**B.A.LLB**

**3rd Semester**

**English – III**

**(Literature and Law – Part A)**

**Paper I [Code – BLB 301C] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of English Literature and its interaction with law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective**: *English literature is a fascinating subject. And there is a lot in there that is related to law. The main objective of this paper is to introduce the law student to the intricate relation between law and literature. Law, in general, is regarded as a boring subject. However, mixed with literature, it becomes quite captivating. Moreover, law does not exist or operate in a vacuum. There is always a context that is involved. This paper will use literature to highlight how law operates in a society and how society facilitates the change in law.*

**Unit I – Law and Literature**

1. Law and Literature – Relationship.
2. Law and Literature – Scope.
3. Judgments as Literature.
4. Movies and Documentaries.
   1. James Bridges’s *The Paper Chase* (1973).
   2. Denzel Washington’s *The Great Debaters (2007).*

**Unit II – Law in General**

1. Literature [Select Reading]
   1. Zia Mody, *10 Judgments that Changed India* (2013).
   2. Scott Turow, *One L* (1977).
   3. *R. v. Dudley and Stephens* (1884) 14 QBD 273 DC
2. Movies and Documentaries
   1. Francis Ford Coppola’s *The Rainmaker* (1997).
   2. Jonathan Lynn’s *My Cousin Vinny* (1992).

**Unit III – Law and Morality**

1. Introduction to the Concept of Law and Morality.
2. Literature [Select Reading].
   1. Herman Wouk, *The Caine Mutiny* (1951).
   2. *Aruna Ramachandra Shanbaug v. Union of India* (2011) 4 SCC 454.
   3. *Naz Foundation v. Govt. of NCT of Delhi* 160 Delhi Law Times 277.
3. Movies and Documentaries
   1. Barry Levinson’s *You Don’t Know Jack* (2010).
   2. Michael Bay’s *Island* (2005).
   3. Jonathan Demme’s *Philadelphia* (1993).

**Unit IV – Law of Torts**

1. Introduction to important concepts of Law of Torts.
2. Literature [Select Reading]
   1. Jonathan Harr, *A Civil Action* (1995).
3. Movies and Documentaries.
   1. Steven Soderbergh’s *Erin Brockovich* (2000).
   2. Susan Saladoff, *Hot Coffee* (2011).

**Unit V- Law and Children**

1. Introduction to Law and Child – Some Important Concepts.
2. Literature [Select Reading]
   1. Ian McEwan, *The Children Act* (2014).
   2. Jodi Picoult, *My Sister’s Keeper* (2003).
3. Movies and Documentaries
   1. Robert Benton’s *Kramer v. Kramer* (1979).
   2. Nick Cassavetes’s *My Sister’s Keeper* (2009).

**Recommended Readings**

* 1. Literature/Novels
     1. Ian McEwan, *The Children Act* (2014)
     2. Jodi Picoult, *My Sister’s Keeper* (2003).
     3. Zia Mody, *10 Judgments that Changed India* (2013).
     4. Scott Turow, *One L* (1977).
     5. Herman Wouk, *The Caine Mutiny* (1951).
     6. Jonathan Harr, *A Civil Action* (1995)
     7. Ian McEwan, *The Children Act* (2014).
     8. Jodi Picoult, *My Sister’s Keeper* (2003).
  2. Law Books
     1. Ratan Lal & Deeraj Lal, The Law of Torts, Lexis Nexis Butterworths Wadhwa, Nagpur.
     2. R.K. Bangia, Law of Torts, Allahabad Law
     3. Winfield, Law of Torts
     4. Sinha, Law of Torts
     5. Avatar Singh, Law of Torts

**History – III**

**(Constitutional History)**

**Paper II [Code – BLB 302C] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of Constitutional History. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

Objective: *The objective of this paper is to apprise students about the constitutional challenges faced by the leaders of Indian Freedom Struggle and also to make them aware about the constitutional evolution and development in India.*

