



# **KAZI NAZRUL UNIVERSITY**

**Bachelor of Law**

**5 Years B.A. LL.B (Honours)**

**Department of Law**

**Detailed Syllabus with Objectives and Learning Outcomes**

**Choice Based Credit System**

**Effective from the year 2019-20**

# **Semester-I**

## **CC-1**

### **Political Science-I : Political Theory**

**Course Code: BALLBHC101**

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives:**

1. To discuss the basics of Political Science and its approaches to Political analysis
2. To understand the development of various concepts such as State, Citizenship, Liberty and equality
3. To understand the relationship of the development of Political Science and the Law
4. To understand the key historical events which shaped the structure of the contemporary legal system, institutions, and their functions

#### **Learning Outcomes:**

Students completing this course will be able to

1. Understand the political philosophy concerning Law, Political systems and other issues relating to governance
2. Understand the political thinkers and their theories
3. Demonstrate the contemporary political thought in cross countries perspective
4. Understand the relation between the political idea contributing legal development

#### **Contents**

##### **Unit I**

- a) Introduction to Political Science - Meaning, Nature & scope of Political Science
- b) Distinctions: Political Science & History - Political Science & Economics - Political Science & Sociology - Political Science & Geography - Political Science & Anthropology - Political Science & Jurisprudence - Political Science & Ethics.

- c) Approaches to Political Analysis – Traditional, Modern, Post-modern, Behavioralism - Post-behavioralism - Systems approach, and Marxist approach.

## **Unit II**

- a) Origin of State - Theories of origin of State - Divine Right theory - Patriarchal & Matriarchal theories - Social Contract theory - Evolutionary theory - Evolution of modern State and the Post-modern State.
- b) State and Sovereignty: Characteristics and Classification; sovereignty and Constitutional Law - sovereignty in International Law.

## **Unit III**

- a) Citizenship : Global citizenship - Methods of acquiring and losing citizenship - Rights and duties of citizens - classification of rights - theories of rights - Human rights - Rights and duties.
- b) Liberty, equality and justice - Philosophical foundations

## **Unit IV**

- a) Contemporary Political Thought : Critical Theory beyond Habermas, Liberal Pragmatist Political theory, Feminism and Canon of Political Thought, Interpretations in Contemporary Islamic thought
- b) Forms of Government - Parliamentary & Presidential - Unitary & Federal

### **Suggested Readings**

1. Kopstein, J. and Lichbach, M. (eds.) (2005) Comparative Politics: Interests, Identities, and Institutions in a Changing Global Order. Cambridge: Cambridge University Press.
2. McCormick, J. (2007) 'Britain', in Comparative Politics in Transition. United Kingdom: Wadsworth
3. Caramani, D. (ed.) (2008) Comparative Politics. Oxford: Oxford University Press
4. Kesselman, M. (ed.) (2004) Introduction to Comparative Politics. Boston: Houghton Mifflin Co.
5. G.A. Almond and J.S. Coloman, Politics of Developing Areas

6. G.A. Almond and G.B. Powell , Comparative Politics today
7. L.W. Pye : Aspects of Political Development
8. M.A. Quartis : Comparative Government and Politics
9. H. Exkstein and D.E. Apter (ed.) : Comparative Politics – A Reader
10. S.R. Maheswari : Comparative Government and Politics
11. Peter H. Merkel : Modern Comparative Politics
12. Almond and Powell : Comparative Politics today – A World View
13. Dehendra Kumar Das (ed.) : Indian Economy after 50 years of Independence – Vol. 1 – Globalization and Development (New Delhi: Deep & Deep, 1998)
14. V.S. Mahajan (ed.) : Political Economy of Economic Reforms and Liberalization (Deep & Deep) New Delhi – 1999 Chapters 5 & 7

## CC-2

### **SOCIOLOGY – I :Essentials of Sociology**

**Course Code: BALLBHC102**

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

1. To familiarise the students with the basic concepts in Sociology and its relation with other social sciences especially Law
2. To demonstrate an understanding of the diverse forms of social process, socialisation and social stratification
3. To articulate how social structure operates in relation with the law

#### **Learning outcomes**

At the successful completion of the Course, Students will be able to-

1. Understand the relationship between sociology and law
2. Acquire the basic knowledge of Society, Community, social anthropology, kingship, socialisation, and other prevailing concepts
3. Understand the modern development and social changes in relation to the various social institutions

#### **Contents**

##### **Unit I:**

- a) The emergence of Sociology - Transition from social Philosophy to Sociology—the intellectual context; Enlightenment-The Social, economic and political forces: The French and Industrial Revolutions.
- b) Nature and Scope of Sociology: a) Relevance of Sociology (b) Nature, Society and culture(c) Relationship with other social sciences; social anthropology, history, psychology- study of groups – Institutionalization – relation between groups – structure of social system

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

- a) Social Anthropology: What is social anthropology, How does it develop, social differentiation, differences between societies, scope
- b) Culture and socialization-Sociological concepts and perspectives;(a)Individual, groups, socialization (b)structure, function and process (c) Culture, Institutions and roles (d) Order, Conflict and contradiction, change(e)Difference and inequality

### **Unit-III**

- a) Role of religion in sociology- Religious belief and rituals – religious groupings – religion in social structure
- b) Kinship groups and systems - Marriage and Family – forms of marriage – unisexual and bisexual marriage – Divorce – consanguineal kin groups and clans – dynamics in kinship

### **Unit-IV**

- a) Social stratification – nature of social classes , family as the unit of class, class endogamy, raking and occupation – indicators - functions and dysfunction of social stratification.

### **Suggested Readings**

1. Aron. Raymond.1956(1982 reprint). Main currents in Sociological Thought (2 volumes). Harmondsworth. Middlesex: Penguin Books
2. Barnes, H.E.1959. Introduction to the History of Sociology, Chicago: The University of Chicago Press.
3. Coser, Lewis A 1979. Masters of Sociological Thought. New York: Harcourt Brace Jovanovich.
4. Cotterell. Roger, 1992. Oxford University Press, New Delhi
5. Fletcher, Ronald. 1994. The Making of Sociology ( 2 volumes) Jaipur: Rawat
6. Freeman, Michael 2006. Law and Sociology. Oxford University Press, New Delhi
7. Lucy Mair, 1997 An Introduction to Social anthropology, Oxford University Press, New Delhi (chapter 1 & 2)
8. Marrison, Ken 1995. Marx Durkheim. Weber: Formation for modern social thought. London: Sage.

9. Ritzer. George 1996. Sociological theory, New Delhi: Tata McGraw Hill Singh, Yogendra.  
1986. Indian sociology; conditioning and emerging trends, New Delhi: vistaar.
10. Zeitlin, Irving 1998(Indian edition); Rethinking Sociology: A critique of contemporary theory; Jaipur : Rawat
11. Bottomore, T.B.1986 Introduction to Sociology (Revised edition), London: Alien and Unwin.
12. Firth, R 1956 Human Types: London: Thokas Nelson and Sons Ltd
13. Giddens, A 1997 Sociology Cambridge: Polity Press
14. Radcliffe Brown A.R.1976 Structure and Function in Primitive Society. London: Routledge and Kegan Paul
15. Merton, R.K.1968, Social theory and social structure Glencoe, III Free Press and New Delhi: American Publishing Co (Pvt) Ltd..
16. Henslin M. James, 1996 Essential of Sociology: A down to Earth Approach, Allyn and Bacon, Massachusetts.

**CC-2**  
**Philosophy-I: Deductive Logic**  
**Course Code: BALLBHC103**

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

**Objectives**

1. To improve the correct and analytical thinking skills of law students.
2. To identify and summarise the basic principles of deductive logics

**Learning Outcomes**

At the completion of the course, students will be able to-

1. Grasp over the basics of logic and reasoning
2. Understand the basic techniques of presenting logical arguments
3. Learn the methods of deductive logic to avoid the fallacious reasoning
4. Apply the logical reasoning in legal research and inquiry

**Contents**

**Unit-I: Deductive Logic (Part- I)**

- a) Logic and Reasoning
- b) Aristotelian Logic and Fallacies

**Details:**

- i. Deductive Logic and Inductive Reasoning
- ii. Classification of Proposition
- iii. Categorical Proposition
- iv. Classes and Categorical Propositions
- v. The Four kinds of Categorical Propositions
- vi. The Traditional Square of Opposition
- vii. Immediate Inference
- viii. Conversion
- ix. Obversion
- x. Contraposition
- xi. Inference by Opposition
- xii. Fallacy of Undistributed Middle
- xiii. Fallacy of illicit Major
- xiv. Fallacy of illicit Minor
- xv. Fallacy of four term

## **Unit-II: Deductive Logic (Part- II)**

- a) Boolean Logic
- b) Venn Diagram

### **Details:**

- i. Translating categorical proposition into standard form
- ii. Uniform translation
- iii. Existential Import and interpretation of categorical propositions
- iv. Boolean Interpretation
- v. Boolean Interpretation of proposition
- vi. Venn Diagram technique
- vii. Symbolism and diagrams for categorical propositions
- viii. Syllogistic arguments
- ix. Venn Diagram technique for testing syllogisms
- x. Syllogistic rules and fallacies
- xi. Valid and invalid forms of the categorical syllogism
- xii. Proving Validity by Venn Diagram
- xiii. Proving Invalidity by Venn Diagram
- xiv. Disjunctive and hypothetical syllogism
- xv. Enthymemes

## **Unit-III: Deductive Logic (Part- III)**

- a) Symbolic Logic
- b) Truth Function

### **Details:**

- i. Need of Symbolic Logic
- ii. Distinction between traditional and symbolic Logic
- iii. Modern Logic and its Symbolic Language
- iv. The Symbols for Conjunction, Negation, and Disjunction
- v. Tautologous Statement
- vi. Self-contradictory Statement
- vii. Contingent Statement
- viii. Logical Equivalence
- ix. Truth and Validity

- x. Validity and invalidity
- xi. Difference of proposition and propositional function
- xii. Propositional function
- xiii. Simple Statement
- xiv. Complex Statement
- xv. Concept of predicate

#### **Unit-IV: Deductive Logic (Part- IV)**

- a) Truth table method
- b) Laws of Thought

#### **Details:**

- i. Introduction of truth table method
- ii. Testing Tautology Using Truth Table
- iii. Testing Self-contradiction Using Truth Table
- iv. Testing Equivalence Using Truth Table
- v. Testing Validity Using Truth Table
- vi. Testing Invalidity Using Truth Table
- vii. Statement Forms
- viii. Material Equivalence
- ix. Paradox of material Implication
- x. Equivalence
- xi. The Three “Laws of Thought”
- xii. Three Principles
- xiii. Principles of identity
- xiv. Principle of non-contradiction
- xv. Principle of excluded middle

#### **Suggested Readings**

1. M. Copi, C. Cohen, K. McMahon: *Introduction to Logic* (14<sup>th</sup> Edition) [Chapters :5 to 8 & 11,13], First published 2014 by Pearson Education, Inc, Reprint Routledge, 2017.
2. Harry Gensler, *Introduction to Logic*
3. G. Harman, *Change in view: Principles of reasoning*. Cambridge

## CC-3

### ECONOMICS – I: General Principles of Economics

Course Code: BALLBHC104

Credit: 4

Marks: 100 [20(CA) +80 (ESE)]

#### Objectives

- 1) To familiarise the students with the basic concepts in Economics and its relation with Law
- 2) To deal with the various concepts in Economics
- 3) To analyse the consumer behaviour, production and costs and new welfare economics
- 4) To articulate how the economic structure operates in relation with the law

#### Learning outcomes

At the successful completion of the Course, Students will be able to-

- 1) Understand the relationship between economics and law
- 2) Acquaint with the concepts of market structure, production, consumer behaviour and its utility, and inflation
- 3) Be conversant with the fundamental principles of economic system

#### Contents

##### Unit-I

- a) **Introduction:** Definition and scope, basic assumptions, nature of economic laws, should economics be neutral between ends, various economic functions, types of economic studies- macro and micro, definition of some basic concepts – utility, goods, wealth, income, commodity, production, consumption, equilibrium, concerns for wealth and welfare.
- b) **Theory of production and cost** – Factors of production - land, labour, capital and organisation, production decisions, production function, Factor substitution, Law of variable proportion, economics of scale, different concepts of cost and the inter-relation, Land – characteristics, Labour – definition and characteristics, theories relating to supply of labour, efficiency criteria, and relation of labour and productivity, capital – definition

and complexity in defining, some concepts and distinctions, characteristics, functions, growth of capital – savings and investment, Organization – types and characters, state enterprises

## **UNIT-II**

- a) **Consumer behaviour:** Principle and concepts relating to utility, various approaches, theory of indifference curve, consumer's equilibrium - basic principle in Demand and Supply – Demand functions and demand curve, elasticity in demand curve, supply functions and elasticity, aggregative demand and supply - Principle of substitution, Law of Equi-marginal returns, Consumer surplus
- b) **Market structures:** Economic features, types – demand and supply based, time based, structure based, Perfect competition, Imperfect competition, Monopoly, duopoly, oligopoly and monopsony, Monopoly and Combination- informal understanding, formal agreement to form cartel, trust, holding company; amalgamation and merger, Price determination

## **Unit-III**

- a) **Factor pricing:** Marginal productivity theory of distribution - theories of rent – theories of determination of wages – theories of determination of interest – risks and uncertainties of production – theories on profit.
- b) **Distortions to market:** Various forms of monopolistic and unfair trade practices – anti-trust and anti cartel legal systems and market regulatory systems to develop in various countries

## **Unit-IV**

- a) **Wealth and welfare** – meaning of welfare economics – social welfare and principles of justice – social welfare functions – social choice and social welfare – New Welfare Economics – concepts and feature
- b) **New concepts of welfare economics:** Price regulation, bail out of industries, Public distribution system, administered and support price, MRP.

### **Suggested Readings**

1. Salvatore, Dominick, Micro Economics: Theory and Application, Oxford University Press, Indian Edition, New Delhi, 2007.

2. Samuelson, Paul, Economics, Tata McGraw Hill Publishing Company Limited, New Delhi, 2007.
3. Seth, M.L., Principles of Economics, Lakshmi Narain Agarwal Educational Publishers, Agra, Thirty Fifth Edition, 2001.
4. Ahuja, H.L., Advanced Economic Theory: Micro Economic Analysis, S. Chand and Company Limited, New Delhi, 2007.
5. Chopra, P.N., Principles of Economics, Kalyani Publishers, Ludhiana, 2006.
6. Bhutani, P.J., Principles of Economics For CA Foundation, Taxman Allied Services Private Limited, New Delhi, 2000.

## CC-4

### General English :Law and Language

#### Course Code: BALLBHC105

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

1. To make students to learn language and communication
2. To develop syntactical competence and analytical skill among the students
3. To learn the grammar usage and formal correspondence
4. To enhancement of thoughts, ideas and vision of students for practical application in their professional life

#### **Learning Outcomes**

After completion of the course, students will be able to:

1. Write and Speak English effectively and accurately
2. Make improvement in verbal and non-verbal communication skills
3. Participate in debates, and other simulative activities

#### **Contents**

##### **Unit-I: Theoretical Consideration**

- a) Introduction to Language and Communication
- b) Tense
- c) One-work Substitution – a) Passive b) Negatives c) Questions
- d) Complex & Compound Sentences: Use of Connectives
- e) Appropriate Prepositions

##### **Unit-II: Grammatical Usages**

- a) Use of Parallel Construction
- b) Some Common Errors
- c) Use of symbols and abbreviations

##### **Unit-III:-Comprehension, Composition and Legal Writing Skill**

- a) Fundamentals of legal writing
- b) Reading Comprehension

- c) Comprehension of Legal Texts
- d) Avoiding repetition and legalese in legal writing
- e) Paragraph and Precis writing
- f) Drafting of Reports and Projects
- g) How to write a case comment
- h) Abstracts

#### **Unit-IV**

- a) Formal Correspondence (Business)
- b) Essay Writing

#### *Suggested Readings*

1. English Grammar – Wren and Martin
2. Krishna Mohan and Meera Banerjee, Developing Communication skills, Macmillan
3. Madabhushi Sridhar, Legal Language
4. Dr. Anurudh Prasad, Outlines of legal language in India, Central Law Publication, Allahabad
5. RP Bhatnagar and R Bhargwa, Law and Language, MacMillan, New Delhi.
6. John Eastwood, Oxford practice Grammar, Oxford University Press
7. Ashok R Kelkar, Communication and style in Legal Language, Indian Bar Review, Vol 10(3): 1993
8. Chanchal Narang, Teaching English to the Students of Law: A Pedagogical Experiment. Mohindra Publishing House, 2016

## CC-5

### LEGAL METHOD AND REASONING

Course Code: BALLBHC106

Credit: 4

Marks: 100 [20(CA) +80 (ESE)]

**Object of the Course:** Successful legal study depends upon the excellent language skill, good knowledge of law, skills for highly argument construction and evaluation skills. The present course will help the law students to understand the construction of legal rules, argument skills, analysis and critique in order to solve the practical and theoretical problems.

#### **Learning Outcomes:**

Students will be able to:

1. Gain knowledge of legal method skill which will develop their analytical ability
2. Understand the various theories for applying the legal method skill
3. Acquire knowledge of legal reasoning theories and argument skills
4. Apply the legal method skill to solve the cases

#### **Contents**

##### **Unit-I : Where to Find Your Law**

- c) Introductory
- d) Skill required for competent legal study: General Study Skill and Legal Method Skill
- e) Search for Authority: Legislation, Law Reports, Case Laws, Treatise
- f) E-library collection and public domain sites

##### **Unit-II : How to Find Your Law**

- c) Introductory
- d) Case Study and the relationship between Law and Language
- e) *Ratio Decidendi* of a case: method of determining Ratio
- f) Wambaugh's Test
- g) Doctrine of *Obiter Dicta*
- h) Doctrines of *Per-incuriam* and *Sub-silentio*

##### **Unit-III : Legal Reasoning**

- a) Legal Reasoning: Definition and components

- b) Legal Reasoning Theory: Natural Law, Positive Law, Legal Realism, Critical Legal Theory
- c) Legal Argument and logic
- d) Types of legal Reasoning
  - i. Deduction
  - ii. Induction
  - iii. Analogous Reasoning
- e) Significance of mootings to law students

#### **Unit-IV: Cases Study**

- a) *Union of India v. Raghbir Singh*, AIR 1989 SC 1933
- b) *Dalbir Singh v. State of Punjab*, AIR 1979 SC 1384
- c) *Municipal Corporation of Delhi v. Gurnam Kaur*, AIR 1989 SC 38
- d) *State of Maharashtra v. MH George*, AIR 1965 SC 722

#### **Suggested Readings**

1. Sharon Hanson, *Legal Method and Reasoning*, Cavendish Publishing Limited
2. Sharon Hanson, *Learning Legal Skill and Reasoning*, Rutledge
3. Prof. KNC Pillai, *Cases and Materials on Legal Method*, National Institute for Advanced Legal Studies, Kochi
4. Julius Stone, *Legal System and Lawyers Reasoning*
5. Glanville Williams, *Learning the Law*, Sweet and Maxwell
6. N.R. Madhava Menon, *Clinical Legal Education*

## CC-6

# LAW OF TORT INCLUDING MV ACCIDENT AND CONSUMER PROTECTION LAWS

*Course Code: BALLBHC107*

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

### **Objectives:**

- 1) To make the students understand the sources and policy objectives of tort law
- 2) To Provide a general introduction to the law of Torts with identifying and analysing the elements of particular torts
- 3) To make students understand the nature of tort and conditions of liability with established cases along with the Consumer Protection Act, 1986 and Motor Vehicles Act

### **Learning Outcomes**

At the end of the course, the students will be able to:

- 1) Understand and explain the structure and function of the law of tort in India
- 2) Analyse and apply the principles of tortious liability to the legal problems using appropriate legal problem-solving techniques in Consumer and Motor Vehicles matters

### **Contents**

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

- a) Nature, Definition, scope and goals of law of Torts
- b) Essential constituents of Tort
- c) Fault: *Damnum sine injuria, Injuria sine damnum*; Relevance of malice
- d) Mental Element in Tort
- e) Capacity to sue and to be sued for Tort
- f) Liability: Vicarious Liability, State liability for torts, Strict liability and Absolute Liability
- g) Cyber Tort
- h) Remedies; Remoteness of damages

#### **Unit II:- a) Defences**

a) *Volenti non fit injuria*

b) *Vis Major*

c) Inevitable accident

d) Private Defence

e) Plaintiff at fault

**c) Specific Torts**

a) Assault and Battery; False Imprisonment

b) Trespass,

c) Negligence-Contributory Negligence

d) Nuisance – Public & Private remedies.

e) Defamation

**Unit III: Consumer Protection Laws and The Consumer Protection Act 2019**

a) Purposes of the Act

b) Definitions

c) Consumer Redressal Agencies: District, State and Central Council

d) Jurisdiction, powers and functions of the Consumer Redressal Agencies

e) Consumer's rights

f) Process of filing complaint before Redressal Agencies

g) Relief under the Act

**Unit IV : The Motor Vehicles Act, 1988**

a) Preliminary – Sec. 1 and 2.

b) Registration of Motor Vehicles – Sec.39, 43, 50 and 55.

c) Liability without fault in certain cases – Sec.140, 141 and 142.

d) Insurance of Motor Vehicles against Third Party Risks – Sec. 163A.

e) Claims Tribunals – Sec.165, 173 and 175.

f) Offences, Penalties and Procedure – Sec.177, 180, 183, 184, 185, 195, 196 and 208.

