definition of environment and pollution, kinds of pollution, sources and consequences of pollution: Significance of environmental Law: Ancient Indian Philosophy relating to environment protection.

**Unit-2:** Territory law, Constitution provisions concerning environment Articles 14,15,(2) (b) 19 (e),21,31,32,38,39,42,47, 48-A,49,51,51-A: Constitutional provisions about states powers concerning acquisition, regulation and distribution of natural resources (water, forests, mines, oil) with special emphasis on Arts 14, 15, 19, 31A, 31B, 31C, 39 (b) & (c): Union List( Entries 6,52,56,57) State List (Entries 17,18,21,23) Concurrent List (Entries 17,17-I,17B,18,20) of Ninth Schedule and land reforms, Abolition of intermediaries and land ceiling.

**Unit-3:** Primary Protective Laws: Water Act, 1974, Air Act, 1981, Environment (Protection) Act 1972 and Forest Act,1927 and Forest Conservation Act, 1980, Biodiversity Act, 2002, NET 1995,NEAA 1997, Schedule Tribe (Forest Rights) Act, Act, **Unit-4:** Secondary Laws noise

pollution regulations: Environment Impact Assessment (EIA), rules relating to waste management (Solid wastes, hazardous wastes, bio-medical wastes, CRZ Notification).

**Unit-5:** Common Law & Criminal Law Remedies for Environmental Problems: Nuisance, Negligence, Strict liability and Absolute liability, Provisions of IPC relating to environmental problems (Public nuisance u/s 268 and others (Sections 269,270,277,284,285,286,425 to 440) Section 133 Of Cr.P.C.

**Unit-6:** International Law and Environmental Protection: Stockholm Conference 1972, Rio Summit, 1992, UNEP, WSSD, 2002, Trail Smelter Arbitration

**Unit-7:** Environment and Development: Meaning and concept of development - Its impact on environment; conflict between environment and development, Concept of Sustainable Development. (Principles of integration, polluter pay principle, precautionary principle, interpenetrated equity), Public Trust Doctrine, People's movements (Chipko, Tehri, Silent valley and NBA) Land Acquisition for development projects – Social and legal problems.

**Unit-8:** Judicial Activism and Environment: Public interest litigation for environmental protection; landmark Judgments – (Reference cases; Bhopal case, Oleum gas leakage case, Rural Litigation and Entitlement Kendra, Dehradun, (Dehradoon case, (1985) Supp SCC 487), A.P Pollution Control Board v. Prof M.V. Nayudu ,(1999) 2 SCC 718), Vellore Citizen Welfare Forum v. Union of India, (1996) 5SCC 647), Ganga Pollution case (1988) I SCC ), Olga Tellis v. Bombay Municipal Corporation ((1985) 3 SCC5 45), S. Jagannath v. UOI (1997) SCC867) Samatha case, M.C.Mehta V. Kamalnath( (1997) I SCC 388) and other latest landmarks judgments.

***Books Recommended:***

1. Armin Rosencranz, Shyam Divan, Martha L. Noble: Environmental Law
2. A. Agarwal (ed.): Legal Control of Environmental Pollution
3. Chetan Singh Mehta: Environmental Protection and Law
4. V.R. Krishna Iyer, Environment Pollution and Law
5. Shah, Environmental Law
6. Leela Krishna, P, The Evolving Environmental Law and Policy in India
6. Leela Krishna, P, Environmental Law
7. Paras Diwan, Environmental Law, Policy, Administration
8. Animal Laws of India, Maneka Gandhi, University Law Publishing Co. Pvt. Ltd.
9. S. Shanthkumar, E L, Surya Publications, Delhi.

**Paper-XXV: HISTORY OF COURTS, LEGISLATURES AND  
LEGAL PROFESSION IN INDIA**

## **A) History of Courts:**

Administration of Justice in the Presidency Towns (1600-1773) and the development of Courts and Judicial institutions under the East India Company., Warren Hastings Plan of 1772 and the Adalat system of Courts -Reforms made under the Plan of 1774 and re-organisation in 1780., Regulating Act of 1773 - Supreme Court at Calcutta - Its composition, power and functions - Failure of the Court - Act of 1781 -Supreme Court vis-a-vis Mofussil Courts, Judicial measures of Lord Cornwallis 1781, 1790, 1793 progress of Adalat system under Sr. John Shore, Conflicts arising out of the dual judicial system - Tendency for amalgamation of the two systems of Courts - The Indian High Courts Act. 1911 - The Government of India Act, 1915 - High Courts under the Government of India Act, 1935 - High Courts under the Indian Constitution., Development of Rule of Law, Separation of Powers, Independence of Judiciary., Judicial Committee of Privy Council as a Court of Appeal and its jurisdiction to hear appeals from Indian decisions - Abolition of the jurisdiction of the Privy Council to hear appeals from Indian decisions, Court system generally under the Constitution of India.

## **B) Legislature:**

Legislative authority of the East India Company under the Charter of Queen Elizabeth, 1691., Changes under Regulating Act, 1773 - Act of 1781, Recognition of the powers of the Governor and Council to make Regulations by the British Parliament Act of 1813 and the extension of the legislative power conferred on all the Three Councils and subjection of the same to greater control Act of 1833 - Establishment of Legislature of an All-India Character in 1834. The Indian Council Act, 1861, Central Legislative Council and its composition, powers and functions power conferred on the Government of India Act of 1909 - Government of India Act, 1919 - Setting up of bicameral system of legislature at the centre in place of the imperial Council consisting of one House, Government of India Act, 1935 - The Federal Assembly and the Council of States, its composition, powers and functions - Legislative Assemblies in the provinces and the powers and functions of the same

## **c) Legal Profession:**

High Courts under the Act of 1861 and provision for the enrolment of the advocates under the Letters Patent issued., Legal Practitioners Act, 1879 - Report of the Indian Bar Committee, 1923., The Indian Bar Councils Act, 1926 - The All India Bar Committee, 1951., The Advocates Act, 1961., Development of legal education., . History of Law Reporting in India., Legal Profession in Pre-British India - Role, Training and Functions., Law Practitioners in the Mayor's Courts established under the Charter of 1726, .Organisation of Legal Profession under the Charter of 1774, Legal Profession in Company's Courts, Provision for enrolment of Advocates, Vakils and Attorneys under Legal Practitioner's Act, 1853.

## ***Books recommended:***

1. Jain M.P :- Outline of India legal History. Dhanwantra Mechanical and Law Book House, Delhi;

2. Pylee M.V.: - Constitutional history of India
3. Rom Jois, Constitutional History of India
4. N.Dutt and Majumdar, Conduct of Advocates and Legal Profession
5. Sir Curtanary Illbert, The Government of India
6. A.B.Keith- A Constotitutional History of India .
7. A.G.Botpary -Seven Lamps of Advocacy-.
8. J.K.Mittal ,Indian Legal History
9. Herbert Cowell. The History and Constitution of the Court and Legislative Authorities in India S.C. Begchi, Calcutta, Macker, Spink,
10. Gwyer and Appadorai - Speeches and Documents on the Indian Constitution, 1945 - 1947 (2 Vols.), London, OUP
- 11.H.V.Srinivasan, History of India, Part-I & Part-II, Pre-Law Education Series, E.BC.

## **Paper XXVI Seminar and Clinical Legal Education**

### **.SEMESTER-VI**

#### **Paper-XXVII: Political Science – VI**

#### **LOCAL-SELF GOVERNMENT**

**Unit-1:** Introduction: Historical background of the Panchayat Raj Institutions in India, village administration in ancient India, Position of Pamchayat Raj during Medival period, Panchayat Raj institution under the period of British rule.

**Unit-2:** Concept of Local-Self Government: Gandhi-Vinoba’s Gramaswaraj

**Unit-3:** Theory of decentralized local self government

**Unit-4:** Local-government in rural India and Community development programmes

**Unit-5:** Balwantrai Mehata Committee, 1957, Ashok Mehata Committee, 1978 and their recommendations on Panchayati Raj system.

**Unit-6:** The concept of Panchayti Raj

**Unit-7:** Gramasbha, Village and Panchayat, Panchathat Samithi, Zilla Parishad

**Unit-8:** Panchayat Raj and State Government: Supervision and guidance, General need, present methods and proposals and a new approach

**Unit-9:** Political parties and Panchatyat Raj

**Unit-10:** Changing pattern of Panchayat Raj

**Unit-11:** 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendment, Dr. L.M Singhvi and P.K. thunga recommendations.

**Unit-12:** Elections for Local self-governments: The Panchayats, the Municipalities, the Scheduled and Tribal Areas and the Election Commission for the purpose.

***Books Recommended:***

1. Shriam Maheswari, Local-Self Government in India
2. M. Venkatarangaiya and G. Raam Reddy, Panchayati Raj in Andhra Pradesh,
3. Iqbal Narain , Panchayat Raj Administration.
4. Introduction to Constitution of India, Nrij Kishore Sharma
5. L.P. Sharma, History of Medieval India, 1000-1740 AD.
6. Report of High Power Committee on Panchayat Raj
7. Rural and Urban ship Committee Report

**Paper- XXVIII, Sociology-III**

**RURAL, URBAN AND TRIBAL SOCIOLOGY OF INDIA**

**Unit 1.** Human ecology, rural communities, urban communities and Tribal Communities and their characteristics, issues and problems.

**Unit 2.** Village, Municipalities and Corporations . Gram Swaraj, Community Development.

**Unit 3.** Rural Poverty, Bonded Labour, Agricultural Labour, Rural Employment, Environmental Issues,

**Unit 4.** Role of GOs and NGOs in rural and urban settings. Corporate Social Responsibility (CSR) in combating rural and urban problems. Role of local bodies in Law enforcement

**Unit 5.** Gram Nyalaya, Lok Adalats, Right to Information Act, Legal Literacy.

**Unit 6.** Social Work as a profession, Methods and Techniques of Social Case Work, Social Group Work, Community Development and Social Action.

**Unit 7.** Law and Public Opinion, Law as an Instrument of Social Change.

**Unit 8.** Tribe and Caste in the traditional Order - Caste and Class in Contemporary India - The Backward Classes.



**Unit 9.** Trends of change in Indian Society - Indian Cultural values and Development - Coercion, Conflict and Change - Sociology as a Discipline -Law and Society - Sociology of Law and Sociology of Legal Profession.

***Books Recommended:***

1. Harvy Johnson: Sociology - Systematic Instruction;
2. Sharma : Sociology;
3. Mao-Iwer and Page - Sociology;
4. Kingslary Davis : Human Society;
5. M. Haralambos: Sociology - Themes and Persectives, Delhi, Oxford University Press
6. N.K. Bose: The Structure of Hindu Society, New Delhi, Orient Longman
7. David G., Mandelrsum: Society in India, Bombay, Popular Prakashan
8. Romesh Thappar (ed): Tribe, Caste and Religion in India, New Delhi, Macmillan
9. Andre Betelle: Inequality and Social Change, Delhi, Oxford University Press,
10. Andre Betelle: The Backward Classes and New Social Order, Delhi, Oxford University Press
11. A.R Desai, Rural Sociology
12. M.N. Srinivas, Caste in Modern India

**Paper –XXIX**

**FAMILY LAW - II**

**(Testamentary and Intestate Succession)**

**Unit-1:** Concept of property: property concept, scope and evolution, New Property concepts, Such As Skill, Job, etc. as new forms of property.

**Unit -2:** Inheritance: Hindus, historical perspective of traditional Hindu law as a background to the study of Hindu succession Act, 1956. Succession to property of a Hindu male dying intestate under the provisions of Hindu Succession Act. 1956.