**Unit - I**

1. The Government of India Act, 1858.
2. The Government of India Act, 1861.

**Unit - II**

1. Indian Councils Act, 1909.
2. Government of India Act-1919 - features of Diarchy.

**Unit - III**

1. Government of India Act, 1935 with special emphasis on the concept of provincial autonomy and federalism.
2. Cripps Mission, Wavel Plan and Cabinet Mission

**Unit - IV**

1. Indian Independence Act, 1947.
2. The Constituent Assembly of India.

**Unit – V**

1. The Jammu and Kashmir Constitution Act, 1939.
2. Accession.
3. Special Status of Jammu and Kashmir.

**Recommended Readings**

1. Keith, Constitutional History of India

2. J.K. Mittal, Constitutional History of India

3. V. Bhagwan, Constitutional History of India

4. Kulsheshtra, Indian Legal and Constitutional History

5. H.M. Seerai, Constitutional Law of India

6. V.D. Mahajan, Constitutional History of India.

7. M.P.Jain Outlines of Indian Legal and Constitutional History (6th ed. 2006)Wadhwa and Company Nagpur.

**Political Science – III**

**Pubic Administration Part A**

**Paper III [Code – BLB 303C] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of Political Science with focus on public administration. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section.

**Objective**: *The object of this paper is to introduce the law students to the mechanics of public administration. It focuses on understanding the introduction, basic principles, and theories of public administration.*

**Unit - I**

1. Public Administration as Discipline: Meaning, Scope and Significance of the Subject.
2. Evolution and Approaches to its Study.

**Unit - II**

1. Private and Public Administration.
2. Theories of Organisation: The Classical Theory, Scientific Management Bureaucratic Theory, and the Human Relations Theory.

**Unit - III**

1. Principles of Organisation: Hierarchy, Unity of Command, Authority and Responsibility, Co-Ordination, Span of Control, Supervision, Centralisation and Decentralisation, and Delegation of Authority.
2. Structure of Organisation: Line, Staff and Auxiliary Agencies, Departments, Corporations, Companies, Boards and Commissions.

**Unit - IV**

1. Personnel Administration: The concept of Personnel Administration and Problems of Recruitment, Training and Promotion of Public Personnel, Civil Service Neutrality, Generalists and Specialists, Integrity in Administration.
2. Financial Administration: Concept of Budget, Preparation and Execution of the Budget, Performance Budgeting, and Zero Base Budgeting.

**Unit - V**

1. Citizens and Administration: Criteria of Successful Administration.
2. Meaning and Forms of Public Accountability and People’s Participation in Public Administration in India.
3. Role of Machinery from Redressal of Public Grievances with Special Reference to Lokpal and Lokauykta.

**Recommended Readings**

* + 1. Rumki Basu, Public Administration: An introduction to Concept and Theories, Sterling pubs, New Delhi.
    2. Bidyut Chakrabarty and Chand Prakesh, Public Administration in a Globalizing World (Theories and Practice), Sage, Los Angeles.
    3. B.M. Chitlangi, Recent Trends in Public Administration, RBSA, Jaipur.
    4. Cox. W. Raymond, Susan J. Buck and Betty N. Morgan, Public Administration in Theory and Practice, Pearson, Delhi.
    5. C.S. Dube, Public service and social Responsibility, Vikas Publication, New Delhi.
    6. Dilip Dutta, Economic Liberalization and Institution Reforms in South Asia: Recent Experiences and Future Prospects, New Delhi, Atlantic.
    7. H. George Frederickson, Kevin B. Smith, The Public Administration Theory Primer Essentials of Public Policy & Administration, Rawat, Jaipur.
    8. Mackintosh, Maureen and Rathin Roy, Economic decentralization and Public Management Reform, Cheltenham, Edward Elgar.
    9. R.B. Jain, Public Administration in India 21st Century Challenges for good Governance, Deep & Deep, New Delhi.
    10. Richard C. Box, Critical Social Theory in Public Administration, Prentice-Hall of India, New Delhi.
    11. Peter Self, Administrative Theories and Politics, An Inquiry into the structure and process of modern government, George Allen & UNWIN, UK.
    12. Kamal K. Sharma (eds.), Financial Administration in government, Vikas, New Delhi.
    13. M.K. Sharma, Financial Administration: An Introduction, Anmol, New, Delhi.
    14. M.K. Sharma, Personnel Administration, Anmol, New Delhi.
    15. P.D. Sharma and B.M. Sharma, Indian Administration Retrospect and Prospect, Rawat, New Delhi.