**Suggested Readings**

1. R.K Bangia – Law of Torts, Allahabad Law Agency

2. Avtar Singh – Introduction to Law of Torts and Consumer Protection, Lexis Nexis

3. Retanlal & Dhirajlal – The Law of Torts, Lexis Nexis

4. Salmond – Law of Torts , Sweet and Maxwell

5. JN Pandey, Law of Torts with Consumer Protection Act, Central Law Publication
6. Dr. R Surya Rao, Lectures on Law of Torts including Motor Vehicle Accidents and Consumer Protection Laws, Asia Law House

## **Semester-II**

**CC-7**

### **Political Science-II: State and Political Obligations**

**Course Code: BALLBHC201**

**Credit: 4**

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

#### **Objectives**

1. To establish the significance of Political Science in providing strength to the understanding of Law
2. To provide theoretical understanding to the concept of Political Obligation and its related theories
3. To mould the thought process of law students with the help of philosophical ideas relating to legal and political obligation

#### **Learning Outcomes**

Students will be able to:

1. Gain knowledge of theories and philosophical foundation of legal and political obligation
2. Prepare for higher study and competitive examinations

#### **Contents**

##### **Unit- I Introduction to Political obligation**

- a) Meaning, nature and scope of Political Obligation
- b) Evolution of the concept of political obligation
- c) contemporary developments
- d) Political obligation and right
- e) Political obligation and Duty

##### **Unit - II Theories of Political obligation**

- a) Voluntarism
- b) Utilitarian theory
- c) Deontological theory
- d) Anarchist theory

- e) Social contract (Hobbes, Locke & Rousseau)

**Unit - III Philosophical foundations of Political obligation**

- a) T.H. Green on Political obligation
- b) Moral or Ethical foundations of Political obligation
- c) Ancient Indian ideas and Institutions on Political obligation
- d) Dimensions of Political obligations in a modern State

**Unit- IV Legal and Political obligations**

- a) Political obligation and the right to dissent
- b) Legal and moral issues
- c) Legal and social issues
- d) Social and political issues - Right to disobey the law
- e) Political Obligation and Revolution - Role of State in balancing political obligations
- f) Role of international society in political obligation of a State

**Suggested Readings**

1. John Horton, Political Obligation, MacMillan, London, 1992.
2. Margaret Gilbert, A Theory of Political obligation ; Membership, Commitment and the Bonds of Society, Clarendon Press, Oxford, London, 2006
3. D.D. Raphael and T. H. Green on Political Obligation, 2000

## CC-8

### **Sociology-II: Theoretical Perspective of Sociology**

**Course Code: BALLBHC202**

**Credit: 4**

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

#### **Objectives**

1. To introduced the students with the theoretical perspective of sociology.
2. To appraise with the interplay of the sociology and law.
3. To make familiar students with the sociologists such as August Comte, Emil Durkheim, Marx and Max Weber
4. To discuss the contemporary application of the theories

#### **Learning Outcomes**

Students will be able to:

1. Understand, analyse and evaluate the various theories of Sociology
2. To identify the Social deviance and social change on the basis of functional and dysfunctional ideology of human behaviours
3. Prepare for higher study and competitive examinations

#### **Contents**

##### **Unit-I**

- a) Auguste Comte's theory of scientific communism – early development of sociology through observation, experiment and comparison, - evolution of early society – society on division of labour – impact of science on the society
- b) Emil Durkheim's theory of functionality – social structure and individual actions – social structure and social relations, dialectical process in which individual actions becomes institutionalized – process of agenda setting – altruism – collective conscience

##### **Unit-II**

- a) Max Waberian theory of positivism and hermeneutic interactions – emphasis on 'rational action'- Schutz critique on interpretation of Waber – theoretical framework conflict motive and meaningfulness,

- b) Marxian theory of social estrangement and alienation – alienation from product of labour, and from the act of production, alienation from nature and from others in the capitalist’s market economy- capital as a source of alienation – a society of exploitation through production relation – Marx’s conflict theory

### **Unit-III**

- a) Convergence thesis of industrialization and industrial society: secular, urban, mobile and democratic structure of industrial society – ‘end of ideology theory’ to ‘development theory – model of western society for rapid economic growth – problems on convergence thesis
- b) Postmodernism – principles and perspectives, social, economic and political, postmodernism and postmodernity- form and text

### **Unit-IV**

- a) Critical theory: negative but conventional judgment, concerning manners, literature or critical product – ecclesiastical practice and dogma – Hegelian critique of ideological modern critical scholars
- b) Social deviation and social change – causes of conformity, anomie and social deviation, deviation and delinquency, function and dysfunction of ideology, influence of ideology on human behaviour, social change and relativity- differential association
- c) Social dominance theory: psychology of dominance – circulation of oppression – oppression and cooperation

### **Suggested Readings**

1. Moya and Hames-Garcfia (2001) Reclaiming Identity, Realist Theory and the Predicament of Postmodernism, Orient Longman, Hyderabad
2. Sidanius and Pratto (2001) Social Dominance, Cambridge University Press, UK
3. N J Smelser-Sociology (Prentice hall)
4. Anthony Giddens-Sociology (Polity)
5. Bottomore- Sociology: A guide to Problems and literature (Blackie & Sons India Ltd.)
6. Guy Rocher; A General Introduction to Sociology (Academic Publisher)

## CC-8

### Philosophy-II: Inductive Reasoning

Course Code: BALLBHC203

Credit: 04

Marks: 100 (20 CA + 80 ESE)

#### Objectives

1. To improve the correct and analytical thinking skills of law students.
2. To identify and summarise the basic principles of Inductive Reasoning
3. To explain to use synthesize information in order to arrive at reasoned conclusions

#### Learning Outcomes

At the completion of the course, students will be able to-

1. Grasp over the basics of Inductive reasoning
2. Understand the basic techniques to use the inductive arguments in an organised manner
3. Apply the Inductive reasoning in legal research and inquiry

#### Contents

##### Unit-I: Inductive (Part I)

- e) Introduction
- f) Science and Hypothesis

##### Details:

- i. Scientific Explanation of Induction
- ii. Scientific Inquiry: Hypothesis and Confirmation
- iii. Proper Induction
- iv. Improper Induction
- v. Induction by complete enumeration
- vi. Induction by parity of reason
- vii. Deducing further Consequences
- viii. Testing the consequences
- ix. Applying the Theory
- x. Evaluating Scientific Explanations
- xi. Predictive power
- xii. Induction by colligation of facts
- xiii. Inductive leap

- xiv. Evaluating Scientific Explanations
- xv. Classification as Hypothesis

### **Unit-II: Inductive (Part II)**

- a) The statistical syllogism
- b) Probability

#### **Details:**

- i. Probability calculations
- ii. *A priori* theory of Probability
- iii. *A posteriori* theory of probability
- iv. Probability calculus of the occurrence of simple event
- v. Probability calculus of the Non-occurrence of simple events
- vi. Probability calculus of the complex events
- vii. Alternative conception of probability
- viii. Probability of Joint occurrences
- ix. Probability of product theorem
- x. Probability of addition theorem
- xi. Probability of everyday life
- xii. Expectation value
- xiii. Relative frequency theory of probability
- xiv. Numerical co-efficiency of probability
- xv. Probability and necessity

### **Unit-III: Inductive (Part III)**

- e) Analogical Reasoning and Fallacies
- f) Causality

#### **Details:**

- i. Good and Bad analogical argument
- ii. Causal Laws and the Uniformity of Nature
- iii. Methods of Causal Analysis
- iv. Cause as Necessary Condition
- v. Cause as Sufficient Condition
- vi. Proximate cause of event
- vii. Remote cause of event
- viii. Plurality of causes

- ix. Singularity of causes
- x. Problem of admitting plurality of causes
- xi. Necessary and sufficient condition
- xii. Fallacy of Analogy
- xiii. Fallacy of Probability
- xiv. Fallacy of post-hoc ergo propter hoc
- xv. Fallacy of taking co-effect as a cause

**Unit-IV: Inductive (Part IV)**

- a) Mill's Methods
- b) Problem with Induction

**Details:**

- i. Mill's methods of agreement
- ii. Mill's methods of Difference
- iii. Joint methods of agreement and difference
- iv. Method of concomitant variation
- v. Method of Residues
- vi. Limitation of Inductive Techniques
- vii. Limitations of agreement method
- viii. Limitations of difference method
- ix. Limitations of Joint methods of agreement and difference
- x. Limitations of Method of Residues
- xi. Limitations of the Method of concomitant variation
- xii. Reduce conclusion from agreement method
- xiii. Reduce conclusion from Difference method
- xiv. Reduce conclusion from Residues method
- xv. Reduce conclusion from Joint methods of agreement and difference

**Suggested Readings**

- I. M. Copi, C. Cohen, K. McMahon: Introduction to Logic(14<sup>th</sup> Edition), Routledge, 2017.
- II. Harry J. Gensler: Introduction to Logic, 3<sup>rd</sup> Edition, Routledge, 2017.

## CC-9

### Economics-II: Macro Economy, Policies and Practice

*Course Code: BALLBHC204*

**Credit: 4**

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

#### **Objectives**

1. To familiarise the students with the basic concepts in Economics and its relation with Law
2. To deal with the various concepts in Economics
3. To analyse the economic phenomenon, Banking and Principles of Taxation
4. To articulate how the economic structure operates in relation with the law

#### **Learning outcomes**

At the successful completion of the Course, Students will be able to

1. Understand the relationship between economics and law
2. Acquaint with the concepts of Banking, taxation law, consumer behaviour and its utility, and inflation
3. Acquire the basic knowledge of general principles and macro economics

#### **Contents**

##### **Unit-I**

- a) **Introduction to Macro Economics** – relation between Macro and Micro, Relations between various concepts, savings and investment,
- b) **Business cycle** – short and long run, Inflation, deflation and stagflation- symptom and features, reasons, Hawtrey's monetary theory, Keynes view on trade cycle – multiplier and accelerator interaction model – control of trade cycle.

##### **Unit-II**

- a) **Output and employment:** Classical theory of employment are critical analysis – aggregate demand and supply functions - Theory of savings, investment and employment, critical analysis and post Keynesian theories, theories of employment – concept of full employment and factor of unemployment

##### **Unit-III**

- a) **National Income and social accounting** : concept and measurement, theory of growth – GDP, GNP, NNP – national budget, deficit finance – national income and international trade – environmental concern – green accounting concept – methods of NI accounting system
- b) **Rate of Interest:** Neo-classical and Keynesian theory of interest

#### **Unit-IV**

- a) **Economic growth:** Investment functions and role of investment in growth, growth models – instability equilibrium – economic growth and technical progress
- b) **International Trade** – various theories, comparative cost, balance of payment – export and import – trade barriers – predatory pricing, and countervailing duties

#### **Suggested Readings**

1. Dwivedi, D.N., Macro Economics, Tata McGraw Hill Publishing Company Limited, New Delhi, 2006.
2. Koutsoyiannis, A., Modern Microeconomics, McGraw Hill, London, 1979.
3. Rana, K.C. and K.N., Verma, Macro Economic Analysis, Vishal Publishing Company, Jalandhar, Eighth Edition, 2006.
4. Shapiro, Edward, Macro Economic Analysis, Galgotia Publications Private Limited, New Delhi, 2007.
5. Kindelburger – International Trade

**CC-10**

***English-II: Legal Professional Communication Skill***

**Course Code: BALLBHC205**

**Credit: 4**

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

**Objectives of the course**

- 1) To provide an overview prerequisite for legal professional communication
- 2) To develop professional communication skills in advocacy
- 3) To provide an outline for to effective legal correspondence

**Learning Outcomes**

Students will be able to:

- 1) Understand the role of communication in legal profession
- 2) Learn appropriate communication strategies
- 3) Deliver a persuasive communication presentation in his professional life

**Contents**

**Unit-I - Theoretical Consideration**

- a) Communication: Introduction, Definition and importance of communication skills for a professional
- b) Verbal, non-verbal and paralinguistic communication
- c) Written v. Oral communication
- d) Barriers to communication and how to avoid them
- e) Characteristics of the language of the Law

**Unit-II- Placement Related Skills**

- a) Group Discussion
- b) How to face an interview
- c) Presentation technique
- d) Resume writing for Employment
- e) Designing Cover letters

**Unit III- Professional Communication**

- a) Meetings: Purpose, Procedure, chairmanship, participation, Physical arrangement
- b) Writing a professional letter
- c) Hearing and listening

**Unit-IV – Communication Skills for advocacy**

- a) The Advocate as conductor: painting the picture, my physical presence, where do I look; masking my anxiety; what do I call people; opening statements; agendas; questioning my witnesses; helping the decision maker to understand.
- b) Conversation Practice and use of the language

**Suggested Readings**

1. Mohan and Banerjee, Developing Communication Skills, Macmillan
2. Dr. SC Tripathi, Legal Language, Legal Writing General English, Central Law Publication
3. Osborn and Osborn, Public Speaking, Houghton Mifflin Company
4. H. Selby and G. Blank, Winning Advocacy

## CC-11

### Family Law-I: Textual Hindu Law

*Course Code: BALLBHC206*

**Credit: 4**

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

#### **Objectives:**

- 1) To apprise the students with the laws relating to marriage, dissolution, matrimonial remedies, adoption, contemporary trends in family institutions in India, in particular the Hindus
- 2) To increase the ability and desire of students to engage in lifelong learning and service in and through the practice of family law

#### **Learning Outcomes:**

On successful completion of this course, Students will be able to:

- 1) To explain key legal concepts underpinning Hindu Family Law system in India.
- 2) To Evaluate critically the surrounding concepts of Hindu Family Law
- 3) To communicate and work effectively on family law matters

### **Contents**

#### **Unit-I**

##### **Textual Hindu Law**

Sources of Hindu Law, Hindu Joint Family System and Coparcenary, General Principles of succession under the Dayabhaga and the Mitakshara systems, women's property and stridhana. Distinction between Dayabhaga and the Mitakshara systems and effect of modern statutes

#### **Unit-II**

**The Hindu Marriage Act, 1955:** The nature and concept of Hindu Marriage, Evolution of the Institution of Marriage, Essential Conditions for Valid Hindu Marriage, Ceremonies of Marriage, Registration of Hindu Marriages, Remedy of Restitution of Conjugal Rights, Void and Voidable Marriages, Judicial Separation and Divorce, Various Types of Grounds for Divorce and Judicial Separation, Fair Trial Rule, Legitimacy of Children, Jurisdiction, Bars to Matrimonial Remedies, Ancillary Reliefs, Permanent Alimony and Maintenance, Custody etc.

#### **Unit-III**

**The Hindu Succession Act, 1956:** Effects of the Hindu (Succession) Amendment, 2005, Rules of Succession to the Property of Hindu Male, Succession to the Property of Hindu Female, Succession to the Mitakshara Coparcener's Interest, General Rules of Succession, Partition, Subject Matter of Partition, Persons who have a Right to Partition & Right to Share, Persons who are entitled to Share, if, Partition takes place, Modes of Partition, How Partition is effected, Partial Partition, Reopening of Partition, Re-Union.

#### **Unit-IV**

**The Hindu Minority and Guardianship Act, 1956:** Concept of Minority and Guardianship, Natural Guardians and their Powers, Testamentary Guardian: Appointment and Powers, Certified Guardian, De facto Guardian, Guardian By Affinity,

**The Hindu Adoption & Maintenance Act, 1956:** Nature of Adoption, Essential Conditions for Valid Adoption, Effects of Adoption, Registration of Adoption, Maintenance As Personal Obligation, Maintenance of Dependents, Quantum of Maintenance, Maintenance As a Charge on Property

**Special Marriage Act, 1954**

#### **Suggested Readings**

1. Mulla - Principles of Hindu Law, Lexis Nexis
2. Dr. Paras Diwan - Modern Hindu Law, Allahabad Law Agency
3. Mayne's - Hindu Law and Usage
4. Dr. U. P. D .Kesari - Modern Hindu Law
5. Basant Kumar Sharma - Modern Hindu Law
6. Mulla – Hindu Law, Lexis Nexis
7. Derret – Modern Hindu Law
8. Hindu Marriage Act, 1955
9. Hindu Succession Act, 1956
10. Hindu Minority and Guardianship Act, 1956
11. Hindu Adoptions and Maintenance Act, 1956
12. Paras Diwan – Modern Hindu Law, EBC
13. Tahir Mohamood – Hindu Law

## CC-12

### *LAW OF CONTRACT*

*Course Code: BALLBHC207*

**Credit: 4**

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

#### **Objectives of the course:**

1. To describe the legal environment of business in India
2. To explain the current provisions of law relating to formation of contract
3. To make familiar the students with various principles of Contract Law and Specific Relief Act
4. To ingrain in the students a critical understanding of the context and importance of contracts from an economic, social and legal perspective

#### **Learning Outcomes:**

The following will be the learning outcomes for the Students:

1. Familiar with the principles that guide Contracts/ enforceable agreements
2. Understand the general rules of enforceable agreement and put those rules in their day to day practical and professional life
3. The capacity to analyse, evaluate and apply the gained knowledge for various commercial purposes

### **Contents**

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

- a) Nature and formation of contract
  - i. Meaning, nature and essentials of valid contract
  - ii. Proposal/Offer: Definition and essentials of a valid offer, Invitation to offer
  - iii. Acceptance: Definition and essentials of a valid acceptance
  - iv. Communication of offer and acceptance
  - v. Revocation of offer and acceptance
  - vi. Consideration : Definitions; Past, present and future consideration; adequacy of consideration; Privity of contract and its exceptions

- vii. Agreement: Definitions and essentials
- b) Factors vitiating free consent
  - i. What is free Consent?
  - ii. Coercion
  - iii. Fraud
  - iv. Undue influence
  - v. Misrepresentation
  - vi. Mistake
- c) Legality of object
- d) E-contract and its relevancy under Contract Law

## **Unit-II**

- a) Capacity of Parties and Law of Contract
  - i. Minor's agreement and its relevancy
  - ii. Contract with Insane person
  - iii. Contracts with persons disqualified by law
- b) Void, voidable, illegal and unenforceable agreements/contracts
- c) Performance and discharge of contracts.
- d) Time and place of performance
- e) Doctrine of Frustration

## **Unit-III**

- a) Quasi- Contracts; Doctrine of unjust enrichment
- b) Contingent Contract and wagering agreement
- c) Breach of contract: Anticipated and Present; Consequences of breach
- d) Remedies: Damages; Kinds; Specific Performance; injunction; Remoteness of damages; Quantum merit

## **Unit-IV**

- a) Specific Relief Act, 1963: Recovering possession of property; Specific performance of the contract; Rescission of contracts; Cancellation of instruments; Declaratory Decrees; Injunctions.

### **Books Recommended:**

1. Mulla – Indian Contract Act, 1872 (Student’s Edition)
2. Desai – Indian Contract Act, 1872
3. Anson – English Law of Contract
4. Cheshire and Fifoot – Law of Contract
5. Basu – Law of Contract
6. Ponnuswami & Puri – Cases & Materials on Contract
7. Dr Avtar Singh – Introduction to the Law of Contract
8. V.G. Ramchandra – Law of Contract

## **Semester-III**

CC-13

### **Political Science III: International Relations**

**Course Code: BALLBHC301**

**Credit: 4**

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

#### **Objectives**

- 1) To provide an foundational understanding to students as to the mechanism of international relation and how it relates to the Law
- 2) To discuss the theories and principles of current International relation

#### **Learning Outcomes**

Students will be able to:

- 1) Utilize concepts and theories in relation to the contemporary development of International Relation
- 2) Understand the contemporary trend of multidisciplinary discourse

#### **Contents**

##### **Unit- I**

- a) Introduction to International Relations - Evolution of State as a player in International Relations - International Relations in ancient, medieval and modern periods - relationship between International Relations and International Law.
- b) Theories of International Relation – Moralism, Liberalism, Realism, Marxian, Neo-realist and neo-liberalist theories of modern World - Alternative approaches to Theories of International Law.

##### **Unit- II**

- a) Feminist, Post-colonial, Post-modern theories - concept of Political power - Importance and relevance of political power of the state - concept of National power - Elements of national power - Limitations on national power
- b) Role of political power in International Relations - struggle for political power - consolidation of political power - war as a method of wielding power - (military, economic and cultural) imperialism in I.R. - Two World Wars and their impact.

##### **Unit-III**

- a) Balance of Power in I.R. - Patterns of Balance of Power - Methods of Balance of Power - Divide and rule - compensations - Armament - Alliances - Importance and relevance of Balance of Power.
- b) Balance of Power and International morality - Balance of Power and World Public opinion - Balance of Power and International Law - Ideological differences and Balance of Power - Bipolar World - Cold War - end of Cold War
- c) Role of wars in international relations - Wars in International Law - Armament - developments in Warfare - Total War - Alliances & Counter alliances - Non-aligned movement - Disarmaments - Treaties - changing character of War - Conventions and the development of International Law through international relations – League of Nations and United Nations - SALT-I, II - Regional arrangements

#### **Unit- IV**

- a) Diplomacy - functions of diplomacy - future of diplomacy - types of diplomacy - Diplomacy and Terrorism - contemporary developments - U.N's role in international peace & security.
- b) Globalization and international relations - Theories of Globalization (Realists, Liberalists, Marxist and Constructivist), Role of Science and Development in International Relations and their impact on Globalization.
- c) Contemporary issues of International Relations - Non-State actors - Terrorism - Environmental issues - Nuclear proliferation - Global trade and finance - Poverty and development - Human Security - Human rights - International Humanitarian Laws and interventions.

#### **Suggested Readings**

1. Hans J. Morgenthau, Politics Among Nations: The Struggle for Power & Peace, Kalyani Publishers (Indian Reprint), ND 1997
2. Norman D. Palmer & Howard C. Perkins, International Relations: The World Community in Transition, CBS Publishers & Distributors, ND, 1985
3. John Baylis, Steve Smit & Patricia Owens, The Globalization of World Politics, OUP, London, 4th ed. 2008.
4. Charls W. Kagle JR & Eugene R. Wittkopt, World Politics: Trend & Transformation, 4th ed. St. Martins Press, N.Y. 1993.

## CC-14

### Sociology –III: Society in India

Course Code: BALLBHC302

Credit: 4

Marks: 100 [20 CA + 80 ESE]

#### Objectives

- 1) To provide a basic understanding about Indian Society
- 2) To describe the dimensions of social changes in India
- 3) Learn about the changing processes that bring about change in the Indian society.
- 4) To ingrain into the critical understanding about the sociology of Law in India

#### Learning Outcomes

Students will be able to:

- 1) Understand about the basic knowledge of Indian Society
- 2) Describe the social institutions, cultural legacy and transformation in Indian society
- 3) Understand the overall functions of Indian Social System and the role of Law in the society

#### Contents

##### Unit-I

- a) The Structure and composition of Indian society:
- b) Cultural and ethnic Diversity

##### Unit-II

- a) Convergence and integration
- b) the sharing of material traits, cultural space, language and regional ethos
- c) the evolution of composite cultural legacy; change and transformation in Indian society
- d) nation-building and national identity

##### Unit-III

- a) Dimension of Social Change

- i. urbanization and family change
  - ii. subalterns, Dalits and social transformation
  - iii. sanskritization
- b) Rural society: concepts, agrarian social structure, social stratification
- i. changing rural society: agrarian unrest
  - ii. Peasant Movements; Environmental Movements; Dalit Movement and Women's Movement

#### **Unit-IV**

- a) Sociology of Law in India
- i. Law and Disadvantaged Group: Issue of Reservation Caste and Women's Empowerment.
  - ii. Law and Social Change: Approaches and concepts to understand the process of social change in India.
  - iii. Social Perception of law in the globalize era.
  - iv. Social role of Judiciary: Legal profession and Indian society.
  - v. Public Interest Litigation

#### **Suggested Readings**

1. Bose, N.K.1967, Culture and Society in India. Bombay : Asia Publishing House.
2. Bose,N./K.1975: Structure of Hindu Society. New Delhi.
3. Dube.S.C.1990 : Society in India (New Delhi: National Book Trust)
4. Dube.S.C.1995 : Indian Village (London : Routledge)
5. Dube.S.C.1958 : India's Changing Villages (London: Routledge and Kegan Paul)
6. Indra Deva, 2005: Sociology of Law (New Delhi: Oxford University Press)
7. Karve, Irawate, 1961 : Hindu Society : An Interpretation (Poona : Deccan College)
8. Lannoy,Richard, 1971 : The Speaking Tree : A Study of Indian Society and Culture (Delhi :Oxford University Press)
9. Mandelbhaum, D.G., 1970 : Society in India (Bombay:Popular Prakasham)
10. Srinivas, M.N., 1980 : India : Social Structure (New Delhi : Hindustan Publishing Corporation)

11. Srinivas,M.N., 1963 Social Change in Modern India (California, Berkeley : University of California Press)
12. Singh, Yoogendra, 1973: Modernization of Indian Tradition (Delhi : Thomson Press)
13. Shah. Ghanshyam. 2004 : Social Movements in India(Sage: New Delhi)
14. Uberoi, Patricia, 1993 : Family, Kinship and Marriage in India (New Delhi : Oxford University Press)

## CC-14

### *Philosophy-III: Philosophical Theories of Knowledge and Justification*

**Course code: BALLBHC303**

**Credit: 4**

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

**Course objectives:** Epistemology is that branch of philosophy which is concerned with knowledge; its definition, its relation to truth, belief and justification. Epistemology also counters the question of scepticism, the view that challenges the possibility of knowledge itself. This course will train the students to identify knowledge and differentiate it from mere belief, hearsay, opinion or lucky guess and also make them understand what constitutes as evidence or justification.