**Unit-3:** Devolution of interest in Mitakshara coparcenary with reference to the provisions of Hindu Succession Act, 1956.

**Unit-4:** Succession to property of Hindu female dying intestate under the Hindu succession Act. 1956. Disqualifications relating to succession, General Rules of Succession, Hindu Succession amendment Act, 2005

**Unit-5:** Disqualifications, general principles.

**Unit-6:** Muslim Law of Inheritance and Succession , Rules governing Sunni and Shia law of inheritance, Differences between Shia and Sunni Law, Administration of Estates, Wills under Muslim Law.

**Unit-7:** Indian Succession Act: Domicile, Intestate Succession, Will-Codicil, Interpretation - Revocation of Will, Bequests-conditional - contingent or void bequests, Legacies, Probate and letters of administration, Executor-administrators, Succession certificate.

***Books Recommended:***

1. Tahir Mahmood: The Muslim Law of India, Law Book Company, Allahabad:
2. Aquil Ahmed: Text Book of Mohammadan
3. Prof. G.C.V. Subba Rao:  
Family Law in India, , S. Gogia & Company, Hyderabad.
4. Asaf A.A. Fyze: Outlines of Mohammadan Law, , Oxford University Press, Delhi.
5. Mulla: Principles of Mohammedan Law
6. Paras Divan: Family Law (Hindu, Muslim, Christian, Parsi and others) Allahabad Law Agency, Allahabad.
7. M.A. Qureshi: Text Book on Muslim Law, , Central Law Publications, Allahabad.
8. Hidayatullah : Mulla Principles of Mohammadan Law, (4th reprint), N.M. Tripathi Private Limited, Bombay.
9. Tondon M.P.: Muslim law in India, Allahabad Law Agency, Allahabad.
10. Prasad V.: The Indian Succession Act, 1982, Allahabad Law Agency, Allahabad.

**Paper – XXX**

**JURISPRUDENCE**

**(Legal Method, Indian Legal System and Basic Theory of Law)**

**Unit -1**

Meaning of and need to study Jurisprudence. The nature of law and its relationship with other disciplines like sociology, political science and history, political and power structures and just society.

**Unit -2**

Concept of law, its difference with laws of natural sciences, social sciences, history. The differences between the ends of a legal order, a political order and a religious order, Issues concerning the dialectics of law.

The obligatory nature of law, The functions of law, law as the upholder of the moral order in the society, Concept of Dharma and connection between law and morality, Law for bringing efficiency and social stability; the utilitarian views.

### **Unit -3**

Defining law: Natural Law theories, Contractarian theories - general will theories and free will theories, Analytical School of Law or Positive Law, and autonomous theories particularly positivist theories and autonomous theories connected (development of Austin onwards; Reference to Dworkin, Rawls and Marxist terms of the doctrine of Withering away of State, Transcendental Theories.)

### **Unit -4**

Law as a means of social control, Law as Volksgeist, the Historical School of Law, Law as practice of courts, the Realist School, Law as a system of rules, H.L.A. Hart's concept of Law, Law as a Normative System, What is a norm and what is a normative system. Kelsen's Pure theory

### **Unit -5**

Theories of Authority, Types of Authority – legislative, judicial and customary (sources of law) – their binding nature. Bindingness with regard to Precedent. Determination of ratio

### **Unit -6**

Limits on the legislative authority – discuss with reference to Natural Law and Positive Law. Also with reference to Austin, Kelsen. Refer Indian cases like Golaknath and D.C. Wadhwa's Case.

Natural Law views that the limits are defined by principles of morality or natural justice – the legislation, from whatever source, must be in accordance with such principles. Discuss with reference to Aquinas, Finnis. The Rationalist views that the limits are set by rational principles of justice – Discuss with reference to Kant, Rawls.

The Basic Structure Doctrine – that the limits are set by the basic structure of the Constitution or the law itself; any legislation contrary to the basic structure is non-law (Refer Kesavananda and Coelho cases). Define and discuss the basic legal concept of reasonableness with reference to Indian cases. State of Madras V G. Row (1952 SC 196), Dwaraka Prasad Laxmi Narayan V. State of U.P. (AIR 1954 SC 224), Krishnachandra V. Commissioner of Police (1961 3 SCR 135), Hardhan Shah V. State of West Bengal (1975 3 SCC 198), Air India V. Nargesh Meerza (AIR 1987 SC 1829), Maneka Gandhi V. Union of India (1978 2 SCR 621). Judicial decisions particularly the decisions of Indian Supreme Court on contemporary socio political, legal and economic issues.

People; State – with particular reference to Directive Principles of State Policy; Locus standi, Randhir Singh, Golaknath and other relevant cases.

### **Unit -7**

Functions of the courts – Administration of Justice – need for – The purpose of civil justice; primary and sanctioning rights, Criminal justice, punishment and theories of punishment.

### **Unit- 8**

Personality; Concept of Rights, rights in the wider sense of the term, liberty, power, Immunity and their jural correlatives.

### **Unit -9**

Legal concepts of Ownership and Possession

### **Unit -10**

Concept of Liability – Nature and kinds of liability, penal liability, acts and intention, Negligence, vicarious liability, the measure of criminal liability and the measure of civil liability.

### **Unit 11**

The Law of Obligations – sources of obligation – contract and tort. Titles and Law of Procedure with reference to Evidence and Estoppel.

### **Unit 12**

Law of Property – kinds of property, leases, servitudes and securities. Modes of acquisition of property – possession, prescription, agreement and inheritance.

### ***Books Recommended:***

1. Salmond, Jurisprudence, Universal Publishers.
2. Paton, Jurisprudence
3. Allen, Law in Making, Universal Publishers.
4. Mahajan V.D, Legal Theory and Jurisprudence.
5. Dias, Jurisprudence.
6. Lloyd, Introduction to Jurisprudence
7. S.N. Dyani, Fundamental of Jurisprudence: Indian Approach
8. G.C.V.Subba Rao, Jurisprudence and Legal Theory
9. Friedman – Legal Theory
10. Ronald Dworkin – Taking Rights Seriously
11. Roscoe Pound – Philosophy of Law

## **Paper-XXXI**

### **LOCAL LANGUAGE (Introduction of Law in Telugu)**

Classroom instruction of five select topics in each of the following subjects shall be given in Telugu)

1. Constitutional law of India-I

2. Constitutional law of India-II
3. Law of Crimes
4. Law of Contracts-I
5. Law of Contracts-II
6. Family Law-I
7. Law of Torts and Consumer Law
8. Environmental Law

Examination for 80 Marks shall be on the basis of written record on 16 topics (two topics from each subject). Each topic carries 5 marks. The record shall be evaluated by the teacher of the subject and external examiner nominated by the University for conducting Viva. Viva will be for 20 marks

### **Books Recommended**

Nyaya Vignana Darsini, Telugu Academy, 2012

### **Paper XXXII Seminar and Clinical Legal Education**

## **SEMESTER-VII**

### **Paper-XXXIII**

#### **PROPERTY LAW INCLUDING TRANSFER OF PROPERTY ACT AND EASEMENTS ACT**

**Unit-1:** Concept and meaning of property - kinds of property - movable and immovable property - tangible and intangible property, private and public property.

**Unit-2:** General Principles of transfer of property, transfer of property, what property cannot be transferred? Condition restraining alienation, condition restraining enjoyment, vested and contingent interest, condition precedent and condition subsequent, transfer to unborn person and rule against perpetuity.

**Unit-3:** Doctrine of election – covenants- transfer by ostensible owner, doctrine of feeding the grant by estoppel, doctrine of acquiescence, doctrine of lis pendens, fraudulent transfer, doctrine of part- performance.

**Unit-4:** Sale: Definition, contract for sale, rights and liabilities of seller and buyer.

**Unit-5:** Mortgages: Kinds of mortgages, - when registration is necessary?, Rights of mortgagor - right to redeem, clog on redemption, partial redemption, rights and of mortgagee, right to

foreclose or sale, right to sue for mortgage money, accession to mortgaged property, rights of mortgages in possession, substituted securities, liabilities of a mortgagee in possession, marshalling and contribution, subrogation - legal subrogation and conventional, "redeem up and foreclose down",

**Unit -6:** Lease: Definition, right and liabilities of lessor and lessee, kinds of leases. tenancy-at-will, tenancy by- holding-over, tenancy-at-sufferance.

**Unit-7:** Gifts: definition, essentials, onerous gift, conditional gifts, universal donee, donatio mortis causa.

**Unit- 8:** Exchange of Properties and Assignment of actionable claims.

**Unit- 9:** Easements: Definition, nature and characteristics of easements, acquisition or creation of easements, classification or kinds of easement, termination or determination of easements, difference between easement and licence.

***Books Recommended:***

1. Mulla, Transfer of Property, Butterworths Publications.
2. Subba Rao, GCV, Commentaries on the Transfer of Property Act.
3. Krishna Menon, Law of Property.
4. Sanjeev Rao, Transfer of Property
5. Grover, Transfer of Property

**Paper – XXXIV**

**LABOUR AND INDUSTRIAL LAW – I**

**Unit-1:** *Historical Perspective on Labour:* Labour through the ages – slave labour – guild system – division on class basis – labour during feudal days; Labour – capital conflicts: Profit motive, exploitation of labour, poor working conditions, poor bargaining power, unorganized labour, surplus labour, division of labour and super-specialisation, lack of alternative employment; From Laissez faire to Welfare State: Transition from exploitation to protection and from contract to status; International Labour Standards and their implementation.

**Unit-II:** *Trade Unionism:* Colonial labour law and policy; Labour Movement as a counter measure to exploitation – History of trade union movement in India; Right to trade union as part of human right to freedom of association. Role of trade unions in the changing economic scenario.

**Unit-III:** *Legal control and protection of trade unions:* Indian Trade Union Act of 1926: registration, rights and liabilities of trade union, Amalgamation and dissolution of trade union; Problems: multiplicity of unions, over politicization, intra-union and inter-union Rivalry, outside leadership, closed shop and union-shop, recognition of unions. Amendments to Trade Union Act and reforms in law.

**Unit-IV:** *Collective Bargaining:* Concept of collective bargaining – essential characteristics – merits and demerits – conditions for the success for collective bargaining; Bargaining process: Negotiation – Pressurization techniques: Strike and lockout, go-slow, work to rule, gherao; Structure of bargaining: plant, industry and national levels;. Recognition of trade union for collective bargaining;

**Unit-V:** *Law relating to service conditions:* Industrial Employment (Standing Orders) Act, 1946 - Scope and object of the Act, Model standing orders, and matters to be incorporated in standing orders (schedule to the Act) Submission of draft standing order, certification and modification of standing orders; Interpretation of standing orders and power of appropriate Government to make rules; Concept of misconduct, disciplinary action and punishment for misconduct.

**Unit-VI:** *Law relating to Industrial disputes:* Industrial Disputes Act, 1947 - Conceptual conundrum: industry, industrial dispute, workmen; (Sec.2'j'k'&'s'); Dispute settlement machinery: Conciliation officers, Board of Conciliation, labour court, Industrial Tribunal and National Tribunal – duties and powers; (Sec3-10); Reference for adjudication and Voluntary Arbitration (Sec.10 & 10A); Award and its binding nature and judicial review of awards. (Secs.18 & 11-A); Statutory limitations on strikes and lock-outs; unfair labour practices – prohibition and penalties. (Sec.22-31&25-T, 25U); General and special provisions relating to lay-off, retrenchment & closure (Sections 25A-25S & 25K-25R);6.5Recommendations of Second Labour Commission on industrial disputes.