##### **Law of Contract – II**

**(Specific Contracts, Partnership Act and Sale of Goods Act)**

**Paper: IV [Code – BLB 304C] Max. Marks: 100**

**Time allowed: 3 hours Theory: 80**

**Continuous Assessment: 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of Special Contracts, Partnership Act and Sale of Goods Act. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. 30 percent of the questions will be problem based.

**Objective**: *Special Contracts and the Contracts of Sale of Goods and partnership are species of the general contracts with practical applications, be it insurance contracts, loan, dealership or partnership agreements, or creation of new business organizations with limited liability – a half way house between a firm and company. All these contracts have direct bearing on businesses that harbinger the economic growth of the country. The object of this paper is to equip the students with integrated knowledge of the legal requirements of these business contracts and their utility for executing day to day business.*

**Unit I – Indemnity and Guarantee**

1. Indemnity
   1. Definition of Indemnity.
   2. Nature and Extent of Liability of the Indemnifier.
   3. Commencement of Liability of the Indemnifier.
2. Guarantee
   1. The Concept and Definition of Contract of Guarantee.
   2. Essentials of a Valid Guarantee.
   3. Position of Minor as the Principal Debtor, Creditor or Surety.
   4. Continuing Guarantee.
   5. Nature and Extent of Surety’s Liability.
   6. Rights of Surety.
   7. Position of Surety in the Eyes of Law.
   8. Co-Surety and Manner of Sharing Liabilities and Rights.
   9. Discharge of Surety’s Liability.

**Unit II – Bailment and Agency**

1. Bailment
   1. Definition of Bailment.
   2. Kinds of Bailees/Bailors.
   3. Rights and Duties of Bailor and Bailee.
   4. Finder of Goods as a Bailee.
2. Agency
   1. Essential of an Agency.
   2. Kinds of Agents and Agencies.
   3. Distinction between Agent and Servant.
   4. Various Methods of Creation of Agency.

**Unit III - Sale of Goods**

* 1. Concept of Sale.
  2. Essentials of Contract of Sale.
  3. Implied Conditions in a Contract of Sale.
  4. Unpaid Seller and his Rights.

**Unit IV – Partnership – Basic Concept and Fundamental Principles**

* 1. Definition and Essentials.
  2. Agreement.
     1. Deed of Partnership.
     2. Interpretation of Agreement.
     3. Devolution of Business.
     4. Joint Venture.
  3. Firm.
     + 1. Firm Name
       2. Partnership and Co-Ownership.
       3. Partnership and Joint Family.
       4. Partnership and Company.
       5. Duration of Firm.
  4. Sharing of Profits.
  5. Mutual Agency.
  6. Real Relationship of Agency and Non-Partnership Interests.
     + 1. Joint Owners Sharing Gross Returns.
       2. Lender of Money Receiving Profits.
       3. Servant or Agent Receiving Profits.
       4. Widow or Child of Deceased Partners.
       5. Seller of Goodwill.
  7. Mutual Relationship between Partners
     + 1. Duties of Partners

Duty not to compete

Due Diligence

Duty to Indemnity for Fraud

Duty to render true accounts

Proper use of Property

Duty to Account for Personal Profits

* + - 1. Rights of Partners.

Right to take part in business

Majority Rights

Access to Books’

Right to Indemnity

Right to Profits

Right to Interest

Right to Remuneration

**Unit V – Partnership: Registration, Dissolution and Liability**

1. Registration of Partnership.
   1. Procedure of Registration.
   2. Change of Particulars.
   3. Proof of Registration.
   4. Effects of Non-Registration.
2. Dissolution of Partnership.
   1. By Consent.
   2. By Agreement.
   3. Compulsory Dissolutions.
   4. Contingent Dissolution.
   5. By Notice.
   6. Dissolution by Court.
3. Limited liability Partnership Act
   1. Object.
   2. Essential Features.
   3. Limited Liability.
   4. Difference between Limited Liability Partnership, Firm and Company