#### **A: Some Philosophical Perspectives: Indian**

##### **Unit-I: Classical: Advaitavāda**

##### **Details:**

- i) Origin and development of Indian philosophical systems
- ii) Different schools of thought in Indian tradition
- iii) Upaniṣadic accounts of creation
- iv) Śamkara's understanding of the cosmic reality
- v) Śamkara's interpretation of *māyā*
- vi) Plurality of Empirical world explained in the light of ordinary illusion
- vii) Ignorance
- viii) Establishment of Brahman as only real entity
- ix) Different forms of cosmic moral order
- x) The notion of *Ṛta* in Upaniṣadic philosophy
- xi) The ethical teaching of the Gītā
- xii) Dharma
- xiii) Dharma as a duty
- xiv) Karma
- xv) Different types of Karma

- xvi) Niskama karma and Lokosamgraha

## **Unit-II: Contemporary: Philosophy of Sri Aurobindo**

### **Details:**

- i) Integral philosophy
- ii) Reality omnipresent
- iii) Refusal of the ascetics
- iv) Materialist Denial
- v) Spiritualism
- vi) Synthesis of Yoga
- vii) Human cycles (Social evolution)
- viii) Evolution, Involution
- ix) Need of the Gītā
- x) The core of the teaching of the Gītā
- xi) The principle of Divine Works
- xii) The determinism of nature
- xiii) Nirvāṇa and works in the world
- xiv) Core of the karmayoga
- xv) The Divine will
- xvi) Works, devotion and knowledge

## **B: Some Philosophical Perspectives: Western**

### **Unit-III: Truth & Knowledge**

#### **Details:**

- i. Knowing how and knowing that
- ii. Knowledge by acquaintance
- iii. Knowledge by description
- iv. Rationalism
- v. Empiricism
- vi. Kant's theory of knowledge

- vii. A priori and a posteriori knowledge
- viii. Analytic and synthetic propositions
- ix. Possibility of synthetic a priori
- x. Relation between knowledge and belief (entailment thesis)
- xi. Correspondence theory of truth
- xii. Coherence theory of truth
- xiii. Pragmatic theory of truth
- xiv. Necessary and sufficient conditions of propositional knowledge
- xv. Gettier problem (Counter-example 1)
- xvi. Gettier problem (Counter-example 2)

#### **Unit-IV: Justification**

##### **Details:**

- i. Scepticism (possibility of knowledge)
- ii. Different types of scepticism
- iii. Argument from illusion
- iv. Methodological scepticism of René Descartes
- v. Solipsism
- vi. Brain-in-a-vat argument
- vii. Theories of epistemic justification
- viii. Foundationalism
- ix. Arguments for and against foundationalism
- x. Coherentism
- xi. Arguments for and against coherentism
- xii. Internalism
- xiii. Externalism
- xiv. Infitism
- xv. Evidentialism
- xvi. Reliabilism

#### **Suggested Readings**

1. *Outlines of Indian Philosophy*, M. Hiriyanna, MLBD, Delhi, 1993
2. *An Introduction to Indian Philosophy*, Satischandra Chatterjee and Dhirendramohan Datta, University of Calcutta, Kolkata
3. *An Introduction to the Philosophy of Sri Aurobindo*, S.K.Maitra, Sri Aurobindo Ashram, Pondicherry, 1941
4. *Ethical Philosophies of India*, I.C.Sharma
5. *Ethics of the Hindus*, S.K. Maitra, University of Calcutta, Kolkata
6. *Essays on the Gita*, Sri Aurobindo, The Sri Aurobindo Library, New York, 1950
7. Bertrand Russell: *The Problems of Philosophy*, Oxford University Press, 1986
8. René Descartes: *Meditations on First Philosophy*, translated by John Cottingham, Cambridge Texts in the History of Philosophy, 1996
9. David Hume: *An Enquiry concerning Human Understanding*, 7<sup>th</sup> edition, Oxford University Press, 2007
10. Immanuel Kant: *Critique of Pure Reason*, Penguin Classics, 2007
11. Y. Masih: *A Critical History of Western Philosophy: Greek, Medieval and Modern*, MLBD, 1999
12. A.D. Woozley: *Theory of Knowledge*, Hutchinson University library, 1965
13. W.H. Walsh: *Reason and Experience*, Gregg Revivals, 1991
14. D.W. Hamlyn: *Theory of Knowledge*, Palgrave Macmillan, 1971
15. A.J. Ayer: *The Problem of Knowledge*, Penguin Books, 1957
16. J. Dancy: *Introduction to Contemporary Epistemology*, Wiley Blackwell, 1991
17. R. Audi: *Epistemology*, Routledge, 1992
18. A. Phillips Griffiths (ed.): *Knowledge & Belief*, Oxford university press, 1968
19. John Hospers: *An Introduction to Philosophical Analysis*, (1967/1971) (New Delhi, Allied Pub.)
20. Noah M. Lemos: *An Introduction to the Theory of Knowledge* (Cambridge Introduction to Philosophy) New York: Cambridge University Press, 2007
21. R. M. Chisholm: *Theory of Knowledge* (3<sup>rd</sup> ed.) Prentice Hall, 1966
22. J. L. Pollock: *Contemporary Theories of Knowledge*, Rowman & Littlefield, 1986

23. G.S. Pappas & M. Swain (eds.), *Justification and Knowledge: New Studies in Epistemology*, D. Reidel Pub. Co., 1978
24. W. Alston: 'Internalism and Externalism in Epistemology', *Philosophical Topics*, Vol. 14, 1986
25. L. BonJour: 'Externalist Theories of Empirical Knowledge', *Midwest Studies in Philosophy*, Vol. 5, 1980
26. Alvin Goldman: 'The Internalist Conception of Justification', *Midwest Studies in Philosophy*, Vol. 5, 1980
27. K. Lehrer, and S. Cohen: 'Justification, Truth, and Coherence', *Synthese*, Vol. 55, 1983
28. Sutapa Saha: *Evidence and Truth: Responses to the Gettier Problem*, Allied Publishers, 1994
29. Tushar Kanti Sarkar: *Knowledge, Truth and Justification*, Allied Publishers, 1992
30. Sandhya Basu; *Justification: Concepts and Theories*, Progressive Publishers, 2003
31. Proyash Sarkar: *Jñāna, Saṁśayavad O Yuktisiddhi Prasange*, Papyrus, Kolkata, 2009

**CC-15**  
***Economics –III: Theories of Development and Indian Economics***  
**Course Code: BALLBHC304**

**Credit: 4**

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

**Objectives**

This course has the aim to enlarge the vision of the students of law regarding the changes in the international arena, more especially in the post liberalized and post globalized times. It also provides an insight into examining the problems of economic growth and development in the less developed countries and analysing the causes of growth in such parts of the world. It is an attempt to enable the students of the law course to understand the conditions conducive to economic growth and also its deterrents. This would not only facilitate their knowledge of the contemporary issues of development but would also help in a better understanding of the economic implications of the alternative development strategies and policies.

**Learning Outcomes**

1. Demonstrate an advanced and integrated understanding of the problems of economic growth and also its deterrents
2. Identification, articulation and evaluation of the legal theory economic development strategies and policies
3. Critically analyse the problems of economic development of Indian Economy

**Contents**

***Unit –I*** Economic Development and Growth

- a) concept of development,
- b) human right dimension in economic growth
- c) economic development and economic growth,
- d) features and indicators of economic development
- e) vicious cycle of poverty and determination of BPL
- f) classical model of economic growth
- g) indicators of development and growth

***Unit-II***

- a) Capital formation: significance and hypothesis of capital formation
- b) Theory of economic growth

- c) Strategies of economic growth: balanced vis- a- vis unbalanced growth; population growth and per capita income; sustainable development, requirements and strategies
- d) Problem of Agrarian economy in India : land, labour, capital and organization
- e) Problem of Industrial economy in India – land, labour, capital and organization

### ***Unit-III***

- a) Black money and corruption: Domestic and International
- b) Poverty and PDS: various schemes and functional impacts – determination of BPL under World Bank standard – Various issues on PDS – Food security
- c) Unemployment, under-employment and features

### ***Unit-IV***

- a) Planning in India: Planning Commission and various plans and success and failures
- b) Eleventh plan and resource generation
- c) Revenue Commission: success and failures
- d) Special Economic Zones : various considerations and issues

### ***Suggested Readings***

1. Agarwal, A.N., Indian Economy: Problems of Development and Planning, New Age International Publishers, New Delhi, Twenty Third Editions, 2007.
2. Dutt Ruddar and K.P.M. Sundharam, Indian Economy, S. Chand and Company Limited, New Delhi, Fifty Fifth Edition, 2007.
3. Jhingan, M.L., The Economics of Development and Planning, Vrinda Publications Private Limited, New Delhi, Thirty Eighth and enlarged Edition, 2005, Reprint 2006.
4. Lekhi R.K., The Economics of Development and Planning, Kalyani Publishers, Ludhiana, Tenth Revised Edition, 2005.
5. Meier G. M. and James E. Rauch, Leading Issues in Economic Development, Oxford University, Press, New York, Seventh Edition, 2004.
6. Myneni, S.R., Indian Economics for Law Students, Allahabad Law Agency, Faridabad, First, Edition, 2006

## **CC-16**

### ***Special Contract***

**Course Code: BALLBHC305**

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives:**

1. To describe the legal environment of enforceable contract in relation to the specific contracts such as Indemnity, Guarantee, pledge etc in India
2. To explain the current provisions of law relating to formation of special contracts
3. To make familiar the students with various principles of Contract Law for special contracts, Indian Partnership Law, Sales of Goods Act etc
4. To ingrain in the students a critical understanding of the context and importance of contracts from an economic, social and legal perspective

#### **Learning Outcomes:**

The following will be the learning outcomes for the Students:

1. Familiar with the principles that guide Specific Contracts/ enforceable agreements
2. Understand the general rules of special enforceable agreements and put those rules in their day to day practical and professional life
3. The capacity to analyse, evaluate and apply the gained knowledge for various commercial purposes

### **Contents**

#### **UNIT – I**

- a) Contract of Indemnity: Documents/Agreements of Indemnity - Definition, Nature and Scope - Rights of indemnity holder – Commencement of the indemnifier's liability
- b) Contract of Guarantee: Definition, Nature and Scope – Difference between contract of indemnity and Guarantee – Rights of surety – Discharge of Surety – Extent of Surety's liability – Co-surety.

- c) Contract of Bailment: Definition – Kinds – Duties of Bailer and Bailee – Rights of Finder of goods as Bailee – Liability towards true owner – Rights to dispose off the goods.
- d) Contract of Pledge: Definition – Comparison with Bailment – Rights and duties of Pawnor and Pawnee

## **Unit – II**

Agency: Definition – Creation of Agency – Kinds of Agents – Distinction between Agent and Servant – Rights and Duties of Agent – Relation of Principal with third parties– Delegation – Duties and Rights of Agent – Extent of Agents authority – Personal liability of Agent – Termination of Agency.

## **Unit – III**

Indian Partnership Act, 1932: Definition – Nature, Mode of determining the existence of Partnership – Relation of Partner to one another – Rights and duties of partner – Relation of partners with third parties – Types of partners – Admission of partners – Retirement – Expulsion – Dissolution of Firm – Registration of Firms.

## **Unit – IV**

Sale of Goods Act, 1930: The Contract of sale – Conditions and Warranties – Passing of property – Transfer of title – Performance of the Contract – Rights of Unpaid Seller against goods – Remedies for Breach of Contract

### **Suggested Readings**

1. Pollock & Mulla – Indian partnership Act 1932
2. M.C. Shukla – Mercantile Law
3. Desai – Indian Partnership Act
4. Kapoor – Meracntile Law
5. Indian Partnership Act, 1932
6. Sale of Goods Act, 1930

**CC-17**

***Family Law-II***

**Course Code: BALLBHC306**

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

**Objectives:**

- 1) To apprise the students with the laws relating to marriage, dissolution, matrimonial remedies, adoption, contemporary trends in Muslim family institutions in India
- 2) To increase the ability and desire of students to engage in lifelong learning and service in and through the practice of family law, particularly in Muslim law

**Learning Outcomes:**

On successful completion of this course, Students will be able to:

- 1) To explain key legal concepts underpinning Muslim Family Law system in India.
- 2) To Evaluate critically the surrounding concepts of Muslim Family Law
- 3) To communicate and work effectively on family law matters

**Contents**

**Unit I**

- a) Concept and Background of Muslim Law
- b) Application of *Shariat* Act in India
- c) Schools and sources of Muslim Law as applied and interpreted in India

**Unit II**

- a) Marriage or *Nikah* under Muslim Law: Types, essentials and legal and social aspect
- b) Dower under Muslim law

**Unit-III**

- a) Dissolution of Muslim Marriage.
- b) Maintenance
- c) Parentage, Legitimacy and Guardianship

**Unit-IV**

- a) Gift, Wills, Waqf and Administration of Estate
- b) Pre-emption
- c) Inheritance.

### **Suggested Readings**

1. Abdur Rahim, Principle of Islamic Jurisprudence (1994)
2. Syed Ameer Ali, Mahommedan Law, Tagore Law Lectures
3. Baillie, Digest of Moohummudan Law
4. The DurrulMukhtar, (Tr. By Brij Mohan Dayal)
5. Fyzee, A.A.A. , Outlines of Muhammadan Law
6. Hedaya, Tr. Into English by C.I. Hamilton
7. S. Mahmassani, The Philosophy of Jurisprudence in Islam.
8. Tyabji, F. B., Muhammadan Law, The Personal Law of Muslims.
9. I. A. Khan (ed). Muslim Law.
10. S. Khalid Rashid, Muslim Law.

**CC-18**

***Constitutional Law-I***

***Course code: BALLBHC307***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

**Objectives:**

Constitution being Supreme Law of India provides legal validity to all other laws in the country. It contains the law which governs the government and its relation with the individuals. Therefore, it becomes very essential to have a clear understanding about the nature and working of the Constitution. The Objectives of this course are:

- a) To familiarise the students with the philosophy of the Constitution and its different aspects of Constitutional Law and Constitutionalism
- b) To develop an understanding of the working of the Indian Constitution with reference to the Fundamental rights, Directive Principles of State Policies, and Fundamental Duties

**Learning Outcomes:**

1. The Students should be able to gain theoretical knowledge about the core concepts of the Constitution
2. The Students should be able to attain in depth understanding about Fundamental rights, Directive Principles of State Policies and Fundamental Duties.
3. It will provide the students latest constitutional developments in India.

**Contents:**

**Unit 1**

**Concepts:**

- a) Constitution, Constitutional Law and Constitutionalism
- b) Rule of law
- c) Separation of powers
- d) Concept of Limited Government in India

**Unit-II**

- a) Making of Indian Constitution
- b) Nature and special features of the Constitution of India
- c) Doctrine of Checks and balances

d) Doctrine of Judicial Review

### **Unit III: Fundamental Rights**

- a) Definition of 'State' for Enforcement of Fundamental Rights: Justifiability of Fundamental Rights, Doctrine of Eclipse, Severability, Waiver
- b) Right to Equality (Articles 14-18): Doctrine of Reasonable Classification and the Principle of Absence of Arbitrariness, Legitimate Expectations, Principle of Compensatory Discrimination
- c) Fundamental Freedom (Article 19): Freedom of Speech and Expression, Freedom of Press and Media; Expansion by Judicial Interpretation of Article 19; Reasonable Restrictions (Article 19 clause (2) to (5))
- d) Right to Life and Personal Liberty (Articles 20-22): Scope and Content (Expansive Interpretation- Right to Privacy, Gays' Rights, Live-in Relationships, etc.)
- e) Right to Education (Article 21A): RTE Act, 2009
- f) Right against Exploitation (Articles 23-24): Forced Labour, Child Employment and Human Trafficking
- g) Freedom of Religion and Cultural and Educational Rights of Minorities (Articles 25-30)

### **Unit IV**

#### **a) Directive Principles and Fundamental Duties**

- a) Nature and Justiciability of the Directive Principles
- b) Detailed Analysis of Directive Principles (Articles 37-51)
- c) Fundamental Duties
- d) Inter-Relationship between Fundamental Rights and Directive Principles
- e) Constitutional amendments – to strengthen Directive Principles

#### **b) Right to Constitutional Remedies**

- a) Writs: Habeas Corpus, Mandamus, Certiorari, Prohibition and Quo-warranto
- b) Art. 32 and Art. 226
- c) Writ Jurisdiction and Private Sector
- d) Judicial activism and restraint

### **Suggested Readings**

1. J. N. Pandey, Constitutional Law of India, Central Law Agency
2. Dr. Durga Das Basu, Shorter Constitution, Lexis Nexis
3. H.M. Survai, Constitutional Law of India, Universal Law Publication
4. V.N. Sukla, Constitution of India, EBC
5. M.P. Jain, Indian Constitutional Law, Lexis Nexis

**AEC-1**  
**Environmental Studies**  
**Course code: BALLBHAEC301**

**Credit: 4**

**Marks: 50 [10(CA) +40 (ESE)]**

**Objectives**

1. To Provide students with broad understanding of the relationship between the human and environment
2. To help students understand the environment policy and practice
3. To analyse, implement and assess the sustainability efforts

**Learning outcomes**

At the completion of this course, students will be able to-

1. Articulate the interdisciplinary nature of environmental studies
2. Understand the global scale of environment problems
3. Communicate complex environment problems to the legal and non-legal audience

**Contents**

**Unit-I**

**Multidisciplinary nature of environmental studies**

- a) Definition, Nature, Scope and importance
- b) ii) Types and Components of environment
- c) iii) Environmental education.
- d) iv) Global environmental crisis.

**Natural Resources: Renewable and Non-renewable resources**

- a) Forest resources: Uses types and importance, deforestation and its effects
- b) Water resources: Distribution of water on earth, use and overuse
- c) Mineral resources: Use and exploitation, environmental effects of extracting and using mineral resources, case studies
- d) Food resources: World food production & distribution. Food crisis- its causes
- e) Energy resources: Renewable and Non-renewable energy sources, Use of alternate energy sources
- f) Land resources: Land as a resource, Land degradation, Landslides, Soil erosion

- g) Role of an individual in the conservation of natural resources
- h) Equitable use of resources for sustainable life style.

### **Ecology and Ecosystems**

- a) Concept of ecology, autecology and synecology
- b) Concept of an ecosystem: Different types of ecosystem, Biomes
- c) Energy flow in the ecosystem, Energy flow models
- d) Food chains, food webs and ecological pyramids
- e) Biogeochemical cycles: Nitrogen and Phosphorus

### **Bio-diversity and its conservation**

- a) Introduction- Definition: Genetics, species and ecosystem diversity
- b) ii) Threats to bio-diversity: Value of bio-diversity, Hot-spots of bio-diversity
- c) iii) Conservation of bio-diversity: In situ and Ex situ conservation of bio-diversity
- d) iv) Endangered and endemic species of India

### **Unit-II**

#### **Environmental Pollution**

- a) Air pollution: Definition, Sources, Causes, Effects and Control measures
- b) Water pollution: Definition, Sources, Causes, Effects and Control measures
- c) Soil pollution: Definition, Sources, Causes, Effects and Control measures
- d) Noise pollution: Definition, Sources, Causes, Effects and Control measures
- e) Fireworks pollution: Definition, Composition/Ingredients, Effects, Monitoring strategies
- f) Thermal Pollution: Brief concepts
- g) Nuclear Pollution: Brief concepts

#### **Social Issues and the Environment**

- a) Water conservation, rain water harvesting
- b) Climate change, global warming, acid rain, ozone layer depletion
- c) From unsustainable to sustainable development
- d) Urban problem related to energy
- e) Govt. Agencies viz. CPCB, SPCB and their functions
- f) Constitutional Provisions for protecting environment-Articles 48(A), 51A (g)
- g) The Environment (protection) Act, 1986
- h) Environment protection movements in India: Chipko Movements, Silent Valley Movements in Karnataka

## **Human Population and the Environment**

- a) Definition, characteristic; Human population growth
- b) Population explosion- Family Welfare Programme
- c) Environment and human health: Concept of health & disease
- d) Human rights, value education, role of Information technology in environment

### **Suggested Readings**

1. Basu, M. and Xavier, S., Fundamentals of Environmental Studies, Cambridge University Press, 2016.
2. Mitra, A. K and Chakraborty, R., Introduction to Environmental Studies, Book Syndicate, 2016.
3. Enger, E. and Smith, B., Environmental Science: A Study of Interrelationships, Publisher: McGraw-Hill Higher Education; 12th edition, 2010.
4. Basu, R.N, Environment, University of Calcutta, 2000.
5. Bharucha, E. Text Book of Environmental Studies (UGC).

## **Semester-IV**

### **CC-19**

#### **Political Science-IV: Public Policy and Public Administration** **Course Code: BALLBHC401**

**Credit: 4**

**Marks 100 [20 CA + 80 ESE]**

#### **Objectives**

The importance of public administration derives from its crucial role in the governing of a society. The basic goal of this course is to introduce to Public policy and public administration for the law students. Topics to be covered include constitutional basis, policy implementation, theories and structure of organisation, and the contemporary challenges of public administration. Further, this course is set to analyse the transformations in public administration with emphasis on current initiatives and emerging challenges in the field. Law Students are introduced to the study of public administration in a fast changing environment of globalized phenomenon.

#### **Learning Outcomes**

Students will be able to:

1. Understand the basics of Public Administration
2. compare the different theories of Organization in administration
3. Understand the Institutional Working in public administration in India
4. Familiarise with the interface of Law and Public Administration
5. Understand the relationship of law, public policy and public administration
6. Develop analytical skill towards public administration issues

#### **Contents**

##### **Unit- I**

- a) Meaning, nature and scope of public policy - making of public policies - constitutional basis
- b) Meaning, nature and scope of Public Administration in a State - Public & Private administration - Evolution of Public Administration in developed and developing countries.

- c) Theories of Organization - Scientific Management - Bureaucratic theory of organization - Classic theory of organization - Human Relations theory of organization.

### **Unit-II**

- a) Principles of Organization - Hierarchy - Span of Control - Unity of Command - Centralized and decentralized administration.
- b) Structure of Organization - I - Chief executive - functions of Chief Executive - Departments of fundamental units of administration - location of authority - Autonomy / independence and accountability of departments - Public enterprises/ Corporations as units of administration - Growth of public enterprises / Corporation in India - Autonomy and Accountability - Nature, scope and extent of ministerial control - Parliamentary Control, etc.
- c) Structure of Organization - II - Boards and Commissions - Constitutional bodies – Finance Commission - UPSC - EC - BC / SC / ST Commissions - Field administration - Decentralized administration - 73rd & 74th ed.