**Unit-VIII:** *Discipline in Industry:* Meaning of discipline and causes of indiscipline in industry; Doctrine of hire and fire – history of management's prerogative; Restraints on managerial prerogatives: Fairness in disciplinary process, right to know the charge sheet and right of hearing ; Domestic enquiry – notice, evidence, cross-examination, representation, unbiased inquiry officer and reasoned decision; Prenatal (permission) and Postnatal (approval) control during pendency of proceedings (Sec.33 of ID Act)

***Books Recommended:***

1. R.F. Rustomji: The Law of Industrial Disputes in India.
2. J.N. Malik: Trade Union Law.
3. Bagri: Law of Industrial Disputes, Kamal Law House, 2001.
4. Srivastava: Law of Trade Unions., Eastern Book Company, 4<sup>th</sup> Edition 2002.
5. Dr. V.G.Goswami, Labour and Industrial Law, Central Law Agency, Allahabad.
6. S.N. Mishra, Labour and Industrial Law, Central Law Agency, Allahabad.
7. Khan and Khan Labour Law, Asia Law House, Hyderabad.

## **Paper- XXXV**

### **COMPANY LAW**

**Unit-1:** Meaning of Company, essential characteristics, corporate personality and lifting the corporate veil; Forms of Corporate and non-Corporate Organisations; Corporations, partnerships and other associations of persons, state corporations, government companies, public sector private sector, their-role, functions and accountability of companies.

**Unit-2:** Incorporation, Memorandum of Association - various clauses - alteration therein - doctrine of ultra vires, Articles of Association - binding force alteration - its relations with memorandum of association - doctrine of constructive notice and indoor management exceptions, Prospectus - issue - contents - liability for misstatements -statement in lieu of prospectus, Promoters - position - duties and liabilities

**Unit-3:** Shareholders: Shares - general principles of allotment statutory restrictions - share certificate its objects and effects - transfer of shares - restrictions on transfer - procedure for transfer - refusal of transfer - role of public finance institutions - relationship between transferor and transfers - issue of shares at premium and discount, 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 rights and liabilities of shareholder, Share capital - kinds - alteration and reduction of share capital - further issue of capital - conversion of loans and debentures into capital duties of court to protect the interests of creditors and shareholders.

**Unit-4:** Directors - position - appointment - qualifications, vacation of office - removal, resignation - powers and duties of directors -meeting, registers, loans remuneration of directors - role of nominee directors-compensation for loss of office - managing directors and other managerial personnel, Meetings - kinds procedure – voting.

**Unit-5:** Dividends, Debentures, Borrowing Powers: Dividends - payment - capitalization of bonus shares, Audit and accounts, Borrowing - powers - effects of unauthorised borrowing - charges and mortgages - loans to other companies investments - contracts by companies, Debentures - meaning- floating charge - kinds of debentures - shareholder and debenture holder - remedies of debenture holders.

**Unit-6:** Majority rule: Protection of minority rights, Prevention of oppression and mismanagement, who can apply - when can he apply, powers of the court and of the Central Government.

**Unit-7:** Other Allied Aspects: Private companies - nature advantages conversion into public company foreign companies, government companies, holding and subsidiary companies, Investigations– Powers, Reconstruction and amalgamation, Defunct Companies. National company Law Tribunal, powers and functions.



**Unit-8:** Law and Multinational Companies: Collaboration agreements for technology transfer, Control and regulation of foreign companies taxation of foreign companies, share capital in such companies.

**Unit-9:** Winding Up: Winding up - 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 court.

**Unit-10:** Winding up proceedings: appointment of liquidator, powers and duties of official liquidator; Liability of past members - payment of liabilities - preferential payments, unclaimed dividends - winding up of unregistered company.

***Books Recommended:***

1. Palmer, Company Law
2. 2. Gover, Company Law
3. Ramaih, A Guide to Companies Act, Wadhwa Publications
4. Avatar Singh: Company Law, Eastern Book company, Lucknow
5. Anantha Raman, lectures on company Law, Wadhwa and Company
6. Tadon M.P. ,Company Law, Allahabad Law Agency, Allahabad
7. Kailash Rai, Company Law , Allahabad Law Agency, Allahabad
8. Majumdar, Company Law, Taxman Publications

**Paper- XXXVI**

**ADMINISTRATIVE LAW**

**Unit-1:** Evolution, Nature and scope of Administrative Law, From a laissez faire to a social welfare state State as regulator of primary interest State as provider of services Other functions of modern state - relief, welfare., Evolution of administration as the fourth branch of Government Necessity for delegation of powers on administration., Evolution of agencies and procedures for settlement of dispute between individual and administration., Regulatory agencies in the United States, Conseil' state of France, Tribunalization in England and India., Relationship between Constitutional Law and Administrative Law Public Administration., Separation of Powers - to what extent of relevant in administrative functions,Rule of Law and Administrative Law., Definitions of Administrative Law, Scope of Administrative Law, Emerging trends - positive duties of administration under the modern social welfare legislation and compulsions of planning.

**Unit-2:** Bureaucracy in India: Nature and organisation of civil service, Central and State, Its hierarchical character, accountability and responsiveness, powers and functions, Disciplinary proceedings and prosecutions under Prevention of Corruption Act.

Maladministration: Disciplinary proceedings under Prevention of Corruption Act, 1988, Ombudsman, Parliamentary Commissioner, Lok Pal, Lok Ayukta, Vigilance commission, Congressional and Parliamentary Committees.

**Unit-3:** Legislative Powers of Administration : Necessity for delegation of legislative power, Constitutionality of delegated legislation-powers of exclusion and inclusion and power to modify statute, Requirements for the validity of delegated legislation, Consultation of affected interests and public participation decision-making., Publication of delegated legislation, Administrative directions, circulars and policy statements, Legislative control of delegated legislation, Laying procedures and their efficacy, Committees on delegated legislation- their constitution function and effectiveness, Hearings before legislative committees, Judicial control of delegated legislation - doctrine ultra vires, sub-delegation of legislative powers.

**Unit-4:** Administrative Adjudicatory Process: Administrative tribunals and other adjudicating authorities their ad-hoc character - Compare administration of Justice in Courts with that of Tribunals (Ref. Robson), Nature of tribunals - constitution, procedure, rules of evidence, etc., with special reference to the following, Central Board of Customs and Excise, MRTP Commission, ESI Courts, Service Tribunals, Jurisdiction of administrative tribunal and other authorities : Distinction between quasi-judicial and administrative functions and relevance of this distinction in the light of recent decisions of the supreme court.

**Unit-5:** Principles of Natural Justice: The right to hearing - Essentials of hearing process, Bias (no one can be a judge in his own cause) oral hearing, etc., Requirements regarding reasoned decisions, the right to counsel, institutional decisions. Exception to the rule of natural justice, violation of principles of natural justice, void or voidable. Administrative Appeals, Council of Tribunals and Inquiries in England, U.S. Regulatory Agencies and Administrative procedures Act 1946., Emerging Trends of Tribunalization in India as a relief to congestion in the courts and utilization of administrative expertise. Exceptions to the rules of natural justice, violation of principles of natural justice, void or voidable.

**Unit-6:** Judicial Control of Administrative Action: Preliminary. Courts as the final authority to determine legality of administrative action-problems and perspectives. Exhaustion of administrative remedies, Standing, standing for social action litigation, laches, res judicate, grounds of Judicial Review : Scope of Judicial Review, Jurisdictional error/ultra vires, abuse and non exercise of jurisdiction, Error apparent on the face of the record., violation of principles of natural justice, violation of public policy, primary jurisdiction, Doctrine of legitimate expectation, doctrine of public accountability and doctrine of proportionality, Methods of Judicial Review, statutory appeals, mandamus, certiorari, prohibition, quo-warranto, habeas corpus, declaratory judgments and injunctions, specific performance and civil suits for compensation , Fact-finding commissions

**Unit-7:** Administrative discretion and its judicial control and its judicial control, Need for administrative discretion, Administrative discretion and rule of law, Male fide exercise of discretion, Constitutional imperatives and use of discretionary authority Irrelevant considerations, Non-exercise of discretionary power, Discretion to prosecute or to withdraw prosecution, Limiting, confining and structuring discretion-General discretion, technical discretion.

**Unit-8:** Liability for Wrongs (Tortious and contractual), Tortious liability sovereign and non-sovereign functions, Crown Proceedings Act of U.K. and Torts Claims Act of U.S., Statutory immunity, Act or state., Contractual liability of government, Government privilege in legal proceedings-State Secrets, public interest, etc., Right to information and open government, Estoppel and Waiver

**Unit-9:** Corporations and Public Undertakings : , State Monopoly - Remedies against arbitrary action or for acting against public policy, Liability of public and private corporations of Departmental undertakings., Legal Remedies, Accountability - Committee on Public Undertakings, Estimates Committee, etc.

**Unit-10:** Powers of Enquiry and Investigation of the Administration: Powers of the government under the commissions of Inquiry Act, 1952, Working of the Act.

**Unit-11:** Right to know: Right to Information Act, 2005.

***Books Recommended:***

1. Griffith and Street: Principles of Administrative Law.
2. H.W.R. Wade: Administrative Law, Oxford Publications, London.
3. De Smith: Judicial Review of Administrative Action, Sweet and Maxwell.
4. S.P. Sathe: Administrative Law, Butterworths.
5. I.P. Massey: Administrative Law, Eastern Book Company.
6. Jain and Jain: Principles of Administrative Law, Wadhawa Publication, Naapur.

**Paper - XXXVII**

**INTERPRETATION OF STATUTES AND PRINCIPLES OF LEGISLATION  
(Optional Paper-I)**

**Unit-1:** Introduction: Difference Between Construction and Interpretation, Concept and Power of Interpretation, Literal Construction, Other principals of Interpretation, General Principals of interpretation: The Primary rule: Literal construction , the other main Principals of interpretation, Reading words in their context: the external aspect, Reading words in context: the statutory aspect.

**Unit-2:** Beneficial construction and restrictive construction, Consequences to be considered, Presumption against changes in the common Law, mens rea in statutory offences.

**Unit-3:** Theoretical or ideological approaches to interpretation, Judicial Restraint, Judicial activism, Juristic Restraint, Juristic activism

**Unit-4:** Presumptions regarding jurisdiction, Presumptions against ousting established jurisdictions, Presumptions against creating new and enlarging established jurisdictions, How far statutes affect the crown Further presumptions regarding jurisdiction, Territorial extent of British legislation, How far statutes conferring rights affect Foreigners, Presumption against violation of International Law.

**Unit- 5:** Construction to avoid collision with other provisions, construction most agreeable to justice and reason, Presumption against intending what is inconvenient or unreasonable, Presumption against intending injustice or absurdity, Presumption against impairing obligations, permitting advantage from ones own wrong, Retrospective operation of statutes.

**Unit-6:** Exceptional Construction, Modification of the Language to meet the intention, Equitable construction, Strict Construction of penal Laws, Statues encroaching on rights or imposing burdens, Construction to prevent evasion, Construction to prevent abuse of powers.

**Unit-7:** Intentions attributed to the legislature when it expresses none, Imperative and directory and enactments, Absolute and qualified duties, Impossibility of compliance, Waiver, Public and private remedies

**Unit- 8:** Rules of statutory interpretation: their judge made character, Legalism and Creativity: Mischief and Golden Rule, Rule of Construction in Fiscal and Criminal Statutes, Technicality: Rules as to necessary and implied repeal: Rule for interpretation of codifying, consolidating and amending statute, Values and Interpretation, Countemporaneo expositto, nositur a sociis, Ejusdem generis.