#### Recommended Readings

1. R.K Abhichandani (ed.), Pollock and Mulla on Contracts and Specific Relief Act, Tripathi, Bombay
2. Avtar Singh, Contract Act, Eastern Book Company, Lucknow
3. Krishnan Nair, Law of Contract, Orient, New Delhi
4. Avtar Singh, Principles of the Law of Sale of Goods and Hire Purchase, Eastern Book Company, Lucknow.
5. J.P Verma (ed.) Singh and Gupta, the Law Partnership in India, Orient, New Delhi
6. A.G. Guest (ed.) Benjamin’s Sale of Goods, Sweet & Maywell.
7. Beatson (ed.), Ansons, law of Contract, Oxford, London.
8. H.K. Saharay, Indian Partnership and Sale of goods Act, Universal Publishers.
9. Ramnainga, The Sales of Goods Act, Universal Book Co.
10. Annual Survey of Indian Law, Indian Law Institute, New Delhi.

**Family Law-I**

**(Muslim Law)**

**Paper V [Code – BLB 305C] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of Family Law. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. 30 percent of the questions will be problem based.

**Objective**: *The object of this paper is to apprise the students with the laws relating to family matters applicable to Muslim community in India.*

#### Unit I - Muslim Law: An Introduction

* + 1. Sources of Muslim Law
    2. Schools of Muslim Law.

**Unit II – Marriage and Divorce**

1. Marriage.
   1. Nature of Muslim Marriage.
   2. Formalities of a Valid Marriage.
   3. Classification of Marriages
   4. Legal Effects of a Valid Marriage.
   5. Option of Puberty.
   6. Restitution of Conjugal Rights.
   7. Polygamy in Islam.
2. Divorce and Matrimonial Remedies.
3. Pre-Islamic Background.
4. After the Advent of Islam.
5. Modes of Dissolution of Marriage.
6. Dissolution of Muslim Marriage Act, 1939.

**Unit III - Alimony and Maintenance**

* 1. Maintenance & its Components.
     1. When a Muslim Wife is entitled to Maintenance.
     2. When a Muslim Wife loses her Right of Maintenance.
  2. Maintenance of:
     1. Divorced Wives.
     2. Minor Children.
     3. Disabled Children and Parents who are Unable to Support Themselves.
     4. Provisions under the Code of Criminal Procedure. 1973.
  3. Maintenance of Divorced Muslim Women under the Muslim Women (Protection of Rights on Divorce) Act, 1986.

**Unit IV - Child and Family**

1. Guardianship.
2. Wakfs and Will.
3. Inheritance.

**Unit - V**

1. Dower.
   1. Definition and Nature of Mahr.
   2. Widow’s Right to Retain Possession of her Husband’s Estate in lieu of Unpaid Dower.
2. Legitimacy in Parentage.
   1. Parentage.
   2. Legitimacy.
   3. Presumption of Legitimacy.
   4. Acknowledgement of Paternity.
   5. Effects of Acknowledgment

## Establishment of Family Courts.

1. Concept of family court, status of family court
2. Jurisdiction of family court
3. Procedure and exclusion of lawyer.
4. Support of auxiliary services
5. Uniform Civil Code.

Religious pluralism and its implications.

Constitutional perspective

The idea of optional uniform civil code.

**Recommended Readings**

1. A.A.A. Fyzee, Outlines of Mohammadan Law
2. TahirMohmood, The Muslim Law of India
3. Paras Diwan, Muslim Law in Modern India
4. S.Athar Hussain and S. Khalid Rashid, Wakf Laws and Administration in India
5. Al-haji Muhammad-Ullah, The Muslim Law of Inheritance.

# Paras Diwan, Law of Interstate and Testamentary Succession, Universal.

1. N.D. Basu, Law of Succession, Universal
2. Kusem, Marriage and Divorce Law Manual, Universal.
3. S.C. Machanda, Law and Practice of Divorce in India,Universal
4. P.V. Kane, History of Dharmsartral, Vol 2.
5. Kuppuswani (ed), Maynis Hindu Law and Usage.
6. B. Sivaramayy, Inequatitus and the Law (1985)
7. S.T. Desai (Ed), Mulla’s Principles of Hindu Law (1998)
8. Annual Survey of Indian Law, Indian Law Institute, New Delhi.