### **Unit-III**

- a) Management issues / concepts - Participative Management - Planning – Planning Commission - NDC - Planning under 73rd & 74th Amendments - Coordination - delegation - Audit & Accountability - O & M
- b) Developed legislation - Quasi judicial and administrative powers - Administrative Tribunals - contemporary developments - 323A & B - Control over public administration - Executive, legislative & judicial.

### **Unit-IV**

- a) Independent Regulatory Commissions - Growth of Regulatory Commissions in India - Impact of Globalization on Administration - TRAI, IDRA, ERA, SEBI, etc
- b) Contemporary challenges of Public Administration – Right to Information – National Rural Employment Guarantee Act – Disaster Management Act – Protection of Human Rights Act - Statutory Commissions (Women’s Commission / National Commissions for the Protection of the Rights of the Child / NHRC / SHRC) - Translating the recommendation of II ARC on good governance.

### **Suggested Books**

1. Amreshwar Avasthi & Shriram Maheswari, Public Administration, New Delhi
2. Chaturvedi (Edited), Comparative Public Administration, I.I.P.A. New Delhi

3. Leonard D.White, Public Administration, Eurasia Publishing House, New Delhi
4. Bellone, Carl, J Organization Theory and the New Public Administration, Boston
5. Kriesberg, Martin (ed), Comparative Administrative Theory, Washington
6. Rhodes, R.A.W. Public Administration and Policy Analysis, Aldershot,

CC-20

## **Sociology-IV: Social Research Methods**

**Course Code: BALLBHC402**

**Credit: 4**

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

### **Objectives**

This course aims to provide an understanding of the nature of social phenomena, the issues involved in social research and the ways and means of understanding and studying social reality, thus, the emphasis is threefold. Firstly, on the study of research methods as a means of understanding social reality, second, the tools and techniques are only instruments and not the end or goal research. Thirdly, there are different perspectives and methods (as in quantitative and qualitative research) of understanding social phenomena

### **Learning Outcomes**

Students will be able to:

- a) Develop the social research skill
- b) Understand the research methods and tools and techniques applied in social research and Law

### **Contents**

#### **Unit 1**

- a) **Philosophy of social research:** epistemological and ontological consideration. The scientific method, logic in social science, objectivity and subjectivity in social research
- b) **Research Designs:** Experimental design, Cross sectional design, Longitudinal design, Case study design, Comparative design. Criteria in social research: Reliability, Validity, Research questions.

#### **Unit-II**

**The nature of quantitative research:** the main steps in quantitative research, the main preoccupations of quantitative research, the critique of quantitative research. Sampling : types of probability sampling, the qualities of probability sample, Types of non-probability sampling Techniques of Data Collection

: Survey, questionnaire, schedule and structured interview, structured observation, content analysis, primary and secondary sources of data.

### **Unit III**

**The nature of qualitative research:** the main steps in qualitative research, reliability and validity in qualitative research, the critique of qualitative research, some contracts between quantitative and qualitative research combining the quantitative and qualitative research, feminism and qualitative research.

### **Unit-IV**

- a) **Computer in social research:** SPSS for beginner computer assisted qualitative data analysis, E-research : using the internet as object and method of data collection
- b) **Writing up social research:** writing qualitative and quantitative research post modernism and its implication for writing ethnography ethics and politics in social research, doing a research project.

### **Suggestive Readings:**

1. Beteille A and T.N.Madan 1975 Encounter and Experience Personal Accounts of Fieldwork, New Delhi: Vikas Publishing House.
2. Bryman Alan 1988 Quality and Quantity in Social Research, London: Unwin Hyman
3. Bryman Alan 1988 Social Research Methods, New York : Oxford University Press
4. Garrett Henry 1981 Statistics in Psychology and Education David Mckay Indian Publication – Mrs.A.F.Sheikh for Vakils, Bombay Tenth Reprint.
5. Jayaram. N. 1989 Sociology Methods and Theory, Madras : MacMillian
6. Kothari C.R.1989 Research Methodlogy : Methods and Techniques, Bangalore, Wiley Eastern
7. Punch, Keith 1996. Introduction to Social Research, London: Sage.
8. Shipman Martin 1988. The Limitations of Social Research, London: Sage
9. Srinivas, M.N. and A.M.Shah 1979 Fieldworker and The Field, Delhi : Oxford
10. Young.P.V. 1988 Scientific Social Surveys and Research New Delhi : Prentice Hall

CC-20

## **Philosophy IV: Philosophical Theories of Morality**

**Course Code: BALLBHC403**

**Credit: 4**

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

### **Objectives**

1. To analyse the basic issues in moral philosophy
2. To discuss the philosophical theories as expressed in philosophical text
3. To enhance the critical thinking skills among students

### **Learning Outcomes**

At the completion of the course , students will be able to-

1. Understand and define the concepts of moral philosophy
2. Apply the knowledge in legal profession in which ethical theories apply
3. Analyse the legal issues critically

### **Contents**

#### **Unit I: Human Conduct and Morality**

##### **Content:**

- i. Nature and objectives of Moral Philosophy
- ii. Fact and Moral Value (Is and ought)
- iii. Moral Judgment
- iv. Object of Moral Judgment
- v. Motive and Intention of Voluntary human conduct
- vi. Moral Dilemma
- vii. Why be Moral
- viii. Morality, Law and Religion
- ix. Presuppositions of Moral Judgment
- x. Philosophical ideas of good society: Plato, Aristotle, Adam Smith, Jhon Rawls
- xi. The Common Good in a good society
- xii. The Common Good and Social Justice

- xiii. The Common Good and Internal requirement of social justice- Sedgwick and Finnis
- xiv. Goodness and Rightness
- xv. Morality and Virtue
- xvi. Morality and the rule of law: Finnis, Raz and Fuller

## **Unit II: Principles of Appraisal of Human Conduct**

### **Content:**

- i. Consequentialist and deontological theories
- ii. Ethical Egoism and Psychological Egoism
- iii. Intuitionism
- iv. Bentham's criticism of Intuitionism
- v. Bentham's utilitarianism
- vi. Bentham's quantitative hedonism
- vii. Mill's criticism of Bentham's view
- viii. Mill's qualitative hedonism
- ix. Critical reflections on Utilitarianism
- x. Kant's theory of morality
- xi. Critical reflections on Kant's theory of morality
- xii. Nozick's theory of justice
- xiii. Critical reflections on Nozick's theory of justice
- xiv. Rawl's theory of justice
- xv. Critical reflections on Rawl's theory of justice
- xvi. Amartya Sen's theory of justice

## **Unit III: Indian Theories of Morality**

### **Content:**

- i. Cosmic moral order: *Ṛta* and *R̥na*
- ii. *dharma*: *sādhāraṇa dharma* and *viśeṣa dharma*
- iii. *dharma* as a *puruṣārtha*
- iv. *artha* as a *puruṣārtha*
- v. *kama* as a *puruṣārtha*
- vi. *moksa* as a *puruṣārtha*
- vii. The Moral teaching of the *Gitā*
- viii. Early theories involving legal procedures: *Manu*

- ix. Early theories involving legal procedures: Kautilya
- x. Later theories involving legal procedures: Yajnavalkya
- xi. Later theories involving legal procedures: Narada
- xii. Gandhian Moral approach to conflict resolution: *satyāgraha* and *sarvodaya*
- xiii. Ambedkar's Moral Philosophy of persuasion
- xiv. Core of *karmayoga*: Aurobindo
- xv. Core of *karmayoga*: Vivekananda
- xvi. Rabindranath Tagore's Religious Humanism: A Moral attitude

#### **Unit IV: Application of Morality**

##### **Content:**

- i. Aquinas's natural law theory
- ii. Hart's legal positivism
- iii. Characteristics of crime
- iv. The retributive theory of punishment
- v. Deterrent theory of punishment
- vi. Reformatory theory of punishment
- vii. Bentham's consequentialist justification of punishment
- viii. The controversy involving death penalty
- ix. The relation between duty and right
- x. Civil wrongs (Tort)
- xi. The controversy involving freedom and responsibility
- xii. Environmental ethical issues
- xiii. Philosophical Issues in Media Ethics
- xiv. Philosophical Issues in Medical Ethics
- xv. Gender equality
- xvi. Child rights

##### **Suggested Readings:**

1. Aristotle, (1984). *Politics*, Carnes Lord (trans.), Chicago: University of Chicago Press.  
(1985) , *Nicomachean Ethics*, Terence Irwin (trans.), Indianapolis: Hackett.
2. Finnis, John, (1980). *Natural Law and Natural Rights*, Oxford: Oxford University Press.

3. Plato, (1991). *The Republic of Plato*, Allan Bloom (trans.), 2nd edition, New York: Basic Books,
4. Amartya, Sen, 1993 [2002], “*Positional Objectivity*”, *Philosophy & Public Affairs*, 22(2): 126–145. Reprinted in his *Rationality and Freedom*, Cambridge, MA: Harvard University Press.
5. Henry, Sedgwick, (1874) *The Methods of Ethics*, London: Macmillan & Co.; 7th edition, 1907, London: Macmillan; 7th edition reprinted (with a foreword by John Rawls) by Indianapolis: Hackett, 1981.
6. Patrick Olivelle (Edited & Translated), (2017). *A Dharma Reader: Classical Indian Law*, Ranikshet: Permanent Black in association with Asoka University
7. Adam, Smith, 1776 [2000]. *The Wealth of Nations*, New York: Modern Library.
8. J.S. Mackenzie, (1901). *A manual of Ethics*, University Tutorial Series, Hinds, New York City : Hayden & Eldrege, INC
9. Frankena, W.K., (1973). *Ethics*, (2nd Edition) New Jersey: Prentice-Hall
10. S.K.Maitra, (1941). *An Introduction to the Philosophy of Sri Aurobindo*, Pondicherry: Sri Aurobindo Ashram,
11. I.C.Sharma, (1965). *Ethical Philosophies of India*, Johnsen Publishing Company
12. S.K. Maitra, (1925). *Ethics of the Hindus*, University of Calcutta, Kolkata
13. Sri Aurobindo, (1950). *Essays on the Gita*. The Sri Aurobindo Library, New York,
14. Nazareth, A. P. (2006). *Gandhi’s Outstanding Leadership, Bangalore* ,Bangalore : Sarvodaya International Trust
15. Reddy, S. (2008). *Gandhi and Satyagraha: Validity and Relevance* ,Paper presented at Satyagraha Centenary Conference ,New Delhi ,India
16. Weber, T. (1991). *Conflict Resolution and Gandhian Ethics* ,New Delhi :Gandhi Peace Foundation
17. M. K. Gandhi, (1938). *Hind Swaraj*, Navajivan Publishing House,
18. B. K. Lal (1973). *Contemporary Indian Philosophy*, Delhi : Motilal Banarsidass Publishers,
19. Rabindranath Tagore, (1914). *Sadhana*, (4<sup>th</sup> Edition) Macmillan India Ltd. (1931) *THE RELIGION OF MAN*, Rupa & Co.
20. Nozick Robert (1974) *Anarchy, State and Utopia*, New York: basic Books

21. John Rawls, 1971 (1999) *A Theory of Justice* Cambridge, MA: Harvard University Press.
22. Amartya, Sen, (2009) *The Idea of Justice*, [The Belknap Press of Harvard University Press, Cambridge, Massachusetts.

CC-21

## **Economics-IV: Managerial Economics**

**Course code: BALLBHC404**

**Credit: 4**

**Marks 100 [20 CA + 80 ESE]**

### **Objectives**

1. To equip students with the necessary theory and techniques and the ability to apply them in order to inform and enhance managerial decision making.
2. To discuss the pricing strategies in different context including the demand and production theory, money market management and fiscal management
3. To gain the clear idea of Business and environment and its implication in law

### **Learning outcomes**

At the completion of this course, students will be able to-

1. Understand micro environment of economics in which business operates which will be helpful for decision making, controlling and forward strategic planning
2. Analyse real-world business problems with a systematic theoretical framework.

### **Contents**

#### **Unit-I**

- a) **Business and Environment:** Objectives of Business, Social Responsibilities, Corporate Image, Business Environment, internal and external, Business Ethics
- b) **Operation of scale and Business Decision:** Operation of scale and related Policy issues, Production and Distribution Policies and Functions of a Firm, Cost and Price policies of a Firm, Economics of growth – horizontal and vertical growth, External and Internal economy in scale operation, Localization of Industries, growth under Market Economy and Controlled Economy

#### **Unit-II**

- a) **Demand & Production Theory:** Demand Curves, Utility Surfaces, and Indifference Curve, Demand Relationship, Production and Cost, General Equilibrium, Input-Output analysis, The Firm and its objectives, Market structure, Pricing and Output

- b) **Combination, Merger and Acquisition:** Business Combinations- types, forms and the economic concerns, Competition and Combination, Spin offs and Strategic alliance, Various forms of combinations and M &A and Public Policy, Concerns for Regulatory System,

### Unit-III

- a) **Rationalization and Automation:** Rationalization in Business Firm, Industry's concern for technological invention and innovation, technology transfer, Government Policy
- b) **Economic Downturn and responsibility of a Firm:** Business Cycle and economic results, Management policy in various stages of Business Cycle, Long term and short term policy in various stages of business cycle
- c) **Government and Business:** Government's responsibility in Market Economy, Money and Capital market Regulatory System and Economic issues, Control and Regulation of Prices, Policy to regulate Monopoly and Unfair Trade Practices, Role of Government in Economic downturn

### Unit-IV

- a) **Money Market Management and Industrial concern:** Industrial concern of growth of short term capital instrument, market concerns of CPs, Industrial concern about working capital, General Equilibrium and Theory of Money,
- b) **Fiscal Management and Industrial concern:** Economic of taxation, Canons of taxation, Business interest in domestic and inter-country transactions, tax-management in e-commerce.
- c) **Infrastructure Development and PPP:** Economics of Public Private Partnership, Why is PPP economically a good alternative in Infrastructure Building,
- d) **Economics of International Trade Relation:** Economic concerns in International Trade, Trade in Service Facilities, Trade related Investments, Trade Related Intellectual Property Relations, Global integration of economy, Inter-country relation in Sovereign Bankruptcy relation.

### Suggestive Readings

1. Jones, Managerial Economics,
2. Cooter & Ulen: Law and Economics, Scott, Glenview, Illinois
3. Grey & Elliott, Economic Issues and Policies, Houghton Mifflin, Boston
4. Baumol, Economic Theory and Operations Research, Prentice-Hall, New Delhi

5. Clarkson, The Theory of Consumer Demand, Prentice-Hall, Delhi
6. Cohen and Cyert, The Theory of Firm, Prentice-Hall, New Delhi

**CC-22**

**Constitutional Law-II**

**Course Code: BALLBHC405**

**Credit: 4**

**Marks 100 [20 CA + 80 ESE]**

**Objectives**

1. To expose the students to the working of the Legislature, Executive and Judiciary in relation with the other machineries of the State.
2. To familiarise the students with the working of Indian Federal System and centre-State relations.
3. To study and develop an understanding of the Amendment, emergency and Interstate trade and commerce

**Learning Outcomes:**

1. The Students should be able to have a clear and Critical understanding of the working of the three organs of the State, Amendment and emergency provisions of the Constitution
2. It will provide the students latest constitutional developments in India.

**Contents**

**Unit I: Constitutional Organs**

- a) Parliament
- b) Parliamentary Sovereignty
- c) Parliamentary Privileges
- d) Anti-Defection Law
- e) Collective Responsibility of Cabinet

**Unit-II**

- a) Judiciary-Jurisdiction of Supreme Court and High Courts
- b) Independence of Judiciary
- c) Public Interest Litigation
- d) Power of Judicial Review
- e) Doctrine of Political Question

**Unit III Relationship between Centre and States**

- a) Legislative Powers - Administrative Powers - Financial Power

- b) Relations between the Union and States-legislative relations and administrative relations
- c) Doctrine of Territorial Nexus–Doctrine of Harmonious Construction–Doctrine of Pith and Substance–Doctrine of Repugnancy

#### **Unit IV**

- a) Emergency Provisions: National State and Financial
- b) Constitutional amendment, methods of constitutional amendment,
- c) Doctrine of the basic structure
- d) Freedom of trade, commerce and intercourse
- e) Services under the Constitution – doctrine of pleasure (Art. 310);
- f) Protection against arbitrary dismissal removal or reduction in rank (Art 311), exceptions to Articles 311
- g) Administrative Tribunals

#### **Suggested Readings**

- 1) D.D.Basu, Shorter Constitution of India, 2001 Wadhwa, Nagpur
- 2) H.M.Seervai, Constitution of India, Tripathi Bombay
- 3) V.N.Shukla, Constitution of India, Eastern Book Co. Lko.
- 4) M.P.Jain, Constitution of India, Wadhwa Nagpur
- 5) B.K.Sharma, Introduction to Constitution of India, Prentice Hall.

## **CC-23**

### **Environmental Law**

**Course Code: BALLBHC406**

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

- 1) To acquaint the students about the pollution and other environmental issues and the measures taken nationally and internationally to protect it
- 2) To familiarise the students about the scope of the environmental law and ignite the mind of the students for research and study

#### **Learning Outcomes**

- 1) Gain knowledge in statutory and regulatory mechanism relating to environment in India and abroad
- 2) Understand the judicial approach towards the environmental issues
- 3) Studying some special legislations enacted for protection of species
- 4) Comprehending the environmental issues from the constitutional point of view

#### **Contents**

##### **Unit-I: Introductory**

- a) Concept of environment and Pollution
- b) Historical Perspective: Indian Tradition, British Raj and Industrial development, Penal Provisions
- c) International Environmental Law: Development of International Environmental Law, U.N. Stockholm Declaration 1972, Rio-Declaration 1992, Johannesburg Declaration 2002- Basic Principles evolved, Rio+20 United Nations Conference on Sustainable Development, Paris agreement, 2015

##### **Unit-II: Constitutional Perspective**

- a) Fundamental Rights: Art. 14, Article 19(1) (g), Art. 21, Article 32
- b) Directive principles of State policy: Article 47, 48 (a)
- c) Fundamental Duty: Art. 51A (g)
- d) Power of the High Court: Art. 226
- e) Public Interest Litigation

##### **Fundamental Principles of Environmental Protection**

- a) Development v Environment

- b) Sustainable Development: Inter-generational and Intra-generational equity
- c) Precautionary Principles
- d) Polluter pay Principle
- e) Public Trust Doctrine
- f) Community Rights

### **Unit-III: Legislations**

#### **Environmental (Protection) Act, 1986**

- a) Meaning of 'Environment', 'Environment Pollutant', 'Environment Pollution'
- b) Powers and Functions of Central Govt

#### **The Water (Prevention and Control of Pollution) Act, 1974**

- a) Water Pollution - Definition
- b) Central and State Pollution Control Boards – Constitution, Powers and Functions
- c) Water Pollution Control Areas
- d) Sample of effluents – Procedure; Restraint order
- e) Consent requirement – Procedure, Grant/Refusal, Withdrawal
- f) Citizen Suit Provision

#### **Air (Prevention and Control of Pollution) Act, 1981**

- a) Air Pollution – Definition
- b) Central and State Pollution Control Boards – Constitution, Powers and functions
- c) Air Pollution Control Areas
- d) Consent Requirement – Procedure, Grant/Refusal, Withdrawal
- e) Sample of effluents – Procedure; Restraint order
- a) Citizen Suit Provision

### **Unit-IV:**

#### **The Biological Diversity Act, 2002**

- a) access to biological resources and benefit sharing
- b) Regulation of genetically modified organisms
- c) Storage of Hazardous Micro-Organisms Genetically Engineered Organisms or Cells Rules, 1989.

#### **The Wildlife (Protection) Act, 1972:**

- a) Authorities to be appointed and constituted under the Act

- b) Hunting of Wild Animals
- c) Protection of Specified Plants
- d) Protected Area
- e) Trade or Commerce in wild animals, animal articles and trophies; Its prohibition.

### **NATIONAL GREEN TRIBUNAL**

Powers and functions of the National Green Tribunal; jurisdiction; locus standi, remedies, Powers and functions; jurisdiction; locus standi, remedies

#### **Suggested Readings**

1. Paras Diwan & Parag Diwan – Environment Management, Law & Administration.
2. P. Leelakrishnan – Environment and the Law
3. Biswajit Mukherjee – Law and Environment
4. K. Thakur - Environment Protection Law & Policy in India
5. Armin Rosencranz, Shyam Diwan, Marth L, Noble – Environment Law and policy in India – Cases, Materials and Statutes.
6. Ball and Bell – Environment Law.

## **CC-24**

### **Jurisprudence**

*Course Code: BALLBHC407*

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives:**

- 1) To learn the bases of concepts in jurisprudence
- 2) To create an understanding of the subject which forms the foundation of all subjects taught during the three years course.
- 3) To create an understanding as to the evolution of law and the legal system
- 4) To familiarise a student about the interdisciplinary study in Law
- 5) To develop critical thinking about law and legal system

#### **Learning Outcome:**

- 1) Students will be able to understand the various concepts and sources of law
- 2) Students will come to understand the law as it is and as it ought to be
- 3) Students will be able to learn the various aspects of rights and duties
- 4) The technique of logical thinking of the students will be sharpen to understand those philosophies on which a statute rests.