**Unit-9:** Constitutional interpretation, differentiation from statutory interpretation Rex Vs Burah as example, Literal interpretations, Harmonious construction, Reference to Constituent Assembly debates, Pith and Substance, Occupied field, Residuary power, Repugnancy, Amending power Directive Principles as source of constitutional interpretation. Stare decisis, the doctrine has inherited by us, Techniques of innovation (Subversion) of stare decisis, Supreme Court's authority to overrule its own decisions

(Eg: Antulay Case), Advisory jurisdiction and its import on precedent, retrospective overruling in India, Objections to judicial review as anti-majoritarian

**Unit-10:** Principles of legislation: Principles of the civil code, principles of the penal code of punishments

***Books Recommended:***

1. D.D. Basu — Limited Government and Judicial Review.
2. Jeremy Bentham: Theory of Legislation, Butterworths Publications.
3. Vepa P. Sarathi: Interpretation of Statutes, Eastern Book Co, Lucknow
4. Maxwell: Interpretation of Statutes, Butterworths Publications.
5. Crawford: Interpretation of Statutes, Universal Publishers, Delhi
6. Chatterjee: Interpretation of Statutes.
7. G.P. Singh: Principles of Statutory Interpretation, Wadhwa and Company, Nagapur.

**Paper XXXVIII Seminar and Clinical Legal Education**

**SEMESTER-VIII**

**Paper –XXXIX**

**LABOUR AND INDUSTRIAL LAW – II**

**Unit-1:** Remuneration for labour:

**Unit-2:** Law relating to wages and bonus: Theories of wages: marginal productivity, subsistence, wage fund, supply and demand, residual claimant, standard of living Concepts of wages (minimum wage, fair wage, living wage, need-based minimum wage); Constitutional provisions; components of wages: Minimum Wages Act, 1948: Objectives and constitutional validity of the Act; procedure for fixation and revision of minimum rates of wages – exemptions and exceptions; Payment of Wages Act, 1936: Regulation of payment of wages; Authorized Deductions, Payment of Bonus Act; Bonus - Its historical background, present position and exemptions ; Payment of Bonus (Amendment) Act, 2007

**Unit-3:** Social security against employment injury and other contingencies : Concept and development of social security measures; Employers liability to pay compensation for employment injury; Legal protection: Workmen’s Compensation Act, 1923 - Concept of ‘accident arising out of’ and ‘in the course of the employment’; Doctrine of notional extension and doctrine of added peril; Total and partial disablement; Quantum and method of distribution of compensation. Employees State Insurance Act, 1948: Benefits provided under the Act; Employees State Insurance Fund and Contributions; Machinery for the implementation of the Act; ESI court and appeal to High Court.

**Unit-4:** Law relating to retirement benefits: Employees Provident Fund and Miscellaneous Provisions Act, 1952; Family Pension Scheme 1971 and Employees Pension Scheme 1995 The changing rules regarding Employees Provident Fund and Pension Schemes; 4.2 Payment of Gratuity Act, 1972 – Concept of gratuity; Eligibility for payment of gratuity; Determination of gratuity; Forfeiture of gratuity.

**Unit-5** Labour Welfare: Philosophy of Labour Welfare; Historical Development of Labour welfare legislation; Health, Safety and welfare measures under Factories Act, 1948; Welfare of women and child labour: Protective provisions under Equal Remuneration Act & Maternity Benefit Act.

**Unit-6:** Contract Labour: Problems of contract labour; Process of contractualisation of labour ; Legal protection: Contract Labour (Regulation and Abolition) Act, 1970; Controversy regarding Abolition of contract labour and their absorption; Land mark cases: Air India Statutory Corpn. V. United Labour Union, (1997) & SAIL case (2002); proposed amendment and its impact on the contract labour.

**Unit-7:** Unorganised Sector: Problem of Definition and Identification; Unionization problems Historical backdrop of proposed bills on social security for unorganized sector (2004, 2005 & 2007); Unorganized Sector Workers' Social Security Act, 2008

**Unit-8:** Protection of Weaker Sections of Labour: Problems of Bonded Labour, bidi workers, domestic workers, construction workers inter-state migrant workmen; Legal protection: Bonded Labour System (Abolition) Act, 1976; Inter State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979

***Books Recommended:***

1. R.F. Rustomji: The Law of Industrial Disputes in India.
2. J.N. Malik: Trade Union Law.
3. Bagri: Law of Industrial Disputes, Kamal Law House, Delhi.
4. Srivastava: Law of Trade Unions., Eastern Book Company.
5. Dr. V.G.Goswami, Labour and Industrial Law, Central Law Agency, Allahabad.
6. S.N.Mishra, Labour and Industrial Law, Central Law Agency, Allahabad.
7. Khan and Khan Labour Law, Asia Law House, Hyderabad.

**Paper XXXX**

**PUBLIC INTERNATIONAL LAW**

**Unit-1:** Basic Aspects of International Law;: Nature and Basis of International Law, Definition of International Law, Relationship between Municipal Law and International Law, Sources of

International Law (Treaties custom, general principles recognized by civilized Nation, ICJ decisions).

**Unit-2:** State as subject of international law: essentials of statehood, not fully sovereign states and other entities, right and duties of states, modes of acquisition and loss of state territory, state responsibility.

**Unit-3:** Recognition, Succession: Concept of recognition, Theories, Kinds and consequences of recognition

**Unit-4,** Individual as a subject of International Law: The Basic modification, post UN charter position: Nationality, Extradition, UNO & Human Rights, UDHR, Covenant on Civil Political Rights, 1966, Covenant on Economic Social and Cultural Rights, 1966.

**Unit-5:** Equitable resource utilization and justification: Law of the Sea, Air, Law of Outer Space, Common Heritage of Mankind.

**Unit-6:** State Jurisdiction: Basis of jurisdiction, Sovereign immunity, Diplomatic Privileges and Immunities.

**Unit-7:** Treaties: Making of Treaty, Reservations to treaty, *Pacta sunt servanda*, modes of termination of treaty.

**Unit-8:** UNO, Principles and Purpose of UNO, Security Council (Composition, powers and functions), General Assembly (Composition, powers and functions, ECOSOC (Composition, powers and functions) Trusteeship Council, ICJ (Composition, types of jurisdiction)

**Unit-9:** International Economic Institutions: a) WTO (Organization and functions) b) IMF (Compositions, powers and functions) c) IBRD (Composition, powers & function) and d) UNCTAD.

***Books Recommended:***

1. Oppenheim, International Law
2. Ian Brownlie, Principles of Public International Law Oxford University press,
3. Malcolm N Shaw, International Law, Cambridge Publication.
4. H.O Agarwa; International Law and Human Rights, Central Law Publications Allahabad.
5. S.K.Kapoor, Public International Law, Central Law Agency.
6. J.G.Starke, Introduction to International law, Aditya Books, New Delhi.
7. S.K.Varma, An Introduction to International Law, Printice Hall of India, New Delhi
8. Bowett, International Institutions.
9. International Law; Sir Robert Jennings and sir Arthur Watts (ed) Longman

**Paper – XXXXI**

**PRINCIPLES OF TAXATION LAW**

**Unit-1:** Constitutional Provisions- Arts. 265 to 289 - Scope of Tax Laws: b. Tax and Fee. Capital Receipt and Revenue Receipt distinguished.

**Unit-2:** Direct Tax Laws : Income Tax Law: Historical outline, Definitions-‘Income’ ‘Agriculture Income’ Previous Year’ and Assessee’ Incidence of Tax and Residential Status. Statutory exemptions (Ss 10 to 13A) classification of Income and Heads of Income (Ss 14 to 59): b. Assessment (Ss.109 to158) Collection and Recovery of Tax (ss19A-234) Double Taxation Relief Clubbing of Incomes Ss50-66).

**Unit-3:** Income Tax Authorities, Settlement of cases (S.245). Appeals and Revisions (Ss 246-269), Penalties, offences and prosecution (Ss 270-280).

**Unit-4:** Wealth Tax Act: Definitions of Asset, Net Wealth. Valuation Date Deemed Assets. Exempted Assets.

**Unit-5:** Indirect Tax Laws: a) Central Sales Tax Act. 1956 - Historical outline-Definitions-A detailed study of Ss. 4 to 6A-Registration of Dealers-Liability in special cases (Ss 16 to 18): b) A.P. General Sales Tax Act, 1957 Definitions: Business-Dealer-Casual Dealer-Total turn-over-Registration of dealers (S. 12) Sales Tax Authorities (Ss 3 and 4).

**Unit-6:** VAT, Scope of VAT, problems and prospects in its application,

***Books Recommended:***

- 1 Dr. Vinod K. Singhania, Student Guide to Income Tax, Taxman.
- 2 Dr. Vinod K. Singhania, Direct Taxes Law & Practice, Taxman Allied Service Pvt. Limited.
- 3 Myneni S.R., Law of Taxation, Allahabad Law Series.
- 4 Kailash Rai, Taxation Laws, Allahabad Law Agency.
- 5 Dr. Gurish Ahuja, Systematic Approach to Income Tax, Bharat Law House Pvt. Limited, Delhi
- 6 V.S. Datey: Law and Practice Central Sales Tax Act, 2003, Taxman Publications.
7. Nani Palkivala: Income Tax, Butterworths Publications.
8. Dr. GK Pillai, VAT- A Model for Indian Tax Reforms
9. Naidu’s Sales Tax Act

**Paper –XXXXI**

**: INTELLECTUAL PROPERTY RIGHTS’ LITIGATION**

**(Optional Paper-II)**



**Unit-1:** Introductory: The meaning of intellectual Property. The main forms of intellectual property: Copy rights, Marks, Patents, Designs. The competing rationales for protection of rights in Copyright Trade marks Patents designs Introduction to the leading international instruments concerning intellectual property rights: the Berne Convention, Universal Copyright Convention, the Paris Union, the World Intellectual Property Rights Organization (WIPO) and the UNESCO; TRIPS; WIPO.

**Unit-2:** Meaning of Copyright Copyright in literacy, dramatic and musical works ,Copyright in Musical and Works and cinematograph films , Ownership of Copyright, Assignment of Copyright, Author's special rights, Infringement of copyright, Fair use Provisions, Remedies.

**Unit-3:** Intellectual Property in Trademarks: The rationale of protection of trade marks as (a) an aspect of commercial and (b) of consumer rights, definition, conception of Trade Marks, Registration; Distinction between Trade Mark and Property Mark, Geographical Indicators.

**Unit-4:** The law of intellectual property: Patents: Conception of Patent. Historical overview of the patents Law in India, Patentable inventions with special reference to biotechnology products entailing creation of new forms of life, Process of obtaining a patent, Various grounds for refusing patent grant.

**Unit-5:** Rights and obligations of a patentee, limitations and patents as chose in action, Duration of Patents Law

**Unit-6:** Litigation in Copyright Law.

**Unit-7:** Litigation in Trade Mark Law

**Unit-8:** Litigation in Patents Law.

***Books Recommended:***

1. P. Narayanan: Patent Law, Eastern Law House.
2. Roy Chowdhary, S.K. & Other, Law of Trademark, Copyrights, Patents and Designs.
3. Dr. G.B. Reddy, Intellectual Property Rights and the Law, Gogia Law Agency.
4. John Holyoak and Paul Torremans, Intellectual Property Law.
5. B.L. Wadhwa, Intellectual Property Law, Universal Publishers.
6. W.R. Cornish, Intellectual Property Law, Universal Publishers.