**Jurisprudence-I**

**Paper VI [Code - BLB 306C] Max Marks = 100**

**Time Duration: 3 Hours Theory = 80**

**Continuous Assessment = 20**

**Note:** The subject includes a comprehensive and up to date study of various aspects of Jurisprudence. The question paper shall be of 80 marks, spread over the whole syllabus, and shall comprise of three sections. Section A (very short answer type questions in about 10-20 words) shall have 10 questions, two questions from each unit carrying 2 marks each. Section B (short answer type questions in about 200-250 words) shall have 5 questions, one question from each unit carrying 6 marks each. All questions from sections A and B have to be answered. Section C (long answer type questions in about 400-500 words) shall have 5 questions, one from each unit carrying 10 marks each. Any three questions out of 5 have to be answered from this section. 30 percent of the questions will be problem based.

**Objective**: *The objective of the paper is to develop an analytical approach to understand the nature, development and functioning of law and its working in different dimensions with reference to popular jurists.*

**Unit-I**

1. Jurisprudence: Meaning, Nature and Scope.
2. Relevance of Jurisprudence in Contemporary Legal Systems.
3. Relationship of Jurisprudence with other Social Sciences.
4. Legal Theory and Jurisprudence.

**Unit-II – Natural Law Approach**

1. Ancient Period
2. Medieval Period
3. Renaissance Period
4. Modern Period
5. Relevance of Natural Law in Present Indian Legal System.

**Unit-III - Analytical Positivism**

1. Jeremy Bentham
2. John Austin
3. Hans Kelson
4. H.L.A.Hart

**Unit-IV**

1. Historical School
   1. Puchta
   2. Savigny
   3. Sir Henry Maine
2. Sociological School
   1. Ihering
   2. Eugen
   3. Duguit
   4. Roscoe Pound

**Unit-V**

1. Legislation.
2. Precedents: Concept of Stare Decisis.
3. Customs.
4. Juristic Writings.

**Recommended Readings**

1. Bodenheimer, Jurisprudence – The philosophy and Methods of Law (1996), Universal Publication, Delhi.
2. Fitzgerald, (ed.) Salmond on Jurisprudence (1999).
3. Tripathi, Bombay W. Friedman, Legal Theory (1999) Universal Pub., Delhi.
4. V. D. Mahajan, Jurisprudence and Legal Theory (1996 re-print), Eastern Books, Lucknow.
5. M.D.A. Freeman (ed.), Lloyd’s Introduction to Jurisprudence, (1994), Sweet and Maxwell.
6. Paton G. W. Jurisprudence (1972), Oxford, ELBS.
7. H.L.A. Hart, The Concept of Law (1970), Oxford, ELBS.
8. Rescoe Pound, Introduction to the Philosophy of Law (1998 Re-print), Universal Pub., Delhi.
9. Dias, Jurisprudence (1994), Adithya Books, New Delhi.
10. Dhyani S. N. Jurisprudence: A study of Indian Legal Theory (1985), Metropolitan, New Delhi.
11. M.P. Tondon, Jurisprudence Legal Theory, Allahabad Law Agency.
12. Dr. Vijay Ghormade, Jurisprudence and Legal Theory, Hind Law House.
13. N.V. Pranjape, Studies in Jurisprudence and legal theory, Central Law Agency.
14. N.V. Jayakumar, Lectures in Jurisprudence, 2nd Ed., Lexis-Nexis.
15. Dr. B.N. Mani Tripathi, Jurisprudence Legal Theory, Allahabad Law Agency.
16. P.S. Atchthew Pillai, Jurisprudence and Legal Theory, Eastern Book Company.
17. Prof. G.C. Venkata Subba Rao, Jurisprudence and Legal Theory, Eastern Book Comp.
18. Annual Survey of Indian Law, Indian Law Institute, New Delhi.