### **Contents**

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

- a) Definition of the term Jurisprudence
- b) Definition of Law, kinds of law
- c) Justice and its kinds
- d) Sources of Law (Elementary study)

#### **Unit-II Schools of Jurisprudence**

- a) Natural law school
- b) Analytical school, Imperative Theory of law, Pure Theory of law
- c) Historical school
- d) Sociological school
- e) Realistic school
- f) The Ancient : The concept of 'DHARMA'

### **Unit III Sources of Law**

- a) Legislation
- b) Precedents: Concept of *Stare decisis*
- c) Customs

### **Unit- IV Legal Concepts**

- a) Right and Duties
- b) Law and Moral
- c) Property
- d) Ownership
- e) Possession
- f) Justice
- g) Personality
- h) Codification

### **Suggested Readings**

1. Salmond – Jurisprudence
2. G.W. Paton- Jurisprudence
3. Dias – Jurisprudence
4. Friedman – Legal theory
5. B.N. Mani Tripathi – Jurisprudence and legal theory
6. Dr. S. K. Tiwari - Schools of Jurisprudence
7. S.N. Dhyani- Fundamentals of Jurisprudence

## **Semester-V**

**CC-25**

### ***Political Science-V: Indian Political Thought***

**Course Code: BALLBHC501**

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

1. To discuss the development of Indian political thought from pre-colonial to modern times
2. To understand the development of various concepts such as kingships and theories of state in India
3. To understand the relationship of the development of Indian Political vision and the Law in India
4. To understand the key historical events with reference to the selected political thinking of Great Political thinkers which shaped the structure of the contemporary legal system, institutions, and their functions in India

#### **Learning Outcomes**

Students completing this course will be able to

1. Understand the Indian political thinking concerning Law, Political systems and other issues relating to governance
2. Understand the political thinkers and their theories which shaped the modern India
3. Demonstrate the key political ideas in chronological perspective
4. Understand the relation between the India political ideas contributing legal development

#### **Contents**

##### **Unit I**

##### **Pre-colonial Political thought**

- a) Brahamanic
- b) Islamic
- c) Vedavyasa thought on Rajdharm (Shantiparva)
- d) Manu and Social laws
- e) Kautilaya: Theory of State
- f) Theory of Kingship

## **Unit II**

- a) Rajaram Mohan Roy and his Political thinking
- b) Swami Vivekanand and his political thought
- c) Aurbindo Ghosh and his political thought

## **Unit III**

- a) MN Roy and his political thinking for India
- b) Gandhi and his contribution to Indian Thinkers to political theorizing of Indian Political Thought
- c) Nehru and his political thinking for India

## **Unit IV**

- a) BR Ambedkar and his political vision and thinking for India
- b) Dr. Ram Manohar Lohia and his contribution to political thinking in India

### **Suggested Readings**

1. Appadorai, Indian Political thinking Through ages, Khana Publishers, Delhi
2. MN Jha, Political thought in Modern India, Meenkhshi Prakashan, Meerut
3. VR Mehata, Indian Political thought, Manohar Publication
4. VP Verma, Modern Indian Political Thought, Lakshmi Narayan Agrawal

## **CC-26**

### ***Land Laws Including Tenure And Tenancy System***

**Course Code: BALLBHC502**

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

- 1) To provide the historical outlook of land reforms at the regional and National level
- 2) To acquaint students with the local legislations operating on Land related matters in the West Bengal
- 3) To Define various local concepts related with land law

#### **Learning Outcomes**

At the completion of this course, a student will be able to:

- 1) Gain Knowledge about the historical growth of land reforms movement in regional as well as at the National
- 2) Familiarise with various concepts and definitions related with land matters
- 3) Acquire the competence to deal with land related transactions in the prevailing market conditions

#### **Contents**

##### **Unit -I**

- a) Concept of land reform
- b) Constitutional Provisions on Agrarian Reform Legislation
- c) Abolition of private landlordism

##### **Unit-II**

- a) Historical Study of Land reforms in West Bengal
- b) Operation Barga

##### **Unit-III**

The West Land Reform Act, 1955

The West Bengal Apartment Act

## **Unit –IV**

The West Bengal Premises Tenancy Act, 1997

### **Suggested Readings**

1. Mr. V.N. Shukla , Constitution of India
2. P.K. Sarkar, Law of Acquisition of land in India
3. Justice Mallick - West Bengal Land Reforms Act, 1955
4. Amal Das - West Bengal Land Reforms Act, 1955
5. AN. Saha - West Bengal Land Reforms Act
6. AN. Saha - Premises Tenancy Act

*CC-27*

*Indian Penal Code, 1860*

*Course Code: BALLBHC503*

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

**Objectives:**

- 1) To impart knowledge regarding the basic principles of Penal Law for determining the criminal liability
- 2) To disseminate knowledge on the various offences affecting the Human body and property, Public tranquillity, public justice and abetment
- 3) To scrutinise the recent changes and developments that have taken place in the field of criminal law.

**Learning outcomes**

At the end of the course, students will be able to:

- 1) Identify the elements of various offences as provided under the IPC
- 2) Apply the principles under criminal law on various cases.
- 3) Demonstrate an understanding of the socio economic and political undercurrents of the crimes to view them against the larger picture.

**Contents**

**Unit I**

**Nature and Scope**

- a) Definition of Crime,
- b) Territorial Operation of the Code (Sections 1-5)
- c) Elements of Crime
- d) Joint and Constructive Liability (Sections 34, 38 and 149)

**General Exceptions:**

- a) Judicial Acts (Sections 77-78)
- b) Mistake of Fact (Sections 76, 79)
- c) Accident (Section 80)
- d) Absence of Criminal Intent (Sections 81-86, 92-94).
- e) Consent (Sections 87, 90)

- f) Trifling Acts (Section 95)
- g) Private Defense (Sections 96-106)

## **Unit-II**

### **Inchoate Crimes and Offences against Public Tranquillity**

- a) Abetment (Sections 107-120)
- b) Criminal Conspiracy (Sections 120A, 120B)
- c) Attempt (Section 511)
- d) Offences against the Public Tranquillity (Sections 141-148,159,160)

## **Unit-III**

### **Offences Relating to Body**

- a) Offences Affecting Life (Sections 299-309)
- b) Hurt and Grievous Hurt (Sections 319-325)
- c) Wrongful Restraint, Wrongful Confinement (Section 339-342)
- d) Criminal Force, Assault, etc. (Sections 339-352)
- e) Kidnapping, Abduction (Sections 359-362)
- f) Sexual Offences (Sections 375-377)

## **Unit –IV**

### **Offences Relating to Property**

- a) Theft (Section 378)
- b) Extortion (Section 383)
- c) Robber (Section 391)
- d) Dacoity (Section 390)
- e) Criminal Misappropriation of Property and Criminal Breach of Trust (Sections 403-405)
- f) Cheating (Sections 415-420)
- g) Mischief (Section 425)
- h) Criminal Trespass (Sections 441-462)
- i) Offences Relating to Marriage (Sections 494-495-498A)
- j) Defamation (Sections 499-502)
- k) Criminal Intimidation etc. (Sections 503,504,506,507,509)

### **Suggested Readings**

1. Kenny – Outline of Criminal Law.
2. RatanLal – Indian Penal Code.
3. K.D. Gam – Indian Penal Code.
4. S.N. Misra – Indian Penal Code.

**CC-28**

***Code Of Criminal Procedure***

***Course Code: BALLBHC504***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

**Objectives:**

- 1) To provide knowledge regarding the procedural aspects of the working of the criminal courts and other law enforcement machineries
- 2) To sensitize the students about critical issues in administration of criminal justice

**Learning outcomes**

At the completion of the course, students will be able to:

- 1) Understand the constitution and jurisdiction of criminal courts, various processes issued by criminal courts and diverse types of trials.
- 2) Gain the sound knowledge on the procedural criminal law
- 3) Equip the students to apply the procedural law in courts

**Contents**

**Unit-I**

Chapter I- Preliminary (Sections 1–5)

Chapter II Constitution of Criminal Courts and Offices (Sections 6–25A)

Chapter III Powers of Courts (Sections 26–35)

**Unit-II**

Chapter V Arrest of Persons (Sections 41, 43, 44, 46–54, 56, 57)

Chapter VI Processes to Compel Appearance 70–86

Chapter VII Processes to Compel the Production of things (Sections 93 –101)

Chapter VIII Security for keeping the peace and for good behaviour (Sections 107 – 110, 115, and 116,122)

Chapter IX Order for Maintenance of Wives, Children and Parents (Sections 125-128)

**Unit-III**

Chapter X Maintenance of Public Order and Tranquillity (Sections 133-148)

Chapter XI Preventive Action of the Police (Section 151)

Chapter XII Information to the Police & their Powers to Investigate (Sections 154-176)

Chapter XIII Jurisdiction of the Criminal Courts in Inquiries and Trials (Sections 177-189)  
Chapter XIV Conditions Requisite for initiation of proceedings (Sections 190-199)  
Chapter XV Complain to Magistrates (Sections 200-203)  
Chapter XVI Commencement of Proceedings before Magistrates (Sections 204-210)

#### **Unit-IV**

Chapter XVII The Charge (Sections 211-224)  
Chapter XVIII Trial before a Court of Session (Sections 225-237)  
Chapter XIX Trial of warrant-cases by Magistrates (Sections 238-250)  
Chapter XX Trial of Summons Cases by Magistrates (Sections 251-259)  
Chapter XXI Summary Trials (Sections 260-265)  
Chapter XXIV General Provisions as to Inquiries and Trials (Sections 300,304,309-311A, 313,317,320)  
Chapter XXIX Appeals (Sections 372-394)  
Chapter XXX Reference and Revision (Sections 397-401)  
Chapter XXXI Transfer of Criminal Cases (Sections 406-410)  
Chapter XXXIII Provisions as to Bail and Bonds (Sections 436-439)  
Chapter XXXV Irregular Proceedings (Sections 460,461)  
Chapter XXXVI Limitation for Taking Cognizance of Certain Offences (Sections 467-469)

#### **Suggested Readings**

1. Ratanlal – The Code of Criminal Procedure
2. B.B. Mitra –. The Code of Criminal Procedure
3. Sarkar – The Code of Criminal Procedure
4. Justice Thakkar The Code of Criminal Procedure
5. S.N. Mishra -. The Code of Criminal Procedure

**CC-29**

***Law Of Evidence***

***Course Code: BALLBHC505***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

**Objectives:**

1. To orient students with importance of evidence for establishment of claims and the related rules and principles on contemporary basis.
2. To familiarise students about the rules of evidence and the underlying rationale for each rule
3. To develop critical thinking and interpretational skills regarding a variety of evidentiary issues

**Learning Outcomes**

At the successful completion of this course, students will be able to-

1. understand the concept and general nature of evidence, and illustrate the diverse types of evidence and court procedures relating to evidence
2. Analyse the rule relating to relevance of evidence and admissibility of evidence before the court.
3. Demonstrate their arguments for or against the relevancy of a particular piece of evidence

**Contents**

**Unit-I**

- a) Preliminary (Sections 1-4)
- b) Relevancy of Facts (Sections 5-55)

**Unit-II**

- a) Facts which need not be proved (Sections 56-58)
- b) Oral and Documentary Evidence (Sections 59-90A)

**Unit-III**

- a) Exclusion of Oral or Documentary Evidence (Sections 91-100)
- b) Burden of Proof (Sections 101-114A)

**Unit-IV**

- a) Estoppel (Sections 115-117)
- b) Witnesses and Examination of Witnesses (Sections 118-166)
- c) Improper Admission and Rejection of Evidence (Sections 167)

**Suggested Readings**

1. Ratanlal Dhiraj Lal – The Law of Evidence
2. Avtar Singh – Principles of Law of Evidence
3. Batuklal – the Law of Evidence
4. Best – Law of Evidence
5. V. P. Sarathi – Elements of Law of Evidence
6. H. Mondal – Law of Evidence

## ***AEC-2***

### ***Advocacy Skills***

***Course Code: BALLBHAEC501***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives:**

1. To develop the personality of Students as lawyers
2. To help the students to prepare for professional life
3. To acquaint the students with skills of advocacy

#### **Learning Outcomes**

The Students will be able to:

1. Develop advocacy skills which they need to succeed in their legal practice
2. Develop effective working relationship

#### **Contents**

##### **Unit – I**

Personality: Meaning and Definition

- a) Determinants of personality
- b) Heredity, Environment and Situational Factors
- c) Theories of personality: Trait Theory, Type Theory, Psycho Analytic Theory, Learning Theory

##### **Unit – II**

Attitude

- a) Meaning and Definition
- b) Types of Attitude
- c) Formation of Attitude
- d) Negative Attitude and objective
- e) Building positive attitude
- f) Situational Analysis of Attitude
- g) Perception
- h) Biases, Prejudices and blind Spots

### **Unit – III**

#### Motivation

- a) Theories of Motivation
- b) Various motives: Biological and social Motives
- c) Motives to know and Be effective
- d) Frustration and conflict of Motives

### **Unit – IV**

#### Leadership and Team- Building

- a) Definition
- b) Theories
- c) Characteristics of leadership
- d) Team Building

#### **Suggested Readings**

1. Introduction to Psychology – Morgan's
2. Social Psychology – R.A. Baron
3. Psychology /: An Introduction – J.R. Gnow
4. Organizational Behaviour – Stephens P. Ronnins

## **Semester-VI**

**CC-30**

### ***Political Science VI: Public Administration***

**Course Code: BALLBHC601**

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

1. To Make the learner to understand the nature, scope and role of Public Administration in the changing socio-economic and political context
2. Acquaint with the functioning of the Indian administration, at central, state and local levels
3. Understand the interface of theory and practice in Public Administration and Law

#### **Learning Outcomes**

At the completion of this course, students will be able to

1. Understand the basics of Public Administration
2. compare the different theories of Organization in administration
3. Understand the Institutional Working in public administration in India
4. Familiarise with the interface of Law and Public Administration

#### **Contents**

##### **Unit I**

- a) Public Administration: Nature and Scope; Stages of growth; Identity crisis.
- b) Concepts and principles of Administration: Hierarchy; Unity of Command; Span of Control; Line and Staff; Centralization, Decentralization and Delegation of Authority; Planning and Performance Budgeting.

##### **Unit II**

- a) Weberian ideas of Bureaucracy, Marxian critique and Post-Weberian development

- b) Recent advances in the discipline of Public Administration: Public choice approach, new public management paradigm, good governance.

### **Unit-III**

- a) Development and Administration: Meaning and importance; Ecology and sustainable development: Riggsian model.

### **Unit IV**

- a) All-India Services: IAS, IPS Central Services: IFS – recruitment and training. Union and State Public Service Commissions: composition, functions and role.
- b) Union Administration: PMO; Cabinet Secretary and the Secretariat; Relationship between the Secretariat and the Directorate.
- c) Local Administration in West Bengal: Panchayets with special reference to Zilla Parishads; Role of the Sabhadhipati. Municipalities and Corporations – legal institutional framework and role in development.

### **Suggested Readings**

1. A Avasthi and S Maheshwari, Public Administration (Lakshmi Narain Agarwal, Agra).
2. S Maheshwari, Indian Administration (Orient Longman, New Delhi).
3. Ramesh K Arora and Rajni Goyal, Indian Public Administration (Wishwar Prakashan, New Delhi).
4. F A Nigro and L G Nigro, Modern Public Administration.
5. The West Bengal Panchayet Act, 1973 (Govt of West Bengal, Kolkata).
6. L N Dutta, West Bengal Municipal Act (Tax' N Law, Kolkata).
7. Kalpana Maheswari and Indira Maheswari, The Calcutta Municipal Act, 1980.
8. Mohit Bhattacharyya, Public Administration : Structure, Process and Behaviour.
9. S N Jha and P C Mathur (ed.), Decentralization and Local Politics in India (Sage Publications, New Delhi).
10. Rumki Basu, Public Administration : Concepts and Theories (Sterling Pub. Pvt. Ltd., New Delhi).
11. Mohit Bhattacharyya, Indian Administration (The World Press Pvt Ltd, Kolkata).
12. C P Bhambhri, Public Administration, Theory and Practice (Jai Prakash Nath& Co., Merrut City).

13. Mohit Bhattacharyya, Public Administration (The World Press Pvt Ltd, Kolkata).
14. Asok Mukhopadhyay, Municipal Government.
15. Provat Dutta, The Second Generation Panchayats in India.

**CC-31**

**COMPANY LAW**

**Course Code: BALLBHC602**

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

**Objectives**

- 1) To provide knowledge of Company Law and its History with reference to the New Company Law Amendment Act
- 2) To describe the procedure of formation, management, control of company and winding up of a company

**Learning Outcomes**

At the end of this course, students will be able to:

- 1) Explain the concepts and doctrines as applicable in company law
- 2) Evaluate the corporate working in the modern scenario
- 3) Know about the Company Law in India

**Contents**

**Unit-I**

- a) Concept of Company and history of company Legislations in India.
- b) Procedure relating to formation of a Company

**Unit-II**

- a) Finance of Company
- b) Management of Company affairs.

**Unit-III**

- a) Majority rule
- b) Control of Company affairs

**Unit-IV**

- a) Procedure relating to winding up of a Company
- b) Miscellaneous provisions

**Suggested Readings**

1. A Ramaiya - Guide to the Companies Act.
2. The Law relating to Government Control of Private Companies.
3. Indian Law Institute – Government Regulations of Financial Management of private corporate Sector in India.
4. T. R. Srinivasa Iyenger – The Law relating to the private Limited Companies.
5. N.D. Kapoor – Elements of Companies.
6. Avtar Singh – Indian Companies Law
7. S.C. Sen – New Frontier on Company Law
8. S.M. Shah – Lectures on Company Law
9. Fariedmann – Company Law and Capitalism ( Hudden Tom Public Corporation )
10. Palmer – Principles of Modern Company Law (Grower Company Guide)
11. S.C. Sen – Mergers, Amalgamation and Take overs (responsible Company))
12. Pundy, Lindhal and Casyer – Corporate Concentration and Public Policy.
13. Department of Company Affairs – Company News and Notes Journal.
14. Company Law Journal – M.L. J. Press, Madras
15. K.I. Kali – A study on Sacchar Committee Report.

## CC-32

### Labour Law-I : Industrial Laws

*Course Code: BALLBHC603*

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

- 1) To acquaint the students regarding the basic framework labour law in India
- 2) To demonstrate a deep understanding of the underlying principles, rules and institutions which regulate Indian labour relationships
- 3) To familiarise the students with the Laws related to Industrial Disputes and Trade Union
- 4) To provide students with the tools for further study of Labour and Industrial law.

#### **Learning Outcomes**

At the completion of this course, students will be able to:

- 1) Gain knowledge of theories and perspectives in labour and industrial relations in India
- 2) Apply the concepts and theories on the contemporary developments in the labour law area
- 3) Learn as to how to apply the laws and protect the interest of the workers
- 4) Understand the various issues relating to labour laws and get encouragement for future study and research in labour law area

#### **Contents**

##### **Unit-I**

- a) Industrial Relation, Labour Problem and Labour Policy in India
- b) Labour through the ages - slave labour - guild system - division on caste basis - labour during feudal days
- c) From laissez faire to welfarism and to globalisation: transition from exploitation to protection and from contract to status: changing perspectives on labour

##### **Unit-II**

##### **Industrial Dispute Act, 1947**

- a) Scope of Industry, Workmen, Employers, Industrial Disputes, Authorities under the Industrial Dispute Act, 1947; Procedure, Power and Duties of Authorities, Reference of Disputes to Boards, Courts or Tribunals. Strike, Lock Out, Lay Off, Retrenchment and

Closure, Unfair Labour Practices, Penalties, Offences by Companies etc. Industrial Employment (Standing Order) Act, 1946

### **Unit-III**

#### **Resolution of Industrial Disputes**

- a) Industrial Dispute and Individual Dispute
- b) Arena of Interaction and Participants: Industry, Workman and Employer
- c) Settlement of Industrial Dispute
  - i. Works Committee
  - ii. Conciliation Machinery
  - iii. Court of Enquiry
  - iv. Voluntary Arbitration
- d) Adjudication: Labour Court, Tribunal and National Tribunal

### **Unit-IV**

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

#### **Suggested Readings**

1. P.L. Malik – Industrial Law
2. S. N. Mishra – An Introduction of Labour and Industrial Law
3. N. D. Kapoor – Handbook of Industrial Law
4. S. Srivastave – Industrial Relations and labour Law
5. S. M. Chaturbedi – Labour and Industrial Laws
6. H.K. Saha Ray – An Industrial and Labour Laws in India
7. Labour Laws Journals.

**DSE-1**  
**Gender Justice and Feminist Jurisprudence**

**Course Code: BALLBHDSE601**

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

**Objectives**

1. To explore the principal variants of "feminist" theories insofar as they bear on understandings and critique of state and law
2. To analyze the issues and debates relating to gender justice
3. To understand feminism in global and local context

**Learning outcomes**

At the completion of this course, students will be able to:

1. Explain and analyze the feminist legal theories
2. Apply the feminist theories to analyze the law and legal issues
3. Plan research writing with new perspective

**Contents**

**Unit-I**

- a) Feminist legal theory: conceptual analysis
- b) Feminist Theorizing and Legal Order

**Unit-II**

- a) Nationalist Struggle and Gender Equality
- b) Patriarchal Elements in Indian Law

**Unit-III**

- a) Gender Justice Standards at International Law
- b) Indian law and gender justice jurisprudence
- c) Natural law theory and feminist critique

**Unit-IV**

- a) Feminist Jurisprudence
- b) Labour, Gender and the Law
- c) Marxist feminist approaches
- d) Population Planning and Gender Justice

### **Suggested Readings**

1. Alison M. Jaggar, *Feminist Thought and Human Nature* (1983), Harvester Press Sussex.
2. Maria Mies, *Patriarchy and Accumulation on a World Scale: Women in the International Division of Labour* (1986), Zed Books, London.
3. Lawrence A. Babbm *Redemptive Encounters: Three Modern Styles in the Hindu Tradition* 93-158, (1987)
4. K.N. Venkatarayappa, *Feminine Roles* (1980)
5. Susan Atkins & Brend Hogett, *Women and the Law* (1984)
6. Julia Brophy & Carol Smart (ed.), *Women in Law: Explorations in Law, Family and Sexuality* (1985)
7. Susan Edwards (ed.), *Gender, Sex and Law* (1985)
8. Michael D.A. Freeman (ed.), *The State, the Law and the Family* (1984)
9. Katherine O' Donovan, *Sexual Divisions in Law* (1985)
10. E. Diane Pask, Kathleen E. Mahency and Catherine A. Brown (ed.), *Women, the Law and Economy* (1985)
11. Catherine A. Mackinon, *Feminism Unmodified: Discourse on Life and Law* (1987)
- 12.** Catherine A. Mackinon, *Toward a Feminist Theory of the State* (1989)

## ***DSE-1***

### ***Competition Law***

***Course Code: BALLBHDSE602***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

- 1) To disseminate knowledge about the policy and historical background of competition law in India
- 2) To provide the knowledge about the anti-competition agreements, MRTP and Competition Act in India
- 3) To disseminate the knowledge about the authorities and their functions and the remedies under the Competition Act

#### **Learning Outcomes**

At the successful completion of this course, Students will be able to

- 1) Understand the goals of Competition Law
- 2) Apply the prohibitions of anti-competitive agreements and abuse of a dominant position
- 3) Understand and explain the rules under the Competition law in India

#### **Contents**

##### **Unit-I**

- a) Background and Introduction: Competition law in India; Definition, growth, historical background and need for change; Globalization and competition Policy in India, Monopoly and the new change.
- b) Competitive Agreements and Contracts: Anti-competition agreements and the freedom of Contract (S.23&27 of IC Act); Constitutional initiatives in the protection of monopolistic activities.

##### **Unit-II**

- a) MRTP and Competition Act: The short comings of MRTP; Monopolistic Trade Practices, Restrictive Trade Practices and Unfair Trade Practices; Protection of consumer interests
- b) An overview of the Competition Act 2002

##### **Unit-III**

Prohibition and Merger: Competition laws; Core issues, Dominant Position and its abuses; The Prohibition of anti-competitive agreements, Indian position and remedies; Combinations and regulations of combination-Merger between enterprises.

#### **Unit IV**

- a) Authorities: Authorities under Competition Act; Composition, Powers and Duties of Director General.
- b) Function of Commission: Powers, Functions and Jurisdiction of Competition Commission of India.
- c) Remedies: Acceptance and Disposal of cases; Remedies through Competition Commission.
- d) Expectations: Judicial pronouncement of the Commission and the Supreme Court, Future initiatives, Challenges; WTO and Competition law.

#### **Suggested Readings**

1. Competition Law in India - T. Ramappa.
2. Competition Act, 2002- Law and Practice. Suresh T. Vishwanathan.
3. Competition Law-Emerging Trends—P. Satyanaraya Prasad
4. Competition Act, 2002.