**Paper – XXXXIII**

**LAND LAWS INCLUDING TENURE AND TENANCY SYSTEM**

**(Optional Paper-III)**

**Unit- 1:** Ownership of land - Doctrine of eminent domain -doctrine of Escheat.

**Unit-2:** Movement of Law reforms: Pre-Independence position - Zamindari Settlement - Ryotwari Settlement -Mahalwari System - Intermediaries - Absentee Landlordism - Large holdings. Post-dependence Reforms: Abolition of Zamindaries, Laws relating to abolition of Intermediaries.

**Unit-3,** Land Ceiling: Urban Land Ceiling and Agrarian Land Ceiling

**Unit-4:** Laws relating to acquisition of property and Governmental control and use of land - Land Acquisition Act of 1894.

**Unit-5:** Laws relating to tenancy reforms: Land to the Tiller, Rent control and protection against eviction, AP (Andhra Area) Tenancy Act, 1956.

**Unit-6:** Laws relating alienation / assignment in scheduled areas: A.P. Schedule Areas Land Transfer regulation 1959. (Samatha Case), A.P. Assigned Lands (Prohibition of Transfer) Act, 1977.

**Unit-7:** Laws relating to Grabbing. A.P.Land Encroachment Act, 1905, AP Land Grabbing (Prohibition) act, 1982.

**Unit-8:** Forest Laws - Conservation of Forest Act, 1980, A.P. Forest Act, 1967.

**Unit-9:** Tribal Right to Land (Recent Act) and A.P. Land Revenue Code.

***Books Recommended:***

1. P. Rama Reddi and P. Srinivasa Reddy: Land Reform Laws in A.P., Asia Law House. 5<sup>th</sup> Ed. Hyderabad..
2. P.S. Narayana: Manual of Revenue Laws in A.P., Gogia Law Agency, 6<sup>th</sup> Ed. 1999.
3. Land Grabbing Laws in A.P.: Asia Law House, 3<sup>rd</sup> Ed. 2001, Hyderabad.
4. G.B. Reddy: Land Laws in A.P., Gogia Law Agency, Hyderabad, 1st Edition, 2001.

**Paper - XXXXIII**

**INVESTMENT LAW (INCLUDING SECURITIES)**

**(Optional Paper-III)**

**Unit-1:** Securities: The concept and kinds: Government Securities, Securities issued by banks, Secured issued by corporations, Securities in mutual fund and Collective investment schemes, Depository receipts.

**Unit-2:** Government Securities: Bonds issued by government and semi government institutions, Role of Central Bank (the RBI in India), Impact of issuance of bonds on economy, Government loan from the general public, External borrowing, World Bank, I.M.F, Asian Development Bank, Direct from foreign government and Treasury deposits, government loan: the constitutional dilemma and limitations, dilution of powers of Central Bank.

**Unit-3:** Securities issued by Banks: Bank notes, issue of bank notes, changing functions of banks from direct lending and borrowing to modern system, Bank draft, travelers' cheques, credit cards, smart cards, nature of deposits, current, saving and fixed deposits, interest warrants.

**Unit-4:** Corporate Securities: Shares, Debentures, Company deposits, Control over corporate securities, a) Central government, b) National Company Law Tribunal c)SEBI guide lines on capital issues d) RBI; Protection of investor, a) Administrative regulation, b) Disclosure regulation, c) Protection by criminal sanction.: Basic features of the Securities Contracts(Regulation) Act, 1956 – recognition of stock exchange, option in securities- listing of securities, guidelines for listing of shares, debentures etc.

**Unit-5:** Basic features of the Securities and Exchange Board of India Act, 1992 – establishment of SEBI, sanctions and Powers of SEBI, powers of the Central Government under the Act, guidelines for disclosure and investors protection – SEBI Appellate Tribunal and Appeals.

**Unit-6:**Collective Investment: Unit Trust of India, Venture capital, Mutual fund, Control over issue and management of UTI.

**Unit-7:** Depositories: Denationalized securities, Recognition of securities, Types of depository receipts: IDR, ADR, GDR and Euro receipts, SEBI guidelines on depositories.

**Unit-8:** Investment in non-banking financial institutions: Control by usury laws, control by RBI, Regulation on non-banking financial and Private-financial companies; law Relating to NBFCs – AP Protection of Depositors Act, 1999.

**Unit-9:** Foreign Exchange management in India: Concept of foreign exchange management and administration of exchange control.

***Books Recommended:***

1. Avatar Singh, Company Law, Eastern Book Company, Lucknow.
2. Ramaih, A Guide to Companies Act, Wadhwa Publications.
3. Anantha Raman, Lectures on Company Law, Wadhwa and Company
4. Majumdar, Company Law, Taxman Publications.
5. Gupta, S.N., The Banking Law in Theory and Practice, (1999) Universal, New Delhi.

6. Tannan, M.L., Tannan's Banking Law and Practice in India, (2000) India Law House, New Delhi
7. Bhandari, M.C., Guide to Company Law Procedures, (1996) Wadhwa and Co., New Delhi.

## **Paper XXXXIV Seminar and Clinical Legal Education**

### **SEMESTER-IX**

#### **Paper XXXXV**

#### **CIVIL PROCEDURE CODE AND LIMITATION ACT**

**Unit-1: Introduction:** Conceptions of Civil Procedure in India before the advent of the British Rule, Evolution of Civil Procedure from 1712 to 1901, Principal features of the Civil Procedure Code. Importance of State Amendments, Types of Procedures – Inquisitorial and Adversary-Importance of observance of procedure. Law Reforms, the Code of Civil Procedure (Amendment) Act, 2002.

**Unit-2: Suits:** Concept of Law Suit, Order I, Parties to Suit, Order II, Frame of Suit, Order IV, Institution of suits, Bars & Suit: Doctrines of Sub Judice & Res Judicata, Place of Suing (Section 15, 20) - Territorial Jurisdiction., "Cause of Action" and Jurisdictional Bars, Summons (Sections 27,28,31, Orders IV,VI,IX), Service of Foreign Summons (Section 29), Power for Order (Section 30 order XI).

**Unit-3: Pleadings:** (Order VI), Material Facts, Forms of Pleading, Condition Precedent, Presumptions of Law, Striking Out/Amendment. **Plaint:** (Order VII), Particulars (esp., in money suits/suits for immovable Property), Showing of doferosni's interest and liability, Ground of Limitation, Return of Plaint, Rejection of Plaint, Production and listing of Documents, Written Statement, Counter Claim, Set off, Framing of issues; Appearance and Examination:, Appearance, Ex-parte procedure, Default of Portion, Summoning and attendance of witnesses, Examination, Admissions, production, importing, return of documents, hearing, affidavit; Adjournments:, Order XVII, Adjournment, Judicial Discretion& problems Arrears;

**Unit-4: Judgment and decree:** Concepts of judgment, Decree, and Interim Orders and stay Injunctions, Appointment of Receivers, Costs. **Execution:** (Order XXI), Concept of "Execution", General Principles of Execution, Power for Execution of Decrees (Section 38-46), Procedure for Execution (Section 51-54), Enforcement: Arrest and Detention (section 55-59), Attachment (Section 60-64), Sale (Section 65-67).

**Unit-5: Suits in Particular Cases:** Suits by or against Government (Section 79-82), Suits by Aliens and by or Against Foreign Rulers, Ambassadors and (Section 91-93), Suits relating to public matters, Incident and supplementary proceedings (Section 75-78, 94-95), and Suits against Minors, persons with unsound mind, indigent persons etc., Inter pleader suits.

**Unit -6:** Appeals: Appeals from Original Decrees (Section 96-99-A) and Order XLI., Appeals from Appellate Decrees (Sections 100-101), Appeals from Orders (Sections 104-106) (Order XLII), General Provisions Relating to Appeals (Section 107-108), Appeals to the Supreme Court (Section 108).

**Unit-7:** Commissions: The Rationale of Commissions, Order XXVI, Socio-Legal Commissions of Inquiry in “Social Action” or “Public Interest Litigation”.

**Unit -8:** Limitation: Concept of Limitation – Why limitation, General principles of limitation, Extension – sufficient causes – acknowledgment, Legal disability – Condonation – when comes to an end, Limitation Act, 1963 (excluding Schedules).

***Books Recommended:***

1. Mulla: Code of Civil Procedure: Tripathi (Abridged Edition), (Student Edition).
2. A.N. Saha: Code of Civil Procedure.
3. C.K. Takwani: Civil Procedure, 4<sup>th</sup> Edition, Eastern Book Co., Lucknow, 2007.
4. B.B.Mitra: Limitation Act, 17<sup>th</sup> Edition, Eastern Law House, Calcutta, 1974, Allahabad, 1973.
5. Sanjiva Row: Limitation Act, 7<sup>th</sup> Edn. (in 2 Vol.s), Law Book Co., Allahabad, 1973.
6. Sanjiva Row: Code of Civil Procedure, 3<sup>rd</sup> Edn, (in 4 Vols), Law Book Co., Allahabad.
7. AIR Commentaries on Limitation Act, W.W. Chitale, AIR Ltd., Nagpur.

**Paper - XXXXVI**

**LAW OF CRIMES – II**

**(Criminal Procedure Code, Juvenile Justice Act and Probation of Offenders Act)**

**Unit 1:** Criminal justice system: Inquisitorial and Adversary\Accusatorial; International norms regarding the basic principles of criminal justice system; Constitutional perspectives - Articles 14, 20, 21 & 22; The rationale of criminal procedure; Salient features of the Criminal Procedure Code, 1973; The organization of police, prosecution & defense and prison authorities – duties, functions and powers; Constitution of criminal courts and the significance of the segregation of magistrates into judicial and executive magistrates categories under the code; Important definitions: Investigation, first information, cognizable and non cognizable offence, bailable and non bailable offences, complaint, inquiry, charge, trial, summons and warrant cases, compoundable and non compoundable offences, discharge and acquittal, appeal, revision and reference.