## ***DSE-2***

### ***Corporate Governance***

***Course Code: BALLBHDSE603***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

- 1) To equip the students with the knowledge about Corporate governance and its historical growth
- 2) To develop various corporate social Responsibilities and practise in their professional life
- 3) To provide tools for analysis of a corporate governance system and mechanism of control
- 4) To provide the knowledge of basic functions of Corporate Governance and legal obligations of the Board particularly for CSR in India

#### **Learning Outcomes**

At the completion of this course, students will be able to

- 1) Understand principles of corporate goals and strategy forming
- 2) Understand the relationship between the corporate governance practices including CSR
- 3) Understand the relationship between management compensation and companies' performance
- 4) Analyse various ethical codes in corporate governance

#### **Contents**

##### **Unit-I**

- a) Concept of Corporate Governance
- b) Corporate Governance - Historical Perspective
- c) Corporate Governance and Role of Institutional Investors

##### **Unit-II**

- a) Principles of Corporate Governance – OECD Guidelines :
- b) The right of shareholders and equitable treatment of shareholders
- c) The Role of Stakeholders in Corporate Governance.
- d) Disclosure and Transparency.

##### **Unit-III**

## **Mechanism and Control**

- a) Internal Corporate Governance Control.
- b) External Corporate Governance Control.

## **Unit-IV**

- a) The legal obligation of Board of Directors in Corporate Governance and Board – Management relationship.
- b) The Concept of Corporate Social Responsibility (CSR) in India.

### **Suggested Readings**

1. Subhas Chandra Das – Corporate Governance in India: An Evaluation.
2. Sanjay Bhayana – Corporate Governance Practice.
3. Robert A.G. Monks – Corporate Governance.
4. Avtar Singh – Company Law
5. Darryl Reed and Sanjay Mukherjee – Corporate Governance, Economic Reforms and development.
6. Sanjay Agarwal – Corporate Social Responsibility in India.
7. Ravi Pullani I and Mahesh Pullani (ed) - Bharat's Manual of Companies Act and Corporate Laws: including SEBI Rules, Regulations, etc.

## ***DSE-2***

### ***Patent Right Creation and Registration***

***Course code: BALLBHDSE604***

**Credit: 4**

**Marks: 100 [20 (CA) + 80 (ESE)]**

#### **Objectives**

- 1) To provide basic knowledge about background and development of Patent Right creation in India
- 2) To disseminate knowledge about the grant of Patent and Rights and obligations of Patentee
- 3) To disseminate knowledge on registration and transfer of patent at national and international
- 4) To aware about remedy for infringement of Patent and current trends in Patent law in India

#### **Learning Outcomes**

At the completion of this course, students will be able to

- 1) Gain adequate knowledge on Patent Rights creation for their professional work
- 2) Paved the way to catch up Patent related work as career option
- 3) Understand the legal, illegal and remedial aspects of Patent rights in India and abroad

#### **Contents**

##### **Unit I**

- a) *Background and Development:* Patent and its importance; Theories of Protection; Importance of Patent; International Regime of Patents; Relevant provisions under WTO and TRIPS.
- b) *Introduction:* Meaning of Patent; Patents & Traditional Knowledge; Bio-patents, software patents and Protection of traditional knowledge.

##### **Unit II**

- a) *Grant of Patent:* Features of Patent; Patent Specification; Who can obtain Patent? How to obtain Patent? Process of Registration of Patent.
- b) *Rights and obligations of a patentee:* Nature of patent rights; Duration of Patent; Limitation of the patentees' rights; Obligation of patentee.

### **Unit III**

- a) *Register of Patents and Patent Office:* Register of patent; Patent office; Power of the Controller; Power of Central Government; Appeal

### **Unit IV**

- a) *International Patent:* International Patent; How to obtain international Patent; Patent Co-operation treaty [PCT].
- b) *Transfer of Patent Rights:* Compulsory Licenses and Licenses of Right; Revocation and surrender of patents.
- c) *Infringement and Remedies:* Infringement of Patents and penalties; Remedies for Infringement.

#### **Suggested Readings**

1. Prabudh Ganguli, Intellectual Property Rights
2. P. Narayanan, Intellectual Property Law
3. Wadehra B.L., Patents, Trademarks, Designs and Geological Indications.
4. Cornish P., Intellectual Property Law.
5. P. Narayanan, Patent Law (4th ed., 2006)

## **SEC-1**

### **Project work on Political Science**

#### **Course Code: BALLBHSE601**

**Credit: 4**

**Marks: 100 [20 (CA) + 80 (ESE)]**

#### **Objectives**

The object of this course is to improve the language skill, intellectual inquiry, organising the matter and analysis. Further this course is to enhance the intellectual energies and research ability in students

#### **Learning outcomes**

At the completion of this course, students will be able to –

1. Examine contemporary theme with in depth study using the analytical approach
2. Learn legal research process step-by-step
3. Develop their writing and research skills

#### **Contents:**

Each student has to submit two project works. Each Project work will carry 50 marks out of which 40 marks for project work and 10 marks for viva. The other details such as format, and other necessary details will be decided by the Department in consultation with the Departmental Committee and the Concerned Board of Studies from time to time.

## **Semester-VII**

**CC-33**

***Public International Law***  
**Course code: BALLBHC701**

**Credit: 4**

**Marks: 100 [20 (CA) + 80 (ESE)]**

**Objectives:**

1. To provide students to gain knowledge of public international legal framework
2. To encourage students to engage with topical issues like asylum and extradition
3. To make familiar the students about the functioning of UN and its principal organs

**Learning Outcomes:**

On the successful completion of the course, students will be able to:

1. Gain basic knowledge about the concepts and principles of Public International Law
2. Understand the difference between the Public International Law and Municipal Law
3. Identify and analyse the sources of International Law

### **Contents**

#### **Unit-I**

- a) Nature, Origin and Basis of International Law.
- b) Sources of International Law.
- c) Subjects of International Law.
- d) Relationship between International Law and Municipal Law.

#### **Unit-II**

- a) Recognition.
- b) State Jurisdiction.

#### **Unit-III**

- a) Asylum and Extradition.

- b) Treaties.

#### **Unit-IV**

- a) United Nations – Purposes, Principles, and Membership.
- b) The Principal Organs of the UN.

#### **Suggested Readings**

1. J.G. Starke – Introduction to International Law.
2. Gurdip Singh – International Law.
3. S.K. Kapoor – International Law.
4. H.O. Agarwal – International Law.
5. D.J. Harris – Cases and Materials on International

## **CC-34**

### ***Labour Law-II***

**Course Code: BALLBHC702**

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

1. To acquaint the students regarding the basic framework labour law in India
2. To demonstrate a deep understanding of the underlying principles, rules and institutions which regulate Indian labour relationships
3. To familiarise the students with the Laws related to Industrial Disputes and Trade Union
4. To provide students with the tools for further study of Labour and Industrial law.

#### **Learning Outcomes**

At the completion of this course, students will be able to:

1. Gain knowledge of theories and perspectives in labour and industrial relations in India
2. Apply the concepts and theories on the contemporary developments in the labour law area
3. Learn as to how to apply the laws and protect the interest of the workers
4. Understand the various issues relating to labour laws and get encouragement for future study and research in labour law area

#### **Contents**

##### **Unit-I**

##### **Workmen's Compensation Act, 1923**

- a) Conceptual frame work of Social Security-Evolution and concept of Social Security, Scheme of Social Security, Workmen's Compensation Act, 1923: Definitions, Aims & Object, Liability of Employer,
- b) Notional Extension & Defences, Determination of Amount of Compensation, Compensation when due-Penalty for default, Contracting Out (Sec.17), Appointment & Powers of Commissioner (Sec.19-31)

##### **Unit-II**

##### **Minimum Wages Act, 1948**

- a) Theories and Concept of Wages , Aims & Objects of Act, Definition, Fixation & Revision of rates of Wages, Working Hours and Determination of Wages and Claim etc.
- b) Authority- Appointment & Powers of the Authority

- c) The Equal Remuneration Act, 1976, Payment of Remuneration at equal rates to Men and Women workers and other matters.

### **Unit-III**

#### **The Factories Act, 1948**

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

### **Unit-IV**

#### **The Employee’s Compensation Act, 1923**

- a) Definition of Dependant, Workman, Partial Disablement and Total Disablement
- b) Employer’s Liability for Compensation
  - i. Scope of Arising out of and in the Course of Employment
  - ii. Doctrine of Notional Extension
  - iii. When Employer is not liable
- c) Employer’s Liability when Contract or is engaged
- d) Amount of Compensation
- e) Distribution of Compensation
- f) Procedure in Proceedings before Commissioner
- g) Appeals
- h) Retirement Benefits

#### **Suggested Readings**

- 1) Indian Law Institute, Cases and Materials on Labour Law and Labour Relations
- 2) PL Malik, Industrial Law, Eastern Book Company, 2013
- 3) Dr. Goswami, Labour and Industrial Law, Central Law Agency, 2011

- 4) Surya Narayan Misra, An Introduction to Labour and Industrial Law, Allahabad Law Agency, 1978
- 5) S.C. Srivastava, Industrial Relations and Labour Law, Vikas Publishing House, New Delhi
- 6) Chaturvedi, Labour and Industrial Law, 2004
- 7) S.C. Srivastava, Commentaries on the Factories Act, 1948, Universal Law Publishing House, Delhi
- 8) H.L. Kumar, Workmen's Compensation Act, 1923

CC-35

*Mediation, Conciliation and Arbitration*

*Course Code: BALLBHC703*

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

**Objectives**

1. To provide the students with basic understanding of the mechanism to lead to the amicable, peaceful and mutual settlement of disputes between parties without the intervention of the Court.

**Learning Outcomes**

Students will be able to learn:

1. Basic mechanism of mediation and conciliation for settlement of disputes of parties
2. Practical skills to the mediation and conciliation for conflict resolution

**Contents**

**Unit-I**

- a) **Understanding Conflict and Disputes:** Modes of Dispute Resolution, need for ADR & the importance of Mediation
- b) **Mediation and Restorative Justice:** Theory of restorative justice and its application, Gandhian principles of non-violent conflict resolution, traditional mediation practices in India and abroad

**Unit-II**

- a) **Mediation Laws in India:** Judicial interpretation and relevant case law, dispute resolution institutions in India
- b) **Key Concepts in Mediation:** Essential elements, process and stages, approaches to Mediation, role of the mediator
- c) **Importance of Communication:** Elements of verbal and non-verbal communication, effective and ineffective communication techniques

**Unit-III**

- a) **Conducting Effective Mediation:** Decision-making techniques, problem-solving tactics, ensuring positive outcomes
- b) **Qualities and Skills of Mediators:** Developing mediation skills, code of ethics, confidentiality requirements

## Unit-IV

- a) **Status of Mediated Agreements:** Drafting of agreements, sanctity of mediated agreements, enforcement laws and procedures
- b) **Important Developments** in Mediation: Growth of virtual dispute resolution, Pre-Institution Mediation, UNCITRAL Model Law, Singapore Convention

### Suggested Readings

1. Mediation Practice & Law: The Path to Successful Dispute Resolution (Author: Sriram Panchu)
2. Mediation Training Manual of India (Authors: Mediation and Conciliation Project Committee, Supreme Court of India)
3. Getting to Yes: How to Negotiate Agreement Without Giving In (Authors: Roger Fisher, William Ury and Bruce Patton)
4. The Art of Negotiation and Mediation - A Wishbone, Funny bone and a Backbone(Authors: Anuroop Omkar and Kritika Krishnamurthy)
5. An Asian Perspective on Mediation (Authors: Joel Lee and The Hwee Hwee)
6. The Mediation Process: Practical Strategies for Resolving Conflict (Author: Christopher Moore)
7. Introduction to Non-Violence (Author: Ramin Jahanbegloo)

## ***DSE-3***

### ***Defence and Strategic Studies***

***Course Code: BALLBHDSE701***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

1. To provide legal education relating to National Security and strategic study
2. to an in-depth analysis of contemporary events and issues relating to defence studies including International Economics and military power
3. To generate security consciousness among students

#### **Learning Outcomes**

**At the successful completion of the course, students will be able to-**

1. Gain skills, knowledge and abilities to understand national security issues analytically which will help the students to pick up adequate comprehension on matters of security.
2. Appreciate their civic duties and responsibilities towards society and demonstrate knowledge of contemporary or emerging threats, challenges or issues thereby contributing to strategic culture.
3. Gain an understanding of professional ethics and apply them in the field of national security

#### **Contents**

##### **Unit-I**

- a) Military History and Psychology of India and World
- b) Conceptual Aspects of War and Strategic Thought
- c) Specialized and Limited Warfare in general and in respect to India
- d) Organization of Management of Indian Defence/Armed Forces

##### **Unit-II**

- a) National Security (The Border Security Force, The Special Frontier Force ( SFF), The Assam Rifles, The Indo-Tibetan Boarder Police Force, The National Security Guard, The Sashastra Seema Bal, The Central Reserve Police Force, The Central Industrial Security Force, The National Investing Agency, The Defence Security Corps)
- b) Insurgency and Counter Insurgency

### Unit-III

- a) Economic Aspects of National Security
- b) Maritime Security-Politics and Security of the Indian Ocean

### Unit-IV

**Strategic studies:** Contemporary Strategic Environment in India Geo Politics and Military Geography-Conceptual Aspects and Strategic Thought, Regional Security and Cooperation, National Agencies *Research and Analysis Wing (RAW), Intelligence Bureau (I.B.) and Central Bureau of Investigation (C.B.I.)*, Defence Aspects/ Security aspects in International Relations, International Law, International Organisations, Contemporary Strategic Environment in Science and Technology in relation to Warfare, Disaster Management.

#### Suggested Readings

1. Andreski S., (1968) *Military Organization and Society*, Univ. California Press, Berkeley.
2. Aron R., (1966) *Peace and War: A Theory of International Relations*, Praeger, New York.
3. Barringer R., (1972) *War: Patterns of Conflict*, MIT Press, Cambridge, Mass.
4. Blainey G., (1973) *The Causes Of War*, Macmillan, London,.
5. Mukherji and Shyam Lal, (1952) *A Textbook of Military Science*, Vol. II., Navayuga, New Delhi.
6. Sidhu, K.S., (1988) *War and Its Principles*, Atlantic, New Delhi.
7. Tripathi, K.S., (1970) *Evolution of Nuclear Strategies*, Vikas, New Delhi
8. Van Evara, Stephen, (1999), *Causes of War: Power and the Roots of Conflict*, Cornell University Press, Ithaca.
9. Wright, Quincy, (1942) *Study of War*, University of Chicago Press
10. Alfred, David., (1953) *Indian Art of War*, Atma Ram , Delhi.
11. Das, S.T., (1969) *Indian Military - Its History and Development*, Sagar, New Delhi.
12. Majumdar, B.K., (1960) *Military System in Ancient India*, Firma K.L. Mukhopadhyoy, Calcutta..
13. Roy, Kaushik, (2004) *From Hydaspes to Kargil: A History of Warfare in India from • 326 BC to AD 1999*. Manohar, New Delhi.
14. Baylis, John, Steve Smith and Patricia Owens, Eds., (2011) *The Globalization of World Politics*, Oxford University Press, New York.
15. Chandra, P., (1979) *International Politics*, Vikas Publications, N. Delhi
16. Jackson, Robert and Georg Sorensen, () *Introduction to International Relations: Theories and Approaches*, Oxford University Press, New York.
17. Palmer and Perkins, (2001) *International Relations*, CBS Publications.

18. Robert Art and Robert Jervis eds., (2006) *International Politics: Enduring Concepts and Contemporary Issues*, Longman Publishing,
19. Booth, Ken, (2007), *Theory of World Security*: Cambridge University Press, Cambridge.
20. Chowdhary, Subrata Roy., (1966), *Military Alliances and Neutrality in War and Peace*, Orient Longman, New Delhi
21. Singh, Nagendra., (1974), *The Defence Mechanism and the Modern State*, Asia Publishing House. New Delhi. SIPRI Year Book Latest Edition.

## ***DSE-3***

### ***Right to Information***

***Course Code: BALLBHDSE702***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

- 1) To discuss ongoing developments in law relating to the Right to Information
- 2) To discuss the law relating to right to information
- 3) To provide an outlook to remedies

#### **Learning Outcomes**

At the completion of this course, students will be able to

- 1) Understand, from a legal perspective, the laws relating to the right to information
- 2) Form a view on the relevancy and adequacy of law
- 3) Apply the laws in relation to the right to information and appreciate their civic duties and responsibilities towards society

#### **Contents**

##### **Unit I**

##### **Introductory**

- a) Historical Background and Objectives of Right to Information
- b) Right to Know
- c) Preamble of Right to Information Act
- d) Salient features of the Act
- e) Definitions

##### **Unit-II**

- a) **Right to Information as Constitutional Law:** Protection of Article 19(1) (a), Right to privacy, Contempt of Court, Public Interest vis-à-vis Information
- b) **Right to Information in Global Perspectives:** An overview

##### **Unit-III Right to Information Act, 2005**

- a) Obligation of Public Authorities
- b) Request for obtaining Information
- c) Duties of PIO

- d) Exemption from disclosure
- e) Rejection of request
- f) Breach of confidentiality and IT Act, 2000
- g) Right to Information and E-governance

**Unit-IV: Information Commissions**

- a) Central Information Commission: Constitution, Functions and Removal from office
- b) State Information Commission: Constitution, Functions and Removal from office
- c) Appellate Authorities under the Act

**Suggested Readings**

- 1) The Right to Information Law in India by NV Pranjapee, Lexis Nexis
- 2) The Right to Information Act Book, By Shruti Desai
- 3) The Right to Information Act,2005 By Dheera Khanawal & Krishna K. Khanawal
- 4) The Right to Information :Law-Policy-Practice By Rodney D Ryder
- 5) Handbook on The Right to Information Act By P.K.Das

## **DSE-4**

### ***Human Rights Law and Practice***

***Course Code: BALLBHDSE703***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

1. To provide the basic knowledge regarding the concepts and philosophies of human rights
2. To provide knowledge regarding National and International Human Rights Instruments
3. To develop skills for human rights advocacy and lawful protest against human rights violation

#### **Learning Outcomes**

At the successful completion of this course, students will be able to:

1. Gain knowledge of the basics of human rights laws
2. Evaluate the International instruments on human rights to ascertain areas where the law reform is needed
3. Reflectively evaluate the effectiveness of human rights practice on local, national or international level.

#### **Contents**

##### **Unit I**

- a) Introduction to Human Rights
- b) Philosophy, History and Development of Human Rights

##### **Unit-II**

###### **International Human Rights Laws –**

- (a) Universal Declaration of Human Rights 1948.
- (b) International Covenant on Civil and Political Rights – 1966.
- (c) International Covenant on Economic, Social and Cultural Rights – 1966.
- (d) Two Protocols of 1966 & 1989

##### **Unit-III**

The Protection of Human Rights Act, 1993

**Unit-IV**

- a) Human Right Provisions in the Indian Constitution
- b) Role of Judiciary Media & NGOs in the protection of Human Rights in India
- c) Human Rights and Vulnerable Groups: Rights of Women, Children, Disabled, Tribal, Aged and Minorities: National and International Legal Developments.

**Suggested Readings**

1. D. Basu – Human Rights in Constitutional Law.
2. P. Diwan – Human Rights and the Law.
3. R.C. Hingorani – Human Rights in India.
4. Paul Sieghart – The International Law of Human Rights.
5. Brownlie – Basic Documents on International Law and Human Rights.

## ***DSE-4***

### ***Interpretation of Statutes***

***Course Code: BALLBHDSE704***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

- 1) To provide basic understanding about the interpretation, Guiding rules, Internal and external rules, and presumption
- 2) To develop interpretational skills among students
- 3) To provide an understanding regarding the approaches to interpretation of statute and various tools of interpretation to students

#### **Learning Outcomes**

On Successful completion of this course, a student will be able to

- 1) Understand the parts of the statute and basic rules of interpretation
- 2) Analyse legislative enactments and judicial case laws
- 3) Interpret the provisions using the accepted tools of statutory interpretation
- 4) Apply interpretational rules and tools for research purposes

#### **Contents**

##### **Unit I**

- a) Meaning of the term 'statute'
- b) Purpose of interpretation of statutes
- c) Law-making - the legislature, executive and the judiciary

##### **Unit-II**

- a) Internal aids to interpretation
- b) External aids to Interpretation
- c) Presumptions in statutory interpretation
  - a) Rules of Construction – Literal, Golden, Mischief, Harmonious construction
  - b) Secondary Rules of Construction – Noscitur a sociis, Ejusdem generis; Reddendo singularis singularis

#### **Maxims of Statutory Interpretation**

- a) *Delegatus non potest delegare*
- b) *Expressio unius exclusion alterius*
- c) *Generalia specialibus non derogant*
- d) *In pari delicto potior est conditio possidentis*
- e) *Ut res valet potior quam pareat*
- f) *Expressum facit cessare tacitum*

### **Unit III**

#### **Restrictive and beneficial construction –**

- a) Taxing statutes, Penal statutes; Welfare Legislation
- b) Interpretation of enabling statutes
- c) Interpretation of statutes conferring rights

### **Unit IV**

#### **Principles of Constitutional Interpretation: Harmonious construction**

- a) Doctrine of pith and substance
- b) Colourable legislation
- c) Ancillary powers
- d) Residuary power
- e) Doctrine of repugnancy

#### **Suggested Readings**

1. G.P. Singh, Principles of Statutory Interpretation
2. Maxwell on The Interpretation of Statutes
3. V. Sarathi, Interpretation of Statutes
4. N. S. Bindra's Interpretation of Statutes

## ***DSE-5***

### ***Law on Corporate Finance***

***Course Code: BALLBHDSE705***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

1. To understand the economic and legal dimensions of corporate finance in the process of industrial development in establishing social order in the context of constitutional values
2. To acquaint the students with the normative, philosophical and economic contours of various statutory rules relating to corporate finance
3. To acquaint the students with the organization, functions, lending, and recovery procedures, conditions of lending and accountability of international national and state financing institutions and also of commercial banks; and

#### **Learning outcomes**

At the successful completion of this course, students will be able to:

1. Explain the nature, concepts and objectives of corporate finance
2. Discuss the theories detailing the capital structure, share capital and equity shares
3. Understand the administrative regulation and control on corporate finance

#### **Contents**

##### **Unit –I**

##### **Introduction to Corporate Finance**

- a) Meaning, Importance and Scope of Corporate Finance
- b) Capital Needs- Capitalisation Working Capital, Securities, Borrowings, Debentures
- c) Objectives of Corporation Financing Profit Maximisation, Wealth Maximisation
- d) Constitutional Perspective The Entries 37,38,43,44,45,46,47,52,82,85 and 86 of List-I  
Union List Entry 24 of List-II –State List

##### **Unit-II**

##### **Equity Finance**

- a) Share capital
- b) Prospectus - information disclosure
- c) Issue and allotment
- d) Shares without monetary consideration
- e) Non-opting equity shares

## **Unit-II**

### **Debt Finance of the Company**

- a) Debt Finance: concept
- b) Debentures Nature
- c) Issue and Class Deposits and Acceptance Creation of Charge
- d) Fixed and Floating Charge Mortgages

## **Unit-III**

### **Corporate Fund Raising**

- a) Depositories Indian Depository Receipts (IDR) American Depository Receipts (ADR) Global Depository Receipts (GDR)- 85 -
- b) Public Finance Institutions IDBI, ICICI, IFC and SFC Mutual Fund and other Collective Investment Schemes Institutional Investments- LIC, UTI and Banks FDI and NRI Investment- Foreign Institutional Investments (IMF and World Bank)

## **Unit-IV**

### **Administrative Regulations and Control**

- a) Administrative Regulation on Corporate Finance
- b) Inspection of Accounts
- c) SEBI Control
- d) Central Government Control
- e) Control by Registrar of Companies
- f) RBI Control

### **Suggested Readings**

1. Frad, R. Kaen : Corporate Finance.
2. Khan, M. Y. And Jain, B.K. : Financial Management, Text and Problems
3. Chaudhary, A.K. : Corporate Finance.

## ***DSE-5***

### ***Copy Rights***

***Course Code: BALLBHDSE706***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives:**

- 1) To provide basic knowledge as to what is copy right and what is not
- 2) To disseminate knowledge about the on ownership and terms and limitation of copy rights
- 3) To disseminate knowledge on copyrights and its related rights and registration aspects
- 4) To aware about remedy for infringement of copy rights and current trends in copy rights law in India

#### **Learning Outcomes:**

At the completion of this course, students will be able to

1. Gain adequate knowledge on copy rights for their professional work
2. Paved the way to catch up copy right as career option
3. Understand the legal, illegal and remedial aspects of copy rights

### **Contents**

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

- a) Copy Right: Nature, Definition, Scope and Features
- b) Copy Right and International Convention
- c) Copy Right: Ideas and originality as an element of copyright
- d) Copy Right in Digital Age: Impact

#### **Unit-II**

- a) Ownership of Copy Right
- b) Term and Limitation of Copy Right
- c) Rights under the Copy Right
- d) Transferability of Rights Under the Copy right

#### **Unit-III**

- a) Copy Right Registration: Conditions and Process
- b) Copy Right and its infringement
- c) Copy Right Board and Ratification in register

#### **Unit-IV**

- a) Infringement of Copy Right: Civil, Criminal, and Administrative Remedies
- b) Anton Pillar order
- c) restriction of remedies
- d) Remedy by appeal

#### **Suggested Readings**

1. P. Narayanan, Copyright and Industrial Design, Eastern Book House.
2. W.R. Cornish, Intellectual Property, Sweet and Maxwell,
3. S.M. Steward, International Copyright and Neighbouring Rights, Butterworths.
4. Alka Chawla, Copyright and Related Rights National and International perspective, Macmillan India Ltd.
5. P. Narayanan, Intellectual Property Law, Eastern Law House
6. Dr. S.N. Mandal, Copyright Laws : Cases & Materials

## **Project Work on Philosophy/Sociology**

**Course Code: BALLBHSE701**

**Credit: 4**

**Marks: 100 [20 (CA) + 80 (ESE)]**

### **Objectives:**

1. To develop ability to identify and solve the issues relating to law and Society
2. To Develop analytical skill required to solve the problem identified

### **Learning Outcomes:**

Students will be able to:

1. Develop and evaluate ideas and information so as to apply these skills to the project task
2. Acquire skills of communication and present ideas
3. Learn their own and take appropriate action to improve it

### **Contents**

Each student has to submit two project works. Each Project work will carry 50 marks out of which 40 marks for project work and 10 marks for viva. The other details such as format, and other necessary details will be decided by the Department in consultation with the Departmental Committee and the Concerned Board of Studies from time to time.

## **Semester-VIII**

**CC-36**

### **Principles of Taxation Law**

**Course Code: BALLBHC801**

**Credit: 4**

**Marks: 100 [20 (CA) + 80 (ESE)]**

#### **Objectives:**

- 1) To define the various concepts of Income tax law
- 2) To understand the taxes imposed and computation and deduction of taxable income under the latest Income Tax Law
- 3) To study the tax management and GST along with the adjudication and settlement of tax disputes

#### **Learning Outcomes:**

At the end of this course, A student will be expected to learn:

- 1) An understanding of Tax law
- 2) Apply the learned concepts in his day to day business activities
- 3) Understand and apply the key concepts of Income Tax Law to the simple fact situations

### **Contents**

#### **Unit I**

Basic Concept : Direct and Indirect Tax, Source of Income Tax Law in India, Basic Principles of Charging Income Tax, Diversion & Application of Income, 'Equity', 'quo and Pro quo and res-judication principles in taxation provisions, Exemption & Deductions, Tax evasion, Tax avoidance, Tax Planning, Rate or Rates of Tax, CBDT.

#### **Unit II**

Important Definitions: Person, Assessee, Assessment year, Previous year, Income, Gross Total Income, Heads of Income, Casual income, Business, Capital assets, Capital receipts and Revenue receipts, Capital expenditure and Revenue expenditure, Amalgamation, Demarger, Infrastructure capital company and infrastructure capital fund, under the Income Tax Act.

### **Unit III**

Residential status and tax incidence.

Income exempt from tax (sec.10).

Agricultural Income – Meaning, Instances of agricultural income and non-agricultural income, Treatment of partly agricultural income, Tax treatment of agricultural income and computation of agricultural income.

Computation of Taxable income of individual, salaries and income from house-property; only concepts and simple problems.

Deduction from gross total income: Section: 80C, 80CCC, 80D, 80DD, 80DDB, 80E and 80G.

### **Unit IV**

Tax Management: Submission of returns and procedure of assessment, PAN, TAN, Preliminary ideas of deduction and collection of tax at source, Advancement of tax, Refund of tax, Appeals and Revision.

Central Sales Tax Act, 1956: Introduction, objects, basic features, definition of certain terms, incidence and levy of tax, Registration of dealers & procedures thereof.

West Bengal Value Added Tax: VAT Concepts, Salient features of VAT, VAT versus sales tax, Merits & demerits of VAT, Coverage of goods under VAT, Goods outside VAT, Method of computation of VAT, Definitions of certain terms, Registration of dealers.

**Note: Provisions are to be read with latest Amendments.**

#### **Suggested Readings**

1. Taxmann : Direct Taxes : Law and Practice
2. Taxmann : Indirect Taxes : Law and Practice
3. Taxmann : Income Tax Act.
4. Taxation Law :Girish Ahuja &Ravi Gupta

## CC-37

### Civil Procedure Code and Limitation Act

Course Code: BALLBHC802

Credit: 4

Marks: 100 [20 (CA) + 80 (ESE)]

#### Objectives

- 1) To impart procedural knowledge on civil matters
- 2) To make understand the enforcement mechanism of rights of the parties as provided in the substantive laws
- 3) To inculcate knowledge on institution of civil procedure on the institution of a suit.
- 4) To provide an insight about the actual working of the civil procedure and thereby familiarise the students to their practical development skill.

#### Learning Outcomes:

At end of the course, the student will be able to:

- 1) Identify the court where the suit will lie
- 2) File execution, appeal, review, revision petitions in the proper courts
- 3) Understand and apply the limitation provisions properly
- 4) Explain the Order & rules of CPC and apply them properly

#### Contents:

##### Unit-I

- a) Section- 2: Jurisdiction of Civil Courts Principles of Res. Judicata – Constructive res judicata as embodied in Explanation IV or Section II.
- b) Place of Suing – Section 15 to 21A
- c) Power of transfer and General power of transfer and withdrawal of suits (Section 22 to 25).
- d) Service of Summons to Defendants under different circumstances; Section 27 to 29 and order V. Execution of decrees and orders – Section 31 to 74
- e) Temporary injunction (Order XXXIX).

##### Unit-II

- a) Suits by or against Govt. or Public Officer in the Official capacity (Secs. 79 to 81)
- b) Notice to the Govt. or Public Officer (Section 80)
- c) Interpleader Suits – Section 88 and order XXXV.

- d) Filing of a suit in respect of public Nuisance (Section 91).
- e) Appeals – from original decrees
- f) Second appeal when Sec.5 lies – Appeals from orders – Powers of appellate court when appeal lies to the Supreme Court (Section 96 to 112 and Orders XLI to XLIII).

### **Unit-III**

- a) Review of Judgements (Section 114)
- b) Revision of Judgement (Section 115)
- c) Right to lodge a Caveat by a person claiming a right to appear before the court – Section 148A.

### **Unit-IV**

- a) Inherent power of court to make order for the ends of justice or to prevent abuse of the process of Court (Sec. 151) –
- b) Amendments of judgements, decrees and orders (Section 152)
- c) Appeals by indigent persons – Suits in favour of paupers
- d) **The Limitation Act 1963** Sections. 1 – 20.

### **Suggested Readings**

1. Mulla – Code of Civil Procedure
2. Mukherjee A. N. – Code of Civil Procedure
3. C.K. Takwani - Civil Procedure
4. S. Chakravarti and B. Nath – Cases and Materials
5. A.N. Saha - Civil Procedure Code
6. B.B. Mitra – The Limitation Act
7. Ganguly – Civil Code Practice & Procedure
8. V.G. Ramchandran – Law of Limitation

***DSE-6***  
***Criminal Psychology***  
***Course Code: BALLBHDSE801***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

**Objectives**

1. To understand the psychological approaches in the different aspects of the Criminal Justice System
2. To develop critical thinking skills in relation to the legal process
3. To understand the importance of scientific knowledge in order to avoid unjust procedures and sentences

**Learning Outcomes**

At the successful completion of the course, students will be able to-

1. Connect the crime, psychology and law and demonstrate the magnitude of this connection in their law practice
2. Apply the critical thinking skills in law, legal research and procedure

**Contents**

**Unit-I**

- a) What is Criminal Psychology?
- b) Psychologist and their role in Criminal Investigation
- c) Psychology in its applied form to crime
- d) Approaches in Criminal Psychology

**Unit-II**

- a) Understanding Criminal behaviour
- b) Crime and its causes: Biological and genetic explanations
- c) Psychoanalytic theory of criminal behaviour
- d) Psychology and criminal investigation in India
- e) Scope of Offenders profiling in India

**Unit-III Areas of Application of Psychology**

- a) Trial and Court room psychology
- b) Mental Disorder, Crime, Law and Criminal Psychology
- c) Psychology and the Police

- d) Psychology and victims

#### **Unit-IV**

##### **a) Psychological Differences between Crimes**

- i. Sexual Offending
- ii. Organised Crime
- iii. Terrorism
- iv. Domestic Violence
- v. Serial Homicide

#### **Suggested Readings**

1. Francis Pakes, Criminal Psychology (Rutledge)
2. Russil Durrant, An Introduction to Criminal Psychology (Rutledge)
3. David Canter, Criminal Psychology (Rutledge)
4. Laurance Miller, Criminal Psychology (Charles C Thomas Publisher)
5. Diana Dwyer, Angles on Criminal Psychology ( Nelson Thomas Ltd)

## ***DSE-6***

### ***Law on Education***

***Course Code: BALLBHDSE802***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

1. To discuss the law and issues related to education
2. To examine the interplay of the law with the fundamental areas of education policy
3. To discuss the approach of the Judiciary, Commission and Committee

#### **Learning Outcomes**

At the successful completion of the course, students will be able to-

1. Familiar with the law and policy at Union , State and Local Level
2. Demonstrate, orally and in writing, an understanding of fundamental education law concepts
3. Compare and critique existing legal approaches to certain specific key area of education policy

#### **Contents**

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

- a) Concept of Right to Education
- b) Historical background of Right to Education In India
- c) Development of Right to Education: From Elementary to adult education

##### **Unit-II : Right to Education: National and International**

- a) National Policy on Education, 1986
- b) Right of Children to Free and Compulsory Education Act, 2009
- c) The Constitution (Eighty-sixth Amendment) Act, 2002
- d) International Bill of Rights and Right to Education

##### **Unit-III: Judiciary, Commissions and Committees**

- a) Right to Education in India: Judicial Approach
- b) Commissions and Committees on Right to education in India

##### **Unit-IV: Recent Development**

- a) UGC on education

- b) Privatisation of Education in India
- c) MHRD and women education
- d) Problems of Higher Education in India
- e) New Education Policy

### **Suggested Readings**

1. D.D. Agarwal, History and Development of Elementary Education in India
2. Amrik Singh, Fifty Years of Higher Education in Education the Role of University Grant Commission
3. B. Deka, Higher Education in India Development and Problems
4. Ram Nath Sharma, Rajendra K. Sharma, Problems of Education in India
5. J. C. Agarwal, History of Modern Indian Education
6. S.P. Agarwal, Development of Education in India
7. S. P. Agarwal, Women's Education in India

## ***HONS-1***

### ***Media and Law***

***Course Code: BALLBHH801***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

1. To deal with the interaction with the media and law
2. To familiarise students with legal framework and ethical aspects multimedia in India
3. To emphasise over the Specific legislations regulating the activities of Media

#### **Learning Outcomes**

1. To understand the regulatory frame work of the media activities in India
2. To understand the ethical and modern issues involving in the activities of media
3. To demonstrate critically the interplay between the media and law

#### **Contents**

##### **Unit-I**

##### **Introduction and Development of Media:**

- a) Understanding the concept of Media
- b) Historical evolution of Media
- c) Freedom of Expression in Indian Constitution and Restrictions
- d) Interpretation of Media freedom and Free expression
- e) Issues of Privacy and the Media Law
- f) Print Media and Press Law
- g) Public Interest Litigation and media

##### **Unit-II**

##### **Media - Regulatory Framework**

- a) Media &Criminal Law-Defamation, Obscenity and Sedition
- b) Media &Law of Tort-Defamation & Negligence
- c) Media &Legislature–Privileges of the Legislature
- d) Media &Judiciary–Contempt of Court
- e) Media &Executive – Official Secrets
- f) Media &Journalists–Protection of Working Journalists; Role of Press Council

**Self Regulation & Other Issues:**

- a) Media and Ethics
- b) Self-Regulation Versus Legal Regulation

**Unit III - Convergence & New Media**

- a) Understanding Broadcast Sector
- b) Evolution of Broadcast Sector
- c) Airwaves and Government control
- d) Open Skies policy
- e) Licensing issues in Broadcast Sector

**Legislative efforts on Broadcast sector**

- a) Prashar Bharti Act 1990
- b) Broadcasting Bill
- c) Cinematography Act 1952
- d) Cable T.V. Networks (regulation) Act of 1995

**Unit -IV**

**Media – Advertisement & Law Concept of Advertisement:**

- a) Concept of Advertisement & Ethics
- b) Advertisement Act of 1954
- c) Indecent Representation (prohibition) Act, 1986
- d) The Drugs and Magic Remedies (objectionable) Advertisements Act of 1954
- e) Internet, Law and the Media in India

**Suggested Readings**

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

## ***HONS-2***

### ***Health Law***

***Course Code: BALLBHH802***

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

1. To address the concepts of health, and the legal protections which focus on the major health-related needs and concerns of populations
2. To describe the public health policy and its regulatory dimension in India

#### **Learning Outcomes**

At the successful completion of this course, students will be able to:

1. Demonstrate an understanding the basics of Health law in India
2. Analyse the legal aspect of the structure, legal protection and various offences underlying the healthcare industry in India

#### **Contents**

##### **Unit-I**

Concept

- a) Concept & Definition of Health.
- b) Right to health
- c) International law & health.
- d) Indigenous and Allopathic health system

##### **Unit -II**

Health and Legal Protection

- a) Constitution protection – Fundamental Right & Directive principle.
- b) Health and Legal protection – Environments law, J.J. Act, prenataldiagnostic technique, regulation & prevention of misuses,
- c) -Factory Act, Mental Health Act 1987, Maternity Benefit Act.

##### **Unit III**

- a) Public health offences and Law
- b) Offence affecting the Public Health, (Chapter XIV of IPC)

- c) Nuisance, Miscarriage, (312.3.313 IPC), relevant provision of CrPC.
- d) Immoral trafficking,
- e) Female foeticides
- f) Kidnapping and abduction – National protections.

#### **Unit-IV**

- a) Jurisprudence of health services
- b) Health law & Judiciary.
- c) Role of Government and Health rights
- d) Health insurance and Law
- e) Health Care Units (Public/Private) Liabilities

#### **Suggested Readings**

1. Right to life and Right to Death : A study – The ICFAI University Press.
2. HIV/Aids – Health Care and Human rights approach – The ICFAI University Press.
3. Public Health : Enforcement and Law - The ICFAI University Press.
4. Clinical Trials : Law and Regulations- The ICFAI University Press.
5. Right to Public Health and Impact of Patents - The ICFAI University Press

## **SEC-3**

### **Project Work on Economics**

**Course Code: BALLBHSE801**

**Credit: 4**

**Marks: 100 [20 (CA) + 80 (ESE)]**

#### **Objectives:**

1. To develop ability to identify and solve the issues relating to law and Society
2. To Develop analytical skill required to solve the problem identified

#### **Learning Outcomes:**

Students will be able to:

1. Develop and evaluate ideas and information so as to apply these skills to the project task
2. Acquire skills of communication and present ideas
3. Learn their own and take appropriate action to improve it

#### **Contents**

Each student has to submit two project works. Each Project work will carry 50 marks out of which 40 marks for project work and 10 marks for viva. The other details such as format, and other necessary details will be decided by the Department in consultation with the Departmental Committee and the Concerned Board of Studies from time to time.

## Semester-IX

CC-38

### *Administrative Law*

*Course Code: BALLBHC901*

**Credit: 4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

- 1) To provide basic idea about the principles governing the administrative Law
- 2) To make aware about the review of administrative action by courts and tribunals
- 3) to make familiar students to apply those principles in complex factual situations

#### **Learning Outcomes**

At the end of the course, students will be able to:

- 1) Analyse and apply the principles of administrative law to a complex legal problem
- 2) Analyse government decision making in right perspective
- 3) Analyse the impact of governmental policy on the basis of the operation of the administrative Law

#### **Contents**

##### **Unit-I**

- a) Meaning, Nature and Scope of Administrative Law
- b) Development of Administrative Law
- c) Doctrine of Separation of Power and rule of Law
- d) Sources of Administrative Law
- e) Relationship between Administrative and Constitutional Law
- f) Administrative functions: its distinction from Judicial, Quasi-Judicial and Legislative Functions;

##### **Unit-II**

- a) Delegated Legislation: meaning, necessity, and scope
- b) Necessity and constitutional validity of delegated legislation

- c) Control: Judicial, Legislative and Procedural
- d) Conditional and Sub-delegation

### **Unit-III**

- a) Administrative Discretion: its Control, Principles of Natural Justice
- b) Need and limitations of Administrative Discretion
- c) Administrative Tribunals: its reasons for growth
- d) Administrative Discretion and its judicial review
- e) Distinction between Court and Tribunal,

### **Unit-IV**

- a) Writ Jurisdiction under Article 32 and Article 226: *Habeas Corpus, Mandamus, Certiorari, Prohibition* and *Quo-Warranto*
- b) Judicial Control of Administrative Actions: Constitutional Remedies and other statutory remedies, Rule related to Locus Standi, Doctrine of Ultra Vires, Doctrine of Res Judicata, Public Interest Litigation, Public Undertakings
- c) Ombudsman – Lokpal and Lokayuktas
- d) Public Undertakings – its types and control and reasons of their growth.

### **Suggested Readings**

1. M.P. Jain : Principles of Administrative Law
2. I.P. Massey : Administrative Law
3. S.P. Sathe :Administrative Law
4. C.K. Takwani : Lectures on Administrative Law
5. K.C. Joshi : Administrative Law
6. D.D. Basu : Comparative Administrative Law
7. Jain &Jain : Principles of Administrative Law

## CCC-1

### Alternative Dispute Resolution

*Course Code: BALLBHCC901*

**Credit: 4**

**Marks: 100 [40(CA) +60 (ESE)]**

#### **Objectives**

- 1) To evaluate the development and incorporation of Arbitration and Conciliation in dispute resolution in Adversarial legal System in India.
- 2) To Develop among the students the ability to assess the issues related with ADR
- 3) To provide an understanding of the statutory, procedural, and case law operating in ADR sphere
- 4) To develop a practical dimensions among students about ADR

#### **Learning Outcomes**

At the completion of the course, students will be able to

- 1) Achieve a good grasp over the substantive and procedural law relating to ADR
- 2) Know the methods of resolving disputes other than by means of adjudication
- 3) Acquire practical skills necessary for effective dispute resolution

#### **Contents**

##### **Unit-I**

- a) Alternate Dispute Resolution - Meaning, Nature, Scope, Merits and demerits
- b) Differences between litigation, arbitration, conciliation, mediation and negotiation

##### **Unit-II**

- a) Negotiation skills
  - i. Introduction
  - ii. Style and strategies
- b) Conciliation/mediation: role of mediator, Strategies and Techniques, Drafting of agreement

##### **Unit-III**

- a) Arbitration and Conciliation Act, 1996: overview
- b) Overview of International rules relating to Arbitration

c) Drafting of Arbitration clause

#### **Unit-IV**

Visit to Lok Adalat or Arbitration Centre or mediation centre for six Days and submission of report

#### **Note:**

- 1. End Semester marks: 60**
- 2. Practical Exercises: 40**

CCC-2

## Moot Court Exercise and Internship

Course Code: BALLBHCC902

Credit:4

Marks: 100 [60(CA) +40 (ESE)]

### Objectives

- 1) To provide practical skills of handling of cases
- 2) To provide basic knowledge of trial and pre trial preparation
- 3) To acquaint the students with court environment
- 4) To provide basic knowledge of civil and criminal drafting and pleading

### Learning Outcomes

At the completion of this course, students will be able to

- 1) Understand the fundamentals and modalities of Moot court
- 2) Familiar with the client interviewing techniques and pre trial preparation
- 3) Understand the trial preparations and presentation of arguments at trial

### Contents

#### Unit-I

##### Moot Court

( Marks: 10x3=30)

Each Student will do at least three moot courts on assigned problems for 10 Marks for each. ( 5 marks for written submission and 5 marks for oral advocacy)

#### Unit-II

##### Observance of Trial

( Marks:30)

- a) Civil trial-1 (Marks:15)
- b) Criminal Trial-1 (Marks:15)

#### Unit-III

##### Interviewing techniques and Pre-trial preparations and Internship diary (30 marks)

- a) Observance of interviewing session in Lawyer's office-2 (To be recorded in a diary). (Marks 15)

b) Preparation of documents and court papers -Recorded in a diary (**Marks 15**)

**Unit-IV**

**Viva Voce on the above three Units**

**(Marks:10)**

## CCC-3

### Drafting Pleadings and Conveyance

Course Code: BALLBHCC903

**Credit:4**

**Marks: 100 [60(CA) +40 (ESE)]**

#### **Objectives**

The object of this course is to train students in the art of drafting both for court purposes as well as for other legal forums

#### **Learning Outcomes**

At the successful completion of the course, students will be able to:

1. Learn the fundamental principles of drafting, pleadings and conveyance
2. Apply the drafting and pleading skills before the courts and tribunals
3. Understand the rules of pleadings in civil and criminal matters

#### **Contents**

##### **Unit-1**

**Drafting** : General principles of drafting and relevant substantive rules

##### **Unit-II**

##### **Pleadings**

Civil – Complaint, Written Statement, Interlocutory Application, Original Petition, Affidavit, Execution Petition, Memorandum of Appeal and Revision, Petition under Art.226 and 32 of the Constitution of India, PIL Petition

##### **Unit-III**

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

##### **Unit-IV**

##### **Conveyance**

Sale Deed, Mortgage Deed, Lease Deed, Gift Deed, Promissory Note, Power of Attorney, Will, Trust Deed

Drafting of writ petition and PIL petition

**Unit-V**

**Viva-Voce**

**Instruction:**

# 15 practical exercises in drafting carrying a total of 45 marks (3 marks for each)

## 15 exercises in conveyance carrying another 45 marks (3 marks for each exercise)

## 10 marks will be given for viva voce.

CCC-4

*Professional ethics and Accountancy for Lawyer*

**Course Code: BALLBHCC904**

**Credit:4**

**Marks: 100 [20(CA) +80 (ESE)]**

**Objectives**

- 1) To inculcate the basic ethical values among the students before going into the court
- 2) To appreciate the duties of lawyers and Bar-Bench relation
- 3) To familiarise the students about their role and responsibilities as professional
- 4) To impart knowledge of the law and code of conduct governing their professional life

**Learning outcomes**

After completion of this course, students will be able to:

- 1) Understand and apply the ethical code of conduct in their professional life
- 2) Understand the historical evaluation of legal profession
- 3) Learn to balance their duties towards their clients and courts
- 4) Apply the standard ethical code of conduct for their professional life

**Contents**

**Unit-I The Advocates Act, 1961**

- a) Historical Background of legal profession
- b) Bar Councils(State and BCI) as body Corporate: Functions
- c) Admission and enrolments of Advocates
- d) Seven lamps of Advocacy
- e) Conducts of advocates and disciplinary proceedings (Fifty Selected opinions of the Disciplinary Committees of Bar Councils to be supplied to the students)

**Unit-II Contempt of Court Act, 1971**

- a) Contempt: Meaning
- b) Civil and Criminal Contempt
- c) Defences and Punishments for Contempt
- d) Contempt by Judges

**Unit III Professional Ethics and Accountancy**

- a) Standards of professional Conduct: Duty to Client, Duty to Court, Duty to Opponent, Duty to Colleagues, Duty to the Profession, Duty to the Public and State
- b) Cases on Profession Misconduct (**10 Major Judgments of the Supreme Court**)
  - i. An Advocate v. Bar Council of India, 1989 Supp (2) SCC 25
  - ii. Salil Dutta v. T.M. and M.C. (P) Ltd. (1993) 2 SCC 185
  - iii. State of Maharashtra v. Budhikota Subbarao, (1993) 3 SCC 71
  - iv. C. Ravichandran Iyer v. Justice A.M. Bhattacharjee, (1995) 5 SCC 457
  - v. P.D. Gupta v. Ram Murti, (1997) 7 SCC 147
  - vi. T.C. Mathai v. District & Sessions Judge, Thiruvananthapuram, (1999) 3 SCC 614
  - vii. R.D. Saxena v. Balram Prasad Sharma, (2000) 7 SCC 264
  - viii. Bhupinder Kumar Sharma v. Bar Assn., Pathankot, (2002) 1 SCC 470
  - ix. Shambhu Ram Yadav v. Hanuman Das Khattri, (2001) 6 SCC 1
  - x. Ex-Capt. Harish Uppal v. Union of India, (2003) 2 SCC 45

#### **Accountancy for Lawyers:**

(Special lecture be arranged by inviting Professor of Accountancy and Senior members of the Tax Bar to deliver lectures in Accountancy for lawyers.)