**Unit-2:** Investigation proceedings: Initiation of investigation proceedings (sec.154-157); Interrogation powers of police officer (Secs.160& 161); evidentiary value of FIR and statements made to police officer (Sec162 of Cr.P.C. and Sec.145 &157 of Evidence Act); Arrest with and without a warrant : exercise of power and execution rules (Secs.41-60 & 70-80); Preventive powers of the Police (Sec.149-153);Rights of arrested person (Secs.50,50A,54-57,75,76,303,304 of Cr.P.C & Art.22); Search and Seizure (Secs.51,93-103, 165,166 & 166A,166B); Proclamation and attachment (sec.82-89) Recording of

confessions and statements (sec.164); Special remand order (Secs.167); Police diary (Secs.172); Police report (Sec.173); Inquest proceedings (Secs.174-176);

**Unit-3:** Jurisdiction of Courts, Inquiry proceedings & Bail provisions: General principle of jurisdiction of criminal courts (Sec.177); Exceptions to the principle (sec.178-188); Initiation of Inquiry proceedings (Sec.190-194); Exceptions to the general principle of moving criminal courts (Secs.195-199); Complaint to magistrates (Secs.200-203); Inquiry proceedings before magistrates (Secs.204-209); Bail provisions (Secs.436-450)

**Unit-4:** Security and Maintenance proceedings: Security for keeping peace and for good behavior (Secs.106-124); Maintenance of Public order and tranquility: Unlawful Assemblies (Secs.129-132); Public Nuisance (Secs.133-144); Disputes as to immovable property (Secs.145-148); Maintenance of wives, children and parents: Order of maintenance (Secs.125); The Muslim Women (Protection of Rights on Divorce) Act, 1986; Procedure, alteration and enforcement (Secs.127&128)

**Unit-5:** Trial Proceedings: Concept of fair trial: Presumption of innocence, right of silence & right to speedy trial; Charge: Content and form (Secs.211-217); General principle to be tried separately for every charge and its exceptions (Secs.218-224); Trial before a court of session (Secs.225-237); Trial of warrant cases before magistrates (Sec.238-250); Trial of summons cases (Sec.251-265); Summary trials (Secs.260-265); Pleas and limitations to bar trial: Principle of Autrefois acquit and autrefois convict (Secs.300& Art20); Compounding of offences (Sec.320); Withdrawal from prosecution (Secs.321); Irregular proceedings (Secs.461,462 & 479); Limitations to take cognizance of offences (Secs.467-473); Evidence in inquires and trials Secs.272-283); Tender of pardon (Secs.307-309); Provisions as to Accused persons of unsound mind (Secs.328-339)

**Unit-6:** Judgment, Appeals, Reference, Revision and Execution: Judgment: Mode and other provisions (Sec.353-365); Confirmation of death sentence (Secs.366-371); Appeals (Secs.372-394); Reference and Revision (Sec.395-405); Transfer of criminal cases (Secs.406-412); Execution, suspension, remission and commutation of sentences (Secs.413-435)

**Unit-7:** Juvenile Justice System: Concept of juvenile justice; Historical perspective of juvenile justice system; Provisions relating to juvenile offenders under IPC(Secs.82&83) and Criminal Procedure Code(Secs.27&260); Juvenile Justice Act, 1986 – Distinction between juvenile offender and neglected juvenile; Constitution of Child welfare boards and juvenile courts; Observation and juvenile homes; Powers of the State Government to constitute Advisory Boards and release the juvenile from juvenile or special home; Juvenile Justice (Amendment) Act, 2000 – major changes made to the JJ Act, 1986;

**Unit-8:** Probation of offenders and Parole: Concept of probation; Development of probation system in India; Probation of Offenders Act 1958: Salient features; Role of probation officers; Role of Judiciary in the implementation of the Act; Parole system: Concept and distinction with the probation system

**Unit-9:** Reforms in Criminal Procedure: Major recommendations made in the Mall Math Committee, 2002 in relation to Criminal Procedure Code; The Code of Criminal Procedure Code

(Amendment) Act, 2005 – important changes; The Code of Criminal Procedure Code (Amendment) Act 2006 – significant changes.

***Books Recommended:***

1. Ratan Lal and Dhiraj Lal: Indian Penal Code, Wadhwa & Co.
2. Achutan Pillai: Criminal Law, Butterworth Co.
3. Gour K.D.: Criminal Law - Cases and Material, Butterworth Co.
4. Kenny's: Outlines of Criminal Law.
5. R.V. Kelker, Lecturers on Criminal Procedure Code
6. S.N. Mishra, Criminal Procedure Code

**Paper XXXXVII**

**LAW OF EVIDENCE**

**Unit-1:** Introductory: Conceptions of evidence in classical Hindu and Islamic Jurisprudence, The Introduction of the British “Principles” of evidence, The Main Features of the Indian Evidence Act, 1872. Applicability of Evidence Act, Administrative Tribunals, Industrial Tribunals, Commissions of Enquiry, Court-martial. Central Conceptions in Law of Evidence:, Facts: Section 3 definition relevant facts/facts in issue, Evidence: Oral and documentary and real Primary and secondary evidence, Circumstantial Evidence and Direct and indirect Evidence- Hearsay Evidence, “proving” not proved and “disproving”, Witness, Appreciation of Evidence Presumption (Section 4),

**Unit-2:** The Doctrine of Res Gestae (Sections 6,7,8), Test identification parade(Sec.9), Evidence of Common Intention (Section 10), The problems of relevancy of “Otherwise” Irrelevant Facts (Section 11), Proof of Custom (Section 13), Facts concerning state of body and mind (Sections 14,15 & 16)

**Unit-3:** Admissions and Confessions:, General Principles concerning Admissions (Sections 17-23), Differences between “Admission” and “Confession”, The problems of non-admissibility of confessions caused by , “any inducement, threat or promises” (Section 24), Inadmissibility of confession made before a police officer, (Section 25), Admissibility of “Custodial” Confessions (Section 26), Admissibility of information” received from an accused person in custody; with special reference to the problem of discovery based on “joint statement” (Section 27), Confession by co-accused (Section 30), The problems with the judicial action based on a “retracted confession”

**Unit-4:** Statement of persons who cannot be called as witnesses: Dying declarations: The justification for reliance on dying declarations (Section 32), The judicial standards for appreciation of evidentiary value of dying declarations. Other statements by persons who cannot be called as witnesses, Sections 32(2) to (8) and 33:

**Unit-5:** Relevance of judgments, general Principles (Sections 40-44), Admissibility of Judgments in Civil and Criminal matters (section 43), “Fraud” and collusion” (Section 44)

**Unit-6:** Expert testimony: General principles (Sections 45-51), Who is an expert? Types of expert evidence, The problems with expert testimony. Evidence of character

**Unit-7:** Oral evidence: general principles concerning Oral Evidence (Sections 59-60), exceptions to hearsay evidence.

**Unit-8:** Documentary evidence: General Principles concerning documentary evidence, primary and secondary evidence,(Ss. 61-66) Public document and private document(Sections 74-78) General Principles Regarding Exclusion of Oral by Documentary Evidence.(Sections 91-92) attested documents (Ss 67-72) Ambiguous documents (Ss93-100) presumptions regarding documents (Ss 79-90)

**Unit-9:** Of Witnesses: Competency and compellability of witnesses, Examination of witnesses, Competency to testify (Section 118-122),Privileges of communications: matrimonial privileges(Section 122) State Privilege (Section 123), Professional Privilege (Sections 126,127,128), Accomplice (Section 133), General Principles of Examination (Sections 135-166), Leading Questions (Sections 141-143), Lawful Questions in Cross-Examination (section 146), Hostile witness (Section154), Impeaching of the standing the credit of witnesses (Section 155), refreshing the memory (Sec. 164)

**Unit-10:** Burden of proof: The general conception of burden of proof (Section 101-104), General and Special Exceptions to burden of proof, Presumption as to dowry death (Sections 113-B), The Scope of the doctrine of judicial notice (Sections56-57) Facts admitted need not be proved (Sec 58)

**Unit-11:** Estoppel: What is Estoppel? Estoppel, res judicata and waiver; and presumption, promissory estoppel, (Secs. 115-117) Improper admission and of witness in civil and criminal cases.(S. 167)

**Unit-12:** Law reform: Amendment to Indian Evidence Act by the IT Act, 2000.

***Books Recommended:***

- (1) Batuk Lal: The Law of Evidence, Central Law Agency, Allahabad.
- (2) M. Monir: Principles and Digest of the Law of Evidence, the Universal Book Agency, Allahabad.
- (3) Vepa P. Saradhi: Law of Evidence, Eastern Book Co., Lucknow.
- (4) Avtar Singh: Principles of the Law of Evidence, Central Law Publications.
- (5) V. Krishnama Chary: The Law of Evidence, S.Gogia & Company, Hyderabad



## **BANKING LAW INCLUDING NEGOTIABLE INSTRUMENTS ACT**

### **(Optional Paper-IV)**

**Unit-1:** Banker and customer: General relationship between banker and customer, essential features of general relationship, special relationship.

**Unit-2:** Business aspects of banking: Opening of new account, kinds of accounts; current account, savings account, deposit account, joint account, accounts of special customers. (Minor, partnership, company, trust, married women etc.)

**Unit-3:** Pass book; over-over; draft-appropriation of payments; right of set-off, combining of several accounts, receipt of valuable for safe custody, garnishee orders.

**Unit- 4:** Rights of banker over securities for bank advances: Banker's lien, pledge, guarantee, documents of title goods a) bill of lading, dock warrant, warehouse keeper certificate, delivery order, railway receipt, Bankers commercial of letters credits.

**Unit-5:** Definition of Negotiable instrument, essential features of negotiable instruments, difference between negotiability and assign ability, Promissory note-bill of exchange, cheque and other analogous instruments(Bankers draft, travelers cheque, dividend warrant).

**Unit-6:** Cheque: Kinds of cheques, crossing of cheques, endorsements and its kinds, holder and older in due, payment in due course, marking of cheques.

**Unit-7:** Liabilities of the parties to the negotiable instruments: Dishonour of cheques, statutory protection of paying banker and collecting banker; forgeries.

**Unit-8:** Banking Companies Regulation Act, 1949: General and specific powers of the Reserve Bank of India and central government, restrictions and loans and advances .

**Unit- 9:** The Reserve Bank of India Act, 1934: Functions and promotional role of the Reserve Banks of India, RBI and commercial banks.

**Unit-10:** Nationalisation of Banks: Effect of nationalization, achievements and drawbacks; globalization and its impact.

**Unit-11:** Innovations in Banking: e-Banking, off-shore banking and RBI guide lines.

#### ***Books Recommended:***

1. Paget-Law of Banking
2. Sheldon-Practice and Law of Banking
3. Tannan-Law of Banking
4. Gulati- Banking Companies Act
5. Maheswari- Banking Law and Practice

6. Bashyam and Adiga-Negotiable Instruments Act
7. Parthasarathi, Negotiable Instruments Act.

**Paper – XXXXVIII**  
**LAW OF INSURANCE**  
**(Optional Paper-IV)**

**Unit-1** Contract of Insurance: Subject matter of the insurance principles applicable - Formation of Contract.

**Unit-2:** Definition and meaning of the term insurance.

**Unit-3:** History of Insurance in England and India in brief butline.

**Unit-4:** Nature of Insurance Contract : Contract uberrima fidei - Contract of Indemnity - Contract of wager and conditional contracts.

**Unit-5:** Classification of Insurance - construction of Insurances policies.

**Unit-6:** General principle of insurance common to all branches - insurable interest -premium - risk and proximate cause-non-disclosure-representations and Warranties assignment contribution and subrogation-double insurance and over insurance-reinsurance.

**Unit-7:** Life Insurance: Nature and scope, definition, Kinds of life insurance, the policy formation of life insurance contract-Life insurance conditions, circumstances affecting the risk, assignment & nomination, amounts recoverable, persons entitled to payment, settlement of claims and payment of money.

**Unit-8:** Fire Insurance: Definition and scope of fire insurance, nature of fire insurance contract, meaning of fire, formation of contract, insurable interest, indemnity, reinstatement, causaproxima, Kinds of policies, conditions in fire policies. The and alteration, notice of abandonment, average conditions. Right after loss, amount recoverable.

**Unit-9:** Marine Insurance: Nature and scope of Marine Insurance contract, nature of the contract, the Marine Adventure. The step in Marine Insurance, classification of Marine Policies, Deviation and change of voyage. The perils of the sea and Maritime perils, proximate cause, Loss: Partial, General average and particular over age: total loss actual total loss and constructive loss. Notice of Abandonment, inchemeree clause, sue and labour clause, Adumption. Burgalary Insurance: Nature and scope, Meaning the term burglary, exceptions in the policy Accident Insurance: Nature and scope meaning, the risk Gurantee insurance: Nature and scope, contract, contracts of gurantee and insurance contracts, fidelity policies, insurance of debts.