#### **Unit-IV**

#### **VIVA-VOCE**

**Marks: 10**

#### **Suggested Readings**

1. Krishnaswami Iyer, Professional Conduct and Advocacy (Oxford University Press)
2. Judge Edward Abbott Parry, Seven lamps of Advocacy
3. Dutta Mazumdar N. - Professional Ethics
4. Justic Mukherjee. P.B.– Professional Ethics
5. S. P. Gupta – Professional Ethics and Bar Bench Relation.
6. Bare Act – The Advocates Act, 1961

## **HONS-3**

### ***Banking Law***

***Course Code: BALLBHH901***

**Credit:4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

- 1) To acquaint the students with the key legislations operating in the regulation of banking operations
- 2) To study the government enactments to regulate the working of Reserve Bank of India and financial assets in India
- 3) To give the students an overview regarding banking regulation

#### **Learning Outcomes**

At the completion of this course, students will be able to:

- 1) Know the banking regulations in the present day context
- 2) Apply the acquired knowledge to different economic activities of banks and their regulations
- 3) carry out financial analysis of banking operations

#### **Contents**

##### **Unit-I**

Negotiable Instruments Act, 1882;

##### **Unit-II**

Banking Regulator Act, 1949

Regional Rural Banks Act, 1976

##### **Unit-III**

Reserve Bank of India Act, 1934;

##### **Unit-IV**

Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002

##### **Unit-V**

## Banking Ombudsman Scheme

### **Suggested Readings**

1. Gupta, S.N. : The Banking Law in Theory and Practice, 3V.
2. Singh, Avtar : Laws of Banking and Negotiable Instruments : An Introduction.
3. Sreekantaradhya, B.S. : Banking and Finance : Perspectives on Reform.
4. Tannan's Banking Law and Practice in India.

## **HONS-4**

### ***Insurance Law***

***Course Code: BALLBHH902***

**Credit:4**

**Marks: 100 [20(CA) +80 (ESE)]**

#### **Objectives**

- 1) To Introduce to the students the general principles and definitions of Insurance
- 2) To familiarise the students about the different kinds of Insurance
- 3) To discuss and analyse the Insurance Act and IRDA
- 4) To introduce the current structure of the insurance industry and the functions and operations of insurance institutions.

#### **Learning Outcomes**

At the successful completion of this course, students will be able to

- 1) analyse the role of Insurance in financial planning process
- 2) Analyse and evaluate the unique features of the insurance industry and regulations
- 3) Understand the Insurance law and regulatory institutions in India

#### **Contents**

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

- a) Definition, nature and history of insurance
- b) Concept of Insurance and law of contract and law of torts
- c) History and development of insurance in India
- d) Insurance Regulatory Authority - role and functions.

##### **Unit-II General Principles**

- a) Insurable Interest
- b) Indemnity and insurance
- c) *Uberrimae fidei*

- d) Proximate Cause
- e) Distinction between: Insurance and Guarantee, Insurance and wager

### **Unit-III Insurance Contract and Indian Regulatory Environment**

- a) Nature and Features of Insurance Contract
- b) Types of Insurance and the concept of Intermediaries
- c) Regulation of Insurance business and IRDA
- d) Insurance Business and other regulatory legislations: MV Act, Marine Insurance Act, Consumer Protection

### **Unit-IV Life Insurance and general Insurance**

- a) Life Insurance and the application of the general principles of Insurance
- b) General Insurance: Motor Insurance, Public Liability Insurance, Property Insurance, Agricultural Insurance

#### ***Suggested Readings***

1. Singh, Bridge Anand, New Insurance Law, Union Book Publishers, Allahabad
2. Ivamy, Case Book on Insurance Law, Butterworths
3. Ivamy, General Principles of Insurance Laws, Butterworths
4. John Birds, Modern Insurance Law , Sweet and Maxwell
5. Sreenivasan. M.N., Principles of Insurance Law, Ramaniya Publishers, Bangalore
6. Rajiv Jain, Insurance Law and Practice (Vidhi Publication Pvt Ltd.)
7. Dr. Avtar Singh, Law of Insurance (Universal Publication Pvt Ltd)

## **Semester-X**

CC-39

### **Property Law**

**Course Code: BALLBHC1001**

**Credit: 4**

**Marks: 100 [20 (CA) + 80 (ESE)]**

#### **Objectives:**

- 1) To familiarise the students with the core doctrines of property law
- 2) To impart the fundamental rules relating to transfer of immovable property
- 3) To equip the students to analyse the rules governing mortgage, lease, exchange and gift.
- 4) To Provide an insight about the rules and basic concepts relating to easement

#### **Learning outcomes:**

At the completion of the course, students will be able to:

- 1) Analyse the rules relating to transfer of immovable property
- 2) Know the rights and duties of the seller and buyer in case of general transfer of property and specific transfer of properties for certain purposes
- 3) Evaluate the rules relating to the easement and its related matters.
- 4) Determine, explain and apply the principle of property law
- 5) Understand the remedies for violation of property rights

#### **Contents**

#### ***Transfer of Property Act, 1882***

##### **Unit-I**

Preliminary (Sections 1 – 4)

##### **Unit-II**

Transfers of Property by Act of Parties (Sections 5 – 53 A)

Sales of Immovable Property (Sections 54 – 55)

##### **Unit-III**

Mortgages of Immovable Property (Sections 58 – 92)

Leases of Immovable property (Sections 105 – 117)

Gifts (Sections 122 – 129)

Transfers of Actionable Claims (Sections 130 – 134)

#### **Unit-IV**

The Indian Easements Act, 1882 (Sections - 4-19, 37-51, 52-64)

#### **Suggested Readings**

1. Transfer of Property Act 1882
2. Mulla's transfer of Property Act Ed. VII
3. G. P. Tripathi, The Transfer of Property Act
4. R. K. Sinha , The Transfer of Property Act
5. Vepa sarathi, Law of Transfer of Property
6. S.N.Shukla, Transfer of Property Act

**DSE-7**  
**Humanitarian Law**  
**Course Code: BALLBHDSE1001**

**Credit: 4**

**Marks: 100 [20 (CA) + 80 (ESE)]**

**Objectives**

1. To make students aware of the principles of international Humanitarian law and enable them to specialize in the field of Humanitarian Law
2. To familiarize the students with the basic concepts, nature and development of International Humanitarian Law
3. To familiarized the students with the laws regulating the conducts during the International armed Conflicts

**Learning Outcomes**

Students are expected to learn:

1. Gain the knowledge regarding the scope of application of International Humanitarian Law in different levels of International conflict
2. The Combatant status and its implications, protection of civilians and non-combatant , and protection of prisoners of war
3. How to read and analyse international case law and to analyse the Geneva Conventions and Protocols in relation to fact patterns

**Contents**

**Unit –I Concept of Humanitarian Law**

- a) Origin of International Humanitarian Law
- b) Development of International Humanitarian Law
- c) ICRC and its Role in Development of International Humanitarian Law

**Unit-II**

- a) Concept and Principles of “*jus in bello*” Concept and Principle of “*jus ad bellum*”
- b) Doctrine of Military Necessity and Principle of Humanity
- c) Concept of Civilian and Combatants and Distinction Between Civilian and Combatants

**Unit II Geneva Conventions Systems**

- a) The Geneva Convention I- Protection and Care of Wounded and Sick Members of Armed Forces in Field,

- b) The Geneva Convention II Protection and Care of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea,
- c) The Geneva Convention III -the Treatment of Prisoners of War,
- d) The Geneva Convention-IV Protection of Civilians

### **Unit III Armed Conflicts**

- a) Internal armed conflict
- b) International armed conflicts
- c) Non-international armed conflicts

### **Unit IV: Enforcement Machinery**

- a) International Criminal Court
- b) ICRC

### **Suggested Readings**

1. Ingrid Detter, The Law of War, (Cambridge, 2000)
2. Roberts and R. Guelff, eds. , Documents on the Laws of War (Oxford, 2000)
3. Legality of the Threat or Use of nuclear weapons, Advisory Opinion, ICJ Reports (1996)
4. M.K. Balachandran and Rose Verghese (eds.) – International Humanitarian Law ICRC (1997)
5. RavindraPratap, “India’s Attitude towards IHL”, in Mani (ed.) International Humanitarian Law in South Asia (Geneva: ICRC, 2003)

## **DSE-7**

### **Trade Mark and Design**

**Course Code: BALLBHDSE1002**

**Credit: 4**

**Marks: 100 [20 (CA) + 80 (ESE)]**

#### **Objectives**

- 1) To provide basic knowledge about the Trade Marks and Design
- 2) To disseminate knowledge about Passing off, Assignment and Licensing of Trade Marks in India
- 3) To disseminate knowledge on registration of Trade Marks and piracy of Industrial Design in India
- 4) To aware about remedies for infringement of Intellectual Property Rights including Trade Marks and Industrial Design and current trends in IPR Law in India

#### **Learning Outcomes**

At the completion of this course, students will be able to

- 1) Gain adequate knowledge on Intellectual Property Rights including Trade Marks and Industrial Design for their professional work
- 2) Paved the way to catch up Intellectual Property Rights including Trade Marks and Industrial Design related work as career option
- 3) Understand the legal, illegal and remedial aspects of Intellectual Property Rights including Trade Marks and Industrial Design rights in India and abroad

#### **Contents**

##### **Unit-I: Trademark-Introduction and Concepts**

- a) Definition and concept of trademarks
- b) Distinction between trademark and property mark
- c) Need for Protection of Trademarks-rationale as an aspect of commercial and as consumer rights.

##### **Unit-II Registration and Rights**

- a) Procedural Requirements for Protection of Trademarks
- b) Kinds of Trademarks-Registration
- c) International Legal Instruments on Trademarks

- d) Content of the Rights
- e) Exhaustion of Rights
- f) Right of Goodwill

### **Unit-III Assignment and Licensing**

- a) Assignment and Licensing: Modes of assignment
- b) Infringement of Trademark and Criteria of infringement
- c) Passing Off and Standards of proof in passing off action
- d) Remedies.

### **Unit-V: Designs**

- a) Definition of Design
- b) Copyright in Design (duration)
- c) Need for protection of industrial designs
- d) Subject matter of protection and requirements
- e) Registration, Rights and Transfer of Rights;
- f) Procedure for obtaining design protection
- g) Registration of design for articles;
- h) Rights in registered design
- i) Transfer of rights
- j) Cancellation of Design.

### **Suggested Readings**

1. Ashwani Kr. Bansal, Law of Trade Marks in India (2nd ed., 2006)
2. V.K. Ahuja, Law Relating to Intellectual Property Rights (2007)
3. P. Narayanan, Copyright and Industrial Designs (2007)
4. P. Narayanan, Law of Trade Marks and Passing off (6th ed., 2004)
5. Ashwani Kr. Bansal, Materials on Copyright (2004)
6. V.K. Ahuja, Law of Copyright and Neighbouring Rights: National and International
7. Alka Chawla, Copyright and Related Rights: National and International Perspectives (2007)
8. Wadhwa, B.L., Law Relating to Patents, Trademarks, Copyrights, Designs & Geographic

## HONS-5

### Penology and Victimology

Course Code: BALLBHH1001

Credit: 4

Marks: 100 [20 (CA) + 80 (ESE)]

#### Objective:

1. To enable a student to learn different theories of penology and Victimology to make in depth study of crime and criminal activity.
2. To understand the crime from the perspectives of theories of Victimology
3. To understand the working of modern punitive modes along with the rehabilitative techniques
4. To analyse the Indian penology approach

#### Learning outcome:

At the successful completion of the course, students will be able to-

1. It is expected that this course will give an understanding to the students about the crime, criminal law, penology and victimology.
2. Students will utilize this course for examine of witness, client etc.
3. Students will become good councillor etc

#### Contents

##### Unit-I

- a) Concept of Penology
- b) History of Penology
- c) Theories of Punishment
- d) Punishment and the Indian Penal code

##### Unit-II

- a) Capital Punishment in India: Constitutional Validity, Problems, Judicial Approach
- b) Alternative to Punishment
- c) Punishment in modern times: Contemporary view
- d) Law reforms proposals

### **Unit-III**

- a) Concept of Victimology
- b) Evolution of concept of Victimology: India and International
- c) Victim, Victimization and Victimology
- d) Theories of Victimization

### **Unit-IV**

- a) Rights of Victims and the Constitution of India
- b) Rights of Victims and Cr PC
- c) Victims and compensation in India
- d) Dynamics of Compensatory Jurisprudence in India

### **Suggested Readings**

1. Katherine S. Williams, *Text Book on Criminology*, Pages 95 -138 (Oxford University Press, 2001)
2. WG Doerner & S.P. Lab, *Victimology*, Lexis Nexis (2005)
3. V.N. Rajan, *Victimology in India: An Introductory Study* (Allied Publishers, New Delhi)
4. Ahmad Siddique, *Criminology and Penology*, pages 587-610 (Eastern Book Company, 2011)
5. Ram Ahuja, *Criminology*, pages 386-398 (Rawat Publication, 2010)
6. G.S. Bajpai, *Victim in Criminal Justice Process*, Uppal Publishing House, New Delhi(1997)
7. R. Deb, "Victimology", in *Principles of criminology, Criminal Law and Investigation*, SC Sarkar & Sons, Calcutta.

## HONS-6

### Offences against Child and Juvenile Offences

Course Code: BALLBHH1002

Credit: 4

Marks: 100 [20 (CA) + 80 (ESE)]

#### Objectives

1. To make the student understand the concepts of offences against the child
2. To familiarise the students with the key legislations and international instruments operating to deal with the offences against child and juveniles in India

#### Learning Outcomes

At the successful completion of the course, students will be able to:

1. Work efficiently towards the protection of child
2. Understand the various dimensions of offences against child and juvenile and the implementation of law
3. Develop knowledge of the key provisions of the important legislations operating to protect the child against the various offences in India

#### Contents

##### Unit I:

##### Concept

- a) Definition and concepts of term child and Juvenile
- b) Causes of offence against child
- c) International protection to child and convention

##### Unit II

##### Offences against Children

- a) Child abuse
- b) Child labour and forced labour
- c) Kidnapping, abduction

- d) Abetment of suicide of child
- e) Sale of obscene objects to young

### **Unit-III**

The Juvenile Justice (Care and Protection of Children) Act, 2000 As amended in 2015.

### **Unit IV**

- a) The Child Labour Prohibition Act, 1976.
- b) The Trafficking of Children and Immoral Traffic Prevention Act.

### **Suggested Readings**

1. K.D. Gam – Criminal Law and Criminology
2. VedKumari – The Juvenile Justice System in India.
3. R.N. Choudhuri – Law relating to Juvenile Justice in India.
4. S.S. Srivastava – Criminology & Criminal Administration.

## HONS-7

### *Information Technology Law* *Course Code: BALLBHH1003*

**Credit: 4**

**Marks: 100 [20 (CA) + 80 (ESE)]**

#### **Objectives**

1. To evaluate ongoing developments in law relating to IT
2. To evaluate the law relating to electronic signature, electronic governance and dispatch of electronic records
3. To describe the laws and functions of the Certifying authority and Electronic Signature Certificate
4. To provide an outlook to offences, remedies and the functions of the appellate tribunals in India

#### **Learning Outcomes**

At the completion of this course, students will be able to

1. Understand, from a legal perspective, the laws relating to the internet and computers
2. Form a view on the relevancy and adequacy of law
3. Analyse the extent to which control over and liability in respect of hardware, software, data and website content can have negative consequences for individuals and corporations and wider society

#### **Contents**

##### **Unit-I.**

##### **Background and Preliminary:**

- a) History of Information Technology Law;
- b) Impact of IT law on other Laws in India;
- c) Definitions, Meaning and Importance of IT Law in India

##### **Electronic Signature and Electronic Governance:**

- a) Electronic Signature
- b) Recognition of electronic records

- c) Use of electronic signature and electronic records
- d) Delivery of service by service provider
- e) Retention of electronic records

## **Unit-II**

### **Attribution, Acknowledgement and Despatch of Electronic Records:**

- a) Validity of electronic contracts
- b) Attribution of electronic records
- c) Acknowledgement of receipt
- d) Time and Place of dispatch and receipt of electronic records

## **Unit-III**

### **Regulation of Certifying Authorities:**

- a) Appointment of Controller; Functions of Controller
- b) Licence to issue digital signature certificates
- c) Application for licence and its renewal
- d) Suspension, display and surrender of licence
- e) Power of delegate and investigate contraventions

### **Secure Electronic Records, Signatures and Electronic Signature Certificates:**

- a) Secure Electronic Records and Signature
- b) Certifying Authorities to issue Electronic Signature Certificate
- c) Representation on Electronic Signature Certificate
- d) Notice of Suspension, Suspension and Revocation of Electronic Signature Certificate

## **Unit-IV**

### **a) Duties of Subscriber and Penalties, Compensation and Adjudication:**

- i. Generating Key pair
- ii. Duties of subscriber of ESC; Acceptance of DSC and Control of private key
- iii. Penalty and compensation for damage to computer system, failure to protect data, failure to furnish information etc.
- iv. Residuary penalty
- v. Power to adjudicate; factors considered by adjudicating officer

### **b) The Cyber Appellate Tribunal:**

- i. Establishment of Cyber Appellate Tribunal

- ii. Composition, power and function of Cyber Appellate Tribunal
- iii. Resignation and Removal; Appeal to Cyber Regulation Appellate Tribunal
- iv. Appeal to High Court; Recovery of Penalty and Compensation

**c) Offences and Remedies under IT Laws**

**Suggested Readings**

1. J. H. Barowalia - Commentary on the right to Information Act, Universal Law Publications.
2. Information Technology Act, 2000
3. Vakul Sharma – Information Technology law and practice
4. S.V. Joga Rao - Law Relating to Right to Information, vol.1.
5. Ian J Lloyd – Information Technology law, Edn. IV
6. Yatindra Singh – Cyber Laws

## HONS-8

### *Private International Law* *Course code: BALLBHH1004*

**Credit: 4**

**Marks: 100 [20 (CA) + 80 (ESE)]**

#### ***Objectives***

1. To provide an outlook regarding the concepts underpinning the Cross border matters
2. To provide legal background to the nature and function of the Conflict of Laws and enforcement of foreign Judgments in India

#### ***Learning outcomes***

1. To demonstrate understanding about the cross border private issues and conflict of laws
2. To advice and represent parties over various issues relevant under the Private International law

#### **Contents**

##### **Unit-I**

- a) Private International Law: Nature and scope
- b) Difference between Private and public International Law
- c) Scope of Private International Law
- d) Theories of Private International Law
- e) Subjects of Private International Law

##### **Unit-II**

- a) **Jurisdiction: Meaning and bases**
  - i. Choice of Law
  - ii. Domicile
  - iii. Residence
  - iv. Renvoi and Indian Position
  - v. Forum Convenience
- b) **CPC and Jurisdiction: Relevant Provisions**

##### **Unit-III**

- a) **Selected areas of Conflict and Private International Law**
  - i. Capacity
  - ii. Contract
  - iii. Property
  - iv. Marriage and divorce

- v. Succession
- vi. Adoption

#### **Unit-IV**

##### **a) Enforcement of Foreign Judgments and decree in India**

- i. Conditions of recognition and enforcement
- ii. Procedure of enforcement and recognition of foreign judgment
- iii. Proof of foreign laws

#### **Suggested Readings**

1. Paras Diwan & Peeyushi Diwan, Private International Law,(Deep & Deep Publications, New Delhi)
2. Dicey & Morris,Conflict of Laws,(Stevens, London)
3. Cheshire & North, Private International Law,(Butterworths, London)
4. R. S. Chavan, Indian Private International Law(Sterling Publishers Private Limited,New Delhi)
5. R. C. Khare, Private International Law,(Central Law Agency, Allahabad)
6. S. R. Myneni, Private International Law, (Asia Law House, Hyderabad)