**Unit-10:** Liability Insurance: General, defence by insurer of assured, statutory subrogation, practice, employer's liability insurance.

**Unit-11:** Motor Vehicle Insurance: Relevant Provisions, Rights of Third parties. Clauses restricting cover.

**Unit-12:** Statutory Materials: The Insurance Act 1938: 2. The Life Insurance Corporation Act, 1956: 3. The Marine Insurance Act 1963: 4. The General Insurance Act, 1972 5. The motor Vehicles Act.

***Books Recommended:***

1. Mac Gillivray, Insurance Law
2. Porter, Insurance
3. Brijmohan Singh, Fire Insurance
4. Arnold's Marine, Insurance
5. Houseman, Life Insurance
6. Chambers Marine, Insurance Act, 1906
7. M.N. Srinivasan: Principles of Insurance Law
8. K.S.N. Murthy, Modern Law of Insurance in India
9. Brijmohan Singh, Law of Insurance.
10. Collinvaux, Insurance
11. Johan Bird, Insurance

**Paper -XXXXIX**

**MEDIA LAW INCLUDING RIGHT TO INFORMATION**

**(Optional Paper-V)**

**Unit - I:** Mass media - Types of – Press Films, Radio Television:

Ownership patterns – Press – Private – Public, Ownership patterns – Films – Private, Ownership patterns – Radio & Television, Public, Difference between visual and non-visual media – impact on peoples minds.

**Unit-2:** Press – Freedom of speech and Expression – Articles 129 (1) (a): Includes Freedom of the Press, Laws of defamation, obscenity, blasphemy and sedition, Law relating to employees wages and service conditions, Price and page Schedule Regulation, Newsprint and Control Order, Advertisement – is it included with in freedom of speech and expression? Press and the Monopolies and Restrictive Trade Practices Act .

**Unit-3:** Films - How far included in freedom of speech and expression?:

Censorship of films – Constitutionally, The Abbas Case, Difference between films and press – Why Pre-censorship valid for films but not for the press? Censorship under the cinematography Act.

**Unit-4:** Radio and Television - Government Monopoly:

Why Government department? Should there be an autonomous corporation? Effect of television on people, Report of the Chanda Committee, Government Policy, Commercial advertisement, Internal security of serials, etc, Judicial Review of Doordarshan decisions: Freedom to telecast.

**Unit-5:** Constitutional Restrictions :

Radio and television subject to law of defamation and obscenity, Power to legislate – Article 246 read with the seventh schedule , Power to impose tax – licensing and license fee.

**Unit-6.** Right to Information: Development of RTI in India

**Unit-7:** Right to Information Act, 2005: Its implementation

**Unit-8:** Right to Information Decisions: Decisions of Judiciary, RTI and Decisions of Chief Central Information commissions and State Information Commission under the RTI Act, 2005.

***Books Recommended:***

1. M.P. Jain, Constitutional Law of India (1994) Wadhwa.
2. H.M. Seervai, Constitutional Law of India Vol. 1. (1991) Tripathi, Bombay.
3. Rajeev Dhavan “On the Law of the Press in India” 26 J.L./288 (1984).
4. Rajeev Dhavan, “ Legitimizing Government Rhetoric: Reflections on some Aspects of the Second Press commission”26 J.L./391 (1984) .
5. Soli Sorabjee, Law of person Censorship in India (1976).
6. Justice E.S. Venkaramiah, Freedom of Press: Some Recent Trends (1984)
7. D.D.Basu, The Law of Press of India (1980)
8. Right to Information Act, 2005, SP Sathe, 2006
9. Right to Information in India, Solu Nigam

**Paper – XXXXIX**

**INTERNATIONAL HUMAN RIGHTS**

**(Optional Paper-V)**

**Unit-1:** Origin and development of concept of Human Rights: Meaning of human rights and jurisprudential dimensions, Evolution of the concept of human rights, first generation, second generation and third generation human rights, sovereignty vs human rights.

**Unit-2:** Human Rights and United Nations Organization: Human rights and UN Charter, promotion and protection of human rights, Universal Declaration of Human Rights, Covenant on Civil and Political Rights, Covenant on Economic Social and Cultural Rights.

**Unit-3:** Human Rights and Regional Arrangements: European Convention on Human Rights, American Convention of Human rights, African Charter of Human Rights,

**Unit-4:** Protective agencies and mechanism, international commissions on human rights, ILO and Human Rights , UNICEF and human rights, Centre for human rights, OHCHR, Amnesty International, Amnesty International, Red Cross.

**Unit-5:** Vulnerable Groups in International Human Rights Law: International human rights law relating to women - CEDAW, international human rights law relating to children - UN Declaration and Charter on Right of Child, Indigenous groups and UNO, Refugees and international law of human rights

**Unit-6:** International Humanitarian Law (IHL): Basic principles of IHL, Geneva conventions, Rights of POW, Rights of civilians, Woman and IHL

**Unit-7:** International Enforcement of Human Rights: International Court of Justice, International Criminal Court, Role of European Court of Justice

**Unit-8:** Indian and International Human Rights Law: Constitutional mechanism for implementation of international human rights law, protection of Human Rights Act.

***Books Recommended:***

1. Dr. H.O. Agarwal, international Law on Human Rights, Central Law Agency, Allahabad
2. M.K. Balachandran, Rose Varghese, Introduction to Humanitarian Law, ICRA..
3. Angela Hegarthy, Slobban Leonard, Human Rights – an Agenda for the 21<sup>st</sup> Century.
4. Wace, Rebecca, International Human Rights, Text and Materials, London, Sweet and Maxwell.

**SEMESTER -X**

**Paper-XXXXXI Practical Training - I  
DRAFTING, PLEADING AND CONVEYANCING**

Class room instructions and simulation exercises on the following items shall be extended :

**(a) Drafting:**

General principles of drafting and relevant substantive rules shall taught.

**(b) Pleadings:**

1. **Civil:** (i) Complaint, (ii) Written Statement, (iii) Interlocutory Application, (iv) Original Petition, (v) Affidavit, (vi) Execution Petition, (vii) Memorandum of Appeal and Revision and (viii) Petition under Article 226 and 32 of the Constitution of India.

2. **Criminal:** (i) Complaints, (ii) Criminal Miscellaneous Petition, (iii) Bail Application and (iv) Memorandum of Appeal and Revision.

**(c) Conveyancing:**

(i) Sale Deed, (ii) Mortgage Deeds, (iii) Lease Deed, (iv) Gift Deed, (v) Promissory Note, (vi) Power of Attorney and (vii) Will etc of 15 exercises.

Drafting and pleadings will include 15 exercises and carries 45 marks.

Conveyancing will include 15 exercises and carries 45 marks.

These 30 exercises shall be recorded. Each student shall be served with different problems for the purpose of exercise.

These exercises shall be evaluated by a Board of Examiners consisting of one Teacher of the University college concerned, Principal/Head and Teacher concerned.

The same board will also conduct Viva Voce on the above concepts. It carries 10 marks. The proceedings of the Viva Voce shall be recorded.

The candidate shall get a minimum 1/3 of marks allocated for each component and 40% on the aggregate in order to qualify and pass in the above paper.

**Books Recommended:**

- (1) R.N. Chaturvedi : Pleadings and Conveyancing, Central Law Publications.
- (2) De Souza : Conveyancing, Eastern Law House.
- (3) Tiwari : Drafting, Pleading and Conveyancing, Central Law Agency.
- (4) Mogha: Indian Conveyancer, Eastern Law House.
- (5) Mogha: Law of Pleadings in India, Eastern Law House.
- (6) Shiv Gopal : Eastern Book Company.
- (7) Narayana P.S. Justice: Civil Pleadings and Practice, Asia Law House.
- (8) Narayana P.S. Justice: Criminal Pleadings and Practice, Asia Law House.
- (9) Noshirvan H.Jhabvala: Drafting, Pleadings, Conveyancing & Professional Ethics.

**Paper-XXXXXII, Practical Training II**

**PROFESSIONAL ETHICS AND PROFESSIONAL ACCOUNTING SYSTEM**

(Out line of the Course: Professional Ethics, Accountancy for Lawyers and Bar-Bench Relations)

**Unit-1:** Law and Legal profession - Development of Legal profession in India, Right to practice a right or privilege? - Constitutional guarantee under Article 19(g) and its scope.

**Unit- 2:** Regulation governing enrolment and practice - Practice of Law -Whether a business?, Solicitors firm - Whether an industry , Elements if Advocacy

**Unit-3:** Ethics, Seven lamps of advocacy, Advocates duties towards Public, Clients, Court, towards other advocates and Legal Aid, Bar Council of Ethics

**Unit- 4:** Disciplinary proceedings , Professional misconduct -disqualifications , Functions of Bar Council of India/State Bar Council in dealing with the Disciplinary proceedings, Disciplinary Committee

Disqualifications and removal from rolls

\* 50 selected opinions of the Disciplinary Committees of Bar Councils and 10 major judgments of the Supreme Court on the subject to be covered.

**Unit- 5:** Bar-Bench relations.

**Unit-6:** Accountancy of Lawyers: Nature and functions of accounting, important branches of accounting.

Accounting and Law, Use of knowledge of accountancy in Legal Disputes especially arising out of Law of Contracts, Tax Law, etc., Accountancy in Lawyers office/firm. Basic financial statements, -Income & Loss account, Balance sheet- Interpretation thereof, -Feature of Balance sheet Standard Costing.

There shall be a University written examination on this paper for 80 marks and viva voce examination carrying 20 marks.

***Books Recommended:***

- 1 Myneni S.R.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation.
- 2 Gupta S.P.: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation.
- 3 Kailash Rai: Professional Ethics, Accountancy for Lawyers and Bench-Bar Relation.
- 4 Siroh: Professional Ethics, Central Law Publications, Allahabad.
- 5 Ramachandra Jha: Selected Judgements on Professional Ethics published by Bar Council of India Trust.
6. Dr. G.B. Reddy: Practical Advocacy of Law, Gogia Law Agency. Hyd.
- 7.The Contempt of Law and Practice
8. The Bar Council Code of Ethics
9. 50 Selected Opinions of the Disciplinary Committees of Bar Councils and 10 Major Judgments of the Supreme Court on the subject
10. Examination rules of the university shall include assessment through case-study, viva, and periodical problem solution besides the written tests.

**Paper-XXXXXIII, Practical Training III  
ALTERNATE DISPUTE RESOLUTION (ADR)**

Alternative Dispute Resolution (ADR) paper is by written examination for 60 marks and for 30 marks, a student is required to participate and learn a) Negotiation skills b) Conciliation skills c) Arbitration practice including international arbitration and arbitration rules by simulation programmes and case studies to be conducted by either by a legal practitioner or a senior teacher. c) The third component of this paper will be Viva Voce examination on all the above two aspects. This will carry 10 marks.

**Unit-1:** Judicial dispute resolutions: Characteristics, Operating Principles, Party participation and Control, Short focus on issue, Reasoned Decision, Finality, Adversary Process, What course do and do not do effectively? Advantages and Disadvantages of such resolution.

**Unit-2:** Alternative dispute resolution: Alternative to formal adjudication - Techniques processes, Unilateral - Bilateral - Triadic (Third party) Intervention, Advantages – Limitations, Distinction between arbitration - conciliation and negotiation, Distinction between judicial settlement and alternative dispute resolution.

**Unit-3:** Self-help, avoidance and lumping, Negotiation, mediation, conciliation, arbitration and distinctions in between, Alternate models of dispute resolutions: Role of Panchayat, Role of Grama Sabhas, Lokpal, Lokayukta, Lok Adalats, Family Courts.

**Unit-4:** The Arbitration and conciliation Act, 1996, Background of the Act, Definitions of “Arbitration”, “Arbitrator”, Arbitration agreement”, Appointment of “Arbitrator”, grounds for changing the arbitrator, termination of Arbitrator.

**Unit-5:** Proceedings in arbitral tribunals and enforcement of awards, Arbitral Award Termination of Proceedings, Setting aside of arbitral award, Finality and Enforcement, Appeals, Enforcement of foreign awards, New York and Geneva Convention Awards.

**Unit-6:** Section 89 and O-10, R-1-AB and C of CPC Conciliation, Meaning and definition conciliation agreement, appointment of conciliator, powers and function of conciliator, techniques of successful conciliation proceedings, enforceability.

**Unit-7:** Other Alternative modal of dispute resolution, Family Courts, Family Courts Act, 1984, family counciling techniques, Tribunals, Motor Accident Tribunals, MV Act, relevant provisions, Administrative Tribunals, Consumer Forums.

**Unit-8:** Legal Services Authority

**Unit-9:** Role of N.G.Os. in dispute resolutions

***Books Recommended:***

- (1) O.P. Tiwari : The Arbitration and Conciliation Act (2nd Edition): Allahabad Law Agency.



- (2) Johar's : Commentary on Arbitration and Conciliation Act, 1996: Kamal Law House.
- (3) Acharya N.K.: Asia Law House, Hyderabad.
- (4) Tripathi S.C.: Central Law Agency, Allahabad.
- (5) Avatar Singh: Arbitration and Conciliation, Eastern Law Book House, Lucknow.
- (6) Murthy KKS: Gogia Law Agency, Hyderabad.
- (7) P.C. Rao Alternate Dispute Resolution 2001 Ed. Universal Book Traders, New Delhi.
- (8) S.D. Sing: Alternate Dispute Resolution 2001 Ed. Universal Book Traders, New Delhi.

**Paper- XXXXXIV- Practical Training - IV  
MOOT COURT EXERCISE AND INTERNSHIP**

This paper will have three components of 30 marks each and Viva Voce for 10 marks.

**A) Moot Court - 30 Marks**

**Requirements:**

1. Three Moot Courts in a year
2. Each 10 Marks
3. Moot Courts shall be based on assigned problems to be prepared by the faculty concerned
4. Evaluation by Principal/Head concerned an advocate and Teacher concerned
5. Out of ten marks allotted for each problem. 5 marks are to be allotted for written submissions and five for oral advocacy
  - (a) Written submissions shall include brief summary of facts, issues involve provisions of Law agreements, citation, Prayer, etc.,
  - (b) Marks for oral advocacy may be awarded for communication skills, presentations, language, provisions of law, authorities quoted court manners, etc.

**B) Observance of Trial in Two Cases, one civil and the criminal case - 30 marks**

Student has to attend courts to observe one civil and one criminal case minimum and record his observations step by step of different stages of litigations/proceedings in the 2/3rd year of 3-year Law Course.

This court assignment should be evaluated by an internal Teacher and an advocate and average be taken. Court attendance shall be compulsory and attendance has recorded in a register kept therefore. This may be carried under the supervision of a Teacher of the college.

**C) Interviewing Techniques and Pre-trial Preparation and Internship Diary - 30 Marks**

**Requirements:**

1. Each student has to maintain a diary to record interactions with clients, preparation of documents and court papers.

2. The student should observe two 'interview sessions' with clients either in the Lawyers office or in the legal aid office. This shall be recorded in the Diary. This carries 15 marks.

3. Each student has to observe the preparation of documents and court papers and record such observance in the diary. This carries 7 1/2 marks.

4. Each student shall observe the procedure for filing suit/petition and record the same in the diary. This carries 7 1/2 marks.

**D)** The fourth component of this paper will be Viva Voce examination on all the above three aspects. This will carry 10 marks.

***Books Recommended:***

- (1) Dr. Kailash Rai: Moot Court Pre-Trial Preparation and Participation in Trial Proceedings.
- (2) Amita Danda: Moot Court for Interactive Legal Education, Gogia Law Agency, Hyderabad.
- (3) Blackstone's: Books of Moots, Oxford University Press.
- (4) Mishra: Moot Court Pre-Trial Preparation and Participation in Trial Proceedings.
- (5) NRM Menon, Clinical Legal Education, Pre.Law Education Series, EBC

**Paper - XXXXXV**

**PENOLOGY AND VICTIM LOGY**

**(Optional Paper-VI)**

**Unit-1:** Dimensions of Crime in India , Nature and extent of Crime in India, Reporting of Crime statistics and problem of accurate reporting of Crime, Victim Studies, self-reporting, Costs of Crime, Some factors for evaluating the rate of crime in India-Territory: Population: Heterogeneity: Human values, General approaches to crime control, Continental approaches: Social Defence, Social approaches: Crime Prevent Control, Crimes of the powerful, Organised crime-smuggling, traffic in Narcotics, White collar crime:- corruption in public life, Socio-economic crime: Adulteration of Food and Drugs: fraudulent trade practices, Crimes in the professions-Medical, Legal, Engineering, State Criminality., Perpetrators of ordinary crime, The situation criminal, The chronic offender, Criminality of Women., Young offenders, Criminal gangs, Crimes of the marginalized with special reference to i. Forest offences; ii. State's offenders, vagrants, prostitution.

**Unit-2:** The Police and to Criminal Justice The Police system, Structural organisation of police at the centre and the states, Mode of recruitment and training, Powers and duties of police under the police acts, Criminal Procedure Code and other laws, Arrest, search and seizure and Constitutional imperatives, Methods of police investigation, Third degree methods, Corruption in police, Relationship between police and prosecution, Liability of

police for custodial violence, Police Public relations., Select aspects of National Police Commission Report.

**Unit-3:** Punishment of Offenders Some discarded modes of punishment, Corporal punishment : Whipping and flogging : Mutilation and Branding, Transportation Exile, Public execution, An appraisal of these modes of punishment, Punishments under the Indian Criminals Law, Capital punishment, Imprisonment, Fine, Cancellation or withdrawal of licences, etc., The prison system, Administrative organisation of prisons, Mode of recruitment and training, The Jail Manual, Powers of prison officials, Prisoners classification - Male, Female : Juvenile and Adult : Undertrial, Constitutional imperatives and prison reforms and convicted prisoners, Open Prisons, Violation of prison code and its consequences, Appraisal of imprisonment as a mode of punishment.

**Unit-4:** Treatment and correction of Offenders, The need for reformation and rehabilitation of offenders undergoing punishment/imprisonment, Classification of offenders through modern diagnostic techniques, The role of psychiatrists, psychoanalysts and social workers in the prison, Vocational and religious education and apprenticeship programmes for the offenders, Group counselling and resocialisation programmes, Prisoners organisations for self-government., Participation of inmates in community services, An appraisal of reformative techniques, Suggested forms of treatment of offenders under the IPC (Amendment) Bill, 1972, Efficacy of imprisonment as a measure to combat criminality and the search for substitutes.

**Unit-5:** Resocialization processes Probation, The Probation of Offenders Act, 1958., The attitude of judges towards probation, Mechanism of probation and standards of probation services, Problems and prospects of probation, The suspended sentence, Parole, Nature of Parole, Authority for granting parole, Supervision paroles, Parole and conditional release, Release of the offender, Problems of the released offender, Attitudes of the community towards released offender, Prisoner Aid Societies and other voluntary organization, Governmental action, An appraisal.

**Unit-6:** Nature and Development, its expanding dimensions, typology of victims, compensation, compensation by application of Article 21 and 300A, victim and criminal justice, emerging trends and policies

***Books Recommended:***

1. Ahmmad s, Criminology and Penology, Central law Agency, Alhabadiddiqui
2. Iyer, Prospective in Criminology, Law and Social Change;
3. Ross, H. Lawrence (Ed.), Law and Deviance (1981);
- 4 Sutherland, E. and Cressy, Principles of Criminology (1978);
5. Walker, N., Crime and Criminology (1961): A Critical Introduction (1987);
6. J.M. Sethna, Society and to Criminal (1980); A. Siddique, Criminology: Problems and Perspectives, Central Law Agency. Lucknow
7. M. Ponioan, Crinology and Penology, Poineer Books, Delhi.
8. E. Sutherland, White Collar Crime (1949);

**Paper - XXXXXV**  
**WOMEN AND CRIMINAL LAW**  
**(Law Relating to Violence against Women)**  
**(Optional Paper-VI)**

**Unit-1: Introduction:** Root causes of violence against women – Religion, patriarchy, marriage institution and changing cultural values; Perpetuation of violence: Social evils – Prostitution, Sati, child marriages, female feticide and infanticide, witchcraft, incest; International norms relating to protection of women and children against violence: CEDAW, UNIFEM Declaration on the Elimination of Violence Against Women, 1993.

**Unit-2: Protection under IPC:** Protective provisions under IPC: Definition of rape (Sec.375); Criminal Law Amendment Act, 1983 – Incorporation of new sections 376(A-D); Landmark cases: Mathura rape case; Bandit Queen case,; Marital offences: Cohabitation by a man with a woman other than his wife (Sec.493); Bigamy (Secs.494 & 495), Mock marriages (Sec.496); Adultery (Sec.497); Enticing a married woman (Sec.498); Offences against minor girls (Secs. 366, 366A, 366B,372,373)

**Unit-3: Procedure Laws and Protection to Women:** Indian Evidence Act, Secs. 113A, 113B, 114A and Relevant provisions of Criminal Procedure Code.

**Unit-4: Protection under special laws:** Child Marriage Restraint Act, 1929; Immoral Traffic (Prevention ) Act, 1956 (1986 Amendment) Medical Termination of Pregnancy Act, 1971; Commission of Sati (Prevention) Act, 1987; The Indecent Representation of women (prohibition) Act (1987) ;Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994 (PNDT Act) widening its scope through an amendment in 2003.

**Unit-5: Domestic violence and the law:** Different forms of domestic violence; Amendments made to IPC (304B, 406 and 498A) and Dowry Prohibition Act, 1961(1983 and 1986 Amendments) dealing with domestic violence. Legal protection: Protection of women from Domestic Violence Act, 2005 - Civil remedy; Definition of domestic violence; Role of Police officers, Protection officers and Service providers.

**Unit-6: Sexual Harassment:** Definition and types of Sexual harassment; IPC provisions dealing with Sexual harassment (Sec.294, 354,509); Land mark cases: VisakhaVs. State of Rajasthan; Apparel Export Promotion Council Vs. A.K. Chopra; Guidelines formulated by the SC: Formation of Complaints Committees; Preventive and Remedial measures; Legislative attempts made and reasons for failure to bring a comprehensive legislation; Sexual Harassment of women at work place (Prevention) Bill, 2003 (National Commission for Women); The Protection against sexual harassment of women at the workplace and other establishments Bill, 2005; Reforms in law.

**Unit-7:** Role of Statutory bodies: National Commission for Women and State Commissions for Women; constitution, powers and functions; National Commission for Women Act, 1990, Free legal aid to women.

**Books Recommended**

1. R.N.Choudhary, Law relating to Juvenile Justice
2. Dipanshu Chakrobarty, Atrocities on Women
3. Indira Jaisingh, Prenatal and Diagnostics Act
4. AS.R.Myneni, Women and Law
5. Mamata Rao, Law relating to Women and Children

**Paper XXXXXXVI Seminar and Clinical Legal Education**

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